

**List of Subjects in 21 CFR Part 310**

Administrative practice and procedure, Drugs, Labeling, Medical devices, Reporting and recordkeeping requirements.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, it is proposed that 21 CFR part 310 be amended as follows:

**PART 310—NEW DRUGS**

1. The authority citation for 21 CFR part 310 is revised to read as follows:

**Authority:** 21 U.S.C. 321, 331, 351, 352, 353, 355, 360b–360f, 360j, 360hh–360ss, 361(a), 371, 374, 375, 379e; 42 U.S.C. 216, 241, 242(a), 262, 263b–263n.

**§ 310.516 [Removed]**

2. Section 310.516 *Progestational drug products; labeling directed to the patient* is removed.

Dated: March 25, 1999.

**William K. Hubbard,**

*Acting Deputy Commissioner for Policy.*

[FR Doc. 99–9146 Filed 4–12–99; 8:45 am]

BILLING CODE 4160–01–F

**UNITED STATES INFORMATION AGENCY****22 CFR Part 514****Exchange Visitor Program**

**AGENCY:** United States Information Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The regulations govern Agency-designated au pair programs under which foreign nationals are afforded the opportunity to live with an American host family and participate directly in the home life of the host family while providing child care services and attending a U.S. post-secondary educational institution. The Agency's goal in proposing amendment of these existing regulations is to strengthen the oversight and general accountability of the au pair program and to identify and reduce potential risk of injury to program participants. These amendments will provide greater specificity regarding the selection and orientation of both host family and au pair participants thereby enhancing the prospect for more informed participation by both parties. Further proposed program enhancements would require disclosure of prior experience for au pair participants providing child care for special needs children. An amendment to provide for uniform program audits is also proposed.

**DATES:** Written comments regarding this proposed rule will be accepted until May 13, 1999.

**ADDRESSES:** Comments regarding this proposed rule must be presented in duplicate and addressed as follows: United States Information Agency, Office of General Counsel, Rulemaking Clerk, 301 4th Street, S.W., Washington, D.C. 20547.

**FOR FURTHER INFORMATION CONTACT:** Sally Lawrence, Exchange Visitor Program Services, Program Designation Branch, United States Information Agency, 301 4th Street, S.W., Washington, D.C. 20547; Telephone (202) 401–9810.

**SUPPLEMENTARY INFORMATION:** The Agency has conducted a review of the consumer aspects of the au pair program and determines that certain regulatory amendments to existing regulations should improve the quality of the program, enhance child safety, promote transparency, and generally further the public understanding of this program. Specifically, the Agency has identified a systemic program arising from the advertising and promotion of the program. Often, this advertising promotes au pair participation as an opportunity to travel and experience life in the United States without a full explanation of the significant child care requirements that underlie the program. Conversely, the advertising directed towards American host families often promotes only the child care aspects of the program and fails to stress the educational and cultural benefits that the program should provide to the au pair participant.

Accordingly, to promote a better understanding of the program the Agency is proposing to amend the existing regulations set forth at §§ 514.31(f)(2) and 514.31(i) to require that all designated au pair program sponsors provide host families and potential au pairs with a brochure written by the Agency. This brochure explains fully the program obligations for both the au pair and host family participants and will enhance the overall integrity of the au pair program by providing written notice of these obligations.

The question of how best to provide for the inclusion of American families with self-identified special needs children has been raised. Au pairs are not personal attendants or nurses and will not have specialized training in nursing. Accordingly, au pairs will not provide child care services relating to the care and protection of infants or children which are performed by trained personnel such as registered,

vocational, or practical nurses. Mindful that the au pair program should be available to families with special needs children, the Agency is of the opinion that host family participation may be limited by the number of available au pair participants willing to accept such family placements. Further, it appears that au pair participants placed with families having special needs children should be better prepared for the demands that may arise from such placements. With these considerations in mind, the Agency proposes amendment of § 514.31(e) to ensure that both the au pair participant and host family are fully apprised of the unique responsibilities that may arise from this type of placement. To this end, the au pair will self-identify, and the sponsor will take reasonable steps to verify, his or her prior experience, skills, and training regarding the care of special needs children and the host family will be required to review and specifically acknowledge their acceptance of such experience, skills, and training. The Agency proposes this requirement to ensure that an au pair participant placed with a special needs child has accurately described any prior experience and that the au pair and host family are thus fully informed regarding duties and experience.

As a related au pair placement matter, the Agency also proposes amendment of § 514.31(e) to require that sponsors not place an au pair with a host family until the host family has interviewed the au pair by telephone. The Agency is of the opinion that most host families do in fact interview the potential au pair by telephone. To provide additional assurances to the host family regarding the au pair's English speaking ability, the Agency believes that this general practice of conducting a telephone interview should be made mandatory.

The Agency is also proposing an amendment to § 514.31 (m) to require that designated sponsors utilize a standard management audit format supplied by the Agency. This management auditing requirement was first adopted in 1995 and is designed to ensure that designated sponsors are in full compliance with Agency regulations. The Agency has now reviewed three years of management audits submitted in response to this regulation. The audits vary substantially in quality and content. Because this management audit is crucial to the Agency's oversight of the au pair program the public has a vested interest in ensuring that the quality, content, and integrity of the audit process is uniform and useful as a management oversight tool. Accordingly, the Agency

is of the opinion that it should have a standard audit format prepared and distributed to each au pair organization who will in turn have a certified public accountant of its choice conduct the audit in conformance with the standard audit format. The filing date for submission of this annual audit would be advanced from the current filing date of March 30th to June 30th. This change will benefit both sponsors and auditors by delaying the filing requirement until after the tax season.

#### Public Comment

The Agency invites comments regarding this proposed rule notwithstanding the fact that it is under no legal obligation to do so. The oversight and administration of the Exchange Visitor Program are deemed to be foreign affairs functions of the United States Government. The Administrative Procedures Act, 5 U.S.C. 553(a)(1) (1989), specifically exempts foreign affairs functions from the rulemaking requirements of the Act.

The Agency will accept comments for 30 days following publication of this proposed rule. A final rule will be adopted following Agency consideration of all comments received.

In accordance with 5 U.S.C. 605(b), the Agency certifies this rule does not have a significant adverse economic impact on a substantial number of small entities. This rule is not considered to be a major rule within the meaning of Section 1(b) of E.O. 12291, nor does it have federal implications warranting the preparation of a Federalism Assessment in accordance with E.O. 12612.

#### List of Subjects in 22 CFR Part 514

Cultural exchange programs.

Dated: April 7, 1999.

Les Jin,

General Counsel.

Accordingly, 22 CFR part 514 is proposed to be amended as follows:

#### PART 514—EXCHANGE VISITOR PROGRAM

1. The authority citation for part 514 continues to read as follows:

**Authority:** 8 U.S.C. 1101(a)(15)(j), 1182, 1258; 22 U.S.C. 1431–1442, 2451–2460; Reorganization Plan No. 2 of 1977, 42 FR 62461, 3 CFR, 1977 Comp. p. 200; E.O. 12048, 43 FR 13361, 3 CFR, 1978 Comp. p. 168; USIA Delegation Order No. 85–5 (50 FR 27393).

2. Section 514.31 paragraph (e), (f), (h), (i), and (m) are revised to read as follows:

#### § 514.31 Au pairs.

\* \* \* \* \*

(e) *Au pair placement.* Sponsors shall secure, prior to the au pair's departure from the home country, a host family placement for each participant.

Sponsors shall not:

(1) Place an au pair with a family unless the family has specifically agreed that a parent or other responsible adult will remain in the home for the first three days following the au pair's arrival;

(2) Place an au pair with a family having a child aged less than three months unless a parent or other responsible adult is present in the home;

(3) Place an au pair with a host family having children under the age of two, unless the au pair has at least 200 hours of documented infant child care experience;

(4) Place an au pair with a host family having a special needs child, as so identified by the host family, unless the au pair has specifically identified, and the sponsor has taken reasonable steps to verify, his or her prior experience, skills, or training in the care of special needs children and the host family has reviewed and acknowledged in writing the au pair's prior experience, skills, or training so identified and so verified;

(5) Place an au pair with a family unless a written agreement between the au pair and host family outlining the au pair's obligation to provide not more than 45 hours of child care services per week has been signed by both;

(6) Place the au pair with a family who cannot provide the au pair with a suitable private bedroom; and

(7) Place an au pair with a host family unless the host family has interviewed the au pair by telephone prior to the au pair's departure from his or her home country.

(f) *Au pair orientation.* In addition to the orientation requirements set forth herein at § 514.10, all sponsors shall provide au pairs, prior to their departure from the home country, with the following information:

(1) A copy of all operating procedures, rules, and regulations, including a grievance process, which govern the au pair's participation in the exchange program;

(2) A detailed profile of the family and community in which the au pair will be placed;

(3) A detailed profile of the educational institutions in the community where the au pair will be placed, including the financial cost of attendance at these institutions;

(4) A detailed summary of travel arrangements; and

(5) A copy of the Agency's written statement and brochure regarding the au pair program.

\* \* \* \* \*

(h) *Host family selection.* Sponsors shall adequately screen all potential host families and at a minimum shall:

(1) Require that the host parents are U.S. citizens or legal permanent residents;

(2) Require that host parents are fluent in spoken English;

(3) Require that all adult family members resident in the home have been personally interviewed by an organizational representative;

(4) Require that host parents and other adults living full-time in the household have successfully passed a background investigation including employment and personal character references;

(5) Require that the host family have adequate financial resources to undertake all hosting obligations;

(6) Provide a written detailed summary of the exchange program and the parameters of their and the au pair's duties, participation, and obligations; and

(7) Provide the host family with the prospective au pair participant's complete application, including all references.

(i) *Host family orientation.* In addition to the requirements set forth at § 514.10 sponsors shall:

(1) Inform all host families of the philosophy, rules, and regulations governing the sponsor's exchange program and provide all families with a copy of the Agency's written statement and brochure regarding the au pair program;

(2) Provide all selected host families with a complete copy of Agency-promulgated Exchange Visitor Program regulations, including the supplemental information thereto;

(3) Advise all selected host families of their obligation to attend at least one family day conference to be sponsored by the au pair organization during the course of the placement year. Host family attendance at such a gathering is a condition of program participation and failure to attend will be grounds for possible termination of their continued or future program participation; and

(4) Require that the organization's local counselor responsible for the au pair placement contacts the host family and au pair within forty eight hours of the au pair's arrival and meets, in person, with the host family and au pair within two weeks of the au pair's arrival at the host family home.

\* \* \* \* \*

(m) *Reporting requirements.* Along with the annual report required by

regulations set forth at § 514.17, sponsors shall file with the Agency the following information:

(1) A summation of the results of an annual survey of all host family and au pair participants regarding satisfaction with the program, its strengths and weaknesses;

(2) A summation of all complaints regarding host family or au pair participation in the program, specifying the nature of the complaint, its resolution, and whether any unresolved complaints are outstanding.

(3) A summation of all situations which resulted in the placement of an au pair participant with more than one host family;

(4) A management audit report by a certified public accountant, conducted pursuant to a format designated by the Agency, attesting to the sponsor's compliance with the procedures and reporting requirements set forth in this subpart;

(5) A report detailing the name of the au pair, his or her host family placement, location, and the names of the local and regional organizational representatives; and

(6) A complete set of all promotional materials, brochures, or pamphlet distributed to either host family or au pair participants.

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[FR Doc. 99-9165 Filed 4-12-99; 8:45 am]

BILLING CODE 8230-01-M

## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Part 206

RIN 1010-AC09

#### Establishing Oil Value for Royalty Due on Federal Leases

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Supplementary Proposed rule; notice of extension of public comment period.

**SUMMARY:** The Minerals Management Service hereby gives notice that it is extending the public comment period on a supplementary proposed rule, which was published in the **Federal Register** on July 16, 1998, (63 FR 38355). The proposed rule amends the royalty valuation regulations for crude oil produced from Federal leases. In response to requests for additional time and to provide commenters adequate time to submit comments after the completion of the public workshops on

April 7, 1999, MMS will extend the comment period 15 days.

**DATES:** Comments must be submitted on or before April 27, 1999.

**ADDRESSES:** Mail comments, suggestions, or objections about this supplementary proposed rule to: Minerals Management Service, Royalty Management Program, Rules and Publications Staff, P.O. Box 25165, MS 3021, Denver, Colorado 80225-0165. Courier address is Building 85, Denver Federal Center, Denver, Colorado 80225. E-mail address is RMP.comments@mms.gov.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Publications Staff, telephone number (303) 231-3432, fax number (303) 231-3385, e-mail RMP.comments@mms.gov.

**SUPPLEMENTARY INFORMATION:** MMS received requests from industry representatives to extend the comment period of this supplementary proposed rule. This time extension is in response to those requests in order to provide commenters with adequate time to provide detailed comments that MMS can use to proceed in the rulemaking.

Dated: April 8, 1999.

**Lucy Querques Denett,**  
Associate Director for Royalty Management.  
[FR Doc. 99-9174 Filed 4-12-99; 8:45 am]

BILLING CODE 4310-MR-P

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[Docket 24-7004; FRL-6323-9]

#### Federal Rulemaking for the FMC Facility in the Fort Hall PM-10 Nonattainment Area; Notice of Correction of Proposed Rules

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule; correction.

**SUMMARY:** On February 12, 1999, EPA published a proposed Federal Implementation Plan to control particulate matter air pollution emitted from an elemental phosphorous facility owned and operated by FMC Corporation (FMC). The facility is located within the exterior boundaries of the Fort Hall Indian Reservation in southeastern Idaho (FMC facility). The purpose of this document is to correct inadvertent minor typographical errors in the proposed rule language that could cause unnecessary confusion.

**DATES:** Written comments, identified by the docket control number ID 24-7004,

must be received by EPA on or before May 13, 1999.

**ADDRESSES:** Comments should be submitted (in duplicate if possible) to: Montel Livingston, SIP Manager, Environmental Protection Agency, Office of Air Quality (OAQ-107), 1200 Sixth Avenue, Seattle Washington 98101.

**FOR FURTHER INFORMATION CONTACT:** Steven K. Body, Office of Air Quality (OAQ-107), Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101, (206) 553-0782.

#### SUPPLEMENTARY INFORMATION:

##### I. General Information

##### A. How Can I Get Additional Information or Copies of Support Documents?

1. Electronically. You may obtain electronic copies of this document and the February 12, 1999, proposed rule from the internet at the following address: <http://www.epa.gov/r10earth/> Once there, click on "Events." You can also go directly to the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

2. In person or by phone. If you have any questions or need additional information about this action, please contact the person identified in the **FOR FURTHER INFORMATION CONTACT** section. In addition, the official record for this document, which is called the "docket," has been established under docket control number ID 24-7004. The docket is available for public inspection and copying from 8:00 a.m. to 5:30 p.m. Eastern Standard Time, Monday through Friday, at EPA's Central Docket Section, Office of Air and Radiation, Room 1500 (M-6102), 401 M Street, SW., Washington, D.C. 20460, and between 8:30 a.m. and 3:30 p.m. Pacific Standard Time, at EPA Region 10, Office of Air Quality, 10th Floor, 1200 Sixth Avenue, Seattle, Washington 98101. A copy of the docket is also available for review at the Shoshone-Bannock Tribes, Office of Air Quality Program, Land Use Commission, Fort Hall Government Center, Agency and Bannock Roads, Fort Hall, Idaho 83203; the Shoshone-Bannock Library, Pima and Bannock, Fort Hall, Idaho, 83203; and the Idaho State University Library, Government Documents Dept., 850 South 9th Avenue, Pocatello, Idaho. A reasonable fee may be charged for copies.

##### B. How and to Whom do I Submit Comments?

You may submit comments through the mail or in person. Be sure to identify the appropriate docket control number