

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, Center for Food Safety and Applied Nutrition, 21 CFR 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, 402, 409, 721 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 342, 348, 379e).

2. Section 178.3297 is amended in the table in paragraph (e) by alphabetically adding a new entry under the headings "Substances" and "Limitations" to read as follows:

**§ 178.3297 Colorants for polymers.**

\* \* \* \* \*  
(e) \* \* \*

| Substances   | Limitations  |
|--|--|
| *  | *  |
| Copper chromite black spinel (C.I. Pigment Black 28, CAS Reg. No. 68186-91-4). | For use at levels not to exceed 5 percent by weight of polymers. The finished articles are to contact food only under conditions of use A through H as described in Table 2 of § 176.170(c) of this chapter. |
| *  | *  |

Dated: May 26, 1995.  
**Fred R. Shank,**  
*Director, Center for Food Safety and Applied Nutrition.*  
[FR Doc. 95-14464 Filed 6-13-95; 8:45 am]  
BILLING CODE 4160-01-F

**DEPARTMENT OF JUSTICE**

**28 CFR Part 0**

[Tax Division Directive No. 105]

**Redelegation of Authority To Compromise and Close Civil Claims**

**AGENCY:** Department of Justice.  
**ACTION:** Final rule.

**SUMMARY:** This directive increases the settlement authority of the Chiefs of the Civil Trial Sections, the Court of Federal Claims Section, the Appellate Section, the Office of Review, the Deputy Assistant Attorneys General, and the United States Attorneys to compromise and close civil claims. In addition, this directive provides for discretionary redelegation of limited authority by a section chief to his or her assistant chiefs and reviewers. This latter redelegation is subject to the limitation that the assistant chief or reviewer may not be the attorney-of-record in the case. This directive also eliminates the

separate redelegation to the Attorney-in-Charge of the Dallas Field Office as that office, now the Southwestern Civil Trial Section, is covered under the general redelegation of authority to Chiefs of Civil Trial Sections. This directive supersedes Directive No. 95.

**EFFECTIVE DATE:** June 14, 1995.  
**FOR FURTHER INFORMATION CONTACT:** Milan Karlan, Tax Division, Department of Justice, Washington, DC 20530 (202) 307-6567.

**SUPPLEMENTARY INFORMATION:** This rule relates to internal agency management. Therefore, pursuant to 5 U.S.C. 553, notice of proposed rulemaking and opportunity for comments are not required, and this rule may be made effective less than 30 days after publication in the **Federal Register**. This regulation is not a major rule within the meaning of Executive Order 12291. Therefore, a regulatory impact analysis has not been prepared. Finally, this regulation does not have an impact on small entities and, therefore, is not subject to the Regulatory Flexibility Act.

**List of Subjects in 28 CFR Part 0**

Authority Delegations (Government Agencies), Government Employees, Organization and Functions (Government Agencies).

Accordingly, 28 CFR Part 0 is amended as follows:

**PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE**

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

**Authority:** 5 U.S.C. 301; 28 U.S.C. 509, 510, 515-19.

2. The Appendix to subpart Y of part 0 is amended by removing Tax Division Directive No. 95.

3. Tax Division Directive No. 105 is added to read as follows:  
[Directive No. 105]

By virtue of the authority vested in me by Part 0 of Title 28 of the Code of Federal Regulations, particularly Sections 0.70, 0.160, 0.162, 0.164, 0.166, and 0.168, It Is Hereby Ordered As Follows:

Section 1. The Chiefs of the Civil Trial Sections, the Court of Federal Claims Section, and the Appellate Section are authorized to reject offers in compromise, regardless of amount, provided that such action is not opposed by the agency or agencies involved.

Section 2. Subject to the conditions and limitations set forth in Section 8 hereof, the Chiefs of the Civil Trial Sections and the Court of Federal Claims Section are authorized to:

(A) Accept offers in compromise in all civil cases, other than:

(i) Cases involving liability under Section 6672 of the Internal Revenue Code; and

(ii) Cases in which judgments in favor of the United States have been entered, in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$300,000;

(B) Approve administrative settlements of civil claims against the United States in all cases, other than cases involving liability under Section 6672 of the Internal Revenue Code, in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$200,000;

(C) Approve concessions (other than by compromise) of civil claims asserted by the United States in all cases, other than cases involving liability under Section 6672 of the Internal Revenue Code, in which the gross amount of the original claim does not exceed \$200,000;

(D) In civil cases involving liability under Section 6672 of the Internal Revenue Code, (i) accept offers in compromise in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$500,000; (ii) approve administrative settlements of claims against the United States in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$350,000; and (iii) approve concessions (other than by compromise) of claims asserted by the United States in which the gross amount of the original claim does not exceed \$350,000;

(E) Accept offers in compromise of judgments in favor of the United States in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$500,000;

(F) Accept offers in compromise in injunction or declaratory judgment suits against the United States in which the principal amount of the related liability, if any, does not exceed \$300,000; and

(G) Accept offers in compromise in all other nonmonetary cases; provided that such action is not opposed by the agency or agencies involved, and provided further that the proposed compromise, administrative settlement, or concession is not subject to reference to the Joint Committee on Taxation.

Section 3. The Chiefs of the Civil Trial Sections and the Court of Federal Claims Section are authorized on a case-by-case basis to redelegate in writing to their respective Assistant Section Chiefs or Reviewers the authority delegated to them in Section 1 hereof to reject offers, and in Section 2 hereof,

(A) to accept offers in compromise in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$100,000;

(B) to approve administrative settlements of civil claims against the United States in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$100,000; and

(C) to approve concessions (other than by compromise) of civil claims asserted by the United States in which the gross amount of the original claim does not exceed \$100,000;

provided that such redelegation is not made to the attorney-of-record in the case. The redelegations pursuant to this section shall be by memorandum signed by the Section Chief, which shall be placed in the Department of Justice file for the applicable case.

Section 4. Subject to the conditions and limitations set forth in Section 8 hereof, the Chief of the Appellate Section is authorized to:

(A) Accept offers in compromise with reference to litigating hazards of the issues on appeal in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$300,000;

(B) Accept offers in compromise in declaratory judgment suits against the United States in which the principal amount of the related liability, if any, does not exceed \$300,000; and

(C) Accept offers in compromise in all other nonmonetary cases which do not involve issues concerning collectibility; provided that (i) such acceptance is not opposed by the agency or agencies involved or the chief of the section in which the case originated, and (ii) the proposed compromise is not subject to reference to the Joint Committee on Taxation.

Section 5. Subject to the conditions and limitations set forth in Section 8 hereof, the Chief of the Office of Review is authorized to:

(A) Accept offers in compromise of claims against the United States in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$1,500,000;

(B) Accept offers in compromise of claims on behalf of the United States in all civil cases in which the difference between the gross amount of the original claim and the proposed settlement does not exceed \$1,500,000 or 15 percent of the original claim, whichever is greater;

(C) Approve administrative settlements of civil claims against the United States in all cases in which the amount of the Government's concession,

exclusive of statutory interest, does not exceed \$1,000,000;

(D) Approve concessions (other than by compromise) of civil claims asserted by the United States in all cases in which the gross amount of the original claim does not exceed \$1,000,000;

(E) Accept offers in compromise in all nonmonetary cases; and

(F) Reject offers in compromise or disapprove administrative settlements or concessions, regardless of amount, provided that such action is not opposed by the agency or agencies involved or the chief of the section to which the case is assigned, and provided further that the proposed compromise, administrative settlement, or concession is not subject to reference to the Joint Committee on Taxation.

Section 6. Subject to the conditions and limitations set forth in Section 8 hereof, each of the Deputy Assistant Attorneys General is authorized to:

(A) Accept offers in compromise of claims against the United States in all civil cases in which the amount of the Government's concession, exclusive of statutory interest, does not exceed \$2,000,000;

(B) Accept offers in compromise of claims on behalf of the United States in all civil cases in which the difference between the gross amount of the original claim and the proposed settlement does not exceed \$2,000,000 or 15 percent of the original claim, whichever is greater;

(C) Approve administrative settlements of civil claims against the United States in all cases in which the amount of the Government's concession does not exceed \$1,500,000, exclusive of statutory interest;

(D) Approve concessions (other than by compromise) of civil claims asserted by the United States in all cases in which the gross amount of the original claim does not exceed \$1,500,000;

(E) Accept offers in compromise in all nonmonetary cases; and

(F) Reject offers in compromise or disapprove administrative settlements or concessions, regardless of amount, provided that such action is not opposed by the agency or agencies involved and the proposed compromise, administrative settlement, or concession is not subject to reference to the Joint Committee on Taxation.

Section 7. Subject to the conditions and limitations set forth in Section 8 hereof, United States Attorneys are authorized to:

(A) Reject offers in compromise of judgments in favor of the United States, regardless of amount;

(B) Accept offers in compromise of judgments in favor of the United States

where the amount of the judgment does not exceed \$300,000; and

(C) Terminate collection activity by his or her office as to judgments in favor of the United States which do not exceed \$300,000 if the United States Attorney concludes that the judgment is uncollectible;

provided that such action has the concurrence in writing of the agency or agencies involved, and provided further that this authorization extends only to judgments which have been formally referred to the United States Attorney for collection.

Section 8. The authority redelegated herein shall be subject to the following conditions and limitations:

(A) When, for any reason, the compromise, administrative settlement, or concession of a particular claim, as a practical matter, will control or adversely influence the disposition of other claims totalling more than the respective amounts designated in Sections 2, 3, 4, 5, 6, and 7 hereof, the case shall be forwarded for review at the appropriate level for the cumulative amount of the affected claims;

(B) When, because of the importance of a question of law or policy presented, the position taken by the agency or agencies or by the United States Attorney involved, or any other considerations, the person otherwise authorized herein to take final action is of the opinion that the proposed disposition should be reviewed at a higher level, the case shall be forwarded for such review;

(C) If the Department has previously submitted a case to the Joint Committee on Taxation leaving one or more issues unresolved, any subsequent compromise, administrative settlement, or concession in that case must be submitted to the Joint Committee, whether or not the overpayment exceeds the amount specified in Section 6405 of the Internal Revenue Code;

(D) Nothing in this Directive shall be construed as altering any provision of Subpart Y of Part O of Title 28 of the Code of Federal Regulations requiring the submission of certain cases to the Attorney General, the Associate Attorney General, or the Solicitor General.

(E) Authority to approve recommendations that the Government confess error or make administrative settlements in cases on appeal is excepted from the foregoing redelegations; and

(F) The Assistant Attorney General, at any time, may withdraw any authority delegated by this Directive as it relates to any particular case or category of cases, or to any part thereof.

Section 9. This Directive supersedes Tax Division Directive No. 95, effective February 21, 1992.

Section 10. This Directive is effective on June 14, 1995.

Dated: November 22, 1994.

**Loretta C. Argrett,**  
*Assistant Attorney General.*

Approved:

Dated: June 8, 1995.

**Jamie Gorelick,**  
*Deputy Attorney General.*

[FR Doc. 95-14442 Filed 6-13-95; 8:45 am]

BILLING CODE 4410-01-M

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD05-95-023]

RIN 2115-AE47

#### Drawbridge Operation Regulations; York River, Yorktown, VA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** At the request of the Virginia Department of Transportation, the Coast Guard is changing the regulations that govern the operation of the drawbridge across York River, mile 7.0, at Yorktown, Virginia, by extending the periods of restricted bridge openings during the morning and evening rush hours. This is intended to provide relief to highway traffic during the extended rush hours on the roads and highways linked by this drawbridge, while still providing for the reasonable needs of navigation.

**EFFECTIVE DATES:** This rule is effective on June 14, 1995. Comments must be received on or before September 12, 1995.

**ADDRESSES:** Comments may be mailed to Commander (ob), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be delivered to Room 109 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (804) 398-6222. Comments will become part of this docket and will be available for inspection at Room 109, Fifth Coast Guard District.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

## SUPPLEMENTARY INFORMATION:

### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD5-95-023) and the specific section of this rule to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (ob) at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

**Drafting Information.** The principal persons involved in drafting this document are Linda L. Gilliam, Project Manager, Bridge Section, and LCDR C. A. Abel, Project Counsel, Fifth Coast Guard District Legal Office.

### Regulatory Information

This rule is being published as an interim rule and is being made effective on the date of publication. Under 5 U.S.C. 553(b), this rule is being promulgated without an NPRM because the need to relieve highway traffic congestion due to current circumstances is immediate, and vessel traffic will not be unduly burdened. Further, this rule should be made effective in less than 30 days after publication under 5 U.S.C. 553(d) because to delay the effective date would further exacerbate already serious highway traffic problems, and the Coast Guard believes it is in the overall public interest to do so. For these reasons, the Coast Guard for good cause finds, under 5 U.S.C. 553 (b)(B) and (d)(3), that notice, and public procedure on the notice, before the effective date of this rule are unnecessary and that this rule should be made effective in less than 30 days after publication.