

a full facepiece supplied air respirator operated in the pressure demand mode equipped with HEPA egress cartridges or an auxiliary positive pressure self-contained breathing apparatus for all employees within the regulated area where Class I work is being performed for which a negative exposure assessment has not been produced and, the exposure assessment indicates the exposure level will not exceed 1 f/cc as an 8-hour time weighted average. A full facepiece supplied air respirator operated in the pressure demand mode equipped with an auxiliary positive pressure self-contained breathing apparatus shall be provided under such conditions, if the exposure assessment indicates exposure levels above 1 f/cc as an 8-hour time weighted average.

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10. In § 1926.1101, paragraph (o)(4)(i) is revised to read as follows:

* * * * *

(o) * * *

(4) * * *

(i) For Class I and II asbestos work the competent person shall be trained in all aspects of asbestos removal and handling, including: abatement, installation, removal and handling; the contents of this standard; the identification of asbestos; removal procedures, where appropriate; and other practices for reducing the hazard. Such training shall be obtained in a comprehensive course for supervisors that meets the criteria of EPA's Model Accreditation Plan (40 CFR part 763, subpart E, Appendix C), such as a course conducted by an EPA-approved or state-approved training provider, certified by EPA or a state, or a course equivalent in stringency, content, and length.

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[FR Doc. 95-24171 Filed 9-28-95; 8:45 am]

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PENSION BENEFIT GUARANTY CORPORATION

29 CFR Parts 2627, 2645, and 2674

RIN 1212-AA77

Display of OMB Control Numbers

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule; technical amendments.

SUMMARY: This document amends the PBGC's final regulations on Disclosure to Participants (29 CFR Part 2627), Extension of Special Withdrawal Liability Rules (29 CFR Part 2645), and

Notice of Insolvency (29 CFR Part 2674) to display the applicable OMB control numbers.

EFFECTIVE DATE: September 29, 1995.

FOR FURTHER INFORMATION CONTACT:

Catherine B. Klion, Attorney, Office of the General Counsel, PBGC, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024 (202-326-4179 for TTY and TDD).

SUPPLEMENTARY INFORMATION: The Pension Benefit Guaranty Corporation is amending several of its regulations to display the applicable Office of Management and Budget control numbers as required by 5 CFR 1320.4 and 1320.5. All of the collections of information contained in Parts 2627, 2645, and 2674 have been approved by OMB.

List of Subjects in 29 CFR Parts 2627, 2645, and 2674

Pension insurance, Pensions, Reporting and recordkeeping requirements.

Accordingly, 29 CFR Parts 2626, 2645, and 2674 are amended as follows:

PART 2627—DISCLOSURE TO PARTICIPANTS

1. The authority citation for part 2627 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1311.

2. A new § 2627.11 is added to read as follows:

§ 2627.11 OMB control number.

The collections of information contained in this part have been approved by the Office of Management and Budget under OMB control number 1212-0050.

PART 2645—EXTENSION OF SPECIAL WITHDRAWAL LIABILITY RULES

3. The authority citation for part 2645 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1383(f), 1388(e)(3).

4. A new § 2645.5 is added to read as follows:

§ 2645.5 OMB control number.

The collections of information contained in this part have been approved by the Office of Management and Budget under OMB control number 1212-0023.

PART 2674—NOTICE OF INSOLVENCY

5. The authority citation for part 2674 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1426(e).

§ 2674.5 [Amended]

6. At the end of § 2674.5, the words "(Approved by the Office of Management and Budget under control number 1212-0033)" are removed.

§ 2674.6 [Amended]

7. At the end of § 2674.6, the words "(Approved by the Office of Management and Budget under control number 1212-0033)" are added.

Issued in Washington, DC, this 22d day of September 1995.

Martin Slate,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 95-24220 Filed 9-28-95; 8:45 am]

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DEPARTMENT OF EDUCATION

34 CFR Part 80

Education Department General Administrative Regulations; Cost Principles for State, Local and Indian Tribal Governments

AGENCY: Department of Education.

ACTION: Announcement regarding the revision of certain cost principles.

SUMMARY: The Secretary announces the applicability of revised Office of Management and Budget (OMB) Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments," as revised by OMB in the Federal Register of May 17, 1995 (60 FR 26484). This Circular establishes principles for determining allowable costs incurred by State, local, and Indian tribal governments under certain agreements with the Federal Government.

While the Department has decided to make this circular apply to grants and subgrants made on or after October 1, 1995, this notice also permits flexibility for costs incurred after July 1, 1995.

DATES: This notice takes effect for grants and subgrants awarded on or after on October 1, 1995.

FOR FURTHER INFORMATION CONTACT: Richard T. Mueller, U.S. Department of Education, Grants and Contracts Service, Room 3652 ROB, 600 Independence Ave., SW. Washington, DC 20202-4201. Telephone: (202) 708-8787. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: On March 11, 1988, the Secretary published 34

CFR Part 80—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments (53 FR 8071). This regulatory action was the result of the Department's participation in the common rule developed by Federal agencies for administering grants and cooperative agreements awarded to State, local, and Indian tribal governments. Part 80 established Circular A-87 as the cost principles used by the Secretary of Education for determining allowable costs of State, local, and Indian tribal governments under grants and cooperative agreements with the Department. (34 CFR 80.22.)

When Part 80 was published, it was the practice of the Department to adopt circulars in the regulations by citing a specific circular publication date (See 34 CFR 80.22(b)). Now, the Department makes OMB circulars applicable through notices such as this one. Thus, the Department will make conforming amendments to 34 CFR 80.22 to eliminate the obsolete publication date for Circular A-87.

On May 17, 1995, OMB published a revision of Circular A-87 (60 FR 26484). This notice announces the applicability for 34 CFR Part 80 of the revision made by OMB, binding recipients of Department of Education grants and cooperative agreements to the requirements of Circular A-87 as revised on May 17, 1995. These cost principles apply to State, local, and Indian tribal governments, except to the extent that the principles are inconsistent with specific statutes or Departmental program or administrative regulations. The revised Circular is effective for grants and cooperative agreements made by ED on or after October 1, 1995 and for subgrants made under those awards on or after that date. The cost principles in Circular A-87 are also cross-referenced in the Department's administrative regulations applicable to institutions of higher education, hospitals, and nonprofit organizations, at 34 CFR 74.27(b).

The Secretary is aware that the revised circular contains areas of flexibility which were not contained in the prior cost principles and that could be beneficial to State, local and Indian tribal governments. The Department has made substantial grant awards, primarily to States, since July 1, 1995, and the recipients of these awards may desire to benefit from the more flexible rules in the revised A-87. Considering this, the Department has determined that it will permit recipients for which the Department has cognizance to charge direct costs which are consistent

with the revised Circular for the period July 1, 1995 through the end of the 1996 fiscal year. However, States and other governmental authorities that have State-wide cost allocation plans and indirect cost rates in effect for parts of fiscal year 1996 based on costs allowable under the prior A-87 may not amend those agreements prior to their expiration.

Waiver of Proposed Rulemaking

It is the practice of the Secretary to offer interested parties the opportunity to comment on proposed rules in accordance with the Administrative Procedure Act (5 U.S.C. 553). However, since OMB previously provided the public an opportunity for comment on the revision of Circular A-87 on October 12, 1988 (53 FR 40352) and August 19, 1993 (58 FR 44212), the Secretary finds that soliciting further public comment with respect to adopting the revised circular is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B). For the same reason, the Secretary finds good cause under 5 U.S.C. 553(d) to waive the thirty-day delayed effective date.

Nonetheless, in light of recently enacted legislation—the Improving America's School Act, the Goals 2000: Educate America Act, and the School-to-Work Opportunities Act—the Secretary is interested in receiving suggestions or ideas from the States and local and Indian tribal governments and other interested parties about improving the application of the Circular based on the flexibility provided in these new laws.

The Secretary has already received and is reviewing letters from several States since the Circular's publication, concerning such areas as time distribution and the determination of reasonable and necessary expenditures of program funds.

The Secretary encourages States, local and Indian tribal governments, and other interested parties, as partners in Federal program management, to maintain an open dialogue with Department officials about matters covered in Circular A-87, including accounting practices that promote efficient administrative practices, support effective delivery of program services, and conserve resources.

(Catalog of Federal Domestic Assistance Number does not apply.)

Dated: September 26, 1995.

Donald R. Wurtz,
Chief Financial Officer.

[FR Doc. 95-24381 Filed 9-28-95; 8:45 am]

BILLING CODE 4000-01-P

LIBRARY OF CONGRESS

Copyright Office

37 CFR Parts 201 and 202

[Docket No. 95-1B]

Restoration of Certain Berne and WTO Works

AGENCY: Copyright Office, Library of Congress.

ACTION: Final regulations

SUMMARY: The Copyright Office is issuing final regulations establishing procedures that govern the filing of Notices of Intent to Enforce copyright (NIEs) and the registering of copyright claims to restored works as required by the Uruguay Round Agreements Act. The Act automatically restores copyright for certain foreign works effective January 1, 1996. Although restoration is automatic, the copyright owner may file a Notice of Intent to Enforce the Restored Copyright with the Copyright Office in order to enforce rights against reliance parties.

EFFECTIVE DATE: These final regulations are effective October 1, 1995.

FOR FURTHER INFORMATION CONTACT:

Marilyn J. Kretsinger, Acting General Counsel, Copyright GC/I&R, P.O. Box 70400, Southwest Station, Washington, D.C. 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

I. Background

On December 8, 1994, President Clinton signed the "Uruguay Round Agreements Act" (URAA), Pub. L. No. 103-465, 108 Stat. 4809. The URAA contains several significant copyright amendments. It amends the software rental provision found in 17 U.S.C. 109(b) by eliminating the expiration or sunset date, amends Titles 17 and 18 to create civil and criminal remedies for "bootlegging" sound recordings of live musical performances and music videos, and adds a new 17 U.S.C. 104A which restores copyright in certain foreign works. The URAA also gives the Copyright Office several responsibilities related to restoration of those works.

A. Restoration of Copyright in Eligible Works

Under the URAA, restoration of copyright in works from countries which are currently eligible occurs automatically on January 1, 1996. An eligible country is a nation, other than the United States, that is a member of the Berne Convention,¹ or a member of

¹ Convention concerning the creation of an International Union for the Protection of Literary