AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

4-14-86
Vol. 51 No. 71
Pages 12595-12678

Federal Register

Monday
April 14, 1986

Briefings on How To Use the Federal Register—
For information on briefings in Dallas, TX, and Washington, DC, see announcement on the inside cover of this issue.

Selected Subjects

CONTINUED INSIDE

Selected Subjects

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers for $300.00 per year, or $150.00 for 6 months, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

There are no restrictions on the republication of material appearing in the **Federal Register.**

Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

How To Cite This Publication: Use the volume number and the page number. Example: 51 FR 12345.

THE FEDERAL REGISTER: WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 2 1/2 hours) to present:
1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

DALLAS, TX

WHEN: April 23; at 1:30 pm.

WHERE: Room 7A23,
Earl Cabell Federal Building,
1100 Commerce Street, Dallas, TX.

RESERVATIONS: local numbers:
Dallas 214-767-8585
Ft. Worth 817-334-3624
Austin 512-472-5494
Houston 713-229-2552
San Antonio 512-224-4471,
for reservations

WASHINGTON, DC

WHEN: May 15; at 9 am.

WHERE: Office of the Federal Register,
First Floor Conference Room,
1100 L Street NW., Washington, DC.

RESERVATIONS: Laurence Davey 202-523-3517

Contents

Federal Register

Vol. 51, No. 71

Monday, April 14, 1986

Separate Parts In This Issue

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

Rules and Regulations

Federal Register
Vol. 51, No. 71
Monday, April 14, 1986

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

FEDERAL LABOR RELATIONS AUTHORITY, GENERAL COUNSEL OF THE FEDERAL LABOR RELATIONS AUTHORITY, AND FEDERAL SERVICE IMPASSES PANEL

5 CFR Ch. XIV

Regional Office; Address Change

AGENCY: Federal Labor Relations Authority (including the General Counsel of the Federal Labor Relations Authority) and Federal Service Impasses Panel.

ACTION: Amendment of rules and regulations.

SUMMARY: This document amends Appendix A, paragraph (d)(4) (45 FR 3522) of the rules and regulations of the Federal Labor Relations Authority (Authority), General Counsel of the Federal Labor Relations Authority (General Counsel), and Federal Service Impasses Panel (Panel), published at 5 CFR Part 2400 *et seq.* (1985), to establish a new location and mailing address for the Authority's Atlanta Regional Office. The Atlanta Regional Office telephone numbers have not been changed.

EFFECTIVE DATE: April 7, 1986.

FOR FURTHER INFORMATION CONTACT: David L. Feder, Assistant General Counsel (202) 382-0834.

SUPPLEMENTARY INFORMATION: Effective January 28, 1980, the Authority, General Counsel and Panel published at 45 FR 3482, January 17, 1980, final rules and regulations to govern the processing of cases by the Authority, General Counsel and Panel under Chapter 71 of Title 5 of the United States Code (5 CFR Part 2400 *et seq.* (1985)). These rules and regulations are required by Title VII of the Civil Service Reform Act of 1978 and are set forth in 5 CFR Part 2400 *et seq.* (1985). Appendix A, paragraph (d) of the foregoing rules and regulations sets forth office addresses and telephone numbers of the Regional Directors of the Authority. This amendment sets forth the new location and mailing address of the Atlanta Regional Office of the Authority. The Atlanta Regional Office telephone numbers have not been changed. Accordingly, in Appendix A to Chapter XIV, paragraph (d)(4) of the Authority, General Counsel, and Panel rules and regulations (5 CFR Part 2400 *et seq.* (1985)) is revised to read as follows:

Appendix A to 5 CFR Change XIV—Current Addresses and Geographic Jurisdictions

* * * * *

(d) The Office addresses of Regional Directors of the Authority are as follows:

* * * * *

(4) *Atlanta Regional Office*—Suite 736, 1371 Peachtree St. N.E., Atlanta, Georgia 30367, Telephone: FTS—257-2324, Commercial—(404) 347-2324.

(5 U.S.C. 7134)

Dated: April 9, 1986.

John C. Miller,

General Counsel, Federal Labor Relations Authority.

[FR Doc. 86-8290 Filed 4-11-86; 8:45 am]

BILLING CODE 6727-01-M

DEPARTMENT OF JUSTICE

Immigration and Naturalization Service

8 CFR Parts 223 and 223a

Reentry Permits; Refugee Travel Document

AGENCY: Immigration and Naturalization Service, Justice.

ACTION: Final rule.

SUMMARY: On January 7, 1986, the President issued Executive Order 12543 prohibiting trade and certain transactions involving Libya. Section 4 of E.O. 12543 directs all agencies of the United States Government to take all appropriate measures within its authority to carry out the provisions of the order. This final rule brings the Immigration and Naturalization Service into compliance with Executive Order 12543 by providing that the Service will not issue reentry permits or refugee travel documents to permanent resident aliens who intend to travel to, in, or through Libya, with the exception of certain journalists and cases where there are urgent and compelling humanitarian considerations. Additionally, this final rule makes minor non-substantive corrections, principally to eliminate sexist language.

EFFECTIVE DATE: January 7, 1986.

FOR FURTHER INFORMATION CONTACT:

For General Information: Loretta J. Shogren, Director, Policy Directives and Instructions, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536, Telephone: (202) 633-3048

For Specific Information: F. Gerard Heinauer, Immigration Examiner, Immigration and Naturalization Service, 425 I Street NW., Washington, DC 20536, Telephone: (202) 633-5014.

SUPPLEMENTARY INFORMATION: On January 7 and 8, 1986, the President issued Executive Orders 12543 and 12544 prohibiting trade and certain transactions involving Libya. For the most part, the two orders relate to economic sanctions against Libya. However, section 1(g) of Executive Order 12543 prohibits in part:

> travel by any United States citizen or permanent resident alien to Libya, after the date of the Executive Order, other than travel for journalistic activity by persons regularly employed in such capacity by a newsgathering organization.

Compliance with 5 U.S.C. 553 as to notice of proposed rulemaking and delayed effective date is unnecessary because this change is mandated by Executive Order.

In accordance with 5 U.S.C. 605(b), the Commissioner of Immigration and Naturalization certifies that this rule, if promulgated, does not have a significant economic impact on a substantial number of small entities. This rule is not a rule within the definition of section 1(a) of E.O. 12291 as it relates to the foreign affairs function of the United States.

List of Subjects in 8 CFR Parts 223 and 223a

Administrative practice and procedure, Aliens, Reentry permits, Refugees, Travel restrictions.

Accordingly, Chapter 1 of Title 8 of the Code of Federal Regulations is amended as follows:

PART 223—REENTRY PERMITS

1. The authority citation for Part 223 is revised to read as follows:

Authority: Secs. 103 and 223 of the Immigration and Nationality Act, as amended (8 U.S.C. 1103 and 1203); E.O. 12543, 51 FR 875; E.O. 12544, 51 FR 1235.

2. Section 223.1 is revised to read as follows:

§ 223.1 Application.

An application for a reentry permit under section 223 of the Act shall be submitted on Form I–131 by an applicant in the United States at least 30 days prior to the proposed date of departure. The application shall be accompanied by the applicant's alien registration receipt card (Form I–151 or I–551, AR–3, or AR–103) or an application for a lost or destroyed card on Form I–90. If the applicant's name has been changed by marriage or by order of any court of competent jurisdiction and a reentry permit or Form I–151 or I–551 has never been issued in the changed name, the application shall also be accompanied by appropriate documentary evidence of such change. A reentry permit shall not be issued unless the alien is in possession of or is being furnished Form I–151 or I–551. Additional pages for the affixation of foreign visas may be attached to a valid reentry permit without formal application or fee. A lawful permanent resident alien entitled to nonimmigrant status under section 101(a)(15) (A), (E), or (G) of the Act because of occupational status, may be issued a reentry permit if the applicant executes and submits with the application, or has previously executed and submitted, a written waiver on Form I–508 required by section 247(b) of the Act and Part 247 of this chapter and, if applicable, Form I–508F (election as to tax exemption under the Convention between the United States and the French Republic) required by Part 247 of this chapter. A reentry permit applicant who is a lawful permanent resident alien and who is in possession of a refugee travel document issued pursuant to Part 223a of this chapter may be issued a new reentry permit only upon surrender of the existing refugee travel document to the Service. The applicant shall be notified of the decision made on the application for a reentry permit and, if the application is denied, of the reasons therefor and of the right to appeal in accordance with the provisions of Part 103 of this chapter. A reentry permit shall not be issued to a lawful permanent resident alien who intends to travel to, in, or through Libya unless such travel is for journalistic activity by a person who is regularly employed in such capacity by a newsgathering organization, or the applicant establishes that his or her trip is justified by urgent and compelling humanitarian considerations.

PART 223a—REFUGEE TRAVEL DOCUMENT

3. The authority citation for Part 223a is revised to read as follows:

Authority: Secs. 103, 211, 212, 235, 236, 237, 241 of the Immigration and Nationality Act, as amended (8 U.S.C. 1103, 1181, 1182, 1225, 1226, 1227, 1251); E.O. 12543, 51 FR 875; E.O. 12544, 51 FR 1235.

4. Section 223a.3 is revised to read as follows:

§ 223a.3 Eligibility.

Any alien physically present in the United States may apply for a refugee travel document if he/she believes that he/she is a refugee. A refugee travel document shall be issued to a refugee whose presence in the United States is lawful, unless compelling reasons of national security or public order otherwise require. Lawful presence, as used herein, does not include brief presence as a transit or crewman, or any other presence so brief as not to signify residence even of a temporary nature. A refugee travel document may be issued, in the exercise of discretion, to any other refugee unless reasons of national security or public order otherwise require; sympathetic consideration shall be given to such an application unless the Service intends to expel or exclude the alien from the United States. An alien who is a lawful permanent resident and who is in possession of a reentry permit issued pursuant to section 223 of the Act and Part 223 of this chapter may be issued a new refugee travel document only if he/she surrenders the existing reentry permit to the Service. For reasons of national security, a refugee travel document shall not be issued to a lawful permanent resident alien who intends to travel to, in, or through Libya, unless such travel is for journalistic activity by a person who is regularly employed in such capacity by a newsgathering organization, or the applicant establishes that his or her trip is justified by urgent and compelling humanitarian considerations.

Dated: April 7, 1986.

Richard E. Norton,

Associate Commissioner, Examinations, Immigration and Naturalization Service.

[FR Doc. 86–8260 Filed 4–11–86; 8:45 am]

BILLING CODE 4410–10–M

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 75

[Docket No. 86–007]

Equine Infectious Anemia

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This document amends the regulations in 9 CFR Part 75 by changing the procedure for approving laboratories to conduct official tests for equine infectious anemia (EIA). The procedure is amended to require the Deputy Administrator for Veterinary Services to consult with the State official responsible for the livestock and poultry disease control and eradication programs in the State in which the laboratory is located before approving a laboratory. This is necessary to ensure that the Deputy Administrator has all relevant information when deciding whether to approve a laboratory. This document also relieves certain restrictions regarding the interstate movement of reactors to home farms and diagnostic or research facilities. These restrictions have been determined not necessary to prevent the interstate dissemination of EIA. This document also removes the provision for release of reactors from diagnostic or research facilities when they are determined by a test recognized by USDA to be free of EIA, because presently no such tests are recognized by USDA. This document also sets forth the conditions under which a diagnostic or research facility is granted, denied or withdrawn approval to receive reactors moved interstate.

EFFECTIVE DATE: May 14, 1986.

FOR FURTHER INFORMATION CONTACT: Dr. C.A. Gipson, Special Diseases Staff, VS, APHIS, USDA, Room 826, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301–436–8321.

SUPPLEMENTARY INFORMATION:

Background

The regulations in 9 CFR Part 75 (referred to below as the regulations) include provisions concerning the interstate movement of horses, asses, ponies, mules, and zebras found to be affected with equine infectious anemia (referred to below as EIA), also known as swamp fever. The regulations provide that the Agar gel immuno-diffusion test is the official test for determining whether horses, asses, ponies, mules, and zebras are affected with EIA. The

official test for EIA is required to be conducted in a laboratory approved by the Deputy Administrator, Veterinary Services.

A document published in the **Federal Register** on November 6, 1985 (50 FR 46079–46082), proposed to amend the regulations by:

1. Changing the procedure for approving laboratories to conduct official tests for equine infectious anemia (EIA) by requiring the Deputy Administrator for Veterinary Services to consult with the State official responsible for the livestock and poultry disease control and eradication programs in the State in which the laboratory is located before approving a laboratory;

2. Relieving certain restrictions regarding the interstate movement of reactors to home farms and diagnostic or research facilities;

3. Removing the provision for release of reactors from diagnostic or research facilities when they are determined by a test recognized by USDA to be free of EIA;

4. Setting forth the conditions under which a diagnostic or research facility is granted, denied or withdrawn approval to receive reactors moved interstate, and;

5. Indicating where the standards for approval for laboratories may be obtained and to specify that the training, protocols, and check test proficiency requirements are prescribed by the Department's National Veterinary Services Laboratories at Ames, Iowa.

Comments were solicited concerning the proposal for a 60-day period ending January 6, 1986. No comments were received. Based on the rationale set forth in the proposal, the regulations are amended as proposed except for a minor nonsubstantive change and the addition of a definition of the wor "interstate."

Executive Order 12291 and Regulatory Flexibility Act

This rule has been reviewed in conformance with Executive Order 12291 and has been determined to be not a "major rule." The Department has determined that this rule will not have an effect on the economy of $100 million or more; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will have no significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

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

It is not anticipated that a significant number of laboratories will be affected by this rule. In addition, conducting official EIA tests is not a substantial economic activity of any laboratory in the United States. Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to the provisions of Executive Order 12372 which requires intergovernmental consultation with State and local officials. (See 7 CFR Part 3015, Subpart V).

List of Subjects in 9 CFR Part 75

Animal diseases, Contagious equine metritis, Dourine, Equine, Equine Infectious anemia, Horses, Quarantine, Transportion.

PART 75—COMMUNICABLE DISEASES IN HORSE, ASSES, PONIES, MULES, AND ZERBAS

Accordingly, Part 75, Title 9, Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 75 continues to read as set forth below:

Authority: 21 U.S.C. 111–113, 115, 117, 120, 121, 123–126, 134–134h; 7 CFR 2.17, 2.51, and 371.2(d).

2. Section 75.4 is revised as follows:

§ 75.4 Interstate movement of equine infections anemia reactors and approval of laboratories, diagnostic facilities and reasearch facilities.

(a) *Definitions.* For the purpose of this section, the following terms have the meanings set forth in this paragraph.

Accredited veterinarian. An accredited veterinarian as defined in Part 160 of this chapter.

Certificate. An official document issued by a State representative, Veterinary Services representative, or an accredited veterinarian at the point of origin of the interstate movement on which are listed: (1) The description, including age, breed, color, sex, and distinctive markings when present (such as brands, tattoos, scars or blemishes), of each reactor to be moved; (2) the number of reactors covered by the document; (3) the purpose for which the reactors are to be moved; (4) the points of origin and destination; (5) consignor; and (6) the consignee; and which states that each reactor identified on the certificate meets the requirements of § 75.4(b).

Deputy Administrator. The Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, or any other Veterinary Services official to whom authority is delegated to act for the Deputy Administrator.

Interstate. From any State into or through any other State.

Officially identified. The permanent identification of a reactor using the National Uniform Tag code number assigned by the United States Department of Agriculture to the State in which the reactor was tested, followed by the letter "A",[1] which markings shall be permanently applied to the reactor by a Veterinary Services representative, State representative or accredited veterinarian who shall use for the purpose a hot iron or chemical brand, freezemarking or a lip tattoo. If hot iron or chemical branding or freezemarking is used, the markings shall be not less than two inches high and shall be applied to the left shoulder or left side of the neck of the reactor. If a lip tattoo is used, each character of the tattoo shall be not less than one inch high and three-fourths of an inch wide and shall be applied to the inside surface of the upper lip of the reactor.

Official test. The Agar gel immuno-diffusion test for equine infectious anemia conducted in a laboratory approved by the Deputy Administrator.

Reactor. Any horse, ass, mule, pony or zebra which is subjected to an official test and found positive.

State. Any State, the District of Columbia, Puerto Rico, the Virgin Islands of the United States, Guam, the Northern Mariana Islands, or any other territory or possession of the United States.

State animal health official. The individial employed by a State who is responsible for livestock and poultry disease control and eradication programs.

State representative. An individual employed in animal health activities of a State or a State's political subdivision, who is authorized by that State to perform the function involved under a

[1] Information as to the National Uniform Tag code number system can be obtained from the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Federal Building, Hyattsville, Maryland 20782.

cooperative agreement with the United States Department of Agriculture.

Veterinarian in Charge. The veterinary offical of Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, who is assigned by the Deputy Administrator to supervise and perform the animal health activities of the Animal and Plant Health Inspection Service in the State concerned.

Veterinary Services representative. An individual employed by Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, who is authorized to perform the function involved.

(b) *Interstate movement.* No reactor may be moved interstate unless the reactor is officially identified, is accompanied by a certificate, and meets the conditions of either paragraph (b)(1), (b)(2), or (b)(3) of this section:

(1) The reactor is moved interstate for immediate slaughter, either to a Federally inspected slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 *et seq.*) or to a State-inspected slaughtering establishment that has inspection by a State representative at time of slaughter; or

(2) The reactor is moved interstate to a diagnostic or research facility after the individual issuing the certificate has consulted with the State animal health official in the State of destination and has determined that the reactor to be moved interstate will be maintained in isolation sufficient to prevent the transmission of equine infectious anemia to other horses, asses, ponies, mules, or zebras, and will remain quarantined under State authority at the diagnostic or research facility until natural death, slaughter, or until disposed of by euthanasia; or

(3) The reactor is moved interstate to its home farm after the individual issuing the certificate has consulted with the State animal health official in the State of destination and has determined that the reactor to be moved interstate will be maintained in isolation sufficient to prevent the transmission of equine infectious anemia to other horses, asses, ponies, mules, or zebras, and will remain quarantined under State authority on the reactor's home farm until natural death, slaughter, or until disposed of by euthanasia.

(c) *Approval of laboratories and diagnostic or research facilities.* (1) The Deputy Administrator will approve laboratories to conduct the official test only after consulting with the State animal health official in the State in which the laboratory is located and after determining that the laboratory: (i) Has technical personnel assigned to conduct the official test who have received training prescribed by the National Veterinary Services Laboratories; (ii) uses United States Department of Agriculture licensed antigen; (iii) follows standard test protocol prescribed by the National Veterinary Services Laboratories; (iv) meets check test proficiency requirements prescribed by the National Veterinary Services Laboratories; and (v) reports all official test results to the State animal health official and the Veterinarian in Charge.[2]

(2) The Deputy Administrator will approve diagnostic or research facilities to which reactors may be moved interstate under paragraph (b)(2) of this section, after a determination by the Deputy Administrator that the facility has facilities and employs procedures which are adequate to prevent the transmission of equine infectious anemia from reactors to other equine animals.[3]

(d) *Denial and withdrawal of approval of laboratories and diagnostic or research facilities.* The Deputy Administrator may deny or withdraw approval of any laboratory to conduct the official test, or of any diagnostic or research facility to receive reactors moved interstate, upon a determination that the laboratory or diagnostic or research facility does not meet the criteria for approval under paragraph (c) of this section.

(1) In the case of a denial, the operator of the laboratory or facility will be informed of the reasons for denial and, upon request, shall be afforded an opportunity for a hearing with respect to the merits or validity of such action in accordance with rules of practice which shall be adopted for the proceeding.

(2) In the case of withdrawal, before such action is taken, the operator of the laboratory or facility will be informed of the reasons for the proposed withdrawal and, upon request, shall be afforded an opportunity for a hearing with respect to the merits or validity of such action in accordance with rules of practice which shall be adopted for the proceeding. However, withdrawal shall become effective pending final determination in the proceeding when the Deputy Administrator determines that such action is necessary to protect the public health, interest, or safety. Such withdrawal shall be effective upon oral or written notification, whichever is earlier, to the operator of the laboratory or facility. In the event of oral notification, written confirmation shall be given as promptly as circumstances allow. This withdrawal shall continue in effect pending the completion of the proceeding, and any judicial review thereof, unless otherwise ordered by the Deputy Administrator.

(3) Approval for a laboratory to conduct the official test will be automatically withdrawn by the Deputy Administrator when the operator of the approved laboratory notifies the National Veterinary Services Laboratories in Ames, Iowa, in writing, that the laboratory no longer conducts the official test.

(4) Approval for a diagnostic or research facility to receive reactors moved interstate will be automatically withdrawn by the Deputy Administrator when the operator of the approved diagnostic or research facility notifies the Deputy Administrator, in writing, that the diagnostic or research facility no longer receives reactors moved interstate.

Done at Washington, DC, this 8th day of April 1986.

J.K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 86-8222 Filed 4-11-86; 8:45 am]

BILLING CODE 3410-34-M

[2] Training requirements, standard test protocols, and check test proficiency requirements prescribed by the National Veterinary Services Laboratories, and the names and addresses of approved laboratories can be obtained from the Deputy Administrator Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Federal Building, Hyattsville, Maryland 20782.

[3] Facilities and procedures which are adequate to prevent the transmission of equine infectious anemia, and the names and addresses of approved diagnostic or research facilities, can be obtained from the Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, United States Department of Agriculture, Federal Building, Hyattsville, MD 20782.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 110

Licensing Requirements for the Export of Nuclear Equipment and Material

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations pertaining to the export of nuclear equipment and material: (1) To require certain holders of export licenses to notify the Commission in writing at least 40 days prior to exporting Canadian-origin nuclear

material or equipment; (2) to expand the general license for byproduct material to cover the export of americium-241 contained in industrial process control equipment; and (3) to update the list of countries in the provisions setting out restricted destinations (§ 110.29) by deleting from the list certain countries that recently have adhered to the Nuclear Non-Proliferation Treaty (NPT). This action is necessary to implement portions of the U.S./Canada Agreement for Cooperation, to correct an oversight in the current regulations, and to continue the policy of facilitating nuclear cooperation with countries sharing the non-proliferation goals of the United States.

EFFECTIVE DATE: April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Elaine O. Hemby, Office of International Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, (301) 492–7984 or Joanna Becker, Office of the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, DC 20555, (301) 492–7630.

SUPPLEMENTARY INFORMATION: The Executive Branch has requested the NRC to amend its regulations in § 110.50(b)(3) concerning the notification of the export of foreign-origin nuclear material or equipment so that it will include Canadian-origin nuclear material and equipment in addition to Australian-origin nuclear material and equipment. This action will carry out Article XII, paragraph D of the U.S./Canada Agreement for Cooperation which requires the consent of Canadian authorities before the Canadian-origin nuclear material and equipment may be exported from the United States. In most cases, Canadian authorities have given their prior consent for retransfer at the time the material is imported into the United States. In other cases, where the country of origin is not known at the time NRC issues the license, the license holder or applicant must notify NRC in writing at least 40 days prior to actual export of the material or equipment in order to obtain United States Government authorization should the nuclear material or equipment be determined to be Canadian origin. The NRC will consult with the Executive Branch to obtain Canadian consent for the shipment. During this period, the licensee may not ship the nuclear material or equipment until authorized by NRC. Consultations normally will be completed well within 40 days.

The NRC is also amending its regulations concerning the restrictions on exports of byproduct material under the general license set out in § 110.23(b). This amendment will allow the export of americium-241 contained in industrial process control equipment. This amendment corrects an oversight in the current general license regulations covering americium-241 which now prohibit the export of americium-241 exceeding one curie per shipment or 100 curies per year to countries listed in § 110.29 unless it is contained in petroleum exploration equipment. Because it was never the intention of the Commission to prohibit exports of americium-241 for legitimate commercial use, the regulation will be amended to correct this oversight.

The NRC is also amending its regulations in § 110.29, the list of restricted destinations for exporting nuclear materials and equipment under general licenses, in order to delete the following countries: Belize, Bhutan, Equatorial Guinea, Kiribati, St. Vincent and the Grenadines, and Seychelles. These countries are recent adherents to the NPT. This amendment removes special restrictions on the export of nuclear material and equipment to certain countries which have adhered to the NPT, thereby continuing the United States Government policy of facilitating nuclear cooperation with countries sharing U.S. non-proliferation goals. Because these amendments involve a foreign affairs function of the United States, the Administrative Procedure Act provisions governing rulemaking do not apply to this action (5 U.S.C. 553 (a)(i)). Therefore, a notice of proposed rulemaking is not required for this action and the final rule may be made effective upon publication in the **Federal Register.**

Environmental Impact: Categorical Exclusion

The NRC has determined that the amendments to Part 110 in this regulation are the type of action described in 10 CFR 51.22(c)(1). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this regulation.

Paperwork Reduction Act Statement

This final rule amends information collection requirements that are subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). These requirements were approved by the Office of Management and Budget approval number 3150–0036.

Regulatory Analysis

The Commission has prepared a regulatory analysis of this final regulation.The analysis examines the costs and benefits of the alternatives considered by the Commission. The analysis is available for inspection in the NRC Public Document Room, 1717 H Street, NW., Washington, DC. Single copies of the analysis may be obtained from Elaine Hemby, Office of International Programs, U.S Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 492–7984.

Backfit

The NRC has determined that the backfit provisions in 10 CFR 50.109 do not apply to amendments to 10 CFR Part 110 rule changes, since the regulations in Part 110 apply only to the export of nuclear facilities, material, and components and have no impact on domestic facilities. Therefore, a backfit analysis has not been prepared for these amendments.

List of Subjects in 10 CFR Part 110

Administrative practice and procedure, Classified information, Export, Import, Incorporation by reference, Intergovernmental relations, Nuclear materials, Nuclear power plants and reactors, Penalty, Reporting and recordkeeping requirements, Scientific equipment.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 552 and 553 the following amendments to 10 CFR Part 110 are published as a document subject to codification.

PART 110—EXPORT AND IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL

1. The authority citation for Part 110 continues to read as follows:

Authority: Secs. 51, 53, 54, 57, 63, 64, 65, 81, 82, 103, 104, 109, 111, 126, 127, 128, 129, 161, 181, 182, 183, 187, 189, 68 Stat. 929, 930, 931, 932, 933, 936, 937, 948, 953, 954, 955, 956, as amended (42 U.S.C. 2071, 2073, 2074, 2077, 2092–2095, 2111, 2112, 2133, 2134, 2139, 2139a, 2141, 2154–2158, 2201, 2231–2233, 2237, 2239); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

Section 110.1(b)(2) also issued under Pub. L. 96–533, 94 Stat. 3138 (42 U.S.C. 2403). Section 110.11 also issued under sec. 122, 68 Stat. 939 (42 U.S.C. 2151) and secs. 54c. and 57d., 88 Stat. 473, 475 (42 U.S.C. 2074). Section 110.50(b)(3) also issued under sec. 123, 92 Stat. 142 (42 U.S.C. 2153). Section 110.51 also issued under sec. 184, 68 Stat. 954, as amended (42 U.S.C. 2234). Section 110.52 also issued under sec. 186, 68 Stat. 955 (42 U.S.C. 2236). Sections 110.80–110.113 also issued under 5 U.S.C. 552, 554. Sections 110.130–110.135 also issued under 5 U.S.C. 553.

For the purpose of sec. 223, 68 Stat. 958, as amended (42 U.S.C. 2273); §§ 110.20–110.29, 110.50, and 110.120–110.129 also issued under secs. 161b. and i., 68 Stat. 948, 949, as amended (42 U.S.C. 2201(b) and (i)); and

§ 110.53 also issued under sec. 161o., 68 Stat. 950, as amended (42 U.S.C. 2201(o)).

2. In § 110.23, paragraph (b) is revised to read as follows:

§ 110.23 Export of byproduct material.

* * * * *

(b) A general license is issued to any person to export americium-241 to any country not listed in § 110.28, except that exports of americium-241 exceeding one curie per shipment or 100 curies per year to any country listed in § 110.29—

(1) Must be contained in industrial process control equipment or petroleum exploration equipment in quantities not exceeding 20 curies per device; and

(2) May not exceed 200 curies per year to any one country.

* * * * *

3. Section 110.29 is revised to read as follows:

§ 110.29 Restricted destinations.

Afghanistan	Libya
Albania	Malawi
Algeria	Mauritania
Andorra	Mozambique
Angola	Niger
Argentina	Oman
Bahrain	Pakistan
Brazil	Qatar
Burma	Saudi Arabia
Chile	South Africa
Comoros	St. Kitts
Djibouti	Syria
Guyana	Tanzania
India	United Arab Emirates
Iran	Vanuatu
Iraq	Yemen Arab Republic
Israel	Zambia
Kuwait	Zimbabwe

4. In § 110.50, paragraph (b)(3) is revised to read as follows:

§ 110.50 Terms.

* * * * *

(b) * * *

(3) Unless a license specifically authorizes the export of foreign-origin nuclear material or equipment, a licensee shall notify in writing the Assistant Director for Export/Import and International Safeguards at least 40 days prior to export of Australian-origin or Canadian-origin nuclear material or equipment. A licensee may not ship this material or equipment until authorized by the Assistant Director for Export/Import and International Safeguards. The Assistant Director will not authorize shipment until after obtaining the consent of the Australian Government for Australian-origin material or the Canadian Government for Canadian-origin material.

* * * * *

Dated at Bethesda, Maryland, this 1st day of April 1986.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Acting Executive Director for Operations.

[FR Doc. 86-8265 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

Social Security; Cost-of-Living Increases; Delayed Retirement Credits; and Maximum Family Benefits

AGENCY: Social Security Administration, HHS.

ACTION: Final rules.

SUMMARY: In these regulations, we explain that cost-of-living increases in Old-Age, Survivors, and Disability Insurance (OASDI) benefits are no longer necessarily based solely on price increases. Now, we must also consider wage increases if the balance in the Social Security Trust Funds falls below a certain level. However, cost-of-living increases in Supplemental Security Income (SSI) benefits will continue to be based solely on the Consumer Price Index (CPI) increase percentage. The period for measuring these increases and their effective dates are also changed.

We also explain how old-age insurance benefits and some survivor benefits are increased because of credit to the insured worker for delayed retirement, and how we are modifying the computation of maximum benefits payable to a family where one or more children are entitled based on the earnings of more than one worker.

These rules are based on sections 111, 112, 114, 201, 331, and 401 of Pub. L. 98-21 (the Social Security Amendments of 1983), with further amendments to the Social Security Act by section 2661(k) of Pub. L. 98-369 (the Deficit Reduction Act of 1984).

DATES: These rules are effective April 14, 1986. The statutory provisions which they implement are effective as explained in **SUPPLEMENTARY INFORMATION.**

FOR FURTHER INFORMATION CONTACT: Jack Schanberger, Room 3-B-4 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, (301) 594-6785.

SUPPLEMENTARY INFORMATION:

Cost-of-living Increases

Since 1975, beneficiaries under the Old-Age, Survivors, and Disability Insurance (OASDI) programs have been entitled to cost-of-living increases in their monthly benefits each year because prices increased by at least 3.0 percent over those of the previous year. When OASDI benefits were increased, benefits under the Supplemental Security Income (SSI) program were increased by the same percentage. The basis for these increases has been the Consumer Price Index (CPI) for urban wage earners and clerical workers, as published by the Department of Labor, for the first calendar quarter of each year.

The National Commission on Social Security Reform and the Congress realized that the expected deficits in the Social Security Trust Funds would be caused in part by the fact that price increases, as measured by the CPI, exceeded wage increases in recent years. Thus, cost-of-living increases in benefits based on the CPI drew more from the Trust Funds than was put in the Funds by payroll taxes on wage increases. Congress dealt in part with the expected deficits by changing the method and the time for computing cost-of-living increases. These provisions are included in sections 111 and 112 of the Social Security Amendments of 1983 (the Amendments).

As one way of dealing with the expected deficits in the trust funds, Congress provided in section 111 of the Amendments that the OASDI cost-of-living increase for 1983 must be deferred from June until December (payable in the January check) and that increases in subsequent years will also be effective in December instead of in June. We explain this in revisions to §§ 404.270 and 404.271. Additionally, the SSI increase, which is based on the OASDI increase, was deferred until January 1984 (payable on December 30, 1983) and will be effective in January in subsequent years instead of in July.

As required by the Social Security Act (the Act), we published notice of the cost-of-living increases by publishing in the **Federal Register** on June 13, 1983, a 3.5 percent increase for December 1983 for OASDI benefits and for January 1984 for SSI benefits (48 FR 27150). In that notice, we also published increased SSI benefit amounts effective with July 1983, as provided by section 401 of the Amendments. Those increased SSI amounts were further increased by the cost-of-living increase in January 1984. Then on October 31, 1984, we published a notice of a cost-of-living increase of 3.5 percent for December 1984 for OASDI benefits and for January 1985 for SSI benefits (49 FR 43775). More recently, we published on October 31,

1985 a notice announcing a 3.1 percent cost-of-living increase for December 1985 for OASDI benefits and 3.1 percent for January 1986 for SSI benefits (50 FR 45558).

Another significant step for dealing with the expected deficits is a revised method of computing the cost-of-living increase for OASDI benefits, as provided in section 112 of the Amendments. We explain this revised method in the changes to §§ 404.272–404.275.

When the OASDI fund ratio is 15.0 percent or more in any year from 1984 through 1988 or 20.0 percent or more in any year after 1988, we will determine whether there will be a cost-of-living increase for December of that year and the amount of any increase by using the CPI as we have done since 1975, except that we will use the third quarter figures instead of the first quarter figures. For years after 1984, the OASDI fund ratio is the ratio of the assets in the OASDI Trust Funds on January 1 of a given year to the estimated expenditures from the funds in the same year. For 1984 only, we used the estimated assets in the OASDI Trust Funds on December 31, 1984 (this is discussed further in another notice). In each year, the ratio will be rounded to the nearest 0.1 percent. Although not explicitly provided in the Act, we believe that this is what Congress intended because the Act states the 15.0 and 20.0 threshold ratios with one-decimal accuracy.

When the OASDI fund ratio is less than the specified percent for a given year, we will determine whether there will be a benefit increase for that year and the amount of any OASDI increase by using the smaller of the increase from one year to the next in prices as measured by the CPI or in wages as measured by the average wage index (AWI). The AWI is the average of the annual total wages of all workers that we use for computing primary insurance amounts for insured workers, as explained in Subpart C of Part 404 of these Regulations.

Note.—In Pub. L 98–604, Congress waived the requirement that the increase in the appropriate index (CPI or AWI) must be at least 3.0 percent in order for a cost-of-living increase in OASDI or SSI benefits to occur. Since the waiver applied only to the cost-of-living increae payable in January 1985, it is not discussed in the proposed revisions to the regulations. In fact, the January 1985 increase was 3.5 percent, as published in the **Federal Register** on October 31, 1984 (49 FR 43775).

Congress further decided that beneficiaries who must accept smaller OASDI increases when the OASDI fund ratio is low should, after the ratio exceeds a certain level, have their benefits increased to the level the benefits would have reached if all increases had been based on increases in the CPI. Therefore, there is a "catch-up" provision, which we explain in the proposed § 404.278, so that when the OASDI fund ratio exceeds 32.0 percent, an additional cost-of-living increase can be paid. However, the additional increase will be paid only to the extent that it would not result in the OASDI fund ratio for the year after the year in which the increase is effective being reduced to less than 32.0 percent and only to the extent it is needed to raise the benefits approximately to the level they would have reached if they had been increased based on the CPI.

As provided in the Amendments and modified by the Deficit Reduction Act of 1984, we will compute the additional increase based on the differences between the compounded percentage benefit increase for the cost-of-living increases that were actually paid and the compounded percentage benefit increase that would have been paid based on the CPI if the OASDI fund ratio had not been below the specified percentage.

In revisions to § 416.405, we have updated the rule on how we compute the cost-of-living increase for SSI benefits. We explain that, as provided in section 401 of the Amendments, the SSI benefits will continue to be increased by the same percentage by which title II benefits are being increased based on the CPI, or would be increased if the CPI had been the basis for the title II increase. Also, in § 416.405, we had deleted an erroneous reference to § 416.414. Further, we have updated the benefit amount in §§ 416.410, 416.412, and 416.413.

Delayed Retirement Credit

We are introducing into Subpart D of Part 404 rules on the delayed retirement credit. We removed similar rules from Subpart C when it was recodified in 1982 (47 FR 30731, July 15, 1982). In these regulations, we have rewritten those former rules to make them easier to understand, and added provisions relating to section 114 of the 1983 Amendments which increase the amount of the credit.

The delayed retirement credit is basically a percentage increase in the benefit amount of a worker who does not receive old-age insurance benefits in one or more months after the month in which he or she reaches retirement age, either because he or she continued to work or simply did not apply for benefits. (The current retirement age is 65, but it will gradually increase in the next century to 67.) Any credit earned by the worker also extends to benefits for the worker's surviving spouse or surviving divorced spouse.

The Act provides that the amount of the delayed retirement credit, which is stated as a percentage increase in benefits, is based on the year the worker becomes eligible for old-age insurance benefits. The age of eligibility is 62. However, in these regulations, we discuss the amount of the credit in terms of when the worker reaches age 65 because that is the current retirement age at which the worker begins to earn the credit.

Before the enactment of the 1983 Amendments, the credit was one-fourth of one percent of the worker's monthly benefit amount times the number of months beginning with the month of reaching age 65 and ending with the month before reaching age 72 for which the worker was fully insured but did not receive benefits. This rate was applicable to workers who reached age 65 at any time after 1981. Section 114 of the Amendments provides in effect that for persons who attain age 65 in 1990 or later, the one-fourth of one percent rate will be increased by one-twenty-fourth of one percent in each even year until the rate reaches two-thirds of one percent for persons reaching age 66 in 2009 and later. The Amendments also lower from 72 to 70 the age at which the credits can no longer be earned. This lower age applies effective January 1984. This change in the age limit is consistent with the lowering to 70 the age at which deductions for earnings are no longer applicable to working beneficiaries.

Child's Benefit Amounts

We have reworded and clarified the rules in §§ 404.353 and 404.407 to provide that a child entitled to benefits on the earnings record of more than one worker may receive a benefit based on the record with a smaller primary insurance amount if that record yields the highest benefit for the child and if paying the child on that record does not adversely affect other beneficiaries. These changes make the rules read consistent with Section 202(k)(2)(A) of the Act and with the way we have been implementing this provision of law.

Section 202(k)(2)(A) of the Act requires, as a general rule, that we pay the simultaneously entitled child on the earnings record which yields the highest primary insurance amount. However, if paying this child on a record with a lower primary insurance amount results in a higher benefit amount for the child and will not adversely affect the benefit amount of any other person on any earnings record on which the

simultaneously entitled child is entitled, then we must pay the child on the record which yields the lower primary insurance amount. The persons entitled on the earnings record on which the simultaneously entitled child will not be paid will be paid as though that child is not entitled on that record.

The language we replaced in §§ 404.353 and 404.407 focused only on the adverse effects of other beneficiaries being paid on the record with the lower primary insurance amount. Thus, those current rules did not fully reflect our interpretation of the Act. Under our interpretation of the Act, we consider the other beneficiaries entitled on any earnings records. Thus, if the individual benefit being paid to the other beneficiary (or beneficiaries) would not be reduced, the child is paid on the record with the lower primary insurance amount.

Maximum Family Benefits

The Act provides that when a child is entitled to benefits on more than one worker's record, the maximum family benefit amounts payable on each record are combined. Under the Act as in effect before the 1983 Amendments, the total payable was the smaller of the sum of the maximums on each record or 1.75 times the highest primary insurance amount possible under the average indexed monthly earnings method (see § 404.210) based on the contribution and benefit base (which we publish each year) for each year for which the combined maximum benefits are payable. This meant that a new primary insurance amount (and thus a new maximum family benefit amount) had to be computed each January for that year for certain beneficiaries.

The new primary insurance amount was based on wage increases as reflected in the contribution and benefit base, and did not consider price increases which were the basis for the cost-of-living increase in the previous year. Therefore, if wage increases were greater or lesser than price increases, the new primary insurance amount was greater or lesser than the former primary insurance amount which had been increased by the percentage of the most recent cost-of-living increase. The effect on the maximum family benefit amount, after multiplying the new primary insurance amount by 1.75, was a decrease for current beneficiaries when wages did not rise as much as prices, and thus a decrease in benefit amounts. Conversely, there was a windfall increase in benefits when wages rose faster than prices.

To eliminate these inequitable fluctuations in maximum family benefit amounts, the 1983 Amendments provide in section 331 that the maximum family benefit amount is the smaller of the sum of the maximums of 1.75 times the highest primary insurance amount possible for January 1983 (or if later, January of the year a child becomes entitled on more than one record) based on one-twelfth of the contribution and benefit base for that year. Thereafter, that primary insurance amount and the resulting maximum family benefit amount after multiplying the primary insurance amount by 1.75 will be increased only on the basis of cost-of-living increases, instead of on changes in the contribution and benefit base. We explain this provision in a new paragraph (f) of § 404.403.

Comments

These rules were published as a Notice of Proposed Rulemaking at 50 FR 27615 on July 5, 1985. We received comments from two parties.

One party is concerned that the catch-up cost-of-living increase explained in § 404.278 will increase administrative expenses for States and for the Federal government. Our response is that we are required by law to provide the catch-up increase if the required conditions are met. Moreover, the additional expenses should not be excessive because the catch-up increase is applied at the time of a regular cost-of-living increase.

The second party had suggestions for clarifying the language in several sections. In response we have changed §§ 404.278 (d)(1) and (d)(2), and 404.313 (a)(2), (b)(1), (c) and (d).

Changes to Notice of Proposed Rulemaking

In addition to the changes in response to comments, we have made the following substantive changes:

1. Added the cost-of-living increases which were published in the **Federal Register** on October 31, 1985.

2. Revised § 404.275(b) so that the discussion on rounding is consistent with paragraph (a).

3. Revised § 404.278(b)(1)(i) to change "last" to "first", as provided in Section 215(i)(5)(B)(iv) of the Social Security Act.

4. Deleted paragraphs (1), (2), and (3) of § 404.278(c) because the computation is also explained in paragraph (d).

5. Updated a cross-reference in § 404.312.

6. Revised § 404.403 to relate the new paragraph (f)(1) to the current paragraphs (c) and (d). We have also revised paragraph (f)(2) to provide that the rule in (f)(1) rather than (e)(1) applies in certain situations.

Except for these changes, the changes in response to comments, and minor editorial changes, we are adopting the rules as proposed.

Regulatory Procedures

Executive Order 12291

These regulations have been reviewed under E.O. 12291. The provisions for shifting the cost-of-living adjustment from June to December (July to January for SSI) are expected to reduce OASDI program expenditures by more than $17 billion and SSI by about $395 million for the fiscal years 1986–1988. However, these provisions are required by Pub. L. 98–21 and we have no discretion in implementing them. The cost of the other provisions discussed in these regulations is expected to be negligible. Therefore, a regulatory impact analysis is not required.

Paperwork Reduction Act

The regulations impose no reporting/recordkeeping requirements requiring OMB clearance.

Regulatory Flexibility Act

We certify that these regulations will not have a significant economic impact on a substantial number of small entities because they affect only benefit amounts payable to individuals. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96–354, the Regulatory Flexibility Act, is not required.

(Catalog of Federal Domestic Assistance Programs Nos. 13.802 Social Security—Disability Insurance, 13.803 Social Security—Retirement Insurance, 13.805 Social Security—Survivors Insurance, 13.807 Supplemental Security Income Program)

List of Subjects

20 CFR Part 404

Administrative practice and procedure, Death benefits, Disability benefits, Old-age, survivors, and disability insurance.

20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Public assistance programs, Supplemental Security Income (SSI).

Dated: February 7, 1986.

Martha A. McSteen,

Acting Commissioner of Social Security.

Approved: March 19, 1986.

Otis R. Bowen, M.D.,

Secretary of Health and Human Services.

Subparts C, D, and E of Part 404 and Subpart D of Part 416 of Chapter III of Title 20 of the Code of Federal Regulations are amended as follows:

PART 404—[AMENDED]

1. The authority citation for Subpart C of Part 404 is revised to read as follows:

Authority: Secs. 202, 205, 215, and 1102 of the Social Security Act, as amended; 49 Stat. 623, 53 Stat. 1368, as amended; 64 Stat. 506, as amended; 49 Stat. 647; 42 U.S.C. 402, 405, 415, and 1302.

2. The authority citation for Subpart D of Part 404 is revised to read as follows:

Authority: Secs. 202, 205, 216, 223, 228, 1102 of the Social Security Act, 49 Stat. 623, 53 Stat. 1362, 53 Stat. 1368, 64 Stat. 492, 64 Stat. 510, 70 Stat. 815, 80 Stat. 67, 49 Stat. 647; Sec. 5, Reorganization Plan No. 1 of 1953, 67 Stat. 631, 95 Stat. 834; 42 U.S.C. 402, 405, 416, 423, 428, and 1302; and 5 U.S.C. Appendix.

3. The authority citation for Subpart E of Part 404 is revised to read as follows:

Authority: Secs. 203, 205, 207, and 1102, 49 Stat. 623, 53 Stat. 1368, as amended, 79 Stat. 379, as amended, 49 Stat. 647, as amended; Sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18; 42 U.S.C. 403, 405, 427, 1302.

§ 404.270 [Amended]

4. Section 404.270 is amended by changing "June" to "December" in the first sentence.

§ 404.271 [Amended]

5. Section 404.271 is amended by changing the cross-reference in paragraph (a) to § 404.380 and by changing "June' to "December" in paragraph (c).

6. Section 404.272 is revised to read as follows:

§ 404.272 Indexes we use to measure the rise in the cost-of-living.

(a) *The bases.* To measure increases in the cost-of-living for annual automatic increase purposes, we use either:

(1) The revised Consumer Price Index (CPI) for urban wage earners and clerical workers as published by the Department of Labor, or

(2) The average wage index (AWI), which is the average of the annual total wages that we use to index (i.e., update) a worker's past earnings when we compute his or her primary insurance amount (§ 404.211(c)).

(b) *Effect of the OASDI fund ratio.* Which of these indexes we use to measure increases in the cost-of-living depends on the Old-Age, Survivors, and Disability Insurance (OASDI) fund ratio.

(c) *OASDI fund ratio for years after 1984.* For purposes of cost-of-living increases, the OASDI fund ratio is the ratio of the combined assets in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund (see section 201 of the Social Security Act) on January 1 of a given year, to the estimated expenditures from the Funds in the same year. The January 1 balance consists of the assets (i.e., government bonds and cash) in the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, plus Federal Insurance Contributions Act (FICA) and Self-Employment Contributions Act (SECA) taxes transferred to these trust funds on January 1 of the given year, minus the outstanding amounts (principal and interest) owed to the Federal Hospital Insurance Trust Fund as a result of interfund loans. Estimated expenditures are amounts we expect to pay from the Old-Age and Survivors Insurance and the Disability Insurance Trust Funds during the year, including the net amount that we pay into the Railroad Retirement Account, but excluding principal repayments and interest payments to the Hospital Insurance Trust Fund and transfer payments between the Old-Age and Survivors Insurance and the Disability Insurance Trust Funds. The ratio as calculated under this rule is rounded to the nearest 0.1 percent.

(d) *Which index we use.* We use the CPI if the OASDI fund ratio is 15.0 percent or more for any year from 1984 through 1988, and if the ratio is 20.0 percent or more for any year after 1988. We use either the CPI or the AWI, depending on which has the lower percentage increase in the applicable measuring period (see § 404.274), if the OASDI fund ratio is less than 15.0 percent for any year from 1984 through 1988, and if the ratio is less than 20.0 percent for any year after 1988. For example, if the OASDI fund ratio for a year is 17.0 percent, the cost-of-living increase effective December of that year will be based on the CPI.

7. Section 404.273 is revised to read as follows:

§ 404.273 When automatic cost-of-living increases are to be made.

We make automatic cost-of-living increases if the applicable index, either the CPI or the AWI, rises by 3.0 percent or more over a specified measuring period (see the rules in § 404.274). If the cost-of-living increase is to be based on an increase of 3.0 percent or more in the CPI, the increase becomes effective in December of the year in which the measuring period ends. If the increase is to be based on an increase of 3.0 percent or more in the AWI, the increase becomes effective in December of the year after the year in which the measuring period ends.

8. Section 404.274 is revised to read as follows:

§ 404.274 Measuring the increase in the indexes.

(a) *General.* Depending on the OASDI fund ratio, we measure the rise in one index or in both indexes during the applicable measuring period (described in paragraphs (b) and (c) of this section) to determine whether there will be an automatic cost-of-living increase and if so, its amount.

(b) *Measuring period based on CPI.* For the increase effective December 1984 and later years, the measuring period we use for finding the amount of the CPI increase—

(1) Begins with—

(i) Any calendar quarter in which an *ad hoc* benefit increase is effective; or, if later,

(ii) The third calendar quarter of any year in which the last automatic increase became effective; and

(2) Ends with the third calendar quarter of the following year, but only if the CPI has increased by at least 3.0 percent (after rounding to the nearest one-tenth of one percent) since the beginning of the measuring period. (If the CPI increase is less than 3.0 percent, we extend the measuring period to the third quarter of the next year, doing so repeatedly until the 3.0 percent level is reached.) If this measuring period ends in a year after the year in which an *ad hoc* increase was enacted into law or took effect, there can be no cost-of-living increase based on this measuring period, and we will apply the rule in paragraph (d) of this section.

(c) *Measuring period based on AWI.* The measuring period we use for finding the amount of the AWI increase—

(1) Begins with—

(i) The calendar year before the year in which an *ad hoc* benefit increase is effective; or, if later,

(ii) The calendar year before the year in which the last automatic increase became effective; and

(2) Ends with the following year, but only if the AWI has increased by at least 3.0 percent (after rounding to the nearest one-tenth of one percent) in that one-year period. (If the AWI increase is less than 3.0 percent, we extend the measuring period to the next year, doing so repeatedly until the 3.0 percent level is reached.) If this measuring period ends in a year in which an *ad hoc* increase was enacted into law or took effect, there can be no cost-of-living increase based on this measuring period, and we will apply the rule in paragraph (d) of this section.

(d) *When no automatic cost-of-living increase is possible.* No automatic cost-of-living increase is possible for the calendar year that immediately follows

a year in which an *ad hoc* increase was enacted into law or took effect. The measuring period for the next automatic cost-of-living increase—

(1) Where the measuring period is based on the CPI,

(i) Begins with the calendar quarter in which the *ad hoc* increase took effect; and

(ii) Ends with the third calendar quarter of the next year in which the CPI has risen by at least 3.0 percent if an *ad hoc* increase was not enacted or effective in the preceding year. (If the CPI increase is less than 3.0 percent, or an *ad hoc* increase was enacted or effective in the prior year, we extend the end of the measuring period to the third quarter of the following year, doing so repeatedly until the 3.0 percent level is reached in a year which does not immediately follow an *ad hoc* increase year.)

(2) Where the measuring period is based on the AWI,

(i) Begins with the calendar year before the year in which the *ad hoc* increase took effect; and

(ii) Ends with the next calendar year in which the AWI has increased by at least 3.0 percent and in which an *ad hoc* increase is not enacted or effective. (If the AWI increase is less than 3.0 percent, we extend the end of the measuring period to the following year, doing so repeatedly until the 3.0 percent level is reached in a year in which an *ad hoc* increase is not enacted or effective.)

9. Section 404.275 is amended by deleting the authority citations and revising the text to read as follows:

§ 404.275 Amount of automatic cost-of-living increases.

(a) *Based on CPI.* When the average of the CPI for the three months of the quarter ending the measuring period is at least 3.0 percent higher than the average of the CPI for the three months of the quarter in which the measuring period began, we compute an automatic cost-of-living increase percentage to be effective beginning with benefits payable for December of the year in which the measuring period ended. To compute the average of the CPI, the three monthly CPI figures (which are published to one decimal place) are added, the total is divided by 3, and the result is rounded to the nearest 0.1. If the CPI is the applicable index (see § 404.272(d)), we apply the increase (rounded to the nearest one-tenth of one percent) to the amounts described in § 404.271. We round the resulting amounts to the next lower multiple of $0.10 if not already a multiple of $0.10.

(b) *Based on AWI.* When the AWI for the year which ends the measuring period is at least 3.0 percent higher than the AWI for the year which begins the measuring period and all the other conditions for an AWI-based increase are met, that percent is the automatic cost-of-living increase which is due beginning with benefits payable for December of the year after the measuring period ended. If the AWI is the applicable index (see § 404.272(d)), we apply that percentage increase (rounded to the nearest one-tenth of one percent) to the amounts described in § 404.271. We round the resulting amounts to the next lower multiple of $0.10 if not already a multiple of $0.10.

(c) *Additional increase.* See § 404.278 for the additional increase which might be possible.

§ 404.277 [Amended]

10. Section 404.277 is amended in paragraph (b) by changing "June" to "December" each place it appears and by deleting the authority citation.

11. A new section 404.278 is added to read as follows:

§ 404.278 Additional cost-of-living increase.

(a) *General.* In addition to the cost-of-living increase explained in § 404.275 for a given year, we will further increase the amounts in § 404.271 if—

(1) The OASDI fund ratio is more than 32.0 percent in the given year in which a cost-of-living increase is due; and

(2) In any prior year, the cost-of-living increase was based on the AWI as the lower of the CPI and AWI (or would have been based on the AWI except that it was less than the required 3.0 percent increase).

(b) *Measuring period for the additional increase*—(1) *Beginning.* To compute the additional increase, we begin with—

(i) In the case of certain uninsured beneficiaries age 72 and older (see § 404.380), the first calendar year in which a cost-of-living adjustment was based on the AWI rather than the CPI;

(ii) For all other individuals and for maximum benefits payable to a family, the year in which the insured individual became eligible for old-age or disability benefits to which he or she is currently entitled, or died before becoming eligible.

(2) *Ending.* The end of the measuring period is the year before the first year in which a cost-of-living increase is due based on the CPI and in which the OASDI fund ratio is more than 32.0 percent.

(c) *Compounded percentage benefit increase.* To compute the additional cost-of-living increase, we must first compute the compounded percentage benefit increase (CPBI) for both the cost-of-living increases that were actually paid during the measuring period and for the increases that would have been paid if the CPI had been the basis for all the increases.

(d) *Computing the CPBI.* The computation of the CPBI is as follows—

(1) Obtain the sum of (i) 1.000 and (ii) the actual cost-of-living increase percentage (expressed as a decimal) for each year in the measuring period;

(2) Multiply the resulting amount for the first year by that for the second year, then multiply that product by the amount for the third year, and continue until the last amount has been multiplied by the product of the preceding amounts;

(3) Subtract 1 from the last product;

(4) Multiply the remaining product by 100. The result is what we call the *actual* CPBI.

(5) Substitute the cost-of-living increase percentage(s) that would have been used if the increase(s) had been based on the CPI (for some years, this will be the percentage that was used), and do the same computations as in paragraphs (d)(1) through (4) of this section. The result is what we call the *assumed* CPBI.

(e) *Computing the additional cost-of-living increase.* To compute the precentage increase, we—

(1) Subtract the actual CPBI from the assumed CPBI;

(2) Add 100 to the actual CPBI;

(3) Divide the answer from paragraph (e)(1) of this section by the answer from paragraph (e)(2) of this section, multiply the quotient by 100, and round to the nearest 0.1. The result is the additional increase percentage, which we apply to the appropriate amount described in § 404.271 after that amount has been increased under § 404.275 for a given year. If that increased amount is not a multiple of $0.10, we will decrease it to the next lower multiple of $0.10.

(f) *Restrictions on paying an additional cost-of-living increase.* We will pay the additional increase to the extent necessary to bring the benefits up to the level they would have been if they had been increased based on the CPI. However, we will pay the additional increase only to the extent payment will not cause the OASDI fund ratio to drop below 32.0 percent for the year after the year in which the increase is effective.

§ 404.312 [Amended]

12. In § 404.312, the cross-reference in paragraph (b) is amended to read §404.313.

13. A new § 404.313 is added to read as follows:

§ 404.313 Using delayed retirement credit to increase old-age benefit amount.

(a) *General.* (1) If you do not receive old-age benefits for the month you reach age 65 (retirement age) or for any later month before the month in which you reach age 70 (72 before 1984), you may earn delayed retirement credits which will increase your benefit amount when you retire. You earn delayed retirement credits for each of those months for which you are fully insured and are eligible for but do not receive old-age benefits, either because of your work or earnings, or because you have not applied for benefits. If you were entitled to old-age benefits before age 65 you may still earn delayed retirement credit for months beginning with age 65 in which your benefits were reduced to zero because of your work or earnings.

(2) Retirement age is the age at which entitlement to full benefits may begin and is the age at which you may begin to earn delayed retirement credits. Age 65 is the retirement age for workers who reach that age before the year 2003. For workers who reach age 65 after 2002, retirement age will gradually increase from 65 to 67, depending on each person's date of birth.

(b) *How we determine delayed retirement credits.*—(1) *General.* The amount of the delayed retirement credit depends on the year you reach retirement age, and the number of months you are eligible for and do not receive old-age benefits from retirement age to age 70 (72 before 1984). We total these months, which need not be consecutive, multiply the total by the applicable percent as provided in paragraphs (b) (2), (3), and (4) of this section, multiply your benefit amount by this product, and round to the next lowest multiple of $0.10 if the answer is not already a multiple of $0.10. The result is your delayed retirement credit which we add to your benefit amount. The supplementary medical insurance premium, if any, is then deducted and the result is rounded to the next lowest multiple of $1.00 if it is not already a multiple of $1.00.

(2) *Before 1982.* If you reach age 65 before 1982, your delayed retirement credit equals one-twelfth of one percent of your benefit amount times the number of months after 1970 in which you are age 65 or older and for which you are eligible but do not receive old-age benefits.

(3) *After 1981 and before 1990.* If you reach age 65 after 1981 and before 1990, your delayed retirement credit equals one-fourth of one percent of your monthly benefit amount times the number of months in which you are age 65 or older and for which you are eligible but do not receive old-age benefits.

(4) *Beginning with 1990.* If you reach age 65 in 1990 or later, the rate of the delayed retirement credit (i.e., one-fourth of one percent as stated in paragraph (b)(3) of this section) is increased by one-twenty-fourth of one percent in each even year through 2008. Thus, depending on when you reach age 65, your delayed retirement credit percent will be as follows:

Year you reach age 65	Delayed retirement credit percent
1990	7/24 of 1 percent.
1991	7/24 of 1 percent.
1992	1/3 of 1 percent.
1993	1/3 of 1 percent.
1994	3/8 of 1 percent.
1995	3/8 of 1 percent.
1996	5/12 of 1 percent.
1997	5/12 of 1 percent.
1998	11/24 of 1 percent.
1999	11/24 of 1 percent.
2000	1/2 of 1 percent.
2001	1/2 of 1 percent.
2002	13/24 of 1 percent.
2003	13/24 of 1 percent.
2004	7/12 of 1 percent.
2005	7/12 of 1 percent.
2006	5/8 of 1 percent.
2007	5/8 of 1 percent.
2008 and later	2/3 of 1 percent.

Example. Alan was qualified for old-age benefits when he reached age 65 in January 1983, but decided not to apply for old-age benefits immediately because he was still working. When he became age 66 in January 1984, he stopped working and applied for these benefits beginning with that month. Based on his earnings, his primary insurance amount was $226.60, and his monthly old-age benefit after deducting his supplemental medical insurance premium was $211.00 ($226.60 minus $15.50 SMI premium equals $211.10, rounded to $211.00), if no delayed retirement credits were added. However, he did not receive benefits for the 12 months from the month in which he became 65 (January 1983) until the first month in which he stopped working (January 1984). Therefore, his monthly old-age benefit of $226.60 was increased by three percent (one-quarter of one percent times 12 months) to yield a total $233.39, which rounded to the next lower multiple of $0.10 is $233.30. After deducting the SMI premium and rounding to the next lower multiple of $1, the benefit amount is $217.00.

(c) *Effective date of delayed retirement credit.* If you are entitled to benefits, we examine our records after the end of each calendar year to determine whether you have earned the delayed retirement credit (i.e., whether there were months in which you were fully insured and eligible for benefits, but did not receive them). Any increase in your benefit amount due to the delayed retirement credit is effective beginning with January of the year after the year the credit is earned. If you are age 65 or older and eligible for old-age benefits but have not applied, we compute the delayed retirement credit for the year(s) before you applied and pay it to you as part of your first benefit check. The delayed retirement credit for the year you applied and later years is added to your benefits beginning with the following January. However, in either case, in the year in which you attain age 70 (72 before 1984), we compute the credit through the month before the month you reach that age and add it to your benefit amount beginning with that month.

(d) *Delayed retirement credit and special minimum primary insurance amounts.* We do not add any delayed retirement credit to your old-age benefit if your benefit is based on the special minimum primary insurance amount described in § 404.260. We add the delayed retirement credit only to old-age benefits based on your regular primary insurance amount, i.e., as computed under one of the other provisions of Subpart C of this part. If your benefit based on the regular primary insurance amount plus your delayed retirement credit is higher than the benefit based on your special minimum primary insurance amount, we pay the higher amount to you. However, if the special minimum primary insurance amount is higher than the regular primary insurance amount without the delayed retirement credit, we use the special minimum primary insurance amount to determine the family maximum and the benefits of others entitled on your earnings record.

(e) *Effect of delayed retirement credit on other benefits*—(1) *Surviving spouse or surviving divorced spouse.* If you earned delayed retirement credits during your lifetime, we compute your surviving spouse's or surviving divorced spouse's benefit based on your regular primary insurance amount plus the amount of the delayed retirement credit. All delayed retirement credits, including credits in the year of death, can be used in computing your surviving spouse's or surviving divorced spouse's benefit beginning with the month of death. We compute the delayed retirement credit up to, but not including, the month of death.

(2) *Other family members.* We do not use your delayed retirement credits to increase the benefits of other family members entitled on your earnings record.

(3) *Family maximum.* The delayed retirement credits are added to your benefit after we compute the family maximum. However, your delayed retirement credits which are used to compute your surviving spouse's or surviving divorced spouse's benefit are

added to the spouse's benefits before we reduce for the family maximum.

14. Section 404.353 is amended by revising the second sentence in paragraph (b) and deleting the authority citations, to read as follows:

§ 404.353 Child's benefit amounts.

* * * * *

(b) * * *

If your benefit before any reduction would be larger on an earnings record with a lower primary insurance amount and no other person entitled to benefits on any earnings record would receive a smaller benefit as a result of your receiving benefits on the record with the lower primary insurance amount, you will receive benefits on that record. See § 404.407(d) for a further explanation. * * *

§ 404.403 [Amended]

15. Section 404.403 is amended by:

A. Revising the heading of paragraph (e) to read *"Person entitled on more than one record during years after 1978 and before 1984."*

B. Revising the cross-reference now reading "§ 404.353(d)" in paragraphs (b) introductory text and (e)(1) to read "§ 404.353(b)".

C. Deleting the authority citation.

D. Adding a new paragraph (f), to read as follows:

(f) *Person entitled on more than one record for years after 1983.* (1) If any person for whom paragraphs (c) and (d) would apply is entitled to monthly benefits on the earnings record of an insured individual would, except for the limitation described in § 404.353(b), be entitled to child's insurance benefits on the earnings record of one or more other insured individuals, the total benefits payable to all persons on the earnings record of any of those insured individuals may not be reduced to less than the smaller of—(i) the sum of the maximum amounts of benefits payable on the earnings records of all the insured individuals, or (ii) 1.75 times the highest primary insurance amount possible for January 1983, or if later, January of the year that the person becomes entitled or reentitled on more than one record.

This highest primary insurance amount possible for that year will be based on the average indexed monthly earnings equal to one-twelfth of the contribution and benefit base determined for that year. Thereafter, the total monthly benefits payable to persons on the earnings record of those insured individuals will then be increased only when monthly benefits are increased because of cost-of-living adjustments (see § 404.270ff).

(2) If benefits are payable on the earnings of more than one individual and the primary insurance amount of one of the insured individuals was computed under the provisions in effect before 1979 and the primary insurance amount of the other was computed under the provisions in effect after 1978, the maximum monthly benefits cannot be more than the amount computed under paragraph (f)(1) of this section.

16. Section 404.407 is amended by revising paragraph (d) to read as follows:

§ 404.407 Reduction because of entitlement to other benefits.

* * * * *

(d) *Child's insurance benefits.* A child may, for any month, be simultaneously entitled to a child's insurance benefit on more than one individual's earnings if all the conditions for entitlement described in § 404.350 are met with respect to each claim. Where a child is simultaneously entitled to child's insurance benefits on more than one earnings record, the general rule is that the child will be paid an amount which is based on the record having the highest primary insurance amount. However, the child will be paid a higher amount which is based on the earnings record having a lower primary insurance amount if no other beneficiary entitled on any record would receive a lower benefit because the child is paid on the record with the lower primary insurance amount. (See § 404.353(b)).

PART 416—[AMENDED]

17. The authority citation for Subpart D of Part 416 is revised to read as follows:

Authority: Secs. 1102, 1611, 1612, 1617, and 1631 of the Social Security Act as amended; 49 Stat. 647, as amended, 86 Stat. 1466, 86 Stat. 1488, 86 Stat. 1475, 96 Stat. 404 (42 U.S.C. 1302, 1382, 1382a, and 1383).

18. Section 416.405 is revised to read as follows:

§ 416.405 Cost-of-living adjustments in benefits.

Whenever benefit amounts under title II of the Act (Part 404 of this Chapter) are increased by any percentage effective with any month as a result of a determination made under Section 215(i) of the Act, each of the dollar amounts in effect for such month under §§ 416.410, 416,412, and 416.413, as specified in such sections or as previously increased under this section or under any provision of the Act, will be increased. We will increase the unrounded yearly SSI benefit amount by the same percentage by which the title II benefits are being increased based on the Consumer Price Index, or, if greater, the percentage they would be increased if the rise in the Consumer Price Index were currently the basis for the title II increase. (See §§ 404.270–404.277 for an explanation of how the title II cost-of-living adjustment is computed.) If the increased annual SST benefit amount is not a multiple of $12, it will be rounded to the next lower multiple of $12.

19. Section 416.410 is revised to read as follows:

§ 416.410 Amounts of benefits; eligible individual.

The benefit under this part for an eligible individual who does not have an eligible spouse, who is not in a certain kind of institution (see § 416.211), and who is not a qualified individual (as defined in § 416.221), shall be payable at the rate of $4,032 per year ($336 per month) after rounding, effective for the period beginning January 1, 1986. This rate is the result of a 3.1 percent cost-of-living adjustment (see § 416.405) to the December 1985 rate. For the period January 1, 1985 through December 31, 1985, the rate payable, as increased by the 3.5 percent cost-of-living adjustment, was $3900 ($325 per month). For the period January 1, 1984 through December 31, 1984, the rate payable, as increased by the 3.5 percent cost-of-living adjustment, was $3,768 per year ($314 per month). For the period of July 1, 1983, through December 31, 1983, the rate payable was $3,651.60 per year ($304.30 per month), as provided by the Social Security Amendments of 1983 (Pub. L 98–21, section 401). For the period July 1, 1982, through June 30, 1983 the rate, as increased by the 7.4 percent cost-of-living adjustment, was $3,411.60 yearly ($284.30 monthly). The monthly rate is reduced by the amount of the individual's income which is not excluded pursuant to Subpart K of this part.

20. Section 416.412 is revised to read as follows:

§ 416.412 Amount of benefits; eligible couple.

The benefit under this part for an eligible couple, neither of whom is in a certain kind of institution (see § 416.211) nor is a qualified individual (as defined in § 416.221) shall be payable at the rate of $6,048 per year ($504 per month) after rounding, effective for the period beginning January 1, 1986. This rate is the result of a 3.1 percent cost-of-living adjustment (see § 416.405) to the December 1985 rate. For the period January 1, 1985 through December 31, 1985, the rate payable, as increased by

the 3.5 percent cost-of-living adjustment, was $5,856 ($488 per month). For the period January 1, 1984 through December 31, 1984, the rate payable, as increased by the 3.5 percent cost-of-living adjustment, was $5,664 per year ($472 per month). For the period July 1, 1983, through December 31, the rate payable was $5,476.80 per year ($456.40 per month), as provided by the Social Security Amendments of 1983 (Pub. L. 98–21, Section 401). For the period July 1, 1982, through June 30, 1983, the rate, as increased by the 7.4 percent cost-of-living adjustment, was $5,116.80 yearly ($426.40 monthly). The monthly rate is reduced by the amount of the couple's income which is not excluded pursuant to Subpart K of this part.

21. Section 416.413 is revised to read as follows:

§ 416.413 Amount of benefits; qualified individual.

The benefit under this part for a qualified individual (defined in § 416.221) is payable at the rate for an eligible individual or eligible couple plus an increment for each essential person (defined in § 416.222) in the household, reduced by the amount of countable income of the eligible individual or eligible couple as explained in § 416.420. A qualified individual will receive an increment of $2,016 per year ($168 per month) after rounding, effective for the period beginning January 1, 1986. This rate is the result of a 3.1 percent cost-of-living adjustment (see § 416.405) to the December 1985 rate, and is for each essential person (as defined in § 416.222) living in the household of a qualified individual. (See § 416.532.) For the period January 1, 1985 through December 31, 1985, the rate payable, as increased by the 3.5 percent cost-of-living adjustment, was $1,956 ($163 per month). For the period January 1, 1984 through December 31, 1984, the rate payable, as increased by the 3.5 percent cost-of-living adjustment, was $1,884 per year ($157 per month). For the period July 1, 1983, through December 31, 1983, the rate was $1,830 per year ($152.50 per month), as provided by the Social Security Amendments of 1983 (Pub. L. 98–21, section 401). For the period July 1, 1982, through June 30, 1983, the rate, as increased by the 7.4 percent cost-of-living adjustment, was $1,710 yearly ($142.50 monthly). The total benefit rate, including the increment, is reduced by the amount of the individual's or couple's income that is not excluded pursuant to Subpart K of this part.

[FR Doc. 86–8182 Filed 4–11–86; 8:45 am]

BILLING CODE 4190–11–M

Food and Drug Administration

21 CFR Part 73

[Docket No. 85C–0378]

Phthalocyanine Green; Listing as a Color Additive for Coloring Contact Lenses

Correction

In FR Doc. 86–7366 beginning on page 11432 in the issue of Thursday, April 3, 1986, make the following correction: In the first column, in the DATES paragraph, in the first line, "May 5, 1986" should read "May 6, 1986".

BILLING CODE 1505–01–M

21 CFR Part 178

[Docket No. 85F–0491]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of 2,4-di-*t*-butylphenyl 3,5-di-*t*-butyl-4-hydroxybenzoate as a light stabilizer for polymers intended for use in contact with food. This action responds to a petition filed by Ferro Corp.

DATES: Effective April 14, 1986; objections by May 14, 1986.

ADDRESS: Written objections may be sent to the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Hortense S. Macon, Center for Food Safety and Applied Nutrition (HFF–335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–472–5690.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of November 13, 1985 (50 FR 46833), FDA announced that a petition (FAP 5B3695) had been filed by Ferro Corp., 7050 Krick Rd., Bedford, OH 44146, proposing that § 178.2010 *Antioxidants and/or stabilizers for polymers* (21 CFR 178.2010) of the food additive regulations be amended to provide for the safe use of 2,4,di-*t*-butylphenyl 3,5-di-*t*-butyl-4-hydroxybenzoate as a stabilizer to prevent degradation from exposure to light of polymers intended for use in contact with food.

FDA has evaluated data in the petition and other relevant material. The agency concludes that the proposed food additive use is safe, and that the regulations should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Center for Food Safety and Applied Nutrition (address above) by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. FDA's regulations implementing the National Environmental Policy Act (21 CFR Part 25) have been replaced by a rule published in the **Federal Register** of April 26, 1985 (50 FR 16636, effective July 25, 1985). Under the new rule, an action of this type would require an abbreviated environmental assessment under 21 CFR 25.31a(b)(1).

Any person who will be adversely affected by this regulation may at any time on or before May 14, 1986 file with the Dockets Management Branch (address above) written objections thereto. Each objection shall be separately numbered, and each numbered objection shall specify with particularity the provisions of the regulation to which objection is made and the grounds for the objection. Each numbered objection on which a hearing is requested shall specifically so state. Failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that

objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that a hearing is held. Failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director of the Center for Food Safety and Applied Nutrition, Part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR Part 178 continues to read as follows:

Authority: Secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348); 21 CFR 5.10 and 5.61.

2. Section 178.2010 is amended in paragraph (b) by alphabetically inserting a new item in the list of substances to read as follows:

§ 178.2010 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) * * *

Substances	Limitations
* *	* * *
2,4-Di-*tert*-butylphenyl 3,5-di-*tert*-butyl-4-hydroxy-benzoate (CAS Reg. No. 4221-80-1).	For use only: 1. At levels not to exceed 0.6 percent by weight of olefin polymers complying with § 177.1520(c) of this chapter, item 1.1: (1) when used in single-use articles that contact food of types I, II, IV-B, VI-A, VI-B, VII-B, and VIII, identified in table 1 of § 176.170(c) of this chapter; and (2) when used in repeated-use articles that contact food of types I, II, III, IV, V, VI, VII, VIII, and IX identified in table 1 of § 176.170(c) of this chapter. The additive is used under conditions of use B through H described in table 2 of § 176.170(c) of this chapter. 2. At levels not to exceed 0.25 percent by weight of olefin polymers having a density of not less than 0.94 gram per cubic centimeter and complying with § 177.1520(c) of this chapter, items 2.1 and 2.2: (1) when used in single-use articles that contact food of types I, II, IV-B, VI-A, VI-B, VII-B, and VIII, identified in table 1 of § 176.170(c) of this chapter; and (2) when used in repeated-use articles that contact food of types I, II, III, IV, V, VI, VII, VIII, and IX identified in table 1 of § 176.170(c) of this chapter. The additive is used under conditions of use B through H described in table 2 of § 176.170(c) of this chapter.
* *	* * *

Dated: April 4, 1986.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 86-8207 Filed 4-11-86; 8:45 am]

BILLING CODE 86-4160-01-M

Public Health Service

42 CFR Part 57

Waiver of Recovery Rights in Federally Assisted Construction

AGENCY: Public Health Service, HHS.

ACTION: Notice; Waiver of Recovery Rights in Federally Assisted Construction.

SUMMARY: This notice provides the Public Health Service's interpretation of the criteria for finding good cause to waive the Government's recovery rights when a facility which has received a construction grant under Part B of Title VII or Title VIII of the Public Health Service Act ceases to be used for the teaching or other purposes for which it was constructed.

DATE: This interpretation is effective on April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Richard R. Ashbaugh, Assistant Surgeon General, Associate Director for Health Facilities, Bureau of Health Maintenance Organizations and Resources Development, Health Resources and Services Administration, 5600 Fishers Lane, Room 11-03, Rockville, Maryland 20857.

SUPPLEMENTARY INFORMATION: Titles VII and VIII of the Public Health Service Act provide in sections 723 and 858, respectively (42 U.S.C. 293c and 298b-5), that if the federally-assisted facility shall, within 20 years after completion of construction, cease to be used for the teaching or other purposes for which it was constructed, the United States shall be entitled to recover the Federal share of the value of the facility as of the date it ceased to be so used.

Those sections further provide that the Secretary may determine, under conditions established by regulation, that there is good cause for releasing the obligor from the obligation to use the facility for the originally intended purpose. In other words, under certain circumstances, there can be a waiver of the Government's recovery rights by the Secretary or the Secretary's delegate. The Secretary has issued regulations in §§ 57.109 and 57.409 of Title 42 CFR, to implement the authority to waive recovery rights for good cause. Section 57.109 provides that among the criteria that may be taken into consideration is the extent to which:

> (a) The facility will be devoted by the applicant or other owner to the teaching of other health personnel, or to other purposes in the sciences related to health for which funds are available under Part B of Title VII. . . .

Similarly, § 57.409 provides that the Secretary may take into account the extent to which:

> (a) The facility will be devoted by the applicant or other owner to the teaching of other health personnel.

The purpose of this General Notice is to state the Department of Health and Human Services' (HHS) interpretation of the criteria set out in these regulations and thereby provide clarification as to the manner in which good cause is determined. The Department has determined that waivers based on a finding of good cause will be limited to those situations in which the facility will be used for teaching activities and/or other health-related purposes in the sciences which are consistent with the current program priorities of the Department, including its operating components. Evidence of HHS priority interest may include current or planned projects such as projects supported by grants or contracts. In ascertaining current Department priorities for the purpose of a waiver, officials of other operating components of the Department will be consulted.

Dated: March 21, 1986.

John H. Kelso,

Acting Administrator.

[FR Doc. 86-8214 Filed 4-11-86; 8:45 am]

BILLING CODE 4160-15-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2200

[Circular No. 2579]

Procedures for Exchanges Involving Fee Federal Coal Deposits

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rulemaking.

SUMMARY: This final rulemaking establishes procedures and standards by which fee coal exchanges being processed by the Bureau of Land Management will be reviewed by the Department of Justice. It will allow Bureau field officials to integrate Department of Justice consideration of the antitrust consequences of such a proposed exchange(s) into their decision as to whether an exchange is in the public interest.

EFFECTIVE DATE: May 14, 1986.

ADDRESS: Any suggestions or inquiries should be sent to: Director (320), Bureau of Land Management, Room 3643, Main Interior Bldg., 1800 C Street, NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: David Hemstreet, (202) 343–8693.

SUPPLEMENTARY INFORMATION: A proposed rulemaking announcing procedures that would be used by the Department of the Interior in securing the review of the Department of Justice on the antitrust consequences of fee coal exchanges being processed by the Bureau of Land Management was published in the **Federal Register** on September 13, 1985 (50 FR 37389), with a 30-day comment period. During the comment period, comments were received from 11 sources; eight from business interests; one from a State governmental entity; and two from Federal agencies.

Several of the comments expressed opposition to the proposed rulemaking, with one comment stating that an antitrust review is not required in making a decision on public interest and was misguided as a policy matter. Several other comments expressed the view that the proposed rulemaking did not go far enough in that it deals only with antitrust consequences and does not address anticompetitive factors.

Those comments expressing opposition to the proposed rulemaking did so on the grounds that the antitrust review for a fee coal exchange should be no more stringent than the antitrust review required for Federal coal leasing. The comments were expressly concerned with the mandatory public meeting required by §§ 2203.1 and 2203.3 of the proposed rulemaking, a requirement that is not present in the regulations on Federal coal leasing. The comments expressed the view that there is no need for a public meeting to enable the Department of Justice to conduct its antitrust review. It was the view of some of the comments that if there is a need for a public meeting, it should be included only as part of the public interest factor evaluation process for all exchanges and should be added to the regulations covering exchanges considered under section 206 of the Federal Land Policy and Management Act.

Another suggestion raised by the comments was that the final rulemaking should enumerate the public interest factors set out in section 206 of the Federal Land Policy and Management Act and state that each would be given equal or greater weight than antitrust consequences in the Department of the Interior's final determination. The comments went on to suggest that if this suggestion is not adopted, the Bureau of Land Management field offices, as well as the general public, might receive the impression that the discretionary antitrust review outweighs the enumerated public interest factors.

Those comments that opposed the proposed rulemaking because they viewed it as focusing on antitrust consequences and not considering the anticompetitive factors, made the suggestion that the Department of Justice should initiate a rulemaking setting out specifically the type of review that will be conducted for fee coal exchanges. This new rulemaking process would give interested parties and the public an opportunity to comment on the standards that would be employed in the antitrust review. These comments were of the view that the antitrust potential is tested by the current Department of Justice review is inadequate for fee coal exchanges and that separate standards must be developed for measuring the competitive impact of exchanges with common carrier railroads for checkerboard tracts. The comments suggested that these new standards, if they are to be adequate, must analyze not only coal holdings, but also the unique impacts on sales and production of railroad transportation control, coupled with the ability to develop large amounts of coal in checkerboard tracts.

Shortly before publication of this proposed rulemaking, the United States District Court for the District of Columbia in a footnote in the case of the *National Coal Association* v. *Hodel* (617 F. Supp 584, 591 n.20(1985)) pointed out that the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) specifically defines the relevant factors to be considered by the Secretary of the Interior in making a public interest determination and that these factors focus primarily on environmental and community development concerns, not antitrust concerns. The footnote went on to say that under such circumstances the Secretary is not required to assess the potential anticompetitive effects of land exchanges under the Act. Even though it appears that antitrust review is not a statutory requirement, which has been the position of the Department of the Interior, there is nothing to prevent the Secretary from including antitrust review as a discretionary factor in making a public interest determination.

After carefully considering this decision and the comments, the final rulemaking carries out the policy decision of the Secretary of the Interior to include an antitrust review in making a public interest determination and adopts the language of the proposed rulemaking with only minor modifications. The final rulemaking will provide for the review of all fee coal exchange proposals with the standard of review being whether the exchange proposal would create or maintain a situation inconsistent with the Federal antitrust laws. The review provided by the procedures established by this final rulemaking will differ from that provided for coal leasing in that this review will require a public meeting and also require the non-Federal party to an exchange to submit data on the coal being transferred to the United States, as well as submitting data on its coal reserves in the geographic area and the coal that will be received from the United States.

The suggestion made in one of the comments that this final rulemaking enumerate the public interest factors required by the Federal Land Policy and Management Act and require that each be given equal or greater weight than any antitrust factors has not been adopted by the final rulemaking. The final rulemaking does cross reference the requirements of 43 CFR Subparts 2200 and 2201, which provide sufficient assurance that the public interest factors set forth in the Act will be considered. The weight given to any one public interest factor will be determined on a case-by-case basis, with the circumstances of each case determining the weight given any specific factor.

The proposed rulemaking requested the public to comment on two specific

issues. The first issue was whether the public meeting required by the proposed rulemaking should be held early in the exchange process, as provided in the proposed rulemaking, or after the issuance of the notice of realty action near the end of the exchange process. The second issue was whether the final rulemaking should provide a minimum size threshold below which no antitrust review would be required, with a 100 million ton increase in an exchange party's marketable reserves being suggested as the cut-off point.

The comments on the timing of the public meeting varied, with one comment expressing the view that the meeting should be held early in the exchange process, one recommending that the meeting be held at the time the exchange proposal is received, and two wanting the public meeting at the time the notice of realty action is published. One comment recommended that two public meetings be held, one at the time the proposal is submitted and a second one at the time the notice of realty action is published. The comments on the timing of the public meeting ranged from a concern that there might not be sufficient data available on which to base a meaningful comment if the meeting is held too early in the process to a concern in other comments that there might be an inordinate delay in the timing of the public meeting if the Attorney General's review does not begin until the notice of realty action is published. After careful consideration of the comments, the final rulemaking has been amended to require the public meeting to be held after completion of the environmental assessment for a proposed exchange and prior to the issuance of a notice of realty action. This change will assure that sufficient data are available for meaningful public comment and that such comment is available to the authorized officer prior to issuance of a determination that the proposed exchange would be in the public interest.

Finally, the final rulemaking adopts the provision of the proposed rulemaking that makes the advice of the Attorney General part of the public record on the exchange and available for written public comment as one of the public interest factors when the notice of realty action is published.

Seven comments were received on the issue of a minimum size threshold below which no antitrust review would be required, with only one comment supporting the issue. All but one of the other comments recommended that the antitrust review be made applicable to all fee coal exchange proponents. Another comment recommended that the antitrust review should be applied only to exchanges with common carrier railroads and their affiliates. A careful review of the comments has led to a decision that the final rulemaking will not adopt a minimum threshold level for antitrust review, with all fee coal exchanges being subject to antitrust review.

A comment on the policy section of the proposed rulemaking, § 2203.0–6, suggested a change in this section of the final rulemaking. The suggested language has been adopted by the final rulemaking because it clarifies the intent of the section which is to make the advice of the Attorney General on antitrust consequences only one element in the Department of the Interior's overall public interest determination for a fee coal exchange proposal. Two additional suggestions for changes in this section were made in the comments and they were not adopted by the final rulemaking.

One comment on § 2203.1 of the proposed rulemaking suggested that this section or § 2203.2 be amended by the final rulemaking to require the authorized officer to notify the Governor of an affected State upon receipt of a fee coal exchange proposal. This suggestion has not been adopted by the final rulemaking because it would repeat a requirement that appears in 43 CFR 2201.1(e), a section that is applicable to fee coal exchange proposals.

Another comment on § 2203.1 of the proposed rulemaking suggested that the phrase "notice of initiation" was inappropriate and should be deleted to make it clear that the opportunity for public comment and a public meeting is tied to the receipt of the fee coal exchange proposal. This suggestion has been adopted by the final rulemaking.

A comment on § 2203.2 of the proposed rulemaking suggested that the final rulemaking be amended to contain language similar to that in 43 CFR 3422.3–4(b) which allows a successful bidder for a Federal coal lease to update any information on its holdings previously submitted to the Bureau of Land Management, rather than having to refile the information. This suggestion, which reduces the regulatory burden on the public, has been adopted by the final rulemaking.

Another comment on § 2203.2 of the proposed rulemaking recommended that the final rulemaking adopt language requiring the submission of data for an anticompetitive review rather than an antitrust review. The final rulemaking has not adopted this suggestion because of the determination of the Department of the Interior that the standard of review on a fee coal exchange proposal will be whether it will create or maintain a situation inconsistent with the Federal antitrust laws.

Another comment on this section of the proposed rulemaking expressed the view that for clarity the terms "geographic area" and "description of reserves" should be defined in the final rulemaking. The comment went on to suggest the term "geographic area" should be replaced with the term "coal reserve area" and the term "description of reserves" should be expanded to include specific characteristics of the reserve, i.e., location, mining ratios, coal quality, bed-thickness, geologic conditions. The comment indicated that even though much of this information would be proprietary, the information was needed in order to assure the public that adequate information had been submitted for use in making the antitrust review. These suggestions have not been adopted by the final rulemaking. The Department of Justice has defined three relevant geographic areas in the western United States for use in its antitrust review. These areas were established to test the market share of an entity in those areas. The term "geographic area" has a well established meaning in terms of antitrust review by the Attorney General and its use in the proposed and final rulemakings without further definition is appropriate. The form that will be used by a fee coal exchange proponent will require the submission of information that will be needed by the Attorney General in making a comprehensive antitrust review of the proposal.

Another comment on § 2203.3 of the proposed rulemaking recommended that the terms "proprietary," "non-proprietary" and "public record" should be defined in the final rulemaking. This recommendation has not been adopted because these terms have well understood meanings and are not given any special meaning in this final rulemaking.

A final comment on § 2203.3 of the proposed rulemaking suggested that the form that is to be used for the submission of data for the antitrust review should be approved by the Department of Justice, rather than the Bureau of Land Management and that only the Department of Justice should be given authority to request any additional information. This suggestion was based on the rationale that the agency with the expertise in antitrust review, the Department of Justice, would know what additional information was actually needed to complete the review and

would not request any unneeded information, the furnishing of which could cause needless expense and effort. The suggestion has not been adopted by the final rulemaking. The form requiring antitrust information will be developed in close cooperation with the Department of Justice and the authorized officer will request additional information only when requested to do so by the Department of Justice.

Three comments on § 2203.4 of the proposed rulemaking were of the view that the 90-day review period provided for antitrust review by the Department of Justice was too long when contrasted to the 30-day review period provided in 43 CFR 3422.3–4(c) for antitrust review of coal leases. These comments went on to recommend that the review period be reduced to 30 or 45 days, the 30 days being parallel to that provided on coal leases and the 45 days corresponding to that allowed for public comment on a notice of realty action. The final rulemaking has not adopted any of these suggestions. The 90-day time period has been included at the request of the Department of Justice, which is in the best position to make this determination, as the time needed for a comprehensive antitrust review. There is no requirement that the full 90 days be utilized and in many cases the entire period will not be used, but the full period may be needed in the more complex cases.

One of the comments on § 2203.4 of the proposed rulemaking made the observation that a fee coal exchange proponent may find it impossible to supply any requested additional information within the 30 days required by paragraph (c) of this section. The comment went on to say that the final rulemaking should provide either an opportunity for an extension of the 30-day period or a penalty for failure to meet the deadline, i.e., rejection of the proposal and the case closed if the additional information is not submitted within the 30-day period. The final rulemaking has adopted the language of § 2203.4 of the proposed rulemaking without change. First, if a proponent has submitted the information required by the antitrust review form, there is little likelihood of a requirement for additional information that would take more than 30 days to gather. Second, the section implies that a fee coal exchange proposal will be rejected and the case closed if the additional information is not submitted within the 30-day period.

A final comment on § 2203.4 of the proposed rulemaking suggested adding anticompetitive consequences and suggested amending paragraph (d) to provide that the authorized officer cannot issue a final exchange determination until the Department of Justice has completed its review and the written advice of the Attorney General has been submitted. The final rulemaking has not adopted either of these suggestions because they are not needed. The antitrust review contemplated by the rulemaking can be completed and any advice that is to be given rendered in the time set out in the rulemaking.

The comment on § 2203.5 of the proposed rulemaking recommended that the final rulemaking renumber this section and add a new § 2203.5 that would place the burden of proof on a fee coal exchange proponent that the transaction would not lesson competition or violate the antitrust laws and, if such proof were not provided, the exchange proposal should be denied. This suggestion has not been adopted by the final rulemaking because the standard for antitrust review used by the Department of the Interior will be a test of the market share of the proponent of the exchange in a defined geographic area and whether it is inconsistent with antitrust laws. Since the antitrust consequences are but one of the public interest factors being considered, it will not always be the determining factor in a determination of whether the exchange proposal should be approved or not.

This same comment suggested renumbering § 2203.5 as § 2203.6 in the final rulemaking and amending it to provide that when the Attorney General advises that a fee coal exchange proposal is inconsistent with the antitrust laws and would have anticompetitive consequences, the Secretary of the Interior should be the only person to have the authority to approve the proposal and the authority should not be delegated to anyone else. Another change recommended by this comment is that the final rulemaking provide that the Attorney General's advice be published in the **Federal Register** with a 45-day period for public comment with a right of extension of the comment period upon a showing of good cause. Neither of these suggestions has been adopted by the final rulemaking. First, the authority to make critical public interest determinations on proposals involving exchanges of public lands is handled by the individual in the Bureau of Land Management office authorized to make such decisions. There is no reason to apply a different standard in the case of fee coal exchange proposals and the Secretary of the Interior has the discretionary authority to intervene in any situation where it is deemed appropriate. Second, the recommendation that the advice of the Attorney General be published in the **Federal Register** is not needed because of the provision in the proposed and final rulemakings that provides for making the advice of the Attorney General part of the public record and requires that it be part of the notice of realty action which has a 45-day period for public comment.

The principal author of this final rulemaking is David Hemstreet, Division of Lands, Bureau of Land Management, assisted by the staff of the Office of Legislation and Regulatory Management.

The Department of the Interior has determined that this document is not a major rule under Executive Order 12291 and will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.).

The final rulemaking provides a procedure for Department of Justice review of the antitrust considerations of any fee coal exchange proposal being processed by the Bureau of Land Management. The advice of the Department of Justice on antitrust consequences is a component of the Bureau field official's determination as to whether a fee coal exchange proposal, whether for a large or small entity, is in the public interest.

The information collection requirements imposed by this final rulemaking are exempt from clearance by the Office of Management and Budget under 44 U.S.C. 3508 because there will be fewer than 10 respondents per year with the respondents rarely exceeding 2 in most years.

List of Subjects in 43 CFR Part 2200

Administrative practices and procedure, National forest, Public lands, Public lands—classification, Public lands—mineral resources.

Under the authority of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.), Part 2200, Group 2200, Subchapter B, Chapter II of Title 43 of the Code of Federal Regulations is amended as set forth below.

Dated: March 4, 1986.

J. Steven Griles,

Assistant Secretary of the Interior.

PART 2200—[AMENDED]

1. The authority citation for Part 2200 is revised to read:

Authority: 43 U.S.C. 1715, 1718, 1732 and 1740.

2. Part 2200 is amended by adding a new subpart 2203 to read:

Subpart 2203—Exchanges Involving Fee Federal Coal Deposits

Sec.
2203.0–6 Policy.
2203.0–9 Cross references.
2203.1 Opportunity for public comment on exchange proposal.
2203.2 Submission of information concerning proposed exchange.
2203.3 Public meeting.
2203.4 Consultation with the Attorney General.
2203.5 Action on advice of the Attorney General.

Subpart 2203—Exchanges Involving Fee Federal Coal Deposits

§ 2203.0–6 Policy.

When determining whether a fee exchange of the Federal coal deposits is in the public interest, it is the policy of the Department of the Interior to consider whether the exchange will create or maintain a situation inconsistent with the Federal anti-trust laws. The Bureau of Land Management, in making the determination of public interest, shall consider the advice of the Attorney General of the United States concerning whether the exchange will create or maintain a situation inconsistent with the Federal antitrust laws.

§ 2203.0–9 Cross references.

The authorized officer shall implement a fee exchange of Federal coal deposits in compliance with the requirements of subparts 2200 and 2201 on this title.

§ 2203.1 Opportunity for public comment and public meeting on exchange proposal.

Upon receipt of a proposal for a fee exchange of Federal coal deposits, the authorized officer shall publish a notice of receipt of an exchange proposal as set forth in § 2201.2 of this title, which shall be distributed in accordance with § 2201.1(e) of this title and which shall include a request for public comment on the public interest factors of the exchange proposal.

§ 2203.2 Submission of information concerning proposed exchange.

(a) Any person submitting a proposal for a fee exchange of Federal coal deposits shall submit on a form approved by the Director, Bureau of Land Management, specific information concerning the coal reserves presently held in each geographic area involved in the exchange along with a description of the reserves that would be added or eliminated by the proposed exchange. In addition, the person filing a proposed exchange under this section shall furnish any additional information requested by the authorized officer in connection with the consideration of the anti-trust consequences of the proposed exchange.

(b) The authorized officer shall transmit a copy of the information required by paragraph (a) of this section to the Attorney General upon its receipt.

(c) All non-proprietary information submitted under paragraph (a) of this section shall be made a part of the public record on each proposed exchange. With respect to proprietary information submitted under paragraph (a) of this section, only a description of the type of information submitted shall be included in the public record.

(d) Where the entity proposing a fee coal exchange has previously submitted the currently required information, a reference to the date of submission and to the serial number of the record in which it is filed, together with a statement of any and all changes in holdings since the date of the previous submission, shall be accepted.

§ 2203.3 Public meeting.

Upon completion of an environmental analysis, but prior to the issuance of a notice of realty action, the authorized officer shall publish a notice in the **Federal Register** setting a time and place where a public meeting will be held to receive public comment on the public interest factors of the proposed exchange. Such notice shall be distributed in accordance with § 2201.1(e) of this title. The public meeting shall:

(a) Follow procedures established by the authorized officer, which shall be announced prior to the meeting; and

(b) Be recorded and a transcript prepared, with the transcript and all written submissions being made a part of the public record of the proposed exchange.

§ 2203.4 Consultation with the Attorney General.

(a) The authorized officer shall, at the conclusion of the comment period and public meeting provided for in § 2203.3 of this title, forward to the Attorney General copies of the comments received in response to the request for public comments and the transcript and copies of the written comments received at the public meeting.

(b) The authorized officer shall allow the Attorney General 90 days within which the Attorney General may advise, in writing, on the anti-trust consequences of the proposed exchange.

(c) If the Attorney General requests additional information concerning the proposed exchange, the authorized officer shall request, in writing, such information from the person proposing the exchange, allowing a maximum period of 30 days for the submission of the requested information. The 90-day period provided in paragraph (b) of this section shall be extended for the period required to obtain and submit the requested information, or 30 days, whichever is sooner.

(d) If the Attorney General notifies the authorized officer, in writing, that additional time is needed to review the anti-trust consequences of the proposed exchange, the time provided in paragraph (b) of this section, including any additional time provided under paragraph (c) of this section, shall be extended for the period requested by the Attorney General. If the Attorney General has not responded to the request for anti-trust review within the time granted for such review, including any extensions thereof, the authorized officer may proceed with the exchange without the advice of the Attorney General.

§ 2203.5 Action on advice of the Attorney General.

(a) The authorized officer shall make any advice received from the Attorney General a part of the public record on the proposed exchange.

(b) Except as provided in § 2203.4(d) of this title, the authorized officer shall not make a final decision on the proposed exchange and whether it is in the public interest until the advice of the Attorney General has been considered. The authorized officer shall, in the record of decision on the proposed exchange, discuss the consideration given any advice received from the Attorney General in reaching the final decision on the proposed exchange.

[FR Doc. 86–8221 Filed 4–11–86; 8:45 am]
BILLING CODE 4310–84–M

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA 6708]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists communities, where the sale of flood insurance has been authorized under the National

Flood Insurance Program (NFIP), that are suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If FEMA receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

EFFECTIVE DATES: The third date ("Susp.") listed in the third column.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646–2717, Federal Center Plaza, 500 C Street, Southwest, Room 416, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4022) prohibits flood insurance coverage as authorized under the National Flood Insurance Program (42 U.S.C. 4001–4128) unless an appropriate public body has adopted adequate floodplain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the third column, so that as of that date flood insurance is no longer available in the community. However, those communities which, prior to the suspension date, adopt and submit documentation of legally enforceable floodplain management measures required by the program, will continue their eligibility for the sale of insurance. Where adequate documentation is received by FEMA, a notice withdrawing the suspension will be published in the **Federal Register**.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 not in connection with a flood) may legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of the community as having flood-prone areas. (Section 202(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93–234), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column.

The Director finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified. Each community receives a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in section 2 of the Flood Disaster Protection Act of 1973, the establishment of local floodplain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate floodplain management, thus placing itself in noncompliance of the Federal standards required for community participation.

In each entry a complete chronology of effective dates appears for each listed community.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

PART 64—[AMENDED]

1. The authority citation for Part 64 continues to read as follows: **Authority:** 42 U.S.C. 4001 et seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

§ 64.6 List of eligible communities.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified	Date certain Federal Assistance no longer available in special flood hazard areas
Region I				
Maine: Brunswick, town of, Cumberland County.	230042B	July 15, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.	Nov. 1, 1974, June 14, 1977, and Jan. 3, 1986.	Apr. 30, 1986.
Region II				
New York:				
Goshen, village of, Orange County	361571B	July 7, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.	June 24, 1977 and Apr. 30, 1986, Apr. 30, 1986.	Do.
Goshen, town of, Orange County	360614B	Apr. 4, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.	Mar. 22, 1974, May 28, 1976 and Apr. 30, 1986.	Do.
Region III				
Pennsylvania:				
New Berlin, borough of, Union County.	420833B	Nov. 21, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.	Feb. 22, 1974, July 2, 1976 and Apr. 30, 1986.	Do.
Conewago, township of, Dauphin County.	422406A	Feb. 10, 1981, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.	Dec. 27, 1974 and Apr. 30, 1986.	Do.
Roaring Creek, township of, Columbia County.	421557B	Apr. 30, 1979, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.	Dec. 13, 1974, Sept. 3, 1976 and Apr. 30, 1986.	Do.

State and location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified	Date certain Federal Assistance no longer available in special flood hazard areas
Region IV				
Florida: Parker, city of, Bay County	120011B	May 5, 1975, Emerg.; Aug. 1, 1980, Reg.; Apr. 30, 1986, Susp	Oct. 15, 1976, Aug. 1, 1980 and Apr. 30, 1986.	Do.
Region V				
Illinois: Hancock County, unincorporated areas.	170267C	Apr. 25, 1980, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Jan. 24, 1975, Feb. 20, 1976, Dec. 4, 1981 and Apr. 30, 1986.	Do.
Region II				
Minimal Conversions				
New York:				
Fabius, town of, Onondaga County	360577B	Nov. 12, 1974, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Aug. 16, 1974, Nov. 14, 1975 and Apr. 30, 1986.	Do.
Hope, town of, Hamilton County	361403B	Dec. 12, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Nov. 22, 1974, Sept. 3, 1976 and Apr. 30, 1986.	Do.
Spafford, town of, Onondaga County.	360594B	Aug. 19, 1974, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Dec. 13, 1974, July 9, 1976 and Apr. 30, 1986.	Do.
Region IV				
Florida: Lee, town of, Madison County	120151B	Sept. 26, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Sept. 6, 1974, Jan. 30, 1976 and Apr. 30, 1986.	Do.
Georgia: Poulan, city of, Worth County	130197B	Aug. 11, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	May 17, 1974, Feb. 6, 1976, Apr. 30, 1986.	Do.
Tennessee:				
Celina, city of, Clay County	470032C	Feb. 27, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	June 21, 1974, July 9, 1976, Jan. 25, 1980 and Apr. 30, 1986.	Do.
Gaineboro, city of, Jackson County	470096B	Apr. 1, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	June 21, 1974 and Sept. 24, 1976	Do.
Region V				
Illinois: Ashton, village of, Lee County	170415B	May 2, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	May 3, 1974, June 11, 1976 and Apr. 30, 1986.	Do.
Michigan: Berrien Springs, village of, Berrien County.	260330A	July 12, 1976, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Aug. 1, 1975 and Apr. 30, 1986	Do.
Region VI				
Arkansas: Elm Springs, town of, Washington County.	050213B	May 15, 1975, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	Aug. 16, 1974, Nov. 14, 1975 and Apr. 30, 1986.	Do.
Region VII				
Iowa: Charter Oak, city of, Crawford County.	190094A	Mar. 9, 1978, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp	June 4, 1976 and Apr. 30, 1986	Do.

Code for reading 3rd column: Emerg.—Emergency; Reg.—Regular; Susp.—Suspension.

Issued: April 8, 1986.

Jeffrey S. Bragg,

Administrator, Federal Insurance Administration.

[FR Doc. 86-8216 Filed 4-11-86; 8:45 am]

BILLING CODE 6718-03-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0, 1, 2, 15, 18, 68, and 73

[FCC 85-670]

Reorganization of the Office of Science and Technology

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission approved a reorganization of the Office of Science and Technology (OST) into a new Office of Engineering and Technology. The Chief Scientist's position is being replaced by the position of Chief Engineer; and, the former three divisions of OST (Authorization and Standards, Spectrum Management, and Technical Analysis) are consolidated into two new divisions: the Authorization and Evaluation Division and the Spectrum Engineering Division. In addition, the immediate staff of the Chief Engineer is consolidated into a Program Management Staff. The reorganization will formalize a substantial evolutionary shift in the Office's role; and it will greatly streamline and clarify the reporting and management control structure.

EFFECTIVE DATE: April 14, 1986.

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

FOR FURTHER INFORMATION CONTACT: Bruce Franca, Program Management Staff, Office of Engineering and Technology, (202) 632-7060.

SUPPLEMENTARY INFORMATION:

List of Subjects

47 CFR Part 0

Organization and functions.

47 CFR Part 1

Administrative practice and procedure.

47 CFR Part 2

Communications equipment.

47 CFR Part 15

Communications equipment.

47 CFR Part 18

Radio.

47 CFR Part 68

Communications equipment.

47 CFR Part 73

Radio, Television.

Order

[FCC 86-119]

In the matter of amendment of the Commission's Rules to Reflect a Reorganization of the Office of Science and Technology (OST).

Adopted: December 24, 1985.
Released: March 18, 1986.

By the Commission.

1. The Commission has approved a reorganization of the Office of Science and Technology. Implementation of the proposed changes requires amendment of various sections of the Commission's Rules and Regulations as indicated in the Appendix.

2. The reorganization converts the Office of Science and Technology (OST)

into a new Office of Engineering and Technology. The Chief Scientist's position is being replaced by the position of Chief Engineer; and, the former three divisions of OST (Authorization and Standards, Spectrum Management, and Technical Analysis) are consolidated into two new divisions: the Authorization and Evaluation Division and the Spectrum Engineering Division. In addition, the immediate staff of the Chief Engineer is consolidated into a Program Management Staff.

3. The amendments adopted herein pertain to agency organization. The prior public notice and comment procedures and effective date provision of section 4 of the Administrative Procedure Act, 5 U.S.C. 533, are, therefore, inapplicable. Authority for the amendments adopted herein is contained in sections 4(i) and 5(b) of the Communications Act of 1934, as amended.

4. In view of the foregoing, It is ordered, effective upon **Federal Register** publication that the Rules and Regulations are amended as set forth in the Appendix hereto.

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

Rule Amendments

Parts 0, 1, 2, 15, 18, 22, 68, and 73 of Chapter 1 of Title 47 of the Code of Federal Regulations is hereby amended as indicated below:

PART 0—COMMISSION ORGANIZATION

1. The authority citation for Part 0 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Implement; 5 U.S.C. 552, unless otherwise noted.

§ 30.5 [Amended]

2. Section 0.5 is amended by amending paragraphs (a)(2) and (b)(2) by removing the words "Office of Science and Technology" and inserting, in the their place, the words "Office of Engineering and Technology".

§ 0.21 [Amended]

3. Section 0.21 is amended by amending paragraph (i) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology".

4. The center heading preceding § 0.31, the introductory paragraph to § 0.31 and paragraph (a) of § 0.31 are revised as follows:

Office of Engineering and Technology

§ 0.31 Functions of the Office.

The Office of Engineering and Technology has the following duties and responsibilities:

(a) To evaluate evolving technology for interference potential and to suggest ways to facilitate its introduction in response to Bureau initiatives, and advise the Commission and staff offices in such matters.

* * * * *

5. Section 0.32 is revised to read as follows:

§ 0.32 Units in the Office.

The Office of Engineering and Technology is comprised of the following units:

(a) Immediate office of the Chief Engineer;

(b) Program Management Staff;

(c) Authorization and Evaluation Division;

(d) Spectrum Engineering Division.

§ 0.41 [Amended]

6. Section 0.41 is amended by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer", and by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.91 [Amended]

7. Section 0.91 is amended by amending paragraph (i) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology".

§ 0.131 [Amended]

8. Section 0.131 is amended by amending paragraph (d) by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer" in each instance.

§ 0.186 [Amended]

9. Section 0.186 is amended by amending paragraph (b)(3) by removing the words "The Chief Scientist" and inserting, in their place, the words "The Chief Engineer", and by removing present paragraph (b)(10) and redesignating paragraphs (b)(11)–(b)(14) as paragraphs (b)(10)–(b)(13).

10. Section 0.241 is amended by revising the undesignated center heading before the section heading, the section heading, and the introductory text of section 0.241 to read as follows:

Chief Engineer

§ 0.241 Authority delegated to the Chief Engineer

The Chief Engineer is delegated authority to act upon the following matters which are not in hearing status:

* * * * *

§ 0.243 [Amended]

11. Section 0.243 is amended by amending paragraphs (a), (b), (c), (d), (e) and the section heading by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer" in each instance.

§ 0.247 [Amended]

12. Section 0.247 is amended by amending the section by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.284 [Amended]

13. Section 0.284 is amended by amending paragraphs (a)(7), (a)(8), (a)(9) and (a)(10) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.303 [Amended]

14. Section 0.303 is amended by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer" in each instance.

§ 0.332 [Amended]

15. Section 0.332 is amended by amending paragraphs (g), (h) and (j) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.431 [Amended]

16. Section 0.431 is amended by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.433 [Amended]

17. Section 0.433 is amended by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.453 [Amended]

18. Section 0.453 is amended by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 0.455 [Amended]

19. Section 0.455 is amended by amending paragraph (a) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

PART 1—PRACTICE AND PROCEDURE

20. The authority citation for Part 1 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted. Implement; 5 U.S.C. 552, unless otherwise noted.

§ 1.21 [Amended]

21. Section 1.21 is amended by amending paragraph (c) by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer".

§ 1.1205 [Amended]

22. Section 1.1205 is amended by amending paragraph (e) by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer".

§ 1.1209 [Amended]

23. Section 1.1209 is amended by amending paragraph (f) by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer".

PART 2—FREQUENCY ALLOCATION AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

24. The authority citation for Part 2 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted.

§ 2.106 [Amended]

25. Section 2.106 is amended by amending footnote US 81 by removing the words "Office of the Chief Scientist" and inserting, in their place, the words "Office of the Chief Engineer" in each instance.

§ 2.941 [Amended]

26. Section 2.941 is amended by amending paragraph (a) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

§ 2.947 [Amended]

27. Section 2.947 is amended by amending paragraph (a)(1) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance.

PART 15—RADIO FREQUENCY DEVICES

28. The authority citation for Part 15 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303; Interpret or apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301, unless otherwise noted.

§ 15.38 [Amended]

29. Section 15.38 is amended by amending the Note by removing the word "OST" and inserting, in its place, the word "OET".

PART 18—INDUSTRIAL; SCIENTIFIC, AND MEDICAL EQUIPMENT

30. The authority citation for Part 18 continues to read as follows:

Authority: Secs. 4(i), 303(r), 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154(i), 303(r). Interpret or apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301, unless otherwise noted.

§ 18.144 [Amended]

31. Section 18.144 is amended by amending the Note by removing the words "Chief Scientist" and inserting, in their place, the words "Chief Engineer".

§ 18.205 [Amended]

32. Section 18.205 is amended by amending the Note following paragraph (c) by removing the words "OST Bulletin" and inserting, in their place, the words "OET Bulletin".

PART 22—PUBLIC MOBILE SERVICE

33. The authority citation for Part 22 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303, unless otherwise noted; Implement, 5 U.S.C. 553, unless otherwise noted.

§ 22.915 [Amended]

34. Section 22.915 is amended by amending paragraphs (a) and (b) by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology" in each instance; and by amending paragraph (d) by removing the words "OST Bulletin" and inserting, in their place, the words "OET Bulletin" in each instance.

PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK

35. The authority citation for Part 68 continues to read as follows:

Authority: Secs. 4, 201, 202, 203, 204, 205, 208, 215, 218, 313, 314, 403, 404, 410, 602, 48 Stat. as amended, 1066, 1070, 1071, 1072, 1073, 1077, 1077, 1087, 1094, 1098, 1102; 47 U.S.C. 154, 201, 202, 203, 204, 205, 208, 215, 218, 313, 314, 403, 404, 410, 602, unless otherwise noted.

§ 68.200 [Amended]

36. Section 68.200 is amended by removing the words "Office of Science and Technology" and inserting, in their place, the words "Office of Engineering and Technology", and by removing the words "OST Bulletin" and inserting, in their place, the words "OET Bulletin".

PART 73—RADIO BROADCAST SERVICES

37. The authority citation for Part 73 continues to read as follows:

Authority: Secs. 4, and 303, 48 Stat. 1066, as amended, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1083, as amended, 47 U.S.C. 301, 303, 307.

§ 73.681 [Amended]

38. Section 73.681 is amended by amending the definition of BTSC by removing the words "FCC Bulletin OST 60" and inserting, in their place, the words "FCC Bulletin OET 60" in each instance.

[FR Doc. 86-8217 Filed 4-11-86; 8:45 am]
BILLING CODE 6712-01-M

---

47 CFR Part 73

[MM Docket No. 85-357; RM-5076; FCC 86-132]

Amendment of the Commission's Rules in Regard to AM-FM Program Duplication

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: Action taken herein eliminates the Commission's rule that limits program duplication by AM and FM stations that are co-owned in the same local area. The Commission has determined that the structure and economic circumstances of the radio industry have changed in recent years such that this rule is no longer necessary. The Commission indicated that it expects elimination of the program duplication rule will promote expanded radio service. The Commission also stated that this action will provide licensees of AM-FM combinations with full discretion to make decisions concerning program duplication in accordance with market forces and conditions.

EFFECTIVE DATE: May 12, 1986.

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

FOR FURTHER INFORMATION CONTACT: Alan Stillwell, Mass Media Bureau (202) 632-6302.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 73

Radio.

This is a summary of the Commission's Report and Order, MM Docket No. 85-357, adopted March 26, 1986, and released April 4, 1986.

The full texts of Commission decisions are available for inspection and copying during normal business hours in the FCC Docket Branch (Room 230), 1919 M Street, Northwest, Washington, DC. The complete text of this decision may also be purchased from the Commission's Copy Contractor, International Transcription Service, (202) 857-3800, 2100 M Street, Northwest, Suite 140, Washington, D.C. 20037.

Summary of Report and Order

1. On November 20, 1985, the Commission adopted a *Notice of Proposed Rule Making* (*Notice*) in MM Docket No. 85-357, 50 FR 49863, proposing to eliminate § 73.242 of its rules which limits duplication of programming on AM and FM stations that are co-owned in the same local area. This rule specifies that if either station of an AM-FM combination is licensed to a community of more than 25,000 population, the FM station may not devote more than 25 percent of its average program week to duplicated programming.

2. In view of the record in this proceeding, the Commission concludes that the program duplication rule is no longer necessary. This action is expected to foster expanded radio service and, thereby, to improve radio service to the public. This action also provides licensees of AM-FM combinations with full discretion to make program decisions in accordance with market forces.

Procedural Matters

3. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 604, a final regulatory flexibility analysis has been prepared. It is available for public inspection as part of the full text of this decision, which may be obtained from the Commission or its copy contractor.

4. The decision contained herein has been analyzed with respect to the Paperwork Reduction Act of 1980 and found to contain no new or modified form, information collection and/or recordkeeping, labeling, disclosure, or record retention requirements; and will not increase or decrease burden hours imposed on the public.

5. Accordingly it is ordered, that Part 73 of the Commission's rules is amended as set forth in the Appendix, effective May 12, 1986. In addition, it is ordered, that this proceeding is terminated.

6. Authority for this action is provided in sections 2, 4(i), and 303 of the Communications Act of 1934, as amended.

Federal Communications Commission.

William J. Tricarico,

Secretary.

PART 73—RADIO BROADCAST SERVICES

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154 and 303.

§ 73.242 [Removed]

2. § 73.242 is removed.

[FR Doc. 86-8218 Filed 4-11-86; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1

[OST Docket No. 1; Amdt. 207]

Organization and Delegation of Powers and Duties; Revisions

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: The Department of Transportation is revising the delegations of authority to the Federal Highway Administration in order to correct and update statutory citations contained therein.

EFFECTIVE DATE: April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Samuel Whitehorn, Office of the General Counsel, C-50, Department of Transportation, Washington, DC (202) 472-5577.

SUPPLEMENTARY INFORMATION: The Department of Transportation has determined that conforming amendments are required to its delegations of authority to the Federal Highway Administration as a result of the 1983 recodification of Title 49, United States Code, Transportation, and the repeal of the portions of the Explosives and Other Dangerous Articles Act in 1979 relating to transportation. Amendments to the delegations of authority are also needed to update and complete the statutory citations contained in certain of these delegations.

Discussion of Changes

In view of the recodification of Title 49, United States Code, Transportation, in 1983, Pub. L. 97-449, 96 Stat. 2421-2439 (Jan. 12, 1983), the statutory citations in 49 CFR 1.48 (a), (e), (f) and (g) have been revised to correspond to the recodification.

Also in view of this 1983 recodification, the delegation contained in 49 CFR 1.48(h) is deleted and that paragraph is reserved. By statute, 49 U.S.C. 104, the Federal Highway Administration has been delegated the duties and powers related to motor carrier safety vested in the Secretary of Transportation by chapters 5 and 31 of Title 49, United States Code. The Department of Transportation now directly has authority over motor carrier safety and thus is no longer operating under authority transferred from the Interstate Commerce Commission. The underlying statute cited in 49 CFR 1.48(h) has been repealed.

In view of the recodification of the Interstate Commerce Act in 1978, Pub. L. 95-473, 92 Stat. 1412 (Oct. 17, 1978), as subsequently amended, the statutory citation in 49 CFR 1.48(k) has been revised to reflect the current citation to the statute relating to the agency's responsibilities with regard to the suspension, change or revocation of motor carrier certificates, permits or licenses.

Since the authorizing legislation cited in 49 CFR 1.48(d) was repealed by Pub. L. 96-129, Title II, section 216(b), 93 Sat. 1013 (Nov. 30, 1979), the delegation contained in this paragraph has been deleted and the paragraph is hereby reserved.

The delegations previously contained in 49 CFR 1.48(p) and 1.48(v) both referred to the Noise Control Act of 1972. Thus the delegations contained in these paragraphs have been combined into new 49 CFR 1.48(p) and the statutory citation contained therein has been corrected to 42 U.S.C. 4917.

A technical correction to paragraph (x) of 49 CFR 1.48 has been made in order to change the year of the public law from 1981 to 1980.

The delegations contained in 49 CFR 1.48(w) and 1.48(z) have been revised to include current statutory amendments dealing with minimum financial responsibility requirements.

Since these revisions relate to Departmental management, procedures, and practice, notice and comment are unnecessary. In addition, it may be

made effective in less than 30 days after publication in the **Federal Register.**

List of Subjects in 49 CFR Part 1

Authority delegations (government agencies). Organizations and functions (government agencies).

In consideration of the foregoing, 49 CFR Part 1 is amended as set forth below.

PART 1—[AMENDED]

1. The authority citation for Part 1 is revised to read as follows:

Authority: 49 U.S.C. 102–110, and 322(a) and (b).

2. Section 1.48 is amended by revising paragraphs (a), (e), (f), (g), (k), (p), (w), (x), (z) and by removing and reserving paragraphs (d), (h) and (v).

§ 1.48 Delegation to Federal Highway Administrator.

The Federal Highway Administrator is delegated authority to—

(a) Investigate and report on the safety compliance records of applicants seeking operating authority, or approval of transactions involving transfer of operating authority, from the Interstate Commerce Commission, and to intervene and present evidence concerning applicants' fitness in Commission proceedings under 49 U.S.C. 307, so far as it relates to motor carriers.

* * * * *

(d) [Reserved]

(e) Carry out 49 U.S.C. 3103 relating generally to investigation of the need for regulation of sizes, weights, and combinations of motor vehicles and qualifications and maximum hours of service of employees of motor carriers and motor private carriers.

(f) Carry out 49 U.S.C. 3102 relating generally to qualifications and maximum hours of service of employees and safety of operation and equipment of motor carriers, motor private carriers and motor carriers of migrant workers.

(g) Carry out 49 U.S.C. 503 and 3104 relating generally to service of process, designation of agents to receive service of process, and identification of interstate motor vehicles so far as they pertain to motor private carriers of property and motor carriers of migrant workers (except motor contract carriers).

(h) [Reserved]

* * * * *

(k) Initiate proceedings as a complainant under 49 U.S.C. 10925 to revoke, suspend or amend the certificates, permits or licenses of a motor carrier.

* * * * *

(p) Carry out the functions vested in the Secretary provided by 42 U.S.C. 4917 relating to procedures for the inspection, surveillance and measurement of commercial motor vehicles for compliance with interstate motor carrier noise emission standards and related enforcement activities including the promulgation of necessary regulations.

* * * * *

(v) [Reserved]

(w) Cary out the functions vested in the Secretary by section 30 of the Motor Carrier Act of 1980 (Pub. L. 96–296, 94 Stat. 820), as amended by § 108(b)(5) of Pub. L. 96–510, 94 Stat. 2767; section 406 of Pub. L. 97–424, 96 Stat. 2158; and section 222 of Pub. L. 98–554, 98 Stat. 2846 (49 U.S.C. 10927 note).

(x) Carry out the functions vested in the Secretary by sections 4(a) and (5)(c) of Executive Order 12316 of August 14, 1981 (46 FR 42237, August 20, 1981) (delegating sections 107(c)(1)(C) and 108(b), respectively, of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, Pub. L. 96–510, 94 Stat. 2781), insofar as they relate to motor carriers.

* * * * *

(z) Carry out the functions vested in the Secretary by §§ 18 and 25(c) of the Bus Regulatory Reform Act of 1982 (Pub. L. 97–261, 96 Stat. 1102), as amended by section 224 of Pub. L. 98–554, 98 Stat. 2847 (49 U.S.C. 10927 note).

* * * * *

Issued in Washington, DC, on February 12, 1986.

Elizabeth Hanford Dole,

Secretary of Transportation.

[FR Doc. 86–5062 Filed 4–11–86; 8:45 am]

BILLING CODE 4910–62–M

---

49 CFR Part 1

[OST Docket No. 1; Amdt. No. 206]

Organization and Delegation of Powers and Duties; Delegation to the Commandant of the Coast Guard and Reservations of Authority

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This rule amends Title 49, Code of Federal Regulations to clarify the existing roles of the Secretary and the Commandant with regard to the administration of the Military Justice System in the U.S. Coast Guard. Both the Uniform Code of Military Justice, 10 U.S.C. 801 et seq., (UCMJ) and the Manual for Courts-Martial (MCM, 1984) authorize the Secretary to promulgate regulations and to take other actions in Military Justice matters. Most of these functions are routine in nature and were delegated to the Commandant when the Coast Guard became part of the Department of Transportation in 1967. This rule specifically lists all secretarial reservations of authority, and delegates all functions not so reserved, thus clarifying the Commandant's existing authority to administer the Military Justice System in the Coast Guard.

EFFECTIVE DATE: April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Becky L. Bentson, Department of Transportation, Office of General Counsel; (202) 472–5577, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Since this amendment relates to departmental management, procedures, and practices, it is excepted from notice and public procedure requirements and it may be made effective in fewer than thirty (30) days after publication in the **Federal Register.**

Drafting information: The principal persons involved in drafting this document are LT Christena Green, Office of Chief Counsel (Military Justice Division), and LT Dave Shippert, Office of Chief Counsel (Regulations and Administrative Law Division).

Discussion: The Secretary has the authority to administer the Military Justice System in the United States Coast Guard (U.C.M.J., 10 U.S.C. 801 et seq.; MCM). Most of the Secretary's responsibilities are properly within the province of the Commandant and have been so delegated. The Secretary has specifically reserved the authority to act in certain instances. However, neither the delegation to the Commandant nor all the reservations of Secretarial authority have been clearly described in the Code of Federal Regulations. This rule amends both §§ 1.44(m) and 1.46 of Title 49 CFR to accurately reflect these reservations and the delegation. The list of authorities reserved by the Secretary contained in 49 CFR 1.44(m) is amended to include eight specific functions pertaining to Military Justice matters and 49 CFR 1.46 is amended to reflect the existing delegation to the Commandant in matters relevant to the administration of the Military Justice System. This rule merely publishes existing practice and procedure and will have no impact upon the agency or the public.

List of Subjects in 49 CFR Part 1

Authority delegations (government agencies), Organizations and functions (government agencies).

In consideration of the foregoing, 49 CFR Part 1 is amended as set forth below.

PART 1—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

1. The authority citation for Part 1 is revised to read as follows:

Authority: 49 U.S.C. §§ 102–110, and 332 (a) and (b).

§ 1.44 [Amended]

2. Section 1.44(m) is amended to revise paragraph (12) and (13), and to add paragraphs (14) through (19) to read as follows:

* * * * *

(m) Coast Guard

* * * * *

(12) Substitute administrative discharge for dismissal of an officer under 10 U.S.C. 804 (a) and (b).

(13) Designation of commanding officers and officers in charge who may convene general, special and summary courts-martial. (10 U.S.C. 822(a)(6), 823(a)(7), and 824(a)(b).

(14) In time of war certify cases to President to extend statute of limitations until after termination of hostilities. (10 U.S.C. 843(e)).

(15) Direct Judge Advocate General to establish branch office. (10 U.S.C. 868).

(16) Designate officers authorized to remit or suspend any part of amount of unexecuted part of any sentence. (10 U.S.C. 874(a)).

(17) Substitute administrative form of discharge for discharge or dismissal executed in accordance with sentence of court-martial (10 U.S.C. 874(b)).

(18) Substitute administrative discharge for previously executed sentence of dismissal when dismissal not imposed at new trial. (10 U.S.C. 875(c)).

(19) Designate persons to convene courts of inquiry. (10 U.S.C. 935(a)).

3. Section 1.46 is amended to add new paragraph (pp) to read as follows:

§ 1.46 Delegations to Commandant of the Coast Guard.

* * * * *

(pp) Except as specifically reserved in 49 CFR § 1.44, carry out the responsibilities of, and exercise the authority of the Secretary contained in the Uniform Code of Military Justice, Chapter 47 of Title 10 United States Code, and the Manual for Courts-Martial, United States.

Issued in Washington, D.C. on February 7, 1986.

Elizabeth Hanford Dole,

Secretary of Transportation.

[FR Doc. 86–5061 Filed 4–11–86; 8:45 am]

BILLING CODE 4910–62–M

Federal Highway Administration

49 CFR Parts 301, 388, 389, 390, 391, 394, and 395

Federal Motor Carrier Safety Regulations; Technical Amendments

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Final rule.

SUMMARY: As a result of the revisions in the delegations of authority from the Department of Transportation to the Federal Highway Administration as well as the reorganization of the Bureau of Motor Carrier Safety within the Federal Highway Administration, technical amendments are needed to reflect the current delegations of authority relating to motor carrier safety within the Federal Highway Administration.

EFFECTIVE DATE: April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Neill Thomas, National Standards Division, Bureau of Motor Carrier Safety, (202) 755–1011; or Mrs. Kathleen S. Markman, Office of the Chief Counsel, (202) 426–0346, Federal Highway Administration, 400 7th Street, SW., Washington, DC 20590. Office hours are from 7:45 a.m. to 4:15 p.m., ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: In view of the revisions in the delegations of authority from the Department of Transportation to the Federal Highway Administration published in this issue of the **Federal Register** to reflect current citations to the statutory authority relating to motor carrier safety and related areas as well as the reorganization of the Bureau of Motor Carrier safety within the Federal Highway Administration, certain regulations are revised to reflect the current delegations of authority as well as the offices responsible for these functions. Certain functions and responsibilities were delegated from the Federal Highway Administrator to the Associate Administrator for Motor Carriers. Certain of these functions were delegated to the Director, Bureau of Motor Carrier Safety, and some of these responsibilities redelegated to the Regional Director, Motor Carrier Safety. The paragraphs of 49 CFR 301.60 are renumbered in order to correctly reflect the direct line authority and delegations from the Federal Highway Administrator to the Associate Admininstrator for Motor Carriers to the Director, Bureau of Motor Carrier Safety, then to the Regional Director, Motor Carrier Safety.

The FHWA has determined that this document does not contain a major rule under Executive Order 12291 or a significant regulation under the regulatory policies and procedures of the Department of Transportation. The amendments in this document are primarily technical in nature and are needed solely to update the regulations to reflect current statutory changes as well as revisions relating to the agency's reorganization. Fot these reasons and since this rule imposes no additional burdens on the States or other Federal agencies, the FHWA finds good cause to make this regulation final without prior notice and opportunity for comments and without a 30-day delay in effective date under the Administrative Procedure Act. For the same reasons, notice and opportunity for comment are not required under the regulatory policies and procedures of the Department of Transportation because it is not anticipated that such action would result in the receipt of useful information. Accordingly, this final rule is effective upon publication in the **Federal Register.**

Since the changes in this document are primarily nonsubstantive in nature and are merely needed to reflect those entities responsible for compliance with requirements relating to motor carrier safety, minimum financial responsibility, and noise emission, the anticipated economic impact, if any, is minimal. Therefore, a full regulatory evaluation is not required. For the above reasons and under the criteria of the Regulatory Flexibility Act, the FHWA certifies that this final rule will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 49 CFR Parts 301, 388, 389, 390, 391, 394, and 395

Authority delegations (government agencies), Highways and roads, Motor carriers, Motor vehicle safety.

(Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety)

Issued on April 3, 1986.

R.A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

In consideration of the foregoing, the Federal Highway Administration hereby amends 49 CFR Chapter III as set forth below.

PART 301—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES OF THE FEDERAL HIGHWAY ADMINISTRATION

1. The authority citation for Part 301 is revised to read as follows:

Authority: 49 U.S.C. 104, 307, 501 *et seq.*, 1801 *et seq.*, 3101 *et seq.*, 10925, 10927 note; 42 U.S.C. 4917; 49 CFR 1.48.

2. § 301.50 is amended by removing the words "as well as the motor carrier safety programs" from the end of the third sentence. The section as revised reads as follows:

§ 301.50 Regional offices; general description.

The Federal Highway Administration has regional offices, commonly referred to as Regional Administrations, which are numerically identified as Regions 1 and 3 through 10. Each regional office has jurisdiction over a geographical area consisting of a designated group of States. Each regional office is headed by a Regional Federal Highway Administrator (commonly called the Regional Administrator for ease of reference), who is assisted by a regional headquarters staff of legal, administrative, and program specialists, and who is responsible for directing at local levels the Federal Highway Administration responsibilities for administration of the direct Federal, Federal-aid, and other highway and traffic safety programs.

3. In § 301.60, paragraphs (a) (1) and (3) are amended by correcting the statutory citations; paragraph (d) is revised by removing (d)(2), redesignating paragraphs (2)(1) (i) through (viii) to read as (d) (1) through (8) and adding paragraphs (9) and (10), and by correcting the citations in the paragraphs; paragraph (e) is revised by correcting the citations and by providing nomenclature changes due to reorganization; and paragraph (f) is added. The section as revised reads as follows:

§ 301.60 Delegations of authority relating to motor carrier safety.

(a) Definitions:

(1) *Cease and desist orders.* An order issued pursuant to 49 U.S.C. 506 or 1808 and Part 386 of this chapter.

(2) *Consent orders.* A cease and desist order entered into voluntarily pursuant to § 386.16 or § 386.21.

(3) *Civil Forfeiture.* A civil penalty under 49 U.S.C. 521(b), under 49 U.S.C. 1809, or for violations of the minimum financial responsibility regulations as provided by 49 CFR 387.17 and 387.41 (49 U.S.C. 10927 note).

(b) The delegations of authority in this section may not be redelegated unless specifically provided.

(c) The authority delegated to officials under this section may be exercised by their deputies except that such deputies may not exercise the power of redelegation.

(d) The Federal Highway Administrator delegates to the Associate Administrator for Motor Carriers the authority to:

(1) Perform the functions, powers, and duties enumerated in 1.48, paragraphs (a), (e), (f), (g), (k), (p), (t), (u), (w), (z), and (aa) in part 1 of this title.

(2) Issue, amend, and revoke rules, notices, and advance notices of proposed rules necessary for the implementation of the powers, functions, and duties delegated to him by this section.

(3) Issue administrative interpretations of 49 CFR Parts 325, 350, 385, 387–399.

(4) Initiate, compromise, suspend, and terminate proceedings commenced by notice of investigation pursuant to 49 CFR 386.11.

(5) Initiate, collect, compromise, suspend, and terminate civil forfeiture claims under 49 U.S.C. 521(b) and issue consent orders with any settlement agreements.

(6) Issue consent orders as defined in this section.

(7) Issue cease and desist orders as defined in this section.

(8) Issue administrative subpoenas under 49 U.S.C. 502 in connection with motor carrier safety inspections and investigations.

(9) Initiate, collect, compromise, suspend, and terminate civil forfeiture claims under 49 U.S.C. 1809 and issue consent order with any settlement agreements.

(10) Initiate, collect, compromise, suspend, and terminate civil forfeiture claims for violations of the minimum financial responsibility regulations as provided by 49 CFR 387.17 and 387.41 (see 49 U.S.C. 10927 note).

(11) Issue determinations and letters of disqualification in cases pursuant to 49 CFR Part 391 and 49 CFR 386.11.

(12) Issue waivers pursuant to 49 CFR 391.49.

(e) The Associate Administrator for Motor Carriers delegates to the Director, Bureau of Motor Carrier Safety, the authority to:

(1) Perform the functions, powers, and duties enumerated in 1.48 paragraphs (a), (e), (f), (g), (k), (p), (t), (u), (w), (z) and (aa) in Part 1 of this title except the powers to call a matter for a hearing, appoint an administrative law judge and issue a final decision under Part 386 of this chapter.

(2) Issue, amend, and revoke rules, notices, and advance notices of proposed rules necessary for the implementation of the functions, powers and duties delegated to him/her by this section. This delegation of authority does not preclude the Associate Administrator for Motor Carriers from also issuing, amending or revoking rules.

(3) Issue administrative interpretations of 49 CFR Parts 325, 350, 385, 387–399.

(4) Issue determinations and letters of disqualification in cases pursuant to 49 CFR Part 391 and 49 CFR 386.11.

(5) Initiate, collect, compromise, suspend, and terminate civil forfeiture claims under 49 U.S.C. 521(b), 49 U.S.C. 1809 and the minimum financial responsibility regulations found at 49 CFR 387.17 and 387.41 (see 49 U.S.C. 10927 note)

(6) Issue notices of investigation under § 386.11 of this chapter.

(7) Perform the functions enumerated in § 1.45(a)(13) of this title relating to the authority to make certifications, findings, and determinations, under the Regulatory Flexibility Act (Pub. L. 96–354), for rulemaking documents for which issuance authority has been delegated.

(8) Issue administrative subpoenas under 49 U.S.C. 502 in connection with motor carrier safety inspections and investigations.

(9) Issue waivers pursuant to 49 CFR 391.49.

(f) The Director, Bureau of Motor Carrier Safety, delegates to the Regional Director, Motor Carrier Safety, the authority to:

(1) Initiate, collect, compromise, suspend and terminate civil forfeiture claims under 49 U.S.C. 521(b) and the minimum financial responsibility regulations found at 49 CFR 387.17 and 387.41 (see 49 U.S.C. 10927 note).

(2) Issue administrative subpoenas under 49 U.S.C. 502 in connection with motor carrier safety inspections and investigations.

(3) Issue letters of disqualification under the objective standards of 49 CFR Part 391 including the following physical qualifications standards, § 391.41(b) (1), (3) and (10) of this chapter.

(4) Issue waivers pursuant to 49 CFR 391.49.

(5) Perform those functions, powers and duties enumerated in 49 CFR 1.48(g) relating to the service of process of notices and orders in proceedings instituted under 49 U.S.C. 506.

PART 388—COOPERATIVE AGREEMENTS WITH STATES

4. The authority citation for Part 388 is revised to read as follows:

Authority: 49 U.S.C. 104 and 502; 49 CFR 1.48.

§ 388.4 [Amended]

5. § 388.4(a) is amended by substituting "49 U.S.C. 504(c)" for the phrase "section 220(d) of the Interstate Commerce Act." This paragraph as revised reads as follows:

(a) *Federal Highway Administration furnishing information to State.* Information that comes to the attention of an employee of the Federal Highway Administration in the course of his/her official duties of investigation, inspection, or examination of the property, equipment, and records of a motor carrier or others, pursuant to 49 U.S.C. 504(c), and that is believed to be a violation of any law or regulation of the State pertaining to unsafe motor carrier operations and practices, shall be communicated to the appropriate State authority by an official of the Federal Highway Administration.

* * * * *

6. § 388.4(b) is amended by substituting "Regional Director, Motor Carrier Safety" for the phrase "Regional Federal Highway Administrator of the Federal Highway Administration or his designee for that State." This paragraph as revised reads as follows:

* * * * *

(b) *State furnishing information to Federal Highway Administration.* Information that comes to the attention of a duly authorized agent of the State in the course of his/her official duties of investigation, inspection, or examination of the property, equipment, and records of a motor carrier or others, and that is believed to be a violation of any provision of the safety or hazardous materials laws of the United States concerning highway transportation or the regulations of the Federal Highway Administration thereunder, shall be communicated to the Regional Director, Motor Carrier Safety.

* * * * *

§ 388.5 [Amended]

7. § 388.5(b) is amended by substituting "Regional Director, Motor Carrier Safety," for "Regional Administrator of the Federal Highway Administration or his designee" each time it appears in the paragraph.

§ 388.6 [Amended]

8. § 388.6 is amended by substituting "Regional Director, Motor Carrier Safety" for "Regional Administrator, Federal Highway Administration or his designee" each time it appears in the paragraph.

§ 388.7 [Amended]

9. The first sentence of § 388.7 is amended by substituting "Regional Director, Motor Carrier Safety" for "Regional Highway Administrator of the Federal Highway Administration or his designee."

10. § 388.8 is amended by substituting the citation "49 U.S.C. 502" for "49 U.S.C. 305(f)." This section as revised now reads as follows:

§ 388.8 Supplemental agreements.

The terms specified in this part may be supplemented from time to time by specific agreement between the Federal Highway Administration and the appropriate State authority in order to further implement the provisions of 49 U.S.C. 502.

PART 389—RULEMAKING PROCEDURES—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

11. The authority citation for Part 389 is revised to read as follows:

Authority: 49 U.S.C. 104 and 3102; sec. 30 of the Motor Carrier Act of 1980 (Pub. L. 96–296, 94 Stat. 820), as amended by section 108(b)(5) of Pub. L. 96–510, 94 Stat. 2767; sec. 406 of Pub. L. 97–424, 96 Stat. 2097; sec. 222 of Pub. L. 98–554, 98 Stat. 2846 (49 U.S.C. 10927 note); secs. 18 and 25(c) of the Bus Regulatory Reform Act of 1982 (Pub. L. 97–261, 96 Stat. 1102, 1120, 49 U.S.C. 10927 note); and 42 U.S.C. 4917.

12. § 389.1 is revised to read as follows:

§ 389.1 Applicability.

This part prescribes rulemaking procedures that apply to the issuance, amendment and revocation of rules under 49 U.S.C. 3102; section 30 of the Motor Carrier Act of 1980, as amended; section 18 of the Bus Regulatory Reform Act of 1982, as amended; the Motor Carrier Safety Act of 1984; and the Noise Control Act of 1972.

§ 389.3 [Amended]

13. The definition of "Act" in § 389.3 is revised to read as follows:

* * * * *

"Act" means 49 U.S.C. 104, 501 *et seq.*, 3101 *et seq.*, the Motor Carrier Act of 1980, the Bus Regulatory Reform Act of 1982, or the Noise Control Act of 1972.

14. § 389.11 is amended by correcting the citations in the text. The section as revised reads as follows:

§ 389.11 General.

Unless the Director, for good cause, finds that notice is impractical, unnecessary, or contrary to the public interest, and incorporates that finding and a brief statement of the reasons for it in the rule, a notice of proposed rulemaking is issued, and interested persons are invited to participate in the rulemaking proceedings involving rules under 49 U.S.C. 3102; section 30 of the Motor Carrier Act of 1980, as amended; section 18 of the Bus Regulatory Reform Act of 1982, as amended; the Motor Carrier Safety Act of 1984; and the Noise Control Act of 1972.

PART 390—FEDERAL MOTOR CARRIER SAFETY REGULATIONS: GENERAL

15. The authority citation for Part 390 is revised to read as follows:

Authority: 49 U.S.C. 104 and 3102, 49 CFR 1.48.

16. § 390.28 is amended to correct the citations in the text. This section as revised reads as follows:

§ 390.28 Other terms.

Any other term used in Parts 390–397 of this subchapter is used in its commonly accepted meaning, except where such other term has been defined elsewhere in this part or in 49 U.S.C. 3101, 49 U.S.C. 10102 in which event the definition therein given shall apply.

17. § 390.40 is amended to reflect the change in the name of the field office. The section as revised reads as follows:

§ 390.40 Locations for filing accident reports and notifications.

Motor carriers shall file the reports required by §§ 394.9 and 394.11 of this subchapter by personal service upon, or mailing by first-class mail to the Office of Motor Carrier Safety, for the Federal Highway Administration Region in which the carrier's principal place of business is located as shown in the following table:

* * * * *

PART 391—QUALIFICATIONS OF DRIVERS

18. The authority citation for Part 391 is revised to read as follows:

Authority: 49 U.S.C. 104 and 3102; 49 CFR 1.48.

§ 391.49 [Amended]

19. Section 391.49(a), (b), (e)(1), (e)(1)(i), (e)(1)(ii), (g), (h), (i), (j), and (k) are amended to substitute "Regional Director, Motor Carrier Safety" for "Regional Federal Highway

Administrator" each time it appears in these paragraphs.

* * * * *

PART 394—NOTIFICATION AND REPORTING OF ACCIDENTS

20. The authority citation for Part 394 is revised to read as follows:

Authority: 49 U.S.C. 104, 504 and 3102; 49 CFR 1.48.

§ 394.9 [Amended]

21. § 394.9(d) is amended to substitute "Regional Director, Motor Carrier Safety" for "Associate Regional Administrator for Motor Carrier Safety".

PART 395—HOURS OF SERVICE OF DRIVERS

22. The authority citation for Part 395 is revised to read as follows:

Authority: 49 U.S.C. 104, 504 and 3102; 49 CFR 1.48.

§§ 395.8 and 395.13 [Amended]

23. Section 395.8(k)(2) and 395.13(c) are amended to substitute "Regional Director, Motor Carrier Safety," for "Associate Regional Administrator for Motor Carrier Safety."

[FR Doc. 86-7978 Filed 4-11-86; 8:45 am]

BILLING CODE 4910-22-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 663

[Docket No. 51192-5219]

Pacific Coast Groundfish Fishery; Inseason Adjustment

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of inseason adjustment.

SUMMARY: NMFS issues this notice of inseason adjustment to the 1986 annual specifications for Pacific coast groundfish off the coasts of Washington, Oregon, and California, and announces that the acceptable biological catch (ABC) and optimum yield (OY) for Pacific whiting have been increased to 295,800 metric tons (mt), and the ABC for yellowtail rockfish has been increased to 4,000 mt. This action is intended to promote full utilization of the groundfish resource without biological stress to these or any other species.

EFFECTIVE DATE: April 11, 1986.

FOR FURTHER INFORMATION CONTACT: Rolland A. Schmitten (Director, Northwest Region, NMFS), 206-526-6150, or E. C. Fullerton (Director, Southwest Region, NMFS) 213-514-6196.

SUPPLEMENTARY INFORMATION: A preliminary notice of inseason adjustment and request for comments was published on March 13, 1986 (51 FR 8683) proposing increases to the annual specifications of ABC and OY under regulations implementing the Pacific Coast Groundfish Fishery Management Plan. The preliminary notice explained the need to increase the Pacific whiting ABC and OY to 295,800 mt, up 30 percent from 227,500 mt, and the yellowtail rockfish ABC to 4,000 mt, up 100 mt from 3,900 mt. (Yellowtail rockfish is in the multispecies *Sebastes* complex of rockfishes and does not have a numberical OY.) These increases were recommended by the Pacific Fishery Management Council and developed at public meetings in September, October, and November 1985. No comments were received during the comment period for the notice.

Based on the factors discussed in the preliminary notice, the Secretary of Commerce has determined that this inseason adjustment will not cause biological stress to Pacific whiting, yellowtail rockfish, or any other species, and will promote full utilization of the groundfish resource. Therefore, the coastwide specifications for Pacific whiting and yellowtail rockfish set at the beginning of the year (51 FR 1255, January 10, 1986) are superseded by 295,800 mt and 4,000 mt, respectively.

Domestic needs for Pacific whiting were accommodated when the 1986 OY was set at the beginning of the year (51 FR 1255). Therefore, the entire increase to the Pacific whiting OY (68,300 mt) is divided between the reserve and the total allowable level of foreign fishing (TALFF). The reserve is increased to 59,200 mt from 45,500 mt and the TALFF is increased to 101,600 mt from 47,000 mt. The determinations of domestic annual processing (DAP), joint venture processing (JVP), and domestic annual harvesting (DAH) remain unchanged at 15,000 mt, 120,000 mt, and 135,000 mt, respectively.

The 100-mt increase in the yellowtail rockfish ABC is assigned entirely to the Columbia area north of Coos Bay, Oregon (42°22' N. latitude); thus the ABC for the northern part of the Columbia area increases to 2,500 mt from 2,400 mt, and the ABC for the total Columbia area increases to 2,600 mt from 2,500 mt. As a result, the harvest guideline for the *Sebastes* complex (which includes yellowtail rockfish) north of Coos Bay increases to 10,200 mt from 10,100 mt, the sum of the ABCs of the species in the complex in the northern Columbia and Vancouver areas. This increase is too small to necessitate changes to the trip limits for this complex.

The specifications for whiting and yellowtail rockfish (51 FR 1255) are increased as indicated in the tables below; all other portions of the tables remain unchanged.

TABLE 1.—FINAL ESTIMATES OF ABC FOR 1986 IN METRIC TONS (MT) FOR GROUNDFISH OFF WASHINGTON, OREGON, AND CALIFORNIA BY INPFC AREAS

[Revision to Table 1 at 51 FR 1255]

Species	Vancouver	Columbia	Eureka	Monterey	Conception	Total
Roundfish:						
* * *	*	*	*	*	*	*
Pacific whiting						295,800
* * *	*	*	*	*	*	*
Other Rockfish:						
Yellowtail	1,100	*2,600	300			4,000
* * *	*	*	*	*	*	*

Note.—Only those portions of Table 1 and its footnotes at 51 FR 1255 pertaining to Pacific whiting and yellowtail rockfish are revised and printed here. All other portions of that table remain unchanged.

*For management of the *Sebastes* complex of rockfish, the Columbia area is split into northern and southern parts at Coos Bay, Oregon (43°22' N. latitude), and ABCs for the Columbia area are prorated as follows:

	Columbia area (total)	Columbia area North of Coos Bay	Columbia area South of Coos Bay
Canary	2,100	1,700	400
Yellowtail	2,600	2,500	100
Remaining rockfish	3,700	3,300	400

TABLE 2.—FINAL SPECIFICATIONS OF OY AND ITS DISTRIBUTION FOR 1986 IN THOUSANDS OF METRIC TONS FOR GROUNDFISH OFF WASHINGTON, OREGON, AND CALIFORNIA

[Revision to Table 2 at 51 FR 1255]

Species	Total OY	DAP	JVP	DAH	Reserve	TALFF
* * * * * * *						
Pacific whiting	295.8	15.0	120.0	135.0	59.2	101.6
* * * * * * *						

Note.--Only those portions of Table 2 at 51 FR 1255 pertaining to Pacific whiting are revised and printed here. All other portions of that table, including footnotes remain unchanged.

Classification

This inseason adjustment is based on the best available scientific information.

This action is taken under §§ 663.22 and 663.23, is in compliance with Executive Order 12291, and is covered by the Regulatory Flexibility Analysis prepared for the implementing regulations.

List of Subjects in 50 CFR Part 663

Fisheries, Fishing, Reporting and recordkeeping requirements.

(16 U.S.C. 1801 *et seq.*)

Dated: April 9, 1986.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 86-8245 Filed 4-11-86; 8:45 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 51, No. 71
Monday, April 14, 1986

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 27, 28, and 61

Revision of User Fees for Cotton Classification, Testing, and Standards

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: The Agricultural Marketing Service (AMS) proposes to increase the fee for cotton classification services to producers. Fees would also be increased for certain other cotton classification and testing services and cottonseed grading services. Fees charged for the purchase of American Upland and American Pima cotton and linters grade and staple standards and for calibration cotton standards would be revised. AMS also proposes to offer two new cotton fiber and processing tests and a new set of micronaire reading only calibration cotton standards. The proposed higher fees are necessary to recover, as nearly as practicable, the costs of providing such services including administrative and supervisory costs.

DATE: Comments must be received on or before May 14, 1986.

ADDRESS: John J. Korbol, Standards and Testing Branch, Cotton Division, Agricultural Marketing Service, USDA, Washington, DC 20250.

FOR FURTHER INFORMATION CONTACT: Freddie S. Mullins, (202) 447-2147 or John J. Korbol, (202) 447-2167.

SUPPLEMENTARY INFORMATION: This proposed rule has been reviewed in accordance with Executive Order 12291 and Departmental Regulation 1512-1 and has been determined to be nonmajor since it does not meet the criteria for a major regulatory action as stated in the Order. The Administrator, Agricultural Marketing Services, has certified that this action would not have a significant economic impact as defined by the Regulatory Flexibility Act (15 U.S.C. 601 *et seq.*) because: (1) The proposed free increases merely reflect a minimal increase in the cost-per-unit as is currently borne by those entities utilizing the services; (2) the proposed cost increases will not affect normal competition in the marketplace, (3) the amounts of the proposed increases in fees are too small to have a significant impact; (4) the use of the services is voluntary; (5) and, if there is any impact, the Secretary has been directed by statute to recover the costs of cotton classification, standards, and the testing services from users of such services and standards.

Classification Fee for Producers

Section 3a of the Cotton Statistics and Estimates Act of 1927, as amended (7 U.S.C. 473a) requires that user fees shall be charged for the classification of producer cotton for fiscal years 1985, 1986, 1987 and 1988. This statute directs the Secretary, within certain limitations, to set the user fee at a level that when combined with the proceeds from the sale of samples submitted for classification would recover, as nearly as practicable, the cost of the service provided, including administrative and supervisory costs. The fee for manual classification of producers' cotton was set at $1.05 per sample during the 1984 and 1985 harvest seasons (7 CFR 28.909(b); 49 FR 26543-26547).

This proposal would increase the classification fee for manual classification services to producers in § 28.909 from $1.05 to $1.08 per sample. This cost increase is proposed due to the following conditions. (1) Anticipated volume of cotton to be classed from the 1986 crop is projected to be 10 to 15 percent below volume of cotton classed from the 1985 crop. The unit cost of classing is affected by the volume of classings inasmuch as there are substantial fixed or overhead costs such as salaries and rent which will remain constant whether volume decreases or increases. Since the volume of cotton to be classed from the 1986 crop will be less than the previous year, the unit cost of classing will need to be increased to provide sufficient revenue to recover the costs of the service. (2) The volume of samples submitted for classification and to be baled and sold after classification to defray a portion of the classing costs will likewise be about 10 to 15 percent smaller. (3) Prices received for the baled samples are expected to be around 10 cents per pound less than in 1985. (4) Operating costs for providing classification services to producers have increased since the last fee increase in 1984 (49 FR 26546). There have been increases in expenditures for salaries, rent, utilities, communications, supplies and materials.

In addition to the manual classification service, USDA has made High Volume Instrument (HVI) classification service available to growers on an optional basis since 1982. The fee for this special classification service has remained constant at an additional 45 cents per sample over the charge for manual classification. Costs associated with equipment operation, modification and maintenance have increased during this period of time. Therefore, it is proposed that the fee is § 28.909 for HVI classification be increased by five cents to 50 cents per bale over the manual classification fee.

The special HVI fee provisions for classification of samples and review classification at the Lamesa, Texas facility would be deleted. In 1980, a classing facility was established on a trial basis in Lamesa, Texas as the first USDA cotton classing facility equipped to instrument class all cotton received. HVI classing equipment for the facility was purchased through a cooperative funding agreement under the Federal-State Marketing Improvement Program in which a substantial amount of funds came from cotton growers served by the Lamesa facility.

Since first established, the fees for HVI classification for grower served by the Lamesa classing facility have been the same as the fee for manual classification and review classification to growers. In promulgating this provision in July, 1983 (48 FR 30937), it was noted that this fee structure would continue until such time as it was determined that the Lamesa cotton growers were appropriately recompansed for their investment in the automatic classing facility.

AMS has now determined that the Lamesa growers have recouped their investment through lower classing costs. As a result, the special HVI fee provisions for the Lamesa classing facility in § 28.909(c) and § 28.911 would be removed.

The fee in paragraph (b) of § 28.910 for issuance of a new memorandum of

classification at the request of the owner of the cotton for the business convenience of the owner without the reclassification of such cotton would be increased from $2.50 to $3.00 per sheet due to the increased costs of providing this service, including clerical costs.

The fee for a manual review classification in § 28.911 would also be increased from $1.10 to $1.15 per sample. The fee for HVI review classification would be increased from $1.55 to $1.65 per sample. These proposed fees reflect the increased costs of performing these services, including overhead and equipment costs.

In recognition of the number of variables on which cost and revenue projections were made, an adjustment in per sample classing fees to producers could become necessary during the year.

Costs of Cotton Standards

Practical forms of the cotton standards are prepared and sold by the Cotton Division offices in Memphis, Tennessee, under the authority of the United States Cotton Standards Act (7 U.S.C. 51 *et seq.*). The Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97–35) directs that the price for standards will cover, as nearly as practicable, the costs of providing the standards.

This proposal would increase the fees listed in §§ 28.123, 28.151 and 28.956 for practical forms of the cotton standards, including both grade and staple standards for American Upland cotton, American Pima cotton and for cotton linters, and for cotton calibration standards. The fees need to be adjusted due to increased costs for salaries, packaging, handling, delivery, and postage. Current and estimated demand for the standards has also been factored into the fee revision since per unit costs are directly related to volume.

In addition, AMS is proposing to specify two methods of delivery for domestic orders and two methods of delivery for orders from foreign countries for grade, staple and calibration cotton standards. These methods have been determined to be the most reliable, cost-effective, and popular. They would permit AMS to avoid numerous problems which have been encountered when other methods of delivery were attempted in the past. These difficulties include the inability to get standards through foreign customs offices, late delivery of standards, and problems with clearing letters of credit tendered as payment. The proposed fee schedule would give customers a choice of delivery methods and fees for any of the grade, staple, and calibration cotton standards offered for sale.

Domestic Purchase: The fees for domestic delivery of American Upland cotton grade standards f.o.b. Memphis, Tennessee would be increased from $90.00 to $94.00 and the surface delivered price would be $98.00. The fees for American Upland staple standards f.o.b. Memphis would be increased from $12.00 to $13.00 and the surface delivered price would be $15.00. The fee for American Pima standards f.o.b. Memphis would be increased to $120.00 from $115.00, with a surface delivery price of $124.00. The fees for staple length standards for American Pima cotton would be increased to $14.00 from $13.00 f.o.b. Memphis, and the cost would be $16.00 surface delivered. The fees for cotton linters grade standards would be reduced from $95.00 to $94.00 f.o.b. Memphis, Tennessee and a surface delivered price of $98.00 added. The fees for linters staple standards delivered price of $17.00 added.

The fees for USDA calibration cotton standards would be increased from $22.00 to $24.00 surface delivered. The cost for these standards f.o.b. Memphis would be $22.00 and air delivery would be eliminated. The fees for International calibration cotton standards would be increased to $15.00 from $14.00 surface delivered. The cost for these standards f.o.b. Memphis would be $14.00 and air delivery be eliminated. The fees for High Volume Instrument (HVI) calibration cotton standards would be increased from $80.00 to $84.00 surface delivered. Air delivery would be eliminated and a fee of $80.00 f.o.b. Memphis added. Fees for the new micronaire reading only calibration cotton standards would be set at $22.00 f.o.b. Memphis, Tennessee and $24.00 surface delivered.

Foreign Purchase: The current fee for all shipments of American Upland grade standards delivered outside the United States is $125.00. This would be changed to $94.00 air freight collect and $134.00 air parcel post delivered. Foreign shipments of American Upland staple standards now cost $16.00 delivered. The proposed fees are $13.00 air freight collect and $27.00 air parcel post delivered. American Pima grade standards currently cost $150.00 delivered. Under this proposal, they would be $120.00 air freight collect and $160.00 air parcel cost delivered. The fees for staple length standards for American Pima cotton would be set at $14.00 air freight collect and $28.00 air parcel post delivered. The current cost is $17.00 delivered. The fee for cotton linters grade standards would be increased in $134.00 air parcel post delivered and a fee of $94.00 air freight collect added. The fee for cotton linters staple standards would be increased to $29.00 air parcel post delivered and a few of $15.00 air freight collect added.

The fees for USDA calibration cotton standards would be increased from $30.00 to $36.00 for air parcel post delivered. A fee of $22.00 for air freight collect would be added and surface delivery would be eliminated. The fees for International calibration cotton standards would be increased from $20.00 to $24.00 air parcel post delivered. A fee of $14.00 for air freight collect would be added and surface would be delivery eliminated. The fees for HVI calibration cotton standards would be increased by changing from $80.00 surface delivered to $80.00 air freight collect. The fees for air parcel post delivered would be increased from $110.00 to $120.00. The fees for the new micronaire only calibration cotton standards would be set at $22.00 air freight collect and $36.00 air parcel post delivered.

Other Classification Services

Certain other cotton classification services are conducted under the United States Cotton Standards Act. Fees for these services have been reviewed. In order to recover increased costs, including supervision and overhead, it is proposed that the fees for classification of cotton or samples in § 28.116 be increased by 5 cents: for grade, staple and micronaire readings from $1.10 per sample to $1.15; for grade and staple only from 95 cents per sample to $1.00; for grade only or staple only from 70 cents to 75 cents; and for micronaire reading only from 25 cents per sample to 30 cents.

The fee in § 28.117 for each new memorandum or certificate issued in substitution for a prior one would increase from $2.50 per sheet to $3.00. The additional hourly fee charged for Form C determinations in §§ 28.120 and 28.149 would increase from $15.85 per hour or each portion thereof to $17.00 per hour, or each portion thereof, plus traveling expenses and subsistence or per diem. The fee in § 28.122 for a complete practical classing examination for cotton or cotton linters would increase from $110.00 to $120.00 and the fee for reexamination for a failed part, either grade or staple, would increase from $60.00 to $70.00. Fees for the classification, comparison, or review of linters in § 28.148 would increase from $1.00 to $1.05 per bale or sample involved. In § 28.184, the fee for classification or comparison of cotton linters and the issuance of a memorandum would increase from $1.00 to $1.05 per sample.

The United States Cotton Futures Act (7 U.S.C. 15b) authorizes the Secretary to make such regulations as are necessary to carry out the provisions of that Act. Pursuant to that authority, Part 27 of the regulations (7 CFR Part 27) provides for cotton classification under the Cotton Futures Act including fees to recover the costs of classification and micronaire. Under this proposal, the fees charged for the services would be increased to cover the costs of providing such services, including overhead costs.

These fees have been reviewed and it is proposed that the fees in § 27.80 for initial classification be increased from $1.00 per bale to $1.05 per bale; for review classification to be increased from $1.20 per bale to $1.25 per bale; for micronaire determinations from 25 cents per bale to 30 cents per bale; and for combination service from $2.20 per bale to $2.30 per bale. All supervision fees would be increased by 10 cents. Pursuant to § 27.85, fees for withdrawal of requests or applications for review, after such services have been started, are the same as the fees in § 27.80 for services completed, so such charges would be affected by this proposal. Fees for certificates which appear in § 27.81 would increase from 50 cents to 55 cents.

Cottonseed Grading Fees

Pursuant to the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 *et seq.*) the Secretary is authorized to assess and collect such fees as will be reasonable and nearly as may be practicable to cover the cost of services rendered under the Act. The regulations promulgated pursuant to that Act for the inspection, sampling, and certification of cottonseed sold or offered for sale for crushing purposes (7 CFR Part 61) includes such fees. Under this proposal, the fees charged for cottonseed grading purposes would be increased to cover the costs of providing these services, including increased overhead costs.

The fee in § 61.43 for a sampler's license would increase from $17.00 to $19.00 for the examination while the fee for renewal of such a license would increase from $15.00 to $17.00. In § 61.44, the fee for a chemist's license would increase from $325.00 to $350.00 for the examination while the fee for renewal of such a license would increase from $110.00 to $120.00. In § 61.45, those fees charged to each licensed cottonseed chemist to cover the cost of administering the regulations in Part 61 would increase from $1.25 per certificate issued by the chemist to $1.30. The fee in § 61.46 for the review of the grading of any lot of cottonseed would increase from $45.00 to $51.00 with the disbursement to each of the two licensed chemists who performed the reanalysis increasing from $15.00 to $17.00. All of these proposed increases reflect increases in program costs including clerical and administrative costs and rent, utilities, and communications.

Testing Services: Cotton testing services are provided by a USDA Laboratory in Clemson, South Carolina under the authority of the Cotton Statistics and Estimates Act of 1927 (7 U.S.C. 471–478). The tests are available, upon request, to private sources on a fee basis. The Cotton Service Testing Amendment (7 U.S.C. 473d) specifies that the fees for the services be reasonable and, as nearly as may be, to cover the costs of rendering the services.

AMS is proposing to add a fiber length and length distribution test to the list of fiber and processing test items listed in § 28.956. The fee would be $20.00, $25.00, or $30.00, depending on the type of data reported. This test would be added to § 28.956 as item 3.5. This new listing is desirable because there have been sufficient requests for such service.

It is also proposed to add a fiber length array test of cotton samples including purified or absorbent cotton. This is a test which was formerly available but was discontinued due to lack of demand. Over the last two years, the frequency of requests for the test has increased enough to justify offering it again. The fee would be $110.00. This test would be added to § 28.956 as item 3.2.

The entry for item 14.1 in § 28.956, describing the 50-gram miniature carded cotton spinning test, would be revised to clarify the fact that HVI testing is also performed on the samples submitted for testing. The existing fee covers the HVI test and reporting of the data.

The fee for HVI measurement of cotton listed in § 28.956 as item 25.0 would be increased to $1.60 per sample from the present fee of $1.50 per sample to reflect the increased costs, including overhead costs, of providing this service.

List of Subjects

7 CFR Part 27

Cotton, Classification, Samples, Micronaire, spot markets.

7 CFR Part 28

Cotton, Samples, Standards, Cotton linters, Grades, Staples, Market news, Testing.

7 CFR Part 61

Cottonseeds, Chemists, Samplers, Grades.

Accordingly, the following amendments to 7 CFR Parts 27, 28, and 61 are proposed.

PART 27—[AMENDED]

1. The authority citation for Part 27 continues to read as follows:

Authority: 90 Stat. 1841–1846; 7 U.S.C. 15b.

2. Sections 27.80 and 27.81 would be revised to read as follows:

§ 27.80 Fees; classification, micronaire, and supervision.

For services rendered by the Cotton Division pursuant to this subpart, whether the cotton involved is tenderable or not, person requesting the services shall pay fees as follows:

(a) Initial classification and certification—$1.05 per bale.

(b) Review classification and certification—$1.25 per bale.

(c) Micronaire determination and certification—30 cents per bale.

(d) Combination service—$2.30 per bale. (Initial classification, review classification, and Micronaire determination covered by the same request and only the review classification and Micronaire determination results certified on cotton class certificates.)

(e) Supervision, by a supervisor of cotton inspection, of the inspection, weighing, or sampling of cotton when any two or more of these operations are performed together—$1.30 per bale.

(f) Supervision, by a supervisor of cotton inspection, of the inspection, weighing, or sampling of cotton when any one of these operations is performed individually—$1.30 per bale.

(g) Supervision, by a supervisor of cotton inspection, of transfers of cotton to a different delivery point, including issuance of new cotton class certificates in substitution for prior certificates—$2.40 per bale.

(h) Supervision, by a supervisor of cotton inspection, of transfers of cotton to a different warehouse at the same delivery point, including issuance of new cotton class certificates in substitution for prior certificates—$1.65 per bale.

§ 27.81 Fees; certificates.

For each new certificate issued in substitution for a prior certificate at the request of the holder thereof, for the purposes of business convenience, or when made necessary by the transfer of cotton under the supervision of any exchange inspection agency as provided in § 27.73, the person making the request shall pay a fee of 55 cents for each certificate issued.

PART 28—[AMENDED]

3. The authority citation for Subpart A of Part 28 continues to read as follows:

Authority: Sec. 5, 50 Stat. 62, as amended (7 U.S.C. 55); Sec. 10, 42 Stat. 1519 (7 U.S.C. 61).

4. Section 28.116 would be amended by revising paragraph (a) to read as follows:

§ 28.116 Amounts of fees for classification; exemption.

(a) For the classification of any cotton or samples, the person requesting the services shall pay a fee, as follows, subject to the additional fee provided by paragraph (c) of this section.

(1) Grade, staple, and micronaire reading—$1.15 per sample.

(2) Grade, staple only—$1.00 per sample.

(3) Grade only or staple only—75 cents per sample.

(4) Micronair reading only—30 cents per sample.

* * * * *

5. Sections 28.117, 28.120, and 28.122 would be revised to read as follows:

§ 28.117 Fee for new memorandum or certificate.

For each new memorandum or certificate issued in substutition for a prior memorandum or certificate at the request of the holder, thereof, on account of the breaking or splitting of the lot of cotton covered thereby or otherwise for his business convenience, the person requesting such substitution shall pay a fee of $3.00 per sheet.

§ 28.120 Expenses to be borne by party requesting classification.

For any samples submitted for Form A or Form D determinations, the expenses of inspection and sampling, the preparation of the samples and delivery of such samples to the classification room or other place specifically designated for the purpose by the Director shall be borne by the party requesting the classification. For samples submitted for Form C determinations, the party requesting the classification shall pay the fees prescribed in this subpart and, in addition, a fee of $17.00 per hour, or each portion thereof, plus the necessary traveling expenses and subsistence, or per diem in lieu of subsistence, incurred on account of such request, in accordance with the fiscal regulations of the Department applicable to the Division employee supervising the sampling.

§ 28.122 Fee for practical classing examination.

The fee for the complete practical classing examination for cotton or cotton linters shall be $120.00. Any applicant who passes both parts of the examination may be issued a certificate indicating this accomplishment. Any person who passes one part of the examination, either grade or staple, and fails to pass the other part, may be reexamined for that part that was failed. The fee for this practical reexamination is $70.00.

6. Section 28.123 would be revised to read as follows:

§ 28.123 Cost of practical forms of cotton standards.

The cost of practical forms of the cotton standards of the United States shall be as follows:

Effective date: July 1, 1986	Dollars each box or roll			
	Domestic shipments		Shipments delivered outside the continential United States	
	F.o.b. Memphis, Tenn.	Surface delivery	Air freight collect	Air parcel post delivered
Grade Standards				
American Upland	$94.00	$98.00	$94.00	$134.00
American Pima	120.00	124.00	120.00	160.00
Standards for Length of Staples				
American Upland (prepared in one pound rolls for each length)	13.00	15.00	13.00	27.00
American Pima (prepared in one pound rolls for each length)	14.00	16.00	14.00	28.00

7. Sections 28.148 and 28.149 would be revised to read as follows:

§ 28.148 Fees and costs; classification; reviews; other.

The fee for the classfication, comparison, or review of linters with respect to grade, staple, and character or any of these qualities shall be at the rate of $1.05 for each bale or sample involved. The provisions of §§ 28.115 through 28.126 relating to other fees and cost shall, so far as applicable apply to services performed with respect to linters.

§ 28.149 Fees and costs; Form C determination.

For samples submitted for Form C determinations, the party requesting the classification shall pay the fees prescribed in this subpart and, in addition, a fee of $17.00 per hour, or each portion thereof, plus the necessary traveling expenses and subsistance, or per diem in lieu of subsistance, incurred on account of each request, in accordance with the fiscal regulations of the Department applicable to the Division employee supervising the sampling.

8. The authority citation for Subpart B of Part 28 continues to read as follows:

Authority: Sec. 205, 60 Stat. 1090, as amended; 7 U.S.C. 1624.

9. Section 28.151 would be revised to read as follows:

§ 28.151 Cost of practical forms for linters, period effective.

Practical forms of the official cotton linters standards of the United States will be furnished to any person subject to the applicable terms and conditions specified in § 28.105; *Provided*, That no practical form of any of the official cotton linters standards of the United States for grade shall be considered as representing any such standards after the date of its cancellation in accordance with this subpart, or, in any event, after the expiration of 12 months following the date of its certification. The cost of the practical forms of cotton linters standards of the United States shall be as follows:

Effective date: July 1, 1986	Dollars each box or roll			
	Domestic shipments		Shipments delivered outside the continental United States	
	F.o.b. Memphis, Tenn.	Surface delivery	Air freight collect	Air parcel post delivered
Linters grade standards (6 sample box for each grade)	$94.00	$98.00	$94.00	$134.00
Linters staple standards (prepared in one pound rolls for each length	15.00	17.00	15.00	29.00

10. Section 28.184 would be revised to read as follows:

§ 28.184 Cotton linters; general.

Requests for the classification or comparison of cotton linters pursuant to this subpart and the samples involved shall be submitted to the Cotton Division. All samples classed shall be on the basis of the official cotton linters standards of the United States. The fee for classification or comparison and the issuance of a memorandum showing the results of such classification or comparison shall be $1.05 per sample.

11. The authority citation for Subpart D of Part 28 continues to read as follows:

Authority: Sec. 3a, 50 Stat. 62, as amended (7 U.S.C. 473a); Sec. 3c, 50 Stat. 62 (7 U.S.C. 473c); unless otherwise noted.

12. Paragraphs (b) and (c) of § 28.909 would be revised to read as follows:

§ 28.909 Costs.

* * * * *

(b) The cost of manual cotton classification service to producers is $1.08 per sample.

(c) The cost of High Volume Instrument classification to producers is the cost for manual cotton classification service plus an additional 50 cents per sample.

* * * * *

13. Paragraph (b) of § 28.910 would be amended by revising it to read as follows:

§ 28.910 Classification of samples and issuance of classification data.

* * * * *

(b) Upon request of an owner of cotton for which classification memoranda have been issued under this subpart, a new memorandum shall be issued for the business convenience of such owner without the reclassification of the cotton. Such rewritten memorandum shall bear the date of its issuance and the date or inclusive dates of the original classification. The fee for a new memorandum shall be $3.00 per sheet.

14. Section 28.911 would be amended by revising it to read as follows:

§ 28.911 Review Classification.

A producer may request one manual review classification for each bale of eligible cotton. The fee for manual review classification is $1.15 per sample. The fee for High Volume Instrument (HVI) review classification is $1.65 per sample. Samples for review classification must be drawn by gins or warehouses licensed pursuant to § 28.20–28.22, or by employees of the United States Department of Agriculture. Each sample for review classification shall be taken, handled, and submitted according to § 28.908 and to supplemental instructions issued by the Director or an authorized representative of the Director. Costs incident to sampling, tagging, identification, containers, and shipment for samples for review classification shall be assumed by the producer. After classification the samples shall become the property of the Government unless the producer requests the return of the samples. The proceeds from the sale of samples that become Government property shall be used to defray the costs of providing the services under this subpart. Producers who request return of their samples after classing will pay a fee of 25 cents per sample in addition to the fee established above in this section.

15. The authority citation for Subpart E of Part 28 continues to read as follows:

Authority: Sec. 3c, 50 Stat. 62 (7 U.S.C. 473c); Sec. 3d, 55 Stat. 131 (7 U.S.C. 473d).

16. Section 28.956 would be amended by revising the entries for the items numbered 1.0, 2.0, 14.1, 25.0, and 26.0 and by adding entries to be numbered 2.1, 3.2 and 3.5 to read as follows:

§ 28.956 Prescribed Fees.

Fees for fiber and processing tests shall be assessed as listed below:

Item No. and kind of test	Fee per test
1.0 Furnishing USDA calibration cotton in the short, medium, long and extra long staple lengths including standard values for length by both array and Fibrograph methods, strength at ⅛-inch gage, and maturity and fineness by the Causticaire methods:	
a. f.o.b. Memphis, Tennessee, 1-lb sample	$22.00
b. surface delivery within continental United States, 1-lb sample	24.00
c. By air freight collect outside continental United States, 1-lb sample	22.00
d. By air parcel post delivery outside continental United States, 1-lb sample	36.00
2.0 Furnishing international calibration cotton standards with standard values for micronaire reading and fiber strength at zero and ⅛-inch gage and Fibrograph length:	
a. f.o.b. Memphis, Tennessee, ½-lb sample	14.00
b. By surface delivery within continental United States, ½-lb sample	15.00
c. By air freight collect outside continental United States, ½-lb sample	14.00
d. By air parcel post delivery outside continental United States ½-lb sample	24.00
2.1 Furnishing international calibration cotton standards with standard values for micronaire reading only:	
a. f.o.b. Memphis, Tennessee, 1-lb sample	22.00
b. Surface delivery within the continental United States, 1-lb sample	24.00
c. By air freight collect outside continental United States, 1-lb sample	22.00
d. By air parcel post delivery outside continental United States 1-lb sample	36.00
* * * * *	
3.2 Fiber length array of cotton samples, including purified or absorbent cotton. Reporting the average percentage of fibers by weight in each ⅛-inch group, average length and average length variability as based on 3 specimens from a blended sample, per sample	110.00
3.5 Fiber Length and Length Distribution of cotton samples by the Almeter method. Reporting the upper 25 percent length, mean length, coefficient of variation, and short fiber percentages by weight, number or tuft in each ⅛-inch group, as based on 2 specimens from a blended sample:	
a. Report percentages of fiber by weight only	20.00
b. Report percentages of fiber by weight and number or tuft	25.00
c. Report percentages of fiber by weight, number and tuft	30.00
* * * * *	
14.1 Miniature carded cotton spinning test. Reporting data on tenacity (centinewtons per tex) of 22's yarn and HVI data (see item 25.0). Based on the processing of 50 grams of cotton in accordance with special procedures, per sample	25.00
* * * * *	
25.0 High Volume Instrument (HVI) measurement. Reporting micronaire, length, length uniformity, ⅛-inch gage strength, color and trash content. Based on a 6 oz. (170 g) sample, per sample	1.60
26.0 Calibration cotton for use with High Volume Instruments, per 5 pound package:	
a. f.o.b. Memphis, Tennessee, 1-lb sample	80.00
b. By surface delivery within continental United States	84.00
c. By air freight collect outside continental United States	80.00
d. By air parcel post delivery outside continental United States	120.00

PART 61—[AMENDED]

16. The authority citation for Subpart A of Part 61 continues to read as follows:

Authority: Sec. 205, 60 Stat. 1090, as amended, (7 U.S.C. 1624), unless otherwise noted.

17. Sections 61.43, 61.44, 61.45 and 61.46 would be revised to read as follows:

§ 61.43 Fee for sampler's license.

In the examination of an applicant for a license to sample and certificate official samples of cottonseed the fee shall be $19.00, but no additional charges shall be made for the issuance of a license. For each renewal of a sampler's license, the fee shall be $17.00.

§ 61.44 Fee for a chemist's license.

For the examination of an applicant for a license as a chemist to analyze and certificate the grade of cottonseed the fee shall be $350.00, but no additional charge shall be made for the issuance of a license. For each renewal of a chemist's license the fee shall be $120.00.

§ 61.45 Fee for certificates to be paid by licensee to Service.

To cover the cost of administering the regulations in this part each licensed cottonseed chemist shall pay to the Service $1.30 for each certificate of the grade of cottonseed issued by the licensee. Upon receipt of a statement from the Service each month showing the number of certificates issued by the licensee, such licensee will forward the appropriate remittance in the form of a check, draft, or money order payable to the "Agricultural Marketing Service, USDA."

§ 61.46 Fees for the review of grading of cottonseed.

For the review of the grading of any lot of cottonseed, the fee shall be $51. Remittance to cover such fee, in the form of a check, draft, or money order payable to the "Agricultural Marketing Service, USDA" shall accompany each application for review. Of each such fee collected, $17.00 shall be disbursed to each of the two licensed chemists designated to make reanalysis of such seed.

Dated: April 7, 1986.

William T. Manley,

Deputy Administrator, Marketing Programs.

[FR Doc. 86-8258 Filed 4-11-86; 8:45 am]

BILLING CODE 3410-01-M

NUCLEAR REGULATORY COMMISSION

10 CFR Part 2

Revision to Ex Parte and Separation of Functions Rules Applicable to Formal Adjudicatory Proceedings

Correction

In FR Doc. 86-6663 beginning on page 10393 in the issue of Wednesday, March 26, 1986, make the following correction: On page 10402, in the second column, in § 2.781(c), in the third line, "communication under" should read "communication prohibited under".

BILLING CODE 1505-01-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. 9202]

Electro Tech Manufacturing, Inc., et al.; Proposed Consent Agreement With Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed Consent Agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would require, among other things, a Norcross, Georgia manufacturing company to cease falsely representing the claims for its Energy Computer and not to make unsubstantiated claims for any energy-control device.

DATE: Comments must be received on or before June 13, 1986.

ADDRESS: Comments should be addressed to: FTC/Office of the Secretary, Room 136, 6th St. and Pa. Ave., NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: FTC/B-407, Michael Dershowitz, Washington, DC 20580, (202) 376-8720.

SUPPLEMENTARY INFORMATION: Pursuant to section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 3.25(f) of the Commission's Rules of Practice (16 CFR 3.25(f)), notice is hereby given that the following consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(14) of the Commission's Rules of Practice (16 CFR 4.9(b)(14)).

List of Subjects in 16 CFR Part 13

Energy control device, Trade practices.

Before Federal Trade Commission

[Docket No. 9202]

Agreement Containing Consent Order To Cease and Desist

In the Matter of Electro Tech Manufacturing, Inc., a corporation, and Donald Rasposo, individually and as an officer of said corporation.

The agreement herein, by and between Electro Tech Manufacturing, Inc., a corporation, and Donald Raposo, individually and as an officer of said corporation, ("respondents") and their attorney and counsel for the Federal Trade Commission, is entered in accordance with the Commission's Rule governing consent order procedures. In accordance therewith the parties hereby agree that:

1. Respondent Electro Tech Manufacturing, Inc. is a Georgia corporation with its principal office and place of business at 7001 Peachtree Industrial Boulevard, in Norcross, Georgia 30092.

Respondent Donald Raposo is an officer of the corporate respondent. He formulates, directs and controls the acts and practices of the corporate respondent, and his address is 1187 Castle Way, Norcross, Georgia 30093.

2. Respondents have been served with a copy of the complaint isued by the Federal Trade Commission charging them with violations of section 5 of the Federal Trade Commission Act.

3. Respondents admit all the jurisdictional facts set forth in the Commission's complaint in this proceeding.

4. Respondents waive:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law;

(c) All rights to seek judicial review or othwerwise to challenge or contest the validity of the order entered pursuant to this agreement; and

(d) Any claim under the Equal Access to Justice Act.

5. This agreement shall not become a part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission it will be placed on the public record for a period os sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the respondents, in which event it will take such action as it may consider appropriate, or issue and serve its decision, in disposition of the proceeding.

6. This agreement is for settlement purposes only and does not constitute an admission by respondents that the law has been violated as alleged in the said copy of the complaint issued by the Commission.

7. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 3.25(f) of the Commission's Rules, the Commission may without further notice to respondents, (1) issue its decision containing the following order to cease and desist in disposition of the proceeding, and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the decision containing the agreed-to order to respondents' address as stated in this agreement shall constitute service. Respondents waive any right they might have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or in the agreement may be used to vary or to contradict the terms of the order.

8. Respondents have read the complaint and the order contemplated hereby. They understand that once the order has been issued, they will be required to file one or more compliance reports showing that they have fully complied with the order. Respondents further understand that they may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

Order

Definitions

For purposes of this order, the following definitions shall apply:

"Energy-related claim" means any general or specific, oral or written repesentation that, directly or by implication, describes or refers to energy savings, energy cost savings, efficiency or conservation, "payback," or "payback" potential.

A "competent and reliable test" means any scientific, engineering, laboratory, or other analytical report, study or survey prepared by one or more persons with skill and expert knowledge in the field to which the material pertains and based on testing, evaluation and analytical procedures that ensure accurate, reliable and statistically meaningful results.

"Small commercial" heating and cooling systems are similar to residential, central forced air type systems.

"Energy control device" (sometimes referred to as "duty-cycler" or "cyclic controller") means any electronic device which is not a setback thermostat, but which:

(a) Functions to interrupt a thermostatically-controlled cycle of any single, residential or small commercial, forced air central heating or air conditioning unit; or which

(b) May be incorporated in any other product, such as a setback thermostat, to function in the manner described in (a) above.

Part I

It is ordered that respondents Electro Tech Manufacturing, Inc., a corporation, its successors and assigns, and its officers, and Donald Raposo, individually and as an officer of said corporation, and respondents' agents, representatives, and employees, directly or through any corporation, subsidiary, division or other device, in connection with the manufacture, advertising, offering for sale, sale, or distribution of any energy control device or any other product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or by implication, in any manner that:

(1) Consumers will save 20%, or close to 20%, on their annual small commercial or home heating and cooling bills as a result of using The Energy Computer, or any other such energy control device, as defined herein.

(2) More than a few consumers may be able to save enough money on their small commercial or home heating and cooling bills by using The Energy Computer to recoup the approximately $400 retail cost of The Energy Computer within two years, or close to two years.

(3) More than a few consumers may be able to save enough money on their small commercial or home heating and cooling bills by using any energy control device, as defined herein, costing approximately $400 to recoup such cost within two years, or close to two years.

(4) Consumers can obtain a federal tax credit or reduce their federal income tax liability, by purchasing The Energy Computer or any other such energy control device, as defined herein, unless such is the case.

B. Making any energy-related claim for any energy control device, or any other product or service, unless at the time that the claim is made, respondents possess and rely upon a competent and reliable test or other objective material which substantiates the claim.

Part II

It is further ordered that respondents Electro Tech Manufacturing, Inc., a corporation, its successors and assigns, and its officers, and Donald Raposo, individually and as an officer of said corporation, and respondents' agents, representatives and employees, directly or through any corporation, subsidiary, division or other device, in connection with the manufacture, advertising, offering for sale, sale, or distribution of any energy control device or any other product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, shall, for at least three years from the date of the last dissemination of energy-related claims, maintain and upon request make available to Federal Trade Commission staff for inspection and copying, copies of:

1. All materials relied upon to substantiate any energy-related claim; and

2. All test reports, studies, surveys or demonstrations in their possession that contradict, qualify, or call into question any energy-related claim.

Part III

It is further ordered that respondents shall distribute a copy of this order to each of their operating divisions and to each of their officers, agents, representatives or employees engaged in the preparation or placement of advertisements or other sales materials, and to each of their distributors or dealers: (1) Who engaged in the wholesale or retail sale of any energy control device manufactured, offered for sale, sold, or distributed by or for respondents; and (2) who purchased ten or more energy control devices from respondents.

Part IV

It is further ordered that respondents shall notify the Commission at least thirty (30) days prior to the effective date of any proposed change in the corporate respondent such as dissolution, assignment or sale, resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries, or any other change in the corporation which may affect compliance obligations arising out of this order.

Part V

It is further ordered that each individual respondent named herein shall promptly notify the Commission of the discontinuance of his present business or employment and of his affiliation with a new business or employment and that, for a period of three years from the date of service of this order, each individual respondent named herein shall promptly notify the Commission of each affiliation with a new business or employment whose activities include the manufacture, advertising, promotion, offering for sale, sale, or distribution of energy control devices and of his affiliation with any new business or employment in which his own duties and responsibilities involve the manufacture, advertising, promotion, offering for sale, sale, or distribution of energy control devices, with each such notice to include the respondent's new business address and a statement of the nature of the business or employment in which the respondent is newly engaged, as well as a description of respondent's duties and responsibilities in connection with the business or employment.

Part VI

It is further ordered that respondents shall, within sixty (60) days after this order becomes final, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order.

Analysis of Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed consent order from Electro Tech Manufacturing, Inc., a corporation, and Donald Raposo, individually and as an officer of the corporation.

The proposed consent order has been placed on the public record for sixty (60) days for reception of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days,

the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement or make final the agreement's proposed order.

The complaint charges the corporation and Donald Raposo (hereinafter "respondents") made false, misleading and unsubstantiated energy savings claims in advertisements for their energy control device sold under the brand name "The Energy Computer." According to the complaint, advertisements for The Energy Computer represented that use of the device would save consumers at least 20% and possibly as much as 35% or more on their annual small commercial or home heating and cooling bills. The complaint also alleged the advertisements represented that consumers would save enough on their energy bills in less than two years of using The Energy Computer to recover the purchase price, and also represented that the device qualified for a federal energy tax credit. The Commission charged that these claims are false and misleading. The Commission also charged that these claims were unsubstantiated because the tests undertaken by respondents were not designed to yield competent, reliable and statistically valid results.

The consent order contains various provisions designed to remedy the alleged advertising violations.

The order defines an "energy-related claim" as one that refers to energy savings, energy cost savings, efficiency or conservation or payback potential; a "competent and reliable test" as a scientific or analytical report or study prepared by experts using procedures that would yield valid results; "small commercial" as systems similar to residential, central forced air types; and an "energy control device" or a "duty-cycler" as an electronic device, other than a setback thermostat, that either alone or when incorporated into another product, interrupts a thermostat-controlled cycle of a single residential or small commercial forced air central heating or air conditioning unit.

Part I of the order prohibits respondents from representing that consumers will save 20%, or close to 20%, on their annual heating and cooling bills by using The Energy Computer or any energy control device. The order also prohibits them from representing that more than a few consumers may be able to recover the approximately $400 purchase price of The Energy Computer or other energy control device in two years from lower energy bills due to use of such device. The respondents are also prohibited from representing that consumers can obtain federal income tax credit by purchasing the device, unless that is true.

The order further requires respondents to substantiate any energy-related claim they may make in the future for any product or service with a competent and reliable test or other objective material.

Part II of the order requires respondents to maintain records of all substantiation related to the requirements of the order for three (3) years after the dissemination of any advertisements.

Part III requires respondents to distribute a copy of the order to each operating division and employee involved in preparation or placement of advertising or sales material and to wholesale or retail distributors or dealers of respondents' energy control devices who purchased ten or more energy control devices from respondent.

Part IV requires respondents to notify the Commission at least thirty (30) days before any change in the corporation that might affect compliance with the order. Part V requires Donald Raposo to notify the Commission of the discontinuance of his present employment and of his affiliation with a new business or employment. It also requires that for a three (3) year period he notify the Commission of each affiliation with a new business or employment whose activities, or his own duties, include the manufacture, advertising, promotion, sale or distribution of energy control devices.

Part VI requires respondents to file a compliance report sixty (60) days after the order is served.

The purpose of this analysis is to facilitate public comment on the proposed order, and it is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way their terms.

Emily H. Rock,

Secretary.

[FR Doc. 86-8206 Filed 4-11-86; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 163

[Docket No. 85N-0501]

Chocolate Products; Possible Amendment of the U.S. Standards of Identity; Extension of Comment Period

AGENCY: Food and Drug Administration.

ACTION: Advance notice of proposed rulemaking; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending the period for submitting comments on its advance notice of proposed rulemaking on the possible amendment of the U.S. standard for chocolate products. This action is based on a request for an extension of the comment period.

DATE: Comments by May 30, 1986.

ADDRESS: Written comments, data, or other information to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Arthur R. Johnson, Center for Food Safety and Applied Nutrition (HFF-214), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-485-0112.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of December 2, 1985 (50 FR 49398), FDA published an advance notice of proposed rulemaking offering interested persons an opportunity to review the Codex Standard for Chocolate (Codex Standard 87-1981) (Codex standard) and to comment on the desirability of, and need for, amendment of the U.S. standards of identity for chocolate products to achieve consistency with the Codex standard. FDA requested comments by January 31, 1986.

The Chocolate Manufacturers Association of the United States of America (CMA) requested a 90-day extension of the comment period to allow the industry adequate time to properly review the Codex Standard and determine a proper course of action. Accordingly, in the **Federal Register** of January 30, 1986 (51 FR 3797), FDA extended the comment period to April 30, 1986.

In a letter dated March 13, 1986, CMA requested an additonal 30-day extension of the comment period. CMA said that its Board of Directors has made an initial review of the Codex standard and the possible amendment of the U.S. standard for chocolate products. The Board referred the Codex standard and the review of the U.S. standard to its technical committee for further evaluation. The technical committee will meet in April 1986 and the Board of Directors wants to review the committee's recommendations at its May Board meeting.

FDA concludes the CMA has provided adequate justification for its request. Therefore, FDA is extending the

comment period for 30 days to May 30, 1986.

Interested persons may, on or before May 30, 1986, submit to the Dockets Management Branch (address above) written comments regarding this advance notice. Two copies of any comments are to be submitted, except that individuals may submit one copy.

Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 4, 1986.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 86-8208 Filed 4-11-86; 8:45 am]

BILLING CODE 4160-01-M

---

21 CFR Part 163

[Docket No. 85N-0500]

Cocoa Powders; Possible Amendment of the U.S. Standards of Identity; Extension of Comment Period

AGENCY: Food and Drug Administration.

ACTION: Advance notice of proposed rulemaking; Extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending the period for submitting comments on its advance notice of proposed rulemaking on the possible amendment of the U.S. standard for cocoa powders. This action is based on a request for an extension of the comment period.

DATE: Comments by May 30, 1986.

ADDRESS: Written comments, data, or other information to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Arthur R. Johnson, Center for Food Safety and Applied Nutrition (HFF-214), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-485-0112.

SUPPLEMENTARY INFORMATION: In the Federal Register of December 2, 1985 (50 FR 49405), FDA published an advance notice of proposed rulemaking offering interested persons an opportunity to review the Codex Standard for Cocoa Powders (Cocoas) and Dry Cocoa-Sugar Mixtures (Codex Standard 105-1981) (Codex standard) and to comment on the desirability of, and need for, amendment of the U.S. standards of identity for cocoa powders to achieve consistency with the Codex standard. FDA requested comments by January 31, 1986.

The Chocolate Manufacturers Association of the United States of America (CMA) requested a 90-day extension of the comment period to allow the industry adequate time to properly review the Codex standard and determine a proper course of action. Accordingly, in the **Federal Register** of February 4, 1986 (51 FR 4391), FDA extended the comment period to April 30, 1986.

In a letter dated March 13, 1986, CMA requested an additional 30-day extension of the comment period. CMA said that its Board of Directors has made an initial review of the Codex standard and the possible amendment of the U.S. standard for cocoa powder. The Board referred the Codex standard and the review of the U.S. standard to its technical committee for further evaluation. The technical committee will meet in April 1986 and the Board of Directors wants to review the committee's recommendations at its May Board meeting.

FDA concludes that CMA has provided adequate justification for its request. Therefore, FDA is extending the comment period for 30 days to May 30, 1986.

Interested persons may, on or before May 30, 1986, submit to the Docket Management Branch (address above) written comments regarding this advance notice. Two copies of any comments are to be submitted, except that individuals may submit one copy.

Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: April 4, 1986.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 86-8209 Filed 4-11-86; 8:45 am]

BILLING CODE 4160-01-M

---

21 CFR Parts 172, 175, 176, 177, 179, and 181

[Docket No. 84N-0334]

Proposed Uses of Vinyl Chloride Polymers

Correction

In the issue of Friday, March 28, 1986, on page 10635 in the second column, a correction to FR Doc. 86-2235 appeared. The eighth correction was inaccurate and should have appeared as follows:

8. On page 4184, third column, third complete paragraph "epoxidized" was misspelled.

BILLING CODE 1505-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611 and 630

[Docket No. 60350-6050]

Fishery Conservation and Management; Foreign Fishing; Atlantic Swordfish Fishery

Correction

In FR Doc. 86-6970, beginning on page 10890, in the issue of Monday, March 31, 1986, make the following corrections:

1. On page 10891, first column, sixth line, after "swordfish" insert "fishery".

2. On the same page, first column, under **FOR FURTHER INFORMATION CONTACT,** the telephone number should read "813-893-3722".

3. On the same page, first column, under **SUPPLEMENTARY INFORMATION,** seventh line, after "FMP" insert "submitted on April 29, 1985, was partially disapproved. The Council,".

4. On page 10894, third column, § 630.7(a)(20), second line, after "swordfish" insert "with".

BILLING CODE 1505-01-M

Notices

Federal Register
Vol. 51, No. 71
Monday, April 14, 1986

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF COMMERCE

International Trade Administration

Subcommittee on International Competitiveness and Productivity President's Export Council; Open Meeting

A meeting of the Sucommittee on International Competitiveness and Productivity of the President's Export Council will be held April 28, 1986, 10:00 a.m. to 12:00 noon and 1:30 p.m. to 2:30 p.m. in Room 3407 of the Department of Commerce, Herbert C. Hoover Building, 14th Street and Constitution Avenue, NW., Washington, DC. The Council's purpose is to advise the President on matters relating to United States export trade.

Morning Session: Working session to identify and discuss key factors affecting U.S. competitiveness. Items under discussion will include real interest rates and antitrust regulations.

Afternoon Session: Summary of morning discussion and outline of future steps.

The morning and afternoon sessions will be open to the public with a limited number of seats available. For further information or copies of the minutes contact Laureen Daly (202) 377–1125.

Dated: April 8, 1986.

Wendy H. Smith,

Director, President's Export Council.

[FR Doc. 86–8252 Filed 4–11–86; 8:45 am]

BILLING CODE 3510-DR-M

[C-211-602]

Initiation of Countervailing Duty Investigation; Operators for Jalousie and Awning Windows From El Salvador

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: On the basis of a petition filed in proper form with the U.S. Department of Commerce, we are initiating a countervailing duty investigation to determine whether manufacturers, producers, or exporters in El Salvador of operators for jalousie and awning windows, as described in the "Scope of Investigation" section of this notice, receive benefits which constitute subsidies within the meaning of the countervailing duty law. We are notifying the U.S. International Trade Commission (ITC) of this action, so that it may determine whether imports of these products materially injure, or threaten material injury to, a U.S. industry. If this investigation proceeds normally, we will make our preliminary determination on or before June 12, 1986.

EFFECTIVE DATE: April 14, 1986.

FOR FURTHER INFORMATION CONTACT: Steve Morrison or Barbara Tillman, Office of Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: 202/377–1248 (Morrison), 202/377–2438 (Tillman).

SUPPLEMENTARY INFORMATION:

Petition

On March 19, 1986, we received a petition in proper form from The Anderson Corporation and the Caribbean Die Casting Corporation, manufacturers of operators for jalousie and awning windows in Puerto Rico. In compliance with the filing requirements of § 355.26 of the Commerce Regulations (19 CFR 355.26), the petition alleges that manufacturers, producers, or exporters in El Salvador of operators for jalousie and awning windows receive subsidies within the meaning of section 701 of the Tariff Act of 1930, as amended (the Act). Since El Salvador is a "country under the Agreement" within the meaning of section 701(b) of the Act, Title VII of the Act applies to this investigation, and the ITC is required to determine whether imports of the subject merchandise from El Salvador materially injure, or threaten material injury to, a U.S. industry.

Initiation of Investigation

Under section 702(c) of the Act, we must determine, within 20 days after a petition is filed, whether it sets forth the allegations necessary for initiation of a countervailing duty investigation, and, further, whether it contains information reasonably available to the petitioner supporting the allegations. We examined the petition on operators for jalousie and awning windows from El Salvador, and we have found that it meets these requirements. Therefore, we are initiating a countervailing duty investigation to determine whether manufacturers, producers, or exporters in El Salvador of operators for jalousie and awning windows, as described in the "Scope of Investigation" section of this notice, receive subsidies.

Scope of Investigation

The products covered by this investigation are operators for jalousie and awning windows as provided for in item 647.0365 of the *Tariff Schedules of the United States Annotated* (TSUSA).

Allegations of Subsidies

The petition alleges that manufacturers, producers, or exporters in El Salvador of operators for jalousie and awning windows receive benefits under the following programs which constitute subsidies:

- Exemptions from Taxes on Imported Capital Equipment Used for Export Production;
- Duty Exemptions on Imported Inputs Not Physically Incorporated into Exported Products;
- Income Tax Exemption;
- Asset Tax Exemption;
- Exemptions to Exporters on the Fiscal Stamp Tax and the City Tax on Assets;
- Pre-Export and Export Credit Guarantees;
- Export Credit Insurance;
- Pre-Export and Export Loans; and
- Preferential Exchange Rate Treatment for Exporters.

Further, we will not initiate a countervailing duty investigation on the following allegation:

Duty Exemptions on Imported Inputs Physically Incorporated into Exported Products

Petitioners allege that Article 6 of the El Salvadoran Export Promotion Law provides for the free importation of raw materials, intermediate and semi-finished products, containers, packaging, samples, patterns, and lubricants

necessary for production for export, for an extendable period of 10 years.

Duty exemptions on imported items, such as raw materials, which are physically incorporated into exported products are not countervailable under Annex I to the Commerce Regulations (19 CFR Part 355, Annex I). Therefore, we will limit our investigation to duty exemptions on imports, such as samples, patterns, and lubricants, which are not physically incorporated into exported products.

Allegation of Critical Circumstances

Petitioners allege that "critical circumstances" exist within the meaning of section 703(e) of the Act with respect to imports of operators for jalousie and awning windows from El Salvador. They claim that the products concerned benefit from export subsidies that are inconsistent with the GATT Subsidies Code, and that imports have been massive over a relatively short period. We will determine whether critical circumstances exist with respect to these imports in our preliminary and final determinations.

Notification of ITC

Section 702(d) of the Act requires us to notify the ITC of this action, and to provide it with the information we used to arrive at this determination. We will notify the ITC and make available to it all nonprivileged and nonconfidential information in our files. We will also allow the ITC access to all privileged and confidential information in our files, provided it confirms that it will not disclose such information, either publicly or under an administrative protective order, without the written consent of the Deputy Assistant Secretary for Import Administration.

Preliminary Determination by ITC

The ITC will determine by May 5, 1986, whether there is a reasonable indication that imports of operators for jalousie and awning windows from El Salvador materially injure, or threaten material injury to, a U.S. industry. If its determination is negative, the investigation will terminate; otherwise, it will proceed according to the statutory procedures.

Gilbert B. Kaplan,

Deputy Assistant Secretary for Import Administration.

April 8, 1986.

[FR Doc. 86-8279 Filed 4-11-86; 8:45 am]

BILLING CODE 3510-DS-M

Semiconductor Technical Advisory Committee; Partially Closed Meeting

SUMMARY: The Semiconductor Technical Advisory Committee was initially established on January 3, 1973, and rechartered on January 10, 1986 in accordance with the Export Administration Act of 1979 and the Federal Advisory Committee Act.

TIME AND PLACE: April 29, 1986 at 9:30 a.m., Herbert C. Hoover Building, Room 3407, 14th Street and Constitution Ave. NW., Washington, DC.

Agenda

General Session

1. Opening remarks by the Chairman.
2. Presentation of papers or comments by the public.
3. Action items underway.
4. New Business.
5. Action items due at next meeting.

Executive Session

6. Discussion of matters properly classified under Executive Order 12356, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

Public Participation

The General Session will be open to the public and a limited number of seats will be available. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

SUPPLEMENTARY INFORMATION: A Notice of Determination to close meetings or portions of meetings of the Committee to the public on the basis of 5 U.S.C. 552b(c)(1) was approved on January 10, 1986, in accordance with the Federal Advisory Committee Act. A copy of the Notice is available for public inspection and copying in the Central Reference and Records Inspection Facility, Room 6628, U.S. Department of Commerce, telephone: 202-377-4217. For further information or copies of the minutes call 202-377-2583.

Date: April 8, 1986.

Margaret A. Cornejo,

Acting Director, Technical Support Staff, Office of Technology and Policy Analysis.

[FR Doc. 86-8254 Filed 4-11-86; 8:45 am]

BILLING CODE 3510-DT-M

COMMITTE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Amending Export Visa Requirement for Certain Cotton Textile Products Produced or Manufactured in the Republic of Korea

April 9, 1986.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on April 14, 1986. For further information contact Eve Anderson, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212.

Background

Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of December 1, 1982, as amended, the Governments of the United States and the Republic of Korea have agreed to further amend the existing export visa requirement to permit the use on the visas of either the merged Category 310/318, or one or the other of the individual categories in the merger. This amendment will apply to cotton fabrics in Category 310/318 which have been produced or manufactured in the Republic of Korea and exported to the United States during the twelve-month period which began on January 1, 1986 and until further notice. Merchandise in Category 310/318, exported before January 1, 1986, may be visaed using either Category 310 or 318, provided all other requirements established under this visa arrangement have been met.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983, (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782, and in Statistical Headnote 5, Schedule 3 of the Tariff Schedules of the United States Annotated (1986).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

April 9, 1986.

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Commissioner of Customs,
Department of the Treasury, Washington, D.C. 20229.

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive of May 19, 1972, as amended, which established an export visa requirement for certain cotton, wool and man-made fiber textiles and textile products, produced or manufactured in the Repubic of Korea.

Effecive on April 14, 1986 and until further notice, the existing export visa requirement is hereby further amended to permit entry for consumption, or withdrawal from warehouse for consumption, in the United States of cotton textile products in Category 310/318 which have been visaed as Category 310/318, or either one of the categories in the combination, if imported on and after January 1, 1986. Cotton textile products in Categories 310 and 318, which have been exported before January 1, 1986, may be permitted entry, if visaed using the individual categories, provided all other requirements of the visa arrangement have been met.

The Committee for the Inplementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 86-8280 Filed 4-11-86; 8:45 am]

BILLING CODE 3510-DR-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence Agency Scientific Advisory Committee; Closed Meeting

AGENCY: Defense Intelligence Agency Scientific Advisory Committee.

ACTION: Notice of Closed Meeting.

SUMMARY: Pursuant to the provisions of subsection (d) of section 10 of Pub. L. 92-463, as amended by section 5 of Pub. L. 94-409, notice is hereby given that a closed meeting of a panel of the DIA Scientific Advisory Committee has been scheduled as follows.

DATE: May 7, 1986, 9:00 a.m. to 5:00 p.m.

ADDRESS: Albuquerque, NM.

FOR FURTHER INFORMATION CONTACT: Lt. Col. Harold E. Linton, USAF, Executive Secretary, DIA Scientific Advisory Committee, Washington, DC 20301 (202/373-4930).

SUPPLEMENTARY INFORMATION: The entire meeting is devoted to the discussion of classified information as defined in section 552b(c)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on U.S. Strategic Defense Initiative.

April 9, 1986.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 86-8292 Filed 4-11-86; 8:45 am]

BILLING CODE 3810-01-M

Department of the Air Force

Determinations of Active Military Service and Discharge; Civilian or Contractual Personnel

Under the provisions of section 401 of Pub. L. 95-202 and DOD Directive 1000.20, "Determinations of Active Military Service and Discharge: Civilian or Contractual Personnel," the Secretary of the Air Force, acting in accordance with authority delegated to him by the Secretary of the Defense, determined on March 31, 1986, that the service of the group known as "Occupational Therapists Serving as Civilians in the Army during World War II" shall not be considered active military service in the Armed Forces of the United States for all laws administered by the Veterans Administration.

For further information contact: Lt Col Michael Dandar or Lt Col Todd: (202) 692-4744, Office of the Secretary of the Air Force Personnel Council (SAF/MIPC), the Pentagon, Washington, DC 20330-1440.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 86-8205 Filed 4-11-86; 8:45 am]

BILLING CODE 3910-01-M

DEPARTMENT OF EDUCATION

Office of Special Education and Rehabilitation Services

Rehabilitation Training Program; Discretionary Grant Programs Closing Dates for Transmittal of Fiscal Year 1986 New Applications

AGENCY: Department of Education.

ACTION: Application notice establishing closing dates for transmittal of Fiscal Year 1986 new applications.

SUMMARY: The purpose of this application notice is to inform potential applicants of fiscal and programmatic information and closing dates for transmittal of applications for new projects under certain grant programs awarded by the Department of Education under the Rehabilitation Act of 1973, as amended.

Organization of Notice

This notice covers certain discretionary grant programs administered by the Rehabilitation Services Administration within the Department of Education under which there will be competition for new projects in Fiscal Year 1986.

This notice contains two parts. Part I includes, in chronological order, the list of all closing dates covered by this notice. Part II consists of the individual application announcements for each program. These announcements are in the same order as the closing dates listed in Part I.

Instructions for Transmittal of Applications

Applications for new awards must be mailed or hand delivered on or before the closing date given in the individual program announcements included in this document.

Except otherwise specified immediately below and in the individual program announcements, applications sent by mail must be addressed to the U.S. Department of Education, Application Control Center, Attention: (Appropriate CFDA No.), 400 Maryland Avenue SW., Washington, DC 20202.

Note: Applicants for programs under 84.129D (Rehabilitation Continuing Education Program) and 84.129Z (State Vocational Rehabilitation Unit In-Service Training Program) are required to send applications to the Regional Offices of the U.S. Department of Education. The individual program announcements for these programs specifically direct applicants to transmit applications to the appropriate Regional Office. In these cases, applications must be mailed or hand delivered to, or for further information contact should be made with, the appropriate individual at the address below:

Region I

Mr. John Szufnarowski, RSA Regional Commissioner, Department of Education, OSERS, John F. Kennedy Federal Building, Room E-400, Boston, Massachusetts 02203, Telephone: (617) 223-6820

Region II

Mr. Richard C. Englehardt, RSA Regional Commissioner, Department of Education, OSERS, 26 Federal Plaza, Room 4106, New York, New York 10278, Telephone: (212) 264-4016

Region IV

Dr. Stephen J. Cornett, Jr., RSA Regional Commissioner, Department of Education, OSERS, 101 Marietta Street NW., Atlanta, Georgia 30323, Telephone: (404) 221–2352

Region V

Mr. Terry Conour, Acting RSA Regional Commissioner, Department of Education, OSERS, 300 South Wacker Drive, 15th Floor, Chicago, Illinois 60606, Telephone: (312) 886–5372

Region IX

Mr. Anthony S. DeSimone, RSA Regional Commissioner, Department of Education, OSERS, Federal Office Building, Room 480, 50 United Nations Plaza, San Francisco, California 94102, Telephone: (415) 556–7333

Region X

Dr. William J. Bean, RSA Regional Commissioner, Department of Education, OSERS, 2901 Third Avenue, Room 120 Seattle, Washington 98121, Telephone: (206) 442–5331

Each late applicant will be notified that its application will not be considered.

Applications that are hand-delivered must be taken to the U.S. Department of Education, Application Control Center, Room 3633, Regional Office Building #3, 7th and D Streets SW., Washington, DC.

or

to the appropriate Regional Office at the address given above.

The Application Control Center will accept hand-delivered applications between 8:00 a.m. and 4:30 p.m. (Washington, DC time) daily, except Saturdays, Sundays and Federal holidays.

The Regional Offices will accept hand-delivered applications between 8:30 a.m. and 4:30 p.m. (local time) daily, except Saturdays, Sundays and Federal holidays.

Available Funds

In each program announcement under the paragraph on availability of funds estimates are given; these estimates of funding levels do not bind the Department to a specific number of grants or to the amount of any grant, unless that amount is otherwise specified by statute or regulations.

Part I—Programs Listed in Chronological Order

CFDA No. and program	Closing date
84.129 Rehabilitation Long-Term Training Program.	June 15, 1986.
84.129D Rehabilitation Continuing Education Program.	June 15, 1986.
84.129Z State Vocational Rehabilitation Unit In-Service Training Program.	June 15, 1986.

Part II—Application Announcements for Each Program

84.129—Rehabilitation Long-Term Training Program

Closing Date: June 15, 1986.

New Projects

Authority for this program is contained in Section 304 of the Rehabilitation Act of 1973, as amended. (29 U.S.C. 774)

Awards are made under this program to State vocational rehabilitation agencies and other public or nonprofit agencies or organizations, including institutions of higher education.

The purpose of the Rehabilitation Long-Term Training Program is to support projects designed for training personnel available for employment in public or private agencies involved in the rehabilitation of physically and mentally disabled individuals, especially those who are the most severely disabled.

Historically Black colleges and universities are encouraged to participate in this program.

Available Funds

Under the administration's proposed recission for fiscal year 1986, funds for new awards under the Rehabilitation Long-Term Training Program would not be available. However, applications are invited to allow sufficient time for their evaluation and for completion of the awards process prior to the end of the fiscal year in the event a rescission is not enacted. It is estimated that $2,923,000 could be available under the Rehabilitation Long-Term Training Program in Fiscal Year 1986 for support of new projects in the categories listed. The range of funded projects would be from $15,000 to $175,000.

It is estimated that the following funds could be available for new projects in these Rehabilitation Long-Term Training Program categories:

	Dollars (rounded)
Rehabilitation Medicine	$583,000
Prosthetics and Orthotics	564,000
Rehabilitation Facility Administration	194,000
Vocational Evaluation and Work Adjustment	100,000
Physical Therapy	211,000
Rehabilitation of the Blind	99,000
Rehabilitation of the Deaf	205,000
Undergraduate Education in the Rehabilitation Services	967,000
Total	$2,923,000

These long-term training categories are included in the list of training fields set forth in the program regulations in 34 CFR 386.1 and are considered annual funding priorities in accordance with 34 CFR 75.105(b)(2)(ii).

Application Forms: Application forms and program information packages for new awards are available. These may be obtained by writing to the Office of Developmental Programs, Rehabilitation Services Administration, Office of Special Education and Rehabilitative Services, U.S. Department of Education, 400 Maryland Avenue, SW. (Room 3332–M/S 2312, Mary E. Switzer Building), Washington, DC 20202. Telephone: (202) 732–1343

Applicable Regulations: Regulations applicable to this program include the following:

(a) Regulations governing the Rehabilitation Long-Term Training Program (34 CFR Parts 385 and 386); and

(b) Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77 and 78).

Further Information: Delores L. Watkins, Office of Developmental Programs, Rehabilitation Services Administration, U.S. Department of Education, 400 Maryland Avenue, SW. (Room 3322–M/S 2312), Mary E. Switzer Building), Washington, DC 20202. Telephone: (202) 732–1332.

84.129D—Rehabilitation Continuing Education Program

Closing Date: June 15, 1986.

New Projects

Authority for this program is contained in Section 304 of the Rehabilitation Act of 1973, as amended. (29 U.S.C. 774)

Awards are made under this program to State vocational rehabilitation agencies and other public or nonprofit agencies and organizations, including institutions of higher education.

The purpose of this program is to support training centers that serve either a Federal region or another multi-State geographical area and provide for a broad integrated sequence of training activities that focus on meeting recurrent training needs of rehabilitation

personnel employed in public and nonprofit programs providing rehabilitation service to severely physically and mentally disabled individuals.

Available Funds: Approximately $427,130 is estimated to be available under the Rehabilitation Continuing Education Program for the support of new projects in Fiscal Year 1986 in Region IV only.

Applications Forms: Application forms and program information packages will be mailed to grantees who are completing Rehabilitation Continuing Education Programs during Fiscal Year 1985. Additional forms and instructions are available. These may be obtained by writing to the Office of Developmental Programs, Rehabilitation Services Administration, Office of Special Education and Rehabilitative Services, U.S. Department of Education, 400 Maryland Avenue SW (Room 3332–M/S 2312, Mary E. Switzer Building), Washington, DC 20202.

All applicants for new projects under this program must submit their applications to the appropriate Regional Office.

Applicable Regulations: Regulations applicable to this program include the following:

(a) Regulations governing the Rehabilitation Continuing Education Program (34 CFR Parts 385 and 389); and

(b) Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77 and 78).

Further Information: Appropriate RSA Regional Commissioner and address are listed above in this notice.

84.129Z—State Vocational Rehabilitation Unit In-Service Training Program

Closing Date: June 15, 1986.

New Projects

Authority for this program is contained in Section 304 of the Rehabilitation Act of 1973, as amended. (29 U.S.C. 774)

Awards are made under this program to State vocational rehabilitation agencies and other public or nonprofit agencies and organizations, including institutions of higher education.

The purpose of this program is to support special projects for training personnel employed by State vocational rehabilitation units in program areas essential to the effective management of the State unit program of vocational rehabilitation services or in skill areas which will enable State unit personnel to improve their ability to provide vocational rehabilitation services to severely disabled individuals.

Available Funds: Approximately $1,349,404 is estimated to be available for the support of new projects under the State Vocational Rehabilitation Unit In-Service Training Program in Fiscal Year 1986. In order to achieve a geographical distribution of projects as provided for in 34 CFR 385.33, it is estimated that funds will be distributed for the support of new projects under this program in Fiscal Year 1986 as follows:

Region I	$224,469
Region II	7,940
Region IV	558,653
Region V	210,695
Region IX	200,682
Region X	146,965
Total	1,349,404

Application Forms: Application forms and program information packages will be mailed to grantees who are completing State Vocational Rehabilitation Unit In-Service Training projects during Fiscal Year 1985.

Additional forms and program information packages for new awards are available. These may be obtained by writing to the Office of Developmental Programs, Rehabilitation Services Administration, Office of Special Education and Rehabilitative Services, U.S. Department of Education, 400 Maryland Avenue, SW. (Room 3332–M/S 2312, Mary E. Switzer Building), Washington, DC 20202. All applicants for new projects under this program must submit their applications to the appropriate Regional Office.

Applicable Regulations: Regulations applicable to this program include the following:

(a) Regulations governing the State Vocational Rehabilitation Unit In-Service Training Program (34 CFR Parts 385 and 388); and

(b) Education Department General Administrative Regulations (EDGAR) (34 CFR Parts 74, 75, 77 and 78).

Further Information: Appropriate RSA Regional Commissioner and address are listed above in this notice.

(29 U.S.C. 774)

(Catalog of Federal Domestic Assistance No. 84.129 Rehabilitation Training)

Dated: April 9, 1986.

William J. Bennett,

Secretary of Education.

[FR Doc. 86–8256 Filed 4–11–86; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF ENERGY

Office of Assistant Secretary for International Affairs and Energy Emergencies

Proposed Subsequent Arrangement

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160), notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation between the Government of the United States of America and the Government of Japan concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above-mentioned agreement involves approval of the following sale:

Contract Number S–JA–366, to the Power Reactor and Nuclear Fuel Development Corp., Japan, one nickel-uranium tube containing 100 grams of uranium, enriched to 19.85 percent in U–235, for use in research connected with breeder reactor development.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that this subsequent arrangement will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this Notice.

For the Department of Energy.

Dated: April 7, 1986.

George J. Bradley, Jr.,

Acting Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 86–8239 Filed 4–11–86; 8:45 am]

BILLING CODE 6450–01–M

Economic Regulatory Administration

[Docket No. 86–12–NG]

Kern River Gas Supply Corp.; Application To Import Natural Gas From Canada

AGENCY: Economic Regulatory Administration, Energy.

ACTION: Notice of Application for Blanket Authorization to Import Natural Gas from Canada for Sale Under Long-Term Contracts to Enhanced Oil Recovery Producers.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of receipt on February 20, 1986, of an application filed by Kern River Gas Supply Corporation (Kern River) for blanket

authority to import up to a daily average of 350,000 Mcf of Canadian natural gas to be purchased from Westcoast Transmission Company Ltd. (Westcoast) and sold under long-term contracts to enhanced oil recovery (EOR) producers within and adjacent to Kern County, California. Authority is requested to import gas to be sold or assigned under long-term contracts for a 15-year period from the date of first delivery under each individual contract with an EOR producer. Kern River is a subsidiary of Kern River Gas Transmission Company (Kern River Transmission) which is a partnership owned equally by Kern River Corporation, an affiliate of Tenneco, Inc., and Williams Western Pipeline Company, an affiliate of Williams Companies. Transportation would be provided by Northwest Pipeline Corporation (Northwest, an affiliate of the Williams Companies), other interstate and intrastate pipeline systems, and by Kern River Transmission from Wyoming to Kern County if that proposed interstate pipeline is certified and built. The specific terms and conditions of each gas sale by Kern River to an EOR producer would be responsive to alternate fuel prices.

The application is filed with the ERA pursuant to section 3 of the Natural Gas Act and DOE Delegation Order No. 0204–111. Protests, motions to intervene, notices of intervention and written comments are invited.

DATE: Protests, motions to intervene or notices of intervention, as applicable, and written comments are to be filed no later than 4:30 p.m., on May 14, 1986.

FOR FURTHER INFORMATION CONTACT:

Norman Breckner, Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, Forrestal Building, Room GA–076, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 252–9482

Diane Stubbs, Natural Gas and Mineral Leasing, Office of General Counsel, U.S. Department of Energy, Forrestal Building, Room 6E–042, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 252–6667

SUPPLEMENTARY INFORMATION: On February 20, 1986, Kern River filed an application for blanket authority to import up to a daily average of 350,000 Mcf of Canadian natural gas from Westcoast for the specific purpose of making direct sales, or assignments of gas sale agreements between Westcoast and Kern River, to EOR operators within and adjacent to Kern County, California. Authority is requested to import gas to be sold or assigned under long-term contracts for a 15-year period from the date of first delivery under each individual contract with an EOR producer. Kern River requests that, under such authority, it be allowed to import gas to meet individual sales contracts, within the volumetric limit of its requested authorization, without prior authorization from ERA for each such sale. Kern River and Westcoast have negotiated a precedent agreement for the gas imports providing that each gas sale agreement be based on market-responsive pricing terms and flexibility in renegotiating pricing and other contract terms. With the specific terms and conditions of each sale to be determined by negotiation with the end-user, Kern River wants to avoid required prior authorization from the ERA for each individual sale in order to be able to respond quickly and competitively to favorable sales opportunities in the designated market.

The gas would be imported at two points on the international border, near Huntingdon, British Columbia, where Westcoast's pipeline interconnects with that of Northwest, and near Kingsgate, British Columbia, at the interconnection of pipelines operated by Alberta Natural Gas Company and Pacific Gas Transmission Company. With Kern River's assistance, the end-user will make the necessary arrangements for domestic transportation with Northwest and other third-party interstate and intrastate pipeline systems. If the interstate pipeline proposed by Kern River Transmission, extending to Kern County from an interconnection with Northwest in southwestern Wyoming, is certified and built, all the imported gas would be transported over that system. The precedent agreement provides options for its own termination if that project is abandoned.

In support of its application, Kern River notes that the prospective EOR gas customers indicate that a switch from crude oil to natural gas to produce wet steam for reservoir injection is attractive if the gas supply is steady and reliable. For uninterrupted EOR operations reservoirs must remain heated, a condition that is guaranteed when using crude oil produced on the lease. The EOR producers want firm and long-term contracts with durations in the range of 15 to 20 years.

Kern River further asserts that the negotiated precedent agreement with Westcoast and the proposed structure of the individual gas sale agreements with Westcoast conform to the market-responsive conditions set out both in the DOE's gas import policy guidelines (49 FR 6684, February 22, 1984) and in updated export pricing policies of the Canadian government. In addition, Kern River notes that the incremental imported gas, most of which will come from Birtish Columbia, promises to be long-term, secure, and dependable; and that burning gas instead of lease crude oil to generate steam for reservoir injection will have a positive environmental effect in the oil producing area.

The decision on this application will be made consistent with the DOE's gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest. Parties that may oppose this application should comment in their responses on the issue of competitiveness as set forth in the policy guidelines. The applicant asserts that this import arrangement is competitive. Parties opposing the arrangement bear the burden of overcoming this assertion.

Public Comment Procedures

In response to this Notice, any person may file a protest, motion to intervene, or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have written comments considered as the basis for any decision on the application must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate procedural action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulations in 10 CFR Part 590. They should be filed with the Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, Room GA–076–A, RG–23, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585. They must be filed no later than 4:30 p.m. e.d.t., May 14, 1986.

The Administrator intends to develop a decisional record on the application through responses to the Notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, an

oral presentation, a conference, or a trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law or policy at issue, show that it is material and relevant to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, the ERA will provide notice to all parties. If no party requests additional procedures, a final opinion and order may be issued based upon the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

A copy of Kern River's application is available for inspection and copying in the Natural Gas Division Docket Room, GA-076-A, at the above address. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC., March 27, 1986.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 86-8238 Filed 4-11-86; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. TA86-2-4-000,001]

Commercial Pipeline Co., Inc.; PGA Filing

April 8, 1986.

Take notice that on March 27, 1986, Commercial Pipeline Co., Inc. (Commercial) tendered for filing its Substitute 49th Revised Sheet No. 3A, superseding 49th Revised Sheet No. 3A, reflecting Purchased Gas Adjustments and Total Rate as shown below.

	Current adjustment	Cumulative adjustment	Subcharge adjustment	Total rate
Base	$.0965	$(.7037)	$(.4910)	$3.2622
Excess	.1202	(.6816)	(.4910)	3.3928

The effective date of Commercial's filing is April 23, 1986.

Commercial states that this filing reflects adjustments in its purchased gas cost to provide for the tracking of a corresponding PGA adjustment by Commercial's sole supplier, Northwest Central Pipeline Corporation. The filing also reflects surcharge adjustments in accordance with Commercial's PGA.

Copies of the filings were served on Commercial's FERC jurisdictional customers, the Kansas Corporation Commission and the Missouri Public Service Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before April 15, 1986. Protestants will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8270 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA86-1-53-005]

K N Energy, Inc.; Filing

April 8, 1986.

Take notice that on April 3, 1986, K N Energy, Inc. (K N) tendered for filing Alternate Fifth Revised Sheet No. 26A to its FERC Gas Tariff, Third Revised Volume No. 1. K N states this filing is being made in response to a request made by the Commission's Staff to make modifications to its January 30 tariff filing. The tariff sheets affected by the January 30 filing were Sixth Revised Sheet No. 26, Fifth Revised Sheet No. 26A and Fifth Revised Sheet No. 26B. K N has made the requested change in Sheet No. 26A, which is submitted here as Alternate Fifth Revised Sheet No. 26A, and withdraws Sixth Revised Sheet No. 26. Fifth Revised Sheet No. 26B is acceptable to the Staff and no change is proposed.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 214 and 211 of the Drug Enforcement Administration's Rules of Practice and Procedure. All such motions or protests should be filed on or before April 15, 1986. (18 CFR 385.214, 385.211). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8271 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP86-7-001]

Mountain Fuel Resources, Inc.; Motion To Make Interim Rates Effective

April 8, 1986.

Take notice that on March 31, 1986, Mountain Fuel Resources, Inc. (Resources) tendered for filing a Motion To Make Interim Rates Effective accompanied by the following tariff sheets:

Original Volume No. 3

Substitute Third Revised Sheet No. 8
Substitute Second Revised Sheet No. 9
Substitute Second Revised Sheet No. 10
Substitute Second Revised Sheet No. 12

According to § 381.103(b)(2)(iii) of the Commission's regulations (18 CFR 381.103(b)(2)(iii)), the date of filing is the date on which the Commission receives the appropriate filing fee, which in the instant case was not until April 1, 1986.

Resources requests that the Commission grant the subject motion as expeditiously as possible in order that its customers may realize the benefits of the proposed lower interim rate levels commencing May 1, 1986.

Resources states it has sent copies of this filing to all of its jurisdictional customers, all interested state commissions and each person designated on the official service list compiled by the Secretary of the Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before April 15, 1986. (18 CFR 385.214, 385.211). Protests will be considered by

the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8272 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA86-5-29-000, 001]

Transcontinental Gas Pipe Line Corp.; Proposed Changes in FERC Gas Tariff

April 8, 1986.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) tendered for filing on March 31, 1986, the following proposed tariff sheets to Second Revised Volume No. 1 of its FERC gas tariff.

Proposed Tariff Sheets

Fortieth Revised Sheet No. 12
Thirty-Ninth Revised Sheet No. 15
Third Revised Sheet No. 15-A

The tariff sheets, proposed to become effective on May 1, 1986, reflect an overall rate increase of 51.5¢ per dt in the commodity or delivery charge of Transco's CD, G, OG, E, S-2, ACQ and PS rate schedules. This increase is composed of a 4.3¢ per dt increase in the current gas cost portion of the commodity rates, and a 47.2¢ per dt increase in the Deferred Adjustment.

Pursuant to the Stipulation and Agreement dated November 30, 1983 in Docket No. TA83-1-29 *et al*, Transco has included in Appendix C, Schedule C an explanation of the decreased sales estimate utilized to project Transco's cost of gas for this filing as compared to actual sales made during the corresponding PGA period last year.

In its order of October 31, 1984 in Docket No. TA85-1-29 *et al*, the Commission set for hearing the issue of the manner in which costs from Sulpetro Limited are flowed through in Transco's rates. Transco states that in its two subsequent PGA filings in Docket No. TA85-3-29 and Docket No. TA86-1-29 and in the instant filing Transco has reflected such costs in the same manner as in the TA85-1-29 proceeding. On September 3, 1985 an Initial Decision was issued in Docket No. TA85-1-29 resolving the flow-through of Canadian costs and the matter is pending before the Commission on exceptions. Transco undertakes to be bound in the instant proceeding by the final resolution of the Sulpetro issue.

Transco states that copies of the instant filing are being mailed to its jurisdictional customers and interested state commissions. In accordance with the provisions of § 134.16 of the Commission's Regulations, copies of this filing are available for public inspection during regular business hours, in a convenient form and place at Transco's main office at 2800 Post Oak Boulevard in Houston, Texas.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rule 211 and Rule 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before April 15, 1986. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8273 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP73-35-014 et al.]

Trunkline Gas Co. et al.; Filing of Pipeline Refund Reports and Refund Plans

April 9, 1986.

Take notice that the pipelines listed in the Appendix hereto have submited to the Commission for filing proposed refund reports or refund plans. The date of filing, docket number, and type of filing are also shown on the Appendix.

Any person wishing to do so may submit comments in writing concerning the subject refund reports and plans. All such comments should be filed with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, on or before April 30, 1986. Copies of the respective filings are on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

APPENDIX

Filing date	Company	Docket no.	Type filing
Feb. 7, 1985	Trunkline Gas Co.	PR73-35-014	Report.
Feb. 21, 1986	United Gas Pipe Line Co.	RP85-90-003	Btu refunds.[1]
Feb. 26, 1986	High Island Offshore System.	RP85-37-006	Report.
Mar. 4, 1986	K N Energy, Inc.	RP85-98-003	Report.
Mar. 11, 1986	K N Energy, Inc.	RP85-11-017	Report.
Mar. 14, 1986	Tennessee Gas Pipeline Co.	CP84-441-016	Report.
Mar. 17, 1986	United Gas Pipe Line Co.	RP85-90-004	Btu refunds.[1]
Mar. 21, 1986	Natural Gas Pipeline Co. of America.	RP83-68-010	Report.
Mar. 26, 1986	Midwestern Gas Transmission Co.	RP71-16-014	Report.
Mar. 27, 1986	Lawrenceburg Gas Transmission Corp.	RP78-37-015	Report.

[1] Refunds resulting from Btu Measurement Adjustments. Each company will retain its basic docket number and future related filings will receive new sub-docket numbers.

[FR Doc. 86-8274 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP86-44-001]

Valero Interstate Transmission Co.; Compliance Filing

April 8, 1986.

Take notice that on March 28, 1986, Valero Interstate Transmission Company (Vitco) tendered for filing the following tariff sheets in response to the Commission's order issued February 28, 1986 in Docket No. RP86-44-000:

Original Volume No. 1

Substitute Original Sheet No. 7.1
Substitute Original Sheet No. 7.3
Substitute 1st Revised Sheet No. 9
Substitute 11th Revised Sheet No. 14
Substitute Original Sheet No. 14.2, 1st Revised Sheet No. 21.6
Substitute Original Sheet No. 21.7
Substitute Original Sheet No. 21.10
Substitute 5th Revised Sheet No. 6

According to § 381.103(b)(2)(iii) of the Commission's regulations (18 CFR 381.103(b)(2)(iii)), the date of filing is the date on which the Commission receives the appropriate filing fee, which in the instant case was not until April 2, 1986.

The effective date of the sheets is February 1, 1986.

Any person desiring to be heard or to protest said filing should file a motion to intervene or a protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 214 and 211 of the Commission's Rules of Practice and Procedure. All such motions or protests should be filed on or before April 15, 1986. (18 CFR 385.214, 385.211). Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8275 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TA86-2-50-000, 001]

Valley Gas Transmission, Inc.; Change in Rates Pursuant to Purchased Gas Adjustment

April 8, 1986.

Take notice that on March 31, 1986, Valley Gas Transmission, Inc. ("Valley") tendered for filing and acceptance the following tariff sheets as part of its FERC Gas Tariff:

Thirty-second Revised Sheet No. 2A to Original Volume No. 1
Fifth Revised Sheet No. 10 to Original Volume No. 2

Valley states that these tariff sheets, which are proposed to become effective on May 1, 1986 are being filed pursuant to the purchased gas cost adjustment provisions of its tariff. Valley further states that these proposed changes reflect adjustments to its current surcharge adjustment and current gas cost adjustment, and that its filing has been served on all jurisdictional customers.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 N. Capitol Street, NE., Washington, DC 20426 in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before April 15, 1986. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8276 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ER80-259-010 et al.]

Electric Rate and Corporate Regulation Filings; Kansas Gas and Electric Co. et al.

April 9, 1986.

Take notice that the following filings have been made with the Commission:

1. Kansas Gas and Electric Company

[Docket No. ER80-259-010]

Take notice that on April 3, 1986, Kansas Gas and Electric Company (K,G&E) tendered for filing a refund report pursuant to Commission Order dated February 28, 1986. The report details refunds made to the cities of Bronson, Kansas and Mindenmines, Missouri. The report also includes letters dated December 13, 1985 withdrawing KG&E's claim of Arcadia, Arma, Blue Mound, Elsmore, Haven, La Harpe, Moran, Mount Hope, Mulberry and Savonburg, Kansas.

Comment date: April 21, 1986, in accordance with Standard Paragraph H at the end of this notice.

2. Cleveland Electric Illuminating Company

[Docket No. ER83-138-008]

Take Notice that on April 3, 1986, Cleveland Electric Illuminating Company tendered for filing a compliance report pursuant to the Commission's letter order dated February 21, 1986.

Comment date: April 21, 1986, in accordance with Standard Paragraph H at the end of this notice.

3. McDowell County Consumers Council, Inc. v. American Electric Power Company, et al.

[Docket No. E-9206-005]

Take notice that on April 3, 1986, American Electric Power Service Corporation (AEPSC) tendered for filing a refund report pursuant to the Commission's letter order dated January 30, 1986. The refund report sets forth the amount paid each jurisdictional customer allocated a refund in accordance with the January 9, 1985 Settlement Agreement between the companies of the American Electric Power Company System (AEP System) and the Commission Staff. The report also indicates the amount by each of the respective AEP System Companies which contributed a portion of such refunds.

Comment date: April 21, 1986, in accordance with Standard Paragraph H at the end of this notice.

4. Niagara Mohawk Power Corporation

[Docket No. ER86-393-000]

Take notice that Niagara Mohawk Power Corporation (Niagara Mohawk) on April 7, 1986, tendered for filing as a rate schedule, an agreement between Niagara Mohawk and New York State Electric & Gas Corporation (NYSEG) dated March 19, 1986.

Niagara presently has on file an agreement with NYSEG dated December 1, 1976, last amended October 28, 1983. This agreement is designated as Niagara Mohawk Power Corporation Rate Schedule FERC No. 97 with Supplement No. 6. The March 19, 1986 agreement is being filed as Supplement No. 7 to this existing rate schedule and supersedes Supplement No. 6.

Niagara Mohawk states that this agreement revises the rates for transmission services provided to NYSEG by Niagara Mohawk under Niagara Mohawk Rate Schedule 97. The rates are proposed to be effective July 1, 1984.

Copies of this filing were served upon the following:

New York State Electric & Gas Corporation, 4500 Vestal Parkway East, Binghamton, NY 13902
Public Service Commission, State of New York, Three Empire State Plaza, Albany, NY 12223

Niagara Mohawk requests waiver of the Commission's notice requirements so as to allow the proposed rate schedule to become effective on July 1, 1984.

Comment date: April 22, 1986, in accordance with Standard Paragraph E at the end of this notice.

5. Ohio Power Company

[Docket No. ER86-390-000]

Take notice that American Electric Power Service Corporation (AEP) on April 3, 1986, tendered for filing on behalf of its affiliate Ohio Power Company (OPCO), which is an AEP affiliated operating subsidiary, Modification No. 23 dated January 1, 1986 to the Operating Agreement dated June 14, 1962 (1962 Agreement) between The Cleveland Electric Illuminating Company (Cleveland) and OPCO. OPCO and Cleveland are sometimes collectively referred to as the Parties. The Commission has previously designated the 1962 Agreement as OPCO's Rate Schedule FERC No. 31 and Cleveland's Rate Schedule FERC No. 1.

Sections 1 through 4 of this Modification increase the OPCO's

transmission demand rate for Emergency Energy to 2.75 mills/kWH, adds a transmission demand rate of 2.75 mills/kWH for Non-Displacement Energy transactions, and adds a 3.75 mills/kWH minimum to OPCO's provisions for the transmission of Economy Energy. In addition, sections 5 through 14 of Modification No. 23 revise the Parties' Short Term Power and Limited Term Power Service Schedules by adding provisions for a rate of "up to" the Parties' respective generation demand and energy rates. This Modification also includes provisions which establish a lower limited of total revenue realization for any transaction as 110% of OPC for OPCO and 100% plus 1.1 mills per kilowatthour for Cleveland, which represents the Parties' currently approved rate for Non-Displacement Energy.

OPCO's proposed Emergency, Non-Displacement, Economy, and Short Term Power rates contained in Modification No. 23 have previously been accepted for filing by the Federal Energy Regulatory Commission in various other OPCO filings. The terms and conditions contained in sections 10 through 14 of this Modification, pertaining to OPCO's "up to" provisions for Limited Term Power are not presently in effect on the AEP system. These rates, however, represent an extention of OPCO's Short Term "up to" pricing concept and are supported by those facts which led to FERC's initial acceptance of this pricing policy.

AEP has requested the Commission to waive any requirements not already complied with under § 35.13 of the Commission's Regulations and permit this Modification to become effective in two parts, allowing OPCO's Short Term Power "up to" rates to become effective as of February 2, 1986 and the remainder of this Modification to become effective immediately.

Comment date: April 22, 1986, in accordance with Standard Paragraph E at the end of this notice.

6. Pacific Gas and Electric Co.

[Docket No. ER86-391-000]

Take notice that on April 7, 1986, Pacific Gas and Electric Company (PGandE) tendered for filing an Emergency Power Dispute Letter Agreement (Letter Agreement) which clarifies and establishes certain provisions for services rendered under the "Interconnection Agreement Between Pacific Gas and Electric Company and the City of Santa Clara" (Interconnection Agreement).

The Interconnection Agreement was filed initially under Docket No. ER 84-6-000 and was assigned FERC Rate Schedule No. 85. The Parties have agreed to execute a Letter Agreement as a settlement to their Emergency Power dispute. This dispute arose between the Parties as a result of a steam-supply problem at the Northern California Power Agency (NCPA) Project No. 2 (Project No.2),[1] and a difference of contractual interpretation of the services provided by PGandE under the Interconnection Agreement. The City of Santa Clara (Santa Clara), part owner of Project No. 2, experienced curtailments of generation at Project No. 2 as a result of these steam-supply problems. The Letter Agreement clarifies the rights and obligations as originally intended by the Parties under the Interconnection Agreement. No part of this Letter Agreement involves a change in the level of any rate, nor does the Letter Agreement amend the Interconnection Agreement.

In the Letter Agreement, PGand E and Santa Clara have agreed to establish and apply definitions for "Emergency", "Outage" and "Partial Outage" to each instance where the appropriate term is used in the Interconnection Agreement. The Letter Agreement also sets forth specific provisions for the services that PGandE provided and provides under the Interconnection Agreement. Finally, the Letter Agreement gives Santa Clara the option of substituting the terms and conditions of the entire PGandE-NCPA Emergncy Power dispute settlement, if PGandE and NCPA reach a similar settlement with respect to their Emergency Power Dispute.

The Parties have agreed to establish specific provisions for services provided by PGandE under the Interconnection Agreement that apply to the period January 1, 1984 to December 31, 1985. Therefore PGand E requests, pursuant to Section 35.11 of the Commission's rules, a waiver of the Commission's usual notice requirement so as to permit the Letter Agreement to become effective on January 1, 1984. No customers under any other rate schedules will be affected if such waiver is granted.

Comment date: April 22, 1986, in accordance with Standard Paragraph E at the end of this document.

7. Pacific Power & Light Company, an Assumed Business Name of PacifiCorp

[Docket No. ER86-394-000]

Take Notice that Pacific Power & Light Company (Pacific), an assumed business name of PacifiCorp, on April 7, 1986, tendered for filing, in accordance with § 35.30 of the Commission's Regulations, Pacific's Revised Administration's (Bonneville) Determination of Average System Cost (ASC) for the state of Washington (Bonneville's Docket No. 5-A2-8502). The Revised Appendix 1 calculates the ASC for the state of Washington applicable to the exchange of power between Bonneville and Pacific.

Pacific requests waiver of the Commission's notice requirements to permit this rate schedule to become effective August 14, 1985, which it claims is the date of commencement of service.

Copies of the filing were supplied to Bonneville, the Washington Utilities and Transportation Commission, and Bonneville's Direct Service Industrial Customers.

Comment date: April 22, 1986, in accordance with Standard Paragraph E at the end of this notice.

8. San Diego Gas & Electric Company

[Docket No. ER86-392-000]

Take notice that on April 7, 1986 San Diego Gas & Electric Company ("SDG&E") tendered for filing the Interchange Agreement between Salt River Project Agricultural Improvement and Power District (Salt River) and San Diego Gas & Electric, including Service Schedule A.

Service Schedule A provides for the terms and conditions for the exchange of short term firm capacity and associated energy.

Copies of this filing were served upon the Public Utilities Commission of the State of California.

Comment date: April 22, 1986, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should file on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

H. Any person desiring to be heard or to protest this filing should file comments with the Federal Energy Regulatory Commission 825 North Capitol Street NE., Washington, DC 20426, on or before the comment date. Comments will be considered by the

[1] NCPA has recently renamed this plant. It is now called Plant No. 1.

Commission in determining the appropriate action to be taken. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86-8278 Filed 4-11-86; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPPE-FRL-3001-6]

Agency Information Collection Activities Under OMB Review

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: Section 3507(a)(2)(B) of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.) requires the Agency to publish in the **Federal Register** a notice of proposed information collection requests (ICRs) that have been forwarded to the Office of Management and Budget (OMB) for review. The ICR describes the nature of the solicitation and the expected impact, and where appropriate includes the actual data collection instrument. The following ICR is available for review and comment.

FOR FURTHER INFORMATION CONTACT: Nanette Liepman, (202) 382-2740 or FTS 382-2740.

SUPPLEMENTARY INFORMATION:

Office of Solid Waste and Emergency Response

Title: Information Requirements for Location Standards (EPA ICR #0812). (This is a renewal of a previously approved ICR; no changes are proposed.)

Abstract: The information collected will be used by the Resource Conservation and Recovery Act (RCRA) permit writer to determine if hazardous waste land treatment, storage, and disposal facilities are in compliance with RCRA Location Standards (Seismic and Flood-plain Requirements) and to develop specific permitting conditions for facilities located in two environmentally sensitive areas.

Respondents: New and existing facilities applying for permit status.

Agency PRA Clearance Requests Completed by OMB

EPA #0152; Notice of Arrival of Pesticides or Devices, was approved 3/17/86 (OMB #2070-0020; expires 3/31/88).

EPA #0278; Notice of Supplemental Registration of a Distributor, was approved 3/17/86 (OMB #2070-0044; expires 3/31/89).

EPA #0586; Preliminary Assessment Information Rule, was approved 3/17/86 (OMB #2070-0054; expires 3/31/89).

EPA #0649; New Source Performance Standard (NSPS) for Metal Furniture Surface Coating (Subpart EE)—Information Requirements, was approved 3/15/86 (OMB #2060-0106).

EPA #0657; New Source Performance Standard (NSPS) for Graphic Arts Industry (Subpart QQ)—Information Requirements, was approved 3/15/86 (OMB #2060-0105; expires 3/31/89.)

EPA #0658; New Source Performance Standard (NSPS) for Pressure Sensitive Tape and Label Surface Coating (Subpart RR)—Information Requirements, was approved 3/15/86 (OMB #2060-0004, expires 3/31/89).

EPA #0661; New Source Performance Standard (NSPS) for Asphalt Processing and Asphalt Roofing Manufacturing—Information Requirements, was approved 3/15/86 (OMB #2060-0002; expires 3/31/89).

EPA #1285; Nonconformance Penalties for Heavy-Duty Engines and Heavy-Duty Vehicles, Including Light-Duty Trucks, was approved 3/15/86 (OMB #2060-0132; expires 3/31/89).

Comments on all parts of this notice may be sent to:

Nanette Liepman, U.S. Environmental Protection Agency, Office of Standards and Regulations (PM-223), Information and Regulatory Systems Division, 401 M Street, SW., Washington, DC 20460.

and

Nancy Baldwin, Office of Management and Budget, Office of Information and Regulatory Affairs, New Executive Office Building (Room 3228), 726 Jackson Place, NW., Washington, DC 20503.

Dated: April 8, 1986.

Daniel J. Fiorino,

Acting Director, Information and Regulatory Systems Division.

[FR Doc. 86-8243 Filed 4-11-86; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Agency Information Collection Submitted to the Office of Management and Budget for Clearance

The Federal Emergency Management Agency (FEMA) has submitted to the Office of Management and Budget the following information collection package for clearance in accordance with the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Type: Extension of 3067-0172.

Title: Radiological Protection Program Data Base.

Abstract: Increasing use of radioactive materials and nuclear technology require a Radiological Protection Program designed to protect the public. Development and maintenance of a data base will assist Federal and State governments to track the status and development of efforts to implement Radiological Protection Program with Federal financial and guidance support.

Type of Respondents: State or Local Governments.

Number of Respondents: 3,450.

Burden Hours: 1,725.

Copies of the above information collection request and supporting documentation can be obtained by calling or writing the FEMA Clearance Officer, Linda Shiley, (202) 646-2624, 500 C. Street, SW., Washington, DC 20472.

Comments should be directed to Mike Weinstein, Desk Officer for FEMA, Office of Information and Regulatory Affairs, OMB, Rm. 3235, New Executive Office Building, Washington, DC 20503.

Dated: April 7, 1986.

Walter A. Girstantas,

Director, Administrative Support.

[FR Doc. 86-8215 Filed 4-11-86; 8:45 am]

BILLING CODE 6718-01-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC, Office of the Federal Maritime Commission, 1100 L Street NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in section 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 217-010643-002.

Title: Farrell/SITRAM Space Charter Agreement.

Parties:

Farrell Lines, Inc.
Societe Ivoirienne de Transport Maritime

Synopsis: The proposed amendment would permit the parties to charter space from each other on such commercial terms as they periodically agree. It would also made certain other administrative changes and restate the agreement in its entirety.

Agreement No.: 224–010839–001.

Title: Port of Seattle Terminal Lease Agreement.

Parties:

Port of Seattle (Port)
American President Lines, Ltd. (APL)

Synopsis: The proposed amendment would modify the agreement to extend the time for APL's temporary use and occupancy of the Port's Terminal 46 pending construction of improvements at the Port's Terminal 5 until approximately October 1, 1986, with APL paying container crane charges at Terminal 46 rates during the interim. It would also make certain modifications to the cost sharing provisions of the basic lease. The parties have requested a shortened review period.

Agreement No.: 224–010910.

Title: Port of Oakland Terminal Agreement

Parties:

City of Oakland (Port)
Neptune Orient Lines, Ltd.
Orient Overseas Container Line, Ltd.
Yamashita-Shinnihon Steamship Co., Ltd.

Synopsis: The proposed agreement would establish a nonexclusive preferential assignment arrangement whereby the Port would make available to the other parties certain assigned premises and two container cranes at the Port's Outer Harbor Area Berth 5 on a nonexclusive preferential basis. It would permit the parties to use an adjoining 27.2 acre parcel as a containership terminal. The agreement will remain in effect through March 31, 1991.

Agreement No.: 217–010911.

Title: Space Charter Agreement by and between SeaEscape Limited and SeaXpress, Inc.

Parties:

SeaEscape Limited (SeaEscape)
SeaXpress, Inc. (SeaXpress)

Synopsis: The proposed agreement would permit SeaXpress to charter the car deck on SeaEscape's vessels for the carriage of cargo moving between the ports in Florida and Freeport, Grand Bahama Island. The parties have requested a shortened review period.

By Order of the Federal Maritime Commission.

Dated: April 9, 1986.

Tony P. Kominoth,

Assistant Secretary.

[FR Doc. 86–8253 Field 4–11–86; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Barnett Banks of Florida, Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than May 5, 1986.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Barnett Banks of Florida, Inc.* Jacksonville, Florida; to acquire 100 percent of the voting shares of Barnett Bank of Hobe Sound, N.A., Hobe Sound, Florida, a *de novo* bank. The comment period on this application ends May 7, 1986.

2. *General Bancshares, Inc.*, South Pittsburg, Tennessee; to become a bank holding company by acquiring 100 percent of the voting shares of Citizens State Bank, South Pittsburg, Tennessee.

B. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *First Union Corporation of North Carolina*, Charlotte, North Carolina; to become a bank holding company by acquiring 100 percent of the voting shares of First Union National Bank, Charlotte, North Carolina.

C. **Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *First Sandoval Bancorp, Inc.*, Sandoval, Illinois; to become a bank holding company by acquiring at least 90 percent of the voting shares of The First National Bank of Sandoval, Sandoval, Illinois.

Board of Governors of the Federal Reserve System, April 8, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86–8802 Filed 4–11–86; 8:45 am]

BILLING CODE 6210–01–M

Claremont Bancshares, Inc.; Application To Engage de Novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in §225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a

hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 5, 1986.

A. **Federal Reserve Bank of Minneapolis** (Bruce J. Hedblom, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Claremont Bancshares, Inc.*, Claremont, Minnesota; to engage *de novo* through its subsidiary Bancshares Agency of Claremont, Claremont, Minnesota, as a general insurance agency in a community with a population not exceeding 5,000 pursuant to § 225.25(b)(8) of Regulation Y.

Board of Governors of the Federal Reserve System, April 8, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-8201 Filed 4-11-86; 8:45 am]

BILLING CODE 6210-01

Community Bancshares, Inc., et al., Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the office of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on a application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than May 8, 1986.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street NW., Atlanta, Georgia 30303:

1. *Community Bancshares, Inc.*, Blountsville, Alabama; to acquire 100 percent of the voting shares of Community Bank of Marshall County, Arab, Alabama, a *de novo* bank.

B. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Sidney Bancorporation, Inc.*, Sidney, Illinois; to become a bank holding company by acquiring at least 79.7 percent of the voting shares of Sidney Community Bank, Sidney, Illinois.

Board of Governors of the Federal Reserve System, April 9, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-8282 Filed 4-11-86; 8:45 am]

BILLING CODE 6210-01-M

Hibernia Corp. et al.; Applications To Engage de Novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or thorugh a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the office of the Boad of Governors. Interested persons may express their views in writing on the question whether consummation of the proposed can "reasonably be expected to produced benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweight possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than May 8, 1986.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Hibernia Corporation*, New Orleans, Louisiana; to engage *de novo* though its subsidiary Hibernia Investment Securities, Inc., New Orleans, Lousiana in providing securities brokerage services, related credit activities pursuant to Regulation T and incidental activities such as custodial services, individual retirement accounts, and cash management services pursuant to § 225.25(b)(15) of the Board's Regulation Y. These activities will be conducted throughout the State of Louisiana.

B. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago Illinois 60690:

1. *Mahaska Investment Company*, Oskaloosa, Iowa; to engage *de novo* in providing data processing services pursuant to § 225.25(b)(7) of the Board's Regulation Y. The comment period on this application ends May 5, 1986.

2. *Wellman Investment Company*, Wellman, Iowa; to engage *de novo* in selling credit life and accident and health insurance directly related to extensions of credit, pursuant to § 225.25(b)(8)(i)(A) of the Board's Regulation Y.

C. *Federal Reserve Bank of San Franscisco* (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *The Dai-Ichi Kangyo Bank, Limited*, Tokyo, Japan; to engage *de novo* through its subsidiary Dai-Ichi Kangyo Trust Company of New York, New York, New York, in performing those activities authorized for a limited purpose trust company pursuant to sections 100 through 100-c, inclusive, of the New York State Banking Law and, more specifically and without limiting the foregoing, will provide those fiduciary services ordinarily contemplated in acting as a custodian, issuing, fiscal and/or paying agent, trustee or depository, escrow agent and financial advisor to its customers. Such activities are authorized by the New York Banking Law. The Trust Company will not possess ordinary commercial bank powers nor will it make loans or investments or accept deposits other than (i) deposits that are qenerated from trust funds not currently invested and that are properly secured to the extent

required by law; (ii) deposits representing funds received for a special use in the capacity of managing agent or custodian for an owner of, or investor in, real property, securities, or other personal property; or for such owner or investor as agent or custodian of funds held for investment or as escrow agent; or for an issuer of, or broker or dealer in, securities in a capacity such as a paying agent, dividend disbursing agents or securities clearing agent provided such deposits are not employed by or for the account of the customer in the manner of a general purpose checking account or interest-bearing account; or (iii) making call loans to securities dealers or purchasing money market instruments such as certificates of deposit, commercial paper, government of municipal securities and bankers acceptances, pursuant to § 225.25(b)(3) of the Board's Regulation Y. The comment period on this application ends May 1, 1986.

Board of Governors of the Federal Reserve System, April 9, 1986.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 86-8281 Filed 4-11-86; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 86F-0131]

Inotek International Corp.; Filing of Food Additive Petition

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing that Inotek International Corp. has filed a petition proposing that the food additive regulations be amended to provide for the safe use of sucrose fatty acid esters for preservation of certain fresh fruits.

FOR FURTHER INFORMATION CONTACT: Blondell Anderson, Center for Food Safety and Applied Nutrition (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-426-5487.

SUPPLEMENTARY INFORMATION: Under the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786 (21 U.S.C. 348(b)(5))), notice is given that a petition (FAP 6A3914) has been filed by Inotek International Corp., P.O. Box 348, Painesville, OH 44077, proposing that § 172.859 *Sucrose fatty acid esters* (21 CFR 172.859) be amended to provide for the safe use of sucrose fatty acid esters for preservation of the following fresh fruits: avocados, melons (honeydew and cantaloupe), limes, peaches, plums, banana plantains, and papaya.

The potential environmental impact of this action is being reviewed. If the agency finds that an environmental impact statement is not required and this petition results in a regulation, the notice of availability of the agency's finding of no significant impact and the evidence supporting that finding will be published with the regulation in the **Federal Register** in accordance with 21 CFR 25.40(c), as published in the **Federal Register** of April 26, 1985 (50 FR 16636).

Dated: April 4, 1986.

Richard J. Ronk,

Acting Director, Center for Food Safety and Applied Nutrition.

[FR Doc. 86-8210 Filed 4-11-86; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 86M-0106]

IOLAB Corp.; Premarket Approval of LASAG Microruptor MR-2 Nd:YAG Ophthalmic Laser

Correction

In FR Doc. 86-6824, beginning on page 10676 in the issue of Friday, March 28, 1986, make the following correction:

On page 10676, in the third column, the twelfth, thirteenth, and fourteenth lines had duplicate text and should read "aluminum-garnet (Nd:YAG) ophthalmic".

BILLING CODE 1505-01-M

Health Care Financing Administration

Medicaid Program; Notice of Hearing: Reconsideration of Disapproval of Portions of Two Michigan State Plan Amendments

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of Hearing.

SUMMARY: This notice announces an administrative hearing on April 30, 1986 in Chicago, Illinois to reconsider our decision to disapprove portions of Michigan State Plan Amendments 85-7 and 85-24.

CLOSING DATE: Requests to participate in the hearing as a party must be received by the Docket Clerk April 29, 1986.

FOR FURTHER INFORMATION CONTACT: Docket Clerk, Hearing Staff, Bureau of Eligibility, Reimbursement and Coverage, 365 East High Rise, 6325 Security Boulevard, Baltimore, MD 21207, Telephone: (301) 594-8261.

SUPPLEMENTARY INFORMATION: This notice announces an administrative hearing to reconsider our decision to disapprove portions of two Michigan State Plan Amendments.

Section 1116 of the Social Security Act and 45 CFR Parts 201 and 213 establish Department procedures that provide an administrative hearing for reconsideration of a disapproval of a State plan or plan amendment. HCFA is required to publish a copy of the notice to a State Medicaid Agency that informs the agency of the time and place of the hearing and the issues to be considered. (If we subsequently notify the agency of additional issues which will be considered at the hearing, we will also publish that notice.)

Any individual or group that wants to participate in the hearing as a party must petition the Hearing Officer within 15 days after publication of this notice, in accordance with the requirements contained in 45 CFR 213.15(b)(2). Any interested person or organization that wants to participate an amicus curiae must petition the Hearing Officer before the hearing begins in accordance with the requirements contained in 45 CFR 213.15(c)(1).

If the hearing is later rescheduled, the Hearing Officer will notify all participants.

The issue in this matter is whether the portions of Michigan's proposals that provide for a number of financial (income or resource) methodologies to be applied under the Michigan Medicaid program, including provisions which would provide for medically needy income levels for one and two persons which exceed 133⅓ percent of the State's Aide of Families With Dependent Children payment level for one and two persons respectively, violate sections 1902(a)(10)(C), 1902(a)(4) and 1902(a)(19) of the Social Security Act.

Section 1902(a)(10)(C) of the Social Security Act requires States to apply the same finanical methodologies as are applied in the counterpart cash assistance program (SSI or AFDC) in determining eligibility for Medicaid in their medically needy programs. Under SPAs 85-7 and 85-24 (Supplement 5 to Attachment 2.6-A) Michigan proposes to apply deeming of income and resource methodologies which differ from those methodologies in the related cash assistance programs. Thus HCFA has determined that the Supplement 5 amendment violates section 1902(a)(10)(C)(i) of the Act.

Section 1903(f)(1)(B) of the Act and implementing regulations at 42 CFR 435.1007 provide that Federal financial

participation (FFP) is not available in expenditures for medically needy individuals whose income (after deduction of incurred medical expenses) exceeds 133⅓ percent of the highest payment level of the State's AFDC program for a family of the same size without any income or resources. The proposed MNIL in Level II Zone for a family size of one person ($341) exceeds the 133⅓ percent FFP limitation ($333.33) for one person. The proposed MNIL in Level VI Zone 1 for a family size of two persons ($516) exceeds the 133⅓ percent FFP limitation ($508.33) for two persons.

Although the 133⅓ percent limit under section 1903(f)(1)(B) of the Act is not strictly speaking a State plan requirement, the statute is clear that FFP is not available for medical assistance to persons whose income exceeds that limit. Thus, by setting an MNIL for a family of one person at a higher than 133⅓ percent of the AFDC payment level for family of one, Michigan could provide medical assistance to individuals with income in excess of the FFP limitation. Therefore, HCFA has determine approval of the proposed SPA 85–7 would not be consistent with the "proper and efficient operations of the plan" and would thus violate section 1902(a)(4) of the Act. Further, HCFA has determined such approval would not be "consistent with simplicity of administration" as required under section 1902(a)(19) of the Act.

According to the State of Michigan the deeming of income and resources in the State plan is protected by the moratorium provision (section 2373(c) of the Deficit Reduction Act of 1984 (DEFRA)). The "moratorium" protects income and resouce methodologies applied under the medically needy programs that are less restrictive than the counterpart policy under the applicable cash assistance program if the policy in question was a part of the approved State plan when the moratorium became effective. The current approved plan (pages 23–26 of Attachment 2.6–A) provides that the State uses income and resource methodologies that differ from the cash assistance programs. However, the specific deeming policies described in Supplement 5 that differ were not included in the current approved plan when the moratorium became effective, as required.

The notice to Michigan announcing an administrative hearing to reconsider our disapproval of its State plan amendment reads as follows:

Agnes M. Mansour, Ph.D.,

Director, Michigan Department of Social Services, 300 S. Capitol Avenue, P.O. Box 30037, Lansing, MI 48909.

Dear Dr. Mansour: This is to advise you that your request for reconsideration of the decision to disapprove Michigan State Plan Amendments 85–7 and 85–24 was received on February 24, 1986. Portions of Michigan State Plan Amendments 85–7 and 85–24 would provide for a number of financial (income and resource) methodologies to be applied under the Michigan Medicaid program.

You have requested reconsideration of whether these plan amendments conform to the requirements for approval under title XIX of the Social Security Act. The issues to be considered are whether Michigan's proposals, including provisions which would provide for medically needy income levels for one and two persons which exceed 133⅓ percent of the State's Aid to Families With Dependent Children payment level for one and two persons respectively, violate section 1902(a)(10)(C), 1902(a)(4) and 1902(a)(19) of the Social Security Act.

I am scheduling a hearing on your request to be held on April 30, 1986 at 10 a.m., in the 8th Floor Conference Room, 175 West Jackson Boulevard, Chicago, Illinois. If this date is not acceptable, we would be glad to set another date that is mutually agreeable to the parties.

I am designating Mr. Albert Miller as the presiding official. If these arrangements present any problems, please contact the Docket Clerk. In order to facilitate any communication that may be necessary between the parties to the hearing, please notify the Docket Clerk of the names of the individuals who will represent the State at the hearing. The Docket Clerk can be reached at (301) 594–8261.

Sincerely yours,

Henry R. Desmarais, M.D.,

Acting Administrator.

(Sec. 1116 of the Social Security Act (42 U.S.C. 1316))

(Catalog of Federal Domestic Assistance Program No. 13.714, Medicaid Assistance Program)

Dated: March 25, 1986.

Henry R. Desmarais,

Acting Administrator, Health Care Financing Administration.

[FR Doc. 86–8241 Filed 4–11–86; 8:45 am]

BILLING CODE 4120–01–M

Health Resources and Services Administration

Application Announcement for Grants for Geriatric Education Centers

The Bureau of Health Professions, Health Resources and Services Administration, announces the acceptance of applications for Fiscal Year 1986 Grants for Geriatric Education Centers under the authority of section 788(d) of the Public Health Service Act, as amended by Pub. L. 99–129.

Grants may be awarded to support the improvement and development of areawide organizational arrangements called Geriatric Education Centers focused on strengthening and coordinating multidisciplinary training in geriatric health care involving several health professions. These centers are established to facilitate training of medical, dental, optometric, pharmacy, podiatric, nursing, and appropriate allied health and public health faculty, students, and practitioners in the diagnosis, treatment, and prevention of diseases and other health problems of the aged. To receive support, applicants must meet the requirements of 42 CFR Part 57, Subpart NN.

Functioning within a self-defined geographic area, which may be a metropolitan area, a State or portion thereof, or an area including all or parts of two or more States, a Geriatric Education Center provides the health professions educational community within the area with multidisciplinary services which:

(a) Improve the training of health professionals in geriatrics;

(b) Develop and disseminate curricula relating to the treatment of the health problems of elderly individuals;

(c) Expand and strengthen instruction in methods of such treatment;

(d) Support the training and retraining of faculty to provide such instruction;

(e) Support continuing education of health professionals and allied health professionals who provide such treatment; and

(f) Establish new affiliations with nursing homes, chronic and acute disease hospitals, ambulatory care centers, and senior centers in order to provide students with clinical training in geriatric medicine.

The Administration's budget request for Fiscal Year 1986 does not include funding for this program. However, should funds become available unexpectedly for this purpose, this contingency action will assure that grants can be awarded in a timely fashion consistent with the needs of the programs as well as to provide for even distribution of funds throughout the fiscal year. This notice regarding applications does not reflect any change in this policy.

To be eligible for a Geriatric Education Center grant, the applicant must meet the requirements of a health professions school as defined by section 701(4), program for the training of physicians assistants as defined in section 701(8), or a school of allied health as defined in section 701(10).

Requests for application materials and questions regarding grants policy should be directed to: Grants Management Officer (D–31), Bureau of Health Professions, Health Resources and Services Administration, 5600 Fishers Lane, Room 8C–22, Rockville, MD 20857, Telephone: (301) 443–6880.

Additional programmatic information may be obtained from: Geriatric Program Representative, Bureau of Health Professions, DADHP, Health Resources and Services Administration, 5600 Fishers Lane, Room 8–101, Rockville, MD 20857, Telephone: (301) 443–6887.

The application deadline date is May 31, 1986. Applications shall be considered as meeting the deadline if they are either:

1. *Received* on or before the deadline date, or

2. *Postmarked* on or before the deadline and received in time for submission to the independent review group. A legibly dated receipt from a commerical carrier or the U.S. Postal Service will be accepted in lieu of a postmark. Private metered postmarks shall not be acceptable as proof of timely mailing.

After a peer review group composed principally of non-Federal experts makes recommendations concerning each application, the Secretary will consult with the National Advisory Council on Health Professions Education with respect to such applications. The following factors listed in 42 CFR 57.3905 will be considered, among other factors, in the review of applications:

(1) The degree to which the proposed project adequately provides for the project requirements described in 42 CFR 57.3904;

(2) The adequacy of the qualifications and experience of the staff and faculty;

(3) The administrative and managerial ability of the applicant to carry out the proposal in a cost-effective manner; and

(4) The potential of the project to continue on a self-sustaining basis.

This program is listed at 13.969 in the *Catalog of Federal Domestic Assistance*. It is not subject to the provisions of Executive Order 12372, Intergovernmental Review of Federal Programs, or 42 CFR Part 100.

Dated: April 9, 1986.

John H. Kelso,

Acting Administrator.

[FR Doc. 86–8250 Filed 4–11–86; 8:45 am]

BILLING CODE 4160–15–M

Task Force on Organ Transplantation; Change of Meeting Place

In **Federal Register** Document 86–7081 appearing at page 11111 in the issue for Tuesday, April 1, 1986, the April 28 meeting place of the "Task Force on Organ Transplantation has been changed to the Hyatt Regency Crystal City, 2799 Jefferson Davis Highway, Arlington, Virginia 22202. The meeting will start at 8:30 a.m. All other information is correct as appears.

Dated: April 8, 1986.

Jackie E. Baum,

Advisory Committee Management Officer, HRSA.

[FR Doc. 86–8211 Filed 4–11–86; 8:45 am]

BILLING CODE 4160–15–M

National Institutes of Health

Fogarty International Center Advisory Board; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Fogarty International Center (FIC) Advisory Board, May 20 and 21, 1986, in the Stone House (Building 16), at the National Institutes of Health.

The meeting will be open to the public on May 20 from 8:30 a.m. to 4:30 p.m., and on May 21 from 8:30 a.m. to 12 noon; and from 3 p.m. to 4 p.m. On May 20, the agenda will include an Overview Report by Dr. Craig K. Wallace, Director of the FIC; a review of FIC's International Studies Program by the Program Director, Dr. Kenneth Bridbord; reports from Advanced Studies and Resources Working Groups; a presentation on Biological Sciences in Latin America by Fogarty Scholar-in-Residence, Dr. Jorge Allende, Professor of Biochemistry, University of Chile; and a discussion of Science, Technology, and Foreign Affairs by Dr. Robert Morris, Deputy Assistant Secretary for Science and Technology Affairs, Department of State. On May 21 there will be presentations of the International Impact of the AIDS Epidemic by Dr. Thomas Quinn, Senior Investigator, Laboratory of Immunoregulation, National Institute of Allergy and Infectious Diseases, NIH; on Developing International Activities in the National Institute on Aging, NIH, by Dr. T. Franklin Williams, Director, National Institute on Aging (an ex officio member of the FIC Advisory Board); and on the scientific programs of the Gorgas Memorial Laboratory in Panama.

Attendance by the public will be limited to space available.

In accordance with the provisions of sections 552b(c)(4) and 552b(c)(6) of Title 5, U.S. Code, the meeting will be closed to the public on May 20, 1986, at 4:30 p.m. for the review, discussion, and evaluation of individual research fellowship applications. These applications contain information of a proprietary nature, including detailed research protocols, designs, and other technical information; and personal information about individuals associated with the applications.

In accordance with the provisions of section 552b(c)(9)(B) of Title 5, U.S. Code, the meeting will be closed to the public on Wednesday, May 21, 1986, from 1 p.m. to 3 p.m., for discussion and preparation of the Board's report to the Director, NIH, for inclusion in the NIH biennial report to the Congress. The premature disclosure of such information would significantly frustrate implementation of proposed agency actions.

Myra Halem, Committee Management Officer, Fogarty International Center, Building 38A, Room 607, and 301–496–1491, will provide a summary of the meeting and a roster of the committee members.

Dr. Coralie Farlee, Assistant Director for Planning and Evaluation, Fogarty International Center (Executive Secretary) Building 38A, Room 607, telephone 301–496–1491, will provide substantive program information.

Dated: April 3, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86–8228 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

Board of Scientific Counselors, Division of Cancer Biology and Diagnosis, National Cancer Institute; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, DCBD, National Cancer Institute, June 18, 1986, at the National Institutes of Health, Building 31, Conference Room 11A–10, Bethesda, Maryland 20892. This meeting will be open to the public on June 18, from 9:00 a.m. to 11:00 a.m. for concept review of proposed DCBD research projects. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on June 18, from 11:00 a.m. to adjournment, for the review, discussion, and evaluation of individual programs and projects conducted by DCBD, National Cancer Institute, including

consideration of personnel qualifications and performance, the competence of individual investigators, medical files of individual research subjects, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Winifred Lumsden, Committee Management Officer, National Cancer Institute, Building 31, Room 10A6, National Institutes of Health, Bethesda, Maryland 20205 (301/496–5708) will provide summaries of the meeting and rosters of committee members, upon request.

Dr. Ihor J. Masnyk, Deputy Director, Division of Cancer Biology and Diagnosis, National Cancer Institute, Building 31, Room 3A–04, National Institutes of Health, Bethesda, Maryland 20205 (301/496–4345) will furnish substantive program information.

Dated: April 7, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86–8231 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute of Allergy and Infectious Diseases, on June 2, 3, and 4. The meeting will be held in the Solarium, 11th Floor, Building 10, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20892.

The meeting will be open to the public on June 2 from 8:15 a.m. until 2:00 p.m. During this open session, the permanent staff of the Laboratory of Clinical Investigation will present and discuss their immediate past and present research activities.

In accordance with the provisions set forth in section 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting of the Board will be closed to the public on June 2 from 2:00 p.m. until recess, on June 3 from 8:30 a.m. until recess and on June 4 from 8:30 a.m. until adjourment for the review, discussion, and evaluation of individual intramural programs and projects conducted by the National Institute of Allergy and Infectious Diseases, including consideration of personal qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms Lynn Trible, Office of Research Reporting and Public Response, National Institute of Allergy and Infectious Diseases, Building 31, Room 7A–32, National Institute of Health, Bethesda, Maryland 20892, telephone (301) 496–5717, will provide summaries of the meeting and rosters of the Board members.

Dr. John I. Gallin, Executive Secretary, Board of Scientific Counselors, NIAID, National Institutes of Health, Building 10, Room 11C103, telephone (301) 496–3006, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13–301, National Institutes of Health)

Dated: April 7, 1986.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 86–8232 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

Board of Scientific Counselors, National Institute of Environmental Health Sciences; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, NIEHS, May 22–23, in Building 18 Conference Room, North Campus, NIEHS, Research Triangle Park, North Carolina.

This meeting will be open to the public 9:00 a.m. to 12 noon on May 22, for the purpose of presenting an overview of the organization and conduct of research in the Laboratory of Molecular Biophysics. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552b(c)(6) of Title 5 U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on May 22 from approximately 1 p.m. to adjournment on May 23, for the evaluation of the programs of the Laboratory of Molecular Biophysics, including consideration of personnel qualifications and performance, the competence of individual investigators, and similar items, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Executive Secretary, Dr. Martin Rodbell, Scientific Director, NIEHS, Research Triangle Park, NC 27709, telephone (919) 541–3205, FTS 629–3205, will furnish summaries of the meeting, rosters of committee members and substantive program information.

Dated: April 7, 1985.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86–8233 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

National Advisory General Medical Sciences Council, National Institute of General Medical Sciences; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Advisory General Medical Sciences Council, National Institute of General Medical Sciences, National Institutes of Health, on May 14, 15, and 16, 1986, Building 31, Conference Room 10, Bethesda, Maryland.

This meeting will be open to the public on May 14, 1986, from 1:00 p.m. to 6:00 p.m. for opening remarks; report of the Director, NIGMS; a scientific presentation; and other business of the Council. Attendance by the public will be limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code, and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on May 15 from 8:30 a.m. to 6:00 p.m. and on May 16, 1986, from 8:30 a.m. until adjournment, for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Ann Aieffenbach, Public Information Officer, National Institute of General Medical Sciences, National Institutes of Health, Building 31, Room 4A52, Bethesda, Maryland 20892, Telephone: 301, 496–7301 will provide a summary of the meeting and a roster of council members. Dr. Ruth L. Kirschstein, Executive Secretary, NAGMS Council, National Institutes of Health, Westwood Builing, Room 926, Bethesda, Maryland 20892, Telephone: 301, 496–7891 will provide substantive program information upon request.

(Catalog of Federal Domestic Assistance Program Nos. 13–821, Biophysics and Physiological Sciences; 13–859, Pharmacological Sciences; 13–862, Genetics Research; 13–863, Cellular and Molecular Basis of Disease Research; and 13–880, Minority Access to Research Careers [MARC])

Dated: April 3, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86-8229 Filed 4-11-86; 8:45 am]

BILLING CODE 4140-01-M

National Institute of Neurological and Communicative Disorders and Stroke; Meetings

Pursuant to Pub. L. 92-463, notice is hereby given to the meetings of the committees of the National Institute of Neurological and Communicative Disorders and Stroke.

These meetings will be open to the public to discuss administrative details or other issues relating to committee business as indicated in the notice. Attendance by the public will be limited to space available.

These meetings will be closed to the public as indicated below in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Summaries of meetings, rosters of committee members, and other information pertaining to the meetings can be obtained from the Executive Secretary indicated.

Name of Committee: Communicative Disorders Review Committee.

Dates: June 5-6, 1986.

Place: Holiday Inn, Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland 20814.

Open: June 5, 8:00 a.m.-8:30 a.m.

Agenda: To discuss program planning, program accomplishments and special reports.

Closed: June 5, 8:30 a.m.-recess; June 6, 8:00 a.m.-adournment.

Closure Reason: To review grant applications.

Executive Secretary: Dr. Marilyn Semmes, Federal Building, Room 9C-14, National Institutes of Health, Bethesda, Maryland 20892, Telephone: 301/496-9223.

Name of Committee: Neurological Disorders Program Project Review A Committee.

Dates: June 12-14, 1986.

Place: Holiday Inn, Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland 20814.

Open: June 12, 8:00 p.m.-8:30 p.m.

Agenda: To discuss program planning, program accomplishments and special reports.

Closed: June 12, 8:30 p.m.-recess; June 13, 8:30 a.m.-recess; June 14, 8:00 a.m.-adjournment.

Closure Reason: To review grant applications.

Executive Secretary: Dr. Herbert Yellin, Federal Building, Room 9C-14, National Institutes of Health, Bethesda, Maryland 20205, Telephone: 301/496-9223.

Name of Committee: Neurological Disorders Program Project Review B Committee.

Dates: June 12-14, 1986.

Place: Holiday Inn, Bethesda, 8120 Wisconsin Avenue, Bethesda, Maryland 20814.

Open: June 12, 8:30 a.m.-9:00 a.m.

Agenda: To discuss program planning, program accomplishments and special reports.

Closed: June 12, 9:00 a.m.-recess; June 13, 8:30 a.m.-recess; June 14, 8:00 a.m.-adjournment.

Closure Reason: To review grant applications.

Executive Secretary: Dr. Dr. Arthur Beau White, Federal Building, Room 9C-14, National Institutes of Health, Bethesda, Maryland 20892, Telephone: 301/496-9223.

(Catalog of Federal Domestic Assistance Program No. 13.853, Clinical Basis Research; No. 13.854, Biological Basis Research)

Dated: April 3, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86-8225 Filed 4-11-86; 8:45 am]

BILLING CODE 4140-01-M

National Institute of Neurological and Communicative Disorders and Stroke; Meetings

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Neurological and Communicative Disorders and Stroke Council and Its Planning Subcommittee on May 27-30, 1986.

The meetings will be open to the public to discuss administrative details or other issues relating to committee business as indicated in the notice. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the Advisory Council meeting will be closed to the public for the review, discussion and evaluation of individual grant applications on May 29 and 30. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

In accordance with the provisions set forth in section 552b(c)(9)(B), Title 5, U.S. Code, the above meeting will be closed to the public on May 27 and 28 for discussion and preparation of comments Council wishes to submit to the Director, NIH, for inclusion in the biennial report to the Congress. The premature disclosure of such information would significantly frustrate implementation of proposed agency action.

Place: National Institutes of Health, Building 31, Conference Room 8, 9000 Rockville Pike, Bethesda, Maryland 20892.

Open: May 28, 1:00 p.m.-3:00 p.m. (Subcommittee).

Place: National Institutes of Health, Building 31C, Conference Room 10, 9000 Rockville Pike, Bethesda, Maryland 20892.

Open: May 29, 9:00 p.m.-1:00 p.m. (Council). To discuss administration, management and special reports.

Place: Hyatt Regency Bethesda, One Bethesda Metro Center, Bethesda, Maryland 20814.

Closed: May 27, 7:00 p.m.-11:00 p.m. (Subcommittee); May 28, 8:00 a.m.-12:00 p.m. (Subcommittee).

Closure Reason: To prepare and discuss comments for the biennial report.

Place: NIH Federal Building 7550 Wisconsin Avenue, Conference Room 1015, Bethesda, Maryland 20892.

Closed: May 28, 6:00 p.m.-recess (Council).

Closure Reason: To discuss and prepare comments for the biennial report.

Place: National Institutes of Health, Building 31C, Conference Room 10, 9000 Rockville Pike, Bethesda, Maryland 20892.

Closed: May 28, 3:00 p.m.-5:00 p.m. (Subcommittee); May 29, 1:00 p.m.-recess (Council); May 30, 8:30 a.m.-adjournment (Council).

Closure Reason: For review of grant applications.

Dr. John C. Dalton, Executive Secretary, Federal Building, Room 1016, Bethesda, Maryland, 20892, telephone (301) 496-9248, will furnish substantive program information, summaries of the meeting and rosters of members.

(Catalog of Federal Domestic Assistance Program No. 13.853, Clinical Basis Research; No. 13.854, Biological Basis Research)

Dated: April 3, 1986.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 86-8226 Filed 4-11-86; 8:45 am]

BILLING CODE 4140-01-M

National Advisory Council on Aging; Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Council on Aging.

National Institute on Aging, (NIA), on May 22–23, 1986, in Building 31, Conference Room 6, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public on Thursday, May 22, from 10:30 a.m. until noon for a status report by the Director, National Institute on Aging; and a report on the NIA Intramural Research Program. It will be open to the public on Friday, May 23, from 9:00 a.m. until adjournment for a report on the Health Research Extensions Act of 1985 and Advisory Council Functions; a report on Intramural and Extramural Program Collaboration; the National Advisory Council on Aging Biennial Report, and the National Institute on Aging Biennial Report. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting of the Council will be closed to the public on May 22 from 1:00 p.m. to recess for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial propoperty such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Because this meeting is scheduled so far in advance, it is suggested that you contact Mrs. June McCann, Council Secretary for the National Institute on Aging, National Institutes of Health, Building 31, Room 2C05, Bethesda, Maryland, 20892, (301/496–5898), for specific information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

Dated: April 3, 1986.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 86–8227 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

Board of Scientific Counselors, National Institute on Aging; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute on Aging, May 14–16, 1986, to be held at the Gerontology Research Center, Baltimore, Maryland. The meeting will be open to the public from 8:30 a.m. on Wednesday, May 14 until approximately 4:00 p.m. and will again be open to the public from 8:30 a.m. on Thursday, May 15 until 4:00 p.m. Attendance by the public will be limited to space avaliable.

In accordance with the provisions set forth in section 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on May 14 from 4:00 p.m. until recess, and again on May 15 from 4:00 p.m. until adjournment on May 16 for the review, discussion, and evaluation of individual programs and projects conducted by the National Institutes of Health, NIA, including consideration of personnel qualifications and performance, and the compentence of individual investigators, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. June C. McCann, Committee Management Officer, NIA, Building 31, Room 2C05, National Institutes of Health, Bethesda, Maryland, 20892, (telephone: 301/496–5898) will provide a summary of the meeting and a roster of committee members. Dr. Richard C. Greulich, Scientific Director, NIA, Geronotology Research Center, Baltimore City Hospitals, Baltimore, Maryland, 21224, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No 13.866, Aging Research, National Institutes of Health)

Dated: April 7, 1986.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 86–8234 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

Division of Research Grants; Meetings

Pursuant to Pub. L. 92–463, notice is hereby given of the meetings of the following study sections for May 1986, and the individuals from whom summaries of meetings and rosters of committee members may be obtained.

These meetings will be open to the public to discuss administrative details relating to study section business for approximately one hour at the beginning of the first session of the first day of the meeting. Attendance by the public will be limited to space available. These meetings will be closed thereafter in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Grants Inquiries Office, Division of Research Grants, Wetwood Building, National Institutes of Health, Bethesda, Maryland 20892, telephone 301–496–7441 will furnish summaries of the meetings and rosters of committee members. Substantive program information may be obtained from each executive secretary whose name, room number, and telephone number are listed below each study section. Since it is necessary to schedule study section meetings months in advance, it is suggested that anyone planning to attend a meeting contact the executive secretary to confirm the exact date, time and location. All times are A.M. unless otherwise specified.

Study section	May, 1986 meetings	Time	Location
Behavioral and Neurosciences-1, Ms. Janet Cuca, Rm. A13, Tel. 301–496–5352	May 22–23	8:00	Room 8, Bldg. 31C, Bethesda, MD.
Behavioral and Neurosciences-2, Ms. Janet Cuca, Rm. A13, Tel. 301–496–5352	May 16	8:30	Room 9, Bldg. 31C, Bethesda, MD.
Behavioral and Neurosciences-3, Dr. Melvin H. Gottlieb, Rm. A27, Tel. 301–496–7286	May 20	8:30	Room 2, Bldg. 31A, Bethesda, MD.
Biomedical Sciences-1, Dr. Daniel Eskinazi, Rm. A10, Tel. 301–496–1067	May 22–23	9:00	Room 7, Bldg. 31C, Bethesda, MD.
Biomedical Sciences-2, Dr. Daniel Eskinazi, Rm. A10, Tel. 301–496–1067	May 12–13	8:30	Crowne Plaza, Rockville, MD.
Biomedical Sciences-3, Dr. Charles Baker, Rm. A10, Tel. 301–496–7150	do	8:30	Holiday Inn, Bethesda, MD.
Biomedical Sciences-4, Dr. Charles Baker, Rm. A10, Tel. 301–496–7150	May 22–23	8:30	Do.
Biomedical Sciences-5, Dr. W. Elbert Wilson, Rm. A25, Tel. 301–496–7800	May 15–16	8:30	Room 8, Bldg. 31C, Bethesda, MD.
Biomedical Sciences-6, Dr. Zain-Ul-Abedin, Rm. A10, Tel. 301–496–3117	May 21–23	8:30	Georgetown Hotel, Washington, DC.
Clinical Sciences-1, Dr. Lynwood Jones, Jr., Rm. A19, Tel. 301–496–7510	May 14–16	8:30	Holiday Inn, Bethesda, MD.
Clinical Sciences-2, Dr. Bernice Lipkin, Rm. A19, Tel. 301–496–7477	May 5–6	8:00	Room 9, Bldg. 31C, Bethesda, MD.
Clinical Sciences-3, Dr. Lynwood Jones, Jr., Rm. A19, Tel. 301–496–7510	May 1–2	8:30	Holiday Inn, Bethesda, MD.
Clinical Sciences-4, Dr. Bernice Lipkin, Rm. A19, Tel. 301–496–7477	May 1–2	8:00	Room 9, Bldg. 31C, Bethesda, MD.

(Catalog of Federal Domestic Assistance Program Nos. 13.306, 13.333, 13.337, 13.393–13.396, 13.837–13.844, 13.846–13.878, 13.892, 13.893, National Institues of Health, HHS)

Dated: April 3, 1986.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 86–8230 Filed 4–11–86; 8:45 am]

BILLING CODE 4140–01–M

Social Security Administration

Research Grants; Announcement of the Availability of Grant Funds

Summary: The Acting Commissioner of Social Security announces that competing applications will be accepted for new research grants authorized under section 702 of the Social Security Act. This announcement describes the nature of the grant activities and gives notice of the anticipated availability of fiscal year (FY) 1986 funds in support of the proposed activities.

The closing date for the receipt of grant applications in response to this announcement is June 13, 1986.

Program Purpose

This research is intended to add to existing knowledge and to improve methods and techniques for the management, administration, and effectiveness of Social Security Administration (SSA) programs.

Program Goals and Objectives

In general, SSA will fund the following types of projects:

1. Those which analyze the 1982 New Beneficiary Survey (NBS).
2. Those which examine the determinants of divorce.
3. Those which examine retirement behavior, specifically, the role of private pensions and the demand for older workers.

Priority Research Areas

In particular, the following projects will be considered for funding:

Analysis of the 1982 NBS—SSA–86–001

This project is intended to encourage research with the 1982 NBS. The topics cited below are illustrative of the kinds of analysis of interest which applicants are encouraged to address.

The NBS is a nationally representative cross-sectional household survey using samples randomly selected from SSA's Master Beneficiary Record. The NBS interviewed persons from October through December 1982 and linked their responses to administrative data on benefit status. The NBS contains representative samples of new Social Security beneficiaries as retired workers, disabled workers, wives, widows, divorced wives, and surviving divorced wives. The NBS also contains a representative sampling of persons aged 65 and over who are entitled to Medicare benefits but who have not yet received Social Security cash benefits.

The survey questionnaire designed by SSA includes the following topics:

1. Household composition:
2. Employment history of jobs from 1951 to 1982;
3. Job characteristics, including pension status of current job (if employed), the last job (if not currently employed or the current job is relatively short), and the longest job (if different from the current or last job);
4. Other employment not covered by Social Security;
5. Health;
6. Topics 2 through 5 above for the respondents' spouses (if married);
7. Sources and amounts of income received in the last 3 months (asked separately for unmarried respondents and for married respondents and their spouses);
8. Asset holdings and income from assets (asked jointly for married respondents and their spouses);
9. Marital history; and
10. Child care.

Initial findings from the 1982 NBS were published in the Social Security *Bulletin* in 1985. For a description of the NBS, see "The New Beneficiary Survey: and Introduction," Social Security *Bulletin*, November 1983, pp. 3–11.

Most research on the retirement decision has focused on the behavior of individual workers and particularly on that of male workers. Little is known about the effect of one sponse's decision to retire on the retirement decision of the other, although anecdotal evidence suggests that couples often coordinate the timing of retirement. Understanding of the interaction of spouses' retirement decisions may be an important missing element in models developed to date that attempt to explain retirement decisions. Understanding of this interaction also would enhance projections of the effects of policies designed to encourage continued work by older persons because the decision by one spouse to continue or to quit working could delay or accelerate the other spouse's retirement decision.

Analysis to date of the NBS provides one clue to coordinated retirement decisions: 19 percent of the retired-working women cited family reasons as the reason for leaving their last job. However, many additional questions remain. To what extent do husbands and wives stop working within the same time period, say within a year of each other? Are husbands and wives more likely to continue working to a given age, say 65, if the other spouse is still working? Does the early retirement of one spouse precipitate the early retirement of the other? The NBS includes a wealth of information that could help explain the presence or absence of coordinated timing of retirement, including: Age of both spouses, prior work experience, health status of both spouses, financial resources (including assets), pension eligibility and receipt, and characteristics of last and current (if any) job of both spouses.

Also of interest are the characteristics of women who become eligible for Social Security benefits as retired workers, as distinct from those who qualify only as wives of insured workers. In addition to number of years worked by both spouses, distinguishing characteristics might include child-rearing and child-care histories, relation of one spouse's average earnings level to that of the other spouse, characteristics of the wife's longest and last jobs, educational levels of both spouses, and other demographic characteristics.

Proposal should identify the expected methods of analysis, and the possible variables to be considered as well as their logic for inclusion. Interested applicants will receive an informational packet (along with the grant application) describing the NBS in detail.

It is anticipated that $100,000 will be allocated to fund up to 2 projects not to exceed 12 months in duration.

Criteria for Review and Evaluation of Applications

Competing applications will be reviewed and evaluated against the following criteria:

1. Do the qualifications of the project personnel indicate they are capable of competently performing their assigned task? (Of particular importance is experience in processing large survey data sets with complex sampling design and complex questionnaire skip patterns. Also important is basic knowledge of the Social Security benefit structure, which served as the basis for selecting the survey universe.) Is the project's organization (i.e., who will be responsible for what portions of the project) and the lines of authority within the organization appropriate for the proposed research? (20 points)

2. Does the applicant's organization have adequate facilities and resources to plan, conduct, and complete the project? (20 points)

3. Is the design of the project adequate and feasible for the proposed research as indicated by the appropriateness of the work statement and the technical approach to the area of inquiry, which include clarity of goals, use of scientifically valid methods and data, and the scheduling of tasks and milestones? (30 points)

4. Is the budget detailed with justifications and explanations for the requested amounts? Are the costs reasonable and adequately described? Is the procedure planned in a cost-effective manner? (10 points)

5. How closely do the project objectives fit those of the announcement? Are plans for scheduling times for completing various phases of the project appropriate? (20 points)

The Determinants of Divorce—SSA–86–002

The purpose of this research effort is to develop a better understanding of the determining factors and disaggregated trends underlying recent changes in divorce rates. Of particular interest is research yielding estimates that will improve the divorce component of predictive demographic simulations of the United States population. There is a special need for estimates which can be used in dynamic microsimulation models, like Dynasim or SSA's Microsim, which simulates divorces at the level of individual couples while simultaneously constraining aggregate divorce rates.

The major area of this research effort is the simulation of annual probabilities of divorce for individual couples, using regression-equation predictions. Many of the current microsimulation models use the regression coefficients from the 1977 work of Andrew Cherlin (see Cherlin, "The Effects of Children on Marital Dissolution," *Demography*, August 1977). This regression could be updated and improved. The original regression was done on data from around 1970; an analysis of more recent data would improve short-term simulations. Also of importance is a tailoring of the regression to its use in simulation work. This requires: (a) Expanding the study population to all or almost all of the married population (the Cherlin work focused on women aged 30 to 44), and (b) trying to match the set of explanatory variables as closely as possible to the set of variables usually available in long-run simulations (these include age, sex, education, earnings, martial history and number and ages of children; but do not include attitudinal responses and tend not to include such variables as welfare payments and the urban/rural distinction). Special care will need to be given to estimating, if possible, and confounded effects of age, age at marriage, and duration of marriage and the effect of duration should not be specified as a simple linear effect, as least not in the early years of marriage. Such an analysis need not be by ordinary least squares regression, but in the evaluation more sophisticated techniques will not be considered necessarily better. Some justification should be given for the technique chosen, or plans should be made for comparing the results from different techniques.

A second area for research is the problem of constraining simulation aggregate divorce rates to some specified scenario. As a rule, the regression-predicted divorce rates must be altered in the simulation, either because the regression data is out of date or because it is desired to force simulated divorce rates to follow a patch other than the one that the unconstrained regression would give. The simplest way to do this is to alter the regression rates uniformly by adding or multiplying by some fixed factor. However, examination of disaggregated divorce-rate data indicates that such uniform adjustments might not be appropriate. Disaggregating by duration of marriage, for example, indicates that the divorce rates of short-duration marriages, which dominate the aggregate divorce rates, can move in the opposite direction from rates in long-duration marriages. The 1979 peak in divorce rates, for example, has been followed by a fall in the divorce rate for marriages of 5 years or less, but the rates in long marriages seem to have continued to rise. The high 1979 rates for early marriages appear to have been a fluctuation above a slower-moving trend. If the simplest scenario for future divorce rates is followed—that of continuing rates at recent levels—is there a statistical technique for isolating and eliminating exteme fluctuations which are not likely to last long? If, on the other hand, it is desired to project rates substantially higher or lower than recent rates, is there some method, based on historical data for disaggregated divorce rates, for altering the disaggregated rates other than by a uniform adjustment? Duration of marriage is not the only variable by which divorce rates can be disaggregated; others include age of the marital partners and number of marriages. A major hurdle in any such analysis is identifying data that allow disaggregation over time. (The current method of constraining divorces in Microsim is by cohort and duration; a scenario fixes the proportion of each marriage cohort that will be divorced after 35 years, and a fixed divorced-by-duration distribution is used to spread that proportion over the 35 years.)

A third area involves the question of changing marriage and remarriage rates under different divorce scenarios. Many microsimulation models treat remarriage probabilities independently of divorce probabilities. The remarriage rates reflect the fact that divorced persons are much more likely to remarry than widowed persons, but the remarriage rates among divorced persons are fixed in the simulation. As divorce has become more common, how much have remarriage rates changed? Is the effect of changing divorce rates on remarriage rates high enough that scenarios with different projected divorce rates should also have different remarriage rates, and if so, what is the relationship?

It is anticipated that $100,000 will be allocated to fund two projects for up to 12 months in duration.

Criteria for Review and Evaluation of Applications

Competing applications will be reviewed and evaluated against the following criteria:

1. How closely do the project objectives fit those of the announcement? What is the intrinsic merit of the research? (20 points)

2. Do the qualifications of the project personnel indicate that they are capable of competently performing their assigned tasks? Is the project's organization, (i.e., who will be responsible for what portions of the project) and the lines of authority within the organization, appropriate for the proposed research? Does the applicant's organization have adequate facilities and resources to plan, conduct, and complete the project? (40 points)

3. Is the design of the project adequate and feasible for the proposed research as indicated by the appropriateness of the work statement and the technical approach to the areas of inquiry which includes clarity of goals, use of scientifically valid methods and data, and the scheduling of tasks and milestones? (30 points)

4. Is the budget detailed with justifications and explanation of the requested amounts? Are the costs reasonable and adequately described? Is the project planned in a cost-effective manner? (10 points)

Retirement Behavior—SSA–86–003

The Social Security Amendments of 1983 raised the retirement age from 65 to 67 with the change fully effective in 2027. Changes in the Social Security

program induce behavioral responses—changes in saving behavior, in work and retirement patterns, and other aspects of individual behavior. The research focus is on two topics:

(1) *The role of private pensions.* The effect of extending the retirement age on the behavior and well-being of retiring workers will depend, to some extent, on what happens to private (including public sector) pensions. There is a need to examine the expected response of employee pension plans to: (a) The projected demographic changes which were a basis for the decision to raise the Social Security retirement age; and (b) the changes in the Social Security retirement system. There are at least two issues involved: first, how will private pension coverage and receipt of pension income change and how will such changes vary by industry and occupation? Second, will private plans be changed in response to the 1983 amendments, and if so, how? Will private pension retirement ages be delayed to correspond to the proposed Social Security retirement age, or will private pension benefits be increased to fill the gap left by reduced Social Security benefits? More generally, what is the interrelationship between the private pension system and the Social Security system?

Grant proposals should focus on the basic determinants of pension coverage and structure (retirement age, benefit levels, integration with Social Security, inflation adjustments, etc.) both from the employer and employee viewpoints. The future response of public and private pension systems to changes in the retirement age should be examined in the context of rigorously developed models of behavior.

(2) *Demand for older workers.* The effect of extending the retirement age on the behavior and well being of older workers will also depend on whether older workers will be able to find employment. Almost all studies of retirement have been based on a model of worker choice that assumes older workers who retire are able to find jobs at the prevailing wage. There is a need to examine the demand for older workers. Among the questions to be addressed are: If the Social Security retirement age is increased, will firms continue to employ older workers or hire new older workers, either on a full-time or partial employment basis? What will be the effect on the job search and employment of older workers who become unemployed before reaching the eligible age for Social Security and/or private pension benefits? Can older workers be re-employed in occupations involving new technology? Initiatives designed to enhance and utilize the productivity of older workers, including those with declining capacities, are of interest. What will be the effect of the higher retirement age on the employment of older workers who are in physically demanding occupations or whose health has diminished? Can/will such older workers be employed in less strenuous jobs at the end of their work career? How will the future demand for older workers be affected by the changing demographic patterns, i.e., as the working age population ages and declines relative to the total adult population? Will labor market institutions adjust to changing demographic conditions by providing more jobs, full-time and part-time, for older workers? Will other labor market changes, e.g., job training for older workers, take place?

Grant proposals should examine the demand for older workers within the framework of well-developed models of behavior. Particular consideration should be given to explaining the employment of older workers who are in physically demandng occupations or whose health has diminished. All research should consider the demand for older workers in the context of projected changing demographic patterns.

Multi-year projects will be accepted. It is anticipated that a total of $150,000 will be allocated to fund up to 4 projects for an initial 12-month period. Additional 12-month grants may be awarded for continuation of the activities based on acceptable performance, availability of FY funds, and continuing relevance of the research effort.

Criteria for Review and Evaluation of Applications

Competing applications will be reviewed and evaluated against the following criteria:

1. How closely do the project objectives fit those of the announcement? What is the intrinsic merit of the research? (20 points)

2. Do the qualifications of the project personnel indicate that they are capable of competently performing their assigned tasks? Is the project's organization, (i.e., who will be responsible for what portions of the project) and the lines of authority within the organization, appropriate for the proposed research? Does the applicant's organization have adquate facilities and resources to plan, conduct, and complete the project? (40 points)

3. Is the design of the project adequate and feasible for the proposed research as indicated by the appropriateness of the work statement and the technical approach to the area of inquiry, which includes clarity of goals, use of scientifically valid methods and data, and the scheduling of tasks and milestone? (30 points)

4. Is the budget detailed with justifications and explanations of the requested amounts? Are the costs reasonable and adequately described? Is the project planned in a cost-effective manner? (10 points)

Availability and Duration of Funding

These grant projects will be funded under the authority of section 702 of the Social Security Act. SSA anticipates allocating $100,000 to fund 2 projects in priority area SSA–86–001 (NBS Analysis) and a total of $100,000 to fund 2 projects in priority area SSA–86–002 (Determinants of Divorce). Grants will be awarded for a period not exceed 1 year in duration.

For projects in priority area SSA–86–003 (Retirement Behavior), SSA anticipates allocating $150,000 to fund up to 4 projects. Multi-year projects will be considered for funding in this priority area only.

Non-Priority Area Projects

Applicants may also submit proposals for funding in areas not specifically identified in this announcement but which are relevant to the goals and objectives of title II of the Social Security Act relating to the Federal Old-Age and Survivors Insurance Benefit program. These applications will be designated as non-priority due to funding limitations but also will be subject to the panel review process. A limited number of projects may be approved pending available funds and will compete with other non-priority projects.

Non-priority area projects will be reviewed against the following cirteria:

1. Do the qualifications of the project personnel indicate they are capable of competently performing their assigned tasks? Is the project's organization (i.e., who will be responsible for what portions of the project) and the lines of authority within the organization appropriate for the proposed research? (20 points)

2. Does the applicant's organization have adequate facilities and resources to plan, conduct, and complete the project? (20 points)

3. Is the design of the project adequate and feasible for the proposed research as indicated by the appropriateness of the work statement and the technical approach to the area of inquiry, which include clarity of goals, use of

scientifically valid methods and data, and the scheduling of tasks and milestone? (30 points)

4. Is the budget detailed with justifications and explanations for the requested amounts? Are the costs reasonable and adequately described? Is the procedure planned in a cost-effective manner? (10 points)

5. How closely do the project objectives fit SSA program goals and objectives? Are plans for scheduling times for completing various phases of the project appropriate? (20 points)

The Application Process

1. *Availability of application forms.* Application kits which contain the prescribed application forms are available from SSA; Office of Management, Budget and Personnel; Office of Acquisition and Grants; Grants Management Branch; Dogwood West Building; First Floor; 1848 Gwynn Oak Avenue; Baltimore, Maryland 21207, telephone (301) 594–0284, Lawrence H. Pullen Chief, Grants Management Branch. When requesting an application kit, the applicant should specify section 702 of the Social Security Act and refer to the date of this announcement to insure receipt of the proper application.

2. *Additional information.* For additional information concerning project development, please contact Mrs. Towanda R. McIver, SSA; Office of Policy; Office of Research, Statistics and International Policy; Room 534; Altmeyer Building; 6401 Security Boulevard; Baltimore, Maryland 21235, telephone (301) 597–2927.

3. *Application submission.* In order to be considered for these section 702 grants, all applications must be submitted on the standard forms provided by the Grants Management Branch. The application shall be executed by an individual authorized to act for an applicant organization and to assume for the applicant organization the obligations imposed by the terms and conditions of the grant award. As part of the project title (page 1 of the application form SSA–96, item 7) the application organization must clearly indicate that the application submitted is in response to this announcement and must reference the unique project identifier (i.e., SSA–86–001, etc.). If the application is not submitted in response to a priority area project, indicate "non-priority."

4. *Grantee share of the project costs.* Grant recipients receiving assistance to conduct these projects are expected to contribute towards the project costs. Generally, 5 percent of the total costs is considered acceptable. No grant will be awarded that covers 100 percent of the project's costs.

5. *Application consideration.* Applications are initially screened for their relevance to this announcement. If judged irrelevant, the applications are returned to the applicants. Relevant applications are reviewed and evaluated by a review panel of not less than three persons. A written assessment of each application is made.

Eligible Applicants

Any State or local government or public or private organization or agency (including an educational institution) may apply. For profit organizations may apply with the understanding that no grant funds may be paid as profit to any grant recipient. Profit is considered as any amount in excess of the allowable indirect and direct costs of the grant recipient.

Application Approval

Following the approval of the applications selected for funding, grant awards will be issued within the limits of Federal funds available. The grant awards will be issued in May 1986. The official award document is the Notice of Grant Award. It will provide the amount of funds awarded, the purpose of the award, the budget period for which support is given, the total project period for which support is contemplated, and the total grantee participation.

Closing Dates

The closing date for receipt of applications in response to this announcement will be June 13, 1986.

Applications may be mailed or personally delivered to: SSA; Office of Management, Budget and Personnel; Office of Acquisition and Grants; Grants Management Branch; Dogwood West Building; First Floor; 1848 Gwynn Oak Avenue; Baltimore, Maryland 21207.

Applications must be received by the Grants Management Branch, on or before the above closing date to be considered. Personally delivered applications are accepted during normal working hours of 8:30 a.m. to 5:00 p.m., Monday thrugh Friday, on or prior to the established closing date. An application will be considered to be received on time if mailed through the United States Postal Service or sent by commercial carrier on or before the closing date as evidenced by a legible United States Postal Service postmark or a legibly dated receipt from a commercial carrier. Private metered postmarks will not be considered acceptable as proof of timely mailing. Applications submitted by any other means other than through the United States Postal Service or commercial carrier shall be considered as acceptable only if physically received at the above address before the close of business on or before the deadline date. Applications which are not received on time will not be considered for funding.

Paperwork Reduction Act

This notice contains reporting requirements in "The Application Process" section. However, the information is collected using form SSA–96, *Federal Assistance,* and it has OMB clearance No. 0960–0184.

Executive Order 12372—Intergovernmental Review of Federal Programs

These grant activities are not covered by the requirements of Executive Order 12372 relating to the Federal policy for consulting with State and local elected officials on proposed Federal financial assistance.

(Catalog of Federal Domestic Assistance Program No. 13.812—Assistance Payment Research)

Dated: April 4, 1986.

Martha A. McSteen,

Acting Commissioner of Social Security.

[FR Doc. 86–8213 Filed 4–11–86; 8:45 am]

BILLING CODE 4190–11–M

Research Grant on Medical Treatment—Remediability: Announcement of the Availability of Grant Funds

Summary: The Acting Commissioner of Social Security announces that applications will be accepted for a research grant which is authorized under section 702 of the Social Security Act as amended. This announcement describes the nature of the grant activity and grant applicant requirements, and gives notice of the anticipated availability of grant funds for fiscal year (FY) 1986 in support of the proposed activity.

Program Purpose

This research effort is intended to add to existing knowledge and to improve methods and techniques for the management, administration, and effectiveness of Social Security Administration (SSA) programs, specifically the disability insurance benefit program.

Program Goals

The requirements of the Social Security disability insurance benefit program administered by SSA include consideration of the remediability of a person's medical condition under prescribed medical treatment. The

research under this grant is expected to identify specific impairments and their recognized treatments where such appropriate therapy and resulting favorable prognosis are so well known and accepted by the medical community that they may be expected to restore or improve a person's functional ability. The practical test of this concept is whether or not someone now considered disabled would be able to work if the appropriate treatment were prescribed and followed.

Priority Research Area

The main purpose of this grant is to establish criteria by which it can be judged that a chronic disabling impairment is likely to remit with appropriate medical treatment to the extent that return to work is warranted on the basis of medical evaluation. This grant thereby encourages research in two main areas: (1) Medical definition of the term "readily available and effective medical treatment," and (2) rigorous identification of impairments that meet the definition.

The term "readily available and effective medical treatment" is subject to several interpretations. A definition developed by the applicant synthesizing the definitions already extant in the relevant professional literature would aid those agencies and programs that serve the disabled. Development of the definitions should rest upon investigation of the following topics: (1) How to establish that a medical treatment is readily available; (2) How to determine that a medical treatment has wide clinical acceptance and use within the medical community; and (3) How to establish that the side effects associated with the different types of medical treatment affect patient compliance with the treatment. A comprehensive discussion and evaluation of pertinent research on these issues and related matters would allow for a synthesis of professional perspectives. The result should be an appropriate conceptual paradigm that, when applied, can identify those chronic disabling conditions which may be considered remedial (in a sense of allowing for return to work) by appropriate medical treatment.

Research in the area of identification should take the form of determining which medical treatments for disabling conditions meet the definition(s) produced by the grant applicant. This investigation should bring clinical and experimental or survey findings to bear on the issues of the treatment's availability, clinical acceptance, and acceptable level of side effects. In effect, a full justification is to be made as to why each selected condition meets the definition. In order to make the treatment identification phase comprehensive, the Social Security Listing of Impairments (20 CFR Part 404 Appendix I, Parts A and B) should be used as a source of disabling impairments. As an aid in codifying the grantee's findings, the identified specific chronic impairments shall be reported by body system in accordance with the mode of presentation in the Listing of Impairments.

Availability and Duration of Funding

SSA anticipates awarding one grant not to exceed $250,000. The grant award will provide funding support for up to 12 months in duration.

The Application Process

1. *Availability of application form.* Application kits which contain the prescribed application forms are available from the Social Security Administration, OMBP, Office of Acquisition and Grants, Division of Contract and Grant Operations, Grants Management Branch, Dogwood West Building, First Floor, 1848 Gwynn Oak Avenue, Baltimore, Maryland 21207. Telephone (301) 594–0284, Lawrence H. Pullen, Chief, Grants Management Branch.

When requesting an application kit, the applicant should refer to the date of this announcement to insure receipt of the proper application.

2. *Additional information.* For questions concerning project development, please contact Evan Schechter, Social Security Administration, Office of Disability, Division of Disability Studies, Room 2223, Annex Building, 6401 Security Boulevard, Baltimore, Maryland 21235. Telephone (301) 594–0623.

3. *Grant application submission.* In order to be considered for funding, the grant application must be submitted on the standard forms provided by the Grants Management Branch. The application shall be executed by an individual authorized to act for an applicant agency and to assume for the agency the obligations imposed by the terms and conditions of the grant award.

As part of the project title (page 1 of the application form SSA–96 BK, item 7) the applicant must clearly indicate the application submitted as in response to this announcement and must include the date of the publication..

4. *Grantee share of the project costs.* The grant recipient receiving assistance to conduct this project is expected to contribute toward the total project costs. Generally, 5 percent of the total costs is considered acceptable. No grant will be awarded that covers 100 percent of the project's costs.

5. *Application consideration.* Applications are initially screened for their relevance to this announcement. If judged irrelevant, the applications are returned to the applicants. Relevant applications are reviewed and evaluated by a review panel of not less than three persons. A written assessment of each new application is made.

Eligible Applicants

Any State or local government, for profit organization, and public or other organization or agency (including an educational institution) may apply. Individuals are not eligible to apply. No grant funds may be paid as profit to any grant recipient. Profit is considered any amount in excess of the allowable costs incurred by the grant recipient.

Application Approval

Following the selection of an application for funding, SSA plans to issue the grant award in September 1986. The official award doucment is the Notice of Grant Award. It will provide the amount of funds awarded, the purpose of the award, the budget period for which support is given, and the total grantee participation.

Criteria for Review and Evaluation of Application

Applications will be reviewed and evaluated against the following criteria:

1. How closely do the project objectives fit those of the announcement? Is the schedule of tasks for completing the various phases of the project appropriate? (20 points)

2. Is the design of the project adequate and feasible for the proposed research as indicated by the appropriateness of the work statement and the technical approach to the area of inquiry, which includes clarity of goals, completeness of specification of approach to be used, use of valid and definitive research findings, and the scheduling of tasks and milestones? (40 points)

3. Do the qualifications of the project personnel indicate they are capable of competently performing their assigned tasks? Is the project's organization, (i.e., who will be responsible for what portions of the project and the lines of authority within the organization) appropriate for the proposed research? (15 points)

4. Does the applicant's organization have adequate facilities and resources to plan, conduct, and complete the project? (15 points)

5. Is the budget detailed with justifications and explanations for the requested amounts? Are the costs reasonable and adequately described? Is the procedure planned in an effective manner (in a cost-benefit sense)? (10 points)

Closing Dates

The closing date of receipt of applications in response to this announcement will be June 13, 1986.

Applications may be mailed or personally delivered to: Social Security Administration, OMBP, Office of Acquisition and Grants, Division of Contract and Grant Operations, Grants Management Branch, Dogwood West Building, First Floor, 1848 Gwynn Oak Avenue, Baltimore, Maryland 21207

Hand delivered applications are accepted during normal working hours of 8:30 a.m. to 5:00 p.m., Monday through Friday, on or prior to the established closing dates.

An application will be considered to be received on time if sent on or before the closing date as evidenced by a legible U.S. Postal Service postmark or a legibly dated receipt from a commercial carrier. Private metered postmarks will not be considered acceptable as proof of timely mailing. Applications submitted by any means other than through the U.S. Postal Service or commercial carrier shall be considered as acceptable only if physically received at the above address before close of business on the deadline date.

Paperwork Reductions Act—This notice contains reporting requirements in "The Application Process'" section. However, the Information is collected using form SSA-96, *Federal Assistance*, and it has OMB clearance No. 0960-0184

Executive Order 12372—Intergovernmental Review of Federal Programs—These grant activities are not covered by the requirement of Executive Order 12372 relating to the Federal policy for consulting with State and local elected officials in proposed Federal financial assistance.

(Catalog of Federal Domestic Assistance Program No. 13.812—Assistance Payment Research)

Dated: April 9, 1986.

Martha A. McSteen,

Acting Commissioner of Social Security.

[FR Doc. 86-8212 Filed 4-11-86; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

National Public Lands Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Meeting of the National Public Lands Advisory Council.

SUMMARY: Notice is hereby given that the National Public Lands Advisory Council will meet May 15 and 16, 1986, at the Tower West Lodge, 109 North U.S. Highway 14-16, Gillette, Wyoming. The meeting hours will be 8:00 a.m. to 5:00 p.m., on Thursday, the 15th, and 8:00 a.m. to 2:30 p.m. on Friday, the 16th. On Wednesday, May 14, Council members will participate in a field tour of BLM-managed lands in western Wyoming. The proposed agenda for the meeting is:

Thursday, May 15: Morning: The State view of public land management in Wyoming; Revisions to the Federal Coal Leasing Program; Federal Onshore Oil and Gas Leasing Initiatives; Areas of Critical Environmental Concern (ACECs)—Designation and Management; Report on previous Council resolutions.

Afternoon: President's Commission on Americans Outdoors; Public Statement Period; Meeting of Council subcommittee (Energy and Minerals, Lands, and Renewable Resources).

Friday, May 16: Morning: Discussion of agenda for future Council meetings; Final meetings of Council subcommitees; Report from subcommittees to full Council and consideration of Council resolutions.

Afternoon: Continued discussion and action on Council resolutions.

All meetings of the Council will be open to the public. Opportunity will be given for members of the public to make oral statements to Council, beginning at 1:30 p.m. on Thursday, May 15. Speakers should address specific national public lands issues on the meeting agenda and are encouraged to submit a copy of their written testimony prior to oral delivery. Please send written comments by May 8 to the Bureau of Land Management's Wyoming State Office at the address listed below. Depending on the number of people who wish to address the Council, it may be necessary to limit the length of oral presentations.

DATES: May 15 and 16—Council Meeting. May 15—Public Statements.

ADDRESS: Copies of public statements should be mailed by May 8 to: Director, Wyoming State Office (912), Bureau of Land Management, P.O. Box 1828, Cheyenne, Wyoming 82003.

FOR FURTHER INFORMATION CONTACT: Karen Slater, Washington, D.C. Office, BLM, telephone (202) 343-2054; or Jay Guerin, Public Affairs Chief, Wyoming State Office, BLM, telephone (307) 772-2111.

SUPPLEMENTARY INFORMATION: The Council advises the Secretary of the Interior through the Director, Bureau of Land Management, regarding policies and programs of a national scope related to public lands and resources under the jurisdiction of BLM.

April 7, 1986.

Robert F. Burford,

Director.

[FR Doc. 86-8244 Filed 4-11-86; 8:45 am]

BILLING CODE 4310-84-M

California; Proposed Reinstatement of Terminated Oil and Gas Lease

Under the provisions of Pub. L. 97-451, a petition for reinstatement of oil and gas lease CA 6453 for lands in Monterey County, California, was timely filed and was accompanied by all required rentals and royalties accruing from December 1, 1985, the date of termination.

No valid lease has been issued affecting the lands. The Lessee has agreed to new lease terms for rentals and royalties at rates of $5.00 per acre and 16⅔%, respectively. Payment of a $500.00 administrative fee has been made.

Having met all the requirements for reinstatement of the lease as set out in section 31 (d) and (e) of the Mineral Leasing Act of 1920 (39 USC 188), the Bureau of Land Management is proposing to reinstate the lease effective December 1, 1985, subject to the original terms and conditions of the lease and the increased rental and royalty rates cited above, and the reimbursement for cost of publication of this notice.

Dated: April 3, 1986

Joan B. Russell,

Chief, Leasable Minerals Section, Branch of Lands & Minerals Operations.

[FR Doc. 86-8204 Filed 4-11-86; 8:45 am]

BILLING CODE 4310-40-M

Action To Prepare for Sale Timber Under the Provisions of House Joint Resolution 465

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Action to Prepare for Sale Timber Under the Provisions of House Joint Resolution 465.

SUMMARY: Notice is hereby given of the action that will be taken by the

Secretary of the Interior to meet the requirements of House Joint Resolution 465.

EFFECTIVE DATE: April 14, 1986.

ADDRESS: Any questions or comments should be sent to:

Director (230), Bureau of Land Management, 1800 C Street, NW., Room 5626, Main Interior Bldg., Washington, DC 20240

or

Oregon State Director, 825 Northeast Multnomah Street, P.O. Box 2965, Portland, Oregon 97208.

FOR FURTHER INFORMATION CONTACT:

Chuck Frost, (202) 653–8864

or

Dave Estola, (503) 231–6837.

SUPPLEMENTARY INFORMATION: House Joint Resolution 465 (Pub. L. 99–190) directs the Secretary of the Interior to sell timber returned to the United States under the Federal Timber Contract Payment Modification Act (Pub. L. 98–478) to the extent necessary to achieve sale of the full annual allowable cut for Fiscal Years 1985 and 1986 in the Medford Oregon District of the Bureau of Land Management.

To implement the requirements of House Joint Resolution 465, the Medford District shall offer for sale in this Fiscal Year 213 million board feet of new timber and all timber not sold in Fiscal Year 1985. Pursuant to the Congressional mandate to achieve the sale of the full allowable cut for Fiscal Years 1985/1986 as directed by House Joint Resolution 465, if any of these sales are enjoined, stayed or otherwise delayed by reason of judicial review or administrative appeal, the Secretary of the Interior will offer as a substitute sale a nearly equal volume of timber in the Medford District from that returned to the United States under the Federal Timber Contract Payment Modification Act. House Joint Resolution 465 provides that any decision by the Secretary to sell the returned timber shall not be subject to judicial review.

This notice advises the public that the Bureau of Land Management has defined fifty-one sales of timber returned to the United States under the Federal Timber Contract Modification Act for possible offering in the event planned timber sales are enjoined or otherwise delayed. The Bureau also has assigned each proposed substitute sale a rating of either minimal, moderate or serious potential environmental impact. The assigned ratings are based on the original enviornmental assessments. Specifically, the proposed substitute sales and environmental ratings are as follows:

Sale name	Environmental impact rating
1. Stratton Ridge	Minimal.
2. Snow Rerun	Do.
3. 14 Strings	Do.
4. Susan Creek	Do.
5. Windy Dutchman	Do.
6. Hewitt Creek	Do.
7. North Fork Butte Creek	Do.
8. Jackass Thinning	Do.
9. Rum Creek	Do.
10. Cow Overlook	Do.
11. Dear Dear	Do.
12. Rattlesnake	Do.
13. Cleveland Combo	Do.
14. Slippery Chicken	Do.
15. Anakturak	Do.
16. Archer McNabb	Do.
17. Little LoCal	Do.
18. J-Root	Do.
19. Logan Cut	Do.
20. Hot Loft	Do.
21. Willow Creek	Moderate.
22. Toad Ditch	Do.
23. Esmond Mountain	Do.
24. Dead Indian Creek	Do.
25. Wilcox Peak	Do.
26. Southside Two	Do.
27. Saltlick	Do.
28. Murphy Gulch	Do.
29. Malone Creek	Do.
30. Pennington Water	Do.
31. Headwaters	Do.
32. Pop Rock	Do.
33. 19 Reasons	Do.
34. Wildcat	Do.
35. Long Gulch	Do.
36. Spike II	Do.
37. Rockhead II	Do.
38. Woodford Creek	Do.
39. Missouri Mason	Do.
40. Eastman Gulch	Do.
41. Peters Pride	Do.
42. Bull Run	Do.
43. Cold Springs	Do.
44. Lucky Seven	Do.
45. West McGinnis	Do.
46. West Panther Salv.	Do.
47. Mules Nose	Do.
48. Mules End	Do.
49. Starveout	Do.
50. Flying W	Do.
51. Skull Creek	Do.

These proposed substitute sales, their ratings and environmental studies are available in the Medford Oregon District Office of the Bureau of Land Management. The public is invited to review the proposed substitute sales, ratings and the environmental studies and make any comments for a period of 30 days from the date of this notice.

In deciding what proposed substitute sales to offer, the Secretary of the Interior shall consider any public comments and recommendations from the Bureau of Land Management. The Secretary then shall list in numerical order those sales that will be substituted, with the priority of sale being based on the assigned environmental risk. Concurrently with this decision, the Secretary will direct the Bureau of Land Management to offer the sales for substitution in the order denominated as other planned sales are enjoined, stayed or otherwise delayed by administrative appeal or judicial review.

The Secretary of the Interior may direct the Bureau of Land Management to modify specific sales before they are offered. Any sale subject to modification will, nontheless, be offered in the order stated by the Secretary. If any substituted sale has been modified according to Secretarial direction, when it is offered, the advertisement will note that modifications have been made.

The decision of the Secretary of the Interior announcing what sales will be substituted, the order in which they are to be sold and the Bureau of Land Management's ministerial compliance with the Secretarial direction, shall be the final decision of the Department of the Interior.

Dated: April 9, 1986.

James E. Cason,

Deputy Assistant Secretary of the Interior.

[FR Doc. 86–8220 Filed 4–11–86; 8:45 am]

BILLING CODE 4310–84–M

INTERSTATE COMMERCE COMMISSION

Motor Carriers: Agricultural Cooperative; Notice to the Commission of Intent to Perform Interstate Transportation for Certain Nonmembers

Dated: April 9, 1986.

The following Notices were filed in accordance with section 10526(a)(5) of the Interstate Commerce Act. These rules provide that agricultural cooperatives intending to perform nonmember, non-exempt, interstate transportation must file the Notice, Form BOP 102, with the Commission within 30 days of its annual meetings each year. Any subsequent change concerning officers, directors, and location of transportation records shall require the filing of a supplemental Notice within 30 days of such change.

The name and address of the agricultural cooperative (1) and (2), the location of the records (3), and the name and address of the person to whom inquiries and correspondence should be addressed (4), are published here for interested persons. Submission of information which could have bearing upon the propriety of a filing should be directed to the Commission's Office of Compliance and Consumer Assistance, Washington, DC 20423. The Notices are in a central file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, DC.

(A)(1) and (2) San Joaquin Shipper's Transport, Inc., P.O. Box 104, Cashion, AZ 85329;

(3) Calle Allen E., 244 De Nogales, Sonora, Mexico;
(4) Cosme Cristan, Sr., P.O. 104, Cashion, AZ 85329.
(B)(1) and (2) Harvest States Cooperatives, P.O. Box 64594, St. Paul, MN 55164;
(3) 1667 N. Snelling Ave., St. Paul, MN 55108;
(4) R.J. Eichman, P.O. Box 64594, St. Paul, MN 55164.
(C)(1) and (2) Mid-America Farm Lines, Inc., 420 North Nettelton, Springfield, MO 65802;
(3) 420 North Nettleton, Springfield, MO 65802;
(4) Gary Hanman, 800 West Tampa, Springfield, MO 65805.
(D)(1) and (2) Flav-O-Rich, Inc., 10140 Linn Station Road, Louisville, KY 40223;
(3) 2537 Catherine St., Bristol, VA 24201 and other locations;
(4) Beverly Williams, 10140 Linn Station Road, Louisville, KY 40223.
(E)(1) and (2) Dairylea Cooperative Inc., 831 James Street, Syracuse, NY 13203;
(3) P.O. Box 395, Tannery Lane, Vernon, NY 13476;
(4) Frank Reile, P.O. Box 395, Tannery Lane, Vernon, NY 13476.

James H. Bayne,

Secretary.

[FR Doc. 86-8237 Filed 4-11-86; 8:45 am]

BILLING CODE 7035-01-M

[Revised I.C.C. Order No. P.-88]

Central Vermont Railway, Inc; Passenger Train Operation

It appearing, that the National Railroad Passenger Corporation (Amtrak) has established through passenger train service between Washington, DC and Montreal, Canada. The operation of these trains requires the use of the tracks and other facilities of Boston and Maine Corporation (BM). The BM Line is temporarily out of service because of a labor dispute. An alternate route is available via the Central Vermont Railway, Inc., between Palmer, Massachusetts and White River Junction, Vermont.

It is the opinion of the Commission that the use of such alternate route is necessary in the interest of the public and the commerce of the people; that notice and public procedure herein are impracticable and contrary to the public interest; and that good cause exists for making this order effective upon less than thirty days' notice.

It is ordered, (a) Pursuant to the authority vested in me by order of the Commission decided January 13, 1986, and of the authority vested in the Commission by section 402(c) of the Rail Passenger Service Act of 1970 (45 U.S.C. 562(c)), Central Vermont Railway, Inc. (CV), is directed to operate trains of the National Railroad Passenger Corporation (Amtrak) between Palmer, Massachusetts and White River Junction, Vermont.

(b) In executing the provisions of this order, the common carriers involved shall proceed even though no agreements or arrangements now exist between them with reference to the compensation terms and conditions applicable to said transportation. The compensation terms and conditions shall be, during the time this order remains in force, those which are voluntarily agreed upon by and between said carriers; or upon failure of the carriers to so agree, the compensation terms and conditions shall be as hereafter fixed by the Commission upon petition of any or all of the said carriers in accordance with pertinent authority conferred upon it by the Interstate Commerce Act and by the Rail Passenger Service Act of 1970, as amended.

(c) *Application.* The provisions of this order shall apply to intrastate, interstate and foreign commerce.

(d) *Effective date.*[1] This order shall become effective at 11:59 p.m., March 21, 1986.

(e) *Expiration date.*[1] The provisions of this order shall expire at 11:59 p.m., March 28, 1986, unless otherwise modified, amended, or vacated by order of this Commission.

This order shall be served upon Central Vermont Railway, Inc., and upon the National Railroad Passenger Corporation (Amtrak), and a copy of this order shall be filed with the Director, Office of the **Federal Register.**

Issued at Washington, DC, March 21, 1986.

Interstate Commerce Commission.

Bernard Gaillard,

Agent.

[FR Doc. 86-8236 Filed 4-11-86; 8:45 am]

BILLING CODE 7035-01-M

[Docket Nos. AB-33 (Sub-38X) and AB-35 (Sub-10X)]

Union Pacific Railroad Co.; Discontinuance of Operations Exemption in Orange County, CA and Los Angeles and Salt Lake Railroad Co.; Abandonment Exemption in Orange County, CA

The Union Pacific Railroad Company (UP) and the Los Angeles & Salt Lake Railroad Company (LASL) have filed a notice of exemption under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to discontinue operations over and abandon a line of railroad owned by LASL and operated by UP extending from milepost 19.98 to the end of the line at milepost 20.34 at Anaheim, a distance of approximately 0.36 mile, in Orange County, CA.

Applicant has certified (1) that no local traffic has moved over the line for at least 2 years and that overhead traffic is not moved over the line, and (2) that no formal complaint filed by a user of rail service on the line (or by a State or local governmental entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or any U.S. District Court, or has been decided in favor of the complainant within the 2-year period. The appropriate State agency has been notified in writing at least 10 days prior to the filing of this notice.

As a condition to use of this exemption, any employee affected by the abandonment or discontinuance of operations will be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). The exemption will be effective May 14, 1986, (unless stayed pending reconsideration). Petitions to stay must be filed by April 24, 1986, and petitions for reconsideration, including environmental, energy, and public use concerns, must be filed by May 5, 1986, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: Joseph D. Anthofer, 1416 Dodge St., Omaha, NE 68179.

If the notice of exemption contains false or misleading information, use of the exemption is void *ab inito.*

A notice to the parties will be issued if use of the exemption is conditioned upon environmental or public use condition.

Decided: April 3, 1986.

By the Commission, Jane F. Mackall, Director, Office of Proceedings.

James H. Bayne,

Secretary.

[FR Doc. 86-8235 Filed 4-11-86; 8:45 am]

BILLING CODE 7035-01-M

[1] Change of effective periods.

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Controlled Substances; Proposed Aggregate Production Quotas For Phencyclidine and 1-Piperidinocyclohexanecarbonitrile

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Notice of Proposed 1986 Aggregate Production Quotas.

SUMMARY: This notice proposes 1986 Aggregate Production Quotas for phencyclidine and 1-piperidinocyclohexanecarbonitrile, both Schedule II controlled substances.

DATE: Comments or objections must be received on or before May 14, 1986.

ADDRESS: Send comments or objections in quintuplicate to the Administrator, Drug Enforcement Administration, 1405 I Street, NW., Washington, DC 20537, Attn: DEA Federal Register Representative.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug Control Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 633–1366.

SUPPLEMENTARY INFORMATION: Section 306 of the Controlled Substances Act, (21 U.S. Code 826), requires that the Attorney General establish aggregate production quotas for all controlled substances listed in Schedules I and II. This responsibility has been delegated to the Administrator of the Drug Enforcement Administration by § 0.100 of Title 28 of the Code of Federal Regulations.

Recently, the Drug Enforcement Administration received manufacturing quota applications from Analytical Systems, a division of Marion Laboratories, Inc., to manufacture phencyclidine and 1-piperidinocyclohexanecarbonitrile, both Schedule II controlled substances. The phencyclidine will be used to produce a diagnostic product. The 1-piperidinocyclohexanecarbonitrile is to be manufactured for use as a precursor in the synthesis of phencyclidine.

The Administrator of the Drug Enforcement Administration, under the authority vested in the Attorney General by section 306 of the Controlled Substances Act of 1970 (21 U.S.C. 826) and delegated to the Administrator by Section 0.100 of Title 28 of the Code of Federal Regulations, hereby proposes 1986 aggregate production quotas for the following controlled substances, expressed in grams of anhydrous base.

Basic class	Proposed 1986 aggregate production quotas
Schedule II	
Phencyclidine	10
1-Piperidinocyclohexanecarbonitrile	35

All interested persons are invited to submit comments or objections in writing regarding this proposal. Comments and objections should be submitted in quintuplicate to the Administrator, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative, and must be received by May 14, 1986. If a person believes that one or more issues raised by him warrant a hearing, he should so state and summarize the reasons for his belief.

In the event that comments or objections to this proposal raise one or more issues which the Administrator finds warrant a hearing, the Administrator shall order a public hearing by a notice in the **Federal Register**, summarizing the issues to be heard and setting the time for the hearing.

Pursuant to section 3(c)(3) and 3(e)(2)(B) of Executive Order 12291, the Director of the Office of Management and Budget has been consulted with respect to these proceedings.

The Administrator hereby certifies that this matter will have no significant impact upon small entities within the meaning and intent of the Regulatory Flexibility Act, 5 U.S. Code 601, et seq. The establishment of annual aggregate production quotas for Schedules I and II controlled substances is mandated by law and by international commitments of the United States. Such quotas impact predominantly upon major manufacturers of the affected controlled substances.

Dated: April 4, 1986.

John C. Lawn,

Administrator, Drug Enforcement Administration.

[FR Doc. 86–8251 Filed 4–11–86; 8:45 am]

BILLING CODE 4410–09–M

Bureau of Prisons

Modification to List of Bureau of Prisons Institutions

AGENCY: Bureau of Prisons, Department of Justice.

ACTION: Notice.

SUMMARY: Attorney General Order No. 646–76 (41 FR 14805), as amended, classifies and lists the various Bureau of Prisons institutions. Attorney General Order No. 960–81, Reorganization Regulations, published in the **Federal Register** October 27, 1981 (at 46 FR 52339 et seq.) delegated to the Director, Bureau of Prisons, in 28 CFR 0.96(r), the authority to establish and designate Bureau of Prison institutions. In this present document, the Bureau is publishing a consolidated listing of its institutions. The only change to this list is redesignating (effective April 1, 1986) the Metropolitan Correctional Center, Tucson, Arizona, as the Federal Correctional Institution, Tucson, Arizona. The rationale for the change is that this institution confines primarily sentenced, rather than unsentenced prisoners.

FOR FURTHER INFORMATION CONTACT: Hank Jacob, Office of General Counsel, Bureau of Prisons, 320 First Street NW., Washington, DC 20534 (202–272–6874).

SUPPLEMENTARY INFORMATION: This notice is not a rule within the meaning of the Administrative Procedure Act, 5 U.S.C. 551(4), the Regulatory Flexibility Act, 5 U.S.C. 601(2), or Executive Order No. 12291, section 1(a).

By virtue of the authority vested in the Attorney General in 18 U.S.C. 4001, 4003, 4042, 4081, and 4082 and delegated to the Director, Bureau of Prisons by 28 CFR 0.96(r), it is hereby ordered as follows:

The following institutions are established and designated as places of confinement for the detention of persons held under authority of any Act of Congress, and for persons charged with or convicted of offenses against the United States or otherwise placed in the custody of the Attorney General of the United States.

A. The Bureau of Prisons institutions at the following locations are designated as U.S. Penitentiaries:

(1) Atlanta, Georgia;
(2) Leavenworth, Kansas;
(3) Lewisburg, Pennsylvania;
(4) Lompoc, California;
(5) Marion, Illinois; and
(6) Terre Haute, Indiana.

B. The Bureau of Prisons institutions at the following locations are designated as Federal Correctional Institutions:

(1) Alderson, West Virginia;
(2) Ashland, Kentucky;
(3) Bastrop, Texas;
(4) Butner, North Carolina;
(5) Danbury, Connecticut;
(6) El Reno, Oklahoma;
(7) Englewood, Colorado;
(8) Fort Worth, Texas;
(9) La Tuna, Texas;

(10) Lexington, Kentucky;
(11) Loretto, Pennsylvania;
(12) Memphis, Tennessee;
(13) Milan, Michigan;
(14) Morgantown, West Virginia;
(15) Otisville, New York;
(16) Oxford, Wisconsin;
(17) Petersburg, Virginia;
(18) Phoenix, Arizona;
(19) Pleasanton, California;
(20) Ray Brook, New York;
(21) Safford, Arizona;
(22) Sandstone, Minnesota;
(23) Seagoville, Texas;
(24) Talladega, Alabama;
(25) Tallahassee, Florida;
(26) Terminal Island, California;
(27) Texarkana, Texas; and
(28) Tucson, Arizona.

C. The Bureau of Prisons institutions at the following locations are designated as Federal Prison Camps:

(1) Allenwood, Pennsylvania;
(2) Big Spring, Texas;
(3) Boron, California;
(4) Duluth, Minnesota;
(5) Eglin Air Force Base, Florida; and
(6) Maxwell Air Force Base/Gunter Air Force Station, Montgomery, Alabama.

D. The Bureau of Prisons institutions at the following locations are designated as Metropolitan Correctional Centers:

(1) Chicago, Illinois;
(2) Miami, Florida;
(3) New York, New York; and
(4) San Diego, California.

E. The Bureau of Prisons institution at Springfield, Missouri is designated as the U.S. Medical Center for Federal Prisoners.

F. The Bureau of Prisons institution at Rochester, Minnesota is designated as the Federal Medical Center.

G. The Bureau of Prisons institution at Oakdale, Louisiana is designated as the Federal Detention Center.

Dated: March 28, 1986.

Norman A. Carlson,

Director, Bureau of Prisons.

[FR Doc. 86-8259 Filed 4-11-86; 8:45 am]

BILLING CODE 4410-05-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 86-27]

NASA Advisory Council; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council.

DATE AND TIME: April 29, 1986, 9 a.m. to 5:30 p.m., and April 30, 1986, 8:30 a.m. to 3 p.m.

ADDRESS: National Aeronautics and Space Administration, Federal Building 6, 400 Maryland Avenue, SW, Washington, DC 20546, Room 7002.

FOR FURTHER INFORMATION CONTACT: Mr. Nathaniel B. Cohen, Code LB, National Aeronautics and Space Administration, Washington, DC 20546 (202/453-8335).

SUPPLEMENTARY INFORMATION: The NASA Advisory Council was established as an interdisciplinary group to advise senior management on the full range of NASA's programs, policies, and plans. The Council is chaired by Mr. Daniel J. Fink and is composed of 25 members. Standing committees containing additional members report to the Council and provide advice in the substantive areas of aeronautics, life sciences, space applications, space and earth science, space systems and technology, and history, as they relate to NASA's activities.

This meeting will be closed to the public from 8:30 a.m. to 10 a.m. on April 30 for a discussion of the qualifications of candidates for membership. Such a discussion would invade the privacy of the candidates and other individuals involved. Since this session will be concerned with matters listed in 5 U.S.C. 552b(c)(6), it has been determined that the meeting be closed to the public for this period of time. The remainder of the meeting will be open to the public up to the seating capacity of the room, which is approximately 60 persons including Council members and other participants. Visitors will be requested to sign a visitor's register.

Type of Meeting: Open—except for a closed session as noted in the agenda below.

AGENDA

April 29, 1986

9 a.m.—Introductory Remarks.
9:05 a.m.—NASA Advisory Council Committee Reports.
10:30 a.m.—Goddard Space Flight Center Briefing on Future Technology.
1 p.m.—Briefing on Planetary Program Status.
2:30 p.m.—Langley Research Center Briefing on Future Technology.
4 p.m.—NASA Status Reports.
5:30 p.m.—Adjourn.

April 30, 1986

8:30 a.m.—Membership Discussion (Closed).
10 a.m.—Completion of NASA Advisory Council Committee Reports.
11 a.m.—New Business.
1 p.m.—Space Science Board Report, Solar and Space Physics.
2 p.m.—New Business.
3 p.m.—Adjourn.

Richard L. Daniels,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

April 7, 1986.

[FR Doc. 86-8203 Filed 4-11-86; 8:45 am]

BILLING CODE 7510-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-382]

In the Matter of Louisiana Power & Light Co., (Waterford Steam Electric Station Unit No. 3); Exemption

I

Louisiana Power & Light (LP&P) Company (the licensee) holds Facility Operating License No. NPF-38, which authorizes operation of the Waterford Steam Electric Station, Unit No. 3 (the facility) at core power levels not to exceed 3390 megawatts thermal. This license provides, among other things, that the facility is subject to all rules, regulations, and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

The facility is a presssurized water reactor located at the licensee's site in St. Charles Parish, Louisiana.

II

Appendix J of 10 CFR Part 50, sections III.D.2 and III.D.3 require that Type B and C tests shall be performed during each reactor shutdown for refueling but in no case at intervals greater than two years. Section II.G of 10 CFR Part 50, Appendix J, defines "Type B Tests" as tests intended to measure leakage rates for certain defined containment penetrations. Section II.H of 10 CFR Part 50, Appendix J, defines "Type C Tests" as tests intended to measure containment isolation valve leakage rates. These penetrations and valves help maintain containment integrity at design basis accident conditions.

III

By letter dated February 19, 1986, as supplemented by letter dated February 27, 1986, the licensee requested an exemption from the schedular requirements of 10 CFR Part 50, Appendix J, Sections III.D.2 and III.D.3. Specifically, 65 components are due for Type B and C testing beginning April 22, 1986. In order to test these 65 components, the plant must be in a cold shutdown condition. The licensee proposes to postpone leak testing of

these components until next scheduled refueling outage.

The previous Type B and C testing for Waterford 3 was completed April 22, 1984. Until receipt of the low-power operating license on December 18, 1984, the plant was in a cold shutdown condition. In the summer of 1985, prior to completion of the power ascension testing, Waterford 3 was in cold shutdown for approximately 2 months for turbine repairs.

The licensee has leak tested all valves consistent with personnel safety. However, there are 65 components which require the plant to be in a cold shutdown condition before testing can be accomplished. To require the plant to shutdown solely to leak test these components by April 22, 1986, would cause an unnecessary thermal transient on the plant and result in unnecessary exposure to workers.

Waterford 3 is a new plant with little service life on its Type B and C components. During the April 1984 leak rate tests, leakage paths were identified and necessary repairs were satisfactorily performed. The local leakage rate tests conducted in 1984 showed that the actual leakage was less than 10% of the allowable limit which indicates that the valves were in good condition. Based on these test results, the valves are predicted to remain within acceptable leakage limits throughout the time interval extension requested. Containment test requirements per Appendix J to 10 CFR Part 50 provide for preoperational tests and periodic verification by tests of the leak-tight integrity of the primary reactor containment and systems and components which penetrate containment. The purpose of the tests is to assure that (a) leakage through the primary reactor containment and systems and components penetrating primary containment shall not exceed allowable leakage rate values as specified in the technical specifications or associated bases and (b) periodic surveillance of reactor containment penetrations and isolation valves will be performed so that proper maintenance and repairs are made during the service life of the containment and systems and components penetrating primary containment. The regulations specify a maximum of a two-year interval between Type B and C tests to define a general periodicity to satisify the above objectives. Circumstances factored into the two-year interval include the assumption that a normal plant will be fully operational and hot for most of the time interval.

The licensee will meet the schedular requirement for all but a maximum of 65 components. However, for these 65 components, the short service life of the components and the local leakage rate tests conducted during April 1984, with the accompanying valve surveillance and maintenance as documented in the test, provide sufficient evidence to conclude that with the few months delay in testing, (a) leakage through the components will not exceed allowable values before the next test and (b) sufficient maintenance and repairs have been made over the service life of the components to insure their integrity until the next test. Thus, we concluded that the underlying purpose of the rule, i.e., to require local leakage rate testing at periodic intervals of certain types of containment penetrations and isolation valves to determine whether there has been degradation in the leakage characteristics of these components which might adversely affect containment integrity, will be satisfied even with the delay in testing.

Based on the above discussion, the licensee's proposed extension for the Type B and C testing of 65 components until startup after the first refueling outage (to begin in the first quarter of 1987), is acceptable. This is a one-time only schedular exemption from the requirements of 10 CFR Part 50, Appendix J, Section III.D.2 and III.D.3.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, this exemption is authorized by law, will not present an undue risk to the public health and safety, and is consistent with the common defense and security. The Commission further determines that special circumstances, as provided in 10 CFR 50.12(a)(2)(ii), are present justifying the exemption, namely that application of the regulation in this particular circumstance is not necessary to acheive the underlying purpose of the rule—to require local leak rate testing at periodic intervals of certain types of containment penetrations and isolation valves to determine whether there has been degradation in the leakage characteristics of these components which might adversely affect containment integrity. Specifically, as noted above, the short service life of the components, and the latest local leakage rate test results which showed actual leakage less than 10% of the allowable limit, leads the staff to conclude that requiring the plant to shutdown solely to test the remaining valves by April 22, 1986, is not necessary to assure the continuing maintenance of containment integrity. Accordingly, the Commission hereby grants an exemption as described in Section III above from Sections III.D.2. and. III.D.3. of Appendix J to 10 CFR Part 50 to the extent that the two-year interval for performing Type B and C tests on 65 components may be extended, on a one-time basis only, for Waterford 3 until the startup after the first refueling outage scheduled to begin in the first quarter of 1987.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this Exemption will have no significant impact on the environment (March 27, 1986, 51 FR 10590).

This Exemption is effective upon issuance.

For the Nuclear Regulatory Commission.

Dated at Bethesda, Maryland this 7th day of April, 1986.

Frank J. Miraglia,

Director, Division of PWR Licensing-B.

[FR Doc. 86-8268 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-390 and 50-391]

Tennessee Valley Authority, Watts Bar Nuclear Plant, Units 1 and 2; Environmental Assessment and Finding of No Significant Impact

The Nuclear Regulatory Commission (the Commission) is considering issuance of an extension to the latest construction completion date specified in Construction Permit Nos. CPPR-91 and CPPR-92 issued to Tennessee Valley Authority (Applicant) for the Watts Bar Nuclear Plant, Units 1 and 2. The facility is located at the applicant's site on the west branch of the Tennessee River approximately 50 miles northeast of Chattanooga, Tennessee.

Environmental Assessment

Identification of Proposed Action: The proposed action would extend the latest construction completion date of Construction Permit No. CPPR-91 to March 1987 and the latest construction completion date of Construction Permit No. CPPR-92 to September 1987. The proposed action is in response to the applicant's request dated November 19, 1984, as modified by letters dated September 3, 1985, and January 31, 1986.

The Need for the Proposed Action: The proposed action is needed because the construction of the facility is not yet fully completed. The applicant states that, although Unit 1 is essentially complete, major efforts to resolve staff concerns regarding environmental qualification of electrical equipment and welding to resolve TVA employee concerns are currently underway. These efforts are being conducted by TVA to respond to concerns raised by the staff during its operating license review and by TVA employees during an interview

program conducted by the applicant's contractor, Quality Technology Corporation (QTC).

Environmental Impacts of the Proposed Action: The environmental impacts associated with construction of the facility have been previously discussed and evaluated in TVA's Final Environmental Statement (FES) issued on November 9, 1972 for the construction permit stage which covered construction of both units.

Since the proposed action involves extending the construction permit, radiological impacts are not affected by this action. There are no radiological impacts associated with this action. The impacts that are involved are all non-radiological and are associated with continued construction.

Since the construction of Unit 1 is essentially 100% complete and Unit 2 is approximately 85% complete, most of the construction impacts discussed in the FES have already occurred.

The reinspection and rework that may be required will not have any significant environmental impact. This activity will all take place within the facility and will not result in impacts to previously undisturbed areas.

There are no new significant impacts associated with this extension. However, impacts previously assessed (community and traffic impacts) will continue in order to complete plant construction and rework.

Based on the foregoing, the NRC staff concludes that the proposed extension of the construction permit would have no significant environmental impact. Since this action would only extend the period of construction as described in the FES, it does not involve any different impacts or a significant change to those impacts described and analyzed in the original environmental impact statement.

Alternatives Considered: A possible alternative to the proposed action would be to deny the request. Under this alternative, the applicants would not be able to complete construction of the facility. This would result in denial of the benefit of power production. This option would not eliminate the environmental impacts of construction already incurred.

If construction were halted and not completed, site redress activities would restore some small areas to their natural state. This would be a slight environmental benefit, but much outweighed by the economic losses from denial of use of a facility that is nearly completed. Therefore, this alternative is rejected.

Alternative Use of Resources: This action does not involve the use of resources not previously considered in the FES for Watts Bar.

Agencies and Persons Contacted: The NRC staff reviewed the applicant's request and applicable documents referenced therein that support this extension. The NRC did not consult other agencies or persons.

Finding of No Significant Impact: The Commission has determined not to prepare an environmental impact statement for this action. Based upon the environmental assessment, we conclude that this action will not have a significant effect on the quality of the human environment.

For details with respect to this action, see the request for extension dated November 19, 1984, as modified by letters dated September 3, 1985 and January 31, 1986, which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC, and at the local public document room, Chattanooga-Hamilton County Bicentennial Library, 1001 Broad Street, Chattanooga, Tennessee 37402.

Dated at Bethesda, Maryland, this 8th day of April 1986.

For the Nuclear Regulatory Commission.

B.J. Youngblood,

Director, PWR Project Directorate No. 4, Division of PWR Licensing-A, NRR.

[FR Doc. 86-8267 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Severe (Class 9) Accidents; Meeting

The ACRS Subcommittee on Severe (Class 9) Accidents will hold a meeting on May 1, 1986, at the AMFAC Hotel, 2910 Yale Boulevard SE, Albuquerque, NM.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows: *Thursday, May 1, 1986—8:30 a.m. until the conclusion of business.*

The Subcommittee will review rebaselining studies for four or five reference plants; part of studies for NUREG-1150, Nuclear Power Plant Risks and Regulatory Applications.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant ACRS staff member, Mr. Dean Houston (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m. Persons plannng to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., which may have occurred.

Dated: April 9, 1986.

Morton W. Libarkin,

Assistant Executive Director for Project Review.

[FR Doc. 86-8261 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

Advisory Committee on Reactor Safeguards, Subcommittee on Thermal Hydraulic Phenomena; Meeting

The ACRS Subcommittee on Thermal Hydraulic Phenomena will hold a meeting on April 29 and 30, 1986, Room 1046, 1717 H Street, NW, Washington, DC.

To the extent practical the meeting will be open to public attendance. However, portions of the meeting may be closed to discuss proprietary information related to Westinghouse ECCS codes.

The agenda for the subject meeting shall be as follows:

Tuesday, April 29, 1986—8:30 a.m. until the conclusion of business

Wednesday, April 30, 1986—8:30 a.m. until the conclusion of business

The Subcommittee will: (1) Continue its review of the NRC's proposal to revise 10 CFR 50.46 and Appendix K, (2)

continue discussions on defining the thermal hydraulic safety issues of most importance that need to be addressed in the future, and (3) discuss the NRC Staff's review of the Westinghouse BASH ECCS Code.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the Committee. Recordings will be permitted only during those portions of the meeting when a transcript is being kept, and questions may be asked only by members of the Subcommittee, its consultants, and Staff. Persons desiring to make oral statements should notify the ACRS staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portion of the meeting, the Subcommittee, along with any of its consultants who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The Subcommittee will then hear presentations by and hold discussions with representatives of the NRC Staff, its consultants, and other interested persons regarding this review.

Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to the cognizant ACRS staff member, Mr. Paul Boehnert (telephone 202/634-3267) between 8:15 a.m. and 5:00 p.m. Persons plannng to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., which may have occurred.

Dated: April 9, 1986.

Morton W. Libarkin,

Assistant Executive Director for Project Review.

[FR Doc. 86-8262 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

Applications for Licenses to Export Nuclear Facilities or Materials

Pursuant to 10 CFR 110.70(b) "Public notice of receipt of an application", please take notice that the Nuclear Regulatory Commission has received the following applications for export licenses. Copies of the applications are on file in the Nuclear Regulatory Commission's Public Document Room located at 1717 H Street NW., Washington, DC.

A request for a hearing or petition for leave to intervene may be filed before May 14, 1986. Any request for hearing or petition for leave to intervene shall be served by the requestor or petitioner upon the applicant, the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, DC 20555, the Secretary, U.S. Nuclear Regulatory Commission, and the Executive Secretary, U.S. Department of State, Washington, DC 20520.

In its review of applications for licenses to export production or utilization facilities, special nuclear materials or source material, noticed herein, the Commission does not evaluate the health, safety or environmental effects in the recipient nation of the facility or material to be exported. The table below lists all new major applications.

Dated this 8th day of April 1986 at Bethesda, Maryland.

For The Nuclear Regulatory Commission.

Marvin R. Peterson,

Assistant Director, Export/Import and International Safeguards, Office of International Programs.

NRC EXPORT APPLICATIONS

Name of applicant, date of application, date received, application No.	Material type	Material in kilograms		End-use	Country of destination
		Total element	Total isotope		
Westinghouse Electric Corp., 10-29-85, 11-12-85, XR-148.	.....	.....	.....	One (1) primary coolant pump for Trino Vercellese Reactor.	Italy.
Combustion Engineering, 2-21-86, 2-24-86, XR-150.	.....	.....	.....	Two (2) Light Water Reactors Units KNU-11 and KNU-12, 950MWe (ea).	South Korea.

[FR Doc. 86-8269 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

Financial Protection Requirements and Indemnity Agreements; Indemnification of Spent Reactor Fuel Stored at a Reactor Site Different Than the One Where It Was Generated

AGENCY: Nuclear Regulatory Commission.

ACTION: Exercise of discretionary statutory authority.

SUMMARY: The Commission has decided to exercise its discretionary statutory authority under the Price-Anderson Act and again extend Government indemnity in two instances to spent reactor fuel stored at a particular reactor site different than the one where it was geneated. Absent this action by the Commission, this spent reactor fuel will not be covered by Government indemnity in the event of a nuclear incident at the site where this spent fuel was stored and where the reactors involved have the same licensee.

FOR FURTHER INFORMATION CONTACT: Mr. Ira Dinitz, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 492-9884.

SUPPLEMENTARY INFORMATION: Most operating reactor licensees have increased, or are planning to increase, the capacity of their onsite spent fuel storage pools. In some instances where the capacity of the storage pools at the reactor site cannot be increased sufficiently to meet the licensee's needs, fuel storage may be sought at another location. One method of storing spent fuel away from the reactor from which it is discharged is to store it in the spent fuel pool of another of the same licensee's reactors but at a different site.

The Commission has received requests from Duke Power Company and from Virginia Electric Power Company (VEPCO) to authorize and indemnify this type of activity. The Duke Power request is for Commission authorization permitting Duke and its co-licensees at the Catawba Nuclear Station to store spent fuel discharged from the Oconee Units 1, 2, and 3 reactors and the McGuire Units 1 and 2 reactors at the Catawba Unit 1 and Unit 2 reactors. Duke is seeking Price-Anderson indemnity protection for all such storage of spent fuel at the distant reactor location. VEPCO is requesting Commission authorization permitting it to store spent fuel discharged from its Surry Units 1 and 2 reactors at its North Anna Units 1 and 2 reactors. VEPCO is also seeking Price-Anderson indemnity

protection for all such storage of spent fuel at the distant reactor location. The Commission considered and approved similar requests by Carolina Power and Light Company in August 1977, Duke Power Company in November 1982, and Duke Power Company in July 1985 (See **Federal Register** Notices 42 FR 44615, 46 FR 55024 and 50 FR 30415).

Under the Price-Anderson Act (section 170 of the Atomic Energy Act of 1954, as amended (the Act), financial protection and government indemnity are *mandatory* for production and utilization facilities, such as reactors, licensed under section 103 and section 104 of the Act. This financial protection and indemnity covers the "licensed activity" which encompasses not only possession and operation of the reactor facility itself but also certain ancillary activities including (1) possession of the new fuel (containing special nuclear material) being stored on-site for use in the reactor and (2) on-site storage of spent fuel following irradiation at that reactor. Mandatory indemnification does not extend to the fuel when it is stored at another reactor site.

Possession of spent fuel away from the facility where it was generated, i.e., at a location where it is not used in connection with the operation of the facility, is not a part of the ancillary activity of possession and operation of the facility where the spent fuel is to be stored. As a result, after being transferred from the reactor site where it was generated to some other site, possession of such spent fuel must be licensed under other provisions of the Act which authorize licenses for possession and use of the special nuclear and byproduct material and would not be subject to the mandatory indemnity requirements of the Act providing that the Commission require financial protection of and indemnify reactor (and other production and utilization facility) licensees. Accordingly, no indemnity protection automatically would be afforded spent fuel stored away from the facility where it is produced or used. To indemnity this spent fuel, the Commission must require the licensee at whose facility the spent fuel will be stored to maintain financial protection and to be indemnified by exercising its *discretionary* authority under § 170 of the Act. For the purposes of Price-Anderson coverage, this exercise of discretionary authority would result in treating spent fuel produced at one reactor site but stored at a different site the same as spent fuel stored at the site of the reactor where it was produced. Thus, irradiated fuel generated by a reactor at one site whether stored by itself in the spent fuel pool of a reactor at a different site or commingled with the second reactor's irradiated fuel in that reactor's spent fuel pool would be covered by financial protection and indemnity.

The NRC believes that it would not be desirable to have a situation where spent fuel generated by one reactor and stored in the spent fuel pools of a second reactor at a different site would be unindemnified while the spent fuel produced by the second reactor and stored at the same site would be indemnified. If indemnity coverage were not extended to the spent fuel generated by the first reactor but stored at the site of a second reactor and if an accident occurred involving the fuel storage pool it could be virtually impossible to determine whether the accident involved indemnified or unindemnified spent fuel.

In view of the foregoing, the Commission has decided to exercise its discretionary authority under section 170 of the Atomic Energy Act of 1954, as amended, and will modify the indemnity agreement for the Catawba facility to permit the storage of fuel irradiated at the Oconee and McGuire facilities at Catawba Units 1 and 2 and also VEPCO's indemnity agreement for the North Anna facility to permit the storage of fuel irradiated at the Surry facility at North Anna. As required in 10 CFR 140.9, the Commission is publishing an amendment, which would redefine the term "the radioactive material" in Article I, paragraph 9 in the Catawba Indemnity Agreement B-100, to read as follows:

The radioactive material means source, special nuclear and byproduct material which (1) is used, was used or will be used in, or is irradiated, was irradiated or will be irradiated by, the nuclear reactors licensed under NPF-35 and NPF-48 or (2) was used in, or was irradiated in the nuclear reactors licensed under DPR-38, DPR-47, DPR-55, NPF-9 and NPF-17, and subsequently is transported to the site of the nuclear reactors licensed under NPF-35 and NPF-48 for the purpose of storage or (3) which is produced as a result of operation of the nuclear reactors licensed under NPF-35 and NPF-48.

The Commission is also publishing an amendment, which would redefine the term "the radioactive material" in Article I, paragraph 9 in the North Anna Indemnity Agreement B-80 to read as follows:

The radioactive material means source, special nuclear and byproduct material which (1) is used, was used or will be used, in, or is irradiated, was irradiated or will be irradiated by, the nuclear reactors licensed under NPF-4 and NPF-7 or (2) was used in, or was irradiated in the nuclear reactors licensed under DPR-32 and DPR-37 and subsequently is transported to the site of the nuclear reactors licensed under NPF-4 and NPF-7 for the purpose of storage or (3) which is produced as a result of operation of the nuclear reactors licensed under NPF-4 and NPF-7.

These amendments relate to changes in an indemnity agreement incorporated into a 10 CFR Part 50 license. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10)(i). Pursuant to 10 CFR 51.22(b), no environmental impact statement nor environment assessment need by prepared in connection with the issuance of these amendments.

(5 U.S.C. 552; Pub. L. 83-703, 68 Stat. 919, as amended by Pub. L. 85-256, 71 Stat. 576, as amended (42 U.S.C. 2210))

Dated at Bethesda, Maryland, this 1st day of April 1986.

For the Nuclear Regulatory Commission.

Victor Stello, Jr.,

Executive Director for Operations.

[FR Doc. 86-8266 Filed 4-11-86; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

Civil Service Retirement System; Interest Rate for Deposits and Redeposits for 1986

AGENCY: Office of Personnel Management.

ACTION: Notice of interest rate to be charged on unpaid balances as of December 31, 1986.

SUMMARY: The Office of Personnel Management (OPM) announces that the interest rate applicable to certain deposits and redeposits to the Civil Service Retirement Fund is 11.125 percent for calendar year 1986.

FOR FURTHER INFORMATION CONTACT: John E. Landers, Office of Pay and Benefits Policy, Office of Personnel Management, Washington, DC 20415, (202) 632-1265.

SUPPLEMENTARY INFORMATION: Section 8334(e) of title 5, United States Code, provides that the interest rate charged on certain deposits and redeposits is a variable rate determined by the Secretary of the Treasury. Further, section 831.105(g) of Title 5 of the Code of Federal Regulations requires OPM to publish a notice in the **Federal Register** to announce the interest rate that will be in effect during the calendar year. This notice will serve to satisfy that regulatory requirement.

For calendar year 1986, the interest rate is 11.125 percent. The variable interest rate applies to (1) deposits of refunds when the application for refund was received after September 30, 1982; (2) deposits for noncontributory service performed after September 30, 1982; (3) deposits for post-1956 military service paid after September 30, 1986, or 2 years after the applicant was first employed in a position subject to the Civil Service Retirement System, whichever is later; and, (4) interest paid on voluntary contributions.

Office of Personnel Management.

Constance Horner,

Director.

[FR Doc. 86-8291 Filed 4-11-86; 8:45 am]

BILLING CODE 6325-01-M

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Boston Stock Exchange, Inc.

April 9, 1098.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following securities.

Amstead Industries, Inc.
Common Stock, $1.00 Par Value (File No. 7-8870)
Claire's Stores, Inc.
Common Stock, $.05 Par Value (File No. 7-8871)
Healthamerica Corporation
Common Stock, $.01 Par Value (File No. 7-8872)
McDonald & Company Investments, Inc.
Common Stock, $1.00 Par Value (File No. 7-8873)
Omnicare, Inc.
Common Stock, $1.00 Par Value (File No. 7-8874)
Petrie Stores Corporation
Common Stock, $1.00 Par Value (File No. 7-8875)
Getty Petroleum Corporation
Common Stock, $.10 Par Value (File No. 7-8876)
Glenfed, Inc. (USA)
Common Stock, $.01 Par Value (File No. 7-8877)
Erbamont N.V.
Common Stock, $4.00 Par Value (File No. 7-8878)
Vestron, Inc.
Common Stock, $.01 Par Value (File No. 7-8879)
American Family Corporation
Common Stock, $.10 Par Value (File No. 7-8880)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 30, 1986, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86-8283 Filed 4-11-86; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Boston Stock Exchange, Inc.

April 9, 1986.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stocks:

Ames Department Stores
Common Stock, $.50 Par Value (File No. 7-8835)
Circuit City Stores
Common Stock, $1.00 Par Value (File No. 7-8836)
Foxmeyer Corporation
Common Stock, $.10 Par Value (File No. 7-8837)
Rollins Environmental Services, Inc.
Common Stock, $1.00 Par Value (File No. 7-8838)
Prime Motor Inns, Inc.
Common Stock, $.05 Par Value (File No. 7-8839)
St. Joe Gold Corporation
Common Stock, $.10 Par Value (File No. 7-8840)
Sterling Software, Inc.
Common Stock, $.25 Par Value (File No. 7-8841)
Tambrands, Inc.
Common Stock, $.25 Par Value (File No. 7-8842)
Tonka Corporation
Common Stock, $.66⅔ Par Value (File No. 7-8843)
Zenith Laboratories, Inc.
Common Stock, $.09 Par Value (File No. 7-8844)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 30, 1986, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86-8286 Filed 4-11-86; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-23106; File No. SR-DTC-86-01]

Self-Regulatory Organizations; Order Approving Rule Change by the Depository Trust Co

On January 29, 1986, the Depository Trust Company ("DTC") submitted a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"). The proposed rule change will allow DTC participants to accept invitations to tender securities and to surrender those securities through DTC. Notice of the proposed rule change appeared in the **Federal Register** on February 27, 1986.[1] No comments were received. As discussed below, the Commission is approving the proposed rule change.

[1] Securities Exchange Act Release No. 22936 (February 21, 1986), 51 FR 6953 (February 27, 1986).

I. Description

DTC's proposal will allow participants to use DTC's Voluntary Offering Program ("VOP") services to process acceptances of invitations to tender securities. Under the proposal, participants will have the option to accept eligible invitations either through DTC or directly with the tender agent ("Agent") and can surrender securities to the tender agent by book-entry movements from their accounts at DTC to the tender agent's account at DTC.[2] The procedures for processing acceptance of invitations to tender securities are substantially similar to DTC's current participant operating procedures for exchange offers and cash tender offers.

Upon learning of an invitation to tender eligible securities, DTC will notify participants whether or not an invitation qualifies under the program. If the invitation qualifies, the notice also will contain a general description of the invitation, a security description, the CUSIP number reserved by DTC for recording the cumulative quantity of securities tendered by each participant in response to the invitation, the time periods during which participants may submit tender instructions and other information relevant to processing tenders. Under DTC's proposal, any participant having on deposit with DTC securities subject to the invitation may accept the invitation through DTC by submitting to DTC tender instructions.[3] DTC participants may submit tender instructions until 11:00 a.m., Eastern time, on the business day prior to the invitation expiration date.

Participants unable to submit tender instructions to DTC before DTC's processing deadline can submit the necessary documentation (*e.g.*, letters of transmittal) directly to the Agent and subsequently satisfy their delivery obligation through DTC. After accepting an invitation through the Agent, a participant may tender such securities to the Agent by submitting tender instructions and a copy of the letter of transmittal to DTC. DTC participants may tender such securities through DTC to the Agent until 11:00 a.m., Eastern time, on expiration date.

Unpon receipt of tender instructions from a participant, DTC will deduct the tendered securities from the participant's account and add "contra securities" of like quantity to the participant's account.[4] After deducting the tendered securities from the participant's account, DTC will deliver those securities by book-entry to the Agent's account at DTC. From the time of such delivery, those securities are subject exclusively to the Agent's instructions. Thus, DTC will distribute any interest payments, dividends, distributions and voting rights with respect to tendered securities during an invitation period to the Agent, unless the Agent directs otherwise.

Participants cannot transfer or withdraw "contra securities" from their accounts. The proposal, however, will allow DTC participants to pledge the "contra securities." A pledgee, in turn, may transfer securities from its account to the account of another participant but may not withdraw "contra securities" from the depository.[5] If the "contra securities" are subject to a pledge or are transferred to another participant's account, DTC will deliver the cash payment or previously tendered securities to the pledgee's or other participant's account at DTC at the consummation of the invitation period.

The proposal would permit participants to process, through DTC, requests to withdraw securities previously tendered to the Agent. Participants wishing to withdraw all or part of the previously tendered securities must submit a letter of withdrawal with a copy of the tender instructions to the Agent within the time period allowed for withdrawals under the terms of the offering and applicable law. Upon the Agent's acceptance of the withdrawal, DTC will effect a book-entry delivery of the withdrawn securities from the Agent's account to the participant's account. If the Agent rejects the letter of withdrawal, DTC will attempt to contact the affected participant. It is the Agent's obligation, however, to notify participants directly of such rejections.

The Agent may reject all or a portion of the bids forwarded by DTC on behalf of participants or submitted directly to the Agent by participants. Upon notification of specific bid rejections, DTC will notify the affected participants, make a book-entry delivery of the tendered securities from the Agent's account back to the participants' accounts and simultaneously reduce "contra securities" positions to reflect the rejections. If the "contra securities" are subject to a pledge, the rejected tendered securities will be substituted for the "contra securities."

After the expiration of an invitation period, the Agent will make a cash payment to DTC for the quantities of tendered securities accepted in whole or part. DTC then will allocate cash payments to participants based on their positions in the "contra securities" and deduct the "contra securities" from participants' accounts. If, however, the "contra securities" are pledged at the time of payment, the cash payment will be paid to the pledgee.

II. DTC's Rationale

DTC believes that the proposal is consistent with Section 17A of the Act in that it promotes the prompt and accurate clearance and settlement of securities transactions. Specifically, DTC believes that the inclusion of invitations in the VOP will provide participants an economnical, orderly and simplified process for accepting invitations and for tendering subject securities. Additionally, DTC believes that the proposal will reduce the need for physical certificates and will allow DTC to continue uninterrupted services during an invitation.

III. Discussion

The Commission finds that DTC's proposal is consistent with the Act. As discussed below, VOP processing of tender invitations will provide important benefits to Agents, tendering participants and the entire market.

Processing tender invitations through a depository will permit municipal securities tender agents to enjoy many of the benefits currently enjoyed by tender agents for corporate securities issues as a result of depository voluntary offering programs[6] in

---

[2] DTC expects that virtually all invitations to tender securities will come from municipal bond issuers. Specifically, most invitations to tender securities are currently made by issuers of industrial revenue bonds and municipal bonds to finance specific projects that require a specific amount of the bonds to be called over a specific period of time (mandatory "sinking fund" requirement).

[3] While DTC undertakes no obligation to examine tender instructions, DTC will comply with a participant's instruction only to the extent that participant has a sufficient general free (unpledged) position in its account, otherwise DTC will reject the instruction.

[4] "Contra securities" represents the participant's right through DTC (as evidenced by the Agent's receipt for those securities which have been properly tendered), to receive cash and securities from the Agent in exchange for tendered securities in accordance with the terms of the invitation.

[5] Because "contra securities" will not have been issued in physical form, participan withdrawal requesters will not be honored.

[6] *See* Securities Exchange Act Release No. 14208 (November 25, 1977) (DTC); Securities Exchange Act Release No. 21002 (May 29, 1984), 49 FR 43141 (October 25, 1984) (Midwest Securities Trust Company); Securities Exchange Act Release No. 21421 (October 22, 1984), 49 FR 23270 (June 5, 1984) (Pacific Securities Depository Trust Company); and Securities Exchange Act Release No. 21747 (February 12, 1985), 50 FR 7154 (February 20, 1985) (Philadelphia Depository Trust Company).

compliance with Rule 17Ad–14.[7] This proposal will provide Agents with an economical and orderly process for receiving acceptances and tendering securities. Instead of receiving physical securities from individual participants, the proposal will allow DTC, on behalf of its participants, to deliver securities by book-entry to the Agent's account at DTC. The Agent would not be required to pay DTC to establish or maintain its account during the offer. In addition, the proposal should reduce the Agent's handling of physical certificates by allowing Agents to deliver withdrawn, rejected or exchanged securities to affected participants by book-entry movement. The proposal also will allow the Agent to make a single cash payment to DTC, rather than separate payments to each of DTC's participants, for securities tendered through DTC.

The Commission agrees with DTC that the inclusion of tender invitations in the VOP will provide DTC participants with an orderly, simplified process for tendering those securities. The proposal will allow the securities to remain eligible for depository services and provide for the delivery of tendered securities from participants' accounts to the Agent's account within a centralized book-entry environment. As currently permitted under DTC's VOP for corporate security exchange and tender offers, the proposal will permit participants to pledge "contra securities" to banks by book-entry movement. In addition, the proposal will provide expedited payments by the Agent to participants.

As noted in Securities Exchange Act Release No. 20581,[8] the demand for certificates during exchange and tender offers can cause severe market dislocations. Continued trade processing in registered clearing agencies during these offers reduces the risk that a lack of securities certificates in appropriate denominations will cause a squeeze and thereby increase cash market prices for those securities, possibly dramatically. That risk is greatest during periods of high volume trading and transfer presentments, which characterize many tender and exchange offers. That risk may be increased for invitations to tender municipal securities, because transfer agents that perform transfer agent functions exclusively for municipal securities issues are exempt from federal regulation and, thus, are not required to complete transfers within any specific time frames.[9] Accordingly, the proposal should reduce the risk of market dislocations by integrating municipal securities tender offers into the National Clearance and Settlement System.

IV. Conclusion

For the reasons discussed above, the Commission finds that DTC's proposed rule change is consistent with Section 17A of the Act in that it promotes the prompt and accurate clearance and settlement of securities transactions.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change (File No. SR–DTC–86–01), be, and hereby is, approved.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Dated: April 8, 1986.

John Wheeler,

Secretary.

[FR Doc. 86–8289 Filed 4–11–86; 8:45 am]

BILLING CODE 8010–01–M

[7] That rule requires a transfer agent acting as a depository for a bidder (in case of a tender offer) or an exchange agent (in the case of an exchange offer) to establish accounts at qualified securities depositories to process acceptances, withdrawals, related deliveries and documentation from depository participants. 17 CFR 240.17AD–14 (1985). *See* Securities Exchange Act Release No. 20581 (January 19, 1984), 49 FR 3064 (January 25, 1984). The rule, however, does not apply to tender or exchange offers involving municipal securities.

[8] (January 19, 1984), 49 FR 3064 (January 25, 1984).

[9] Transfer agents that perform transfer functions with respect to exchange-listed corporate securities issues, for example, must comply with Rule 17Ad–2, 17 CFR 240.17Ad–2 (1985). That rule requires those transfer agents to turn around 90% of all routine items presented to transfer, on a monthly basis, within 3 business days of presentment.

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Pacific Stock Exchange, Inc.

April 9, 1986.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the following stocks:

Manor Care, Inc.
Common Stock, $.10 Par Value (File No. 7–8865)
C.R. Bard, Inc.
Common Stock $0.50 Par Value (File No. 7–8866)
Bank of Boston Corporation
Common Stock $4.50 Par Value (File No. 7–8867)
Interco, Inc.
Common Stock, No Par Value (File No. 7–8868)
Mesa Offshore Trust
Units of Beneficial Trust (File No. 7–8869)

These securities are listed and registered on one or more other national securities exchange and are reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 30, 1986, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549.

Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such applications are consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86–8284 Filed 4–11–86; 8:45 am]

BILLING CODE 8010–01–M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Philadelphia Stock Exchange, Inc.

April 9, 1986.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the following securities:

Ahmanson (H.F.) & Company
Common Stock, No Par Value (File No. 7–8864)
Briggs & Stratton Corporation
Common Stock, $3.00 Par Value (File No. 7–8865)

These securities are listed and registered on one or more other national securities exchange and is reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 30, 1986, written data, views and arguments concerning the above-referenced application. Persons desiring to make written comments should file three copies thereof with the Secretary of the

Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86-8285 Filed 4-11-86; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Philadelphia Stock Exchange, Inc.

April 9, 1986.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stock:

Central Fund of Canada Ltd.

Class A Shares, No Par Value (File No. 7-8908)

This security is listed and registered on one or more other national securities exchange and is reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 30, 1986, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the application if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86-8287 Filed 4-11-86; 8:45 am]

BILLING CODE 8010-01-M

Self-Regulatory Organizations; Applications for Unlisted Trading Privileges and of Opportunity for Hearing; Philadelphia Stock Exchange, Inc.

April 9, 1986.

The above named national securities exchange has filed applications with the Securities and Exchange Commission pursuant to section 12(f)(1)(B) of the Securities Exchange Act of 1934 and Rule 12f-1 thereunder, for unlisted trading privileges in the following stock:

Union Carbide Corporation

Special Dividend Rights (File No. 7-8881)

This security is listed and registered on one or more other national securities exchange and is reported in the consolidated transaction reporting system.

Interested persons are invited to submit on or before April 30, 1986, written data, views and arguments concerning the above-referenced applications. Persons desiring to make written comments should file three copies thereof with the Secretary of the Securities and Exchange Commission, Washington, DC 20549. Following this opportunity for hearing, the Commission will approve the applications if it finds, based upon all the information available to it, that the extensions of unlisted trading privileges pursuant to such application is consistent with the maintenance of fair and orderly markets and the protection of investors.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

John Wheeler,

Secretary.

[FR Doc. 86-8288 Filed 4-11-86; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

[Docket 43825]

Texas Air-Eastern Acquisition Case; Prehearing Conference

Notice is hereby given that pursuant to Department of Transportation Order 86-4-24 instituting the above-titled proceeding a prehearing conference will be held on April 14, 1986, at 10:00 a.m. (local time), in Room 5332, Nassif Building, 400 7th Street SW., Washington, DC, before the undersigned administrative law judge.

The parties are directed to submit one copy to each other and four copies to the Judge of (1) any proposals for changes in the evidence request contained in the Appendix to Order 86-4-24, (2) any proposals for changes in the procedural schedule contained in the instituting order, (3) proposed stipulations, and (4) a statement of position.

In accordance with the instituting order, the above material shall be circulated in time to reach the judge and Washington counsel for the other parties before 5:00 p.m., on April 11, 1986.

Dated at Washington, DC, April 9, 1986.

William A. Kane, Jr.,

Administrative Law Judge.

[FR Doc. 86-8302 Filed 4-11-86; 8:45 am]

BILLING CODE 4910-62-M

[Docket 43825]

Texas Air-Eastern Acquisition Case; Assignment of Proceeding

The proceeding has been assigned to Administrative Law Judge William A. Kane, Jr. Future communications with respect to this proceeding should be addressed to him at U.S. Department of Transportation, Office of Hearings, M-50, Room 9400A, Nassif Bldg, 400 7th Street SW., Washington, DC 20590, telephone (202) 426-5560.

Dated at Washington, DC, April 9, 1986.

Elias C. Rodriguez,

Chief Administrative Law Judge.

[FR Doc. 86-8303 Filed 4-11-86; 8:45 am]

BILLING CODE 4910-62-M

Agreements Filed During The Week Ending April 4, 1986

Agreements filed with the Department of Transportation under sections 408, 409, 412 and 414 during the week ending April 4, 1986.

Answers may be filed within 21 days from the date of filing.

Dated filed	Docket No.	Parties	Subject	Proposed effective date
04/01/86	43920	Members of International Air Transport Association.	Rate Increase from Syria via Mid Atlantic.	02/26/86
04/03/86	43931	Members of International Air Transport Association.	Specific Commodity Rate—Auckland/Guam.	04/02/86
04/03/86	43932	Members of International Air Transport Association.	US-Belgium/Germany Military Fares	05/01/86
04/03/86	43933 R-1, R-3	Members of International Air Transport Association.	North Central-Pacific Fares	04/01/86

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 86-8198 Filed 4-11-86; 8:45 am]

BILLING CODE 4910-62-M

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits filed under Subpart Q of Department of Transportation's Procedural Regulations; Week Ended April 4, 1986

Subpart Q Applications

The due date for answers, conforming application, or motions to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings. (See 14 CFR 302.1701 et seq.)

Date filed	Docket No.	Description
Apr. 1, 1986	43921	American Airlines, Inc., c/o Alfred V.J. Prather, Prather Seeger Doolittle & Farmer, 1600 M Street NW, a 7th Floor Washington, DC 20036 Application of American Airlines, Inc. pursuant to Section 401 of the Act and Subpart Q of the Regulations, applies for renewal and amendment of its certificate of public convenience and necessity for Route 234 (Cleveland-Merida/Cancun/Cozumel) so as to change the U.S. gateway from Cleveland to Nashville. Conforming Applications, Motions to Modify Scope and Answers may be filed by April 29, 1986.
Apr. 2, 1986	42923	Southwest Airlines Co., c/o Paul Y. Seligson, Wilner & Scheiner, 1200 New Hampshire Ave. NW., Suite 300, Washington, DC 20036. Application of Southwest Airlines Co., pursuant to Section 401 of the Act and Subpart Q of the Regulations requests an amendment of its certificate of public convenience and necessity to authorize Southwest to carry U.S. mail in interstate and overseas air transportation. Conforming Applications, Motions to Modify Scope and Answers may be filed by April 30, 1986.
Apr. 2, 1986	43924	Jim Pattison Industries Ltd., d/b/a AirBC, c/o Dennis Mercier, 4740 Agar Drive, Richmond, B.C. V7B 1A6. Application of AirBC pursuant to Section 402 of the Act and Subpart Q of the Regulations requests authority to operate a scheduled foreign air service of persons and property between Vancouver, B.C., Canada and Seattle, Washington, (Boeing Field), U.S.A. Answers may be filed by April 30, 1986.
Apr. 2, 1986	43925	Orion Lift Service, Inc. d/b/a Orion Air, c/o Stephen L. Gelband, Hewes, Morella, Gelband & Lamberton, 1010 Wisconsin Ave., NW., Washington, DC 20007. Application of Orion Lift Service, Inc. d/b/a Orion Air pursuant to Section 401 of the Act, applies for a certificate of public convenience and necessity authorizing it to engage in scheduled foreign air transportation of property and mail, on a permissive basis, between points in the United States and points in Italy. Conforming Applications, Motions to Modify Scope and Answers may be filed by April 30, 1986.
Apr. 2, 1986	43927	Orion Lift Service, Inc. d/b/a Orion Air, c/o Stephen L. Gelband, Hewes, Morella, Gelband & Lamberton, 1010 Wisconsin Ave., NW., Washington, DC 20007. Application of Orion Lift Service, Inc. d/b/a Orion Air pursuant to Section 401 of the Act, and Subpart Q of the Regulations applies for a certificate of public convenience and necessity authorizing it to engage in scheduled foreign air transportation of property and mail, on a permissive basis, between points in the United States and points in The Netherlands. Conforming Applications, Motions to Modify Scope and Answers may be filed by April 30, 1986.
Mar. 31, 1986	39675	Air Tungaru Corporation, c/o Morris R. Garfinkle, Galland, Kharasch, Morse & Garfinkle, 1054 Thirty-First Street, NW., Washington, DC 20007. Application of Air Tungaru Corporation pursuant to Section 402 of the Act applies for renewal of the foreign air carrier permit granted by the Department in Order 82-9-22, July 22, 1982. Answers may be filed by April 28, 1986.

Phyllis T. Kaylor,
Chief, Documentary Services Division.
[FR Doc. 86-8199 Filed 4-11-86; 8:45 am]
BILLING CODE 4910-62-M

Federal Railroad Administration

Petition(s) for Exemption or Waiver of Compliance; Amador Central Railroad Co. et al.

In accordance with 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received requests for an exemption from or waiver of compliance with certain requirements of its safety standards. The individual petition(s) are described below, including the party seeking relief, the regulatory provisions involved, and the nature of the relief being requested.

Interested parties are invited to participate in these proceedings by submitting written views, data or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (*e.g.*, Waiver Petition Docket Number RSAD-86-1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street SW., Washington, DC 20590. Communications received before May 29, 1986, will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) in Room 8201, Nassif Building, 400 Seventh Street SW., Washington, DC 20590.

The individual petitions seeking an exemption or waiver of compliance are as follows:

Amador Central Railroad Company

(Waiver Petition Docket Number RSAD-86-1)

The Amador Central Railroad Company (Amador Central) seeks a waiver of compliance with certain provisions of FRA regulations entitled Control of Alcohol and Drug Use in Railroad Operations (49 CFR Part 219). The Amador Central seeks a permanent waiver of compliance with Subparts B and C of the Regulations. By regulation the railroad is not subject to Subparts D, E and F because it employs not more than 15 employees covered by the Hours of Service Act (See 49 CFR 219.3(b)).

Subpart B prohibits employees from using, possessing or being under the influence of or impaired by alcohol or a controlled substance while on duty in covered service. Subpart C requires post-accident toxicological testing of certain employees after major accidents.

The Amador Central indicates that it seeks this waiver because it only has two trainmen and it maintains a "Rules of Conduct and Disciplinary Action" policy that covers alcohol and drug use matters on the railroad.

Oregon, California and Eastern Railway Company

(Waiver Petition Docket Number RSAD-86-2)

The Oregon, California and Eastern Railway Company (OC&E) seeks a

waiver of compliance with certain provisions of FRA regulations entitled Control of Alcohol and Drug Use in Railroad Operations (49 CFR Part 219). The OC&E seeks a permanent waiver of compliance with Subparts B and C of the regulations. By regulation the railroad is not subject to Subparts D, E and F because it employs not more than 15 employees covered by the Hours of Service Act (see 49 CFR Section 219.3(b)).

Subpart B prohibits employees from using, possessing or being under the influence of or impaired by alcohol or a controlled substance while on duty in covered service. Subpart C requires post-accident toxicological testing of certain employees after major accidents.

The railroad cites its small size and good safety record as reasons to grant the waiver petition. The railroad states that it maintains an alcohol/controlled substance prohibition, that it is a wholly owned subsidiary of Weyerhaeuser Company and that its employees have access to the Weyerhaeuser Employee Assistance Program. The railroad also states that a considerable cost will be incurred without a commensurate improvement in safety if the petition is denied.

Issued in Washington, DC, on March 27, 1986.

J. W. Walsh,

Associate Administrator for Safety.

[FR Doc. 86-8197 Filed 4-11-86; 8:45 am]

BILLING CODE 4910-06-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirement Submitted to OMB for Review

Date: April 8, 1986.

The Department of the Treasury has submitted the following public information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of this submission may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Room 7221, 1201 Constitution Avenue NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0117
Form Number: IRS Form 1099-OID
Type of Review: Extension
Title: Statement of Recipients of Original Issue Discount
Clearance Officer: Garrick Shear, (202) 566-6150, Internal Revenue Service, Room 5571, 1111 Constitution Avenue NW., Washington, DC 20224
OMB Reviewer: Robert Neal, (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Joseph F. Maty,

Departmental Reports Management Office.

[FR Doc. 86-8264 Filed 4-11-86; 8:45 am]

BILLING CODE 4810-25-M

VETERANS ADMINISTRATION

Agency Form Under OMB Review

AGENCY: Veterans Administration.

ACTION: Notice.

The Veterans Administration has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). This document contains an extension and lists the following information: (1) The department or staff office issuing the form, (2) the title of the form, (3) the agency form number, if applicable, (4) how often the form must be filled out, (5) who will be required or asked to report, (6) an estimate of the number of responses, (7) an estimate of the total number of hours needed to fill out the form, and (8) an indication of whether section 3504(h) of Pub. L. 96-511 applies.

ADDRESSES: Copies of the form and supporting documents may be obtained from Nancy C. McCoy, Agency Clearance Officer (732), Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 389-2146. Comments and questions about the items on the list should be directed to the VA's OMB Desk Officer, Dick Eisinger, Office of Management and Budget, 726 Jackson Place, NW., Washington, DC 20503, (202) 395-7316.

DATES: Comments on the information collection should be directed to the OMB Desk Officer within 60 days of this notice.

By direction of the Administrator.

Dated: April 8, 1986.

Randall H. Bryant II,

Executive Assistant to the Associate Deputy Administrator for Management.

Extension

1. Department of Medicine and Surgery.
2. Blood Donor Registration.
3. VA Form 10-2420.
4. On occasion.
5. Individuals or households.
6. 36,000 responses.
7. 3,000 hours.
8. Not applicable.

[FR Doc. 86-8223 Filed 4-11-86; 8:45 am]

BILLING CODE 8320-01-M

Sunshine Act Meetings

Federal Register
Vol. 51, No. 71
Monday, April 14, 1986

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

1

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DATE AND TIME: Monday, April 21, 1986, 2:00 p.m. (eastern time).

PLACE: Clarence M. Mitchell, Jr., Conference Room No. 200–C on the 2nd Floor of the Columbia Plaza Office Building, 2401 "E" Street, NW., Washington, DC 20507.

STATUS: Part will be open to the public and part will be closed to the public.

MATTERS TO BE CONSIDERED:

Open

1. Announcement of Notation Vote(s)
2. A Report on Commission Operations (Optional)
3. Proposed Final Equal Pay Act (EPA) Interpretive Regulations

Closed

1. Discussion of Certain Commissioners' Charges
2. Discussion of Subpoena Determinations
3. Litigation Authorization; General Counsel Recommendations

Note.—Any matter not discussed or condluded may be carried over to a later meeting. (In addition to publishing notices on EEOC Commission meetings in the **Federal Register**, the Commission also provides a recorded announcement a full week in advance on future Commission sessions. Please telephone ———.)

CONTACT PERSON FOR MORE INFORMATION: T1CYNTHIA C. MATTHEWS, EXECUTIVE OFFICER AT (202) 634–6748.

DATES: April 9, 1986.

Cynthia C. Matthews,

Executive Officer, Executive Secretariat.

[FR Doc. 86–8317 Filed 4–10–86; 1:06 pm]

BILLING CODE 6750–06–M

2

FEDERAL ENERGY REGULATORY COMMISSION

April 9, 1986.

The following notice of meeting is published pursuant to section 3(a) of the Government in the Sunshine Act (Pub. L. 94–4109), 5 U.S.C. 552b:

TIME AND DATE: April 16, 1986. Approximately 1:00 (following open meeting).

PLACE: 825 North Capitol Street, NE., Washington, DC 20426, Room 9306.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

(1) Amoco Production Company, *et al.*, Docket No. CI78–849–001, *et al.*
(2) Diamond Shamrock Exploration Company and Amoco Production Company, Docket No. CI85–301–001, *et al.*
(3) J&J Enterprises, Inc., Docket No. GP82–6–000
(4) Edwin L. Cox and Robert K. Franklin, Docket No. CP75–295–000, *et al.*
(5) Ozark Gas Transmission System, Docket No. CP78–532–000
(6) Belle Fourche Pipeline Company, *et al.*, Docket No. IN82–1–000
(7) Various Producer-Owned Natural Gas Processing Plants, Docket No. IN83–2–000

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary Telephone (202) 357–8400.

Kenneth F. Plumb,

Secretary.

[FR Doc. 86–8328 Filed 4–10–86; 1:07 pm]

BILLING CODE 6717–01–M

3

FEDERAL ENERGY REGULATORY COMMISSION

April 9, 1986.

The following notice of meeting is published pursuant to section 3(a) of the Government in the Sunshine Act (Pub. L. 94–409), 5 U.S.C. 552B:

TIME AND DATE: April 16, 1986, 10:00 a.m.

PLACE: 825 North Capitol Street, NE., Room 9306, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

* **Note.**—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary Telephone (202) 357–8400.

This is a list of matters to be considered by the commission. It does not include a listing of all papers relevant to the items of the agenda; however; all public documents may be examined in the division of Public Information.

Consent Power Agenda, 83rd Meeting—April 16, 1986, Regular Meeting (10:00 a.m.)

CAP–1.
Project No. 7611–004, Iron Mountain Mines, Inc.
CAP–2.
Project No. 8569–001, Ernest R. Field and Robert A. Bernard
CAP–3.
Project No. 8571–001, Ernest R. Field and Robert A. Bernard
CAP–4.
Project No. 9597–001, Hazard Creek Conservationists
Project No. 9598–001, Hard Creek Conservationists
CAP–5.
Project No. 2558–007, Vermont Marble Company
CAP–6.
Project No. 7743–001, Con-Rel Corporation
CAP–7.
Project No. 3892–002, Georgia-Pacific Corporation
Project No. 4244–002, Long Lake Energy Corporation
Project Nos. 6762–001 and 002, New York State Energy Research and Development Authority
CAP–8.
Project No. 6040–002, Placer County Water Agency
Project No. 6712–000, Gold Run Hydro Associates
CAP–9.
Project No. 6042–002, Placer County Water Agency
Project No. 6713–000, Gold Run Hydro Associates
CAP–10.
Project No. 6047–002, Placer County Water Agency
Project No. 6715–000, Gold Run Hydro Associates
CAP–11.
Project No. 6049–002, Placer County Water Agency
Project No. 6716–000, Gold Run Hydro Associates
CAP–12.
Project No. 2079–007, Placer County Water Agency
CAP–13.
Project No. 2113–011, Wisconsin Valley Improvement Company
CAP–14.
Docket No. EL85–33–001, Big Bear Area Regional Wastewater Agency
CAP–15.
Docket No. EL85–18–002, City of Tacoma, Washington v. the Washington Water Power Company, the Montana Power Company, Portland General Electric Company, Pacific Power and Light Company and Puget Sound Power and Light Company

CAP–16.
Docket No. ER86–230–004, Commonwealth Edison Company
CAP–17.
Docket Nos. ER86–316–000 and EL86–21–000, Southern California Edison Company
CAP–18.
Docket No. ER84–679–005, Florida Power Corporation
CAP–19.
Docket Nos. ER84–379–006 and EL83–24–007, Florida Power & Light Company
CAP–20.
(A) Docket Nos. ER85–006 and ER85–646–647–004, New England Power Company
(B) Docket Nos. ER83–647–000 and 007, New England Power Company
CAP–21.
Docket No. EC86–8–000, Montana Power Company
CAP–22.
Docket No. RE80–48–001, Puerto Rico Electric Power Authority
CAP–23.
(A) Docket No. RE85–3–000, Wisconsin Electric Power Company
(B) Docket No. RE85–4–000, South Carolina Public Service Authority
(C) Docket No. RE84–6–001, Southwestern Electric Power Company
CAP–124. Docket No. ER83–297–004, Arkansas Power & Light Company

Consent Miscellaneous Agenda

CAM–1.
Docket No. RM85–19–000, generic determination of rate of return on common equity for public utilities
CAM–2.
Docket Nos. RM86–6–001, 002 and 003, Construction work in progress—anticompetitive implications
Docket No. RM81–38–015, construction work in progress for public utilities
CAM–3.
Docket No. RM85–1–155 (Parts A–D), regulation of natural gas pipelines after partial wellhead decontrol (Carbonaire Co., Inc.)
CAM–4.
Docket No. RM85–1–000 (Parts A–D), regulation of natural gas pipelines after partial wellhead decontrol (General Motors Corporation)
CAM–5.
Docket No. RM85–1–000 (Parts A–D), regulation of natural gas pipelines after partial wellhead decontrol (ANR Production Company)
CAM–6.
Omitted
CAM–7.
Docket No. GP80–43–018 (Phase I), Northern Natural Gas Company, Division of Internorth, Inc.
CAM–8.
Docket Nos. GP79–1–001 and 002, Mobil Producing Texas and New Mexico, Inc. (Successor to Mobil Oil Corporation)
CAM–9.
Docket No. GP83–59–001, Texas Railroad Commission, William Perlman, Section 107 NGPA Determination, ADA Cauthorn No. 4–1 Well, FERC No. JD82–41108
CAM–10.
Docket No. GP85–40–000, Anadarko Production Company
CAM–11.
Docket No. GP85–30–000, Consolidated Gas Transmission Corporation, W.W. McDonald Land Company #11212, API No. 47–059–00801, W. VA. File Number 830808–108–058–0801, FERC No. JD84–24582
CAM–12.
Docket No. GP86– , Section 107 Determinations, Kentucky Department of Mines and Minerals, Oil and Gas Division, Delta Gas Corporation, Robertson Coal Co. #6 Well, Robertson Coal Co. #7 Well, Petroleum Technology Corporation, PTC 685–3 Well
CAM–13.
Docket No. SA85–23–002, Kaneb Production Company
CAM–14.
Docket No. RM85–1–000 (Parts A–D), Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol (Energy Marketing Exchange, Inc.)
CAM–15.
Docket No. RM85–1–000 (Parts A–D), Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol (Columbia Gulf Transmission Company and Columbia Gas Transmission Corporation)

Consent Gas Agaenda

CAG–1.
Docket No. TA86–4–37–000, 001 and 002, Northwest Pipeline Corporation
CAG–2.
Omitted
Docket No.
Omitted
CAG–3.
Docket No. CP85–57–004, Natural Gas Pipeline Company of America
CAG–4.
Docket No. TA86–1–22–003, Consolidated Gas Transmission Corporation
CAG–4.
Docket No. TA86–1–22–003, Consolidated Gas Transmission Corporation
CAG–5.
Docket No. TA86–3–25–002, Mississippi River Transmission Corporation
CAG–6.
Docket No. TA86–1–60–002, Locust Ridge Gas Company
CAG–7.
Docket No. RP85–194–004, Panhandle Eastern Pipe Line Company
CAG–8.
Docket No. RP86–32–001, Northwest Central Pipeline Company
CAG–9.
Docket No. TA85–2–9–003, 004, TA84–2–9–000, TA85–1–9–000 and TA86–2–9–000, Tennessee Gas Pipeline Company, a Division of Tenneco Inc.
CAG–10.
Docket No. RP86–9–000 Southwest Gas Corporation
CAG–11.
Docket No. TA86–1–51–000 and 001 (PGA86–1), Great Lakes GAs Transmission Company
CAG12.
Docket No. TA86–2–5–000 and 002 (PGA86–2), Midwestern Gas Transmission Company
CAG–13.
Docket No. TA86–3–18–003 and 004, Texas Gas Transmission Corporation
CAG–14.
Docket No. RP73–64–014, Southern Natural Gas Company
CAG–15.
Docket No. RP85–128–000, Equitable Gas Company
CAG–16.
Docket No. RP85–149–000, East Tennessee Natural Gas Company
CAG–17.
Docket No. ST86–571–000, ST86–572–000 and ST83–130–000, Sun Gas Transmission Company, Inc.
CAG–18.
Docket No. ST82–95–002, ST82–442–001, ST83–668–000, ST84–628–000 and 001, Red River Pipeline
CAG–19.
Docket No. ST81–260–006 and CP82–206–003, Mustang Fuel Corporation
CAG–20.
Docket No. ST85–97–001, Phenix Transmission Company
CAG–21.
Docket No. ST86–637–000, Arkansas Oklahoma Gas Corporation
CAG–22.
Docket Nos. ST79–23–004, ST79–24–001, ST79–25–002, ST80–273–001, ST81–165–002, ST81–240–002, ST81–256–001, CP81–333–000, ST81–381–000, CP81–400–000 CP81–416–000, ST82–24–001, ST82–229–001, ST82–433–002, ST82–479–000, ST83–57–001, ST84–294–000, CP84–378–000, CP84–389–000, ST84–441–000, ST84–924–000, ST84–953–000, ST84–996–000 and ST86–62–000, Louisiana Gas Corporation
CAG–23.
Docket Nos. IS83–26–000 and 007, Gulf Central Pipeline Company
CAG–24.
Docket Nos. RI74–188–079 and RI75–21–074, Independent Oil & Gas Association of West Virginia
CAG–25.
Docket Nos. CI85–270–001 and 002, Panhandle Eastern Pipe Line Company v. TXO Production Corporation, Essex Exploration, Inc. and Graham Exploration, Ltd.
CAG–26.
Docket No. CP84–386–001, ANR Pipeline Company
CAG–27.
Docket No. CP85–718–001, Northwest Central Pipeline Corporation and Zenith Natural Gas Company
CAG–28.
Docket Nos. CP65–393–005 and TC82–63–001, Florida Gas Transmission Corporation
CAG–29.
Docket Nos. CP81–75–008, CP85–247–001, CP85–248–001, CP85–249–001 and CP85–250–001, Northern Natural Gas Company, division of Internorth, Inc.
CAG–30.
Docket No. CP70–7–031, Southern Natural Gas Company
CAG–31.
Docket No. CP85–797–000, Mississippi River Transmission Corporation

CAG–32.
Docket No. CP86–109–000, Carnegie Natural Gas Company and Apollo Gas Company
CAG–33.
Docket No. CP81–400–001, Arkla Energy Resources, a Division of Arkla, Inc.
CAG–34.
Docket No. CP84–706–001, Washington Gas Light Company
CAG–35.
Docket No. CP85–261–001, United Gas Pipe Line Company
Docket No. CP85–347–001, Natural Gas Pipeline Company of America
CAG–36.
Docket No. CP86–143–001, Texas Gas Transmission Corporation
CAG–37.
Docket Nos. TC85–17–000 and 001, Williston Basin Interstate Pipeline Company
CAG–38.
Docket Nos. CP84–623–000 and 001, Western Gas Interstate Company
Docket No. CP85–896–000, El Paso Natural Gas Company
Docket No. CI85–219–000, CI85–594–000 and CI85–595–000, Southern Union Exploration Company

I. Licensed Project Matters

P–1.
Reserved

II. Electric Rate Matters

ER–1.
Docket Nos. RE81–56–001 and 002, Oglethorpe Power Corporation, Altamaha EMC, Amicalola EMC, Canoochee EMC, Carroll EMC, Central Georgia EMC, Coastal EMC, Cobb EMC, Colquitt EMC, Coweta-Fayette EMC, Douglas County EMC, Excelsior EMC, Flint EMC, Grady County EMC, Habersham EMC, Hart County EMC, Irwin County EMC, Jackson EMC, Jefferson EMC, Lamar EMC, Little Ocmulgee EMC, Middle Georgia EMC, Mitchell EMC, Ocmulgee EMC, Oconee EMC, Okefenoke Rural EMC, Pataula EMC, Planters EMC, Rayle EMC, Satilla Rural EMC, Sawnee EMC, Slash Pine EMC, Snapping Shoals EMC, Sumter EMC, Three Notch EMC, Tri-County EMC, Troup County EMC, Upson County EMC, Walton EMC and Washington EMC

Miscellaneous Agenda

M–1
Reserved
M–2
Reserved
M–3
Omitted
M–4
Omitted
M–5
Docket No. RM85–1–000 (Parts A–D), regulation of natural gas pipelines after partial wellhead decontrol (Superior Offshore Pipline Co.)

I. Pipeline Rate Matters

RP–1.
Docket No. TA83–1–59–007, Northern Natural Gas Company, Division of Internorth, Inc.

II. Producer Matters

CI–1.
Docket No. CI86–175–000, Felmont Oil Corporation and Essex Offshore, Inc.

III. Pipeline Certificate Matters

CP–1.
Docket Nos. CP86–83–000, CP86–106–000, CP86–107–000, CP86–108–000, CP86–131–000, CP86–132–000, CP86–133–000, CP86–134–000, CP86–135–000, CP86–136–000, CP86–137–000 and CP86–186–000, Natural Gas Pipeline Company of America
CP–2.
Docket Nos. CP85–241–000 and 001, Trailblazer Pipeline Company
CP–3.
Omitted
CP–4.
Docket No. CP85–859–000, Texas Eastern Transmission Corporation

Kenneth F. Plumb,

Secretary.

[FR Doc. 86–8277 Filed 4–9–86; 4:22 pm]

BILLING CODE 6717–01–M

federal register

Monday
April 14, 1986

Part II

Department of Defense
General Services Administration
National Aeronautics and Space Administration

48 CFR Part 31

Federal Acquisition Regulation (FAR): Stock-Related Employee Compensation; Proposed Rule

DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Part 31

Federal Acquisition Regulation (FAR); Compensation for Personal Services (Stock Options, Stock Appreciation Rights, Phantom Stock Plans, and Junior Stock Conversions)

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Proposed rule.

SUMMARY: The Civilian Agency Acquisition Council and the Defense Acquisition Regulatory Council are considering changes to Federal Acquisition Regulation (FAR) 31.205–6(i) to revise and clarify coverage on the costs of stock-related employee compensation.

DATES: Comments: Comments should be submitted to the FAR Secretariat at the address shown below on or before June 13, 1986, to be considered in the formulation of a final rule.

ADDRESS: Interested parties should submit comments to: General Services Administration, FAR Secretariat (VRS), 18th & F Streets, NW, Room 4041, Washington, DC 20405.

Please cite FAR Case 86–13 in all correspondence related to this issue.

FOR FURTHER INFORMATION CONTACT: Ms. Margaret A. Willis, FAR Secretariat, Telephone (202) 523–4755.

SUPPLEMENTARY INFORMATION:

A. Background

The Defense Acquisition Regulatory Council and the Civilian Agency Acquisition Council are considering changes to FAR 31.205–6(i), Compensation for personal services (stock options, stock appreciation rights, phantom stock plans, and junior stock conversions) which: (i) Will introduce coverage on junior stock conversions that is compatible with the policy of this subsection, whereby amounts representing market appreciation are not recognized as allowable contract costs, and (ii) effect certain technical corrections concerning the prior improper use of the term "measurement date."

B. Regulatory Flexibility Act

The proposed change to FAR 31.205–6(i) is not expected to have a signficant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) because: (i) The revisions dealing with deletion of the term "measurement date" are technical corrections resulting from improper use of the term and no change in policy is intended, and (ii) the professional literature indicates that junior stock is currently not being widely used.

C. Paperwork Reduction Act

The Paperwork Reduction Act (Pub. L. 96–511) does not apply because the proposed change to FAR 31.205–6(i) does not impose any additional reporting or recordkeeping requirements, or collection of information from offerors, contractors, or members of the public which require the approval of OMB under 44 U.S.C. 3501 et seq.

List of Subjects in 48 CFR Part 31

Government procurement.

Dated: April 8, 1986.

Lawrence J. Rizzi,

Director, Office of Federal Acquisition and Regulatory Policy.

Therefore, it is proposed that 48 CFR Part 31 be amended as follows:

PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

1. The authority citation for Part 31 continues to read as follows.

Authority: 40 U.S.C. 486(c); 10 U.S.C. Chapter 137; and 42 U.S.C. 2453(c).

2. Section 31.205–6 is amended by revising paragraph (i)(1), (i)(2), and (i)(3), and by adding paragraph (i)(4) to read as follows:

§ 31.205–6 Compensation for personal services.

* * * * *

(i) * * *

(1) The cost of stock options awarded to employees to purchase stock of the contractor or of an affiliate will be treated as deferred compensation and must comply with the requirements of paragraph (k) of this subsection and with the allowability criteria contained in subparagraph (i)(2) of this subsection.

* * *

(2) The allowable costs of stock options and stock appreciation rights will be limited to the difference between the option price and the market price on the first date on which both the number of shares and the option price are known. Accordingly, when the option price is equal to or greater than the market price on that date, then no costs are allowable for contract costing purposes.

(3) In phantom-stock-type-plans, contractors assign or attribute contingent shares of stock to employees as if the employees own the stock, even though the employees neither purchase the stock nor receive title to it. Under these plans, an employee's account may be increased by the equivalent of dividends paid and any appreciation in the market price of the stock over the price of the stock on the first date on which the number of shares awarded is known. Such increases in employee accounts for dividend equivalents and market price appreciation are unallowable.

(4) Junior stock is a class of equity stock sold to employees at a price below that of the contractor's common stock, which carries reduced dividend and voting rights and which is convertible to common stock upon the attainment of specified corporate goals. Costs associated with the conversion of junior stock into common stock are not allowable, whether or not they are accounted for as compensation costs.

* * * * *

[FR Doc. 86–8246 Filed 4–11–86; 8:45 am]

BILLING CODE 6820–61–M

federal register

Monday
April 14, 1986

Part III

Department of the Interior

Bureau of Reclamation

43 CFR Part 431

General Regulations for Power Generation, Operation, Maintenance, and Replacement at the Boulder Canyon Project, Arizona/Nevada; Public Workshop; Proposed Rule

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

43 CFR Part 431

General Regulations for Power Generation, Operation, Maintenance, and Replacement at the Boulder Canyon Project, Arizona/Nevada; Public Workshop

AGENCY: Bureau of Reclamation, Interior.

ACTION: Notice of Public Workshop.

SUMMARY: The Bureau of Reclamation published proposed "General Regulations for Power Generation, Operation, Maintenance, and Replacement at the Boulder Canyon Project" in the **Federal Register** (51 FR 7833–7835) on March 6, 1986. This notice is to announce that a second public workshop on the General Regulations will be held.

DATE: April 18, 1986, beginning at 2:00 p.m.

ADDRESS: The City of Los Angeles, Department of Water and Power Conference Room, 600 Nevada Highway, Boulder City, Nevada.

FOR FURTHER INFORMATION CONTACT: Mr. Robert McCullough, Regional Supervisor of Power, Bureau of Reclamation, P.O. Box 427, Boulder City, Nevada 89005, (702) 293–8104.

SUPPLEMENTARY INFORMATION: The workshop will provide a further opportunity to discuss the Bureau of Reclamation's General Regulations and to expedite completion of those regulations concurrent with the Western Area Power Administration's "General Regulations for the charges for the Sale of Power from the Boulder Canyon Project" which are the subject of a separate rulemaking by the Secretary of Energy, acting through the Administrator of Western under 10 CFR Part 904.

Dated: April 10, 1986.

C. Dale Duvall,

Commissioner.

[FR Doc. 86–8417 Filed 4–11–86; 11:19 am]

BILLING CODE 4310-09-M

Reader Aids

Federal Register

Vol. 51, No. 71

Monday, April 14, 1986

INFORMATION AND ASSISTANCE

SUBSCRIPTIONS AND ORDERS

Subscriptions (public)	202-783-3238
Problems with subscriptions	275-3054
Subscriptions (Federal agencies)	523-5240
Single copies, back copies of FR	783-3238
Magnetic tapes of FR, CFR volumes	275-1184
Public laws (Slip laws)	275-3030

PUBLICATIONS AND SERVICES

Daily Federal Register

General information, index, and finding aids	523-5227
Public inspection desk	523-5215
Corrections	523-5237
Document drafting information	523-5237
Legal staff	523-4534
Machine readable documents, specifications	523-3408

Code of Federal Regulations

General information, index, and finding aids	523-5227
Printing schedules and pricing information	523-3419

Laws	523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the President	523-5230
Weekly Compilation of Presidential Documents	523-5230

United States Government Manual	523-5230

Other Services

Library	523-4986
Privacy Act Compilation	523-4534
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, APRIL

11007-11284.....1
11285-11418.....2
11419-11538.....3
11539-11702.....4
11703-11894.....7
11895-12116.....8
12117-12302.....9
12303-12496.....10
12497-12594.....11
12595-12678.....14

CFR PARTS AFFECTED DURING APRIL

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR
Proposed Rules:
Ch. III.....11928, 12332

3 CFR
Proclamations:
4707 (Superseded in part by Proc. 5452).....11539
4768 (Superseded in part by Proc. 5452).....11539
5365 (Superseded in part by Proc. 5452).....11539
(Superseded in part by Proc. 5453).....11545
5452.....11539
5453.....11545
5454.....12119
5455.....12303
5456.....12305
Administrative Orders:
Presidential Determinations:
No. 86-8 of March 25, 1986.....12117

5 CFR
Ch. XIV.....12595
530.....11007
950.....11668
Proposed Rules:
530.....11043

7 CFR
247.....11008
272.....11009, 12307
273.....11009, 12307
278.....12497
371.....11703
400.....11704, 12307
418.....11285
436.....11285
444.....11286
445.....11291
449.....11895
713.....11419
770.....11419
795.....11419
796.....11419
907.....11419
908.....11419
916.....11900
917.....11900
925.....12498
944.....12498
1006.....11551
1094.....11552
1106.....11297
1230.....11553
1260.....11557
1421.....11419
1425.....11419
1427.....11419
1430.....11526
1902.....12307
1924.....12307
1930.....12307
1944.....11298, 12307
1951.....11562
1965.....11562
Proposed Rules:
1.....11930
27.....12624
28.....12624
51.....12522
52.....11043, 11744
61.....12624
271.....12268
272.....12268
273.....12268
274.....12268
275.....12268
276.....12268
652.....11053
729.....11274
907.....11931
908.....11931
982.....11932
999.....11932
1032.....11452
1040.....11053
1094.....11452
1106.....11453
1240.....11313
1493.....11744

8 CFR
223.....12595
223a.....12595

9 CFR
51.....11299
75.....12596
91.....12121
94.....11902
Proposed Rules:
93.....11316
381.....12161

10 CFR
110.....12598
Proposed Rules:
Ch. I.....12162
2.....12629
50.....12502
904.....12333

12 CFR
201.....11903
226.....11422
564.....12122
Proposed Rules:
620.....11745

13 CFR
121.....11705

14 CFR
39.....11300, 11301, 11704-11714, 12123, 12506, 12507, 12509, 12511
71.....11426, 11564, 11715, 11886, 12512
73.....12512
97.....11564, 12513
Proposed Rules:
Ch. I.....12163
21.....11933

23 11933
39 ..... 11321, 11322, 11748-11750
71 ..... 11454, 11455, 11585, 11752, 12524
91 11942

15 CFR
806 11012

Proposed Rules:
917 12525

16 CFR
13 11904

Proposed Rules:
13 12629

17 CFR
33 11905
239 11907
240 ..... 11907, 12124
249 11907
259 11907
269 11907
274 11907

Proposed Rules:
30 12104

18 CFR
2 ..... 11566, 11716
3 12137
157 ..... 11566-11569, 11716
284 ..... 11566-11569, 11716
389 11716

19 CFR
18 11012
24 11012
101 11013
112 11012
113 11012
141 11012
144 11012
146 11012
178 11012
191 11012

Proposed Rules:
101 12339

20 CFR
404 ..... 11717, 11910, 12600
416 ..... 11717, 12600

Proposed Rules:
655 11942

21 CFR
5 ..... 11427, 11429
73 ..... 11430, 11432, 11435, 12607
74 11014
82 11014
145 11433
160 11434
173 11719
178 12607
193 11437
430 11571
436 11571
441 11571
510 11437-11439
520 11439
522 11437
529 ..... 11438, 11440
555 11441
558 ..... 11014, 11438, 11439, 12137
561 12138
720 11441
882 12100

Proposed Rules:
74 11054
150 11054
163 ..... 12631, 12632
172 ..... 12163, 12632
175 ..... 12163, 12632
176 ..... 12163, 12632
177 ..... 12163, 12632
179 ..... 12163, 12632
181 ..... 12163, 12632
501 11456
812 11266
868 11516

22 CFR
501 11014
503 11014
504 11016
505 11016
506 11014
511 11014
516 11014
525 11014

23 CFR
140 11576
1325 11445

Proposed Rules:
645 11055

24 CFR
115 11577
200 11198
215 11198
235 11198
236 11198
247 11198
812 11198
880 11198
881 11198
882 11198
883 11198
884 11198
885 12308
886 11198
912 11198

26 CFR
1 ..... 11016, 11302
35a 11447
48 12515
602 ..... 11016, 12515

Proposed Rules:
1 ..... 11323, 11324, 11753, 12022, 12340-12341
3 12022
5f 12022
6a 12022
25 12022
31 12341
514 12022

27 CFR
9 11912

Proposed Rules:
4 11944
5 12342
9 11753

28 CFR
2 11017

29 CFR
4 12264
5 12264
1602 11017
2201 11578
2610 12488
2616 ..... 12489, 12491
2617 ..... 12489, 12491
2623 ..... 12489, 12491

Proposed Rules:
1910 12526
1926 11945

30 CFR
870 11720
917 ..... 11579, 12138
935 12141

Proposed Rules:
Ch. II 12163
7 11586
250 11324
918 11586
935 ..... 11055, 11588, 11589
944 12166

31 CFR

Proposed Rules:
51 11056

32 CFR
291a 12312
552 11722
701 11018
706 ..... 11303-11305, 12142-12144, 12515, 12516
834 12313

33 CFR
3 11914
66 11447
110 ..... 11726, 12313, 12314
117 12318-14320
146 11580
162 12314
165 ..... 11019, 11448, 11727
175 11580
181 11580

Proposed Rule:
100 11590
117 12342
166 11755

34 CFR

Proposed Rules:
692 12480

38 CFR
21 12321

39 CFR

Proposed Rule:
10 12343
111 11324

40 CFR
51 11414
52 ..... 11019, 11305, 12321-12323, 12517
60 ..... 11021, 11727, 12144, 12324
61 ..... 11021, 12144
131 11580
141 11396
142 11396
143 11396
166 11306
180 ..... 11306-11308, 11448, 12145, 12146
261 12148
799 11728

Proposed Rules:
50 11058
52 11756
180 12168
440 12344
721 11591
763 11947
766 12344
799 ..... 11756, 12344

41 CFR
50-201 12264
101-20 11022
101-38 11684
101-39 11022

42 CFR
57 ..... 11029, 12608
400 11581
405 ..... 11142, 11582
435 12325

43 CFR
2200 12609

Proposed Rules:
4 12168
431 12678

44 CFR
64 ..... 12152, 12612
65 ..... 12153, 12154
67 12155
302 12518

Proposed Rules:
61 12348
67 12175

45 CFR

Proposed Rules:
1178 11597

46 CFR

Proposed Rules:
381 12176
383 12176

47 CFR
0 ..... 12157, 12614
1 ..... 12157, 12614
2 12614
15 12614
18 12614
43 12157
65 11033
67 11035
68 12614
73 ..... 11037-11040, 11583, 11914-11917, 12159, 12160, 12614, 12616

Proposed Rules:
64 11948
69 11328
73 ..... 11058, 11072, 11598-11600, 11950-11956, 12176-12179
76 11073
90 11075
97 11759

48 CFR
1 12296
8 12292
22 12292
31 12296
52 12292
53 12292
242 12330
706 11449
716 11449
725 11449
752 11449

Proposed Rules:
31 12676
203 11760
209 11602
252 ..... 11602, 11760
904 11457
952 11457
970 ..... 11457, 11701
1401 11075
1405 11075
1406 11075
1408 11075
1414 11075
1415 11075
1419 11075
1420 11075
1428 11075
1437 11075
1452 11075
1453 11075

49 CFR
1 ..... 12617, 12618
301 12619
388 12619
389 12619
390 12619
391 12619
394 12619
395 12619
541 11919
565 11309
571 ..... 11309, 11310

Proposed Rules:
172 12529
173 12529
571 11957
1042 12530

1312..... 11536

50 CFR

228..... 11737
619..... 11921
642..... 11041, 11310
650..... 11041, 11927
655..... 11451, 11742
663..... 12622
671..... 11041

Proposed Rules:

17..... 11761, 11874, 11880, 12180, 12184, 12444–12460
23..... 11328, 12350
611..... 12632
630..... 12632
683..... 12531

LIST OF PUBLIC LAWS

Last List April 10, 1986.

This is a continuing list of public bills from the current session of Congress which have become Federal laws. The text of laws is not published in the **Federal Register** but may be ordered in individual pamphlet form (referred to as "slip laws") from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone 202–275–3030).

S.J. Res. 52/Pub. L. 99–273

To designate the month of April 1986 as "National School Library Month." (Apr. 9, 1986; 100 Stat. 392; 1 page) Price: $1.00

CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

New units issued during the week are announced on the back cover of the daily **Federal Register** as they become available.

A checklist of current CFR volumes comprising a complete CFR set, also appears in the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

The annual rate for subscription to all revised volumes is $595.00 domestic, $148.75 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Charge orders (VISA, MasterCard, or GPO Deposit Account) may be telephoned to the GPO order desk at **(202) 783-3238** from 8:00 a.m. to 4:00 p.m. eastern time, Monday—Friday (except holidays).

Title	Price	Revision Date
1, 2 (2 Reserved)	$5.50	Jan. 1, 1986
3 (1984 Compilation and Parts 100 and 101)	7.50	Jan. 1, 1985
*4	11.00	Jan. 1, 1986
5 Parts:		
1-1199	18.00	Jan. 1, 1986
1200-End, 6 (6 Reserved)	6.50	Jan. 1, 1986
7 Parts:		
0-45	14.00	Jan. 1, 1985
46-51	13.00	Jan. 1, 1985
52	18.00	Jan. 1, 1986
53-209	14.00	Jan. 1, 1986
210-299	13.00	Jan. 1, 1985
300-399	8.00	Jan. 1, 1985
400-699	12.00	Jan. 1, 1985
700-899	17.00	Jan. 1, 1986
*900-999	20.00	Jan. 1, 1986
1000-1059	12.00	Jan. 1, 1986
1060-1119	9.50	Jan. 1, 1986
1120-1199	8.50	Jan. 1, 1986
*1200-1499	13.00	Jan. 1, 1986
1500-1899	7.00	Jan. 1, 1986
1900-1944	12.00	Jan. 1, 1985
1945-End	13.00	Jan. 1, 1985
8	7.00	Jan. 1, 1986
9 Parts:		
1-199	14.00	Jan. 1, 1986
200-End	9.50	Jan. 1, 1985
10 Parts:		
0-199	17.00	Jan. 1, 1985
200-399	9.50	Jan. 1, 1985
400-499	12.00	Jan. 1, 1985
500-End	14.00	Jan. 1, 1985
*11	7.00	Jan. 1, 1986
12 Parts:		
*1-199	8.50	Jan. 1, 1986
200-299	22.00	Jan. 1, 1986
300-499	9.50	Jan. 1, 1985
500-End	14.00	Jan. 1, 1985
13	13.00	Jan. 1, 1985
14 Parts:		
1-59	16.00	Jan. 1, 1985
60-139	13.00	Jan. 1, 1985
140-199	7.50	Jan. 1, 1986
200-1199	14.00	Jan. 1, 1986
1200-End	8.00	Jan. 1, 1986
15 Parts:		
0-299	7.00	Jan. 1, 1986
300-399	13.00	Jan. 1, 1985
*400-End	15.00	Jan. 1, 1986

Title	Price	Revision Date
16 Parts:		
0-149	9.00	Jan. 1, 1986
150-999	10.00	Jan. 1, 1986
1000-End	13.00	Jan. 1, 1985
17 Parts:		
1-239	20.00	Apr. 1, 1985
240-End	14.00	Apr. 1, 1985
18 Parts:		
1-149	12.00	Apr. 1, 1985
150-399	19.00	Apr. 1, 1985
400-End	7.00	Apr. 1, 1985
19	21.00	Apr. 1, 1985
20 Parts:		
1-399	8.00	Apr. 1, 1985
400-499	16.00	Apr. 1, 1985
500-End	18.00	Apr. 1, 1985
21 Parts:		
1-99	9.00	Apr. 1, 1985
100-169	11.00	Apr. 1, 1985
170-199	13.00	Apr. 1, 1985
200-299	4.25	Apr. 1, 1985
300-499	20.00	Apr. 1, 1985
500-599	16.00	Apr. 1, 1985
600-799	6.50	Apr. 1, 1985
800-1299	10.00	Apr. 1, 1985
1300-End	5.50	Apr. 1, 1985
22	21.00	Apr. 1, 1985
23	14.00	Apr. 1, 1985
24 Parts:		
0-199	11.00	Apr. 1, 1985
200-499	19.00	Apr. 1, 1985
500-699	6.50	Apr. 1, 1985
700-1699	13.00	Apr. 1, 1985
1700-End	9.00	Apr. 1, 1985
25	18.00	Apr. 1, 1985
26 Parts:		
§§ 1.0-1.169	21.00	Apr. 1, 1985
§§ 1.170-1.300	12.00	Apr. 1, 1985
§§ 1.301-1.400	7.50	Apr. 1, 1985
§§ 1.401-1.500	15.00	Apr. 1, 1985
§§ 1.501-1.640	12.00	[2] Apr. 1, 1984
§§ 1.641-1.850	11.00	Apr. 1, 1985
§§ 1.851-1.1200	22.00	Apr. 1, 1985
§§ 1.1201-End	22.00	Apr. 1, 1985
2-29	15.00	Apr. 1, 1985
30-39	9.50	Apr. 1, 1985
40-299	18.00	Apr. 1, 1985
300-499	11.00	Apr. 1, 1985
500-599	8.00	[1] Apr. 1, 1980
600-End	4.75	Apr. 1, 1985
27 Parts:		
1-199	18.00	Apr. 1, 1985
200-End	13.00	Apr. 1, 1985
28	16.00	July 1, 1985
29 Parts:		
0-99	11.00	July 1, 1985
100-499	5.00	July 1, 1985
500-899	19.00	July 1, 1985
900-1899	7.00	July 1, 1985
1900-1910	21.00	July 1, 1985
1911-1919	5.50	[3] July 1, 1984
1920-End	20.00	July 1, 1985
30 Parts:		
0-199	16.00	July 1, 1985
200-699	6.00	July 1, 1985
700-End	13.00	July 1, 1985
31 Parts:		
0-199	8.50	July 1, 1985
200-End	11.00	July 1, 1985

Title	Price	Revision Date
32 Parts:		
1–39, Vol. I	15.00	[4] July 1, 1984
1–39, Vol. II	19.00	[4] July 1, 1984
1–39, Vol. III	18.00	[4] July 1, 1984
1–189	13.00	July 1, 1985
190–399	16.00	July 1, 1985
400–629	15.00	July 1, 1985
630–699	12.00	[3] July 1, 1984
700–799	15.00	July 1, 1985
800–999	7.50	July 1, 1985
1000–End	5.50	July 1, 1985
33 Parts:		
1–199	20.00	July 1, 1985
200–End	14.00	July 1, 1985
34 Parts:		
1–299	15.00	July 1, 1985
300–399	8.50	July 1, 1985
400–End	18.00	July 1, 1985
35	7.00	July 1, 1985
36 Parts:		
1–199	9.00	July 1, 1985
200–End	14.00	July 1, 1985
37	9.00	July 1, 1985
38 Parts:		
0–17	16.00	July 1, 1985
18–End	11.00	July 1, 1985
39	9.50	July 1, 1985
40 Parts:		
1–51	16.00	July 1, 1985
52	21.00	July 1, 1985
53–80	23.00	July 1, 1985
81–99	18.00	July 1, 1985
100–149	18.00	July 1, 1985
150–189	13.00	July 1, 1985
190–399	19.00	July 1, 1985
400–424	14.00	July 1, 1985
425–699	13.00	July 1, 1985
700–End	8.00	July 1, 1985
41 Chapters:		
1, 1–1 to 1–10	13.00	[5] July 1, 1984
1, 1–11 to Appendix, 2 (2 Reserved)	13.00	[5] July 1, 1984
3–6	14.00	[5] July 1, 1984
7	6.00	[5] July 1, 1984
8	4.50	[5] July 1, 1984
9	13.00	[5] July 1, 1984
10–17	9.50	[5] July 1, 1984
18, Vol. I, Parts 1–5	13.00	[5] July 1, 1984
18, Vol. II, Parts 6–19	13.00	[5] July 1, 1984
18, Vol. III, Parts 20–52	13.00	[5] July 1, 1984
19–100	13.00	[5] July 1, 1984
1–100	7.50	July 1, 1985
101	19.00	July 1, 1985
102–200	8.50	July 1, 1985
201–End	5.50	July 1, 1985
42 Parts:		
1–60	12.00	Oct. 1, 1985
61–399	7.00	Oct. 1, 1985
400–429	16.00	Oct. 1, 1985
430–End	11.00	Oct. 1, 1985

Title	Price	Revision Date
43 Parts:		
1–999	10.00	Oct. 1, 1985
1000–3999	18.00	Oct. 1, 1985
4000–End	8.50	Oct. 1, 1985
44	13.00	Oct. 1, 1985
45 Parts:		
1–199	10.00	Oct. 1, 1985
200–499	7.00	Oct. 1, 1985
500–1199	13.00	Oct. 1, 1985
1200–End	9.00	Oct. 1, 1985
46 Parts:		
1–40	10.00	Oct. 1, 1985
41–69	10.00	Oct. 1, 1985
70–89	5.50	Oct. 1, 1985
90–139	9.00	Oct. 1, 1985
140–155	8.50	Oct. 1, 1985
156–165	10.00	Oct. 1, 1985
166–199	9.00	Oct. 1, 1985
200–499	15.00	Oct. 1, 1985
500–End	7.50	Oct. 1, 1985
47 Parts:		
0–19	13.00	Oct. 1, 1985
20–69	21.00	Oct. 1, 1985
70–79	13.00	Oct. 1, 1985
80–End	18.00	Oct. 1, 1985
48 Chapters:		
1 (Parts 1–51)	16.00	Oct. 1, 1985
1 (Parts 52–99)	12.00	Oct. 1, 1985
2	15.00	Oct. 1, 1985
3–6	13.00	Oct. 1, 1985
7–14	17.00	Oct. 1, 1985
15–End	17.00	Oct. 1, 1985
49 Parts:		
1–99	7.00	Oct. 1, 1985
100–177	19.00	Nov. 1, 1985
178–199	15.00	Nov. 1, 1985
200–399	13.00	Oct. 1, 1985
400–999	16.00	Oct. 1, 1985
1000–1199	13.00	Oct. 1, 1985
1200–1299	13.00	Oct. 1, 1985
1300–End	2.25	Oct. 1, 1985
50 Parts:		
1–199	11.00	Oct. 1, 1985
200–End	19.00	Oct. 1, 1985
*CFR Index and Findings Aids	21.00	Jan. 1, 1986
Complete 1986 CFR set	595.00	1986
Microfiche CFR Edition:		
Complete set (one-time mailing)	155.00	1983
Complete set (one-time mailing)	125.00	1984
Subscription (mailed as issued)	185.00	1986
Individual copies	3.75	1986

[1] No amendments to this volume were promulgated during the period Apr. 1, 1980 to March 31, 1985. The CFR volume issued as of Apr. 1, 1980, should be retained.

[2] No amendments to this volume were promulgated during the period Apr. 1, 1984 to March 31, 1985. The CFR volume issued as of Apr. 1, 1984, should be retained.

[3] No amendments to this volume were promulgated during the period July 1, 1984 to June 30, 1985. The CFR volume issued as of July 1, 1984, should be retained.

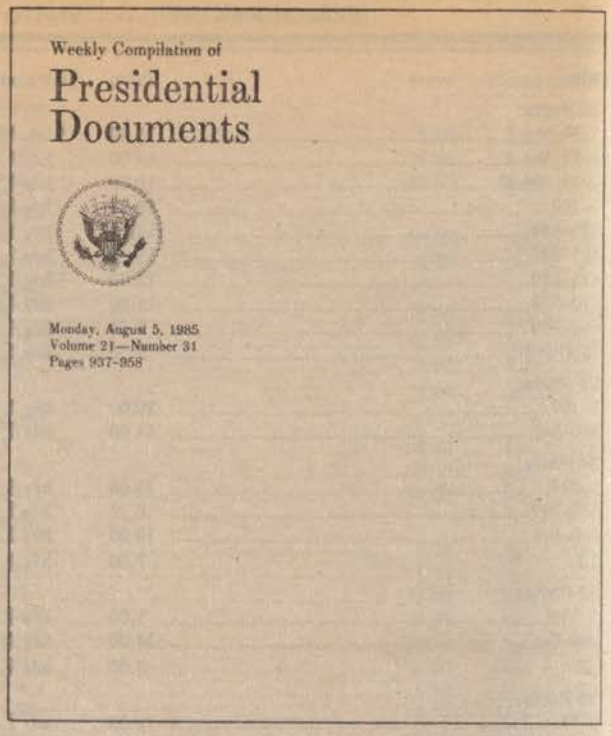
[4] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[5] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

The authentic text behind the news . . .

The Weekly Compilation of **Presidential Documents**

Administration of Ronald Reagan



This unique service provides up-to-date information on Presidential policies and announcements. It contains the full text of the President's public speeches, statements, messages to Congress, news conferences, personnel appointments and nominations, and other Presidential materials released by the White House.

The Weekly Compilation carries a Monday dateline and covers materials released during the preceding week. Each issue contains an Index of Contents and a Cumulative Index to Prior Issues.

Separate indexes are published periodically. Other features include lists of acts approved by the President and of nominations submitted to the Senate, a checklist of White House press releases, and a digest of other Presidential activities and White House announcements.

Published by the Office of the Federal Register, National Archives and Records Administration

Order Form

Mail To: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402

Enclosed is $ _____ ☐ check, ☐ money order, or charge to my Deposit Account No.

☐☐☐☐☐☐☐–☐

Order No. _____

MasterCard and VISA accepted.

VISA MasterCard

Credit Card Orders Only

Total charges $ _____

Fill in the boxes below.

Customer's Telephone Nos.

Area Code Home Area Code Office

Credit Card No. ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date Month/Year ☐☐☐☐

Charge orders may be telephoned to the GPO order desk at (202)783-3238 from 8:00 a.m. to 4:00 p.m. eastern time, Monday-Friday (except holidays)

ENTER MY SUBSCRIPTION FOR 1 YEAR TO: WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS (PD)

$64.00 Domestic; $80.00 Foreign

$105.00 if Domestic first-class mailing is desired.

PLEASE PRINT OR TYPE

Company or Personal Name

Additional address/attention line

Street address

City State ZIP Code

(or Country)

(Rev 10-1-85)

(Rev. 10-1-85)