Administration, 15000 Aviation Boulevard, Lawndale, California, 90261, telephone (310)–725–6533.

SUPPLEMENTARY INFORMATION:

Comment Invited

Interest parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with the comments a self-addressed, stamped postcard on which the following statement is made: ''Comments to Airspace Docket No. 95–AWP–41.'' The postcard will be date/time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the System Management Branch, Air Traffic Division, at 15000 Aviation Boulevard, Lawndale, California 90261, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM

Any person may obtain a copy of this notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, System Management Branch, P.O. Box 92007, Worldway Postal Center, Los Angeles, California 90009. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A, which describes the application procedures.

The Proposal

The FAA is considering an amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a Class E airspace area at North Law Vegas Air Terminal, Las Vegas NV. The development of a GPS SIAP at North Las Vegas Air Terminal has made this proposal necessary. The intended effect of this proposal is to provide adequate Class E airspace for aircraft executing the GPS RWY 12 SIAP at North Las Vegas Air Terminal, Las Vegas, NV. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface of the earth are published in Paragraph 6005 of FAA Order 7400.9C dated August 17, 1995, and effective September 16, 1995, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in this Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under DOT Regulatory Policies and Procedures (44 FR 10034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule would not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.09C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet or More Above the Surface of the Earth

* * * * *

AWP NV E5 North Las Vegas Air Terminal, NV [New]

North Las Vegas Air Terminal, NV
(Lat. 36°12′45″ N, long. 115°11′49″ W).

That airspace extending upward from 700 feet above the surface within a 6.9-mile radius of the North Las Vegas Air Terminal, excluding that portion within the Las Vegas, NV, Class B airspace area.

* * * * *

Issued in Los Angeles, California, on November 16, 1995.

James H. Snow,

Acting Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 95–29351 Filed 12–5–95; 8:45 am]

BILLING CODE 4910–13–M

FEDERAL TRADE COMMISSION

16 CFR Part 303

Rules and Regulations Under the Textile Fiber Products Identification Act

AGENCY: Federal Trade Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: On January 27, 1992, Courtaulds Fibers, Inc. (''Courtaulds'') applied to the Federal Trade Commission (''the Commission'') requesting establishment of a new generic name and definition for a fiber it manufactures. It recommended ''lyocell'' be adopted as the new generic name for this fiber. The application was filed pursuant to Rule 8 (16 CFR 303.8) of the Rules and Regulations Under the Textile Fiber Products Identification Act, 15 U.S.C. 70 *et seq.*, and Subpart C of Part 1 of the Commission's Rules of Practice, 16 CFR 1.26. In the application Courtaulds stated that its cellulosic fiber differs in kind and chemical structure from any of the existing fiber definitions of Rule 7 (16 CFR 303.7).

Commission staff, with the assistance of an expert on textiles, after review of Courtauld's application, determined that various tests were necessary in order to evaluate whether lyocell was, in fact, a new generic fiber. Courtaulds performed these tests using the procedures and under the conditions outlined by the textile expert. In March 1995, Courtaulds submitted the results of these tests, as well as other materials relating to its application.

Although the Commission has determined that the proposed new fiber falls within the existing Rule 7(d) (16

CFR 303.7(d)) definition of ''rayon,'' the Commission believes it is in the public interest to amend the Rule to recognize the fiber's unique characteristics.

Rule 7(d) currently defines ''rayon'' as: a manufactured fiber composed of regenerated cellulose, as well as manufactured fibers composed of regenerated cellulose in which substituents have replaced not more than 15% of the hydrogens of the hydroxyl groups.

Based on its review of the Courtaulds application and related materials, the Commission proposed to retain the current Rule 7(d) definition and to add the following sentence: Where the fiber is composed of cellulose precipitated from an organic solution in which no substitution of the hydroxyl groups takes place and no chemical intermediates are formed, the term *lyocell* may be used as a generic description of the fiber.

The Commission now solicits comments as to whether Rule 7(d) should be amended and, if so, the form of such an amendment.

DATE: Written comments will be accepted until February 5, 1996.

ADDRESS: Comments and other submissions should be directed to: Secretary, Federal Trade Commission, Room H–159, Sixth and Pennsylvania Avenue NW., Washington, DC 20580. Submissions should be identified as ''Rule 7(d) Under the Textile Act—Comment.''

FOR FURTHER INFORMATION CONTACT: Bret S. Smart, Program Advisor, Los Angeles Regional Office, Federal Trade Commission, 11000 Wilshire Boulevard, #13209, Los Angeles, CA 90024, (310) 235–7890.

SUPPLEMENTARY INFORMATION:

Section A. Background

Rule 6 (16 CFR § 303.6) of the Rules and Regulations Under the Textile Act requires covered persons to use the generic names of the fibers contained in covered textile fiber products when making required disclosures of the fiber content of the products. Rule 7 (16 CFR 303.7) sets forth the generic names and definitions that the Commission has established for manufactured fibers. These generic manufactured fibers have been found by the Commission to be individually unique and distinctive by virtue of their chemical composition and physical properties. Rule 8 (16 CFR 303.8) sets the procedures for establishing new generic names. Upon receipt of an application for a new generic name, the Commission must, within 60 days, either deny the application or assign to the fiber a numerical or alphabetical symbol for temporary use during further consideration of the application.

Courtaulds submitted its application requesting establishment of ''lyocell'' as a new generic fiber name on January 27, 1992. After an initial analysis the Commission granted Courtaulds the designation ''CF0001'' for temporary use in identifying the fiber until the final determination is made as to the disposition of the application. Commission staff, with the assistance of an expert on textiles, determined that various tests were necessary in order to evaluate whether lyocell was, in fact, a new generic fiber. Courtaulds performed these tests using the procedures and under the conditions outlined by the textile expert. In March 1995, Courtaulds submitted the results of these tests, as well as other materials relating to its application. The application and related materials have been placed on the rulemaking record.

The effect of the proposed amendment would be to allow use of the name ''lyocell'' as an alternative to the generic name ''rayon'' for the subcategory of rayon fibers meeting the further criteria contained in the sentence added by the proposed amendment. Within the established 21 generic names for manufactured fibers, there are presently two cases where such generic name alternatives may be used. Specifically, pursuant to Rule 7(e) (16 CFR 303.7(e)), within the generic category ''acetate,'' the term ''tricacetate'' may be used as an alternative generic description for a specifically defined subcategory of acetate fiber. And pursuant to Rule 7(j) (16 CFR 303.7(j)), within the generic category ''rubber,'' the term ''lastrile'' may be used as an alternative generic description for a specifically defined subcategory of rubber fiber.

The Commission takes this opportunity to clarify its policy concerning the criteria by which it will decide the disposition of petitions filed under Rule 8 of the Textile Act Rules, 16 CFR 303.8 (1995). In 1973, at the conclusion of the rulemaking that led to creation of the new generic name ''aramid,'' the Commission declared the following policy for adopting generic fiber names:

> [T]he Commission, in the interest of elucidating the grounds on which it has based this decision and shall base future decisions as to the grant of generic names for textile fibers, sets out the following criteria for grant of such generic names.
>
> 1. The fiber for which a generic name is requested must have a chemical composition radically different from other fibers, and that distinctive chemical composition must result in distinctive physical properties of significance to the general public.
>
> 2. The fiber must be in active commercial use or such use must be immediately foreseen.
>
> 3. The grant of the generic name must be of importance to the consuming public at large, rather than to a small group of knowledgeable professionals such as purchasing officers for large Government agencies.
>
> The Commission believes it is in the public interest to prevent the proliferation of generic names, and will adhere to a stringent application of the above-mentioned criteria in consideration of any future applications for generic names and in a systematic review of any generic names previously granted which no longer meet these criteria.

As exemplified by today's action and reflected in this notice, the Commission generally reaffirms its 1973 criteria. In addition, it notes that where appropriate, in considering applications for new generic names for fibers that are of the same general chemical composition as those for which a generic name already has been established, rather than of a chemical composition that is radically different, but that have distinctive properties of importance to the general public as a result of a new method of manufacture or their substantially differentiated physical characteristics, such as their fiber structure, it may allow such fiber to be designated in required information disclosures by either its generic name, or alternatively, by its ''subclass'' name. The Commission will consider this disposition when the distinctive feature or features of the subclass fiber make it suitable for uses for which other fibers under the established generic name would not be suited or would be significantly less well suited.

The Commission believes that Courtaulds' current application describes a subclass of generic rayon fibers with significant distinctions to consumers resulting from physical characteristics of the fiber and its new mode of manufacture that meet the above standard for allowing designation by the subclass name ''lyocell.'' Courtaulds' application and other documents and materials related to the petition describe the lyocell fiber, its manufacture and possible uses as follows:

Lyocell fiber results from the dissolution of cellulose into an aqueous solution of N-methyl morpholine oxide and the precipitation of the fiber out of solution. This process is unique among methods used to manufacture other existing rayons. As a result, the molecular structure of lyocell fiber is radically different from that of other rayons in that it has a substantially

higher degree of polymerization and greater crystallinity. These differences induce high wet and dry tenacity as well as high initial wet modulus in lyocell fiber. Consequently, garments made from the fiber are highly resistant to shrinkage and wrinkling and therefore do not require drycleaning, unlike other rayons. In addition to its use in apparel, Courtaulds maintains that lyocell may be used to produce biodegradable paper and hydro-entangled nonwoven products since, unlike other rayons, it fibrillates upon beating.

Section B. Invitation to Comment

In today's notice, the Commission is soliciting comments on all aspects of the appropriateness of the proposed amendment to Rule 7(d). Before adopting this proposed amendment, the Commission will give consideration to any written comments and materials submitted to the Secretary of the Commission within the time period stated above. Submissions will be available for public inspection in accordance with the Freedom of Information Act, 5 U.S.C. 552, and Commission Regulations on normal business days between the hours of 8:30 a.m. and 5 p.m. at the Public Reference Room, Room 130, Federal Trade Commission, 6th & Pennsylvania Avenue NW., Washington, DC 20580.

Section C. Regulatory Flexibility Act

The provisions of the Regulatory Flexibility Act relating to an initial and final regulatory analysis, 5 U.S.C. 603–604, are not applicable to this document because it is believed the amendment, if promulgated, will not have a significant economic impact on a substantial number of small entities. In considering the economic impact of the proposed amendment on manufacturers and retailers, the Commission notes that the amendment will impose no obligations, penalties, or costs. The amendment would simply allow covered companies to use the term ''lyocell'' as an alternative generic description for ''rayon'' for a well-defined subcategory of rayon fibers. The amendment would impose no additional labeling requirements nor would it mandate any changes in labeling.

To ensure, however, that no substantial economic impact is being overlooked, public comment is requested on the effect of the proposed amendment on costs, profit, competitiveness, and employment in small entities. Subsequent to the receipt of public comments, the Commission will decide whether the preparation of a final regulatory flexibility analysis is warranted. Accordingly, based on available information, the Commission hereby certifies, pursuant to the Regulatory Flexibility Act, 5 U.S.C. § 605(b), that the proposed amendment will not have a significant economic impact on a substantial number of small entities. This notice serves as certification to that effect for the purposes of the Small Business Administration.

Section D. Paperwork Reduction Act

This proposed amendment does not constitute a ''collection of information'' under the Paperwork Reduction Act of 1995, P.L. 104–13, 109 Stat. 163, and the implementing regulation, 5 CFR Part 1320 *et seq.*

The generic name petition request has already been submitted to the OMB and has been assigned a control number, 3084–0047.

List of Subjects in 16 CFR Part 303

Labeling, Textiles, Trade practices.

Authority: Sec. 7(c) of the Textile Fiber Products Identification Act, 15 U.S.C. 7(c); Sec. 553 of the Administrative Procedure Act, 5 U.S.C. 553.

By direction of the Commission.

Donald S. Clark,

Secretary.

[FR Doc. 95–28555 Filed 12–5–95; 8:45 am]

BILLING CODE 6750–01–M

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

[Regulation No. 4]

RIN 0960–AE20

Living In The Same Household And The Lump-Sum Death Payment

AGENCY: Social Security Administration.

ACTION: Proposed rules.

SUMMARY: We propose to revise our rules on ''living in the same household'' (LISH) and the lump-sum death payment (LSDP) to bring them into accord with legislation that restricted the payment of the LSDP. This revision will include the removal from our regulations of several outdated sections and paragraphs. We also propose to incorporate into our rules the policy established previously in a Social Security Ruling (SSR) that interpreted the definition of LISH to allow for extended separations that are based solely on medical reasons.

DATES: To be sure that your comments are considered, we must receive them no later than February 5, 1996.

ADDRESSES: Comments should be submitted in writing to the Commissioner of Social Security, P.O. Box 1585, Baltimore, MD 21235, sent by telefax to (410) 966–2830, sent by E-mail to ''regulations@ssa.gov'', or delivered to the Division of Regulations and Rulings, Social Security Administration, 3–B–1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, between 8:00 A.M. and 4:30 P.M. on regular business days. Comments may be inspected during these same hours by making arrangements with the contact person shown below.

FOR FURTHER INFORMATION CONTACT: Daniel T. Bridgewater, Legal Assistant, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965–3298 for information about these rules. For information on eligibility or claiming benefits, call our national toll-free number, 1–800–772–1213.

SUPPLEMENTARY INFORMATION:

Background

Prior to passage of the Omnibus Budget Reconciliation Act of 1981, Public Law (Pub. L.) 97–35, the widow(er) of a deceased worker could qualify for the LSDP if he/she had been LISH with the deceased at the time of death or, under certain conditions, if he/she paid the burial expenses of the deceased. Thus, a widow(er) who was not LISH with the deceased could still receive the LSDP if he/she paid the deceased's burial expenses.

Public Law 97–35 redefined who could qualify for the LSDP. Effective September 1, 1981, the LSDP no longer was payable to any individuals, other than those described in Pub. L. 97–35, or to funeral homes.

Under Public Law 97–35, the LSDP is payable to 3 categories of individuals: (1) the surviving spouse of the deceased who was LISH with the deceased at the time of death; (2) a person who is entitled to (or was eligible for) benefits as a widow(er) or mother or father on the deceased's earnings record for the month of death; or (3) a child of the deceased who is entitled to (or was eligible for) benefits on the deceased's earnings record for the month of death.

For those widow(ers) who were not LISH, a possible anomaly was created by the LSDP limitations in Public Law 97–35 and existing regulations. An example of such an anomaly is the following situation.

A worker had been living in a nursing home for 3 years prior to his death because his wife was unable to provide the daily medical care he needed. Until