PART 49—ANTITRUST CIVIL PROCESS ACT

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Authority: 15 U.S.C. 1313.

§ 49.1 Purpose.

The regulations in this part are issued in compliance with the requirements imposed by the provisions of section 4(c) of the Antitrust Civil Process Act, as amended (15 U.S.C. 1313(c)). The terms used in this part shall be deemed to have the same meaning as similar terms used in that Act.

§ 49.2 Duties of custodian.

(a) Upon taking physical possession of documentary material, answers to interrogatories, or transcripts of oral testimony delivered pursuant to a civil investigative demand issued under section 3(a) of the Act, the antitrust document custodian designated pursuant to section 4(a) of the Act (subject to the general supervision of the Assistant Attorney General in charge of the Antitrust division), shall unless otherwise directed by a court of competent jurisdiction, select, from time to time, from among such documentary material, answers to interrogatories or transcripts of oral testimony, the documentary material, answers to interrogatories or transcripts of oral testimony the copying of which the custodian deems necessary or appropriate for the official use of the Department of Justice, and shall determine, from time to time, the number of copies of any such documentary material, answers to interrogatories or transcripts of oral testimony that are to be reproduced pursuant to the Act.

(b) Copies of documentary material, answers to interrogatories, or transcripts of oral testimony in the physical possession of the custodian pursuant to a civil investigative demand may be reproduced by or under the authority of any officer, employee, or agent of the Department of Justice designated by the custodian. Documentary material for which a civil investigative demand has been issued but which is still in the physical possession of the person upon whom the demand has been served may, by agreement between such person and the custodian, be reproduced by such person, in which case the custodian may require that the copies so produced be duly certified as true copies of the original of the material involved.

§ 49.3 Examination of the material.

Documentary material, answers to interrogatories, or transcripts of oral testimony produced pursuant to the Act, while in the custody of the custodian, shall be for the official use of officers, employees, and agent of the Department of Justice in accordance with the Act. Upon reasonable notice to the custodian—

(a) Such documentary material or answers to interrogatories shall be made available for examination by the person who produced such documentary material or answers to interrogatories, or by any duly authorized representative of such person; and

(b) Such transcripts of oral testimony shall be made available for examination by the person who produced such testimony, or by such person's counsel, during regular office hours established for the Department of Justice. Examination of such documentary material, answers to interrogatories, or transcripts of oral testimony at other times may be authorized by the Assistant Attorney General or the custodian.

§ 49.4 Deputy custodians.

Deputy custodians may perform such of the duties assigned to the custodian as may be authorized or required by the Assistant Attorney General.

Dated: August 18, 1995.

Janet Reno,

Attorney General.

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DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Parts 356, 358, 372, and 393

Organizational Charter; Removal of Parts

AGENCY: Department of Defense.

ACTION: Final rule.

SUMMARY: This document removes Department of Defense's organizational charters on the Advanced Research Projects Agency (ARPA), Assistant Secretary of Defense for Policy and Plans (ASD(P&P)), Assistant Secretary of Defense for Democracy and Peacekeeping, and the American Forces Information Service (AFIS) codified in the CFR. The parts have served the purpose for which they were intended in the CFR and are no longer necessary.

EFFECTIVE DATE: August 25, 1995.

FOR FURTHER INFORMATION CONTACT: L. Bynum or P. Toppings, 703–697–4111.

SUPPLEMENTARY INFORMATION: DoD Directive 5105.41 (32 CFR part 393) was canceled by DoD Directive 5134.10. DoD Directive 5111.6 (32 CFR part 358) was canceled by DoD Directive 5111.5. DoD Directive 5111.4 (32 CFR part 356) was canceled by DoD Directive 5111.10. DoD Directive 5122.10 (32 CFR part 372) exists in the DoD Directive system, however, the most recent version is dated March 22, 1995. All of the current documents may be obtained from the National Technical Information Service (NTIS), 5285 Port Royal Road, Springfield, VA 22161.

List of Subjects in 32 CFR Parts 356, 358, 372, and 393

Organization and functions.

PARTS 356, 358, 372, and 393—[REMOVED]

Accordingly, by the authority of 10 U.S.C. 301, 32 CFR parts 356, 358, 372, and 393 are removed.

Dated: August 22, 1995.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[OH87–1–7075a; FRL–5285–6]

Determination of Attainment of the Ozone Standard by the Cleveland, Toledo, Dayton and Cincinnati-Hamilton Interstate Ozone Nonattainment Areas and Determination Regarding Applicability of Certain Reasonable Further Progress and Attainment Demonstration Requirements; Ohio

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Final rule; removal.

SUMMARY: On June 29, 1995, the USEPA published a final rule, through the ''direct final'' procedure, determining that the Cleveland (which includes the Counties of Ashtabula, Cuyahoga, Geauga, Lake, Lorain, Medina, Portage and Summit); Toledo (which includes the Counties of Lucas and Wood); Dayton (which includes the Counties of Clark, Greene, Miami and Montgomery); and the Ohio portion of the Cincinnati-Hamilton Interstate (which includes the Counties of Butler, Clermont, Hamilton