

Authority: 5 U.S.C. 5941; E.O. 10000, 3 CFR, 1943-1948 Comp., p. 792; E.O. 12510, 3 CFR, 1985 Comp., p. 338.

2. In § 591.203, paragraphs (a)(1), (a)(3), (a)(6), and (b) are revised to read as follows:

**§ 591.203 Agencies and employees covered.**

(a) \* \* \*

(1) General Schedule.

\* \* \* \* \*

(3) Foreign Service (including the Senior Foreign Service).

\* \* \* \* \*

(6) Senior Executive Service (including the Federal Bureau of Investigation and the Drug Enforcement Administration Senior Executive Service).

\* \* \* \* \*

(b) This subpart may be applied, at the sole discretion of the employing agency, to civilian employees in other positions authorized by specific law applicable to such positions, consistent with the intent of 5 U.S.C. 5941.

3. In § 591.210, paragraph (f) is removed, paragraphs (b) through (e) are redesignated as (c) through (f), respectively, and a new paragraph (b) is added to read as follows:

**§ 591.210 Payment of allowances and differentials.**

\* \* \* \* \*

(b) Payment of an allowance or differential begins as of the date of an employee's arrival on regular assignment or transfer, or on the date of entrance on duty in the case of local recruitment. An employee who is temporarily assigned to duty in a nonforeign area is eligible for a differential, but not an allowance, except that payment of a differential shall not begin until after 42 consecutive calendar days of assignment in the differential area. Payment of an allowance or differential ceases—

(1) On separation;

(2) As of the date of departure on transfer to a new post of regular assignment; or

(3) As of the date of departure in the case of an employee on temporary assignment to the differential area.

\* \* \* \* \*

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**DEPARTMENT OF ENERGY**

**Office of Civilian and Radioactive Waste Management**

**10 CFR Part 960**

RIN 1901-1172

**General Guidelines for the Recommendation of Sites for Nuclear Waste Repositories**

**AGENCY:** Proposed rule; Reopening of public comment period.

**SUMMARY:** In response to additional requests from several interested persons, the Department of Energy has granted additional time to comment on proposed amendments to 10 CFR Part 960 that were published at 61 FR 66158, December 16, 1996.<sup>1</sup>

**DATES:** Comments should be received no later than April 16, 1997.

**ADDRESSES:** All written comments are to be submitted to April V. Gil, U.S. Department of Energy, Office of Civilian Radioactive Waste Management, Yucca Mountain Site Characterization Office, PO Box 98608, or provided by electronic mail to 10CFR960@notes.ymp.gov.

**FOR FURTHER INFORMATION CONTACT:** April V. Gil, U.S. Department of Energy, Office of Civilian Radioactive Waste Management, Yucca Mountain Site Characterization Office, PO Box 98608, Las Vegas, Nevada 89193, (800) 967-3477.

Issued in Washington, DC on this 14th day of March, 1997.

Lake Barrett,

*Acting Director, U.S. Department of Energy, Office of Civilian Radioactive Waste Management.*

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**FEDERAL ELECTION COMMISSION**

**11 CFR Parts 100 and 114**

[Notice 1997 4]

**Rulemaking Petition: Definition of "Member" of a Membership Association; Notice of Availability**

**AGENCY:** Federal Election Commission.

**ACTION:** Rulemaking petition: Notice of availability.

**SUMMARY:** On February 24, 1997, the Commission received a Petition for Rulemaking from James Bopp, Jr., on behalf of the National Right to Life Committee, Inc. The Petition urges the Commission to revise its rules defining

who is a member of a membership association in view of a recent court decision. The Petition is available for inspection in the commission's Public Records Office.

**DATES:** Statements in support of, or in opposition to, the Petition must be filed on or before April 21, 1997.

**ADDRESSES:** Comments must be in writing and addressed to: Ms. Susan E. Propper, Assistant General Counsel, 999 E Street, NW., Washington, DC 20463.

**FOR FURTHER INFORMATION CONTACT:**

Ms. Susan E. Propper, Assistant General Counsel, or Ms. Rita A. Reimer, Attorney, 999 E Street, NW., Washington, DC 20463, (202) 219-3690 or (800) 424-9530.

**SUPPLEMENTARY INFORMATION:** The petitioner is requesting the Commission to revise its rules defining who is a member of a membership association in view of the decision by the United States Court of Appeals for the District of Columbia Circuit in *Chamber of Commerce of the United States versus Federal Election Commission*, 69 F.3d 600 (D.C. Cir 1995), amended on *denial of rehearing*, 76 F.3d 1234 (D.C. Cir. 1996). The decision held that the current rules at 11 CFR 100.8(b)(4)(iv) and 114.1(e), which require members in most instances to have direct or indirect voting rights for at least one member of the association's highest governing body, cannot be applied to the Chamber of Commerce or the American Medical Association, because of other financial and organizational ties that exist between these entities and their members.

Copies of the Petition for Rulemaking are available for public inspection at the Commission's Public Records Office, 999 E Street, NW., Washington, DC 20463, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. Interested persons may also obtain a copy of the Petition by dialing the Commission's FlashFAX service at (202) 501-3413 and following its instructions, at any time of the day and week. Request document #232.

Statements in support of, or in opposition to, the Petition for Rulemaking must be submitted in writing by April 21, 1997.

Consideration of the merits of the Petition will be deferred until the close of the comment period. If the Commission decides that the Petition has merit, it may begin a rulemaking proceeding. Any subsequent action taken by the Commission will be announced in the Federal Register.

<sup>1</sup> See also 62 FR 4941, Feb. 3, 1997.