

pollutant discharge, pollution control and facilities permits applicable to coal mining, preparation and transportation.

Pursuant to the Agreement, the Buyer will acquire the real property interests, the coal preparation facility, the equipment and the permits ("Assets") from the Sellers. The Sellers shall assign and delegate to the Buyer all rights and obligations under various oil and gas leases, farming leases, timber leases, residential leases, licenses, franchises, contracts, concessions and recorded and unrecorded occupancy agreements applicable to or for the use or occupancy of the real estate to be sold. The total purchase price under the Agreement for the Assets is \$6.05 million, of which \$1.25 million shall be paid at closing to be held no later than June 30, 1995. The Buyer will deliver a promissory note, secured by a letter of credit, in the amount of \$4.8 million, bearing interest at the rate of a 8.004213 percent per annum, payable in 40 equal quarterly installments of principal and interest of \$175,500, beginning on September 30, 1995 and ending on June 30, 2005.

Under the Agreement, the Sellers have agreed to indemnify the Buyer against certain liabilities and contingencies that may be asserted by employees or former employees of SACCo against the Buyer or by federal, state or local agencies as a result of noncompliance with laws relating to mining operations.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95-11040 Filed 5-3-95; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License # 03/03-5171]

Consumer United Capital Corporation; Notice of License Surrender

Notice is hereby given that *Consumers United Capital Corporation*, ("CUCC"), 1150 Connecticut Avenue NW., Suite 205, Washington, D.C. 20036, has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended ("the Act"). CUCC was licensed by the Small Business Administration on April 25, 1985.

Under the authority vested by the Act and pursuant to the regulations promulgated thereunder, the surrender of the license was accepted on March

22, 1994, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Dated: April 27, 1995.

Robert D. Stillman,

Associate Administrator for Investment.

[FR Doc. 95-10952 Filed 5-3-95; 8:45 am]

BILLING CODE 8025-01-M

Investment Advisory Council; Public Meeting

The U.S. Small Business Investment Advisory Council will hold a public meeting from 10 a.m. to 3 p.m. Thursday, May 11, 1995, at the ANA Hotel, located at 2900 M Street, NW, Washington, DC, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Ed Cleveland, U.S. Small Business Administration, 409 Third Street, SW, Washington, DC 20416, (202) 205-6510.

Dated: April 27, 1995.

Dorothy A. Overall,

Director, Office of Advisory Council.

[FR Doc. 95-10926 Filed 5-3-95; 8:45 am]

BILLING CODE 8025-01-M

SOCIAL SECURITY ADMINISTRATION

[Social Security Acquiescence Ruling 95-1(6)]

Preslar v. Secretary of Health and Human Services; Definition of Highly Marketable Skills for Individuals Close to Retirement Age

AGENCY: Social Security Administration.

ACTION: Notice of Social Security Acquiescence Ruling.

SUMMARY: In accordance with 20 CFR 422.406(b)(2), the Commissioner of Social Security gives notice of Social Security Acquiescence Ruling 95-1(6).

EFFECTIVE DATE: May 4, 1995.

FOR FURTHER INFORMATION CONTACT:

Gary Sargent, Litigation Staff, Social Security Administration, 6401 Security Blvd., Baltimore, MD 21235, (410) 965-1695.

SUPPLEMENTARY INFORMATION: Although not required to do so pursuant to 5 U.S.C. 552(a)(1) and (a)(2), we are publishing this Social Security Acquiescence Ruling in accordance with 20 CFR 422.406(b)(2).

A Social Security Acquiescence Ruling explains how we will apply a

holding in a decision of a United States Court of Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act (the Act) or regulations when the Government has decided not to seek further review of that decision or is unsuccessful on further review.

We will apply the holding of the Court of Appeals decision as explained in this Social Security Acquiescence Ruling to claims at all levels of administrative adjudication within the Sixth Circuit. This Social Security Acquiescence Ruling will apply to all determinations and decisions made on or after May 4, 1995. If we made a determination or decision on your application for benefits between January 21, 1994, the date of the Court of Appeals' decision and May 4, 1995, the effective date of this Social Security Acquiescence Ruling, you may request application of the Social Security Acquiescence Ruling to your claim if you first demonstrate, pursuant to 20 CFR 404.985(b) or 416.1485(b), that application of the Ruling could change our prior determination or decision.

If this Social Security Acquiescence Ruling is later rescinded as obsolete, we will publish a notice in the **Federal Register** to that effect as provided for in 20 CFR 404.985(e) and 416.1485(e). If we decide to relitigate the issue covered by this Social Security Acquiescence Ruling as provided for by 20 CFR 404.985(c) and 416.1485(c), we will publish a notice in the **Federal Register** stating that we will apply our interpretation of the Act or regulations involved and explaining why we have decided to relitigate the issue.

(Catalog of Federal Domestic Assistance Programs Nos. 93.802 Social Security—Disability Insurance; 93.803 Social Security—Retirement Insurance; 93.805 Social Security—Survivors Insurance; 93.806—Special Benefits for Disabled Coal Miners; 93.807—Supplemental Security Income.)

Dated: November 14, 1994.

Shirley S. Chater,

Commissioner of Social Security.

Acquiescence Ruling 95-1(6)

Preslar v. Secretary of Health and Human Services, 14 F.3d 1107 (6th Cir. 1994)—Definition of Highly Marketable Skills for Individuals Close to Retirement Age—Titles II and XVI of the Social Security Act.

Issue: Whether, in order to find that the skills of a claimant who is close to retirement age (age 60-64) are "highly marketable" within the meaning of the Secretary's regulations, the Social Security Administration (SSA) must