AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

10-22-84
Vol. 49 No. 205

BOOK 1:
Pages 41227-41854

BOOK 2:
Pages 41855-42538

federal register

Book 1 of 2 Books
Monday, October 22, 1984

Selected Subjects

Administrative Practice and Procedure
Energy Department

Agendas
Unified Agenda of Federal Regulations—Parts II through LIV

Archives and Records
General Services Administration

Authority Delegations (Government Agencies)
Drug Enforcement Administration

Bridges
Coast Guard

Endangered and Threatened Species
Fish and Wildlife Service

Fuel Economy
National Highway Traffic Safety Administration

Imports
Animal and Plant Health Inspection Service

Radio
Federal Communications Commission

Savings and Loan Associations
Federal Home Loan Bank Board

Social Security
Social Security Administration

Sunshine Act
Export-Import Bank

Surface Mining
Surface Mining Reclamation and Enforcement Office

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, DC 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers for $300.00 per year, or $150.00 for 6 months, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

There are no restrictions on the republication of material appearing in the **Federal Register.**

Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

Contents

Federal Register
Vol. 49, No. 205
Monday, October 22, 1984

The President
PROCLAMATIONS
41229 Forest Products Week, National (Proc. 5263)
41227 Head Injury Awareness Month, National (Proc. 5262)
41231 Lupus Awareness Week (Proc. 5264)

Executive Agencies

ACTION
PROPOSED RULES
42124 Regulatory agenda

Agency for International Development
PROPOSED RULES
42242 Regulatory agenda

Agriculture Department
See also Animal and Plant Health Inspection Service.
PROPOSED RULES
41488 Regulatory agenda
NOTICES
41268 Citrus canker; emergency declaration

Air Force Department
NOTICES
Meetings:
41270 Community College Advisory Committee
41270 Scientific Advisory Board

Alcohol, Tobacco and Firearms Bureau
PROPOSED RULES
41984 Regulatory agenda

Animal and Plant Health Inspection Service
PROPOSED RULES
Animal imports:
41257 Embryos of cattle, sheep, goats, other ruminants, swine, horses, and asses

Architectural and Transportation Barriers Compliance Board
PROPOSED RULES
42128 Regulatory agenda

Arts and Humanities, National Foundation
PROPOSED RULES
42254 Regulatory agenda; National Endowment for Humanities

Civil Aeronautics Board
PROPOSED RULES
42332 Regulatory agenda

Coast Guard
PROPOSED RULES
Drawbridge operations:
41264 New Jersey
NOTICES
Committees; establishment, renewals, terminations, etc.:
41310 Houston/Galveston Navigation Safety Advisory Committee

Commerce Department
See also National Oceanic and Atmospheric Administration.
PROPOSED RULES
41528 Regulatory agenda

Commodity Futures Trading Commission
PROPOSED RULES
42350 Regulatory agenda

Comptroller of Currency
PROPOSED RULES
41994 Regulatory agenda

Consumer Product Safety Commission
PROPOSED RULES
42358 Regulatory agenda

Copyright Royalty Tribunal
NOTICES
Jukebox royalty fees:
41269 Distribution determination

Customs Service
PROPOSED RULES
42001 Regulatory agenda

Defense Department
See also Air Force Department.
PROPOSED RULES
41572 Regulatory agenda

Drug Enforcement Administration
RULES
Organization, functions, and authority delegations:
41246 Chief Counsel; employee damage claims
NOTICES
Registration applications, etc.; controlled substances:
41292 Arenol Chemical Corp.
41292 Harris, Dennis Howard, M.D.; correction

Economic Regulatory Administration
NOTICES
Consent orders:
41273 GCO Minerals Co.
41274 Texas International Co. et al.

Education Department
PROPOSED RULES
41584 Regulatory agenda
NOTICES
Education Appeal Board hearings:
41270 Appeals; Tennessee State University et al.

Energy Department
See also Economic Regulatory Administration; Energy Information Administration; Federal Energy Regulatory Commission.

RULES
41233 Debarment and suspension; fact-finding conferences procedures
PROPOSED RULES
41594 Regulatory agenda
NOTICES
Floodplain and wetlands protection; environmental review determinations; availability, etc.:
41270 Wayne, N.J.
International atomic energy agreements; civil uses; subsequent arrangements:
41273 Spain (2 documents)
Patent licenses, exclusive:
41273 Electra Computer & Communications Inc.

Energy Information Administration
NOTICES
41279 Natural gas, high cost; alternative fuel price ceilings and incremental price threshold

Environmental Protection Agency
PROPOSED RULES
42132 Regulatory agenda
NOTICES
Toxic and hazardous substances control:
41281 Premanufacture exemption approvals

Equal Employment Opportunity Commission
PROPOSED RULES
42202 Regulatory agenda

Export-Import Bank
RULES
41237 Sunshine Act; implementation

Farm Credit Administration
PROPOSED RULES
42370 Regulatory agenda

Federal Communications Commission
RULES
Radio and television broadcasting:
41249 Oversight: update clarifications, editorial corrections, etc.; correction
Radio services, special:
41249 Maritime services; radiotelegraph officers; maintenance and repair duties
41247 Private land mobile services; forest products radio service for low power mobile operations
PROPOSED RULES
42376 Regulatory agenda
NOTICES
41282 Agency information collection activities under OMB review
41327 Meetings; Sunshine Act

Federal Deposit Insurance Corporation
PROPOSED RULES
42408 Regulatory agenda

Federal Emergency Management Agency
PROPOSED RULES
42208 Regulatory agenda

Federal Energy Regulatory Commission
PROPOSED RULES
42418 Regulatory agenda
NOTICES
Hearings, etc.:
41274 Columbia Gas Transmission Corp.
41275 CP National Corp.
41275 Florida Power & Light Co.
41276 Southwestern Public Service Co.
41279 Tennessee Gas Pipeline Co.
41279 Tennessee Gas Pipeline Co. et al.
41279 Texas Gas Transmission Corp.
41327 Meetings; Sunshine Act
Natural gas companies:
41276 Small producer certificates, applications (Moran, R. M., et al.)

Federal Home Loan Bank Board
RULES
Federal Savings and Loan Insurance Corporation:
41237 De novo institutions, insurance of accounts
PROPOSED RULES
42424 Regulatory agenda

Federal Maritime Commission
PROPOSED RULES
42426 Regulatory agenda
NOTICES
41282 Agreements filed, etc.

Federal Mediation and Conciliation Service
PROPOSED RULES
42218 Regulatory agenda

Federal Reserve System
PROPOSED RULES
42434 Regulatory agenda
NOTICES
Bank holding company applications, etc.:
41283 Community Bankshares Inc. et al.
41283 Hartford National Corp.
41284 Illini Community Bancorp, Inc., et al.
41284 Marine Corp. et al.

Federal Trade Commission
PROPOSED RULES
42444 Regulatory agenda

Fiscal Service
PROPOSED RULES
41981 Regulatory agenda; Government Financial Operations Bureau

Fish and Wildlife Service
PROPOSED RULES
Endangered and threatened species:
41266 Miccosukee gooseberry; hearing and extension of time
NOTICES
Environmental statements; availability, etc.:
41290 Fakahatchee strand, a Florida panther habitat preservation proposal

General Services Administration
PROPOSED RULES
Property management:
41265 Records management; standard and optional forms management program
42220 Regulatory agenda
NOTICES
Senior Executive Service:
41284 Performance Review Board; membership

Health and Human Services Department
See also Human Development Services Office; National Institutes of Health; Public Health Service; Social Security Administration.
PROPOSED RULES
41610 Regulatory agenda

Historic Preservation, Advisory Council
PROPOSED RULES
42126 Regulatory agenda

Housing and Urban Development Department
PROPOSED RULES
41684 Regulatory agenda

Human Development Services Office
NOTICES
Social services block grant program:
41288 Federal allotments to States

Interior Department
See also Fish and Wildlife Service; Land Management Bureau; Minerals Management Service; Surface Mining Reclamation and Enforcement Office.
PROPOSED RULES
41744 Regulatory agenda
NOTICES
Committees; establishment, renewals, terminations, etc.:
41289 Alaska Land Use Council; nominations for advisors committee
Meetings:
41289 Alaska Land Use Council

Internal Revenue Service
RULES
Income taxes:
41246 Energy investment credit for qualified intercity buses; correction
PROPOSED RULES
Income taxes:
41261 Consolidated returns; technical changes; correction
41261 Energy investment credit for leased qualified intercity buses; correction
42007 Regulatory agenda

International Development Cooperation Agency
See Agency for International Development.

Interstate Commerce Commission
PROPOSED RULES
42458 Regulatory agenda
NOTICES
Railroad operation, acquisition, construction, etc.:
41291 Genesee & Wyoming Railroad Co.
Railroad services abandonment:
41292 Soo Line Railroad Co.

Justice Department
See also Drug Enforcement Administration.
PROPOSED RULES
41810 Regulatory agenda

Labor Department
PROPOSED RULES
11816 Regulatory agenda

Land Management Bureau
PROPOSED RULES
41266 Alaska native selections; chargeability of submerged lands; extension of time
NOTICES
Environmental statements, etc.; availability, etc.:
41289 Jarbidge Resource Area, Idaho
Sale of public lands:
41290 Montana; correction

Legal Services Corporation
NOTICES
Grant awards:
41292 Constitutional Law Center et al.

Management and Budget Office
PROPOSED RULES
42262 Regulatory agenda

Merit Systems Protection Board
PROPOSED RULES
42246 Regulatory agenda

Minerals Management Service
NOTICES
Outer Continental Shelf; development operations coordination:
41291 Superior Oil Co.

National Aeronautics and Space Administration
PROPOSED RULES
42248 Regulatory agenda

National Capital Planning Commission
PROPOSED RULES
42252 Regulatory agenda

National Credit Union Administration
PROPOSED RULES
42470 Regulatory agenda

National Highway Traffic Safety Administration
RULES
41250 Fuel economy standards, light trucks

National Institutes of Health
NOTICES
Meetings:
41286 Aging Review Committee
41286 Animal Resources Review Committee (2 documents)
41287 Biomedical Library Review Committee
41287 General Clinical Research Centers Committee
41287 General Research Support Review Committee
41286 National Institute of Dental Research Special Grants Review Committee
41285 National Institute of General Medical Sciences

National Oceanic and Atmospheric Administration
NOTICES
Senior Executive Service:
41268 Performance Review Board; membership

National Science Foundation
PROPOSED RULES
42258 Regulatory agenda
NOTICES
Meetings:
41293 Developmental Neuroscience Advisory Panel

41294 Molecular and Cellular Neurobiology Program Advisory Panel

National Transportation Safety Board
NOTICES
41294 Accident reports, safety recommendations, and responses, etc.; availability

Nuclear Regulatory Commission
PROPOSED RULES
42478 Regulatory agenda
NOTICES
Applications, etc.:
41298 Consolidated Edison Co. of New York, Inc.
41299 Philadelphia Electric Co. et al.
41300 Southern California Edison Co.
41301 Tennessee Valley Authority
Meetings:
41297 Reactor Safeguards Advisory Committee

Pacific Northwest Electric Power and Conservation Planning Council
NOTICES
Meetings:
41302 Demand Forecasting Advisory Committee
41302 State Agency Advisory Committee

Panama Canal Commission
PROPOSED RULES
42282 Regulatory agenda

Pennsylvania Avenue Development Corporation
PROPOSED RULES
42286 Regulatory agenda

Pension Benefit Guaranty Corporation
PROPOSED RULES
42288 Regulatory agenda

Personnel Management Office
PROPOSED RULES
42270 Regulatory agenda

Postal Service
PROPOSED RULES
International Mail Manual:
41265 Venezuela; Express Mail Service; correction

Public Health Service
NOTICES
Medical technology scientific evaluations:
41288 Mycotic toenails; debridement and other treatment

Railroad Retirement Board
PROPOSED RULES
42298 Regulatory agenda

Regulatory Information Service Center
PROPOSED RULES
41484 Unified agenda of Federal regulations

Secret Service
PROPOSED RULES
42122 Regulatory agenda

Securities and Exchange Commission
PROPOSED RULES
42516 Regulatory agenda
NOTICES
41302, 41303 Agency information collection activities under OMB review (6 documents)
Hearings, etc.:
41305 Allegheny Power System, Inc.
Self-regulatory organizations; proposed rule changes:
41304 Depository Trust Co.
41305 New York Stock Exchange
41304 Options Clearing Corp.
41306 Philadelphia Stock Exchange, Inc.

Selective Service System
PROPOSED RULES
42304 Regulatory agenda

Small Business Administration
PROPOSED RULES
42306 Regulatory agenda
NOTICES
41307, 41308 Agency information collection activities under OMB review (2 documents)

Social Security Administration
RULES
Social security benefits:
41244 Deductions, reductions, and nonpayment of benefits; Government pensions

State Department
PROPOSED RULES
41856 Regulatory agenda

Surface Mining Reclamation and Enforcement Office
PROPOSED RULES
Permanent program submission; various States:
41262 Kentucky

Tennessee Valley Authority
PROPOSED RULES
42314 Regulatory agenda

Textile Agreements Implementation Committee
NOTICES
Cotton, wool, and man-made textiles:
41268 Thailand
Textile consultation; review of trade:
41269 Japan

Transportation Department
See also Coast Guard; National Highway Traffic Safety Administration; Urban Mass Transportation Administration.
PROPOSED RULES
41858 Regulatory agenda

Treasury Department
See also Alcohol, Tobacco and Firearms Bureau; Comptroller of Currency; Customs Service; Fiscal Service; Internal Revenue Service; Secret Service.
PROPOSED RULES
41978 Regulatory agenda
NOTICES
41325 Agency information collection activities under OMB review (2 documents)

Foreign-targeted notes, Treasury:
41314 P–1988 series
Notes, Treasury:
41312 N–1988 series

United States Information Agency
NOTICES
Meetings:
41325 Artistic Ambassador Advisory Committee

Veterans Administration
PROPOSED RULES
42316 Regulatory agenda
NOTICES
41326 Agency information collection activities under OMB review

Urban Mass Transportation Administration
NOTICES
41310 Urban mass transportation program; private enterprise participation; policy and inquiry

---

Separate Parts in This Issue

Parts II–LIV
41484 Unified Agenda of Federal Regulations (52 departments and agencies—Books 1 and 2 of this issue)

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR
Proclamations:
5262 41227
5263 41229
5264 41231

9 CFR
Proposed Rules:
93 41257

10 CFR
1035 41233

12 CFR
407 41237
543 41237
544 41237
552 41237
562 41237
571 41237

20 CFR
404 41244

26 CFR
1 41246
Proposed Rules:
1 (2 documents) 41261

28 CFR
0 41246

30 CFR
Proposed Rules:
917 41262

33 CFR
Proposed Rules:
117 41264

39 CFR
Proposed Rules:
10 41265

41 CFR
Proposed Rules:
101-11 41265

43 CFR
Proposed Rules:
2650 41266

47 CFR
2 41247
73 41249
83 41249
90 41247

49 CFR
533 41250

50 CFR
Proposed Rules:
17 41266

Federal Register
Vol. 49, No. 205
Monday, October 22, 1984

Presidential Documents

Title 3—

The President

Proclamation 5262 of October 18, 1984

National Head Injury Awareness Month, 1984

By the President of the United States of America

A Proclamation

Head injury is a very serious national health problem. As many as 700,000 Americans are hospitalized every year for head injuries caused by motor vehicle accidents, sporting mishaps, and falls. Of these patients, roughly 100,000 die. Another 50,000—mostly under the age of 30—suffer permanent brain damage that prevents them from returning to schools, jobs, or normal lives.

Each of these grim statistics represents a person whose bright future was suddenly and tragically altered. Added to each victim's suffering is the emotional and financial burden the family must bear. The total cost to the Nation for special care and lost productivity is enormous.

Health care professionals and educators throughout our Nation are helping those with head injuries to live as normally as possible. Through rehabilitation therapy and vocational counseling, many head injury patients are learning to lead productive lives in our society. Such efforts have been promoted by two voluntary health agencies: the National Head Injury Foundation and the Family Survival Project for Brain-Damaged Adults.

Biomedical research is also the source of increased hope. Investigators supported by the National Institute of Neurological and Communicative Disorders and Stroke are acquiring new information about what happens to the brain as a result of head injury. Leads from these studies will help scientists develop effective treatments to limit or prevent brain damage. With the combined support of voluntary health agencies and the Federal government, the tragedy of head injury can be substantially reduced.

To encourage public recognition of and compassion for the complex problems caused by head injury, the Congress, by House Joint Resolution 638, has designated the month of October 1984 as "National Head Injury Awareness Month" and has authorized and requested the President to issue a proclamation in observance of this month.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the month of October 1984 as National Head Injury Awareness Month. I call upon all government agencies, health organizations, communications media, and people of the United States to observe this month with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord nineteen hundred and eighty-four, and of the Independence of the United States of America the two hundred and ninth.

Ronald Reagan

[FR Doc. 84-27998
Filed 10-19-84; 11:09 am]
Billing code 3195-01-M

Presidential Documents

Proclamation 5263 of October 18, 1984

National Forest Products Week, 1984

By the President of the United States of America

A Proclamation

Aside from an industrious and imaginative people, no single natural resource has contributed more to the economic and social growth of this mighty Nation than its forests. Without forests to provide the renewable raw materials for our Nation, American history would have been written quite differently. Without the amazing power of forests to give birth to our great rivers and hold our soil in place, the United States would be much less productive. Without their great diversity as habitat and food source for wildlife, our rich array of fish, birds, and wildlife could not exist. These benefits from our vast forests have made this an abundant land.

The foresight we have shown in wise protection and use of forests ensures that they will continue to contribute to a bright future. Although a third of the United States—some 737 million acres—is forested, such continued abundance was in doubt at the beginning of this century. Forests were disappearing at an alarming rate, and timber famine was predicted. The forest conservation leadership of such people as President Theodore Roosevelt and the Nation's first trained forester, Gifford Pinchot, reversed that trend, leaving a legacy for which present and future generations can be deeply thankful.

The conservation legacy demonstates that forests can be protected, while also being used for the economic and social benefit of mankind. Wood for our Nation's products is harvested from the vast forests but, like our food crops, new trees must be planted for the next generation. This simple, but critical, principle has proved its enduring worth beyond the dreams of the conservation pioneers. Each year we enjoy an abundance of harvest timber and, as a result, jobs for millions of workers in related industries.

To promote greater awareness and appreciation for the multiple benefits of our forest resources to the United States and world economy, the Congress, by Public Law 86–753 (36 U.S.C. 163), has designated the week beginning on the third Sunday in October as National Forest Products Week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week beginning October 21, 1984, as National Forest Products Week and request that all Americans express their appreciation for the Nation's forests through suitable activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord nineteen hundred and eighty-four, and of the Independence of the United States of America the two hundred and ninth.

Ronald Reagan

[FR Doc. 84–27999
Filed 10–19–84; 11:10 am]
Billing code 3195–01–M

Presidential Documents

Proclamation 5264 of October 18, 1984

Lupus Awareness Week, 1984

By the President of the United States of America

A Proclamation

Systemic lupus erythematosus (also knowns as lupus or SLE) is an inflammatory disease of connective tissue, which can produce changes in the structure and function of the skin, joints, and internal organs. Most often found in young women, lupus affects more than 500,000 victims. Ninety percent of these victims are women in the prime of life.

In recent years, the outlook for lupus patients has improved due to extensive and vigorous research. Positive results have emerged from studies uncovering several diverse defects of the immune system and from research on genetic and environmental factors influencing the disease. Studies on estrogen metabolism, data systems development and epidemiology have been fruitful. Evaluations of the course and treatment of the disease and its complications, and studies aimed at developing improved treatment, including new drugs and techniques, are all proving useful.

In order for us to take advantage of the knowledge already gained, public awareness of the characteristics and treatment of lupus—and of the need for continuing scientific research—remains essential. The Federal government and private voluntary organizations have developed a strong and enduring partnership committed to lupus research. I am confident that this concerted effort will ultimately uncover the cause and cure for this devastating disease.

In recognition of the need for greater public awareness of lupus, the Congress, by Senate Joint Resolution 239, has designated the week of October 21 through October 27, 1984, as "Lupus Awareness Week" and authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, do hereby proclaim the week of October 21 through October 27, 1984, as Lupus Awareness Week, and I call upon the people of the United States to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of October, in the year of our Lord nineteen hundred and eighty-four, and of the Independence of the United States of America the two hundred and ninth.

Ronald Reagan

[FR Doc. 84-28000
Filed 10-19-84; 11:11 am]
Billing code 3195-01-M

Rules and Regulations

Federal Register
Vol. 49, No. 205
Monday, October 22, 1984

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF ENERGY

10 CFR Part 1035

Rules for Fact-Finding Conferences in Debarment and Suspension Cases

AGENCY: Department of Energy.

ACTION: Final rule.

SUMMARY: This document establishes procedures for fact-finding conferences held pursuant to § 1035.8(d)(4) of the Department of Energy (DOE) Debarment and Suspension Rules (the DOE Rules), 10 CFR Part 1035, February 3, 1984, 49 FR 4314.

These procedural rules are issued pursuant to paragraph (d)(4) of § 1035.8, which provides that the General Counsel of the DOE will establish procedures for the conduct of fact-finding conferences. Fact-finding conferences under the DOE Rules permit a respondent to dispute material facts and to make arguments related to a suspension or proposed debarment and to provide the Director, Procurement and Assistant Management Directorate, with proposed findings of fact.

As required by § 1035.8(d), these procedural rules have been drafted so as to be as informal as practicable, consistent with the principles of fundamental fairness, prompt decisionmaking, and with the evidentiary standards for suspension and debarment. Although they are not substantively regulatory, these procedures are issued as Appendix A to 10 CFR Part 1035 for the convenience of both the Department and respondents who request fact-finding conferences.

EFFECTIVE DATE: October 22, 1984.

FOR FURTHER INFORMATION CONTACT: Carol A. Cowgill, Office of the Assistant General Counsel for Procurement and Financial Incentives (GC–43), Department of Energy, 1000 Independence Avenue, SW., Washington, D.C. 20585 (202) 252–6902.

SUPPLEMENTARY INFORMATION:

I. Background

On February 3, 1984, the DOE published final rules setting forth policies and procedures applicable to the debarment and suspension of organizations and individuals from participating in DOE procurement and nonprocurement transactions, 10 CFR Part 1035. The Rules were effective 30 days later, on March 5, 1984. Among other things, the DOE Rules provide, at § 1035.8(d), that a respondent in a suspension or debarment action may request a fact-finding conference in order to dispute material facts and to make arguments related to the suspension or proposed debarment, and to provide the DOE Director, Procurement and Assistant Management Directorate (the Director) with proposed findings of fact based, as applicable, on adequate evidence or on a preponderance of the evidence. If the Director determines that material facts are in dispute, he or she will appoint a three-member fact-finding panel, which will, in turn, convene a conference to determine the material facts that are in question. The ultimate decision in a suspension or debarment case is made by the Director, based as appropriate on the report of the fact-finding panel.

II. Nature and Content of the Procedural Rules

Section 1035.8(d)(4) provides that fact-finding conferences "shall be conducted in accordance with applicable procedural rules adopted by the General Counsel or designee." * The Appendix to the DOE Rules, set forth below, establishes those procedural rules. As required by that section, the procedural rules have been drafted to be as informal as practicable, consistent with the principles of fundamental fairness, prompt decisionmaking, and with the evidentiary standards for suspension and debarment (see § 1035.8(d)(4)). While the procedural rules are specific in their requirements, they may be interpreted and applied by the fact-finding panel as necessary to assure fairness and expeditious decisionmaking in suspension and debarment cases; further, the panel may establish specific procedures as necessary for conferences on a case-by-case basis, if thoses procedures are consistent with the DOE Rules and the procedural rules (see section 2, Guidelines, of the Preface to the procedural rules).

These procedures are rules of practice and procedure only and do not impose additional substantive obligation or burden upon respondents in suspension and debarment actions. The substantive standards, e.g., the standard of evidence, that are cited in the procedural rules were taken from the DOE Rules. Other provisions of the procedural rules provide detail as to time and place of conferences, number of copies and formats of documents to be filed, how fact-finding panel members are selected, etc. The rights of respondents are not affected by these procedures.

III. Promulgation

Pursuant to section 501(c) of the Department of Energy Organization Act (DOE Act), Pub. L. 95–91, it has been determined that no substantial issue of fact or law exists and that this action will not have a substantial impact on the Nation's economy or large numbers of individuals or businesses. This is because, first, as described above, the procedural rules are nonsubstantive in nature, and second, they will not affect the general public, but only those individuals and organizations that are the subject of suspension and debarment actions. Accordingly, the Department of Energy is not bound by the prior notice and hearing requirements of section 501 (b), (c), and (d) of the DOE Act and may promulgate these procedural rules in accordance with the rulemaking procedure outlined in 5 U.S.C. 553.

These procedural rules are being published in final form, without proposed rulemaking, because they are "rules of agency organization, procedure, or practice" within the meaning of 5 U.S.C. 553(b)(A).

The procedural rules are made effective upon publication because, as described above, they are not substantive rules within the meaning of 5 U.S.C. 553(d).

* The General Counsel has designated the Acting Assistant General Counsel for Procurement and Financial Incentives to prepare and issue these procedural rules.

IV. Review Under the Regulatory Flexibility Act

The DOE Rules on Debarment and Suspension were reviewed under the Regulatory Flexibility Act of 1980 (Pub. L. 96–354), and DOE certified upon publication of the DOE Rules that they would not have a significant impact on a substantial number of small entities. No final regulatory flexibility analysis was therefore prepared. Because these procedural rules are not substantive in nature, and their coverage is narrower than that of the DOE Rules, no regulatory flexibility analysis has been prepared for these procedural rules.

V. Review Under the National Environmental Policy Act

DOE has concluded that promulgation of these procedural rules would not represent a major Federal action having significant impact on the human environment under the National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 *et seq.*); the Council on Environmental Quality Regulations (40 CFR Parts 1500–1508), and the DOE guidelines (45 FR 20694, March 28, 1980), and, therefore, do not require an environmental impact statement pursuant to NEPA.

List of Subjects in 10 CFR Part 1035

Administrative practice and procedures, Suspension and debarment.

Issued in Washington, DC., on August 16, 1984.

E. Barclay Van Doren,

Acting Assistant General Counsel, Procurement and Financial Incentives, U.S. Department of Energy.

PART 1035—[AMENDED]

Title 10, Part 1035 of the Code of Federal Regulations, is amended by:

1. Revising the Table of Contents to read as follows:

Sec.

1035.1 Scope of part.
1035.2 Applicability.
1035.3 Policy.
1035.4 Definitions.
1035.5 Causes for debarment and suspension.
1035.6 Suspension and proposed debarment notices.
1035.7 Coordination with Department of Justice.
1035.8 Decisionmaking.
1035.9 Notice of final decision.
1035.10 Voluntary exclusion.
1035.11 Period of debarment and suspension.
1035.12 Scope of debarment and suspension.
1035.13 Effects of being listed on the DOE and GSA Lists.
1035.14 Notification of GSA.
1035.15 DOE Consolidated List of Debarred, Suspended, Ineligible, and Voluntarily Excluded Awardees.

Appendix A—Rules for Fact-Finding Conferences

Authority: Secs. 307, 644, and 646, Pub. L. 95–91 Stat. 599 (42 U.S.C. 7156, 7254, and 7256); and Federal Acquisition Regulation, 48 CFR Subpart 9.4.

2. Adding an Appendix A at the end thereof to read as follows:

Appendix A—Rules for Fact-Finding Conferences

Preface

1. Scope
2. General Guidelines
3. Definitions

Rules

Rule 1. Request for Fact-Finding Conference
(a) To Whom Addressed
(b) Timing
(c) Content
Rule 2. Director's Determination
Rule 3. Fact-Finding Panel; Appointment
(a) Procurement member
(b) Legal Member
(c) Program or Other Office Member
Rule 4. Fact-Finding Panel; Referral
Rule 5. Fact-Finding Conference; Notice to the Parties
Rule 6. Fact-Finding Conference; Representation
(a) Director's Counsel
(b) Respondent
Rule 7. Fact-Finding Conference; Date, Time, and Place
Rule 8. Fact-Finding Panel; Filing and Service of Papers
Rule 9. Preliminary Administrative Record
Rule 10. Discovery
(a) General
(b) Exceptions
Rule 11. Preconference Memoranda
Rule 12. Fact-Finding Conference
(a) Purpose
(b) Scope
Rule 13. Unexcused Absence of Parties
Rule 14. Requirement for Presence of a Quorum of the Fact Finding Panel
Rule 15. Fact-Finding Conference; Nature and Standards of Evidence
(a) Nature
(b) Adminissibility of Evidence
(c) Stipulated Testimony, Affidavits, Depositions, and Answers to Interrogatories
(d) In Camera Evidence
(e) Transcript
Rule 16. Fact-Finding Conference; Examination of Witnesses
Rule 17. Fact-Finding Conference; Voluntary Cooperation
Rule 18. Copies of Papers
Rule 19. Post-Conference Briefs
Rule 20. Settling the Record
Rule 21. Ex Parte Communications
Rule 22. Fact-Finding Panel's Report to the Director
Rule 23. Parties' Review of the Report; Exceptions
Rule 24. Request for Reconsideration

Preface

1. Scope

These rules are issued pursuant to the Department of Energy rules governing debarment and suspension (the DOE Rules), 10 CFR Part 1035, Debarment and Suspension, 48 FR 4314 (February 3, 1984), specifically § 1035.8(d)(4). As required by that section, these rules establish procedures for the conduct of fact-finding conferences held pursuant to 10 CFR 1035.8.

2. General Guidelines

(a) These rules for fact-finding conferences are intended to be as informal as practicable, consistent with the principles of fundamental fairness, prompt decisionmaking, and with the evidentiary standards for suspension and debarment.

(b) These rules may be interpreted and applied by the fact-finding panel as necessary to assure fairness and expeditious decisionmaking in suspension and debarment cases. The panel may establish specific procedures as necessary for conferences on a case-by-case basis, provided, however, that such procedures are consistent with the DOE Rules and these rules.

(c) With the exception of Rule 7(d), each specified time is a maximum and need not be fully used if the parties or the fact-finding panel can meet the stated requirements or carry out required actions within a shorter time period.

3. Definitions

(a) The following terms have the same meaning for purposes of these rules as they have in the DOE Rules: Adequate evidence, debarment, Director, DOE, notice, preponderance of the evidence, respondent, and suspension (all defined in § 1035.4 of the DOE Rules); and fact-finding panel and timely (defined in § 1035.8(a) of the DOE Rules).

(b) In addition, the following terms and their meanings are used in these rules:

(1) *Director's counsel:* The General Counsel of the DOE or designee, designated by the Director to represent him or her at the fact-finding conference.

(2) *DOE Rules:* The DOE regulation at 10 CFR Part 1035, Suspension and Debarment, 48 FR 4314 (Feb. 3, 1984). References to "§ 1035. " refer to sections of the DOE Rules.

(3) *In camera:* A meeting of the fact-finding panel, held for the inspection of evidence or the examination of witnesses, from which the respondent and his or her counsel, and the public, are excluded.

(4) *FERC:* The Federal Energy Regulatory Commission.

(5) *General Counsel:* The General Counsel of the DOE or designee.

(6) *The parties:* The respondent and his or her attorney, if one was retained, and the Director's counsel.

(7) *Relevant evidence:* Evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.

(8) *Dispute as to a material fact:* A disagreement between the Director and the respondent as to the accuracy of an assertion

in a suspension or a proposed debarment which, if resolved in the respondent's favor, would affect the action taken by the Director.

Rule 1. Request for Fact-Finding Conferernce

(a) *To whom addressed.* A request for a fact-finding conference pursuant to § 1035.8 of the DOE Rules should be addressed to the Director, Procurement and Assistance Management Directorate, MA–4, U.S. Department of Energy, 1000 Independence Ave., SW., Washington, D.C. 20585.

(b) *Timing.* A request for a fact-finding conference must be submitted—

(1) No later than 30 days after the date of a notice of suspension or proposed debarment issued under § 1035.6 of the DOE Rules, on or before any later date that may be specified in the notice; or

(2) If a meeting was held pursuant to § 1035.8(c), within two weeks of receipt of the notice provided under § 1035.8(c)(3), identifying the participants, summarizing the meeting and describing the documents submitted and the Director's intended action.

(c) *Content.* A request for a fact-finding conference shall, in addition to the request itself—

(1) Identify the notice of suspension or proposed debarment;

(2) Identify any disputed material facts and specify the evidence that puts those facts into dispute;

(3) Describe any information and argument in opposition to the suspension or proposed debarment upon which the respondent intends to rely;

(4) Describe any mitigating factors the Director is asked to consider and the effect those factors should have on the Director's final decision; and

(5) Be signed by the respondent personally, in the case of an individual; or by an officer of a corporation or a member of a partnership or joint venture; or by the respondent's attorney.

Rule 2. Director's Determination

The Director will review the respondent's written request and, if a meeting was held pursuant to § 1035.8(c) of the DOE Rules, any account or notes the Director made of that meeting. The Director may request that additional information be provided, either in writing or at a meeting held in accordance with § 1035.8(c). Based on this review, the Director will determine whether material facts are in dispute.

(a) If the Director determines that the respondent has not established that material facts are in dispute, the Director will so notify the respondent in the manner prescribed by § 1035.8(c)(3). The notification will include a statement describing the action the Director has taken or proposes to take.

(b) If the Director determines that material facts are in dispute, he or she will—

(1) Prepare a Notice of Determination that identifies the respondent(s), the material facts determined to be in dispute, and the case number assigned by the Director; and

(2) Appoint and refer the case to a fact-finding panel as described in Rule 3. The entire case or any aspect of it may be referred to a panel for fact-finding.

Rule 3. Fact-Finding Panel; Appointment

The fact-finding panel will be composed of three members appointed by the Director as set forth below. No one may be appointed to the panel who has been involved in any transaction from which the suspension or proposed debarment arose, or who has participated in the decision to impose a suspension or propose a debarment. Upon appointment, the panel members will select a chairperson from among themselves.

(a) *Procurement member.* This member will be an office director within the Procurement and Assistance Management Directorate.

(b) *Legal member.* This member will be a senior attorney of the DOE, nominated by the General Counsel. He or she shall be an attorney of the FERC is the suspension or proposed debarment arose from transaction(s) with the FERC.

(c) *Program or other office member.* This member will be a Senior Executive Service official of a program or other office of the DOE. He or she shall be an official of the FERC is the suspension or proposed debarment arose from transaction(s) with the FERC.

Rule 4. Fact-Finding Panel; Referral

The Director's referral to the fact-finding panel will include the following:

(a) A copy of the notice of suspension or proposed debarment;

(b) The respondent's written response;

(c) If a meeting was held pursuant to § 1035.8(c), a copy of the notice provided to the respondent under § 1035.8(c)(3); and

(d) A copy of the Director's Notice of Determination as described in Rule 2(b)(1).

Rule 5. Fact-Finding Conference; Notice to the Parties

The chairperson of the panel shall promptly notify the respondent in writing that the Director has appointed the fact-finding panel and that a fact-finding conference will be held. This notice will include the following:

(a) The names, titles, and addresses of the panel members, including identification of the chairperson, whose address will be used for all filings by the parties.

(b) The name, title, address, and telephone number of the Director's counsel;

(c) A copy of the Director's Notice of Determination as described in Rule 2(b)(1);

(d) An invitation to propose a date, time, and place for the fact-finding conference;

(e) A statement that any request for discovery to be made pursuant to Rule 10 should be made at the time the conference is scheduled; and

(f) A copy of these rules.

Rule 6. Fact-Finding Conference; Representation

(a) *Director's counsel.* The Director's counsel may be an attorney who has been involved in the transaction(s) from which the suspension or proposed debarment arose, including participation in the decision to impose a suspension or propose debarment. The Director's counsel shall file a written appearance with the fact-finding panel and shall serve a copy on the respondent or the respondent's attorney, in the manner prescribed by Rule 8.

(b) *Respondent.* At the conference, an individual respondent may appear in person, a corporation may be represented by one of its officers, and a partnership or joint venture may be represented by one of its members; or any of these may be represented by an attorney at law duly licensed in any State, commonwealth, territory, the District of Columbia, or in a foreign country. An attorney representing a respondent shall file a written appearance with the fact-finding panel and serve a copy on the Director's counsel, in the manner prescribed by Rule 8.

Rule 7. Fact-Finding Conference; Date, Time, and Place

The fact-finding conference will be scheduled for a date, time and place agreed upon by the panel, the respondent or respondent's counsel, and the Director's counsel; in the event of a disagreement, the fact-finding panel will have final discretion as to scheduling a conference.

(a) The place will ordinarily be the Washington, D.C., area.

(b) Any request for discovery pursuant to Rule 10 should be made at the time that the fact-finding conference is scheduled. If discovery is permitted, the conference date will be adjusted accordingly.

(c) The panel may reschedule, postpone, extend, or reopen a conference, at its own initiative or at the written request of respondent or respondent's counsel or the Director's counsel, for good cause shown and after consultation with the parties.

(d) The panel will notify the parties in writing at least 15 days in advance of the date, time, and place of the first fact-finding conference session. Changes in scheduling may be made orally, either in person or by telephone, but must be promptly confirmed in writing.

Rule 8. Fact-Finding Panel; Filing and Service of Papers

(a) Documents filed with the panel shall be typed on plain, white, 8½" x 11" paper. If more than one (1) page in length, documents shall be double spaced.

(b) Each document filed with the panel shall begin with a caption identifying the respondent(s) and the case number assigned by the Director, and briefly describing the nature of the document.

(c) An original and three copies of each document shall be filed with the panel to the attention of the chairperson, at the chairperson's address as stated in the notice provided under Rule 5(a).

(d) Except for documents that may not be disclosed to the respondent pursuant to § 1035.7 of the DOE Rules, each document filed with the panel shall be served on the other party or parties and shall be accompanied by a statement, signed by the originating party, of when, how, and to whom a copy was served.

(e) Documents may be served or filed either by hand delivery, by commercial delivery service, or by mail.

Rule 9. Preliminary Administrative Record

At least 10 days before the fact-finding conference date, the Director shall file with the fact-finding panel, serve on the

respondent or respondent's counsel, and provide to the Director's counsel a copy of the administrative record as of the date of transmittal. The copy served on the respondent shall not include any documents which, as provided in § 1035.7 of the DOE Rules, may not be disclosed to the respondent; the copy filed with the fact-finding panel shall identify which documents must be sealed and viewed by the fact-finding panel only *in camera*, as provided in § 1035.7 of the DOE Rules.

Rule 10. Discovery

(a) *General.* Because the respondent will be provided with a notice, pursuant to §1035.6 of the DOE rules, of the reasons for the suspension or proposed debarment and the causes relied upon by the Director, and a copy of the administrative record, and in the interest of keeping the procedures as informal as possible, discovery will generally not be permitted.

(b) *Exceptions.* Depositions or interrogatories will be permitted, in the sole discretion of the fact-finding panel—

(1) Upon a showing satisfactory to the fact-finding panel that the person from whom a deposition or interrogatory is sought will not be available in person for the fact-finding conference; or

(2) Upon a written showing by either party that discovery is absolutely essential to presentation of the case and would produce information or evidence that is relevant, is not otherwise available, and that, if admitted, could change the outcome of the case.

(c) Discovery, if permitted, will be subject to the terms and conditions set by the fact-finding panel.

Rule 11. Preconference Memoranda

Five days before the fact-finding conference, the Director's counsel and the respondent or his or her counsel shall file with the fact-finding panel and serve on each other memoranda outlining the evidence they will present, identifying any witnesses they will call at the fact-finding conference, and summarizing the testimony each witness will present. No request for discovery will be granted after the date pre-conference memoranda are due. Requests for discovery based on changed circumstances shall be treated as requests for reconsideration under § 1035.11(c) of the DOE Rules and Rule 24.

Rule 12. Fact-Finding Conference

(a) *Purpose.* The purposes of a fact-finding conference are to—

(1) Provide the respondent an opportunity to dispute material facts within scope of the Director's referral, and to make arguments related to a suspension or proposed debarment; and

(2) Provide the Director with proposed findings of fact based on adequate evidence in the case of a suspension, and on a preponderance of the evidence in the case of a proposed debarment.

(b) *Scope.* The factual issues considered at the fact-finding conference shall be limited to those identified in the Director's referral and any amendments thereto filed by the Director. The panel may consider questions of law only to the extent necessary to resolve the questions of fact that were referred to it.

13. Unexcused Absence of Parties

The unexcused absence of either party or its representative at the time and place set for the fact-finding conference will not be occasion for delay. If either party is absent without excuse, the fact-finding panel will proceed to review the case on the basis of the administrative record and the written submission(s) under Rule 11.

Rule 14. Requirement for Presence of a Quorum of the Fact-Finding Panel

(a) A quorum consisting of two of the three members of the fact-finding panel must be present at the fact-finding conference if a transcript is being made pursuant to §1035.8 (d)(7) and Rule 15(e).

(b) If no transcript is being made, all three members must be present.

(c) If the requisite number of members is not present the chairperson of the panel shall reschedule the conference, giving due consideration to the nature of the case and the views of the parties.

Rule 15. Fact-Finding Conference; Nature and Standards of Evidence

(a) *Nature.* The fact-finding conference shall be as informal as is reasonable and appropriate under the circumstances.

(b) *Admissibility of evidence.* (1) The parties may offer such relevant evidence, within the scope of the Director's referral, as they consider appropriate, reliable, and probative. Admission of evidence will be in the sound discretion of the fact-finding panel, and, as provided in § 1035.8(d)(6), only evidence that is relevant to the issues referred to the panel and that is reliable and probative shall be admissible.

(2) The fact-finding panel may require a party to answer questions, admit or deny facts, or produce evidence in addition to that offered by the parties, before, during, or after the conference, until the record is closed.

(c) *Stipulated testimony, affidavits, depositions, and answers to interrogatories.* The parties may stipulate the testimony that would be given by a witness if the witness were present. Affidavits and, if discovery were permitted pursuant to Rule 10(b), depositions and answers to interrogatories, may be used to supplement the testimony presented at the conference; *provided, however,* that affidavits, depositions, and answers to interrogatories shall not be considered unless received into evidence.

(d) *In camera evidence.* Evidence that is to be withheld from the respondent pursuant to § 1035.7 of the DOE Rules may be presented by the Director's counsel at any point in the fact-finding conference. When the Director's counsel wishes to present such evidence, he or she will inform the panel, who will direct that everyone except the panel, the Director's counsel, and the transcriber, if any, leave the conference room while the evidence is presented. Evidence presented *in camera* will be included in the record, but, as provided in paragraph (e) of this Rule, will not be made available to the respondent.

(e) *Transcript.* The fact-finding panel shall make a transcribed record of the fact-finding conference, unless the Director and the respondent agree to waive the requirement for a transcript as provided for in § 1035.8(d)(7). The transcript will be made available at cost to the respondent after the conference; *provided, however,* that any *in camera* testimony or evidence will be excised from the transcript and not provided to the respondent.

Rule 16. Fact-Finding Conference; Examination of Witnesses

(a) Witnesses at the fact-finding conference will not be examined under oath or affirmation, but will be advised by the fact-finding panel that their statements are made subject to 18 U.S.C. 287 and 1001 and any other provision of law imposing penalties for knowingly making false representations in any matter within the jurisdiction of any department or agency of the United States.

(b) Both direct and cross-examination of witnesses by the parties will be permitted. Members of the fact-finding panel may question each witness during or after their direct or cross examination.

Rule 17. Fact-Finding Conference; Voluntary Cooperation

Each party is expected—

(a) To cooperate and make available witnesses and evidence under its control as requested by the other party or by the fact-finding panel; and

(b) To secure voluntary production of desired books, papers, documents, or other tangible things in the custody of third parties (unless the third party is a law enforcement official) whenever possible. Failure by either party to cooperate, and the effect of that failure on the panel's ability to carry out its work, will be noted by the fact-finding panel in its report to the Director.

Rule 18. Copies of Papers

When books, records, papers, or documents have been received in evidence, a true copy of the whole or the relevant part may be substituted, either at the conference or at the conclusion of the conference. Parties may stipulate to the authenticity of original documents and to copies, and to the truth of matters stated therein.

Rule 19. Post-Conference Briefs

Twenty days after the conference, the parties shall file with the fact-finding panel and serve on each other post-conference briefs stating their respective positions on the factual and legal merits of the case and setting forth purposed findings of fact. The length of post-conference briefs will be determined by the fact-finding panel, giving due consideration to the nature and scope of the evidence and arguments in the fact-finding conference record. The conference shall be closed at the deadline for post-conference briefs.

Rule 20. Settling the Record

(a) The record on which the fact-finding panel will base its report to the Director will consist of the administrative record as provided to the respondent pursuant to Rule 9; the preconference memoranda filed with the fact-finding panel pursuant to Rule 11; the documents, papers, and exhibits admitted in evidence; the transcript of the conference;

and the post-conference briefs submitted pursuant to Rule 16.

(b) The fact-finding panel shall exercise sound discretion in determining the weight to be attached to any evidence of record.

(c) Generally, no additional evidence will be admitted after the conference record has been closed. A request for the submission and consideration of additional evidence will be treated as a request for reconsideration under § 1035.11(c) of the DOE Rules and Rule 24. Accordingly, such a request must be submitted to the Director.

Rule 21. Ex Parte Communications

No member of the panel shall receive, nor shall the Director or any party or person directly or indirectly involved in the fact-finding conference submit to the panel any off-the-record evidence, explanation, analysis, or advice, whether written or oral, regarding any matter at issue. This prohibition does not apply to consultation among panel members, to communications concerning the panel's administrative functions or procedures, or to the panel's receipt and consideration of *in camera* evidence received pursuant to Rule 15(d). Panel members shall make a written report for the record of any attempted or completed *ex parte* communication. A copy of the report shall be transmitted immediately to the parties and to the Director.

Rule 22. Fact-Finding Panel's Report to the Director

(a) Within 30 days after the conference record is closed, the fact-finding panel shall transmit to the respondent, by notice, to the Director's counsel, and to the Director a written report setting forth proposed findings of fact. The report shall include the following:

(1) A caption identifying the respondent(s) and the case number;

(2) A procedural history of the case, including—

(i) The date and basis of the Director's initial suspension or proposed debarment of the respondent;

(ii) A summary of the respondent's written response;

(iii) A summary of the meeting, if one was held pursuant to § 1035.8(c) of the DOE rules; and

(iv) A summary of the respondent's request for a fact-finding conference.

(3) Identification of the parties and their counsel;

(4) The material facts determined by the Director to have been in dispute;

(5) The versions of the disputed material facts asserted by the respondent and by the Director's counsel;

(6) The names and addresses of each party's witnesses;

(7) A description of the testimony, exhibits, and other evidence admitted by the panel;

(8) A description of any *in camera* evidence presented pursuant to § 1035.7 and Rules 9 and 15(d); this portion of the report shall be excised from the copy provided to the respondent;

(9) Any legal arguments made by the parties;

(10) A discussion of any legal issues that were addressed by the panel in the course of its fact-finding;

(11) The fact-finding panel's proposed findings of fact; and

(12) The signature of each member of the fact-finding panel who agrees with the report's findings.

(b) Any member of the panel may write and submit to the Director and the parties a separate report either dissenting from the majority report or concurring but expressing differing views. Separate reports shall be signed by their authors or proponents.

Rule 23. Parties' Review of the Report; Exceptions

(a) The parties shall have 20 days from receipt of the fact-finding panel's report to submit to the Director written exceptions to the panel's report, including any separate reports. Each party shall serve a copy of its exceptions, if any, on the other.

(b) Exceptions shall be filed with the Director in the form and manner specified by Rule 8 (a), (c), and (d).

(c) The basis for any exceptions shall be set forth specifically, and proposed alternative language shall be provided. The parties may take exception to any aspect of either the panel's majority report or any separate report, or to the panel's exclusion of evidence at the fact-finding conference.

Rule 24. Request for Reconsideration

As provided in § 1035.11(c) of the DOE Rules, the respondent may submit to the Director at any time a request for reconsideration of the scope, duration, or effects of a suspension or debarment because of new information or changed circumstances. The Director will review the request and make a determination as provided in § 1035.11(c).

(a) If the conference has not been closed, the Director will transmit the determination to the panel, which will alter the scope and schedule of the conference accordingly.

(b) If a request is submitted after the conference record has been closed but before the Director's final decision, the Director will transmit the determination to the panel, with instructions to the panel to reopen the conference or revise its report as appropriate.

(c) Requests for discovery made after the filing of preconference memoranda and requests for the introduction of additional evidence after the conference record has closed shall be made and will be addressed under this Rule 24.

[FR Doc. 84-27792 Filed 10-19-84; 8:45 am]

BILLING CODE 6450-01-M

EXPORT-IMPORT BANK OF THE UNITED STATES

12 CFR Part 407

Regulations Governing Public Observation of Eximbank Meetings

AGENCY: Export-Import Bank of the United States (Eximbank).

ACTION: Final rule.

SUMMARY: Pursuant to the "Government in the Sunshine Act", 5 U.S.C. 552b, notice is hereby given that regularly scheduled meetings of Eximbank's Board of Directors or Executive Committee will be held at 9:00 a.m. every Thursday.

EFFECTIVE DATE: November 1, 1984.

FOR FURTHER INFORMATION CONTACT: Joseph H. Gainer, Jr., Acting General Counsel, (202) 566-8334.

List of Subjects in 12 CFR Part 407

Sunshine Act.

(5 U.S.C. 552b)

SUPPLEMENTARY INFORMATION: This rule amends the following:

PART 407—[AMENDED]

§ 407.1 [Amended]

12 CFR Part 407.1(c) by removing "at 9:00 a.m. on Tuesday of each week." and adding in lieu thereof "at 9:00 a.m. on Thursday of each week."

§ 407.3 [Amended]

12 CFR Part 407.3(a) by removing "at 9:00 a.m. every Tuesday" and adding in lieu thereof "at 9:00 a.m. every Thursday".

Joseph H. Gainer, Jr.,

Acting General Counsel, Export-Import Bank of the United States.

[FR Doc. 84-27772 Filed 10-19-84; 8:45 am]

BILLING CODE 6690-01-M

FEDERAL HOME LOAN BANK BOARD

12 CFR Parts 543, 544, 552, 562, and 571

[No. 84-571]

Policies Relating to Insurance of Accounts of de Novo Institutions; Applications Processing

October 15, 1984.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: The Federal Home Loan Bank Board ("Board"), as the operating head of the Federal Savings and Loan Insurance Corporation ("FSLIC"), has codified and updated certain policies regarding proposed boards of directors, management and controlling persons for *de novo* insured institutions. First *de novo* applicants will be expected to have a majority of their directors be representative of the state in which the institution will be located. Second, no more than one third of the directors may be in closely related businesses. Third, stockholders who own 10% or more of the stock, or who, through other

arrangements, would maintain actual control, will be evaluated as if they were management. Fourth, directors will be required to execute an oath regarding their fiduciary duties. Fifth, no more than 50% of the stock of proposed directors, officers or 10% stockholders may be pledged as collateral to purchase stock of the *de novo* institution held by such persons. Sixth, any individual or group of individuals acting in concert who will hold 25% or more of the stock of the *de novo* institution must personally undertake to ensure that the net worth of the institution is maintained at the required regulatory level for a period of at least five years. Seventh, plans for avoidance of conflicts of interest or usurpation of corporate opportunity will have to be submitted as part of the business plan for certain applicants. Eighth, the Board, after consultation with state regulatory authorities, may defer action on some applicants if the appropriate examination capacity is deemed to be inadequate. Exceptions to the above rules have also been included for certain supervisory cases and for interim *de novo* institutions. The policies apply to all *de novo* applications currently on file at the Board or at the Federal Home Loan Banks.

The Board is also revising its regulations at 12 CFR Parts 543, 544, 552 and 562 to reduce the number of certain application forms required for filing.

EFFECTIVE DATE: August 2, 1984.

FOR FURTHER INFORMATION CONTACT: Patrick G. Berbakos (202) 377–6720, Assistant Director, Office of District Banks, or David A. Permut, (202) 377–6962, Attorney, Office of General Counsel, Federal Home Loan Bank Board 1700 G Street, NW., Washington, D.C. 20552.

SUPPLEMENTARY INFORMATION: By Board Resolution No. 84–399, dated August 2, 1984 (49 FR 33137), the Board, as operating head of the FSLIC, proposed to update, revise and codify a number of its policies pertaining to the approval of FSLIC insurance for newly chartered ("*de novo*") federal and state thrift institutions. These proposed policy changes were prompted by a number of significant changes in the thrift industry.

Because of the recent increase in insurance-of-accounts applications, the Board has seen a growing number of applications which raise concerns regarding the proposed board of directors, management and/or controlling persons of new institutions. The frequency with which these concerns have been raised demonstrated that several questions needed to be resolved and appropriate policies established.

In November 1983, by Board Resolution No. 83–653 (48 FR 54320, December 2, 1983) the Board adopted a statement of policy, 12 CFR 571.6 imposing certain requirements on applicants for insurance of accounts for *de novo* institutions. That policy addressed captialization requirements, net worth requirements and the necessity for a three-year business plan for a *de novo* institution. The eight policies enumerated below have been added to § 571.6 and apply to all pending *de novo* applications.

The questions that have been raised most often deal with whether the proposed institution will serve the public interest in providing housing-related financing, whether existing conflict-of-interest and corporate-opportunity rules can be complied with, and whether or not there will be excessive risk to the FSLIC notwithstanding adoption of the current policies. It appeared that many applications may have been submitted as the result of excessive promotional activity by professionals and other advisors encouraging the continued operation of activities as real estate developers, brokers, syndicators, mortgage brokers and others in the guise of an insured institution, to take advantage of the lower cost of financing afforded by FSLIC insurance. The Board found it necessary, therefore, to propose to establish policies which would ensure that thrift insitutions whose accounts are insured by the FSLIC will fulfill their primary housing finance mission, and that FSLIC insurance will not be used as a means to compete in other businesses with a government-subsidized cost of money. In addition, the Board believes that at least some organizers may intend to obtain financing for their capital investment based upon future business generated by the institution in favor of the borrower. In the Board's view this represents a conflict of interest and misuse of the function of an FSLIC-insured institution.

On August 2, 1984, the Board issued the proposed regulation to amend its policies and requirements which included the following eight proposals: First, *de novo* applicants would have been expected to have a majority of their directors be representative of the state in which the institution would be located. Second, the boards of directors of *de novo* institutions would have to be composed of individuals with varied business and professional experience. Third, stockholders who will own 10% or more of the stock, or maintained actual control, would be evaluated as if they were management. Fourth, directors would be required to execute an oath regarding their fiduciary duties. Fifth, no more than 50% of the stock of proposed directors, officers or 10% stockholders could be pledged as collateral to purchase the stock of the *de novo* institution held by such persons. Sixth, any individual or group of individuals acting in concert who would hold 25% or more of the stock of the *de novo* institution would have to agree personally to maintain the net worth of the institution at the required regulatory level. Seventh, plans for avoidance of conflicts of interest or usurpation of corporate opportunity would have to be submitted as part of the business plan for certain applicants. Eighth, the Board could determine to defer action on some applications if the appropriate examination capacity at the state or federal level was deemed to be inadequate. As proposed, exceptions to the above rules would be available for certain supervisory cases.

The Board received 38 comment letters addressing the proposal. The majority of comments come from institutions in various stages of the applications process or law firms representing such institutions. Four trade associations and a state commissioner were included among the commenters. Most letters addressed specific aspects of the proposal and will be discussed in connection with those topics. Of those offering observations, five letters were generally favorable, seven supported some of the provisions and suggested changes in other provisions, and the remainder of the comments opposed the proposals in varying degrees. A discussion of the comments is provided below. After consideration of the commenters' views and other available information, the Board has determined to adopt the policies substantially as proposed.

General Comments

While a number of the commenters suggested adoption of the proposed policies, several felt the provisions did not go far enough and should be made retroactive or applied to all insured institutions. One commenter suggested that the Board's object appeared to be curtailment of the chartering process, and asked the Board to reaffirm its commitment to chartering *de novo* institutions. Another argued that the proposal raised significant antitrust problems and would act as a restraint on competition. Another commenter suggested that state supervisors adequately assessed state-chartered institutions and there was no need for

the Board to further regulate them. One commenter said the Board was changing the rules in the middle of the game, another that the rules unfairly discriminated against *de novo* institutions. Several commenters felt that the rules were duplicative of state rules already in effect or of other Board rules on the covered subjects.

The Board welcomes this opportunity to make clear to the public that its intention in promulgating these policies and the policies promulgated last December is not to curtail the chartering process, restrain trade, or duplicate state responsibilities or state regulations. The Board's object is to ensure the long-term safety and soundness of the thrift industry, by taking steps to provide that newly insured state or federally chartered institutions are strongly capitalized, run by committed management and are not operated in a manner likely to increase the risk to the FSLIC or the public. The Board has considered the effects the proposal would have on competition and determined that competition is not being restrained as insurance-of-accounts applications continue to be processed and approved. Further, although some of the policies cover topics already subject to state and federal regulations, the Board intended to address each area in order to reinstate, in some cases, policies in place until 1982, in other instances clarify requirements and procedures, and in others, establish new policies. The Board believes, therefore, that the policies would not be duplicative. As for the assertion that *de novo* institutions have been unfairly targeted, the Board intends to avoid supervisory problems that have been discovered in some *de novo* institutions. Moreover, by its very nature, the regulatory process applies different rules to different applicants as it evolves over time. All applicants who have not yet received Board approval for insurance of accounts will be subject to these rule changes. However, the Board has considered the need for the proposed policies against the expectations such applicants may have regarding the regulatory requirements that would be applicable to them and has determined that, on balance, the policies should be implemented as soon as possible in order to strengthen the capital of the industry, require sufficient commitment of management and ensure the soundness of institutions the accounts of which are insured by the FSLIC.

Specific Comments

1. Out-of-State Directors

The Board proposed that a majority of the directors be representative of the state in which the institution is located. The Board would consider a director to be representative of the state if such director either resides, works or maintains a place of business in the state. For purposes of this policy, the institution's state generally would be considered to be the state where the proposed institution's home office is to be located. In addition, to accommodate interstate markets, if the institution is to be located in a Metropolitan Statistical Area (MSA), Primary Metropolitan Statistical Area (PMSA) or Consolidated Metropolitan Statistical Area (CMSA) which incorporates portions of more than one state, the state generally would be considered to be the applicable MSA, PMSA, or CMSA and the state where the institution's home office will be located. Such a condition relative to the majority of the directors would apply unless a change in control took place, at which time the condition would be reconsidered.

In April of 1982, the Board revised its policies relating to insurance of accounts to eliminate a longstanding requirement that proposed organizers and directors of *de novo* institutions be representative of the community to be served by the institution. The former policy was intended to ensure a strong commitment to the local community by the proposed management of a newly insured institution. The policy was eliminated in 1982 as part of a broad set of policy changes adopted by the Board to deregulate restrictions on the organization and ownership of *de novo* institutions.

While the Board realizes that many aspects of the thrift business are no longer locally oriented in nature, the Board strongly believes that some knowledge of the institution's local market and community is important, and helps to foster the institution's commitment to furnishing housing finance. Therefore, the Board believes that at least a majority of the board of directors should be representative of the state in which the institution is located. This representation also will help to ensure the viability of the institution since the board of directors will have knowledge of the needs of the institution's market.

Of the nine comments responding to this proposed policy, the only strong objection came from one commenter who expressed the view that adherence to the policy would limit a new institution's ability to raise capital. The Board has considered this concern, but believes that an institution's ability to raise capital will not be affected by this provision of the policy statement, since there are no local residency restrictions on organizers, sfockholders or depositors. Consequently, the Board is adopting this provision as proposed.

2. Composition of Directorate

The Board proposed that, for *de novo* institutions insured by the FSLIC, the board of directors must consist of individuals with varied business and professional experience. The background of each proposed director must reflect a history of responsibility and personal integrity, and must show a level of competence and experience sufficient to demonstrate that the individual has the ability to establish policy direction for the affairs of the institution in a safe and sound manner.

The Board currently has no established policy regarding the composition of the board of directors of a *de novo* institution. The only restrictions which currently apply to the composition of the directorate of a new institution are those that exist for all insured institutions: the Management Interlock Regulations (12 CFR Part 563f of the Insurance Regulations), and 12 CFR 563.33 (the Conflict-of-Interest Regulations) of the Insurance Regulations.

The Board has received an increasing number of insurance applications raising the question of whether the composition of the proposed directorate will best serve the interests of the institution. In some cases, for example, the proposed board of directors is composed primarily of individuals with the same professional and business background. In cases where the directorate will be composed largely of individuals in a closely related field (e.g., all directors are in the real estate development business), potential conflict-of-interest issues have been raised. These cases also have caused concern that boards of directors would not have the diversification and depth of business experience necessary to successfully set policy for the institution's management.

Nineteen commenters addressed the Board's proposal to require a diversified board of directors; however, there was no strong objection to the proposal. Most commenters were concerned because of the ambiguous nature of the requirement. It was suggested that if this aspect of the regulation is adopted, more definitive guidance be provided regarding the constitution of a diversified board.

The Board agrees that further guidance is needed in this section of the policy statement, and therefore has modified it to provide that: First, the board of directors of a *de novo* institution must include individuals with varied business and professional skills and experience. Second, not more than one-third of the directors of a *de novo* institution may be in closely related businesses, except in the case where the *de novo* institution is wholly-owned by a holding company. In such a case, however, the Board recommends that the board of directors include individuals with varied business and professional skills and experience. The background of each proposed director must reflect a history of responsibility and personal integrity, and must show a level of competence and experience sufficient to demonstrate that such individual has the ability to direct the affairs of the institution in a safe and sound manner. Factors that may indicate that an individual lacks such qualities include, but are not limited to, criminal, civil or administrative judgments, agreements, undertakings or consents against the individual or companies controlled by him, involvement in receivership, conservatorship or bankruptcy proceedings, or denial or withdrawal in contemplation of denial of an application or organize or acquire control of a thrift institution or bank.

3. Evaluation of Major Stockholders as Management

In connection with an application for insurance of accounts, the organizers, proposed directors and proposed officers of a *de novo* institution are currently required to submit a Biographical and Financial Report. The Biographical and Financial Report is the primary source of information used by the Board to evaluate the character and qualifications of the proposed management of a *de novo* institution.

The Board proposed to require evaluation of any individual who will own 10 percent or more, or maintain actual control, of a *de novo* institution's stock, as proposed management of the institution, which would necessitate the submission of a Biographical and Financial Report.

Only five comments were received relative to this section of the proposed policy. The commenters felt that it is appropriate for the Board to require stockholders owning 10 percent or more of the stock to submit a Biographical and Financial Report. However, two commenters questioned the Board's legal authority to deny insurance based on the composition of an association's stockholders.

Prior to 1982, the Board's policies on stock ownership of *de novo* institutions essentially precluded control of a new institution's stock by an individual or a group of individuals by requiring broad distribution of the stock. Since changing this policy, the Board has received insurance applications in which it is proposed that the institution's stock will be controlled by one or a few individuals who will not hold management positions with the institution. The Board is under a statutory responsibility to ascertain, *inter alia*, whether an applicant's management is unsafe or is inconsistent with economical home financing or with the Congressional purposes in providing deposit insurance to qualified thrift institutions. Since major stockholders often exert significant influence over an institution's management and policies, and by definition under the Board's current regulations are deemed to be "controlling persons" of an insured institution (*see* 12 CFR 562.28), the Board believes that it is entirely consistent with, and in fact effectuates, the Board's statutory responsibilities to provide that major stockholders be included in the Board's evaluation of the proposed management of a *de novo* insurance applicant. In order to prevent evasions of this requirement, the policy applies to direct and indirect stock ownership and where 10 percent or more of an institution's stock is held by a group of individuals acting in concert. Where the composition of a *de novo* institution's stockholders is not known at the time of the Board's decision to grant insurance of accounts, approval of insurance will be conditioned upon any ten-percent stockholder submitting the required Biographical and Financial Report to the Supervisory Agent and the Supervisory Agent determining that the stockholder's character and qualifications are satisfactory.

4. Director's Fiduciary Responsibility Statement

To ensure that all proposed directors are aware of their fiduciary duties and responsibilities to *de novo* associations, the Board proposed that each prospective director execute a statement affirming his or her understanding of and intent to responsibly perform the duties of a director.

Eight commenters addressed this proposed "director's oath". The majority of the commenters did not object to the concept of an oath but expressed some uncertainty as to implementation, as the text of the oath was not available.

The Director's Oath affirms and recognizes a director's fiduciary duties. It is similar to the oath required of proposed directors of National Bank charters and may be obtained from any of the Federal Home Loan Banks. In recent failures of *de novo* institutions, some directors attempted to defend certain actions and omissions on the grounds that they were not aware of their duties. The Board wishes to avoid such uncertainty in the future. The oath is a vehicle for the Board to be assured that *de novo* institution directors understand their fiduciary duties and responsibilities and are willing to execute the duties in a responsible manner. Therefore, this section of the policy statement will be adopted as proposed.

5. Pledging Stock as Collateral

While the Board believes that stockholders should be permitted to use borrowed money to purchase stock in *de novo* institutions, in order to ensure that proposed management and major stockholders (any individual or individuals acting in concert who own 10 percent or more of the stock) will have a *bona fide* financial commitment to the institution, the Board proposed a policy under which such individuals would be prohibited for a period of three years from using more than 50 percent of their stock in such institution to secure the financing for the stock purchase. The Board believes such a policy would be preferable to limiting the use of borrowed money to purchase stock, since it would not interfere with an individual's decision to use cash or borrow funds for the stock purchase, but rather would ensure that the individual commits other personal resources (as collateral) to the investment. This policy also will deter possible conflicts of interests with outside lenders who finance stock purchases and later establish correspondent relationships with the insured institution.

Prior to April 1982, the Board had a general policy discouraging stockholders from borrowing money to purchase stock in a new institution and prohibiting them from using such stock as collateral. This policy was changed in connection with an effort to simplify insurance requirements and was based on the Board's view at that time that the Board should not interfere in a stockholder's decision on how to finance the stock purchase.

In several recent insurance applications, the organizers have proposed to wholly finance the purchase of their stock with loans obtained using their stock in the institution as

collateral. Since this practice allows minimal investment of an organizer's personal resources in the institution, the Board became concerned that the proposed management would not have sufficient financial commitment to the success of the institution.

Seven commenters responded to this aspect of the proposal. Most were opposed, arguing that margins for borrowing against stock should be determined by the institution making the loan, not the Board. There was also objection that the Board was not taking into account the seriousness of the impact on a borrower who defaults on a stock loan, such as loss of credit standing and reputation in the community. It was argued that such factors would be of paramount concern to a stockholder and would obviate the necessity for this provision.

The Board agrees that the consequences of a loan default would be serious for any borrower; however, allowing proposed directors, management, and major stockholders (who for purposes of this section are viewed as potential management) to finance over 50 percent of their investment by pledging the stock as collateral would invite a similarly *de minimis* commitment to the institution. The Board believes that serious and substantial commitment of resources and time is of great importance to the success of *de novo* institutions and has adopted the policy essentially as proposed.

6. Net-Worth Maintenance Obligation

To ensure the safety and soundness of *de novo* institutions, the Board proposed that an individual, group of individuals acting in concert, or controlling shareholders for a company which does not have substantial independent economic substance (e.g., a thinly capitalized or shell holding company), that will hold 25 percent or more of the stock of a *de novo* association, must personally agree to maintain the association's net worth at the regulatorily required level. The extent of the net-worth maintenance responsibility would be keyed to the percentage of stock owned. The Board believes this proposed policy is necessary to ensure financial commitment to the proposed association by controlling shareholders in order to protect the interest of the FSLIC.

As part of the proposal, the Board stated that, at the time of the initial application for insurance, the Board would consider the financial condition of any individual (or group of individuals acting in concert) who propose to own 25 percent or more of the stock, and might not approve the proposed stock acquisition if such individuals had not adequately demonstrated an ability to provide for maintenance of regulatory net worth.

Prior to 1982, the Board's policy guidelines on insurance of accounts for *de novo* institutions restricted individuals from owning more than 10 percent of a new association's total stock, and limited a single family or business interest to ownership of 25 percent of the association's stock. The guidelines further prohibited individuals with maximum holdings (i.e., individuals with 10 percent stock and families and businesses with 25 percent of the stock in the aggregate) from constituting a majority interest. These restrictions applied only to the initial capitalization of the association and were no longer enforced once the association was in operation.

In April of 1982, the Board revised its policies on insurance of accounts to eliminate longstanding restrictions on the ownership of stock in a *de novo* association by individuals, families and businesses. Since that policy change, the Board has become concerned about the increasing number of highly leveraged plans put forth by individuals proposing to organize and maintain sole control of *de novo* institutions. Since many of these individuals do not have a significant investment of personal assets in the institution, the Board is concerned that management will not have a strong commitment to the long-term viability of the institution. However, the policy would not preclude single ownership of *de novo* institutions by individuals or businesses that have adequate financial resources to make a *bona fide* financial commitment to the long-term viability of the proposed institution by undertaking the net-worth maintenance obligation.

Twenty-four commenters opposed this proposed provision. Fourteen said that if the Board were to adopt this provision, there should be specified time and monetary limits on the networth maintenance obligation. In addition, several commenters asked that the Board define the term "acting in concert". Three stressed that a personal net-worth maintenance agreement would interfere with family, business, or personal estate planning due to the open-ended nature of the commitment. One commenter suggested that initial capitalization and the seven-percent net-worth requirement should be enough to prove commitment by large shareholders. Several commenters asked the Board to describe the process which would be used to enforce a personal net-worth maintenance obligation. Five commenters suggested that the requirement would discourage capital investment into the industry, and several were concerned that stock prices for any block of stock to which the obligation is attached would be depressed. One commenter opined that the proposal violated fundamental principles of corporate law, another said it may violate the Administrative Procedures Act, and another claimed that it was anti-competitive and that the Board lacked the statutory authority to enact such a requirement. Several commenters suggested the language "after accounting for all losses" was vague and should be clarified. Several said that it was unreasonable for the FSLIC to ask investors to insure against universal economic disaster.

The Board agrees that some sections of the proposed policy need clarification and that several terms should be defined. Therefore, the Board has eliminated the language "after accounting for all losses" and substituted language referencing the regulatory net-worth standard. The final policy also has added definitions of "acting in concert" and "controlling shareholders". The Board has further provided that after five years, individuals may apply for release from the net-worth maintenance obligation, which may be granted if the Principal Supervisory Agent finds that the institution is meeting its net-worth requirement and that there is no basis for supervisory concern. While the Board agrees that the existence of the obligation may render the transferability of a controlling block of stock of a person in control somewhat more difficult to achieve, the Board is also aware that sophisticated investors who buy control of corporations do so after considering all the consequences of such an acquisition. For example, any company which purchases 25 percent of an insured institution, and thereby becomes a savings and loan holding company, is cognizant that it may be subject to restrictions as to net-worth maintenance, and that it will be subject to restrictions as to net-worth maintenance, and that it will be subject to regulations governing, *inter alia*, the declaration of dividends, inter-company transactions, etc. The Board knows of no reason that individuals or a group of individuals acting in concert who will control an insured institution should not be subject to similar restrictions. Retention of the net-worth maintenance requirement is further warranted by the Board's belief that financial commitment to the insured institution by controlling shareholders is essential to the safe and sound operation of insured institutions

and the concomitant stabilization of the risk to the FSLIC. Where the composition of the *de novo* institution's stockholders is not known at the time of the Board's decision to grant insurance of accounts, approval of insurance may be conditioned upon any 25-percent stockholder executing a net-worth maintenance agreement. The Board also notes in this respect that such a 25-percent stockholder would be required to file a Notice under the Change in Savings and Loan Control Act or Savings and Loan Holding Company Act and that the Board will be able to verify, in connection with such filings, that the required net-worth maintenance agreement has been executed.

The Board does not believe that persons who decide to make large investments in *de novo* institutions do so with the expectation of imminent economic disaster or that their stock will become worthless. Rather, they believe in the viability and potential profitability of the investment. The Board is asking only that those persons who will have the power to control *de novo* institutions by virtue of their investments, to bear the risk of that investment for a limited time period. Consequently, the final regulation will contain this provision as modified by the Board's response to the commenters' concerns.

In addition, the Board has determined to exclude interim *de novo* institutions chartered for the purpose of facilitating mergers or holding company reorganizations from the requirements of this section.

The elements of the net-worth maintenance agreement have been approved by the Board. Copies will soon be available from the Supervisory Agents at the Federal Home Loan Banks. The language of the agreement indicates to affected individuals how such agreement will be implemented and describes with specificity the extent of their liability. In general, the agreement provides that the individual may be required, upon direction of the Supervisory Agent, to infuse additional capital into the institution to compensate for a deficiency in net worth below the applicable regulatory net-worth requirement. The individual's obligation will be keyed to his percentage of stock ownership, as set forth in the policy statement. In the event the individual fails to provide the required capital infusion, the Board would have a number of remedies including seeking to obtain possession of the individual's stock, or merging or consolidating the institution with another.

7. Usurpation of Corporate Opportunity

The Board proposed an amendment to § 571.6(b), pertaining to the submission of *de novo* institution business plans, to provide for inclusion of a plan for avoidance of conflicts of interest and usurpation of corporate opportunity.

A significant increase has occurred in the number of applications for *de novo* institutions in which the institution will be owned or controlled by individuals in businesses closely related to the savings and loan business (i.e., real estate developers, mortgage brokers, insurance underwriters). The Board is concerned that directors with occupations closely related to the savings and loan business may not have adequately determined how they will comply with the Board's corporate-opportunity and conflict-of-interest regulations, 12 CFR 571.9, 563.40–563.45.

Six comments were received regarding this proposal. Five of the six commenters argued that this provision was superflous since the director's oath should adequately address the Board's concern in this area. One commenter favored this amendment to the business plan, believing this is an appropriate means to control risk.

In recognizing that the director's oath and amendments to the business plan requiring a plan for avoidance of conflicts of interest and usurpation of corporate opportunity represents a decree of overlap, the Board nonetheless believes such requirements are necessary. In recent failures of *de novo* institutions, the directors attempted to defend certain actions and omissions on the grounds that they were not aware of certain of their duties. Accordingly, the Board wishes to emphasize this area of corporate responsibility and ensure that no director of a *de novo* institution will be uncertain about his or her responsibilities and has, therefore, adopted the requirement as proposed.

8. Examination and Supervision Capacity

Because of economic conditions and vast changes in operations of insured institutions, the Board's examination and supervision staff has been operating under substantially increased workloads. The Board is concerned that its ability and that of state regulatory authorities, to adequately supervise insured institutions could be diminished with the granting of insurance of accounts to large numbers of *de novo* institutions in various regions of the country. Thus, the Board proposed to ensure that sufficient resources are available to effectively examine insured institutions.

Thirteen commenters addressed this provision with the majority in opposition on the grounds that each state should have autonomy to determine its ability to effectively examine these institutions. In addition, a number of commenters were concerned that the Board would unilaterally decide that a particular state did not have sufficient examination staff and, therefore, refuse to process applications for insurance of accounts.

It was not the Board's intent to unilaterally or arbitarily discontinue the insurance application process. The purpose of the proposed policy was to disclose to potential applicants that if, after consultation with state regulatory authorities, it was determined that granting additional charters would unduly burden the examination and supervision capability of the Board and appropriate state examining authority, a working understanding between the Board and the state regulator would be sought regarding the orderly processing and examining of institutions, as has been done in the case of California.

The Board clearly recognizes the significant time, energy and financial resources expended by any organizing group in its pursuit of a charter and insurance, but its statutory mandate requires that it must look to the broader picture of the safety and soundness of the entire industry when considering these applications.

Therefore, the Board has determined to adopt this policy substantially as proposed, with a textual modification to clarify the Board's intent to work with the state authorities to detemine examination capabilities.

Applications Processing

In conjunction with this revision of its policies relating to obtaining insurance of accounts for *de novo* institutions, the Board is taking this opportunity to make technical amendments to its applications processing regulations to reduce the number of copies which must accompany an original submission from three to two. The Board has therefore made conforming amendments to §§ 543.2, 544.2, and 552.4 of the Federal Regulations and § 562.3 of the Insurance Regulations.

Final Regulatory Flexibility Analysis

Pursuant to section 3 of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Board is providing the following final regulatory flexibility analysis.

1. *Reasons, objectives, and legal basis underlying the rules.* These factors are discussed elsewhere in the supplementary information.

2. *Small entities to which the rules will apply.* The policies on boards of directors and management would apply only to *de novo* savings and loan associations and savings banks that are federally chartered ("federal associations") or are insured by the Federal Savings and Loan Insurance Corporation ("FSLIC"). They do not apply to existing institutions whose accounts are insured by the FSLIC.

3. *Impact of the rules on small institutions.* The policies will not have an adverse impact on small institutions. The changes will strengthen the boards of directors and management of *de novo* institutions and thus are expected to have a beneficial impact on large and small institutions alike.

4. *Overlapping or conflicting federal rules.* There are no known federal rules that may duplicate, overlap, or conflict with these policies.

5. *Alternatives to the proposed rules.* The policies are intended to raise the level of competence and commitment of *de novo* institution boards of directors and management and increase public confidence toward the regulated industry, and there are no alternative approaches that would have the intended result with a lesser impact on small entities.

List of Subjects in 12 CFR Parts 543, 544, 552, 562 and 571

Savings and loan associations.

The Board finds that observance of the 30-day delay of the effective date as prescribed in 12 U.S.C. 553(d) and 12 CFR 508.14 is unnecessary because the amendments in part constitute interpretative rules and statements of Board policy, and the issues presented regarding the safety and soundness of the Insurance Fund and the activities of persons contemplating the formation of institutions require prompt action in the public interest; and further, because of the Board's stated intention in the proposed regulation to use the proposal date as the date of effectiveness should final amendments be adopted substantially as proposed, in order to, as expeditiously as possible, begin strengthening the boards of directors and management of *de novo* institutions. Consistent with this intention, the Board is further advising the public that currently pending applications which have not received final approval prior to the final adoption of these policies will be reviewed subject to the provisions of the final policies.

Finally, the Board finds that the public notice and comment procedures of 5 U.S.C. 503(b) and 12 CFR 508.13 are unnecessary with regard to the reduction of the number of applications to be filed because it will reduce paperwork requirements and relieve restrictions on all applicants for all types of applications.

Accordingly, the Board hereby amends Parts 543, 544 and 552, Subchapter C, and Parts 562 and 571, Subchapter D, Chapter V of Title 12, *Code of Federal Regulations*, as set forth below.

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 543—INCORPORATION, ORGANIZATION, AND CONVERSION OF FEDERAL MUTUAL ASSOCIATIONS

§ 543.2 [Amended]

1. Amend § 543.2(b)(5) by removing the word "four" where it appears in that paragraph and inserting the word "three" in lieu thereof.

PART 544—CHARTER AND BYLAWS

§ 544.2 [Amended]

2. Amend § 544.2(a) by removing the word "three" where it appears in that paragraph and inserting the word "two" in lieu thereof.

PART 552—STOCK ASSOCIATIONS

§ 552.4 [Amended]

3. Amend § 552.4(a) by removing the word "three" where it appears in that paragraph and inserting the word "two" in lieu thereof.

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 562—APPLICATION FOR INSURANCE OF ACCOUNTS

§ 562.3 [Amended]

4. Amend § 562.3 by removing the word "four" where it appears in that paragraph and inserting the word "three" in lieu thereof.

PART 571—STATEMENTS OF POLICY

5. Amend §571.6 by redesignating paragraphs (c), (d) and (e) thereof as paragraphs (g), (h), and (i), respectively, and adding new paragraphs (c), (d), (e), and (f) thereto, and adding before the period in newly designated paragraph (g), the following phrase: ", or in connection with applications for insurance of accounts for interim *de novo* institutions chartered for the purpose of facilitating mergers or holding company reorganizations."; as follows:

§ 571.6 Policy considerations regarding "de novo" applications for insurance of accounts.

* * * * *

(c) *Composition of the board of directors.* (1) A majority of a *de novo* institution's board of directors must be representative of the state in which the institution is located. The Corporation generally will consider a director to be representative of the state if such director resides, works or maintains a place of business in the state in which the institution is located. If the institution is located in a Metropolitan Statistical Area (MSA), Primary Metropolitan Statistical Area (PMSA) or Consolidated Metropolitan Statistical Area (CMSA) which incorporates portions of more than one state, a director will be considered representative of the institution's state if he or she resides, works or maintains a place of business in the MSA, PMSA or CMSA in which the institution is located.

(2) The *de novo* institution's board of directors must be diversified and composed of individuals with varied business and professional experience. In addition, except in the case of a *de novo* institution that is wholly-owned by a holding company, no more than one-third of a board of directors may be in closely related businesses. The background of each director must reflect a history of responsibility and personal integrity, and must show a level of competence and experience sufficient to demonstrate that such individual has the ability to direct the policies of the institution in a safe and sound manner.

(d) *Policies pertaining to management officials.* (1) Proposed stockholders of ten percent or more of the stock of a *de novo* institution will be considered as management officials of the institution for the purpose of the Corporation's evaluation of the character and qualifications of the management of the institution. In connection with the Corporation's consideration of an institution's insurance-of-accounts application and subsequent to insurance of the institution's accounts by the Corporation, any individual or group of individuals acting in concert, who owns or proposes to acquire, directly or indirectly, ten percent or more of the stock of an institution subject to this policy, shall submit a Biographical and Financial Report to the Supervisory Agent.

(2) Each new director of a *de novo* institution shall sign an "Oath of Director for FSLIC-insured Institutions". The original of the document, executed, shall be submitted to the Supervisory Agent.

(3) Any individual who is an (i) existing or proposed director, (ii) existing or proposed officer, or (iii)

proposes to own, directly or indirectly, or acting in concert with any other individual, ten percent or more of the *de novo* institution's stock, may not pledge more than 50 percent of his or her stock for a period of three years following insurance of accounts to secure borrowed funds to finance his or her total stock purchase.

(4)(i) All controlling shareholders shall personally agree to maintain the institution's net worth at the required regulatory level for a minimum of five years after the granting of insurance of accounts. In determining whether to approve a proposed stock acquisition, the Corporation will consider the financial position of any proposed controlling shareholder and his or her ability to fulfill the net-worth maintenance agreement. Controlling shareholders shall execute an agreement with the Corporation that, in the event the institution fails to meet its net-worth requirement, they will pay to the institution an amount calculated as follows:

(*a*) *If the controlling shareholder holds less than 80 percent of the total stock:* The required payment will equal the percent of the institution's total stock held by the controlling shareholder multiplied by the total net-worth deficiency of the institution.

(*b*) If the controlling shareholding holds 80 percent or more of the total stock: The required payment will equal 100 percent of the institution's total net-worth deficiency.

(ii) At the end of the fifth year after granting insurance of accounts, a controlling shareholder may apply to the Principal Supervisory Agent for a release from this obligation. Applicants may be released from the net-worth maintenance requirement if the Principal Supervisory Agent determines that the institution is meeting its net-worth requirement and that there is no basis for supervisory concern.

(iii) Upon disposition of the stock of an institution by a controlling shareholder who has executed a net-worth maintenance agreement pursuant to this section such that the shareholder no longer meets the definition of a controlling shareholder, the Corporation or its delegate will release the obligation upon a showing that:

(*a*) The institution's net worth meets its required regulatory level, or,

(*b*) In the case where a person or persons propose to acquire 25 percent or more of the stock, such person or persons have assumed the obligation under the net-worth maintenance agreement and has demonstrated the financial capacity to perform such obligation.

(iv)(*a*) For purposes of this section the term "acting in concert" shall have the meaning set forth at § 563b.3(i)(8) of this subchapter: *Provided,* that organizers and members of the board of directors will not be deemed to be acting in concert, solely due to their joint activity in forming and/or managing a *de novo* institution; however, other factors, such as agreements between the parties with respect to profits, losses or expenses, or which affect the disposition of their ownership interests, will be deemed to evidence that the parties are acting in concert.

(*b*) For purposes of this section, the term "controlling shareholder" shall mean any individual who will control, or any group of individuals acting in concert to control, or controlling persons for a company which does not have substantial independent economic substance that will control, directly or indirectly, 25 percent or more of the stock of a *de novo* institution.

(e) In connection with an application for insurance of accounts of a *de novo* institution, the applicant shall include a plan for avoidance of conflicts of interest and usurpation of corporate opportunity in the business plan required pursuant to paragraph (b) of this section. The plan shall:

(1) Identify specific areas where conflicts of interest and abuse of corporate opportunity may occur within the framework of the institution's current management structure;

(2) Describe specific policies and actions that the institution will institute to avoid potential conflicts of interest and corporate-opportunity abuses; and

(3) Establish specific procedures for dealing with directors and management officials who violate the institution's policies in these areas.

(f) If the Corporation determines, after consultation with state regulatory authorities were appropriate, that applications for insurance of accounts would unduly burden the examination and supervision capability of the Board or of a state examining authority, the Corporation may defer action on some applications until such time as the Corporation, after consultation with state regulatory authorities where appropriate, determines that there will be adequate staff to examine and supervise the *de novo* Institution at both the state and Federal levels.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464; Secs. 402, 403, 407, 48 Stat. 1256, 1257, 1260, as amended; 12 U.S.C. 1725, 1726, 1730; Reorg. Plan No. 3 of 1947, 12 FR 4981; 3 CFR 1943–48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistant Secretary.

[FR Doc. 84–27785 Filed 10–19–84; 8:45 am]

BILLING CODE 6720–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 404

Federal Old Age, Survivors, and Disability Insurance Benefits; Deductions, Reductions, and Nonpayments of Benefits

AGENCY: Social Administration, HHS.

ACTION: Final rule.

SUMMARY: This regulation reflects two statutory changes in the rules on reducing the Social Security spouse's or surviving spouse's benefits of a person who is eligible for a Government pension based on employment not covered under Social Security. The first change is a new exception which provides that the wife's, husband's, widow's, widower's, mother's, or father's benefits of a spouse ("spouse's benefits") will not be reduced if he or she was eligible for Government pension before July 1983 and was receiving at least one-half support from the insured worker at a specified time. If a spouse meets this exception, his or her benefits after November 1982 will not be reduced because of eligibility for a Government pension. This new exception is a provision of Pub. L. 97–455 which was enacted January 12, 1983. Any spouse who meets the first exception (i.e., who was eligible for a government pension at any time after November 1977 and before December 1982 and who met the requirement for Social Security benefits as they existed in January 1977) is not affected by this new exception.

The second change is provision of Pub. L. 98–21, enacted April 20, 1983, that Social Security spouse's benefits will be reduced, where applicable, by only two-thirds (instead of all) the amount of the Government pension received by the spouse. This provision is effective for persons who become eligible for a Government pension after June 1983.

EFFECTIVE DATE: This regulation is effective October 22, 1984, but the statutory changes which the regulation reflects were effective earlier.

FOR FURTHER INFORMATION CONTACT: Jack Schanberger, Room 3–B–4 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235, (301) 594–6785.

SUPPLEMENTARY INFORMATION: Section 7 of Pub. L. 97–455 provides a second exception to the requirement that we must reduce Social Security spouse's benefit by the amount of a pension the spouse is receiving based on noncovered employment for a Federal, State, or local government agency. The reduction provision and an exception were included as section 334 of Pub. L. 95–216 (the "Social Security Amendments of 1977").

The exception in the 1977 Amendments requires that the spouse be eligible for the government pension anytime during the period December 1977 through November 1982 and meet the Social Security entitlement requirements that were in effect in January 1977. Under those January 1977 requirements, a man had to meet a one-half support test and a woman claiming benefits as a divorced spouse must have been married to the insured worker for a least 20 years (instead of the current 10 years requirement).

The new exception likewise requires that a spouse meet only two tests in order to avoid the benefit reduction. The first test is that the spouse must be eligible for a pension before July 1983 based on noncovered employment for a Federal, State, or local government.

The second test is the one-half support test which has to be met by a male applicant for spouse's benefits prior to the 1977 Amendments. Under that test, the male spouse had to have been receiving one-half support from his wife when she began a period of disability, became entitled to disability or retirement benefits, or died. Only at one of those times would it have been reasonable to expect him to claim that he was dependent on his wife when she stopped working, and therefore that he should be entitled to benefits based on her past work.

This one-half support test was in effect for only men before it was deleted by the 1977 Amendments as a result of a 1977 Supreme Court decision (*Califano v. Goldfarb*, 430 U.S. 199, 97 S. Ct. 1021).

Divorced women who did not meet the 20-year duration-of-marriage requirement under the 1977 Amendments are excepted from the benefit reduction under the new exception, beginning as early as December 1982, if they meet the one-half support test.

Medicare coverage of Federal employees pursuant to section 278 of the Tax Equity and Fiscal Responsibility Act of 1982 (Pub. L. 97–248) does not constitute Social Security covered employment for purposes of the pension offset provisions and exceptions. We are clarifying this in § 404.408a(a).

Pub. L. 98–21 further amended the pension offset provision of the 1977 Amendments by providing that Social Security spouse's benefits will be reduced by only two-thirds (instead of all) of the amount of a governmental pension received by the spouse if the spouse becomes eligible for the pension after June 1983.

A notice of Proposed Rulemaking explaining this change in the law was published in the **Federal Register** (49 FR 7403) on February 29, 1984. A 60-day comment period was provided. We received two comments from persons who are displeased with the pension offset provision in the law rather than with this regulation. These comments are beyond the scope of this regulation which merely implements the law as enacted.

In addition to the statutory changes explained above, we are making an editorial change in § 404.408(c)(3)(ii).

Regulatory Procedures

Executive Order 12291—This final regulation has been reviewed under E.O. 12291 and does not meet any of the criteria for a major regulation. We estimate that the additional exception provided by Pub. L. 97–455 will cost the Social Security trust funds $4 million in FY 1984, $11 million in FY 1985, $15 million in FY 1986, and $22 million in FY 1987. We estimate that the revised offset amount provided by Pub. L. 98–21 will cost the trust funds $1 million in FY 1984, $2 million in FY 1985, $3 million in FY 1986, and $6 million in FY 1987. Therefore, a regulatory impact analysis is not required.

Paperwork Reduction Act—Although this final regulation does not contain a new reporting requirement, we expect to ask approximately 30,000 additional individuals to furnish information regarding one-half support. The information will be collected by using a revised version of the form SSA–3885, Government Pension Questionnaire (OMB No. 0960–0160). Form SSA–3885 has been approved by OMB for use under section 3507, Pub. L. 96–511, the Paperwork Reduction Act of 1980.

Regulatory Flexibility Act—We certify that this final regulation will not, if promulgated, have a significant economic impact on a substantial number of small entities because it affects only benefit amounts payable to individuals. Therefore, a regulatory flexibility analysis as provided in Pub. L. 96–354, the Regulatory Flexibility Act, is not required.

(Catalog of Federal Domestic Assistance Program Nos. 13.802 Social Security—Disability Insurance, 13.803 Social Security—Retirement Insurance, 13.805 Social Security—Survivors Insurance)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure; Death benefits, Disability benefits, Old-Age, Survivors, and Disability insurance.

Dated: July 19, 1984.

Martha A. McSteen,

Acting Commissioner of Social Security.

Approved: October 2, 1984.

Margaret M. Heckler,

Secretary of Health and Human Services.

PART 404—[AMENDED]

Subpart E of Part 404 of Chapter III of Title 20 of the Code of Federal Regulations is amended as follows:

1. The authority citations for Subpart E is amended to read as follows:

Authority: Secs. 202, 205, 207, and 1102 of the Social Security Act; 49 Stat. 623, 53 Stat. 1368, as amended, 79 Stat. 379, as amended, 79 Stat. 379, as amended, 49 Stat. 647, as amended; sec. 5 of Reorganization Plan No. 1 of 1953, 67 Stat. 18; 42 U.S.C. 402, 405, 427, 1302, unless otherwise noted.

§ 404.408 [Amended]

2. Section 404.408 is amended by removing the heading "(a) In General." from paragraph (c)(3)(ii).

3. Section 404.408a is amended in paragraph (a) by revising the first and last sentence and adding a new sentence after the first sentence, by redesignating paragraphs (b)(1) as (b)(2) and (b)(2) as (b)(1), by adding a new paragraph (b)(3), by adding a new paragraph (c), and by redesignating the materials now in paragraph (c) as (d)(3) and adding new paragraphs (d)(1), (d)(2), and (d)(4) to read as follows:

§ 404.408a Reduction where spouse is receiving a Government pension.

(a) *When reduction is required.* Unless you meet one of the exceptions in paragraph (b) of this section, your monthly Social Security benefits as a wife, husband, widow, widower, mother, or father will be reduced each month you are receiving a monthly pension from a Federal, State, or local government agency (Government pension) for which you were employed in work not covered by Social Security

on the last day of such employment. Your monthly Social Security benefit as a spouse will always be reduced because of your Government pension even if you afterwards return to work for a government agency and that work is covered by Social Security. For purposes of this section, Federal Government employees are not considered to be covered by Social Security if they are covered for Medicare but are not otherwise covered by Social Security. If the government pension is not paid monthly or is paid in a lump-sum, we will determine how much the pension would be if it were paid monthly and then reduce the monthly Social Security benefit accordingly. The number of years covered by a lump-sum payment, and thus the period when the Social Security benefit will be reduced, will generally be clear from the pension plan. If one of the alternatives to a lump-sum payment is a life annuity, and the amount of the monthly benefit for the life annuity can be determined, the reduction will be based on that monthly benefit amount. Where the period or the equivalent monthly pension benefit is not clear it may be necessary for us to determine the reduction period on an individual basis.

(b) *Exceptions.* The reduction does not apply:

(1) If you are receiving a Government pension based on employment for an interstate instrumentality.

(2) If you received or are eligible to receive a Government pension for one or more months in the period December 1977 through November 1982 and you meet the requirements for Social Security benefits that were applied in January 1977, even though you don't claim benefits, and you don't actually meet the requirements for receiving benefits until a later month. The January 1977 requirements are, for a man, a one-half support test (see paragraph (c) of this section), and, for a woman claiming benefits as a divorced spouse, marriage for at least 20 years to the insured worker. You are considered eligible for a Government pension for any month in which you meet all the requirements for payment except that you are working or have not applied.

(3) If you were receiving or were eligible (as defined in paragraph (b)(2) of this section) to receive a Government pension for one or more months before July 1983, and you meet the dependency test of one-half support that was applied to claimants for husband's and widower's benefits in 1977, even though you don't claim benefits, and you don't actually meet the requirements for receiving benefits until a later month. If you meet the exception in this paragraph but you do not meet the exception in paragraph (b)(2), December 1982 is the earliest month for which the reduction will not affect your benefits.

(c) The *one-half support test.* For a man to meet the January 1977 requirement as provided in the exception in paragraph (b)(2) and for a man or a woman to meet the exception in paragraph (b)(3) of this section, he or she must meet a one-half support test. One-half support is defined in § 404.366 of this part. One-half support must be met at one of the following times:

(1) If the insured person had a period of disability which did not end before he or she became entitled to old-age or disability insurance benefits, or died, you must have been receiving at least one-half support from the insured either—

(A) At the beginning of his or her period of disability;

(B) At the time he or she became entitled to old-age or disability insurance benefits; or

(C) If deceased, at the time of his or her death.

(2) If the insured did not have a period of disability at the time of his or her entitlement of death, you must have been receiving at least one-half support from the insured either—

(A) At the time he or she became entitled to old-age insurance benefits; or

(B) If deceased, at the time of his or her death.

(d) *Amount and priority of reduction.* (1) If you became eligible for a Government pension after June 1983, we will reduce (to zero, if necessary) your monthly Social Security benefits as a spouse by two-thirds the amount of your monthly pension. If the reduction is not a multiple of 10 cents. We will round it to the next higher multiple of 10 cents.

(2) If you became eligible for a Government pension before July 1983 and do not meet one of the exceptions in paragraph (b) of this section, we will reduce (to zero, if necessary) your monthly Social Security benefits as a spouse by the full amount of your pension.

(3) Your benefit as a spouse will be reduced, if necessary, for age and for simultaneous entitlement to other Social Security benefits before it is reduced because you are receiving a Government pension. In addition, this reduction follows the order of priority as stated in § 404.402(b).

(4) If the monthly benefit payable to you after the required reduction(s) is not a multiple of $1.00, we will reduce it to the next lower multiple of $1.00 as required by § 404.304(f).

* * * * *

[FR Doc. 84-27767 Filed 10-19-84; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 7982]

Income Tax; Energy Investment Credit for Qualified Intercity Buses

Correction

In FR Doc. 84-26659 beginning on page 39540 in the issue of Tuesday, October 9, 1984, make the following corrections:

§ 1.48-9 [Corrected]

1. On page 39542, in § 1.48-9(q)(7)(iii), second column, fifth line, insert the word "between" before "odometer".

2. On the same page, in the same column, in § 1.48-9(q)(7)(v), second line, "g" should have read "q".

§ 1.381(c)(23)-1 [Corrected]

3. On page 39544, in § 1.381(c)(23)-1(j), first column, last line, "(ii)" should have read "(11)".

BILLING CODE 1505-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

28 CFR Part 0

Appendix to Subpart R, Redelegation of Functions Section 5, Legal Functions; Delegation of Authority to DEA Officials

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: The DEA is amending its regulations relating to the redelegation of legal functions to authorize its Chief Counsel to settle all employee claims for damages to or loss of personal property incident to service with DEA in an amount not to exceed $25,000.

EFFECTIVE DATE: October 22, 1984.

FOR FURTHER INFORMATION CONTACT: Joseph R. Davis, Chief Counsel, Drug Enforcement Administration, Department of Justice 20537, (202) 633-1276.

SUPPLEMENTARY INFORMATION: Under Department of Justice Order 2110.23B, dated June 21, 1984, the Assistant

Attorney General for Administration granted the authority to the Administrator of DEA to redelegate his function to settle employee claims under the Military Personnel and Civilian Employees' Claims Act (31 U.S.C. 3721), in an amount not exceeding $25,000 to the head of a DEA's organizational unit who is not more than the next two levels lower than the Administrator. The Chief Counsel of DEA falls within this organizational level. The Administrator of DEA is authorized by 28 CFR 0.104 to redelegate to his subordinates any of the powers vested in him by 28 CFR Subpart R.

By virtue of the authority vested in me as the Administrator of DEA by 28 CFR 0.100 and 0.104 the following amendment is made to Title 28, Appendix to Subpart R, Redelegation of Functions of the Code of Federal Regulations.

List of Subjects in 28 CFR Part 0

Organization of the Department of Justice, Drug Enforcement Administration, Redelegation of authority.

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart R—Drug Enforcement Administration

Appendix to Subpart R Redelegation of Functions

Section 5, *Legal Functions* of the Appendix to Subpart R, Part 0 is amended by changing the sum of "$15,000" to $25,000" in the first sentence of the section.

(21 U.S.C. 871)

Dated: October 17, 1984.

Francis M. Mullen, Jr.,

Administrator.

[FR Doc. 84-27808 Filed 10-19-84; 2:30 pm]

BILLING CODE 4410-09-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 90

[PR Docket No. 83-1346, RM-4539; FCC 84-463]

Amendment To Make Ten Frequencies in the 72-76 MHz Band Available to the Forest Products Radio Service for Low Power Mobile Operations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends Part 90 of the Commission's Rules to permit the use of ten 72–76 MHz frequencies in the Forest Products Radio Service for low power mobile operations. Allowing such use is necessary to relieve frequency congestion that now exists in this service.

EFFECTIVE DATE: November 1, 1984.

ADDRESS: Federal Communications Commission, 1919 M Street, NW., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Eugene Thomson, Private Radio Bureau, (202) 634–2443.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 90

Forest products radio service, Radio.

Report and Order (Proceeding Terminated)

In the Matter of Amendment of Part 90 of the Rules to Make Ten Frequencies in the 72–76 MHz Band Available to the Forest Products Radio Service for Low Power Mobile Operations; PR Docket No. 83–1346, RM–4539, FCC 84–4630.

Adopted: September 28, 1984.
Released: October 4, 1984.

By the Commission.

A. Background

1. On December 14, 1983, the Commission adopted a *Notice of Proposed Rule Making* (NPRM) which proposed to amend Part 90 of the Rules and Regulations to make ten frequencies in the 72–76 MHz band available to the Forest Products Radio Service (FPRS) for low power mobile operations.[1]

2. The NPRM was issued in response to a Petition for Rule Making filed by Forest Industries Telecommunications (FIT).[2] FIT claimed that the use of radio in forestry operations has increased about 8–9% annually, and that crowding and congestion has occurred in major logging operation areas. FIT stated that congestion will increase unless frequency relief is provided. After a search and analysis of available frequency bands, FIT concluded that the 72–76 MHz band was the most suitable from an operational and equipment standpoint, and requested that ten frequencies be made available, on a shared basis, for low power mobile operations in the confines of a logging site, plant, factory, or lumber mill.

3. In the NPRM, we indicated that there appeared to be merit in allowing Forest Products Radio Service eligibles to utilize the ten frequencies requested for low power operations, and proposed to allow the frequencies to be shared under identical rules with the Manufacturers, Special Industrial, and Railroad Radio Services that are currently sharing those frequencies.

B. Summary of Comments

4. Comments and replies on the NPRM were received from five parties.[3] FIT's comments supported the NPRM. MRFAC again suggested that geographical limits on Forest Products Radio Service use of the frequencies be imposed.[4] Phonic Ear, a manufacturer and marketer of audiotry assistance devices for the hearing impaired utilizing frequencies in the 72–76 MHz band, suggested that the Commission should, as an overall policy matter, discourage future increases in the density of use of the 72–76 MHz band. It agreed with MRFAC's concept of geographical limitations but proposed modified limitations to "exclude FIT members from using frequencies within urbanized areas of the United States of 200,000 or more population (rather than outside of SMSA's), and outside the 13 states in which FIT has suggested there might be a need for the use of those frequencies."[5] The NAB neither supported nor opposed the proposed rules but stated that it was concerned that reliance on Section 90.257(b) of the Rules may not provide adequate protection to reception of television broadcast signals.[6] NAB requested that the Commission examine the record to determine the extent of any reported interference to television reception by low power mobile radio users in the Special Industrial, Manufacturers, and Railroad Radio Services.

5. Fairfield took no position on the merits of the proposal, but apprised the Commission of a petition for rule making it had submitted in a separate proceeding, also looking towards access to the 72–76 MHz band.[7] Fairfield

[1] *Notice of Proposed Rule Making*, PR Docket 83–1346, 49 FR 1997 (January 17, 1984).

[2] Petition for Rule Making, RM–4539, filed June 9, 1983.

[3] Comments were received from the Manufacturers Radio Frequency Advisory Committee (MRFAC); Forest Industries Telecommunications (FIT); Phonic Ear, Inc. (Phonic Ear); National Association of Broadcasters (NAB); and Fairfield Industries, Inc. (Fairfield). Reply comments were received from FIT.

[4] In its comments on FIT's petition, MRFAC asked that sharing by Forest Products Radio Service users be limited to 13 states in which the heaviest FPRS use is concentrated and that FIT members be excluded from using frequencies within the boundaries of the 225 largest standard metropolitan statistical areas within those 13 states.

[5] Comments of Phonic Ear, Inc. paragraph 4.

[6] The 72–76 MHz band is subject to the conditions that no interference is caused to reception of signals of TV channels 4 and 5.

[7] Petition for Rule Making, RM 4764, placed on Public Notice February 15, 1984. The petition requests that low power (1 watt or less) seismic telemetry equipment type accepted with a frequency tolerance acceptale to mobile stations (±0.005%) be allowed for operational fixed use (where the tolerance is ±0.0005%).

requested that while the Commission is considering the FIT proposal with respect to low powered equipment in the 72–76 MHz band, it also consider Fairfield's proposal relating to the same sort of equipment in the same frequency band.

C. Discussion

6. We have considered the comments submitted by MRFAC asking that geographic limitations on the FPRS use of the frequencies be imposed. MRFAC stated that problems created by interference on Manufacturers Radio Service (MRS) frequencies are different and potentially more serious than the interference problems encountered by other types of users. We feel that such limitations are restrictive and would unduly complicate the rules for sharing the frequencies. The great bulk of forest products activity is carried out in the geographical areas that the proposed limitations would cover, and use of the frequencies elsewhere can be controlled by proper coordination procedures. The expected separation of forest products operations from other users of these frequencies and the very low transmitter power to be used should produce a low probability of interference among users. We are not aware of any existing interference MRS users are experiencing from sharing these frequencies with Special Industrial or Railroad Service users and consequently shall not impose any additional restrictions for the Forest Products Radio Service use of the frequencies. For the same reasons we are also rejecting the somewhat less restrictive geographical limitations suggested by Phonic Ear.[8]

7. With respect to the NAB concern that § 90.257(b) of the Rules may not provide adequate protection to reception of signals of TV Channels 4 and 5, as requested by NAB, we examined the record of reported interference to television reception by low powered mobile units licensed in the Manufacturers, Special Industrial, and Railroad Radio Services. The record indicates that there has been only one reported case of interference to television reception from a fixed station. This case was subsequently resolved. There are no documented cases involving interference to TV channels 4 and 5 from mobile users in the 72–76 MHz band. Thus, this does not present any difficulty to our proposal. We have decided to treat Fairfield's request separately because it raises separate issues not relevant to this proceeding.

8. After considering all comments, we conclude that the rules proposed in the NPRM would best provide the needed frequency relief for low power mobile operations in the Forest Products Radio Service without adversely affecting present licensees. We therefore are adopting our proposals to amend Part 90 to make ten frequencies in the 72–76 MHz band available, on a shared basis, to the Forest Products Radio Service for low powered mobile operations along with the Special Industrial Radio Service, the Manufacturers Radio Service, and the Railroad Radio Service. We will continue to require interservice coordination on these frequencies. The rules will also continue to prohibit interference to reception of signals of TV channels 4 and 5 in this band.

9. As stated in the *Notice*, the Commission certifies that Section 603 of the Regulatory Flexibility Act of 1980 does not apply to the rule changes in this *Report and Order* because they will not have a significant economic impact on a substantial number of small entities. The Secretary shall cause a copy of this Report and Order, including the above certification, to be published in the **Federal Register**, and to be sent to the Chief Counsel for Advocacy of the Small Business Administration in accordance with section 605(b) of the Regulatory Flexibility Act, Pub. L. No. 96–354, 94 Stat. 1164, U.S.C. 601 *et. seq.* (1981).

10. Accordingly, it is ordered, that pursuant to sections 4(i) and 303(r) of the Communications Act of 1934, as amended, Part 90 of the Commission's Rules is amended, effective November 1, 1984, as set forth in the attached Appendix. It is further ordered that this proceeding is terminated.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

PART 2—[AMENDED]

Parts 2 and 90 of the Commission's Rules and Regulations are amended as follows:

1. In § 2.106, footnote NG49 to the Table of Frequency Allocations is revised to read:

§ 2.106 Table of frequency allocations.

* * * * *

NG49 The following frequencies may be authorized for mobile operations in the Manufacturers Radio Service subject to the condition that no interference is caused to the reception of television stations operating on channels 4 and 5 and that their use is limited to a manufacturing facility:

MHz

72.02	72.16	72.30
72.04	72.18	72.32
72.06	72.20	72.34
72.08	72.22	72.36
72.10	72.24	72.38
72.12	72.26	72.40
72.14	72.28	

Further, the following frequencies may be authorized for mobile operations in the Special Industrial Radio Service, Manufacturers Radio Service, Railroad Radio Service and Forest Products Radio Service subject to the condition that no interference is caused to the reception of television stations operating on channels 4 and 5; and that their use is limited to a railroad yard, manufacturing plant, logging site, mill, or similar industrial facility.

MHz

72.44	72.60	75.56
72.48	75.44	75.60
72.52	75.48	
72.56	75.52	

* * * * *

PART 90—[AMENDED]

2. In § 90.67, the frequency table in (b) is amended by adding the frequencies 72.44 through 75.60 MHz, between 72–76 and 152.565 MHz, and limitation (34) is added to (c) to read as follows:

§ 90.67 Forest products radio service.

* * * * *

(b) * * *

FOREST PRODUCTS RADIO SERVICE FREQUENCY TABLE

Frequency or Band	Class of Station(s)	Limitations
* * * * *		
72.44	Mobile	34
72.48	do	34
72.52	do	34
72.56	do	34
72.60	do	34
75.44	do	34
75.48	do	34
75.52	do	34
75.56	do	34
75.60	do	34

* * * * *

(c) * * *

(34) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial and Railroad Radio Services and interservice coordination is required. All communications on this frequency must be conducted within the boundaries of a logging site or confines of a plant, factory, lumber or paper mill. All

[8] Auditory assistance devices that operate in the 72–76 MHz band are subject to the provisions of § 15.3 of the Rules. This section requires that operation of these devices is subject to the conditions that no harmful interference is caused, and that interference from any authorized radio user must be accepted.

operations on this frequency are subject to the provisions of § 90.257(b).

* * * * *

3. Section 90.73(d)(7) is revised to read as follows:

§ 90.73 Special industrial radio service.

* * * * *

(d) * * *

* * * * *

(7) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial and Railroad Radio Services and interservice coordination is required. All communications must be conducted within the boundaries or confines of a plant, factory, shipyard, mill, mine, farm, ranch, or construction area. All operations on this frequency are subject to the provisions of § 90.257(b).

* * * * *

4. Section 90.79(d)(4) is revised to read as follows:

§ 90.79 Manufacturers radio service.

* * * * *

(d) * * *

(4) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial and Railroad Radio Services and interservice coordination is required. All communications must be within the boundaries or confines of plants, mills, yards, or other manufacturing areas. All operations on this frequency are subject to the provisions of § 90.257(b).

* * * * *

5. Section 90.91(c)(2) is revised to read as follows:

§ 90.91 Railroad radio service.

* * * * *

(c) * * *

(2) This frequency is available on a shared basis in the Manufacturers, Forest Products, Special Industrial, and Railroad Radio Services and interservice coordination is required. All communications must be within the boundaries or confines of railroad terminals or yards. All operations on this frequency are subject to the provisions of § 90.257(b)

* * * * *

6. Section 90.257(b) is revised to read as follows:

§ 90.257 Assignment and use of frequencies in the 72–76 MHz Band.

* * * * *

(b) The following criteria shall govern the authorization and use of frequencies within the band 72–76 MHz by mobile stations in the Special Industrial, Manufacturers, Forest Products, and Railroad Radio Services.

* * * * *

[FR Doc. 84–27612 Filed 10–19–84; 8:45 am]
BILLING CODE 6712–01–M

47 CFR Part 73

Oversight of the Radio and TV Broadcast Rules; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction.

SUMMARY: This Erratum corrects an error in the Order regarding Oversight of the Radio and TV rules adopted September 13, 1984. 49 FR 38130, September 27, 1984.

FOR FURTHER INFORMATION CONTACT: Steve Crane, Mass Media Bureau, (202) 632–5414.

SUPPLEMENTARY INFORMATION:

Erratum

Released: October 18, 1984.

1. In the above captioned Order released September 18, 1984, and published in the **Federal Register** on September 27, 1984 at 49 FR 38130, item 7 of the Appendix *incorrectly* and *inadvertently* revised § 73.1735 to read as follows:

7. 47 CFR 73.1735 is revised to read as follows:

§ 73.1735 Pre-sunrise service authorization (PSRA) and Post-Sunset service authorization (PSSA).

Licensees of certain classes of AM stations are eligible to request pre-sunrise service authorization and post-sunset service authorization pursuant to the requirements of § 73.99.

It is corrected, as shown here, to restate the rule as it was adopted in the Report and Order in BC Docket 82–538, Hours of Operation of Daytime-Only AM Broadcast Stations. 48 FR 42944, September 20, 1983:

§ 73.1735 AM station operation pre-sunrise and post-sunset.

Certain classes of AM stations are eligible to operate pre-sunrise and/or post-sunset for specified periods with facilities other than those specified on their basic instruments of authorization. Such pre-sunrise and post-sunset operation is authorized pursuant to the provisions of § 73.99 of the Rules.

Federal Communications Commission.

James C. McKinney,

Chief, Mass Media Bureau.

[FR Doc. 84–27771 Filed 10–19–84; 8:45 am]
BILLING CODE 6712–01–M

47 CFR Part 83

[PR Docket No. 84–139; FCC 84–469]

Allowing Radiotelegraph Officers To Perform Maintenance and Repair Duties While Keeping the Mandatory Watch on 500 kHz

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This order allows radiotelegraph officers during their watch to perform maintenance and repair duties at locations away from the station's main transmitter provided they keep a listening watch using headphones, loudspeaker, or a remote receiver. This action was recommended by the Department of Transportation's Maritime Administration and was supported by all the parties that filed comments. This rule allows the master to enhance the radiotelegraph officer's value as a member of the ship's crew.

EFFECTIVE DATE: November 20, 1984.

FOR FURTHER INFORMATION CONTACT: Maureen Cesaitis, Private Radio Bureau, 202–632–7175.

SUPPLEMENTARY INFORMATION:

List of Subjects in 47 CFR Part 83

Communications equipment, Marine safety, Radio, Telegraph vessels.

Report and Order (Proceeding Terminated)

In the Matter of Amendment of Part 83 of the Commission's rules to allow radiotelegraph officers to perform maintenance and repair duties while keeping the mandatory watch on 500 kHz. (PR DOCKET NO. 84–139 RM–4575).

Adopted: September 28, 1984.
Released: October 11, 1984.

By the Commission.

1. This Report and Order amends the rules to allow merchant ship radio officers to service electronic equipment while keeping an uninterrupted watch on 500 kHz.

2. The existing rules require radiotelegraph-equipped vessels to keep watch on the international distress frequency, 500 kHz, during the ship's hours of service. The radiotelegraph officer may interrupt this watch to transmit or receive messages from other stations, or to perform urgent repairs of navigational or safety-related equipment.

3. The U.S. Department of Transportation's Maritime Administration (MARAD) requested that the rules be modified to allow the radio officer to perform maintenance and repair duties at the request of the

master at locations away from the station's main transmitter, provided a listening watch is kept on 500 kHz. The watch would be maintained by headphones, loudspeakers remote receivers, or other suitable means. However, the officer would have to maintain the "silence period" watch (twice each hour for three-minute periods)[1] from the radiotelegraph room. In a *Notice of Proposed Rule Making*, adopted February 7, 1984, the Commission proposed to amend the rules in accordance with MARAD's request.[2]

4. Comments were filed by the following parties:

—David B. Popkin, Englewood, N.J. (Popkin)
—The American Institute of Merchant Shipping (AIMS)
—Council of American-Flag Ship Operators (CASO)
—Radio Officers Union District 3 of the National Marine Engineers' Beneficial Association, AFL–CIO (ROU)

Reply comments were filed by the following parties:

—American Radio Association, Communications and Electronics Membership of the International Organization of Masters, Mates and Pilots, ILA, AFL–CIO (ARA)
—ROU and ARA, jointly

5. All of the comments favored amending the rules as proposed and stated that the watch on 500 kHz would in no way be impaired. Some raised issues which are outside the scope of this proceeding, such as AIMS' comments regarding PR Docket 84–141 (future amendments to the Safety of Life at Sea Convention). The only germane change specifically requested was raised in Popkin's comments. He suggested that the auto alarm be placed into operation each time the radiotelegraph officer leaves the radio room. Popkin's recommendation is a prudent measure which radiotelegraph officers may wish to follow. However, we are not convinced it should be a requirement. We are not changing the key elements of the watch in this proceeding. We are providing an opportunity to improve the radio officer's productivity without diminishing the effectiveness of the watch. The international Radio Regulations do not require the use of an auto alarm during the watch. Use of headphones, loudspeakers, remote receivers or other similar equipment is technically reliable and will not infringe on safety. For these reasons, we are not requiring use of the auto alarm during the watch situation described in the new rule.

6. Popkin's comments do however raise concerns over how the new rule might be interpreted. In the *Notice*, we proposed that headphones, speakers or portable receivers could be used to maintain the watch. The term "portable receiver" was intended to mean a receiver connected to the ship's main installation, but carried to the location where work would normally be performed. Likewise, headphones and loudspeakers would be connected to the same site. However, Popkin interprets "portable receiver" to mean a self-contained unit, with its own antenna, which would not have "the same sensitivity and selectivity as either the main or reserve receiver." To remove such ambiguities, we are rephrasing § 83.204(e) to specify that the equipment used must be connected to the ship's main installation.

7. Pursuant to Section 605 of the Regulatory Flexibility Act of 1980 (Pub. L. 96–354), we certify that the new rule will not have a significant economic impact on a substantial number of small entities. This rule enhances the radiotelegraph officer's productivity aboard ship by allowing that person to assume duties which could not previously be carried out during the eight-hour watch. Wiring and loudspeakers, headphones, or remote receivers will be necessary to take advantage of the new rule; however, no vessels will be required to make the investment or to operate in this fashion, although many are already equipped to do so. There are approximately 800 radiotelegraph-fitted vessels of U.S. registry. The operation of a single such vessel typically runs into the millions of dollars per year.

8. Accordingly, it is ordered, that under the authority contained in Sections 4(i) and 303 (c) and (r) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 303 (c) and (r), the Commission's rules ARE AMENDED as set forth in the attached Appendix, effective November 20, 1984.

9. It is further ordered, that a copy of this Report and Order shall be sent to the Chief Counsel for Advocacy of the Small Business Administration.

10. It is further ordered, that this proceeding is terminated.

11. Regarding questions on matters covered in this document contact Maureen Cesaitis (202) 632–7175.

(Secs. 4, 303, 48 stat., as amended, 1066, 1082; 47 U.S.C. 154, 303)

Federal Communications Commission.

William J. Tricarico,

Secretary.

Appendix

Part 83 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

PART 83—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

Section 83.204 is amended by adding new paragraph (e), to read as follows:

§ 83.204 Provisions governing radiotelegraph watch.

* * * * *

(e) When authorized by the master, the radio officer may perform maintenance or repair of communications, navigation or other electronic equipment inside or outside of the radiotelegraph room, provided that the listening watch on 500 kHz can be maintained by headphones, loudspeakers, remote receivers or other suitable means. Any listening watch device used must be electrically connected to the ship's main installation. The watch on 500 kHz must be maintained in the radiotelegraph room during the silence periods.

[FR Doc. 84–27769 Filed 10–19–84; 8:45 am]
BILLING CODE 6712–01–M

[1] In order to increase the safety of life at sea, the international Radio Regulations (See Nos. 3038–3246) require that all stations in the maritime mobile service utilizing frequencies beween 425 and 535 kHz maintain a watch on 500 kHz for three minutes twice each hour beginning at 15 minutes and 45 minutes past the hour. During these "silence periods" transmissions must cease on frequencies between 485–515 kHz.

[2] PR Docket No. 84–139, released February 10, 1984, 49 FR 6114 (February 17, 1984).

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 533

[Docket No. FE 78–01; Notice 6 and No. Fe-84–01; Notice 2]

Light Truck Average Fuel Economy Standards Model Years 1985–86

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Final rule.

SUMMARY: This notice amends the light truck average fuel economy standard for model year 1985 and establishes a new standard for model year 1986. These standards are required to be established at the maximum feasible level, under section 502(b) of the Motor Vehicle Information and Cost Savings Act. It is anticipated that there will not be any loss of potential fuel savings associated with the revised 1985 standards. The

1986 light truck fleet will consume 510 million gallons less than that which would have occurred if fuel economy levels remained at those now projected for 1985. Light truck fuel economy standards for model year 1987, proposed at the same time as the model year 1986 standards, will be issued at a later date.

DATES: The amendments made by this rule to the Code of Federal Regulations are effective November 21, 1984. The standards are applicable to the 1985 and 1986 model years.

ADDRESS: Petitions for reconsideration should be submitted to: Administrator, National Highway Traffic Safety Administration, 400 Seventh Street, SW., Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Mr. William Boehly, Office of Market Incentives, National Highway Traffic Safety Administration, 400 Seventh St., SW., Washington, D.C. 20590 (202–426–1740).

SUPPLEMENTARY INFORMATION:

Background

On March 8, 1984, NHTSA published a notice of proposed rulemaking (NPRM) on the establishment of light truck average fuel economy standards for model years 1986 and 1987. See 49 FR 8637. The issuance of the 1986 standard 18 months before model year 1986 is required by section 502(b) of the Motor Vehicle Information and Cost Savings Act, 15 U.S.C. 2002(b). That provision requires the Secretary of Transportation to set light truck standards at the "maximum feasible average fuel economy level" for each model year after 1978. In determining the "maximum feasible" level, the Secretary is directed to consider four factors: technological feasibility, economic practicability, the need of the nation to conserve energy, and the effects of other Federal motor vehicle standard on fuel economy. See 15 U.S.C. 2002(e).

The agency's March NPRM proposed ranges of possible standards for all types of light trucks, with the 1986 composite standard to be set within the range of 20.0 to 21.5 mpg and the 1987 composite standard to be set within the range of 20.0 to 22.5 mpg. Ranges of standards were also proposed for two-wheel drive and four-wheel drive light trucks. These separate standards were proposed as optional means of compliance, consistent with the agency's practice in previous proceedings, and are intended to account for the fact that different manufacturers' fleets contain significantly different proportions of four-wheel drive trucks, which tend to have lower fuel economy.

Due to a continuing shift in consumer demand for light trucks, the agency anticipated that downward revisions to the standards would be necessary. The demand shifts, which are due primarily to the recent trend of stable and diminishing gasoline prices, are manifested in higher levels of sales of larger light trucks and larger displacement engines than were previously anticipated by either the manufacturers or the agency.

The market trends toward larger light trucks and larger displacement engines led Ford Motor Company to petition the agency on November 21, 1983, to reduce the existing 1984 and 1985 light truck standards. Ford also argued that changes in light duty truck emissions standards and related procedures had led to a loss in fuel economy for those years. Ford requested that NHTSA reduce the 1984 composite light truck fuel economy standard from 20.0 to 19.0 mpg and the 1985 composite standard from 21.0 to 19.5 mpg, with corresponding changes to the optional two and four-wheel drive standards. On May 30, 1984, in 49 FR 22516, the agency proposed to grant Ford's request for the 1985 model year. However, the agency also proposed at that time to deny Ford's request for the 1984 model year, based on the agency's conclusion that the petition had not been timely filed for that model year. In its comments on this notice, Ford indicated that it would not pursue the issue of the 1984 standards since it had succeeded in assuring compliance with the standards for that year.

Summary of Decision

Based on the agency's analysis of sales data for the 1984 model year and the manufacturers' most recent projections for future sales, market trends toward large vehicles and engines have continued and are likely to continue through at least 1986. Projected fuel economy levels for 1985 domestic light truck fleets have declined on the order of 1.5 mpg since establishment of the standard, due almost entirely to mix shifts in vehicle size and engine displacement. These market trends are expected to continue through at least the 1986 model year. Our analysis leads us to establish composite average fuel economy standards of 19.5 mpg for light trucks manufactured in the 1985 model year and 20.0 mpg for 1986 model year light trucks. Equivalent standards for two-wheel drive and four wheel drive light trucks are also established. A decision has not yet been reached with respect to the proposed 1987 model year standards. The agency has concentrated its efforts on analyzing issues relating to the 1985–86 standards, which must be issued at this time. There is a considerable period of time before the agency is required to issue 1987 model year standards. The agency needs additional time to complete its analysis of issues relating to such standards. Some of these issues, particularly those relating to market trends, are characterized by uncertainty and complexity.

Basis for the Final Standards

a. 1985 Standards

The basis for the agency's original 1985 standards is summarized at 45 FR 81593, December 11, 1980.

The fuel economy gains projected by the agency in that notice were due primarily to the introduction of new compact pickup, utility, and van models and progressively higher sales levels for these models. The new models were projected to employ smaller, more efficient engines and other fuel economy-improving technology. However, in its May 30, 1984 notice, the agency indicated that a number of its projections had not been borne out in terms of current consumer preferences in the marketplace. In particular, the agency's May 30 notice stated that market demand for light truck performance as reflected in engine mix and axle ratio usage, did not materialize as anticipated when the agency initially established the 1985 standards. These and certain other less significant effects produced a 1.5 mpg loss in Ford's 1985 light truck average fuel economy. The original 1985 standards were based primarily upon Ford's maximum fuel economy capability, since that company had the lowest projected fuel economy, accounted for a substantial share of light truck sales, and faced serious risk of economic harm if standards were set at levels above its capability to achieve with a product mix reflecting market demand. As the agency has consistently stated in the past, the agency has a responsibility to set standards at a level that can be achieved by manufacturers having a substantial share of light truck sales.

The agency has refined its analysis of Ford's 1985 fuel economy capability for purposes of this final rule, and has performed analyses of the capability of Chrysler and General Motors as well. Other light truck manufacturers have significantly higher average fuel economy capabilities than the three large domestic manufacturers and account for a minority share of light truck sales. These other fleets have not been analyzed for this proceeding, since

it is clear that because of their small size they would not influence ultimate standards levels. The agency has concluded that there has been a market-related 1.5 mpg loss in Ford's model year 1985 fuel economy capability.

Increases in demand for larger displacement engines compared to levels anticipated at the time 1985 standards were originally established caused 0.9 mpg of the drop in Ford's model year 1985 capability. Increases in average vehicle weight principally resulting from higher than anticipated demand for larger vehicles produced a 0.5 mpg drop, while a drop in demand for diesel engines caused a further 0.1 mpg loss. Several minor effects combined to produce an additional 0.2 mpg loss, but were more than offset by a 0.4 mpg fuel economy gain due to the use of fuel injection in certain light truck engines.

A 0.2 mpg loss in fuel economy was experienced by Ford coincident with the imposition of more stringent emissions regulations. Although the agency has concluded that a 0.2 mpg fuel economy loss will occur for Ford in 1985, EPA has advised the agency that, in their opinion, this loss is due to efforts to improve engine performance through engine calibration and is not an inherent effect of the emissions standards. However, NHTSA has treated this effect as equivalent to the engine mix change effects described above since it appears to result from market demand for increased vehicle performance at a time of stable gasoline prices.

A decline in General Motors 1985 fuel economy is also projected by the agency to a level of 20.0 mpg. The magnitude of this reduction is similar to that experienced by Ford, and is also due to market demand factors. The major factors causing the decline in GM's 1985 fuel economy were found to be an increase in average vehicle weight and engine displacement due to higher than anticipated demand for larger vehicles and engines, a decline in demand for diesel engines, reduced demand for manual transmissions, and increased demand for vehicles with four-wheel drive capability.

Chrysler's 1985 fuel economy is estimated to be 20.3 mpg. The other domestic and foreign manufacturers were not assessed in detail in this analysis, for the reasons noted above.

b. 1986 Standards

Based primarily on technology, the agency anticipates that Ford can achieve a fuel economy gain of 0.9 mpg over the 1985 standard of 19.5 mpg. This fuel economy gain is due predominantly to the introduction of engines using more efficient lean burn/fast burn technologies (0.5 mpg) and also to the elimination of the engine calibration/emissions effect described above (0.2 mpg) and gradual growth in demand for new small vans (0.2 mpg). However, the agency believes these gains will be somewhat offset by continued market shifts, as discussed below. The emissions standards effects are also discussed below.

The agency also projects that GM can achieve fuel economy gains of the same magnitude through engine efficiency improvements as projected for Ford (0.5 mpg). Through a variety of other minor improvements, the agency projects that GM can achieve an additional 0.1 mpg improvement. Taken together, these improvements will enable GM to achieve a composite average fuel economy of 20.6 mpg in 1986.

Chrysler is capable of achieving the highest 1986 fuel economy levels of the "Big 3" domestic manufacturers, 21.5 mpg. This gain primarily results from the introduction of fuel efficient engine technology and the introduction of certain new light weight truck models.

For each of the two model years covered by this rule, the agency concluded that fuel economy improvements beyond those previously discussed are not feasible.

c. Economic Practicability

Economic factors have been of significance in the agency's standard-setting analysis, particularly the potential costs incurred by manufacturers should standards necessitate the sale of a "non-free market" model mix. As noted in the discussion of fleet technology above, virtually the entire fuel economy difference between the original 1985 standard and the lower standards promulgated herein reflects a change in anticipated market demand for larger light trucks and engines, resulting from lower than anticipated gasoline prices. The mix of vehicles and engines projected in this notice for the 1985–86 model years is an estimate of free market demand for light trucks under current market conditions.

It is possible that higher levels of fuel economy could be achieved by domestic manufacturers should they restrict their product offerings. For example, sales of particular larger light truck models and larger displacement engines could be limited or eliminated entirely. In its petition to reduce the 1984–85 light truck standards, Ford submitted an analysis of the potential effects of restricting product offerings in this manner. This analysis showed that to achieve a 1.5 mpg average fuel economy benefit, sales reductions of 100,000 to 180,000 units at Ford could occur, with resulting employment losses of 12,000 to 23,000 positions at Ford, its dealers and suppliers. To the extent that these sales restrictions merely shifted purchasers of larger trucks to other manufacturers, no net fuel economy benefit would be achieved. No commenter in the proceeding directly took issue with the Ford analysis. The agency believes this analysis to be a reasonable projection of the impacts of restricting the availability of larger trucks and engines in the current market. Impacts of this magnitude would go beyond the realm of "economic practicability" as contemplated in the Act, particularly in view of the uncertain energy benefits.

The agency has analyzed the economic impacts associated with the manufacturers' efforts to improve the fuel economy of individual light truck models in the 1985–86 time period. This analysis is set forth in a Regulatory Impact Analysis, copies of which are available in the agency's Docket Section. The agency projects an average retail price increase of $35 to result from these improvements. This price increase would be offset by operating cost savings of $176 for the average 1986 light truck, due to reduced lifetime gasoline consumption. Overall, the agency projects the domestic manufacturers' automotive operations to remain highly profitable over the 1985–86 period, based on current market trends.

d. Effects of Other Federal Standards on Fuel Economy

Three new light truck exhaust emission requirements were cited by several commenters as having possible adverse impacts on fuel economy. The first requirement is a change in stringency in hydrocarbon and carbon monoxide emission standards, which took effect in the 1984 model year. The second requirement extends the useful life period for which manufacturers must certify compliance with emissions standards beginning with the 1985 model year. The third requirement is an anticipated increase in stringency of light duty truck emission standards for oxides of nitrogen.

The agency has concluded that none of these regulatory changes will impact 1985–86 light truck fuel economy levels. With regard to 1984 emissions standards changes and the extended useful life regulation, the agency concurs in a technical analysis provided by the Environmental Protection Agency which indicates that there is no causal link between these regulations and any loss in fuel economy experienced by the

manufacturers. A Department of Transportation assessment of the 1984–85 emissions regulations supported the EPA conclusions. In the case of the possible change in the emission standards for oxides of nitrogen, EPA has yet to issue proposed standards. Given the need for EPA to conduct a rulemaking proceeding and provide adequate lead-time, NHTSA concludes that it is unlikely that any change in stringency of that standard would occur by 1986. If this judgment turns out to be incorrect, the agency will reassess the impact of such a change on light truck fuel economy.

General Motors argued that future light truck diesel particulate emission standards could effectively ban diesel engines in such vehicles, reducing fuel economy levels accordingly. EPA has indicated that these standards can be met with available technology. However for certain vehicles EPA concedes that the standards may require the use of particulate traps which could produce a fuel economy penalty of approximately 2 percent per affected vehicle. NHTSA is accepting the EPA analysis. Should the anticipated fuel economy penalty occur, the impact on the domestic manufacturers' average fuel economy levels would be much less than 0.1 mpg, and would therefore not impact fuel economy standards levels.

American Motors argued that changes in EPA test procedures will result in a fuel economy loss. American Motors did not provide an analysis of the quantitative impact of the proposed rule on American Motors' average fuel economy levels, and none of the other manufacturers argued for the existence of such an impact. In its comments, American Motors noted that the potential impact of the change in EPA procedures could be offset through testing additional vehicles, but pointed out that each testing might be too expensive for a smaller manufacturer. Should American Motors experience a fuel economy loss, its average fuel economy levels will still be high enough to easily comply with the standards promulgated herein. Therefore, the agency is not making a specific adjustment in the standards to account for this potential effect.

e. Need of the Nation To Conserve Energy

The United States imported fifteen percent of its oil needs at a cost of $1.1 billion in 1955. By 1977, the import share peaked at 46.4 percent at a cost of $42 billion. While the import share of total petroleum demand has been steadily declining since 1977 to a 1983 level of 28 percent, the cost continued to rise to a 1981 peak level of $75.8 billion. In 1983, the percentage of imported petroleum was the lowest it had been during the prior decade, and the cost was lower than in 1979. During most of this period price controls on petroleum were in effect, sending the wrong economic signals to consumers. It is during such a period that fuel economy standards are most effective.

The rapid transition from apparent worldwide surplus in 1978 to shortage in 1979, to surplus again today points out the instability of the world oil market. The U.S. is now dependent for about one third of its oil supplies on the actions and decisions of a few foreign governments. Although the concern over dependence on imported petroleum has lessened in the past few years, it is necessary to continue conservation efforts due to the uncertainty, especially in regard to the Middle East, of the future availability of petroleum.

f. Determining the Maximum Feasible Average Fuel Economy Level

In determining the level at which standards are to be set, the agency must take industrywide considerations into account. The Conference Report on Title V of the Motor Vehicle Information and Cost Savings Act provides in this regard as follows:

> * * * a determination of maximum feasible average fuel economy should not be keyed to the single manufacturer which might have the most difficulty achieving a given level of average fuel economy. Rather, the Secretary must weigh the benefits to the nation of a higher average fuel economy standard against the difficulties of individual automobile manufacturers. Such difficulties, however, should be given appropriate weight in setting the standard in light of the small number of domestic automobile manufacturers that currently exist, and the possible implications for the national economy and for reduced competition association (sic) with a severe strain on any manufacturer. However, it should also be noted that provision has been made for granting relief from penalties under Section 508(b) in situations where competition will suffer significantly if penalties are imposed. Senate report 94–516, 94th Cong. 1st Sess. (1975), at 154.5.

As in the proposals, NHTSA's analysis concludes for both years that Ford is the "least capable" manufacturer in regard to improving the average fuel efficiency of its light trucks. For the 1985 model year, the agency projects that Ford can achieve 19.5 mpg, while GM could achieve 20.0 mpg and Chrysler 20.3 mpg. Production of 1985 model year vehicles has begun, so there is little that the manufacturers can do at this point to change their 1985 average fuel economy through use of additional technology. Setting the 1985 standards significantly above Ford's level would not likely increase that company's fuel economy performance through greater use of technology, but might require drastic product restriction actions which would adversely affect employment at Ford. Such actions by Ford might also result in the shifting of sales of larger light trucks with larger engines to other manufacturers, thereby achieving no net fuel economy improvement for the industry as a whole. On the other hand, setting standards below the level attainable by GM and Chrysler would not likely cause those companies to reduce their fuel economy performance, since the agency's projected levels for those companies is based on the product mixes they plan to sell. Further, GM indicated in its comments that setting standards at a level below its planned levels would not cause GM to revise its plans. Therefore, the agency concludes that the risks associated with setting standards above Ford's maximum feasible level and possibly forcing that company to adopt severe product restrictions outweigh the potential benefits from setting standards at a higher level.

For the 1986 model year, the agency projects the maximum fuel economy Ford could achieve in 20.4 mpg, GM 20.6 mpg, and Chrysler 21.5 mpg. Data provided by Ford indicated that Ford's 1986 fuel economy could be as low as 19.6 mpg if consumers maintain a strong demand for larger vehicles. The agency also found that GM faces a number of technological risks involving certain engine efficiency improvements for 1986. If these technological actions became infeasible, NHTSA estimates the company's 1986 fuel economy would decline to 20.0 mpg.

There are additional factors to be considered selecting the 1986 standards. Major technological changes cannot be made in manufacturers' product plans for that year. New programs cannot be developed to compensate for market shifts or technological problems. Furthermore, as noted in the NPRM manufacturers' projections (and NHTSA's analyses) of their fuel economy improvement capabilities have declined over the past 1½ years due to market changes. For all the above reasons, the agency has decided to set the 1986 composite standard at 20.0 mpg. The agency believes the risks of reduced sales and employment resulting from attempts to achieve a higher level for MY 1986 outweigh the potential fuel savings.

The agency has decided to continue setting 4 x 2 and 4 x 4 standards for each

year as an alternative to the composite standard. Separate 4 x 2/4 x 4 standards allow manufacturers greater flexibility in planning their fuel economy improvements and do not discriminate against firms with truck fleets heavily weighted toward four-wheel drive or two-wheel drive models.

The final standards are:

Model year	Composite standard mpg	4 x 2 standard mpg	4 x 4 standard mpg
1985	19.5	19.7	18.9
1986	20.0	20.5	19.5

Other Comments on the NPRM

In its March 1984 NPRM, the agency raised the possibility of changing the structure and scope of the current standards in several ways, including establishing a number of additional standards for subclasses of the light truck fleet and limiting the scope of the standards with regard to vehicles in the 6001–8500 pound gross vehicle weight range. Those commenters taking a position on the merits of this issue generally argued in favor of retaining the present structure of standards, at least for this rulemaking, citing the additional complexity resulting from multiple standards. Ford pointed out that addressing the issue at this time could delay the rulemaking, which is subject to stringent time constraints. Therefore, the agency is making no changes in this area at the current time.

GM and Ford argued that the agency should revise the manner in which it evaluates the economic practicability of standards. Both companies argued that cost/benefit considerations should play a greater role in the agency's standard-setting, and Ford suggested a variety of additional factors the agency should consider. However, in this proceeding, none of the additional criteria suggested by Ford would affect the level at which the standards are set in this rule. Furthermore, the agency has always considered cost/benefit analysis results in setting fuel economy standards; indeed, the most stringent economic criterion for this rule has been the one the agency has traditionally relied upon: the risk of any substantial adverse economic impacts on the industry or the national economy. The standards are being set at the levels discussed above to avoid the risk of significant adverse employment impacts which could result if the manufacturers (and Ford in particular) restricted product offerings to comply with overly stringent standards.

A coalition of public interest organizations opposed the agency's proposed 1986 standard level, arguing that it was based on an assumption of the continuation of the current favorable energy supply and cost situation. The coalition recommended a standard of 22.5 mpg for model year 1986. No technical or economic analysis was provided to support the feasibility of a standard at this level. The agency agrees that the need of the nation to conserve energy remains strong and that the nation still faces the risk of energy problems in the future. However, section 502 of the Act requires the agency to set standards at the maximum feasible average fuel economy level, considering not just energy conservation needs but also technical and economic factors. As discussed above, the agency believes that requiring compliance with more stringent standards than provided herein would create a risk of serious adverse economic repercussions such as losses in employment in the automobile and related industries, without necessarily producing the contemplated fuel economy gains.

In its NPRM concerning the MY 1984–1985 standards, the agency concluded that Ford's petition to amend the 1984 light truck standards was not timely filed due to legal time constraints for amending standards. The agency presented its tentative conclusion that amendments reducing the stringency of standards for a particular model year may be made up until the beginning of the model year but not after that time. Several vehicle manufacturers disagreed with this conclusion. Ford, GM and Volkswagen argued that amendments reducing the stringency of standards may be made at any time, including during a model year. Chrysler, on the other hand, argued that amendments reducing the stringency of standards must be made 18 months prior to the beginning of a model year. As discussed below, the agency has decided that its tentative conclusion was correct. The following paragraphs provided a complete discussion of this issue both for purposes of this rulemaking and to provide future guidance to manufacturers as to the correct timing of petitions.

A model year is presumed to begin in the autumn of the preceding calendar year (see *Center for Auto Safety* v. *NHTSA*, 710 F.2d 842 (D.C. Cir. 1983)). Ford's petition to reduce the existing 1984 and 1985 light truck standards was filed on November 21, 1983, and amended on January 20, 1984. Since model year 1984 began in the fall of 1983, it is clear that the 1984 light truck standards could not have been amended in response to the Ford petition prior to the start of that model year.

Section 502(b) of the Motor Vehicle Information and Cost Savings Act (15 U.S.C. 2002(b)) requires that the Secretary of Transportation "shall, by rule, prescribe average fuel economy standards" for light trucks for each model year beginning with 1979. These standards must be prescribed at least "18 months prior to the beginning of" the model year to which they apply. *Id.*

Section 502(f)(1) of the Act provides that the "Secretary may, by rule, from time to time, amend" any light truck fuel economy standard "so long as such standard, as amended, meets the requirements" of section 502(b). Section 502(f)(2) provides that any amendment which makes standards more stringent must be promulgated "at least 18 months prior to the beginning of the model year to which such amendment will apply."

The Conference Report on the Energy Policy and Conservation Act (the statute which added the fuel economy provisions to the Motor Vehicle Information and Cost Savings Act) contains the following discussion:

> Average fuel economy standards prescribed by the ST (Secretary of Transportation) for passenger automobiles in model years after 1980, for non-passenger automobiles, and for passenger automobiles manufactured by manufacturers of fewer than 10,000 passenger automobiles may be amended from time to time as long as each such amendment satisfies the 18 month rule—i.e., any amendment which has the effect of making an average fuel economy standard more stringent must be promulgated at least 18 months prior to the beginning of the model year to which such amendment will apply. *An amendment which has the effect of making an average fuel economy standard less stringent can be promulgated at any time prior to the beginning of the model year in question.* See Sen. Rep. 94–516, 94th Cong., 1st Sess. (1975) at 157. [Emphasis added.]

As noted above, Ford, General Motors and Volkswagen argued that there is no time limitation on amendments reducing the stringency of standards and that such amendments may be made in mid-model year. GM read section 502(f)(1) and section 502(f)(2) to together imply that Congress concluded that it was not necessary or appropriate to set time limits on standards reduction rulemaking. GM argued that the statutory structure is unambiguous, citing Sands, *Sutherland Statutory Construction* Section 46.01 (Fourth Ed. 1973), for the plain meaning rule of statutory construction. Ford stated that the purpose of the leadtime provisions included in the Act is to protect manufacturers from not being given sufficient time to plan and implement compliance with a more stringent standard and that the provisions should not be construed to operate to manufacturers' detriment. Ford stated

that as a general rule of statutory construction, a distinction must be made between utilizing legislative history for purposes of illuminating Congressional intent with respect to express statutory language and using such history to write into the law that which is not otherwise there. Ford also argued that the language of the Conference Report was intended to emphasize the fact that, in contrast to the situation in which more stringent standards are established, there is no leadtime requirement with respect to less stringent standards.

Chrysler, however, argued that amendments reducing the stringency of standards must be made at least 18 months prior to the beginning of the model year and that, therefore, Ford's petition was too late with respect to both the 1984 and 1985 model years. Chrysler argued that section 502(b) calls for 18 months leadtime for any standards being prescribed and that changes in standards come within that requirement. Chrysler contended that this specific language of the law takes precedence over the Conference Report. Chrysler stated that the 18 month requirement of section 502(f)(2) is also applicable since granting Ford's request would in effect make the standards more stringent for Chrysler.

As suggested by the two very different views advanced by the commenters, the timing requirements applicable to amendments which make standards less stringent are not clear on the face of the statute. The language in section 502(f)(1) authorizing amendments "from time to time" could be interpreted to permit amendments at any time. Alternatively, the language in that paragraph requiring that amendments to standards must comply with requirements applicable to their original enactment could be interpreted to impose the 18 month rule, one of the requirements of section 502(b), on amendments to reduce standards.

Where a statutory provision is ambiguous on its face, rules of statutory construction dictate that the legislative history of the provision must be considered. See Sutherland, "Statutory Construction," 4th Ed., section 48.01. An Act's Conference Report has been considered the "most persuasive evidence of congressional intent" in this regard. *Demby* v. *Schweiker*, 671 F.2d 507, 510 (D.C. Cir. 1981).

The agency believes the language of the Conference Report is clear on this point. As indicated above, the Conference Report includes a statement that "(a)n amendment which has the effect of making an average fuel economy standard less stringent can be promulgated at any time prior to the beginning of the model year in question." While the discussion in the Conference Report does not expressly prohibit amendments after the start of a model year, the quoted sentence certainly implies that result. If no limit on the timing of relaxatory amendments had been intended, the sentence would have been ended after the words "* * * promulgated at any time * * *." The agency believes that Congress intended to provide certainty and finality for all parties concerned with regard to the levels of standards, to permit planning by the manufacturers and the agency through cutting off amendments once a model year has begun.

Ford has argued that a failure to permit amendments to fuel economy standards after the start of a model year places manufacturers in a difficult position, since unanticipated sales trends during the model year might impair its ability to comply. However, the agency is also concerned that amendments made after production has begun have some characteristics of *ex post facto* law.

On this point, the agency notes that, as quoted above, sections 502(b) and 502(f)(1) require that fuel economy standards and amendments to such standards be prescribed "by rule". The term "rule" ordinarily refers to prospective agency action. The Administrative Procedure Act's definition of rule incorporates the concept of "agency statement of general or particular applicability and *future effect*." See 5 U.S.C. 551(4) (emphasis added). Since an average fuel economy standard regulates overall production over an entire model year, a change to such a standard during the model year would represent, in part, retrospective agency action, with retroactive effect. On the issue of retroactive rules, Kenneth Culp Davis states that "* * * agencies have no powers except those conferred and courts are reluctant to imply power to issue retroactive rules * * *." Davis, *Administrative Law Treatise*, 2d ed., section 7.23. The agency does not believe that a court would imply such authority in this instance, particularly given the statement in the legislative history implying that Congress intended the opposite result.

The agency believes that Congress intended standards to be established before production begins, to encourage the achievement of particular fuel economy levels rather than simply ratifying past conduct. As noted above, Chrysler expressed similar concerns in its comments, noting that late changes in standards levels could adversely affect manufacturers who planned to meet the original levels. Therefore, the agency must reaffirm its previous position that petitions to amend fuel economy standards must be submitted in time to permit necessary rulemaking to be completed prior to the start of the model year.

With respect to Chrysler's suggested construction of section 502(f)(2), the agency sees no basis in the Act or its legislative history for construing "more stringent" amendments to mean anything other than its common meaning, i.e., numerically higher. Adopting Chrysler's proposed construction would mean that all amendments make standards "more stringent" regardless of the direction of the change, since any particular standards level will impact manufacturers unequally. In that case, the "more stringent" language of the Act would be rendered meaningless, a result to be avoided under normal rules of statutory construction. The agency rejects this argument.

The agency recognizes the general concern raised by Chrysler that standards reductions may adversely affect manufacturers which made good faith efforts to achieve the initially established standards level. However, the agency must consider the feasibility of its standards for the industry as a whole, as noted above. With regard to the 1985 standards, it appears that none of the domestic manufacturers, including Chrysler, will be able to meet the original standards. Therefore, the agency concludes that reducing the 1985 standards is necessary.

Ford has also requested that the agency specify the precise date by which petitions to amend fuel economy standards must be filed. As noted above, the single court to address the issue has stated only that a given model year begins in the fall of the preceding calendar year. (e.g., fall 1984 is the beginning of the 1985 model year). In its final rule establishing fuel economy reporting requirements, the agency took the position that, in the absence of any single "annual production period," the model year would be deemed to coincide with the calendar year, e.g., the 1985 model year would begin January 1, 1985. See 19 U.S.C. 2001(12) and 42 FR 62374 (December 12, 1977). Since any amendments to standards must be *promulgated* prior to the start of the model year, petitions must be filed in time to permit the agency to complete a rulemaking proceeding on the petition prior to the start of the model year. The time necessary for such a proceeding will vary greatly depending on the complexity and controversiality of the issues involved. A proceeding would

involve agency analysis of the petition, preparation and publication of the necessary supporting documentation, a minimum public comment period, analysis of comments, and preparation and publication of the documentation necessary to accompany the final decision. The various uncertainties affecting the duration of a proceeding make it impossible for the agency to specify a precise date after which petitions will not be accepted. However, it is clear that the Ford petition, which was filed in November of the preceding calendar year, was not timely. As a general matter, petitions regarding a particular model year's standards should be submitted no later than the early part of the preceding calendar year, and preferably before that time.

In accordance with section 502(j) of the Act, the agency has submitted this rule to the Department of Energy for review. The Department of Energy indicated that it had no comment on the rule.

Impact Analyses

I. Executive Order 12291

The agency considered the economic implications of the fuel economy standards established by this rule and determined that the rule is major within the meaning of the Executive Order 12291, and significant within the meaning of the Department's regulatory procedures. The agency's detailed analysis of the economic effects is set forth in its regulatory impact analysis. The contents of that analysis are generally described above.

II. Environmental Impacts

The agency has analyzed the potential environmental impacts of these light truck fuel economy standards in accordance with the requirements of the National Environmental Policy Act, 42 U.S.C. 4321 *et seq.* Copies of that analysis are available from the Docket Section. The agency's analysis quantifies the potential environmental impacts which could result from the establishment of these standards. The told impact on the environment is not expected to be large. The largest impact of the standards on the environment would be with regard to energy consumption.

III. Impacts on Small Businesses

Pursuant to the Regulatory Flexibility Act, the agency has considered the impact this rulemaking action will have on small entities. I certify that this action will not have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility analysis is not required for this action. No light truck manufacturer would be classified as a "small business" under the Regulatory Flexibility Act. In the case of small organizations and governmental units which purchase light trucks, those entities purchasing a 1986 truck might achieve a gain in fuel savings resulting from the 1986 standard. Those choosing a 1985 truck should face no loss in fuel savings resulting from the reduction in the 1985 standard since, as discussed above, it is anticipated that there will not be any loss of potential fuel savings associated with the revised standard.

List of Subjects in 49 CFR Part 533

Energy conservation, gasoline, imports, motor vehicles.

(Sec. 9, Pub. L. 89-670, 80 Stat. 931 (49 U.S.C. 1657); sec. 301, Pub. L. 94-163, 89 Stat. 901 (15 U.S.C. 2002); delegations of authority at 49 CFR 1.50 and 49 CFR 501.8)

Issued on: October 16, 1984.

Diane K. Steed,

Administrator.

PART 533—LIGHT TRUCK FUEL ECONOMY STANDARDS

In consideration of the foregoing, 49 CFR Chapter V is amended by revising Table II in § 533.5(a) to read as follows:

§ 533.5 Requirements.

(a) * * *

TABLE II

Model Year	Combined standard		2-wheel drive light trucks		4-wheel drive light trucks	
	Captive imports	Other imports	Captive imports	Other imports	Captive	Other imports
1982	17.5	17.5	18.0	18.0	16.0	16.0
1983	19.0	19.0	19.5	19.5	17.5	17.5
1984	20.0	20.0	20.3	20.3	18.5	18.5
1985	19.5	19.5	19.7	19.7	18.9	18.9
1986	20.0	20.0	20.5	20.5	19.5	19.5

[FR Doc. 84-27678 Filed 10-17-84; 11:44 am]

BILLING CODE 4910-59-M

Proposed Rules

Federal Register
Vol. 49, No. 205
Monday, October 22, 1984

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

9 CFR Part 93

[Docket No. 81-054]

Importation of Certain Animal Embryos

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Proposed rule.

SUMMARY: This document proposes to establish regulations governing the importation into the United States of certain embryos of cattle, sheep, goats, other ruminants, swine, horses, and asses. It appears that the proposed regulations would provide a mechanism to allow the importation of such embryos without presenting a significant risk of introducing infectious animal diseases.

DATE: Written comments must be received on or before December 21, 1984.

ADDRESSES: Written comments should be submitted to Thomas O. Gessel, Director, Regulatory Coordination Staff, APHIS, USDA, Room 728, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Written comments received may be inspected at Room 728 of the Federal Building Between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Dr. D. E. Herrick, Senior Staff Veterinarian, Import-Export Animals and Products Staff, VS, APHIS, USDA, Room 838, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301-436-8530.

SUPPLEMENTARY INFORMATION:

Background

This document proposes to establish regulations in a new 9 CFR Part 93 concerning the importation of certain embryos of cattle, sheep, goats, other ruminants, swine, horses, and asses.

Technological developments with respect to such animals allow the collection and preservation of embryos from donor dams. These embryos can then be reimplanted in the wombs of recipient dams for carrying until birth, leaving the donor animals free to be reinseminated. It is common to have five or more transferable embryos per collection from a donor dam, and this embryo collection process can be repeated several times a year. Accordingly, through embryo transfer a selected donor dam can increase many-fold the number of offspring that would otherwise be produced naturally. Further, an industry has developed with the capability of transporting such embryos outside of the womb in a manner generally similar to that used for transporting animal semen.

The proposed rule defines an "embryo" as:

> The initial stage of an animal's development after collection from the natural mother, while it is capable of being transferred to a recipient dam, but not including an embryo that has been transferred to a recipient dam.

The regulations in 9 CFR Part 92, among other things set forth requirements concerning the importation of cattle, sheep, goats, other ruminants, swine, horses, and asses, and are designed to allow the importation of these animals only under conditions determined to be adequate to protect against the introduction into the United States of infectious animal diseases. However, regulations have not previously been established specifically concerning the importation of such embryos of cattle, sheep, goats, other ruminants, swine, horses, and asses. Such embryos of these animals are referred to below as "embryos" (or "embryo" if in the singular).

Based on research it has been determined that embryos are capable of transmitting animal diseases from the donor sire and donor dam to other animals. There are no procedures available for testing embryos to determine their disease status. In order to protect against the introduction of infectious animal diseases from imported embryos, regulations to allow the importation of embryos must relate to the disease status of the donor sire and donor dam. Any disease present in the donor sire or donor dam would not necessarily be transmitted to an embryo. However, if a disease should be transmitted from the donor sire or donor dam to an embryo, such disease would be present in the donor sire at the time of collection of the semen or in the donor dam at the time of collection of the embryo. An embryo could also carry infectious animal diseases if the embryo became contaminated with disease organisms during or after collection.

Therefore, this document proposes to allow the importation of embryos only if certain determinations are made concerning the disease status of the donor sire at the time of collection of the semen and the donor dam at the time of collection of the embryo, and only if adequate measures are taken to prevent contamination of the embryo.

Definitions

In addition to other definitions explained in this document, proposed § 93.1 contains definitions of the terms "Animal," "Department," "Deputy Administrator," "Enter (entered, entry) into the United States," "Import (imported, importation) into the United States," "Inspector," "Person," "United States," and "Veterinary Services."

Prohibition

Proposed § 93.2 provides that an embryo shall not be imported or entered into the United States unless in accordance with the provisions of the proposed regulations.

General Conditions

Proposed § 93.3 provides that:

> An embryo shall not be imported into the United States unless:
>
> (a) The embryo is exported to the United States from the country in which it was conceived;
>
> (b) The embryo was conceived as a result of artificial insemination with semen collected from a donor sire at an approved artificial insemination center;
>
> (c) The donor dam conceived the embryo after being inseminated in an approved embryo transfer unit with semen collected at an approved artificial insemination center;
>
> (d) At the time of collection of the semen used to conceive the embryo, the donor sire met all requirements the donor site would have to meet under Part 92 of this chapter for a health certificate required as a condition of importation into the United States;
>
> (e) At the time of collection of the embryo from the donor dam, the donor dam met all requirements the donor dam would have to

meet under Part 92 of this chapter for a health certificate required as a condition of importation into the United States;

(f) There is no basis for denying and import permit for the donor sire or donor dam under § 92.4(a)(2) or (3) of this chapter; and

(g) The embryo is collected and maintained under conditions determined by the Deputy Administrator to be adequate to protect against contamination of the embryo with infectious animal disease organisms.

It appears that an embryo should not be allowed to be imported into the United States if there is a basis for denying an import permit for the donor sire or donor dam under 9 CFR 92.4(a)(2) or (3). It is provided, in relevant part, in 9 CFR 92.4(a)(2) and (3) that:

(2) An application for permit to import will be denied for domestic ruminants or swine * * * from any country where it has been declared, under section 306 of the Act of June 17, 1930, that foot-and-mouth disease or rinderpest has been determined to exist. * * *

(3) An application for permit to import ruminants, swine, horses from countries listed in § 92.2(i)(1) of the regulations * * * may also be denied because of: Communicable disease conditions in the area or country of origin * * *; deficiencies in the regulatory programs for the control or eradication of animal diseases and the unavailability of veterinary services in the * * * [country of origin]; the importer's failure to provide satisfactory evidence concerning the origin, history, and health status of the animals * * *; the lack of satisfactory information necessary to determine that the importation will not be likely to transmit any communicable disease to livestock or poultry of the United States; or an other circumstances which the Deputy Administrator believes require such denial to prevent the dissemination of any communicable disease of livestock or poultry into the United States.

It appears that an embryo from a donor sire or donor dam ineligible for an import permit under these provisions would present an unacceptable risk of causing the introduction of infectious animal diseases into the United States.

The provisions of 9 CFR Part 92 provide that an animal must be accompanied at the time of importation into the United States by a health certificate from the government of the country of origin. The determinations for issuance of such a health certificate are required to be based on specified factors concerning the disease status of the animal offered for entry and the disease status of other animals in the country of origin, and include examinations and tests. The health certificate provisions in proposed § 93.3 for the donor sire and donor dam set forth above would provide a means for determining with a high degree of accuracy the animal disease status of the donor sire at the time of collection of the semen and the donor dam at the time of collection of the embryo.

In addition, it appears that the proposed provisions set forth above concerning an "approved artificial insemination center" and an "approved embryo transfer unit" would provide added protection against the presence of animal diseases in either the donor sire at the time of collection of the semen or the donor dam at the time of collection of the embryo. The proposed regulations define an "approved artificial insemination center" as:

A facility approved or licensed by the government of the country in which the facility is located to collect and process semen under the general supervision of such government.

The proposed regulations further define an "approved embryo transfer unit" as:

A facility approved or licensed by the government of the country in which the facility is located to artificially inseminate donor dams and to collect and process embryos for export under the general supervision of such government.

These facilities use isolation, testing, and security measures to help ensure the disease-free status of donor sires and donor dams. Such facilities must also meet the legal requirements concerning disease prevention of the countries in which they are located.

Further, it appears that an embryo should be allowed to be exported to the United States only from the country in which it was conceived. This proposed requirement corresponds with the provisions of proposed § 93.5 which require an embryo to be accompanied by a health certificate which states how the provisions of proposed § 92.3 were met and which is issued or endorsed by a full-time salaried veterinarian of the national animal health service of the country of origin. It appears that allowing an embryo to be exported to the United States only from the country in which it was conceived would help ensure the accuracy of information on the certificate since the certificate would be issued or endorsed by a full-time salaried veterinarian of the national government bearing the responsibility for its accuracy.

The proposed contamination provisions to be necessary to protect against the possibility of the introduction into the United States of infectious animal diseases as a result of contamination of the embryo with animal disease organisms. Approval of these conditions would have to be made on a case-by-case basis since adequate methods for preventing contamination must be made based on the particular facts in each case.

It appears that embryos imported into the United States in compliance with the provisions set forth above in proposed § 93.3 would not present a significant risk of introducing infectious animal diseases into the United States.

Import Permit

Proposed § 93.4 provides that:

(a) An embryo shall not be imported into the United States unless accompanied by an import permit issued by Veterinary Services and unless imported into the United States within 14 days after the proposed date or arrival stated in the import permit.

(b) An application for an import permit must be submitted to Import-Export Animals and Products Staff, Veterinary Services, APHIS, USDA, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. An application form for an import permit may be obtained from this staff.

(c) The completed application shall include the following information:

(1) The name and address of the person intending to export an embryo from the country of origin,

(2) The name and address of the person intending to import an embryo,

((3) The species, breed, and number of embryos to be imported,

(4) The purpose of the importation,

(5) The country in which the embryo is conceived,

(6) The port of embarkation,

(7) The mode of transportation,

(8) The route of travel,

(9) The port of entry in the United States,

(10) The proposed date of arrival in the United States,

(11) The name and address of the person to whom the embryo will be delivered in the United States, and

(12) The measures to be taken to ensure that the embryo is collected and maintained under conditions adequate to protect against contamination of the embryo with infectious animal disease organisms.

(d) After receipt and review of the application by Veterinary Services, an import permit indicating the applicable conditions under this part for importation into the United States shall be issued for the importation of embryos described in the application if such embryos appear to be eligible to be imported. Even though an import permit has been issued for the importation of an embryo, the embryo may be imported only if all applicable requirements of this part are met.

It appears that an import permit is necessary to ensure that the requirements for an importation of embryos would be understood and met by the importer. Further, providing that the importation must be within 14 days after proposed date of arrival stated in the permit would help Veterinary Services determine projected workloads

at ports of entry and still allow for reasonable delays during shipment.

The application would be submitted to the Import-Export Animals and Products Staff since this staff would be responsible for determining whether embryos would be eligible for an import permit.

The information required for completion of an application appears to be necessary to determine whether embryos would be eligible for an import permit, to respond to an applicant, to help identify the embryos at the port of entry, and to allow Veterinary Services to contact appropriate persons if any questions arise concerning the importation. Further, it appears that information concerning the purpose of the importation would be helpful for apprising the Department of any new uses for embryos that might require consideration of changes in the regulations.

Health Certificate

Proposed § 93.5 provides that:

An embryo shall not be imported into the United States unless accompanied by a health certificate issued or endorsed by a full-time salaried veterinarian of the national animal health service of the country of origin certifying:

(a) The dates, places, types, and results of all examinations and tests performed on the donor sire and donor dam as a condition for importation of the embryo, and the names and addresses of persons or laboratories conducting the examinations or tests, and a statement that any other requirements established by § 93.3 have been complied with,

(b) The name and address of the consignor and consignee.

(c) The name and address of the approved artificial insemination center where the semen for the embryo was collected,

(d) The name and address of the approved embryo transfer unit where the donor dam was inseminated and the embryo was collected, and

(e) The measures taken to ensure that the embryo was collected and maintained under conditions adequate to protect against contamination of the embryo with infectious animal disease organisms.

It appears that these health certificate provisions are necessary to help Veterinary Services personnel at the port of entry determine if the embryos offered for entry into the United States meet the provisions of proposed § 93.3 discussed above.

Ports of Entry

Proposed § 93.6 provides that an embryo shall not be imported into the United States unless at a port of entry listed in § 92.3. These ports of entry have inspectors on duty who would be able to take the necessary actions concerning the importation of embryos.

Declaration Upon Arrival

Proposed § 93.7 provides that:

Upon arrival of an embryo at a port of entry, the importer or the importer's agent shall notify Veterinary Services of the arrival by giving an inspector a document stating:

(a) The port of entry,

(b) The date of arrival,

(c) Import permit number,

(d) Carrier, and identification of the means of conveyance,

(e) The name and address of the importer,

(f) The name and address of the broker,

(g) The country of origin of the embryo,

(h) The number, species, and purpose of importation of the embryo, and

(i) The name and address of the person to whom the embryo will be delivered.

It appears that compliance with these provisions would be adequate to notify Veterinary Services of the arrival of embryos at a port of entry. Also, the declaration would provide sufficient information so that if questions arose concerning the importation, Veterinary Services would be able to contact persons in the United States who should have information relative to the importation.

Inspection

Proposed § 93.8 provides that any embryo offered for entry into the United States and documents accompanying the embryo shall be subject to inspection by an inspector at the time the embryo is offered for entry in order to determine whether the embryo is eligible for entry. It appears that these provisions are necessary to help ensure that only embryos eligible for entry into the United States are allowed to enter the United States.

Proposed § 93.8 also provides that the import permit and the health certificate shall be given to the inspector.

Embryos Refused Entry

Proposed § 93.9 provides that:

Any embryo refused entry into the United States for noncompliance with the requirements of this part shall be removed from the United States within a time period specified by the Deputy Administrator or abandoned by the importer for destruction, and pending such action shall be subject to such safeguards as the inspector determines necessary to prevent the possible introduction into the United States of infectious animal diseases. If such embryo is not removed from the United States within such time period, or abandoned for destruction, it may be seized, destroyed, or otherwise disposed of as the inspector determines necessary to prevent the possible introduction into the United States of infectious animal diseases.

These provisions appear to be necessary as precautionary measures against the introduction into the United States of infectious animal diseases.

Other Importations

Proposed § 93.10 provides that:

Notwithstanding other provisions in this part, the Deputy Administrator may in specific cases allow the importation and entry into the United States of embryos other than as provided for in this part under such conditions as the Deputy Administrator may prescribe to prevent the introduction into the United States of infectious animal diseases.

This appears to be necessary to allow the importation and entry of embryos in unforeseen circumstances when the Deputy Administrator determines that such action can be taken without a significant risk of introducing infectious animal diseases into the United States.

Currently, 9 CFR Part 93 contains provisions captioned "Rule of Practice Governing Proceedings Under Certain Acts". If the proposal to establish a new part captioned "Importation of Certain Animal Embryos" is adopted, the current provisions in 9 CFR Part 93 will be moved to another place in the Code of Federal Regulations.

Paperwork Reduction Act

In accordance with section 3507 of the Paperwork Reduction Act of 1980 (44 U.S.C. 3507), the information collection provisions that are included in this rule have been submitted for approval to the Office of Management and Budget (OMB). Written comments concerning any information collection provisions should be submitted to the Office of Information and Regulatory Affairs, OMB, Attention: Desk Officer for APHIS, Washington, D.C. 20503. A duplicate copy of such documents should be submitted to Thomas O. Gessel, Director, Regulatory Coordination Staff, Animal and Plant Health Inspection Service, United States Department of Agriculture, Room 728, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782.

Executive Order 12291 and Regulatory Flexibility Act

This action has been reviewed in conformance with Executive Order 12291 and has been determined to be not a "major rule." The Department has determined that this action would not have an effect on the economy of $100 million or more; would not cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; and would not have any significant adverse

effects on competition, employment, investment, productivity, innovation, or the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

It is anticipated that if the proposed regulations were adopted almost all of the embryos imported would be embryos from cattle. Further, it is anticipated that the embryos from cattle would represent less than one percent of the total number of embryos, calves, and older cattle imported into the United States.

Therefore, the Administrator of the Animal and Plant Health Inspection Service has determined that this action would not have a significant economic impact on a substantial number of small entities.

List of Subjects in 9 CFR Part 93

Animal diseases, animal embryos, imports, livestock and livestock products, transportation.

Accordingly, it is proposed to establish a new 9 CFR Part 93 to read as follows (if the proposal is adopted the current provisions in 9 CFR Part 93 would be moved to another place in the CFR):

PART 93—IMPORTATION OF CERTAIN ANIMAL EMBRYOS

Sec.

93.1 Definitions.
93.2 Prohibitions.
93.3 General conditions.
93.4 Import permit.
93.5 Health certificate.
93.6 Ports of entry.
93.7 Declaration upon arrival.
93.8 Inspection.
93.9 Embryos refused entry.
93.10 Other importations.

Authority: Secs. 6 and 8, 26 Stat. 416, as amended, sec. 10, 26 Stat. 417, sec. 2, 32 Stat. 792, as amended, secs. 2, 3, 4, 5, and 11, 76 Stat. 129, 130, 132; 21 U.S.C. 103, 104, 105, 111, 134a, 134b, 134c, 134d, 134f; 7 CFR 2.17, 2.51, and 371.2(d).

§ 93.1 Definitions.

The following terms, when used in this part, shall be construed as defined. Those terms used in the singular form in this part shall be construed as the plural form and vice versa, as the case may demand.

Animal. Any cattle, sheep, goats, other ruminants, swine, horses, or asses.

Approved Artificial Insemination Center. A facility approved or licensed by the government of the country in which the facility is located to collect and process semen under the general supervision of such government.

Approved Embryo Transfer Unit. A facility approved or licensed by the government of the country in which the facility is located to artificially inseminate donor dams and to collect and process embryos for export under the general supervision of such government.

Department. The United States Department of Agriculture.

Deputy Administrator. The Deputy Administrator, Veterinary services, or any official in the Veterinary Services unit of the Animal and Plant Health Inspection Service of the Department to whom authority has been delegated or may hereafter be delegated to act in the deputy Administrator's stead.

Embryo. The initial state of an animal's development after collection from the natural mother, while it is capable of being transferred to a recipient dam, but not including an embryo that has been transferred to a recipient dam.

Enter (entered, entry) into the United States. To introduce into the commerce of the United States after release from governmental detention at the port of entry.

Import (imported, importation) into the United States. To bring into the territorial limits of the United States.

Inspector. An employee of Veterinary Services who is authorized to perform the function involved.

Person. Any individual, corporation, company, association, firm, partnership, society, joint stock company, or any other legal entity.

United States. All of the several States of the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States and all other territories and possessions of the United States.

Veterinary Services. The Veterinary Services unit of the Animal and Plant Health Inspection Service of the Department.

§ 93.2 Prohibition.

An embryo shall not be imported or entered into the United States unless in accordance with the provisions of this part.

§ 93.3 General conditions.

An embryo shall not be imported into the United States unless:

(a) The embryo is exported to the United States from the country in which it was conceived;

(b) The embryo was conceived as a result of artificial insemination with semen collected from a donor sire at an approved artificial insemination center;

(c) The donor dam conceived the embryo after being inseminated in an approved embryo transfer unit with semen collected at an approved artificial insemination center;

(d) At the time of collection of the semen used to conceive the embryo, the donor sire met all requirements the donor sire would have to meet under Part 92 of this chapter for a health certificate required as a condition of importation into the United States;

(e) At the time of collection of the embryo from the donor dam, the donor dam met all requirements the donor dam would have to meet under Part 92 of this chapter for a health certificate required as a condition of importation into the United States;

(f) There is no basis for denying an import permit for the donor sire or donor dam under § 92.4(a)(2) or (3) of this chapter; and

(g) The embryo is collected and maintained under conditions determined by the Deputy Administrator to be adequate to protect against contamination of the embryo with infectious animal disease organisms.

§ 93.4 Import permit.

(a) An embryo shall not be imported into the United States unless accompanied by an import permit issued by Veterinary Services and unless imported into the United States within 14 days after the proposed date of arrival stated in the import permit.

(b) An application for an import permit must be submitted to Import-Export Animals and Products Staff, Veterinary Services, APHIS, USDA, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. An application form for an import permit may be obtained from this staff.

(c) The completed application shall include the following information:

(1) The name and address of the person intending to export an embryo from the country of origin,

(2) The name and address of the person intending to import an embryo,

(3) The species, breed, and number of embryos to be imported,

(4) The purpose of the importation,

(5) The country in which the embryo is conceived,

(6) The port of embarkation,

(7) The mode of transportation,

(8) The route of travel,

(9) The port of entry in the United States,

(10) The proposed date of arrival in the United States,

(11) The name and address of the person to whom the embryo will be delivered in the United States, and

(12) The measures to be taken to ensure that the embryo is collected and maintained under conditions adequate

to protect against contamination of the embryo with infectious animal disease organisms.

(d) After receipt and review of the application by Veterinary Services, an import permit indicating the applicable conditions under this part for importation into the United States shall be issued for the importation of embryos described in the application if such embryos appear to be eligible to be imported. Even though an import permit has been issued for the importation of an embryo, the embryo may be imported only if all applicable requirements of this part are met.

§ 93.5 Health certificate.

An embryo shall not be imported into the United States unless accompanied by a health certificate issued or endorsed by a full-time salaried veterinarian of the national animal health service of the country of origin certifying:

(a) The dates, places, types, and results of all examinations and tests performed on the donor sire and donor dam as a condition for importation of the embryo, and the names and addresses of persons or laboratories conducting the examinations or tests, and a statement that any other requirements established by § 93.3 have been complied with,

(b) The name and address of the consignor and consignee,

(c) The name and address of the approved artificial insemination center where the semen for the embryo was collected,

(d) The name and address of the approved embryo transfer unit where the donor dam was inseminated and the embryo was collected, and

(e) The measures taken to ensure that the embryo was collected and maintained under conditions adequate to protect against contamination of the embryo with infectious animal disease organisms.

§ 93.6 Port of entry.

An embryo shall not be imported into the United States unless at a port of entry listed in § 92.3 of this chapter.

§ 93.7 Declaration upon arrival.

Upon arrival of an embryo at a port of entry, the importer or the importer's agent shall notify Veterinary Services of the arrival by giving an inspector a document stating:

(a) The port of entry,

(b) The date of arrival,

(c) Import permit number,

(d) Carrier, and identification of the means of conveyance,

(e) The name and address of the importer,

(f) The name and address of the broker,

(g) The country of origin of the embryo,

(h) The number, species, and purpose of importation of the embryo, and

(i) The name and address of the person to whom the embryo will be delivered.

§ 93.8 Inspection.

Any embryo offered for entry into the United States and documents accompanying the embryo shall be subject to inspection by an inspector at the time the embryo is offered for entry in order to determine whether the embryo is eligible for entry. The import permit and the health certificate shall be given to the inspector.

§ 93.9 Embryos refused entry.

Any embryo refused entry into the United States for noncompliance with the requirements of this part shall be removed from the United States within a time period specified by the Deputy Administrator or abandoned by the importer for destruction, and pending such action shall be subject to such safeguards as the inspector determines necessary to prevent the possible introduction into the United States of infectious animal diseases. If such embryo is not removed from the United States within such time period, or abandoned for destruction, it may be seized, destroyed, or otherwise disposed of as the inspector determines necessary to prevent the possible introduction into the United States of infectious animal diseases.

§ 93.10 Other importations.

Notwithstanding other provisions in this part, the Deputy Administrator may in specific cases allow the importation and entry into the United States of embryos other than as provided for in this part under such conditions as the Deputy Administrator may prescribe to prevent the introduction into the United States of infectious animal diseases.

Done at Washington, D.C., this 18th day of October 1984.

K.R. Hook,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 84-27894 Filed 10-18-84; 3:03 pm]

BILLING CODE 3410-34-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[LR-97-79]

Consolidated Return Regulations

Corrections

In FR Doc. 84-20057, beginning on page 30528 in the issue of Tuesday, July 31, 1984, make the following corrections:

1. On page 30528, five lines from the bottom of the third column, "TRA 175" should read "TRA '75".

2. On page 30529, in the first column, the fourth line of the paragraph headed **EFFECTIVE DATES**, "affect" should read "after".

3. On the same page, in the middle column 1 the third line of the paragraph headed **Consolidated WIN Credit**, "of" should read "for".

4. On page 30530, first column, ninth line, insert the word "year" after "return".

5. On page 30532, in the first column, in the eleventh and twelfth lines from the top, "(iii)" and "(ii)" should read "(ii)" and "(iii)" respectively.

6. On page 30533, four lines from the top of the third column, in § 1.1502-8(a)(3), "§ 101502-3" should read "§ 1.1502-3".

7. On the same page and column, nine lines from the bottom, insert ", and for example (*2*)(ii)" between "(ii)" and "(*a*)".

8. On page 30535, twelve lines from the top of the middle column, in § 1.1502-21(c)(5), insert "of" after "$1500".

9. On the same page, in § 1.1502-22(e)(1), in the third column, the eighth line of the first paragraph "transfer or" should read "transferor".

10. On page 30537, in the last line of the third column, in § 1.1502-79(a)(5), insert "section, the acquisition fraction for the U" between "this" and "acquisition".

BILLING CODE 1505-01-M

---

26 CFR Part 1

[LR-69-84]

Energy Investment Credit for Leased Qualified Intercity Buses; Proposed Rulemaking

Correction

In FR Doc. 84-26658 beginning on page 39571 in the issue of Tuesday, October 9, 1984, make the following correction:

§ 1.48-9 [Corrected]

On page 39572, in § 1.48-9(q)(8)(iii), third column, fourth line from the bottom, "(g)" should have read "(q)".

BILLING CODE 1505-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 917

Public Comment and Opportunity for Public Hearing on the Modification to the Kentucky Permanent Regulatory Program

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

ACTION: Proposed rule.

SUMMARY: OSM is announcing procedures for the public comment period and for a public hearing on the substantive adequacy of certain program amendments submitted by the State of Kentucky as a modification to the Kentucky permanent regulatory program (hereinafter referred to as the Kentucky program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). These amendments are submitted as further modifications to the Kentucky program. The amendments pertain to existing policies that Kentucky has incorporated by reference into its regulations. These policies pertain to underground coal mines, water quality monitoring, incremental bonding, permanent water impoundments, roads, steep slope variances, reclamation deferments, coal processing operations and crushing and loading facilities, overlapping permits, transitioning permits, and withdrawal and maintenance of mining permit applications.

This notice sets forth the times and locations that the Kentucky program and the proposed amendment are available for public inspection, the comment period during which interested persons may submit written comments on the proposed program elements, and the procedures that will be followed regarding the public hearing.

DATES: Written comments not received on or before November 21, 1984, will not necessarily be considered.

If requested, a public hearing on the proposed modifications will be held on November 16, 1984, beginning at 10:00 a.m. at the location shown below under **"ADDRESSES."**

ADDRESSES: Written comments should be mailed or hand delivered to: W. H. Tipton, Director, Lexington Field Office, Office of Surface Mining, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504.

If a public hearing is held its location will be at: the Harley Hotel, 2143 North Broadway, Lexington, Kentucky 40505.

FOR FURTHER INFORMATION CONTACT: W. H. Tipton, Director, Lexington Field Office, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504; Telephone: (606) 233-7327.

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures

Availability of Copies

Copies of the Kentucky program, the proposed modifications to the program, a listing of any scheduled public meetings and all written comments received in response to this notice will be available for review at the OSM Offices and the Office of the State regulatory authority listed below, Monday through Friday, 8:00 a.m. to 4:00 p.m., excluding holidays.

Lexington Field Office, Office of Surface Mining, 340 Legion Drive, Suite 28, Lexington, Kentucky 40504.

Office of Surface Mining, Reclamation and Enforcement, Room 5124, 1100 L Street, NW., Washington, D.C. 20240.

Bureau of Surface Mining, Reclamation and Enforcement, Capitol Plaza Tower, Third, Floor, Frankfort, Kentucky 40601.

Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in the support of the commenter's recommendations. Comments received after the time indicated under **"DATES"** or at locations other than Lexington, Kentucky, will not necessarily be considered and included in the Administrative Record for the final rulemaking.

Public Hearing

Persons wishing to comment at the public hearing should contact the person listed under **"FOR FURTHER INFORMATION CONTACT"** by the close of business ten working days before the date of the hearing. If not one requests to comment at the public hearing, the hearing will not be held.

If only one person requests to comment, a public meeting, rather than a public hearing, may be held and the results of the meeting included in the Administrative Record.

Submission of written statements at the time of the hearing is requested and will greatly assist the transcriber.

Submissions of written statements in advance of the hearing will allow OSM officials to prepare appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to comment have been heard. Persons in the audience who have not been scheduled to comment and wish to do so will be heard following those scheduled. The hearing will end after all persons scheduled to comment and persons present in the audiences who wish to comment have been heard.

Public Meeting

Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting at the OSM office listed in **ADDRESSES** by contacting the person listed under **"FOR FURTHER INFORMATION CONTACT."**

All such meetings are open to the public and if possible, notices of meetings will be posted in advance in the Administrative Record. A written summary of each public meeting will be made a part of the Administrative Record.

II. Background on the Kentucky State Program

On December 30, 1981, Kentucky resubmitted its proposed regulatory program to OSM. On April 13, 1982, following a review of the proposed program as outlined in 30 CFR Part 732, the Secretary approved the program subject to the correction of 12 minor deficiencies. The approval was effective upon publication of the notice of conditional approval in the May 18, 1982 **Federal Register** (47 FR 21404-21435).

Information pertinent to the general background, revisions, modifications, and amendments to the proposed permanent program submission, as well as the Secretary's findings, the disposition of comments and a detailed explanation of the conditions of approval of the Kentucky program can be found in the May 18, 1982 **Federal Register** notice.

III. Submission of Program Amendments

By a letter dated June 6, 1984, Kentucky advised OSM of certain revisions to the Kentucky regulatory program. These modifications consist of changes to Kentucky's regulations through the incorporation of existing policies. Kentucky explained in its letter that these incorporations do not substantively change the content of the regulatory program but since these policies are now regulations, OSM may need to process them as a program amendment.

OSM reviewed the policies and the regulations and determined pursuant to 30 CFR 732.17 that the modifications are required to be processed as a program amendment since certain material is being incorporated into Kentucky's approved program regulations.

1. Title 405 KAR 1:015E

Section 1:015E incorporates by reference the following eleven Reclamation Advisory Memoranda (RAM).

(1) RAM #10 "a) Existing Underground Coal Mines; Time Extension for Application for Permit, b) Supplemental Mine Map Required for Small Operators," March 1, 1979.

(2) RAM #14, "Reporting Results of Water Quality Monitoring," August 3, 1979.

(3) RAM #18, "Incremental Bonding," March 6, 1980.

(4) RAM #22, "Approval of Permanent Water Impoundments," May 8, 1980.

(5) RAM #23, "Retention of Roads," May 23, 1980.

(6) RAM #24, also identified as #81–01, "AOC Variances on Steep Slopes," March 19, 1981.

(7) RAM #27, also identified as #81–04, "Reclamation Deferments," April 29, 1981, except for the statement on page 3 under coal marketing problems that such deferments may be given for a "single" period of six (6) months. Such deferments may be renewed.

(8) RAM #33, "Coal Processing Operations and Crushing and Loading Facilities," April 27, 1982.

(9) RAM #56, "Overlapping Permits," December 1, 1982.

(10) RAM #75, "Permanent Program Performance Standards Take Effect March 16, 1984 on Transitioning Operations," March 12, 1984.

(11) RAM #78, "Departmental Policies: Withdrawal and Maintenance of Mining Permit Applications," April 23, 1984.

Also, included for incorporation is the following Secretarial Order:

(1) "In Re: Steep Slope Remining," September 19, 1983.

2. Title 405 KAR 3:015E

Section 3:015E incorporates by reference nine of the eleven RAM's listed under 405 KAR 1:015E. These RAM's are as follows:

(1) RAM #10 "a) Existing Underground Coal Mines; Time Extension for Application for Permit, b) Supplemental Mine Map Required for Small Operators," March 1, 1979.

(2) RAM #14, "Reporting Results of Water Quality Monitoring," August 3, 1979.

(3) RAM #22, "Approval of Permanent Water Impoundments," May 8, 1980.

(4) RAM #23, "Retention of Roads," May 23, 1980.

(5) RAM #24, also identified as #81–01, "AOC Variances on Steep Slopes," March 19, 1981.

(6) RAM #33, "Coal Processing Operations and Crushing and Loading Facilities," April 27, 1982.

(7) RAM #56, "Overlapping Permits," December 1, 1982.

(8) RAM #75, "Permanent Program Performance Standards Take Effect March 16, 1984 on Transitioning Operations," March 12, 1984.

(9) RAM #78, "Departmental Policies: Withdrawal and Maintenance of Mining Permit Applications," April 23, 1984.

3. Title 405 KAR 7:015E

Section 7:015E incorporates by reference 21 RAM's some of which are included in the listing under 405 KAR 1:015E:

(1) RAM #33, "Coal Processing Operations and Crushing and Loading Facilities," April 27, 1982.

(2) RAM #35, "Permanent Program Transition Application," May 14, 1982.

(3) RAM #46, "Status Report on Transition Application Review," August 25, 1982.

(4) RAM #48, "Lands Unsuitable for Mining Program Information Resource Center," September 14, 1982.

(5) RAM #53, "Procedures and Priorities for Review of Transition Comprehensive Applications," November 17, 1982.

(6) RAM #55, "Initial Completeness Requirements for Transition Comprehensive Applications, December 1, 1982.

(7) RAM #56, "Overlapping Permits," December 1, 1982.

(8) RAM #57, "Applicant Changes to Transition Applications," December 1, 1982.

(9) RAM #58, "Priority I Deadline for Sediment Structure Compliance Demonstrations," February 14, 1983.

(10) RAM #62, "Extension of Priority II Technical Submission Date," April 12, 1983.

(11) RAM #63, "Submission of Sediment Structure Compliance Demonstration Data and Other Technical Data," April 22, 1983.

(12) RAM #64, "Certificate of Liability Insurance Update," June 10, 1983.

(13) RAM #65, "Submission of Transitioned Application, Priority II, III, and IV Applications," June 10, 1983.

(14) RAM #66, "Submission of Sediment Pond Compliance Demonstrations for Priority I Transitioning Permits," August 5, 1983.

(15) RAM #68, "Submission of Priority II Data," September 23, 1983.

(16) RAM #72, "Submission of Technically Complete Applications, Priority III and IV," November 29, 1983.

(17) RAM #73, "Delayed Filing of Performance Bonds on Technically Acceptable Applications for Transitioning Permanent Program Permits," February 6, 1984.

(18) RAM #75, "Permanent Program Performance Standards Take Effect March 16, 1984 on Transitioning Operations," March 12, 1984.

(19) RAM #76, "Revision to RAM #73: Maximum Period of Bond Deferral Reduced from 5 Years to 3 Years," April 2, 1984.

(20) RAM #77, "Reinstatement of Small Operator Assistance," April 2, 1984.

(21) RAM #78, "Departmental Policies: Withdrawal and Maintenance of Mining Permit Applications," April 23, 1984.

Additionally 405 7:015E incorporates by reference the following documents:

(1) Technical Reclamation Memorandum (TRM) #1, "Existing Structures," October 22, 1982.

(2) TRM #9, "Revegetation Standards for Success," February 1, 1983.

(3) "Penalty Assessment Manual," July 1983.

(4) "Standard Methods for the Examination of Water and Wastewater," fourteenth edition, 1976. Prepared by American Public Health Association, American Water Works Association, and Water Pollution Control Federation. Copies may be obtained from American Public Health Association, 1015 Eighteenth Street, NW., Washington, D.C. 20036.

(5) "Methods for Chemical Analysis of Water and Wastes, "March 1979, U.S. Environmental Protection Agency. Copies may be obtained from U.S. Environmental Protection Agency, Environmental Monitoring and Support Laboratory, 26 W Street, Clair Street, Cincinnati, Ohio 45268.

(6) "Soil Taxonomy," Agriculture Handbook 436, 1975, U.S.D.A.—Soil Conservation Service. Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(7) "Soil Survey Manual," Agriculture Handbook No. 18, 1951, U.S. Department of Agriculture. Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(8) "ASTM STANDARD D388–77, Standard Specification for Classification of Coal by Rank," 1977, American Society for Testing and Materials.

Copies may be obtained from American Society for Testing and Materials, 1916 Race Street, Philadelphia, Pennsylvania 19103.

(9) "Environmental Criteria for Electric Transmission Lines," 1970, U.S. Department of the Interior, U.S. Department of Agriculture. Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(10) REA Bulletin 61–10, "Protection of Bald and Golden Eagles from Powerlines," 1972 U.S. Department of Agriculture. Copies may be obtained from the U.S. Department of Agriculture, Washington, D.C.

(11) Technical Release No. 60, "Earth Dams and Reservoirs," 1976, U.S.D.A.—Soil Conservation Service. Copies may be obtained from U.S. Soil Conservation Service, Washington, D.C.

(12) "Kentucky Standard and Specification for Ponds (378)," 1978 U.S. Soil Conservation Service. Copies may be obtained from the Soil Conservation Service, 333 Waller Ave., Lexington, KY.

(13) ANSI S1.4–1971, "Specification for Sound Level Meters," 1971, American National Standards Institute, Inc. Copies may be obtained from the American National Standard Institute, Inc., 1430 Broadway, NY, NY.

(14) AASHTO T99–74, "Standard Methods of Test for the Moisture-Density Relations of Soils using 5.5 lb. (2.5 Kg) Rammer and a 12 in. (305 mm) Drop," 1974, American Association of State Highway and Transportation Officials. Copies may be obtained from American Association of State Highway and Transportation Officials, 444 N. Capitol St. Washington, D.C. 20001.

(15) Permit Application Review Procedure (PARP) #2, "Lands within 100 feet, measured horizontally, of a cemetery," April 18, 1983.

(16) PARP #6, "Advertising Schedule Variance," July 29, 1983.

(17) PARP #11, "Condition of Issuance for Transitioning Underground Permits," November 15, 1983.

(18) Departmental Policy Memoradum #81–003, "Conflict of Interest," June 19, 1981.

Therefore, the Director is seeking public comment on the adequacy of the proposed program amendments. Comments should specifically address the issues of whether the proposed amendments are in accordance with SMCRA and no less effective than its implementing regulations.

IV. Additional Determinations

1. Compliance With the National Environmental Policy Act

The Secretary has determined that, pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order No. 12291 and the Regulatory Flexibility Act

On August 28, 1981, the Office of Management and Budget (OMB) granted OSM an exemption from section 3, 4, 7, and 8 of Executive Order 12291 for actions directly related to approval or conditional approval of State regulatory programs. Therefore, this action is exempt from preparation of a Regulatory Impact Analysis and regulatory review by OMB.

The Department of the Interior has determined that this rule would not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This rule would not impose any new requirements; rather, it would ensure that existing requirements established by SMCRA and the Federal rules would be met by the State.

3. Paperwork Reduction Act

This rule does not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3507.

List of Subjects in 30 CFR Part 917

Coal mining, Intergovernmental relations, Surface mining, Underground mining.

(Pub. L. 95–87, Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 *et seq.*))

Dated October 17, 1984.

John D. Ward,

Director, Office of Surface Mining

[FR Doc. 84–27788 Filed 10–19–84; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD3 83–058]

Drawbridge Operation Regulations; Shrewsbury River, NJ

AGENCY: Coast Guard, DOT.

ACTION: Proposed rule.

SUMMARY: At the request of Monmouth County, NJ, the Coast Guard is considering a change to the regulations governing the Route 520 drawbridge over the Shrewsbury River between Rumson and Sea Bright. This proposed change would permit the bridge to begin scheduled openings at 9 a.m. instead of 11 a.m. on weekends and holidays from May 15 through September 30. This proposal is being made because frequent openings for vessels are contributing to traffic congestion between 9 a.m. and 11 a.m. This action should accommodate the needs of vehicular traffic and should still provide for the reasonable needs of navigation.

DATE: Comments must be received on or before December 6, 1984.

ADDRESSES: Comments should be mailed to Commander (oan-br), Third Coast Guard District, Bldg. 135A, Governors Island, NY 10004. The comments and other materials referenced in this notice will be available for inspection and copying at this address. Normal office hours are between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: William C. Heming, Bridge Administrator, Third Coast Guard District (212) 668–7994.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this proposed rulemaking by submitting written views, comments, data, or arguments. Pesons submitting comments should include their name and address, identify the bridge, and give reasons for concurrence with or for any recommended change in the proposal. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed postcard or envelope.

The Commander, Third Coast Guard District will evaluate all communications received and will determine a final course of action on this proposal. The proposed regulations may be changed in light of comments received.

On April 24, 1984, the Coast Guard published a final rule (49 FR 17450) that reorganized Coast Guard regulations for drawbridges (Part 117 of Title 33, Code of Federal Regulations) to consolidate common requirements and to organize bridge regulations into a more usable format. This proposed rule follows the revised numbering and format. Reference to "South Branch" under the heading Shrewsbury River is being eliminated because the Shrewsbury River as presently named has no North and South Branch. The former North

Branch was renamed the Navesink River, thereby negating the need for any distinction.

Drafting Information

The drafters of this notice are Ernest J. Feemster, project manager, and Mary Ann Arisman, project attorney.

Discussion of Proposed Regulations

The Route 520 bridge presently has regulations permitting the draw to open only on the hour and half hour on weekends and holidays from may 15 through September 30 between 11 a.m. and 7 p.m. Since there are considerable bridge openings and heavy vehicular traffic earlier in the morning, Monmouth County requested that schedules openings begin at 9 a.m. instead of 11 a.m. Bridge opening logs for 1978–83 show an average of 2.34 openings per hour from 9 a.m. to 11 a.m. on weekends and holidays from May 15 through September 30. This indicates that if scheduled openings are implemented, openings can be reduced by 36% on weekends and holidays between 9 a.m. and 11 a.m. The Coast Guard, therefore is proposing that scheduled openings begin at 9 a.m. This is expected to better accommodate vehicular traffic while still providing for navigational requirements.

Temporary regulations were issued on July 2, 1982 by Public Notice 3–471 allowing the draw to open only on the hour and half hour on all days between July 1 and August 31, 1982. These temporary regulations were implemented to evaluate Monmouth County's request for permanent regulations. However, the results of these temporary regulations were inconclusive since the bridge owner did not provide the Coast Guard with requested vehicular traffic data and other information necessary to fully evaluate the temporary regulations. Additionally, only two responses were received; one for, and one against the temporary regulations.

Monmouth County requested, as a part of this rulemaking that scheduled openings (on hour and half hour) be extended throughout the week from 9 a.m. to 7 p.m. from May 15 to September 30. However, the Coast Guard has determined that weekday scheduled openings are not justified because opening logs indicate that there normally are no more than two openings per hour during the requested period. Therefore, this aspect of the request is not being proposed in this rulemaking.

Vehicular traffic on Route 520 is extremely heavy on weekends and holidays during the boating season because this roadway provides access to Route 36, a two-lane highway along the barrier beach. During the boating season, frequent bridge opening during periods of peak vehicular traffic interrupt the orderly flow of traffic and contribute to traffic congestion. These proposed regulations are expected to reduce bridge openings on weekends and holidays from 9 a.m. to 11 a.m during the boating season, thereby resulting in reduced vehicular traffic congestion.

Economic Assessment and Certification

These proposed regulations are considered to be non-major under Executive Order 12291 on Federal Regulation, and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 16, 1979).

The economic impact of this proposal is expected to be so minimal that a full regulatory evaluation is unnecessary. Vessels presently receive openings on the hour and half hour during most of the day on weekends and holidays during the boating season. Extending this period by two hours (from 9 a.m. to 11 a.m.) is not expected to significantly impact vessels using the waterway since conditions during these hours are identical to those existing during most of the day. Most of the vessels using this waterway are recreational with only occasional commercial traffic. No business, organization, entity or person has been identified as being adversely impacted by this action. Since the economic impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations by removing reference to "South Branch" in the heading for § 117.755 and by revising § 117.755(b) to read as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

§ 117.755 Shrewsbury River.

* * * * *

(b) The draw of the Monmouth County highway bridge, mile 4.0 at Sea Bright, shall open on signal; except that, from May 15 through September 30 on Saturdays, Sundays, and holidays from 9 a.m. to 7 p.m., the draw need be opened only on the hour and half hour. The draw need not be opened at any time for a sailboat, unless it is under auxiliary power or is towed by a powered vessel. The owners of the bridge shall provide and keep in good legible condition two board gages painted white with black figures not less than eight inches high to indicate the vertical clearance under the closed draw at all stages of the tide. The gages shall be so placed on the bridge that they are plainly visible to operators of vessels approaching the bridge from either up or downstream.

(33 U.S.C. 499; 49 CFR 1.46(c)(2); 33 CFR 1.05–1(g)(3))

Dated: October 5, 1984.

P.A. Yost,

Vice Admiral, U.S. Coast Guard, Commander, Third Coast Guard District.

[FR Doc. 84–27783 Filed 10–19–84; 8:45 am]

BILLING CODE 4910–14–M

POSTAL SERVICE

39 CFR Part 10

Proposed Express Mail International Service to Venezuela

Correction

In FR Doc. 84–26604 beginning on page 39573 in the issue of Tuesday, October 9, 1984, make the following correction:

On page 39574, in the table, in the first column, in the second line under "Pounds", "5" should have read "6". Also, in the fourth column, in the thirty-first line under "Rate", "117.70" should have read "117.60".

BILLING CODE 1505–01–M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 101–11

Standard and Optional Forms Management Program

AGENCY: Office of Information Resources Management, GSA

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice invites written comments on a proposal to revise Subpart 101–11.8 of the Federal Property Management Regulations to reflect the transfer of the Standard and Optional Forms Management Program from the National Archives and Records Service to the Office of Information Resources Management, and to comply with provisions of Title 5 CFR 1320 that replaced Office of Management and

Budget (OMB) Circular A–40. The regulation has been reorganized to clarify agency and GSA responsibilities and procedures for the development, management, clearance, and approval of new, revised, and exception Standard and Optional forms. The Standard and Optional Forms Management Program provides for centralized management of Government-wide standardized forms and ensures that such forms are based on sound forms management principles of analysis, design, and printing economy.

DATE: Comments must be received on or before November 21, 1984.

ADDRESS: Comments should be submitted to the General Services Administration, KMPP, Washington, D.C. 20405.

FOR FURTHER INFORMATION CONTACT: Carolyn A. Thomas, Policy Branch, Office of Information Resources Management Policy, telephone: (202) 566–0194 or FTS, 566–0194. The full text of this proposed rule is available upon request.

SUPPLEMENTARY INFORMATION:

(a) This subpart supplements FPMR 101–11.208–1, Forms—agency program responsibilities.

(b) The General Services Administration has determined that this rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981. The General Services Administration has based all administrative decisions underlying this rule on adequate information concerning the need for and consequences of this rule; has determined that the potential benefits to society from this rule outweigh the potential costs and has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society.

List of Subjects in 41 CFR Part 101–11

Archives and records, Standard and optional forms.

(Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c))

Dated: October 10, 1984.

Francis A. McDonough,

Deputy Assistant Administrator for Federal Information Resources Management.

[FR Doc. 84–27749 Filed 10–19–84; 8:45 am]

BILLING CODE 6820–25–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Part 2650

Alaska Native Selections; Extension of Comment Period

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of extension of comment period on proposed rulemaking.

SUMMARY: A proposed rulemaking amending the regulations in 43 CFR Part 2650—Alaska Native Selections was published in the Federal Register on August 7, 1984 (49 FR 31475). The amendment would change the procedures used for excluding meanderable water bodies from acreage charged against the entitlement of Alaska Native Corporations and would add provisions for Native villages that are underselected. The proposed rulemaking provided a 60-day comment period. In response to a request for an extension of that comment period, and in view of the complexity of the issues raised in the proposed rulemaking, a 45-day extension of the comment period is hereby granted.

DATE: The comment period is extended to November 23, 1984. Comments not received or postmarked by that date may not be considered in the decision-making process on a final rulemaking.

ADDRESS: Comments should be sent to: Director (140), Bureau of Land Management, 1800 C Street, NW., Washington, D.C. 20240.

Comments will be available for public review in Room 5555 of the above address during regular business hours (7:45 a.m. to 4:15 p.m.), Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Robert Faithful, (202) 343–6511

or

Robert C. Bruce, (202) 343–8735.

Dated: October 16, 1984.

Garrey E. Carruthers,

Assistant Secretary of the Interior.

[FR Doc. 84–27763 Filed 10–19–84; 8:45 am]

BILLING CODE 4310–84–M

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Public Hearing and Extension of Comment Period on Proposed Threatened Status for Ribes Echinellum (Miccosukee Gooseberry)

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule; notice of public hearing, and extension of comment period.

SUMMARY: The U.S. Fish and Wildlife Service gives notice that a public hearing will be held on the proposal to list *Ribes echinellum* (Miccosukee gooseberry), a plant known from one site in Florida and one site in South Carolina, as a threatened species. This hearing will allow comments on this proposal to be submitted from all interested parties.

DATES: The public hearing will be held from 7:30 p.m. to 9:30 p.m. on November 8, 1984, in Monticello, Florida. The comment period on this proposal is extended until November 19, 1984.

ADDRESSES: The public hearing will be held at the Jefferson County Courthouse, Courthouse Circle, U.S. 19 and 90 intersection, Monticello Florida. Comments should be sent to the Regional Director, U.S. Fish and Wildlife Service, 75 Spring Street, S.W., Atlanta, Georgia 30303. Comments and materials received will be available for public inspection during normal business hours, by appointment, at the above address.

FOR FURTHER INFORMATION CONTACT: For information on the public hearing contact Mr. David Wesley, Endangered Species Field Supervisor, U.S. Fish and Wildlife Service, 2747 Art Museum Drive, Jacksonville, Florida 32207 (904/791–2580; FTS 946–2580).

SUPPLEMENTARY INFORMATION:

Background

Ribes echinellum (Miccosukee gooseberry) is a shrub reaching one meter in height. It is known only from one site in Jefferson County, Florida, and one site in McCormick County,

South Carolina. The species is threatened by potential recreational activities, development, and logging. *Ribes echinellum* was proposed as a threatened species, with no critical habitat, in the **Federal Register** of August 31, 1984 (49 FR 34535).

Section 4(b)(5)(E) of the Endangered Species Act of 1973, as amended, requires that a public hearing be held, if requested, within 45 days of the publication of a proposed rule. On September 18, 1984, the Service received a request from Mr. Chris Anderson, an attorney representing Mr. Dan Glass of Monticello, Florida, for a public hearing on the proposal to list *Ribes echinellum* as a threatened species. The Service has scheduled this hearing for November 8, 1984, from 7:30 p.m. to 9:30 p.m., at the Jefferson County Courthouse, Courthouse Circle, U.S. 19 and 90 intersection, Monticello, Florida. Those parties wishing to make statements for the record should have available a copy of their statements to be presented to the Service at the start of the hearing. Oral statements may be limited in length, if the number of parties present at the hearing necessitates such a limitation. There are, however, no limits to the length of written comments or materials presented at the hearing or mailed to the Service.

The comment period on the proposal originally closed on October 30, 1984. In order to accommodate the hearing, the Service extends the comment period until November 19, 1984. Written comments should be submitted to the Service office in the **ADDRESSES** section.

Author

The primary author of this notice is Dr. Michael M. Bentzien, U.S. Fish and Wildlife Service, 2747 Art Museum Drive, Jacksonville, Florida 32207 (904/791-2580; FTS 946-2580).

Authority

The authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*, Pub. L. 93-205, 87 Stat. 884; Pub. L. 94-359, 90 Stat. 911; Pub. L. 95-632, 92 Stat. 3751; Pub. L. 96-159, 93 Stat. 1225; Pub. L. 97-304, 96 Stat. 1411).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Dated: October 12, 1984.

James W. Pulliam Jr.,

Regional Director.

[FR Doc. 84-27793 Filed 10-19-84; 8:45 am]

BILLING CODE 4310-55-M

Notices

Federal Register
Vol. 49, No. 205
Monday, October 22, 1984

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Office of the Secretary

[Docket No. 84-359]

Citrus Canker; Declaration of Extraordinary Emergency Because of Citrus Canker

A serious infestation of citrus canker exists in parts of Florida. Citrus Canker is a devastating bacterial disease which rapidly and aggressively infects citrus and which can be spread easily causing catastrophic damage to entire citrus growing areas. An outbreak of citrus canker has not occurred in the United States since 1945.

Citrus canker constitutes a severe threat to citrus in the United States, and thereby seriously burdens interstate and foreign commerce. Therefore, it is determined that an extraordinary emergency exists because of this outbreak of citrus canker in Florida.

The measures being taken by the State of Florida to control and eradicate citrus canker have been reviewed and the Governor of Florida has been consulted. Based on such review and consultation, it is determined that measures being taken by the State of Florida to control and eradicate the outbreak of citrus canker are inadequate because Florida is unable to take all of the measures necessary to obtain and maintain the cooperation of the owners of citrus and citrus products necessary to effectively and efficiently control and eradicate citrus canker.

This declaration of extraordinary emergency authorizes the Secretary to: (1) Seize, quarantine, treat, apply other remedial measures to, destroy, or otherwise dispose of, in such manner as the Secretary deems appropriate, any product or article of any character whatsoever, or means of conveyance which the Secretary has reason to believe is infested or infected by, or contains citrus canker; (2) quarantine, treat, or apply other remedial measures to, in such manner as the Secretary deems appropriate, any premises, including articles on such premises, which the Secretary has reason to believe are infested or infected by citrus canker.

Further, in accordance with the provisions of the Act of September 25, 1981, 95 Stat. 953 (7 U.S.C. 147b), I authorize the transfer and use of such sums as may be necessary from appropriations or other funds available to the agencies or corporation of the Department of Agriculture for the conduct of a program to detect and identify citrus canker infested areas, to control and prevent the dissemination of citrus canker to noninfested areas in the United States, and to eradicate citrus canker wherever it may be found.

Effective date: This declaration of emergency shall become effective October 17, 1984.

John R. Block,

Secretary of Agriculture.

[FR Doc. 84-27750 Filed 10-19-84; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Membership of National Oceanic and Atmospheric Administration Performance Review Boards

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of membership of NOAA Performance Review Boards.

SUMMARY: In conformance with the Civil Service Reform Act of 1978, 5 U.S.C. 4314(c)(4), NOAA announces the appointment of two supplemental members to the Group B, NOAA Performance Review Boards; Joe D. Simmons, Deputy Director, Center for Basic Standards, National Bureau of Standards; and Richard Wright, Director, Center for Building Technology, National Bureau of Standards. The period of appointment is from October 10, 1984 to August 1, 1986. Reference Notice of Membership published August 16, 1984 in **Federal Register** Volume 49, No. 160, page 32781.

DATE: The effective date of service of the appointees to the NOAA Performance Review Board is October 10, 1984.

FOR FURTHER INFORMATION CONTACT: Robert P. Gajdys, Personnel Officer, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852, (301) 443-8781.

Dated: October 16, 1984.

Thomas E. Sides,

Acting Director, Office of Administrative and Technical Services.

[FR Doc. 84-27786 Filed 10-19-84; 8:45 am]

BILLING CODE 3510-08-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjusting the Import Limits for Certain Cotton and Man-Made Fiber Textiles and Textile Products From Thailand

October 17, 1984.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on October 23, 1984. For further information contact Jane Corwin, International Trade Specialist (202) 377-4212.

Background

The Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of July 27 and August 8, 1983 between the Governments of the United States and Thailand provides, among other things, for designated percentage increases in certain categories (swing), for the carryover of shortfalls in certain categories from the previous agreement year (carryover), and for the borrowing of yardage from the succeeding year's level with the amount used being deducted from the level in the succeeding year (carryforward). At the request of the Government of Thailand, increases for swing, carryover and carryforward are being applied, variously, to the restraint limits previously established for cotton and man-made fiber textiles and textile products in Categories 313, 315, 314, 319, 320, 604 and 613, produced or manufactured in Thailand and exported during the agreement year which began on January 1, 1984. (See 48 FR 55309). The adjusted limits for Categories 319,

320 and 613 include deductions to account for swing applied to the other categories. This results in the case of Category 613 in an overall reduction in the restraint limit from 16,178,250 square yards to 16,126,310 square yards.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the Federal Register on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), and July 16, 1984 (49 FR 28754).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

October 17, 1984.

Committee for the Implementation of Textile Agreements

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20229

Dear Mr. Commissioner: This directive further amends, but does not cancel, the directive of December 7, 1983 which prohibited entry into the United States of certain cotton, wool and man-made fiber textile products, produced or manufactured in Thailand and exported during 1984.

Effective on October 24, 1984, the directive of December 7, 1983 is hereby further amended to include adjusted restraint limits for the following categories, as indicated: [1]

Category	Adjusted 12-mo restraint limit [1]
313	13,198,480 square yards.
314	9,671,300 square yards.
315	19,342,600 square yards.
319	4,737,140 square yards.
320	10,787,620 square yards.
604	875,560 pounds of which not more than 461,057 pounds shall in TSUSA. Number 310.5049.
613	16,126,310 square yards.

[1] The restraint limits have not been adjusted to reflect any imports exported after December 31, 1983

The Committee for the Implementation of Textile Agreements has determined that these actions falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

[1] According to the terms of the bilateral agreement of July 27 and August 8, 1983, under certain specified conditions any non-apparel specific limit or sublimit may be exceeded by not more than 7 percent, provided that the amount of the increase is compensated for by an equal square yard equivalent decrease in another specific limit in the same group; (2) specific levels of restraint may be increased for carryover and carryforward up to 11 percent of applicable category limit; and (3) administrative arrangements or adjustments may be made to resolve problems arising in the implementation of the agreement.

Sincerely,

Walter C. Lenahan,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 84-27761 Filed 10-19-84; 8:45 am]

BILLING CODE 3510-DR-M

Request for Public Comment on Bilateral Textile Consultations With the Government of Japan To Review Trade in Category 634 (Men's and Boys' Other Coats of Man-Made Fibers)

October 17, 1984.

On September 28, 1984 the Government of the United States requested consultations with the Government of Japan with respect to Category 634. This request was made on the basis of the bilateral agreement of August 17, 1979, as amended and extended, between the Governments of the United States and Japan relating to trade in cotton, wool and man-made fiber textiles and textile products.

The purpose of this notice is to advise the public that, until a different solution is reached in consultations, as a result of this request the Government of Japan should limit exports in Category 634, produced or manufactured in Japan and exported to the United States during the twelve-month period which began on January 1, 1984 and extends through December 31, 1984 to a level of 71,606 dozen. The U.S. Government reserves the right to control imports at this level.

A summary market disruption statement concerning this category follows this notice.

Anyone wishing to comment or provide data or information regarding the treatment of this categogy under the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement with the Government of Japan, or on any other aspect thereof, or to comment on domestic production or availability of textile products included in this category, is invited to submit such comments or information in ten copies to Mr. Walter C. Lenahan, Chairman, Committee for the Implementation of Textile Agreements, International Trade Administration, U.S. Department of Commerce, Washington, D.C. 20230. Because the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, Room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, D.C., and may be obtained upon written request.

Further comment may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreement or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affiars function of the United States."

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Japan—Market Statement

Category 634—Men's and Boy's Man-Made Fiber Other Coats

September 1984.

U.S. imports of Category 634 from Japan nearly doubled to 65,377 dozen in the year ending August 1984. On the average, these imports more than doubled each year since 1981 when they totaled 11,308 dozen compared with 54,231 dozen in 1983. This is a sharp and substantial increase in imports which creates a real threat of market disruption.

Domestic production declined 14 percent during 1981–83 while imports increased 28 percent. In 1983, U.S. production was 5,121,000 dozen compared with 5,962,000 dozen in 1981. Imports rose from 2,449,000 dozen in 1981 to 3,123,000 dozen in 1983. As imports increased market share, the import to production ratio rose from 41.1 percent in the former year to 61.0 percent in the latter. Imports continued to increase significantly into 1984 with January–August 1984 Category 634 imports, at 2,392,000 dozen, 17 percent higher than the first eight months of 1983.

[FR Doc. 84-27780 Filed 10-19-84; 8:45 am]

BILLING CODE 3510-DR-M

COPYRIGHT ROYALTY TRIBUNAL

[CRT Docket No. 83-2]

Order Directing Partial Distribution of 1982 Jukebox Royalty Fees

The Copyright Royalty Tribunal on August 31, 1984 published its final determination distributing 1982 Jukebox royalty fees (49 FR 34555). Subsequently A.C.E.M.L.A., Latin American Music and Latin American Music, Inc. has filed an appeal to the decision.

The Tribunal's order of December 13, 1983 (48 FR 55497) provided for substantial distribution of the 1982 royalties to those claimants who had reached a voluntary agreement. On January 19, 1984, 90% of the Tribunal's final award was distributed to the Italian Book Corporation, and 90% of the remainder of the royalty fund was

distributed to the designated common agent of the American Society of Composers, Authors and Publishers (ASCAP), Broadcast Music, Inc. (BMI) and SESAC.

Section 809 of the Copyright Act provides for the distribution of royalty fees that are not subject to an appeal, and where royalties would not be affected by an appeal under any circumstances, the Tribunal considers that it has the responsibility under Section 809 to distribute them. The Tribunal has resolved to retain 5% of the royalty fund to accommodate the practical consequences of any adjustments resulting from judicial review.

It is therefore ordered that, after withholding 5% of the royalty fund in reserve, effective November 22, 1984 the final $150 of the Italian Book Corporation award be distributed, and that the remainder of the royalty fund be distributed to the designated common agent of ASCAP, BMI & SESAC. It should be noted that the distribution of the total award to the Italian Book Corporation is made without precedent or prejudicial effect and solely for the purpose of administrative ease.

Dated: October 15, 1984.

Commissioner Edward W. Ray,

Acting Chairman.

[FR Doc. 84-27768 Filed 10-19-84; 8:45 am]

BILLING CODE 1410-12-M

DEPARTMENT OF DEFENSE

Department of the Air Force

Community College of the Air Force; (CCAF Advisory Committee); Meeting

The Community College of the Air Force will hold a meeting on November 27, 1984 at 8:00 a.m. in the Conference Room, Number 121, Building 836, located at Maxwell Air Force Base, Montgomery, Alabama.

The meeting is open to the public.

Agenda items include: State of the College, Review of Enlisted Degree Programs in the Aircraft and Missile Maintenance Department, Reaffirmation of Accreditation, CCAF Educational Quality, and Review of New CCAF Catalog.

For further information contact Lieutenant Colonel John R. Fergus, (205) 293-7937, Community College of the Air Force, Maxwell Air Force Base, Alabama 36112-6655.

Norita C. Koritko,

Air Force Federal Register Liaison Officer.

[FR Doc. 84-27521 Filed 10-19-84; 8:45 am]

BILLING CODE 3910-01-M

USAF Scientific Advisory Board; Ad Hoc Committee on Terminal Guidance Technology Options; Meeting

October 15, 1984.

The USAF Scientific Advisory Board Air Force Ad Hoc Committee on Terminal Guidance Technology Options will meet on the 29th and 30th of November, Redstone Arsenal at Huntsville, Alabama. On 29 November the meeting will begin at 8:30 a.m. and end at 5:00 p.m. On 30 November the meeting will begin at 8:30 a.m. and end at 3:00 p.m. The building number is to be determined.

The purpose of the meeting will be to review Army Technology projects conducted by Missile Command Picatinny Arsenal.

The meeting concerns matters listed in section 552b(c) of Title 5, United States Code, specificially, subparagraph (1) thereof, and accordingly, will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at 202/697-8404.

Norita C. Koritko,

Air Force Federal Register Liaison Officer.

[FR Doc. 84-27791 Filed 10-19-84; 8:45 am]

BILLING CODE 3910-01-M

DEPARTMENT OF EDUCATION

Education Appeal Board; Prehearing Conference

AGENCY: Department of Education.

ACTION: Notice of Education Appeal Board proceedings scheduled for October 24 and 25, 1984.

SUMMARY: This notice advises readers that the Education Appeal Board has scheduled prehearing conferences in the following: (a) *Appeal of Tennessee State University*, Docket No. 14-(146)-84, to begin at 1:30 p.m. on October 25, 1984, in Room 3000, 400 Maryland Avenue, SW., Washington, D.C; (b) *Appeal of Robeson County*, Docket No. 79-61, to begin at 10:00 a.m. on October 24, 1984, in Room 3000, 400 Maryland Avenue, SW., Washington, D.C.; (c) *Appeal of Montana*, Docket No. 4-(69)-81, to begin at 1:30 p.m. on October 24, 1984, in Room 3000, 400 Maryland Avenue, SW., Washington, D.C. The Board has prevously accepted jurisdiction in these proceedings.

SUPPLEMENTARY INFORMATION: Under the Education Amendments of 1978 (20 U.S.C. 1234), the Education Appeal Board has authority to conduct (1) audit appeal proceedings, (2) withholding, termination, and cease and desist proceedings initiated by the Secretary of Education, and (3) other proceedings designated by the Secretary as being within the jurisdiction of the Board. For information concerning the Board and its procedures, see the Board's final regulations published in the **Federal Register** on May 18, 1981 (46 FR 27304, 34 CFR Part 78).

Intervention: Section 78.43 of the final regulations establishing procedures for the Education Appeal Board provides that an interested person, group, or agency, may, upon application to the Board Chairperson, intervene in appeals before the Education Appeal Board.

An application to intervene must indicate to the satisfaction of the Board Chairperson or, as appropriate here, the Panel Chairperson, that the potential intervenor has an interest in, and information relevant to, the specific issues raised in the appeal. If an application to intervene is approved, the intervenor becomes a party to the proceedings.

FOR FURTHER INFORMATION CONTACT: Applications to intervene, or questions, should be addressed to Dr. David S. Pollen, Chairman, Education Appeal Board, 400 Maryland Avenue, SW. (Room 1065, FOB-6), Washington, D.C. 20202. Telephone: (202) 245-7835.

(20 U.S.C. 1234)

(Catalog of Federal Domestic Assistance No. not applicable)

Dated: October 17, 1984.

A. Wayne Roberts,

Deputy Under Secretary for Intergovernmental and Interagency Affairs.

[FR Doc. 84-27795 Filed 10-19-84; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Floodplain Statement of Findings for 1984 Remedial Action To Be Taken at an Athletic Field in Wayne Township, Wayne, NJ

AGENCY: Department of Energy.

ACTION: Floodplain Statement of Findings for 1984 Remedial Action to be Taken at an Athletic Field in Wayne Township, New Jersey.

SUMMARY: The Formerly Utilized Sites Remedial Action Program (FUSRAP), Department of Energy (DOE), has prepared a floodplain assessment for proposed remedial action in calendar year 1984 at an athletic field in Wayne Township, pursuant to 10 CFR 1022.18, Compliance with Floodplains/Wetlands Environmental Review Requirements. The proposed action at the athletic field will take place within the Pompton River 100-year floodplain. Following

publication of a notice of floodplain involvement (49 FR 30007; July 25, 1984), DOE prepared a floodplain assessment. No comments were received on the Federal Register notice. Alternatives to the proposed actions were identified, environmental impacts evaluated, and mitigative measures identified. Based on the assessment, DOE has determined that there are no practicable alternatives to the proposed action in the floodplain and that it has been designed to minimize potential harm to and within the floodplain.

Background

The athletic field in Wayne Township is currently contaminated as a result of processing, storage, and shipping of radioactive materials at the Wayne Interim-Storage Site (formerly the W.R. Grace Co. site) located in the northeast corner of New Jersey. The athletic field is located about 800 m (0.5 mi) WSW of the Wayne Site entrance (Figure 1). Decontamination and restoration are required to reduce the amount of residual radioactivity to levels below DOE residual contamination guidelines.

Contaminated material will be removed from a small area (537 m^2 [642 yd^2]) to a depth of 0.15 m (0.5 ft) within the athletic field and will be transported to the Wayne site for interim storage. The alternatives to the proposed action are (1) no action or (2) delay of action. These alternatives are not acceptable because they would result in continued potential health risk, continued potential for dispersion of the contaminated material by wind and flooding, continued closure of the athletic field to official activities due to the contamination, and continued public concern about health effects and property values.

Impacts resulting from the proposed action of excavation and transportation will be very minimal because of the small size and short duration of remedial activities. The habitat to be affected is not unique nor critical to the area, and any impacts will be of insufficient magnitude to cause localized extinction of any species.

Mitigative measures to reduce the risk of adverse environmental consequences include: Seeding and mulching (or sodding) of disturbed areas as soon as practicable after excavation; control of dust levels; and use of watertight, covered truck to avoid spillage.

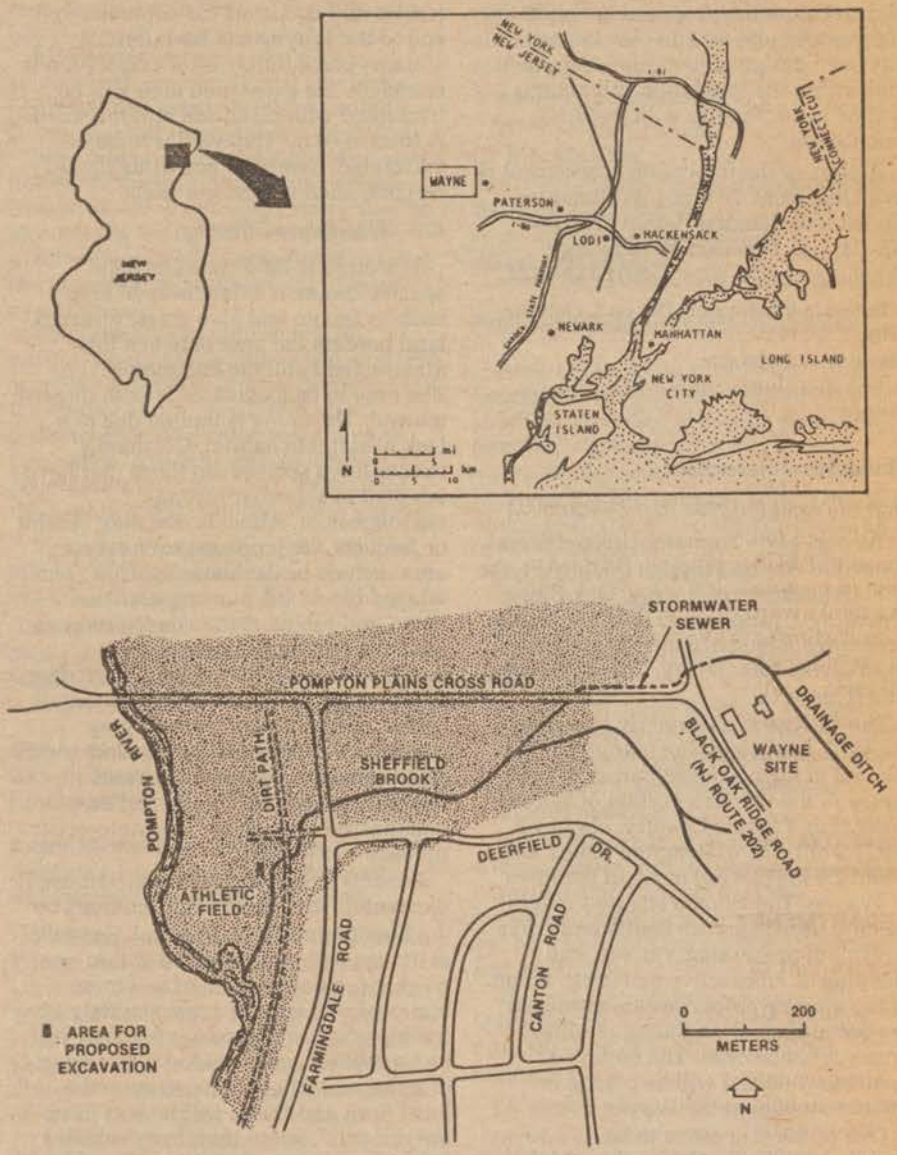


Figure 1. Location of the Wayne Interim-Storage Site and Vicinity Properties Relative to the 100-Year Floodplain of the Pompton River (floodplain indicated by shading).

As a result of its review of the alternatives and its evaluation of the environmental impacts, DOE has determined that there is no practicable alternative to the proposed action in the 100-year floodplain and that the action has been designed to minimize harm to and within the floodplain. All actions will be in conformity with local ordinances.

A copy of the floodplain assessment is available from: Arthur J. Whitman, Division of Remdial Action Projects, NE-24, U.S. Department of Energy, Washington, DC 20545, (301) 353-5439.

Issued in Washington, DC, on 5, October 1984.

James W. Vaughan, Jr.,

Acting Assistant Secretary for Nuclear Energy.

Floodplain Assessment

B.1— Project Purpose and Description

As part of its Formerly Utilized Sites Remedial Action Program (FUSRAP), the U.S. Department of Energy, Oak Ridge Operations, proposes to decontaminate properties in and around the vicinity of the Wayne, New Jersey, Interim-Storage Site (Figure 1).

The Wayne site (formerly known as the W.R. Grace and Company) is located in the northeast corner of New Jersey in the western portion of Wayne Township, Passaic Country, about 1.9 km (1.2 mi) east of Pompton Plains and about 2.9 km (1.8 mi) north of the town of Wayne. The Wayne site and several vicinity properties are contaminated as a result of processing, storage, and shipping of radioactive materials. Some of the vicinity properties are proposed for decontamination during the 1984 construction season. The removed contaminated soil will be placed in interim storage at the Wayne site.

One of the properties to be decontaminated in 1984 is the athletic field (also known as the ball field or soccer field) located between the Pompton River and Sheffield Brook (Figure 1). The athletic field is part of the Wayne Township park system. It is within the 100-year floodplain of the Pompton River (Wayne Munic. Counc. 1977). During recent spring rains, the athletic field was covered with about 3 m (10 ft) of water.

The proposed activity is to excavate about 0.15 m (0.5 ft) of contaminated soil from a 15 m x 35 m (50 ft x 115 ft) area within the athletic field, load it onto trucks, and transport the contaminated soil to the Wayne site for interim storage. Immediately after excavation is complete, the excavated area will be backfilled with clean soil and reseeded. A total of 84 m^3 (110 yd^3) is to be excavated. Remedial activities should be completed within one week.

B.2—Floodplain Effects

The athletic field contains plant species common to landscaped lawns such as fescue and blue grass; forested land borders the area between the athletic field and the Pompton River. The area to be excavated is periodically mowed. The fauna is limited due to a lack of suitable habitat. Commonly encountered species are those that have adapted to suburban/urban encroachment. Animals that may inhabit or frequent the proposed excavation area include birds (house sparrow, red-winged blackbird, starling, common crow, and robin), mammals (Norway rat, raccoon, opossum, house mouse, meadow vole, white-footed mouse, deer mouse, eastern mole, eastern cottontail rabbit, striped skunk, eastern gray squirrel, and shorttail shrew), and reptiles (eastern garter snake and American toad). No threatened or endangered species are known to occur on the athletic field.

Impacts associated with the proposed excavation and backfilling activities on the floodplain will be minimal. Remedial activities will be completed within one week, the small volume of soil to be removed will require approximately 12 truckloads, and the excavated area will be backfilled and reseeded. The impacts of noise and exhaust fumes upon the local flora and fauna will be less from the remedial action than from vehicles bringing people to ball games or other recreational activities. The action will be scheduled to coincide with a propitious weather forecast. The habitat to be affected is not unique or critical.

B.3—Alternatives

Possible alternatives to the proposed action are (1) delay action or (2) take no action. These alternatives are not acceptable because they would result in

continued potential health risk, continued potential for dispersion of the contaminated material by wind and flooding, continued closure of the athletic field to official activities due to the contamination, and continued adverse social impacts such as concern about health effects and property values. Thus it is prudent to proceed with the proposed action during the 1984 construction season.

B.4—Mitigation

Proper construction and maintenance procedures will be used to minimize potential impacts, and mitigative measures will be implemented to further reduce the risk of adverse environmental consequences. Mitigative measures include:

- Seeding and mulching (or sodding) of disturbed areas as soon as practicable after excavation is completed.
- Control of dust levels (e.g., by water sprays).
- Use of watertight, covered trucks.
- Decontamination of all trucks, as necessary, before entering public highways.

B.5—References

Wayne Municipal Council. 1977. Ordinance No. 28 of 1977 (Department of Housing and Urban Development [H.U.D.] Flood Hazard Boundary).

[FR Doc. 84-27454 Filed 10-19-84; 8:45 am]
BILLING CODE 6450-01-M

Intent To Grant Exclusive Patent License; Electric Computer and Communications Inc.

Notice is hereby given of an intent to grant to Electra Computer and Communications, Inc. of Bohemia, New York, and exclusive license to practice in the United States the invention described in U.S. Patent Application S.N. 443,982, entitled "Increasing Capacity of Baseband Digital Data Communication Networks." The invention is owned by the United States of America, as represented by the Department of Energy (DOE).

The proposed license will be exclusive, subject to a license and other rights retained by the U.S. Government, DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. 209(c), unless within 60 days of this notice the Assistant General Counsel for Patents, Department of Energy, Washington, D.C. 20585, receives in writing any of the following, together with supporting documents:

(i) A statement from any person setting forth reasons why it would not be in the best interests of the United States to grant the proposed license; or

(ii) An application for a nonexclusive license to the invention in the United States, in which applicant states that he has already brought the invention to practical application or is likely to bring the invention to practical application expeditiously.

The Department will review all written responses to this notice, and will grant the license if, after expiration of the 60-day notice peiod, and after consideration of written responses to this notice, a determination is made, in accordance with 35 U.S.C. 209(c), that the license grant is in the public interest.

Signed at Washington, D.C., on this 9th day of October 1984.

Theodore J. Garrish,

General Counsel.

[FR Doc. 84-27746 Filed 10-19-84; 8:45 am]
BILLING CODE 6450-01-M

Office of Assistant Secretary for International Affairs and Energy Emergencies

International Atomic Energy Agreements; Civil Uses; Proposed Subsequent Arrangement; Spain

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation Between Government of the United States of America and the Government of Spain Concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves approval of the following sale: Contract S-SP-20, 25.93 grams of uranium, enriched to an average of 2.5% in U-235, for use as standard reference material by Empresa Nacional Del Uranio, S.A. Salamanca, Spain.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of the nuclear material will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Dated: October 15, 1984.

Dr. H.A. Merklein,

Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 84-27745 Filed 10-19-84; 8:45 am]
BILLING CODE 6450-01-M

Proposed Subsequent Arrangement

Pursuant to section 131 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2160) notice is hereby given of a proposed "subsequent arrangement" under the Agreement for Cooperation Between the Government of the United States of America and the Government of Spain Concerning Civil Uses of Atomic Energy, as amended.

The subsequent arrangement to be carried out under the above mentioned agreement involves approval of the following sale:

Contract Number S-SP-21, for the supply for 106 grams of natural uranium to Empresa Nacional Del Uranio, S.A., Madrid, Spain, for use as standard reference material.

In accordance with section 131 of the Atomic Energy Act of 1954, as amended, it has been determined that the furnishing of the nuclear material will not be inimical to the common defense and security.

This subsequent arrangement will take effect no sooner than fifteen days after the date of publication of this notice.

For the Department of Energy.

Dated: October 17, 1984.

Dr. H.A. Merklein,

Assistant Secretary for International Affairs and Energy Emergencies.

[FR Doc. 84-27807 Filed 10-19-84; 8:45 am]
BILLING CODE 6450-01-M

Economic Regulatory Administration

GCO Minerals Co.; Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Energy.

ACTION: Notice of action taken on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has adopted a Consent Order with GCO Minerals Company (GCO) as a final order of DOE.

EFFECTIVE DATE: October 22, 1984.

FOR FURTHER INFORMATION CONTACT: James O. Neet, Jr., Chief Counsel, Dallas Field Office, Economic Regulatory Administration, Department of Energy, Suite 200E, 1341 W. Mockingbird Lane, Dallas, Texas 75247, or call (214) 767–7401.

SUPPLEMENTARY INFORMATION: On August 16, 1984, the ERA published a notice in the **Federal Register** that it had executed a Consent Order with GCO on June 7, 1984, which would not become effective sooner than 30 days after publication of that notice. Pursuant to 10 CFR 205.199J(c), interested persons were invited to submit comments concerning the terms and conditions of the proposed Consent Order.

Comments were received from two entities representing a total of 9 states. None of the comments objected to the Consent Order. All of the comments focused on the proposed distribution of funds (if any) remaining after payment to identifiable injured parties. All the comments advocated that any remaining finds be distributed on a pro-rata basis to various states to finance energy related projects.

The proposed Consent Order stated that DOE will deposit the sum of $1,800,000.00 received from GCO into a suitable account for later distribution by DOE. The ultimate distribution of these funds will depend upon several factors, including the type of alleged violations underlying the Consent Order and the ability of the ERA to identify GCO customers which may be entitled to a refund of these funds. ERA has not yet determined an appropriate distribution for the refunded amount. Accordingly, as the Consent Order provides, the monies will be placed in a DOE interest bearing escrow account until an appropriate distribution is determined.

Having considered all comments submitted, DOE has determined that the proposed Consent Order with GCO should be made final without modification. The Consent Order was adopted as a final order on (date of publication of this notice).

Issued in Dallas, Texas on the 20th day of September 1984.

James O. Neet, Jr.,

Chief Counsel, Dallas Field Office, Economic Regulatory Administration.

[FR Doc. 84–27744 Filed 10–19–84; 8:45 am]

BILLING CODE 6450–01–M

Texas International Co., Action Taken on Consent Order

AGENCY: Economic Regulatory Administration, Energy.

ACTION: Notice of Action Taken on Consent Order.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) announces that it has adopted a Consent Order with Texas International Co. (TIC) and Texas International Petroleum Corporation (TIPCO) as a final order of DOE.

EFFECTIVE DATE: September 14, 1984.

FOR FURTHER INFORMATION CONTACT: Sandra K. Webb, Director, Houston Office, Economic Regulatory Administration, U.S. Department of Energy, One Allen Center, Suite 610, 500 Dallas St., Houston, Texas 77002, (713) 229–3715.

SUPPLEMENTARY INFORMATION: On August 6, 1984, the ERA published a notice in the **Federal Register** that it had executed a Consent Order with TIC and TIPCO on July 3, 1984, which would not become effective sooner than 30 days after publication of that notice. Pursuant to 10 CFR 205.199J(c) interested persons were invited to submit comments concerning the terms and conditions of the proposed Consent Order.

The Consent Order resolves the potential civil liability of TIC and TIPCO arising out of the Federal Petroleum Price and Allocation Regulations in connection with certain transactions involving first sales of crude oil during the period September 1973 through December 31, 1975. The Consent Order requires TIC and TIPCO to remit the sum of $1,456,374.33 plus installment interest in five installments.

Comments were received from three states. All of the comments focused on the distribution of the funds and none of the comments objected to the Consent Order. All of the comments advocated that the Consent Order proceeds, after payment to identifiable injured customers, should be distributed on a pro-rata basis to the states.

Because the comments addressed only the disposition of the funds, the ERA has made the proposed Consent Order final without modification. The ultimate disposition of the funds will depend on several factors, such as the type of alleged violations underlying the Consent Order and the ability of the ERA to identify the persons who ultimately bore the burden of alleged violations. The suggestions of the commenters regarding the distribution of funds will be considered in determining the appropriate ultimate disposition. The proposed Consent Order, therefore, was made final and effective on September 14, 1984.

Issued in Houston, Texas on the 14th day of September 1984.

Sandra K. Webb,

Director, Houston Office, Economic Regulatory Administration.

[FR Doc. 84–27743 Filed 10–19–84; 8:45 am]

BILLING CODE 6450–01–M

Federal Energy Regulatory Commission

[Docket No. CP84–461–006]

Columbia Gas Transmission Corp.; Compliance Tariff Filing

October 15, 1984.

Notice is hereby given that on October 1, 1984, Columbia Gas Transmission Corporation filed the following tariff sheet to be included in its FERC Gas Tariff, Original Volume No. 1:

Second Revised Sheet No. 21A

The subject tariff sheet bears an issue date of October 1, 1984, and proposed effective date of October 1, 1984.

It is stated that the proposed tariff sheet is being filed in compliance with Ordering Paragraph C of the Commission's August 20, 1984 Order on Requests for Clarification and Rehearing in the captioned proceeding relating to the rates to be charged for the Incentive Sales (IS) service which was approved by the Commission's order of July 23, 1984 in this proceeding.

Further it is stated that the instant tariff filing is being served upon all parties to Docket No. CP84–461–000, as well as upon interested state Commission.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, DC 20426, in accordance with §§ 385.211 and 385.214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 22, 1984. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make

protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-27818 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER84-610-000]

CP National Corp.; Order Accepting Rate for Filing Subject to Refund or Adjustment, Granting Intervention, Providing Additional Opportunity for Comment, Deferring Further Procedures, and Terminating Docket

Issued: October 15, 1984.

Before Commissioners: Raymond J. O'Connor, Chairman; Georgiana Sheldon, A. G. Sousa, Oliver G. Richard III and Charles G. Stalon.

On August 20, 1984, CP National Corporation (CPN) filed a Revised Appendix 1 to Exhibit C of its Residential Purchase and Sale Agreement with the Bonneville Power Administration (BPA),[1] together with BPA's report on the proposed Average System Cost (ASC) rate, pursuant to the Pacific Northwest Electric Power Planning and Conservation Act [2] and the Commission's implementing regulations.

Notice of CPN's filing was published in the **Federal Register**, with comments due on or before September 11, 1984. The DSIs filed a timely motion to intervene, stating that they have a direct and substantial interest in the outcome of CPN's rate determination. The DSIs indicate that there are a number of issues which they wish to raise with regard to the filing and attach to their motion a copy of their comments to BPA on the CPN filing. However, the DSIs fail to specify the details of their objections to the BPA-adjusted ASC rate in their pleading. The DSIs request an opportunity to comment on any issues raised in this filing by other parties and seek to reserve the right to request a hearing or an oral argument later in this proceeding.

BPA filed a notice of intervention one day out of time. BPA does not identify any specific issues which it wishes to comment upon but indicates that it will respond to any comments raised by other parties. BPA also states that it may later request oral argument.

[1] *See* Attachment for rate schedule designation.

[2] 16 U.S.C. 839.

Discussion

Under Rule 214(c)(1) of the Commission's Rules of Practice and Procedure (18 CFR § 385.214), the unopposed intervention of the DSIs serves to make them a party to this proceeding. We shall also grant BPA's late-filed intervention, in light of BPA's apparent interest and because the minimal delay in filing will not prejudice or unduly burden any other participant to this proceeding.[3]

Although the DSIs make reference to certain aspects of CPN's filing in their pleading, they have not specified the relief sought or the basis for that relief. We recognize that the DSIs and other intervenors have filed similar pleadings in a number of prior dockets involving ASC filings. A limited pleading was adequate under the intrim ASC rule, since its primary function was to establish intervenor status and to protect rights pending development of final procedures. However, since the issuance of a final ASC rule in Order No. 337,[4] the Commission has had to focus on specific outstanding issues not resolved by the rule.

We stated in our recent order in *Pacific Power & Light Company* [5] that, if ASC filings are to be processed expeditiously and the Commission is to retain any flexibility in determining what procedural or substantive course is warranted in a given case, there is every reason to require that such specification of positions be forthcoming from the outset. We indicated that, in future ASC cases, we would expect a clear identification of the contested issues in the initial pleadings. However, inasmuch as the DSIs (and CPN) were not informed of this approach before they tendered their filings, we shall provide these parties with a further opportunity to present their cases before we determine how to proceed in this docket. In the meantime, we shall accept CPN's submittal for filing and defer any decision as to further procedures. As provided in the ASC rule (18 CFR 35.31(c)), the revised ASC rate shall remain subject to refund or other adjustment pending final Commission action.

[3] We also note that, although not reiterated in its intervention, as technically required under Rule 214(a)(1), BPA's position is effectively reflected in its report on and adjustments to CPN's rate proposal.

[4] Docket No. RM81-41-000, Sales of Electric Power to Bonneville Power Administration; Methodology and Filing Requirements; Final Rule [FERC Statutes and Regulations ¶ 30,506].

[5] 28 FERC ¶ 61,327 (1984).

The Commission Orders

(A) BPA's intervention is hereby granted, subject to the Commission's Rules of Practice and Procedure.

(B) CPN's revised ASC rate is hereby accepted for filing, to become effective as of April 1, 1984, subject to refund or other adjustment.

(C) The DSIs and CPN shall have fifteen (15) days from the date of this order in which to supplement their pleadings or objections to (1) identify all issues which they wish to contest, (2) explain the basis for any proposed adjustment, and (3) demonstrate associated revenue calculations. All parties shall thereafter have fifteen (15) days in which to respond to the initial comments of any other party.

(D) Pending receipt and review of the information set forth in Paragraph (C) above, further action in this docket is hereby deferred.

(E) Docket No. ER84-610-000 is hereby terminated. Upon receipt of the supplemental pleadings described above, a new subdocket number will be assigned.

(F) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

CP NATIONAL CORPORATION DOCKET NO. ER84-610-000 RATE SCHEDULE DESIGNATION

Designation	Description
Supplement No. 6 to Supplement No. 3 to CP National Corporation/ Bonneville Power Administration Service Agreement under Pacific Northwest Electric Power Planning and Conservation Act FERC Electric Tariff Original Volume No. 1 (Supersedes Supplement No. 5 to Supplement No. 3).	Revised ASC for Oregon Jurisdiction with BPA Report.

[FR Doc. 84-27819 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER85-12]

Florida Power & Light Co.; Filing

October 12, 1984.

The filing Company submits the following:

Take notice that on October 3, 1984, Florida Power & Light Company (FP&L) tendered for filing a document entitled Amendment Number Ten to Agreement to provide Specified Transmission service between FP&L and the City of Vero Beach, Florida (Rate Schedule FERC No. 58).

FP&L states that under Amendment Number Ten, FP&L will transmit power

and energy for City of Vero Beach, Florida as is required in the implementation of its interchange agreement with City of Starke, Florida.

FP&L requests a waiver of the Commission's regulations be granted and that the proposed Amendment be made effective immediately.

Copies of this filing were served upon Vero Beach.

Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All such motions or protests should be filed on or before October 30, 1984. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-27824 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CS71-131-000, et al.]

R.M. Moran, et al., Bravo Energy, Inc. and Moranco, et al.; Applications for "Small Producer" Certificates [1]

October 15, 1984.

Take notice that each of the applicants listed herein has filed an application pursuant to section 7(c) of the Natural Gas Act and § 157.40 of the Regulations thereunder for a "small producer" certificate of public convenience and necessity authorizing the sale for resale and delivery of natural gas in interstate commerce, all as more fully set forth in the applications which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make protest with reference to said applications should on or before October 29, 1984, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Kenneth F. Plumb,

Secretary.

Docket No.	Date filed	Applicant
CS71-131-000	[1] 9/4/84	R.M. Moran, *et al.*, Bravo Energy, Inc. and Moranco, P.O. Box 1860, Hobbs, New Mexico 88240.
CS72-294	[2] 9/20/84	J.C. Templeton, Templeton Energy Income Corp., 1212 Main Street, Suite 850, Houston, Texas 77002.
CS72-458	[3] 10/1/84	Horizon Oil & Gas Co. (Horizon Oil & Gas Co. of Texas), P.O. Box 1020, Dallas, Texas 75221.
CS84-112-000	8/13/84	The Heritage Exploration Co. Inc.,12603 Southwest Freeway, Ste. 590, Stafford, Texas 77477.
CS84-113-000	8/13/84	The Heritage Operating Co., 12603 Southwest Freeway, Ste. 590, Stafford, Texas 77477.
CS84-116-000	8/28/84	James E. Thomas, P.O. Box 6313, Norman, Oklahoma 73070.
CS84-120-000	9/6/84	Edward Alan Williams, 6814 S. Jasmine Ct., Englewood, Colorado 80112.
CS84-121-000	9/21/84	Evan Bradford Williams, 6814 S. Jasmine Ct., Englewood, Colorado 80112.
CS84-1-000	10/1/84	Unitex/Cockburn No. 1 Joint Venture, 2500 Fondren, Suite 110, Houston, Texas 77063.

[1] Ltr. rec'd dated August 29, 1984 requesting that the small producer certificate be amended to add Bravo Energy, Inc. and Moranco to the small producer certificate.

[2] Ltr. Rec'd dated September 17, 1984 requesting that the Small Producer Certificate issued to J. C. Templeton in Docket No. CS72-294 be redesignated to show that Templeton Energy Income Corporation is covered by same.

[3] Horizon Oil & Gas Co. of Texas has changed its name to Horizon Oil & Gas Co.

[FR Doc. 84-27820 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. ER84-604-000]

Southwestern Public Service Co.; Order Accepting for Filing and Suspending Rates, Denying Motions To Reject, Ordering Summary Disposition in Part, Noting Interventions, and Establishing Hearing and Price Squeeze Procedures

Issued: October 15, 1984.

Before Commissioners: Raymond J. O'Connor, Chairman; Georgiana Sheldon, A.G. Sousa, Oliver G. Richard III and Charles G. Stalon.

On August 16, 1984, Southwestern Public Service Company (SPS) submitted for filing a proposed two-step increase in its rates to 19 full requirements and five partial requirements wholesale customers.[1] The proposed Phase I rates would increase revenues by about $8.3 million (5.2%) for the 12-month test period ending August 31, 1985. The Phase II rates would further increase revenues by approximately $4.1 million (2.1%), representing a total increase of about $12.4 million (6.65%). Approximately 34.9% of the Phase I and 43.1% of the proposed Phase II increases reflect the inclusion in rate base of construction work in progress (CWIP) other than CWIP asociated with pollution control and fuel conversion facilities. SPS requests that the Phase I and Phase II rates become effective on October 16, 1984, and October 17,1984, respectively. In the event that the Phase I rates are suspended for five months, SPS requests that they be deemed withdrawn. The company also tendered for filing a proposed changed in its rate for non-firm service to the City of Brownfield, Texas, whereby a split-savings rate would be substituted for the current incremental cost plus adder rate. SPS states that this change is intended to make Brownfield's rate consistent with the company's other non-firm rates on file with the Commission. SPS requests that the proposed rates for Brownfield become effective on October 16, 1984.

Notice of the filing was published in the **Federal Register**, with comments due on or before September 15, 1984. Texas-New Mexico Power Company (TNP) filed a timely motion to intervene. TNP states that it purchases power from SPS for resale but raises no substantive issues. On September 17, 1984, the Cities of Lubbock, Brownfield, Floydada, and Tulia, Texas (Municipals); Brownfield; and the full requirements cooperative customers of SPS (Cooperatives) [2] also filed timely motions to intervene.[3]

---

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

[1] *See* Attachment for rate schedule designations and list of affected customers.

[2] The Cooperatives consist of: Golden Spread Electric Cooperative, Inc.; Kimwood Electric Cooperative, Inc.; Bailey County Electric Cooperative; Central Valley Electric Cooperative; Deaf Smith Electric Cooperative; Farmers Electric Cooperative; Greenbelt Electric Cooperative; Lamb County Electric Cooperative; Lea County Electric Cooperative; Lighthouse Electric Cooperative; Lyntegar Electric Cooperative; Midwest Electric Cooperative; North Plains Electric Cooperative; Rita Blanca Electric Cooperative; Roosevelt County Electric Cooperative; South Plains Electric Cooperative; Swisher Electric Cooperative; and Tri-County Electric Cooperative.

[3] Because the established comment date fell on a Saturday, the comment period ran until the close of business on the following Monday, September 17, 1984, pursuant to Rule 2007 of the Commission's Rules of Practice and Procedure.

The Municipals assert that SPS has failed to submit required supporting workpapers and request that the filing be rejected or found deficient on that basis. In the alternative, the Municipals request that the proposed rates be suspended for five months. In support of their request for a maximum suspension, the Municipals cite the following issues: (1) Rate of return on common equity; (2) Accumulated Deferred Investment Tax Credits (ADITC); (3) tax adjustment related to prior tax flow-through; (4) cash working capital allowance; (5) State income tax composite rate; (6) depreciation rates; and (7) the company's operating reserves.

In addition to adopting the Municipal's stated grounds for requesting a hearing and five month suspension, Brownfield asserts that treatment of investment tax credits in a manner consistent with Opinion No. 162 [4] would justify a reduction in SPS's partial requirements rates, rather than an increase. With regard to the proposed change in its non-firm tariff, Brownfield contends that SPS has failed to supply sufficient supporting data and requests that that portion of the filing be rejected or deemed deficient. Alternatively, Brownfield requests a five month suspension of the revised non-firm rate provision.[5]

In their motion to intervene, the Cooperatives request that the filing be rejected, citing the company's inclusion of ADITC as a separate component of its capital structure as well as numerous filing deficiencies. In the event that the Commission does not reject the filing, the Cooperatives request summary disposition of the company's inclusion of ADITC in the equity component of its capital structure and a five month suspension.[6] The Cooperatives also request that price squeeze procedures be established and that their price squeeze allegations be considered in determining a suspension period for the proposed rates.

On October 2, 1984, SPS filed a response to the pleadings of TNP, the Municipals, Brownfield, and the Cooperatives. While not opposing the motions to intervene, the company protests Brownfield's representation by two separate counsel in this proceeding, resulting from the City's intervention on its own behalf and as one of the group of Municipals.[7] SPS also asserts that neither rejection of its filing nor a five month suspension of the proposed Phase I rates is warranted and opposes the Cooperatives' CWIP-related protest. Finally, the company requests summary disposition with respect to:(1) Its proposed method of demand allocation; and (2) the Cooperatives' price squeeze allegations. The Cooperatives opposed these motions for summary disposition in a response filed on October 5, 1984.

Discussion

Pursuant to Rule 214(c)(1) of the Commission's Rules of Practice and Procedure (18 CFR 385.214), the timely motions to intervene of TNP, the Municipals, Brownfield, and the Cooperatives serve to make them parties to this proceeding.

The intervenors cite a number of alleged omissions in SPS's filing in support of their requests for rejection or issuance of a deficiency letter. We agree that the filing is not as complete as it should have been. If the Commission is to accomplish its missions as expeditiously as possible, we must have fuller adherence to our filing regulations. Nonetheless, having evaluated SPS's submittal, we believe that it minimally satisfies our threshold filing requirements and is not patently deficient. Therefore, we shall deny the requests for rejection.

We find that summary disposition is warranted with respect to SPS's inclusion of ADITC in its capitalization. Consistent with well-established Commission precedent,[8] we shall direct SPS to exclude the ADITC balance from its capital structure. Further, given the associated revenue impact, we shall require the company to refile its cost of service and rates to reflect this determination. It appears that summary disposition might also be warranted with regard to SPS's proposed method of demand allocation, although we are not prepared to reach that question on the basis of the pleadings before us. As SPS points out, the Commission rejected a 12-CP allocation method in favor of a 3-CP method for SPS in Opinion No. 162, 22 FERC ¶ 61,341 (1983). Barring a persuasive showing that circumstances may have changed in such a way as to warrant a different conclusion, there would be no reason to relitigate this issue. In their October 5 pleading, the Cooperatives have alleged changed circumstances only in very general terms. However, we believe that they should be provided with an opportunity to elaborate on their position, particularly in view of the short turn-around time in which their response was necessarily filed. Therefore, we shall deny SPS's motion for summary disposition without prejudice to its renewal before the presiding administrative law judge designated in this case.

Our review of SPS's submittal and the pleadings indicates that the filing has not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful. Accordingly, we shall accept SPS's submittal for filing, as modified by summary disposition, and we shall suspend it as ordered below.

In *West Texas Utilities Company*, 18 FERC ¶ 61,189 (1982), we explained that rate filings would ordinarily be suspended for one day where preliminary review indicates that the proposed rates may be unjust and unreasonable but may not produce substantially excessive revenues. Our preliminary review of SPS's filing suggests that the Phase I rates may not yield substantially excessive revenues but that the Phase II rates, after summary disposition, may be substantially excessive.[9] Therefore, we shall suspend the Phase I rates for one day, to become effective, as revised, on October 17, 1984, subject to refund, and the Phase II rates for five months, to become effective, as revised on March 17, 1985, subject to refund. In light of Brownfield's objection to SPS's proposed revision to the nonfirm tariff, we shall also suspend that portion of the submittal for a nominal period, to

[4] 22 FERC ¶ 61,341, *reh'g. denied*, 23 FERC ¶ 61,406 (1983), *app. pending, Southwestern Pub. Serv. Co.* v. *FERC*, No. 83-1759 (10th Cir. filed Dec. 7, 1983).

[5] In support of its request for a maximum suspension of the tariff change, Brownfield estimates its impact on the city's non-firm rates, but identifies no particular challenge to the split-savings rate. Rather, Brownfield contends that it will require the five month suspension period to fully evaluate the impact of the proposed tariff revision and to begin to implement any measures to minimize that impact. Brownfield filed an affidavit in further support of these contentions on September 18, 1984.

[6] With regard to their request for a maximum suspension, the Cooperatives raise numerous cost of service issues, including: (1) Treatment of ADITC; (2) rate of return on equity; (3) depreciation; (4) rate case expense; (5) allocation of distribution plant; (6) revenue credits; (7) working capital allowance, including cash working capital; (8) demand cost allocation; and (9) CWIP allowance. The Cooperatives also allege that SPS has failed to state its proposed accounting procedures regarding treatment of the CWIP claimed, as required by § 35.26(g) of the Commission's regulations.

[7] We shall leave to the discretion of the presiding administrative law judge the question of whether such dual representation would pose any problem of prejudice or delay.

[8] *E.g., Central Power & Light Company*, 15 FERC ¶ 61,191 (1981); *Public Service Company of New Mexico*, 14 FERC ¶ 61,194 (1981); *Public Service Company of Oklahoma*, 5 FERC ¶ 61,032 (1978).

[9] The Commission has noted, on a number of occasions, that, in the absence of extraordinary circumstances, unproved price squeeze allegations should not be considered in determining an appropriate suspension period. We are not persuaded that the Cooperatives have demonstrated such extraordinary circumstances in this case.

become effective on October 17, 1984, subject to refund.[10]

Finally, with respect to the Cooperatives' allegation as to price squeeze, we shall institute phased price squeeze procedures as set forth in *Arkansas Power and Light Company*, 8 FERC ¶ 61,131 (1979).[11]

The Commission Orders

(A) The intervenors' motions to reject are hereby denied.

(B) Summary disposition is hereby directed, as noted in the body of this order, with respect to SPS's inclusion of ADITC in its capitalization. Within thirty (30) days of the date of this order, SPS shall file revised cost statements and rates reflecting this determination. SPS's motion for summary disposition with respect to the demand allocation issue raised by the Cooperatives is denied without prejudice, as discussed in the body of this order. The company's motion for summary disposition of the Cooperatives' price squeeze allegations is hereby denied.

(C) SPS' submittal is hereby accepted for filing, as modified by summary disposition. The amended Phase I rates and the proposed change in rate for non-firm service to Brownfield are suspended for one day, to become effective, subject to refund, on October 17, 1984; the revised Phase II rates are suspended for five months, to become effective, subject to refund, on March 17, 1985.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Energy Regulatory Commission by section 402(a) of the Department of Energy Organization Act and by the Federal Power Act, particularly sections 205 and 206 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the regulations under the Federal Power Act (18 CFR, Chapter I), a public hearing shall be held concerning the justness and reasonableness of SPS's submittal.

(E) The Commission staff shall serve top sheets in this proceeding within ten (10) days of the date of this order.

(F) A presiding administrative law judge, to be designated by the Chief Administrative Law Judge, shall convene a conference in this proceeding to be held within approximately fifteen (15) days after service of top sheets in a hearing room of the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426. The presiding judge is authorized to establish procedural dates and to rule on all motions (except motions to dismiss) as provided in the Commission's Rules of Practice and Procedure.

(G) The Commission hereby orders initiation of price squeeze procedures and further orders that this proceeding be phased so that the price squeeze procedures begin after issuance of a Commission opinion establishing the rate which, but for consideration of price squeeze, would be just and reasonable. The presiding judge may order a change in this schedule for good cause shown. The price squeeze portion of this case shall be governed by the procedures set forth in § 2.17 of the Commission's regulations as they may be modified prior to the initiation of the price squeeze phase of this proceeding.

(H) The Secretary shall promptly publish this order in the **Federal Register.**

By the Commission.

Kenneth F. Plumb,

Secretary.

SOUTHWESTERN PUBLIC SERVICE CO., DOCKET NO. ER84-604-000, RATE SCHEDULE DESIGNATIONS

Supplement No.	Rate schedule FERC No.	Supersedes supplement No.	Other party
Phase I—Full Requirement			
3	86	2	Baily County Electric Cooperative, Inc.
3	87	2	Central Valley Electric Cooperative, Inc.
3	88	2	Deaf Smith Electric Cooperative, Inc.
3	89	2	Farmers Electric Cooperative, Inc.
3	90	2	Greenbelt Electric Cooperative, Inc.
3	91	2	Lamb County Electric Cooperative, Inc.
3	103	2	Lea County Electric Cooperative, Inc.
3	92	2	Lighthouse Electric Cooperative, Inc.
3	93	2	Lyntegar Electric Cooperative, Inc.
3	105	2	Midwest Electric Cooperative, Inc.
3	99	2	North Plains Electric Cooperative, Inc.
4	94	2	Norfolk Electric Cooperative, Inc.

SOUTHWESTERN PUBLIC SERVICE CO., DOCKET NO. ER84-604-000, RATE SCHEDULE DESIGNATIONS—Continued

Supplement No.	Rate schedule FERC No.	Supersedes supplement No.	Other party
1	102		Public Service Co. of New Mexico.
4	92	3	Lighthouse Electric Cooperative, Inc.
4	93	3	Lyntegar Electric Cooperative, Inc.
4	105	3	Midwest Electric Cooperative, Inc.
4	99	3	North Plains Electric Cooperative, Inc.
5	94	4	Northfolk Electric Cooperative, Inc.
2	102	1	Public Service Co. of New Mexico
4	98	3	Rita Blanca Electric Cooperative, Inc.
4	95	3	Roosevelt County Electric Cooperative, Inc.
4	96	3	South Plains Electric Cooperative, Inc.
4	97	3	Swisher Electric Cooperative, Inc.
10	75	9	Texas-New Mexico Power Co.
4	100	3	Tri-County Electric Cooperative, Inc.
3	98	2	Rita Blanca Electric Cooperative, Inc.
3	95	2	Roosevelt County Electric Cooperative, Inc.
3	96	2	South Plains Electric Cooperative, Inc.
3	97	2	Swisher Electric Cooperative, Inc.
9	75	8	Texas-New Mexico Power Co.
3	100		Tri-County Electric Cooperative, Inc.
Phase II—Full Requirement			
4	86	3	Baily County Electric Cooperative, Inc.
4	87	3	Central Valley Electric Cooperative, Inc.
4	88	3	Deaf Smith Electric Cooperative, Inc.
4	89	3	Farmers Electric Cooperative, Inc.
4	90	3	Greenbelt Electric Cooperative, Inc.
4	91	3	Lamb County Electric Cooperative, Inc.
4	103	3	Lea County Electric Cooperative, Inc.
Phase II—Partial Requirement			
9	81	8	Brownfield, TX
9	83	8	Floydada, TX
7	85	6	Lubbock Power and Light Co.
7	101	6	Tulia, TX
4	107	3	Texas-New Mexico Power Co.

NONFIRM ENERGY SERVICE

Designation	Other party	Description
Supplement No. 1 to. Supplement No. 3 to. Rate Schedule FERC No. 81.	Brownfield, TX	Non-firm energy rate.

[FR Doc. 84-27830 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[10] However, we note that Brownfield has made no specific allegation as to why, or indeed if, the proposed split-savings rate is unreasonable, excessive, or in any way not justified; we further note that such a rate is an industry standard for energy purchases of an economic nature and that this rate is identical to SPS's rates for non-firm service to other customers. Nonetheless, in view of our decision to convene a hearing in this docket, in any event, to review other elements of SPS's filing, we shall afford Brownfield an opportunity to present a case on the non-firm rate.

[11] We shall deny the company's motion for summary disposition of this issue. Contrary to SPS's contentions, the intervenors were not required to establish a *prima facie* case at this early stage of the case in order to trigger institution of phased price squeeze procedures.

[Docket Nos. RP81-54-020, et al.]

Tennessee Gas Pipeline Co., et al.; Filing of Pipeline Refund Reports and Refund Plans

October 16, 1984

Take notice that the pipelines listed in the Appendix hereto have submitted to the Commission for filing proposed refund reports or refund plans. The date of filing, docket number, and type of filing are also shown on the Appendix.

Any person wishing to do so may submit comments in writing concerning the subject refund reports and plans. All such comments should be filed with the Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, on or before October 26, 1984. Copies of the respective filings are on file with the Commission and available for public inspection.

Kenneth F. Plumb,

Secretary.

APPENDIX

Filing date	Company	Docket No.	Type filing
8/10/84	Tennessee Gas Pipeline Co.	RP81-54-020	Report.
9/10/84	Transcontinental Gas Pipe Line Corp.	RP83-137-010	Do.
9/21/84	National Fuel Gas Supply Corp.	RP80-135-044	Do.
9/21/84	Southern Natural Gas Co.	RP80-136-004	Do.
9/26/84	Natural Gas Pipe Line Co. of America.	RP78-78-015	Do.
10/3/84	Northwest Central Pipeline Corp.	RP82-114-009	Do.

[FR Doc. 84-27821 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. TC84-16-001]

Tennessee Gas Pipeline Co., a Division of Tenneco Inc.; Tariff Sheet Filings

October 16, 1984.

Take notice that on October 11, 1984, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), Tenneco Building, P.O. Box 2511, Houston, Texas 77001, filed in Docket No. TC84-16-001 the following revised tariff sheets to its FERC Gas Tariff to be effective November 1, 1984:

Original Volume No. 1

Substitute Original Sheet No. 21A
First Revised Sheet Nos. 46, 47, 48, 49, 52 and 53
Second Revised Sheet No. 50
Fourth Revised Sheet No. 131

Tennessee states that the purpose of this filing is to include Fourth Revised Sheet No. 131 which was inadvertently omitted from its September 14, 1984, filing in Docket No. TC84-16-000 and to renumber the pages for various other tariff sheets. Tennessee, on September 14, 1984, in Docket No. TC84-16-000, filed pursuant to § 281.204(b)(2) of the Commission's Regulations, various tariff sheets to update its index of entitlements to reflect changes in priority 2 entitlements (Essential Agricultural Uses).

Tennessee states that the tariff sheets herein do not reflect any substantive changes to the tariff sheets previously filed and requests that the tariff sheets be permitted to become effective November 1, 1984, as proposed.

Any person desiring to be heard or to make any protest with reference to said tariff sheet filing should on or before October 29, 1984, file with the Federal Energy Regulatory Commission, Washington, D.C. 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-27822 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. RP84-123-001]

Texas Gas Transmission Corp.; Proposed Changes in FPC Gas Tariff

October 15, 1984.

Take notice that Texas Gas Transmission Corporation (Texas Gas), on October 10, 1984 tendered for filing Revised Substitute Forty-Seventh Revised Sheet No. 7 to its FPC Gas Tariff, Third Revised Volume No. 1. This sheet is being issued to reflect reduced rates pursuant to the Commission Order issued September 18, 1984, in Docket No. CP83-485.

Copies of the filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and (385.214). All such petitions or protests should be filed on or before October 22, 1984. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-27823 Filed 10-19-84; 8:45 am]

BILLING CODE 6717-01-M

Energy Information Administration

Publication of Alternative Fuel Price Ceilings and Incremental Price Threshold for High Cost Natural Gas

The Natural Gas Policy Act of 1978 (NGPA) (Pub. L. 95-621) signed into law on November 9, 1978, mandated a new framework for the regulation of most facets of the natural gas industry. In general, under Title II of the NGPA, interstate natural gas pipeline companies are required to pass through certain portions of their acquisition costs for natural gas to industrial users in the form of a surcharge. The statute requires that the ultimate costs of gas to the industrial facility should not exceed the cost of the fuel oil which the facility could use as an alternative.

Pursuant to Title II of the NGPA, section 204(e), the Energy Information Administration (EIA) herewith publishes for the Federal Energy Regulatory Commission (FERC) computed natural gas ceiling prices and the high cost gas incremental pricing threshold which are to be effective November 1, 1984. These prices are based on the prices of alternative fuels.

FOR FURTHER INFORMATION CONTACT: Leroy Brown, Jr., Energy Information Administration, 1000 Independence Avenue, SW., Room BE-034, Washington, D.C. 20585, Telephone: (202) 252-6077.

Section I.

As required by FERC Order No. 50, computed prices are shown for the 48 contiguous States. The District of Columbia's ceiling is included with the ceiling for the State of Maryland. FERC, by an Interim Rule issued on March 2, 1981, in Docket No. RM79-21, revised the methodology for calculating the monthly alternative fuel price ceilings for State regions. Under the revised

methodology, the applicable alternative fuel price ceiling published for each of the contiguous States shall be the lower of the alternative fuel price ceiling for the State or the alternative fuel price ceiling for the multistate region in which the State is located.

The price ceiling is expressed in dollars per million British Thermal Units (BTU's). The method used to determine the price ceilings is described in Section III.

State	Dollar per million BTU's
Alabama	4.11
Arizona [1]	4.12
Arkansas [1]	4.06
California	3.96
Colorado [2]	4.10
Connecticut	4.44
Delaware [1]	4.32
Florida	4.29
Georgia [1]	4.39
Idaho [2]	4.10
Illinois	4.09
Indiana	4.19
Iowa [1]	4.05
Kansas [1]	4.05
Kentucky [1]	4.22
Louisiana [1]	4.06
Maine [1]	4.45
Maryland [1]	4.32
Massachusetts	4.28
Michigan [1]	4.22
Minnesota	3.90
Mississippi [1]	4.39
Missouri [1]	4.05
Montana [2]	4.10
Nebraska [1]	4.05
Nevada [1]	4.12
New Hampshire [1]	4.45
New Jersey [1]	4.32
New Mexico	3.67
New York	4.27
North Carolina [1]	4.39
NorthDakota [1]	4.05
Ohio	4.04
Oklahoma [1]	4.06
Oregon [1]	4.12
Pennsylvania	4.31
Rhode Island [1]	4.45
South Carolina [1]	4.39
South Dakota [1]	4.05
Tennessee	4.36
Texas	3.83
Utah [2]	4.10
Vermont [1]	4.45
Virginia [1]	4.39
Washington [1]	4.12
West Virginia [1]	4.22
Wisconsin	4.12
Wyoming [2]	4.10

[1] Region based price as required by FERC Interim Rule, issued on March 2, 1981, in Docket No. RM-79-21.
[2] Region based price computed as the weighted average price of Regions E, F, G, and H.

Section II. Incremental Pricing Threshold for High Cost Natural Gas

The EIA has determined that the volume-weighted average price for No. 2 distillate fuel oil landed in the greater New York City Metropolitan area during August 1984 was $31.40 per barrel. In order to establish the incremental pricing threshold for high cost natural gas, as identified in the NGPA, Title II, Section 203(a)(7), this price was multiplied by 1.3 and converted to its equivalent in millions of BTU's by dividing by 5.8. Therefore, the incremental pricing threshold for high cost natural gas, effective November 1, 1984, is $7.04 per million BTU's.

Section III. Method Used To Compute Price Ceilings

The FERC, by Order No. 50, issued on September 29, 1979, in Docket No. RM79-21, established the basis for determining the price ceilings required by the NGPA. FERC also, by Order No. 167, issued in Docket No. RM81-27 on July 24, 1981, made permanent the rule that established that only the price paid for No. 6 high sulfur content residual fuel oil would be used to determine the price ceilings. In addition, the FERC, by Order No. 181, issued on October 6, 1981, in Docket No. RM81-28, established that price ceilings should be published for only the 48 contiguous States on a permanent basis.

A. Data Collected

The following data were required from all companies identified by the EIA as sellers of No. 6 high sulfur content (greater than 1 percent sulfur content by weight) residual fuel oil: for each selling price, the number of gallons sold to large industrial users in the months of June 1984, July 1984, and August 1984.[1] All reports of volume sold and price were identified by the State into which the oil was sold.

B. Method Used to Determine Alternative Price Ceilings

(1) *Calculation of Volume-Weighted Average Price.* The prices which will become effective November 1, 1984, (shown in Section I) are based on the reported price of No. 6 high sulfur content residual fuel oil, for each of the 48 contiguous States, for each of the 3 months, June 1984, July 1984, and August 1984. Reported prices for sales in June 1984 were adjusted by the percent change in the nationwide volume-weighted average price from June 1984 to August 1984. Prices for July 1984 were similarly adjusted by the percent change in the nationwide volume-weighted average price from July 1984 to August 1984. The volume-weighted 3-month average of the adjusted June 1984 and July 1984, and the reported August 1984 prices were then computed for each State.

(2) *Adjustment for Price Variation.* States were grouped into the regions identified by the FERC (see Section III.C.). Using the adjusted prices and associated volumes reported in a region during the 3-month period, the volume-weighted standand deviation of prices was calculated for each region. The volume-weighted 3-month average price (as calculated in Section III.B. (1) above) for each State was adjusted downward by two times this standard deviation for the region to form the adjusted weighted average price for the State.

(3) *Calculation of Ceiling Price.* The lowest selling price within the State was determined for each month of the 3-month period (after adjusting up or down by the percent change in oil prices at the national level as discussed in Section III.B(1) above). The products of the adjusted low price for each month times the State's total reported sales volume for each month were summed over the 3-month period for each State and divided by the State's total sales volume during the 3 months to determine the State's average low price. The adjusted weighted average price (as calculated in Section III.B.(2)) was compared to this average low price, and the higher of the values was selected as the base for determining the alternative fuel price ceiling for each State. For those States which had no reported sales during one or more months of the 3-month period, the appropriate regional volume-weighted alternative fuel price was computed and used in combination with the available State data to calculate the State alternative fuel price ceiling base. The State's alternative fuel price ceiling base was compared to the alternative fuel price ceiling base for the multistate region in which the State is located and the lower of these two prices was selected as the final alternative fuel price ceiling base for the State. The appropriate lag adjustment factor (as discussed in Section III.B.4) was then applied to the alternative fuel price ceiling base. The alternative fuel price (expressed in dollars per gallon) was multiplied by 42 and divided by 6.3 to estimate the alternative fuel price ceiling for the State (expressed in dollars per million BTU's).

There were insufficient sales reported in Region G for the months of June 1984, July 1984, and August 1984. The alternative fuel price ceilings for the States in Region G were determined by calculating the volume-weighted average price ceilings for Region E, Region F, Region G, and Region H.

(4) *Lag Adjustment.* The EIA has implemented a procedure to partially compensate for the two-month lag between the end of the month for which data are collected and the beginning of the month for which ceiling prices become effective. It was determined the

[1] Large Industrial User—A person/firm which purchases No. 6 fuel oil in quantities of 4,000 gallons or greater for consumption in a business, including the space heating of the business premises. Electric utilities, governmental bodies (Federal, State, or Local), and the military are excluded.

Platt's Oilgram Price Report Publication provides timely information relative to the subject. The prices found in *Platt's Oilgram Price Report* publication are given for each trading day in the form of high and low prices for No. 6 residual oil in 20 cities throughout the United States. The low posted prices for No. 6 residual oil in these cities were used to calculate a national and a regional lag adjustment factor. The national lag adjustment factor was obtained by calculating a weighted average price for No. 6 high sulfur residual fule oil for the ten trading days ending October 15, 1984, and dividing that price by the corresponding weighted average price computed from prices published by Platt's for the month of August 1984. A regional lag adjustment factor was similarly calculated for four regions. These are: one for FERC Regions A and B combined; one for FERC Region C; one for FERC Regions D, E, and G combined; and one for FERC Regions F and H combined. The lower of the national or regional lag factor was then applied to the alternative fuel price ceiling for each State in a given regional as calculated in Section III.B.(3).

Listing of States by Region

States were grouped by the FERC to form eight distinct regions as follows:

Region A	*Region B*
Connecticut	Delaware
Maine	Maryland
Massachusetts	New Jersey
New Hampshire	New York
Rhode Island	Pennsylvania
Vermont	
Region C	*Region D*
Alabama	Illinois
Florida	Indiana
Georgia	Kentucky
Mississippi	Michigan
North Carolina	Ohio
South Carolina	West Virginia
Tennessee	Wisconsin
Virginia	
Region E	*Region F*
Iowa	Arkansas
Kansas	Louisina
Missouri	New Mexico
Minnesota	Oklahoma
Nebraska	Texas
North Dakota	
South Dakota	
Region G	*Region H*
Colorado	Arizona
Idaho	California
Montana	Nevada
Utah	Oregon
Wyoming	Washington

Issued in Washington, D.C., October 18, 1984.

J. Erich Evered,

Administrator, Energy Information Administration.

[FR Doc. 84-27937 Filed 10-19-84; 8:45 am]

BILLING CODE 6450-01-M

ENVIRONMENTAL PROTECTION AGENCY

[OPTS-59170A; TS-FRL 2698-6]

Certain Chemicals; Approval of Test Marketing Exemption

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of an application for a test marketing exemption (TME) under section 5(h)(6) of the Toxic Substances Control Act (TSCA), TME-84-81. The test marketing conditions are described below.

EFFECTIVE DATE: October 12, 1984.

FOR FURTHER INFORMATION CONTACT: Anna Coutlakis, Premanufacture Notice Management Branch, Chemical Control Division (TS-794), Office of Toxic Substances, Environmental Protection Agency, Rm. E-611B, 401 M St. SW., Washington, DC 20460, (202-382-2252).

SUPPLEMENTARY INFORMATION: Section 5(h)(1) of TSCA authorizes EPA to exempt persons from premanufacture notification (PMN) requirements and permit them to manufacture or import new chemical substances for test marketing purposes if the Agency finds that the manufacture, processing, distribution in commerce, use, and disposal of the substances for test marketing purposes will not present any unreasonable risk of injury to health or the environment. EPA may impose restrictions on test marketing activities, and may modify or revoke a test marketing exemption upon receipt of new information which casts significant doubt on its finding that the test marketing activity will not present any unreasonable risk of injury.

EPA hereby approves TME-84-81. EPA has determined that test marketing of the new chemical substance described below, under the conditions set out in the TME application, and for the time periods and restrictions (if any) specified below, will not present any unreasonable risk of injury to health or the environment. Numbers and identities of customers, production volume, number of workers exposed to the new chemical, and the levels and durations of exposure must not exceed those specified in the application. All other conditions and restrictions described in the application and in this notice must be met.

The following additional restrictions apply: A bill of lading accompanying each shipment must state that use of the substance is restricted to that approved in the TME. In addition, the submitter shall maintain the following records until five years after the date they are created, and shall make them available for inspection or copying in accordance with section 11 of TSCA:

1. The applicant must maintain records of the quantity of the TME substance produced and must make these records available to EPA upon request.

2. The applicant must maintain daily records of the number of workers exposed, the level of exposure, and the duration of exposure.

3. The applicant must maintain records of the date(s) of shipment(s) to each customer and the quantities supplied in each shipment, and must make these records available to EPA upon request.

4. The applicant must maintain copies of the bill of lading that accompanies each shipment of the TME substance.

TME 84-81

Date of Receipt: August 30, 1984.

Notice of Receipt: September 7, 1984 (49 FR 35414).

Applicant: Confidential.

Chemical: (G) Tris aryl phosphite.

Use: (G) Additive for oils, lubricants, fuels, and/or plastics.

Production Volume: Confidential.

Number and Identity of Customers: Confidential.

Worker Exposure: Manufacturing and processing-dermal and inhalation, up to 8 hours/day, up to 6 months.

Test Marketing Period: 6 months.

Commencing on: October 12, 1984.

Risk Assessment: EPA has identified concerns for health and ecotoxicity based on analogy to substances of similar structure. However, human and environmental exposures are not expected to be significant under the test marketing conditions. Worker exposure during manufacturing and processing of the test market substance is expected to be low and of short duration. Workers are required to wear protective equipment including gloves and respirators, as specified in the test market application and the Material Safety Data Sheet. No significant environmental releases of the substance are anticipated. The test marketing substance will not pose any unreasonable risk of injury to health or the environment.

Public Comments. None.

The Agency reserves the right to rescind approval or modify the conditions and restirctions of an exemption should any new information come to its attention which casts significant doubt on its finding that the test marketing activities will not present

any unreasonable risk of injury to health or the environment.

Dated: October 12, 1984.

Don R. Clay,

Director, Office of Toxic Substances.

[FR Doc. 84-27817 Filed 10-19-84; 8:45 am]

BILLING CODE 6560-31-M

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

October 16, 1984.

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Copies of the submission are available from Doris Peacock, Agency Clearance Officer, (202) 632-7513. Persons wishing to comment on these information collections should contact Marty Wagner, Office of Management and Budget, Room 3235 NEOB, Washington, D.C. 20503, (202) 395-4814.

OMB Number: 3060-0147

Title: Section 64.804, Extension of Unsecured Credit for Interstate and Foreign Communications Services to Candidates for Federal Office

Action: Extension

Respondents: Businesses

Estimated annual burden: 13 Respondents: 208 Hours

OMB Number: 3060-0214

Title: Section 73.3526, Local Public Inspection File of Commercial Stations

Action: Revision

Respondents: Businesses (including small businesses)

Estimated annual burden: 9,575 Recordkeepers; 995,800 Hours

OMB Number: 3060-0215

Title: Section 73.3527, Local Public Inspection File for Noncommercial Educational Stations

Action: Revision

Respondents: Non-profit institutions

Estimated annual burden: 1,500 Recordkeepers; 156,000 Hours

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 84-27770 Filed 10-19-84; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed; U.S. South Atlantic and Gulf Panama and Costa Rica Rate Agreement, et al.

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street, NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 202-010045-013.

Title: U.S. South Atlantic & Gulf Panama & Costa Rica Rate Agreement.

Parties:

Concorde Line Central American Services

Coordinated Caribbean Transport, Inc.

Seaboard Marine Line, Ltd.

Sea-Land Service, Inc.

Synopsis: The proposed amendment would increase the security deposit required to be maintained by each party to the agreement from $50,000.00 to $100,000.00. The parties have requested a shortened review period.

Agreement No.: 202-010105-011.

Title: U.S. South Atlantic & Gulf Guatemala, Honduras & El Salvador Rate Agreement.

Parties:

Concorde Line Central American Services

Coordinated Caribbean Transport, Inc.

Seaboard Marine Line, Ltd.

Sea-Land Service, Inc.

Synopsis: The proposed amendment would increase the security deposit required to be maintained by each party to the agreement from $50,000.00 to $100,000.00. The parties have requested a shortened review period.

Agreement No.: 213-010601-001.

Title: NOL—OOCL Sailing and Space Charter Agreement.

Parties:

Neptune Orient Lines, Ltd.

Orient Overseas Container Line, Inc.

Synopsis: The proposed amendment provides that one party may charter space on a vessel of the other at a price and upon terms and conditions as the parties may from time to time agree upon.

Agreement No.: 221-010659.

Title: Los Angeles and Long Beach Terminal Agreement.

Parties:

Intermodal Container Transfer Facility (Joint Powers Authority) (ICTF)

Southern Pacific Transportation Company (SPTC)

Synopsis: Agreement No. 221-010659 provides for a sub-lease by SPTC of the property on which the ICTF is to be constructed on premises located adjacent to the ports of Los Angeles and Long Beach. Bonds are to be sold for the construction of the facility. The sub-lease specifies that the ICTF and SPTC will make monetary contributions to the project as provided for in the agreement. Both ports will share equally in the profits generated at the ICTF. The length of the sub-lease is for one day less than 50 years. The parties have requested a shortened review period for the agreement.

Agreement No.: 221-010659-001.

Title: Los Angeles and Long Beach Terminal Agreement.

Parties:

Intermodal Container Transfer Facility (Joint Powers Authority) (ICTF)

Southern Pacific Transportation Company (SPTC)

Synopsis: This agreement amends the basic agreement by modifying the language authorizing the Authority to set gate charges at the facility. This amendment does not make any substantive changes to the sub-lease. The parties have requested a shortened review period for the agreement.

Agreement No.: 221-010660.

Title: Los Angeles Marine Terminal Agreement.

Parties:

The City of Los Angeles (City)

Intermodal Container Transfer Facility Joint Powers Authority (Authority)

Synopsis: Agreement No. 221-010660 provides that the Authority will obtain premises located near the Ports of Los Angeles and Long Beach for the location of an intermodal transfer facility. They will sub-lease the premises to the Southern Pacific Transportation Company. The term of the agreement will be for 50 years. The guaranteed annual rentals to be paid to the City are as indicated in the agreement. The facilities shall serve, or be available for use by all shipping companies, and all truck lines, freight forwarders, airlines, consignors or consignees on a first

come, first served basis. The parties requested a shortened review period for the agreement.

Agreement No.: 221–010660–001.

Title: Los Angeles Marine Terminal Agreement.

Parties:

The City of Los Angeles (City)

Intermodal Container Transfer Facility Joint Powers Authority (Authority)

Synopsis: This amendment to the basic land agreement between the City and the Authority substitutes a new Schedule "A" to the agreement which amends various definitions relative to the agreement. The parties requested a shortened review period for the agreement.

Agreement No.: 221–010661.

Title: Los Angeles Marine Terminal Agreement.

Parties:

Intermodal Transfer Facility Joint Powers Authority (Authority)

Southern Pacific Transportation Company (SPTC)

Synopsis: This agreement is an installment sale and security agreement between the parties. SPTC agrees to maintain and operate the Intermodal Container Freight Facility (ICTF) as an intermodal container transfer facility. The Authority, the Ports and the Cities shall not be obligated to pay the principal, redemption price or interest on the bonds, or to levy any form of taxation for the payment or redemption price of the bonds. The money that the Authority is to pay for the acquisition and construction of the ICTF shall be obligated solely from the sale of bonds. The Authority shall have the sole right to establish gate and storage charges at the facility. The parties requested a shortened review period for the agreement.

By Order of the Federal Maritime Commission.

Dated: October 17, 1984.

Francis C. Hurney,

Secretary.

[FR Doc. 84–27764 Filed 10–19–84; 8:45 am]

BILLING CODE 6730–01–M

FEDERAL RESERVE SYSTEM

Community Bankshares Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than November 9, 1984.

A. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *Community Bankshares Incorporated,* Petersburg, Virginia; to become a bank holding company by acquiring 100 percent of the voting shares of the successor by merger to The Community Bank, Petersburg, Virginia.

B. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, NW., Atlanta, Georgia 30303:

1. *Rankin Commerce Corp.,* Brandon, Mississippi; to become a bank holding company by acquiring 100 percent of the voting shares of Rankin County Bank, Brandon, Mississippi.

C. **Federal Reserve Bank of St. Louis** (Delmer P. Weisz, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Caraway Bancshares, Inc.,* Caraway, Arkansas; to become a bank holding company by acquiring 80 percent of the voting shares of Caraway Bank, Caraway, Arkansas.

D. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Citadel Bancshares, Inc.,* Conroe, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of Conroe Bank, N.A., Conroe, Texas, thereby indirectly acquiring Willis Bank, Willis, Texas.

2. *Martex Bancshares, Inc.,* Gladewater, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of The First State Bank, Gladewater, Texas.

E. **Federal Reserve Bank of San Francisco** (Harry W. Green, Vice President) 101 Market Street, San Francisco, California 94105:

1. *International Business Bancorp,* San Francisco, California; to become a bank holding company by acquiring 100 percent of the voting shares of International Business Bank, N.A., San Francisco, California (In Organization).

Board of Governors of the Federal Reserve System, October 15, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84–27732 Filed 10–19–84; 8:45 am]

BILLING CODE 6210–01–M

Hartford National Corp.; Application To Engage de Novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo,* either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the application must be received at the Reserve Bank indicated

or the offices of the Board of Governors not later than November 2, 1984.

A. **Federal Reserve Bank of Boston** (Richard E. Randall, Vice President) 600 Atlantic Avenue, Boston, Massachusetts 02106:

1. *Hartford National Corporation,* Hartford, Connecticut; to engage *de novo* through its subsidiary, Connecticut National Trust Company of Florida, Stuart, Florida, in performing functions or activities that may be performed by a trust company, including activities of a fiduciary, agency, or custodial nature.

Board of Governors of the Federal Reserve System, October 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-27729 Filed 10-19-84; 8:45 am]

BILLING CODE 6210-01-M

Illini Community Bancorp, Inc., et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than November 13, 1984.

A. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Illini Community Bancorp, Inc.,* Springfield, Illinois; to acquire 100 percent of the voting shares of Sagamon Banc Shares, Inc., Springfield, Illinois, thereby indirectly acquiring First State Bank of Danvers, Danvers, Illinois.

B. **Federal Reserve Bank of Dallas** (Anthony J. Montelaro, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *Central National Bancshares, Inc.,* San Angelo, Texas; to acquire 88 percent of the voting shares of Central National Bank-North, San Angelo, Texas, a *de novo* bank.

2. *First of Groves Corporation,* Groves, Texas; to acquire 18 percent of the voting shares of First National Bank of Silsbee, Silsbee, Texas.

3. *First Houston Bancshares, Inc.,* Houston, Texas; to become a bank holding company by acquiring 100 percent of the voting shares of Houston National Bank, Houston, Texas, a *de novo* bank.

Board of Governors of the Federal Reserve System, October 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-27730 Filed 10-19-84; 8:45 am]

BILLING CODE 6210-01-M

Marine Corporation, et al.; Applications To Engage de Novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo,* either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than November 8, 1984.

A. **Federal Reserve Bank of Chicago** (Franklin D. Dreyer, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Marine Corporation,* Springfield, Illinois; to engage *de novo* through its subsidiary, Marine Investment Management Company, Springfield, Illinois, in providing portfolio management advice to individuals and commercial customers. This activity would be performed in the State of Illinois.

2. *River Valley Bancorporation, Inc.,* Rothschild, Wisconsin; to engage *de novo* in acquiring loans or other extensions of credit for its own account or for the account of others, limited strictly to the acquisition from Nicklaus Enterprises, Inc. of eight loans and extensions of credit secured by security interests. These activities would be performed in Adams and Waushara Counties in Wisconsin.

Board of Governors of the Federal Reserve System, October 16, 1984.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 84-27731 Filed 10-19-84; 8:45 am]

BILLING CODE 6210-01-M

GENERAL SERVICES ADMINISTRATION

SES Performance Review Boards for Small Client Agencies Serviced by GSA; Names of Members

Section 4314(c) (1) through (5) of title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more Performance Review Boards. The board shall review and evaluate the initial appraisal by the supervisor of a senior executive's performance, along with any recommendations to the appointing authority relative to the performance of the senior executive.

As provided under section 601 of the Economy Act of 1932, as amended, 31 U.S.C. 686, the General Services Administration through its External Services Staff, Personnel Division, provides various personnel management

services to a number of diverse Presidential commissions, committees, and other small agencies and boards through reimbursable administrative support agreements. This notice is processed on behalf of these client agencies, and it amends our original notices in the **Federal Register** dated March 17, 1980, May 20, 1980, September 23, 1981, September 20, 1982, and August 12, 1983. Because of their small size, a Performance Review Board register has been established composed of members of the various agencies. From this register of names, the head of each client agency will appoint executives to a specific board to serve the particular client agency.

The members whose names appear on the Performance Review Board register to serve client agencies are:

John T. Rhett, Federal Inspector, Office of the Federal Inspector for the Alaska Natural Gas Transportation System
J. Richard Berman, Director, Audit and Cost Analysis, Office of the Federal Inspector for the Alaska Natural Gas Transportation System
Peter L. Cook, Deputy Federal Inspector for Washington, Office of the Federal Inspector for the Alaska Natural Gas Transportation System
Richard A. Ericson, Jr., Executive Director, Japan-United States Friendship Commission
Stephen L. Babcock, Executive Director, Administrative Conference of the United States
Richard K. Berg, General Counsel, Administrative Conference of the United States
Jeffrey S. Lubbers, Research Director, Administrative Conference of the United States
Ralph A. Watkins, Jr., Commissioner (Chairman), Navajo and Hopi Indian Relocation Commission
Sandra L. Massetto, Commissioner, Navajo and Hopi Indian Relocation Commission
Hawley Atkinson, Commissioner, Navajo and Hopi Indian Relocation Commission
Walter R. Roberts, Executive Director, Board for International Broadcasting
James Critchlow, Foreign Information Officer, Board for International Broadcasting
Arthur D. Levin, Financial Manager, Board for International Broadcasting
Anatole Shub, Foreign Information Officer, Board for International Broadcasting
Rosemary M. Collyer, Chairman, Federal Mine Safety and Health Review Commission
James A. Lastowka, General Counsel, Federal Mine Safety and Health Review Commission

For further information, contact Betty R. Bruce, External Services Staff, Personnel Division (202–472–9214); mailing address: General Services Administration, National Capital Region (WBPX), Washington, DC 20407.

Dated: October 10, 1984.

William F. Madison,

Regional Administrator, National Capital Region.

[FR Doc. 84–27748 Filed 10–19–84; 8:45 am]

BILLING CODE 6820–BR–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

National Institute of General Medical Sciences; Meetings

Pursuant to Pub. L. 92–463, notice is hereby given of the meetings of the committees of the National Institute of General Medical Sciences for November 1984.

These meetings will be open to the public to discuss administrative details relating to committee business for approximately two hours at the beginning of the first session of the first day of the meeting. Attendance by the public will be limited to space available. These meetings will be closed thereafter in accordance with provisions set forth in section 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, for the review, discussion, and evaluation of individual research training grant and research center grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Ann Dieffenbach, Public Information Officer, National Institute of General Medical Sciences, National Institutes of Health, Building 31, Room 4A52, Bethesda, Maryland 20205 (Telephone: 301–496–7301), will provide a summary of the meeting and a roster of committee members.

Substantive program information may be obtained from each executive secretary whose name, room number, and telephone number are listed below each committee.

Name of committee: Minority Access to Research Careers Review Committee
Executive Secretary: Dr. Harriet Gordon, Room 949 Westwood Building, Telephone: 301–496–7585
Dates of meetings: November 1–2, 1984
Place of meeting: Building 31C, Conference Room 8, National Institutes of Health, Bethesda, Maryland
Open: November 1, 1984, 8:30 a.m.–10:30 a.m.
Closed: November 1, 1984, 10:30 a.m.–5:00 p.m.; November 2, 1984, 8:30 a.m.–adjournment
Name of committee: Cellular and Molecular Basis of Disease Review Committee
Executive Secretary: Dr. Helen Sunshine, Room 950 Westwood Building, Telephone: 301–496–7125
Dates of meeting: November 5–6, 1984
Place of meeting: Building 31C, Conference Room 8, National Institutes of Health, Bethesda, Maryland
Open: November 5, 1984, 8:30 a.m.–10:30 a.m.
Closed: November 5, 1984, 10:30 a.m.–5:00 p.m.; November 6, 1984, 8:30 a.m.–adjournment
Name of committee: Pharmacological Sciences Review Committee
Executive Secretary: Dr. Rodney Ulane, Room 952 Westwood Building, Telephone: 301–496–4772
Dates of meeting: November 7–8, 1984
Place of meeting: Building 31C, Conference Room 8, National Institutes of Health, Bethesda, Maryland
Open: November 7, 1984, 8:30 a.m.–10:30 a.m.
Closed: November 7, 1984, 10:30 a.m.–5:00 p.m.; November 8, 1984, 8:30 a.m.–adjournment
Name of committee: Genetic Basis of Disease Review Committee
Executive Secretary: Dr. Helen Sunshine, Room 950 Westwood Building, Telephone: 301–496–7125
Dates of meeting: November 16, 1984
Place of meeting: Building 31C, Conference Room 7, National Institutes of Health, Bethesda, Maryland
Open: November 16, 1984, 8:30 a.m.–10:30 a.m.
Closed: November 16, 1984, 10:30 a.m.–adjournment

(Catalog of Federal Domestic Assistance Program No. 13–863, 13–862, 13–880, 13–859, National Institute of General Medical Sciences, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 84–27762 Filed 10–19–84; 8:45 am]

BILLING CODE 4140–01–M

Aging Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Aging Review Committee, National Institute on Aging, on November 7, 8, and 9, 1984, in Building 31, Conference Room 4, National Institutes of Health, Bethesda, Maryland.

The meeting will be open to the public from 9:00 a.m. to 10:00 a.m. on November 7 for introductory remarks. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552(b)(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 7 from 10:00 a.m. to adjournment on Novemeber 9 for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Ms. June C. McCann, Committee Management Officer, NIA, Building 31, Room 2C05, National Institutes of Health, Bethesda, Maryland, Area Code 301, 496–5898, will provide summaries of meetings and rosters of Committee members as well as substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.866, Aging Research, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84–27779 Filed 10–19–84; 8:45 am]

BILLING CODE 4140–01–M

Subcommittee on Animal Resources of the Animal Resources Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is herby given of the meeting of the Subcommittee on Animal Resources, Animal Resources Review Committee, Division of Research Resources, on November 8, 1984 from 9:00 a.m. to adjournment in Conference Room 7, Building 31, National Institutes of Health, Bethesda, Maryland, 20205.

The meeting will be open to the public on November 8 from 2:30 p.m. to approximately 4:30 p.m. for a brief staff presentation on the current status of the Animal Resources Program and the selection of future meeting dates. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 8 from approximately 9:00 a.m. to 2:30 p.m. and from 4:30 p.m. to adjournment for the review, discussion, and evaluation of individual grant applications submitted to the Laboratory Animal Sciences Program. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Information Officer, Division of Research Resources, Room 5B13, Bldg. 31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5545, will provide summaries of the meeting and rosters of the Committee members. Dr. Carl E. Miller, Executive Secretary of the Animal Resources Review Committee, Room 5B55, Bldg. 31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5175, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Programs No. 13.306, Laboratory Animal Sciences, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84–27778 Filed 10–19–84; 8:45 am]

BILLING CODE 4140–01–M

Subcommittee on Primate Research Centers of the Animal Resources Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Subcommittee on Primate Research Centers, Animal Resources Review Committee, Division of Research Resources on November 14, 1984 and on November 16, 1984, in the El Convento Hotel, P.O. Box 1048, San Juan, Puerto Rico 00902.

In accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public from approximately 2:00 p.m. to recess on November 14, 1984 for the review, discussion, and evaluation of individual grant applications. A site visit at the Caribbean Primate Center will be conducted on November 15–16, 1984, and the Committee will reconvene at approximately 1:00 p.m. on November 16, 1984 for review, discussion and evaluation of the Caribbean Primate Research Center grant application. These applications and the discussion could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. Mr. James Augustine, Information Officer, Division of Research Resources, Room 5B10, Building 31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5545, will provide summaries of the meeting and rosters of the Committee members. Dr. Carl E. Miller, Executive Secretary of the Animal Resources Review Committee, Room 5B55, Building 31, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5175, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Programs No. 13.306, Primate Research, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84–27777 Filed 10–19–84; 8:45 am]

BILLING CODE 4140–01–M

NIDR Special Grants Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Institute of Dental Research Special Grants Review Committee, November 14–15, 1984, in Conference Room 8, Building 31–C, National Institutes of Health, Bethesda, Maryland. The meeting will be open to the public from 8:30 a.m. to 9:00 a.m. November 14 for general discussions. Attendance by the public is limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 93–463, the meeting will be closed to the public from 9:00 a.m. November 14 to adjournment November 15 for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. H. George Hausch, Executive Secretary, NIDR Special Grants Review Committee, NIH, Westwood Building, Room 507, Bethesda, MD 20205, (telephone 301 496–7658) will provide summary of meeting, roster of committee members and substantive program information.

(Catalog of Federal Domestic Assistance Programs Nos. 13.121—Diseases of the Teeth and Supporting Tissues: Caries and Restorative Materials; Periodontal and Soft Tissue Diseases; 13.122—Disorders of Structure, Function, and Behavior: Craniofacial Anomalies, Pain Control, and Behavioral Studies; 13.845—Dental Research Institutes; National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84-27776 Filed 10-19-84; 8:45 am]

BILLING CODE 4140-01-M

Biomedical Library Review Committee and the Subcommittee for the Review of Medical Library Resource Improvement Grant Applications; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Biomedical Library Review Committee on November 14–15, 1984, convening each day at 8:30 a.m. in the Board Room of the National Library of Medicine, Building 38, 8600 Rockville Pike, Bethesda, Maryland, to adjournment on November 15, and the meeting of the Subcommittee for the Review of Medical Library Resource Improvement Grant Applications on November 13 from 2:00 p.m. to 5:00 p.m. in the 5th Floor, Conference Room of the Lister Hill Center Building.

The meeting on November 14 will be open to the public from 8:30 a.m. to 11:00 a.m. for the discussion of administrative reports and program developments. Attendance by the public will be limited to space available.

In accordance with provisions set forth in section 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code, and section 10(d) of Pub. L. 92–463, the regular meeting and the subcommittee meeting will be closed to the public for the review, discussion, and evaluation of individual grant applications as follows: The regular meeting on November 14 from 11:00 a.m. to 5:00 p.m., and on November 15, from 8:30 a.m. to adjournment; and the subcommittee meeting on November 13 from 2:00 p.m. to 5:00 p.m. These applications and the discussion could reveal confidential trade secrets or commercial property, such as patentable material, and personal information concerning individuals associated with applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Roger W. Dahlen, Executive Secretary of the Committee, and Chief, Biomedical Information Support Branch, Extramural Programs, National Library of Medicine, 8600 Rockville Pike, Bethesda, Maryland 20209, telephone number: 301–496–4191, will provide summaries of the meeting, rosters of the committee members, and other information pertaining to the meeting.

(Catalog of Federal Domestic Assistance Program No. 13.879—Medical Library Assistance, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84-27775 Filed 10-19-84; 8:45 am]

BILLING CODE 4140-01-M

Minority Biomedical Research Support Subcommittee of the General Research Support Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Minority Biomedical Research Support Subcommittee of the General Research Support Review Committee, Division of Research Resources, November 15–16, 1984 at the National Institutes of Health. The meeting will be held in Conference Room 9, Building 31, 9000 Rockville Pike, Bethesda, Maryland 20205.

This meeting will be open to the public from 8:30 a.m. to approximately 1:30 p.m. on November 15, 1984, to discuss policy matters relating to the Minority Biomedical Research Support Program. Attendance by the public will be limited to space available.

In accordance with provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public on November 15, 1984, from approximately 1:30 p.m. to 5:00 p.m. and on November 16, 1984, from 8:30 a.m. to adjournment for the review, discussion and evaluation of individual grant applications submitted to the Minority Biomedical Research Support Program. These applications and discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Information Officer, Division of Research Resources, National Institutes of Health, Building 31, Room 5B–10, Bethesda, Maryland 20205, telephone (301) 496–5545, will provide summaries of meeting and roster of committee members. Dr. Ethel B. Jackson, Executive Secretary of the Minority Biomedical Research Support Subcommittee of the General Research Support Review Committee, Building 31, Room 5B–11, Bethesda, Maryland 20205, telephone (301) 496–4390 will furnish substantive program information.

(Catalog of Federal Domestic Assistance Programs No. 13,375, Minority Biomedical Research Support Program, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84-27774 Filed 10-19-84; 8:45 am]

BILLING CODE 4140-01-M

General Clinical Research Centers Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the General Clinical Research Centers (GCRC) Committee, Division of Research Resources (DRR), November 19–20, 1984, Conference Room 7, Building 31, 9000 Rockville Pike, Bethesda, MD.

The meeting will be open to the public on November 19, 1984, from 9:00 a.m. to approximately 12:00 noon during which time there will be comments by the Director, DRR; an update on the GCRC Program; and reports on the Clinical Associate Physician Program, the diffusion of the CLINFO System, possible new technologies for GCRCs, and clinical research data management. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in sections 552(c)(4) and 552b(c)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92–463, the meeting will be closed to the public November 19, 1984, from approximately 12:00 p.m. to recess, and on November 20, 1984, from 8:30 a.m. to adjournment, for the review, discussion, and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mr. James Augustine, Information Officer, Division of Research Resources, Bldg. 31, Rm 5B–10, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–5545, will provide summaries of the meeting and rosters of the

Committee, members. Dr. Ephraim Y. Levin, Executive Secretary of the General Clinical Research Centers Review Committee, Bldg. 31, Room 5B51, National Institutes of Health, Bethesda, Maryland 20205, (301) 496–6595, will furnish program information.

(Catalog of Federal Domestic Assistance Program No. 13.333, Clinical Research, National Institutes of Health)

Dated: October 15, 1984.

Betty J. Beveridge,

NIH Committee Management Officer.

[FR Doc. 84–27773 Filed 10–9–84; 8:45 am]

BILLING CODE 4140–01–M

Public Health Service

Assessment of Medical Technology; Mycotic Toenails

The Public Health Service (PHS), through the Office of Health Technology Assessment (OHTA), announces that it is coordinating an assessment of what is known of the safety, clinical effectiveness, appropriateness, and use of debridement and other treatment of mycotic toenails. Specifically, we are interested in the medical indications for (1) Debridement and/or other active treatment of mycotic toenails (as opposed to routine hygienic care), (2) the appropriate treatment regimen, including frequency of followup visits for such care. For the purposes of this announcement, debridement and other treatment of mycotic toenails are defined as medically reasonable and necessary diagnostic and therapeutic measures excluding such routine foot care as the trimming of nails and other routine hygienic attention.

The PHS assessment consists of a synthesis of information obtained from appropriate organizations in the private sector and from PHS agencies and others in the Federal Government. PHS assessments are based on the most current knowledge concerning the safety and clinical effectiveness of a technology. Based on this assessment, a PHS recommendation will be formulated to assist the Health Care Financing Administration (HCFA) in establishing Medicare coverage policy. Any person or group wishing to provide OHTA with information relevant to this assessment should do so in writing no later than December 15, 1984, or within 90 days from the date of publication of this notice.

The information being sought is a review and assessment of past, current, and planned research related to this technology, a bibliography of published, controlled clinical trials and other well-designed clinical studies. Information related to the characterization of the patient population most likely to benefit, the clinical acceptability, and the effectiveness of this technology is also being sought.

Written material should be submitted to: National Center for Health Services Research, Office of Health Technology Assessment, Park Building, Room 3–10, 5600 Fishers Lane, Rockville, Maryland 20857.

Dated: October 15, 1984.

Enrique D. Carter,

Director, Office of Health Technology Assessment, National Center for Health Services Research.

[FR Doc. 84–27794 Filed 10–19–84; 8:45 am]

BILLING CODE 4160–17–M

Office of Human Development Services

Federal Allotments to States for Social Services Expenditures Pursuant to the Title XX—Social Services Block Grant Act; Promulgation for Fiscal Year 1986

AGENCY: Office of Human Development Services, Department of Health and Human Services.

ACTION: Notification of Allocation of Title XX—Social Services Block Grant Allotments for Fiscal Year 1986.

SUMMARY: This issuance sets forth the individual allotments to States for Fiscal Year 1986 pursuant to Title XX of the Social Security Act, as amended (Act). The allotments to the States published herein are based upon the authorization set forth in Section 2003 of the Act and are contingent upon Congressional appropriations actions for the fiscal year. If Congress enacts and the President approves an amount different from the authorization, the allotments will be adjusted proportionately.

FOR FURTHER INFORMATION CONTACT: HDS Regional Administrators.

SUPPLEMENTARY INFORMATION: Section 2003 of the Act authorizes $2.7 billion for Fiscal Year 1986 and provides that it be allocated as follows:

(1) Puerto Rico, Guam, the Virgin Islands, and the Northern Mariana Islands each receive an amount which bears the same ratio to $2.7 billion as its allocation for Fiscal Year 1981 bore to $2.9 billion.

(2) The remainder of the $2.7 billion is allotted to each State in the same proportion as that State's population is to the population of all States, based upon the most recent data available from the Department of Commerce.

For Fiscal Year 1986, the allotments are based upon the Bureau of Census population statistics contained in its publication "Current Population Reports" (Series P–25, No. 951, issued May 1984), which is the most recent satisfactory data available from the Department of Commerce at this time as to the population of each State and of all States.

EFFECTIVE DATE: The allotments shall be effective October 1, 1985.

FISCAL YEAR 1986 FEDERAL ALLOTMENTS TO STATES SOCIAL SERVICES—TITLE XX BLOCK GRANTS

Total	$2,700,000,000
Alabama	45,431,046
Alaska	5,496,699
Arizona	34,001,575
Arkansas	26,714,698
California	288,881,335
Colorado	36,021,240
Connecticut	36,009,748
Delaware	6,954,069
Dist. of Columbia	7,149,162
Florida	122,557,109
Georgia	65,776,900
Guam	465,517
Hawaii	11,739,322
Idaho	11,349,163
Illinois	131,806,271
Indiana	62,873,625
Iowa	33,335,988
Kansas	27,827,796
Kentucky	42,619,572
Louisiana	50,927,746
Maine	13,150,778
Maryland	49,390,040
Massachusetts	66,178,524
Michigan	104,070,249
Minnesota	47,554,003
Mississippi	29,686,817
Missouri	57,032,654
Montana	9,375,385
Nebraska	18,326,189
Nevada	10,224,573
New Hampshire	11,004,891
New Jersey	85,698,173
New Mexico	16,054,053
New York	202,735,626
North Carolina	69,793,273
North Dakota	7,803,258
No. Mariana Islands	93,104
Ohio	123,314,470
Oklahoma	37,845,812
Oregon	30,547,470
Pennsylvania	136,499,724
Puerto Rico	13,965,517
Rhode Island	10,959,004
South Carolina	37,455,653
South Dakota	8,032,772
Tennessee	53,762,177
Texas	180,438,951
Utah	18,578,634
Vermont	6,024,573
Virgin Islands	465,517
Virginia	63,688,392
Washington	49,344,154
West Virginia	22,549,120
Wisconsin	54,519,538
Wyoming	5,898,350

Dated: October 15, 1984.

David A. Rust,

Director, Office of Policy and Legislation.

Approved: October 17, 1984

Dorcas R. Hardy,

Assistant Secretary for Human Development Services.

[FR Doc. 84-27826 Filed 10-19-84; 8:45 am]

BILLING CODE 4130-01-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

Alaska Land Use Council; Meeting

As required by the Alaska National Interest Lands Conservation Act, (ANILCA), Pub. L. 96-487, dated December 2, 1980, Section 1201, paragraph (h), the Alaska Land Use Council will meet Monday, November 19, 1984, at 9:00 a.m. in the Council's Conference Room, located at 1689 C Street, Room 107, Anchorage, Alaska.

The agenda will include Council consideration of:

—The Steese National Conservation Area Resource Management Plan,
—The White Mountains National Recreation Area Resource Management Plan,
—Council recommendations regarding uniform cabin management policy on Federal lands in Alaska,
—Council recommendations to Federal agencies regarding subsistence consideration in land use decisions under ANILCA Section 810,
—The Yukon-Charley Rivers National Park and Preserve General Management Plan, and
—The Kenai National Wildlife Refuge Comprehensive Conservation Plan.

FOR FURTHER INFORMATION CONTACT: Alaska Land Use Council, P.O. Box 100120, Anchorage, Alaska 99510-0120, Telephone: (907) 272-3422, (FTS) 271-5485.

The public is invited to attend.

Dated October 17, 1984.

William P. Horn,

Deputy Under Secretary.

[FR Doc. 84-27811 Filed 10-19-84; 8:45 am]

BILLING CODE 4310-10-M

Council's Land Use Advisors Committee: Public Invitation

The Federal and State Cochairmen of the Alaska Land Use Council are soliciting nominations for appointment or reappointment to the Council's Land Use Advisors Committee.

The Land Use Advisors Committee is mandated by section 1201(m)(1) of the Alaska National Interest Lands Conservation Act. The Committee plays a key role in the public participation program established by the Alaska Land Use Council. Among other responsibilities, the committee makes recommendations concerning the Council's annual work program and actions of the Federal agencies as they implement the Alaska Lands legislation.

The Alaska Lands Act requires that the Land Use Advisors Committee be representative of a balance between the State and national interests concerned with the use of federally-owned public lands and resources in Alaska and the several geographic regions of the State. Members of the Committee serve without compensation but are reimbursed for necessary approved travel.

If you are interested in serving on the Land Use Advisors Committee send a letter of interest along with a resume to: Alaska Land Use Council, Governor Bill Sheffield, State Cochairman, Vernon R. Wiggins, Federal Cochairman, P.O. Box 100120, Anchorage, Alaska 99510-0120.

The deadline for filing your letter of interest is December 1, 1984. For further information, you may write to the above address or call (907) 272-3422.

Dated: October 17, 1984.

William P. Horn,

Deputy Under Secretary.

[FR Doc. 84-27810 Filed 10-19-84; 8:45 am]

BILLING CODE 4310-10-M

Bureau of Land Management

[INT DEIS 84-55]

Availability of Draft Jarbidge Resource Management Plan and Environmental Impact Statement; Proposed Wilderness Suitability Recommendations and Associated Public Hearings; Proposed Area of Critical Environmental Concern (ACEC) Designation

SUMMARY: Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969 and 43 CFR Part 1600, the Bureau of Land Management (BLM) has prepared a draft Resource Management Plan (RMP) and associated Environmental Impact Statement (EIS), known as the Jarbidge RMP/EIS, covering some 1,690,473 acres of public land in southcentral Idaho. Included in the draft plan are suitability recommendations for three wilderness study areas and recommendations concerning four tracts being considered for Area of Critical Environmental Concern (ACEC) designation. This notice therefore is also issued pursuant to section 3(d)1 A and B of the Wilderness Act of 1964 and § 1610.7-2(b) of the BLM Planning Regulations.

The Boise District invites members of the public, other Federal agencies, State and local governments, and Indian tribes to review and submit comments on the draft Jarbidge RMP/EIS. All comments received during the comment period will be considered in preparation of the Proposed RMP/Final EIS.

Dates and Addresses: The public comment period will continue to January 4, 1985. Written comments may be submitted any time during the comment period to the Boise District.

Three public hearings have been scheduled to receive testimony on the wilderness suitability recommendations in the draft RMP/EIS. These hearings are required for the wilderness recommendations, but testimony on other resource recommendations and the adequacy of the draft RMP/EIS is encouraged. Those wishing to testify at a hearing should contact the Boise District to pre-register. Participants may also register to testify, at the registration desk at the hearings. The hearings will be held as follows: November 28, 1984 (two sessions) at 2:00 p.m. and 7:00 p.m., Boise Public Library Auditorium, 715 S. Capitol Blvd., Boise, Idaho; and November 29, 1984 at 7:00 p.m., Holiday Inn, Blue Lakes Room, 1350 Blue Lakes Blvd. North, Twin Falls, Idaho.

The public is also invited to two open meetings to discuss the draft document. The meetings will be held as follows: November 14, 1984 from 1:00 to 4:00 p.m., County Planning and Zoning Bldg., Conference Room, 634 Addison, Twin Falls, Idaho; and November 16, 1984 from 1:00 to 4:00 p.m., BLM Boise District Office, 3948 Development Avenue, Boise Idaho.

Written comments and requests for public hearing pre-registration should be sent to the Bureau of Land Management, Boise District, 3948 Development Avenue, Boise, Idaho 83705. Copies of the Jarbidge RMP/EIS may be obtained from the Boise District.

FOR FURTHER INFORMATION CONTACT: Ted Milesnick, Team Leader, Bureau of Land Management, 3948 Development Avenue, Boise, Idaho 83705. Telephone (208) 334-1582.

SUPPLEMENTARY INFORMATION: The Jarbidge RMP/EIS analyzes four alternative plans, and one sub-alternative for managing natural resources in the Jarbidge Planning Area over the next 15 to 20 years. One alternative has been identified as BLM's Preferred Alternative.

The alternative plans presented in the Jarbidge RMP/EIS are designed to resolve the planning issues identified earlier through public involvement. The general topics covered by the planning issues are retention or disposal of public lands; wilderness designation; livestock grazing, fire management; soil, water, air; wildlife habitat management; energy and minerals; recreation; and special designations. The alternative plans include different resource use levels and constraints to address the planning issues. One alternative is a "No Action" alternative, designed to represent a continuation of present resource use levels or systems.

The Jarbidge RMP/EIS includes suitability recommendations for three wilderness study areas (WSAs) covering a total of 208,833 acres of public land. The WSAs are located in Owyhee and Elmore counties, Idaho. The alternatives cover the range from all WSAs recommended nonsuitable for designation to all WSAs recommended suitable for designation. The Preferred Alternative proposes to recommend to the Secretary of the Interior that 94,199 acres of public land are suitable for wilderness designation and 114,071 acres are nonsuitable for wilderness designation.

The Jarbidge RMP considers four tracts for designation as areas of critical environmental concern (ACEC). The alternatives cover the range from all potential ACECs proposed for designation to none of the potential ACECs proposed for designation. Following the preparation of the Proposed Jarbidge RMP/Final EIS, approval of the RMP will constitute formal designation of any ACEC included in the proposed plan.

The Hagerman Paleontological Area, containing 4,394 acres of public land, would be designated an ACEC under the preferred alternative. If designated an ACEC, BLM would regulate surface disturbing activities to protect the paleontological resources in the area. Agricultural trespass would be prevented and the area would be withdrawn from all types of land disposals. Measures would be initiated to curtail or prevent water and wind erosion.

The 815-acre Sand Point Paleontologic, Geologic, and Cultural Resource Area would be designated an ACEC under the preferred alternative. If designated an ACEC, BLM would regulate surface disturbing activities to protect the paleontologic, geologic and cultural resources in the area. Agricultural trespass would be prevented and lands would be withdrawn from locatable mineral entry and all types of land disposals. Measures would be initiated to curtail or prevent water and wind erosion.

The Bruneau-Jarbidge River Area, containing 84,111 acres of public land, would be designated an ACEC under the preferred alternative to protect bighorn sheep habitat and cultural, scenic and natural values. If designated an ACEC, BLM would establish the management priority of the canyons for bighorn sheep and other wildlife. Livestock water would not be developed within one mile of bighorn habitat. New road construction would be limited and motorized vehicles would be restricted to designated roads and trails. No surface occupancy would be allowed for oil and gas or geothermal exploration or development and the area would be recommended for withdrawal from the 1872 mining laws. Activities or developments that would impair scenic quality would not be allowed.

The Salmon Falls Creek Area (2,947 acres) would not be designated an ACEC under the preferred alternative but is recommended to be managed as an Outstanding Natural Area. Under another alternative, it is recommended for ACEC designation. Under Outstanding Natural Area management, or if designated an ACEC, BLM would close the area to livestock grazing and vehicular use. Utility and hydro development would not be allowed.

Martin J. Zimmer,

District Manager.

[FR Doc. 84-27747 Filed 10-19-84; 8:45 am]

BILLING CODE 4310-GG-M

[M-61261 and M-61262]

Montana, Modified Competitive Sales of Public Land in Garfield and Richland Counties

Correction

In FR Doc. 84-26314 beginning on page 39238 in the issue of Thursday, October 4, 1984, make the following correction:

On page 39238, first column, insert the following line above the second entry for "*Principal Montana Meridian*":

"Parcel No. 2—M-61262—Appraised Value $11,400"

BILLING CODE 1505-01-M

Fish and Wildlife Service

Availability of a Draft Environmental Assessment; Fakahatchee Strand: A Florida Panther Habitat Preservation Proposal

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice.

SUMMARY: This notice advises the public that the Draft Environmental Assessment (DEA) *"Fakahatchee Strand: A Florida Panther Habitat Preservation Proposal"* will be available for public review by October 26, 1984. The U.S. Fish and Wildlife Service (FWS) proposes to preserve up to 100,000 acres of habitat in Collier County, Florida, that is critical to the needs and recovery of the Florida panther.

Six alternative levels of preservation ranging from "No Action" to complete "Fee Title Acquisition by the FWS" were considered to prevent habitat disruption and water quality degradation in the study area. The Proposed Action (Alternative 6) relies on a "team approach" using the varied resources of the U.S. Department of the Interior and the State of Florida to achieve the resource protection objectives set by the FWS. The primary methods of preservation will be fee title and easement acquisition; however, management agreements, land exchanges, leases, and other means are also proposed to be used by the key participating agencies.

DATES: Written comments must be received no later than November 26, 1984, to be considered.

ADDRESS: Comments should be addressed to: Regional Director, U.S. Fish and Wildlife Service, 75 Spring Street, SW., Atlanta, Georgia 30303.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Butts, Chief, Branch of Planning, Division of Realty, U.S. Fish and Wildlife Service, 75 Spring St., SW., Atlanta, Georgia 30303; Commercial (404) 221-3543 or FTS 242-3543.

SUPPLEMENTARY INFORMATION: The FWS prepared the DEA proposing to preserve up to 100,000 acres of habitat in Collier County, Florida, that is critical to the needs and recovery of the Florida panther. Wendell D. Metzen, Wildlife Management Biologist, Jacksonville, Florida, and Jeffery M. Donahoe, Fish and Wildlife Biologist, Atlanta, Georgia, are the primary authors of this document.

The Proposed Action (Alternative 6) calls for the following: (1) The FWS would acquire, in fee title, up to 30,000 acres in the northern portions of Fakahatchee Strand; (2) the FWS would encourage the State of Florida to acquire fee title to about 15,000 acres for addition to its Fakahatchee Strand State Preserve; (3) the FWS would encourage the National Park Service to acquire fee title to about 12,000 acres for addition to its Big Cypress National Preserve; (4) the State of Florida and the FWS would cooperate in identifying and implementing protection strategies for the remaining unprotected acres west of the Fakahatchee Strand State Preserve; and (5) the FWS and the State of Florida would cooperatively manage all acquired and protected lands in the Fakahatchee Strand area as a refuge for the Florida panther.

This action is designed to preserve habitat that has been identified as critically important for the survival and recovery of the Florida panther—one of the most endangered mammals in the Nation with only 20 to 30 individuals inhabiting the Big Cypress-Everglades region. The three population centers within the known range of the panther include the Fakahatchee Strand, the Big Cypress National Preserve, and the Everglades National Park. The latter two populations are relatively secure, while large portions of the habitat used by the Fakahatchee Strand population are threatened by developments and other land uses.

This action will result in perpetual preservation of the most important remaining panther habitat that is not in public ownership. Additionally, preservation of the study area will allow the existing ecological, biological, and hydrological values to be maintained and will enhance public use values.

The other major alternatives that were considered are:

Alternative 1, No Action—The FWS would not take any additional action under this alternative, other than to rely on existing Federal, State, and local regulatory authorities to conserve the resource values of the Fakahatchee Strand.

Alternative 2, Strengthen Enforcement of Regulatory Authorities—The FWS would take the following actions under this alternative: (1) conduct necessary ecological studies to support and document FWS positions in regulatory proceedings; (2) develop a broad statement of FWS concerns and interests for presentation to other agencies; (3) draft a memorandum of understanding with the U.S. Army Corps of Engineers, the State, and the county to ensure that the FWS is notified of all potentially harmful project proposals.

Alternative 3, Fee Title Acquisition by the Fish and Wildlife Service—The FWS would acquire fee title to the 100,000-acre study area for inclusion in the National Wildlife Refuge System.

Alternative 4, Acquisition of Conservation Easements by the Fish and Wildlife Service—The FWS would acquire conservation easements on lands in the study area.

Alternative 5, Acquisition/ Management by Others—The FWS would rely on other agencies and organizations to protect and manage the Fakahatchee Strand area.

Other Government agencies and several members of the general public contributed to the planning, preparation, and evaluation of this DEA.

Dated: October 12, 1984.

James W. Pulliam, Jr.,

Regional Director, U.S. Fish and Wildlife Service.

[FR Doc. 84-27739 Filed 10-19-84; 8:45 am]

BILLING CODE 4310-55-M

Minerals Management Service

Development Operations Coordination Document; The Superior Oil Co.

AGENCY: Minerals Management Service, Interior.

ACTION: Notice of the Receipt of a Proposed Development Operations Coordination Document (DOCD).

SUMMARY: Notice is hereby given that The Superior Oil Company has submitted a DOCD describing the activities it proposes to conduct on Leases OCS 0246 and 0247, Blocks 101 and 102, West Cameron Area, offshore Louisiana. Proposed plans for the above area provide for the development and production of hydrocarbons with support activities to be conducted from an onshore base located at Cameron, Louisiana.

DATE: The subject DOCD was deemed submitted on October 12, 1984. Comments must be received within 15 days of the date of this Notice or 15 days after the Coastal Management Section receives a copy of the DOCD from the Minerals Management Service.

ADDRESSES: A copy of the subject DOCD is available for public review at the Office of the Regional Director, Gulf of Mexico OCS Region, Minerals Management Service, 3301 North Causeway Blvd., Room 147, Metairie, Louisiana (Office Hours: 9 a.m. to 3:30 p.m., Monday through Friday). A copy of the DOCD and the accompanying Consistency Certification are also available for public review at the Coastal Management Section Office located on the 10th Floor of the State Lands and Natural Resources Building, 625 North 4th Street, Baton Rouge, Louisiana (Office Hours: 8 a.m. to 4:30 p.m., Monday through Friday). The public may submit comments to the Coastal Management Section, *Attention OCS Plans,* Post Office Box 44396, Baton Rouge, Louisiana 70805.

FOR FURTHER INFORMATION CONTACT: Michael J. Tolbert; Minerals Management Service; Gulf of Mexico OCS Region; Rules and Production; Plans, Platform and Pipeline Section; Exploration/Development Plans Unit; Phone (504) 838-0875.

SUPPLEMENTARY INFORMATION: The purpose of this Notice is to inform the public, pursuant to section 25 of the OCS Lands Act Amendments of 1978, that the Minerals Management Service is considering approval of the DOCD and that it is available for public review. Additionally, this Notice is to inform the public, pursuant to § 930.61 of Title 15 of the CFR, that the Coastal Management Section/Louisiana Department of Natural Resources is reviewing the DOCD for consistency with the Louisiana Coastal Resources Program.

Revised rules governing practices and procedures under which the Minerals Management Service makes information contained in DOCDs available to affected states, executives of affected local governments, and other interested parties became effective December 13, 1979 (44 FR 53685). Those practices and procedures are set out in revised § 250.34 of Title 30 of the CFR.

Dated: October 12, 1984.

John L. Rankin,

Regional Director, Gulf of Mexico OCS Region.

[FR Doc. 84-27787 Filed 10-19-84; 8:45 am]

BILLING CODE 4310-MR-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 30559]

Genesee and Wyoming Railroad Company—Trackage Rights Exemption—The Baltimore and Ohio Railroad Co.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission exempts from the requirement of prior approval under 49 U.S.C. 11343 the acquisition by Genesee and Wyoming Railroad Company of trackage rights over rail lines of The Baltimore and Ohio Railroad Company between Caledonia,

NY, Milepost 19.4, and Rochester, NY, Milepost 1.6, subject to labor protection.

DATES: This exemption is effective on October 19, 1984. Petitions to reopen must be filed by November 13, 1984.

ADDRESSES: Send pleadings referring to Finance Docket No. 30559 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423
(2) Petitioner's representative: James B. Gray, Jr., 700 Midtown Tower, Rochester, NY 14604

FOR FURTHER INFORMATION CONTACT: Louis E. Gitomer, (202) 275–7245.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to T.S. InfoSystems, Inc., Interstate Commerce Commission, Room 2227, Washington, DC 20423, or call toll free (800) 424–5403, or 289–4357 (DC Metropolitan area).

Decided: October 15, 1984.

By the Commission, Chairman Taylor, Vice Chairman Andre, Commissioners Sterrett, Gradison, Simmons, Lamboley, and Strenio.

James H. Bayne,

Secretary.

[FR Doc. 84–27752 Filed 10–19–84; 8:45 am]

BILLING CODE 7035–01–M

[Docket No. AB–57 (Sub-13X)]

Soo Line Railroad Company—Abandonment Exemption—Dunn and St. Croix Counties, WI

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Interstate Commerce Commission exempts from the requirements of prior approval under 49 U.S.C. 10903, *et seq.*, the abandonment by the Soo Line Railroad Company of 3.59 miles of track in Dunn and St. Croix Counties, WI, subject to standard labor protective conditions.

DATES: This exemption is effective on November 21, 1984. Petitions to stay must be filed by November 1, 1984. Petitions for reconsideration must be filed by November 12, 1984.

ADDRESSES: Send pleadings referring to Docket No. AB–57 (Sub-No. 13X) to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423
(2) Petitioner's representative, C. Harold Peterson, 804 Soo Line Building, Box 530, Minneapolis, MN 55440

FOR FURTHER INFORMATION CONTACT: Additional information is contained in the Commission's decision. To purchase a copy of the full decision write to T.S. InfoSytems, Inc., Room 2227, Interstate Commerce Commission, Washington, DC 20423, or call 289–4357 (DC Metropolitan area) or toll free (800) 424–5403.

Decided: October 15, 1984.

By the Commission, Chairman Taylor, Vice Chairman Andre, Commissioners Sterrett, Gradison, Simmons, Lamboley and Strenio.

James H. Bayne,

Secretary.

[FR Doc. 84–27753 Filed 10–19–84; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importation of Controlled Substances; Application

Pursuant to section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(h)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II, and prior to issuing a regulation under section 1002(a) authorizing the importation of such substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with § 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on June 15, 1984, Arenol Chemical Corporation, 40–33 23rd Street, Long Island City, New York 11101, made application to the Drug Enforcement Administration to be registered as an importer of Phenylacetone (8501), a basic class of controlled substance in Schedule II.

As to the basic class of controlled substance listed above for which application for registration has been made, any other applicant therefor, and any existing bulk manufacturer registered therefor, may file written comments on or objections to the issuance of such registration and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47.

Any such comments, objections or requests for a hearing may be addressed to the Deputy Assistant Administrator, Drug Enforcement Administration, United States Department of Justice, 1405 I Street, NW., Washington, D.C. 20537, Attention: DEA Federal Register Representative (Room 1112), and must be filed no later than November 21, 1984.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1311.42 (b), (c), (d), (e) and (f). As noted in a previous notice at 40 FR 43745–46 (September 23, 1975), all applicants for registration to import a basic class of any controlled substance in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator of the Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1311.42 (a), (b), (c), (d), (e) and (f) are satisfied.

Dated: October 15, 1984.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 84–27809 Filed 10–19–84; 8:45 am]

BILLING CODE 4410–09–M

[Docket No. 84–19]

Dennis Howard Harris, M.D., Revocation of Registration

Correction

In FR Doc. 84–26842 beginning on page 39930 in the issue of Thursday, October 11, 1984, make the following correction:

On page 39930, third column, eighth line, "Thomas E. Woodrow" should have read "Thomas E. Woodson".

BILLING CODE 1505–01–M

LEGAL SERVICES CORPORATION

One-Time Grant Awards; Announcement

AGENCY: Legal Services Corporation.

ACTION: Annoucement of One-Time Grant Awards.

SUMMARY: On September 30, 1984, the Legal Services Corporation (LSC) awarded several grants pursuant to authority conferred by section 1006(a)(1) and/or section 1006(a)(3) of the Legal Services Corporation Act of 1974, as amended. Heretofore, LSC had not made it normal practice to give public notice of grants whose purpose was not primarily the provision of legal assistance to eligible clients. Upon review, the Corporation has decided that past practices are not an adequate guide for determining what grants must be noticed under section 1007(f). Therefore, LSC is hereby giving public notice of the following grants:

1. Constitutional Law Center in Cumberland, Virginia—$337,000.00

2. National Legal Center for the Medically Dependent and Disabled, Inc. In Indianapolis, Indiana—$337,000.00
3. Urban Legal Foundation in Oakland, California—$400,000.00
4. Vermont Legal Aid, Inc. in Burlington, Vermont—$6,900.00
5. National Center on Women and Family Law in New York, New York—$5,000.00
6. Legal Services of Eastern Michigan in Flint, Michigan—$6,800.00
7. Upper Peninsula Legal Services in Sault Ste Marie, Michigan—$5,000.00
8. Land of Lincoln Legal Assistance Foundation, Inc. in Alton, Illinois—$16,560.00
9. South Central Connecticut Legal Services Corporation in New Haven, Connecticut—$2,972.00
10. Neighborhood Legal Services, Inc. in Buffalo, New York—$2,845.00
11. Legal Services of the Virgin Islands in Christiansted, Virgin Islands—$3,450.00
12. Migrant Legal Action Program, Inc. in Washington, D.C.—$10,000.00
13. Central Pennsylvania Legal Services in Lancaster, Pennsylvania—$3,000.00
14. Ohio State Legal Services Association in Columbus, Ohio—$1,300.00
15. Virginia Poverty Law Center in Richmond, Virginia—$2,700.00
16. Virginia Poverty Law Center in Richmond, Virginia—$2,500.00
17. Land of Lincoln Legal Assistance Foundation, Inc. in Alton, Illinois—$2,855.00
18. Land of Lincoln Legal Assistance Foundation, Inc. in Alton, Illinois—$2,500.00
19. Land of Lincoln Legal Assistance Foundation, Inc. in Alton, Illinois—$3,160.00
20. Prairie State Legal Services, Inc. in Rockford, Illinois—$765.00
21. Legal Services organization of Indiana in Indianapolis, Indiana—$3,000.00
22. Legal Services of Northeast Missouri in Hannibal, Missouri—$2,775.00
23. Southern Minnesota Regional Legal Services, Inc. in St. Paul, Minnesota—$3,020.00
24. Black Hills Legal Services, Inc. in Rapid City, South Dakota—$2,400.00
25. Northeast Kentucky Legal Services, Inc. in Morehead, Kentucky—$2,410.00
26. Indian Law Support Center/Native American Rights Fund in Boulder, Colorado—$10,000.00
27. Colorado Rural Legal Services, Inc. in Denver, Colorado—$2,800.00
28. Dakota Plains Legal Services, Inc. in Mission, South Dakota—$4,888.00
29. Legal Aid Society of Central Texas in Austin, Texas—$4,000.00
30. Legal Aid Society of Central Texas in Austin, Texas—$4,000.00
31. Legal Aid Foundation of Long Beach in Long Beach, California—$10,000.00
32. Nevada Legal Services in Carson City, Nevada—$2,832.00
33. Alaska Legal Services Corporation in Anchorage, Alaska—$3,000.00
34. Idaho Legal Aid Services, Inc. In Boise, Idaho—$3,600.00
35. Oregon Legal Services Corporation in Portland, Oregon—$3,633.00

Each grant was awarded on a one-time, non-recurring basis for a one year period pursuant to authority conferred by sections 1006(a)(1) and/or 1006(a)(3) of the Legal Services Corporation Act of 1974, as amended. This public announcement is issued pursuant to section 1007(f) of this Act, and LSC will receive comments for thirty (30) days from the date of publication of this notice.

DATE: All comments must be received by the Office of Field Services of the Legal Services Corporation within thirty (30) calendar days of publication of this notice.

FOR FURTHER INFORMATION CONTACT: Gene M. Potack, Director, Office of Field Services, Legal Services Corporation, 733 Fifteenth Street, NW., Washington, D.C. 20005, (202) 272–4080.

SUPPLEMENTARY INFORMATION: The purpose of the first three grants is to expand the resources currently available to legal services entities engaged in the provision of civil legal assistance to the poor. The work performed by the three centers will enhance existing sources of information and assistance without duplicating any efforts currently funded by the Corporation. The Constitutional Law Center will provide direct delivery, technical assistance, training and publications on legal issues concerning the protection of the constitutional rights of the poor. The National Center for the Medically Dependent and Disabled will provide direct delivery, technical assistance, training and publications on legal issues concerning the treatment of the critically or terminally ill handicapped and medically dependent poor persons. The Urban Legal Foundation will provide training and technical assistance for the development of model programs to increase the private bar's role in representation of poor persons, with special emphasis on the private bar's role in compensated programs. The other grants listed in the summary are for training materials development and training delivery projects. The training materials development grants will result in the production of several manuals and handbooks on the following subjects: trial advocacy; child custody disputes; disability issues; Indian education rights; and federal litigation. The training delivery grants encompass the full range of legal services practice.

Donald P. Bogard,

President.

[FR Doc. 84-28001 Filed 10-19-84; 11:12 am]

BILLING CODE 6820-35-M

NATIONAL SCIENCE FOUNDATION

Advisory Panel for Developmental Neuroscience; Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92–463, the National Science Foundation announces the following meeting:

Name: Advisory Panel for Developmental Neuroscience.

Date and time: November 7, 8, and 9, 1984; 9:00 a.m. to 5:00 p.m. each day.

Place: Room 1224, National Science Foundation, 1800 G St., N.W., Washington, DC 20550.

Type of meeting: Closed.

Contact person: Dr. Jean Lauder, Program Director, Developmental Neuroscience, Room 320 National Science Foundation, Washington, DC 20550, telephone (202) 357–7042.

Purpose of meeting: To provide advice and recommendations concerning support for research in developmental neuroscience.

Agenda: To review and evaluate research proposals as part of the selection process for awards.

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information, financial data, such as salaries, and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of section 10(d) of Pub. L. 92–463. The Committee Management Officer was delegated the authority to make such determinations by the Director, NSF, July 6, 1979.

Dated: October 17, 1984.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 84-27790 Filed 10-19-84; 8:45 am]

BILLING CODE 7555-01-M

Advisory Panel For Molecular and Cellular Neurobiology; Meeting

In accordance with the Federal Advisory Committee Act, as amended, Pub. L. 92-463, the National Science Foundation announces the following meeting:

Name: Advisory Panel for Molecular and Cellular Neurobiology Program.

Date and time: November 7, 8, and 9, 1984: 9:00 a.m. to 5:00 p.m. each day.

Place: Room 523 National Science Foundation, 1800 G St., N.W., Washington, DC.

Type of meeting: Open 11/8—1:00 p.m. to 3:00 p.m. Closed—remainder of scheduled time.

Contact person: Dr. Joel S. Colton Program Director, Molecular and Cellular Neurobiology Program, Room 320, National Science Foundation, Washington, D.C. 20550, Telephone (202) 357-7471.

Summary minutes: May be obtained from the Contact Person at the above stated address.

Purpose of meeting: To provide advice and recommendations concerning support for research in the Molecular and Cellular Neurobiolgoy Program.

Agenda: OPEN—General discussion of the current status and future plans of the Molecular and Cellular Neurobiology Program. CLOSED—To review and evaluate research proposals as part of the selection process for awards.

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of Section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated by the authority to make such determinations by the Director, NSF, on July 6, 1979.

Dated: October 17, 1984.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 84-27789 Filed 10-19-84; 8:45 am]

BILLING CODE 7555-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

Availability; Federal Railroad Administration, et al.; Recommendation Responses

Responses From

Railroad—*Federal Railroad Administration: May 14: R-84-10:* Will act to implement the recommendation to require that maintenance-of-way cars meet the Railroad Freight Car Safety Standards or, in the alternative, impose operating restrictions on maintenance-of-way cars being moved in revenue freight trains to compensate for the actual mechanical condition of the cars. *Jun. 6: R-84-15;* Has initiated additional excess flow valve inspections, and has requested the Union Tank Car Company and the Association of American Railroads to address the issue. Has been working with the AAR Tank Car Committee. Will require that the valves be secured if necessary.

National Railroad Passenger Corporation (Amtrak): Jun. 8: R-84-20: Does not use any chrome-vanadium alloy rails on Amtrak owned and maintained system.

Association of American Railroads: May 21: R-84-20: Does not have standards governing the installation and maintenance of rail. Understands that the American Railway Engineering Association will make any changes needed to be made as a result of an analysis of the November 12, 1983, Amtrak derailment near Woodlawn, Texas. *Jun. 28: R-84-11 and -12:* Has suggested that its members implement practices, if they have not already done so, to prevent accidents such as the one occurring on the Burlington Northern track near Crystal City, Missouri, on July 18, 1983, involving a maintenance-of-way car moving in a revenue freight train. *Jul. 11: R-84-32:* Has informed its members of the recommendation to develop and implement rules that will require engine crews to communicate to the rear crews the aspects by all wayside signals governing the progress of the train, irrespective of the signal indication.

American Railway Engineering Association: May 22: R-84-20: Changes in the *Manual for Railway Engineering* will be made if an analysis of the circumstances of the Amtrak derailment near Woodlawn, Texas, on November 13, 1983, indicates such a need. FRA is currently conducting tests on the rail.

Chemical Manufacturers Association: Jun. 11: R-84-16: Highlighted the subject of improperly positioned excess flow valves on certain rail tank cars in the April 1, 1984 CHEMTREC/Distribution Newsletter.

State of Alabama: Jul. 31: R-82-113 through -115: Stop signs have been installed at the railroad/highway grade crossing, and the stop bar has been painted. Plans to install cantilevered signals and bell.

State of California, Public Utilities Commission: Undated: R-83-45: Railroad corporations must file with the commission copies of their operating rules. Commission staff frequently boards and rides trains, both passenger and freight trains, to monitor crew performance. Staff often accompanies carrier officials when they are conducting efficiency tests for rule compliance.

State of Illinois, Illinois Commerce Commission: Aug. 1: R-83-44 and *-45:* Commission has no contracts with railroads and/or commuter railroad authorities. Has general jurisdiction regarding safety matters, but has no operating practices inspectors to perform inspections.

State of Louisiana, Department of Public Safety: Jul. 10: R-83-91: The State Police hazardous materials unit has an ongoing hazardous materials training program directed toward emergency response personnel from police, fire, emergency Response Training Program soon directed toward local emergency response personnel.

State of Maryland: Aug. 2: R-83-42 and -43: The State Railroad Administration of the Maryland Department of Transportation reviewed with the contract operator, the Baltimore and Ohio Railroad, their controls to assure that impaired workers are not involved in the operation of commuter rail trains and notified the B&O that the carrier is expected to increase its efforts to have responsible managment personnel determine employees' fitness for work. The SRA has requested the Division of Labor and Industry, Maryland Department of Licensing and Regulation, to increase its inspections of railroad operating practices on State-supported commuter trains.

State of Massachusetts: Aug. 6: R-83-44 and -45: the existing operating agreement between the State and the Boston and Maine Railroad requires the operator to comply with all Federal and State rules and regulations. Will pursue the issue of adequate supervisory checks on operating personnel.

State of New Hampshire: Aug. 10: R–83–44 and –45: There are no commuter railroads operating in New Hampshire.

State of New Jersey: Aug. 3: R–83–44 and –45: NJ TRANSIT has a "spot check" system of monitoring employees' sobriety and fitness for duty.

State of New York: Jun. 19: R–83–44 and –45: The legislation creating the State Public Transportation Safety Board mandates that every transit operator in the State submit a safety plan to the Board detailing operating procedures, safety and maintenance practices, training programs, and other specifics pertinent to safe transit operation.

State of Pennsylvania: Jun. 5: R–83–44 and –45: The Pennsylvania Public Utilities Commission has advised all presidents of railroads under the Commission's jurisdiction to strictly enforce all prohibitions concerning the use of drugs and alcohol by railroad employees. Does not, through any of its contracts, require railroad and commuter railroad authorities to perform supervisory checks at points where commuter train crews report to duty.

The Alton & Southern Railway Company: Jul. 31: R–83–60 and –61: Checks crews going on duty and takes positive action when rule violations occur.

The Belt Railway Company of Chicago: Jul. 16: R–83–60 and –61: Instructed its assistant superintendents, trainmasters, and assistant trainmasters to intensify the company's present procedure of making observations of trainmen and enginemen at crew starting points and of dispatchers, switchtenders, and levermen at their locations to determine that all operating department employees coming on duty at any hour of the day are phsyically fit and capable of complying with all pertinent operating rules.

Burlington Northern Railroad: Jun. 25: R–83–101: Believes that any railroad which may establish train operating procedures requiring the use of the radio to exchange information between trains on, entering, or departing main track routes would be jeopardizing the safety of their operation.

Chessie System Railroad: Jun. 4: R–84–20: Does not have any high-strength chrome or other alloy rails in service. Has reviewed its procedures for field cutting, sawing, and welding rails.

Chicago and Northwestern Transportation Company: Jul. 16: R–83–60 and –61: Stresses in conductor training the importance of duties to monitor the performance of other employees and to take positive action when rule violations occur. Has a procedure to randomly check all crews reporting for duty at certain terminals where employees report for duty. Has an efficiency test for supervisors to observe crews during their tour of duty to ensure they are perfoming their duties in compliance with operating and safety rules.

Chicago, Milwaukee, St. Paul and Pacific Railroad Company: Jul. 16: R–83–60 and –61: Association of American Railroads' letter of September 12, 1983, contains the company's response to recommendation concerning procedures at crew change points to determine that operating department employees reporting are fit and capable of complying with all pertinent operating rules.

Conrail: May 24: R–84–20: Has 9.0 track miles of high-strength alloy rail (chrome-molybdenum) in service at various curve locations, which has been tested annually for internal defects. Procedures for installation and maintenance of rail prohibits torch cutting of rail, or torch cutting of bolt holes in any track, except yard and industrial tracks. *Jun. 13: R–82–108:* Is installing high-security switch padlocks on main track switches.

The Detroit and Mackinac Railway Company: Jul. 31: R–83–60 and –61: Has experienced little problem with Rule G, but will endeavor to implement as much of the recommendations as possible.

Florida East Coast Railway Company: Jul. 23: R–83–60 and –61: At outlaying points where supervisors might not be available when each and every crew member reports for duty, supervisors are required at some time during the tour of duty of each employee to make it a point to check each crew and handle each employee in keeping with the procedures required at crew terminals.

Green Bay & Western Railroad Company: Aug. 3: R–83–60 and –61: Has procedures for operating officers to frequently inspect crews reporting for duty, with no set patterns of inspection, but including all crews and all members of those crews. Training classes explain the responsibility of all members of crews and their particular responsibility to monitor the performance of other employees and to take positive action when rule violations occur.

Illinois Central Gulf: Jul. 17: R–83–60 and –61: Supports the principle of the proposal to provide closer supervision of operating employees as they report for duty and while performing service. Rules and safety classes provide the opportuntiy to further emphasize the responsibilities and duties of conductors to monitor the performance of other employees.

Indian Harbor Belt Railroad Company: May 2: R–84–20: Is covered by Consolidated Rail Corporation's maintenance specifications. Does not have any passenger operations. *Jul 13: R–83–60 and –61:* Requires that every supervisory officer make frequent checks of employees going on duty at all hours, as well as of employees on duty, to insure that they are physically fit to comply with operating rules. Will stress the responsibility of each employee for monitoring the conditions and performance of other employees.

Kansas City Terminal Railway Company: Aug. 2: R–83–60 and–61: Has supervisory forces on hand when crews go on duty and crews are under surveillance during their tours of duty. Employees have been instructed and made aware of their responsibilities about compliance of rules and especially yard foremen in regard to their monitoring the performance of members of the crew under their jurisdiction.

Metropolitan Dade County, Florida, Transportation Administration: May 18: R–84–21: Main line switch in manual block sections of the normal route are clamped with signals bagged, in accordance with the approved Operating Plan, section 1.0, page 10, dated May 11, 1984. *R–84–22:* Manual block (absolute) operating is emphasized in the training of all operating personnel. *R–84–23:* System Safety and Assurance Directorate in conjunction with rail operations supervisors provide monitoring of all operations personnel to ensure compliance with the MDTA Operations Rules and Procedures Manual. *R–84–24:* A dedicated communications channel is reserved for train operations. Standardized terminology is used for instructions issued for train operations. *R–84–25:* Interim Operating Rules required all trains operating under conditions where the ATC is inoperative and where they are entering the same block to operate at speeds not exceeding 15 mph, prepared to stop short of improperly lined switch, train, obstruction, or track defect. *R–84–26:* A special order requires the use of blocking devices on control consoles which govern the signal aspects and movement of switch behind trains when the manual block system is in effect. *R–84–27:* Has instituted action to comply with recommendation to limit the duty time of rail attendants (train operators), train controllers, and train dispatchers. *R–84–28:* Is reviewing recommendation to improve the contrast of numbers and background of speed signs and locate signs so that glare from the sun does not

impair their legibility. *R–84–29:* All emergency procedures requiring response by local fire and police departments were developed by the Fire/Life Safety Technical Committee, MDTA, fire/rescue jurisdiction, and MDC Transit Police and tested by the conduct of emergency scenarios during November 1983. *R–84–30:* Emergency procedures establish a positive method for informing all emergency personnel that third rail power is off.

Missouri-Kansas-Texas Railroad Company: Jul. 6: R–83–96: Is replacing track shunt circuit protection systems with series break-type circuits on the trackage on which passenger trains are operated. *R–83–97:* Has issued specific instructions for the installation of series break-type circuits and certain other functions. *R–83–98:* Classes reviewing maintenance procedures and proper functioning of signalling equipment have been conducted for all superviors. *R–83–99:* Monthly reviews, or instructions, of company rules and Federal regulations are conducted with signal maintainers. *R–83–100:* Officers and supervisors ascertain if employees whose duties require current train lineups have such lineups while on duty by requiring employees to present lineups on request. *Jul. 10: R–83–60 and –61:* Operating supervisors and officers have been admonished to observe employees reporting for duty whenever possible and to increase contact with operating employees during their tour of duty.

Missouri Pacific Railroad Co.: Aug. 21: R–83–57: Opposes the establishment of a rule requiring enginecrews to communicate fixed signal aspects to the conductor because such action would congest radio frequencies. The rule would do very little, if anything, to improve the train operation environment, and could have a detrimental effect by placing an additional requirement on the enginecrew that could detract from reaction time. *R–83–58 and –59:* Forward information concerning supervisory procedures at crew-change terminals to insure that all operating department employees coming on duty at any hour of the day are physically fit and capable of complying with all pertinent operating rules, and forwarded information concerning the training of all operating employees in their responsibilities and duties to monitor the performance of other employees.

Norfolk Southern: Jun. 15: R–81–37: Requests the Safety Board to reevaluate its position in classifying as "unacceptable" the railroad's response to the recommendation concerning modification of existing signals so that an "advance approach" aspect will be displayed for eastbound trains on both tracks at Mohegan when an "approach" aspect is displayed on either track at the west end Farm. *R–81–38:* While the large number of crews undertaking train assignments at major terminals make it impractical to arrange for a supervisor to check each train crewmember reporting at these terminals, a spot check procedure is maintained at crew change terminals, on line of road, and at other locations.

New York City Transit Authority: Jun. 25: R–82–22 and –23: Forwarded a copy of the text of the radio broadcasts that were made to inform the public of the hazards in riding or crossing between cars. The current Transit Authority approach to the crossing-between-car problem relies almost entirely on public acceptance and places very little emphasis on enforcement capability. Statistics for passenger injuries and fatalities related to the end doors indicate that the public awareness program has been effective.

The Pittsburgh & Lake Erie Railroad Company: May 11: R–84–20: Has fully heat-treated and chrome-moly rails but does not have any chrome-vanadium rails. Has reissued instructions in regard to rail installation and maintenance, and will inspect all main track rails for internal defects twice a year rather than once a year.

Richmond, Fredericksburg and Potomac Railroad Company: May 10: R–84–20: Does not have in service any high-strength alloy rails. *May 10: R–83–60 and –61:* Amtrak station personnel have contact with every passenger train crew at both Richmond and Washington. RF&P transportation department supervisors make frequent checks of the passenger train crews at Richmond and during station stops at local points on the RF&P. Freight train crews in Alexandria and Richmond must have contact with RF&P supervisory personnel. Crews reporting in Fredericksburg are supervised by the conductor of the yard crew and are spot-checked by RF&P supervisors frequently.

Seaboard System Railroad: Jul. 10: R–84–33: Requiring enginecrews to communicate to the rear crews the aspects displayed by all wayside signals governing the progress of the train, irrespective of the signal indication, could create a safety hazard by impeding more important communications. Feels that present rule requiring that the signal indication be communicated between members of the crew on the engine is adequate. Newly revised Operating Rules contain numerous requirements as to communication between head-end and rear-end crews. *R–84–34:* Is intensifying its Rule G efficiency checks. *Jul. 24: R–83–46:* With respect to specific handling of incorrect commodity descriptions shown on waybills for cars billed at Orangeburg, South Carolina, the regional supervisor followed up with local agency forces to insure that Repetitive Waybill Coding (RWC) profiles indicating the correct description are used. *R–83–47:* Is converting its train consisting system so that emergency response guidance information on hazard graphs for empty tank cars last containing hazardous materials can be generated. Instructions have been issued to field personnel to provide conductors of outbound trains with a copy of the AAR's Bureau of Explosives Commodity Specific Response and Environmental Containment Information printout for tank cars in trains that may contain residual amounts of hazardous material. *R–83–48:* Now incorporated in each Division Timetable are Special Instructions which include specific directions to the conductor about the handling of waybill and other hazardous materials information pertinent to the train consist. Each train crewmembers be conversant with and obey the rules and Special Instructions. *R–83–49:* In addition to the Operating Rules and Special Instructions with which affected employees must be knowledgeable, Seaboard has an Efficiency Testing and Observation program whereby supervisory personnel are required to monitor the activities of each train crewmember to insure proper compliance with Operating Rules and Special Instructions. *R–83–50:* Road Foreman of Engines are constantly evaluating the performances of engineers, and when deficiencies are noted, the engineer is required to attend retraining classes. *R–83–51:* Use of the four train dynamics analyzer units and the review of each engineer's performance by the Road Foreman of Engines will better focus on particular problem areas. Agrees that as a general rule engineers having known deficiencies should be required to demonstrate their proficiency in the problem area before being allowed to return to service. *Jul. 27: R–83–60:* Is intensifying its Rule G efficiency checks. *R–83–61:* Will increase its emphasis on operating rules relating to the employee's responsibilities, both personally and as they relate to the other members of the crew, in its annual operating rules classes to assure that all of our operating employees understand

that they have a personal responsibility to monitor the performance of their fellow employees to prevent rules violations and accidents.

Southern Pacific Transportation Company: May 17: R–84–20: Does not use chrome-vanadium alloy rail, and prohibits cutting rails for main track use by oxyacetylene torches. *Jul. 19: R–83–60 and –61:* Supervisory personnel cannot monitor all employees at all times and at all locations, and we continue to believe that a proven detection device such as the Intoxilyzer, when used on a random spot-check basis, is the only effective means to reduce alcohol abuse among employees and as a reminder to our employees of their need to comply with Rule G.

The Texas Mexican Railway Company: Aug. 14: R–83–60 and –61: Maintains supervisory personnel on duty at its on and off duty points for operating personnel on a 24-hour basis. Holds rules classes for operating personnel on a regular basis twice a year, where employees responsibilities under the operating rules are emphasized.

Union Pacific Railroad Company: Jul. 19: R–83–60 and –61: Operating Red Block was initiated by the operating unions on the Union Pacific Railroad, which enlists the support of employees in preventing on-the-job alcohol and drug use. Is educating its officers, supervisors, employees, and employee representatives on the impairment aspects of alcohol and drug use, and training them in the important procedure of detecting offenders, confronting them, and referring them into treatment programs.

Union Railroad Company: Aug. 9: R–83–60 and –61: Is currently observing at least 75 percent of crews reporting for duty for compliance with Rule G.

Vermont Railroad: July. 19: R–84–11 and –12: Maintenance of Way cars are given a detailed inspection on a yearly basis prior to the work season, and are given a safety inspection each time they are operated in any train. *Jul. 19: R–83–60 and –61:* Does not have other than terminal crew changes except in rare instances. Yard crews start duty during normal working hours and are subject to supervisory scrutiny throughout the entire work day. All crews are periodically spot-checked by supervisory personnel.

Note.—Single copies of these response letters are available on written request to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594. Please include respondent's name, date of letter, and recommendation number(s) in your request. The photocopies will be billed at a cost of 14 cents per page ($1 minimum charge).

October 17, 1984.

H. Ray Smith, Jr.,

Federal Register Liaison Officer.

FR Doc. 84-27742 Filed 10-19-84; 8:45 am]

BILLING CODE 7533-01-M

NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Proposed Meetings

In order to provide advance information regarding proposed public meetings of the ACRS Subcommittees and meetings of the full Committee, the following preliminary schedule is published to reflect the current situation, taking into account additional meetings which have been scheduled and meetings which have been postponed or cancelled since the last list of proposed meetings published September 18, 1984 (49 FR 36580). Those meetings which are definitely scheduled have had, or will have, an individual notice published in the **Federal Register** approximately 15 days (or more) prior to the meeting. It is expected that the sessions of the full Committee meeting designated by an asterisk (*) will be open in whole or in part to the public. ACRS full Committee meetings begin at 8:30 a.m. and Subcommittee meetings usually begin at 8:30 a.m. The time when items listed on the agenda will be discussed during full Committee meetings and when Subcommittee meetings will start will be published prior to each meeting. Information as to whether a meeting has been firmly scheduled, cancelled, or rescheduled, or whether changes have been made in the agenda for the November 1984 ACRS full Committee meeting can be obtained by a prepaid telephone call to the Office of the Executive Director of the Committee (telephone 202/634–3267, ATTN: Barbara Jo White) between 8:15 a.m. and 5:00 p.m., Eastern Time.

ACRS Subcommittee Meetings

Metal Components, November 8 and 9, 1984, Washington, DC. The Subcommittee will review a draft report on pipe break, discuss degraded bolting, and review the materials and metallurgy RES program and budget.

Combined Reactor Operations/ Reliability and Probabilistic Assessment, November 14, 1984, Washington, DC. The Subcommittees will discuss current status of the work related to steam generator overfill, systems interaction, and piping and use of combustible gas in vital areas.

San Onofre Unit 1, November 26, 1984, Washington, DC. The Subcommittee will discuss the NRC Staff's technical basis for restart of San Onofre Unit 1.

Combined Advanced Reactors and Gas Cooled Reactors, November 27, 1984, Washington, DC. The Subcommittee will discuss the redirected DOE programs for LMFBR and HTGR development.

Hope Creek Generating Station Unit 1, November 27 and 28, 1984 (tentative), Salem County, NJ/Philadelphia, PA. The Subcommittee will discuss certain design changes and modifications for the Hope Creek Generating Station.

Decay Heat Removal Systems, November 28, 1984, Washington, DC. The Subcommittee will continue the review of the NRC Staff effort to resolve USI A–45, "Shutdown Decay Heat Removal Requirements."

Air Systems, November 29, 1984, Washington, DC. The Subcommittee will review the report to the NRC Working Group on Control Room Habitability.

Emergency Core Cooling Systems, November 29 and 30, 1984, Washington, DC. The Subcommittee will review: (1) RES thermal-hydraulic research programs for ACRS Report to Congress, (2) Yankee Atomic Electric's request for an exemption to Appendix K to 10 CFR 50.46, (3) analysis work performed by NRR as part of the ATWS resolution effort, (4) Westinghouse Owners Group SG Tube Rupture Program, and (5) status of USI A–43 resolution effort and development of associated Regulatory Guide 1.82.

Combined Reactor Radiological Effects and Waste Management, November 30 and December 1, 1984, Washington, DC. The Subcommittee will reivew research programs in the areas of: chemical engineering (process control), occupational radiation protection, high- and low-level waste management, emergency planning, health effects, and meteorology and hydrology in order to formulate recommendations for the ACRS Report to the Congress on the NRC Safety Research Program for FY 1986 and 1987.

Combined GESSAR II/Reliability and Probabilistic Assessment, December 4 and 5, 1984, Los Angeles, CA. This will be the second in a series of meetings to review the General Electric Standard Safety Analysis Report to extend the Final Design Approval so that it will be applicable to future plants. The meeting will focus on the GESSAR II treatment of severe accidents and the Probabilistic Risk Assessment performed in connection with the GESSAR II design. External events will be considered.

Maintenance Practices and Procedures, December 11, 1984 (tentative), Washington, DC. The Subcommittee will review the revised NRC maintenance program plan.

Safety Philosophy, Technology, and Criteria, December 12, 1984 (tentative), Washington, DC. The Subcommittee will discuss the NRC Staff's draft report on the use of the proposed safety goals over the trial two-year period.

Waste Management, December 19 and 20, 1984, Washington, DC. The Subcommittee will review with NRC Staff (Waste Management) two aspects of the Nuclear Waste Policy Act: (1) Definition of High-Level Waste, and (2) Site Characterization.

Human Factors, Date to be determined (prior to the December ACRS meeting), Washington, DC. The Subcommittee will review the status of Human Factors Research in preparation for the next Committee report to the Congress on reactor safety research. Also planned is further discussion of the results produced from the NRR Human Factors Program Plan.

Westinghouse Water Reactors, Date to be determined (December, tentative), Washington, DC. The Subcommittee will begin its review of the Westinghouse Advanced Pressurized Water Reactor for Preliminary Design Approval.

Seismic Design of Piping, Date to be determined (December), Washington, DC. The Subcommittee will review draft reports issued by the NRC Piping Review Committee on Dynamic Loads and Load Combinations and Seismic Design requirements of piping.

Braidwood Station, Date to be determined (December/January), Washington, DC. The Subcommittee will continue to review the Commonwealth Edison Company's application for an operating license for Braidwood.

Nine Mile Point Unit 2, Date (December/January) and location to be determined. The Subcommittee will begin review of the Niagara Mohawk Power Corporation's application for an operating license for Nine Mile Point.

Quality and Quality Assurance in Design and Construction, Date to be determined (prior to January ACRS meeting), Washington, DC. The Subcommittee will review Regulatory Guide 1.28, "Quality Assurance Program Requirements (Design and Construction)." It is also possible that the QA Program Plan will be available for ACRS review, if desired by the Subcommittee.

Combined Extreme External Phenomena, Structural Engineering, and Seismic Design of Piping. Date to be determined (January/February), Los Angeles, CA. The Subcommittee will discuss the status of the NRC Staff seismic design margins programs.

Safeguards and Security, February 6, 1985, Washington, DC. The Subcommittee will review design features for protection against sabotage at commercial nuclear power reactors, to explore the potential consequences of successful sabotage at nonpower reactors, and to hear how the NRC Staff reviews and evaluates licensees' security plans.

Electrical Systems, Date to be determined, Washington, DC. The Subcommittee will discuss Westinghouse Advanced Pressurized Water Reactor Integrated Control and Protection System.

Palo Verde Nuclear Generating Station, Date to be determined, Maricopa County, AZ. The Subcommittee will review the final reports for various construction deficiencies and the results of the preoperational testing as requested in ACRS letter dated December 15, 1981.

Electrical Systems, Date to be determined, Washington, DC. The Subcommittee will discuss the recent plant experience with the loss of AC power.

ACRS Full Committee Meeting

November 1–3, 1984: Items are *tentatively* scheduled.

*A. *Emergency Planning*—Review proposed NRC rule (10 CFR 50.47 and Appendix E) regarding consideration of earthquakes on emergency planning.

*B. *Limerick Nuclear Power Station*—Discuss proposed full power operating license for this facility.

*C. *Consideration of Severe Nuclear Power Plant Accidents*—Discuss proposed ACRS comments regarding questions related to the frequency and severity of nuclear power plant accidents with severe core damage.

*D. *IE Activities*—Briefing by Director, IE regarding activities of the NRC Office of Inspection and Enforcement.

*E. *Primary System Water Chemistry in BWR Plants*—Briefing regarding changes in the primary system water chemistry in boiling water reactors.

*F. *Reports of ACRS Subcommittees*—The members will hear and discuss reports of ACRS Subcommittee activities regarding assigned areas of responsibility including activities related to provisions for decay head removal from nuclear power plants.

*G. *Future Agenda*—The members will discuss anticipated ACRS Subcommittee activities and items proposed for consideration by the full Committee.

December 13–15, 1984—Agenda to be announced.

January 10–12, 1985—Agenda to be announced.

Dated: October 17, 1984.

John C. Hoyle,

Advisory Committee Management Officer.

[FR Doc. 84-27812 Filed 10-19-84; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-247]

Consolidated Edison Company of New York, Inc.; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an extension in accordance with § 50.49(g) of 10 CFR Part 50 to Consolidated Edison Company of New York, (the licensee), for the Indian Point Nuclear Generating Plant, Unit No. 2, located in Westchester County, New York.

Environmental Assessment

Identification of Proposed Action: The extension would allow completion of final qualification of the containment high radiation monitor by March 1985.

The extension is responsive to the licensee's application for extension dated July 6, 1984.

The Need for the Proposed Action: The proposed extension is needed because initial environmental qualification testing uncovered component deficiencies and additional time, therefore, is required for monitor redesign and retest.

Environmental Impacts of the Proposed Action: The proposed extension will necessitate reliance on other containment radiation monitors until the subject monitor is qualified. Consequently, the probability of radiological releases has not been increased and, given that there are radiological releases, they will be no greater than that previously determined nor does the proposed extension otherwise affect radiological plant effluents. Therefore, the Commission concludes that there are no significant radiological environmental impacts associated with this proposed extension.

With regard to potential nonradiological impacts, the proposed extension involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant

nonradiological environmental impacts associated with the proposed extension.

Alternative Use of Resources: This action involves no use of resources not previously considered in the Final Environmental Statement (construction permit and operating license) for the Indian Point Nuclear Generating Plant, Unit No. 2.

Agencies and Persons Consulted: The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Finding of No Significant Inpact

The Commission has determined not to prepare an environmental impact statement for the proposed extension.

Based upon the foregoing environmental assessment, we conclude that the proposed acton will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for extension dated July 6, 1984, which is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washinton, D.C., and at the Local Public Document Room, White Plains Public Library, 100 Martine Avenue, White Plains, New York 10601.

Dated at Bethesda, Maryland, this 11th day of October 1984.

For the Nuclear Regulatory Commission.

Darrell G. Eisenhut,

Director, Division of Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 84-27814 Filed 10-19-84; 8:45 am]

BILLING CODE 7590-01-M

[Dockets Nos. 50-277 and 50-278]

Philadelphia Electric Co., et al.; (Peach Bottom Atomic Power Station, Units Nos. 2 and 3); Exemption

I

The Philadelphia Electric Company (the licensee) and three other co-owners hold Facility Operating Licenses Nos. DPR-44 and DPR-56, which authorize operation of the Peach Bottom Atomic Power Station, Units 2 and 3 (the facilities) at steady-state power levels not in excess of 3293 megawatts thermal for each unit. These facilities are boiling water reactors located at the licensee's site in York County, Pennsylvania. These licenses provide, among other things, that they are subject to all rules, regulations and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect.

II

10 CFR 50.54(q) requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 10 CFR Part 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.3 of Appendix E requires each licensee of a nuclear power facility to conduct a biennial emergency preparedness exercise and to include participation by appropriate State and local government agencies, for State and local governments which have fully participated in a joint exercise since October 1, 1982. Previously, Section IV.F.1 required annual exercises.

By letter dated March 20, 1984, the licensee requested an exemption from the annual requirement and permission to conduct the exercise during October 1984. The licensee requested a change in the scheduled date of the exercise as a result of a consensus reached among the participants at a Federal Emergency Management Agency (FEMA) Region III meeting with utilities, State and local governments on January 10, 1984. A small-scale emergency preparedness exercise was conducted on June 28, 1983 which involved limited local participation. An exemption from the requirements for State and local government participation in the 1983 exercise was granted in November 1983. The last full-scale exercise was conducted in June 1982. The period involved exceeds the two-year period provided by the Commission's revised rule for States and local government which participated in exercises since October 1982. Thus, the proposed exercise date of October 1984 would require exemption from the requirement of Appendix E to 10 CFR Part 50.

The licensee stated that conducting the exercise during October would permit testing of expected revisions to the Maryland offsite plans based on recently reviewed FEMA comments, testing of significant revisions to municipal plans in Pennsylvania, and testing of revisions to Lancaster and York Counties' plans based upon their recent Three Mile Island Nuclear Station exercise (November 1983). Furthermore, an extension to October would permit the licensee to test an alternate proposed emergency operations facility location that would not be ready for a June exercise. In addition, the exercise would be performed during a different season (Fall as opposed to Spring).

FEMA Region III evaluation of the 1982 and 1983 Peach Bottom exercises indicated that no significant deficiencies were noted. The NRC staff has reviewed the 1982 full-scale and 1983 small-scale exercises and the FEMA Evaluation Reports of those exercises including the State responses to the FEMA reports. Additionally, the NRC staff reviewed the FEMA Evaluation Report of the November 16, 1983 Three Mile Island (TMI) exercise where several deficiencies were identified which caused a finding that offsite preparedness was not adequate. FEMA stated, however, that the proposed corrective actions related to the Category A deficiencies in offsite preparedness in Lancaster County should be acceptable and should form the basis for an acceptable finding. FEMA further stated that the ability of Lancaster County to respond to an accident at TMI will be evaluated during the October 17, 1984 Peach Bottom exercise.

Based on the FEMA determination that no significant deficiencies were identified during the last two Peach Bottom exercises, and the results of the FEMA evaluation of the State's proposed corrective actions for Lancaster County resulting from the 1983 TMI exercise, the NRC staff concludes that granting the schedular exemption request will not adversely affect the overall state of emergency preparedness at the Peach Bottom Atomic Power Station.

We conclude, therefore, that the licensee's request for a schedular exemption from the requirements of 10 CFR Part 50, Appendix E, Section IV.F.3 should be granted.

III

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12(a), the exemption requested by the licensee's letter of March 20, 1984, is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. The Commission hereby grants to the licensee an exemption from the schedular requirements of 10 CFR Part 50, Appendix E, Section IV.F.3, to allow the licensee's current exercise to be conducted no later than October 31, 1984.

Pursuant to 10 CFR 50.32, the Commission has determined that the issuance of the exemption will have no signficant impact on the environment (49 FR 38998).

For further details with respect to this action, see the licensee's request dated March 20, 1984, which is available for public inspection at the Commission's Public Document Room 1717 H Street, N.W., Washington, D.C., and at the Government Publications Section, State Library of Pennsylvania, Education Building, Commonwealth and Walnut Streets, Harrisburg, Pennsylvania.

This Exemption is effective upon issuance.

Dated at Bethesda, Maryland this 3rd day of October, 1984.

For the Nuclear Regulatory Commission.

Darrell G. Eisenhut,

Director, Division of Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. 84-27813 Filed 10-19-84; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-206]

Southern California Edison Co.; Consideration of Issuance of Amendment to Provisional Operating License and Proposed No Significant Hazards Consideration Determination and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Provisional Operating License No. DPR-13, issued to Southern California Edison Company (the licensee), for operation of the San Onofre Nuclear Generating Station, Unit 1 located in San Diego County, California.

The amendment would add a license condition to revise the implementation schedule for the post-accident sampling system (PASS) (TMI item II.B.3) in accordance with the licensee's application for amendment dated September 20, 1984, as supported by letter dated August 14, 1984.

The PASS is being installed to provide capability to obtain and analyze reactor coolant and containment atmosphere samples during and following an accident in which there is core degradation. This information would be used to assess the severity of core damage. Installation of such a sampling system is a new requirement described in NUREG-TMI Action Plan.

By letter dated March 14, 1983, the NRC issued an order confirming licensee commitments on certain TMI action plan items. The date established for the PASS was prior to startup from the outage that began February 27, 1982 for most of the system except that the undiluted sample facility and the oxygen analyzer were to be completed by the end of the following refueling outage (Cycle IX). The proposed license condition would specify that the PASS be implemented by July 1, 1986 or by the end of the Cycle IX outage, whichever is earlier. The licensee also proposes to pursue an earlier completion schedule. Until the PASS is implemented, the licensee shall maintain the compensatory measures described in the August 14, 1984 submittal.

By January 7, 1985, the undiluted grab sample facility including necessary procedures will be completed such that a sample of reactor coolant could be obtained for analysis even if the core were serverely damaged. This completion date is considerably earlier than that established by the confirmatory order for this feature. A core damage assessment procedure using the alternate methods, described in the August 14, 1984 letter, including the undiluted sample, will be provided prior to return to service.

As discussed in the August 14, 1984 letter, tha actual hardware modifications for PASS should be complete by Spring 1985, to be followed by system startup testing and training. Thus, if the preoperational problems that occurred during installation of similar PASS systems for San Onofre Unit 2 and 3 do not occur. The PASS should be fully operational by the end of 1985. As a contingency based on past experience, a schedule with a longer deadline is proposed, although, the licensee proposes to pursue an earlier completion.

Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

The Commission has made a proposed determination that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendment would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety.

First Standard

The function of the PASS is to provide information on plant conditions following accidents resulting in core degradation. Core damage assessment methods using alternate equipment such as containment hydrogen and radiation monitors recently installed to meet other TMI Action Plan requirements, and improved operator training, also a TMI Action Plan requirement, will provide reasonable assurance that plant status, including the extent of core damage, is properly assessed. As noted above, by January 1985, the capability to draw reactor coolant samples for analysis will be provided. This feature will be provided much sooner than was originally established in the order.

The requested change in implementation schedule, therefore, will not significantly affect the probability or consequences of any accident previously evaluated since adequate information of core conditions will be available for plant operators.

Second Standard

The requested action establishes an implementation schedule and interim measures until completion of a new system which would only be used for monitoring purposes after an accident resulting in possible core damage has already occurred. The alternate methods to be used until the PASS is implemented do not require any actions not already envisioned as part of the system design since these are the measures that would be used if some element of the PASS were out of service after the system is installed. The undiluted grab sample is part of the PASS as approved by the staff and use of the other instrumentation does not require any new kind of plant operations. Therefore, the requested action does not create the possibility of a new or different kind of accident from any previously evaluated.

Third Standard

The PASS will be implemented in stages over the next plant cycle. Some features will be complete on an earlier schedule than originally established. Alternate methods of accomplishing the PASS function are provided for the interim until the system is fully implemented. Although the detailed results of the grab sample will not be available as quickly as will be possible with the on-line features of PASS, the alternate methods will provide a timely estimation of relative degree of core damage such that appropriate operator actions can be taken. Therefore, the request to revise the implementation schedule for the PASS does not result in a significant reduction in a margin of safety.

The Commission is seeking public comments of this proposed determination. Any comments received within 30 days after the date of publication of this notice will be considered in making any final determination. The Commission will not normally make a final determination unless it receives a request for a hearing.

Comments should be addressed to the Secretary of the Commission, U.S. Nuclear Regulatory Commission,

Washington, D.C. 20555. Attn: Docketing and Service Branch.

By November 21, 1984, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene. Request for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Normally, the Commission will not issue the amendment until the expiration of the 30-day notice period. However, should circumstances change during the notice period such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 30-day notice period, provided that its final determination is that the amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish a notice of issuance and provide for opportunity for a hearing after issuance. The Commission expects that the need to take this action will occur very infrequently.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attn: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 325-6000 (in Missouri (800) 342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to W. A. Paulson: petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Charles R. Kocher, Assistant General Counsel, James Beoletto, Esquire; Southern California Edison Company, Post Office Box 800, Rosemead, California 91770, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board designated to rule on the petition and/or request, that the petitioner has made a substantial showing of good cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1) (i)–(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated September 20, 1984 which is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., and at the San Clemente Branch Library, 242 Avenida Del Mar, San Clemente, California 92672.

Dated at Bethesda, Maryland, this 16th day of October 1984.

For the Nuclear Regulatory Commission.

Walter A. Paulson,

Acting Chief, Operating Reactors Branch No. 5, Division of Licensing.

[FR Doc. 84-27816 Filed 10-19-84; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-327 and 50-328]

Tennessee Valley Authority; Granting of Relief From Certain Requirements of ASME Code Section XI Inservice (Testing) Requirements

The U.S. Nuclear Regulatory Commission (the Commission) has granted relief from certain requirements of the ASME Code, Section XI, "Rules and Inservice Inspection of Nuclear Power Plant Components" to the Tennessee Valley Authority (the

licensee). The relief related to the hydrostatic tests for the Sequoyah Nuclear Plant, Units 1 and 2 (the facilities) located in Hamilton County, Tennessee. The ASME Code requirements are incorporated by reference into the Commission's rules and regulations in 10 CFR Part 50. The relief is effective as of its date of issuance.

The relief relates to certain inservice examination requirements, pursuant to the Commission's regulations in 10 CFR 50.55a[g][6][i]. The licensee has decided to delete certain feedwater drain valves and cap the 1½" lines. The proposed relief is needed because performing the hydrostatic test after the capping of the lines is impractical to perform. The licensee will perform an in-service leak check of the welds at operating pressure during startup from the outage in which the replacement is made. The regularly scheduled system hydrostatic pressure test will be performed in 1989–1990.

The request for relief complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter 1.

Pursuant to 10 CFR 51.32, the Commission has determined that granting this relief will have no significant impact on the environment (49 FR 39253).

For further details with respect to this action, see (1) the licensee's letters dated July 30, and September 18, 1984, (2) the Commission's letter to the licensee dated Octoer 15, 1984, and, (3) the Commission's related Safety Evaluation Report. All of these items are available for public inspection at the Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555 and at the Chattanooga-Hamilton County Bicentennial Library, 1001 Broad Street, Chattanooga, Tennessee 37402. A copy of items (2) and (3) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland, this 15th day of October 1984.

For the Nuclear Regulatory Commission.

Elinor G. Adensam,

Chief, Licensing Branch No. 4, Division of Licensing.

[FR Doc. 84-27815 Filed 10-19-84; 8:45 am]

BILLING CODE 7590-01-M

PACIFIC NORTHWEST ELECTRIC POWER AND CONSERVATION PLANNING COUNCIL

Demand Forecasting Advisory Committee; Meeting

AGENCY: Demand Forecasting Advisory Committee of the Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1–4. Activities will include:

- Discussion of DFAC workplan for the draft plan.
- Status report on Council staff demand forecasting activities and plans.
- Staff report on residential sector modeling and testing.
- Tests of new BPA residential model.
- Appliance waste heat and space conditioning.
- Status of REEPS model.
- Discussion of DSI assumptions issue paper outline.

Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its Demand Forecasting Advisory Committee.

DATE: Monday, October 29, 1984, 9:00 a.m.

ADDRESS: The meeting will be held at the Council's Central Office, 850 S.W. Broadway; Suite 1100, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Terry Morlan, (503) 222–5161.

Edward Sheets,

Executive Director.

[FR Doc. 84-27737 Filed 10-19-84; 8:45 am]

BILLING CODE 0000-00-M

State Agency Advisory Committee; Meeting

AGENCY: State Agency Advisory Committee of the Pacific Northwest Electric Power and Conservation Planning Council (Northwest Power Planning Council).

ACTION: Notice of meeting to be held pursuant to the Federal Advisory Committee Act, 5 U.S.C. Appendix I, 1–4. Activities will include:

- New Power Work Plan.
- State Level Forecasts.
- BPA's Interim Intertie Access Policy.
- California Sales.
- Transmission Upgrades.

Status: Open.

SUMMARY: The Northwest Power Planning Council hereby announces a forthcoming meeting of its State Agency Advisory Committee.

DATE: Tuesday, October 23, 1984, 9:00 a.m.

ADDRESS: The meeting will be held at the Council Conference Room at 700 S.W. Taylor; Suite 200, Portland, Oregon.

FOR FURTHER INFORMATION CONTACT: Jim Lintchfield, (503)222–5161.

Edward Sheets,

Executive Director.

[FR Doc. 84-27738 Filed 10-19-84; 8:45 am]

BILLING CODE 0000-00-M

SECURITIES AND EXCHANGE COMMISSION

Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272–2142

Upon Written Request Copy Available From: Securities and Exchange Commission, Office of Consumer Affairs, Washington, D.C. 20549

Extension of Approval

Rule 14f–1

No. 270–127

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for extension of clearance Rule 14f–1. Rule 14f–1 is needed for the Commission to fulfill its statutory responsibility to prescribe those rules and regulations that are necessary for the protection of investors by requiring an issuer to apprise its shareholders and the Commission of a change in the majority of the board of directors of the company where such change is effected other than at a meeting of security holders. A copy of this submission is available for inspection and copying at the Commission's Public Reference Room, 450 5th St., NW., Washington, D.C. 20549. Interested parties should refer to File No. 270–127.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory Affairs, Room 3235 NEOB, Washington, D.C. 20503.

Dated: October 16, 1984.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84-27758 Filed 10-19-84; 8:45 am]

BILLING CODE 8010-01-M

Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272–2142
Upon Written Request Copy Available From: Securities and Exchange Commission, Office of Consumer Affairs, Washington, D.C. 20549
Extension of Approval
Form T–4
No. 270–124

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance From T–4 and Rules 17 CFR 260.4c–1–5 relating to applications for exemptions from provisions of the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.).

The potential respondents are issuers of debt securities under indentures under which securities issued before 1939 were still outstanding on January 1, 1959. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 5th St., NW., Washington, D.C. 20549. Inquiring parties should refer to File No. 270–124.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory Affairs, Room 3235 NEOB, Washington, D.C. 20503.

Dated: October 16, 1984.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84–27757 Filed 10–19–84; 8:45 am]

BILLING CODE 8010–01–M

Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272–2142
Upon Written Request Copy Available From: Securites and Exchange Commission, Office of Consumer Affairs, Washington, D.C. 20549
Extension of Approval
Trust Indenture Act general rules and regulations
No. 270–115

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance Rules 17 CFR 260.7a–15 through 260.7a–37 under the Trust Indenture Act of 1939. The rules set forth the general requirements and procedures relating to the form and content of applications, statements and reports that must be filed under the 1939 Act by issuers and trustees qualifying indentures under the Trust Indenture Act of 1939. A copy of this submission is available for public inspection and copying at the Commissions Public Reference Room 450 5th St., NW., Washington, D.C. 20549. Inquiring parties should refer to File No. 270–115.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory Affairs, Room 3235 NEOB, Washington, D.C. 20503.

Dated: October 16, 1984.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84–27756 Filed 10–19–84; 8:45 am]

BILLING CODE 8010–01–M

Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272–2142
Upon Written Request Copy Available From: Securities and Exchange Commission, Office of Consumer Affairs, Washington D.C. 20549
Extension of Approval
Form T–1
No. 270–121

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance Form T–1 relating to statements of eligibility and qualification for corporate trustees under the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.).

The potential respondents are trustees for holders of debt securities offered to the public in transactions required to be registered under the Securities Act of 1933 (15 U.S.C. 77 et seq.) or in offerings where the indenture is required to be qualified under the Trust Indenture Act. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 5th St., NW., Washington, D.C. 02549. Inquiring parties should refer to File No. 270–121.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory, Affairs, Room 3235 NEOB, Washington, D.C. 20503.

Dated: October 16, 1984.

Shirley E. Hollis,

Acting Secretary.

[FR Doc 84–27755 Filed 10–19–84 8:45 am]

BILLING CODE 8010–01–M

Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272–2142
Upon Written Request Copy Available From: Securities and Exchange Commission, Office of Consumer Affairs, Washington, D.C. 20549
Extension of Approval
Form T–2
No. 270–122

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance Form T–2 under the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.).

The potential respondents are individual trustees under indentures qualified under the Trust Indenture Act. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 5th St., NW., Washington, D.C. 20549. Inquiring parties should refer to File No. 270–122.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory Affairs, Room 3235, NEOB, Washington, D.C. 20503.

Dated: October 16, 1984.

[FR Doc. 84–27754 Filed 10–19–84; 8:45 am]

BILLING CODE 8010–01–M

Forms Under Review of Office of Management and Budget

Agency Clearance Officer: Kenneth A. Fogash, (202) 272–2142
Upon Written Request Copy Available From: Securities and Exchange Commission, Office of Consumer Affairs, Washington, D.C. 20549
Extension of Approval
Form T–3
No. 270–123

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.), the Securities and Exchange Commission has submitted for clearance Form T–3 and Rules 17 CFR 260.7a1–9 under the Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.).

The potential respondents are issuers of debt securities not required to be registered under the Securities Act of 1933 (15 U.S.C. 77 et seq.) but required to be qualified under the Trust Indenture Act. A copy of this submission is available for public inspection and copying at the Commission's Public Reference Room, 450 5th St., NW., Washington, D.C. 20549. Inquiring parties should refer to File No. 270–123.

Submit comments to OMB Desk Officer: Ms. Katie Lewin, (202) 395–7231, Office of Information and Regulatory

Affairs, Room 3235, NEOB, Washington, D.C. 20503.

Dated: October 16, 1984.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84-27761 Filed 10-19-84; 8:45 am]

BILLING CODE 4010-01-M

[Release No. 21401; File No. SR-DTC-84-8]

Self-Regulatory Organizations; Filing and Immediate Effectiveness of Proposed Rule Change by the Depository Trust Co.

October 16, 1984.

On September 27, 1984, the Depository Trust Company ("DTC") filed with the Securities and Exchange Commission a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1) and Rule 19(b)(4) thereunder. The proposed rule change establishes the Federal Reserve Bank of New York ("FRBNY") as a FAST transfer agent for certain securities issued by international organizations and U.S. Government agencies, without requiring the FRBNY to maintain certain minimum insurance coverage. The Commission is publishing this Notice to solicit comment on the proposed rule change.

Under the Fast Automated Securities Transfer Program ("FAST"), DTC leaves securities with transfer agents in the form of balance certificates registered in DTC's nominee name. The balance certificates are adjusted daily to reflect DTC withdrawal and deposit activity. Responsibilities of transfer agents under this program are set forth in balance certificate agreements that FAST transfer agents must enter into with DTC. The balance certificate agreement DTC uses for banks and other types of FAST transfer agents generally requires that the transfer agent maintain an insurance policy in the form of a Bankers' Blanket Bond, or similar insurance coverage, in an amount sufficient to cover the loss of any securities received from DTC or held by the transfer agent on behalf of DTC.

DTC has entered into a balance certificate agreement with the FRBNY even though the FRBNY does not maintain a Bankers' Blanket Bond or similar insurance coverage. DTC states in its filing that it has entered into this agreement because the FRBNY has demonstrated, to DTC's satisfaction, financial responsibility for its transfer agent functions. DTC further states its belief that because the FRBNY has demonstrated its financial soundness and operational capabilities to DTC's satisfaction, designating the FRBNY as a FAST transfer agent is consistent with DTC's obligation under the Act to safeguard securities in its custody or control.

The foregoing change has become effective, pursuant to Section 19(b)(3)(A) of the Act and subparagraph (e) of Securities Exchange Act Rule 19b-4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

Interested persons are invited to submit written data, views and arguments concerning the submission within 21 days after the date of publication in the **Federal Register.** Persons making written comments should file six copies with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Reference should be made to File No. SR-DTC-84-8.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 522, will be available for inspection and copying at the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, D.C. Copies of the filing and of any subsequent amendments will also be available at the principal office of the above-mentioned self-regulatory organization.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84-27760 Filed 10-19-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21400; File No. SR-OCC-84-16]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change of the Options Clearing Corp.

October 16, 1984.

On September 25, 1984, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), the Options Clearing Corporation ("OCC") filed with the Commission a proposed rule change that establishes fees for use of its Delivery-Versus-Payment ("DVP") System for settlement of certain exercised and assigned foreign currency option contracts.[1] Under the proposal, OCC will charge clearing members using the DVP System a fee of $87.50 per million of the aggregate U.S. Dollar settlement obligations for foreign currency option exercises settled in the DVP System. This fee passes on to clearing members an identical fee charged OCC by OCC's correspondent bank.

OCC states in its filing that the $87.50 per million fee is intended to compensate OCC's correspondent bank for its assumption of credit risks associated with DVP settlements.[2] OCC also states that the fee is reasonable and equitably allocated among OCC clearing members using the DVP System.

The rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(e). The Commission may summarily abrogate the rule change at any time within 60 days of its filing if it appears to the Commission that abrogation is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

Written comments may be submitted within 21 days after this notice is published in the **Federal Register.** Please refer to File No. SR-OCC-84-16 and file six copies of comments with the Secretary of the Commission, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Material on the rule change, other than material that may be withheld from the public under 5 U.S.C. 552, is available at the Commission's Public Reference Room and at the principal office of OCC.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84-27759 Filed 10-19-84; 8:45 am]

BILLING CODE 8010-01-M

---

[1] *See* Securities Exchange Act Release No. 21359 (September 27, 1984), 49 FR 39138 (October 3, 1984) for a detailed description of OCC's DVP System.

[2] *See Id.* regarding the bank's credit risks.

[Release No. 23453; (70-6984)]

Allegheny Power System, Inc.; Proposal for Authorization to Create and Finance New Subsidiaries to Participate in Cogeneration Projects

October 17, 1984.

Allegheny Power System, Inc. ("Allegheny") a registered holding company, 320 Park Avenue, New York, New York 10022, has proposed a transaction with this Commission subject to sections 6, 7, 9, 10, 11, 12 and 13 of the Public Utility Holding Act of 1935 ("Act") and Rules 43, 50, 86, 87, 90 and 91 promulgated thereunder.

Allegheny proposes to acquire all of the capital stock of one or more new subsidiary corporations ("Newcos") whose activities will be limited to investing in and servicing qualifying cogeneration and small power production facilities ("Facilities") as defined by the Public Utility Regulatory Policies Act of 1978 ("PURPA") and the rules and regulations promulgated thereunder by the Federal Energy Regulatory Commisison ("FERC"). The state of organization of each Newco will be limited to states in which System operating companies transact their retail utility business or in which the Facilities are located.

The proposed Facilities may be located both insider and outside the service areas of the System operating companies, however, regardless of where the Facilities are located, they will be subject to electric energy purchase arrangements with System operating companies pursuant to § 292.303 (a) and (d) of the PURPA regulations. The capacity and energy represented by System participation in the Facilities will be incorporated in the integrated electrical operation and planning of the System.

Allegheny states that present System projections show a need for additional generating capacity in late 1992. Participation by System operating companies in the Facilities prior to that date, according to Allegheny, should have the effect of permitting deferral of such new capacity beyond 1992 depending upon the size and in-service dates of the Facilities.

Investments in the Facilities by the Newcos will be considered on a case-by-case basis and may take many different forms, including the purchase of shares, participation in partnerships and joint ventures, the making of loans, and entry into other contractual obligations. Any such investment by a Newco will not exceed 50% equity in a Facility, and such investments (excluding non-recourse liabilities) in the aggregate will not exceed $100 million. Allegheny requests the authority to fund these investments, subject to the above limitations, without further Commission authorization from time-to-time on or before December 31, 1986. Such flexible authority, Allegheny urges, is necessary to expedite the prompt negotiation of arrangements in respect to the various Facilities, each of which is typically the subject of complex financing and where time is of the essence.

Newcos will conduct their operations with a limited permanent staff and will, therefore, be furnished a variety of management, technical, financial, and legal services by Allegheny Power Service Corporation ("APSC"). From time to time, employees of other Allegheny subsidiaries who offer needed expertise not otherwise available from APSC may be temporarily assigned to Newco pursuant to a proposed form of agreement governing the provision of such personnel or other services. To the extent services are required of APSC or other subsidiaries they will account for, allocate and charge their costs or providing services or personnel to the Newcos on a full cost reimbursement basis in accordance with Rules 90 and 91 under the Act, utilizing a cost accumulation system, on a project-by-project basis, in accordance with the Uniform System of Accounts for Mutual and Subsidiary Service Companies. The Newcos will maintain systems of accounts based upon the Uniform System of Accounts prescribed for Public Utilities, modified where appropriate, as set forth in 18 CFR Part 101.

The proposal and any amendments thereto are available for public inspection through the Commission's Office of Public Reference. Interested persons wishing to comment or request a hearing should submit their views in writing by November 9, 1984, to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the applicant at the address specified above. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for a hearing shall identify specially the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in this matter. After said date, the proposal, as filed or as it may be amended, may be authorized.

For the Commission, by the Office of Public Utility Regulation, pursuant to delegated authority.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84-27627 Filed 10-19-84; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21403; File No. SR-NYSE-84-33]

Self-Regulatory Organizations; Filing of Proposed Rule Change by the New York Stock Exchange

October 17, 1984.

On October 10, 1984, the New York Stock Exchange ("NYSE") filed with the Securities and Exchange Commission a proposed rule change pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1) and Rule 19b-4 thereunder. The proposed rule change would permit NYSE listed companies to act as both transfer agent and registar for their securities. The NYSE has requested accelerated approval of the proposed rule change pursuant to section 19(b)(2) of the Act. The Commission is publishing this Notice to solicit comment on the proposed rule change. Because the Commission expects to act promptly in this matter following the close of the comment period, persons interested in commenting on this proposed rule change are urged to do so promptly.

The proposed rule change would modify NYSE's rules to permit listed companies to act as transfer agents and/or registrars for their own securities. Alternatively, listed companies would be permitted to designate other qualified organizations to act as transfer agents and/or registrars for their securities. However, listed companies that choose to act as both transfer agents and registrars for their securities must agree to separate those functions, establish sufficient internal accounting controls, and subject those controls to an annual review by independent auditors. NYSE rules currently require all listed companies to engage the services of a registrar that must be a bank or trust company not affiliated with the issuer. As a result, listed companies that act as transfer agents for their own securities must retain an independent registrar.

The NYSE states in its filing that the proposed rule change should result in significant operational efficiencies and cost savings for listed companies. In particular, the NYSE notes that eliminating the independent registrar requirement should promote economical and efficient transfer of securities,

eliminate issuer and transfer agent expenditures for separate registrar facilities and reduce securities certificates handling problems that occur during the transfer and registrar process. In addition, the NYSE states that changes in auditing standards and improved security transfer controls signficantly lessen the risk of securities overissuances. As a result, the NYSE believes it is no longer appropriate to deprive listed companies of the potential savings and efficiencies the proposed rule change offers.

To assist the Commission in determining whether to approve the proposed rule change or to institute disapproval proceedings, you are invited to submit written data, views and arguments concerning the submission within 21 days after the date of publication in the **Federal Register.** If you decide to comment on this filing, please file six copies of your views in writing with the Secretary of the Commission, Securities and Exchange Commission, 450 5th Street, NW., Washington, D.C. 20549. Reference should be made to File No. SR–NYSE–84–33.

Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change which are filed with the Commission, and all other written communications relating to the proposed rule change between the Commission and any person, other than those which may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room, 450 5th Street, NW., Washington, D.C. 20549. Copies of the filing and of any subsequent amendments also will be available for inspection and copying at the principal office of PSDTX.

For the Commission, by the Division of Market Regulation pursuant to delegated authority.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84–27828 Filed 10–19–84; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–21398; File No. SR–PHLX 84–22]

Self-Regulatory Organizations; Proposed Rule Change By Philadelphia Stock Exchange, Inc.; Relating to Time Period for Assessment of Late Charges

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on September 21, 1984, Philadelphia Stock Exchange, Inc. filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Philadelphia Stock Exchange, Inc. ("PHLX") or ("Exchange") hereby proposes to amend Rule 50 on late charges. (Brackets indicate deleted language; italics indicate added language.)

Rule 50. There shall be imposed upon any member or member organization using the facilities or services of the Exchange, or enjoying any of the privileges therein, a later charge until payment is received of dues, fees, fines, or others imposed by the Exchange and not paid within [(30)] *(40)* days after notice thereof has been mailed. The amount of such late charge shall be fixed from time to time by the Board of Governors. If any member or member organization shall fail to pay such dues, fees, fines or other charges, including late charges, within ninety (90) days after notice thereof has been mailed, the Controller shall so notify the Board of Governors which shall take such action as it may deem appropriate.

Supplementary Material—no change.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for the Proposed Rule Change

The purpose of the proposed rule change is to extend the period of time prior to which a late charge may be assessed by the Exchange for a member's delinquency in paying various fees for use of facilities and services. The extended time period is intended to be responsive to certain members who have informed the Exchange that their internal processing of bills takes slightly longer than 30 days.

The proposed rule change is consistent with section 6(b)(5) of the Securities Exchange Act of 1934 ("Act") in that it will facilitate transactions in securities.

B. Self-Regulatory Organizations Statement on Burden on Competition

The Exchange does not believe the proposed rule change will impose any burden on competiton.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective pursuant to section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the above-

mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by November 12, 1984.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: October 15, 1984.

Shirley E. Hollis,

Acting Secretary.

[FR Doc. 84-27829 Filed 10-19-84; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Action Subject to Intergovernmental Review

AGENCY: Small Business Administration.

ACTION: Notice of Action Subject to Intergovernmental Review Under Executive Order 12372.

SUMMARY: This notice provides for public awareness of SBA's intention to refund 3 of our 35 Small Business Development Centers (SBDC's) for fiscal year 1985. It should be noted that fiscal year 1985 funding is contingent upon legislative reauthorization of the SBDC program. It also provides a description of the SBDC program by setting forth a condensed version of the program announcement which has been furnished to each of the SBDC's to be refunded. This publication is being made to provide State single points of contact, designated pursuant to Executive Order 12372, and other interested State and local entities, the opportunity to comment on the proposed refunding in accord with the Executive Order and SBA's regulations found at 13 CFR Part 135.

DATE: Comments will be received for a period of 120 days from the date of publication of this notice.

ADDRESS: Comments should be addressed to Mrs. Johnnie L. Albertson, Deputy Associate Administrator for SBDC Programs, U.S. Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Same as above.

Notice of Action Subject to Intergovernmental Review

SBA is bound by the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." SBA has promulgated regulations spelling out its obligations under that Executive Order. See 13 CFR Part 135, effective September 30, 1983.

In accord with these regulations, specifically § 135.4, SBA is publishing this notice to provide public awareness of the pending application of presently existent Small Business Development Centers (SBDC's) for refunding. Also, published herewith is an annotated program announcement describing the SBDC program in detail.

This notice is being published five months in advance of the date of refunding of these existent SBDC's. Relevant information identifying these SBDC's and providing their mailing address is provided below. In addition to this publication, a copy of this notice is being simultaneously furnished to each affected State single point of contact which has been established under the Executive Order.

State single points of contact and other interested State and local entities are expected to advise the relevant SBDC of their comments regarding the proposed refunding in writing as soon as possible. Copies of such written comments should also be furnished to Mrs. Johnnie L. Albertson, Deputy Associate Administrator for SBDC Programs, U.S. Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416. Comments will be accepted by the relevant SBDC's and SBA for a period of four months (120 days) from the date of publication of this notice. The relevant SBDC's will make every effort to accommodate these comments during the 120 day period. If the comments cannot be accommodated by the relevant SBDC, SBA will, prior to refunding the SBDC, either attain accommodation of any comments or furnish an explanation of why accommodation cannot be attained to the commentor prior to refunding the SBDC.

Description of the SBDC Program

The Small Business Development Center Program is a major management assistance delivery program of the U.S. Small Business Administration. SBDC's are authorized under section 21 of the Small Business act (15 U.S.C. 648). SBDC's operate pursuant to the provisions of section 21, a Notice of Award (Cooperative Agreement) issued by SBA, and a Program Announcement. The Program represents a partnership between SBA and the State-endorsed organization receiving Federal assistance for its operation. SBDC's operate on the basis of a State plan which provides small business assistance throughout the State. As a condition to any financial award made to an applicant, an additional amount equal to the amount of assistance provided by SBA must be provided to the SBDC from sources other than the Federal Government.

Purpose and Scope

The SBDC Program has been designed to meet the specialized and complex management and technical assistance needs of the small business community. SBDC's focus on providing indepth quality assistance to small businesses in all areas which promote growth, expansion, innovation, increased productivity and management improvement. SBDC's act in an advocacy role to promote local small business interests. SBDC's concentrate on developing the unique resources of the university system, the private sector, and State and local governments to provide services to the small business community which are not available elsewhere. SBDC's coordinate with other SBA programs of management assistance and utilize the expertise of these affiliated resources to expand services and avoid duplication of effort.

Program Objectives

The overall objective of the SBDC Program is to leverage Federal dollars and resources with those of the State academic community and private sector to:

(a) Strengthen the small business community;

(b) Contribute to the economic growth of the communities served;

(c) Make assistance available to more small businesses than is now possible with present Federal resources; and

(d) Create a broader based delivery system to the small business community.

SBDC Program Organization

SBDC's are organized to provide maximum services to the local business community. The lead SBDC receives financial assistance from the SBA to operate a statewide SBDC Program. In states where more than one organization receives SBA financial assistance to operate an SBDC, each lead SBDC is responsible for Program operations throughout a specific regional area to be served by the SBDC. The lead SBDC is responsible for establising a network of SBDC subcenters to offer service coverage to the small business community. The SBDC network is managed and directed by a single full-time Director. SBDC's must ensure that at least 80 percent of Federal funds provided are used to provide services to small businesses. To the extent possible, SBDC's provide services by enlisting volunteer and other low cost resources on a statewide basis.

SBDC Services

The specific types of services to be offered are developed in coordination

with the SBA district office which has jurisdiction over a given SBDC. SBDC's emphasize the provision of indepth, high-quality assistance to small business owners or prospective small business owners in complex areas that require specialized expertise. These areas may include, but are not limited to: management, marketing, financing, accounting, strategic planning, regulation and taxation, capital formation, procurement assistance, human resource management, production, operations, economic and business data analysis, engineering, technology transfer, innovation and research, new product development, product analysis, plant layout and design, agribusiness, computer application, business law information and referral (any legal services beyond basic legal information and referral require the endorsement of the State Bar Association), exporting, office automation, site selection, or any other areas of assistance required to promote small business growth, expansion, and productivity within the State.

The degree to which SBDC resources are directed towards specific areas of assistance is determined by local community needs, SBA priorities and SBDC Program objectives and agreed upon by the SBA district office and the SBDC.

The SBDC must offer quality training to improve the skills and knowledge of existing and prospective small business owners. As a general guideline, SBDC's should emphasize the provision of training in specialized areas other than basic small business management subjects. SBDC's should also emphasize training designed to reach particular audiences such as members of SBA priority and special emphasis groups.

SBDC Program Requirements

The SBDC is responsible to the SBA for ensuring that all programmatic and financial requirements imposed upon them by statute or agreement are met. The SBDC must assure that quality assistance and training in management and technical areas is provided to the State small business community through the State SBDC network. As a condition of this agreement, the SBDC must perform but not be limited to the following activities.

(a) The SBDC ensures that services are provided as close as possible to small business population centers. This is accomplished through the establishment of SBDC subcenters.

(b) The SBDC ensures that lists of local and regional private consultants are maintained at the lead SBDC and each SBDC subcenter. The SBDC utilizes and provides compensation to qualified small business vendors such as private management consultants, private consulting engineers, and private testing laboratories.

(c) The SBDC is responsible for the development and expansion of resources within the State, particularly the development of new resources to assist small business that are not presently associated with the SBA district office.

(d) The SBDC ensures that working relationships and open communications exist within the financial and investment communities, and with legal associations, private consultants, as well as small business groups and associations to help address the needs of the small business community.

(e) The SBDC ensures that assistance is provided to SBA special emphasis groups throughout the SBDC network. This assistance shall be provided to veterans, women, exporters, the handicapped, and minorities as well as any other groups designated a priority by SBA. Services provided to special emphasis groups shall be performed as part of the Cooperative Agreement.

Avance Understandings

(a) Lead SBDC's shall operate on a 40-hour week basis, or during normal State business hours, with National holidays or State holidays as applicable excluded.

(b) SBDC subcenters shall be operated on a full-time basis. The lead SBDC shall ensure that staffing is adequate to meet the needs of the small business community.

(c) All counseling assistance offered through the Small Business Development Center network shall be provided at no cost to the client.

Dated: October 15, 1984.

James C. Sanders,

Administrator.

Addresses of SBDC's Subject to This Notice

Mr. Sandy Cutler, SBDC Director, Lane Community College, Downtown Center, 1059 Willamette Street, Eugene, Oregon 97401, (503) 687–9125

Dr. Leonard Rosser, SBDC Director, Memphis State University, Fogelman College of Business and Economics, Memphis, Tennessee 38152, (901) 454–2500

Dr. John E. Troutman, SBDC Director, Technology Enterprises Development Center, University of Texas at Arlington, College of Engineering, P.O. Box 19209, Arlington, Texas 76019, (817) 273–2559.

[FR Doc. 84-27796 Filed 10-19-84; 8:45 am]
BILLING CODE 6025-01-M

Action Subject to Intergovernmental Review

AGENCY: Small Business Administration.

ACTION: Notice of Action Subject to Intergovernmental Review Under Executive Order 12372.

SUMMARY: This notice provides for public awareness of SBA's intention to refund one of our 35 Small Business Development Centers (SBDC's) for fiscal year 1985. It also provides a description of the SBDC program by setting forth a condensed version of the program announcement which has been furnished to the SBDC to be refunded. This publication is being made to provide the State single point of contact, designated pursuant to Executive Order 12372, and other interested State and local entities, the opportunity to comment on the proposed refunding in accord with the Executive Order and SBA's regulations found at 13 CFR Part 135.

DATE: Comments will be received for a period of 120 days from the date of publication of this notice.

ADDRESS: Comments should be addressed to Mrs. Johnnie L. Albertson, Deputy Associate Administrator for SBDC Programs, U.S. Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416.

FOR FURTHER INFORMATION CONTACT: Same as above.

Notice of Action Subject to Intergovernmental Review

SBA is bound by the provisions of Executive Order 12372, "Intergovernmental Review of Federal Programs." SBA has promulgated regulations spelling out its obligations under that Executive Order. See 13 CFR Part 135, effective September 30, 1983.

In accord with these regulations, specifically § 135.4, SBA is publishing this notice to provide public awareness of the pending application of presently existent Small Business Development Centers (SBDC's) for refunding. Also, published herewith is an annotated program announcement describing the SBDC program in detail.

This notice is being published six months in advance of the date of refunding of this existent SBDC. Relevant information identifying this SBDC and providing its mailing address is provided below. In addition to this

publication, a copy of this notice is being simultaneously furnished to the affected State single point of contact which has been established under the Executive Order.

The State single point of contact and other interested State and local entities are expected to advise the relevant SBDC of their comments regarding the proposed refunding in writing as soon as possible. Copies of such written comments should also be furnished to Mrs. Johnnie L. Albertson, Deputy Associate Administrator for SBDC Programs, U.S. Small Business Administration, 1441 L Street, NW., Washington, D.C. 20416. Comments will be accepted by the relevant SBDC and SBA for a period of four months (120 days) from the date of publication of this notice. The relevant SBDC will make every effort to accommodate these comments during the 120 day period. If the comments cannot be accommodated by the relevant SBDC, SBA will, prior to refunding the SBDC, either attain accommodation of any comments or furnish an explanation of why accommodation cannot be attained to the commentor prior to refunding the SBDC.

Description of the SBDC Program

The Small Business Development Center Program is a major management assistance delivery program of the U.S. Small Business Administration. SBDC's are authorized under section 21 of the Small Business Act (15 U.S.C. 648). SBDC's operate pursuant to the provisions of section 21, a Notice of Award (Cooperative Agreement) issued by SBA, and a Program Announcement. The Program represents a partnership between SBA and the State-endorsed organization receiving Federal assistance for its operation. SBDC's operate on the basis of a State plan which provides small business assistance throughout the State. As a condition to any financial award made to an applicant, an additional amount equal to the amount of assistance provided by SBA must be provided to the SBDC from sources other than the Federal Government.

Purpose and Scope

The SBDC Program has been designed to meet the specialized and complex management and technical assistance needs of the small business community. SBDC's focus on providing indepth quality assistance to small businesses in all areas which promote growth, expansion, innovation, increased productivity and management improvement. SBDC's act in an advocacy role to promote local small business interests. SBDC's concentrate on developing the unique resources of the university system, the private sector, and State and local governments to provide services to the small business community which are not available elsewhere. SBDC's coordinate with other SBA programs of management assistance and utilize the expertise of these affiliated resources to expand services and avoid duplication of effort.

Program Objectives

The overall objective of the SBDC Program is to leverage Federal dollars and resources with those of the State academic community and private sector to:

(a) Strengthen the small business community;

(b) Contribute to the economic growth of the communities served;

(c) Make assistance available to more small businesses than is now possible with present Federal resources; and

(d) Create a broader based delivery system to the small business community.

SBDC Program Organization

SBDC's are organized to provide maximum services to the local small business community. The lead SBDC receives financial assistance from the SBA to operate a statewide SBDC Program. In states where more than one organization receives SBA financial assistance to operate an SBDC, each lead SBDC is responsible for Program operations throughout a specific regional area to be served by the SBDC. The lead SBDC is responsible for establishing a network of SBDC subcenters to offer service coverage to the small business community. The SBDC network is managed and directed by a single full-time Director. SBDC's must ensure that a least 80 percent of Federal funds provided are used to provide services to small businesses. To the exent possible, SBDC's provide services by enlisting volunteer and other low cost resources on a statewide basis.

SBDC Services

The specific types of services to be offered are developed in coordination with the SBA district office which has jurisdiction over a given SBDC. SBDC's emphasize the provision of indepth, high-quality assistance to small business owners or prospective small business owners in complex areas that require specialized expertise. These areas may include, but are not limited to: management, marketing, financing, accounting, strategic planning, regulation and taxation, capital formation, procurement assistance, human resource management, production, operations, economic and business data analysis, engineering, technology transfer, innovation and research, new product development, product analysis, plant layout and design, agri-business, computer application, business law information, and referral (any legal services beyond basic legal information and referral require the endorsement of the State Bar Association,) exporting, office automation, site selection, or any other areas of assistance required to promote small business growth, expansion, and productivity within the State.

The degree to which SBDC resources are directed towards specific areas of assistance is determined by local community needs, SBA priorities and SBDC Program objectives and agreed upon by the SBA district office and the SBDC.

The SBDC must offer quality training to improve the skills and knowledge of existing and prospective small business owners. As a general guideline, SBDC's should emphasize the provision of training in specialized areas other than basic small business management subjects. SBDC's should also emphasize training designed to reach particular audiences such as members of SBA priority and special emphasis groups.

SBDC Program Requirements

The SBDC is responsible to the SBA for ensuring that all programmatic and financial requirements imposed upon them by statute or agreement are met. The SBDC must assure that quality assistance and training in management and technical areas is provided to the State small business community through the State SBDC network. As a condition of this agreement, the SBDC must perform but not be limited to the following activities.

(a) The SBDC ensures that services are provided as close as possible to small business population centers. This is accomplished through the establishment of SBDC subcenters.

(b) The SBDC ensures that lists of local and regional private consultants are maintained at the lead SBDC and each SBDC subcenter. The SBDC utilizes and provides compensation to qualified small business vendors such as private management consultants, private consulting engineers, and private testing laboratories.

(c) The SBDC is responsible for the development and expansion of resources within the State, particularly the development of new resources to assist small business that are not presently associated with the SBA district office.

(d) The SBDC ensures that working relationships and open communications exist within the financial and investment communities, and with legal associations, private consultants, as well as small business groups and associations to help address the needs of the small business community.

(e) The SBDC ensures that assistance is provided to SBA special emphasis groups thoughout the SBDC network. This assistance shall be provided to veterans, women, exporters, the handicapped, and minorities as well as any other groups designated a priority by SBA. Services provided to special emphasis groups shall be performed as part of the Cooperative Agreement.

Advance Understandings

(a) Lead SBDC's shall operate on a 40-hour week basis, or during normal State business hours, with National holidays or State holidays as applicable excluded.

(b) SBDC subcenters shall be operated on a full-time basis. The lead SBDC shall ensure that staffing is adequate to meet the needs of the small business community.

(c) All counseling assistance offered through the Small Business Development Center nerwork shall be provided at no cost to the client.

Dated: October 15, 1984.

James C. Sanders.

Administrator.

Addresses of SBDC's Subject to This Notice

Mr. Craig R. Seymour, SBDC Director, University of New Hampshire, McConnell Hall, Durham, New Hampshire 03824, (603) 862–3558.

[FR Doc. 84–27797 Filed 10–19–84; 8:45 am]

BILLING CODE 8025–01–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 84–061]

Houston/Galveston Navigation Safety Advisory Committee; Reestablishment

SUMMARY: USCG announces the reestablishment of the Houston/Galveston Navigation Safety Advisory Committee.

The purpose of the Committee is to provide local expertise on such matters as communications, surveillance, traffic control, anchorages, and other related topics dealing with navigation safety in the Houston/Galveston area as required by the Coast Guard.

FOR FURTHER INFORMATION CONTACT: Commander R.A. Brunell, Executive Secretary, Houston/Galveston Navigation Safety Advisory Committee, c/o Commander Eighth Coast Guard District (mps), Room 1341, Hale Boggs Federal Building, 500 Camp Street, New Orleans, LA 70130, Telephone number (504) 589–6901.

Dated: October 17, 1984.

A.D. BREED,

Commodore, U.S. Coast Guard, Chief, Office of Boating, Public, and Consumer Affairs.

[FR Doc. 84–27782 Filed 10–19–84; 8:45 am]

BILLING CODE 4910–14–M

Urban Mass Transportation Administration

[Docket No. 83–D]

Private Enterprise Participation in the Urban Mass Transportation Program

AGENCY: Urban Mass Transportation Administration, DOT.

ACTION: Notice of policy.

SUMMARY: In response to President Reagan's call for a greater private sector role in addressing community needs, the Urban Mass Transportation Administration (UMTA) announces its policy regarding private enterprise participation in the development of plans and programs to be funded under the Urban Mass Transportation Act of 1964, as amended ("the UMT Act"), and under the provisions authorizing use of Federal-Aid Highway Funds for public mass transit projects. The policy provides interim guidance to grantees and private sector providers on specified private enterprise provisions of the UMT Act. It is UMTA's intention to promulgate a regulation to implement these provisions in the near future. This statement addresses two provisions of the UMT Act that concern private enterprise participation, Sections 8(e) and 3(e), for the purpose of identifying: (1) The factors UMTA will consider in deciding whether local planning processes meet the requirements of Section 8(e); and (2) the procedures UMTA will employ in the event the Secretary of Transportation must make the findings required by Section 3(e) of the Act. UMTA does not intend to dictate specific ways to address the factors set forth in this policy statement. Similarly, failure to address any one of these elements may not necessarily undermine the validity of a grantee's planning process or disqualify grantees from receiving Federal assistance. However, UMTA's evaluation of an applicant's efforts to maximize private enterprise participation, as required by the Act, will be based largely upon the factors which UMTA has identified in this statement as effective measures for ensuring that the capabilities of private providers are fairly considered. If experience demonstrates that private providers are unfairly excluded from the plans and programs funded under the UMT Act, notwithstanding this policy statement, then more direct Federal measures than those contained herein may be necessary. Comments by all interested parties are invited on this statement.

DATE: This policy will become effective October 22, 1984. However, UMTA is interested in receiving comments on this policy. Comments must be received on or before December 21, 1984.

ADDRESS: Comments on this policy should be submitted to UMTA Docket Number 83–D, Urban Mass Transportation Administration, Room 9228, 400 Seventh Street, SW., Washington, D.C. 20590. All written communications received on or before the comment period closes will be considered in determining whether adjustments to this policy may be warranted.

All comments and suggestions received will be available for examination at the above address between 8:30 a.m. and 5:00 p.m., Monday through Friday. Receipt of comments will be acknowledged by UMTA if a self-addressed, stamped postcard is included with each comment.

FOR FURTHER INFORMATION CONTACT: Kenneth E. Bolton, Office of Policy, Room 9300, Telephone [202] 426–4060; or Gerald Musarra, Office of the Chief Counsel, Room 9228, Telephone [202] 426–1936, UMTA, 400 Seventh Street, SW., Washington, D.C. 20590.

SUPPLEMENTARY INFORMATION: Private transportation providers have frequently voiced their concern that, in spite of statutory requirements, public decisionmakers do not fully or fairly consider the capacity of private enterprise to provide mass transportation services. The private providers, their representative organizations and the General Accounting Office have all urged UMTA to articulate the agency's view on meaningful compliance with the private enterprise provisions of the UMT Act. In 1982, Congress amended the UMT Act to include a new section 9: Block Grants. Section 9(f) directs recipients of grants under section 9 to employ a process whereby private transportation providers are consulted and their views fully considered in developing the program of projects to be funded under

section 9. It is UMTA's view that the process of consultation and consideration called for in section 9(f) is related closely to the underlying policy objective of section 8(e), that of maximizing private sector involvement in the planning activities conducted pursuant to section 8.

Although only section 9 recipients are required to adhere to the procedures of section 9(f) (UMTA C 9030.1, "Section 9 Formula Grant Application Instructions," June 27, 1983), this policy seeks to encourage reliance on an approach based on section 9(f) as a means of achieving compliance with the requirements of section 8(e). Grantees are by no means precluded from developing alternatives of their own in order to achieve such compliance.

To the extent that this policy statement imposes paperwork burdens, it is subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3507). UMTA intends to submit this policy statement under the Paperwork Reduction Act to OMB for approval. Comments on the paperwork impacts of the policy and possible ways to reduce them are requested.

Issued: October 16, 1984.

Ralph L. Stanley,

Administrator.

Urban Mass Transportation Administration, Private Enterprise Participation in Federally Assisted Programs

1. Purpose

This policy statement has been developed to provide guidance in achieving compliance with the requirements of section 8(e) and section 3(e) (1) and (2) of the UMT Act. It is also UMTA's intention through this policy statement to promote greater reliance on the private sector in the provision of mass transportation services both as an independent private sector activity and through competitive contractual arrangements with public bodies.

2. Scope

This policy identifies the principal factors UMTA will take into account in determining whether local proposals for Federal assistance under sections 3 and 9 of the Urban Mass Transportation Act of 1964, as amended ("the UMT Act"), (49 U.S.C. 1601 et. seq.) and 23 U.S.C. 103(e)(4) and 142 meet the statutory requirements of sections 3(e) (1) and (2) and 8(e) of the Act.

3. Background

Three provisions in the UMT Act address either the role of private enterprise generally or private transportation providers specifically in UMTA's assistance programs. These provisions are: section 8, which focuses on the conduct of the local planning process; section 3(e), which provides safeguards to existing mass transportation companies from unwarranted acquisition or competition resulting from a grant of assistance; and section 9(f), which sets out the manner for developing the program of projects to be funded under the Formula Grant Program (section 9). More specifically, section 8(c) of the UMT Act requires the Secretary to find that a program of projects, to be eligible for assistance, has been based on a planning process conducted in conformance with the objectives set out in section 8. One such objective, identified in section 8(e), directs UMTA grantees to encourage the maximum feasible participation of private enterprise in the plans and programs funded under the Act. Further, when UMTA has been requested to provide assistance which will have an impact on an existing mass transportation company, as specified in section 3(e) of the Act, the Secretary is required, prior to approving such assistance, to find: (1) That the project or program is essential to the local program of projects, and (2) that the local program provides for the maximum feasible participation of private mass transportation companies. Finally, as a precondition to the receipt of funding under section 9, recipients must develop a program of projects in accordance with the procedures set out in section 9(f). Section 9(f) clearly envisions a participatory approach to program development, commencing with notice to the public and followed by a consultative process involving interested parties and, in particular, private transportation providers. Once a detailed proposed program has been developed, recipients must allow a reasonable time for comments by affected citizens, private providers and local officials. At some point after the proposed program has been developed, the recipient must also provide an opportunity for a public hearing. The final program of projects submitted to UMTA must reflect the consideration that was accorded to the comments and views, especially those of private providers, garnered during the program development process. The final program, modified as appropriate by this consideration, must be made available to the public.

Beginning in FY 1984, grants under section 9 will constitute the largest portion of UMTA's assistance program, with the result that most grantees will be charged with responsibilities under both sections 8(e) and 9(f). Recognizing this, UMTA has relied upon section 9(f) as a congressionally formulated model for guidance on section 8(e). The policy strives to achieve a streamlined process for developing the plans and programs to be funded under the Act and to eliminate the possibility that grantees would be burdened with duplicative procedural requirements. Additionally, early reliance on the section 9 model should narrow the range of issues to be addressed in the course of developing a final program of projects under section 9, and thereby make for expeditious grant delivery.

4. Policy

The joint UMTA/FHWA planning regulation (48 FR 30332, June 30, 1983) requires that the local planning process be consistent with sections 8(e) and 3(e) concerning the involvement of private transportation providers.

This policy is intended as amplification of UMTA's view that private sector participation is most meaningful when initiated early in the planning process. When developing federally assisted mass transportation plans and programs, UMTA grantees should give timely and fair consideration to the comments and proposals of interested private enterprise entities in order to achieve maximum feasible private participation.

As a general matter, UMTA recognizes that local decisionmakers should be afforded maximum flexibility in developing plans and programs to meet local transportation service requirements. At the same time, UMTA is obligated to ensure that local decisionmakers fully and fairly consider the private sector's capacity to provide needed transportation services.

In determining whether the local planning process conforms to the private enterprise requirements of the UMT Act, UMTA will consider a number of factors derived from the procedure set out in section 9(f). UMTA's determination of compliance will be made as part of the Secretary's finding under section 8(c) that the Transportation Improvement Program (TIP) is based on a planning process being carried on in conformance with the objectives of section 8, and, when appropriate, pursuant to the requirements of section 3(e). Specifically, UMTA will consider the factors set forth below:

I. Consultation With Private Providers in the Local Planning Process

A. *Notifications.* It is UMTA policy that local entities, as part of their transportation planning process, provide

reasonable notice to private transportation providers and possible new business entrants regarding proposed services and opportunities for private transportation providers in order that they may present their views concerning the development of local plans and programs. To the extent possible, it is also desirable to make known in advance the criteria which will be taken into account in making public/private service decisions.

B. *Early Consultation.* It is UMTA policy that a fair appraisal of private sector views and capabilities be assured by affording private providers an early opportunity to participate in the development of projects that involve new or restructured mass transit services. Private providers should be given opportunity to present their views concerning the development of local transportation plans and programs and to offer their own service proposals for consideration.

II. Consideration of Private Enterprise

A. *Development of the Transportation Program.* It is UMTA policy that private providers be afforded an opportunity to participate in and have their views be considered in the development of the annual (biennial) element of the TIP before MPO endorsement.

B. *Provision of Service by Private Operators Without Public Involvement.* It is UMTA policy that when new service needs are developed, or services are significantly restructured, consideration should be given to whether private carriers could provide such service in a manner which is consistent with local objectives and without public subsidy. Moreover, existing transit services should be periodically reviewed to determine if they can be provided more efficiently by the private sector. Public officials should examine possible adjustments in local regulation or existing service requirements in order to permit private carriers to perform service without subsidy in the free market.

C. *Opportunities for Private Carriers to Provide Assisted Services.* It is UMTA policy that where it is determined that public assistance is required, consideration should be given to the capability of private providers to provide such new of substantially restructured mass transportation services.

UMTA does not consider it acceptable for localities to foreclose opportunities for private enterprise by simply pointing to local barriers to their involvement in federally assisted local transportation programs. In general, a simple reference in the public record to public agency labor agreements or a local policy that calls for direct operation of all mass transportation providers, would not satisfy the private enterprise requirements of the Act.

D. *True Comparison of Costs.* When comparing the service proposals made by public and private entities, all the fully allocated costs of public and non-profit agencies should be counted. Subsidies provided to public carriers, including operating subsidies, capital grants and the use of public facilities should be reflected in the cost comparisons.

III. Section 3(e)—Documentation

Section 3(e) of the Act affords safeguards to existing private mass transportation companies when proposed projects compete with or supplement the services they provide or when a federally assisted acquisition of a private mass transportation company, equipment or facilities is to occur. In these situations, section 3(e) requires the Secretary to find that the project in question is essential to the program of projects, and that the program provides for the maximum feasible participation of private mass transportation companies. Should it be necessary for these findings to be made, UMTA will request, and the grantee should provide, the necessary documentation upon which the section 3(e) findings will be based. Public records are expected to be in place that document the participatory nature of the local planning process, and the rationale used in making public/private service decisions.

IV. Compliance

Pursuant to the UMTA/FHWA joint planning regulations, the State and the MPO, at the time the annual or biennial element of the Transportation Improvement Program (TIP) is submitted to UMTA, will certify that the planning process is being carried on in conformance with all the requirements of section 8, including section 8(e).

UMTA, is considering conducting periodic Federal planning management reviews to ensure that all the planning requirements of section 8 are being met by recipients of Federal funds. In addition, compliance with the private enterprise provisions of the Act will be monitored as part of the annual audits and triennial reviews by section 9 of the Act.

V. Complaints

Since the underlying spirit of the UMT Act is to afford communities maximum flexibility in local decisionmaking, it is appropriate that questions dealing with the fairness of local procedures and decisions be addressed at the local level. Accordingly, a discrete local mechanism, preferably independent, should be devised for resolving disputes in a manner which assures fairness to all parties.

UMTA will entertain complaints from private enterprise organizations only upon procedural grounds that the local planning and programming process has not established procedures for the maximum feasible participation of private transportation providers consistent with section 8(e) and the spirit of this policy; or that local procedures were not followed; or that the local process does not provide for fair resolution of disputes. Accordingly, UMTA will not review disputes concerning the substance of local decisions regarding service or the appropriate service provider. Nor will UMTA entertain procedural protests prior to a disposition of complaints at the local level.

[FR Doc. 84-27721 Filed 10-19-84; 8:45 am]
BILLING CODE 4910-57-M

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circ. Public Debt Series—No. 30-84]

Treasury Notes of September 30, 1988, Series N-1988

October 15, 1984.

1. Invitation for Tenders

1.1. The Secretary of the Treasury, under the authority of Chapter 31 of Title 31, United States Code, invites tenders for approximately $6,000,000,000 of United States securities, designated Treasury Notes of September 30, 1988, Series N-1988 (CUSIP No. 912827 RH 7). The securities will be sold at auction, with bidding on the basis of yield. Payment will be required at the price equivalent of the bid yield of each accepted tender. The interest rate on the securities and the price equivalent of each accepted bid will be determined in the manner described below. Additional amounts of these securities may be issued to Government accounts and Federal Reserve Banks for their own account in exchange for maturing Treasury securities. Additional amounts of the new securities may also be issued at the average price to Federal Reserve Banks, as agents for foreign and international monetary authorities.

2. Description of Securities

2.1. The securities will be dated October 31, 1984, and will bear interest

from that date, payable on a semiannual basis on March 31, 1985, and each subsequent 6 months on September 30 and March 31 until the principal becomes payable. They will mature September 30, 1988, and will not be subject to call for redemption prior to maturity. In the event an interest payment date or the maturity date is a Saturday, Sunday, or other nonbusiness day, the interest or principal is payable on the next-succeeding business day.

2.2. The securities are subject to all taxes imposed under the Internal Revenue Code of 1954. The securities are exempt from all taxation now or hereafter imposed on the obligation or interest thereof by any State, any possession of the United States, or any local taxing authority, except as provided in 31 U.S.C. 3124.

2.3. The securities will be acceptable to secure deposits of public monies. They will not be acceptable in payment of taxes.

2.4. Securities registered as to principal and interest will be issued in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000. Book-entry securities will be available to eligible bidders in multiples of those amounts. Interchanges of securities of different denominations and of registered and book-entry securities, and the transfer of registered securities will be permitted. Bearer securities will not be available, and the interchange of registered or book-entry securities for bearer securities will not be permitted.

2.5. After December 8, 1984, the Treasury may issue, through the Federal Reserve Bank of New York, as fiscal agent of the United States, additional amounts of the securities offered in this circular in exchange for equal par amounts of the Foreign-Targeted Treasury Notes of September 30, 1988, Series P–1988 (CUSIP No. 912827 RJ 3). Such exchanges must be conducted in accordance with Section 10 of Department Circular, Public Debt Series 31–84 dated October 10, 1984.

2.6. The Department of the Treasury's general regulations governing United States securities apply to the securities offered in this circular. These general regulations include those currently in effect, as well as those that may be issued at a later date.

3. Sale Procedures

3.1. Tenders will be received at Federal Reserve Banks and Branches and at the Bureau of the Public Debt, Washington, DC 20239, prior to 1:00 p.m., Eastern Daylight Saving time, Wednesday, October 24, 1984. Noncompetitive tenders as defined below will be considered timely if postmarked no later than Tuesday, October 23, 1984, and received no later than Wednesday, October 31, 1984.

3.2. The face amount of securities bid for must be stated on each tender. The minimum bid is $1,000, and larger bids must be in multiples of that amount. Competitive tenders must also show the yield desired, expressed in terms of an annual yield with two decimals, e.g., 7.10%. Common fractions may not be used. Noncompetitive tenders must show the term "noncompetitive" on the tender form in lieu of a specified yield.

3.3. A single bidder, as defined in Treasury's single bidder guidelines, shall not submit noncompetitive tenders totaling more than $1,000,000. A noncompetitive bidder may not have entered into an agreement, nor make an agreement to purchase or sell or otherwise dispose of any noncompetitive awards of this issue being auctioned prior to the designated closing time for receipt of tenders.

3.4. Commercial banks, which for this purpose are defined as banks accepting demand deposits, and primary dealers, which for this purpose are defined as dealers who make primary markets in Government securities and report daily to the Federal Reserve Bank of New York their positions in and borrowing on such securities, may submit tenders for account of customers if the names of the customers and the amount for each customer are furnished. Others are permitted to submit tenders only for their own account.

3.5. Tenders will be received without deposit for their own account from commercial banks and other banking institutions; primary dealers, as defined above; Federally-insured savings and loan associations; States, and their political subdivisions or instrumentalities; public pension and retirement and other public funds; international organizations in which the United States holds membership; foreign central banks and foreign states; Federal Reserve Banks; and Government accounts. Tenders from others must be accompanied by full payment for the amount of securities applied for (in the form of cash, maturing Treasury securities, or readily collectible checks), or by a payment guarantee of 5 percent of the face amount applied for, from a commercial bank or a primary dealer.

3.6. Immediately after the closing hour, tenders will be opened, followed by a public announcement of the amount and yield range of accepted bids. Subject to the reservations expressed in Section 4, noncompetitive tenders will be accepted in full, and then competitive tenders will be accepted, starting with those at the lowest yields, through successively higher yields to the extent required to attain the amount offered. Tenders at the highest accepted yield will be prorated if necessary. After the determination is made as to which tenders are accepted, an interest rate will be established, on the basis of a ⅛ of one percent increment, which results in an equivalent average accepted price close to 100.000 and a lowest accepted price above the original issue discount limit of 99.250. That rate of interest will be paid on all of the securities. Based on such interest rate, the price on each competitive tender allotted will be determined and each successful competitive bidder will be required to pay the price equivalent to the yield bid. Those submitting noncompetitive tenders will pay the price equivalent to the weighted average yield of accepted competitive tenders. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923, and the determinations of the Secretary of the Treasury shall be final. If the amount of noncompetitive tenders received would absorb all or most of the offering, competitive tenders will be accepted in an amount sufficient to provide a fair determination of the yield. Tenders received from Government accounts and Federal Reserve Banks will be accepted at the price equivalent to the weighted average yield of accepted competitive tenders.

3.7. Competitive bidders will be advised of the acceptance or rejection of their tenders. Those submitting noncompetitive tenders will be notified only if the tender is not accepted in full, or when the price is over par.

4. Reservations

4.1. The Secretary of the Treasury expressly reserves the right to accept or reject any or all tenders in whole or in part, to allot more or less than the amount of securities specified in Section 1, and to make different percentage allotments to various classes of applicants when the Secretary considers it in the public interest. The Secretary's action under this Section is final.

5. Payment and Delivery

5.1. Settlement for allotted securities must be made at the Federal Reserve Bank or Branch or at the Bureau of the Public Debt, wherever the tender was submitted. Settlement on securities allotted to institutional investors and to others whose tenders are accompanied by a payment guarantee as provided in Section 3.5. must be made or completed on or before Wednesday, October 31, 1984. Payment in full must accompany tenders submitted by all other investors.

Payment must be in cash; in other funds immediately available to the Treasury; in Treasury bills, notes, or bonds (with all coupons detached) maturing on or before the settlement date but which are not overdue as defined in the general regulations governing United States securities; or by check drawn to the order of the institution to which the tender was submitted, which must be received from institutional investors no later than Monday, October 29, 1984. In addition, Treasury Tax and Loan Note Option Depositaries may make payment for allotted securities for their own accounts and for account of customers by credit to their Treasury Tax and Loan Note Accounts on or before Wednesday, October 31, 1984. When payment has been submitted with the tender and the purchase price of allotted securities is over par, settlement for the premium must be completed timely, as specified in the preceding sentence. When payment has been submitted with the tender and the purchase price is under par, the discount will be remitted to the bidder. Payment will not be considered complete where registered securities are requested if the appropriate identifying number as required on tax returns and other documents submitted to the Internal Revenue Service (an individual's social security number or an employer identification number) is not furnished. When payment is made in securities, a cash adjustment will be made to or required of the bidder for any difference between the face amount of securities presented and the amount payable on the securities allotted.

5.2. In every case where full payment has not been completed on time, an amount of up to 5 percent of the face amount of securities allotted, shall, at the discretion of the Secretary of the Treasury, be forfeited to the United States.

5.3. Registered securities tendered in payment for allotted securities are not required to be assigned if the new securities are to be registered in the same names and forms as appear in the registrations or assignments of the securities surrendered. When the new securities are to be registered in names and forms different from those in the inscriptions or assignments of the securities presented, the assignment should be to "The Secretary of the Treasury for (securities offered by this circular) in the name of (name and taxpayer identifying number)." Specific instructions for the issuance and delivery of the new securities, signed by the owner or authorized representative, must accompany the securities presented. Securities tendered in payment should be surrendered to the Federal Reserve Bank or Branch or to the Bureau of the Public Debt, Washington, DC 20239. The securities must be delivered at the expense and risk of the holder.

5.4. Delivery of securities in registered form will be made after the requested form of registration has been validated, the registered interest account has been established, and the securities have been inscribed.

6. General Provisions

6.1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive tenders, to make allotments as directed by the Secretary of the Treasury, to issue such notices as may be necessary, and to receive payment for and make delivery of securities on full-paid allotments.

6.2. The Secretary of the Treasury may at any time issue supplemental or amendatory rules and regulations governing the offering. Public announcement of such changes will be promptly provided.

John A. Kilcoyne,

Acting Fiscal Assistant Secretary.

[FR Doc. 84-27740 Filed 10-19-84; 8:45 am]

BILLING CODE 4810-40-M

[Dept. Circ. Public Debt Series No. 31-84]

Foreign-Targeted Treasury Notes of September 30, 1988, Series P-1988

Outside the United States, this offering circular is for informational purposes and does not constitute an offer or solicitation, and it may not be used for the purpose of or in connection with any offer or solicitation by any person in any jurisdiction in which such offer or solicitation is not authorized or to any person to whom it is unlawful to make such offer or solicitation.

Table of Contents

Section 1. Invitation for Tenders
Section 2. Definitions
Section 3. Fiscal Agent as Registrar
Section 4. Description of the Notes
Section 5. Domestic Notes
Section 6. Bidding and Sale Procedures
Section 7. Payment for Notes
Section 8. Book-Entry Notes
Section 9. Definitive Notes
Section 10. Exchange for Domestic Notes
Section 11. United States Taxation
Section 12. Sanctions
Section 13. General Provisions
Attachment A—Sample Tender Form
Attachment B—Sample Payment Instructions
Attachment C—Sample Guarantee
Attachment D—Formulas

Section 1. Invitation for Tenders

1.1. *Introduction.* The Secretary of the Treasury, pursuant to the authority granted him by Chapter 31 of Title 31, United States Code, invites tenders for up to $1,000,000,000 of United States securities designated Foreign-Targeted Treasury Notes of September 30, 1988, Series P-1988 (CUSIP No. 912827 RJ 3) (collectively the "Notes", individually a "Note"). The Notes will be auctioned in the United States on October 24, 1984, by competitive bidding only. Payment must be made as set forth below in United States dollars. The stated interest rate on the Notes and the price equivalent of each accepted bid will be determined in the manner described in section 6.7.

1.2. *Targeted Nature of the Notes.* Treasury will sell the Notes only to Bidders as defined in section 2.1. Bidders must acquire the Notes only for themselves or on behalf of, or for sale or other transfer to, United States Aliens as defined in section 2.18 or foreign branches of United States Financial Institutions. In addition, any transfers by Bidders after December 8, 1984, to Qualified Holders as defined in section 2.14 that are United States Persons must be consistent with the tax certification described in section 11.2.

1.3. *Transfer Restrictions.* Before December 9, 1984, the Notes may not be sold or transferred to a United States Person as defined in section 2.19, other than a foreign branch of a United States Financial Institution. Each Bidder for the Notes must certify on the tender form for the Notes that it will not sell, contract to sell, or otherwise transfer the Notes to a United States Person, other than a foreign branch of a United States Financial Institution, before December 9, 1984. Each Bidder further agrees that, if it sells, contracts to sell, or otherwise transfers the Notes before December 9, 1984, it will confirm to such purchaser or transferee in writing that (i) there is a restriction on sale or other transfer to United States Persons other than foreign branches of United States Financial Institutions and (ii) that such confirmation is required to be given to any subsequent purchaser or transferee that acquires the Notes before December 9, 1984. The transfer restriction of this section 1.3 is in addition to the tax certification of a Bidder described in section 11.2. As described in section 11.2, the Bidder must certify that, as of the date of issuance, Notes acquired by the Bidder will not be owned by a United States Person, other than a foreign branch of a United States Financial Institution, and

that the Notes are not being acquired on behalf of such a person, or for offer to resell or for resale to such a person. This tax certification requirement is independent of the transfer restriction of this section 1.3.

1.4. *Tax Treatment.* The Notes are subject to United States federal income tax as provided in the Internal Revenue Code as defined in section 2.8. Interest on the Notes paid to a United States Alien is not subject to United States federal income tax if the conditions of sections 871(h) or 881(c) of the Internal Revenue Code and the regulations related thereto are satisfied. The discussion in section 11 is only a summary of the currently applicable tax requirements. The tax consequences of holding the Notes derive solely from the Internal Revenue Code and regulations now or hereafter promulgated thereunder.

Section 2. Definitions

The following terms, whenever used and capitalized in this offering circular, shall have the meanings set forth below.

2.1. *Bidder.* (i) A United States Alien, other than an individual, or (ii) a foreign branch of a United States Financial Institution.

2.2. *Definitive Notes.* Notes (as defined in section 1.1) evidenced by a certificate that is inscribed with the name of the Registered Owner.

2.3. *Domestic Notes.* Companion securities sold at auction on October 24, 1984, and designated Treasury Notes of September 30, 1988, Series N–1988 (CUSIP No. 912827 RH 7).

2.4. *Exchange Adjustment.* As defined in section 10.3.

2.5. *Financial Institution.* A securities clearing organization, a bank, or other financial institution that holds customers' securities in the ordinary course of its trade or business, within the meaning of section 871(h)(4)(B) of the Internal Revenue Code.

2.6. *FRB NY.* The Federal Reserve Bank of New York, located at 33 Liberty Street, New York, New York.

2.7. *Holding Institution.* A Financial Institution that has a book-entry account with FRB NY.

2.8. *Internal Revenue Code.* The United States Internal Revenue Code of 1954, as amended from time to time (Title 26 of the United States Code).

2.9. *International Account.* A Holding Institution's book-entry account with FRB NY for which records are maintained by FRB NY that specifically identify either a foreign Financial Institution or a foreign branch of a United States Financial Institution. A United States branch of a foreign Financial Institution may not establish an International Account. A United States subsidiary of a foreign Financial Institution may establish an International Account in accordance with the requirements of the first sentence of this section 2.9.

2.10. *Note or Notes.* As defined in section 1.1.

2.11. *Payment Guarantee.* A guarantee of payment to Treasury for an amount equal to 5 percent of the par amount of Notes for which a tender is submitted by or on behalf of a Bidder.

2.12. *Paying Institution.* A Financial Institution that has a reserve, clearing, or other dollar account with FRB NY and that has been designated on the tender form to pay for Notes.

2.13. *Primary Dealer.* A dealer that makes primary markets in United States Government securities and reports its positions in and borrowings on such securities daily to FRB NY.

2.14. *Qualified Holder.* Before December 9, 1984, a United States Alien or a foreign branch of a United States Financial Institution and after December 8, 1984, a United States Alien or a United States Person.

2.15 *Registered Owner.* The Financial Institution specifically identified on the records of FRB NY maintained for an International Account, or, for Notes held in book-entry form in a book-entry account other than an International Account, the Holding Institution, or, if a Note is held in definitive form, the person whose name is inscribed on a Definitive Note and recorded on the books of FRB NY.

2.16. *Secretary.* The Secretary of the United States Department of the Treasury, the legal successor of the Secretary, and delegates of the Secretary or such legal successor.

2.17. *Treasury.* The United States Department of the Treasury.

2.18. *United States Alien.* A corporation, partnership, individual, or fiduciary that for United States federal income tax purposes, as to the United States (including its territories, possessions, all areas subject to its jurisdiction and the Commonwealth of Puerto Rico), is a foreign corporation, a nonresident alien individual, a nonresident alien fiduciary of a foreign estate or trust, or a foreign partnership one or more of the members of which is, for United States federal income tax purposes, a foreign corporation, a nonresident alien individual, or a nonresident alien fiduciary of a foreign estate or trust.

2.19. *United States Person.* A citizen, national, or resident of the United States; a corporation, partnership, or other entity created or organized in or under the laws of the United States or any political subdivision thereof; or an estate or trust that is subject to United States federal income tax regardless of the source of its income.

2.20. *United States-Related Person.* A United States Person, a controlled foreign corporation within the meaning of section 957(a) of the Internal Revenue Code, or a foreign corporation 50 percent or more of whose gross income from all sources for the three-year period ending with the close of the taxable year preceding the subject payment was effectively connected with the conduct of a trade or business in the United States.

2.21. *Withholding Agent.* The United States Person that would be required to deduct and withhold United States federal income tax from interest on the Notes under sections 1441(a) or 1442(a) of the Internal Revenue Code if such interest were not portfolio interest within the meaning of sections 871(h) and 881(c) of the Internal Revenue Code.

Section 3. Fiscal Agent as Registrar

3.1. *Fiscal Agent as Registrar.* FRB NY is designated to act on behalf of Treasury as the exclusive fiscal agent and, as such, registrar for this issue. FRB NY is authorized to receive tender forms and payment, issue the Notes, maintain and service securities accounts, pay principal and interest, conduct exchange and conversion transaction, redeem the Notes at maturity and otherwise act as necessary in its capacity as fiscal agent.

Section 4. Description of the Notes

4.1. *The Notes.* The Notes will be issued as direct obligations of the United States of America. The Notes will be issued in book-entry form on October 31, 1984, and will bear interest in accordance with the accrual formula for Notes paying annual interest set forth at Attachment D, payable on an annual basis on September 30, 1985, and on September 30 of each subsequent year through the maturity date. The Notes will mature on September 30, 1988, and are not subject to call or redemption prior to maturity. After December 8, 1984, the Notes may be converted to Definitive Notes as described in Section 9. Interest and principal on the Notes will be paid in United States dollars in accordance with the procedures set forth in sections 8.5 and 9.3. After December 8, 1984, the Notes will be acceptable to secure deposits of public monies of the United States.

4.2. *Transfer and Exchange.* Ownership of the Notes is transferable as provided in sections 8 and 9. The Notes may be exchanged for Domestic

Notes as provided in section 10. If the applicable requirements of section 11 have been complied with, after December 8, 1984, the Notes may be acquired and owned by a United States Person and Domestic Notes acquired in exchange for the Notes may be acquired and owned by either a United States Alien or a United States Person.

4.3. *No Gross-up.* There will be no future increase in payments to offset any changes in tax requirements affecting these Notes.

4.4. *Denominations.* Definitive Notes will be issued in denominations of $1,000, $5,000, $10,000, $100,000, and $1,000,000. Notes in book-entry form will be issued in multiples of those amounts.

4.5. *Governing Regulations.* Treasury's general regulations governing United States securities (Part 306 of Title 31 of the Code of Federal Regulations) apply to the Notes offered in this offering circular, except as otherwise provided herein.

Section 5. Domestic Notes

5.1. *Domestic Auction.* On October 24, 1984, Treasury also will auction Domestic Notes that will be issued on the same day as the Notes and will have the same maturity date and stated interest rate as the Notes. After December 8, 1984, the Notes may be exchanged for Domestic Notes in accordance with the procedures set forth in Section 10.

Section 6. Bidding and Sale Procedures

6.1. *Bidders.* Tender forms may be submitted only by or on behalf of Bidders. Individuals may not be Bidders. A syndicate must be comprised only of Bidders to be considered a Bidder. Tender forms may be submitted by an agent of a Bidder if the identity of the Bidder is disclosed.

6.2. *Tender Submission.* Bids must be submitted on the prescribed tender form and must be received at FRB NY, First Floor, before 1:00 p.m. New York time, Wednesday, October 24, 1984. Persons submitting tender forms will receive time-stamped receipts. Beginning at 1:00 p.m. New York time on October 24, 1984, bids are irrevocable. A sample tender form is set forth at Attachment A. Tender forms may be obtained at FRB NY and at Treasury offices in Washington, D.C. beginning Tuesday, October 9, 1984.

6.3. *Payment Instructions.* Bidders are required to make arrangements to pay for the Notes before submitting a bid. Each Bidder must designate a Paying Institution on the tender form. Except as set forth below, each Paying Institution must advise FRB NY no later than 12:00 noon New York time on October 23, 1984, that it has agreed to serve as a Paying Institution for a named Bidder. That advice must be given in the form set forth at Attachment B to this offering circular. The Attachment B notice is not required if (i) the Bidder and its designated Paying Institution are the same legal entity or (ii) the Paying Institution is submitting the tender form as agent for a Bidder, and if the signature of the authorized signer of the Paying Institution on the tender form is on file with FRB NY as an authorized signature of the Paying Institution. The Paying Institution may withdraw or modify its agreement to serve as Paying Institution by notifying FRB NY in accordance with Attachment B. The withdrawal of a Paying Institution after a bid has been accepted does not relieve the Bidder of its obligation to pay for the Notes in funds available to Treasury at FRB NY no later than 9:00 a.m. New York time on October 31, 1984.

6.4. *Payment Guarantees.* A Payment Guarantee is required unless (i) the Bidder and its designated Paying Institution are the same legal entity or (ii) the Bidder is a foreign branch (not a subsidiary) of a Primary Dealer. A Payment Guarantee may be provided by a Paying Institution or by a Primary Dealer. If the Payment Guarantee is provided by a Paying Institution or a Primary Dealer that is signing the tender form, it must be provided on the tender form. If the Payment Guarantee is provided by a Paying Institution that is not signing the tender form, it must be provided in a letter in the form of Attachment C. If the Payment Guarantee is provided by a Primary Dealer that is not signing the tender form, it must be submitted in a letter in the form of Attachment C. Payment Guarantees in the form of Attachment C must be received by FRB NY no later than 12:00 noon New York time on October 23, 1984. In addition to any other remedies available to the Secretary, the amount of this Payment Guarantee is subject to forfeiture in the Secretary's sole discretion if full payment for the Notes is not made in funds available to Treasury at FRB NY no later than 9:00 a.m. New York time on October 31, 1984.

6.5. *Minimum Bid.* The par amount of the bid must be stated on each tender form. Multiple bids by a single Bidder are permitted. Each bid, however, must be submitted on a separate tender form. All bids must be in multiples of $1,000,000 and the aggregate amount bid at the lowest yield by each Bidder must be at least $50,000,000. A bid must show the annual yield for which it is submitted to two decimals, e.g., 7.10%, based on an annual interest payment. Fractions may not be used.

6.6. *Maximum Awards.* A Bidder, whether bidding individually or as a member of one or more syndicates, will not be awarded Notes with a par value in excess of $350,000,000. A syndicate will not be awarded Notes in excess of $500,000,000. If a Bidder submits one or more bids with a total par value in excess of such maximum awards, the excess (starting at the highest yield bid) will be disregarded for purposes of the prorated calculations referred to in section 6.8. A syndicate must disclose: (i) the identity of any syndicate member that is submitting one or more other bids (either individually or as a member of another syndicate) if that member's total bids exceed $350,000,000, and (ii) the amount of Notes included in the syndicate bid for such disclosed syndicate member. Apart from such disclosures, the identity of syndicate members other than the head of the syndicate need not be disclosed.

6.7. *Interest Rate and Price of Notes.* The stated interest rate established in the auction of the Domestic Notes also will be applied to the Notes. That rate of interest, payable on an annual basis, will be paid on all of the Notes. Based on such interest rate, the price for each accepted yield (on an annual payment basis) will be determined and each successful Bidder will be required to pay the price equivalent to the yield bid. Price calculations will be based on a 360-day year using the formula set forth at Attachment D for Treasury notes paying annual interest. Price calculations will be carried to three decimal places on the basis of price per hundred, e.g., 99.923. The determinations of the Secretary shall be final.

6.8. *Announcement of Auction Results.* On October 24, 1984, a public announcement of the amount and yield range of accepted bids for the Notes will be made by 5:00 p.m. New York time or as soon thereafter as possible. Bids for the Notes at yields equal to or greater than the highest accepted yield (adjusted to an annual payment basis) in the auction of the Domestic Notes will not be accepted. Subject to the limitations and reservations set forth in this Section 6, bids will be accepted starting with those at the lowest yield through successively higher yields until the total par amount of Notes offered has been awarded. Bids at the highest accepted yield will be prorated on a percentage basis, if necessary, taking into account the maximum award limitations of section 6.6. For example, assume that in a $1 billion offering, bids totaling $900 million have been accepted and that only three Bidders have submitted bids totaling $250 million at

the next yield above those already accepted. Each of the three Bidders would then receive 40% ($1,000,000,000 divided by $250,000,000) of the amount of its bid at that yield.

6.9. *Notification to Bidders.* FRB NY will mail to each successful Bidder notification that its bid has been accepted. The notification will contain the confirmation described in section 11.3, Copies of the written notification also will be available for pickup by each successful Bidder and by its Paying Institution (and its Holding Institution, if different) at FRB NY, First Floor, by 12:00 noon New York time on October 25, 1984.

6.10. *Reservations.* It is the intent of the Secretary to issue $1,000,000,000 of the Notes. The Secretary expressly reserves the right to accept or reject any or all of the bids in whole in part. If acceptable bids of less than $500,000,000 are submitted, no bids will be accepted. The Secretary's action under this section 6.10 in final.

Section 7. Payment for Notes

7.1. *Payment.* Payment for the Notes will be made on October 31, 1984, by FRB NY debiting the account of each successful Bidder's Paying Institution.

Section 8. Book-Entry Notes

8.1*Notes Held in Book-Entry Form.* On the books of FRB NY, notes may be held only by a Holding Institution. Before December 9, 1984, Notes may be held only in a Holding Institution's International Account. After December 8, 1984, Notes may be held in any book-entry account of a Holding Institution. Holding Notes in an account other than an International Account may affect the certifications required for tax purposes. See section 11. A Holding Institution that has more than one available book entry account with FRB NY may have more than one International Account. Each Bidder must identify on its tender form a Holding Institution with an International Account.

8.2. *Transfer of Book-Entry Notes.* Before December 9, 1984, FRB NY will transfer the Notes only between International Accounts. After December 8, 1984, the Notes may be transferred between any book-entry accounts of any Holding Institutions.

8.3. *Book-Entry System.* Book-entry records at FRB NY will reflect the aggregate holdings of Notes of each Holding Institution by account. The Holding Institution, and each subsequent holder in the chain to the ultimate beneficial owner, will have the responsibility of establishing and maintaining accounts for its customers. FRB NY will be responsible only for maintaining the book-entry accounts in its system, effecting transfers on its books, and ensuring that payments are made to the Holding Institution identified in its book-entry system. With respect to the Notes. FRB NY will act only upon instructions of the Holding Institution holding the Notes.

8.4. *FRB NY as Fiscal Agent.* FRB NY acts as fiscal agent of Treasury. All other holders in the chain between FRB NY and the ultimate beneficial owner act as agents of the beneficial owner or as agent of intermediary Financial Institutions and not as agents of Treasury.

8.5. *Payment of Interest and Principal.* Interest on Notes in book-entry form will be paid on the interest payment date, and Notes will be redeemed at par on the maturity date. Funds for interest or redemption payments will be credited to the Holding Institution. In the event an interest payment date or the maturity date is a Saturday, Sunday, or other day on which Treasury in Washington, D.C. or FRB NY is not open for business, the interest or principal is payable (without additional interest) on the next day that both the Treasury in Washington, D.C. and FRB NY are open for business.

Section 9. Definitive Notes

9.1. *Definitive Notes.* After December 8, 1984, book-entry Notes held at FRB NY may be converted to Definitive Notes. Each Definitive Note will contain on its face the following legend: "This obligation has been sold at original issuance in accordance with procedures reasonably designed to ensure that it will be sold only to a person that is not a United States person, other than a foreign branch of a United States financial institution, pursuant to sections 871(h) and 881(c) of the Internal Revenue Code of 1954, as amended."

9.2. *Requests for Conversion to Definitive Notes.* The request for conversion of book entry-Notes to Definitive Notes may be made to FRB NY only by a Holding Institution and must provide the name and address of the Registered Owner. The Registered Owner of a Definitive Note may be the beneficial owner or someone holding the Note on behalf of a beneficial owner. Upon receipt of the appropriate certification as described in section 11, FRM NY will deliver the Definitive Note either over the counter or via registered mail in accordance with the instructions provided by the Holding Institution submitting the request for a Definitive Note.

9.3. *Payment of Interest and Principal.* Interest and maturity payments will be made by check payable to the Registered Owner or by credit to the reserve account of a Financial Institution that is the Registered Owner, if the Financial Institution maintains such an account with FRB NY. Interest and maturity payments will be mailed or credited on the date such payments are due. In the event an interest payment date or the maturity date is a Saturday, Sunday, or other day on which Treasury in Washington, D.C. or FRB NY is not open for business, the interest or principal is payable (without additional interest) on the next day that both the Treasury in Washington, D.C. and FRB NY are open for business. Definitive Notes will be redeemed by FRB NY at par upon presentment by the Registered Owner or by a Holding Institution on behalf of the Registered Owner on or after the maturity date. Notes will not accrue interest after the maturity date.

9.4. *Conversion to Book-Entry Form.* A Registered Owner may convert a Definitive Note to book-entry form by submitting the Definitive Note to FRB NY through a Holding Institution. The signature of the Registered Owner must be guaranteed by the Holding Institution or certified by: (1) a United States diplomatic or consular representative; (2) a manager, assistant manager or other officer of a foreign branch of a bank or trust company incorporated in the United States, its territories or possessions, or the Commonwealth of Puerto Rico; or (3) a notary public or other officer authorized to administer oaths, provided that the official position and authority of any such officer is certified by a United States diplomatic or consular representative under seal of office.

9.5. *Transfer of Ownership.* Ownership of Definitive Notes may be transferred by assignment. In order to reflect the change of ownership on the books of FRB NY, assigned Definitive Notes must be submitted for reregistration to FRB NY, together with the name and address of the new Registered Owner. The signatures of all assignors must be guaranteed by an institution eligible to serve as a Paying institution or certified by an individual who may certify signatures for purposes of section 9.4 above.

9.6. *Closed-Book Periods.* Transactions involving Definitive Notes will not be accepted by FRB NY during closed-book periods. Such transactions include conversions between book-entry and Definitive Notes and changes in the registration of Definitive Notes. Books for Definitive Notes will be closed for one calendar month prior to and ending on an interest payment date and the maturity date. The Definitive Note books will be reopened on the next day

that FRB NY is open for business following an interest payment date. No conversions or changes in registration will be allowed after the maturity date. During periods when the books for Definitive Notes are open, conversions and changes in registration of Definitive Notes generally will be processed by FRB NY within one week of receipt.

9.7. *No Fees Imposed.* FRB NY will not impose any fee for the issuance, transfer, exchange or redemption of Definitive Notes.

Section 10. Exchange for Domestic Notes

10.1. *Exchange Provision.* After December 8, 1984, Notes issued under this offering circular may be exchanged for Domestic Notes. Definitive Notes or Notes in book-entry form may be exchanged at FRB NY for an equal par amount of Domestic Notes in either book-entry or definitive form. Exchanges of Domestic Notes for Notes will not be permitted.

10.2. *Taxation.* Upon exchange for Domestic Notes, the holder of such Domestic Notes will be required to comply with the tax requirements (including certification requirements) applicable to Domestic Notes. See also section 11.

10.3. *Adjustment Upon Exchange.* At the time of the exchange of Notes for Domestic Notes, an adjustment will be made for the difference between the present value of the Notes based on the formula in Attachment D for Treasury notes paying annual interest and the present value of the Notes based on the formula in Attachment D for Treasury notes paying semiannual interest. This net adjustment consists of the Exchange Adjustment and accrued interest, if applicable. As used in this offering circular, "Exchange Adjustment" means the difference in the present values of the Notes resulting from applying the formulas in Attachment D, after adjusting for the difference in accrued interest. In determing present values, the future payments of interest and principal will be discounted by using the weighted average yield of the Notes at the time of auction in applying the annual formula and by using the semiannual equivalent of that yield in applying the semiannual formula. Calculation of the present values will be made using the formulas shown in Attachment D hereto. In the event the present value of the Notes based on semiannual interest payments exceeds the present value of the Notes based on annual interest payments, the holder must pay to Treasury an amount equal to the excess before the exchange will be processed. In the event the present value of the Notes based on the annual interest payments exceeds the present value of the Notes based on the semiannual interest payments, the holder will receive on the exchange an amount equal to the excess. The net adjustment will not reflect or take into account any market-based factor.

10.4. *Closed-Book Periods.* Exchange transactions involving Notes or Domestic Notes in definitive form will not be accepted during closed-book periods that will be in effect during the period of one calendar month prior to and ending on an interest payment date and the maturity date. Exchange transactions involving only Notes and Domestic Notes in book-entry form may not be accepted on the last day on which FRB NY is open for business preceding an interest payment date and the maturity date. The registration books for Notes and Domestic Notes in definitive form will be reopened on the first day following an interest payment date on which FRB NY is open for business. Except for the closed-book periods, exchange transactions involving only book-entry securities normally will be processed within one day; all other exchange transactions normally will be processed within one week of receipt by FRB NY. No exchanges will be allowed after the maturity date of the Notes.

Section 11. United States Taxation

11.1. *Taxation of Interest and Principal to United States Aliens.* Payments of interest and principal on the Notes to a United States Alien will not be subject to withholding of United States federal income tax if the Withholding Agent receives an effective certificate under sections 11.4, 11.5, 11.6, or 11.7, and the other requirements described in the applicable section are satisfied. Failure to satisfy the requirements described in this Section 11.1 may result in imposition of a withholding tax.

11.2. *Certification at Initial Issuance.* A Bidder will be required to provide a written certification on the tender form that, as of the date of issuance, none of the Notes acquired by the Bidder will be beneficially owned by a United States Person, other than a foreign branch of a United States Financial Institution, or is being acquired on behalf of such a person, or for offer to resell or for resale to such a person. This certification is in addition to and not limited by the transfer restriction in section 1.3. A certification made by a clearing organization must be based on such statements provided to the clearing organization by its member organizations. (Alternatively, a member organization of a clearing organization may provide the written certification directly to FRB NY.)

11.3. *Confirmations.* FRB NY will include a confirmation in the notification described in section 6.9 that it is understood that the purchaser represents that it is not a United States Person or that if it is a United States Person it is a foreign branch of a United States Financial Institution. If the sale is to a dealer, the confirmation will state that the dealer is required to send a similar confirmation to its purchaser. Financial Institutions buying on behalf of or for resale to others are considered to be dealers and will be required to send confirmations to their customers.

11.4. *Interest Certification: Financial Institutions.* A Withholding Agent may make a payment of interest on a Note at an address outside the United States to a Registered Owner that is a Financial Institution without withholding United States federal income tax if (i) the Withholding Agent does not have actual knowledge that the beneficial owner of the Note is a United States Person (other than a foreign branch of a United States Financial Institution), (ii) the Note was sold in accordance with the procedures described in sections 11.2 and 11.3, and (iii) the Financial Institution provides a certificate to the Withholding Agent in writing that states that the beneficial owner of the Note is not a United States Person (other than a foreign branch of a United States Financial Institution). No particular form is required for the certificate. If the Financial Institution does not hold Notes for a beneficial owner that is a United States Person (other than a foreign branch of a United States Financial Institution), a single certificate may be provided with respect to all of the Notes held by the Financial Institution. If a Financial Institution that is a Registered Owner transfers a Note and ceases to be the Registered Owner of such Note, then, except as described in section 11.10, the Financial Institution will not be required to provide a certificate under this section 11.4 with respect to such Note (unless the Financial Institution subsequently becomes the Registered Owner of the Note). Interest will be considered paid to a Registered Owner outside the United States if the Note is either recorded in a Holding Institution's International Account and interest is credited for that account or interest on a Definitive Note is delivered to the holder outside the United States.

11.5. *Interest Certification: Clearing Organizations.* A certificate described in section 11.4 may be provided by a Financial Institution acting in its capacity as a clearing organization only

if the clearing organization has received such a certificate from the member organization to which the interest is paid and the member organization is a Financial Institution.

11.6. *Interest Certification For Beneficial Owners that are United States Persons.* A Withholding Agent may make a payment of interest on a Note to a Registered Owner that is a Financial Institution at an address outside the United States without withholding United States federal income tax if the Withholding Agent recieves an effective statement, as described below, from the Financial Institution (relating to beneficial ownership by certain United States Persons), and, if the Financial Institution is not a United States-Related Person, the Withholding Agent makes the information returns described in section 11.9. If the Financial Institution is a United States-Related Person, the statement must be signed under the penalties of perjury by an authorized representative of the Financial Institution and must state that the institution has received from the beneficial owner a certificate, as described below, and that the institution will make such information returns and otherwise comply with information reporting required under the Internal Revenue Code. If the Financial Institution is not a United States-Related Person, the statement must be signed under penalties of perjury by an authorized representative of the Financial Institution and must state (i) that the institution has received from the beneficial owner a certificate, as described below, or (ii) that it has received from another Financial Institution a similar statement that it, or another Financial Institution acting on behalf of the beneficial owner, has received a certificate, as described below, from the beneficial owner. In the case of multiple Financial Institutions between the beneficial owner and the person otherwise required to withhold, this statement must be given by each Financial Institution to the one above it in the chain. The certificate from the beneficial owner must (i) be signed by the beneficial owner under penalties of perjury, (ii) provide the name and address of the beneficial owner, (iii) provide the United States taxpayer identification number and state that it is the beneficial owner's correct number, and (iv) state that the beneficial owner is not subject to backup withholding due to notified payee underreporting. This certificate may be provided on Internal Revenue Form W–9 or a substitute form that is substantially similar to a Form W–9. No particular form is required for the statement provided by the Financial Institutions. However, the statement must provide the name and address of the beneficial owner, and a copy of the Form W–9 or substitute form must be attached.

11.7. *Interest Certification In Other Cases.* A Withholding Agent may make a payment of interest on a Note to a Registered Owner without withholding United States federal income tax if (i) the Withholding Agent does not have actual knowledge that the beneficial owner of the Note is a United States Person (other than a foreign branch of a United States Financial Institution), and if (ii) the Withholding Agent receives a certificate from the Registered Owner that (A) is signed by the beneficial owner under penalties of perjury, (B) certifies that such owner is not a Untied States Person, or in the case of an individual, that he is neither a citizen nor a resident of the United States, and (C) provides the name and address of the beneficial owner. The statement may be made, at the option of the Withholding Agent, on Internal Revenue Service Form W–8 or on a substitute form that is substantially similar to a Form W–8. A Withholding Agent also may make a payment of interest to a Untied States Alien Registered Owner without withholding United States federal income tax if an appropriate statement is provided to the Withholding Agent by a Financial Institution. In such case the statement must describe the obligation, be signed under penalties of perjury by an authorized representative of the Financial Institution and state (i) that the Financial Institution has received from the beneficial owner a Form W–8 or substitute form, or (ii) that it has received from another Financial Institution a similar statement that it, or another Financial Institution acting on behalf of the beneficial owner, has received the Form W–8 or substitute form from the beneficial owner. In section 11.7 the case of multiple Financial Institutions between the beneficial owner and the Withholding Agent, this certificate must be given by each Financial Institution to the one above it in the chain. No particular form is required for the statement provided by the Financial Institutions. However, the statement must provide the name and address of the beneficial owner, and a copy of the Form W–8 or a substitute form provided by the beneficial owner must be attached. The certification procedures of this section 11.7 may be used in lieu of the procedures in section 11.4 with respect to a payment of interest outside the United States on a Note registered in the name of a Financial Institution.

11.8. *Prospective Determination.* Any determination by the Secretary with respect to certification requirements pursuant to section 871(h)(4) of the Internal Revenue Code will be published and will be effective only with respect to payment of interest made more than one month after the publication of such a determination.

11.9. *Certain Information Reporting.* A Withholding Agent that receives a statement described in section 11.6 from a Financial Institution that is not a United States-Related Person must make an information return on Internal Revenue Service Form 1099 of the payment with respect to which the statement (and accompanying certificate) is required for the calendar year in which the payment is made. The return should be completed as though the payment were made to the beneficial owner of the income. A Withholding Agent that receives a certificate described in section 11.7 must make an information return on Internal Revenue Service Form 1042S of the payment with respect to which the certificate is required for the calendar year in which the payment is made. The certificate received with respect to the payment shall be attached to the Form 1042S required to be filed with respect to the payment.

11.10. *Timing of Certificates at Interest Payments.* The certificates or statements described in sections 11.4 through 11.7 are required to be received by the Withholding Agent within the 90-day period prior to the interest payment date. However, if a certificate is received less than 30 days before that date, the Withholding Agent, in its discretion, may withhold tax. If the information provided on a certificate described in section 11.4 or 11.5 changes within the 90-day period prior to the interest payment date, the person providing the statement must inform the Withholding Agent (or clearing organization) within 30 days of such change. For example, if during the 90-day period, but subsequent to furnishing a certificate, beneficial ownership of a Note is transferred to a United States Person, the person furnishing the certificate described in section 11.4 or 11.5 is required to amend its certificate within 30 days of the transfer to inform the Withholding Agent that the obligation is being held by a United States Person. Except as provided in this section 11.10, a certificate described in section 11.4 or 11.5 does not have to be amended if Notes are transferred from

one Financial Institution to another Financial Institution. If the information on a certificate described in section 11.6 or 11.7 changes, the beneficial owner must notify the Withholding Agent, or a Financial Institution acting on behalf of the beneficial owner, within 30 days. The Financial Institution must promptly inform the Withholding Agent (or a Financial Institution holding an interest in the Note on its behalf) of such notice if the Financial Institution has been informed by the beneficial owner or if it has actual knowledge of such changes.

11.11. *Retention of Certificates.* The Withholding Agent is required to retain the written certifications for a period of four years after the close of the calendar year in which they were, respectively, obtained.

11.12. *Information Reporting and Backup Withholding.* Neither information reporting under sections 6041 or 6049 of the Internal Revenue Code nor backup withholding will apply to interest paid on a Note to a United States Alien if (i) the conditions of section 11.1 are satisfied, (ii) the payor of the interest does not have actual knowledge that the payee is a United States Person, and (iii) if the payor is a United States-Related Person acting as a custodian, nominee or other agency of the payee, the payor has documentary evidence in its records that the payee is not a United States citizen or resident. Neither information reporting under section 6045 of the Internal Revenue Code nor backup withholding will apply to payments of principal made outside the United States on a Note to a United States Alien (i) if the payor of the principal is not a United States-Related Person; or (ii) if the payor is a United States-Related Person acting as a custodian, nominee or other agent of the payee, the payor does not have actual knowledge that the payee is a United States Person (other than a foreign branch of a United States Financial Institution) and has documentary evidence in its records that the payee is not such a person. Principal will be considered paid to a Registered Owner outside the United States if either the Note is recorded in a Holding Institution's International Account and principal is credited for that account, or principal on a Definitive Note is delivered to the holder outside the United States.

11.13. *Original Issue Discount.* The Secretary shall determine whether the Notes will be considered issued with original issue discount within the meaning of section 1273(a)(1) of the Internal Revenue Code. In the event the Notes are issued with original issue discount, that fact and the amount of the discount will be announced in an Internal Revenue Service publication. See also section 11.15. A United States Alien described in section 11.2 that is a holder of a Note will not be subject to United States federal income tax and no withholding of United States federal income tax will be required as a consequence of the Note having original issue discount if the conditions of section 11.1 are satisfied with respect to stated interest on the Note. A holder of a Note that is a United States Person generally will be required to include in income the portion of the original issue discount allocable to each day during the year on which the Note is held. Any such income will increase such holder's tax basis for the Note, and any gain or loss on a sale of the Note, determined by comparing the amount realized in such sale with the holder's basis, as so adjusted, generally will be capital gain or loss.

11.14. *Taxation of Gains to United States Aliens.* A holder of a Note that is a United States Alien will not be subject to the United States federal income tax and no withholding of United States federal income tax will be required with respect to any gain realized on the sale, redemption or exchange of the Note provided such gain is not effectively connected with a United States trade or business, and further provided that: (i) if such United States Alien is a nonresident alien individual, such individual is not present in the United States for a total of 183 days or more during the taxable year in which such gain is realized, is not subject to tax under section 877 of the Internal Revenue Code as an expatriate of the United States and is not treated as a resident of the United States for the taxable year in which the gain is recognized under sections 6013(g) or 6013(h) of the Internal Revenue Code; or (ii) if such United States Alien holder is a foreign corporation, such foreign corporation will not have a past or present status as a personal holding company with respect to the United States or as a corporation which accumulates earnings to avoid United States federal income tax.

11.15. *Exchange for Domestic Notes.* A holder of a Note will not recognize gain or loss on the exchange of a Note for a Domestic Note under the procedures in section 10. Upon the exchange, a holder will be considered to have received interest accrued on the Note up to the time of the exchange and to have paid to Treasury the Exchange Adjustment amount. (Actual payments will be only of the net amount. See section 10.3.) The amount of the Exchange Adjustment will be considered an increase in the original issue price (which will reduce original issue discount, if any, with respect to the Note).

11.16. *Federal Estate Taxation of United States Aliens.* Any Note held by an individual who at the time of his death is not a citizen of or domiciled in the United States will not be included in the decedent's gross estate for purposes of United States federal estate tax at the time of such individual's death if interest paid on the Note to the individual at the time of his death would not have been subject to withholding of United States federal income tax because the conditions described in section 11.1 are satisifed but without regard to whether a certificate or statement described in section 11 has been received by the Withholding Agent since the last interest payment.

11.17. *State and Local Taxation.* The Notes are exempt from all taxation now or hereafter imposed on the obligation or interest thereof by any State, any possession of the United States or any local taxing authority, except for: (i) a non-discriminatory franchise or other nonproperty tax instead of a franchise tax imposed on a corporation, or (ii) an estate or inheritance tax. See section 3124 of Title 31 of the United States Code.

Section 12. Sanctions

12.1. *Sanctions.* In the Secretary's sole discretion, any person found to be in violation of any requirement or provision set forth in this offering circular may be excluded from bidding for or purchasing some or all future issues of Treasury foreign-targeted securities and may be subject to such other sanctions as determined by the Secretary.

Section 13. General Provisions

13.1. *Applicable Law.* The law governing all matters relating to the terms and conditions of the Notes is the federal law of the United States.

13.2. *Modifications.* The Secretary may supplement or amend provisions of this offering circular governing the offering if such supplements or amendments do not adversely affect existing rights of holders of the Notes. Public announcement of such future changes will be promptly provided.

13.3. *Monthly Information.* The Secretary will publish the total amount of Notes outstanding in the Monthly Statement of the Public Debt.

13.4. *Listing.* The Notes will be listed on the New York Stock Exchange as of October 31, 1984.

13.5. *Eligibility for Clearance.* The Notes will be eligible for clearance on Euro-Clear and CEDEL.

13.6. *Headings.* The headings of sections and subsections in this offering circular are inserted for convenience of reference only and shall not be deemed to be part of this offering circular.

13.7. *Attachments Incorporated.* Attachments A through D and any terms and conditions set forth therein are incorporated as part of this offering circular.

13.8. *Waiver.* The Secretary reserves the right, in his discretion, to waive any provision or provisions of this offering circular.

13.9. *Sale in the United States.* The Notes are offered for sale only in the United States. Resale or reoffering of the Notes outside the United States is authorized only when such resale or reoffering complies with the securities laws and other applicable laws of jurisdictions in which such resale or reoffering occurs. Bidders and their agents are responsible for ensuring compliance with the laws of such jurisdictions.

Carole Jones Dineen,

Fiscal Assistant Secretary.

BILLING CODE 4810-40-M

Attachment A

TENDER FOR 3- YEAR 11- MONTH FOREIGN - TARGETED TREASURY NOTES OF SEPTEMBER 30, 1988, SERIES P- 1988

IMPORTANT—ONLY COMPETITIVE TENDERS WILL BE ACCEPTED AND MUST BE RECEIVED BY THE FEDERAL RESERVE BANK OF NEW YORK BEFORE 1:00 P.M. NEW YORK TIME ON OCTOBER 24, 1984.

To: Federal Reserve Bank of New York
Fiscal Agent of the United States
33 Liberty Street
New York, New York 10045

The undersigned offers to purchase the above-described Notes in the amount indicated below and agrees to make payment therefor at FRB NY in accordance with the provisions of the official offering circular (Department Circular, Public Debt Series No. 31-84). The definitions in the official offering circular apply to this tender form.

The total par amount bid at the lowest yield must be at least $50,000,000. Par amount bid for must be a multiple of $1,000,000. Bidders may submit multiple bids but each bid must be submitted on a separate tender form.

COMPETITIVE TENDER

PAR AMOUNT

$.....(United States dollars)
(maturity value)

ANNUAL YIELD

.....
(Yield must be expressed to two decimal places, for example, 7.10%)

☐ Check here if this is a syndicate bid.

DELIVERY AND PAYMENT INSTRUCTIONS

Issue book-entry Notes to be held at FRB NY in an International Account of .....

.....
(Name and Address of Holding Institution)

Payment for Notes awarded will be made through.....
(Name and Address of Paying Institution)

☐ By charge to reserve account; ☐ By charge to clearing account; ☐ By charge to other dollar account

Authorization for such charge must be on file with FRB NY in accordance with the provisions of the official offering circular. If otherwise eligible, the Holding Institution and the Paying Institution may be, but do not have to be, the same.

Bid may be submitted only by or on behalf of Bidders as defined in the official offering circular. If the tender form is submitted by a United States Person, other than a foreign branch of a United States Financial Institution, it must be acting solely as agent for a disclosed Bidder.

Bidder.

TENDER FORM IS SUBMITTED BY: (Please print or type)

NAME.....

ADDRESS.....

CITY.....STATE...ZIP CODE.....

COUNTRY.....

AREA CODE..... TELEPHONE NUMBER.....

If acting as agent, Bidder must be identified below. If Bidder is a syndicate, the head of the syndicate must be identified below.

NAME.....

ADDRESS.....

.....

BIDS WILL BE CONSIDERED ONLY IF THE REVERSE SIDE IS COMPLETED AND EXECUTED.

CERTIFICATIONS AND GUARANTEE

1. WE HEREBY CERTIFY that (i) as of October 31, 1984, none of the Notes awarded to us will be beneficially owned by a United States Person, other than a foreign branch of a United States Financial Institution, and (ii) none of the Notes awarded to us is being acquired on behalf of a United States Person, other than a foreign branch of a United States Financial Institution, or for offer to resell or for resale to such a person.

2. WE FURTHER CERTIFY that we will not sell, contract to sell, or otherwise transfer Notes issued to us to a United States Person, other than a foreign branch of a United States Financial Institution, until after December 8, 1984. We further agree that if we sell, contract to sell, or otherwise transfer a Note before December 9, 1984, we will confirm to such purchaser or transferee in writing that (i) there is a restriction on sale or other transfer to United States Persons other than foreign branches of United States Financial Institutions and (ii) that such confirmation is required to be given to any subsequent purchaser or transferee that acquires the Note before December 9, 1984. We understand that this certification is independent of, and that any transfer must be consistent with, the certification of the preceding paragraph.

3. If this is a syndicate bid, WE FURTHER CERTIFY that, except as identified below, no syndicate member is bidding for Notes in excess of $350,000,000, either through this syndicate, individually, or through another syndicate. (Supply below the identity of any syndicate bidders whose total bids are in excess of $350,000,000 and the amount of Notes included in this syndicate bid for each such member.)

_____

_____

☐ Check here if entity submitting the bid is eligible to and does hereby guarantee payment to Treasury, in accordance with the terms of the official offering circular, of an amount equal to 5% of the Notes for which the tender is submitted. If this box is not checked, a payment guarantee in the form specified in the official offering circular must have been submitted previously to FRB NY unless the Bidder is exempt from such guarantee requirement.

If this tender form is submitted by an agent for a Bidder, the above certifications are made by the agent on behalf of, and are binding on, that principal.

TENDER IS SUBMITTED BY: _____

AUTHORIZED SIGNATURE: _____

NAME AND TITLE OF AUTHORIZED SIGNER: _____

DATE: _____

INSERT THIS TENDER FORM IN ENVELOPE MARKED "TENDER FOR FOREIGN - TARGETED TREASURY NOTES"

BILLING CODE 4810-40-C

Attachment B

[Letterhead of Paying Institution]

Federal Reserve Bank of New York,
33 Liberty Street, Room 835, New York, New York 10045

Attn: Mr. Stuart Zorfas, Chief, Securities Department

Gentlemen:

1. We hereby authorize you to debit our (reserve, clearing, or other dollar) account in an amount not to exceed $———, as payment for Notes awarded to (name Bidder). Terms used herein shall have the same meaning as set forth in the official offering circular (Department Circular, Public Debt Series No. 31–84).

2. We retain the right to modify or withdraw this authority. We understand that any such modification or withdrawal must be in writing and must be delivered to FRB NY.

3. We further understand that any Notes paid for by a debit to our (reserve, clearing, or other dollar) account will be issued to our International Account. (This sentence is not required if the Paying Institution signing this letter is willing to permit the Notes paid for under this authorization to be issued to another Holding Institution's International Account.)

4. The following signature(s) is (are) a specimen of the authorized signature(s) which will appear on the tender form submitted by (name of Bidder):

(Authorized Signature of Bidder or Bidder's Agent)

(Name of Authorized Signer)

(Title of Authorized Signer)

Attach Separate Sheet for Additional Signatures

(Name of Paying Institution)

(Authorized Signature)

(Name of Authorized Signer)

(Title of Authorized Signer)

(Date)

Receipt Acknowledged:

FRB NY

Terms and Form of This Letter May Not Be Altered Except as Indicated in Paragraph 3

Attachment C

[Letterhead of Guarantor]

Federal Reserve Bank of New York,
33 Liberty Street, New York, New York 10045,
Attn: Mr. Stuart Zorfas, Chief, Securities Department

Gentlemen:

This is to advise you that we guarantee payment to Treasury of an amount equal to 5% of the par amount, but not in excess of $———— of any United States securities targeted to foreign investors ("Securities") for which ———————— (name of bidder) bids.

We acknowledge that this guarantee may not be withdrawn during any period between the deadline for submission of bids for Securities and payment for those Securities.

(Name of Guarantor)

By: ————————

(Authorized Signature)

(Name and Title of Authorized Signer)

(Date)

Receipt Acknowledged:

FRB NY

Terms and Form of This Letter May Not Be Altered

Formulas for Calculating the Present Value (Price Plus Accrued Interest) of Treasury Notes Paying Semiannual Interest [1]

A. Calculation during an initial "short" interest period:

$$(P+A)=\frac{(r''/s)(C/2)+(C/2)a_{\overline{n}|}+100v^n}{(1+i/2)^f}$$

and $A=[(r''-r)/s]\,(C/2)$

B. Calculation where the next payment is for a "full" semiannual interest period:

$$(P+A)=\frac{C/2+(C/2)a_{\overline{n}|}+100v^n}{(1+i/2)^f}$$

and $A=[(s-r)/s]\,(C/2)$

where:

P = Price in decimals.

A = Accrued interest from original issue date or last interest payment date to valuation date.

r = Exact number of days from valuation date to next interest payment date.

r'' = Exact number of days from the original issue date to the first interest payment date.

f = r'/180 where r' is days from valuation date to next interest payment date calculated on a 360 days per year basis from and including the day following the valuation date up to and including the next interest payment date. A full month will be counted as thirty days and a date occurring on the thirty-first calendar day of a month shall be the same as the first calendar day of the following month.

s = Exact number of days in current semiannual period.

i = Interest rate, based on semiannual interest payments (expressed in decimals).

C = Regular annual coupon, payable semiannually.

n = Number of full semiannual periods from valuation date to maturity.

$v^n=1/(1+i/2)^n$ = present value of 1 due at the end of n periods.

$a_{\overline{n}|}=(1-v^n)/(i/2)=v+v^2+v^3+\ldots+v^n$ = present value of 1 per period for n periods.

Formulas for Calculating the Present Value (Price Plus accrued interest) of Treasury Notes Paying Annual Interest [2]

Case A: Where the first payment is for a "short" interest period.

$$(P+A)=\frac{(r''/360)(C)+(C)a_{\overline{n}|}+100v^n}{(1+i)^f}$$

and $A=[(r''-r)/360](C)$

Case B: Where the next payment is for a "full" annual period.

$$(P+A)=\frac{C+(C)a_{\overline{n}|}+100v^n}{(1+i)^f}$$

and $A=[(r''-r)/360](C)$

where:

P = Price in decimals.

A = Accrued interest from original issue date or last interest payment date to valuation date.

r = Days from valuation date to next interest payment date calculated on a 360 days per year basis from and

[1] These formulas will only be used for making calculations involved in exchanging targeted registered issues for companion regular Treasury issues.

[2] These formulas are specifically intended only for use with the foreign-targeted notes described in this offering circular.

including the day following the valuation date up to and including the next interest payment date. A full month will be counted as thirty days and a date occurring on the thirty-first calendar day of a month shall be the same as the first calendar day of the following month.

$f = r.360$

r^* = Days from the original issue date of the security to the next interest payment date of the security calculated using the same conventions used in calculating r.

i = Interest rate, based in annual interest payments (expressed in decimals).

C = Regular annual coupon, payable annually.

n = Number of full annual periods from valuation date to maturity.

$v^n = 1/(1+i)^n$ = present value of 1 due at the end of n periods.

$a_{\overline{n}|} = (a - v^n)/i = v + v^{2+} \cdot \cdot \cdot \cdot + v^n$ = present value of 1 per period for n periods.

SAMPLE EXCHANGE VALUES FOR A HYPOTHETICAL 4-YEAR NOTE DATED 10/31/84 AND MATURING 9/30/88

Dates of exchanges	12½ percent annual coupon at 12.7 percent annual	12½ percent semi-annual coupon at 12.20 percent s/a	Accrued interest	Exchange adjustment	Net adjustment (to Treasury) to investor
Dec. 10, 1984	P=99.761416, A=1.354167, P+A=101.135583	P=100.844821, A=1.373626, P+A=102.218447	(0.019459)	(1.063405)	(1.082864)
Jan. 15, 1985	P=99.737099, A=2.569444, P+A=102.306543	P=100.792242, A=2.609890, P+A=103.402132	(0.040446)	(1.05513)	(1.095589)
June 30, 1985	P=99.713420, A=8.298611, P+A=108.012031	P=100.756393, A=3.107923, P+A=103.864316	(5.190688)	(1.042973)	(4.147715)
Sept. 30, 1985	P=99.833505, A=none, P+A=99.833505	P=100.735287, A=none, P+A=100.735287	0	(0.901782)	(0.901782)
May 15, 1986	P=99.689238, A=7.812500, P+A=107.501738	P=100.593959, A=1.536885, P+A=102.130844	6.275615	(0.904721)	5.370894
Aug. 15, 1987	P=99.848420, A=10.937500, P+A=110.785920	P=100.280396, A=4.678962, P+A=104.959358	6.258538	(0.431976)	5.826562
Apr. 30, 1988	P=99.792783, A=7.291667, P+A=107.084450	P=100.109936, A=1.024950, P+A=101.134528	6.267077	(0.317155)	5.949922

Figures merely illustrate exchange value computations and are not intended to apply to the Notes offered in this circular.

[FR. Doc. 84-2774 Filed 10-19-84; 8:45 am]

BILLING CODE 4810-40-M

Public Information Collection Requirements Submitted to OMB for Review

October 15, 1984.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB (listed by submitting bureau(s)), for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96-511. Copies of these submissions may be obtained by calling the Treasury Bureau Clearance Officer listed under each bureau. Comments regarding these information collections should be addressed to the OMB reviewer listed at the end of each bureau's listing and to the Treasury Department Clearance Officer, Room 7225, 1201 Constitution Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545-0747
Form Number: 5498
Type of Review: Revision
Title: Individual Retirement Arrangement Information

OMB Number: New
Form Number: Publication 1030
Type of Review: New
Title: IRS Films Brochure

OMB Number: 1545-0126
Form Number: IRS Form 1120F
Type of Review: Revision
Title: U.S. Tax Return of a Foreign Corporation

OMB Number: 1545-0566
Form Number: IRS Form 1120M
Type of Review: Revision
Title: U.S. Mutual Insurance Company Income Tax Return

Clearance Officer: Garrick Shear (202) 566-6254, Room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224

OMB Reviewer: Norman Frumkin (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503

Joseph F. Maty,

Departmental Reports Management Office.

[FR Doc. 84-27766 Filed 10-19-84; 8:45 am]

BILLING CODE 4810-25-M

Public Information Collection Requirements Submitted to OMB for Review

October 9, 1984.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB (listed by submitting bureau(s)), for review and clearance under the Paperwork Reduction Act of 1980. Pub. L. 96-511. Copies of these submissions may be obtained by calling the Treasury Bureau Clearance Officer listed under such bureau. Comments regarding these information collections should be addressed to the OMB reviewer listed at the end of each bureau's listing and to the Treasury Department Clearance Officer, Room 7225, 1201 Constitution Avenue, NW., Washington, D.C. 20220.

Internal Revenue Service

OMB Number: 1545-0703
Form Number: 8007
Type of Review: Revision
Title: Credit for Employee Stock Ownership Plan

OMB Number: New
Form Number: 3800
Type of Review: New
Title: General Business Credit

Clearance Officer: Garrick Shear (202) 566-6254, Room 5571, 1111 Constitution Avenue, NW., Washington, D.C. 20224

OMB Reviewer: Norman Frumkin (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

Comptroller of the Currency

OMB Number: 1557-0127
Form Number: FFIEC 001, 006
Type of Review: Extension:
Title: Annual Report of Trust Assets/Special Report—Trust Department Activities/Annual Report of International Fiduciary Activities

Clearance Officer: Eric Thompson (202) 447-11177, Comptroller of the Currency, 6th Floor, L'Enfant Plaza, Washington, D.C. 20219

OMB Reviewer: Judy McIntosh (202) 395-6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503

Joseph F. Maty,

Departmental Reports Management Office.

[FR Doc. 84-27765 Filed 10-19-84; 8:45 am]

BILLING CODE 4810-25-M

UNITED STATES INFORMATION AGENCY

Artistic Ambassador Advisory Committee; Meeting

The Artistic Ambassador Advisory Committee will be holding its second session on November 14 and 15, 1984.

Committee members will be observing and judging the performance of 15 candidates from the field of classical piano, and selecting up to five finalists

to perform overseas under the sponsorship of the United States Information Agency. Successful candidates will live with host families overseas and be involved with local musical communities.

Time: November 14—8:30 a.m. to 11:45 a.m. (lunch break) and 1:30 p.m. to 6:20 p.m.. November 15—8:30 a.m. to 11:45 a.m. (lunch break) and 1:30 p.m. to 5:20 p.m.

Place: Coolidge Auditorium, Library of Congress, 10 First Street S.E., Washington, D.C. 20540.

Agenda: Eight candidates will perform the first day and seven on the second day. Each candidate will be given one hour, and there will be a 5 minute break after each performance.

Seating: Seating of the public will be limited to the first 500 people, the capacity of the auditorium.

Final selection of candidates will be decided by the judges during discussions following the final day's performances. This session will be closed to the public in accordance with 5 U.S.C. 552b(c)(9)(B). Public disclosure of discussions would inhibit candid deliberations and advice and therefore is likely to frustrate the implementation of future Agency actions.

For further information contact Ms. Leslie M. Sorg on (202) 485–7338.

Dated: October 16, 1984.

Charles Z. Wick,

Director.

Determination To Close Advisory Committee of November 15, 1984

Based on the information provided to the United States Information Agency by the Artistic Ambassador Advisory Committee, I hereby determine that the discussions following the final day's performances on November 15, 1984, may be closed to the public.

The Committee has requested that this part of its November 15 public meeting be closed, because the committee members will be engaged in making final selections of candidates for overseas tours as Artistic Ambassadors. Public participation in these discussions would inhibit frank appraisals and candid deliberations which are necessary in order to assure the unanimous selection of the best candidates for these assignments. Premature disclosure of this information is likely to frustrate significantly the implementation of proposed Agency action because of the difficulty in obtaining candid advice and the future participation of contestants (5 U.S.C. 552(c)(9)(B)).

Charles Z. Wick,

Director.

[FR Doc. 84–27725 Filed 10–19–84; 8:45 am]

BILLING CODE 8230–01–M

VETERANS ADMINISTRATION

Agency Form Under OMB Review

AGENCY: Veterans Administration.

ACTION: Notice.

SUMMARY: The Veterans Administration has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35). This document contains an extension and lists the following information: (1) The Department or Staff Office issuing the form; (2) The title of the form; (3) The agency form number, if applicable; (4) How often the form must be filled out; (5) Who will be required or asked to report; (6) An estimate of the number of responses; (7) An estimate of the total number of hours needed to fill out the form; and (8) An indication of whether section 3504(h) of Pub. L. 96–511 applies.

ADDRESSES: Copies of the form and supporting document may be obtained from Patricia Viers, Agency Clearance Officer (732), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 389–2146. Comments and questions about the items on this list should be directed to the VA's OMB Desk Officer, Dick Eisinger, Office of Management and Budget, 726 Jackson Place, NW, Washington, DC 20503, (202) 395–7316.

DATES: Comments on the information collections should be directed to the OMB Desk Officer within 60 days of this notice.

Dated: October 12, 1984.

By direction of the Administrator.

Dominick Onorato,

Associate Deputy Administrator for Information Resources Management.

Extension

1. Department of Memorial Affairs.
2. Certification of Monument Data.
3. VA Form 40–4964.
4. On occasion.
5. Individuals or households.
6. 47,800 responses.
7. 3,983 hours.
8. Not applicable.

[FR Doc. 84–27734 Filed 10–19–84; 8:45 am]

BILLING CODE 8320–01–M

Sunshine Act Meetings

Federal Register
Vol. 49, No. 205
Monday, October 22, 1984

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Item
Federal Communications Commission.	1
Federal Energy Regulatory Commission	2

1

FEDERAL COMMUNICATIONS COMMISSION

Deletion of Agenda Item From October 17th Open Meeting
October 16, 1984.

The following item has been deleted at the request of the Common Carrier Bureau from the list of agenda items scheduled for consideration at the October 17, 1984 Open Meeting and previously listed in the Commission's Notice of October 10, 1984.

Agenda, Item No., and Subject

Common Carrier—3—Title: Memorandum Opinion and Order concerning request by Telephone Association of New England and certain of its members for interconnection and an interim order establishing divisions of charges for interstate communications. *Summary:* The Commission will consider whether to grant a petition by the Telephone Association of New England and certain of its members requesting Commission action concerning interim divisions of charges for interstate communications.

Common Carrier—6—Title: Amendment of Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies to provide for nonregulated activities. *Summary:* The Commission will consider requiring that nonregulated activities be accounted for in separate books of account.

Common Carrier—9—Title: Second Report and Order, General Docket No. 80-112 *Summary:* The Commission will consider adopting rules to allow the use of lotteries for the selection of Multichannel Multipoint Distribution Service licensees.

William J. Tricarico,
Secretary, Federal Communications Commission.

[FR Doc. 84-27899 Filed 10-18-84; 3:43 pm]
BILLING CODE 6712-01-M

2

FEDERAL ENERGY REGULATORY COMMISSION

October 17, 1984

TIME AND DATE: 10:00 a.m. October 24, 1984.

PLACE: 825 North Capitol Street, NE., Room 9306, Washington, D.C. 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary, Telephone: (202) 357-8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the Agenda; however, all public documents may be examined in the Division of Public Information.

Consent Power Agenda

800th Meeting—October 24, 1984

Regular Meeting (10:00 a.m.)

CAP-1: Project No. 6943-001, Santiam Water Control District
CAP-2: Project No. 2142-002, Cental Maine Power Company
CAP-3: Project No. 6597-001, Monadnock Paper Mills, Inc.
CAP-4: Project No. 7269-003, James B. Boyd and Janet A. Boyd
CAP-5: Project No. 3756-002, City of Bountiful, Utah
CAP-6: Project No. 7914-002, Allegheny Hydropower, Inc.
CAP-7: Project No. 6378-002, Monterey County Flood Control and Water Conservation District
CAP-8: Project No. 6524-002, Hy-Tech Company
CAP-9: Project No. 5363-003, Warrensburg Board and Paper Company
CAP-10: Omitted
CAP-11: Omitted
CAP-12: Project No. 7186-001, Missisquoi Associates
CAP-13: Docket No. Docket No. ER84-622-000, Pacific Power and Light Company
CAP-14: Docket Nos. ER83-628-002 and ER84-131-002, Kansas Gas and Electric Company

Consent Miscellaneous Agenda

CAM-1: Docket No. RM84-6-003, Refunds Resulting From BTU Measurement Adjustments
CAM-2: Omitted

CAM-3:
(A) Docket Nos. RM82-30-001, 002 and 003, Fees Applicable to the Natural Gas Policy Act
(B) Docket Nos. RM82-35-001, 002 and 003, Fees Applicable to General Activities
CAM-4: Docket No. GP84-4-001, United Gas Pipe Line Company

CAM-5: Docket No. GP83-28-000, Sonat Exploration Company, Section 102 Determination, Minerals Management Service, Chevron USA Inc. Well Nos. OCS-G 3020 4 and 4D, FERC Nos. JD83-30122 and JD83-30113

Consent Gas Agenda

CAG-1: Docket No. RP84-108-001, Texas Eastern Transmission Corporation
CAG-2: Docket Nos. RP79-10-014, 015, 016, RP80-134-015, 016, 017 and 018, Great Lakes Gas Transmission Company
CAG-3: Docket No. TA84-2-21-003, Columbia Gas Transmission Corporation
CAG-4: Docket No. TA84-2-22-008, Consolidated Gas Transmission Corporation
CAG-5: Docket Nos. TA84-2-28-003, TA84-1-28-007 and RP84-103-001, Panhandle Eastern Pipe Line Company
CAG-6: Docket Nos. TA84-2-30-002 and RP83-93-005, et al., Trunkline Gas Company
CAG-7: Docket No. RP84-141-000, Midwestern Gas Transmission Company
CAG-8: Docket No. RP85-3-000, Tennessee Gas Pipeline Company, a Division of Tenneco Inc.
CAG-9: Docket Nos. TA85-1-29-000 and 001 (PGA85-1 and IPR85-1), Transcontinental Gas Pipe Line Corporation
CAG-10: Docket Nos. TA85-1-37-000, (PGA85-1 and IPR85-1), TA85-2-37-000, 001 and RP85-1-000 (PGA85-2), Northwest Pipeline Corporation
CAG-11: Docket Nos. TA85-1-46-000 and 001 (PGA85-1 and IPR85-1), Kentucky West Virginia Gas Company
CAG-12: Docket Nos. TA85-1-47-000 and 001 (PGA85-1), MIGC, Inc.
CAG-13: Docket No. TA85-1-48-000 (PGA85-1 and IPR85-1), ANR Pipeline Company
CAG-14: Docket Nos. TA85-1-49-000, 001 and RP84-62-000, Montana-Dakota Utilities Company
CAG-15: Docket Nos. TA85-1-51-000 and 001, Great Lakes Gas Transmission Company
CAG-16: Docket Nos. TA85-1-52-000 and 001 (PGA85-1), Western Gas Interstate Company
CAG-17: Docket Nos. RP85-2-000 and 001, Pacific Gas Transmission Company
CAG-18: Docket Nos. TA85-1-50-000 and 001 (PGA85-1), Valley Gas Transmission, Inc.
CAG-19: Docket No. TA85-1-45-000 (PGA85-1), Inter-City Minnesota Pipelines Ltd., Inc.
CAG-20: Docket Nos. TA84-2-55-000 and 001 (PGA84-2a and PGA84-3a), Mountain Fuel Resources, Inc.
CAG-21: Docket No. TA84-2-13-000 (PGA84-3), Gas Gathering Corporation
CAG-22: Docket No. TA84-2-26-000, Natural Gas Pipeline Company of America
CAG-23: Omitted
CAG-24:
Docket No. RP84-56-000 Consumers Power Company v. Trunkline Gas Company

Docket No. RP84-69-000, Michigan Gas Utilities Company v. Trunkline Gas Company
CAG-25: Docket No. RP82-115-000, Consolidated Gas Supply Corporation
CAG-26: Docket No. TA84-1-27-001, North Penn Gas Company
CAG-27: Docket Nos. TA84-2-9-000, 003, 004 (PGA84-2) (GRI84-2) (IPR84-2) and RP84-84-001, Tennessee Gas Pipeline Company
CAG-28: Docket Nos. TA82-2-33-025, TA84-1-33-006, TA84-2-33-008 and RP82-33-007, et al., El Paso Natural Gas Company
CAG-29: Docket No. RP82-54-014, Colorado Interstate Gas Company
CAG-30: Omitted.
CAG-31: Docket Nos. TA84-2-17-000, 002 and 003, Texas Eastern Transmission Corporation
CAG-32: Docket No. ST84-920-000 Taft Pipeline
CAG-33: Docket No. ST84-910-000 Cranberry Pipeline Corporation
CAG-34: Docket FA84-5-000 Arkansas Louisiana Gas Company
CAG-35: Docket No. OR78-1-030 (Phase II), Trans Alaska Pipeline System
CAG-36: Docket No. OR78-1-029 (Quality Bank), Trans Alaska Pipeline System
CAG-37: Docket Nos. RI74-188-041 and RI75-21-036, Independent Oil & Gas Association of West Virginia
CAG-38: Docket Nos. CP84-539-001 and 002, El Paso Natural Gas Company and Producer-Suppliers of El Paso Natural Gas Company
CAG-39: Docket No. CP84-258-001, Panhandle Eastern Pipe Line Company
CAG-40: Docket No. CI84-374-002 TXP Operating Company
CAG-41: Docket No. CP74-314-012, El Paso Natural Gas Company
CAG-42: Docket No. CP84-461-004, Columbia Gas Transmission Corporation
CAG-43: Docket No. CP84-322-000, Lone Star Gas Company, A Division of Enserch Corporation
CAG-44: Omitted
CAG-45:
Docket No. CP84-367-000, Northern States Power Company-Minnesota
Docket Nos. CP84-370-000 and CP84-371-000, Northern Natural Gas Company, Division of Internorth, Inc.
CAG-46: Omitted
CAG-47: Docket No. CP84-537-000, United Gas Pipe Line Company
CAG-48:
Docket No. CP68-75-010 Northern Natural Gas Company, Division of Internorth, Inc.
Docket Nos. CI68-816-002 and 003, Phillips Petroleum Company
CAG-49: Docket No. CP84-127-000, Consolidated Gas Transmission Corporation
CAG-50: Docket No. CP83-153-000, Northern Natural Gas Company, Division of Internorth, Inc.
CAG-51: Docket No. CP84-530-000, Mountain Fuel Supply Company and Mountain Fuel Resources, Inc.
CAG-52: Docket No. CP83-25-000, Inter-City Minnesota Pipelines Ltd.

I. Licensed Project Matters

P-1: Project No. 2854-007, City of Vidalia, Louisiana

II. Electric Rate Matters

ER-1: Docket Nos. EF84-2011-012, EF84-2021-009 and EF84-2031-000, U.S. Department of Energy—Bonneville Power Administration

ER-2:
Docket Nos. EL84-34-000 and QF-324-000, Roche Products, Inc.
Docket No. QF84-307-000, Wind Energy Development Corporation—Culebra Facility
Docket No. QF84-319-000, Wind Energy Development Corporation—Vieques Facility
Docket No. QF84-188-000, Merck, Sharp & Dohme Quimica de Puerto Rico, Inc.
Docket No. QF84-147-000, Alcon (Puerto Rico), Inc.
Docket No. QF83-440-000, Abbott Energy, Inc.
Docket No. EL84-22-000, Puerto Rico Electric Power Authority

ER-3: Docket No. EL84-15-000, Kentucky Utilities Company

ER-4:
Docket No. EL84-27-000, Florida Power and Light Company and Florida Public Service Commission
Docket No. EL84-28-000, Florida Power Corporation
Docket No. EL84-38-000, Gulf Power Company
Docket No. EL84-39-000, Tampa Electric Company

Miscellaneous Agenda

M-1: Reserved
M-2: Reserved
M-3:
(A) Docket No. RM83-71-001 through 030, Elimination of Variable Costs from Certain Natural Gas Pipeline Minimum Commodity Bill Provisions
(B) Docket Nos. RM83-71-032, 033 and 034, Elimination of Variable Costs From Certain Natural Gas Pipeline Minimum Commodity Bill Provisions
(C) Docket No. RP84-101-000, Great Lake Gas Transmission Company
Docket No. RP84-109-999, Distrigas Corporation and Distrigas of Massachusetts Corporation
Docket No. RP84-115-000, Midwestern Gas Transmission Company
Docket No. RP84-111-000, MIGC, Inc.
Docket No. CP81-107-010, Boundary Gas, Inc.
(D) Docket No. RP84-102-000, Kentucky West Viriginia Gas Company

I. Pipeline Rate Matters

RP-1: Reserved

II. Producer Matters

CI-1: Reserved

III. Pipeline Certificate Matters

CP-1: Docket No. CP84-2-000, Columbia Gas Transmission Corporation
CP-2: Omitted
CP-3: Docket No. CP84-577-000, Trunkline Gas Company
CP-4: Docket No. CP84-536-000, Phillips Gas Pipeline Company

Kenneth F. Plumb,

Secretary.

[FR Doc. 84-27832 Filed 10-18-84; 8:51 am]
BILLING CODE 6717-01-M

federal register

Monday
October 22, 1984

Part II

Regulatory Information Service Center

Introduction to the Unified Agenda of Federal Regulations

REGULATORY INFORMATION SERVICE CENTER

Unified Agenda of Federal Regulations

AGENCY: Regulatory Information Service Center.

ACTION: Introduction to the Unified Agenda of Federal Regulations.

SUMMARY: Executive Order 12291 (Federal Regulation) and the Regulatory Flexibility Act (5 USC 605) require that agencies publish semiannual regulatory agendas describing regulatory actions they are developing. Office of Management and Budget (OMB) Bulletin 84-16 (June 22, 1984) requires that each agency agenda include, at a minimum, specific types of information for each entry, and that all agendas be published together in a uniform format as a **Unified Agenda of Federal Regulations.**

The following Parts in this issue of the **Federal Register** are the agency agendas, which together comprise the October 1984 edition of the semiannual **Unified Agenda of Federal Regulations.**

ADDRESS: Regulatory Information Service Center, Room 5216, New Executive Office Building, 726 Jackson Place, N.W., Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: For further information about specific regulatory projects, please refer to the Agency Contact listed for each entry. To provide comment on or to obtain further information about the **Unified Agenda of Federal Regulations**, contact:

Mark G. Schoenberg, Executive Director, Regulatory Information Service Center, Room 5216, New Executive Office Building, 726 Jackson Place, N.W., Washington, D.C. 20503, (202) 395-6993.

SUPPLEMENTARY INFORMATION:

TABLE OF CONTENTS

Page

About the Unified Agenda **41484**
How to Use the Unified Agenda **41485**
Data Limitations **41485**
List of Abbreviations **41485**
Information About Additional Copies **41486**

AGENCY DESCRIPTIONS OF REGULATORY ACTIVITIES

Cabinet Departments

Department of Agriculture 41488
Department of Commerce 41528
Department of Defense 41572
Department of Education 41584

TABLE OF CONTENTS—Continued

Page

Department of Energy 41594
Department of Health and Human Services 41610
Department of Housing and Urban Development 41684
Department of the Interior 41744
Department of Justice 41810
Department of Labor 41816
Department of State 41856
Department of Transportation 41858
Department of the Treasury 41978

Other Executive Agencies

ACTION 42124
Advisory Council on Historic Preservation 42126
Architectural and Transportation Barriers Compliance Board 42128
Environmental Protection Agency 42132
Equal Employment Opportunity Commission 42202
Federal Emergency Management Agency 42208
Federal Mediation and Conciliation Service 42218
General Services Administration 42220
International Development Cooperation Agency/Agency for International Development 42242
Merit Systems Protection Board 42246
National Aeronautics and Space Administration 42248
National Capitol Planning Commission 42252
National Foundation on the Arts and the Humanities/National Endowment for the Humanities 42254
National Science Foundation 42258
Office of Management and Budget 42262
Office of Personnel Management 42270
Panama Canal Commission 42282
Pennsylvania Avenue Development Corporation 42286
Pension Benefit Guaranty Corporation 42288
Railroad Retirement Board 42298
Selective Service System 42304
Small Business Administration 42306
Tennessee Valley Authority 42314
Veterans Administration 42316

Independent Agencies

Civil Aeronautics Board 42332
Commodity Futures Trading Commission 42350
Consumer Product Safety Commission 42358
Farm Credit Administration 42370
Federal Communications Commission 42376
Federal Deposit Insurance Corporation 42408
Federal Energy Regulatory Commission 42418
Federal Home Loan Bank Board 42424
Federal Maritime Commission 42426
Federal Reserve System 42434
Federal Trade Commission 42444
Interstate Commerce Commission 42458
National Credit Union Administration 42470
Nuclear Regulatory Commission 42478
Securities and Exchange Commission 42516

About the Unified Agenda

The **Unified Agenda of Federal Regulations** is compiled by the Regulatory Information Service Center for the Office of Information and Regulatory Affairs, Office of Management and Budget. The Center provides information about federal regulatory activity to the President and his Executive Office, the Congress, agency managers, and the public. The Office of Information and Regulatory Affairs is responsible for overseeing the Federal Government's regulatory, paperwork, and information-management activities and implementing President Reagan's Executive Order 12291 (Federal Regulation).

This edition of the Unified Agenda includes all 52 federal departments, agencies, and commissions that publish regulatory agendas. Agencies of the United States Congress are not included. The Unified Agenda provides uniform reporting of data on regulatory activities under development throughout the Federal Government.

The Unified Agenda is produced through a computer system designed by the Center with the advice and assistance of the Government Printing Office. The system was designed to save agencies time and money by automating the preparation and printing of their agendas in a uniform format and to make the Agenda easier to use. In the future, the system may provide computer-generated indices and appendices of the information in the Agenda. For now, the Center provides for those agencies that request it a computer-produced Table of Contents that appears after the preamble of the agency's agenda and includes Agenda Sequence Numbers. These numbers also appear before the title of the regulation in the agenda. The Tables of Contents help readers locate quickly those entries that may be of most interest to them.

All agendas contain uniform data elements--regulation title, agency contact, small business effects, CFR citation, legal authority, abstract, and timetable. Agencies also include any additional information they consider important. If any of the data elements is not included, the agency either did not report the information or may provide an explanation in its preamble. For further information, please contact the individual agency.

The **Unified Agenda of Federal Regulations** is published in April and October of each year. We welcome

comments on this edition and suggestions for improving future ones.

DATED: October 1, 1984.

Mark G. Schoenberg,

Executive Director.

How to Use the Unified Agenda

Each agency agenda appears as a separate Part in this edition of the Federal Register. The Parts are organized alphabetically in three groups: cabinet departments, other executive agencies, and independent agencies. Departments are divided into agencies, which may in turn be divided into subagencies.

Each agency begins its agenda with a preamble providing information specific to its agenda. Each agency was asked to list its rules in three groups:

1. Current and Projected Rulemakings--regulations the agency is currently developing or plans to develop during the next 12 months;

2. Existing Regulations Under Review--existing regulations the agency is reviewing to determine whether to propose modifications through rulemaking; and

3. Completed Actions--actions or reviews the agency completed or withdrew since publishing its last agenda. This section also includes items that were begun and completed between issues of the Unified Agenda.

An agency may use a subheading to identify regulations that it has grouped according to a particular topic. When these subheadings are used, they appear above the title of the first regulation in the group.

A dot (●) preceding an entry indicates that the entry appears in its present section of the agenda for the first time.

A number preceding an entry indicates that the agency chose to provide a Table of Contents at the beginning of its agenda. The numbers in the Table of Contents correspond to the numbers preceding the entries. These Agenda Sequence Numbers should help readers easily locate items of most interest to them.

The regulatory activities included in the agency agendas are those currently planned for the next 12 months. The agendas do not include regulations excluded from review under EO 12291 such as military regulations and regulations related to internal agency management.

OMB Bulletin 84-16 states that entries describing regulations under development and review should contain, at a minimum, the following information:

- Title of the Regulation.
- Priority -- the priority status of the entry. Priority entries include:
  a. Any regulations designated for priority development or review by the agency;
  b. All regulations designated as "major" under section 1(b) of Executive Order 12291; and
  c. All regulations that were designated for review by the Presidential Task Force on Regulatory Relief.

Each entry for a priority action indicates which of the above criteria were used in determining its priority status. The priority heading appears only if the agency has designated the entry as a priority action.

Under EO 12291, a major rule is any regulation that is likely to result in:

  a. An annual effect on the economy of $100 million or more;
  b. A major increase in costs or prices for consumers, individual industries, federal, state, or local government agencies, or geographic regions; or
  c. Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

- Legal Authority -- the section(s) of the United States Code (USC) or Public Law (PL) or the Executive Order that authorize(s) the regulatory action (agencies may provide common name references to laws in addition to USC or PL references).
- CFR Citation -th affected by the action.
- Abstract -- a description of the problem the regulation will address; to the extent available, the alternatives that the agency is considering to address the problem; and the potential costs and benefits of the action.
- Timetable -- the dates and citations (if available) for all past stages and at least the next future stage of rulemaking. If a date appears in this section as 00/00/00, it means the date of the action is presently undetermined. Similarly, 10/00/84 means the agency can predict the month and year the action will take place, but not the date it will occur.
- Effects on Small Businesses and Other Small Entities -- indicates whether the rule is expected to have a significant economic impact on a substantial number of "small entities" as defined by the Regulatory Flexibility Act (5 USC 601(6)).
- Agency Contact -- the name, title, address, and phone number of a person in the agency who is knowledgeable about the regulation.

Some agencies have provided other optional information at their discretion.

Data Limitations

Agencies prepared entries for this edition of the Unified Agenda to give the public notice of their plans to review, propose, and issue regulations. They have tried to predict their activities over the next 12 months as accurately as possible, but dates and schedules are subject to change. Agencies may withdraw some of the regulations now under development, and they may issue or propose other regulations not included in their agendas. Agency actions in the rulemaking process may occur before or after the dates they have listed. The Agenda does not create a legal obligation on agencies to adhere to schedules within it or to confine their regulatory activities to those regulations that appear in it. The information in this edition is accurate as of August 27, 1984, in the judgment of the submitting agencies, except as otherwise noted in individual agency preambles.

List of Abbreviations

The following abbreviations appear throughout this edition of the Agenda:

ANPRM -- An Advance Notice of Proposed Rulemaking is a preliminary notice that an agency is considering a regulatory action. The agency issues an ANPRM before it develops a detailed proposed rule, describing the general area that may be subject to regulation and asking for public comment on the issues and options being discussed. An ANPRM is issued only when an agency believes it needs to gather more information before proceeding to a formal regulatory proposal.

CFR -- The Code of Federal Regulations is an annual codification of the general and permanent regulations published in the Federal Register by the

departments and agencies of the Federal Government. The Code is divided into 50 titles and each title covers a broad area of federal regulatory law. The CFR is keyed to and kept up-to-date by the daily issues of the **Federal Register.**

EO -- An Executive Order is a directive from the President to an executive agency, issued under Constitutional or statutory authority. Executive Orders are published in the **Federal Register** and in Title 3 of the Code of Federal Regulations.

FR -- The **Federal Register** is a daily Federal Government publication that provides a uniform system for publishing Presidential documents, all proposed and final regulations, notices of meetings, and other official documents required by statute to be published.

FY -- The federal fiscal year runs from October 1 to September 30.

NPRM -- A Notice of Proposed Rulemaking is the document an agency issues and publishes in the **Federal Register** that describes and solicits public comments on a proposed regulatory action. Under the Administrative Procedure Act, an NPRM must include, at a minimum:

- A statement of the time, place, and nature of the public rulemaking proceeding;
- A reference to the legal authority under which the rule is proposed; and
- Either the terms or substance of the proposed rule or a description of the subjects and issues involved.

PL -- A Public Law is a law passed by Congress and signed by the President or enacted over his veto. It has general applicability, as opposed to a private law that applies only to those persons or entities specifically designated. Public laws are numbered in sequence throughout the two-year life of each Congress; for example, PL 97-17 would be the seventeenth public law of the 97th Congress.

RFA -- A Regulatory Flexibility Analysis (RFA) describes the impact of a proposed rule on small entities, as required by the Regulatory Flexibility Act (5 USC 601). An RFA describes why the agency is considering the action; the objectives of and legal basis for the proposed rule; an estimate of the number of small entities that could be affected and the compliance requirements they would have to fulfill; any other duplicative, overlapping, or conflicting federal rules; and alternatives to the proposed action. When required, an initial RFA accompanies an NPRM and a final RFA accompanies a final rule.

RIA -- A Regulatory Impact Analysis is required by EO 12291 for all major rules and other regulations designated by the Office of Management and Budget. An RIA is prepared to determine whether a proposed regulatory action meets the requirements of Section 2 of EO 12291, namely that it:

- Be based on adequate information concerning the need for and consequences of the action;
- Not be undertaken unless the potential benefits outweigh the potential costs to society;
- Maximize net benefits to society;
- Entail the least net cost to society of the alternatives considered; and
- Take into account the condition of particular affected industries, the national economy, and contemplated future regulatory actions.

RIN -- The Regulatory Information Service Center assigns a Regulation Identifier Number to identify each regulatory action listed in the Agenda.

USC -- The United States Code is a consolidation and codification of all general and permanent laws of the United States. The USC is divided into 50 titles and each title covers a broad area of federal law.

Information About Additional Copies

Additional copies of this edition of the **Federal Register** are available from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783-3238.

Copies of individual agency agendas may be available directly from the agency. Please contact the particular agency for further information.

[FR Doc. 84-25521 Filed 10-19-84; 8:45 am]

BILLING CODE 3194-01-T

federal register

Monday
October 22, 1984

Part III

Department of Agriculture

Semiannual Regulatory Agenda

USDA

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Subtitle A, Chs. I-VII, IX-XII, XIV-XVIII, XXI, XXIV-XXIX

9 CFR Chs. I-IV

36 CFR Ch. II

41 CFR Ch. 4

Semiannual Regulatory Agenda: Fall 1984

AGENCY: Office of the Secretary, USDA.

ACTION: Semiannual regulatory agenda.

SUMMARY: This Agenda provides summary descriptions of major and non-major regulations being developed in agencies of the U.S. Department of Agriculture in conformance with Executive Order 12291, Federal Regulation. The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Pub. L. 96-354.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions, but some may have been inadvertently missed. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

FOR FURTHER INFORMATION CONTACT: For further information on any specific entry shown in this agenda, please contact the person listed for that action.

Requests for copies of the Agenda should include a self-addressed, stamped envelope and be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 147-E, U.S. Department of Agriculture, Washington, D.C. 20250, (202) 382-1270.

DATED: September 18, 1984.

Richard E. Lyng,

Acting Secretary.

BILLING CODE 3410-01-T

Agricultural Marketing Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Mohair Standards	0581-AA06
2	Slaughter Lambs, Yearlings, and Sheep Grades and Standards	0581-AA07
3	Wool Standards	0581-AA12
4	Slaughter Barrows and Gilts and Pork Carcass Grade Standards	0581-AA13
5	Plant Variety Protection Board Meeting	0581-AA17
6	Establishment of User Fees for Cotton Market News Service	0581-AA18
7	Fees for Service for Voluntary and Mandatory Programs	0581-AA19

Agricultural Marketing Service—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
8	Tobacco Inspection Standards	0581-AA05
9	Cotton Research and Promotion	0581-AA08

Agricultural Marketing Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
10	Establish Standards for Inspection of Imported Tobacco	0581-AA10
11	Establish Procedures for Inspection and Certification of Imported Tobacco and Fees Necessary to Cover the Cost of Such Services	0581-AA11
12	Upland Cotton Staple Length Standards	0581-AA20

USDA

Agricultural Stabilization and Conservation Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
13	*Price Support Loan Program for 1983 Through 1985 Crops Sugar Beets and Sugarcane	0560-AA07
14	Standards for Approval of Warehouses for Cotton or Cotton Linters	0560-AA14
15	Standards for the Approval of Dry and Cold Storage Warehouses for Processed Agricultural Commodities, Extracted Honey, and Bulk Oils	0560-AA15
16	Disregarding Small Claims of $9.99 or Less	0560-AA16
17	Standards for Approval of Warehouses of Grain, Rice, Dry Edible Beans, and Seed	0560-AA17
18	Flue-cured Tobacco Marketing Quota Regulations--Cash Renters and Lease Considerations Prior to Marketing	0560-AA18
19	Marketing Quota Review Regulations	0560-AA21
20	1985-Crop Peanut Price Support Program Differentials	0560-AA22
21	General Regulations Governing Price Support for the 1978 and Subsequent Crops of Grain and Similarly Handled Commodities (Amendment 3)	0560-AA24
22	1985-Crop Rice Loan and Purchase Rates for Whole Kernels by Class and Broken Kernels for All Classes	0560-AA25
23	General Regulations Governing 1982 Through 1985 Crops Peanut Warehouse Storage Loans and Handler Operations (Amendment 3)	0560-AA27
24	1985 Wool and Mohair Incentive Payment Program	0560-AA28
25	Poundage Quota and Marketing Regulations for the 1983 Through 1985 Crops of Peanuts (Amendment 1)	0560-AA29
26	Determination of the Loan and Purchase Rate for the 1984 Soybean Crop	0560-AA30
27	National Average Loan Rates for 1985-Crop Quota and Additional Peanuts and Minimum Commodity Credit Corporation (CCC) Export Edible Sales Price for Additional Loan Peanuts	0560-AA31
28	Price Support Level for Honey, 1985-86 Program Year (Beginning April 1, 1985)	0560-AA32
29	Determination of 1985-Crop Extra Long Staple (ELS) Cotton Loan Rate, Target Price, Production Adjustment, and Related Program Provisions	0560-AA33
30	Flue-Cured Tobacco Marketing Quotas--1985 Crop	0560-AA34
31	Burley Tobacco Marketing Quotas--1985 Crop	0560-AA35
32	*1984-85 Milk Price Support Program - Notice of Price Support Level (effective 4/1/85)	0560-AA36
33	*1984 Sugar Beet and Sugarcane Loan Rates	0560-AA37
34	Commodity Credit Corporation (CCC) Claims Regulations	0560-AA38
35	1985 Price Support Levels for All Kinds of Tobacco	0560-AA39
36	*1985-Crop Rice Program	0560-AA40
37	*Determination of 1985-Crop Upland Cotton Loan Rate, Target Price, Production Adjustment, and Related Program Provisions	0560-AA41
38	*The 1985 Wheat Program	0560-AA42
39	*Determination of Loan and Purchase Rate, Target Prices, Acreage Reduction and/or Paid Diversion Program and Farmer-Owned Reserve Program Provisions for the 1985 Feed Grain Crops	0560-AA43
40	Minor Kinds Tobacco Marketing Quotas -- 1985 Crop	0560-AA44
41	Fees for Voluntary Examinations	0560-AA45
42	Charges for Examinations of Additional Warehouse Sections	0560-AA46
43	Definition of "Eligible Country" for Export of Peanut Products	0560-AA47
44	*1984-85 Milk Price Support Program - Notice of Price Support Level (effective 7/1/85)	0560-AA48
45	*1985 Sugar Beet and Sugarcane Loan Rates	0560-AA49

*Indicates priority regulation.

Agricultural Stabilization and Conservation Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
46	*Determination of 1984-Crop Rice Program to Include Establishment of Loan Rate, Established Target Price, and Acreage Reduction and/or Paid Diversion Programs, if any	0560-AA13
47	Tobacco Loan Program Regulations	0560-AA19
48	1984-85 Marketing Year Penalty Rates for All Kinds of Tobacco Subject to Quotas	0560-AA20
49	Amendment to the CCC Grain Price Support Regulations Governing Loan Purchase Program for 1982 and Subsequent Crops of Rice	0560-AA23
50	CCC Cotton Loan Program Regulations Governing 1980 and Subsequent Crops (Amendment 4)	0560-AA26

*Indicates priority regulation.

USDA

Animal and Plant Health Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
51	Rinderpest, Foot-and-Mouth Disease, Fowl Pest, Newcastle Disease, African Swine Fever, and Hog Cholera: Prohibited and Restricted Importations	0579-AA01
52	Recognition of Breeds and Books of Record of Purebred Animals	0579-AA02
53	Corn Diseases	0579-AA03
54	Noxious Weeds	0579-AA04
55	Foot-and-Mouth Disease, Pleuropneumonia, Rinderpest and Certain Other Communicable Diseases of Livestock	0579-AA05
56	Black Stem Rust	0579-AA10
57	*Animals Destroyed Because of Tuberculosis	0579-AA11

*Indicates priority regulation.

Farmers Home Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
58	Suspension and Debarment Regulations	0575-AA02
59	Property Management	0575-AA03
60	Revisions to Regulations Mandated by Recent Housing Amendments	0575-AA04
61	Revision of FmHA Instruction 1944-A, "Section 502 Rural Housing Loan Policies, Procedures and Authorizations," to Implement the Requirements of the Rural Housing Amendments of 1983	0575-AA05
62	Development Grants for Community Domestic Water and Waste Disposal System	0575-AA06
63	Multiple Housing Loan Servicing Procedure	0575-AA07
64	*Mobile/Manufactured Housing Parks/Communities for Rental Purposes	0575-AA08

*Indicates priority regulation.

Federal Grain Inspection Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
65	Recordkeeping and Access to Facilities	0580-AA05
66	Licenses and Authorizations	0580-AA06
67	Official Records and Forms	0580-AA07

Federal Grain Inspection Service—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
68	Fees for Official Services Performed by Official Agencies	0580-AA01
69	Kinds of Official Services	0580-AA02
70	Appeal Inspection Services	0580-AA03
71	Official Certificates	0580-AA04

Food and Nutrition Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
72	Monthly Reporting and Retrospective Budgeting 1982 and 1983 Amendments	0584-AA02
73	Work Registration	0584-AA03
74	OBRA 1982	0584-AA04
75	Issuance Loss Liability	0584-AA05

USDA

Food and Nutrition Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
76	Food Distribution Program	0584-AA07
77	Food Distribution Program on Indian Reservations	0584-AA09
78	Food Stamp Program: Revision of Parts 271, 272, 273 and 274	0584-AA10
79	Temporary Emergency Food Assistance Program For Fiscal Years 1984 and 1985	0584-AA15
80	Alaska Thrifty Food Plan	0584-AA16
81	Amendments to Requirements for State Agency Reporting	0584-AA19
82	Reimbursing Workfare's Administrative Costs and 1981 and 1982 Work Registration and Voluntary Quit Amendments	0584-AA20
83	Disclosure of Information and Noncompliance with Other Programs	0584-AA21
84	Duplicate Participation Cash-Based Nutrition Assistance Program in the Commonwealth of Puerto Rico	0584-AA22
85	Emergency Food Assistance for Victims of Disasters	0584-AA24
86	Special Supplemental Food Program for Women, Infants and Children (WIC)	0584-AA25
87	National Commodity Processing System	0584-AA26
88	Miscellaneous Amendments - Child Care Food Program	0584-AA28
89	Audit Requirements in the Child Care Food Program	0584-AA30
90	Wage-Match/Wage Request States	0584-AA31
91	Rewrite of Regulations on Determining Eligibility for Free and Reduced Price Benefits	0584-AA32
92	Verification Monitoring	0584-AA33
93	Summer Food Service Program	0584-AA34
94	Management Evaluations and Corrective Action Plans	0584-AA37
95	Competitive Foods	0584-AA39
96	Forfeiture Procedures	0584-AA40
97	State Agency Budgetary and Program Activity Reporting	0584-AA41
98	Rewrite of National School Lunch Program Regulations	0584-AA43
99	*Documentation and Verification of Eligibility in the Child Care Food Program	0584-AA49
100	Proposed Rule Concerning State Processing of USDA-Donated Foods	0584-AA50

*Indicates priority regulation.

Food and Nutrition Service—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
101	Administrative Review Process	0584-AA46

Food and Nutrition Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
102	Bonding of Authorized Firms	0584-AA17
103	Insured Financial Institutions, Retail Food Stores and Wholesale Food Concerns; Miscellaneous Amendments	0584-AA18
104	Authorizing House-to-House Trade Routes, and Tougher Penalties for Firms which Break the Rules	0584-AA23
105	Food Distribution Program on Indian Reservations; Oklahoma Tribes Eligibility	0584-AA29
106	Part 245- Determining Eligibility for Free and Reduced Price Meals	0584-AA35
107	Nondiscrimination Based on Age - Summer Food Service Program and Child Care Food Program	0584-AA38
108	Submission of Claims and Reports	0584-AA45
109	Child Nutrition Labeling Program	0584-AA47
110	*Part 245-Determining Eligibility for Free and Reduced Price Meals	0584-AA48

*Indicates priority regulation.

USDA

Food Safety and Inspection Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
111	Pizza Standard (78-733)	0583-AA07
112	Canning of Meat and Poultry Products	0583-AA08
113	Imported Cured Pork Products	0583-AA09
114	Definitions and Standards for Cooked Poultry Sausage	0583-AA10
115	Protein Requirements for Turkey Ham	0583-AA11
116	Barbeque Standard	0583-AA12
117	New Line Speed Inspection System for Broilers and Cornish Hens	0583-AA14
118	Requirements Regarding Poultry Products Made by Mechanical Deboning	0583-AA15
119	Production Under Total Quality Control	0583-AA16
120	Automated Import Inspection System (83-019)	0583-AA17

Food Safety and Inspection Service—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
121	Records, Registration, and Reports	0583-AA00
122	Administrative Regulations	0583-AA02
123	*Red Meat Slaughter Regulations	0583-AA03
124	Label Approval Regulations	0583-AA05

*Indicates priority regulation.

Food Safety and Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
125	Cured Pork Products	0583-AA13

Foreign Agricultural Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
126	Revision of 7 CFR Part 6, Section 22 Import Quotas; Certain Dairy Products	0551-AA02
127	Revision of Public Law 480 Regulations, 7 CFR, Sections 17.1 through 17.8 and 17.16	0551-AA04
128	Revision of Public Law 480 Regulations, 7 CFR Sections 17.6, 17.8 and 17.9	0551-AA05
129	Quarterly Sugar Import Fee Determination	0551-AA06
130	*African Food Assistance Program	0551-AA07
131	*U.S. Meat Imports - 1984 - Third Quarterly Estimate	0551-AA09
132	Amendment to 7 CFR Part 6, Section 22 Import Quotas; Certain Dairy Products	0551-AA11

*Indicates priority regulation.

Foreign Agricultural Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
133	Sugar Import Quotas: Amendment of Import Quotas on Sugar for Quota Year 1984	0551-AA03
134	*Emergency Relief from Duty-Free Imports of Perishable Products	0551-AA08
135	Country of Origin Adjustment for Condensed Milk from Denmark	0551-AA10

*Indicates priority regulation.

USDA

Forest Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
136	Sale of Lands Pursuant to Section 10 of the Act Approved March 1, 1911	0596-AA04
137	Sale of National Forest Townsites to Government Entities	0596-AA08
138	Debarment and Suspension of Timber Sale Contractors	0596-AA09
139	Revision of Special Terms and Conditions in Special Use Authorizations for Electric Power Transmission Facilities of 66 Kilovolts	0596-AA15
140	Recovery of Federal Costs Associated with User Reservation Systems on Some National Forest Recreation Areas	0596-AA16
141	*Revision of Advertisements for Sale of National Forest Timber	0596-AA18
142	Administration of Cooperative or Federal Sustained Yield Units	0596-AA19
143	Land Status and Title Records	0596-AA24
144	Claims Collection Under the Debt Collection Act of 1982	0596-AA25

*Indicates priority regulation.

Forest Service—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
145	Administration of the Forest Development Transportation System	0596-AA00
146	Locatable Minerals	0596-AA01
147	Use of Motor Vehicles Off Forest Development Roads	0596-AA05
148	Sale and Disposal of Timber	0596-AA10
149	Range Management-Grazing and Livestock Use and Management of Wild-Free-Roaming Horses and Burros	0596-AA14
150	Special Uses of National Forest System Lands	0596-AA20
151	Exercise of Timber, Mineral and Water Rights, of Rights-of-Way, and of Rights to Use and Occupy Lands Conveyed to the U.S.	0596-AA21
152	Management of Municipal Watersheds	0596-AA22
153	Entrance into Petersburg Watershed	0596-AA23

Forest Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
154	Mt. St. Helens National Volcanic Monument Symbol	0596-AA11
155	Wilderness-Primitive Areas	0596-AA13
156	Technical Amendment Clarifying Levels of Appeal on Procedural Matters in Appeals of Decisions Concerning the National Forest System	0596-AA17

Office of Finance and Management—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
157	Amend USDA Uniform Federal Assistance Regulations, 7 CFR 3015	0505-AA01
158	*Amend USDA Uniform Federal Assistance Regulations, 7 CFR 3015 Subpart U, Miscellaneous	0505-AA02

*Indicates priority regulation.

USDA

Office of the Secretary—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
159	Certification of Food-Grade Citric Acid and Food-Grade Enzymes as Essential Agricultural Uses of Natural Gas Under the Natural Gas Policy Act of 1978	0503-AA00
160	Acquisition Regulation	0503-AA01
161	Rescind Uniform Relocation Regulations	0503-AA02

Packers and Stockyards Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
162	Scales and Weighing and Examination of Records	0590-AA03

Packers and Stockyards Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
163	Trade Practices, Livestock Sales to a Packer on Credit	0590-AA02

Rural Electrification Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
164	REA Bulletin 320-23, Construction Certification Procedures for Designated Telephone Borrowers	0572-AA04
165	REA Bulletin 50-4, Specifications and Drawings for 34.5/19.9 kV Distribution Line Construction (D-801)	0572-AA13
166	*7 CFR Part 1747, Lien Accommodations	0572-AA14

*Indicates priority regulation.

Rural Electrification Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
167	REA Bulletin 345-67, REA Specification for Filled Telephone Cable (PE-39)	0572-AA05
168	REA Bulletin 50-1, Electric Transmission Specifications and Drawings (T-805)	0572-AA06
169	REA Bulletin 345-76, REA Specification for Spring Action Type Bonding Connectors Within Buried Plant Housings (PE-57)	0572-AA07
170	REA Bulletin 345-6, REA Standard for Splicing Plastic-Insulated Cables (PC-2)	0572-AA08
171	REA Bulletin 345-22, REA Specification for Voice Frequency Loading Coils (PE-26)	0572-AA09
172	REA Bulletin 345-65, REA Specification for Cable Shield Bonding Connectors (PE-33)	0572-AA10

Soil Conservation Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
173	Acquisition of Real Property Under Federally Assisted Programs	0578-AA09
174	Prime and Unique Farmlands	0578-AA10

USDA

Soil Conservation Service—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
175	Soil Surveys	0578-AA00
176	Snow Surveys and Water Supply Forecasts	0578-AA01
177	Long Term Contracting	0578-AA03

Soil Conservation Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
178	Great Plains Conservation Program	0578-AA04
179	Cooperative Relationships and Arrangements	0578-AA06
180	Farmland Protection Policy	0578-AA07
181	Plant Materials Centers	0578-AA08

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Current and Projected Rulemakings

1. MOHAIR STANDARDS

Legal Authority: Agricultural Marketing Act of 1946, 60 Stat. 1087-1091; 7 USC 1621 et seq

CFR Citation: 7 CFR 32

Abstract: Combine grade standards for mohair and mohair top into one standard. (AMS 84-014)

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA06

2. SLAUGHTER LAMBS, YEARLINGS, AND SHEEP GRADES AND STANDARDS

Legal Authority: Agricultural Marketing Act of 1946, Sec. 203, 205, as amended; 60 Stat. 1087,1090; 7 USC 1622; 7 USC 1624

CFR Citation: 7 CFR 53

Abstract: Regulations to make the slaughter lamb standards conform to the revised lamb carcass standards as published in the Federal Register September 13, 1982. (AMS 84-017)

Timetable:

Action	Date	FR Cite
NPRM	02/21/84	49 FR 6378
Final Action	10/00/84	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA07

3. WOOL STANDARDS

Legal Authority: 7 USC 1621 et seq; 7 USC 1622; 7 USC 1624; 29 FR 16210; 30 FR 1260, as amended; 30 FR 2160

CFR Citation: 7 CFR 31

Abstract: Combine grade standards for grease wool and wool top into one standard. (AMS 84-016)

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA12

4. SLAUGHTER BARROWS AND GILTS AND PORK CARCASS GRADE STANDARDS

Legal Authority: 7 USC 1622; 7 USC 1624; 19 FR 74

CFR Citation: 7 CFR 53

Abstract: Revise grade standards for slaughter barrows and gilts and their carcasses. (AMS 84-015)

Timetable:

Action	Date	FR Cite
NPRM	04/06/84	49 FR 13704
Final Action	10/00/84	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, 202 447-2704

RIN: 0581-AA13

5. PLANT VARIETY PROTECTION BOARD MEETING

Legal Authority: 7 USC 2330

CFR Citation: 7 CFR 180.2

Abstract: The Plant Variety Protection Board will meet one or more times in 1984 to advise the Secretary on administration of the PVP Act and to advise the Secretary on any appeals of the Commissioner's decisions. (84-010)

Timetable:

Action	Date	FR Cite
Final Action	12/00/85	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, Regulatory Review Staff, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, **202 447-2704**

RIN: 0581-AA17

6. ESTABLISHMENT OF USER FEES FOR COTTON MARKET NEWS SERVICE

Legal Authority: 7 USC 471 to 476

CFR Citation: 7 CFR 28

Abstract: To establish fees to recover costs of postage, reproduction and handling of cotton market news reports requested by mail by the general public. (AMS 84-009)

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, **202 447-2704**

RIN: 0581-AA18

7. FEES FOR SERVICE FOR VOLUNTARY AND MANDATORY PROGRAMS

Legal Authority: 7 USC 1621 to 1627 Agricultural Marketing Act of 1946; 21 USC 1031 to 1056 Egg Products Inspection Act; 7 USC 241 to 273 U.S. Warehouse Act; 7 USC 51 et seq Cotton Standards Act

CFR Citation: 7 CFR 26 to 209

Abstract: Fees for the voluntary inspection, grading and classing of agricultural commodities and certain mandatory inspection rates are reviewed periodically and changes are made to reflect cost of providing the service. (AMS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, **202 447-2704**

RIN: 0581-AA19

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Existing Regulations Under Review

8. TOBACCO INSPECTION STANDARDS

Legal Authority: 7 USC 511 et seq

CFR Citation: 7 CFR 29, Subpart C(excludes some parts)

Abstract: Define official standard grades for all tobacco except Kentucky and Tennessee fire-cured (U.S. types 22 and 23) and dark air-cured tobacco (U.S. types 35, 36, and 37). (AMS 83-096)

Timetable:

Action	Date	FR Cite
Begin Review	12/00/83	
End Review	12/00/84	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, **202 447-2704**

RIN: 0581-AA05

9. COTTON RESEARCH AND PROMOTION

Legal Authority: 7 USC 2114 Sec 15, 80 Stat 285; 7 USC 2106 Sec 7, 80 Stat 281

CFR Citation: 7 CFR 1205

Abstract: Procedures including rules of practice necessary to implement the Cotton Research and Promotion Act. Includes procedures for the cotton research and promotion order and the Cotton Board rules and regulations. (AMS 83-101)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	12/00/84	

Small Entity: No

Agency Contact: James Toomey, Staff Officer, MRD, Department of Agriculture, Agricultural Marketing Service, Room 0608-S, Washington, DC 20250, **202 447-2704**

RIN: 0581-AA08

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Marketing Service (AMS)

Completed Actions

COMPLETED RULEMAKINGS

10. ESTABLISH STANDARDS FOR INSPECTION OF IMPORTED TOBACCO

CFR Citation: 7 CFR 29, Subpart C

Completed:

Reason	Date	FR Cite
Final Action	04/20/84	49 FR 16755

Small Entity: Yes

Agency Contact: James Toomey 202 447-2704

RIN: 0581-AA10

USDA—AMS

Completed Actions

11. ESTABLISH PROCEDURES FOR INSPECTION AND CERTIFICATION OF IMPORTED TOBACCO AND FEES NECESSARY TO COVER THE COST OF SUCH SERVICES

CFR Citation: 7 CFR 29, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	07/03/84	49 FR 27466

Small Entity: No

Agency Contact: James Toomey 202 447-2704

RIN: 0581-AA11

12. UPLAND COTTON STAPLE LENGTH STANDARDS

CFR Citation: 7 CFR 28

Completed:

Reason	Date	FR Cite
Final Action	07/12/84	49 FR 28389

Small Entity: No

Agency Contact: James Toomey 202 447-2704

RIN: 0581-AA20

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Stabilization and Conservation Service (ASCS)

Current and Projected Rulemakings

13. PRICE SUPPORT LOAN PROGRAM FOR 1983 THROUGH 1985 CROPS SUGAR BEETS AND SUGARCANE

Priority: Major

Legal Authority: 7 USC 1446(h) Ag Act of 1949, Sec 201(h), as amended

CFR Citation: 7 CFR 1435

Abstract: To support domestically grown sugarcane and sugar beets as required by the Agricultural Act of 1949, as amended, through nonrecourse loans. This rule implements the loan program for the 1983 through 1985 crops of sugar beets and sugarcane. The minimum level of support for raw cane sugar is 17.5 for the 1983 crop. The level of price support for the 1983 crop of refined beet sugar is established at such level which is determined to be fair and reasonable in relation to the level of loans for raw cane sugar. Loan rates for the 1984 and 1985 crops will be set forth in subsequent notices published in the Federal Register on or before October 1 of the applicable crop year. (ASCS 83-010)

Timetable:

Action	Date	FR Cite
Price Support Announcement	09/30/83	
Interim Final Rule	10/05/83	48 FR 45374
Final Action	09/17/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA07

14. STANDARDS FOR APPROVAL OF WAREHOUSES FOR COTTON OR COTTON LINTERS

Legal Authority: 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1427

Abstract: The Commodity Credit Corporation (CCC) Charter Act states that in carrying out CCC's purchasing and selling operations, and in the warehousing, transporting, processing and handling of agricultural commodities, CCC is to use the customary channels, facilities and arrangements of trade and commerce. Accordingly, CCC has set forth standards which must be met by a warehouseman before CCC will enter a contract. This action will revise part of the policy followed in approving warehouses for storage and handling of commodities under CCC programs. (ASCS 84-032)

Timetable:

Action	Date	FR Cite
NPRM	08/31/84	49 FR 34511
Final Action	11/30/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA14

15. STANDARDS FOR THE APPROVAL OF DRY AND COLD STORAGE WAREHOUSES FOR PROCESSED AGRICULTURAL COMMODITIES, EXTRACTED HONEY, AND BULK OILS

Legal Authority: 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1423

Abstract: The Commodity Credit Corporation (CCC) Charter Act states that in carrying out CCC's purchasing and selling operations, and in the warehousing, transporting, processing and handling of agricultural commodities, CCC is to use the customary channels, facilities and arrangements of trade and commerce. Accordingly, CCC has set forth standards which must be met by a warehouseman before CCC will enter a contract. This action will revise part of the policy followed in approving warehouses for storage and handling of commodities under CCC programs. (ASCS 84-033)

Timetable:

Action	Date	FR Cite
NPRM	09/28/84	
Final Action	01/02/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA15

16. DISREGARDING SMALL CLAIMS OF $9.99 OR LESS

Legal Authority: 15 USC 714b Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR Chapter VII; 7 CFR Chapter XIV

Abstract: Purpose is to increase the amount which can be disregarded from $3.00 to $9.99. The $3.00 standard has been in effect since 1950. (ASCS 84-036)

Timetable:

Action	Date	FR Cite
NPRM	08/22/84	49 FR 33273
Final Action	11/14/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA16

17. STANDARDS FOR APPROVAL OF WAREHOUSES OF GRAIN, RICE, DRY EDIBLE BEANS, AND SEED

Legal Authority: 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1421

Abstract: The Commodity Credit Corporation (CCC) Charter Act states that in carrying out CCC's purchasing and selling operations, and in the warehousing, transporting, processing and handling of agricultural commodities, CCC is to use the customary channels, facilities and arrangements of trade and commerce. Accordingly, CCC has set forth standards which must be met by a warehouseman before CCC will enter a contract. This action will revise part of the policy followed in approving warehouses for storage and handling of commodities under CCC programs. (ASCS 84-030)

Timetable:

Action	Date	FR Cite
NPRM	09/28/84	
Final Action	11/30/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA17

18. FLUE-CURED TOBACCO MARKETING QUOTA REGULATIONS--CASH RENTERS AND LEASE CONSIDERATIONS PRIOR TO MARKETING

Legal Authority: 7 USC 1314b Ag Adjustment Act of 1938, Sec 316, as amended

CFR Citation: 7 CFR 725

Abstract: The action is required by the Dairy and Tobacco Adjustment Act of 1983 relating to flue-cured tobacco. The new law provides that the Secretary shall promulgate regulations establishing, insofar as is reasonably practicable, a requirement providing that none of the consideration for the lease of any flue-cured tobacco quota may be paid by the cash renter prior to the marketing of the tobacco produced under the lease. (ASCS 84-026)

Timetable:

Action	Date	FR Cite
ANPRM	06/27/84	49 FR 26536
Final Action	10/12/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA18

19. MARKETING QUOTA REVIEW REGULATIONS

Legal Authority: 7 USC 1363 Ag Adjustment Act of 1938, Sec 363

CFR Citation: 7 CFR 711

Abstract: The action is required to revise and update regulations to the Marketing Quota Review Program. The major changes are: (1) remove references to peanuts, ELS cotton and upland cotton since these commodities are no longer considered marketing quota crops; (2) remove listings of areas of venue and provide that such listings will be available upon request from the Agency. (ASCS 84-024)

Timetable:

Action	Date	FR Cite
Final Action	09/28/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA21

20. 1985-CROP PEANUT PRICE SUPPORT PROGRAM DIFFERENTIALS

Legal Authority: 7 USC 1445c-1 Agricultural Act of 1949, Sec 108A; 7 USC 1423 Ag Act of 1949, Sec 403, as amended; 7 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: Not applicable

Abstract: The Secretary is authorized under Section 403 of the Agricultural Act of 1949, as amended, and the Commodity Credit Corporation (CCC) Charter Act, as amended, to provide appropriate adjustments in type, quality, location and other factors to stabilize market prices of peanuts. The intent of the Peanut Loan and Purchase Program is to protect producers, handlers, processors and consumers. (ASCS 84-020)

Timetable:

Action	Date	FR Cite
NPRM	12/14/84	
Final Action	03/15/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA22

21. GENERAL REGULATIONS GOVERNING PRICE SUPPORT FOR THE 1978 AND SUBSEQUENT CROPS OF GRAIN AND SIMILARLY HANDLED COMMODITIES (AMENDMENT 3)

Legal Authority: The Agricultural Act of 1949, as amended; Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1421

Abstract: The rule will incorporate changes in the regulations to address (1) reconcentration of warehouse-stored loan commodities; (2) liquidated damage assessment when a producer has disposed of loan collateral without authorization or failed to repay a loan after the commodity has been released for marketing. The action will permit warehouses and producers to more efficiently utilize storage space. The liquidated damage provisions will provide a deterrent to abuse of the farm-stored loan program. (ASCS 84-029)

Timetable:

Action	Date	FR Cite
NPRM	09/17/84	
Final Action	02/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA24

22. 1985-CROP RICE LOAN AND PURCHASE RATES FOR WHOLE KERNELS BY CLASS AND BROKEN KERNELS FOR ALL CLASSES

Legal Authority: 7 USC 1441(i) Agricultural Act of 1949, Sec 101(i), as amended; 15 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1421

Abstract: Develop loan and purchase rate differentials between long grain and medium/short grain rice. Also, develop the loan and purchase rate for long, medium and short grain broken rice. (ASCS 84-019)

Timetable:

Action	Date	FR Cite
Final Action	03/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA25

23. GENERAL REGULATIONS GOVERNING 1982 THROUGH 1985 CROPS PEANUT WAREHOUSE STORAGE LOANS AND HANDLER OPERATIONS (AMENDMENT 3)

Legal Authority: Ag Adjustment Act of 1938, as amended; Commodity Credit Corporation Charter Act of 1948, as amended; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 1446

Abstract: The objective of this action is to improve the operation of the peanut price support program, through the following: (1) streamline and clarify supervision requirements of the associations, (2) clarify interest charges due on assessed penalties, (3) clarify appeal procedures for handlers, and (4) clarify definitions of positive lot identified peanuts. (ASCS 84-022)

Timetable:

Action	Date	FR Cite
Final Action	10/31/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA27

24. 1985 WOOL AND MOHAIR INCENTIVE PAYMENT PROGRAM

Legal Authority: 7 USC 1781 Note National Wool Act of 1954, as amended

CFR Citation: 7 CFR 1468; 7 CFR 1472

Abstract: The object of this action is to support the market for mohair at prices fair to both consumers and producers through direct payments, and to announce support prices for 1984 marketings of shorn wool and mohair. (ASCS 84-018)

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
Final Action	12/10/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P. O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA28

25. POUNDAGE QUOTA AND MARKETING REGULATIONS FOR THE 1983 THROUGH 1985 CROPS OF PEANUTS (AMENDMENT 1)

Legal Authority: Agricultural Adjustment Act of 1938, as amended; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 729

Abstract: Consider changing definition of "marketed" so that peanuts graded "Segregation 3" will be considered as marketing of additional peanuts at the time of grading -- except when the peanuts are handled properly. Additional peanuts cannot enter the edible peanut market. Consider setting the maximum moisture content of peanuts (without discount) at 7 percent for all peanuts regardless of area of production. (ASCS 84-021)

Timetable:

Action	Date	FR Cite
NPRM	09/17/84	
Final Action	12/17/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA29

26. DETERMINATION OF THE LOAN AND PURCHASE RATE FOR THE 1984 SOYBEAN CROP

Legal Authority: 7 USC 1446 The Agricultural Act of 1949, Sec 201(g)

CFR Citation: 7 CFR 1421

Abstract: The object of this action is to provide adequate soybean supplies for domestic and foreign utilization, support farm income, combat inflation, minimize Government intervention, hold down Federal costs, conserve natural resources, and to comply with statutory requirements that provide for minimum levels of price support. (ASCS 84-016)

Timetable:

Action	Date	FR Cite
NPRM	08/03/84	49 FR 31121
Final Action	09/28/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA30

27. NATIONAL AVERAGE LOAN RATES FOR 1985-CROP QUOTA AND ADDITIONAL PEANUTS AND MINIMUM COMMODITY CREDIT CORPORATION (CCC) EXPORT EDIBLE SALES PRICE FOR ADDITIONAL LOAN PEANUTS

Legal Authority: Agricultural Adjustment Act of 1938, as amended; Commodity Corporation Charter Act of 1948, as amended; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 729; 7 CFR 1446

Abstract: The object of this action is to set loan levels to support farm income and stabilize prices. The CCC export edible sales price minimizes CCC net outlays and maximizes returns to growers of additional peanuts. (ASCS 84-013)

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	
Final Action Statutory	02/15/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA31

28. PRICE SUPPORT LEVEL FOR HONEY, 1985-86 PROGRAM YEAR (BEGINNING APRIL 1, 1985)

Legal Authority: 7 USC 1446 Agricultural Act of 1949, Sec 201, as amended

CFR Citation: 7 CFR 1434

Abstract: The Agricultural Act of 1949, as amended, requires that the price of honey be supported at not less than 60 percent nor more than 90 percent of parity. (ASCS 84-017)

Timetable:

Action	Date	FR Cite
NPRM	01/04/85	
Final Action	03/20/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA32

29. DETERMINATION OF 1985-CROP EXTRA LONG STAPLE (ELS) COTTON LOAN RATE, TARGET PRICE, PRODUCTION ADJUSTMENT, AND RELATED PROGRAM PROVISIONS

Legal Authority: 7 USC 1444(h) Ag Act of 1949, Sec 103(h), as amended

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1427

Abstract: The object of this action is to provide sufficient supplies of ELS cotton for domestic and export use and maintain adequate but not excessive carryover stocks while providing price and income protection for producers and keeping Federal outlays to a minimum. Also, the Department of Agriculture must comply with statutory requirements for minimum price and income support and establish, if required, a production adjustment program as authorized by legislation to meet the above objectives. (ASCS 84-012)

Timetable:

Action	Date	FR Cite
NPRM	06/20/84	49 FR 25260
Final Action	11/01/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA33

30. FLUE-CURED TOBACCO MARKETING QUOTAS--1985 CROP

Legal Authority: 7 USC 1314(c) Ag Adjustment Act of 1938, Sec 317, as amended

CFR Citation: 7 CFR 725

Abstract: The object of this action is to balance supply with demand at levels assuring stable supplies for domestic and export use. (ASCS 84-015)

Timetable:

Action	Date	FR Cite
NPRM	09/12/84	
Final Action	11/09/84	
Statutory Deadline	12/01/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA34

31. BURLEY TOBACCO MARKETING QUOTAS--1985 CROP

Legal Authority: 7 USC 1314(e) Ag Adjustment Act of 1938, Sec 319, as amended

CFR Citation: 7 CFR 726

Abstract: The object of this action is to balance supply with demand at levels assuring stable supplies for domestic and export use. (ASCS 84-014)

Timetable:

Action	Date	FR Cite
NPRM	11/02/84	
Final Action	01/02/85	
Statutory Deadline	02/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA35

32. 1984-85 MILK PRICE SUPPORT PROGRAM - NOTICE OF PRICE SUPPORT LEVEL (EFFECTIVE 4/1/85)

Priority: Major

Legal Authority: 7 USC 1446(d) The Ag Act of 1949, Sec 201(d), as amended

CFR Citation: 7 CFR 1430

Abstract: The Agricultural Act of 1949, as amended by the Dairy and Tobacco Adjustment Act of 1983, requires that the price support for milk shall be carried out through purchase of milk or milk products. The level of support specified through September 30, 1985, is $12.60 per cwt. except that, on April 1, 1985, if the Secretary estimates that, for the 12-month period beginning on such date, the net price support purchase of milk or the products of milk would be in excess of 6 billion pounds milk equivalent, the Secretary may reduce the price support rate in effect on such date in the amount of 50 cents per cwt. (ASCS 84-006)

Timetable:

Action	Date	FR Cite
Final Action	03/25/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA36

33. 1984 SUGAR BEET AND SUGARCANE LOAN RATES

Priority: Major

Legal Authority: 7 USC 1446(h) Ag Act of 1949, Sec 201(h), as amended

CFR Citation: 7 CFR 1435

Abstract: The object of this action is to determine and announce the price support loan rates for the 1984 crop of sugar beets and sugarcane. The determination of these loan rates is required by the Agricultural Act of 1949, as amended. Establishment of the loan rate for raw cane sugar at 17.75 cents per pound or above is being

considered. The loan rate for refined beet sugar is to be established at such level which is determined to be fair and reasonable in relation to the loan rate established for raw cane sugar. (ASCS 84-005)

Timetable:

Action	Date	FR Cite
NPRM	08/13/84	49 FR 32244
Final Action	10/01/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA37

34. COMMODITY CREDIT CORPORATION (CCC) CLAIMS REGULATIONS

Legal Authority: 15 USC 714(k) Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1403

Abstract: Regulations will revise policy, authorities, procedures, and responsibilities for settling claims by and against CCC. (ASCS 84-034)

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	
Final Action	01/31/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA38

35. 1985 PRICE SUPPORT LEVELS FOR ALL KINDS OF TOBACCO

Legal Authority: 7 USC 1445 Ag Act of 1949, Sec 106, as amended

CFR Citation: 7 CFR 1464

Abstract: The object of this proposal is to stabilize tobacco prices. (ASCS 84-011)

Timetable:

Action	Date	FR Cite
NPRM	03/08/85	
Final Action	06/28/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA39

36. 1985-CROP RICE PROGRAM

Priority: Major

Legal Authority: 7 USC 1441(i) Agricultural Act of 1949, Sec 101(i), as amended; 15 USC 714 The Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1421

Abstract: The object of this action is to provide adequate supplies for domestic and export utilization, support farm income, stabilize rice prices, maintain adequate stocks, and minimize Federal costs. Statutory requirements provide for minimum levels of price support. Within the legislative authority, the Secretary has discretion to adopt other program provisions to meet the above stated objectives. (ASCS 84-010)

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23421
Final Action	12/14/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA40

37. DETERMINATION OF 1985-CROP UPLAND COTTON LOAN RATE, TARGET PRICE, PRODUCTION ADJUSTMENT, AND RELATED PROGRAM PROVISIONS

Priority: Major

Legal Authority: 7 USC 1444(g) Ag Act of 1949, Sec 103(g), as amended; 15 USC 714 Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1427

Abstract: The object of this action is to provide sufficient supplies of upland cotton for domestic and export use and maintain adequate but not excessive carryover stocks while providing price and income protection for producers and keeping Federal outlays to a minimum. The Department of Agriculture must comply with statutory requirements for minimum price and income support and establish, if required, a production adjustment program as authorized by legislation to meet the above stated objectives. (ASCS 84-009)

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23413
Final Action	11/01/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA41

38. THE 1985 WHEAT PROGRAM

Priority: Major

Legal Authority: 7 USC 1445b-1 Ag Act of 1949, Sec 107B; 7 USC 1445e Ag Act of 1949, Sec 110, as amended; 15 USC 714 The Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1421

Abstract: The object of this action is to achieve a balance between adequate wheat supplies for domestic and foreign utilization while maintaining reasonable levels of stocks, supporting farm income, combating inflation, minimizing Government intervention, reducing Federal outlays, and conserving natural resources. Statutory requirements provide for minimum levels of price support. Within the legislative authority, the Secretary has discretion to adopt other program provisions to meet the stated objectives. (ASCS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20037
Program Announcement	06/14/84	
Final Action	10/01/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA42

39. DETERMINATION OF LOAN AND PURCHASE RATE, TARGET PRICES, ACREAGE REDUCTION AND/OR PAID DIVERSION PROGRAM AND FARMER-OWNED RESERVE PROGRAM PROVISIONS FOR THE 1985 FEED GRAIN CROPS

Priority: Major

Legal Authority: 7 USC 1444d Ag Act of 1949, Sec 105B, as amended; 7 USC 1445e Ag Act of 1949, Sec 110, as amended; 15 USC 714 The Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1421

Abstract: The object of this action is to provide adequate feed grain supplies for domestic and foreign utilization, support farm income, combat inflation, minimize Government intervention, hold down Federal costs, and conserve natural resources. Statutory requirements provide for minimum levels of price support. Within the legislative authority, the Secretary has discretion to adopt other program provisions to meet the above stated objectives. (ASCS 84-007)

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23416
Final Action	09/28/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA43

40. MINOR KINDS TOBACCO MARKETING QUOTAS -- 1985 CROP

Legal Authority: 7 USC 1312 Ag Adjustment Act of 1938, Sec 312, as amended

CFR Citation: 7 CFR 724

Abstract: The objective of this proposal is to balance supply with demand at levels assuring stable supplies for domestic and export use. (ASCS 84-023)

Timetable:

Action	Date	FR Cite
NPRM	11/02/84	
Final Action	01/02/85	
Statutory Deadline	02/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA44

41. FEES FOR VOLUNTARY EXAMINATIONS

Legal Authority: 7 USC 241 to 273 United States Warehouse Act

CFR Citation: 7 CFR 102

Abstract: Warehousemen who request an examination to be performed will be charged a fee for the service. (Transferred to ASCS. Formerly AMS 84-011.) (ASCS 84-051)

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
Final Action	12/03/84	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA45

42. CHARGES FOR EXAMINATIONS OF ADDITIONAL WAREHOUSE SECTIONS

Legal Authority: 7 USC 241 to 273 United States Warehouse Act

CFR Citation: 7 CFR 102

Abstract: A proposal to charge for examination services at warehouses which have locations in addition to the main facility. (Transferred to ASCS. Formerly AMS 84-012). (ASCS 84-052)

Timetable:

Action	Date	FR Cite
NPRM	03/29/85	
Final Action	07/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA46

43. ● DEFINITION OF "ELIGIBLE COUNTRY" FOR EXPORT OF PEANUT PRODUCTS

Legal Authority: 7 USC 1358 Ag Adjustment Act of 1938, Sec 359, as amended

CFR Citation: 7 CFR 1446.52(n)

Abstract: The objective of this action is to determine whether to revise the definition of "eligible country" as defined in Sec 1446.52(n). The definition presently excludes Canada and Mexico as countries eligible for export of peanut products made from contract additional peanuts. Review of marketing and export activity over the past several years along with any comments will be the basis for determining whether a change in the definition to make Canada and Mexico eligible for export of such products should be proposed. (ASCS 84-042)

Timetable:

Action	Date	FR Cite
ANPRM	09/21/84	
NPRM	11/23/84	
Final Action	02/17/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA47

44. ● 1984-85 MILK PRICE SUPPORT PROGRAM - NOTICE OF PRICE SUPPORT LEVEL (EFFECTIVE 7/1/85)

Priority: Major

Legal Authority: 7 USC 1446(d) Ag Act of 1949, Sec 201(d), as amended

CFR Citation: 7 CFR 1430

Abstract: This action implements legislative authority to adjust the price support levels for milk. (ASCS 84-041)

Timetable:

Action	Date	FR Cite
Final Action Effective	06/28/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, **202 447-7093**

RIN: 0560-AA48

45. ● 1985 SUGAR BEET AND SUGARCANE LOAN RATES

Priority: Major

Legal Authority: 7 USC 1446(h) Agricultural Act of 1949, Sec 201(h)

CFR Citation: 7 CFR 1435.110 et seq

Abstract: The objective of this action is to determine and announce the price support loan rates for the 1985 crops of sugar beets and sugarcane. The determination of these loan rates is required by the Agricultural Act of 1949, as amended. Establishment of the price for raw sugar at 18.00 cents per pound or above is being considered. Establishing raw cane sugar above 18.00 cents per pound could cost consumers and cause the Commodity Credit Corporation to receive sugar by forfeiture. The loan rate for refined beet sugar is to be established at such level which is determined to be fair and reasonable in relation to the loan rate established for raw cane sugar. (ASCS 84-040)

Timetable:

Action	Date	FR Cite
NPRM	07/15/85	
Final Action	10/01/85	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3728-S, P.O. Box 2415, Washington, DC 20013, 202 447-7093

RIN: 0560-AA49

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Stabilization and Conservation Service (ASCS)

Completed Actions

COMPLETED RULEMAKINGS

46. DETERMINATION OF 1984-CROP RICE PROGRAM TO INCLUDE ESTABLISHMENT OF LOAN RATE, ESTABLISHED TARGET PRICE, AND ACREAGE REDUCTION AND/OR PAID DIVERSION PROGRAMS, IF ANY

Priority: Major

CFR Citation: 7 CFR 713; 7 CFR 770; 7 CFR 1421

Completed:

Reason	Date	FR Cite
Final Action	04/16/84	49 FR 15000

Small Entity: No

Agency Contact: Tom Witzig 202 447-7093

RIN: 0560-AA13

47. TOBACCO LOAN PROGRAM REGULATIONS

CFR Citation: 7 CFR 1464

Completed:

Reason	Date	FR Cite
Final Action	06/13/84	49 FR 24372

Small Entity: No

Agency Contact: Tom Witzig 202 447-7093

RIN: 0560-AA19

48. 1984-85 MARKETING YEAR PENALTY RATES FOR ALL KINDS OF TOBACCO SUBJECT TO QUOTAS

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Final Action	07/23/84	49 FR 29639

Small Entity: No

Agency Contact: Tom Witzig 202 447-7093

RIN: 0560-AA20

49. AMENDMENT TO THE CCC GRAIN PRICE SUPPORT REGULATIONS GOVERNING LOAN PURCHASE PROGRAM FOR 1982 AND SUBSEQUENT CROPS OF RICE

CFR Citation: 7 CFR 1421

Completed:

Reason	Date	FR Cite
Final Action	07/23/84	49 FR 29564

Small Entity: No

Agency Contact: Tom Witzig 202 447-7093

RIN: 0560-AA23

50. CCC COTTON LOAN PROGRAM REGULATIONS GOVERNING 1980 AND SUBSEQUENT CROPS (AMENDMENT 4)

CFR Citation: 7 CFR 1427

Completed:

Reason	Date	FR Cite
Final Action	06/20/84	49 FR 25223

Small Entity: No

Agency Contact: Tom Witzig 202 447-7093

RIN: 0560-AA26

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)

Animal and Plant Health Inspection Service (APHIS)

Completed Actions

COMPLETED RULEMAKINGS

51. RINDERPEST, FOOT-AND-MOUTH DISEASE, FOWL PEST, NEWCASTLE DISEASE, AFRICAN SWINE FEVER, AND HOG CHOLERA: PROHIBITED AND RESTRICTED IMPORTATIONS

CFR Citation: 9 CFR 94

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: Nick Bedessem 301 436-5533

RIN: 0579-AA01

52. RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

CFR Citation: 9 CFR 151

Completed:

Reason	Date	FR Cite
Final Action	02/24/84	49 FR 6882

Small Entity: No

Agency Contact: Nick Bedessem 301 436-5533

RIN: 0579-AA02

53. CORN DISEASES

CFR Citation: 7 CFR 319.24

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: Nick Bedessem 301 436-5533

RIN: 0579-AA03

54. NOXIOUS WEEDS

CFR Citation: 7 CFR 360

Completed:

Reason	Date	FR Cite
Final Action	06/20/84	49 FR 25222

Small Entity: No

Agency Contact: Nick Bedessem 301 436-5533

RIN: 0579-AA04

55. FOOT-AND-MOUTH DISEASE, PLEUROPNEUMONIA, RINDERPEST AND CERTAIN OTHER COMMUNICABLE DISEASES OF LIVESTOCK

CFR Citation: 9 CFR 53

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: Nick Bedessem 301 436-5533

RIN: 0579-AA05

56. BLACK STEM RUST

CFR Citation: 7 CFR 301.38

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: Nick Bedessem 301 436-5533

RIN: 0579-AA10

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

57. ● ANIMALS DESTROYED BECAUSE OF TUBERCULOSIS

Priority: Agency Determination

Legal Authority: 21 USC 111 to 113; 21 USC 114 to 114a-i; 21 USC 120 to 121; 21 USC 125; 21 USC 134b

CFR Citation: 9 CFR 50

Abstract: Amend 9 CFR 50 to authorize the payment of indemnity to owners of certain bison destroyed because of tuberculosis.

The tuberculosis regulations applying to cattle would be amended to apply to bison herds in South Dakota found in June 1984 to be foci of tuberculosis infection and to other herds which have received bison from the infected bison herds in South Dakota. The amendments made by this action are designed to address the immediate concern of preventing the spread of tuberculosis from the foci of infection. The Department is also working with State and industry officials to determine what cooperative efforts should be taken concerning tuberculosis in bison. (APHIS 84-043)

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/10/84	49 FR 28040

Small Entity: No

Agency Contact: Nick Bedessem, Department of Agriculture, Animal and Plant Health Inspection Service, Room 728, Federal Building, Hyattsville, MD 20782, 301 436-5533

RIN: 0579-AA11

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)

Farmers Home Administration (FmHA)

Current and Projected Rulemakings

58. SUSPENSION AND DEBARMENT REGULATIONS

Legal Authority: 7 USC 1989; 42 USC 1480(j)

CFR Citation: 7 CFR 1924

Abstract: This regulatory activity will improve FmHA's suspension and debarment system by establishing regulations that are compatible with other federal agency regulations. (FmHA 82-004)

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA02

59. PROPERTY MANAGEMENT

Legal Authority: 7 USC 1989; 42 USC 1480(j)

CFR Citation: 7 CFR 1955

Abstract: The revisions of these regulations will affect liquidation of loans secured by real estate, acquisition of property and management, and repair and sale of inventory property. (FmHA 81-020)

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23359
Final Action	12/00/84	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA03

60. REVISIONS TO REGULATIONS MANDATED BY RECENT HOUSING AMENDMENTS

Legal Authority: 42 USC 1480(j)

CFR Citation: 7 CFR 1930; 7 CFR 1944

Abstract: Interim final rule (NPRM for 1930) to implement the requirements of the Rural Housing Amendments of 1983 regarding definitions of income and adjusted annual income, and use of HUD income limits for eligibility. (FmHA 83-017)

Timetable:

Action	Date	FR Cite
Final Action for 1944	10/00/84	
NPRM for 1930	12/00/84	
Final Action for 1930	05/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA04

61. REVISION OF FMHA INSTRUCTION 1944-A, "SECTION 502 RURAL HOUSING LOAN POLICIES, PROCEDURES AND AUTHORIZATIONS," TO IMPLEMENT THE REQUIREMENTS OF THE RURAL HOUSING AMENDMENTS OF 1983

Legal Authority: 42 USC 1480(j)

CFR Citation: 7 CFR 1924; 7 CFR 1944

Abstract: The need for Government action is mandated by changes in the Agency's authorizing statute requiring corresponding changes in the FmHA rural housing program. The objectives of the action are: (1) allow extension of terms for applicants for initial loans with incomes of not more than 60 percent of median income for up to 38 years if needed for repayment ability; (2) give priority to applicants with the greatest need for housing because of their low income and inadequate dwellings, and to those applicants who will reside in areas which are the most rural in character; (3) implement Section 502 loans to purchase mobile/manufactured homes and sites, and certain allowable expenses for transportation and set-up.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA05

62. DEVELOPMENT GRANTS FOR COMMUNITY DOMESTIC WATER AND WASTE DISPOSAL SYSTEM

Legal Authority: 7 USC 1989

CFR Citation: 7 CFR 1942

Abstract: The proposed changes will (1) authorize the use of grant funds to restore FmHA loan funds used to prepay eligible grant purposes, (2) prohibit the use of grant funds to pay loan finders fees, (3) authorize the use of grant funds in any eligible area where the median family income of the service area is below the poverty line, (4) require that applicants be informed that any remaining FmHA project funds will be considered to be grant funds and refunded to FmHA, and (5) require that the funding needs of the applicant be reassessed prior to start of construction. (FmHA 83-009)

Timetable:

Action	Date	FR Cite
NPRM	05/22/84	49 FR 21542
Final Action	10/00/84	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA06

63. MULTIPLE HOUSING LOAN SERVICING PROCEDURE

Legal Authority: 42 USC 1480(j)

CFR Citation: 7 CFR 1965

Abstract: This regulation is being modified to improve the timely processing of Multiple Housing loan transfers, clarify the consolidation authorities, reduce direct involvement of Farmers Home Administration (FmHA) in equity financing arrangements, revise any requirements conflicting with other program regulations, and remove any unnecessary requirements which do not affect the Agency's security position or inhibit its ability to meet the respective program objectives. (FmHA 83-004)

Timetable:

Action	Date	FR Cite
NPRM	03/12/84	49 FR 9192
Final Action	10/00/84	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA07

64. ● MOBILE/MANUFACTURED HOUSING PARKS/COMMUNITIES FOR RENTAL PURPOSES

Priority: Agency Determination

Legal Authority: 42 USC 1480(j)

CFR Citation: 7 CFR 1944

Abstract: The need for Government action is mandated by changes in the Agency's authorizing statute requiring corresponding changes in the FmHA rural housing program.

The objectives of the action are to provide financing to eligible applicants to develop mobile/manufactured housing parks/communities for rental purposes to eligible occupants. (FmHA 84-007)

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Carl Opstad, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, 202 382-9744

RIN: 0575-AA08

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Federal Grain Inspection Service (FGIS)

Current and Projected Rulemakings

65. RECORDKEEPING AND ACCESS TO FACILITIES

Legal Authority: 7 USC 79a(k); 7 USC 87a; 7 USC 87c

CFR Citation: 7 CFR 800.25 to 800.26

Abstract: FGIS will review the requirements for recordkeeping and access to facilities imposed on grain elevators by the regulations under the U.S. Grain Standards Act. The review will include examination of continued need for the regulations, language clarity, consistency with law and Agency policy, and cost effectiveness. (FGIS 84-008)

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA05

66. LICENSES AND AUTHORIZATIONS

Legal Authority: 7 USC 84; 7 USC 85; 7 USC 87e

CFR Citation: 7 CFR 800.170 to 800.180

Abstract: FGIS will conduct a review of the current procedures and restrictions regarding licensing or authorizing individuals to perform official services under the regulations under the U.S. Grain Standards Act. The review will include examination of continued need for the regulations, language clarity, consistency with law and Agency policy, and cost effectiveness. (FGIS 84-010)

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA06

67. OFFICIAL RECORDS AND FORMS

Legal Authority: 7 USC 79(f)(i)(A)(viii); 7 USC 87a; 7 USC 87e

CFR Citation: 7 CFR 800.145 to 800.155

Abstract: FGIS will conduct a review of the requirements for official records and forms under the regulations under the U.S. Grain Standards Act. The review will include examination of continued need for the regulations, language clarity, consistency with law and Agency policy, and cost effectiveness. (FGIS 84-009)

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA07

DEPARTMENT OF AGRICULTURE (USDA)
Federal Grain Inspection Service (FGIS)

Existing Regulations Under Review

68. FEES FOR OFFICIAL SERVICES PERFORMED BY OFFICIAL AGENCIES

Legal Authority: 7 USC 79(f)(1)(A)(v); 7 USC 87e

CFR Citation: 7 CFR 800.70

Abstract: FGIS will conduct a review of Procedures for Official Agencies establishing fees to assure that the procedures are necessary, not in conflict with current laws or Agency policy. (FGIS 84-004)

Timetable:

Action	Date	FR Cite
Begin Review	10/00/84	
End Review	02/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA01

69. KINDS OF OFFICIAL SERVICES

Legal Authority: 7 USC 79; 7 USC 79a; 7 USC 87e

CFR Citation: 7 CFR 800.75 to 800.78

Abstract: FGIS will review the kinds of official services provided under the regulations under the U.S. Grain Standards Act to ensure that the services meet the needs of the grain marketing system and maintain the integrity of the inspection and weighing system. (FGIS 84-006)

Timetable:

Action	Date	FR Cite
End Review	01/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA02

70. APPEAL INSPECTION SERVICES

Legal Authority: 7 USC 79(c); 7 USC 87e

CFR Citation: 7 CFR 800.135 to 800.140

Abstract: FGIS will conduct a review of the appeal inspection services under the regulations under the U.S. Grain Standards Act to ensure that the service is cost effective and meets the needs of the U.S. grain industry. (FGIS 84-007)

Timetable:

Action	Date	FR Cite
End Review	01/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, 202 382-1738

RIN: 0580-AA03

71. OFFICIAL CERTIFICATES

Legal Authority: 7 USC 79(c); 7 USC 87e

CFR Citation: 7 CFR 800.160 to 800.166

Abstract: FGIS will conduct a review of the procedures for issuances and distribution of certificates under the regulations under the U.S. Grain Standards Act to ensure that the procedures are cost effective and meet the needs of the U.S. grain market. (FGIS 84-005)

Timetable:

Action	Date	FR Cite
End Review	01/00/85	

Small Entity: No

Agency Contact: L. Lebakken, Jr., Director, Issuance and Coordination, Department of Agriculture, Federal Grain Inspection Service, Room 0667-S, Washington, DC 20250, **202 382-1738**

RIN: 0580-AA04

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)

Current and Projected Rulemakings

72. MONTHLY REPORTING AND RETROSPECTIVE BUDGETING 1982 AND 1983 AMENDMENTS

Legal Authority: 7 USC 2014(f); 7 USC 2015(c)

CFR Citation: 7 CFR 272.3; 7 CFR 273.10; 7 CFR 273.12; 7 CFR 273.21

Abstract: This rule implements recent legislative provisions regarding waiver of certain monthly reporting/retrospective budgeting rules, and establishes a system of periodic review of approved waivers. (FNS 84-016)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA02

73. WORK REGISTRATION

Legal Authority: 7 USC 2015(d)

CFR Citation: 7 CFR 273.7

Abstract: These rules establish the work registration and job finding responsibilities of food stamp participants. They also modify how the requirements are to be administered. (FNS 83-007)

Timetable:

Action	Date	FR Cite
NPRM	05/24/83	48 FR 23257
Final Action	04/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA03

74. OBRA 1982

Legal Authority: 7 USC 2012(i)(r); 7 USC 2014(c)(g)(i)(j); 7 USC 2015(e); 7 USC 2017(c); 7 USC 2020(e)(4)(9)(10)(i)

CFR Citation: 7 CFR 273

Abstract: This final rule, based on proposed or interim rulemakings, implements changes to eligibility criteria mandated by P.L. 97-98 and P.L. 97-253, revises recertification procedures, and simplifies the rules when a household files for both food stamp and public assistance benefits. It also tightens expedited service procedures, updates procedures for notices of adverse action, and revises resource definitions. (FNS 84-003)

Timetable:

Action	Date	FR Cite
NPRM	11/19/82	47 FR 52185
NPRM	11/30/82	47 FR 53878
Interim Rule	11/30/82	47 FR 52825
Interim Rule	12/10/82	47 FR 55463
Interim Rule	12/14/82	47 FR 55903
NPRM	12/28/82	47 FR 57725
Interim Rule	04/01/83	48 FR 13955
Final Action	02/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA04

75. ISSUANCE LOSS LIABILITY

Legal Authority: 7 USC 2016; 7 USC 2020(e)(20)

CFR Citation: 7 CFR 274; 7 CFR 276; 7 CFR 272, for Interim

Abstract: These rules govern the issuance of food stamps to Food Stamp Program participants. They also establish the system for accounting for the food stamps and establish liabilities for losses during the issuance process. (FNS 84-002)

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/29/82	47 FR 49010
NPRM	02/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA05

76. FOOD DISTRIBUTION PROGRAM

Legal Authority: 7 USC 612c; 15 USC 713c; 42 USC 1755; 42 USC 1758; 7 USC 1431; 22 USC 1922; 7 USC 1859; 7 USC 1431b; 7 USC 1431 Note; 7 USC 1446a-1; 42 USC 1761; 42 USC 5179; 42 USC 5180; 42 USC 1762a; 42 USC 1766

CFR Citation: 7 CFR 250

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule outlines the responsibilities of the Food and Nutrition Service and State agencies concerning the distribution of USDA-donated foods acquired under various legislative authorities. The rule prescribes the terms and conditions under which donated foods may be

obtained through State distributing agencies for use in schools, child care institutions, nonprofit summer camps for children, charitable institutions, nutrition programs for the elderly, and otherwise in the assistance of needy persons. (FNS 84-513)

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	10/00/85	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 7 USC 612c Note; 42 USC 3030a; 42 USC 1760; 5 USC 301; 7 USC 1431e; 7 USC 612c Note.

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA07

77. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS

Legal Authority: 7 USC 2013

CFR Citation: 7 CFR 253

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule describes the terms and conditions under which (1) USDA-donated foods (available under 7 CFR 250) may be distributed to households on or near Indian reservations; (2) the program may be administered by capable Indian tribal organizations; and (3) funds may be obtained from USDA for the costs incurred in administering the program. The rule also provides for the concurrent operation of the Food Distribution Program and the Food Stamp Program on Indian reservations when such concurrent operation is requested by an Indian tribal organization. (FNS 84-514)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA09

78. FOOD STAMP PROGRAM: REVISION OF PARTS 271, 272, 273 AND 274

Legal Authority: 7 USC 2011 et seq

CFR Citation: 7 CFR 271; 7 CFR 272; 7 CFR 273; 7 CFR 274

Abstract: This rule clarifies, simplifies, and reorganizes food stamp certification and issuance rules. (FNS 84-019)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA10

79. TEMPORARY EMERGENCY FOOD ASSISTANCE PROGRAM FOR FISCAL YEARS 1984 AND 1985

Legal Authority: PL 98-8, Sec 201 et seq

CFR Citation: 7 CFR 251

Abstract: This rule amends the Temporary Emergency Food Assistance Program regulations to include (1) monitoring of program participation and submission of reports. These provisions strengthen 7 CFR 251 by adding monitoring and accountability components. (FNS 84-519)

Timetable:

Action	Date	FR Cite
NPRM	07/02/84	49 FR 27159
Final Action	11/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA15

80. ALASKA THRIFTY FOOD PLAN

Legal Authority: 7 USC 2012 (o)(2)

CFR Citation: 7 CFR 272.7; 7 CFR 273.10

Abstract: This rule will establish differing levels of food stamp allotments for urban and rural areas of Alaska. (FNS 84-012)

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/01/84	49 FR 18458
Final Action	12/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA16

81. AMENDMENTS TO REQUIREMENTS FOR STATE AGENCY REPORTING

Legal Authority: 7 USC 2020(a); 7 USC 2020(e)(12)

CFR Citation: 7 CFR 274.8

Abstract: This rule changes the requirements for State agencies to report actual and estimated participation in the Food Stamp Program. (FNS 84-009)

Timetable:

Action	Date	FR Cite
NPRM	05/27/83	48 FR 23825
Final Action	12/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA19

82. REIMBURSING WORKFARE'S ADMINISTRATIVE COSTS AND 1981 AND 1982 WORK REGISTRATION AND VOLUNTARY QUIT AMENDMENTS

Legal Authority: 7 USC 2015(d); 7 USC 2029(g)(2)

CFR Citation: 7 CFR 273.7; 7 CFR 273.22

Abstract: This rule sets criteria for administrative cost sharing and incentive reimbursement for optional workfare projects. It also implements statutory changes to work registration exemptions, voluntary quit coverage, and penalties for noncompliance. (FNS 84-008)

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/11/83	48 FR 1171
NPRM	05/24/83	48 FR 23257
Final Action	10/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA20

83. DISCLOSURE OF INFORMATION AND NONCOMPLIANCE WITH OTHER PROGRAMS

Legal Authority: 7 USC 2020(e)(8)

CFR Citation: 7 CFR 272.1; 7 CFR 273.9; 7 CFR 273.10; 7 CFR 273.11

Abstract: As mandated by legislation, two changes are being made by this rule. This rule requires monies recouped from public assistance grants to cover prior intentional welfare program violations to be counted as income for food stamp purposes. It also specifies which other programs may have routine access to food stamp casefiles. (FNS 84-006)

Timetable:

Action	Date	FR Cite
NPRM	04/19/83	48 FR 16834
Final Action	10/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA21

84. DUPLICATE PARTICIPATION CASH-BASED NUTRITION ASSISTANCE PROGRAM IN THE COMMONWEALTH OF PUERTO RICO

Legal Authority: 7 USC 2020(e)(21); 7 USC 2020(n); 7 USC 2028(a)(1)(A); 7 USC 2012 Note; 7 USC 2019 Note

CFR Citation: 7 CFR 274.1; 7 CFR 271.2; 7 CFR 273.1; 7 CFR 273.11; 7 CFR 285

Abstract: Two changes are being made by this rule, as follows: a) sets criteria for States to follow to detect duplicate food stamp participation; b) it allows Puerto Rico discretion in determining the form of benefits provided through its Nutrition Assistance Program. (FNS 84-005)

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/04/83	48 FR 9212
Final Action	10/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA22

85. EMERGENCY FOOD ASSISTANCE FOR VICTIMS OF DISASTERS

Legal Authority: 7 USC 2013(b)

CFR Citation: 7 CFR 280

Abstract: This final rule defines special eligibility and issuance procedures during declared disasters. (FNS 84-001)

Timetable:

Action	Date	FR Cite
NPRM	01/27/81	46 FR 8923
Final Action	03/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA24

86. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN (WIC)

Legal Authority: 42 USC 1786

CFR Citation: 7 CFR 246

Abstract: The rule will reorganize existing regulatory provisions for clarity and ease of reference. The rule will increase State agencies' administrative flexibility and scope of discretion. It will also reduce administrative burdens on State and local agencies. (FNS 84-505)

Timetable:

Action	Date	FR Cite
NPRM	07/08/83	48 FR 31502
Final Action	00/00/00	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA25

87. NATIONAL COMMODITY PROCESSING SYSTEM

Legal Authority: PL 98-8, Sec 203

CFR Citation: 7 CFR 250

Abstract: This rule implements National Commodity Processing (NCP) in the Food Distribution Program. (FNS 84-504)

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/23/83	48 FR 28609
Final Action	00/00/00	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA26

88. MISCELLANEOUS AMENDMENTS - CHILD CARE FOOD PROGRAM

Legal Authority: 42 USC 1766

CFR Citation: 7 CFR 226

Abstract: This rule makes several editorial changes and clarifications to the Child Care Food Program and implements substantive changes to such program areas as reviews, appeals, alternate licensing, and State agency administrative responsibilities. (FNS 84-503)

Timetable:

Action	Date	FR Cite
NPRM	05/13/83	48 FR 21587
Final Action	10/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584-AA28

89. AUDIT REQUIREMENTS IN THE CHILD CARE FOOD PROGRAM

Legal Authority: 42 USC 1766

CFR Citation: 7 CFR 226.8

Abstract: This rule will implement organization-wide audits in the Child Care Food Program and will outline the permissible uses of funds available to perform audits. (FNS 84-502)

Timetable:

Action	Date	FR Cite
NPRM	04/12/83	48 FR 15637
Final Action	10/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA30

90. WAGE-MATCH/WAGE REQUEST STATES

Legal Authority: 7 USC 2020(e)(19)

CFR Citation: 7 CFR 273

Abstract: This rule sets criteria, as required by P.L. 98-204 and P.L. 98-369, for alternative data bases to be used by certain States to conduct wage matches. (FNS 84-014)

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA31

91. REWRITE OF REGULATIONS ON DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE BENEFITS

Legal Authority: 42 USC 1758; 42 USC 1779

CFR Citation: 7 CFR 245

Abstract: This rule will revise regulations covering the eligibility process for school meals and milk. Part 245 has not undergone a complete rewrite in many years despite legislative change which has substantially changed the application process. The rewrite is primarily nonsubstantive in nature. The rewrite is intended to remove duplicative and obsolete provisions to clarify and reorganize all sections and to incorporate the requirements of P.L. 97-35. (FNS 84-518)

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	48 FR 23257
Final Action	04/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA32

92. VERIFICATION MONITORING

Legal Authority: 42 USC 1758; 42 USC 1779

CFR Citation: 7 CFR 210; 7 CFR 245

Abstract: This proposal will require State agencies to monitor School Food Authorities' compliance with the verification of eligibility requirements contained in 7 CFR 245. This monitoring would become part of the Assessment, Improvement and Monitoring System which is currently in place. (FNS 84-509)

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	05/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA33

93. SUMMER FOOD SERVICE PROGRAM

Legal Authority: 42 USC 1761

CFR Citation: 7 CFR 225

Abstract: This regulation will set criteria for the 1985 Summer Food Service Program. (FNS 84-517)

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	
Final Action	01/01/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr, Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA34

94. MANAGEMENT EVALUATIONS AND CORRECTIVE ACTION PLANS

Legal Authority: 7 USC 2020(e)(13); 7 USC 2025(b)

CFR Citation: 7 CFR 275

Abstract: This rule focuses program reviews on priority target areas and improves use of corrective action planning. (FNS 84-018)

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA37

95. COMPETITIVE FOODS

Legal Authority: 42 USC 1779

CFR Citation: 7 CFR 210; 7 CFR 220

Abstract: This rule amends the regulations for the National School Lunch and School Breakfast Programs which prohibit the sale of foods of minimal nutritional value (carbonated beverages, water ices, chewing gum and certain candies). States and local authorities will continue to be allowed to exceed this minimum Federal restriction. This rule responds to a Court decision that the Department has exceeded its authority in promulgating the "time and place" provision of the 1980 competitive foods rule. (FNS 84-507)

Timetable:

Action	Date	FR Cite
NPRM	03/13/84	49 FR 9426
Final Action	11/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA39

96. FORFEITURE PROCEDURES

Legal Authority: 7 USC 2024(g)

CFR Citation: 7 CFR 276

Abstract: This rule allows FNS to retain goods or money acquired during investigations of potential store violations. (FNS 84-017)

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA40

97. STATE AGENCY BUDGETARY AND PROGRAM ACTIVITY REPORTING

Legal Authority: 7 USC 2020(e)(12)

CFR Citation: 7 CFR 272.2

Abstract: This rule requires improved coordination between State agency budgetary projections and expenditure reports and reports on program activities. (FNS 84-015)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	07/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA41

98. REWRITE OF NATIONAL SCHOOL LUNCH PROGRAM REGULATIONS

Legal Authority: 42 USC 1751 et seq

CFR Citation: 7 CFR 210

Abstract: This rule will propose to revise the regulations covering the National School Lunch Program and the Commodity School Program. Since January 20, 1970, Part 210 has been amended with over 50 final rules and a number of interim rules. This proposal is intended to be nonsubstantive in nature. Emphasis is placed on resolving ambiguities and inconsistencies; eliminating unnecessary, duplicative and obsolete provisions; and clarifying both language and style so that Part 210 is more easily understood. (FNS 84-511)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	05/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA43

99. ● DOCUMENTATION AND VERIFICATION OF ELIGIBILITY IN THE CHILD CARE FOOD PROGRAM

Priority: Agency Determination

Legal Authority: 42 USC 1758; 42 USC 1766

CFR Citation: 7 CFR 226

Abstract: This regulation establishes standards for the documentation of eligibility and sets forth procedures for the verification of information for free and reduced-price applications submitted to institutions. (FNS 84-521)

Timetable:

Action	Date	FR Cite
NPRM	04/15/83	48 FR 16278
Interim Final Rule	08/05/83	48 FR 35589
Final Action	11/00/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA49

100. ● PROPOSED RULE CONCERNING STATE PROCESSING OF USDA-DONATED FOODS

Legal Authority: 42 USC 612c; 15 USC 713c; 42 USC 1755; 42 USC 1758; 7 USC 1431; 22 USC 1922; 7 USC 1859; 7 USC 1431b; 7 USC 1431 Note; 7 USC 1446a to I; 42 USC 1761; 42 USC 5179; 42 USC 5180; 42 USC 1762a; 42 USC 1766

CFR Citation: 7 CFR 250

Abstract: Proposed rule would require a 100 percent yield factor for all Department-approved substitutable donated foods which have been made available to processors under State-approved contracts. (FNS 84-523)

Timetable:

Action	Date	FR Cite
NPRM	09/17/84	49 FR 36390
Final Action	01/00/85	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 7 USC 612c Note; 42 USC 3030a; 42 USC 1760; 5 USC 301; 7 USC 1431e; 7 USC 612c Note.

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA50

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)

Existing Regulations Under Review

101. ADMINISTRATIVE REVIEW PROCESS

Legal Authority: 7 USC 2023(a)

CFR Citation: 7 CFR 276.7

Abstract: FNS is considering simplification of review process. (FNS 84-013)

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA46

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)

Completed Actions

COMPLETED RULEMAKINGS

102. BONDING OF AUTHORIZED FIRMS

CFR Citation: 7 CFR 278; 7 CFR 279

Completed:

Reason	Date	FR Cite
Final Action	07/12/84	49 FR 28391

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA17

103. INSURED FINANCIAL INSTITUTIONS, RETAIL FOOD STORES AND WHOLESALE FOOD CONCERNS; MISCELLANEOUS AMENDMENTS

CFR Citation: 7 CFR 278; 7 CFR 279

Completed:

Reason	Date	FR Cite
Final Action	08/15/84	49 FR 32533

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA18

104. AUTHORIZING HOUSE-TO-HOUSE TRADE ROUTES, AND TOUGHER PENALTIES FOR FIRMS WHICH BREAK THE RULES

CFR Citation: 7 CFR 271; 7 CFR 278; 7 CFR 279

Completed:

Reason	Date	FR Cite
Final Action	05/25/84	49 FR 22055

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA23

105. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS; OKLAHOMA TRIBES ELIGIBILITY

CFR Citation: 7 CFR 254

Completed:

Reason	Date	FR Cite
Final Action	08/16/84	49 FR 32753

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA29

106. PART 245- DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS

CFR Citation: 7 CFR 245

Completed:

Reason	Date	FR Cite
Final Action	07/00/84	49 FR 26027

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA35

107. NONDISCRIMINATION BASED ON AGE - SUMMER FOOD SERVICE PROGRAM AND CHILD CARE FOOD PROGRAM

CFR Citation: 7 CFR 225; 7 CFR 226

Completed:

Reason	Date	FR Cite
Final Action	04/10/84	49 FR 14077

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA38

108. SUBMISSION OF CLAIMS AND REPORTS

CFR Citation: 7 CFR 210; 7 CFR 215; 7 CFR 220; 7 CFR 226; 7 CFR 235

Completed:

Reason	Date	FR Cite
Final Action	05/04/84	49 FR 18983

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA45

109. CHILD NUTRITION LABELING PROGRAM

CFR Citation: 7 CFR 210; 7 CFR 220; 7 CFR 225; 7 CFR 226

Completed:

Reason	Date	FR Cite
Final Action	05/01/84	49 FR 18453

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA47

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

110. ● PART 245-DETERMINING ELIGIBILITY FOR FREE AND REDUCED PRICE MEALS

Priority: Agency Determination

Abstract: This proposed regulation will amend the verification requirements of the National School Lunch and School Breakfast Programs to respond to the comments received on the interim rule on verification and to the results of the pilot study on verification. This proposal is intended to improve verification procedures, better protect the integrity of Federal funds, and provide increased flexibility to local School Food Authorities.

Superseded by 84-508 now entitled as above. (Previously entitled Verification of Eligibility in Schools.) (FNS 84-520)

USDA—FNS

Completed Actions

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/83	
NPRM	02/00/84	
Superseded by 84-508 (RIN 0584-AA35)	08/28/84	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, 703 756-3064

RIN: 0584–AA48

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Current and Projected Rulemakings

111. PIZZA STANDARD (78-733)

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 319; 9 CFR 381

Abstract: Would amend the meat and poultry regulations to provide for more informative labeling of cheese substitutes, a minimum cheese content for pizza products, and the use of only cooked meat on pizza. (FSIS 83-007)

Timetable:

Action	Date	FR Cite
NPRM	08/05/83	48 FR 35654
Final Action	12/00/85	

Small Entity: Yes

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583–AA07

112. CANNING OF MEAT AND POULTRY PRODUCTS

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq; 7 USC 450

CFR Citation: 9 CFR 308; 9 CFR 318; 9 CFR 320; 9 CFR 327; 9 CFR 381

Abstract: Proposes to amend meat and poultry regulations to accommodate technological advances in thermal processing of meat and poultry products contained in hermetically sealed containers. (FSIS 81-013)

Timetable:

Action	Date	FR Cite
NPRM	04/12/84	49 FR 14636
Final Action	12/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583–AA08

113. IMPORTED CURED PORK PRODUCTS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 327

Abstract: Would insure that imported cured pork products meet the same compliance standards being proposed for domestic cured pork products. (FSIS 83-005)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583–AA09

114. DEFINITIONS AND STANDARDS FOR COOKED POULTRY SAUSAGE

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Establishes definitions and standards for cooked poultry sausage. (FSIS 83-010)

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583–AA10

115. PROTEIN REQUIREMENTS FOR TURKEY HAM

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Would establish more effective compliance measures and procedures to accommodate new technologies. (FSIS 83-018)

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583–AA11

116. BARBEQUE STANDARD

Legal Authority: 21 USC 607; 21 USC 457

CFR Citation: 9 CFR 317; 9 CFR 318

Abstract: Would provide for alternative processing methods to be used for barbequed meat and poultry products. (FSIS 83-039)

Timetable:

Action	Date	FR Cite
Final Action	12/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA12

117. NEW LINE SPEED INSPECTION SYSTEM FOR BROILERS AND CORNISH HENS

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Establishes alternate method of post-mortem inspection for broilers and cornish hens (new line speed). (FSIS 82-023)

Timetable:

Action	Date	FR Cite
NPRM	01/20/84	49 FR 2473
Final Action	12/00/84	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA14

118. REQUIREMENTS REGARDING POULTRY PRODUCTS MADE BY MECHANICAL DEBONING

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Abstract: Would revise and supplement the requirements regarding the manufacture, characteristics, use, and labeling of poultry product made by mechanical deboning and the labeling of finished products in which it is used as an ingredient. (FSIS 84-001)

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA15

119. PRODUCTION UNDER TOTAL QUALITY CONTROL

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Abstract: Allows plants operating under total quality control systems to process and ship product outside the inspector's tour duty. (FSIS 83-020)

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	08/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA16

120. AUTOMATED IMPORT INSPECTION SYSTEM (83-019)

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 7 USC 450; 33 USC 1254

CFR Citation: 9 CFR 327; 9 CFR 381

Abstract: Would revise the meat and poultry inspection regulations to allow for the use of compliance data in determining level of inspection at ports of entry. (FSIS 79-019)

Timetable:

Action	Date	FR Cite
NPRM	04/16/84	49 FR 14963
Final Action	09/20/84	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA17

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Existing Regulations Under Review

121. RECORDS, REGISTRATION, AND REPORTS

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq; 5 USC 601 et seq; 44 USC 3501 et seq; EO 12291

CFR Citation: 9 CFR 320; 9 CFR 381, Subpart Q

Abstract: The Agency will review Parts 320 and 381 Subpart Q, of Title 9 of the Code of Federal Regulations relating to records and reports required to be maintained by official meat and poultry establishments. The purpose of the review will be to determine whether present reporting and recordkeeping requirements can be reduced or effected in a more efficient, less burdensome manner. (FSIS 82-003)

Timetable:

Action	Date	FR Cite
Begin Review	08/08/83	
End Review	12/31/84	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA00

122. ADMINISTRATIVE REGULATIONS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 33 USC 466 to 466k; 44 USC 3501 et seq

CFR Citation: 9 CFR 302; 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 329; 9 CFR 335; 9 CFR 381

Abstract: Sets forth administrative requirements for applying for inspection, granting, refusing, inaugurating, and withdrawing inspection; detaining, seizing, and condemning meat and poultry products; and assigning program employees.

Would also determine adequacy of current regulations as they relate to petitioning the Agency for regulatory change and informing interested persons of Agency procedures for appeal in the event of adverse determinations. (FSIS 83-009)

USDA—FSIS

Existing Regulations Under Review

Timetable:

Action	Date	FR Cite
Begin Review	01/00/83	
End Review	09/00/86	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA02

123. RED MEAT SLAUGHTER REGULATIONS

Priority: Major

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Abstract: The Agency plans to identify and estimate the costs of current FSIS ante-mortem and post-mortem meat inspection regulations that may be causing unnecessary burdens. (FSIS 83-004)

Timetable:

Action	Date	FR Cite
Begin Review	01/00/83	
End Review	09/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA03

124. LABEL APPROVAL REGULATIONS

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 381, Subpart N

Abstract: The Agency will review Parts 317 and 381, Subpart N, of Title 9 of the Code of Federal Regulations relating to requirements for labeling of meat, meat products, poultry, and poultry products. The purpose of the review is to assess the impact of the Agency's label approval regulations in order to make recommendations, as appropriate, to reduce any unnecessary burdens. (FSIS 83-006)

Timetable:

Action	Date	FR Cite
Begin Review	06/00/82	
End Review	09/00/85	

Small Entity: No

Agency Contact: Paul Ragan, Director, Regulations Office, Department of Agriculture, Food Safety and Inspection Service, Room 2940-S, Washington, DC 20250, 202 447-3317

RIN: 0583-AA05

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Completed Actions

COMPLETED RULEMAKINGS

125. CURED PORK PRODUCTS

CFR Citation: 9 CFR 318; 9 CFR 319

Completed:

Reason	Date	FR Cite
Final Action	04/13/84	49 FR 14856

Small Entity: No

Agency Contact: Paul Ragan 202 447-3317

RIN: 0583-AA13

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)

Current and Projected Rulemakings

126. REVISION OF 7 CFR PART 6, SECTION 22 IMPORT QUOTAS; CERTAIN DAIRY PRODUCTS

Legal Authority: 7 USC 624; Headnote 3(a) to Pt 3 of App. to the Tariff Schedule of the US

CFR Citation: 7 CFR 6.20 et seq

Abstract: Revise the regulation governing the importation of quota dairy products to eliminate the sections no longer needed, strengthen the sections on license eligibility and transfer of license eligibility and include new sections where required. (FAS 84-006)

Timetable:

Action	Date	FR Cite
NPRM	05/15/85	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA02

127. REVISION OF PUBLIC LAW 480 REGULATIONS, 7 CFR, SECTIONS 17.1 THROUGH 17.8 AND 17.16

Legal Authority: PL 83-480, as amended; 7 USC 1701 et seq

CFR Citation: 7 CFR 17

Abstract: This rule would revise that part of the regulations applicable to the financing of the sale and exportation of agricultural commodities pursuant to Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended. (FAS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	01/31/84	49 FR 3866
Final Action	12/00/84	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA04

128. REVISION OF PUBLIC LAW 480 REGULATIONS, 7 CFR SECTIONS 17.6, 17.8 AND 17.9

Legal Authority: PL 83-480, as amended; 7 USC 1701 et seq

CFR Citation: 7 CFR 17.6; 7 CFR 17.8; 7 CFR 17.9

Abstract: Formulation of a proposed rule to revise that part of the regulations relating to the means by which importing governments may award commodity contracts when purchasing by invitations to bid. (FAS 84-009)

Timetable:

Action	Date	FR Cite
NPRM	11/15/84	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA05

129. QUARTERLY SUGAR IMPORT FEE DETERMINATION

Legal Authority: 7 USC 624 Sec 22, Ag Adjustment Act of 1933

CFR Citation: Not applicable

Abstract: Proclamation 5164 of March 20, 1984 requires the Secretary of Agriculture to adjust the import fee for raw sugar each quarter according to a formula keyed to domestic spot prices as reported by the Coffee, Sugar and Cocoa Exchange in New York. The data for the computation will be available on March 21 and the Federal Register notice must be filed by March 25. The fee for refined sugar will be one cent more than the raw sugar fee. (FAS 84-005)

Timetable:

Action	Date	FR Cite
Final Action	07/05/84	49 FR 27597
Next Announcement	09/00/84	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA06

130. ● AFRICAN FOOD ASSISTANCE PROGRAM

Priority: Agency Determination

Legal Authority: PL 98-248

CFR Citation: Not applicable

Abstract: Invitations for offers for the purchase by the U.S. private trade from CCC of wheat, corn and rice for export to certain African countries to meet emergency food requirements. (FAS 84-014)

Timetable:

Action	Date	FR Cite
Notice	06/28/84	49 FR 26615
End Project	12/00/85	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA07

131. ● U.S. MEAT IMPORTS - 1984 - THIRD QUARTERLY ESTIMATE

Priority: Agency Determination

Legal Authority: PL 96-177

CFR Citation: Not applicable

Abstract: To comply with requirements of PL 96-177, The Meat Import Act of 1979, by publishing a quarterly Meat Import Estimate.

Publish in the Federal Register the Third Quarterly Estimate of Meat Imports for 1984. (FAS 84-012)

Timetable:

Action	Date	FR Cite
Final Action	06/28/84	49 FR 26615
Next Announcement	09/00/84	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA09

132. ● AMENDMENT TO 7 CFR PART 6, SECTION 22 IMPORT QUOTAS; CERTAIN DAIRY PRODUCTS

Legal Authority: 7 USC 624; Headnote 3(a) to Pt 3 of the App to the Tariff Sched. of the US; 31 USC 9701

CFR Citation: 7 CFR 6.20 et seq

Abstract: Amend the regulations governing importation of dairy products with licenses to impose fees for the issuance of licenses.

Timetable:

Action	Date	FR Cite
Proposal	10/15/84	

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA11

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)

Completed Actions

COMPLETED RULEMAKINGS

133. SUGAR IMPORT QUOTAS: AMENDMENT OF IMPORT QUOTAS ON SUGAR FOR QUOTA YEAR 1984

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Final Action	04/05/84	49 FR 13560

Small Entity: No

Agency Contact: Jeff Hudgins 202 447-7631

RIN: 0551-AA03

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

134. ● EMERGENCY RELIEF FROM DUTY-FREE IMPORTS OF PERISHABLE PRODUCTS

Priority: Agency Determination

Legal Authority: 19 USC 2703(b) Sec. 213(b), PL 98-67; 5 USC 301

USDA—FAS

Completed Actions

CFR Citation: 7 CFR 1540.1 et seq

Abstract: This regulation sets forth the procedure by which U.S. producers of perishable products can petition for emergency relief for injurious increased imports of like products entering duty-free from beneficiary countries under the Caribbean Basin Economic Recovery Act (PL 98-67). (FAS 84-010)

Timetable:

Action	Date	FR Cite
Final Action	05/29/84	49 FR 22264

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA08

135. ● COUNTRY OF ORIGIN ADJUSTMENT FOR CONDENSED MILK FROM DENMARK

Legal Authority: Pres Proc 4708 12/11/79

CFR Citation: 7 CFR 6

Abstract: Presidential Proclamation 4708 issued December 11, 1979 amended Part 3 of the Appendix to the Tariff Schedules of the United States to permit the Secretary of Agriculture to make country of origin adjustments for unlicensed quotas that will not be filled by the country of origin listed opposite the quota. This notice implements such an adjustment for condensed milk from Denmark.

Timetable:

Action	Date	FR Cite
Final Action	08/31/84	49 FR 34540

Small Entity: No

Agency Contact: Jeff Hudgins, Assistant to the Administrator, Department of Agriculture, Foreign Agricultural Service, Room 5084-S, Washington, DC 20250, 202 447-7631

RIN: 0551-AA10

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)

Current and Projected Rulemakings

Forest Service (FS)

136. SALE OF LANDS PURSUANT TO SECTION 10 OF THE ACT APPROVED MARCH 1, 1911

Legal Authority: 16 USC 519

CFR Citation: 36 CFR 281

Abstract: The objective is to rescind Part 281. The regulations have not been used in 20 years. Use of exchange authority rather than sale is the preferred manner of disposing of lands chiefly valuable for agriculture. (FS 84-007)

Timetable:

Action	Date	FR Cite
NPRM	09/15/84	
Final Action	02/01/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA04

137. SALE OF NATIONAL FOREST TOWNSITES TO GOVERNMENT ENTITIES

Legal Authority: 16 USC 478a

CFR Citation: 36 CFR 254, Subpart B

Abstract: The objective is to expedite processing of sales of certain National Forest System lands to governmental entities pursuant to the National Forest Townsite Act of July 31, 1958, as amended. Amendments will clarify existing procedures, provide for prior designation of applicable townsites by the Secretary of Agriculture, expedite processing of applications at the Regional level, and reduce regulatory impacts of the application process on nonfederal governmental entities. (FS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
Final Action	02/01/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA08

138. DEBARMENT AND SUSPENSION OF TIMBER SALE CONTRACTORS

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 223, Subpart C

Abstract: The objective is to set forth conditions and procedures under which purchasers of National Forest System timber may be suspended or debarred from further contracting. (FS 83-004)

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/27/83	48 FR 23818
Extension of Interim Rule	07/11/84	49 FR 28241
NPRM	01/15/85	
Final Action	05/15/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA09

139. REVISION OF SPECIAL TERMS AND CONDITIONS IN SPECIAL USE AUTHORIZATIONS FOR ELECTRIC POWER TRANSMISSION FACILITIES OF 66 KILOVOLTS

Legal Authority: 16 USC 551; 16 USC 472; 43 USC 1761 to 1771; 44 USC 3506

CFR Citation: 36 CFR 251.54; 36 CFR 251.56

Abstract: The objective is to remove special terms presently required of special use permit applicants for electric power transmission facilities of 66 kilovolts or more. Review has found present requirements to be outdated, no longer needed, and burdensome. This change would bring Forest Service policy into consistency with that of the

Bureau of Land Management and Fish and Wildlife Service. (FS 84-002)

Timetable:

Action	Date	FR Cite
NPRM	05/18/84	49 FR 21083
Final Action	11/15/84	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA15

140. RECOVERY OF FEDERAL COSTS ASSOCIATED WITH USER RESERVATION SYSTEMS ON SOME NATIONAL FOREST RECREATION AREAS

Legal Authority: 16 USC 551; 16 USC 472

CFR Citation: 36 CFR 291

Abstract: The objective is to recover the costs of administering a reservation system for visits to and use of highly popular National Forest System recreation areas. (FS 84-001)

Timetable:

Action	Date	FR Cite
NPRM	09/15/84	
Final Action	01/15/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA16

141. ● REVISION OF ADVERTISEMENTS FOR SALE OF NATIONAL FOREST TIMBER

Priority: Agency Determination

Legal Authority: 16 USC 472a

CFR Citation: 36 CFR 223.83; 36 CFR 223.84; 36 CFR 223.89; 36 CFR 223.100

Abstract: This proposal stems from a Forest Service productivity improvement study of timber sale procedures. The objective of this proposed revision is to simplify and shorten advertisements for National Forest timber sales and to concurrently reduce the Government's advertising costs. (FS 84-011)

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	12/15/84	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA18

142. ● ADMINISTRATION OF COOPERATIVE OR FEDERAL SUSTAINED YIELD UNITS

Legal Authority: 16 USC 583 to 583i

CFR Citation: 36 CFR 223.117

Abstract: To remove that language in existing rule that is redundant of the statute, to clarify and improve word usage, and to remove requirement for advertising sales on sustained yield units by competitive bid, which is a more stringent requirement than contained in the statute. (FS 84-013)

Timetable:

Action	Date	FR Cite
NPRM	10/08/84	
Final Action	03/01/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA19

143. ● LAND STATUS AND TITLE RECORDS

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603

CFR Citation: 36 CFR 200.12, (New)

Abstract: Objective is to establish that the Land Status Record is the official record of title for National Forest System lands and to set forth the authorities, policies, and procedures for recording, custody, maintenance, and use of title documents and title status reports. (FS 84-018)

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	03/00/86	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA24

144. ● CLAIMS COLLECTION UNDER THE DEBT COLLECTION ACT OF 1982

Legal Authority: 31 USC 3711 et seq; 5 USC 5514

CFR Citation: 36 CFR 211, Subpart C, (New)

Abstract: To prescribe Forest Service standards for debt collection by administrative and salary offset and to set forth procedures for assessing interest, penalty, and administrative costs on debts owed the U.S. and the waiver of such charges. (FS 84-019)

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	
Final Action	03/01/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA25

DEPARTMENT OF AGRICULTURE (USDA)

Forest Service (FS)

Existing Regulations Under Review

145. ADMINISTRATION OF THE FOREST DEVELOPMENT TRANSPORTATION SYSTEM

Legal Authority: 16 USC 551; 23 USC 205

CFR Citation: 36 CFR 212

Abstract: Review pursuant to EO 12291. Part 212 describes the plan for the system of access roads, trails, and airfields needed for protection, administration and use of the National Forest System. (FS 84-004)

Timetable:

Action	Date	FR Cite
Begin Review	02/00/83	
End Review	12/00/84	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA00

146. LOCATABLE MINERALS

Legal Authority: 16 USC 478; 16 USC 551

CFR Citation: 36 CFR 228, Subpart A

Abstract: Rules and procedures for the use of the surface of National Forest Systems lands for locatable minerals. (FS 83-007)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	03/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA01

147. USE OF MOTOR VEHICLES OFF FOREST DEVELOPMENT ROADS

Legal Authority: 16 USC 551; 7 USC 1011

CFR Citation: 36 CFR 295

Abstract: Sets forth the process for developing management plans for use of off-road vehicles on National Forest lands. (FS 84-003)

Timetable:

Action	Date	FR Cite
Begin Review	10/00/83	
End Review	01/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA05

148. SALE AND DISPOSAL OF TIMBER

Legal Authority: 16 USC 472a National Forest Management Act

CFR Citation: 36 CFR 223

Abstract: Review of 223 in its entirety pursuant to EO 12291. Part 223 describes policies, procedures and requirements for selling and disposing of timber on National Forest System lands, including appraisal and pricing of timber and contract provisions. (FS 83-006)

Timetable:

Action	Date	FR Cite
Begin Review	05/00/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA10

149. RANGE MANAGEMENT-GRAZING AND LIVESTOCK USE AND MANAGEMENT OF WILD-FREE-ROAMING HORSES AND BURROS

Legal Authority: 43 USC 1901; 16 USC 1331 to 1340; 16 USC 551; 7 USC 1011

CFR Citation: 36 CFR 222, Subpart A; 36 CFR 222, Subpart B

Abstract: Review of Subparts A and B pursuant to EO 12291. Subpart A sets forth policy and procedure governing management of the range environment, issuance of permits for grazing and livestock use, range improvements, and establishment and functions of grazing advisory boards.

Subpart B defines categories of wild, free-roaming horses and burros, sets protection standards and provides for relation of excess animals and general administrative procedures. (FS 84-005)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/85	
End Review	12/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA14

150. ● SPECIAL USES OF NATIONAL FOREST SYSTEM LANDS

Legal Authority: 16 USC 551; 16 USC 495; 16 USC 431 et seq; 7 USC 1011(d); 43 USC 1761 to 1771

CFR Citation: 36 CFR 251.50 to 251.64

Abstract: Review of existing rule which explains procedures for applying for and obtaining approval for special uses of National Forest System lands and the terms, conditions, and instruments of special use authorizations. (FS 84-014)

Timetable:

Action	Date	FR Cite
Begin Review	12/00/84	
Final Action	03/00/86	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA20

151. ● EXERCISE OF TIMBER, MINERAL AND WATER RIGHTS, OF RIGHTS-OF-WAY, AND OF RIGHTS TO USE AND OCCUPY LANDS CONVEYED TO THE U.S.

Legal Authority: 7 USC 1011; 16 USC 485; 16 USC 486; 16 USC 513; 16 USC 518

CFR Citation: 36 CFR 251.14 to 251.1

Abstract: These rules set forth conditions to be included in deeds of conveyance where grantors wish to reserve certain rights of use and occupancy. Rules will be reviewed pursuant to EO 12291. (FS 84-015)

Timetable:

Action	Date	FR Cite
Begin Review	04/00/85	
Final Action	10/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA21

152. ● MANAGEMENT OF MUNICIPAL WATERSHEDS

Legal Authority: 16 USC 551; 16 USC 472; 16 USC 1761 to 1771

CFR Citation: 36 CFR 251.9

Abstract: Regulation sets forth agency policy on entering into cooperative agreements with municipal governments or irrigation districts to protect water supplies within National Forests. Rule will be reviewed pursuant to EO 12291. (FS 84-016)

Timetable:

Action	Date	FR Cite
Begin Review	06/00/85	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA22

153. ● ENTRANCE INTO PETERSBURG WATERSHED

Legal Authority: 16 USC 551; 16 USC 472; 16 USC 1761 to 1771

CFR Citation: 36 CFR 251.35

Abstract: Rule restricts entry into watershed without approval of authorized officials of Petersburg, Alaska. Rule will be reviewed pursuant to EO 12291. (FS 84-017)

Timetable:

Action	Date	FR Cite
Begin Review	08/00/85	
Final Action	01/00/86	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA23

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)

Completed Actions

COMPLETED RULEMAKINGS

154. MT. ST. HELENS NATIONAL VOLCANIC MONUMENT SYMBOL

CFR Citation: 36 CFR 264, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	08/07/84	49 FR 31413

Small Entity: No

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA11

155. WILDERNESS-PRIMITIVE AREAS

CFR Citation: 36 CFR 293.6

Completed:

Reason	Date	FR Cite
Withdrawn	08/28/84	

Small Entity: No

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA13

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

156. ● TECHNICAL AMENDMENT CLARIFYING LEVELS OF APPEAL ON PROCEDURAL MATTERS IN APPEALS OF DECISIONS CONCERNING THE NATIONAL FOREST SYSTEM

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 211.18

Abstract: A review of 36 CFR 211.18 leads to the conclusion that there are opportunities to misinterpret the levels of appeal on procedural matters in appealing decisions of Forest Officers. As clearly stated in the Supplementary Information sections when the final rule was published, the intent was to provide only one level of appeal on procedural matters, if available. Appeal of decisions on procedural matters cannot exceed the level available for the initial substantive decision. However, the language of the rule itself was not precise. Therefore, a technical amendment was required. (FS 84-010)

Timetable:

Action	Date	FR Cite
Final Action	06/28/84	49 FR 26590

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordicator, Department of Agriculture, Forest Service, P. O. Box 2417, Washington, DC 20013, 703 235-1488

RIN: 0596-AA17

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Office of Finance and Management (OFM)

Current and Projected Rulemakings

157. AMEND USDA UNIFORM FEDERAL ASSISTANCE REGULATIONS, 7 CFR 3015

Legal Authority: 5 USC 301

CFR Citation: 7 CFR 3015

Abstract: In the interest of Federalism and regulatory relief, implement proposals to streamline and simplify the Office of Management and Budget Circular A-102, "Uniform requirements for grants to States and local governments." The current version of 7

CFR 3015 is based on the present Circular requirements. Non-issuance of revised assistance policies would result in the Department being out of compliance with Administration policy; and, recipients of USDA Federal assistance would be required to operate under more stringent policies than recipients of assistance from other agencies. (OFM 84-001)

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Lyn Zimmerman, Supervisory Program Analyst, Department of Agriculture, Office of Finance and Management, Room 2117 Auditors Bldg., Washington, DC 20250, **202 382-1553**

RIN: 0505-AA01

158. ● AMEND USDA UNIFORM FEDERAL ASSISTANCE REGULATIONS, 7 CFR 3015 SUBPART U, MISCELLANEOUS

Priority: Agency Determination

Legal Authority: 5 USC 301

CFR Citation: 7 CFR 3015

Abstract: Implements amendment to OMB Circular A-122, "Cost Principles for Non-profit Organizations," to include certain prohibitions against lobbying. This would amend section 3015.205(b)(17) Subpart U, which was based on an OMB Memorandum and included broader, less precise language on lobbying than Circular A-122. (OFM 84-003)

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/84	

Small Entity: No

Agency Contact: Lyn Zimmerman, Supervisory Program Analyst, Department of Agriculture, Office of Finance and Management, Room 2117 Auditors Bldg., Washington, DC 20250, **202 382-1553**

RIN: 0505-AA02

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Office of the Secretary (AgSEC)

159. CERTIFICATION OF FOOD-GRADE CITRIC ACID AND FOOD-GRADE ENZYMES AS ESSENTIAL AGRICULTURAL USES OF NATURAL GAS UNDER THE NATURAL GAS POLICY ACT OF 1978

Legal Authority: Natural Gas Policy Act of 1978

CFR Citation: 7 CFR 2900

Abstract: To certify food-grade citric acid and food-grade enzymes as essential agricultural uses under the Natural Gas Policy Act of 1978. (OE 84-001)

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: Nancy L. Smith, Program Analyst, Department of Agriculture, Office of the Secretary, Room 144-E, Admin. Bldg., Washington, DC 20250, **202 447-2113**

RIN: 0503-AA00

160. ACQUISITION REGULATION

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR Chapter 4

Abstract: Issue new department acquisition regulation in 48 CFR Chapter 4 implementing federal acquisition regulation (48 CFR Chapter 1) effective April 1, 1984. (00 84-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/28/84	49 FR 12110
Final Action	09/00/84	

Small Entity: No

Agency Contact: Charles A. Bucy, Deputy Director, Department of Agriculture, Office of the Secretary, Room 113-W, Admin. Bldg., Washington, DC 20250, **202 447-2582**

RIN: 0503-AA01

161. RESCIND UNIFORM RELOCATION REGULATIONS

Legal Authority: PL 91-646; 84 Stat. 1894; 42 USC 4601 et seq

CFR Citation: 7 CFR 21

Abstract: Rescind department regulations implementing uniform relocation assistance and real property acquisition policies act of 1970. Issue new regulations to conform with those to be issued by the Department of Transportation as federal lead agency. (00 84-002)

Timetable:

Action	Date	FR Cite
Final Action	09/30/85	

Small Entity: No

Agency Contact: Charles A. Bucy, Deputy Director, Department of Agriculture, Office of the Secretary, Room 113-W, Admin. Bldg., Washington, DC 20250, **202 447-2582**

RIN: 0503-AA02

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Packers and Stockyards Administration (P&SA)

Existing Regulations Under Review

162. SCALES AND WEIGHING AND EXAMINATION OF RECORDS

Legal Authority: 7 USC 228; 7 USC 222; 15 USC 46

CFR Citation: 9 CFR 201.71 to .73; 9 CFR 201.76; 9 CFR 201.82; 9 CFR 201.95; 9 CFR 201.96; 9 CFR 201.99; 9 CFR 201.74, (removed); 9 CFR 201.75, (removed); 9 CFR 201.77 to .80, (removed); 9 CFR 201.84, (removed); 9 CFR 201.103 to .106, (removed); 9 CFR 201.108 to .110, (removed)

Abstract: The regulations establish procedures and standards regarding weighing practices, scale testing procedures, disclosure of information, stockyard services, and examination of records for stockyard owners, market agencies, dealers, packers or live poultry dealers or handlers. (PSA 84-001)

Timetable:

Action	Date	FR Cite
End Review	09/30/84	

Small Entity: No

Agency Contact: James L. Smith, Deputy Administrator, Department of Agriculture, Packers and Stockyards Administration, Room 3039-S, Washington, DC 20250, 202 447-7063

RIN: 0590-AA03

DEPARTMENT OF AGRICULTURE (USDA)
Packers and Stockyards Administration (P&SA)

Completed Actions

COMPLETED RULEMAKINGS

163. TRADE PRACTICES, LIVESTOCK SALES TO A PACKER ON CREDIT

CFR Citation: 9 CFR 201.66 to .68; 9 CFR 201.70; 9 CFR 201.200; 9 CFR 203.2; 9 CFR 203.6; 9 CFR 203.7; 9 CFR 203.14 to .16; 9 CFR 203.19

Completed:

Reason	Date	FR Cite
Final Action	08/17/84	49 FR 32842

Small Entity: No

Agency Contact: James L. Smith 202 447-7063

RIN: 0590-AA02

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Rural Electrification Administration (REA)

Current and Projected Rulemakings

164. REA BULLETIN 320-23, CONSTRUCTION CERTIFICATION PROCEDURES FOR DESIGNATED TELEPHONE BORROWERS

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1765, (Proposed)

Abstract: The proposed regulation would permit REA to identify those borrowers who would participate in the agency's Construction Certification Program. This will further the Administration's policy of placing more responsibility for their operations in the hands of the borrowers. (REA 84-002)

Timetable:

Action	Date	FR Cite
NPRM	06/08/84	49 FR 23860
Final Action	10/00/84	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA04

165. REA BULLETIN 50-4, SPECIFICATIONS AND DRAWINGS FOR 34.5/19.9 KV DISTRIBUTION LINE CONSTRUCTION (D-801)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1736.97

Abstract: Sets forth standard specifications and drawings for construction of 34.5/19.9 kV distribution lines by REA borrowers. (REA 83-010)

Timetable:

Action	Date	FR Cite
NPRM	01/16/84	49 FR 1910
Final Action	02/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA13

166. ● 7 CFR PART 1747, LIEN ACCOMMODATIONS

Priority: Agency Determination

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1747

Abstract: The proposed rule states REA policy on sharing the Government's security through accommodation of its lien. The proposed rule will enable telephone borrowers to obtain financing for projects not eligible for loans under the Rural Electrification Act of 1936, as amended.

The objectives of this proposed action are to: (1) set forth the REA telephone programs policy on lien accommodations; (2) enable telephone borrowers with sufficient net worth positions to attract outside capital for: telecommunications projects; and other projects designed to aid rural development. (REA 84-003)

Timetable:

Action	Date	FR Cite
NPRM	04/18/84	49 FR 15211
Final Action	12/00/84	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, **202 382-9552**

RIN: 0572-AA14

DEPARTMENT OF AGRICULTURE (USDA)
Rural Electrification Administration (REA)

Existing Regulations Under Review

167. REA BULLETIN 345-67, REA SPECIFICATION FOR FILLED TELEPHONE CABLE (PE-39)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: This proposed revision is intended to allow for a cable design for use with higher digital carrier systems. The current specification does not provide for such a design. (REA 84-001)

Timetable:

Action	Date	FR Cite
Begin Review	12/00/83	
End Review	07/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, **202 382-9552**

RIN: 0572-AA05

168. REA BULLETIN 50-1, ELECTRIC TRANSMISSION SPECIFICATIONS AND DRAWINGS (T-805)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1736.97

Abstract: Sets forth standard specifications and drawings for construction of transmission lines at 34.5 kV through 230 kV. (REA 83-011)

Timetable:

Action	Date	FR Cite
NPRM	07/23/84	49 FR 29617
Final Action	09/00/84	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, **202 382-9552**

RIN: 0572-AA06

169. REA BULLETIN 345-76, REA SPECIFICATION FOR SPRING ACTION TYPE BONDING CONNECTORS WITHIN BURIED PLANT HOUSINGS (PE-57)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: The current specification does not contain requirements for the harness wires, different end terminations and male connectors that are currently available for use in the rural telephone industry. This proposed revision will update the standard to reflect these technologies. (REA 83-007)

Timetable:

Action	Date	FR Cite
Begin Review	08/00/83	
End Review	07/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, **202 382-9552**

RIN: 0572-AA07

170. REA BULLETIN 345-6, REA STANDARD FOR SPLICING PLASTIC-INSULATED CABLES (PC-2)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: The proposed revision will reflect the many new construction methods and items of equipment available in the market place. This will permit the industry to take advantage of these new techniques. (REA 83-005)

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	07/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, **202 382-9552**

RIN: 0572-AA08

171. REA BULLETIN 345-22, REA SPECIFICATION FOR VOICE FREQUENCY LOADING COILS (PE-26)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

Abstract: This proposed revision is being developed to clarify applications and interpretations of existing standards for voice frequency loading coils. (REA 83-004)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	10/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, **202 382-9552**

RIN: 0572-AA09

172. REA BULLETIN 345-65, REA SPECIFICATION FOR CABLE SHIELD BONDING CONNECTORS (PE-33)

Legal Authority: 7 USC 901 to 950(b)

CFR Citation: 7 CFR 1772.97

USDA—REA — **Existing Regulations Under Review**

Abstract: The proposed revision will reflect end performance requirements that are consistent with cable shield bonding connectors manufactured and available for use on rural telephone systems. (REA 83-006)

Timetable:

Action	Date	FR Cite
Begin Review	08/00/83	
End Review	01/00/85	

Small Entity: No

Agency Contact: Blaine Stockton, Jr., Assistant Administrator - Management, Department of Agriculture, Rural Electrification Administration, Room 4063-S, Washington, DC 20250, 202 382-9552

RIN: 0572-AA10

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

DEPARTMENT OF AGRICULTURE (USDA)
Soil Conservation Service (SCS)

Current and Projected Rulemakings

173. ACQUISITION OF REAL PROPERTY UNDER FEDERALLY ASSISTED PROGRAMS

Legal Authority: 7 CFR 2.62

CFR Citation: 7 CFR 651

Abstract: Prescribes the basic requirements for the acquisition of real property under federally-assisted programs administered by SCS. (SCS 84-003)

Timetable:

Action	Date	FR Cite
NPRM	08/00/83	48 FR 39236
Final Action	11/00/84	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA09

174. PRIME AND UNIQUE FARMLANDS

Legal Authority: 16 USC 590a to 590f; 42 USC 4321 et seq; PL 95-87

CFR Citation: 7 CFR 657

Abstract: It is SCS policy to make and keep current an inventory of the prime farmland and unique farmland of the nation. This inventory is carried out in cooperation with other federal, state, and local agencies. The objective is to identify the extent and location of important rural lands needed to produce food, feed, fiber, forage, and oilseed crops. (SCS 83-007)

Timetable:

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA10

DEPARTMENT OF AGRICULTURE (USDA)
Soil Conservation Service (SCS)

Existing Regulations Under Review

175. SOIL SURVEYS

Legal Authority: Part of Agriculture Appropriation Act of 1896; PL 74-46 The Soil Conservation Act and Domestic Allotment Act; PL 89-560 Soil Surveys for Resource Planning and Development; 42 USC 3271; 42 USC 3274

CFR Citation: 7 CFR 611

Abstract: SCS is responsible for the soil survey activities of USDA. Soil surveys on non-federal lands are carried out cooperatively with state agricultural experiment stations and other State agencies. Cooperative arrangements exist between SCS and other Federal agencies for soil surveys on federal lands. Soil surveys include information about soils in sufficient detail to meet reasonable needs of land users and units of government. Soil surveys are published when soil survey field work is completed on a designated area. (SCS 83-006)

Timetable:

Action	Date	FR Cite
End Review	11/00/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA00

176. SNOW SURVEYS AND WATER SUPPLY FORECASTS

Legal Authority: Secretary's Memorandum 870 - July 1, 1940; Reorganization Plan No. 2 of 1953

CFR Citation: 7 CFR 612

Abstract: SCS administers a cooperative snow survey and water supply forecast program in western States and Alaska. The program provides agricultural water users and other water management groups in these states with water supply forecasts. SCS establishes, maintains, and operates manual and automated snow courses. Water supply outlook reports are issued monthly in those states for the months of January through June. (SCS 83-005)

Timetable:

Action	Date	FR Cite
End Review	11/00/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA01

177. LONG TERM CONTRACTING

Legal Authority: 16 USC 590d; 16 USC 590p(b)

USDA—SCS

Existing Regulations Under Review

CFR Citation: 7 CFR 630

Abstract: The purpose of this rule is to extend cost sharing of conservation measures and technical assistance. (SCS 83-003)

Timetable:

Action	Date	FR Cite
End Review	05/00/85	

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, 202 447-4811

RIN: 0578-AA03

DEPARTMENT OF AGRICULTURE (USDA)

Soil Conservation Service (SCS)

Completed Actions

COMPLETED RULEMAKINGS

178. GREAT PLAINS CONSERVATION PROGRAM

CFR Citation: 7 CFR 631

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11142

Small Entity: No

Agency Contact: Wayne Maresch 202 447-4811

RIN: 0578-AA04

179. COOPERATIVE RELATIONSHIPS AND ARRANGEMENTS

CFR Citation: 7 CFR 660

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11145

Small Entity: No

Agency Contact: Wayne Maresch 202 447-4811

RIN: 0578-AA06

180. FARMLAND PROTECTION POLICY

CFR Citation: 7 CFR 658

Completed:

Reason	Date	FR Cite
Final Action	07/05/84	49 FR 27724

Small Entity: No

Agency Contact: Wayne Maresch 202 447-4811

RIN: 0578-AA07

181. PLANT MATERIALS CENTERS

CFR Citation: 7 CFR 613

Completed:

Reason	Date	FR Cite
Final Action	03/29/84	49 FR 12188

Small Entity: No

Agency Contact: Wayne Maresch 202 447-4811

RIN: 0578-AA08

[FR Doc. 84-25331 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part IV

Department of Commerce

Semiannual Regulatory Agenda

DOC

DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, II, III, IV, VIII, IX; Subtitle D, Ch. 2300

19 CFR Ch. III

37 CFR Ch. I

48 CFR Ch. 13

50 CFR Chs. I, II, III, IV, VI

Semiannual Agenda of Regulations

AGENCY: Department of Commerce.

ACTION: October 1984 Regulatory Agenda.

SUMMARY: In compliance with Executive Order (EO) 12291, entitled "Federal Regulation," and the Regulatory Flexibility Act (Pub. L. 96-354), the Department of Commerce (DOC) in April and October of each year publishes in the **Federal Register** an agenda of the regulations that the Department expects to propose or to issue over the next 12 months. In addition, the agenda lists all existing regulations currently under review for possible revision or repeal and all such reviews scheduled to begin over the next 12 months. Finally, the agenda lists all rulemakings and reviews of existing regulations completed since publication of the last agenda. The purpose of the agenda is to provide information to the public on all regulations currently under review, being proposed, or issued by the Department. The agenda is intended to facilitate comments and views by interested members of the public.

DOC's October 1984 regulatory agenda includes all regulatory activities that are expected to be conducted during the period October 1, 1984 through September 30, 1985. Regulatory developments occurring after August 27, 1984 for agenda items will be reported in the next agenda.

FOR FURTHER INFORMATION CONTACT:

Specific: For additional information about a specific regulatory action listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to H. Stephen Halloway, Associate General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, D.C. 20230, Telephone: (202) 377-1328.

SUPPLEMENTARY INFORMATION: On February 17, 1981, President Reagan signed Executive Order 12291. The EO requires all executive agencies to publish semiannually an agenda of those regulations that are under consideration. Office of Management and Budget (OMB) Bulletin No. 84-16, issued June 22, 1984 establishes guidelines and procedures for the preparation and publication of the October 1984 Unified Agenda of Federal Regulations for all Federal departments and agencies. EO 12291 and the OMB Bulletin require that each agenda report the following information on all regulatory activities being conducted or planned to be conducted by the agency during the twelve month period succeeding publication: the title of the regulation; the name, title, address and phone number of an agency person who is knowledgeable about the regulation; whether the regulation has or is expected to have a significant economic impact on a substantial number of small entities; the section(s) of the Code of Federal Regulations (CFR) which affects or will be affected by the action; the section of the United States Code (USC), Public Law (PL), or Executive Order (EO) that authorizes the action; an abstract describing the problem the regulation addresses, alternatives to the regulation being considered, and potential costs and benefits of the action; and a timetable of dates and, if available, **Federal Register** citations for past and future stages of the action.

The Regulatory Flexibility Act requires agencies to prepare a regulatory flexibility analysis (RFA) where there is a positive finding that a rule will have a significant impact on a substantial number of small entities. EO 12291 requires agencies to prepare a regulatory impact analysis (RIA) for any regulation considered to be a "major rule" as defined in the EO.

The OMB Bulletin also requires that regulations designated for priority development or review by the agency head or the President's Task Force on Regulatory Relief, and regulations which are "major rules" within the meaning of the EO be designated in the agenda as "priority." The Department also designates all rules required to be reviewed, revised or issued by a court order; those rules or revisions whose issuance is needed to protect the public or the environment; and those revisions whose issuance furthers the regulatory reform and relief goals of the Administration as "priority." The OMB Bulletin also requires that all regulations issued or withdrawn, and all reviews completed since publication of the preceding agenda, be listed with the following information: the title of the regulation; the name and phone number of the agency contact person; the **Federal Register** citation of the final action, if available; and the final action taken including the reason therefore.

Explanation of Information Contained in the Agenda

Within the Department, the Office of the Secretary and various operating units may issue regulations. Operating units such as the National Oceanic and Atmospheric Administration (NOAA), the International Trade Administration (ITA), National Bureau of Standards (NBS) and the Patent and Trademark Office (PTO) issue the greatest share of the Department's regulations, while other operating units such as the United States Travel and Tourism Administration currently have no regulations in effect.

A large number of the regulations presented in the agenda deal with fishery management programs of NOAA's National Marine Fisheries Service (NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of the NMFS programs, a section on "Explanation of Information Contained in NMFS Regulatory Entries" is provided below.

Explanation of Information Contained in NMFS Regulatory Entries

The Magnuson Fishery Conservation and Management Act of 1976 (16 USC 1801 *et seq.*) (Act) requires that a preliminary fishery management plan (PMP) be prepared for all fisheries within a fishery conservation zone (FCZ) fished in by foreign fishing nations. The FCZ refers to those waters from the outer edge of the United States territorial sea to a distance of 200 miles. Fishery management plans (FMPs) are to be prepared if those fisheries require conservation and management measures. Although PMPs apply only to

foreign fishing, the FMPs regulate both foreign and domestic fishing. When promulgated, the FMPs supersede the PMPs. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs for fisheries within their respective areas. In the development of such plans and their implementing regulations, the Councils are required by law to conduct public hearings on the draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs makes it difficult for NMFS to determine the significance of some regulatory actions under consideration at the time the semiannual regulatory agenda is published. Frequently NMFS does not have specific plan objectives or alternatives for management since the Councils may not have approved or submitted plans to the Secretary of Commerce for review, adoption, and implementation.

Another large number of regulatory actions reported in the agenda are proposed or final Federal Information Processing Standards (FIPS), issued by the National Bureau of Standards under Pub. L. 89-306. FIPS consist of standards and guidelines to improve Federal Government use and management of computers and information technology. The standards, while often of great use to industry and the public, apply only to the Federal Government. In developing the standards and guidelines, and in providing technical guidance and coordination to Federal agencies, NBS works closely with private industry standard-setting organizations.

The DOC regulatory agenda follows.

DATED: August 24, 1984.

Malcolm Baldrige,

Secretary of Commerce.

BILLING CODE 3510-BW-T

Office of the Secretary—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	*Age Discrimination Act of 1975: Implementation	0690-AA00
2	*Enforcement of Nondiscrimination on the Basis of Handicap in Department of Commerce Programs	0690-AA06

*Indicates priority regulation.

Office of the Secretary—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
3	Public Information, Freedom of Information (Fees)	0690-AA04
4	*Commerce Acquisition Regulation	0690-AA05

*Indicates priority regulation.

Bureau of Economic Analysis—Completed Actions

Sequence Number	Title	Regulation Identifier Number
5	*Direct Investment Surveys	0691-AA02

*Indicates priority regulation.

Bureau of the Census—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
6	Foreign Trade Statistics (SEDs)	0607-AA02
7	Foreign Trade Statistics	0607-AA03

DOC

Economic Development Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
8	Energy Conservation: Miscellaneous Amendments to Financial Assistance Programs Regarding Energy Conservation	0610-AA03
9	General Requirements for Financial Assistance - Design, Construction of Buildings to Accommodate the Physically Handicapped	0610-AA05
10	Economic Development Administration: Property Management Standards	0610-AA07
11	*Designation of Public Works Impact Program Areas; Supplementary Grant Rates	0610-AA10
12	Property Management Standards - Mortgages	0610-AA12

*Indicates priority regulation.

General Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
13	Administrative Offsets for Debts Owed the Department of Commerce	0605-AA00

International Trade Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
14	*Export Administration Regulations	0625-AA00
15	*General Regulations Governing Foreign Trade Zones in the United States, with Rules of Procedures	0625-AA04
16	Adjustment Assistance for Firms and Industries	0625-AA05
17	*Antidumping Duties; Countervailing Duties	0625-AA08
18	*Guidelines for the Issuance of Export Trade Certificates of Review	0625-AA10
19	*Regulations for Issuance of Export Trade Certificates of Review	0625-AA11
20	*General Licenses, Part 371 of the Export Administration Regulations	0625-AA12
21	*Technical Data, Part 379 of the Export Administration Regulations	0625-AA13
22	*Export Licensing General Policy, Part 370 of the Export Administration Regulations	0625-AA14
23	Effect of Imported Articles on the National Security	0625-AA15
24	*Special Nuclear Controls, Part 378 of the Export Administration Regulations	0625-AA16
25	Removal of the Short Supply Validated Licensing Requirement on Exports of Linear Alpha Olefins and Other Acyclic Organic Compounds	0625-AA17

*Indicates priority regulation.

International Trade Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
26	*Energy Regulation I, Priorities & Allocations Regulations	0625-AA02
27	*Defense Priorities and Allocations System (DPAS)	0625-AA03
28	Watch Duty-Exemption Program	0625-AA06

*Indicates priority regulation.

Minority Business Development Agency—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
29	Determination of Group Eligibility for MBDA Assistance	0640-AA01

DOC

National Bureau of Standards—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
30	FIPS for Computer Data Integrity	0693-AA02
31	FIPS for Password Usage	0693-AA03
32	Revision to FIPS 21-1, COBOL	0693-AA04
33	FIPS for Storage Module Interfaces	0693-AA05
34	FIPS for Transport Protocol	0693-AA06
35	FIPS for Pascal Programming Language	0693-AA07
36	FIPS for Alphanumeric Computer Output Microform Quality Test Slide	0693-AA08
37	FIPS for Local Networks Baseband Carrier Sense Multiple Access with Collision Detection; Physical Layer Specifications and Link Layer Protocol	0693-AA10
38	Revisions to FIPS 1-1 and 2; Code for Information Interchange, Its Representations, Subsets, and Extensions and Perforated Tape Code for Information Interchange	0693-AA11
39	FIPS for Session Protocol Standard	0693-AA12
40	Revision to FIPS 70, Representation of Geographic Point Locations for Information Interchange	0693-AA13
41	FIPS for Message Transfer Protocol	0693-AA17
42	National Voluntary Laboratory Accreditation Program Procedures	0693-AA19
43	Procedures for the Development of Voluntary Product Standards	0693-AA20
44	FIPS for 130 mm (5.25 in) Flexible Disk Cartridge Track Format Using Two-Frequency Recording at 3979 bprad on One Side - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA21
45	FIPS for Flexible Disk Cartridge Labelling and File Structure for Information Interchange	0693-AA22
46	FIPS for 130 mm (5.25 in) Flexible Disk Cartridge Track Format Using Modified Frequency Modulation Recording at 7958 bprad on Two Sides - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA23
47	FIPS for 200 mm (8 in) Flexible Disk Cartridge Track Format Using Modified Frequency Modulation Recording at 13262 bprad on Two Sides - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA24
48	FIPS for 200 mm (8 in) Flexible Disk Cartridge Track Format Using Two-Frequency Recording at 6631 bprad on One Side - 1.9 tpmm (48 tpi) for Information Interchange	0693-AA25

National Bureau of Standards—Completed Actions

Sequence Number	Title	Regulation Identifier Number
49	Revision to FIPS 10-3, Countries, Dependencies, Areas of Special Sovereignty and Their Principal Administrative Divisions	0693-AA09

National Oceanic and Atmospheric Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
50	*Northwest Atlantic Foreign Fishing	0648-AA05
51	*Reef Fish Resources of the Gulf of Mexico Fishery Management Plan: Implementing Regulations	0648-AA10
52	*Spiny Lobster Fishery in Puerto Rico & the Virgin Islands Fishery Management Plan: Implementing Regulations	0648-AA12
53	*King Crab (Bering Sea/Aleutian Islands) Fishery Management Plan: Implementing Regulations	0648-AA22
54	*Civil Procedures	0648-AA26
55	*Designated Critical Habitat: Designation of Critical Habitat for the Hawaiian Monk Seal	0648-AA27
56	Fishery Conservation and Management: Confidentiality of Statistics	0648-AA38
57	General and Recreational Foreign Fishing	0648-AA40
58	Preemption of State Authority under Section 306(b) of the Magnuson Fishery Conservation & Management Act	0648-AA41
59	Interagency Coordination for Endangered Species	0648-AA43
60	U.S. Standards for Grades of Fish Steaks	0648-AA44
61	Processed Fishery Products, Processed Products Thereof & Certain Other Processed Food Products: U.S. Standards for Grades of Frozen Fish Blocks & Products Made Therefrom ETC	0648-AA46
62	U.S. General Standards for Grades of Shrimp	0648-AA47
63	Marking Requirements for the Importation, Exportation, & Interstate Transportation of Fish or Wildlife	0648-AA53
64	*Supplemental Observer Program	0648-AA65
65	*Tanner Crab Fishery Management Plan (FMP) - Regulatory Amendment to Change Pot Storage Areas	0648-AA71
66	*U.S. Standards for Grades of Fresh or Frozen North American Freshwater Catfish and Products Made Therefrom	0648-AA73
67	*Amendment No. 3 to the High Seas Salmon Fishery Management Plan: Implementing Regulations	0648-AA75
68	Taking of Marine Mammals Incidental to Space Shuttle Launches	0648-AA84

DOC

National Oceanic and Atmospheric Administration—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
69	Listing Endangered and Threatened Species and Designating Critical Habitat	0648-AA94
70	Amendment to the Fishery Management Plan (FMP) for Atlantic Sea Scallops to Ensure Better Conservation of the Scallop Resources	0648-AA97
71	Amendment No. 9 to the Tanner Crab Fishery Management Plan (FMP): Implementing Regulations	0648-AB02
72	Final Rule Implementing the Atlantic Demersal Finfish Fishery Management Plan	0648-AB05
73	Regulations Governing the Taking and Importing of Marine Mammals; Definition of Commercial Fishing Operation	0648-AB07
74	Regulations Governing the Taking and Importing of Marine Mammals; Taking of Marine Mammals Incidental to Commercial Fishing Operations	0648-AB08
75	Regional Fishery Management Councils	0648-AB09
76	Foreign Fishing (Segment1): Foreign Fishing Vessel Permit Fees, 1985	0648-AB10
77	Foreign Fishing (Segment 2), Schedule of Fees, 1985	0648-AB11
78	Regulations Related to the Allocation of Pacific Halibut off the Coasts of Washington, Oregon, and California	0648-AB12
79	Swordfish Fishery Management Plan: Proposed Regulations	0648-AB13
80	Atlantic Surf Clam and Ocean Quahog Fisheries: Implementing Regulations	0648-AB14
81	Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic: Implementing Regulations	0648-AB15
82	*Atlantic Surf Clam and Ocean Quahog Fisheries: Implementing Regulations	0648-AB16
83	Ocean Salmon Fisheries off the Coasts of Washington, Oregon and California - Management Plan: Implementing Regulations for a Framework Amendment to the Plan	0648-AB17
84	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan	0648-AB18
85	Regulatory Amendment to Gulf of Alaska Groundfish Fishery Management Plan	0648-AB19
86	Amendment to the Gulf of Alaska Groundfish Fishery Management Plan	0648-AB20
87	Amendment No. 3 for the Spiny Lobster Fisheries of the Western Pacific Region	0648-AB21
88	*Regulations for Proposed La Parguera, Puerto Rico National Marine Sanctuary	0648-AA32
89	*Federal Consistency with Approved Coastal Zone Management Programs: Definition of the Term: "Directly Affecting" in Section 307(c)(1) of the Coastal Zone Management Act	0648-AA34
90	*Proposed Regulations for the Proposed Fagatele Bay National Marine Sanctuary	0648-AA74
91	*Deep Seabed Mining Regulations for Commercial Recovery	0648-AA36
92	*Licensing of Ocean Thermal Energy Conversion Facilities and Plantships	0648-AA69

*Indicates priority regulation.

National Oceanic and Atmospheric Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
93	U.S. General Standards for Grades of Fish Fillets	0648-AA45
94	*Threatened Marine Reptiles	0648-AA79

*Indicates priority regulation.

National Oceanic and Atmospheric Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
95	*Coral & Coral Reefs in the Gulf of Mexico & the South Atlantic Fishery Management Plan: Implementing Regulations	0648-AA24
96	Guidelines for Fishery Management Plans (FMPs); Contents of FMPs: Format for FMP; Procedures for Development, Review, and Amendment of Fishery Management Plans	0648-AA37
97	Regulations Governing the Taking & Importing of Marine Mammals: Taking by State & Local Government Officials	0648-AA50
98	*Bluefish Fishery of the Northwestern Atlantic Ocean Management Plan: Implementing Regulations	0648-AA76
99	*Amendment No. 2 to the Stone Crab Fishery of the Gulf of Mexico Management Plan: Implementing Regulations	0648-AA80
100	*Amendment No. 5 for the Northern Anchovy Fishery Management Plan: Implementing Regulations	0648-AA83
101	*Amendment No. 6 to the Bering Sea Groundfish Fishery Management Plan: Implementing Regulations	0648-AA87
102	Establish Fishing Areas to Resolve Conflicts Between Shrimp and Stone Crab Fishermen off West Coast of Florida: Implementing Regulations	0648-AA88
103	Reporting System for Gulf of Mexico Shrimp Fishery: Implementing Regulations	0648-AA89
104	Foreign Fishing - Log Keeping	0648-AA90
105	Data Collection Program for Atlantic Swordfish Fishery	0648-AA91
106	Amendment to Atlantic Sea Scallops Regulations to Reduce the Number and Duration of Compliance Inspections for Scallops Certified by Canada but Not Accompanied by Canadian Certificate	0648-AA92

DOC

National Oceanic and Atmospheric Administration—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
107	Foreign Fishing - Communications	0648-AA93
108	Bering Chukchi Sea Herring Fishery Management Plan	0648-AA96
109	Amendment 1 to the Fishery Management Plan (FMP) for the Pacific Coast Groundfish Fisheries	0648-AB01
110	Groundfish of the Gulf of Alaska Fishery Management Plan: Implementing Regulations	0648-AB03
111	Ocean Salmon Fisheries off the Coasts of Washington, Oregon and California - Management Plan: Emergency Regulations Implementing 1984 Management Regulations	0648-AB04
112	Amendment to Fishery Management Plan for American Lobster to Prohibit Possession of V-notched Lobsters in a Lobster V-notch Conservation Area of the FCZ	0648-AB06
113	*General Regulations for the National Estuarine Sanctuary Program	0648-AA30
114	Amendment No. 13 for the Gulf of Alaska Groundfish Fishery Management Plan: Implementing Regulations	0648-AB22

*Indicates priority regulation.

National Telecommunications and Information Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
115	*Public Telecommunications Facilities Program; Interim Revision of Regulations	0660-AA01

*Indicates priority regulation.

Patent and Trademark Office—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
116	Requests for Identifiable Records	0651-AA04
117	*Final Rule for Patent Maintenance Fees	0651-AA11
118	*Variety Naming Requirements for Plant Patent Applications	0651-AA12
119	*Term of Deposit of Microorganism	0651-AA13
120	*Patent Interference Proceedings	0651-AA14
121	Practice Before the Patent and Trademark Office	0651-AA15
122	Miscellaneous Amendments of Trademark Rules	0651-AA16
123	Trademark Applications	0651-AA17
124	*Trademark Automated Search System Fees	0651-AA18

*Indicates priority regulation.

Patent and Trademark Office—Completed Actions

Sequence Number	Title	Regulation Identifier Number
125	Attorney Disciplinary Rules	0651-AA05
126	*Revision of Foreign Filing License Procedure	0651-AA09

*Indicates priority regulation.

DEPARTMENT OF COMMERCE (DOC)

Current and Projected Rulemakings

Office of the Secretary (OS)

1. AGE DISCRIMINATION ACT OF 1975: IMPLEMENTATION

Priority: Agency Determination

Legal Authority: PL 94-1135 Age Discrimination Act of 1975

CFR Citation: 15 CFR 8a

Abstract: These proposed regulations would set forth policies and procedures of the Department of Commerce to

ensure that there is no discrimination on the basis of age in non-Federal Government programs or activities receiving financial assistance from the Department. The Department's regulations can not be issued until such time as the Department of Health and Human Services issues guidance to the Federal agencies on reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/10/80	45 FR 134
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Agency Contact: Arthur E. Cizek, Chief, Compliance Division, Department of Commerce, Office of the Secretary, Office of Civil Rights, Washington, DC 20230, 202 377-4993

RIN: 0690-AA00

2. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF COMMERCE PROGRAMS

Priority: Agency Determination

Legal Authority: 29 USC 794; EO 12250

CFR Citation: 15 CFR 8c

Abstract: Regulations will be proposed providing for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended. These regulations will ensure programmatic and physical accessibility for handicapped individuals in Department of Commerce activities.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Richard Stearns, Chief, EEO Division, Department of Commerce, Office of the Secretary, Office of Civil Rights, 14th and Constitution Avenue, N.W., Washington, DC 20230, 202 377-5691

RIN: 0690-AA06

DEPARTMENT OF COMMERCE (DOC)

Office of the Secretary (OS)

Existing Regulations Under Review

3. PUBLIC INFORMATION, FREEDOM OF INFORMATION (FEES)

Legal Authority: 5 USC 552

CFR Citation: 15 CFR 4

Abstract: These regulations set the fee structure for search and reproduction charges in response to Freedom of Information Act (FOIA) requests. The Department will study the existing fee structure, and then if warranted, propose revisions to the regulations.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/85	
End Review	09/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA would be required or prepared if it is decided to propose revisions to these regulations.

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Geraldine P. LeBoo, Management Analyst, Department of Commerce, Office of the Secretary, Information Management Division, 14th & Constitution Avenue, N.W., Washington, D.C. 20230, 202 377-3271

RIN: 0690-AA04

4. COMMERCE ACQUISITION REGULATION

Priority: Agency Determination

Legal Authority: 41 USC 251; EO 12352

CFR Citation: 48 CFR 1 to 53

Abstract: The General Services Administration and the Department of Defense have jointly issued the Federal Acquisition Regulation (FAR) which established uniform policies and procedures for the acquisition of supplies and services by all executive agencies. The FAR replaced the Federal Procurement Regulations (FPR) and the Defense Acquisition Regulation (DAR) and is intended to be a simplified, more understandable and unified version of the FPR and the DAR. The FAR was published September 19, 1983 and is effective April 1, 1984. Executive agencies are expected to implement the FAR by April 1, 1984. Even though agencies are advised to control and limit issuance of supplemental implementing regulations and not repeat, paraphrase or restate FAR material, substantial agency regulations are still anticipated to supplement the FAR which consists of about 2000 pages. The extent of specific FAR parts requiring supplemental agency regulations cannot be readily determined at this time. However, periodic updates are anticipated to implement statutory and regulatory requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/23/84	49 FR 6508
NPRM Comment Period Begin	02/23/84	
NPRM Comment Period End	03/23/84	
Final Action	03/30/84	49 FR 12956
Final Action Effective	04/01/84	
End Review	05/01/85	

Small Entity: Undetermined

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: John H. Dammeyer, Office of Procurement Management, Department of Commerce, Office of the Secretary, Procurement & Management Support Operations, 14th & Constitution Ave., N.W., Washington, DC 20230, 202 377-4248

RIN: 0690-AA05

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)
Bureau of Economic Analysis (BEA)

Completed Actions

COMPLETED RULEMAKINGS

5. DIRECT INVESTMENT SURVEYS

Priority: Agency Determination

Legal Authority: 22 USC 3101 to 3108

CFR Citation: 15 CFR 806.14(f)

Abstract: Institute an annual survey of U.S. direct investment abroad starting with 1983 as first year of coverage. Secure current data needed by various agencies for policymaking purposes. Will provide time series data on investment abroad. Various exemption levels have been considered and the levels proposed are designed to minimize reporting burden.

Timetable:

Action	Date	FR Cite
Notice of consideration of proposed institution of new survey	01/26/84	49 FR 3192
NPRM	03/02/84	49 FR 7834
NPRM Comment Period Begin	03/02/84	49 FR 7834
NPRM Comment Period End	04/02/84	
Final Action	07/26/84	49 FR 30058
Final Action Effective	08/27/84	49 FR 30058

Small Entity: No

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: George R. Kruer, Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 608 Tower Building, Washington, DC 20230, 202 523-0657

RIN: 0691-AA02

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)
Bureau of the Census (CENSUS)

Current and Projected Rulemakings

6. ● FOREIGN TRADE STATISTICS (SEDS)

Legal Authority: 13 USC 301 to 307; 5 USC 301

CFR Citation: 15 CFR 30.3(b); 15 CFR 30.7(a); 15 CFR 30.7(d)(2); 15 CFR 30.7(i)(1); 15 CFR 30.7(i)(2); 15 CFR 30.7(q)(1); 15 CFR 30.7(t); 15 CFR 30.7(u); 15 CFR 30.7(v); 15 CFR 30.10; 15 CFR 30.22(b)

Abstract: It is proposed to amend the Foreign Trade Statistics Regulations to incorporate additional Shipper's Export Declarations (SED) data requirements and changes resulting from the redesign of the SEDs and their continuation sheets.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Barry Cohen, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 2108, Federal Building 3, Washington, DC 20233, 301 763-5342

RIN: 0607-AA02

7. ● FOREIGN TRADE STATISTICS

Legal Authority: 13 USC 301 to 307; 5 USC 301

CFR Citation: 15 CFR 30.1(a)

Abstract: It is proposed to amend the Foreign Trade Statistics Regulations to eliminate the requirement for filing Shipper's Export Declarations (SEDs) for shipments from the United States and Puerto Rico to the Northern Mariana Islands and to reflect the transfer of the Panama Canal to the Republic of Panama.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Barry Cohen, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Room 2108, Federal Building 3, Washington, DC 20233, 301 763-5342

RIN: 0607-AA03

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)
Economic Development Administration (EDA)

Current and Projected Rulemakings

8. ENERGY CONSERVATION: MISCELLANEOUS AMENDMENTS TO FINANCIAL ASSISTANCE PROGRAMS REGARDING ENERGY CONSERVATION

Legal Authority: EO 12185

CFR Citation: 13 CFR 305.59; 13 CFR 306.12(g)(14); 13 CFR 306.12(j); 13 CFR 307.22(b); 13 CFR 307.28(c)(6); 13 CFR 307.55(a)(15); 13 CFR 307.55(b)(5); 13 CFR 307.56(h); 13 CFR 307.57(a)(6); 13 CFR 308.6(a)(8)

Abstract: Interim regulations were issued to bring the existing regulations within the bounds of the requirements of EO 12185 which directed Federal agencies to revise their regulations to encourage recipients of Federal financial assistance to conserve energy. The new regulations are designed to encourage EDA assistance recipients to undertake energy conservation measures on a voluntary basis. There are no viable alternatives to the regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/10/82	47 FR 19982
Beg. Comment Period on Interim Rule	05/10/82	47 FR 19982
End Comment Period on Interim Rule	07/10/82	47 FR 19982
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Analysis: See Additional Information

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, Washington, DC 20230, 202 377-5441

RIN: 0610-AA03

9. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE - DESIGN, CONSTRUCTION OF BUILDINGS TO ACCOMMODATE THE PHYSICALLY HANDICAPPED

Legal Authority: 42 USC 4151 to 4156; 42 USC 3211; EO 12185; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.14

Abstract: The existing regulation will be amended to reflect the most recent (1980) standards of the American National Standards Institute (ANSI) for handicap accessibility as well as the "Minimum Guidelines and Requirements for Accessible Design" published by the Architectural and Transportation Barriers Compliance Board (47 FR 33862, August 14, 1982) and the proposed "Uniform Federal Accessibility Standards" published by GSA (comments due by August 22, 1983).

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/84	
Beg. Comment Per Interim Final Rule	12/00/84	
End Comment Per Interim Final Rule	02/00/85	
Final Action	04/00/85	
Final Action Effective	04/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Analysis: See Additional Information

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., N.W., Room 7009 Washington, D.C. 20230, 202 377-5441

RIN: 0610-AA05

10. ECONOMIC DEVELOPMENT ADMINISTRATION: PROPERTY MANAGEMENT STANDARDS

Legal Authority: 40 USC 3211; EO 12185; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Abstract: EDA's regulations regarding the use and disposition of real property acquired or improved with Federal funds will be revised to clarify EDA policy regarding the authorized use and disposition of grant property (real property) and in particular requirements regarding the lease and/or sale of such property. In addition, revisions will clarify present requirements for determining the appropriate amount of compensation due the Federal Government upon the sale of real property acquired or improved with grant funds.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/84	
Beg Comment Period on Interim Final	12/00/84	
End Comment Period on Interim Final	02/00/85	
Final Action	04/00/85	
Final Action Effective	04/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., N.W., Room 7009 Washington, D.C. 20230, 202 377-5441

RIN: 0610-AA07

11. DESIGNATION OF PUBLIC WORKS IMPACT PROGRAM AREAS; SUPPLEMENTARY GRANT RATES

Priority: Major

Legal Authority: 42 USC 3211; EO 12185; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 302.7; 13 CFR 305.5

Abstract: These amendments in concert with each other promote the purpose of the Emergency Jobs Act by ensuring a fairer distribution of the limited funds available to EDA under that Act and by ensuring that projects located in areas of relatively greater economic distress, as indicated by unemployment rates, receive a proportionately greater share of Federal funding.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/83	48 FR 23154
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Additional Information: An RIA is required and is being prepared. An RFA is not required and will not be prepared. Because the interim rule was issued to respond to an emergency, only a final RIA will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Analysis: Final RIA 07/00/84

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, 14th and Constitution Avenue, N.W., Room 7009, Washington, DC 20230, 202 377-5441

RIN: 0610-AA10

12. ● PROPERTY MANAGEMENT STANDARDS - MORTGAGES

Legal Authority: 42 USC 3211; EO 12185; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314.5

Abstract: These amendments allow the Assistant Secretary to waive the prohibition against placing mortgages on property which has been financed by an EDA public works grant, if an additional condition is met. This additional condition for waiver is that all proceeds from a loan which is

secured by a mortgage or lien on property which has been financed by an EDA public works grant shall be available only to the grantee and such proceeds shall be used on the project which secures such loans, or for working capital purposes relating to that project.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/30/84	49 FR 22463
Final Action	09/00/84	
Final Action Effective	09/00/84	

Small Entity: No

Additional Information: Neither an RIA, nor an RFA is required or will be prepared.

Agency Contact: James F. Marten, Deputy Chief Counsel, for Operations and Administration, Department of Commerce, Economic Development Administration, 14th & Constitution Ave., NW, Room 7009, Washington, DC 20230, **202 377-5441**

RIN: 0610-AA12

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC) Current and Projected Rulemakings
General Administration (ADMIN)

13. ADMINISTRATIVE OFFSETS FOR DEBTS OWED THE DEPARTMENT OF COMMERCE

Legal Authority: PL 97-365, Sec 10

CFR Citation: 15 CFR 2A, (New)

Abstract: The proposed regulation will cover Department procedures for withholding money due individuals and businesses indebted to the Federal Government. Administrative offsets will be used by the Department when debtors have failed to make timely and adequate payments to satisfy such debts. Prior to collecting claims through administrative offset, debtors will be provided under the regulations with a notification of the amount and nature of the claim and the Department's intention to collect the claim through administrative offset, and explanation of the debtor's rights, an opportunity for the debtor to inspect and copy the agency's records relating to the claim, an opportunity for review of the claim by the agency if contested by the debtor, and an opportunity to enter into a written agreement with the agency for repayment of the amount due. These procedures will ensure the effective use of administrative offsets when appropriate, thereby increasing collections of amounts due the Federal Government. The result will be better cash management and a slight reduction in the need of the Federal Government to borrow funds in the capital market.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	10/00/84	

Small Entity: No

Additional Information:

Neither an RIA nor an RFA is required or will be prepared.

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: Multiple

Agency Contact: Roger J. Mallet, Program Analyst, Department of Commerce, General Administration, Office of the Director for Finance, Room 6823, 14th & Constitution Ave. NW, Washington, DC 20230, **202 377-2324**

RIN: 0605-AA00

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC) Current and Projected Rulemakings
International Trade Administration (ITA)

14. EXPORT ADMINISTRATION REGULATIONS

Priority: Major, Task Force

Legal Authority: 50 USC App. 2401 et seq Export Admin. Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 368; 15 CFR 370 to 376; 15 CFR 378; 15 CFR 379; 15 CFR 385; 15 CFR 386; 15 CFR 390; 15 CFR 399

Abstract: The existing regulations provide procedures for the administrative programs required to carry out the Department's responsibilities for regulating exports of U.S. goods and technology for purposes of national security, foreign policy, and short supply. Review of these regulations to remove artificial barriers to small business exports was initiated by the President's Task Force on Regulatory Relief. Revisions to the regulations will be proposed to improve organization, indexing, simplify language, eliminate unnecessary administrative requirements and obsolete provisions, reduce documentation requirements, review certain policy issues, and lessen the compliance burden. Economic impacts will be reviewed and addressed. A more readable and understandable set of regulations with reduced administrative and documentation requirements will result from these revisions. This should considerably aid small business in making exports.

Timetable:

Action	Date	FR Cite
ANPRM on simplification of language & format	04/30/82	47 FR 18613
ANPRM on Policy Review	10/12/82	47 FR 44747
Interim Final Rule	12/29/82	47 FR 58122
Beg. Comment Per. for Interim Rule	12/29/82	
End Comment Per. for Interim Rule	02/28/83	

Action	Date	FR Cite
Multiple NPRMs March 83 - May 84	05/00/84	
Final Action	12/00/85	

Small Entity: Yes

Additional Information: An RIA and an RFA are required. The RFA will be included in the RIA which is being prepared. Section 13(a) of the Export Administration Act of 1979 exempts these regulations from the public participation in rulemaking procedures of the Administrative Procedure Act (5 USC 553).

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: John K. Boidock, Department of Commerce, International Trade Administration, Office of Export Administration, Washington, DC 20230, 202 377-2118

RIN: 0625-AA00

15. GENERAL REGULATIONS GOVERNING FOREIGN TRADE ZONES IN THE UNITED STATES, WITH RULES OF PROCEDURES

Priority: Agency Determination

Legal Authority: 19 USC 81a et seq Foreign-Trade Zones Act of 1934

CFR Citation: 15 CFR 400

Abstract: Revision of the regulation is needed to administer the Foreign-Trade Zones Act of 1934, as amended, to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States. At the time the ANPRM was published the emphasis was on changing the rules to provide improved guidance to the public on procedures and criteria followed in making decisions concerning special-purpose subzones and operations detrimental to the public interest. Since that time, it has been decided to propose revisions to the entire 15 CFR 400 in order to update the language and conform it to current CFR format.

Timetable:

Action	Date	FR Cite
ANPRM	10/14/80	45 FR 67681
ANPRM Comment Period Begin	10/14/80	
ANPRM Comment Period End	12/15/80	
NPRM	02/18/83	48 FR 07188
NPRM Comment Period Begin	02/18/83	
NPRM Comment Period End	04/19/83	
Final Action	07/00/85	
Final Action Effective	07/00/85	

Small Entity: No

Additional Information: These rules apply to approximately 100 zones and subzones throughout the United States. Of the 1500 companies using these zones, 900 do so on a full time basis. This level of activity is not sufficient to classify these rules as major under Executive Order 12291. Accordingly, no RIA is required or will be prepared. No RFA is required or will be prepared.

The ITC and GAO completed studies of the foreign-trade zones program in March 1984 at the request of the House Ways and Means Committee. The foreign-trade zones staff has postponed preparation of a set of final proposed rules pending comments from the Committee on the results of the study.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Analysis: See Additional Information

Agency Contact: John L. Evans, Deputy to the Deputy Assistant Secretary, Department of Commerce, International Trade Administration, Washington, DC 20230, 202 377-1780

RIN: 0625-AA04

16. ADJUSTMENT ASSISTANCE FOR FIRMS AND INDUSTRIES

Legal Authority: 19 USC 2341 et seq

CFR Citation: 15 CFR 320

Abstract: This regulation will implement the responsibilities transferred from EDA to ITA concerning the provision of adjustment assistance to firms and industries adversely affected by imports. The proposed rule will reflect amendments to the authorizing legislation and make procedural changes required because of the transfer of the program to ITA.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	10/00/84	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. This rule is exempt from the requirements of the Regulatory Flexibility Act, since the Department is not required by Section 553 of Title 5 of the United States Code or any other law to publish general notice of proposed rulemaking for regulations implementing the adjustment assistance program (See Section 553(a)(2) concerning loans and grants).

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: August Fromuth, Acting Assistant Secretary, Department of Commerce, International Trade Administration, Office of Trade Adjustment Assistance, Washington, D.C. 20230, 202 377-0150

RIN: 0625-AA05

17. ANTIDUMPING DUTIES; COUNTERVAILING DUTIES

Priority: Major

Legal Authority: 19 USC 1303; 19 USC 1671 et seq

CFR Citation: 19 CFR 353; 19 CFR 355

Abstract: Certain unfair trade practices by foreign governments that could be penalized as dumping or subsidization are either not subject to such remedies under the current law or regulations, subject to challenge if penalized, or escape detection by petitioners and the Department. While certain constraints are imposed by the statutes, the relevant Codes, and the effects on U.S. exporters, all possibilities will be examined with a goal of achieving the maximum benefit for U.S. trading interests and amendments to the regulations will be proposed to take care of as much of the problem as possible through the regulatory process.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	

Action	Date	FR Cite
NPRM Comment Period End	11/00/84	
Final Action	01/00/85	
Final Action Effective	02/00/85	

Small Entity: Undetermined

Additional Information: An RIA and an RFA are required. The RFA will be included in the RIA.

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: C. Christopher Parlin, Director, Office of Policy, Department of Commerce, International Trade Administration, Import Administration, Office of Policy, Washington, D.C. 20230, **202 377-1780**

RIN: 0625-AA08

18. GUIDELINES FOR THE ISSUANCE OF EXPORT TRADE CERTIFICATES OF REVIEW

Priority: Agency Determination

Legal Authority: 15 USC 4017

Abstract: Section 307 of PL 97-290 (15 USC 4017) authorizes the Secretary of Commerce to issue, with the concurrence of the Attorney General, guidelines for the issuance of certificates of review setting forth the standards and analytical approach which will be applied in determining whether to certify an applicant's proposed export trade, export trade activities and methods of operation. A person to whom a certificate of review is issued is protected from the trebling of damages for any injury resulting from and criminal liability for, conduct specified in the certificate.

Timetable:

Action	Date	FR Cite
First Notice of Guidelines	04/13/83	48 FR 15937
Second Notice of Guidelines	12/00/84	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. PL 97-290 (15 USC 4017) exempts the issuance of guidelines under Section 307 from the provisions of Section 553 of Title 5 of the United States Code.

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: Eleanor Roberts Lewis, AGC for Export Trading Companies, Department of Commerce, International Trade Administration, Washington, D.C. 20230, **202 377-0937**

RIN: 0625-AA10

19. REGULATIONS FOR ISSUANCE OF EXPORT TRADE CERTIFICATES OF REVIEW

Priority: Agency Determination

Legal Authority: 15 USC 4011 et seq

CFR Citation: 15 CFR 325

Abstract: The regulations set forth the procedures by which a person can obtain an export trade certificate of review. Title III of PL 97-290 (15 USC 4011-4021) authorizes the Secretary of Commerce to issue, with the concurrence of the Attorney General, such certificates. A person to whom a certificate of review is issued is protected from the trebling of damages for any injury resulting from, and criminal liability for, export trade, export trade activities and methods of operation specified in the certificate.

Timetable:

Action	Date	FR Cite
NPRM	12/21/82	47 FR 56972
NPRM Comment Period Begin	12/21/82	
NPRM Comment Period End	01/20/83	
Interim Final Rule	03/11/83	48 FR 10596
Beg. Comment Per. for Interim Rule	03/00/83	
End Comment Per. for Interim Rule	05/00/83	
Final Action	09/00/84	
Final Action Effective	09/00/84	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA nor an EIS is required or will be prepared.

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: Eleanor Roberts Lewis, AGC for Export Trading Companies, Department of Commerce, International Trade Administration, Washington, D.C. 20230, **202 377-0937**

RIN: 0625-AA11

20. GENERAL LICENSES, PART 371 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 371

Abstract: Part 371 of the Export Administration Regulations, General Licenses, will be revised to reduce required documentation and otherwise simplify the regulatory language governing the validated licensing program. The regulations governing general licenses will be revised to place related subjects together, reduce footnotes, improve readability and help the public locate information.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
NPRM Comment Period Begin	06/00/85	
NPRM Comment Period End	08/00/85	

Small Entity: Undetermined

Additional Information: This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, D.C 20230, **202 377-2118**

RIN: 0625-AA12

21. TECHNICAL DATA, PART 379 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 379

Abstract: Existing Part 379 "Technical Data" of the Export Administration Regulations is being revised to put it in a simpler style and to include more specific definitions of various types of technical data: publicly available data, scientific and educational data, critical data, etc. When these revisions are published exporters should be able to

determine more easily if and how their particular technical data is controlled. The revised regulation will be easier to read and use, and should result in fewer export license applications returned to exporters for lack of proper information, speedier license approvals, and less paperwork for Office of Export Administration.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
NPRM Comment Period Begin	10/01/84	
NPRM Comment Period End	12/01/84	
Interim Final Rule	00/00/00	

Small Entity: Undetermined

Additional Information: The proposed text of the revision will not be published in the Federal Register. Rather, a notice will be published explaining the nature of the proposed changes and how to obtain a copy of the text for review and comment.

This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, D.C. 20230, **202 377-2118**

RIN: 0625-AA13

22. EXPORT LICENSING GENERAL POLICY, PART 370 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 370

Abstract: Part 370 of the Export Administration Regulations, Export Licensing General Policy, is being revised to simplify its style and organization. This revision will consolidate much general information presently scattered throughout various parts of the regulations. An expanded Glossary of Terms will be included as a supplement to this Part, with concise definitions of many terms exporters feel are ambiguous. A simpler style and more logical organization of this regulation will provide the public with a clearer introduction to the Office of Export Administration and its export control program.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	
Interim Final Rule	00/00/00	

Small Entity: Undetermined

Additional Information: This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, DC 20230, **202 377-2118**

RIN: 0625-AA14

23. EFFECT OF IMPORTED ARTICLES ON THE NATIONAL SECURITY

Legal Authority: 19 USC 1862 Trade Expansion Act of 1962, as amended; 5 USC App. Reorganization Plan No. 3 of 1979; EO 12188

CFR Citation: 15 CFR 359

Abstract: Section 359.10(a) of the existing regulation requires that a report of an investigation be organized into several sections containing classified and unclassified information. Paragraph (c) of that section requires that the report (excluding confidential material) be published in the Federal Register. Paragraph (a) will be amended to delete the report organization requirement and paragraph (b) will be amended to permit publication of either the full report or a summary thereof. It is impractical, time consuming, and not cost effective to organize the report, and publish the full report, as now required by the regulation. Section 359.10(c) will also be amended to provide that a copy of the report will be available to the public from the Publications Distribution Office of the Department rather than at ITA's Freedom of Information Records Inspection Facility.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	
Final Action Effective	12/31/84	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Agency Contact: Richard V. Meyers, Compliance Officer, Department of Commerce, International Trade Administration, Office of Industrial Resource Administration, Priorities and Allocations Division, Washington, D.C. 20230, **202 377-3634**

RIN: 0625-AA15

24. SPECIAL NUCLEAR CONTROLS, PART 378 OF THE EXPORT ADMINISTRATION REGULATIONS

Priority: Task Force

Legal Authority: 50 USC App. 2401 et seq Export Administration Act of 1979; EO 12002; EO 12214

CFR Citation: 15 CFR 378

Abstract: Part 378 of the Export Administration Regulations, Special Nuclear Controls, was revised in 1980 following a policy review, and we do not anticipate further significant policy changes. However, Part 378 will be further revised to make it clearer, reduce redundancy, and improve organization and readability.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	11/00/84	
Interim Final Rule	00/00/00	

Small Entity: Undetermined

Additional Information: This Regulation was split off from the action described in RIN 0625-AA00.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John K. Boidock, Director, Office of Export Administration, Department of Commerce, International Trade Administration, Washington, D.C. 20230, 202 377-2118

RIN: 0625-AA16

25. ● REMOVAL OF THE SHORT SUPPLY VALIDATED LICENSING REQUIREMENT ON EXPORTS OF LINEAR ALPHA OLEFINS AND OTHER ACYCLIC ORGANIC COMPOUNDS

Legal Authority: 50 USC 1702 PL 95-223, as amended, Sec 203; 50 USC 1704 PL 95-223, as amended, Sec 206; EO 12470 March 30, 1984 (49 FR 13099, April 3, 1984); 42 USC 6212 PL 94-163, as amended, Sec 103; EO 11912 April 13, 1976 (49 FR 15825, as amended); 10 USC 7430 as amended by PL 94-258, Sec 201(10)

CFR Citation: 15 CFR 377

Abstract: Linear Alpha Olefins are currently subject to validated export licensing requirements under a basket category which applies to naphthas (Group N of Supplement No 2 to 377 of the Export Administration Regulations). The Department is considering removing licensing requirements for LAOs and similar commodities because they do not have a likely energy end-use. During the comment period, all respondents favored the removal of licensing requirements on the grounds that current requirements are burdensome, that LAOs are not naphthas, that they do not have a likely energy end use, and that they are not in short supply. Accordingly, the Department is in the process of considering the most appropriate course of action with regard to possible decontrol of this and smaller commodities.

Timetable:

Action	Date	FR Cite
ANPRM	06/29/84	49 FR 26751
ANPRM Comment Period Begin	06/29/84	49 FR 26751
ANPRM Comment Period End	07/13/84	
Final Action	11/16/84	

Small Entity: Not Applicable

Agency Contact: John A. Richards, Director, Department of Commerce, International Trade Administration, Office of Industrial Resource Administration, Washington, DC 20230, 202 377-4506

RIN: 0625-AA17

DEPARTMENT OF COMMERCE (DOC)
International Trade Administration (ITA)

Completed Actions

COMPLETED RULEMAKINGS

26. ENERGY REGULATION I, PRIORITIES & ALLOCATIONS REGULATIONS

Priority: Agency Determination

Legal Authority: 50 USC App. 2061 et seq Defense Production Act of 1950; EO 10480

CFR Citation: 15 CFR 350

Abstract: Procedures for implementing the priorities and allocations authorities relating to contracts and orders needed to maximize domestic energy supplies were first proposed in August 1977 as a separate part to the CFR (42 FR 43038). These provisions are included in the new Defense Priorities and Allocations System regulation (15 CFR 350), published in the Federal Register as a final rule on July 30, 1984 (49 FR 30412).

Timetable:

Action	Date	FR Cite
NPRM	06/02/81	46 FR 29662
NPRM Comment Period Begin	06/02/81	
NPRM Comment Period End	08/31/81	
Final Action	07/30/84	49 FR 30412

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The regulations would impose only a minimal recordkeeping and administrative burden on any individual entity subject to them. Section 709 of the Defense Production Act exempts the promulgation of these rules and regulations from the rulemaking procedures of the Administrative Procedure Act (5 USC 553).

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: Iain S. Baird, Director, Department of Commerce, International Trade Administration, Priorities & Allocations Div., Ofc. of Industrial Resource Admin., Washington, DC 20230, 202 377-3695

RIN: 0625-AA02

27. DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM (DPAS)

Priority: Agency Determination

Legal Authority: 50 USC App. 2061 et seq Defense Production Act of 1950; EO 10480

CFR Citation: 15 CFR 330 to 332; 15 CFR 340 to 343; 15 CFR 350 to 354

Abstract: To implement those priorities and allocation authorities of Title I of the Defense Production Act of 1950, as amended, that are assigned to the Office of Industrial Resource Administration, a new regulatory system was proposed (46 FR 29662) that: 1) consolidates the existing regulations and eliminates duplication; 2) is clearly written, organized and presented; and 3) provides for an efficient and effective priorities and allocations system designed to meet likely future challenges and demands. Public comments received were overwhelmingly in favor of the proposed regulations. The benefit of these regulations will be a regulatory system that will be easy to understand and use, without any increase in cost or burden to the public. Accordingly, the DPAS was published as a final rule on July 30, 1984 (49 FR 30412).

Timetable:

Action	Date	FR Cite
NPRM	06/02/81	46 FR 29662
NPRM Comment Period Begin	06/02/81	46 FR 29662
NPRM Comment Period End	08/31/81	
Final Action	07/30/84	
Final Action Effective	08/29/84	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The regulation imposes only minimal recordkeeping burdens. Section 709 of the Defense Production Act

exempts the promulgation of rules and regulations from the rulemaking procedures of the Administrative Procedure Act (5 USC 553).

Affected Sectors: Multiple

Analysis: See Additional Information

Agency Contact: Iain S. Baird, Director, Department of Commerce, International Trade Administration, Priorities & Allocations Div., Ofc. of Industrial Resource Admin., Washington, DC 20230, 202 377-3695

RIN: 0625-AA03

28. WATCH DUTY-EXEMPTION PROGRAM

Legal Authority: 19 USC 1202; PL 89-805; PL 97-446

CFR Citation: 15 CFR 303

Abstract: The regulations governing watch assembly activity in the insular possessions will be amended in two states to conform them to PL 97-446, signed into law on 01/12/83. The first stage covered under another agenda entry proposed annual rules to meet deadlines for allocating calendar year 1983 watch quotas. This agenda entry covers the second stage where amendments to the entire 15 CFR 303 are being proposed in order to update the language and conform it to other changes made by PL 97-446.

Timetable:

Action	Date	FR Cite
NPRM	01/05/84	49 FR 0605
NPRM Comment Period Begin	01/05/84	49 FR 0605
NPRM Comment Period End	02/06/84	
Final Action	04/25/84	49 FR 17739

Small Entity: No

Additional Information: Although the regulations affect fewer than 10 entities, the departments determined during rulemaking that the rules would marginally increase the information collection burden on the public (OMB Approval No. 0625-0134).

Public Compliance Cost: Initial Cost: $2,000; Yearly Recurring Cost: $2,000; Base Year for Dollar Estimates: 1984

Affected Sectors: 387 Watches, Clocks, Clockwork Operated Devices, and Parts

Government Levels Affected: State, Federal

Agency Contact: Frank Creel, Acting Director, Department of Commerce, International Trade Administration, Statutory Import Programs Staff, Washington, D.C. 20230, 202 377-1660

RIN: 0625-AA06

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)

Minority Business Development Agency (MBDA)

Current and Projected Rulemakings

29. ● DETERMINATION OF GROUP ELIGIBILITY FOR MBDA ASSISTANCE

Legal Authority: 15 USC 1512; EO 11625; 3 CFR 616 to 20 (1971-75); EO 12432; 3 CFR 198 to 99 (1983)

CFR Citation: 15 CFR 1400

Abstract: To be eligible to receive MBDA assistance, an applicant must qualify as a socially or economically disadvantaged individual, business enterprise, or group. The purpose of this proposed rule is to provide guidance to groups, not enumerated in E.O. 11625 and not previously designated by the Secretary of Commerce as eligible for assistance, who believe they are entitled to MBDA funded programs. Upon adequate showing to the Secretary of Commerce by representatives of a group that the group is as a whole, socially or economically disadvantaged the Secretary will designate the group as such and individuals of the group will be eligible for MBDA assistance.

Timetable:

Action	Date	FR Cite
NPRM	06/27/84	
NPRM Comment Period Begin	06/27/84	49 FR 26254
NPRM Comment Period End	08/27/84	
Statement of Policy Funding Minority Trade Associations	09/30/84	

Small Entity: Not Applicable

Agency Contact: Kathleen Vanston, Attorney-Advisor, Department of Commerce, Minority Business Development Agency, MBDA, Office of Chief Counsel, Room 5069, Washington, DC 20230, 202 377-5045

RIN: 0640-AA01

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)

National Bureau of Standards (NBS)

Current and Projected Rulemakings

30. FIPS FOR COMPUTER DATA INTEGRITY

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard specifies a process that Federal Government agencies may use to detect unauthorized modifications, both intentional and accidental, of data that is transmitted or stored in either plain text or cipher text form. The standard will enable managers of Federal data systems to protect data and computer systems through the use of cryptographic authentication and to detect intentional modifications of data.

Timetable:

Action	Date	FR Cite
NPRM	08/10/82	47 FR 34613
NPRM Comment Period Begin	08/10/82	47 FR 34613
NPRM Comment Period End	11/08/82	
Final Action	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA02

31. FIPS FOR PASSWORD USAGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will specify the factors to be considered in the design, implementation and use of Federal Government computer systems. It will specify certain procedures to be used in the generation, distribution, use, storage, protection, and replacement of passwords to enable Federal agencies to protect data stored and transmitted by computer systems.

Timetable:

Action	Date	FR Cite
NPRM	07/28/81	46 FR 38564
NPRM Comment Period Begin	07/28/81	46 FR 38564
NPRM Comment Period End	09/30/81	
Final Action	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA03

32. REVISION TO FIPS 21-1, COBOL

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will adopt the revised American National Standard Programming Language COBOL for Federal Government use. The standard will promote the portability of COBOL programs for use on a variety of data processing systems and will enable Federal agencies and departments to exercise more effective control over the production, management, and use of Federal Government information resources.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA04

33. FIPS FOR STORAGE MODULE INTERFACES

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will provide to Federal agencies the mechanical, electrical and functional requirements for the storage module class of interface between disk drives and their respective control units. It will establish a minimum set of requirements for Federal agencies to enable compatibility and interchangeability of disk drives connected to computer systems.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA05

34. FIPS FOR TRANSPORT PROTOCOL

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard provides for reliable, transparent transfer of data between two heterogeneous or homogeneous computer systems. The standard is based on an international consensus and is compatible with the International Organization for Standardization (ISO) document ISO/TC97/SC 16 N 1169, class 2 and class 4. This is one of a family of computer network protocol standards which will make possible computer-to-computer communication of Federal ADP systems. It will enable Federal agencies to select equipment based on cost and performance considerations and to interconnect equipment of different manufacturers.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/81	46 FR 14913
ANPRM Comment Period Begin	03/03/81	46 FR 14913
ANPRM Comment Period End	05/03/81	
NPRM	05/20/83	48 FR 22770
NPRM Comment Period Begin	05/20/83	48 FR 22770
NPRM Comment Period End	08/18/83	
Final Action	12/00/84	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA06

35. FIPS FOR PASCAL PROGRAMMING LANGUAGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will adopt the American National Standard Programming Language Pascal for Federal Government use. The standard will promote the portability of Pascal programs for use on a variety of data processing systems and will enable Federal agencies and departments to exercise more effective control over the production, management, and use of Government information resources.

Timetable:

Action	Date	FR Cite
NPRM	09/13/83	48 FR 41062
NPRM Comment Period Begin	09/13/83	48 FR 41062

Action	Date	FR Cite
NPRM Comment Period End	12/12/83	
Final Action	04/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA07

36. FIPS FOR ALPHANUMERIC COMPUTER OUTPUT MICROFORM QUALITY TEST SLIDE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will adopt for Federal Government use a National Micrographics Association Standard (renamed Association for Information and Image Management). The standard is recommended for the acquisition of test form slides by Federal Government agencies. The slides are used to verify and maintain the quality of microforms generated by Federal alphanumeric computer output microform devices.

Timetable:

Action	Date	FR Cite
NPRM	06/29/83	48 FR 29935
NPRM Comment Period Begin	06/29/83	48 FR 29935
NPRM Comment Period End	09/27/83	
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA08

37. FIPS FOR LOCAL NETWORKS BASEBAND CARRIER SENSE MULTIPLE ACCESS WITH COLLISION DETECTION; PHYSICAL LAYER SPECIFICATIONS AND LINK LAYER PROTOCOL

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will adopt for Federal Government use and IEEE standard for the mechanical, electronic, functional, and procedural specifications and link protocol required to interconnect computer equipment to local area computer networks. This standard is one in a family of local area network standards to make possible computer-to-computer and terminal-to-computer communications of Federal computer systems. It is consistent with international consensus and the reference model for network architecture adopted by the International Organization for Standardization.

Timetable:

Action	Date	FR Cite
NPRM	09/08/83	48 FR 40540
NPRM Comment Period Begin	09/08/83	48 FR 40540
NPRM Comment Period End	12/07/83	
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA10

38. REVISIONS TO FIPS 1-1 AND 2; CODE FOR INFORMATION INTERCHANGE, ITS REPRESENTATIONS, SUBSETS, AND EXTENSIONS AND PERFORATED TAPE CODE FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: The revision to FIPS 1-1 consolidates and supersedes five existing FIPS dealing with the implementation of the Code for Information Interchange by Federal Government agencies. No substantive changes are made. The revision to FIPS 2 clarifies the existing standard. These revisions will result in easier administration of the existing FIPS.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, 301 921-2731

RIN: 0693-AA11

39. FIPS FOR SESSION PROTOCOL STANDARD

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will provide for reliable connections between users on a computer network. It is one of a family of computer network protocol standards which will make possible computer-to-computer communication of Federal ADP systems. It will enable Federal Government agencies to select equipment based on cost and performance considerations and to interconnect equipment of different manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
NPRM Comment Period Begin	12/00/84	
NPRM Comment Period End	03/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA12

40. REVISION TO FIPS 70, REPRESENTATION OF GEOGRAPHIC POINT LOCATIONS FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 15 CFR 6

Abstract: This revision will extend the current FIPS which establishes uniform formats for geographic point location data that is collected, processed and analyzed by Federal Government agencies. The extensions will provide for more complete and accurate representation of data.

Timetable:

Action	Date	FR Cite
NPRM	09/15/83	48 FR 41478
NPRM Comment Period Begin	09/15/83	48 FR 41478
NPRM Comment Period End	12/14/83	
Final Action	03/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA13

41. FIPS FOR MESSAGE TRANSFER PROTOCOL

Legal Authority: 40 USC 759(f); EO 11717

Abstract: This standard will provide for reliable exchange of messages through Federal Government computer networks. It is one of a family of computer network protocol standards which will make possible computer-to-computer communication of Federal ADP systems. It will enable Federal agencies to select equipment based on cost and performance considerations and to interconnect equipment of different manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA17

42. NATIONAL VOLUNTARY LABORATORY ACCREDITATION PROGRAM PROCEDURES

Legal Authority: 15 USC 272; 15 USC 277

CFR Citation: 15 CFR 7A; 15 CFR 7B; 15 CFR 7C

Abstract: The proposed revision of NVLAP procedures is intended to reduce program administrative costs, to increase program operating efficiency and to reflect the transfer of the administration of NVLAP from DOC to NBS.

Timetable:

Action	Date	FR Cite
NPRM	05/16/84	49 FR 20723
NPRM Comment Period Begin	05/16/84	
NPRM Comment Period End	07/16/84	
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Peter S. Unger, Associate Manager, Laboratory Accreditation, Department of Commerce, National Bureau of Standards, Admin A531, Gaithersburg, Maryland 20899, **301 921-3431**

RIN: 0693-AA19

43. PROCEDURES FOR THE DEVELOPMENT OF VOLUNTARY PRODUCT STANDARDS

Legal Authority: 15 USC 272

CFR Citation: 15 CFR 10

Abstract: The Department of Commerce proposes to revise its existing procedures for the development of Voluntary Product Standards. The Department proposes to modify the provisions for the withdrawal of standards and to establish a new appeals mechanism and provisions for developing interpretations of standards.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
NPRM Comment Period End	02/00/85	
Final Action	05/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Affected Sectors: 208 Beverages; 242 Sawmills and Planing Mills; 243 Millwork, Veneer, Plywood, and Structural Wood Members; 322 Glass and Glassware, Pressed or Blown

Agency Contact: Donald R. Mackay, Associate Manager, Standards Management Prog, Department of Commerce, National Bureau of Standards, Office of Product Standards Policy, Admin A625, Gaithersburg, Maryland 20899, **301 921-3287**

RIN: 0693-AA20

44. FIPS FOR 130 MM (5.25 IN) FLEXIBLE DISK CARTRIDGE TRACK FORMAT USING TWO-FREQUENCY RECORDING AT 3979 BPRAD ON ONE SIDE - 1.9 TPMM (48 TPI) FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: These specifications will adopt for Federal government use an international standard (ISO 6596/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	

Action	Date	FR Cite
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA21

45. FIPS FOR FLEXIBLE DISK CARTRIDGE LABELLING AND FILE STRUCTURE FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: These specifications will adopt for Federal government use an international standard (ISO 7665) for labelling and file structure of flexible disks. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Analysis: FEIS 09/21/84

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA22

46. FIPS FOR 130 MM (5.25 IN) FLEXIBLE DISK CARTRIDGE TRACK FORMAT USING MODIFIED FREQUENCY MODULATION RECORDING AT 7958 BPRAD ON TWO SIDES - 1.9 TPMM (48 TPI) FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: These specifications will adopt for Federal government use an international standard (ISO 7487/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA23

47. FIPS FOR 200 MM (8 IN) FLEXIBLE DISK CARTRIDGE TRACK FORMAT USING MODIFIED FREQUENCY MODULATION RECORDING AT 13262 BPRAD ON TWO SIDES - 1.9 TPMM (48 TPI) FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: These specifications will adopt for Federal government use an international standard (ISO 7065/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA24

48. FIPS FOR 200 MM (8 IN) FLEXIBLE DISK CARTRIDGE TRACK FORMAT USING TWO-FREQUENCY RECORDING AT 6631 BPRAD ON ONE SIDE - 1.9 TPMM (48 TPI) FOR INFORMATION INTERCHANGE

Legal Authority: 40 USC 759(f); EO 11717

Abstract: These specifications will adopt for Federal government use an international standard (ISO 5654/2) for the recorded characteristics of flexible disk cartridges. Use of these specifications will enable Federal agencies to interchange information using commercially available disk technology and to purchase off-the-shelf equipment. The specifications will be issued as a guideline for use by agencies at their discretion.

Timetable:

Action	Date	FR Cite
NPRM	09/08/82	47 FR 39554
NPRM Comment Period Begin	09/08/82	47 FR 39554
NPRM Comment Period End	12/07/82	
Final Action	06/00/85	
Final Action Effective	06/00/85	

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA25

DEPARTMENT OF COMMERCE (DOC)
National Bureau of Standards (NBS)

Completed Actions

COMPLETED RULEMAKINGS

49. REVISION TO FIPS 10-3, COUNTRIES, DEPENDENCIES, AREAS OF SPECIAL SOVEREIGNTY AND THEIR PRINCIPAL ADMINISTRATIVE DIVISIONS

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 15 CFR 6

Abstract: This standard will bring up to date the existing codes for representing data on geographical-political entities throughout the world. The codes are used by Federal agencies in processing and analyzing data dealing with countries of the world.

Timetable:

Action	Date	FR Cite
NPRM	04/21/81	46 FR 22779
NPRM Comment Period Begin	04/21/81	46 FR 22779
NPRM Comment Period End	07/20/81	
Final Action	02/09/84	49 FR 4960
Final Action Effective	02/09/84	49 FR 4960

Small Entity: No

Affected Sectors: 357 Office, Computing, and Accounting Machines

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, A209 Administration, Gaithersburg, Maryland 20899, **301 921-2731**

RIN: 0693-AA09

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)
National Oceanic and Atmospheric Administration (NOAA)

Current and Projected Rulemakings

NATIONAL MARINE FISHERIES SERVICE

50. NORTHWEST ATLANTIC FOREIGN FISHING

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.50

Abstract: The foreign areas, seasons, and gear requirements need to be reassessed in light of expanding U.S. fishing operations and a change in the foreign fisheries. Suggested regulatory changes and options will be presented for comment at a series of public hearings.

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	
NPRM Comment Period Begin	09/01/84	
NPRM Comment Period End	11/15/84	
Final Action	01/01/85	
Final Action Effective	02/01/85	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. A Regulatory Impact Review is being prepared.

Affected Sectors: None

Government Levels Affected: Federal

Analysis: Reg. Impact Review/Initial RFA 09/00/83

Agency Contact: Ken Beal, Department of Commerce, National Oceanic and Atmospheric Administration, Northeast Region, Nat. Marine Fisheries Ser., 14 Elm St., Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AA05

51. REEF FISH RESOURCES OF THE GULF OF MEXICO FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 641

Abstract: Biological data indicate a substantial decline in reef fish stocks in the Gulf of Mexico. Overfishing contributes to this decline in many nearshore areas by recreational & commercial users. In addition, there is expanding competition between recreational & commercial users for limited resource. Objectives are: rebuild declining reef fish stocks; establish fishery reporting system; increase reef fish habitats in approp. areas; provide protection for juveniles while protecting existing & new habitats; and minimize conflicts between user groups. Benefits from implementation of the plan over a 5-year period could reach discounted maximum of $8 million for commercial fishermen & $23.2 million for recreational fishermen. Annual costs for development & implementation of plan over a 5-year period are estimated at $393,315. The adopted measures would minimize burden on public & address the problems in the fishery in a cost-effective manner. The regulations will require some small entities to relocate their fishery areas. Net benefits will occur to the fishery because of the rebuilding of the resources.

Timetable:

Action	Date	FR Cite
NPRM	08/24/83	48 FR 38511
NPRM Comment Period Begin	08/24/83	48 FR 38511
NPRM Comment Period End	10/11/83	
Final Action	09/28/84	
Final Action Effective	09/28/84	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial Regulatory Flexibility Analysis is available. A Fishery Management Plan is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/Initial RFA 08/24/83 (48 FR 38511)

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA10

52. SPINY LOBSTER FISHERY IN PUERTO RICO & THE VIRGIN ISLANDS FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 645

Abstract: A fishery management plan (FMP) and implementing regulations are needed to manage the spiny lobster resources of the Caribbean. Management measures will protect long-term yields, prevent depletion of the stocks, increase yields from the fishery, and acquire information necessary to better manage the fishery. The primary objective is to achieve optimum yields from a presently healthy fishery stock without encountering the problems of economic or biologic overfishing that have been known to occur in some other fisheries. The FMP imposes a minimum size limit which will cause an estimated loss in income during the first year of $228 per fisherman, and $117 per fisherman in the second year. Size limits in subsequent years are expected to improve landings in the third and subsequent years, resulting in $118 per fisherman increase in income. The prohibition of taking lobsters in certain areas may have minor supply and income effects on commercial and recreational harvesters which may be offset by aesthetic benefits to divers and research benefits to scientists. Additional reporting burdens will be placed on some fishermen.

Timetable:

Action	Date	FR Cite
NPRM	09/03/82	47 FR 38948
NPRM Comment Period Begin	09/03/82	47 FR 38948
NPRM Comment Period End	10/18/82	
Final Action	11/30/84	
Final Action Effective	01/01/85	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. An RFA, a Regulatory Impact Review, an Environmental Impact Statement, and the FMP are available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: EIS 06/20/80 (45 FR 37275); Draft RFA 09/03/82 (47 FR 38948); Reg. Impact Review/RFA 09/03/82 (47 FR 38948)

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA12

53. KING CRAB (BERING SEA/ALEUTIAN ISLANDS) FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 676

Abstract: This fishery management plan (FMP) and implementing regulations seek to ensure effective conservation and management of King Crab stocks in the Bering Sea and Aleutian Islands area while providing continued active participation of the State of Alaska in management of these fisheries. Non-resident Alaskan fishermen will have more effective input to fishery management. There is a need for enforcement of sex and minimum size limits to prevent overharvesting the King Crab optimum yield, and to prevent harvesting of females and under-sized crab. The regulation allows protection of smaller vessels that compete with larger vessels in their ability to move between fishing areas. Regulatory measures also seek to ensure equitable representation of all components of the harvesting sector. Alternative measures under the FMP could have a significant impact on small entities. This is a framework FMP for which formal Secretarial review began on July 16, 1984.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	08/14/84	
NPRM	08/17/84	
NPRM Comment Period End	09/28/84	
Final Action	11/02/84	
Final Action Effective	12/02/84	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial Regulatory Flexibility Analysis is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: DEIS 01/22/82 (47 FR 3203); FEIS 09/21/84

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AA22

54. CIVIL PROCEDURES

Priority: Agency Determination

Legal Authority: 15 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act; 16 USC 773 et seq Northern Pacific Halibut Act of 1982

CFR Citation: 15 CFR 904

Abstract: The existing regulations (15 CFR 904) provide uniform procedures for enforcement and civil proceedings under the various fishery and marine resource statutes administered by NOAA. The regulations are being revised to consolidate all aspects of NOAA's civil process which can be uniformly treated. The revised regulations will provide uniform permit processing procedures and sanction procedures; means of addressing the respondent's ability to pay in civil penalty proceedings; procedures for issuance and appeal of written warnings, summary forfeitures, and for selling seized perishable fish. The revisions will clarify for the public the procedures which NOAA follows in carrying out its enforcement responsibilities. The amendments thus are beneficial rather than burdensome to the public. These procedural regulations will not increase costs to the public or local governments. Nor will they have a significant adverse effect on competition, employment or industry. The alternative of not further consolidating the procedures was considered and rejected. There is no alternative to making the updating and housekeeping portions of the amendments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/06/84	49 FR 1037
NPRM Revising Interim Final Rule	10/31/84	
Beg. Comment Period on NPRM	10/31/84	
End Comment Period on NPRM	12/31/84	
Final Action	02/15/85	
Final Action Effective	03/15/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Margaret B. Frailey, Asst. General Counsel, Department of Commerce, National Oceanic and Atmospheric Administration, Enforcement & Litigation, 2001 Wisconsin Avenue, NW, Washington, DC 20235, 202 254-8350

RIN: 0648-AA26

55. DESIGNATED CRITICAL HABITAT: DESIGNATION OF CRITICAL HABITAT FOR THE HAWAIIAN MONK SEAL

Priority: Agency Determination

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 226.11

Abstract: Designation of Critical Habitat is conducted pursuant to the Endangered Species Act of 1973, as amended. Critical Habitat is that area within (or outside) the geographic range of the animal wherein are found those physical and/or biological features essential for the conservation of the species and which may require special management considerations. The objective is to protect the Hawaiian Monk Seal.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
NPRM Comment Period Begin	11/00/84	
NPRM Comment Period End	01/00/85	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Undetermined

Additional Information: A draft Environmental Impact Statement is available for public review. A Final Recovery Plan discussing and recommending areas to be designated as the Critical Habitat is available for review. Required determinations under Executive Order 12291 and the Regulatory Flexibility Act will be made if critical habitat is proposed.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AA27

56. FISHERY CONSERVATION AND MANAGEMENT: CONFIDENTIALITY OF STATISTICS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 603

Abstract: The regulations provide internal procedures to protect statistics collected from the public under the Magnuson Fishery Conservation and Management Act from disclosure.

Timetable:

Action	Date	FR Cite
NPRM	01/09/78	43 FR 1460
Interim Final Rule	12/07/79	44 FR 237
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: Not Applicable

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The Regulatory Flexibility Act does not apply because the regulations affect only internal operations of an agency.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: B. G. Thompson, Acting Chief, Fisheries Statistics Program, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Data & Information Management,NMFS, Washington, DC 20235, 202 634-7366

RIN: 0648-AA38

57. GENERAL AND RECREATIONAL FOREIGN FISHING

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 611.1 to 611.98

Abstract: The regulations will be amended to permit certain foreign fishing vessels to engage in recreational

fishing within the Fishery Conservation Zone (FCZ) and in State waters without a foreign fishing permit, as provided by P.L. 97-453 amending the Magnuson Fishery Conservation and Management Act. The Secretary of Commerce and the Governor of a coastal State may impose reasonable fees and conditions and restrictions on such recreational fishing. The amendments will: (1) Specify the vessel types and activities which qualify for fishing without a permit, (2) require no fees for special conditions for vessels which qualify, and (3) provide the mechanism for a Governor to propose either fees or conditions and restrictions upon such fishing in the FCZ adjacent to his State. Revised regulations should cover all foreign fishing, be easier to understand and simplify enforcement.

Will be incorporated into Subparts A&B of the Foreign Fishing Regs.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	
NPRM Comment Period Begin	10/15/84	
NPRM Comment Period End	11/15/84	
Final Action	12/01/84	
Final Action Effective	01/01/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Lt. William Chappell, Coast Guard Liaison, Department of Commerce, National Oceanic and Atmospheric Administration, Fees, Permits, & Regulations Division, NMFS, 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AA40

58. PREEMPTION OF STATE AUTHORITY UNDER SECTION 306(B) OF THE MAGNUSON FISHERY CONSERVATION & MANAGEMENT ACT

Legal Authority: 16 USC 1856 Sec 306, Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 619

Abstract: The regulations interpret certain statutory terms applicable to, and establish procedures governing, formal adjudicatory hearings to be held before the Secretary of Commerce can apply Federal fishery regulations to certain waters within State boundaries. Section 306(b) of the Magnuson Fishery Conservation and Management Act authorizes the Secretary of Commerce to regulate a fishery within State boundaries in certain circumstances. Before the Secretary is authorized to do so, he must make certain findings after providing an opportunity for a formal adjudicatory hearing. The regulations apprise affected parties of the procedures to be followed at such a hearing and also of the types of information to be scrutinized that is relevant to the findings to be made.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/22/82	47 FR 12181
Final Action	10/01/84	
Final Action Effective	11/01/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Wendy Raymont, Attorney, Department of Commerce, National Oceanic and Atmospheric Administration, 3300 Whitehaven St., NW, Page Bldg. 2, Room 404, Washington, DC 20235, 202 634-4224

RIN: 0648-AA41

59. INTERAGENCY COORDINATION FOR ENDANGERED SPECIES

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 402

Abstract: The regulations will update existing regulations pursuant to the 1978, 1979 and 1982 amendments to the Endangered Species Act. The revisions will explain, organize, and simplify the consultation process required by Section 7 of the Act, and will be published jointly with the U.S. Fish and Wildlife Service.

Timetable:

Action	Date	FR Cite
NPRM	06/29/83	48 FR 29990
NPRM Comment Period Begin	06/29/83	48 FR 29990
NPRM Comment Period End	08/29/83	
Final Action	02/00/85	
Final Action Effective	03/00/85	

Small Entity: No

Additional Information: The Department of the Interior, as lead agency in the development of the regulations, has prepared a draft environmental assessment. A determination will be made at the time of the final rule as to whether this is a major Federal action within the meaning of Section 102(2)(C) of the National Environmental Policy Act of 1969. It has been determined that the regulations will not constitute a major rule under EO 12291 and will not have a significant economic impact on a substantial number of small entities under the terms of the Regulatory Flexibility Act.

Affected Sectors: 951 Administration of Environmental Quality Programs

Government Levels Affected: Federal

Analysis: See Additional Information

Agency Contact: Charles Karnella, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species, and Habitat Conservation, NMFS, Washington, DC 20235, 202 634-7471

RIN: 0648-AA43

60. U.S. STANDARDS FOR GRADES OF FISH STEAKS

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 262A

Abstract: The interim rule would establish a voluntary standards system to classify fish steaks by quality into four categories - U.S. Grade A, B, C, and Substandard. The objective is to facilitate trade in fish steaks classified by quality thereby benefiting the consumer and the industry. The standards would be used in a voluntary program of fishery products inspection and certification by NMFS. The total value of the industry product in 1981

was $19 million. Industry has expressed a high level of interest in and support for the voluntary standards. The timetable for this action is very tentative. Further research will be needed before the rule is published.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA44

61. PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF & CERTAIN OTHER PROCESSED FOOD PRODUCTS: U.S. STANDARDS FOR GRADES OF FROZEN FISH BLOCKS & PRODUCTS MADE THEREFROM ETC

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 264A; 50 CFR 264B; 50 CFR 264C; 50 CFR 264D; 50 CFR 264E; 50 CFR 264F; 50 CFR 264G

Abstract: The revised rule will expand the coverage of established voluntary standards for grades of fishery products to include new products made from fish blocks. The standards will take into account new technology and equipment. These standards will be used in a voluntary program of fishery products inspection and certification by the NMFS. Industry has shown a high level of interest and support for the revisions. The timetable for this action is very tentative. Further research will be needed before the rule is published.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA46

62. U.S. GENERAL STANDARDS FOR GRADES OF SHRIMP

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 265A

Abstract: The final rule will establish general quality grading standards for all non-breaded forms of fresh or frozen shrimp. These grading standards will provide for the systematic differentiation of the quality of shrimp into four categories -- U.S. Grades A, B, C and Substandard. The proposed standards will be applied to all commercial species of fresh or frozen shrimp in raw or cooked states in all non-breaded market forms. The adoption of grading standards is expected to facilitate trade in shrimp of all commercial species, as consumers will be able to select shrimp on the basis of identified quality. Industry has shown great interest in and support for the standards. Timetable for next action is very tentative. Public comments received indicate a need for further research before the rule is published.

Timetable:

Action	Date	FR Cite
NPRM	05/20/82	47 FR 21840
NPRM Comment Period Begin	05/20/82	47 FR 21840
Interim Final Rule	05/20/82	47 FR 21840
NPRM Comment Period End	08/18/82	
Next Action Undetermined		

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA47

63. MARKING REQUIREMENTS FOR THE IMPORTATION, EXPORTATION, & INTERSTATE TRANSPORTATION OF FISH OR WILDLIFE

Legal Authority: 16 USC 3371 to 3375 Lacey Act Amendments of 1981

CFR Citation: 50 CFR 14.81 to 14.83

Abstract: These regulations will enable NOAA to monitor interstate and foreign commerce in fish and fishery products, for the purpose of detecting violations of Federal, state and foreign laws. The regulations will conform to current industry practices.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	
NPRM Comment Period Begin	12/31/84	
NPRM Comment Period End	03/31/85	
Final Action	04/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Additional Information: The regulations will be issued jointly with the Department of the Interior. Neither an RIA nor an RFA is required.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Steven C. Springer, Special Agent In Charge, Department of Commerce, National Oceanic and Atmospheric Administration, Enforcement Div., NMFS, Washington, DC 20235, **202 634-7265**

RIN: 0648-AA53

64. SUPPLEMENTAL OBSERVER PROGRAM

Priority: Agency Determination

Legal Authority: 16 USC 1821(i) The Magnuson Fishery Conser. and Management Act

CFR Citation: 50 CFR 611.8

Abstract: PL 97-453 requires the Secretary of Commerce to establish a supplementary U.S. observer program if full observer coverage of foreign fishing vessels cannot be achieved using Federal or contract employees that rely on Congressional appropriations as the source of funding. Under such circumstances, foreign fishing vessel owners would pay observer fees directly to supplementary U.S. observers or their agents. The Secretary of Commerce must certify observers and procedures for monitoring performance. No cost will be incurred by the U.S. to implement or operate this program as costs are charged to foreign fishermen. No alternative is envisioned because of the law's specificity.

Timetable:

Action	Date	FR Cite
NPRM	09/19/83	48 FR 41789
NPRM Comment Period Begin	09/19/83	48 FR 41789
NPRM Comment Period End	10/19/83	
Final Action	10/01/84	
Final Action Effective	10/01/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: See Additional Information

Agency Contact: Gary A. Wood, Special Agent, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, **202 634-7265**

RIN: 0648-AA65

65. TANNER CRAB FISHERY MANAGEMENT PLAN (FMP) - REGULATORY AMENDMENT TO CHANGE POT STORAGE AREAS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 671

Abstract: This regulatory amendment would modify crab pot storage in the Eastern Bering Sea and Gulf of Alaska. Changes are needed to establish new shallow water areas to store domestic Tanner crab pots during closed seasons around the Pribilof Islands, and to prevent preemption of productive fishing grounds for other species.

Timetable:

Action	Date	FR Cite
NPRM	12/02/83	48 FR 54383
NPRM Comment Period Begin	12/02/83	48 FR 54383
NPRM Comment Period End	01/16/84	
Final Action	10/01/84	
Final Action Effective	11/01/84	

Small Entity: Yes

Additional Information: An environmental assessment was prepared which includes a socioeconomic analysis upon which the determinations of non-major under EO 12291 and non-significant under the Regulatory Flexibility Act were made. The environmental assessment is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Environmental assessment 12/02/83 (48 FR 54383)

Agency Contact: Mr. Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AA71

66. U.S. STANDARDS FOR GRADES OF FRESH OR FROZEN NORTH AMERICAN FRESHWATER CATFISH AND PRODUCTS MADE THEREFROM

Priority: Agency Determination

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 267, (New)

Abstract: This proposed standard will establish a voluntary standards system to identify various products made from North American Freshwater Catfish and to grade these products A, B, C and Substandard. The objective of the standard is to facilitate trade in these products thereby benefiting the consumer. The standard will be used by NMFS in the voluntary program of fishery products inspection and certification. Industry has expressed strong support for these voluntary standards.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/84	49 FR 27514
Final Action	01/06/86	
Final Action Effective	02/06/86	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 027 Animal Specialties; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, 3300 Whitehaven Street, N.W., Washington, DC 20235, **202 634-7458**

RIN: 0648-AA73

67. AMENDMENT NO. 3 TO THE HIGH SEAS SALMON FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 674

Abstract: Amendment No. 3 and implementing regulations to the High Seas Salmon Fishery Management Plan (FMP) may be needed to prevent depletion of the stocks by overfishing if naturally spawning stocks of southeast Alaska and Pacific Northwest chinook salmon are depressed. Reducing the optimum yield (OY) could contribute to resolution of the problem; alternatively reducing the harvest level within the current OY range may be adequate to address the problem. Adjustment of fishing season dates may also be appropriate. Adjustment of OY levels or the fishing season would impact over 3,000 commercial salmon trollers. Adverse impacts could include lower catch/revenues or increase competition for available catch. It is unknown at this time whether a 1985 amendment will be necessary.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
NPRM Comment Period Begin	04/00/85	
NPRM Comment Period End	06/15/85	
Final Action	07/15/85	
Final Action Effective	08/15/85	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. An RFA is required and will be prepared. A Regulatory Impact Review/Initial RFA will be available in the spring of 1985.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AA75

68. TAKING OF MARINE MAMMALS INCIDENTAL TO SPACE SHUTTLE LAUNCHES

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 228.20 to 228.29, (New)

Abstract: Based on request from the Air Force, the NMFS will propose regulations which would allow a small number of marine mammals to be incidentally taken as a result of sonic booms from space shuttle launches from Vandenberg Air Force Base, California. Section 101 (a)(5) of the Marine Mammal Protection Act provides for allowing the taking of small numbers of marine mammals incidental to specified activities provided that certain findings can be made and regulations are established which set forth permissible methods of taking, and requirements for monitoring and reporting.

Timetable:

Action	Date	FR Cite
ANPRM	05/04/84	49 FR 19098
ANPRM Comment Period Begin	05/04/84	
ANPRM Comment Period End	07/03/84	
NPRM	03/00/85	
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 966 Space Research and Technology

Government Levels Affected: Federal

Agency Contact: R. B. Brumsted, Acting Chief, Protected Species Division, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Of. of Protected Species & Habitat Conserv., Washington, DC 20235, **202 634-7529**

RIN: 0648-AA84

69. LISTING ENDANGERED AND THREATENED SPECIES AND DESIGNATING CRITICAL HABITAT

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 17.11; 50 CFR 222.23

Abstract: Regulations will be proposed which would list the Gulf of California harbor porpoise (Phocoena sinus) as an endangered species under the Endangered Species Act of 1973. An endangered species is a species which is determined to be in danger of extinction through all or a significant portion of its range. If listed as an endangered species, P. sinus would be protected under the provisions of the Endangered Species Act.

Timetable:

Action	Date	FR Cite
ANPRM	06/03/83	48 FR 24903
ANPRM Comment Period Begin	06/03/83	48 FR 24903
ANPRM Comment Period End	08/02/83	
NPRM	04/25/84	49 FR 17781
NPRM Comment Period Begin	04/25/84	49 FR 25017
NPRM Comment Period End	07/25/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: The Endangered Species Act requires that decisions on listings be made solely on the basis of the best scientific and commercial data available regarding a species status. Based upon this limitation of criteria for a listing decision, NMFS has determined that the requirements of the National Environmental Policy Act, E.O. 12291, Regulatory Flexibility Act, and the Paperwork Reduction Act do not apply.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Charles Karnella, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species and Habitat, Conservation, Washington, DC 20235, 202 634-7471

RIN: 0648-AA94

70. AMENDMENT TO THE FISHERY MANAGEMENT PLAN (FMP) FOR ATLANTIC SEA SCALLOPS TO ENSURE BETTER CONSERVATION OF THE SCALLOP RESOURCES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 650

Abstract: New England Fishery Management Council will prepare an amendment to the FMP for Atlantic Sea Scallops. With the current low scallop abundance and poor recruitment prospects, the present FMP does not appear to be providing the degree of resource protection anticipated by the Council. If the resource is to be conserved for the benefit of the industry and public, revised management measures are needed to ensure that incoming recruitment to the fishery, when and if it occurs, be better protected. The proposed measure will be a minimum individual meat size, rather than the present average minimum meat count. The valuable Atlantic sea scallop resource is capable of yielding 100 million dollars annually, and requires additional protection.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
NPRM Comment Period Begin	10/01/84	
NPRM Comment Period End	11/01/84	
Final Action	01/00/85	
Final Action Effective	01/00/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Schaefer, Actg. Regional Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AA97

71. AMENDMENT NO. 9 TO THE TANNER CRAB FISHERY MANAGEMENT PLAN (FMP): IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 671

Abstract: An amendment to the existing Tanner Crab fishery management plan and regulations has been submitted for Secretarial review: (1) to establish a framework measure to adjust fishing seasons by pre season procedure; (2) to revise maximum sustainable yield and allowable biological catch values with resulting changes in optimum yields; and (3) to expand the Alaska Regional Director's field order authority to adjust harvest levels and seasons. On May 21, 1984 formal Secretarial review began.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	06/20/84	49 FR 26117
NPRM	06/26/84	49 FR 26117
NPRM Comment Period End	08/03/84	
Final Action	09/12/84	
Final Action Effective	10/07/84	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial RFA has been prepared and made available to the public.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/Initial RFA 06/26/84 (49 FR 26117)

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB02

72. FINAL RULE IMPLEMENTING THE ATLANTIC DEMERSAL FINFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 651

Abstract: The New England Fishery Management Council is developing a comprehensive, long-term, groundfish plan to cover all of the important groundfish species caught in the New England trawl fishery. This plan, termed the Atlantic Demersal Finfish Fishery Management Plan (ADF plan), is intended to replace the present "Interim Fishery Management Plan for Atlantic Groundfish" which has regulated fishing for cod, haddock, and yellowtail flounder since 1982. The ADF plan will take into account the fact that many different groundfish species are taken together in the same trawl, and that the mix of species changes on a trip and seasonal basis. The Council has adopted a set of management policies and is considering alternative management measures and impacts. The conservation focus is on maintenance of a minimum stock abundance size which reasonably protects against recruitment factors; emphasis is on minimum regulatory intervention or restrictions on fishing options.

Timetable:

Action	Date	FR Cite
NPRM	12/01/84	
Final Action	04/01/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Richard Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St., Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AB05

73. ● REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; DEFINITION OF COMMERCIAL FISHING OPERATION

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.3

Abstract: It is proposed to modify the definition of "commercial fishing operation" to include commercial passenger fishing vessels (party boats) under that definition. This modification would allow party boat owners and operators to apply for general permits and certificates of inclusion which allow the incidental taking of marine mammals during fishing operations. Under the Marine Mammal Protection Act, no marine mammals may be taken in the course of fishing operations unless permits and certificates have been obtained and until now, party boats were excluded from obtaining permits and certificates. Therefore, they were unable to protect the catch and gear of their paid passengers from depredations. Modification of definition should improve fishing conditions and result in increased revenue. Potential total costs to applicants are estimated at $450. Cost per applicant is estimated at $2.50.

Timetable:

Action	Date	FR Cite
ANPRM	12/15/83	48 FR 55755
ANPRM Comment Period Begin	12/15/83	
ANPRM Comment Period End	01/31/84	
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	09/00/84	

Small Entity: No

Additional Information: It has been determined that the proposed regulation (1) is a non-major Federal action under NEPA and an Environmental Assessment has been prepared and released to general public; (2) will not constitute a major rule under E.O. 12291 and thus does not require a R.I.A. and (3) will not have a significant impact on a substantial number of small entities and thus does not require a Regulatory Flexibility Analysis.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: K. R. Hollingshead, Marine Resources Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species and Habitat, Conservation, NMFS, Washington, DC 20235, **202 634-7529**

RIN: 0648-AB07

74. ● REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; TAKING OF MARINE MAMMALS INCIDENTAL TO COMMERCIAL FISHING OPERATIONS

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Abstract: The 1984 amendments to the Marine Mammal Protection Act among other things: (1) extend indefinitely the general permit issued to the American Tunaboat Association to take marine mammals during commercial purse seine fishing operations; (2) establish quotas for two species of porpoise for which quotas have not been issued; (3) removed these two species from the accidental take enforcement policy; and, (4) placed additional importation requirements on nations purse seining for yellowfin tuna in the eastern tropical Pacific. These regulations codify the Congressional action. Since the actions are congressionally mandated and the Administration has no decision-making discretion, there are no alternatives to consider. No additional costs to the tuna industry are anticipated.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/84	
Final Action	10/00/84	
Final Action Effective	01/01/85	

Small Entity: Not Applicable

Additional Information: As the Administration has no discretion to act and no alternatives can be considered, NEPA does not apply. The regulation will not constitute a major rule under E.O. 12291 and does not require a RIA. As it will not have a significant impact on a substantial number of small entities, it does not require a RFA.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: K. R. Hollingshead, Marine Resources Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species and Habitat, Conservation, NMFS, Washington, DC 20235, **202 634-7529**

RIN: 0648-AB08

75. ● REGIONAL FISHERY MANAGEMENT COUNCILS

Priority: Undetermined

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 601

Abstract: Revision of regulatory guidance with regard to the operations of the Regional Fishery Management Councils is being considered to conform with new legislation and administration regulatory policy. These guidelines will not have a direct regulatory impact on the fishing industry or entities participating in the industry.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Loretta Williams, Fishery Management Assistant, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, **202 634-7218**

RIN: 0648-AB09

76. ● FOREIGN FISHING (SEGMENT1): FOREIGN FISHING VESSEL PERMIT FEES, 1985

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.22

Abstract: This rule will set permit fees for foreign fishing vessels that desire to fish in the U.S. FCZ during Calendar Year 1985 (Segment One (1))

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	
Final Action	10/01/84	
Final Action Effective	10/01/84	

Small Entity: No

Additional Information: A RIA is not required and will not be prepared. A Regulatory Impact Review will be prepared and will be available in September 1984.

Government Levels Affected: Federal

Agency Contact: John D. Kelly, Fishery Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AB10

77. ● FOREIGN FISHING (SEGMENT 2), SCHEDULE OF FEES, 1985

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.22

Abstract: New fees will be set for 1985 on foreign harvests in the U.S. FCZ to recover the foreign share of the costs of administering the Magnuson Act during FY 1984, Segment (2).

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	
Final Action	01/01/85	
Final Action Effective	01/01/85	

Small Entity: No

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review will be prepared and will be available in November 1984.

Government Levels Affected: Federal

Agency Contact: John D. Kelly, Fishery Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, 202 634-7432

RIN: 0648-AB11

78. ● REGULATIONS RELATED TO THE ALLOCATION OF PACIFIC HALIBUT OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

Priority: Undetermined

Legal Authority: 16 USC 773 Northern Pacific Halibut Act of 1982

CFR Citation: 50 CFR 301

Abstract: The problem relates to the allocation of Pacific halibut off the coasts of WA, OR, and CA, to comply with Indian treaty rights. The alternatives to be considered include the no action, international action, domestic action.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: Undetermined

Additional Information: The need for an RIA has not been determined at this time.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Dr. Thomas E. Kruse, Acting Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 7600 Sand Point Way NE, Seattle, WA 98115, 206 527-6150

RIN: 0648-AB12

79. ● SWORDFISH FISHERY MANAGEMENT PLAN: PROPOSED REGULATIONS

Priority: Undetermined

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 630

Abstract: The Plan proposes time, area and quota restrictions on foreign fishing to minimize the bycatch of swordfish. American fishermen would be controlled by time, area or size restrictions (variable season closure). Data collection will be by onboard technicians carried on a random stratified sample of trips.

Timetable:

Action	Date	FR Cite
NPRM	01/02/85	
Final Action	04/02/85	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AB13

80. ● ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 652

Abstract: Amends the regulations governing the harvest of Atlantic surf clams to provide a means of adjusting the minimum size within a range of 5.5 - 4.75 inches. The Regional Director, after consultation with the Mid-Atlantic Council and opportunity for public comment, must adjust the size limit as necessary so that discards on average would not exceed 30 percent of the total catches.

Timetable:

Action	Date	FR Cite
NPRM	10/02/84	
NPRM Comment Period Begin	10/02/84	
NPRM Comment Period End	11/16/84	
Final Action	01/23/85	
Final Action Effective	02/23/85	

Small Entity: Yes

Agency Contact: Richard H. Schaefer, Actg. Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, Federal Bldg., 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB14

81. ● COASTAL MIGRATORY PELAGIC RESOURCES OF THE GULF OF MEXICO AND SOUTH ATLANTIC: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 642

Abstract: Amendment 1 to the plan would revise the implementing regulation to modify management of king mackerel. The resource is divided into Gulf and South Atlantic Migratory Groups. For each group an annual total allowable catch is determined that is allocated among recreational and commercial fishermen. A portion of the commercial quota is allocated to the purse seine fishery. Annual permits are required for vessels fishing the Gulf group. When a commercial quota is attained, commercial fishing must cease for that group. Recreational quotas will be controlled by a bag limit on charter and private boats of 3 fish per person per trip. No more that 1 king mackerel more that 50 inches (fork length) per person, per trip, may be retained in the Gulf of Mexico by recreational or commercial fishermen.

Timetable:

Action	Date	FR Cite
NPRM	11/14/84	
NPRM Comment Period Begin	11/14/84	
NPRM Comment Period End	12/31/84	
Final Action	02/28/85	
Final Action Effective	04/01/85	

Small Entity: Yes

Additional Information: A RIA is not required and will not be prepared. A RIR/RFA will be available in November 1984.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 983-3141

RIN: 0648-AB15

82. ● ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 Magnuson Fishery Conservation & Management Act

CFR Citation: 50 CFR 652

Abstract: Amends the regulations governing harvest of surf clams from the New England Area to increase the maximum annual quota to 200,000 bushels, implement a minimum size limit and specify effort controls to distribute fishing pressure throughout the year.

Timetable:

Action	Date	FR Cite
NPRM	09/20/84	
NPRM Comment Period Begin	09/20/84	
NPRM Comment Period End	11/04/84	
Final Action	01/10/85	
Final Action Effective	02/09/85	

Small Entity: Yes

Additional Information: A RIA is not required and will not be prepared. A Regulatory Impact Review and Regulatory Flexibility Analysis will be available in September 1984.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Agency Contact: Richard H. Schaefer, Acting Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, Federal Building, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB16

83. ● OCEAN SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON AND CALIFORNIA - MANAGEMENT PLAN: IMPLEMENTING REGULATIONS FOR A FRAMEWORK AMENDMENT TO THE PLAN

Priority: Undetermined

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 661

Abstract: These regulations implement the fishery management plan (FMP) for commercial and recreational salmon fisheries off the coasts of Washington, Oregon, and California. This plan was developed by the Pacific Fishery Management Council. It was first implemented in 1977 and has undergone annual amendments since then. These regs. establish fishing areas, fishing seasons, allowable fishing gear, allowable harvest, & for adjusting the regs. during the year. The intended effect is to protect the salmon from being overharvested, to allocate allowable harvest equitably among the various groups of fishermen to allow adequate numbers of salmon to reach internal water fisheries, & to achieve spawning escapement goals. The FMP & its implementing regs. undergo continuous review & will be modified when conditions warrant changes. These annual adjustments to the management measures will be implemented by publishing revised regs. for the fishery (opening & closing dates, fishing seasons, quotas, bag limits, & similar restrictions) by May 1. Changes outside scope of the framework amendment will be made by the normal regulatory process.

Timetable:

Action	Date	FR Cite
NPRM	08/14/84	49 FR 32414
NPRM Comment Period Begin	08/14/84	
NPRM Comment Period End	09/21/84	
Final Action	10/26/84	
Final Action Effective	11/25/84	

Small Entity: Yes

Additional Information: Linked with 0648-AB04. The fishery management plan (FMP) & its implementing regs. have undergone & will continue to undergo continuous review. They will be changed whenever conditions warrant a change. The Council has prepared a "framework" amendment of

the plan which if approved & implemented, will allow the annual fishery management measures to be implemented without amending the plan or regs. An RIA is not required, but the impacts of these regs. are analyzed in environmental impact statements and regulatory impact reviews.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Agency Contact: Dr. Thomas E. Kruse, Acting Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 7600 Sand Point Way, NE, Seattle, WA 98115, **206 527-6150**

RIN: 0648-AB17

84. ● AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will terminate sablefish fishing by United States vessels in certain parts of the fishery conservation zone off Southeast Alaska.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	07/09/85	
NPRM	07/10/85	
NPRM Comment Period End	08/23/85	
Final Action	09/27/85	
Final Action Effective	10/27/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AB18

85. ● REGULATORY AMENDMENT TO GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will expand the Regional Director's field order authority to consider crab caught in the groundfish fisheries.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	11/13/84	
NPRM	11/14/84	
NPRM Comment Period End	12/28/84	
Final Action	01/22/85	
Final Action Effective	02/28/85	

Small Entity: Undetermined

Additional Information: A RIA is not required and will not be prepared. A RIR and RFA will be available in November, 1984.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, NOAA, DOC, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AB19

86. ● AMENDMENT TO THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment will adjust the optimum yield for Pacific Ocean Perch.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	07/23/85	
NPRM	07/24/85	
NPRM Comment Period End	09/05/85	
Final Action	10/10/85	
Final Action Effective	11/09/85	

Small Entity: Undetermined

Additional Information: A RIA is not required and will not be prepared. A RIR/RFA will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AB20

87. ● AMENDMENT NO. 3 FOR THE SPINY LOBSTER FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 681

Abstract: This amendment would require the use of escape ports in lobster pots.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	02/12/85	
NPRM	02/14/85	
NPRM Comment Period End	03/29/85	
Final Action	05/03/85	
Final Action Effective	06/02/85	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, **213 548-2575**

RIN: 0648-AB21

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

88. REGULATIONS FOR PROPOSED LA PARGUERA, PUERTO RICO NATIONAL MARINE SANCTUARY

Priority: Agency Determination

Legal Authority: 16 USC 1431 to 1434 Mar. Prot., Research & Sanct Act

CFR Citation: 15 CFR 939

Abstract: These regulations will protect the ecological, recreational, and esthetic resources of the waters off La Parguera, Puerto Rico if this area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
NPRM	03/04/83	48 FR 09286
NPRM Comment Period Begin	03/04/83	48 FR 09286
NPRM Comment Period End	05/04/83	
Final Action	11/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Dr. Nancy Foster, Chief, Department of Commerce, National Oceanic and Atmospheric Administration, Sanctuary Programs Division, OCRM, 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-4236

RIN: 0648-AA32

89. FEDERAL CONSISTENCY WITH APPROVED COASTAL ZONE MANAGEMENT PROGRAMS: DEFINITION OF THE TERM: "DIRECTLY AFFECTING" IN SECTION 307(C)(1) OF THE COASTAL ZONE MANAGEMENT ACT

Priority: Agency Determination

Legal Authority: 16 USC 1456 Coastal Zone Management Act of 1972

CFR Citation: 15 CFR 930

Abstract: On January 11, 1984, the U.S. Supreme Court issued its decision in Secretary of the Interior et al. v. California et al. No. 82-1326. The Court held that the sale of Outer Continental Shelf (OCS) oil and gas leases is not an activity "directly affecting" the coastal zone within the meaning of Section 307(c)(1) of the Coastal Zone Management Act of 1972, as amended (CZMA), and, therefore, that a consistency determination is not required under that section before such sales may be made. Section 307 (c)(1) requires that Federal agencies conducting or supporting activities "directly affecting the coastal zone" must conduct or support those activities in a manner which is consistent to the maximum extent practicable with federally-approved state coastal zone management programs. NOAA will engage in rulemaking to revise certain CZMA regulations as a result of the Supreme Court decision. NOAA intends to remove those references which identify OCS lease sales as activities covered by the Section 307(c)(1) requirements, to solicit comments on whether to define the term "directly affect" and to solicit comments on other CZMA regulations which may need revision.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/84	49 FR 22825
ANPRM Comment Period Begin	06/01/84	49 FR 22825
ANPRM Comment Period End	08/31/84	
NPRM	01/00/85	
Final Action	03/00/85	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: JoAnn Chandler, Chief, Policy Coordination Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mangmnt, 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-4245

RIN: 0648-AA34

90. PROPOSED REGULATIONS FOR THE PROPOSED FAGATELE BAY NATIONAL MARINE SANCTUARY

Priority: Agency Determination

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 940

Abstract: The American Samoa Government does not currently possess the legal authorities necessary for managing site-specific marine resources such as the Fagatele Bay National Marine Sanctuary. Regulations will be proposed for the Fagatele Bay National Marine Sanctuary to fulfill a need evidenced by uncontrolled harvesting of reef fisheries and the loss of habitat via destructive fishing methods. Long-term benefits include resource protection and restoration of habitat; public education and development of an environmental ethic; and ecological succession studies. This project will serve as a prototype for other resource protection initiatives by the American Samoa Government.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	11/00/84	
Final Action	01/00/85	
Final Action Effective	02/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State

Analysis: See Additional Information

Agency Contact: Dr. Nancy Foster, Chief, Sanctuary Programs Div., Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean & Coastal Resource Mgmt., 3300 Whitehaven Street, N.W., Washington, DC 20235, 202 634-4236

RIN: 0648-AA74

NATIONAL OCEAN SURVEY/OFFICE OF MINERAL ENERGY

91. DEEP SEABED MINING REGULATIONS FOR COMMERCIAL RECOVERY

Priority: Major

Legal Authority: 30 USC 1401 et seq Deep Seabed Hard Mineral Resources Act

CFR Citation: 15 CFR 971

Abstract: Under 15 CFR 970, prospective deep seabed miners may apply to NOAA for the exploration license needed to explore the deep seabed for manganese nodules. Under the new regulations, prospective miners will be able to apply to NOAA for a permit to commercially recover and process nodules to obtain strategic metals (nickel, copper, cobalt,

manganese). These permits would provide security of tenure for applicants with respect to other U.S. citizens and other nations' permittees in accordance with applicable international agreements. Fees for securing and maintaining a permit will be based on the Government's processing costs. These fees would be an inconsequential portion of the cost of a commercial recovery operation. The cost of a commercial recovery operation is expected to exceed one billion dollars. Alternatives to the regulation would require amending the Deep Seabed Hard Mineral Resources Act, which would be considered in the context of the U.S. law of the sea policy.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/82	47 FR 57903
NPRM	02/00/85	
Public Hearing	03/00/85	
NPRM Comment Period Begin	04/00/85	
Final Action	06/00/85	
Final Action Effective	07/00/85	

Small Entity: No

Additional Information: The RIA and RFA prepared for the exploration license regulations will be reviewed and reaffirmed or supplemented as needed to cover new issues raised by the commercial recovery permit regulations. It is expected that small entities will not be permittees. Rather some small entities are expected to be contractors or subcontractors to permittees. The RIA and RFA are available, as are the programmatic Environmental Impact Statement and supporting guidance document on seabed mining using currently foreseeable technology.

Affected Sectors: 10 METAL MINING

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: John W. Padan, Program Manager, Deep Seabed Mining, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean Minerals and Energy, 2001 Wisconsin Avenue, NW, Washington, DC 20235, 202 653-8257

RIN: 0648-AA36

92. LICENSING OF OCEAN THERMAL ENERGY CONVERSION FACILITIES AND PLANTSHIPS

Priority: Major

Legal Authority: 42 USC 9101 et seq Ocean Thermal Energy Conversion Act

CFR Citation: 15 CFR 981 et seq

Abstract: These regulations (15 CFR 981) established a stable legal system and a streamlined licensing process to facilitate commercial development of ocean thermal energy conversion (OTEC) facilities and plantships. These regulations are being reviewed to determine if they should be revised. The details of the simplified licensing system for ownership, construction, location, and operation of OTEC facilities and plantships which are associated with the United States or U.S. Citizens, are being examined to gauge the effect on the developing OTEC industry. Section 117 of the Ocean Thermal Energy Conversion Act of 1980 requires NOAA to review these regulations periodically, at intervals of not more than every three years, and to revise them as necessary based on that review.

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	
NPRM Comment Period Begin	11/01/84	
NPRM Comment Period End	12/15/84	
Final Action	03/15/85	

Small Entity: No

Additional Information: A Final Regulatory Impact Analysis (July 1981) and a Final Programmatic Environmental Impact Statement (July 1981) are available. Neither an RIA nor an RFA is required or prepared for a review of an existing regulation.

Affected Sectors: 281 Industrial Inorganic Chemicals; 287 Agricultural Chemicals; 361 Electric Transmission and Distribution Equipment; 362 Electrical Industrial Apparatus

Analysis: See Additional Information

Agency Contact: James B. Rucker, OTEC Program Manager, Department of Commerce, National Oceanic and Atmospheric Administration, Ocean Minerals and Energy Division, 2001 Wisconsin Ave., NW Page 1 Rm. 105, Washington, DC 20235, 202 254-3483

RIN: 0648-AA69

DEPARTMENT OF COMMERCE (DOC)
National Oceanic and Atmospheric Administration (NOAA)

Existing Regulations Under Review

NATIONAL MARINE FISHERIES SERVICE

93. U.S. GENERAL STANDARDS FOR GRADES OF FISH FILLETS

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 263A; 50 CFR 263B; 50 CFR 263C; 50 CFR 263D; 50 CFR 263E

Abstract: This revision would amend 50 CFR Subpart 263A and delete 50 CFR Subparts 263A, B, C & D. The revision will simplify the voluntary standards for the inspection/grading of fish fillets by industry and Government inspection personnel by incorporating general criteria for the standards. The timetable for this action is very tentative. Further research will be needed before publication of the rule.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Standards Coordinator, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Utilization Research, NMFS, Washington, DC 20235, 202 634-7458

RIN: 0648-AA45

94. THREATENED MARINE REPTILES

Priority: Agency Determination

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 227.71 to 227.72

Abstract: Based on requests from the residents and Governments of Guam and Hawaii, the NMFS is reviewing these regulations which prohibit the taking of sea turtles for subsistence purposes, except for the taking of green sea turtles by residents of the Trust Territory of the Pacific Islands. The review is to determine whether the subsistence regulations for the Trust territory should be modified and whether the taking of sea turtles for subsistence purposes should be allowed in other areas of the Central and Western Pacific Ocean.

Timetable:

Action	Date	FR Cite
Begin Review	04/20/83	48 FR 16925
End Review	09/00/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or prepared for a review of an existing regulation.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AA79

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Completed Actions

COMPLETED RULEMAKINGS

95. CORAL & CORAL REEFS IN THE GULF OF MEXICO & THE SOUTH ATLANTIC FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 Magnuson Fishery Conservation & Management Act

CFR Citation: 50 CFR 638

Abstract: Regulation is needed to control the potential harvest of coral in the Gulf of Mexico and the South Atlantic Ocean. Although the present harvest is at a very low level, rapid increases in effort could lead to extensive destruction of the corals. The objective is to develop more and better data and to optimize benefits generated from the coral resource while conserving the coral and coral reefs. Certain types of gear will be prohibited and fishing will be restricted in certain areas, with a consequent adverse economic impact on small entities. Benefits will accrue through the conservation of the coral and coral reefs which are important habitats sustaining spiny lobsters, snappers, groupers and other fishes.

Timetable:

Action	Date	FR Cite
NPRM	08/30/83	48 FR 39255
NPRM Comment Period Begin	08/30/83	48 FR 39255
NPRM Comment Period End	10/14/83	
Final Action	07/23/84	49 FR 29607
Final Action Effective	08/22/84	49 FR 29607

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. An RFA is required. A Regulatory Impact Review/Initial RFA is available. A Draft Environmental Impact Statement and a Fishery Management Plan for Coral and Coral Reefs in the Gulf of Mexico and the South Atlantic are available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Draft RFA 04/00/82; Reg. Impact Review/Initial RFA 04/00/82; FEIS 08/00/83

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA24

96. GUIDELINES FOR FISHERY MANAGEMENT PLANS (FMPS); CONTENTS OF FMPS: FORMAT FOR FMP; PROCEDURES FOR DEVELOPMENT, REVIEW, AND AMENDMENT OF FISHERY MANAGEMENT PLANS

Legal Authority: 16 USC 1801 Magnuson Fishery Management & Conservation Act

CFR Citation: 50 CFR 602.3; 50 CFR 602.4; 50 CFR 602.5

Abstract: Revised guidelines for development and review of fishery management plans are being considered to conform with new legislation and administration regulatory policy with regard to standards, procedures, content, and format. These guidelines will not have a direct regulatory impact on the fishing industry or entities participating in the industry.

No longer needed in regulatory form; revised & reissued as part of NOAAs "Oper. Guidelines--FM Process."

Timetable:

Action	Date	FR Cite
Withdrawn	04/04/84	49 FR 13372

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Daphne White, Regulations Development Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Washington, DC 20235, 202 634-7218

RIN: 0648-AA37

97. REGULATIONS GOVERNING THE TAKING & IMPORTING OF MARINE MAMMALS: TAKING BY STATE & LOCAL GOVERNMENT OFFICIALS

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.22

Abstract: The regulations are being revised to clarify responsibilities with regard to beached and stranded marine mammals, and provide authority to NMFS Regional Directors to develop programs to manage these animals in cooperation with State and local government officials.

Timetable:

Action	Date	FR Cite
No longer under development Suspended due to other priorities	07/01/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: R. B. Brumsted, Acting Chief, Protected Species Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Species, and Habitat Conservation, NMFS, Washington, DC 20235, 202 634-7529

RIN: 0648-AA50

98. BLUEFISH FISHERY OF THE NORTHWESTERN ATLANTIC OCEAN MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Mgt Act

CFR Citation: 50 CFR 628

Abstract: A regulation was proposed to control the level of expansion of the commercial Bluefish Fishery of the Northwestern Atlantic Ocean so that the bluefish resource would not be reduced below the level necessary for the recreational fishery. Alternatives considered were: (1) no action, (2) postpone regulation until affected States develop a management system for State waters, (3) impose a 14 inch size limit, (4) restrict catches for recreational and commercial fishermen, (5) allow recreational fishermen unrestricted catches and restrict commercial landings, and (6) restrict use of certain commercial gears subject to specific waivers. On 9/7/84, the Department disapproved the Fishery Management Plan which this rule was to implement and consequently, the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	07/03/84	49 FR 28276
NPRM	07/11/84	49 FR 28276
NPRM Comment Period End	08/17/84	
Withdrawn	09/27/84	

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. An RFA is required and is being prepared. A Regulatory Impact Review/ Initial RFA is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/Initial RFA 06/16/83; Draft RFA 07/11/84 (49 FR 28276)

Agency Contact: Richard E. Schaefer, Acting Regional Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930, 617 281-3600

RIN: 0648-AA76

99. AMENDMENT NO. 2 TO THE STONE CRAB FISHERY OF THE GULF OF MEXICO MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Mgt Act

CFR Citation: 50 CFR 654

Abstract: Amendments to the existing regulations will be proposed to attempt to resolve conflicts that have developed between stone crab and shrimp fishermen off the West Coast area of Florida in the fishery conservation zone by implementing closures to separate the two conflicting groups and providing fishing periods that are mutually exclusive.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	05/08/84	49 FR 20883
NPRM	05/17/84	49 FR 20883
NPRM Comment Period End	06/22/84	
Final Action	08/01/84	49 FR 30713
Final Action Effective	08/31/84	

Small Entity: No

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/ RFA was prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Draft RFA 03/01/84 (49 FR 20883); Reg. Impact Review/Initial RFA 03/01/84; Final RFA 08/01/84

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA80

100. AMENDMENT NO. 5 FOR THE NORTHERN ANCHOVY FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Mgt Act

CFR Citation: 50 CFR 662

Abstract: Based on a review of biological, ecological, social and economic aspects of this anchovy fishery, an amendment to the existing regulations will be proposed to establish a revised optimum yield (OY) formula, whereby US OY would be calculated each year based on an annual estimate of stock abundance. The new formula would reflect a new, more cost-effective "egg-production method" of estimating stock abundance and a lower estimated productivity of the anchovy stock. Several regulations governing harvest, allocation, fishing areas, and seasons, etc. as well as foreign and joint venture fishery management could be affected.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	12/21/83	48 FR 56806
NPRM	12/23/83	48 FR 56806
NPRM Comment Period End	02/03/84	
Final Action	03/14/84	49 FR 9572
Final Action Effective	04/08/84	49 FR 9572

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. A Regulatory Impact Review is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Regulatory Impact Review 12/23/83

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 300 S. Ferry Street, Terminal Island, CA 90731, 213 548-2575

RIN: 0648-AA83

101. AMENDMENT NO. 6 TO THE BERING SEA GROUNDFISH FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Priority: Agency Determination

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Mgt Act

CFR Citation: 50 CFR 675

Abstract: An amendment to the existing fishery management plan and regulations, was proposed to create a fishery development zone (FDZ) north of Unimak Pass in the Bering Sea for exclusive use by domestic fishermen. All foreign fishing would be excluded from the FDZ. Foreign processing of fish delivered by U.S. fishermen (joint venture) would continue to be allowed. Disapproved by NMFS on Dec. 8, 1983 and North Pacific Fishery Management Council notified. Council may reconsider an amendment for revision and resubmission.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	10/04/83	48 FR 45806
NPRM	10/07/83	48 FR 45806
NPRM Comment Period End	11/18/83	
Withdrawn	02/09/84	49 FR 4956

Small Entity: Yes

Additional Information: An RIA is not required and will not be prepared. A Regulatory Impact Review/Initial RFA was prepared and made available in October 1983. An expanded RIR/RFA will be prepared to accompany submission of a revised amendment package for Secretarial approval.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Reg. Impact Review/Initial RFA 10/07/83 (48 FR 45806)

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AA87

102. ESTABLISH FISHING AREAS TO RESOLVE CONFLICTS BETWEEN SHRIMP AND STONE CRAB FISHERMEN OFF WEST COAST OF FLORIDA: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser Management Act

CFR Citation: 50 CFR 658

Abstract: Establish seasonal and areal closures to shrimping and stone crabbing off the west coast of Florida in the fishery conservation zone to resolve conflicts between shrimp and stone crab fishermen.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	05/08/84	49 FR 20883
NPRM	05/17/84	49 FR 20883
NPRM Comment Period End	06/22/84	
Final Action	07/27/84	
Duplicates Rin 0648-AA80	07/30/84	
Final Action Effective	08/26/84	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 9450 Koger Boulevard, St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AA88

103. REPORTING SYSTEM FOR GULF OF MEXICO SHRIMP FISHERY: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 658

Abstract: A mandatory reporting system for catch and price of Gulf of Mexico shrimp. Timely information is needed to monitor the effectiveness of the shrimp plan and allow the Gulf of Mexico Fishery Management Council to recommend future changes in management of the Gulf shrimp fishery.

Timetable:

Action	Date	FR Cite
NPRM	09/30/83	48 FR 42840
NPRM Comment Period Begin	09/30/83	48 FR 42840
NPRM Comment Period End	11/21/83	
Final Action	05/01/84	49 FR 18494
Final Action Effective	05/31/84	49 FR 18494

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Jack T. Brawner, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Boulevard, St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AA89

104. FOREIGN FISHING - LOG KEEPING

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.9

Abstract: An interim rule to make minor revisions to the reports and recordkeeping section of the foreign fishing regulations. This action is necessary to answer a number of recurring questions posed by enforcement personnel, observers and the foreign fishing vessel operators. These revisions will clarify the logging requirements of joint venture vessels. The rule is interim, pending a revision of the part.

Timetable:

Action	Date	FR Cite
Merged with RIN 0648-AA40	08/27/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Lt. William D. Chappell, Coast Guard Liaison, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, **202 634-7432**

RIN: 0648-AA90

105. DATA COLLECTION PROGRAM FOR ATLANTIC SWORDFISH FISHERY

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 630

Abstract: A data collection program is needed to provide information for the South Atlantic Fishery Management Council for preparation of a fishery management plan for the Atlantic swordfish fishery; information on the numbers of commercial swordfish fishing vessels and the impact of gillnet gear on swordfish and other species.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	04/19/84	49 FR 15585
NPRM Comment Period End	05/04/84	
Final Action Effective	06/11/84	49 FR 24380
Final Action	06/13/84	49 FR 24380

Small Entity: No

Additional Information: A RIA is not required and was not prepared. A RIR is available.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 06/13/84 (49 FR 24380)

Agency Contact: William P. Jensen, Division Chief, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, Fishery Management Operations Division, 3300 Whitehaven St., NW, Wash., DC 20235, **202 634-7449**

RIN: 0648-AA91

106. AMENDMENT TO ATLANTIC SEA SCALLOPS REGULATIONS TO REDUCE THE NUMBER AND DURATION OF COMPLIANCE INSPECTIONS FOR SCALLOPS CERTIFIED BY CANADA BUT NOT ACCOMPANIED BY CANADIAN CERTIFICATE

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 650

Abstract: The regulatory amendment is necessary to eliminate unnecessary enforcement compliance monitoring of Atlantic sea scallops which have been certified by Canadian officers to be conforming with provisions of the fishery regulations but are not accompanied by a Canadian certificate. The intended effect of the rule is to reduce delays and other costs of compliance for legitimate shippers of certified Atlantic sea scallops by reducing the number and duration of compliance inspections for such scallops.

Timetable:

Action	Date	FR Cite
Withdrawn	01/19/84	

Small Entity: Undetermined

Affected Sectors: 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: Federal

Agency Contact: Richard E. Schaefer, ACTG. Reg. Director, NE Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AA92

107. FOREIGN FISHING - COMMUNICATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.4; 50 CFR 611.6

Abstract: A proposed rule to make revisions to the vessel reporting and the facilitation of enforcement sections of the regulations. The action would require monitoring of channel 15 VHF radio by foreign fishing vessels and would require reports of all cargo transfers by fishing vessels. The rule addresses urgent enforcement problems in the foreign fishery.

Timetable:

Action	Date	FR Cite
Merged with Rin 0648-AA40	08/27/84	

Small Entity: No

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Lt. William D. Chappell, Coast Guard Liaison, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 3300 Whitehaven St., NW, Washington, DC 20235, **202 634-7432**

RIN: 0648-AA93

108. BERING CHUKCHI SEA HERRING FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 676

Abstract: The primary intent of the FMP is to promote full development of

the subsistence and inshore commercial fisheries by controlling offshore herring harvest. The FMP also allows utilization of the herring resource by offshore fisheries in the event that full utilization does not occur inshore. Achievement of these goals requires a flexible management system which can respond quickly to a wide range of circumstances.

N. Pac. Fishery Management Council rescinds approval of FMP because of lack of necessary data.

Timetable:

Action	Date	FR Cite
Withdrawn	06/01/84	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AA96

109. AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN (FMP) FOR THE PACIFIC COAST GROUNDFISH FISHERIES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 663

Abstract: The fishery management plan (FMP) for the Pacific Coast Groundfish Fisheries was implemented on Sept. 30, 1980. The plan governs foreign & domestic fishing for all groundfish species but Pacific halibut in the ocean off the coasts of WA, OR, and CA. It establishes fishing areas, fishing seasons, allowable harvests and allocations of that harvest among the various fishermen, allowable fisheries gear reporting requirements, and provisions for modifying the annual management measures during the year. The intended effect is to provide for the best use of the groundfish. Amendment 1 will change a few of the details in the existing regulations.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	10/02/83	48 FR 45274
ANPRM	10/04/83	48 FR 45274
ANPRM Comment Period End	10/31/83	
NPRM	04/03/84	
NPRM Comment Period Begin	04/03/84	
NPRM Comment Period End	05/18/84	
Final Action	07/05/84	49 FR 27518
Final Action Effective	07/29/84	49 FR 27518

Small Entity: Yes

Additional Information: An RIA is not required, but a regulatory impact review and an environmental assessment will be prepared. The fishery management plan and its implementing regulations undergo continuous review and will be amended whenever conditions warrant changes.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Regulatory Impact Review 06/07/84; Environmental Assessment 06/07/84

Agency Contact: Dr. Thomas E. Kruse, Actg. Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 7600 Sand Point Way, NE, Seattle, WA 98115, 206 527-6150

RIN: 0648-AB01

110. GROUNDFISH OF THE GULF OF ALASKA FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: The Fishery Management Plan (FMP) for Groundfish of the Gulf of AK, which was developed by the North Pacific Fishery Management Council, was implemented on Dec. 1, 1978. Since then, the plan has been amended 11 times; the latest amendment becoming effect. 10-16-83. This plan governs the domestic & foreign fisheries for all groundfish but Pacific halibut in the Gulf of AK between Dixon entrance (132 degrees 40'W) & the E. Aleutian Islands (170 degrees W). The regulations establish fishing areas, fishing seasons, levels of harvest, restrictions on fishing gear, reporting requirements, & other management measures. The levels of harvest are set at the start of each year & may be adjusted during the year. As new information on the fish stocks and industry becomes available, the Council may amend the plan so that it manages the fisheries better. The plan and regulations undergo continuous review.

Timetable:

Action	Date	FR Cite
Final Action Halibut Bycatch	03/08/84	49 FR 8616
Final Action Pollock Optimum Yield	03/13/84	49 FR 10931
Final Action Effective Halibut Bycatch	06/06/84	49 FR 8616
Final Action Effective	06/21/84	49 FR 10931

Small Entity: Yes

Additional Information: Linked with 0648-AA77.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Regulatory Impact Analysis 07/01/84

Agency Contact: Robert W. McVey, Director, AK Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB03

111. OCEAN SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON AND CALIFORNIA - MANAGEMENT PLAN: EMERGENCY REGULATIONS IMPLEMENTING 1984 MANAGEMENT REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 661

Abstract: These emergency regulations implement the 1984 management measures for commercial & recreational salmon fisheries off the coasts of WA, OR, and CA. This plan was developed by the Pacific Fishery Management Council. It was first implemented in 1977 and has undergone annual amendments since then. These regs. establish fishing areas, fishing seasons, allowable fishing gear, allowable harvest, & for adjusting the regs. during

the year. The intended effect is to protect the salmon from being overharvested, to allocate allowable harvest equitably among the various groups of fishermen to allow adequate numbers of salmon to reach internal water fisheries, & to achieve spawning escapement goals. The FMP & its implementing regs. undergo continuous review & will be modified when conditions warrant changes.

Timetable:

Action	Date	FR Cite
Public Meeting	03/21/84	
Public Hearing	04/01/84	
Public Meeting	04/16/84	
Final Action	05/03/84	49 FR 18853
Final Action Effective	05/03/84	49 FR 18853

Small Entity: Yes

Additional Information: The fishery management plan (FMP) and its implementing regs. have undergone and will continue to undergo continuous review. They will be changed whenever conditions warrant a change. An RIA is not required, but the impacts of these regs. are analyzed in environmental impact statements and regulatory impact reviews.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Impact Review 05/01/84; Environmental Assessment 05/01/84

Agency Contact: Dr. Thomas E. Kruse, Actg. Dir., Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 7600 Sand Point Way, NE, Seattle, WA 98115, 206 527-6150

RIN: 0648-AB04

112. AMENDMENT TO FISHERY MANAGEMENT PLAN FOR AMERICAN LOBSTER TO PROHIBIT POSSESSION OF V-NOTCHED LOBSTERS IN A LOBSTER V-NOTCH CONSERVATION AREA OF THE FCZ

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 649

Abstract: The New England Fishery Management Council will propose an amendment to the American Lobster Fishery Management plan (FMP) which would prohibit possession of V-notched lobsters in part of the fishery conservation zone (FCZ) in Gulf of ME. The inclusion of this measure does not represent endorsement of V-notching per se (V-notching involves notching the tail of berried female lobsters & returning them to sea). The possession prohibition is intended as a conservation measure which protects berried female lobsters that are proven "brood stock" that will, if not harvested, continue to contribute to future spawning and ultimate recruitment in the fishery. In the event of an expanding offshore fishery, the measure will buffer the exploitation of mature female lobsters. The Council's proposal is expected to be easily enforceable and costs of implementation are to be minimal.

Timetable:

Action	Date	FR Cite
Withdrawn Amendment disapproved by Regional Director on April 26, 1984.	05/07/84	49 FR 19363

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Richard Schaefer, Actg. Regional Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St., Gloucester, MA 01930, 617 281-3600

RIN: 0648-AB06

113. GENERAL REGULATIONS FOR THE NATIONAL ESTUARINE SANCTUARY PROGRAM

Priority: Agency Determination

Legal Authority: 16 USC 1456 Coastal Zone Management Act of 1972

CFR Citation: 15 CFR 921

Abstract: The proposed regulations revise existing procedures for selecting potential estuarine sanctuaries. Site identification and selection is to be based on a revised biogeographic classification scheme and typology of estuarine areas. The regulations place a greater emphasis on management planning early in the process of evaluating a potential site. The regulations reflect a progression from the initial identification of a site, through the designation process, and continued implementation.

Timetable:

Action	Date	FR Cite
NPRM	08/03/83	48 FR 35120
NPRM Comment Period Begin	08/03/83	48 FR 35120
NPRM Comment Period End	10/03/83	
Final Action	06/27/84	49 FR 26502
Final Action Effective	10/05/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The Regulatory Flexibility Act does not apply because the regulations affect only Federal agency actions.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Dr. Nancy Foster, Chief, Department of Commerce, National Oceanic and Atmospheric Administration, Sanctuary Programs Division, OCRM, 3300 Whitehaven Street, NW, Washington, DC 20235, 202 634-4236

RIN: 0648-AA30

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

114. ● AMENDMENT NO. 13 FOR THE GULF OF ALASKA GROUNDFISH FISHERY MANAGEMENT PLAN: IMPLEMENTING REGULATIONS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 672

Abstract: This amendment adjusts the management of the pollock resource by combining the Western and Central Regulatory Areas of the Gulf of Alaska for managing the pollock for fisheries and increasing the optimum yield of pollock for the combined area from 200,000 metric tons (mt) to 400,000 mt. This action is necessary to allow management of pollock in the western and central Areas as a single stock. This action is intended to allow both the harvest of the increased surplus

production of the pollock resource and the distribution of fishing effort according to pollock availability.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	04/26/84	49 FR 18144
NPRM	04/27/84	49 FR 18144
NPRM Comment Period End	06/11/84	
Final Action	07/17/84	49 FR 28853
Final Action Effective	08/13/84	49 FR 28853

Small Entity: Yes

Additional Information: A RIA is not required and was not prepared.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Analysis: Draft RFA 04/27/84 (49 FR 18144); Regulatory Impact Review 04/27/84 (49 FR 18144); Final RFA 07/17/84 (49 FR 28853)

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, 907 586-7221

RIN: 0648-AB22

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)
National Telecommunications and Information Administration (NTIA)

Current and Projected Rulemakings

115. ● PUBLIC TELECOMMUNICATIONS FACILITIES PROGRAM; INTERIM REVISION OF REGULATIONS

Priority: Agency Determination

Legal Authority: 47 USC 390 to 399

CFR Citation: 15 CFR 2301.1; 15 CFR 2301.3; 15 CFR 2301.4(a) to (b); 15 CFR 2301.4(d)(2); 15 CFR 2301.5(a) to (b); 15 CFR 2301.6(a); 15 CFR 2301.7(a) to (d); 15 CFR 2301.9; 15 CFR 2301.11(a); 15 CFR 2301.12(a) to (e); 15 CFR 2301.13; 15 CFR 2301.14(a) to (d); 15 CFR 2301.16(b) to (c); 15 CFR 2301.17(b) to (n); 15 CFR 2301.19(b); ...

Abstract: NTIA has completed two grant cycles since the last revision of its PTFP Rules. During these two cycles we have recognized several areas which cause confusion. We intend to clarify these areas to allow potential grantees to understand more easily the requirements and facilitate their application. The proposed changes to Rules and Regulations will allow for more uniformity and clarity in administering the program. Areas included are: 1. Applicant eligibility for planning grants and making project eligibility language more consistent with the law and NTIA practices. 2.What constitutes a complete application and distinguishes it from an application that is deficient. 3.What does filing a timely application mean and how it is to be delivered in a timely manner. 4.How to amend an application. 5.How to reactivate a deferred application. 6.How to request special consideration. 7.Expanded discussions on control and use of equipment, eligible equipment items, and non-eligible equipment items. 8.Expanded discussions on the close-out and monitoring procedures for a project.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/84	
End Review	09/21/84	
Interim Final Rule	10/01/84	
Final Action	11/14/84	

Small Entity: No

Agency Contact: Helena Mitchell, Telecommunications Policy Analyst, Department of Commerce, National Telecommunications and Information Administration, 14th & Constitution Avenue NW, Room H4890, Washington, DC 20230, 202 377-1835

RIN: 0660-AA01

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF COMMERCE (DOC)
Patent and Trademark Office (PTO)

Current and Projected Rulemakings

116. REQUESTS FOR IDENTIFIABLE RECORDS

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.15

Abstract: The existing regulations govern requests for records not disclosed to the public as part of PTO's informational activities. The regulations need to be revised to eliminate obsolete provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	03/00/85	
Final Action Effective	04/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: John W. Dewhirst, Department of Commerce, Patent and Trademark Office, Ofc. of the Solicitor, Washington, DC 20231, 703 557-4035

RIN: 0651-AA04

117. FINAL RULE FOR PATENT MAINTENANCE FEES

Priority: Agency Determination

Legal Authority: 35 USC 6; PL 96-517; PL 97-247

CFR Citation: 37 CFR 1.1; 37 CFR 1.9; 37 CFR 1.17; 37 CFR 1.19; 37 CFR 1.20; 37 CFR 1.33; 37 CFR 1.362; 37 CFR 1.363; 37 CFR 1.366; 37 CFR 1.377; 37 CFR 1.378

Abstract: Amendments to PTO's rules of practice in patent cases are proposed to specify procedures for paying maintenance fees.

Timetable:

Action	Date	FR Cite
NPRM	04/24/84	49 FR 17692
NPRM Comment Period Begin	04/24/84	
NPRM Comment Period End	06/26/84	
Final Action	09/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: R. Franklin Burnett, Department of Commerce, Patent and Trademark Office, Ofc. of Asst. Com. for Patents, Washington, D.C. 20231, 703 557-3054

RIN: 0651-AA11

118. VARIETY NAMING REQUIREMENTS FOR PLANT PATENT APPLICATIONS

Priority: Agency Determination

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.71; 37 CFR 1.163

Abstract: PTO will propose amendment of its rules of practice in patent cases to implement the International Convention for the Protection of New Varieties of Plants. The International Convention requires registration of a plant variety name at the time a patent on a plant variety is issued. Compliance with the registration requirements of the Convention would be determined in the process of examining plant patent applications.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	11/00/84	
Final Action	12/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, D.C. 20231, 703 557-3065

RIN: 0651-AA12

119. TERM OF DEPOSIT OF MICROORGANISM

Priority: Agency Determination

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.71

Abstract: PTO will propose amendment of its rules of practice in patent cases to set the duration of a microorganism deposit for patent purposes in accordance with the Budapest Treaty.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	11/00/84	
Final Action	01/00/85	
Final Action Effective	02/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-3065

RIN: 0651-AA13

120. PATENT INTERFERENCE PROCEEDINGS

Priority: Agency Determination

Legal Authority: 35 USC 6; 35 USC 23; 35 USC 41; 35 USC 135

CFR Citation: 37 CFR 1.1; 37 CFR 1.4; 37 CFR 1.5; 37 CFR 1.8; 37 CFR 1.9; 37 CFR 1.11; 37 CFR 1.14; 37 CFR 1.17; 37 CFR 1.36; 37 CFR 1.48; 37 CFR 1.55; 37 CFR 1.59; 37 CFR 1.68; 37 CFR 1.103; 37 CFR 1.122; ...

Abstract: Amendments to PTO's rules of practice in patent cases have been proposed to simplify procedures for conducting interference proceedings, reduce the expense to the parties and normally conclude proceedings within 2 years. Other amendments are also proposed which depend upon enactment of pending legislation to allow ex parte as well as interference issues to be decided in a single proceeding.

Timetable:

Action	Date	FR Cite
ANPRM	08/01/83	48 FR 34836
ANPRM Comment Period Begin	08/01/83	48 FR 34836
ANPRM Comment Period End	08/22/83	
NPRM	01/30/84	49 FR 3768
NPRM Comment Period Begin	01/30/84	49 FR 3768
NPRM Comment Period End	05/07/84	
Final Action	11/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Fred E. McKelvey, Examiner-in-Chief, Department of Commerce, Patent and Trademark Office, Department of Commerce, Box 8, Washington, DC 20231, 703 557-4025

RIN: 0651-AA14

121. PRACTICE BEFORE THE PATENT AND TRADEMARK OFFICE

Legal Authority: 35 USC 6; 35 USC 31; 35 USC 32; 15 USC 1123

CFR Citation: 37 CFR 1.8; 37 CFR 1.21; 37 CFR 1.31; 37 CFR 1.34; 37 CFR 1.341 to 1.348; 37 CFR 2.11; 37 CFR 2.12 to 2.16; 37 CFR 2.17; 37 CFR 2.19; 37 CFR 10.1 to 10.170

Abstract: Amendments to PTO's rules of practice relating to professional conduct will be proposed. The amendments will also revise the procedures for admission to practice in patent cases and clarify the procedures

followed in conducting investigations and disciplinary proceedings. The amendments will have no significant effect on the economy or on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
ANPRM	03/16/84	49 FR 10012
ANPRM Comment Period Begin	03/16/84	
ANPRM Comment Period End	07/09/84	
NPRM	08/24/84	49 FR 33790
NPRM Comment Period Begin	08/24/84	
NPRM Comment Period End	10/02/84	
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Fred E. McKelvey, Examiner-in-Chief, Department of Commerce, Patent and Trademark Office, Box 8, Washington, DC 20231, 703 557-4025

RIN: 0651-AA15

122. MISCELLANEOUS AMENDMENTS OF TRADEMARK RULES

Legal Authority: 15 USC 1123

CFR Citation: 37 CFR 2.1; 37 CFR 2.101(b); 37 CFR 2.104; 37 CFR 2.112(a); 37 CFR 2.114(c); 37 CFR 2.132(c); 37 CFR 2.145(d)

Abstract: PTO proposes amendment of the trademark rules to improve or clarify inter partes and appeal procedures.

Timetable:

Action	Date	FR Cite
NPRM	06/11/84	
NPRM Comment Period Begin	06/11/84	49 FR 24033
NPRM Comment Period End	07/18/84	
Final Action	09/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Janet E. Rice, Member, Trademark Trial and Appeal Board, Department of Commerce, Patent and Trademark Office, Crystal Square 5, Suite 1008, Washington, DC 20231, 703 557-3551

RIN: 0651-AA16

123. TRADEMARK APPLICATIONS

Legal Authority: 15 USC 1123

CFR Citation: 37 CFR 2.21; 37 CFR 2.52; 37 CFR 2.54; 37 CFR 2.58

Abstract: PTO proposes amendment of its trademark rules to codify and improve procedures for processing trademark applications.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30749
NPRM Comment Period Begin	08/01/84	
NPRM Comment Period End	10/30/84	
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Ellen J. Seeherman, Staff Assistant, Department of Commerce, Patent and Trademark Office, Crystal Plaza 3, Room 11C17, Washington, DC 20231, 703 557-7464

RIN: 0651-AA17

124. ● TRADEMARK AUTOMATED SEARCH SYSTEM FEES

Priority: Agency Determination

Legal Authority: 15 USC 1113; 15 USC 1123; PL 96-517; PL 97-247

CFR Citation: 37 CFR 2.6

Abstract: PTO proposes to amend its rules to establish user fees for members of the public desiring to conduct trademark searches of the computerized data bases in the PTO's automated trademark search system.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31460
NPRM Comment Period Begin	08/07/84	
NPRM Comment Period End	09/05/84	
NPRM Comment Period Extended to	09/25/84	49 FR 35527
Final Action	11/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: J. Howard Bryant, Administrator for Automation, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-6000

RIN: 0651-AA18

DEPARTMENT OF COMMERCE (DOC)
Patent and Trademark Office (PTO)

Completed Actions

COMPLETED RULEMAKINGS

125. ATTORNEY DISCIPLINARY RULES

Legal Authority: 35 USC 6; 15 USC 1123

CFR Citation: 37 CFR 1.344; 37 CFR 1.345; 37 CFR 1.348; 37 CFR 2.13; 37 CFR 2.14; 37 CFR 2.16

Abstract: Amendments to PTO's rules of practice relating to professional conduct were proposed in August 1983. In light of comments received, the notice was withdrawn and a new Advance Notice of Proposed Rulemaking containing substantial revisions, was published on March 16, 1984.

Timetable:

Action	Date	FR Cite
NPRM	08/11/83	48 FR 36478
NPRM Comment Period Begin	08/11/83	
NPRM Comment Period End	09/29/83	
Withdrawn	03/16/84	49 FR 10012
ANPRM	03/00/84	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: William Feldman, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, 703 557-2012

RIN: 0651-AA05

126. REVISION OF FOREIGN FILING LICENSE PROCEDURE

Priority: Agency Determination

Legal Authority: 35 USC 6; 35 USC 41; 35 USC 181 to 188; 50 USC App 2401 et seq; 22 USC 3201 et seq

CFR Citation: 37 CFR 1.17; 37 CFR 5.11; 37 CFR 5.12; 37 CFR 5.13; 37 CFR 5.14; 37 CFR 5.15; 37 CFR 5.17; 37 CFR 5.20; 37 CFR 5.21; 37 CFR 5.22; 37 CFR 5.25; 37 CFR 5.33

Abstract: Amendments to PTO's rules of practice in patent cases were made to establish a simplified procedure for granting a license for foreign filing. The amendments reduce the burden on the PTO as well as patent applicants filing applications in foreign countries and would strengthen our national security.

Timetable:

Action	Date	FR Cite
NPRM	05/23/83	48 FR 23144
NPRM Comment Period Begin	05/23/83	48 FR 23144
NPRM Comment Period End	07/20/83	
Final Action	04/04/84	49 FR 13456
Final Action Effective	06/04/84	49 FR 19305

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Kenneth L. Cage, Dir., Special Laws Admin., Group 220, Department of Commerce, Patent and Trademark Office, Washington, D.C. 20231, 703 557-2877

RIN: 0651-AA09

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part V

Department of Defense

Semiannual Regulatory Agenda

DOD

DEPARTMENT OF DEFENSE (DOD)
Office of the Secretary (OS)

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Chs. I, V, VI, and VII

33 CFR Ch. II

36 CFR Ch. III

Improving Government Regulations; Semiannual Agenda of Regulations for the Period of March 1, 1984 to September 1, 1984

AGENCY: Department of Defense.

ACTION: Publication of the consolidated semiannual agenda of DoD regulatory documents.

SUMMARY: The Department of Defense is publishing this consolidated semiannual agenda of regulatory documents for public information and comments under E.O. 12291, "Federal Regulation." This agenda incorporates the objectives and criteria, when applicable, of the regulatory reform program under E.O. 12291, and other regulatory reform programs. It contains DoD issuances initiated by DoD Components that may have economic and environmental impact on state, local, public or private interests under the criteria of E.O. 12291. Although most DoD issuances listed in the agenda are of negligible public impact, their nature may be of public interest and are therefore published to provide notice of rulemaking and an opportunity for public participation in the internal DoD rulemaking process.

This agenda updates the report published in April 19, 1984 and covers the period from March 1, 1984 to September 1, 1984. The next agenda is scheduled to be published in April of 1985. In addition to this agenda, DoD Components also publish rulemaking notices pertaining to their specific statutory administration requirements as required.

FOR FURTHER INFORMATION CONTACT: For information concerning the overall DoD regulatory improvement program and for general semiannual agenda information, contact Mr. Terry D. Judd, telephone 202-697-1142 or write to Directorate for Organizational and Management Planning, OASD(C), Washington, D.C. 20301.

For questions of a legal nature concerning the agenda and its statutory requirements or obligations, contact Ms. Kathleen Buck, legal counsel, Office of the General Counsel, Washington, D.C. 20301, or call 202-697-2714.

For specific agenda items, contact the appropriate individual indicated in each DoD Component report.

SUPPLEMENTARY INFORMATION: This consolidated agenda is composed of the regulatory status reports from the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force. Included also in this agenda is the regulatory report from the U.S. Army Corps of Engineers, whose civil works functions fall under the reporting requirements of E.O. 12291. Their agenda will reflect these requirements, with follow-on reporting actions taken, as necessary.

DoD issuances range from DoD Directives (reflecting departmental policy) to implementing instructions and regulations (largely internal and used to implement Directives). The OSD agenda section contains the primary Directives under which DoD Components promulgate their implementing regulations.

To ease identification and to clarify the differences between the variety of issuances reported, they are identified by their DoD internal numbering system, which denotes Component level of authority and type of issuance in addition to the required CFR number.

In addition, this agenda, although published under the reporting requirements of E.O. 12291, will continue to be the DoD single source reporting vehicle which will identify issuances that are currently applicable under the various regulatory reform programs in progress. Therefore, when applicable, DoD Components will identify those rules which come under the criteria of the:

a. Regulatory Flexibility Act.

b. Paperwork Reduction Act.

c. GATT International Trade Agreement.

These DoD issuances which are directly applicable under these statutes, will be identified in the agenda and their action status indicated. Generally, the reports contained in this agenda will contain three sections: (1) Current and projected rulemaking; (2) review of existing regulations; and (3) completed actions.

Although not a regulatory agency, the Department of Defense will continue to participate in regulatory initiatives designed to reduce economic costs and unnecessary environmental burdens upon the public. Comments and recommendations are invited on the rules reported and should be addressed to the DoD Component representatives identified in each section.

Although sensitive to the needs of the public and regulatory reform, DoD reserves the right to exercise the exemptions and flexibility permitted in its rulemaking process in order to proceed with its overall defense-oriented mission.

Note: The publishing of this agenda does not waive the applicability of the military affairs exemption in title 5, section 553 and section 1 of E.O. 12291.

September 1, 1984.

Arthur H. Ehlers,

Director for Organizational and Management Planning.

AGENCY: Office of the Secretary, DoD.

ACTION: OSD Semiannual Agenda of Regulatory Documents Developed or Proposed for the period March 1, 1984, through September 1, 1984.

SUMMARY: The regulatory material listed below is in 3 parts: (1) Current and projected rulemaking; (2) review of existing regulations; and (3) completed actions.

FOR FURTHER INFORMATION CONTACT: The contact officials' names and telephone numbers appear after each agenda item. For other information on the agenda, contact Mrs. Patricia H. Means, Directives Division, Correspondence and Directives Directorate, OSD/WHS, telephone 202-697-4111.

SUPPLEMENTARY INFORMATION:

E.O. 12291. None of the regulatory documents listed below is a "major rule" and no major rules are presently under development.

Regulatory Flexibility Act, section 610. OSD has screened its existing regulatory documents and has concluded that none of its regulatory documents causes significant impact on a substantial number of small entities.

Paperwork Reduction Act, Pub. L. 96-511. None of the DoD regulatory documents listed in the agenda require information collection reports affecting the public sector under the criteria of Pub. L. 96-511.

GATT Agreement

None of the DoD regulatory documents listed in this agenda impact upon foreign trade under the GATT Agreement.

The OSD agenda follows.

DEPARTMENT OF DEFENSE (DOD)
Office of the Secretary (OS)

Current and Projected Rulemakings

PUBLICATION OF PROPOSED AND ADOPTED REGULATIONS AFFECTING THE PUBLIC (DOD DIRECTIVE 5400.9)

Legal Authority: 5 USC 551 to 553

CFR Citation: 32 CFR 296

Abstract: To update DoD's implementation of the Administrative Procedure Act, and to include EO 12291, the Regulatory Flexibility Act (PL 96-354), and the Paperwork Reduction Act (PL 96-511).

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: M. Healy, Department of Defense, Office of the Secretary, 202 697-4111

RIN: 0790-AA02

FORMER SPOUSE PAYMENTS FROM RETIRED PAY (DOD DIRECTIVE 1340.XX)

Legal Authority: PL 97-252; 10 USC 1408

CFR Citation: 32 CFR 63

Abstract: This proposed rule (48 FR 4003, 1/28/83) implements section 1002 of the Uniformed Services Former Spouses' Protection Act.

Timetable:

Action	Date	FR Cite
NPRM	01/28/83	48 FR 4003
Final Action	09/00/84	

Small Entity: No

Agency Contact: James T. Jasinski, Department of Defense, Office of the Secretary, 202 697-0536

RIN: 0790-AA07

INVOLUNTARY CHILD AND SPOUSAL SUPPORT ALLOTMENTS (DOD DIRECTIVE 1340.XX)

Legal Authority: PL 97-248; 37 USC 101; 15 USC 1673; 42 USC 465

CFR Citation: 32 CFR 54

Abstract: This proposed rule (47 FR 46297, 10/18/82) implements section 172 of the Tax Equity and Fiscal Responsibility Act of 1982. It is being recoordinated within the Department of Defense.

Timetable:

Action	Date	FR Cite
NPRM	10/18/82	47 FR 46297
Final Action	11/00/84	

Small Entity: No

Agency Contact: James T. Jasinski, Department of Defense, Office of the Secretary, 202 697-0536

RIN: 0790-AA08

VICTIM AND WITNESS ASSISTANCE (DOD DIRECTIVE 1030.XX)

Legal Authority: PL 97-291; 10 USC 801 to 940

CFR Citation: 32 CFR 95

Abstract: This proposed rule (48 FR 51490), November 9, 1983, is being staffed within the Department of Defense. The rule will implement the Victim and Witness Protection Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	11/09/83	48 FR 51490
Final Action	09/00/84	

Small Entity: No

Agency Contact: A. Effron, Department of Defense, Office of the Secretary, 202 695-1078

RIN: 0790-AA27

WITHHOLDING OF TECHNICAL DATA FROM THE PUBLIC (DOD DIRECTIVE 5400.XX)

Legal Authority: PL 98-94; 10 USC 1406

CFR Citation: 32 CFR 220

Abstract: This proposed rule (48 FR 56603, December 22, 1983) provides that the Secretary of Defense may withhold from public disclosure certain technical data.

Timetable:

Action	Date	FR Cite
NPRM	12/22/83	48 FR 56603
Final Action	09/00/84	

Small Entity: No

Agency Contact: B. Snider, Department of Defense, Office of the Secretary, 202 695-6609

RIN: 0790-AA28

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS) (FEDERAL MEDICAL CARE RECOVERY ACT, CHAPTER 9) (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1088; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This proposed amendment (48 FR 45791, October 7, 1983) revises the CHAMPUS regulation by consolidating all federal claims provisions into one Chapter. It is also being staffed within the Department of Defense.

Timetable:

Action	Date	FR Cite
NPRM	10/07/83	48 FR 45791
Final Action	10/07/84	

Small Entity: No

Agency Contact: Tarig Saeed, Department of Defense, Office of the Secretary, **303 361-3587**

RIN: 0790-AA29

CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); PACEMAKER TELEPHONE MONITORING (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This proposed amendment (48 FR 2118, January 18, 1984) will allow coverage for trans-telephonic monitoring of pacemakers. This proposed rule is also being staffed within the Department of Defense.

Timetable:

Action	Date	FR Cite
NPRM	01/18/84	48 FR 2118
Final Action	10/00/84	

Small Entity: No

Agency Contact: David E. Bennett, Department of Defense, Office of the Secretary, **303 361-8608**

RIN: 0790-AA31

● CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); ELIGIBILITY OF ADULT ADOPTEES FOR MEDICAL BENEFITS (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This proposed amendment clarifies the intent of Title 10 USC 1072 (2), concerning eligibility of adopted children. This is necessary to ensure that reasonable limits are placed on CHAMPUS eligibility. This clarification will result in uniform eligibility determinations corresponding to the interest of Congress. It is also being staffed within the Department of Defense.

Timetable:

Action	Date	FR Cite
NPRM	03/02/84	49 FR 7837
NPRM Comment Period Begin	03/02/84	
NPRM Comment Period End	04/02/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Rose M. Sabo, Department of Defense, Office of the Secretary, **303 361-4014**

RIN: 0790-AA39

● CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); AMENDMENT OF AMBULANCE SERVICE COVERAGE (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This proposed amendment (49 FR 17976, April 26, 1984) will revise the definition of "ambulance," remove the $100 allowable charge ceiling used to distinguish between local and long distance ambulance service, and expand coverage for transfer to a Uniformed Service Medical Treatment Facility (USMTF). It is also being staffed within the Department of Defense.

Timetable:

Action	Date	FR Cite
NPRM	04/26/84	49 FR 17976
NPRM Comment Period Begin	04/26/84	
NPRM Comment Period End	05/25/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: David E. Bennett, Department of Defense, Office of the Secretary, **303 361-8608**

RIN: 0790-AA40

DEPARTMENT OF DEFENSE (DOD)
Office of the Secretary (OS)

Completed Actions

COMPLETED REVIEWS

IDENTIFICATION OF INSTITUTIONS OF HIGHER LEARNING THAT BAR RECRUITING PERSONNEL FROM THEIR PREMISES (DOD DIRECTIVE 1322.13)

Legal Authority: PL 92-436, Sec 606(a) 1973

CFR Citation: 32 CFR 216

Abstract: This final rule implements PL 92-436 and updates policy, procedures, and responsibilities for identifying and Taking Action Against Institutions of Higher Learning that Bar Recruiting Personnel From Their Premises.

Timetable:

Action	Date	FR Cite
NPRM		47 FR 42757
End Review	06/01/84	49 FR 22800

Small Entity: No

Agency Contact: Ronald G. Liveris, Department of Defense, Office of the Secretary, **202 697-9269**

RIN: 0790-AA00

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

● CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); CHAMPUS AND MEDICARE ELIGIBILITY REGARDING AGE AND END STAGE RENAL DISEASE (DOD 1060.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This amends the CHAMPUS Regulation pertaining to Medicare and CHAMPUS eligibility regarding Age and End Stage Renal Disease.

Timetable:

Action	Date	FR Cite
Final Action	05/30/84	49 FR 22475

Small Entity: No

Agency Contact: Charles E. Guidice, Department of Defense, Office of the Secretary, 303 361-4014

RIN: 0790-AA37

● CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); COVERAGE FOR INTRAOCULAR LENSES (DOD 1060.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086

CFR Citation: 32 CFR 199

Abstract: This amends the CHAMPUS regulation pertaining to CHAMPUS coverage for additional lenses by making them an exception to the general policy not to cover experimental or investigational medical supplies and services.

Timetable:

Action	Date	FR Cite
Final Action	07/24/84	49 FR 29779

Small Entity: No

Agency Contact: Marion M. Blackburn, Department of Defense, Office of the Secretary, 303 361-4078

RIN: 0790-AA38

● CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); CERTIFIED CLINICAL SOCIAL WORKERS (DOD 1060.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Abstract: This amends CHAMPUS regulation which authorizes CHAMPUS payments to certified clinical social workers who practice independent of physicians referral and supervision.

Timetable:

Action	Date	FR Cite
Final Action	03/01/84	49 FR 7561

Small Entity: No

Agency Contact: Pete M. Michak, Department of Defense, Office of the Secretary, 303 361-4019

RIN: 0790-AA41

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF DEFENSE (DOD)
Department of the Army (DOA)

AGENCY: Department of the Army.

ACTION: Semiannual agenda of regulatory information under review or development by the Department of the Army.

SUMMARY: The Department of the Army published its first agenda in 1978 and annually thereafter in compliance with Executive Order 12044, Pub. L. 96-354 and the DoD plan for Improving Government Regulations. This agenda provides the status of regulations that were previously reported.

SUPPLEMENTARY INFORMATION: The Department of the Army has no major regulations under development which meet the criteria of Pub. L. 96-354 and Executive Order 12291. If applicable, rules which come under the criteria of the Regulatory Flexibility Act, Paperwork Reduction Act, and the GATT International Trade Agreement are so identified.

DEPARTMENT OF DEFENSE (DOD)
Department of the Army (DOA)

THE ARMY GENERAL COUNSEL'S HONORS PROGRAMS

Legal Authority: 10 USC 302; 10 USC 3005

CFR Citation: 32 CFR 585

Abstract: Army General Counsel's Honors Program. To recruit highly qualified attorneys to fill vacancies in the Army General Counsel's Office. Comment period completed.

Timetable:

Action	Date	FR Cite
Review, editing and internal Army coordination underway	00/00/00	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. John Pavlick, Department of Defense, Department of the Army, Office of the Army General Counsel, 202 695-0562

RIN: 0702-AA00

AIRFIELD CERTIFICATION AND USE OF ARMY AIRFIELDS BY OTHER THAN US DEPARTMENT OF DEFENSE AIRCRAFT

Legal Authority: PL 85-726; PL 97-248; PL 91-258

CFR Citation: Not yet determined

Abstract: Prescribes responsibilities and procedures with regard to use of US Army airfields by other than DoD.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. Jesse Burch, Department of Defense, Department of the Army, US Army Air Traffic Control Activity, Aeronautical Service Office, 703 272-7796

RIN: 0702-AA02

● CIVILIAN MARKSMANSHIP: RULES AND REGULATIONS FOR NATIONAL MATCHES AND OTHER EXCELLENCE IN COMPETITION (EIC) MATCHES

Legal Authority: 10 USC 4307 to 4313

Abstract: The rules and regulations for National Matches and other excellence-in-competition (EIC) matches have been revised. It gives responsibilities for the National Matches, eligibility criteria, and categories for the competitors, and the program for the National Trophy Matches. This regulation has been revised to change the staff organization of the National Matches, show new eligibility requirements and programs for the National Trophy Matches, include women as a category in the matches, and introduce new awards. The regulation applies to the Active Army, Navy, Air Force and Marine Corps Reserve, and all other personnel competing in the National Matches, and civilians in other EIC matches.

Timetable:

Action	Date	FR Cite
NPRM	09/15/84	
NPRM Comment Period Begin	09/15/84	
NPRM Comment Period End	10/15/84	

Small Entity: Not Applicable

Agency Contact: Col. Mahatha M. Oliver, Director, Department of Defense, Department of the Army, HQDA (SFDM), Washington, DC 20314, 202 272-0810

RIN: 0702-AA08

DEPARTMENT OF DEFENSE (DOD)
Department of the Army (DOA)

Existing Regulations Under Review

ARMY NATIONAL CEMETERIES

Legal Authority: 24 USC Chapter 7

CFR Citation: 32 CFR 553

Abstract: To publish revised guidelines and administration of Arlington National Cemetery and the Soldiers Home National Cemetery.

Timetable:

Action	Date	FR Cite
NPRM	04/01/85	
End Review	04/01/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. Edward McCarthy, Department of Defense, Department of the Army, US Army Military Personnel Center, Alexandria, VA 22331-0400, 703 325-7960

RIN: 0702-AA07

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF DEFENSE (DOD)
U.S. Army Corps of Engineers (COE)

Current and Projected Rulemakings

RULES AND REGULATIONS GOVERNING PUBLIC USE OF WATER RESOURCE DEVELOPMENT OF PROJECTS ADMINISTERED BY THE CHIEF OF ENGINEERS

Legal Authority: 16 USC 460d

CFR Citation: 36 CFR 327

Abstract: Final rule published in 1979. Minor revisions will provide clarification of authority used by field personnel in the management of natural resources.

Timetable:

Action	Date	FR Cite
ANPRM	04/19/84	49 FR 15796
NPRM	06/00/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Darrell E. Lewis, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-R, 202 272-0247

RIN: 0710-AA03

REGULATORY PROGRAMS OF THE CORPS OF ENGINEERS

Legal Authority: 33 USC 403; 33 USC 1341; 33 USC 1413

CFR Citation: 33 CFR 320 to 330

Abstract: Program policies and procedures for the conduct of the Regulatory Program of the Corps of Engineers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/82	
NPRM	05/12/83	
Amendments proposed NPRM	05/00/83	
Action	Date	FR Cite
Publish final lawsuit Rules	09/00/84	
Final Action	12/00/84	

Supplemental Timetable:
(33 CFR 320, 323, 325, 330)
NPRM Lawsuit Settlement Revisions 03/29/84 (49 FR 12660)

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - The paperwork, reports, studies, etc., required of government at all levels, businesses and citizens will be reduced by the revised procedures.

Small Business Impact - By streamlining the procedures for obtaining a Corps permit, the regulatory burden on small businesses will be reduced.

GATT Impact - None.

Agency Contact: Bernard Goode, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-N, 202 272-0200

RIN: 0710-AA04

RECREATION USE FEES

Legal Authority: 16 USC 460; 16 USC 461

CFR Citation: 36 CFR 71

Abstract: Will provide updated version of ER 1130-2-404, Recreation Use Fees. The proposed regulation change expands the Corps recreation fee program at Corps projects.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	02/00/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Darrell E. Lewis, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-R, 202 272-0247

RIN: 0710-AA10

ENVIRONMENTAL QUALITY, PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Legal Authority: 42 USC 4321

CFR Citation: 33 CFR 230

Abstract: Revisions will streamline Corps NEPA procedures consistent with improved management techniques and reduce unnecessary regulatory burdens on applicants who seek Department of the Army permits.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1387
Final Action	11/00/84	

Small Entity: No

Additional Information: Additional agency contact: Dr. Robert Pierce (202) 272-0199

Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Mr. Richard L. Makinen, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWR-P, 202 272-0120

RIN: 0710-AA11

REGULATORY PROGRAMS OF THE CORPS OF ENGINEERS

Legal Authority: 33 USC 403; 33 USC 1341; 33 USC 1413

CFR Citation: 33 CFR 325, Appendix C

Abstract: Procedures for including concerns for the protection of historic properties in the regulatory program of the Corps of Engineers.

Timetable:

Action	Date	FR Cite
NPRM	05/04/84	49 FR 19036
Final Action	01/00/85	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - The paperwork, reports, studies, etc., required of government at all levels, business and citizens will be reduced by the revised procedures.

Small Business Impact - By streamlining the procedures for obtaining a Corps permit, the regulatory burden on small businesses will be reduced.

GATT Impact - None.

Agency Contact: Bernard Goode, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: DAEN-CWO-N, 202 272-0200

RIN: 0710-AA12

DEPARTMENT OF DEFENSE (DOD)
U.S. Army Corps of Engineers (COE)

Existing Regulations Under Review

● CORPS OF ENGINEERS MANAGEMENT OF ARMY AND AIR FORCE REAL PROPERTY

Legal Authority: 5 USC 301; 10 USC 3012

CFR Citation: 32 CFR 644

Abstract: Chapter 8 of EP 405-1-2 concerning real property management is expected to be published as a proposed rule by Fall 1984. The chapter would describe general procedures for managing and administering real property and interests in real property controlled by the Army or Air Force. The chapter would cover the issuance of real estate outgrants authorizing Federal agencies, state or local governments, private organizations or individuals to use Army or Air Force controlled real property.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/84	
End Review	12/00/84	

Small Entity: Undetermined

Agency Contact: Mr. Terrence Wilmer, Chief, Programs Division, Department of Defense, U.S. Army Corps of Engineers, ATTN: DAEN-REP, Washington, DC 20314-1000, 202 272-0522

RIN: 0710-AA14

DEPARTMENT OF DEFENSE (DOD)
U.S. Army Corps of Engineers (COE)

Completed Actions

COMPLETED RULEMAKINGS

USE OF NONSTRUCTURAL MEASURES IN PLANNING FOR FLOOD DAMAGE REDUCTION

Legal Authority: 33 USC 7016

Abstract: ER 1165-2-122 contains agency guidance about formulation of plans incorporating nonstructural measures. The Corps has decided the regulation is appropriate for issuance as internal guidance, therefore no rulemaking will be required.

Timetable:

Action	Date	FR Cite
Withdrawn	04/19/84	49 FR 15796

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Mr. Don Rogers, Department of Defense, U.S. Army Corps of Engineers, Washington, DC, ATTN: DAEN-CWR-R, 202 272-0123

RIN: 0710-AA02

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF DEFENSE (DOD)
Department of the Navy (NAVY)

AGENCY: Department of the Navy.

ACTION: Semiannual agenda of regulatory information for the period March 1, 1984 - September 1, 1984 under review or development by the Department of the Navy.

SUMMARY: None of the regulations contained in this agenda meet the criteria of the Regulatory Flexibility Act (Pub. L. 96-354), have priority status, are major rules under E.O. 12291, or contain reporting requirements under the "Paperwork Act." Further, none of the regulations come under the GATT International Trade Agreement.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, contact the specified individual. For general information, contact Ms. Alcinda P. Wenberg, telephone 202-695-0792 or write to Department of the Navy, Chief of Naval Operations, OP-945C, Washington, D.C. 20350.

DEPARTMENT OF DEFENSE (DOD)
Department of the Navy (NAVY)

Current and Projected Rulemakings

NONNAVAL MEDICAL AND DENTAL CARE (NAVMEDCOMINST 6320.1)

Legal Authority: 5 USC 301; 5 USC 8140; 10 USC 1071 to 1085; 10 USC 5031; 10 USC 6148; 10 USC 6201 to 6203; 32 CFR 700.1202

CFR Citation: 32 CFR 732

Abstract: To update the NAVMEDCOM Instruction.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: Mr. H. Pelham, Department of Defense, Department of the Navy, MEDCOM, 202 653-1179

RIN: 0703-AA00

DISPOSITION OF CASES INVOLVING PHYSICAL DISABILITY (SECNAVINST 1850.4)

Legal Authority: 5 USC 301; 10 USC 1216; 10 USC 5031

CFR Citation: 32 CFR 725

Abstract: Under revision due to change in basic requirements.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: LCDR M. W. Kirkpatrick, Department of Defense, Department of the Navy, NCPB, 202 696-4366

RIN: 0703-AA03

● SHIPYARD ENTRY REGULATIONS (NAVSHIPYD PTSMHINST 5510.25A)

Legal Authority: 5 USC 301; 10 USC 6011; 18 USC 1382; 50 USC 797; 32 CFR 700.702

CFR Citation: 32 CFR 770

Abstract: New regulation to announce shipyard entry policy.

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	

Small Entity: No

Agency Contact: LT W.F. Roos, Department of Defense, Department of the Navy, JAG, 202 325-9860

RIN: 0703-AA08

DEPARTMENT OF DEFENSE (DOD)
Department of the Navy (NAVY)

Completed Actions

COMPLETED REVIEWS

MANUAL OF THE JUDGE ADVOCATE GENERAL (JAGINST 5800.7B CH-2)

Legal Authority: 5 USC 301; 10 USC 2733; 10 USC 5031; 10 USC 5148; 10 USC 7621 to 7623; 31 USC 3721; 32 CFR 700.206; 32 CFR 700.1202

CFR Citation: 32 CFR 750 to 752; 32 CFR 755 to 757

Abstract: To be retracted from future agendas due to revision.

Timetable:

Action	Date	FR Cite
Withdrawn	08/07/84	

Small Entity: No

Agency Contact: LCDR F. N. Ottie, Department of Defense, Department of the Navy, JAG, 202 325-9860

RIN: 0703-AA05

[FR Doc. 84-24438 Filed 10-19-84; 8:45 am]

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

AGENCY: Department of the Air Force.

ACTION: Semiannual agenda of regulatory information for the period March 1, 1984 - September 1, 1984 under review or development by the Department of the Air Force.

SUMMARY: The regulations listed on the agenda are existing or proposed regulations under internal review for revision or development and only apply to those regulations affecting the public. The Department of the Air Force has no "major rules" under development or review as defined by Executive Order 12291. Also, it has determined that the relevant provisions of the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) do not apply to these rules and that these rules do not contain reporting or recordkeeping requirements under the criteria of the Paperwork Reduction Act of 1980 (Pub. L. 96-511). These rules do not have an impact on international trade and therefore the provisions of the GATT Agreement do not apply.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, contact the specified individual. For general information, contact Mrs. Carol M. Rose, telephone (202) 697-3467 or write Department of the Air Force, USAF/DASJR(S), Pentagon, Washington, D.C. 20330.

BILLING CODE 3810-01-T

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

Current and Projected Rulemakings

SELECTING ARCHITECT FIRMS FOR PROFESSIONAL SERVICE BY NEGOTIATED CONTRACTS (AFR 88-31)

Legal Authority: PL 95-507; 15 USC 631; 15 USC 632; 15 USC 633; 15 USC 637; 15 USC 681; 15 USC 682; 15 USC 683; 15 USC 687; 15 USC 693; 15 USC 694; 25 USC 450

CFR Citation: 32 CFR 834

Abstract: USAF policies & procedures. Revision is in publication process within the Air Force.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	

Small Entity: No

Agency Contact: Mr. Bender, Department of Defense, Department of the Air Force, HQ USAF/LEEE, 202 767-4243

RIN: 0701-AA01

USE OF USAF INSTALLATIONS BY OTHER THAN U.S. DOD AIRCRAFT (AFR 55-20)

Legal Authority: Federal Aviation Act of 1958; PL 85-726; 49 USC 1507(a); 49 USC 1508

CFR Citation: 32 CFR 855

Abstract: Gives requirements, procedures, and responsibilities. Revision is in coordination process within the USAF.

Timetable:

Action	Date	FR Cite
Final Action	01/00/85	

Small Entity: No

Agency Contact: Mrs. Young, Department of Defense, Department of the Air Force, HQ USAF/PRPJA, 202 697-1796

RIN: 0701-AA02

MILITARY JUSTICE GUIDE (AFR 111-1)

Legal Authority: 10 USC 836; 10 USC 869; 10 USC 940; 10 USC 8012; MCM, US, 1969 (Rev)

CFR Citation: 32 CFR 883

Abstract: Provides USAF procedures in implementing a portion of the Manual for Courts-Martial, United States, 1969 (Revised).

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: Lt. Col. Hemingway, Department of Defense, Department of the Air Force, HQ USAF/JAJM, 202 693-5770

RIN: 0701-AA05

LICENSING GOVERNMENT-OWNED INVENTIONS IN THE CUSTODY OF THE DEPARTMENT OF THE AIR FORCE (AFR 110-33)

Legal Authority: 41 CFR 101-4; PL 96-517

CFR Citation: 32 CFR 841

Abstract: Prescribes policies, procedures and conditions for licensing of rights in federally-owned patents/patent applications vested in the US in the custody of the Department of the Air Force.

Timetable:

Action	Date	FR Cite
NPRM	04/12/84	49 FR 14533
NPRM Comment Period Begin	04/12/84	49 FR 14533
NPRM Comment Period End	05/14/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Mr. Garvert, Department of Defense, Department of the Air Force, HQ USAF/JACP, 202 693-5710

RIN: 0701-AA07

PERSONNEL REVIEW BOARDS-SUBPART A - AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS (AFR 31-3)

Legal Authority: 10 USC 1552

CFR Citation: 32 CFR 865

Abstract: Establishes procedures for the correction of military records.

Timetable:

Action	Date	FR Cite
NPRM	04/04/84	49 FR 13382
NPRM Comment Period Begin	04/04/84	
NPRM Comment Period End	05/04/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Mr. D'Orazio, Department of Defense, Department of the Air Force, HQ SAF/MICB, 202 692-4731

RIN: 0701-AA09

OBTAINING MEDICAL, DENTAL, AND VETERINARY CARE FROM CIVILIAN SOURCES (AFR 168-10)

Legal Authority: 10 USC 1074(b); 10 USC 1076(b)

CFR Citation: 32 CFR 880

Abstract: Provides guidance on authorizing and providing reimbursement at Air Force expense for essential medical and dental care from civilian sources.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: MSgt. Fulton, Department of Defense, Department of the Air Force, HQ USAF/SGHC, 202 767-5058

RIN: 0701-AA10

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

Existing Regulations Under Review

ACQUISITION OF INFORMATION CONCERNING PERSONS AND ORGANIZATIONS NOT AFFILIATED WITH THE DEPARTMENT OF DEFENSE (AFR 124-13)

Legal Authority: DODD 5200.27; 10 USC 8012

CFR Citation: 32 CFR 954

Abstract: Provides USAF policy, limitation & procedures. Awaiting determination and interpretation of policy issues by OSD.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Additional Information: Awaiting rewrite of DODD.

Agency Contact: Mr. Kennedy, Department of Defense, Department of the Air Force, HQ AFOSI/XPP, 202 767-5828

RIN: 0701-AA04

FOREIGN TAX RELIEF PROGRAM (AFR 110-18)

Legal Authority: DODD 5100.64, dtd 12 Aug 70; 32 CFR 211

CFR Citation: 32 CFR 848

Abstract: Implements DOD foreign taxation on DOD expenditures in foreign countries.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Mr. Carroll, Department of Defense, Department of the Air Force, HQ USAF/JACI, 202 695-9631

RIN: 0701-AA12

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

Completed Actions

COMPLETED RULEMAKINGS

USER CHARGES (AFR 177-8)

Legal Authority: Sec 8012, 70A Stat 488; 10 USC 8012

CFR Citation: 32 CFR 812

Abstract: Prescribes policy for developing a system of charges for special services for persons/organizations outside the government.

Timetable:

Action	Date	FR Cite
Final Action	05/22/84	49 FR 21527

Small Entity: No

Agency Contact: Mr. Williamson, Department of Defense, Department of the Air Force, HQ AFAFC/XSG, 303 370-7471

RIN: 0701-AA08

DETERMINATION OF ACTIVE MILITARY SERVICE AND DISCHARGE FOR CIVILIAN OR CONTRACTUAL PERSONNEL (AFR 30-45)

Legal Authority: DODD 1000.20, June 9, 1983; PL 95-202, Sec 401

CFR Citation: 32 CFR 881

Abstract: Establishes policy/procedures for processing applications for discharge of persons claiming membership in a group determined by the Secretary of the Air Force to have performed active military service with the US Air Force or a predecessor organization.

Timetable:

Action	Date	FR Cite
Final Action	05/22/84	49 FR 21531

Small Entity: No

Agency Contact: Mr. Lopez, Department of Defense, Department of the Air Force, HQ AFMPC/MPCA, 512 652-2148

RIN: 0701-AA13

COMPLETED REVIEWS

STATUS OF FORCES POLICIES, PROCEDURES AND INFORMATION (AFR 110-12)

Legal Authority: DODD 5525.1, Senate Res of Rat of NATO Status of Forces Agrmt; 10 USC 1037

CFR Citation: 32 CFR 845

Abstract: Provides policy on legal rights of US personnel who are tried in foreign courts and confined in foreign prisons.

Timetable:

Action	Date	FR Cite
End Review	06/00/84	

Small Entity: No

Additional Information: Tri-Service Regulation which will be published by Army.

Agency Contact: Mr. Carroll, Department of Defense, Department of the Air Force, HQ USAF/JACI, 202 695-9631

RIN: 0701-AA11

[FR Doc. 84-24287 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part VI

Department of Education

Semiannual Regulatory Agenda

ED

DEPARTMENT OF EDUCATION

Office of the Secretary

34 CFR Subtitles A and B

Unified Agenda of Federal Regulations

AGENCY: Department of Education.

ACTION: Publication of the Unified Agenda of Federal Regulations.

SUMMARY: The Secretary of Education publishes a Unified Agenda of Federal Regulations as required by the Office of Management and Budget (OMB) Bulletin No. 84-16 issued under the authority of section 6(b) of Executive Order 12291 (Federal Regulations). The purpose of the agenda is to encourage more effective public participation in the regulatory process by giving the public early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT: Questions or comments related to specific regulations listed in this agenda should be directed to the contact person listed for that set of regulations. Questions or comments on the overall agenda should be directed to A. Neal Shedd, Director, Division of Regulations Management, Office of the General Counsel, Department of Education, Room 2129 FOB-6, 400 Maryland Avenue, S.W., Washington, D.C. 20202. Telephone: (202) 245-7091.

SUPPLEMENTARY INFORMATION: Executive Order 12291, dated February 17, 1981, and the Regulatory Flexibility Act, Pub. L. 96-354, enacted September 19, 1980, require the Department of Education to publish, in October and April of each year, (1) an agenda of regulations that the Department expects to issue, and (2) currently effective regulations that are under review. The agenda includes both notices of proposed rulemaking (NPRMs) currently being drafted and pending final regulations.

Under the authority of Executive Order 12291, the Director of OMB has issued OMB Bulletin No. 84-16, dated June 22, 1984, prescribing the content and structure of the Unified Agenda of Federal Regulations. The unified agenda will be issued semiannually and will cover the succeeding 12 months from the date of publication.

For each set of regulations listed, the agenda provides the title of the document, the type of document, a citation of any rulemaking or other action taken since publication of the most recent agenda, and planned dates of future rulemaking. In addition, the agenda provides the following information:

- An abstract, which includes a description of the problem to be addressed, any principal alternatives being considered, and potential costs and benefits of the action.
- An indication of whether the planned action is likely to have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 USC 601(6)).
- A reference to where a reader can find the current regulations in the Code of Federal Regulations.
- A citation of legal authority.
- The name, address, and telephone number of the contact person at the Department from whom a reader can obtain additional information regarding the planned action.
- An indication if the action is priority and the criteria used in determining the priority status.

If the "Abstract" section of an entry refers readers to the preamble, it means that amendments to those particular regulations would be designed (1) to effect regulatory relief, including reducing paperwork and compliance burdens, improving cost effectiveness and, to the extent possible, vesting greater discretion in State and local agencies, and (2) if necessary, to clarify and simplify requirements governing that program.

This publication in the **Federal Register** does not impose any binding obligation on the Department with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded. Dates of future regulatory action are subject to revision in subsequent agendas.

DATED: August 28, 1984.

T. H. Bell,

Secretary of Education.

BILLING CODE 4000-01-T

Departmental Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1	Equal Access to Justice	1880-AA02
2	*Education Department General Administrative Regulations	1880-AA06

*Indicates priority regulation.

Office of Educational Research and Improvement—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
3	Educational Research Program (NIE)	1850-AA01
4	Excellence in Education Programs	1850-AA06
5	Secretary's Discretionary Program for Nationally Significant Projects	1850-AA05

ED

Office of Educational Research and Improvement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
6	Regional Educational Laboratories and Research and Development Centers	1850-AA04
7	Library Services and Construction Act Program	1850-AA00
8	National Diffusion Network	1850-AA03

Office of Elementary and Secondary Education—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
9	Amendments to Chapter 1 of the Education Consolidation and Improvement Act of 1981 to Implement Pub. L. 98-211	1810-AA11
10	Financial Assistance to State Educational Agencies for Migratory and Neglected or Delinquent Children (Chapter 1, ECIA)	1810-AA00
11	State Grants for Strengthening the Skills of Teachers and Instruction in Mathematics, Science Computer Learning, and Foreign Language	1810-AA12
12	Assistance for School Construction in Areas Affected by Federal Activities (SAFA)	1810-AA05
13	Magnet Schools Assistance Program	1810-AA13
14	Amendments to Chapter 2 of the Education Consolidation and Improvement Act of 1981 to Implement Pub. L. 98-211	1810-AA10

Office of Elementary and Secondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
15	Assistance to Local Educational Agencies for Maintenance and Operation in Areas Affected by Federal Activities	1810-AA06
16	Law Related Education Program	1810-AA09
17	Indian Education Programs	1810-AA04

Office of Postsecondary Education—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
18	Student Assistance General Provisions	1840-AA11
19	National Direct Student Loan Program (Subpart C -- Due Diligence)	1840-AA02
20	National Direct Student Loan, College Work-Study, and Supplemental Educational Opportunity Grant Programs (Campus-based programs)	1840-AA03
21	Guaranteed Student Loan Program	1840-AA04
22	Guaranteed Student Loan Program	1840-AA23
23	Pell Grant Program	1840-AA06

Office of Postsecondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
24	College Housing Program	1840-AA25
25	Endowment Grant Program	1840-AA24
26	Business and International Education Program	1840-AA20

ED

Office of Special Education and Rehabilitative Services—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
27	Assistance to States for Education of Handicapped Children--Childcount/Bypass	1820-AA17
28	*Removal of Architectural Barriers to the Handicapped	1820-AA16
29	Research in the Education of the Handicapped	1820-AA30
30	National Institute of Handicapped Research-Technical Amendments	1820-AA29
31	Rehabilitation Administration Services-Technical Amendments	1820-AA28
32	Client Assistance Projects (Rehabilitation Act)	1820-AA23
33	Special Projects and Demonstrations - Transitional Services for Handicapped Youth	1820-AA32
34	Special Projects and Demonstration - Supported Work for Handicapped Individuals	1820-AA31

*Indicates priority regulation.

Office of Special Education and Rehabilitative Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
35	Incentive Grants (Education of the Handicapped Act)	1820-AA24
36	Regional Resource Centers (Education of the Handicapped Act)	1820-AA22
37	Handicapped Children's Early Education Program	1820-AA20
38	Auxiliary Activities (Education of the Handicapped Act)	1820-AA25
39	Training Personnel for the Education of the Handicapped	1820-AA21
40	Recruitment and Information-- (Education of the Handicapped Act)	1820-AA18
41	Secondary Education and Transitional Services for Handicapped Youth	1820-AA19
42	Postsecondary Education Programs for Handicapped Persons	1820-AA26
43	National Institute of Handicapped Research -- Fellowship Program	1820-AA27

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Completed Actions

COMPLETED RULEMAKINGS

1. EQUAL ACCESS TO JUSTICE

CFR Citation: 34 CFR 21, (New)

Completed:

Reason	Date	FR Cite
Final Action	08/09/84	49 FR 31868
Final Action Effective	09/10/84	

Small Entity: No

Agency Contact: Peter Wathen-Dunn 202 755-1106

RIN: 1880-AA02

2. EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS

Priority: Task Force

CFR Citation: 34 CFR 74; 34 CFR 75; 34 CFR 76; 34 CFR 77; 34 CFR 78

Completed:

Reason	Date	FR Cite
Withdrawn	08/14/84	

Small Entity: Undetermined

Agency Contact: Monika Harrison 202 245-2653

RIN: 1880-AA06

[FR Doc. 84-24268 Filed 10-19-84; 8:45 am]

DEPARTMENT OF EDUCATION (ED)
Office of Educational Research and Improvement (OERI)

Current and Projected Rulemakings

3. EDUCATIONAL RESEARCH PROGRAM (NIE)

Legal Authority: 20 USC 1221e

CFR Citation: 34 CFR 701; 34 CFR 702; 34 CFR 709; 34 CFR 710; 34 CFR 716; 34 CFR 718; 34 CFR 720; 34 CFR 700; 34 CFR 795

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Frank Sobol, Senior Research Associate, Department of Education, Office of Educational Research and Improvement, National Institute of Education, 400 Maryland Avenue, SW, Washington, DC 20202, 202 254-8227

RIN: 1850-AA01

4. ● EXCELLENCE IN EDUCATION PROGRAMS

Legal Authority: PL 98-377, Title VI Education for Economic Security Act

CFR Citation: 34 CFR 750, (New); 34 CFR 751, (New); 34 CFR 752, (New); 34 CFR 753, (New); 34 CFR 754, (New)

Abstract: These proposed regulations would implement provisions of the Education for Economic Security Act (Pub. L. 98-377) enacted on August 11, 1984. Funds have not been appropriated for this program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mary Jean LeTendre, Special Assistant to the Secretary, Department of Education, Office of Educational Research and Improvement, Office of the Secretary, 400 Maryland Avenue, SW, Rm. 4181, Washington, DC 20202, 202 426-6426

RIN: 1850-AA06

5. ● SECRETARY'S DISCRETIONARY PROGRAM FOR NATIONALLY SIGNIFICANT PROJECTS

Legal Authority: PL 98-377, Title II Education for Economic Security Act

CFR Citation: 34 CFR 755, (New); 34 CFR 756, (New); 34 CFR 757, (New); 34 CFR 758, (New); 34 CFR 759, (New)

Abstract: These proposed regulations would implement provisions of the Education for Economic Security Act (Pub. L. 98-377) enacted on August 11, 1984. Funds have not been appropriated for this program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mary Jean LeTendre, Special Assistant to the Secretary, Department of Education, Office of Educational Research and Improvement, Office of the Secretary, 400 Maryland Avenue, SW Rm. 4181, Washington, DC 20202, 202 426-6426

RIN: 1850-AA05

DEPARTMENT OF EDUCATION (ED)

Office of Educational Research and Improvement (OERI)

Completed Actions

COMPLETED RULEMAKINGS

6. REGIONAL EDUCATIONAL LABORATORIES AND RESEARCH AND DEVELOPMENT CENTERS

CFR Citation: 34 CFR 706; 34 CFR 707; 34 CFR 708

Completed:

Reason	Date	FR Cite
Final Action	07/23/84	49 FR 29746
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: Donald R. Fischer 202 254-5740

RIN: 1850-AA04

7. LIBRARY SERVICES AND CONSTRUCTION ACT PROGRAM

CFR Citation: 34 CFR 770

Completed:

Reason	Date	FR Cite
Final Action	03/30/84	49 FR 12932
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: Robert Klassen 202 254-9664

RIN: 1850-AA00

8. NATIONAL DIFFUSION NETWORK

CFR Citation: 34 CFR 796

Completed:

Reason	Date	FR Cite
Final Action	03/30/84	49 FR 12924
Final Action Effective	05/14/84	

Small Entity: No

Agency Contact: Robert Mulligan 202 653-7000

RIN: 1850-AA03

[FR Doc. 84-24268 Filed 10-19-84; 8:45 am]

DEPARTMENT OF EDUCATION (ED)

Office of Elementary and Secondary Education (OESE)

Current and Projected Rulemakings

9. AMENDMENTS TO CHAPTER 1 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981 TO IMPLEMENT PUB. L. 98-211

Legal Authority: 20 USC 3801 to 3807; 20 USC 3871 to 3876; PL 98-211

CFR Citation: 34 CFR 200; 34 CFR 204

Abstract: These proposed amendments would implement provisions of the Education Consolidation and Improvement Act of 1981 Technical Amendments.

Timetable:

Action	Date	FR Cite
NPRM	08/09/84	49 FR 31914
NPRM Comment Period Begin	08/09/84	
NPRM Comment Period End	09/24/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Bruce Gaarder, Director, Division of Program Support, Department of Education, Office of Elementary and Secondary Education, Compensatory Education Programs, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-9846

RIN: 1810-AA11

10. FINANCIAL ASSISTANCE TO STATE EDUCATIONAL AGENCIES FOR MIGRATORY AND NEGLECTED OR DELINQUENT CHILDREN (CHAPTER 1, ECIA)

Legal Authority: 20 USC 3801 to 3807; 20 USC 3871 to 3876

CFR Citation: 34 CFR 201; 34 CFR 203; 34 CFR 204

Abstract: The amended regulations would implement statutory requirements and provide other necessary information to applicants. Potential Benefits: $3,693,475.

Timetable:

Action	Date	FR Cite
NPRM	12/03/82	47 FR 54718
NPRM Comment Period Begin	12/04/82	
NPRM Comment Period End	03/18/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Bruce Gaarder, Director, Division of Program Support, Department of Education, Office of Elementary and Secondary Education, Compensatory Education Programs, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-9846

RIN: 1810-AA00

11. ● STATE GRANTS FOR STRENGTHENING THE SKILLS OF TEACHERS AND INSTRUCTION IN MATHEMATICS, SCIENCE COMPUTER LEARNING, AND FOREIGN LANGUAGE

Legal Authority: PL 98-377, Title II Education for Economic Security Act

CFR Citation: 34 CFR 208, (New)

Abstract: These proposed regulations would implement provisions of the Education for Economic Security Act (Pub. L. 98-377) enacted on August 11, 1984. Funds have not been appropriated for this program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Allen King, Deputy Director, DES, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Avenue SW, Washington, DC 20202, 202 245-7965

RIN: 1810-AA12

12. ASSISTANCE FOR SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITIES (SAFA)

Legal Authority: 20 USC 241-1; 20 USC 646

CFR Citation: 34 CFR 218; 34 CFR 221

Abstract: These proposed regulations would (1) implement amendments to the law, (2) clarify existing requirements, and (3) where practicable, effect regulatory relief, including reduction of paperwork and compliance burdens and improvement of cost effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	05/00/85	

Small Entity: No

Agency Contact: David Phillips, Program Analyst, Department of Education, Office of Elementary and Secondary Education, Policy Development and Analysis Staff, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-8427

RIN: 1810-AA05

13. ● MAGNET SCHOOLS ASSISTANCE PROGRAM

Legal Authority: PL 98-377, Title VII Education for Economic Security Act

CFR Citation: 34 CFR 280, (New)

Abstract: These proposed regulations would implement provisions of the Economic Security Act of 1984 (Pub. L. 98-377) enacted on August 11, 1984. Funds have not been appropriated for this program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: M. Patricia Goines, Chief, Services Section, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Avenue, SW, Rm. 2011, Washington, DC 20202, 202 245-7965

RIN: 1810-AA13

14. AMENDMENTS TO CHAPTER 2 OF THE EDUCATION CONSOLIDATION AND IMPROVEMENT ACT OF 1981 TO IMPLEMENT PUB. L. 98-211

Legal Authority: 20 USC 3811 to 3876 as amended by Pub. L. 98-211; PL 98-211

CFR Citation: 34 CFR 298

Abstract: These proposed amendments would implement provisions of the Education Consolidation and Improvement Act of 1981 Technical Amendments.

Timetable:

Action	Date	FR Cite
NPRM	07/10/84	49 FR 28212
NPRM Comment Period Begin	07/10/84	
NPRM Comment Period End	09/24/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Allen King, Deputy Director, Department of Education, Office of Elementary and Secondary Education, Div. of Education Support Services, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-7965

RIN: 1810-AA10

DEPARTMENT OF EDUCATION (ED)

Office of Elementary and Secondary Education (OESE)

Completed Actions

COMPLETED RULEMAKINGS

15. ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR MAINTENANCE AND OPERATION IN AREAS AFFECTED BY FEDERAL ACTIVITIES

CFR Citation: 34 CFR 223; 34 CFR 218; 34 CFR 222

Completed:

Reason	Date	FR Cite
Withdrawn	08/14/84	

Small Entity: Undetermined

Agency Contact: David Phillips 202 245-8427

RIN: 1810-AA06

16. LAW RELATED EDUCATION PROGRAM

CFR Citation: 34 CFR 241

Completed:

Reason	Date	FR Cite
Final Action	06/06/84	49 FR 23594
Final Action Effective	08/01/84	

Small Entity: No

Agency Contact: Rita Ray 202 472-7960

RIN: 1810-AA09

17. INDIAN EDUCATION PROGRAMS

CFR Citation: 34 CFR 250 to 262

Completed:

Reason	Date	FR Cite
Final Action	06/07/84	49 FR 23760
Final Action Effective	08/01/84	

Small Entity: No

Agency Contact: Hakim Kahn 202 245-8020

RIN: 1810-AA04

[FR Doc. 84-24268 Filed 10-19-84; 8:45 am]

DEPARTMENT OF EDUCATION (ED)

Office of Postsecondary Education (OPE)

Current and Projected Rulemakings

18. STUDENT ASSISTANCE GENERAL PROVISIONS

Legal Authority: 20 USC 1085; 20 USC 1088; 20 USC 1092; 20 USC 1094; 20 USC 1097; 20 USC 1141(a)

CFR Citation: 34 CFR 668

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	03/00/85	

Small Entity: Undetermined

Agency Contact: Brian Kerrigan, Acting Chief, Department of Education, Office of Postsecondary Education, Policy Section, Basic Grant Branch, 400 Maryland Avenue, SW, Washington, DC 20202, 202 472-4300

RIN: 1840-AA11

19. NATIONAL DIRECT STUDENT LOAN PROGRAM (SUBPART C -- DUE DILIGENCE)

Legal Authority: 20 USC 1087aa to 1087ii

CFR Citation: 34 CFR 674

Abstract: Amendments to Subpart C of the regulations would permit strict standards in procedures for the collection of student loans. This would aid in reducing the number of defaulted loans.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Janet Chad, Campus-based Program Specialist, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-9720

RIN: 1840-AA02

20. NATIONAL DIRECT STUDENT LOAN, COLLEGE WORK-STUDY, AND SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAMS (CAMPUS-BASED PROGRAMS)

Legal Authority: 20 USC 1087aa to 1087ii; 42 USC 2751 to 2756b; 20 USC 1070b to 1070b-3

CFR Citation: 34 CFR 674; 34 CFR 675; 34 CFR 676

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	04/00/85	

Small Entity: Undetermined

Agency Contact: Margaret Henry, Chief, Department of Education, Office of Postsecondary Education, Policy Section, Campus-based Branch, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-9720

RIN: 1840-AA03

21. GUARANTEED STUDENT LOAN PROGRAM

Legal Authority: 20 USC 1071 to 1087-2

CFR Citation: 34 CFR 682

Abstract: See Preamble. This action now includes previous RIN 1840-AA05.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	04/00/85	

Small Entity: Undetermined

Agency Contact: David Bayer, Chief, Department of Education, Office of Postsecondary Education, Guaranteed Student Loan Branch, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-2475

RIN: 1840-AA04

22. GUARANTEED STUDENT LOAN PROGRAM

Legal Authority: 20 USC 1082; 20 USC 1087-1

CFR Citation: 34 CFR 682

Abstract: These regulations govern the approval of the "Plan for Doing Business" submitted to the Department of Education by Authorities which issue tax-exempt obligations in order to secure funds to make purchase or provide financing for loans under the Guaranteed Student Loan and Plus Programs. Specifically these regulations would establish general standards and procedures that authorities must follow in submitting these plans for Doing Business.

Timetable:

Action	Date	FR Cite
NPRM	02/10/84	49 FR 5330
NPRM Comment Period Begin	02/11/84	
NPRM Comment Period End	03/12/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: David Bayer, Chief, Guaranteed Student Loan Program, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue SW, Washington, DC 20202, 202 245-2475

RIN: 1840-AA23

23. PELL GRANT PROGRAM

Legal Authority: 20 USC 1070a

CFR Citation: 34 CFR 690

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	05/09/84	49 FR 19780
NPRM Comment Period Begin	05/09/84	
NPRM Comment Period End	06/24/84	
Final Action	10/00/84	

Small Entity: Undetermined

Agency Contact: Brian Kerrigan, Acting Chief, Department of Education, Office of Postsecondary Education, Policy Section, Basic Grant Branch, 400 Maryland Avenue, SW, Washington, DC 20202, 202 472-4300

RIN: 1840-AA06

DEPARTMENT OF EDUCATION (ED)
Office of Postsecondary Education (OPE)

Completed Actions

COMPLETED RULEMAKINGS

24. COLLEGE HOUSING PROGRAM

CFR Citation: 34 CFR 614

Completed:

Reason	Date	FR Cite
Final Action	07/17/84	49 FR 29018
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: John K. Uchima 202 472-9300

RIN: 1840-AA25

25. ENDOWMENT GRANT PROGRAM

CFR Citation: 34 CFR 624; 34 CFR 628

Completed:

Reason	Date	FR Cite
Final Action	07/12/84	49 FR 28520
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: Thomas Keyes 202 245-2384

RIN: 1840-AA24

26. BUSINESS AND INTERNATIONAL EDUCATION PROGRAM

CFR Citation: 34 CFR 661

Completed:

Reason	Date	FR Cite
Final Action	06/12/84	49 FR 24362
Final Action Effective	08/01/84	

Small Entity: No

Agency Contact: Keith Stanford 202 245-7804

RIN: 1840-AA20

[FR Doc. 84-24268 Filed 10-19-84; 8:45 am]

DEPARTMENT OF EDUCATION (ED)
Office of Special Education and Rehabilitative Services (OSERS)

Current and Projected Rulemakings

27. ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN--CHILDCOUNT/BYPASS

Legal Authority: 20 USC 1401; 20 USC 1411; 20 USC 1413

CFR Citation: 34 CFR 300

Abstract: These proposed amendments would implement provisions of the Education of the Handicapped Act Amendments of 1983.

Timetable:

Action	Date	FR Cite
NPRM	04/30/84	49 FR 18432
NPRM Comment Period Begin	04/30/84	
NPRM Comment Period End	07/30/84	
Final Action	10/21/84	

Small Entity: No

Agency Contact: William Tyrrell, Deputy Dir., Div. of Assistance to States, Department of Education, Office of Special Education and Rehabilitative Services, Special Education Programs, 400 Maryland Avenue, SW, Washington, DC 20202, 202 732-1025

RIN: 1820-AA17

28. REMOVAL OF ARCHITECTURAL BARRIERS TO THE HANDICAPPED

Priority: Agency Determination

Legal Authority: 20 USC 1406; PL 98-8, Sec 101(c), 101(f)

CFR Citation: 34 CFR 304

Abstract: Regulations are needed to administer funds appropriated under the Emergency Jobs Bill for implementing section 607 of the Education of the Handicapped Act.

Timetable:

Action	Date	FR Cite
NPRM	09/19/84	49 FR 36808
Final Action	03/00/85	

Small Entity: No

Agency Contact: David Rostetter, Acting Director, Div of Assistance to States, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW, Washington, DC 20202, 202 732-1024

RIN: 1820-AA16

29. ● RESEARCH IN THE EDUCATION OF THE HANDICAPPED

Legal Authority: 20 USC 1441 to 1442

CFR Citation: 34 CFR 324

Abstract: These proposed amendments would provide criteria to assist applicants in proposing appropriate projects and reviewers of applications in selecting those most responsive to the program purposes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Marty Kaufman, Director Division of Educational Services, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave., SW Rm. 3078 Switzer, Washington, DC 20202, 202 732-1106

RIN: 1820-AA30

30. ● NATIONAL INSTITUTE OF HANDICAPPED RESEARCH-TECHNICAL AMENDMENTS

Legal Authority: 29 USC 762; 29 USC 762b(1); 29 USC 762(b)(13); 29 USC 777a(a)

CFR Citation: 34 CFR 350; 34 CFR 352; 34 CFR 358; 34 CFR 359

Abstract: These proposed amendments would implement provisions of the Rehabilitation Amendments of 1984.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Betty Jo Berland, Planning and Evaluation Officer, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW, Rm. 3070, Washington, DC 20202, 202 732-1139

RIN: 1820-AA29

31. ● REHABILITATION ADMINISTRATION SERVICES-TECHNICAL AMENDMENTS

Legal Authority: 29 USC 741(a); 29 USC 796e(c); 29 USC 777a(a); 29 USC 795g(a); 29 USC 795g; 29 USC 774(a), (b)

CFR Citation: 34 CFR 361; 34 CFR 362; 34 CFR 366; 34 CFR 369; 34 CFR 373; 34 CFR 379; 34 CFR 385; 34 CFR 386; 34 CFR 389

Abstract: These proposed amendments would implement provisions of the Rehabilitation Amendments of 1984.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Charles Smolkin, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202, 202 732-1303

RIN: 1820-AA28

32. CLIENT ASSISTANCE PROJECTS (REHABILITATION ACT)

Legal Authority: 29 USC 732

CFR Citation: 34 CFR 370

Abstract: These proposed amendments would implement provisions of the Rehabilitation Amendments of 1984.

Timetable:

Action	Date	FR Cite
NPRM	05/17/84	49 FR 21018
NPRM Comment Period Begin	05/17/84	
NPRM Comment Period End	06/18/84	
Final Action	10/17/84	

Small Entity: No

Agency Contact: Jack Bailey, Office of Basic State Grants, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW, Washington, DC 20202, 202 245-0327

RIN: 1820-AA23

33. ● SPECIAL PROJECTS AND DEMONSTRATIONS - TRANSITIONAL SERVICES FOR HANDICAPPED YOUTH

Legal Authority: 29 USC 777(a)(c)

CFR Citation: 34 CFR 736

Abstract: These regulations implement a new statutory authority for discretionary grants for special projects and demonstrations to provide job training to handicapped youth and prepare them for entry into the labor force.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert Jones, Special Projects Branch, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW Rm 3329, Washington, DC 20202, 202 732-1353

RIN: 1820-AA32

34. ● SPECIAL PROJECTS AND DEMONSTRATION - SUPPORTED WORK FOR HANDICAPPED INDIVIDUALS

Legal Authority: 29 USC 77a(a)(2)

CFR Citation: 34 CFR 377

Abstract: These regulations implement a departmental initiative to support research evaluation, and demonstration projects that stimulate the development of wage-generating employment for handicapped individuals.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Robert Jones, Special Projects Branch, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW, Room 3329, Washington, DC 20202, 202 732-1353

RIN: 1820-AA31

DEPARTMENT OF EDUCATION (ED)

Office of Special Education and Rehabilitative Services (OSERS)

Completed Actions

COMPLETED RULEMAKINGS

35. INCENTIVE GRANTS (EDUCATION OF THE HANDICAPPED ACT)

CFR Citation: 34 CFR 301

Completed:

Reason	Date	FR Cite
Final Action	08/14/84	49 FR 32355
Final Action Effective	09/28/84	

Small Entity: No

Agency Contact: Ms. Sheila Friedman 202 732-1055

RIN: 1820-AA24

36. REGIONAL RESOURCE CENTERS (EDUCATION OF THE HANDICAPPED ACT)

CFR Citation: 34 CFR 305

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25996
Final Action Effective	08/09/84	

Small Entity: No

Agency Contact: Ms. Etta Waugh 202 732-1052

RIN: 1820-AA22

37. HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM

CFR Citation: 34 CFR 309

Completed:

Reason	Date	FR Cite
Final Action	07/11/84	49 FR 28350
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: Becky Calkins 202 732-1157

RIN: 1820-AA20

38. AUXILIARY ACTIVITIES (EDUCATION OF THE HANDICAPPED ACT)

CFR Citation: 34 CFR 315

Completed:

Reason	Date	FR Cite
Final Action	07/09/84	49 FR 28020
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: R. Paul Thompson 202 732-1177

RIN: 1820-AA25

39. TRAINING PERSONNEL FOR THE EDUCATION OF THE HANDICAPPED

CFR Citation: 34 CFR 318

Completed:

Reason	Date	FR Cite
Final Action	07/11/84	49 FR 28370
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: Max Mueller 202 732-1068

RIN: 1820-AA21

40. RECRUITMENT AND INFORMATION-- (EDUCATION OF THE HANDICAPPED ACT)

CFR Citation: 34 CFR 320

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25984
Final Action Effective	08/09/84	

Small Entity: No

Agency Contact: Helene Corradino 202 732-1167

RIN: 1820-AA18

41. SECONDARY EDUCATION AND TRANSITIONAL SERVICES FOR HANDICAPPED YOUTH

CFR Citation: 34 CFR 326

Completed:

Reason	Date	FR Cite
Final Action	07/11/84	49 FR 28380
Final Action Effective	09/14/84	

Small Entity: No

Agency Contact: Dr. William Halloran 202 732-1064

RIN: 1820-AA19

42. POSTSECONDARY EDUCATION PROGRAMS FOR HANDICAPPED PERSONS

CFR Citation: 34 CFR 338

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25980
Final Action Effective	08/09/84	

Small Entity: No

Agency Contact: Joseph Rosenstein 202 732-1176

RIN: 1820-AA26

43. NATIONAL INSTITUTE OF HANDICAPPED RESEARCH -- FELLOWSHIP PROGRAM

CFR Citation: 34 CFR 356

Completed:

Reason	Date	FR Cite
Final Action	06/18/84	49 FR 24978
Final Action Effective	08/01/84	

Small Entity: No

Agency Contact: Betty Jo Berland 202 732-1139

RIN: 1820-AA27

[FR Doc. 84-24268 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part VII

Department of Energy

Semiannual Regulatory Agenda

DOE

DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

41 CFR Ch. 9

41 CFR Ch. 109

48 CFR Ch. 9

Regulatory Agenda

AGENCY: Department of Energy.

ACTION: October 1984 Regulatory Agenda.

SUMMARY: In furtherance of this Administration's commitment to make government more responsive to the citizens of the United States and to assist in fulfilling the President's mandate to lessen regulatory burdens, the Department of Energy (DOE) is publishing an agenda of regulatory activities that DOE expects to take in the next year or has completed since April 1984. This Agenda provides the Administration with an effective tool for monitoring and controlling the promulgation of regulations. It includes (1) all rules expected to be issued as proposed or final rules before October 1985, (2) all rules being reviewed within the Department to determine whether to propose modifications through rulemaking, and (3) all rules for which regulatory action has been completed since the April 1984 Regulatory Agenda. In addition, the Agenda identifies each rule that DOE expects to propose or promulgate which is "likely to have a significant economic impact on a substantial number of small entities," and thus also serves as the Department's regulatory flexibility agenda. The Agenda does not include routine regulations and those that relate to internal agency management.

FOR FURTHER INFORMATION CONTACT:

General

For further information on the Agenda in general, contact: Ted Wilson, Department of Energy, Room 6B-144, Forrestal Building, 1000 Independence Avenue, S.W., Washington, D.C. 20585, (202) 252-9507.

Specific

For further information about any particular item on the Agenda, contact the individual listed under that item.

SUPPLEMENTARY INFORMATION:

Executive Order 12291 (46 FR 13193, February 19, 1981) requires each Federal agency to publish, in April and October of each year, an agenda of proposed regulations that the agency has issued or expects to issue, and currently effective rules that are under agency review. Under the Executive Order, OMB sets forth standards and procedures for the preparation of these agendas.

There are important reasons for preparing this Agenda. It is vital in this Administration's efforts to reduce the burdens of existing and future regulations, to increase agency accountability for regulatory actions, to provide for presidential oversight of the regulatory process, to minimize duplication and conflict of regulations, and to insure well-reasoned regulations. This Administration has made considerable progress in these efforts. The Department of Energy has and will continue to work vigorously to achieve even greater success in the future. A recent example of the seriousness with which the Department regards this effort was its commitment to reduce the paperwork burden imposed by the DOE Acquisition Regulations (DEAR), 48 CFR Ch. 9, and other procurement regulations by not less than 10% in fiscal year 1984, with special attention given to the burden placed on small business. The Department has reached this goal and is looking to more significant reductions in fiscal year 1985. In addition, the Energy Information Administration reports that it reduced the burden of its collections on the public by 52,000 hours, or approximately 4%, in fiscal year 1984.

Executive Order 12291 also provides that the regulatory agenda may be incorporated with the "regulatory flexibility agenda" required under the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 602). The regulatory flexibility agenda must contain: (1) A brief description of the subject area and a summary of the nature of any rule which the agency expects to propose or promulgate which is "likely to have a significant economic impact on a substantial number of small entities"; (2) the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and (3) the name and telephone number of an agency official knowledgeable concerning each such rule.

Appended to this Notice is DOE's October 1984 Regulatory Agenda, reflecting the status of rules listed as of August 15, 1984. Incorporated in this Agenda is the regulatory flexibility agenda required under 5 U.S.C. 602.

The October 1984 Regulatory Agenda has been prepared in accordance with OMB Bulletin 84-16. Within each major DOE organizational unit, regulatory activities have been divided among the following three categories: (1) Current and projected rulemakings (that is, rulemakings for which a **Federal Register** notice already has been issued or is expected to be issued prior to October 1985); (2) reviews of existing regulations (that is, pending reviews within the agency to determine whether to modify an existing regulation through a rulemaking); and (3) completed actions (that is, regulatory activities for which the agency has completed its action prior to the publication of the current Agenda). Within the past three and a half years DOE has completed two comprehensive reviews of its regulations. (46 FR 20506, April 3, 1981 and 46 FR 18574, April 30, 1982). Therefore DOE is not conducting many reviews of existing regulations at this time.

Priority regulations include all regulations designated for priority development or review by an agency head, all regulations that are "major rules" under section 2(b) of Executive Order 12291, and all regulations designated for review by the former Presidential Task Force on Regulatory Relief. Priority regulations are identified and the reason they are deemed to be priority regulations is stated.

Each item will contain the following information: (1) DOE office or administration (that is, the DOE organizational unit responsible for the regulation); (2) RIN number (that is, the Regulation Identifier Number assigned by OMB/OIRA); (3) title; (4) priority status (that is, if the regulation is a priority regulation); (5) agency contact (that is, the name, title, address and telephone number of a person who is knowledgeable about the regulation); (6) existing regulation (that is, if the regulation under review is an existing regulation); (7) effects on small businesses and other entities (that is, whether the action is likely to have a significant economic impact on a substantial number of "small entities"

as defined by the Regulatory Flexibility Act); (8) CFR citation (that is, the section of the Code of Federal Regulations that will be affected); (9) legal authority (that is, a citation to the section of the United States Code (U.S.C.), Public Law (P.L.) or the Executive Order (E.O.) that authorizes the regulatory action); (10) abstract (that is, a description of the problem the regulation will address, the alternatives being considered for addressing the problem, and the potential costs and benefits of the action); and (11) timetable (that is, the dates and citations, if applicable, for all past stages of the rulemaking that are not final and the next stage of the rulemaking). In addition, each item regarding completed actions (that is, regulations completed or withdrawn and reviews completed since the preceding Agenda) states why the regulation is no longer under development and the date and citation, if appropriate.

Beginning with this Agenda, slight changes have been adopted which will affect the organization of information on the Department's regulatory activities. All items carried forward from the April 1984 Agenda, however, remain under their prior headings.

The information heading "Environmental Protection, Safety, and Emergency Preparedness" will no longer be used. It will be replaced by the heading "Policy, Safety, and Environment." Emergency preparedness information will now be reported under the general heading "Departmental and Others." Policy matters formerly were included under this general heading.

These changes result from a reorganization of certain offices within the Department, announced by the Secretary on January 19, 1984. The reorganization primarily involved the transfer of all functions under the Assistant Secretary for Environmental Protection, Safety, and Emergency Preparedness to other organizational units in the Department and the creation of a new Assistant Secretary position for Policy, Safety, and Environment.

On August 16, 1984 a draft of this Agenda was transmitted to the Chief Counsel for Advocacy of the Small Business Administration for comment, if any, to fulfill the requirement of 5 U.S.C. 602(b).

DOE's next Agenda will be published in April 1985.

Issued in Washington, D.C., on August 21, 1984.

William H. Mellor III,

Acting General Counsel.

BILLING CODE 6450-01-T

Conservation and Renewable Energy—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Energy Efficiency Standards for Four Types of Consumer Products	1904-AA04
2	Energy Efficiency Standards for Three Types of Consumer Products	1904-AA05
3	Federal Energy Management & Planning Programs Methodology & Procedures for Life Cycle Costing Analyses	1904-AA06
4	Energy Performance Standards for New Buildings	1904-AA08
5	Energy Efficiency Test Procedures for Water Heaters	1904-AA12
6	*Commercial and Apartment Conservation Service (CACS) Standby Program Regulations	1904-AA16
7	Institutional Conservation Programs -- Amendments	1904-AA17
8	Energy Efficiency Test Procedures for Dishwashers--Amendment	1904-AA18
9	Twenty-six State Petitions Regarding Federal Preemption of State Energy Efficiency Standards for Appliances	1904-AA19

*Indicates priority regulation.

Conservation and Renewable Energy—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
10	Procedures for Preliminary Energy Audits and Guidelines for Buildings Plans	1904-AA09
11	Federal Energy Management Program (FEMP) Guidelines for General Operations Plans	1904-AA10

Conservation and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
12	Federal Standby Commercial and Apartment Conservation Service (CACS) Plan	1904-AA01
13	Energy Efficiency Test Procedures for Two Products: Furnaces and Home Heating Equipment	1904-AA13

DOE

Defense Programs—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
14	National Security Information	1992-AA02
15	Safeguarding of Restricted Data	1992-AA03
16	10 CFR Part 1017 - Identification and Protection of Unclassified Controlled Nuclear Information	1992-AA04
17	Medical and Physical Fitness Standards for DOE Protective Force Personnel	1992-AA09
18	Limited Arrest Authority and Use of Force by Protective Force Officers	1992-AA10

Defense Programs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
19	Packaging and Transportation of Radioactive Material for Commercial Carriage	1992-AA08

Departmental and Others—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
20	Proposed General Guidelines for Recommendation of Sites for Nuclear Waste Repositories	1901-AA01
21	Loan Guarantee for Development of Underground Coal Mines and Construction of Coal Preparation Plants	1901-AA02
22	Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste -- Amendment	1901-AA03
23	Special Research Grants Program	1901-AA04

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
24	Proposed guidelines for siting a test and evaluation facility	1901-AA00

Economic Regulatory Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
25	*Review and Establishment of Natural Gas Curtailment Priorities For Interstate Pipelines	1903-AA00
26	Administrative Procedures with Respect to the Import and Export of Natural Gas	1903-AA01
27	Administrative Procedures for Adjustments of Natural Gas Curtailment Priority Regulations	1903-AA04

*Indicates priority regulation.

Economic Regulatory Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
28	Recordkeeping Requirements of DOE's General Allocation and Price Rules	1903-AA06

DOE

Management and Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
29	Financial Assistance Regulations; Cooperative Agreements	1991-AA03
30	Nondiscrimination on the Basis of Age	1991-AA22
31	Department of Energy Acquisition Regulation Revisions	1991-AA23

Management and Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
32	Security Policies and Practices Relating to Labor-Management Relations	1991-AA04
33	Department of Energy Financial Assistance Rules	1991-AA21

Management and Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
34	Department of Energy Acquisition Regulation	1991-AA01
35	Department of Energy Property Management Regulations	1991-AA17
36	Foreign Ownership, Control, or Influence of DOE Contractors: Change 11 to the DOE Procurement Regulations	1991-AA19
37	Sale of Strategic Petroleum Reserve Petroleum; Standard Sales Provisions	1991-AA20

Office of General Counsel—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
38	Amendments to Department of Energy Conduct of Employees	1990-AA00
39	Patent Waiver Regulation	1990-AA02

Office of General Counsel—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
40	Patent Licensing Regulations	1990-AA01

DEPARTMENT OF ENERGY (DOE)

Current and Projected Rulemakings

Conservation and Renewable Energy (CE)

1. ENERGY EFFICIENCY STANDARDS FOR FOUR TYPES OF CONSUMER PRODUCTS

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Abstract: Congress directed DOE to prescribe energy efficiency standards for certain specific consumer products unless DOE determines, by rule, that the establishment of such standard will not result in significant conservation of energy or is not technologically feasible or economically justified. This rule deals with four of these products: dishwashers, clothes washers, television sets, and humidifiers and dehumidifiers. The analysis will include all allowable alternatives including various efficiency levels for these consumer products as well as the alternative of no efficiency standard for these consumer products.

Timetable:

Action	Date	FR Cite
ANPRM	12/13/79	44 FR 72276
NPRM	11/00/84	

Small Entity: Undetermined

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA04

2. ENERGY EFFICIENCY STANDARDS FOR THREE TYPES OF CONSUMER PRODUCTS

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Abstract: Congress directed DOE to prescribe energy efficiency standards for certain specific consumer products unless DOE determines, by rule, that the establishment of such standard will not result in significant conservation of energy or is not technologically feasible or economically justified. This rule deals with heat pumps, heat pump water heaters and home heating equipment (not including furnaces). The analysis will include all allowable alternatives including various efficiency levels as well as the alternative of no efficiency standard.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/80	45 FR 5602

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA05

3. FEDERAL ENERGY MANAGEMENT & PLANNING PROGRAMS METHODOLOGY & PROCEDURES FOR LIFE CYCLE COSTING ANALYSES

Legal Authority: PL 95-619, Sec 545; PL 96-294, Sec 405; 42 USC 8255; EO 11912; EO 12003; PL 95-619, Sec 547

CFR Citation: 10 CFR 436

Abstract: The National Energy Conservation Policy Act requires DOE to promulgate regulations that establish a methodology for estimating and comparing the life cycle costs of Federal buildings and for determining life cycle cost effectiveness. The Energy Security Act requires that the regulations provide for the use of marginal costs in the life cycle cost analysis. DOE is preparing a NPRM to comply with this requirement.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Thomas Benson, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9472

RIN: 1904-AA06

4. ENERGY PERFORMANCE STANDARDS FOR NEW BUILDINGS

Legal Authority: PL 94-385; PL 96-399; PL 95-91; PL 97-35

CFR Citation: 10 CFR 435

Abstract: Title III of the Energy Conservation and Production Act, as amended, requires the development and promulgation of energy performance standards for new buildings. In order to comply with this requirement, DOE currently is developing voluntary guidelines for the private sector and mandatory standards for the federal government.

Timetable:

Action	Date	FR Cite
NPRM	11/21/84	
NPRM Comment Period Begin	11/21/84	
NPRM Comment Period End	02/21/85	

Small Entity: Undetermined

Agency Contact: James A. Smith, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9635

RIN: 1904-AA08

5. ENERGY EFFICIENCY TEST PROCEDURES FOR WATER HEATERS

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.22

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. The purpose of the rulemaking is to establish test procedures for heat pump water heaters and to eliminate the need for the test procedure waiver granted to A. O. Smith for its water heater with a thermal compensatory dip tube.

Timetable:

Action	Date	FR Cite
NPRM	02/08/84	49 FR 4870
NPRM Comment Period Begin	02/08/84	49 FR 4870
NPRM Comment Period End	05/21/84	
Final Action	02/00/85	
Final Action Effective	03/00/85	

Small Entity: No

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA12

6. COMMERCIAL AND APARTMENT CONSERVATION SERVICE (CACS) STANDBY PROGRAM REGULATIONS

Priority: Major

Legal Authority: 42 USC 8284

CFR Citation: 10 CFR 458.701 to 458.715

Abstract: On October 26, 1983, DOE issued a final rule in compliance with Title VII of the National Energy Conservation Policy Act, as amended, establishing the Commercial and Apartment Conservation Service (CACS) Program. The CACS Program is an energy audit program for commercial and apartment buildings to be carried out by public utilities in accordance with Plans developed by States. NECPA requires DOE to administer the Program in States that choose not to submit Plans. DOE will administer the program in the manner set forth in the CACS Standby Program Regulations. Insufficient data exists to reliably estimate potential program costs and benefits.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	10/00/84	

Action	Date	FR Cite
Final Action	02/00/85	
Final Action Effective	03/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Shelley Launey or Meg O'Hare (202) 252-1650.

Agency Contact: Andre Van Rest, Chief, Technical Services & Programs Branch, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1650

RIN: 1904-AA16

7. ● INSTITUTIONAL CONSERVATION PROGRAMS -- AMENDMENTS

Legal Authority: 42 USC 6371 to 6372i Title III of the EPCA, as amended; 42 USC 7101 to 7352 Department of Energy Organization Act

CFR Citation: 10 CFR 455.1 to 455.102

Abstract: The Department makes grants to schools, hospitals, and local government and public care institutions for conducting detailed energy audits and to schools and hospitals for installing energy conservation materials and equipment. The amendments would take advantage of experience obtained in administering the program by making adjustment to such matters as the length of the payback for eligible materials and equipment and the contents of energy audits. The amendments would improve the efficiency of the program.

Timetable:

Action	Date	FR Cite
Notice of Inquiry sought public comments whether to amend program regulation	01/23/84	49 FR 02846
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	09/00/84	

Small Entity: No

Agency Contact: Tom Stapp, Analyst, Department of Energy, Conservation and Renewable Energy, Institutional Conservation Programs Div., Conservation and Renewable Energy, 1000 Independence Ave., SW, Wash., DC 20585, 202 252-2198

RIN: 1904-AA17

8. ● ENERGY EFFICIENCY TEST PROCEDURES FOR DISHWASHERS--AMENDMENT

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.22

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. The purpose of this rulemaking is to amend the test procedures for dishwashers by revising the definition of water heating dishwashers.

Timetable:

Action	Date	FR Cite
NPRM	05/24/84	49 FR 23142
NPRM Comment Period Begin	06/04/84	49 FR 23142
NPRM Comment Period End	07/05/84	
Final Action	11/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Agency Contact: Michael J. McCabe, Acting Branch Chief, TEB, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA18

9. ● TWENTY-SIX STATE PETITIONS REGARDING FEDERAL PREEMPTION OF STATE ENERGY EFFICIENCY STANDARDS FOR APPLIANCES

Legal Authority: 42 USC 6297 (b)(3)

CFR Citation: 10 CFR 430.33

Abstract: This is a rulemaking responding to 26 State petitions that the Department promulgate rules exempting various of the States' appliance energy efficiency standards from federal preemption, regarding seven types of major household appliances. The appliances are: refrigerators and refrigerator-freezers, freezers, water heaters, room air conditioners, central air conditioners, furnaces, and kitchen ranges and ovens. The only alternatives open to the Department are to deny or to grant part or all of the State petitions.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	11/00/84	
Final Action	05/13/85	
Final Action Effective	05/13/85	

Small Entity: No

Additional Information: In a related matter, DOE published notice that it would take final action on the 26 State petitions by May 13, 1985. 49 FR 32444, August 14, 1984.

Agency Contact: Michael J. McCabe, Acting Branch Chief, TEB, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA19

DEPARTMENT OF ENERGY (DOE)
Conservation and Renewable Energy (CE)

Existing Regulations Under Review

10. PROCEDURES FOR PRELIMINARY ENERGY AUDITS AND GUIDELINES FOR BUILDINGS PLANS

Legal Authority: PL 94-163; PL 95-619; EO 11912; EO 12003

CFR Citation: 10 CFR 435

Abstract: The regulations in Subpart B are needed to provide the procedures for conducting and reporting on preliminary energy audits of Federal buildings, as required by Title V, Part 3, of the National Energy Conservation Policy Act (NECPA) and section 10 of EO 11912, as amended. The regulations in Subpart C are needed to provide guidelines for the formulation and updating of Buildings Plans by Federal agencies to achieve goals for reduction of Federal building energy use, pursuant to section 10 of EO 11912, as amended, section 381 of the Energy Policy and Conservation Act, as amended, and NECPA. DOE is reviewing these procedures and guidelines in order to determine how to make them less prescriptive.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Tina VanSickle, Energy Conservation Program Specialist, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9471

RIN: 1904-AA09

11. FEDERAL ENERGY MANAGEMENT PROGRAM (FEMP) GUIDELINES FOR GENERAL OPERATIONS PLANS

Legal Authority: PL 94-163, Sec 201; PL 96-102, Sec 211; EO 11912; EO 12003

CFR Citation: 10 CFR 436

Abstract: This rule is needed to provide guidelines for use by Federal agencies in their development of overall 10-year energy management plans to conserve energy in the general operations of the agencies, and to provide for agency responses to energy emergencies per authorities cited section 9. DOE is reviewing these guidelines in order to determine how to make them less prescriptive.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Thomas E. Benson, Energy Analyst, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9472

RIN: 1904-AA10

DEPARTMENT OF ENERGY (DOE)
Conservation and Renewable Energy (CE)

Completed Actions

COMPLETED RULEMAKINGS

12. FEDERAL STANDBY COMMERCIAL AND APARTMENT CONSERVATION SERVICE (CACS) PLAN

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Abstract: Title VII of the National Energy Conservation Policy Act, as amended, requires large gas and electric utilities to offer audit and information services to small commercial and large multi-family customers. Each state has the option to implement plan for the operation of the program by its covered utilities. The statute requires DOE to implement a Federal Plan for States or nonregulated utilities which do not submit their own Plan or for States and non-regulated utilities which do not adequately implement their Plan. Alternative levels of flexibility will be examined. Insufficient data currently exists to reliably estimate potential program costs or benefits.

Timetable:

Action	Date	FR Cite
Merged into 1904-AA16	08/15/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Shelley Launey (see Agency Contact heading for address and phone).

Agency Contact: Andre Van Rest, Chief, Technical Services & Programs Branch, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1650

RIN: 1904-AA01

13. ENERGY EFFICIENCY TEST PROCEDURES FOR TWO PRODUCTS: FURNACES AND HOME HEATING EQUIPMENT

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.22

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. The purpose of this rulemaking is to update the test procedures for two types of appliances to reduce testing costs, improve test procedure accuracy and eliminate the need for the test procedure waivers that have been granted for a number of furnace designs.

Timetable:

Action	Date	FR Cite
NPRM	06/17/83	48 FR 28014
NPRM Comment Period Begin	06/17/83	
NPRM Comment Period End	09/15/83	
Final Action	03/07/84	49 FR 12148
Final Action Effective	04/27/84	49 FR 12148

Small Entity: No

Agency Contact: Michael J. McCabe, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9127

RIN: 1904-AA13

[FR Doc. 84-24289 Filed 10-19-84; 8:45 am]

DEPARTMENT OF ENERGY (DOE)
Defense Programs (DP)

Current and Projected Rulemakings

14. NATIONAL SECURITY INFORMATION

Legal Authority: EO 12356

CFR Citation: 10 CFR 1045

Abstract: Executive Order 12356 and Information Security Oversight Office Directive No. 1 require that those portions of related agency implementing regulations that affect members of the public be published in the Federal Register. Specifically, points of contact for (1) suggestions or complaints concerning the Department of Energy classification and security program, and (2) for submission of requests under the Mandatory Review provisions of the Executive Order are required to be published.

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	

Small Entity: No

Agency Contact: Jill Ellman Lytle, Director, Office of Classification, Department of Energy, Defense Programs, 1000 Independence Avenue, SW, Washington, DC 20585, **301 353-3521**

RIN: 1992-AA02

15. SAFEGUARDING OF RESTRICTED DATA

Legal Authority: 42 USC 2011 et seq

CFR Citation: 10 CFR 795, (Old); 10 CFR 1016, (New)

Abstract: The regulations in this part establish requirements for the safeguarding of secret and confidential Restricted Data received or developed under an access permit. This part does not apply to Top Secret Restricted Data.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Barry L. Rich, Chief, Physical Protection, Department of Energy, Defense Programs, Office of Safeguards and Security, Security DP-343.3, M.S-D-315, Washington, DC 20545, **301 353-4243**

RIN: 1992-AA03

16. 10 CFR PART 1017 - IDENTIFICATION AND PROTECTION OF UNCLASSIFIED CONTROLLED NUCLEAR INFORMATION

Legal Authority: 42 USC 2168

CFR Citation: 10 CFR 1017

Abstract: Section 148 of the Atomic Energy Act of 1954, as amended (42 USC 2168) requires the Secretary to withhold certain unclassified information pertaining to the design of production facilities and utilization facilities; security measures relating to the protection of production or utilization facilities, nuclear materials contained in such facilities, and nuclear materials in transit, and the design, manufacture, or utilization of atomic weapons or components thereof, if such information was declassified or removed from the Restricted Data category.

Timetable:

Action	Date	FR Cite
NPRM	04/01/83	48 FR 13988
NPRM Comment Period Begin	04/01/83	48 FR 20091
NPRM Comment Period End	06/04/83	
ANPRM	03/01/84	
NPRM	08/03/84	49 FR 31236
Public Hearing	09/13/84	49 FR 31236
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No

Additional Information: This regulation was reproposed due to the numerous public comments on the initial proposal, and in order to clarify the intended scope of the regulation.

Agency Contact: Paul R. Laplante, Program Analyst, Department of Energy, Defense Programs, Division of Policy and Planning, 1000 Independence Avenue, SW, Washington, DC 20585, **202 252-1870**

RIN: 1992-AA04

17. ● MEDICAL AND PHYSICAL FITNESS STANDARDS FOR DOE PROTECTIVE FORCE PERSONNEL

Legal Authority: 42 USC 2011 et seq

CFR Citation: 10 CFR 1046

Abstract: The regulations in this part establish requirements for the medical and physical fitness qualification standards for DOE and DOE contractor protective force personnel. These requirements are essential to ensure that persons responsible for the protection of DOE facilities, nuclear weapons, special nuclear material, and classified matter and related activities are medically and physically able to perform their routine and emergency duties.

Timetable:

Action	Date	FR Cite
NPRM	05/14/84	49 FR 20436
NPRM Comment Period Begin	05/14/84	49 FR 20436
NPRM Comment Period End	06/13/84	
Final Action	09/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Agency Contact: Barry L. Rich, Chief, Physical Protection, Department of Energy, Defense Programs, Office of Safeguards and Security, DP-343 MS D-315 Washington, DC 20545, **301 353-4243**

RIN: 1992-AA09

18. ● LIMITED ARREST AUTHORITY AND USE OF FORCE BY PROTECTIVE FORCE OFFICERS

Legal Authority: 42 USC 2011 et seq

CFR Citation: 10 CFR 1047

Abstract: The regulations in this part establish the limits and conditions on the arrest authority provided to DOE and DOE contractor protective force officers under Section 161.k of the Atomic Energy Act of 1954, as amended. The regulations also describe the circumstances under which physical force, including deadly force as necessary, may be used to effect arrests under the Act.

Timetable:

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30638
NPRM Comment Period Begin	07/31/84	49 FR 30638

Action	Date	FR Cite
NPRM Comment Period End	09/07/84	
Final Action	11/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Agency Contact: Barry L. Rich, Chief, Physical Protection, Department of Energy, Defense Programs, Office of Safeguards and Security, DP-343 MS D-315 Washington, DC 20545, 301 353-4243

RIN: 1992-AA10

DEPARTMENT OF ENERGY (DOE)
Defense Programs (DP)

Completed Actions

COMPLETED RULEMAKINGS

19. PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIAL FOR COMMERCIAL CARRIAGE

Priority: Undetermined

Legal Authority: PL 94-187 Atomic Energy Act of 1954, as amended; PL 93-438 Atomic Energy Act of 1954, as amended

CFR Citation: 10 CFR Not yet determined

Abstract: The regulation addresses the federal certification requirements for radioactive material shipment packagings used by the Dept. of Energy in conducting its RAD materials shipping operations in commerce. There is no known potential negative cost impact. However substantial benefits can accrue by assuring that potential RAD matl's package and cask suppliers are familiarized with the stringent minimal safety requirements for structural integrity thermal resistance, radiation shielding, radiological safety, nuclear criticality safety, and quality assurance. This regulation parallels and encompasses the applicable requirements of other federal regulations, i.e., 10 CFR part 71, and 49 CFR 173, et seq.

Timetable:

Action	Date	FR Cite
Withdrawn - now covered by DOE Orders 1540.1 and 5480.1 (Chap. 3)	08/02/84	

Small Entity: Not Applicable

Agency Contact: Roy F. Garrison, Mgr, Transportation Operations and Traffic, Department of Energy, Defense Programs, Room A-220 (GTN) DP-122, Washington, DC 20545, 301 353-5363

RIN: 1992-AA08

[FR Doc. 84-24269 Filed 10-19-84; 8:45 am]

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Current and Projected Rulemakings

20. PROPOSED GENERAL GUIDELINES FOR RECOMMENDATION OF SITES FOR NUCLEAR WASTE REPOSITORIES

Priority: Undetermined

Legal Authority: 42 USC 10101

CFR Citation: 10 CFR 960

Abstract: In accordance with the requirements of the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425), the Department of Energy is proposing general guidelines for the recommendation of sites for repositories for disposal of high-level radioactive waste and spent nuclear fuel in geologic formations. These guidelines established the performance requirements for a geologic repository system, specify how the Department will implement its site-selection program, and define the technical qualifications that candidate sites must meet in the various steps of the site selection process mandated by the Act. After considering comments, the Department will issue these guidelines in final form as a new Part 960 to Title 10 of the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
NPRM	02/07/83	48 FR 5670
NPRM Comment Period Begin	02/07/83	48 FR 5670
NPRM Comment Period End	03/24/83	
Final Action	08/00/84	
Final Action Effective	09/00/84	

Small Entity: No

Agency Contact: Ben C. Rusche, Director, Department of Energy, Departmental and Others, Office of Civilian Radioactive Waste, Management, Washington, DC 20585, 202 252-6842

RIN: 1901-AA01

21. LOAN GUARANTEE FOR DEVELOPMENT OF UNDERGROUND COAL MINES AND CONSTRUCTION OF COAL PREPARATION PLANTS

Legal Authority: 42 USC 6211

CFR Citation: 10 CFR 300, (Revision)

Abstract: The Coal Loan Guarantee Program is designed to encourage and assist relatively small coal producers to increase the nation's coal production from low-sulfur underground coal mines; to enhance competition within the coal industry; to encourage new market entry by small coal producers who, historically, have been unable to obtain adequate long-term financing; and to encourage the construction of coal preparation plants designed to reduce the sulfur content of coal. Potential costs of the program are a default reserve fund of $2.5 million. Potential benefits include the construction of several coal preparation plants.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: Revised regulations are on hold until such time as the Congress acts on DOE's

requested redirection of the default reserve fund.

Agency Contact: Peter Muchunas, Program Manager, Department of Energy, Departmental and Others, FE-23, Germantown, MD, **301 353-2603**

RIN: 1901-AA02

22. ● STANDARD CONTRACT FOR DISPOSAL OF SPENT NUCLEAR FUEL AND/OR HIGH-LEVEL RADIOACTIVE WASTE -- AMENDMENT

Legal Authority: 42 USC 10222 Sec 302 of the Nuclear Waste Policy Act of 1982

CFR Citation: 10 CFR 961.11

Abstract: A standard contract has been established at 10 CFR Part 961, to be used by DOE in furnishing disposal services to the owners and generators of spent nuclear fuel and/or high-level radioactive waste. This regulation would amend Article VIII of the contract. The alternatives being considered relate to such matters as the fees charged for reinserted fuel, fuel size, and the contract amendment ratification process. The DOE is determining the specifics of potential costs and benefits to the government and users of disposal services.

Timetable:

Action	Date	FR Cite
NPRM	02/22/84	49 FR 6500
NPRM Comment Period Begin	02/22/84	49 FR 6500
NPRM Comment Period End	03/23/84	
Final Action	00/00/00	

Small Entity: No

Additional Information: A related data collection form was published for comment on July 20, 1984 (49 FR 29442).

Agency Contact: Ben C. Rusche, Director, Department of Energy, Departmental and Others, OCRWM RW-1, Room 5A-085, 1000 Independence Ave., SW, Washington, DC 20585, **202 252-6850**

RIN: 1901-AA03

23. ● SPECIAL RESEARCH GRANTS PROGRAM

Legal Authority: 42 USC 2051; 42 USC 5817; 42 USC 5901; 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 605

Abstract: The regulation would implement a program of special research grants to facilitate the use of grants by the DOE Office of Energy Research in support of basic and applied research and related activities. It would supplement DOE's Financial Assistance Rules by providing specific procedures for the program. The regulation will not impose additional burdens, but will provide a comprehensive procedural mechanism for funding research through grants.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	10/00/84	

Small Entity: No

Agency Contact: Robert A. Zich, Director, Acquisition Management Division, Department of Energy, Departmental and Others, Office of Energy Research (ER-64), Washington, DC 20545, **301 353-5544**

RIN: 1901-AA04

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Completed Actions

COMPLETED RULEMAKINGS

24. PROPOSED GUIDELINES FOR SITING A TEST AND EVALUATION FACILITY

Priority: Undetermined

Legal Authority: 42 USC 10101

CFR Citation: 10 CFR 960

Abstract: In accordance with the requirements of the Nuclear Waste Policy Act of 1982 (Pub. L. 97-425), if the Department decides to build a test and evaluation facility, the Department will propose general guidelines for the recommendation of sites for a test and evaluation facility. Under these guidelines the Secretary shall specify factors that qualify or disqualify a site for development as a test and evaluation facility, including factors pertaining to the location of valuable natural resources, hydrogeophysics, seismic activity, and atomic energy defense activities, proximity to water supplies, proximity to populations, the effect upon the rights of users of water, and proximity to components of the National Park System, the National Wildlife Refuge System, the National Wild and Scenic Rivers System, the National Wilderness Preservation System, or National Forest Lands.

Timetable:

Action	Date	FR Cite
Withdrawn	04/19/84	

Small Entity: No

Additional Information: DOE has notified Congress, by letter dated April 19, 1984, that a decision regarding the need for a Test and Evaluation Facility (TEF) will be made in late 1987. Consequently, there are no activities currently underway regarding this rulemaking.

Agency Contact: Robert L. Morgan, Project Director, Department of Energy, Departmental and Others, Office of Civilian Radioactive Waste, Washington, DC 20585, **202 252-6850**

RIN: 1901-AA00

[FR Doc. 84-24269 Filed 10-19-84; 8:45 am]

DEPARTMENT OF ENERGY (DOE)
Economic Regulatory Administration (ERA)

Current and Projected Rulemakings

25. REVIEW AND ESTABLISHMENT OF NATURAL GAS CURTAILMENT PRIORITIES FOR INTERSTATE PIPELINES

Priority: Major

Legal Authority: 42 USC 7151; 42 USC 7172; 15 USC 3391 to 3393

CFR Citation: 10 CFR 598

Abstract: The proposed rule establishes natural gas curtailment priorities applicable to deliveries by interstate pipelines during periods when not enough gas is available to supply all customers. The proposed rule implements the rulemaking requirements of Title IV of the Natural Gas Policy Act of 1978 by establishing curtailment priorities for high priority uses and for essential agricultural and essential industrial feedstock and process uses.

Timetable:

Action	Date	FR Cite
NPRM	07/02/80	45 FR 45098

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: FERC currently is reviewing the proposed rule pursuant to section 404 of the DOE Act. FR will be issued approximately six weeks after FERC concurrence is received. A regulatory flexibility analysis is not required in regard to this rule since the notice of proposed rulemaking was issued prior to January 1, 1981.

Agency Contact: Paula Daigneault, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9482

RIN: 1903-AA00

26. ADMINISTRATIVE PROCEDURES WITH RESPECT TO THE IMPORT AND EXPORT OF NATURAL GAS

Legal Authority: 15 USC 717 et seq; 42 USC 7151; 42 USC 7172

CFR Citation: 10 CFR 205; 10 CFR 590

Abstract: ERA is currently following the FERC procedural rules on an interim basis in natural gas import and export proceedings. The proposal would establish administrative procedures that generally would be informal, would provide more flexibility for tailoring the procedures to the needs of a particular case, and would reflect ERA's organization structure and legislative mandate. Evidentiary hearings would be reserved for situations where necessary to resolve disputes of material issues of fact. The proposal would also eliminate the FERC requirement that the ultimate decisionmaker or an Administrative Law Judge presides at hearings. The proposed rule would ease the regulatory burden on applicants and interested parties by simplifying the procedures and reducing the amount of information and number of documents required for an import or export application.

Timetable:

Action	Date	FR Cite
NPRM	08/26/81	46 FR 44696
Final Action	09/26/84	
Final Action Effective	10/29/84	

Small Entity: Undetermined

Agency Contact: Stanley C. Vass, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9482

RIN: 1903-AA01

27. ADMINISTRATIVE PROCEDURES FOR ADJUSTMENTS OF NATURAL GAS CURTAILMENT PRIORITY REGULATIONS

Legal Authority: 15 USC 3412; 42 USC 7101; 5 USC 553

CFR Citation: 10 CFR 580; 10 CFR 585

Abstract: This rule proposes procedures for seeking interpretations, modifications, or rescissions of natural gas curtailment priority regulations for essential agricultural uses. The Federal Energy Regulatory Commission (FERC) took jurisdiction over the proposed rule on June 15, 1979, under Section 404 of the DOE Organization Act, and the matter is currently at FERC.

Timetable:

Action	Date	FR Cite
NPRM	05/07/79	44 FR 27676
NPRM Comment Period Begin	05/11/79	44 FR 27676
NPRM Comment Period End	06/08/79	

Next Action Undetermined

Small Entity: No

Agency Contact: Paula Daigneault, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, S.W., Washington, DC 20585, 202 252-9482

RIN: 1903-AA04

DEPARTMENT OF ENERGY (DOE)
Economic Regulatory Administration (ERA)

Existing Regulations Under Review

28. ● RECORDKEEPING REQUIREMENTS OF DOE'S GENERAL ALLOCATION AND PRICE RULES

Legal Authority: 42 USC 7151

CFR Citation: 10 CFR 210.1

Abstract: The existing regulation requires firms to maintain the records which were collected under the recordkeeping requirements that were in effect on January 27, 1981, in 10 CFR Parts 210, 211, and 212. DOE is considering the possibility of exempting from this regulation those firms whose records are no longer needed by DOE in the enforcement process.

Timetable:

Action	Date	FR Cite
Begin Review	08/01/84	
End Review	01/31/85	

Small Entity: Undetermined

Agency Contact: William H. Mellor III, Dep Gen Counsel, Legislation & Regulations, Department of Energy, Office of General Counsel, Room 6A-141, 1000 Independence Ave., SW, Washington, DC 20585, 202 252-6732

RIN: 1903-AA06

[FR Doc. 84-24269 Filed 10-19-84; 8:45 am]

DEPARTMENT OF ENERGY (DOE)
Management and Administration (MA)

Current and Projected Rulemakings

29. FINANCIAL ASSISTANCE REGULATIONS; COOPERATIVE AGREEMENTS

Legal Authority: PL 95-91; PL 95-224

CFR Citation: 10 CFR 600C

Abstract: This proposed rule will revise the existing Subpart C. The purpose of the revision is to conform DOE policy on cooperative agreement award and administration with government-wide policy.

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	
Final Action	03/15/85	

Small Entity: No

Agency Contact: Cherlyn Seckinger, Procurement Analyst, Department of Energy, Management and Administration, MA-421.2, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8190

RIN: 1991-AA03

30. ● NONDISCRIMINATION ON THE BASIS OF AGE

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975

CFR Citation: 10 CFR 1040.81 to 1040.89-13

Abstract: Prohibits discrimination on basis of age in programs or activities receiving Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	09/25/81	46 FR 49456
Final Action	10/00/84	
Final Action Effective	11/00/84	

Small Entity: No

Additional Information: These regulations were not approved by HHS until July 13, 1984, therefore, they have not previously been reported on the agenda.

Public Compliance Cost: Initial Cost: $40,000; Yearly Recurring Cost: $11,000; Base Year for Dollar Estimates: 1985

Government Levels Affected: Local, State

Agency Contact: Charles A. Agnew Jr., Special Assistant for Civil Rights, Department of Energy, Management and Administration, Office of Equal Opportunity, 1000 Independence Avenue, SW (4b-112), Washington, DC 20585, 202 252-2230

RIN: 1991-AA22

31. ● DEPARTMENT OF ENERGY ACQUISITION REGULATION REVISIONS

Legal Authority: 41 USC 401 et seq The Office of Federal Procurement Policy Act; 42 USC 7101 et seq The Department of Energy Organization Act; EO 12352 Procurement Reforms

CFR Citation: 48 CFR 927; 48 CFR 950

Abstract: The Department of Energy Acquisition Regulation, promulgated March 29, 1984, at 49 FR 11922, supplements and implements the Federal Acquisition Regulation. A more recent Federal Acquisition Circular has been issued to establish a FAR Part 27 concerning Patents. It will be necessary to revise Part 927 of the DEAR to supplement and implement the FAR and to explain how DOE patent policy will differ due to our statutory requirements. The Department also plans to revise Part 950 of the DEAR regarding extraordinary contract actions to describe how such requests will be handled. Neither of the actions is anticipated to have any cost impact.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
NPRM Comment Period Begin	10/01/84	
NPRM Comment Period End	11/02/84	

Small Entity: No

Agency Contact: Richard B. Langston, Procurement Analyst, Department of Energy, Management and Administration, MA-421.1, Washington, DC 20585, 202 252-8250

RIN: 1991-AA23

DEPARTMENT OF ENERGY (DOE)
Management and Administration (MA)

Existing Regulations Under Review

32. SECURITY POLICIES AND PRACTICES RELATING TO LABOR-MANAGEMENT RELATIONS

Legal Authority: PL 95-91

CFR Citation: 10 CFR 706

Abstract: DOE proposes to amend 10 CFR Part 706. This part previously was published as an Energy Research and Development Administration (ERDA) regulation and was revised to reflect its status as a DOE regulation. Section 301 of the Department of Energy Organization Act transferred to and vested in the Secretary of Energy all the functions previously vested in ERDA. To reflect better its present character as a DOE regulation, DOE is proposing to amend Part 706 in several sections to reflect current application of Part 706. For example, a definition of installation will be included in order to specify which DOE contractors are covered by Part 706. In addition, other changes are being made in the interest of brevity, consistency and clarity.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/83	
End Review	12/00/84	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Juanita E. Smith, Department of Energy, Management and Administration, MA-26A, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-9023

RIN: 1991-AA04

33. ● DEPARTMENT OF ENERGY FINANCIAL ASSISTANCE RULES

Legal Authority: 42 USC 7254; 42 USC 7256; 41 USC 501

CFR Citation: 10 CFR 600, (Revision)

Abstract: The Department of Energy Financial Assistance Rules will be reviewed for opportunities to update, clarify, simplify, and reduce existing requirements.

Timetable:

Action	Date	FR Cite
Begin Review	08/00/84	
End Review	09/30/84	

Small Entity: No

Agency Contact: Ellen Feinsilber, Chief, Business & Financial Policy Branch, Department of Energy, Management and Administration, MA421, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8173

RIN: 1991-AA21

DEPARTMENT OF ENERGY (DOE)
Management and Administration (MA)

Completed Actions

COMPLETED RULEMAKINGS

34. DEPARTMENT OF ENERGY ACQUISITION REGULATION

Legal Authority: PL 93-400; PL 96-83; PL 95-91; EO 12352

CFR Citation: 48 CFR 901 to 999

Abstract: The Federal Acquisition Regulation is being developed to promote uniformity in Federal procurement policy. When this regulation is published, it will be necessary for DOE to promulgate an acquisition regulation to implement and supplement the Federal Acquisition Regulation with respect to DOE. No significant cost impact is expected.

Timetable:

Action	Date	FR Cite
NPRM	09/26/83	
NPRM Comment Period Begin	09/26/83	
NPRM Comment Period End	11/25/83	
Final Action	03/28/84	49 FR 11922
Final Action Effective	04/01/84	

Small Entity: No

Agency Contact: Richard B. Langston, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8188

RIN: 1991-AA01

35. DEPARTMENT OF ENERGY PROPERTY MANAGEMENT REGULATIONS

Legal Authority: 40 USC 471 et seq

CFR Citation: 41 CFR 109

Abstract: The Department of Energy Property Management Regulations will be revised and updated to reflect necessary changes resulting from 1) the issuance of the Federal Acquisition Regulations, 2) the issuance of amendments to the Federal Property Management Regulations by the General Services Administration, 3) reorganizations and organizational name changes within DOE, 4) changing reporting requirements, 5) DOE policy changes in the management of property, and 6) recommendations of the General Accounting Office. There is no other alternative for addressing the problem, and there will be no additional costs. The revisions are necessary to bring the DOE Property Management Regulations into conformance with other Federal regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/30/84	
Final Action	06/21/84	49 FR 25564

Small Entity: No

Government Levels Affected: Federal

Agency Contact: John D. French, Director, Property & Equipment Mgmt., Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-8254

RIN: 1991-AA17

36. FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE OF DOE CONTRACTORS: CHANGE 11 TO THE DOE PROCUREMENT REGULATIONS

Legal Authority: PL 95-91; 42 USC 2168

CFR Citation: 41 CFR 9-1; 41 CFR 9-7; 41 CFR 9-50

Abstract: Adds new solicitation and contract provisions designed to obtain information that indicates whether DOE contractors are owned, controlled or influenced by foreign individuals, governments, or organizations and whether that influence may threaten national security. The information generated will enable DOE to protect against situations in which specific information may become available to foreign governments, individuals, or organizations because of their ownership control or influence over a DOE contractor.

Timetable:

Action	Date	FR Cite
NPRM	07/28/83	48 FR 34396
NPRM Comment Period Begin	07/28/83	48 FR 34396
NPRM Comment Period End	09/30/83	
Final Action	02/29/84	49 FR 7379
Final Action Effective	03/29/84	

Small Entity: No

Agency Contact: Laura Bick, Procurement Analyst, Department of Energy, Management and Administration, MA-421.1, Washington, DC 20585, 202 252-8188

RIN: 1991-AA19

37. SALE OF STRATEGIC PETROLEUM RESERVE PETROLEUM; STANDARD SALES PROVISIONS

Legal Authority: 42 USC 6239(f)(A); PL 97-229

CFR Citation: 10 CFR 625

Abstract: On December 21, 1983, the DOE published in the Federal Register (48 FR 56538) a final rule governing price competitive sales of petroleum from the strategic petroleum reserve (SPR) in the event that the SPR is drawn down to respond to a severe energy supply interruption or to meet obligations of the U.S. under the agreement on an International Energy Program. This final rule provided for the publication in the Federal Register, as an appendix, of standard sales provisions (SSPs) containing or describing contract clauses, terms and conditions of sale, and performance and financial responsibility measures.

DOE—MA

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	06/15/83	48 FR 27482
NPRM Comment Period Begin	06/15/83	
NPRM Comment Period End	09/16/83	
Final Action Publication of SSPs	01/20/84	49 FR 2692

Action	Date	FR Cite
Final Action Effective	01/20/84	

Small Entity: Not Applicable

Additional Information: 1991-AA13 Price Competitive Sale of Strategic Petroleum Reserve Petroleum.

Agency Contact: Lynn M. Warner, Contract Specialist, Department of Energy, Management and Administration, (MA-453.1), 1000 Independence Ave., Washington, DC 20585, 202 252-1061

RIN: 1991-AA20

[FR Doc. 84-24269 Filed 10-19-84; 8:45 am]

DEPARTMENT OF ENERGY (DOE)
Office of General Counsel (OGC)

Current and Projected Rulemakings

38. AMENDMENTS TO DEPARTMENT OF ENERGY CONDUCT OF EMPLOYEES

Legal Authority: 18 USC 201 to 209; 42 USC 7211 to 7218; EO 11222

CFR Citation: 10 CFR 1010

Abstract: The regulations need to be revised to reflect the provisions and requirements of the Ethics in Government Act. In addition, it is anticipated that certain sections of the regulations will be clarified and/or revised to reflect current Office of General Counsel policy and interpretations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Katherine B. Soffer, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-1522

RIN: 1990-AA00

39. PATENT WAIVER REGULATION

Legal Authority: 42 USC 2182; 42 USC 5908

CFR Citation: 10 CFR 784; 41 CFR 9-9.109-6

Abstract: The regulation provides procedures and standards for obtaining a waiver of the Government's rights in inventions made under DOE research and development contracts with entities that are not small businesses or nonprofit institutions, and terms and conditions of such waivers. Currently, DOE waiver policy is provided in DOE Procurement Regulations (41 CFR 9-9.109-6). The proposed regulation places DOE patent waiver policy in a separate regulation, and also provides updates, revisions and clarifications to waiver policy as contained in 41 CFR 9-9.109-6.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
NPRM Comment Period Begin	11/00/84	
NPRM Comment Period End	01/00/85	

Small Entity: Undetermined

Agency Contact: William R. Moser, Acting Assistant General Counsel for Patents, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 252-2806

RIN: 1990-AA02

DEPARTMENT OF ENERGY (DOE)
Office of General Counsel (OGC)

Existing Regulations Under Review

40. PATENT LICENSING REGULATIONS

Legal Authority: 35 USC 208

CFR Citation: 10 CFR 781

Abstract: The regulation prescribes procedures, standards, terms, and conditions for obtaining a license to practice a DOE-owned invention, either exclusively or non-exclusively. Current government-wide regulations exist (41 CFR 101-4). The proposed revision would bring DOE patent licensing regulations into harmony with revised statutory authority and the government-wide regulations.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/83	
End Review	00/00/00	

Small Entity: Undetermined

Agency Contact: Robert J. Marchick, Assistant for Licensing, Department of Energy, Office of General Counsel, 1000 Independence Ave, SW, Washington, DC 20585, 202 252-2806

RIN: 1990-AA01

[FR Doc. 84-24269 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part VIII

Department of Health and Human Services

Semiannual Regulatory Agenda

HHS

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

20 CFR Ch. III

21 CFR Ch. I

42 CFR Ch. I-IV

45 CFR Subtitle A, Chs. II, III, and XIII

Unified Agenda of Regulations

AGENCY: Department of Health and Human Services.

ACTION: Publication of unified agenda of regulations.

SUMMARY: The President's February 17, 1981, Executive Order (12291) and the Regulatory Flexibility Act of 1980 require the Department to publish an agenda of significant regulations being developed and an indication of those regulatory actions that are being analyzed for their effect on small businesses. The Department published its last agenda on April 19, 1984.

FOR FURTHER INFORMATION CONTACT: For further inquiries or comments related to specific regulations listed in the agenda, the public is encouraged to contact the appropriate responsible individual. Questions or comments on the overall agenda should be sent to: John J. Phelan, Associate Executive Secretary/Regulations, Office of the Secretary, Department of Health and Human Services, 200 Independence Avenue, S.W., Washington, D.C. 20201, Telephone: (202) 245-3475.

DATED: August 24, 1984.

Margaret M. Heckler,

Secretary, Department of Health and Human Services.

BILLING CODE 4150-04-T

Office of the Secretary—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Nondiscrimination Requirement Applicable to Block Grants and Community Economic Development and Head Start Programs - Including Nondiscrimination on the Bases of Sex and Religion	0991-AA02
2	Letter of Credit Sanctions	0991-AA03
3	Public Information Regulation	0991-AA07
4	Rulemaking Relating to Public Property, Loans, Grants, Benefits, and Contracts	0991-AA08
5	*Administration of Grants to States Other Than Block Grants or Open-Ended Grants	0991-AA10
6	Privacy Act Regulation	0991-AA11
7	Principles for Determining Costs and Cost Allocation Procedures Applicable to Grants, Contracts, and Other Agreements for Work Performed by Hospitals	0991-AA12
8	Automatic Data Processing Equipment and Services -- Conditions for Federal Financial Participation	0991-AA14
9	Determination of Adequacy of Contractors' Accounting and Billing Systems and Preparation of Invoices	0991-AA15
10	Enforcement of Nondiscrimination on the Basis of Handicap in the Department of Health and Human Services	0991-AA17
11	Sanctions for Medicare and Medicaid Fraud and Abuse	0991-AA20
12	Program Integrity	0991-AA21

*Indicates priority regulation.

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
13	Exempt OCR Complaint Investigation Files from the General Disclosure Requirements of the Privacy Act, 5 U.S.C. 552a	0991-AA16
14	Department of Health and Human Services Acquisition Regulation	0991-AA18

Departmental Management—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
15	Claims Collection	0990-AA00
16	Grants to States for Public Assistance Programs	0990-AA01

HHS

Office of Human Development Services—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
17	Grants for State and Community Programs on Aging; Grants to Indian Tribes for Supportive & Nutrition Services--Final Rule	0980-AA02
18	Foster Care Maintenance Payments, Adoption Assistance, and Child Welfare Services -- Notice of Proposed Rulemaking	0980-AA08

Office of Human Development Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
19	Developmental Disabilities Program--Final Rule	0980-AA05

Social Security Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
20	*Old-Age, Survivors, and Disability Insurance, Black Lung, and Supplemental Security Income Programs; Waiver of Adjustment or Recovery of Overpayments	0960-AA00
21	*Supplemental Security Income Program; Eligibility, Mandatory Application for Earned Income Tax Credits	0960-AA01
22	*Supplemental Security Income Program; Effective Date of Application and Proration of Initial SSI Benefit Payment	0960-AA03
23	*Supplemental Security Income Programs; Mandatory Pass Through Under State Supplementation Provisions	0960-AA05
24	*Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Revised Rules for Certain Medical Cessation Cases	0960-AA10
25	Old-Age, Survivors, and Disability Insurance Program; Coverage of Employees of State and Local Governments	0960-AA13
26	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Fee Schedule for Information	0960-AA15
27	General Administration-Public Assistance Programs; AFDC; Federal Financial Participation in the Cost of a Statewide Mechanized Claims Processing System	0960-AA16
28	Supplemental Security Income Program; Reductions, Suspensions and Terminations	0960-AA22
29	Supplemental Security Income Program; Age 18 and Alien Deeming	0960-AA26
30	Supplemental Security Income Program; Eligibility, Amount of Benefits, Income, Resources, State Supplementary Provisions, Agreements, Payments	0960-AA27
31	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Future Effect of Applications and Related Changes in Appeals Council Procedures	0960-AA28
32	Aid to Families with Dependent Children Program; Adjustment of Federal Share for Uncashed/Cancelled Checks	0960-AA29
33	Supplemental Security Income Program; Resources	0960-AA32
34	Aid to Families With Dependent Children Program; Computing a Supplemental Payment in States Required to do so By Section 402(a)(28) of the Social Security Act	0960-AA33
35	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Revised Medical Criteria for Determination of Disability	0960-AA41
36	Aid to Families With Dependent Children Program; Least Costly Approach	0960-AA43
37	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Time Limitations for Issuing Hearing Decisions and for Appeals Council Actions	0960-AA44
38	Federal Old-Age, Survivors, and Disability Insurance Program; Additional Exception to Reduction of Benefits of Spouse Receiving Government Pension	0960-AA48
39	*Old-Age, Survivors, and Disability Insurance Program and Supplemental Security Income Program; Disability Termination Hearings	0960-AA49
40	Aid to Families with Dependent Children Program; Quality Control Requirements (TEFRA)	0960-AA51
41	OASDI, Black Lung, and SSI Programs; Reopening and Revising Determinations and Decisions--Expedited Appeals Process	0960-AA52
42	Old-Age, Survivors, and Disability Insurance Program; Provision for Inferring a Person is Dead	0960-AA54
43	Old-Age, Survivors, and Disability Insurance Program; Wage Coverage Under Social Security	0960-AA55
44	Old-Age, Survivors, and Disability Insurance Program; Employment, Wages, Self-Employed and Self-Employment Income; Sick Pay	0960-AA58
45	Supplemental Security Income Program; Reopening and Revising Supplemental Security Income Determinations and Decisions Within Four Years of the Notice of the Initial Determination	0960-AA59
46	Old-Age, Survivors, and Disability Insurance Program; Benefits for Divorced Spouses Before Entitlement of Insured Worker	0960-AA60

HHS

Social Security Administration—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
47	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Payment of Certain Travel Expenses	0960-AA61
48	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; New Benefit Computations for Cost-of- Living Adjustment, for Delayed Retirement Credit, and for ETC	0960-AA62
49	Old-Age, Survivors, and Disability Insurance Programs; Coverage of Employees of U.S. Non-Profit Organizations and Foreign Affiliates of American Employers; Coverage Under ETC	0960-AA63
50	*Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Simplified Fee Process for Representatives of Claimants	0960-AA64
51	Old-Age, Survivors, and Disability Insurance Program; Elimination of Windfall Benefits for Persons Receiving Pensions From Noncovered Employment	0960-AA65
52	*Supplemental Security Income Program; Temporary Residents of Emergency Shelters for the Homeless	0960-AA70
53	*Aid to Families With Dependent Children and Supplemental Security Income Programs; Disregarding of Support and Maintenance Assistance Based on Need	0960-AA71
54	*Aid to Families With Dependent Children Program; Disregard of Income of Dependent Children Derived From Participation in Programs Carried Out Under the Job Training Partnership Act	0960-AA72
55	Old-Age, Survivors, and Disability Insurance Program; Deductions; Reductions; and Nonpayment of Benefits-Nonpayment of Benefits to Prisoners	0960-AA73
56	Supplemental Security Income Program; What Is Not Income	0960-AA74
57	Supplemental Security Income Program; Resource Limits for Conditional SSI Payments	0960-AA75
58	Old-Age, Survivors, and Disability Insurance Program; Residency Requirement for Paying Benefits to Non-Resident Aliens	0960-AA76
59	Old-Age, Survivors, and Disability Insurance Program; Indexing for Widow(er)'s Benefits; Effect of Remarriage on Widow(er)'s Entitlement; Reduction of Disabled Widow's Benefits; ETC	0960-AA77
60	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income; Changes of Time or Place of Hearings Before Administrative Law Judges, Notice of Hearings, and Dismissal ETC	0960-AA78
61	Supplemental Security Income Program; Presumptive Disability and Presumptive Blindness; Categories of Impairments; Chronic Renal Disease	0960-AA79
62	Old-Age, Survivors, and Disability Insurance Programs; Determining Disability and Blindness; Appendix 1 Part B; Medical Criteria for Evaluation of Children	0960-AA80
63	Aid to Families With Dependent Children; Reduction of Federal Funds for Unreported Child Support Collections	0960-AA83
64	Aid to Families with Dependent Children; Definition of Permissible State Practice-Quality Control	0960-AA85
65	Aid to Families With Dependent Children; Consideration of Utility Payments Made By Tenants in Housing and Urban Development Assisted Housing	0960-AA87
66	Old-Age, Survivors, and Disability Insurance Program; Coverage of Certain Federal Employees; Coverage of Earnings of Federal Judges	0960-AA89
67	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs Treatment of OASDI and SSI Lump Sum Payments in the Aid to Families with Dependent Children Program	0960-AA90
68	*Supplemental Security Income Program; Presumptive Disability and Presumptive Blindness; Categories of Impairments-AIDS	0960-AA91
69	*Supplemental Security Income Program; The Automobile, Property Essential to Self-Support, The Home	0960-AA92
70	*Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Program; Revised Medical Criteria for Determination of Disability; Mental Disorders-Appendix 1 - Part A	0960-AA93
71	Public Assistance Programs; Exclusion of Certain Funds Distributed To Members of Indian Tribes as Income and Resources	0960-AA95
72	Public Assistance Programs, Duplicate Assistance Payments	0960-AA96
73	Old Age, Survivors, and Disability Insurance Program; Black Lung Program; and Supplemental Security Income Program; Office of Management & Budget Control Numbers for Approved Information etc	0960-AA97
74	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Determinations of Disability- Performance Standard Revisions and Other Changes Involving etc	0960-AA98
75	*Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Cardiovascular System	0960-AA99
76	*Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Respiratory System	0960-AB00
77	*Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Musculoskeletal System	0960-AB01
78	Aid to Families with Dependent Children Program, Treatment of Assigned Support Payments Received Directly and Retained by AFDC Applicants or Recipients	0960-AB02
79	Aid to Families with Dependent Children Program; Office of Management and Budget Control Numbers for Information Collection Requirements Contained in AFDC Regulations	0960-AB04
80	Black Lung Program; Establishing Dependency of Surviving Divorced Wife and Computation of Basic Rate	0960-AB05
81	Aid to Families With Dependent Children; Application of Federal Financial Participation of Recovered Incorrect Payments to Quality Control Disallowances	0960-AB06
82	*Aid to Families With Dependent Children Program; Income and Eligibility Verification Systems	0960-AB07
83	*Aid to Families With Dependent Children Program; Implementation of the Deficit Reduction Act of 1984	0960-AB08

HHS

Social Security Administration—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
84	Supplemental Security Income Program; Income; Bills Paid for You	0960-AB09
85	Supplemental Security Income Program; Income; Exclusion From Income of Certain Alaska Bonus Payments	0960-AB10
86	Supplemental Security Income Program; Resources; Exclusion of Underpayments	0960-AB11
87	Supplemental Security Income Program; Resources General, Trusts	0960-AB12
88	*Supplemental Security Income Program; Termination of Federal Fiscal Liability	0960-AB13
89	Old-Age, Survivors, and Disability Insurance Program; Probative Value of Evidence	0960-AB14
90	Old-Age, Survivors, and Disability Insurance Program; Use of Psychologist for Determinations of Disability	0960-AB15
91	Old-Age, Survivors, and Disability Insurance Program; Black Lung Program; Opportunity For Oral Hearing Before Benefit Recovery	0960-AB17
92	*Old-Age, Survivors, Disability Insurance and Supplemental Security Income Programs; Social Security Disability Benefits	0960-AB18
93	Supplemental Security Income Program; Certain Provisions of P.L. 98-369 (the Deficit Reduction Act of 1984)	0960-AB19

*Indicates priority regulation.

Social Security Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
94	Supplemental Security Income Program; Exception to Status as Resident of a Public Institution for Educational and Vocational Training	0960-AA24
95	Old-Age, Survivors, and Disability Insurance Program; Revision of Totalization Benefit Computation	0960-AA39
96	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Extension of Trial Work Period and Reinstatement of Benefits	0960-AA42
97	Old-Age, Survivors, and Disability Insurance Program; State Law in Determining Child's Relationship to Worker	0960-AA56
98	Old-Age, Survivors, and Disability Insurance Program; Benefit Equality Between the Sexes	0960-AA57
99	Old-Age, Survivors, and Disability Insurance Program; Insured Status and Quarters of Coverage-Disability Insured Status	0960-AA66
100	Old-Age, Survivors, Disability Insurance Program; Treatment of Certain Deferred Compensation and Salary Reduction Arrangements; Treatment of Contributions Under Simplified Employee Pensions	0960-AA67
101	Low Income Home Energy Assistance Program; Reallotment Report; Adjustment of Annual Median Income for Household Size	0960-AA68
102	Aid to Families with Dependent Children Program; Recovery of Disallowances	0960-AA82
103	Aid to Families With Dependent Children; Sample Completion Requirements for Quality Control	0960-AA86
104	Aid to Families With Dependent Children Program; Quality Control Requirements; Sample Size Completion and Other Sampling Issues	0960-AA94

Office of Child Support Enforcement—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
105	*Fees for Services to Non-AFDC Families	0992-AA02
106	Computerized Child Support Enforcement System	0992-AA06
107	Treatment of Assigned Support Payments Received Directly and Retained by AFDC Recipients	0992-AA08
108	Procedures for Case Assessment and Prioritization	0992-AA09
109	Medical Support Enforcement	0992-AA12
110	*Revision of IV-D Program Audit Regulations	0992-AA13
111	OMB Control Numbers for Information Collection Requirements contained in OCSE Regulations	0992-AA15
112	*Implementation of Child Support Enforcement Amendments of 1984	0992-AA16

*Indicates priority regulation.

HHS

Office of Child Support Enforcement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
113	*Reimbursement of State Agency in Initial Month of Ineligibility for AFDC	0992-AA01
114	*Intercept of Unemployment Benefits	0992-AA05

*Indicates priority regulation.

Public Health Service—Office of Assistant Secretary for Health (OASH)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
115	Grants for Adolescent Pregnancy and Family Life Projects	0905-AA24

Public Health Service—Office of Assistant Secretary for Health (OASH)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
116	Involuntary Child and Spousal Support Allotments	0905-AA79

Public Health Service—Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
117	Confidentiality of Alcohol and Drug Abuse Patient Records	0905-AA26

Public Health Service—Center for Disease Control (CDC)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
118	Foreign Quarantine	0905-AA31
119	Project Grants for Health Programs for Refugees	0905-AB43

Public Health Service—Center for Disease Control (CDC)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
120	Specifications for Medical Examinations of Underground Coal Miners	0905-AA27

HHS

Public Health Service—Food and Drug Administration (FDA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
121	*Abbreviated New Drug Applications for Post-1962 Drugs	0905-AA01
122	*Obligations of Sponsors of Clinical Investigations	0905-AA03
123	Over-the-Counter (OTC) Drug Review	0905-AA06
124	*Reye Syndrome - Labeling for Salicylate-Containing Drug Products	0905-AA07
125	*Sucrose and Corn Sugar, Corn Syrup, and Invert Sugar	0905-AA09
126	*Caffeine	0905-AA10
127	*Policy for Regulating Carcinogenic Chemicals in Food and Color Additives	0905-AA12
128	*Infant Formula; Labeling Requirements	0905-AA13
129	*New Animal Drugs for Use in Animal Feeds; Definition and General Considerations; Revised Procedures Regarding Medicated Feed Applications	0905-AA15
130	National Environmental Policy Act; Policy and Procedures	0905-AA16
131	*Premarket Approval; Procedures for Medical Devices	0905-AA19
132	*Dental Devices; Classification	0905-AA20
133	*Detached Cigarette Filters as Medical Devices; Classification	0905-AA21
134	Protection of Human Subjects; Prisoners Used as Research Subjects	0905-AA22
135	*Current Good Manufacturing Practice for Human Food	0905-AA72
136	Additional Standards for Diagnostic Substances for Laboratory Tests; Blood Grouping Serum	0905-AA75
137	*Panel on Review of Bacterial Toxoids and Bacterial Vaccines with U.S. Standards of Potency	0905-AA80
138	*Panel on Review of Blood and Blood Products	0905-AA82
139	*Panel on Review of Allergenic Extracts	0905-AA83
140	*Good Laboratory Practice for Nonclinical Laboratory Studies	0905-AA84
141	*Exempt Infant Formula	0905-AA85
142	*Prior Sanction for Lead in Tin Cans	0905-AA86
143	*Irradiation in the Production, Processings, and Handling of Food	0905-AA88
144	*Common or Usual Names for Vegetable Protein Prod. and Substitutes for Meats, Seafood, Poultry, Eggs or Cheeses Which Contain Veg. Protein Prod. as Sources of Protein	0905-AA90
145	*Abbreviated New Animal Drug Applications for Post-1962 Animal Drugs	0905-AA91
146	Investigational New Animal Drugs for Export	0905-AA93
147	Availability of Bulk New Animal Drug Substances to Veterinarians	0905-AB01
148	*Obligations of Clinical Investigators	0905-AB02
149	*Sponsored Compounds in Food-Producing Animals; Criteria and Procedures for Evaluating the Safety of Carcinogenic Residues	0905-AB04
150	*Solid Content Weight or Drained Weight for Canned Fruits and Vegetables	0905-AB05
151	Reporting Requirements for Marketed Animal Drugs	0905-AB06
152	*New Drug Approval Process; Revision of NDA Rules	0905-AB08
153	*New Drug Approval Process; Revision of IND Rules	0905-AB09
154	Food Ingredient Labeling: Emulsifiers and Stabilizers; Exemptions	0905-AB26
155	Changes in Proper Names of Certain Biological Products	0905-AB29
156	Current Good Manufacturing Practice for Blood and Blood Components; Uniform Blood Labeling	0905-AB30
157	New Animal Drug Requirements for Medicated Free-choice Feeds	0905-AB34
158	Standardized Foods; Proposal to Amend Standards of Identity	0905-AB35
159	Nutrient Requirements for Infant Formula	0905-AB37
160	Sulfiting Agents; Labeling in Drugs for Human Use; Precautionary Statement	0905-AB38
161	*Labeling of Drug Products for Over-the-Counter Human Use	0905-AB40
162	*Preclearance Requirements and Temporary Exemption Procedure for Conducting Research in Direct-to-Consumer Prescription Drug Advertising	0905-AB42
163	Guideline for Veterinary Prescriptions and Other Orders	0905-AB47

*Indicates priority regulation.

Public Health Service—Food and Drug Administration (FDA)—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
164	*Current Good Manufacturing Practice for Finished Pharmaceuticals	0905-AA73
165	*Antibiotic Drugs	0905-AA74
166	*Bubble Bath Products	0905-AA76
167	*Records and Reports; Electronic Products	0905-AA78
168	*Performance Standards for Ionizing Radiation Emitting Products	0905-AA94
169	*New Animal Drug Approval Process; Review of NADA Rules	0905-AA96
170	Drugs Composed Wholly or Partly of Insulin	0905-AA98

HHS

Public Health Service—Food and Drug Administration (FDA)—Existing Regulations Under Review—Continued

Sequence Number	Title	Regulation Identifier Number
171	Drugs Used For Treatment of Narcotic Addicts	0905-AA99
172	Bioavailability and Bioequivalence Requirements	0905-AB00
173	Radioactive Drugs for Certain Research Uses	0905-AB39

*Indicates priority regulation.

Public Health Service—Food and Drug Administration (FDA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
174	Allergenic Source Material	0905-AA02
175	*Labeling of Sodium Content of Foods	0905-AA11
176	*Medical Device Reporting	0905-AA17
177	*Food Labeling; Protein Products; Warning Label	0905-AA89
178	*Benzyl Alcohol	0905-AB03
179	Exemption from Placement Requirements for Required Label Statements on Soft Drinks in Cans	0905-AB27
180	Smoked and Smoke-flavored Fish; Current Good Manufacturing Practice	0905-AB36
181	Oral Hypoglycemic Drug Products	0905-AB41
182	*Current Good Manufacturing Practice for Medicated Premixes	0905-AA95
183	*Current Good Manufacturing Practice for Medicated Feeds	0905-AA97

*Indicates priority regulation.

Public Health Service—Health Resources and Services Administration (HRSA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
184	*Reasonable Volume of Uncompensated Services to Persons Unable to Pay (Hill-Burton)	0905-AA35
185	*Health Systems Agency and State Health Planning and Development Agency Reviews; Certificate of Need	0905-AA38
186	*Limitation on Federal Participation for Capital Expenditures	0905-AA39
187	Grants for Nurse Practitioner Traineeship Programs	0905-AA47
188	*Standards for the Accreditation of Educational Programs for and the Credentialing of Radiologic Personnel	0905-AA49
189	Training Grants for Preventive Medicine Residency Program	0905-AA50
190	National Health Service Corps (NHSC); Private Practice Option (PPO) Loans to Individuals	0905-AA57
191	*Nursing Student Loan Program (NSL); Debt Management; Delinquency Rates	0905-AA58
192	Grants for Maternal and Child Health Services Federal Set-Aside Program	0905-AA61
193	Program Grants for Migrant Health Services	0905-AA62
194	Program Grants for Black Lung Clinics	0905-AA64
195	*Health Maintenance Organizations	0905-AA65
196	*Project Grants and Loans For Home Health Services and Training	0905-AB11
197	*Primary Care Block Grant Program	0905-AB12
198	*Health Professions Student Loan (HPSL) Program; Due Diligence	0905-AB14
199	*Nursing Student Loan (NSL) Program; Due Diligence	0905-AB15
200	Technical Amendments to Indian Health Service Grant Regulation Revising 42 CFR Part 36, Subparts H and J, to Conform with 45 CFR 74	0905-AB23
201	Health Professions Student Loan Program: Performance Standard	0905-AB24
202	Indian Health Service, 42 CFR Part 36 Subpart I, Contracts Under the Indian Self-Determination Act: Amendments	0905-AB31
203	Grants for Nurse Anesthetists Traineeships	0905-AB33
204	*Revisions to Hill-Burton Grant Recovery Regulations	0905-AB45
205	Revised HEAL Program Regulations	0905-AB46

*Indicates priority regulation.

HHS

Public Health Service—Health Resources and Services Administration (HRSA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
206	*Minimum Requirements for Construction and Equipment for Hospital and Medical Facilities	0905-AA34
207	Grants for Predoctoral, Graduate, and Faculty Development Education Programs in Family Medicine	0905-AA43
208	Grants for Residency Training in General Internal Medicine or General Pediatrics	0905-AA44
209	Health Professions Curriculum Development	0905-AA45
210	Indian Health Service/Health Resources and Services Administration; Pregraduate Education Scholarship Program	0905-AA51
211	Grants for Traineeships in Health Admin., Hospital Admin., or Health Policy Analysis and Planning at Public or Non-profit Private Educ. Institutions Other Than Schools of Public Health	0905-AB16
212	Grants for Graduate Programs in Health Administration	0905-AB17
213	*Health Education Assistance Loan Programs: Insurance Premium Changes	0905-AB32

*Indicates priority regulation.

Public Health Service—National Institutes of Health (NIH)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
214	National Library of Medicine Programs. Revision of General Rules for the National Library of Medicine and National Library of Medicine Grants	0905-AA66
215	National Institutes of Health Center Grants 42 CFR 52a	0905-AA68

Health Care Financing Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
216	*Imposition of Cost Sharing Charges Under Medicaid	0938-AA02
217	*Medicaid Overpayment Reporting Requirements	0938-AA04
218	*MMIS: Conditions of Approval and Reapproval and Procedures for Reduction of Federal Financial Participation	0938-AA05
219	*Withholding the Federal Share of Payments to Recover Medicare or Medicaid Overpayments	0938-AA09
220	*Interest Assessment on Overpayments and Underpayments to Providers and Suppliers	0938-AA11
221	*Home Health Agencies: Aide Training and Financial Security Requirements	0938-AA13
222	*Home and Community Based Services	0938-AA19
223	*Conditions of Participation for Hospitals	0938-AA23
224	*SNF Cost Limits for Cost Reporting Periods Beginning 10/01/82	0938-AA25
225	*Treatment of Cost of Uncompensated Services Furnished in Fulfillment of a Hill-Burton Free Care Obligation	0938-AA28
226	*Limitation on Payment for Services Furnished to Employed Aged, Their Spouses, and Spouses of Younger Employees	0938-AA31
227	*Amending Cost Reports and Reopening Intermediary Payment Determinations and Administrative Review Decisions	0938-AA33
228	*Recognition of State Reimbursement Control Systems	0938-AA34
229	*Survey and Certification Procedures	0938-AA38
230	Payments to HMOs and CMPs	0938-AA43
231	RHC Prospective Reimbursement	0938-AA44
232	Physician Certification and Plan of Treatment Requirements	0938-AA46
233	Medicaid Eligibility	0938-AA58
234	Intermediate Sanction of Long-Term Care Facilities and End Stage Renal Disease (ESRD) Facilities	0938-AA60
235	Third Party Liability (TPL), Premium FFP Rates, Mandatory Assignment of Rights to Payments; Sources of State Fund	0938-AA65
236	Medicaid Management Information Systems: System Requirements	0938-AA75
237	Mental Retardation--Definition of "Persons with Related Conditions"	0938-AA78
238	Federal Financial Participation for Inmates in Public Institutions and Individuals in an Institution for Mental Disease or Tuberculosis	0938-AA93
239	Payments to Institutions	0938-AB00
240	Benefit Period Determinations	0938-AB03
241	Claims Processing Assessment System	0938-AB04
242	Miscellaneous Conforming Amendments	0938-AB05
243	*Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Program	0938-AB06
244	*Spenddown	0938-AB07
245	*Utilization and Quality Control Peer Review Organizations: Imposition of Sanctions on Health Care Practitioners and Providers of Health Care Services	0938-AB11

HHS

Health Care Financing Administration—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
246	*Utilization and Quality Control Peer Review Organization (PRO): Assumption of Responsibilities and Medicare Review Functions and Coordination of Medicaid with PROs	0938-AB12
247	*Acquisition Protection and Disclosure of Utilization and Quality Control Peer Review Organization Information	0938-AB13
248	Performance Criteria and Statistical Standards for Evaluating Intermediary Performance During Fiscal Year 1984	0938-AB19
249	Relations with Other Agencies - Buy-In, and Miscellaneous Medicaid Definitions	0938-AB21
250	Part A Premium for Uninsured Aged for 12-Month Period Beginning 01/01/85	0938-AB22
251	Part B Premium for 12-Month Period Beginning 01/01/85	0938-AB23
252	PRO Reconsiderations and Appeals	0938-AB24
253	Medicare and Medicaid: Corrections and Conforming Changes	0938-AB25
254	Elimination of the Aggregation Method of Computing Lesser of Costs or Charges and the Carryover Provision	0938-AB29
255	Inpatient Hospital Deductible (1985)	0938-AB30
256	Revised RCE Limits - CY1984	0938-AB32
257	Procedures for Determining Whether Providers, Practitioners, or Other Suppliers of Services are Liable for Certain Noncovered Services	0938-AB33
258	Forms Used for Claiming Payment	0938-AB34
259	Adjustment of Federal Share for Uncashed or for Cancelled Medicaid Checks	0938-AB35
260	Reissuance of the Wage Index in the 1981 Schedule of Limits on Hospital Per Diem Inpatient General Routine Operating Costs	0938-AB38
261	Revisions to Medicaid Payment for Inpatient Hospital and Long-Term Care Facility Services	0938-AB40
262	FFP for LTC Facilities after Termination of Provider Agreement	0938-AB42
263	Office of Management and Budget Request for Review of Reporting and Recordkeeping Requirements	0938-AB46
264	Medicare and Medicaid Budget Reconciliation Amendments of 1984; Information Notice on Medicare and Medicaid Amendments	0938-AB47
265	*Hospital Prospective Payment Rates for FY 1986	0938-AB48
266	Medicare Recovery Against Third Parties	0938-AB49
267	*Payment for Clinical Diagnostic Laboratory Services	0938-AB50
268	*Criteria and Standards for Intermediaries and Carriers-- Fiscal Year 1985	0938-AB51
269	Payment Adjustments for Hospital Wage Indexes Under the Prospective Payment System	0938-AB52
270	Medical Review Requirements for Skilled Nursing Facilities and Independent Professional Review Requirements for Intermediate Care Facilities	0938-AB53
271	HMOs and CMPs; Deficit Reduction Act Provisions	0938-AB54
272	Recertification of Need for Inpatient Care	0938-AB55
273	Health Maintenance Organizations and Competitive Medical Plans; Enrollment Periods and Benefit Stabilization Funds	0938-AB57
274	Hospice Contracting for Core Services	0938-AB58
275	Indirect Payment of Supplementary Medical Insurance	0938-AB59
276	Enrollment and Premium Penalty with Respect to Working Aged Provisions	0938-AB60
277	Payment for Services of Teaching Physicians	0938-AB61
278	Treatment of Social Security Cost of Living Increases for Individuals Who Lose SSI Eligibility	0938-AB62
279	Definition of Low Income Hospitals	0938-AB63
280	Medicare/Medicaid Revaluation of Assets	0938-AB64
281	End-Stage Renal Disease Program - Network Area Designations	0938-AB65
282	Payment to HHAs and Hospices Following Termination	0938-AB67

*Indicates priority regulation.

Health Care Financing Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
283	*State Residency Requirements	0938-AA03
284	*Limitation of Reasonable Charges for Services in Hospital Outpatient Settings	0938-AA17
285	*HHA Cost Limits (Effective 07/01/84)	0938-AA24
286	*Basic Requirements for Operating a Medicaid Quality Control (MQC) System	0938-AA39
287	Access to Books, Documents, and Records of Subcontractors	0938-AA47
288	MMIS: Definition of Mechanized Claims Processing and Information Retrieval Systems and Notice of Medicare Eligibility Determination & Information Retrieval System	0938-AA63
289	Coverage of Optometrists' Services	0938-AA72
290	*Utilization and Quality Control Peer Review Organization (PRO) Area Designations and Definitions of Eligible Organizations	0938-AB14
291	Medicare Economic Index for Reasonable Charges (effective 07/01/84)	0938-AB31

HHS

Health Care Financing Administration—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
292	*Skilled Nursing Facility (SNF) Limits -- FY 83	0938-AB39
293	MMIS Performance Standards	0938-AB41
294	*Changes to the Inpatient Hospital Prospective Payment System; and Fiscal Year 1985 Rates	0938-AB44

*Indicates priority regulation.

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) — Current and Projected Rulemakings

Office of the Secretary (OS)

1. NONDISCRIMINATION REQUIREMENT APPLICABLE TO BLOCK GRANTS AND COMMUNITY ECONOMIC DEVELOPMENT AND HEAD START PROGRAMS - INCLUDING NONDISCRIMINATION ON THE BASES OF SEX AND RELIGION

Legal Authority: 42 USC 9906; 42 USC 300w-7; 42 USC 300x-7; 42 USC 300y-9; 42 USC 728; 42 USC 8625; 42 USC 9821; 42 USC 9849

Abstract: To implement the nondiscrimination requirements applicable to block grants and the Community Economic Development and Head Start Programs authorized by the Omnibus Budget Reconciliation Act of 1981, P.L. 97-35.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: New CFR Subpart to be assigned.

Agency Contact: Marcella Haynes, Chief, Special Projects Branch, Department of Health and Human Services, Office of the Secretary, Div of PSP, Off of Mgmt & Pol, CR, Rm 5412, HHS North Bldg, 330 Independence Ave, SW, Washington, DC 20201, 202 472-4256

RIN: 0991-AA02

2. LETTER OF CREDIT SANCTIONS

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 76, (Proposed)

Abstract: The proposed regulations would establish a procedure by which the Department may impose sanctions on a recipient holding a letter of credit under any program administered by the Department of Health and Human Services should the recipient violate the terms of the letter of credit.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	03/08/83	
NPRM Comment Period End	05/09/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: David V. Dukes, Deputy Asst Secy for, Management and Budget, Finance, Department of Health and Human Services, Office of the Secretary, Room 705-D, Hubert Humphrey Building, 200 Independence Avenue, SW, Washington, DC 20201, 202 245-7084

RIN: 0991-AA03

3. PUBLIC INFORMATION REGULATION

Legal Authority: 5 USC 552

CFR Citation: 45 CFR 5

Abstract: This will be the first complete update since August 1974 of the Department's Public Information Regulation implementing the Freedom of Information Act. It will facilitate public access to information by making necessary revisions, clarifying, and promulgating at one time all the subparts of the regulation. It will also help Departmental personnel processing FOIA requests by providing them with an integrated regulation that is compatible with current procedures for processing FOIA requests and assessing search and copy fees that reflect the increased cost of such services. The only alternative to this complete update is to continue to operate with a regulation that in the past has been revised on a piecemeal basis.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Russell M. Roberts, Director, FOI/Priv Div, Department of Health and Human Services, Office of the Secretary, Off of Pub Affairs, Rm 118F, Humphrey Bldg, 200 Independence Ave, SW, Washington, DC 20201, 202 472-7453

RIN: 0991-AA07

4. RULEMAKING RELATING TO PUBLIC PROPERTY, LOANS, GRANTS, BENEFITS, AND CONTRACTS

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 2

Abstract: These regulations state the Department's policy on the use of notice and comment procedures where they are not required by statute. The regulations have no direct budgetary impact.

Timetable:

Action	Date	FR Cite
NPRM	06/22/82	47 FR 26860

Next Action Undetermined

Small Entity: No

Agency Contact: Terry Coleman,

Deputy General Counsel for Regulations, Department of Health and Human Services, Office of the Secretary, Room 706E, Hubert Humphrey Building, 200 Independence Avenue, SW, Washington, DC 20201, 202 245-7544

RIN: 0991-AA08

5. ADMINISTRATION OF GRANTS TO STATES OTHER THAN BLOCK GRANTS OR OPEN-ENDED GRANTS

Priority: Task Force

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 74; 45 CFR 98

Abstract: Will reduce and simplify grants administration requirements imposed on States. Except for grants to State universities and hospitals, will apply to almost all HHS close-end categorical grants to States, discretionary (project) grants as well as mandatory (formula) grants. Issues will probably be which of the proposed changes do not go far enough in relieving States of burdens and restrictions and which go too far. No significant impact expected on Federal budget but should reduce administrative costs of States (no estimate available or feasible). This is one of the regulatory relief efforts announced and directed by the Presidential Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	02/24/84	49 FR 6927
NPRM Comment Period Begin	02/24/84	
NPRM Comment Period End	06/24/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Joel Feinglass, Dir., Division of Assistance Policy, Department of Health and Human Services, Office of the Secretary, Rm 513D, HHH Bldg, 200 Independence Avenue, SW, Washington, DC 20201, 202 245-7565

RIN: 0991-AA10

6. PRIVACY ACT REGULATION

Legal Authority: 5 USC 552a

CFR Citation: 45 CFR 5b

Abstract: This will be the first complete update since 1975 of the Department's Privacy Act Regulation implementing the Privacy Act of 1974. It will facilitate individuals' access to information and records that the Department maintains about them in more than 400 designated Privacy Act Systems of Records, clarifying and promulgating at one time all the subparts of the regulation. It will also help Departmental personnel processing Privacy Act requests by providing them with an integrated regulation that is compatible with current procedures for processing such requests. The only alternative to this complete update is to continue to operate with a regulation that in the past has been revised on a piecemeal basis.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Russell M. Roberts, Director, FOI/Priv Div, Department of Health and Human Services, Office of the Secretary, Off of Pub Affairs, Rm 118F, HHH Bldg, 200 Independence Avenue, SW, Washington, DC 20201, 202 472-7453

RIN: 0991-AA11

7. PRINCIPLES FOR DETERMINING COSTS AND COST ALLOCATION PROCEDURES APPLICABLE TO GRANTS, CONTRACTS, AND OTHER AGREEMENTS FOR WORK PERFORMED BY HOSPITALS

Legal Authority: 5 USC 501

CFR Citation: 45 CFR 74, Appendix E; 45 CFR 78

Abstract: This action will revise the Department's current cost principles for research and development activities under grants and contracts with hospitals to make them clearer, more specific, and compatible with cost principles issued by OMB for educational institutions and nonprofit organizations. The revision will also broaden the coverage of the principles to include all grants, contracts and other agreements with hospitals (except the Medicare & Medicaid programs).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Henry G. Kirschenmann, Jr., Deputy Assistant Secretary, Department of Health and Human Services, Office of the Secretary, Office of Procurement, Assist & Logistics, Rm 513D, HHH Bldg, 200 Independence Ave. SW, Washington, DC 20201, 202 245-8870

RIN: 0991-AA12

8. AUTOMATIC DATA PROCESSING EQUIPMENT AND SERVICES -- CONDITIONS FOR FEDERAL FINANCIAL PARTICIPATION

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 95.600; 45 CFR 95.601; 45 CFR 95.605; 45 CFR 95.611; 45 CFR 95.613; 45 CFR 95.615; 45 CFR 95.617; 45 CFR 95.619; 45 CFR 95.621; 45 CFR 95.623; 45 CFR 95.625; 45 CFR 95.631; 45 CFR 95.633; 45 CFR 95.641

Abstract: This regulation is issued to simplify and make these regulations consistent with those regulations that govern availability of FFP at the enhanced matching rate for computerized systems for programs under titles IV-A, IV-D and XIX of the Social Security Act, to allow States more flexibility in implementing small systems, and to reduce paperwork.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: The basic requirements of this proposed rule have been in effect for some time. This rulemaking is made to reduce regulatory requirements.

Agency Contact: Joseph F. Costa, Dir. Office of Public and State Data Systems, Department of Health and Human Services, Office of the Secretary, Room 542F HHH Bldg., 200 Independence Ave., SW, Washington, DC 20201, 202 245-7488

RIN: 0991-AA14

9. DETERMINATION OF ADEQUACY OF CONTRACTORS' ACCOUNTING AND BILLING SYSTEMS AND PREPARATION OF INVOICES

Legal Authority: 40 USC 486(c); 5 USC 301

CFR Citation: 48 CFR 3

Abstract: This regulation is issued to streamline the reporting of financial data, establish requirements to determine the adequacy of contractors' accounting and billing systems, and establish guidelines for the preparation of invoices related to cost-reimbursement contracts. Regulation presently being re-evaluated.

Timetable:

Action	Date	FR Cite
NPRM	12/27/82	47 FR 57515
NPRM Comment Period Begin	12/27/82	47 FR 57515
NPRM Comment Period End	02/10/83	

Next Action Undetermined

Small Entity: No

Additional Information: The basic requirements of this proposed rule have been in effect for some time in the Federal Procurement Regulations. This rulemaking is HHS' implementation of the Federal Procurement Regulation requirement.

Agency Contact: Terrence J. Tychan, Acting Dir., Division of Procurement Policy, Department of Health and Human Services, Office of the Secretary, Room 505D HHH Bldg., 200 Independence Ave., SW, Washington, DC 20201, **202 245-8771**

RIN: 0991-AA15

10. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Legal Authority: 29 USC 794

CFR Citation: 45 CFR 84.101-171

Abstract: Implements the amendment made to Sec. 504 of the Rehabilitation Act of 1973 by Pub.L. 95-602 in 1978, which extended Sec. 504 to the Federal sector. The proposed Subpart "H" is modelled on Subpart "A" through "G" which implement Sec. 504 with respect to recipients of Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Federal

Agency Contact: Frank E.G. Weil, Acting Chief, Policy Branch, Department of Health and Human Services, Office of the Secretary, Office for Civil Rights, 330 Independence Avenue SW, Room 5416, Washington, DC 20201, **202 245-6671**

RIN: 0991-AA17

11. ● SANCTIONS FOR MEDICARE AND MEDICAID FRAUD AND ABUSE

Legal Authority: PL 98-369 Sections 2306 and 2348 of the Deficit Reduction Act

CFR Citation: 42 CFR 420; 42 CFR 455; 45 CFR 101

Abstract: This regulation implements the Administrative Sanction Provisions relating to violations of the Physician Fee Freeze contained in Section 2306 of P.L. 98-369. This regulation also implements technical modifications contained in Section 2348 of P.L. 98-369 and reflects the transfer of fraud and abuse authorities from the Health Care Financing Administration to the DHHS Office of the Inspector General, incorporating certain technical revisions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/84	

Small Entity: No

Agency Contact: Barry Steeley, Senior Program Analyst, Department of Health and Human Services, Office of the Secretary, 1849 Gwynn Oak Ave, Baltimore, MD 21207, **301 594-5034**

RIN: 0991-AA20

12. ● PROGRAM INTEGRITY

Legal Authority: PL 98-369, Sec 2333; 42 USC 1395yd; 42 USC 1320a7; 42 USC 1302; 42 USC 1395cc; 42 USC 1395hh; 42 USC 1396a; 42 USC 1396b

CFR Citation: 42 CFR 420

Abstract: This regulation will incorporate Section 2333 of P.L. 98-369 which provides authority to exclude entities that employees practitioners convicted of Medicare or Medicaid related offenses in key management positions or where an individual convicted of Medicare or Medicaid offenses has a five percent or more ownership interest. NPRM will also make substantive revision and clarify certain legal issues in the existing OIG sanction regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: William Libercci, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, **301 594-5035**

RIN: 0991-AA21

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of the Secretary (OS)

Completed Actions

COMPLETED RULEMAKINGS

13. EXEMPT OCR COMPLAINT INVESTIGATION FILES FROM THE GENERAL DISCLOSURE REQUIREMENTS OF THE PRIVACY ACT, 5 U.S.C. 552A

CFR Citation: 45 CFR 5b.11(b)(2)(ii)(E)

Completed:

Reason	Date	FR Cite
Final Action	04/10/84	49 FR 14107
Final Action Effective	05/10/84	

Small Entity: Not Applicable

Agency Contact: Larry Velez 202 472-4256

RIN: 0991-AA16

14. DEPARTMENT OF HEALTH AND HUMAN SERVICES ACQUISITION REGULATION

CFR Citation: 48 CFR 3

Completed:

Reason	Date	FR Cite
Final Action	04/09/84	49 FR 13960

Small Entity: No

Agency Contact: Terrence J. Tychan 202 245-8771

RIN: 0991-AA18

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Departmental Management (HHSDM)

Current and Projected Rulemakings

15. ● CLAIMS COLLECTION

Legal Authority: PL 97-365; 31 USC 3711; 31 USC 2716 to 3718; 5 USC 5514; 5 USC 552a

CFR Citation: 45 CFR 30, (Revision)

Abstract: The proposed rule amends the Department's regulation for collecting debts. Principally, the amendments implement the Debt Collection Act of 1982 (P.L. 97-365), which amended the Federal Claims Collection Act of 1966 (31 U.S.C. 3711, 3716-3718) to authorize, among other things, the charging of interest, penalties and administrative costs, and the use of administrative offset, private collection agencies and credit reporting agencies by the Government. The amendments also implement government-wide regulations issued by the Department of Justice and GAO (49 F.R. 8889) and OPM (49 F.R. 27470).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Sarah Hertz, Chief, Litigation and Claims Branch, Department of Health and Human Services, Departmental Management, Room 5362 HHS North, 330 Independence Ave., SW, Washington, DC 20201, 202 475-0155

RIN: 0990-AA00

16. ● GRANTS TO STATES FOR PUBLIC ASSISTANCE PROGRAMS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 201.66,(Revision)

Abstract: The proposed rule amends 45 CFR 201.66 by removing paragraph (b)(8). Section 201.66 governs States' repayment by installments of debts to the Department arising from audit disallowances under Titles I, IV-A, X, XIV, XVI (AABD) or XIX of the Social Security Act (42 U.S.C. 201 et seq). Paragraph (b)(8) provides that States will not be charged interest on those repayments unless mandated by court order. Paragraph (b)(8) is being removed to conform to the Department's interest policy set forth in the proposed amendments to 45 CFR Part 30, the Claims Collection Regulation. The provision is inconsistent with the Department's policy of charging interest on outstanding debts.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Sarah Hertz, Chief, Litigation and Claims Branch, Department of Health and Human Services, Departmental Management, Room 5362 HHS North, 330 Independence Ave., SW, Washington, DC 20201, 202 475-0155

RIN: 0990-AA01

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of Human Development Services (HDSO)

Current and Projected Rulemakings

17. GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING; GRANTS TO INDIAN TRIBES FOR SUPPORTIVE & NUTRITION SERVICES--FINAL RULE

Legal Authority: 42 USC 3057 Older Americans Act

CFR Citation: 45 CFR 1321; 45 CFR 1328

Abstract: This final rule contains requirements that give States and Indian tribes greater flexibility in meeting the statutory requirements to provide supportive and nutrition services to older individuals.

Timetable:

Action	Date	FR Cite
NPRM	03/02/83	48 FR 8964
NPRM Comment Period End	05/02/83	48 FR 8964
Final Action	10/00/84	

Small Entity: No

Agency Contact: Floyd Godfrey, Department of Health and Human Services, Office of Human Development Services, Admin on Aging, Rm 4750 HHS North Bldg, 330 Independence Ave, SW, Washington, DC 20201, 202 472-3057

RIN: 0980-AA02

18. FOSTER CARE MAINTENANCE PAYMENTS, ADOPTION ASSISTANCE, AND CHILD WELFARE SERVICES -- NOTICE OF PROPOSED RULEMAKING

Legal Authority: 42 USC 670 et seq Adoption Assist & Child Welfare Act of 1980; 42 USC 620 et seq; 42 USC 1302 Social Security Act

CFR Citation: 45 CFR 1356; 45 CFR 1357

Abstract: This NPRM will propose criteria the Department will use to verify that a State has met statutory requirements and is eligible to receive additional funds under Section 427 of the Social Security Act as amended by the Adoption Assistance and Child Welfare Act of 1980 (Pub. L. 96-272). The proposed rule will contain the specific criteria by which State performance in meeting the requirements of the Act is determined, the percentage levels and other standards for case record compliance, and procedures for conducting compliance reviews.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Frank Ferro, Associate Chief, Children's Bureau, ACYF, Department of Health and Human Services, Office of Human Development Services, P.O. Box 1182, Washington, D.C. 20201, 202 755-7418

RIN: 0980-AA08

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) — Completed Actions

Office of Human Development Services (HDSO)

COMPLETED RULEMAKINGS

19. DEVELOPMENTAL DISABILITIES PROGRAM--FINAL RULE

CFR Citation: 45 CFR 1385; 45 CFR 1386; 45 CFR 1387

Completed:

Reason	Date	FR Cite
Final Action	03/27/84	49 FR 11772
Final Action Effective	04/26/84	49 FR 11772

Small Entity: No

Agency Contact: Ms. Elsbeth Wyatt 202 245-2890

RIN: 0980-AA05

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) — Current and Projected Rulemakings

Social Security Administration (SSA)

20. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE, BLACK LUNG, AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; WAIVER OF ADJUSTMENT OR RECOVERY OF OVERPAYMENTS

Priority: Agency Determination

Legal Authority: 30 USC 923; 42 USC 404; 42 USC 405; 42 USC 427; 42 USC 1302; 42 USC 1383(b)

CFR Citation: 20 CFR 404, Subpart F; 20 CFR 410, Subpart E; 20 CFR 416, Subpart E

Abstract: The proposed regulation would: (1) establish a time limit for requesting waiver of recovery of an overpayment of benefits; (2) standardize among the three programs the definition of "without fault" (a criterion for waiver of recovery); (3) identify a resource base for all three programs, recovery from which will be considered to "defeat the purpose" (another criterion for waiver) of the program; (4) limit the amount of miscellaneous living expenses considered in determining whether recovery will "defeat the purpose" of the program; and (5) provide that recovery will be considered "against equity and good conscience" only if the individual relinquished a valuable right or changed his or her position for the worse because of the incorrect payment or because of a notice that the payment would be made. The regulation would be expected to result in program savings and negligible administrative cost.

Timetable:

Action	Date	FR Cite
NPRM	02/11/83	48 FR 06354
NPRM Comment Period Begin	02/11/83	
NPRM Comment Period End	05/02/83	
Notice of Withdrawal	10/00/84	

Small Entity: No

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, 301 594-6629

RIN: 0960-AA00

21. SUPPLEMENTAL SECURITY INCOME PROGRAM; ELIGIBILITY, MANDATORY APPLICATION FOR EARNED INCOME TAX CREDITS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1381a; 42 USC 1382; 42 USC 1382c; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart B

Abstract: Existing regulations provide that individuals are not eligible for SSI benefits if they do not apply for other benefits when notified to do so by SSA. These benefits include payments based on past employment and military service. These proposed rules amend the regulations by adding to these benefits which must be applied for amounts payable as earned income tax credits (EITC's) under the provisions of sections 43 and 3507 of the Internal Revenue Code. These payments became countable as earned income for Supplemental Security Income (SSI) purposes with the enactment of Pub. L. 96-222 (section 101(a)(2)(B)). It is estimated that these regulations will have no significant program or administrative costs or savings.

Timetable:

Action	Date	FR Cite
NPRM	08/17/83	48 FR 37228
NPRM Comment Period End	10/17/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: David Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7460**

RIN: 0960-AA01

22. SUPPLEMENTAL SECURITY INCOME PROGRAM; EFFECTIVE DATE OF APPLICATION AND PRORATION OF INITIAL SSI BENEFIT PAYMENT

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1382; 42 USC 1382(c); 42 USC 1382f; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart B; 20 CFR 416, Subpart C; 20 CFR 416, Subpart M; 20 CFR 416, Subpart R

Abstract: These regulations will enable SSI benefits in the month of application to be prorated from the date of application or the date of eligibility, whichever is later. The regulations will also apply to months in which the individual reapplies after a period of ineligibility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Fred Miranda, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7341**

RIN: 0960-AA03

23. SUPPLEMENTAL SECURITY INCOME PROGRAMS; MANDATORY PASS THROUGH UNDER STATE SUPPLEMENTATION PROVISIONS

Priority: Agency Determination

Legal Authority: PL 97-248, Sec 186; 42 USC 1382g(c); PL 97-377, Sec 147; PL 98-21, Sec 402

CFR Citation: 20 CFR 416, Subpart T

Abstract: These rules reflect changes in the law which enable States effective for the 12-month period ending 6/82, to switch from the "maintaining of total expenditures" method of compliance with mandatory pass through provisions to the "maintaining of payment levels" method without first having to pass through to all current SSI recipients all the Federal cost-of-living benefit increases which have occurred since 12/76. States can meet the pass through requirements by maintaining the payment levels in effect in December of the latest preceding total expenditures period. The concept of "State Supplementary payment level" is changed to a concept of combined supplementary and SSI payment levels applicable to months after 3/83. Also, a State is permitted to reduce its 3/83 State Supplementary payment levels by an amount up to the difference between the amount of the 7/83 general increase in the Federal benefits in 7/83. Also reflected in the rules is a special method of compliance for States meeting the passalong requirements by the total annual expenditures test for the period 7/1/80 through 6/30/81. The total expenditures for that period need only equal or exceed the total (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: expenditures for 7/1/76 through 6/30/77, rather than the total expenditures for the preceding 12-month period.

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 597-3409**

RIN: 0960-AA05

24. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; REVISED RULES FOR CERTAIN MEDICAL CESSATION CASES

Priority: Agency Determination

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P; 20 CFR 416, Subpart I

Abstract: This proposed regulation describes revised procedures for processing certain cases where a person's benefits are being stopped because he or she has been found to be not now disabled or blind, as defined in the law. The proposed regulation amends the rules describing when a person's disability will be determined to have ended and, therefore, when cash disability benefits will be stopped (and, for a disabled worker, when a period of disability ends). These changes will result in a moderate increase in program costs.

Timetable:

Action	Date	FR Cite
NPRM	05/16/83	48 FR 21970
NPRM Comment Period Begin	05/16/83	
NPRM Comment Period End	07/12/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7337**

RIN: 0960-AA10

25. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; COVERAGE OF EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Legal Authority: 42 USC 418; 42 USC 1302; PL 98-21, Sec 103; PL 98-21, Sec 342

CFR Citation: 20 CFR 404, Subpart M

Abstract: This proposed regulation reflects policies and procedures concerning agreements between States and the Secretary for Social Security coverage of State and local employees, payment of Social Security contributions, filing of wage reports by States, charging interest for late payments, etc. The current rules need to be organized into a logical sequence and to be updated to reflect many policies which SSA has followed for many years. In preparing this regulation, we reviewed all policies to assess their impact on the trust funds and to reduce recordkeeping burdens. We also added the provisions of sections 103 and 342 of Pub. L. 98-21. Sec. 103 prohibits termination of existing coverage under the States' agreements. Sec. 342 changes payment

of Social Security contributions from once a month to twice a month. Other than these two statutory changes, which leave no room for administrative discretion, this proposed regulation primarily reflects current policies, so that any program and administrative costs or savings resulting from the regulation will be minimal.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	09/28/79	44 FR 55899
Notice of Available Working Draft	09/26/80	45 FR 63868
NPRM	00/00/00	

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7519**

RIN: 0960-AA13

26. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; FEE SCHEDULE FOR INFORMATION

Legal Authority: PL 97-35, Sec 2207; 42 USC 405; 42 USC 1302; 42 USC 1306

CFR Citation: 20 CFR 401; 20 CFR 422, Subpart E

Abstract: The substantive changes in these rules conform current rules on who can deny or release a record to those published in final by HHS on May 12, 1982 at 47 FR 20309. They conform the SSA Freedom of Information Act (FOIA) fee schedule to that published by HHS in a final regulation on 9/22/82 at 47 FR 41751. They also announce a fee schedule under which we will charge the full cost of providing certain records as allowed by section 2207 of the Omnibus Budget Reconciliation Act of 1981. The HHS FOIA fee schedule and our proposed fee schedule to charge full cost of providing certain records will result in savings to the Social Security trust funds by permitting SSA to charge more than currently allowed for providing records and record related services.

Timetable:

Action	Date	FR Cite
NPRM	09/20/83	48 FR 42830
NPRM Comment Period Begin	09/20/83	
NPRM Comment Period End	11/21/83	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7519**

RIN: 0960-AA15

27. GENERAL ADMINISTRATION-PUBLIC ASSISTANCE PROGRAMS; AFDC; FEDERAL FINANCIAL PARTICIPATION IN THE COST OF A STATEWIDE MECHANIZED CLAIMS PROCESSING SYSTEM

Legal Authority: 42 USC 602(a); 42 USC 603(a)(3); 42 USC 613; PL 96-265, Sec 406

CFR Citation: 45 CFR 205.35; 45 CFR 205.36; 45 CFR 205.37; 45 CFR 205.38

Abstract: The regulation will make available, at State option, 90 percent matching funds for the planning, design, development, and installation of a statewide claims processing and information retrieval system for the AFDC program. The 90 percent matching includes the purchase or rental of computer equipment and software used for the operation of this system. The regulation will result in short-run administrative costs, but is expected to result in greater long-run program savings through increased accuracy of processing. The regulation also provides for the disallowance of incentive funds that exceed the normal administrative FFP rate (50 percent) back to the beginning date of development should SSA suspend approval of an approved APD or should a State voluntarily withdraw its approved APD.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/81	46 FR 47784
Final Action	12/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA16

28. SUPPLEMENTAL SECURITY INCOME PROGRAM; REDUCTIONS, SUSPENSIONS AND TERMINATIONS

Legal Authority: 42 USC 1302; 42 USC 1382; 42 USC 1382c; 42 USC 1382d; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart M

Abstract: This regulation reorganizes, revises, and clarifies the rules on withholding, reducing, suspending, and terminating an SSI beneficiary's benefits. These regulations include changes in the present rules that are required by recent statutory enactments and, additionally, make the rules easier to read and understand. This regulation will have no impact on SSA programs and administrative costs.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	06/19/79	44 FR 35241
NPRM	01/00/85	

Small Entity: No

Agency Contact: Charles H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 597-3408**

RIN: 0960-AA22

29. SUPPLEMENTAL SECURITY INCOME PROGRAM; AGE 18 AND ALIEN DEEMING

Legal Authority: 42 USC 1302; 42 USC 1382j; 42 USC 1383; 42 USC 1381; 42 USC 1381a; 42 USC 1382; 42 USC 1382a; 42 USC 1382b; 42 USC 1382c(f); 42 USC 1383(d)

CFR Citation: 20 CFR 416, Subpart K

Abstract: This regulation provides that deeming of parental income and resources to an eligible child ends when a child reaches age 18 unless a savings clause applies to children between 18 and 21, and that a sponsor's income and resources are deemed to an alien for a period of three years after admission for aliens who first apply for SSI benefits after September 30, 1980.

The regulation eliminates different treatment of children aged 18 to 21 depending on status as students, and assumes that sponsors will support aliens and sets more rigid rules for the sponsor to alien deeming than apply to other deeming categories.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	11/14/80	45 FR 75225
NPRM	12/10/81	46 FR 60470
Final Action	01/00/85	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7463**

RIN: 0960-AA26

30. SUPPLEMENTAL SECURITY INCOME PROGRAM; ELIGIBILITY, AMOUNT OF BENEFITS, INCOME, RESOURCES, STATE SUPPLEMENTARY PROVISIONS, AGREEMENTS, PAYMENTS

Legal Authority: 42 USC 1382; 42 USC 1382a

CFR Citation: 20 CFR 416, Subpart B; 20 CFR 416, Subpart D; 20 CFR 416, Subpart K; 20 CFR 416, Subpart L; 20 CFR 416, Subpart T

Abstract: This regulation will implement statutory provisions for retrospective monthly accounting and spell out how they affect various regulations that deal with eligibility for and the amount of SSI benefits. This regulation will implement a significant change from quarterly to monthly determinations of eligibility and benefit amount. Although in the first year (1982) of implementation of retrospective monthly accounting there will be an administrative cost, it will be followed by an administrative saving thereafter. Some significant program costs are projected in 1982 through 1984 and neither cost nor savings in 1985.

Timetable:

Action	Date	FR Cite
NPRM	10/29/81	46 FR 53449
Final Action	10/00/84	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7463**

RIN: 0960-AA27

31. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; FUTURE EFFECT OF APPLICATIONS AND RELATED CHANGES IN APPEALS COUNCIL PROCEDURES

Legal Authority: 42 USC 402; 42 USC 416; 42 USC 423(b); 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart G; 20 CFR 404, Subpart J; 20 CFR 416, Subpart C; 20 CFR 416, Subpart N

Abstract: These rules should promote final resolution of cases at the hearing stage and help to reserve appeals council review for cases of a genuinely appellate nature. These rules specify that if a person files an application for benefits before the first month he or she meets all requirements for entitlement, we will allow the claim only if he or she meets all requirements before a hearing decision is issued (if a hearing is held) or if no hearing is held, before a final determination is made. These rules will generate program savings and administrative costs and savings.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	09/16/80	45 FR 61315
NPRM	05/16/83	48 FR 21967
NPRM Comment Period Begin	05/16/83	
NPRM Comment Period End	07/15/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7452**

RIN: 0960-AA28

32. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; ADJUSTMENT OF FEDERAL SHARE FOR UNCASHED/CANCELLED CHECKS

Legal Authority: 42 USC 303; 42 USC 603(a); 42 USC 1302

CFR Citation: 45 CFR 201.5; 45 CFR 201.67

Abstract: This regulation establishes a uniform policy for a State to return to the Federal government its share of uncashed or cancelled assistance checks. A GAO audit disclosed many instances where these uncashed or cancelled checks were not refunded to the Federal government. This regulation will effect program savings.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	11/14/80	45 FR 75244
NPRM	02/22/83	48 FR 07479
Final Action	10/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20024, **202 245-2637**

RIN: 0960-AA29

33. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCES

Legal Authority: 42 USC 1302; 42 USC 1382; 42 USC 1382b; 42 USC 1382c; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart L

Abstract: These proposed rules describe what we mean by resources, how we count resources, and how resources affect eligibility for SSI benefits. We estimate that administrative and program costs will be minimal for these regulations.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	03/27/79	44 FR 12837
NPRM	11/08/82	47 FR 50511
NPRM Comment Period Begin	11/08/82	
NPRM Comment Period End	01/07/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7463**

RIN: 0960-AA32

34. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; COMPUTING A SUPPLEMENTAL PAYMENT IN STATES REQUIRED TO DO SO BY SECTION 402(A)(28) OF THE SOCIAL SECURITY ACT

Legal Authority: 42 USC 602; 42 USC 1302

CFR Citation: 45 CFR 232.21; 45 CFR 233.20; 45 CFR 302.32

Abstract: This regulation will require that eligibility be based on the current month's reported support payments, and each month's supplemental payment be based on the largest part of the amount collected in the current month that would not cause ineligibility. It will provide uniform and equitable redeterminations of eligibility and payment amounts. This regulation will result in minimal costs.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	05/18/79	44 FR 29122
NPRM	02/15/80	45 FR 8322
Final Action	12/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA33

35. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P

Abstract: The regulation revises the medical evaluation criteria used in making Social Security and SSI disability determinations. The changes reflect advances in medical treatment of some conditions and in the methods of evaluating others. Since no significant change in disability allowance and denial rates is expected to result from these changes in the regulations, there will be little, if any, impact on costs (both program and administrative). Other proposed regulations are being processed regarding the evaluation criteria used in determining mental disorders.

Timetable:

Action	Date	FR Cite
NPRM	05/06/82	47 FR 19619
Final Action	10/00/84	

Small Entity: No

Agency Contact: William J. Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7415**

RIN: 0960-AA41

36. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; LEAST COSTLY APPROACH

Legal Authority: 42 USC 602; 42 USC 603; 42 USC 606; 42 USC 607; 42 USC 1302

CFR Citation: 45 CFR 201; 45 CFR 205; 45 CFR 206; 45 CFR 225; 45 CFR 232; 45 CFR 233; 45 CFR 234; 45 CFR 235; 45 CFR 237

Abstract: This regulation will affect a number of provisions of the AFDC program. It will result in savings to State and Federal governments and will ease the paperwork burden of the States. The changes may include provisions on restricted payments, hearings, redeterminations, issuances of replacement checks and others that will result in a "least costly" approach to the administration of AFDC. This regulation will result in dollar savings and the relief of administrative burdens that we expect to accrue.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA43

37. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; TIME LIMITATIONS FOR ISSUING HEARING DECISIONS AND FOR APPEALS COUNCIL ACTIONS

Legal Authority: 42 USC 405(a); 42 USC 1302; 42 USC 1320; 42 USC 1383; 42 USC 1395

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 416, Subpart N

Abstract: This regulation provides time limits for issuing hearing decisions and for certain actions by the Appeals Council as ordered by the U.S. District Court for the Western District of Kentucky in the Blankenship and Finch cases (except for SSI non-disability hearings, for which time limits already exist). Draft regulation may be affected by further court action.

Timetable:

Action	Date	FR Cite
NPRM	02/27/80	45 FR 12837

Next Action Undetermined

Small Entity: No

Agency Contact: Joy Loving, Director, Department of Health and Human Services, Social Security Administration, Div of Prog Dev, Off of Pol & Proc, H & A, 106 Webb Bldg, 4040 N. Fairfax Drive, Arlington, VA 22203, **703 235-8524**

RIN: 0960-AA44

38. FEDERAL OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; ADDITIONAL EXCEPTION TO REDUCTION OF BENEFITS OF SPOUSE RECEIVING GOVERNMENT PENSION

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.408a

Abstract: PL 97-455 provides an additional seven months for application of the exception to the requirement of law that Social Security benefits of a spouse be reduced by the amount of the spouse's pension which is based on the

spouse's employment by a Government entity. For the exception to apply, the spouse must be eligible for a Government pension before July 1983 and must have been receiving one-half support from the insured worker on whose record he/she is entitled to Social Security spouse's benefits. PL 98-21 reduced the amount of the offset to two-thirds of the spouse's pension. The cost will be less than 100 million dollars for FY 1983-1987.

Timetable:

Action	Date	FR Cite
NPRM	02/29/84	49 FR 07403
NPRM Comment Period Begin	02/29/84	
NPRM Comment Period End	04/30/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-6785**

RIN: 0960-AA48

39. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM AND SUPPLEMENTAL SECURITY INCOME PROGRAM; DISABILITY TERMINATION HEARINGS

Priority: Agency Determination

Legal Authority: 42 USC 405; 42 USC 1302; PL 97-455, Sec 4; PL 97-455, Sec 5; 42 USC 1383

CFR Citation: 20 CFR 404.900 to 404.960; 20 CFR 404.1546; 20 CFR 416.946; 20 CFR 416.1400 to 416.1460

Abstract: Sections 4 and 5 of Pub. L. 97-455 require SSA to make face-to-face evidentiary hearings available at the first stage of appeal, known as reconsideration, in cases in which an initial determination is made that an individual receiving title II disability benefits is not now disabled. Regulations are necessary to implement this statutory requirement, which will make the reconsideration stage more meaningful. Although not specifically required by the statute, the proposed regulations will include SSI disability and blindness cessation cases in the new reconsideration process. The availability of an evidentiary hearing at the reconsideration stage in disability and blindness termination cases should enable reconsiderations to be based on more complete information, enable more appeals to be resolved at that level, and thus reduce the workload at the administrative law judge hearing level and in the Appeals Council.

Timetable:

Action	Date	FR Cite
NPRM	08/15/83	48 FR 36831
NPRM Comment Period Begin	08/15/83	
NPRM Comment Period End	10/14/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Frank Lindh, Executive Analyst, Department of Health and Human Services, Social Security Administration, Office of Hearings and Appeals, SSA, Rm 760 Altmeyer Building, 6401 Security Blvd, Baltimore, Maryland 21235, **301 594-5072**

RIN: 0960-AA49

40. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; QUALITY CONTROL REQUIREMENTS (TEFRA)

Legal Authority: 42 USC 603; 42 USC 1302; PL 97-248, Sec 156

CFR Citation: 45 CFR 205.40; 45 CFR 205.42; 45 CFR 205.43; 45 CFR 205.44

Abstract: These proposed rules amend the regulations on the quality control (QC) system in the Aid to Families with Dependent Children (AFDC) and the adult assistance programs under titles I, IV-A, X, XIV, and XVI (AABD) of the Social Security Act to implement TEFRA. The QC system is the Federal government's and the States' major management tool for measuring the accuracy of AFDC and adult assistance payments. The rule will provide that the quality control sample must be completed within 95 days of the sample month. The rule will also establish requirements for a minimum active case sample size that must be received by quality control, and make other changes to conform more closely with the Food and Nutrition Service. Other TEFRA requirements are also included.

Timetable:

Action	Date	FR Cite
NPRM	05/10/84	49 FR 19856
NPRM Comment Period Begin	05/10/84	
NPRM Comment Period End	07/09/84	
Final Action	10/01/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Transportation Building, 2100 Second St., SW Washington, DC 20201, **202 245-2637**

RIN: 0960-AA51

41. OASDI, BLACK LUNG, AND SSI PROGRAMS; REOPENING AND REVISING DETERMINATIONS AND DECISIONS--EXPEDITED APPEALS PROCESS

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383; 30 USC 923; 30 USC 936

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 410, Subpart F; 20 CFR 416, Subpart N; 20 CFR 422, Subpart C

Abstract: The proposed regulations explain that five unrelated changes are being made on when a determination or decision affecting someone's rights under programs administered by the Social Security Administration may be reopened and revised. The programs are Old-Age, Survivors, and Disability Insurance; Black Lung Benefits (Part B); and Supplemental Security Income for the Aged, Blind, and Disabled. Two of the changes are to take account of legislative changes. The other three add longstanding policies to the regulations. In addition, the time limit for appealing a determination or decision on benefit rights to a Federal district court pursuant to the "expedited appeals process" is being made the same as the other time limits for other appeals of determinations or decisions. Each of the proposed changes and all of them together will result in negligible program or administrative cost or saving.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	01/04/83	48 FR 0268
NPRM	08/03/83	48 FR 35135
NPRM Comment Period Begin	08/03/83	48 FR 35135
NPRM Comment Period End	10/03/83	

Action	Date	FR Cite
Final Action	11/00/84	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7452**

RIN: 0960-AA52

42. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; PROVISION FOR INFERRING A PERSON IS DEAD

Legal Authority: 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart H

Abstract: The proposed regulations explain that the claimant at all times bears the burden of proving the insured person's death and clarifies that SSA will not presume a missing insured person is dead if there are known circumstances that could reasonably explain the absence, even without direct evidence that such circumstances actually were the reason for the absence. The proposed changes will result in negligible program or administrative costs or savings.

Timetable:

Action	Date	FR Cite
NPRM	02/29/84	49 FR 07405
NPRM Comment Period Begin	02/29/84	
NPRM Comment Period End	04/30/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7452**

RIN: 0960-AA54

43. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; WAGE COVERAGE UNDER SOCIAL SECURITY

Legal Authority: 42 USC 405; 42 USC 1302; PL 98-21, Sec 327; PL 96-342, Sec 1002(a); PL 97-306, Sec 408; PL 96-499, Sec 1141

CFR Citation: 20 CFR 404.1043; 20 CFR 404.1055; 20 CFR 404.1059; 20 CFR 404.1060; 20 CFR 404.1341

Abstract: This regulation consists of amendments to 5 rules on wage coverage under Social Security. These amendments are: (1) The value of the meals and lodging furnished for the convenience of the employer must be excluded from the employee's gross income; (2) With only limited exceptions, an employer may no longer exclude from an employee's wages, his or her payment of the employee's FICA tax; (3) Payments by an employer to an employee after the calendar year of the employee's entitlement to disability insurance benefits are not wages if paid in a period the employee did not work; (4) The scope of the entitlement to the deemed wages provided to internees of the camps for Japanese-Americans during World War II period is being broadened; (5) The scope of the entitlement to the deemed wages provided to members of the uniformed services is being narrowed. Only two regulations will have a cost impact. Amendment (1) above will reduce the Social Security benefits paid the affected employees but not by $100 million in any year. Amendment (2) will increase taxes paid by employers and employees but these increases are required by the statutory provisions and not the regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: C.H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 597-3408**

RIN: 0960-AA55

44. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; EMPLOYMENT, WAGES, SELF-EMPLOYED AND SELF-EMPLOYMENT INCOME; SICK PAY

Legal Authority: 42 USC 405; 42 USC 1302; PL 97-123, Sec 3

CFR Citation: 20 CFR 404.1049; 20 CFR 404.1051A

Abstract: These regulations provide that sick pay, including payments under the State's temporary disability law, paid in the 6 months after the month in which the employee stopped working is treated as wages whether paid directly by the employer or third party. Sick pay is not treated as wages to the extent payments are attributable to employee contributions. These regulations will directly impact on State and local governments whose employees have Social Security coverage. The cost to those entities should be minimal, i.e., $10 million - $14 million range each year for the next 5 fiscal years.

Timetable:

Action	Date	FR Cite
NPRM	04/20/84	49 FR 16805
NPRM Comment Period Begin	04/20/84	
NPRM Comment Period End	06/19/84	
Final Action	02/00/85	

Small Entity: Undetermined

Agency Contact: C.H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 597-3408**

RIN: 0960-AA58

45. SUPPLEMENTAL SECURITY INCOME PROGRAM; REOPENING AND REVISING SUPPLEMENTAL SECURITY INCOME DETERMINATIONS AND DECISIONS WITHIN FOUR YEARS OF THE NOTICE OF THE INITIAL DETERMINATION

Legal Authority: 42 USC 1302; 42 USC 1383; 42 USC 1383b

CFR Citation: 20 CFR 416.1488

Abstract: The proposed rules provide for the reopening and revising of Supplemental Security Income determinations within four years of the notice of the initial determination if we discover an error affecting a claimant's eligibility or benefit amount during this period through the use of information exchange and data gathering involving either our records or our records and those of other Federal or State agencies. This rule is being proposed because the two-year period in which we may reopen and revise a determination based on new and material evidence we acquire through data and exchange is often too short and often expires before the determination to correct errors revealed by the data can be made. The

budgetary impact has not yet been determined.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Philip Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7452

RIN: 0960-AA59

46. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BENEFITS FOR DIVORCED SPOUSES BEFORE ENTITLEMENT OF INSURED WORKER

Legal Authority: PL 98-21, Sec 132; PL 98-21, Sec 301

CFR Citation: 20 CFR 404, Subpart D; 20 CFR 404, Subpart E

Abstract: This proposed regulation provides that a divorced spouse of a worker who is eligible for old-age benefits can receive wife's or husband's benefits if the divorced spouse is otherwise eligible for them and the parties have been divorced for at least 2 years, even if the worker has not applied for benefits or if the worker's current earnings are too high to permit payment of the worker's old-age benefits. Total program cost is estimated as under $100 million through 1989.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA60

47. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; PAYMENT OF CERTAIN TRAVEL EXPENSES

Legal Authority: 42 USC 401; 42 USC 1383; PL 97-51; PL 97-92; PL 97-161; PL 97-276; PL 97-377; PL 98-107; PL 98-139

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 416, Subpart N

Abstract: These proposed regulations reflect section 310 of Pub. L. 96-265 which became effective June 9, 1980. That law provides permanent authority for the payment of certain travel expenses to (1) individuals who attend medical examinations requested by the Social Security Administration (SSA) in connection with disability determinations, (2) parties, their representatives, and all reasonably necessary witnesses who attend disability termination hearings in connection with disability claims, and (3) parties, their representatives, and all reasonably necessary witnesses who attend hearings held before an administrative law judge. We have been paying travel expenses based on internal procedure without regulation. These regulations will not cause any appreciable change in expenditures.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AA61

48. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; NEW BENEFIT COMPUTATIONS FOR COST-OF-LIVING ADJUSTMENT, FOR DELAYED RETIREMENT CREDIT, AND FOR ETC

Legal Authority: 42 USC 402(w); 42 USC 403(a),(b); 42 USC 415(i); 42 USC 1382(f)

CFR Citation: 20 CFR 404, Subpart C; 20 CFR 404, Subpart D; 20 CFR 404, Subpart E; 20 CFR 416, Subpart D

Abstract: This proposed regulation will state that beginning with 1983, the annual cost-of-living adjustment will be effective in December and paid in January rather than being effective in June and paid in July. This revised schedule affects both OASDI and SSI. Additionally, the adjustment will be based on the lower of wages or price increases when the OASDI trust fund ratio of assets to estimated outgo falls below a given percentage. This proposed regulation will also explain that the combined family maximum, where there is entitlement on two workers' records, will be increased only on the basis of cost-of-living adjustments. Finally, this regulation will explain the gradual increases in the delayed retirement credit. Shifting the cost-of-living adjustment will reduce program expenditures by $39.4 billion for 1983-89. The other provisions on this regulation package will have negligible program costs.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-6785

RIN: 0960-AA62

49. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAMS; COVERAGE OF EMPLOYEES OF U.S. NON-PROFIT ORGANIZATIONS AND FOREIGN AFFILIATES OF AMERICAN EMPLOYERS; COVERAGE UNDER ETC

Legal Authority: PL 98-21, Sec 102; PL 98-21, Sec 321; PL 98-21, Sec 322; PL 98-21, Sec 323

CFR Citation: 20 CFR 404, Subpart B; 20 CFR 404, Subpart K

Abstract: The proposed regulations will provide for additional coverage of employees of non-profit organizations and other employees and self-employed individuals working outside the U.S. Section 102 will increase revenues by $12.4 billion for 1984-89. Long range savings of .10 percent of taxable payroll. Sections 321, 322 and 323 will have negligible cost implications.

Timetable:

Action	Date	FR Cite
NPRM	04/06/84	49 FR 13710
NPRM Comment Period Begin	04/06/84	
NPRM Comment Period End	06/05/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Dave Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, **301 594-7460**

RIN: 0960-AA63

50. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; SIMPLIFIED FEE PROCESS FOR REPRESENTATIVES OF CLAIMANTS

Priority: Agency Determination

Legal Authority: 42 USC 406(a); 42 USC 1383(d)(2); 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart R; 20 CFR 416, Subpart O

Abstract: We are proposing to change the manner by which we determine the amount of the fee we approve for the person(s) who represent a claimant in proceedings with us. We estimate administrative savings of less than $3 million in the first full year of implementation and no program costs.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-6785**

RIN: 0960-AA64

51. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; ELIMINATION OF WINDFALL BENEFITS FOR PERSONS RECEIVING PENSIONS FROM NONCOVERED EMPLOYMENT

Legal Authority: PL 98-21, Sec 113

CFR Citation: 20 CFR 404, Subpart C

Abstract: The provision of section 113 of Pub. L. 98-21 (the Social Security Amendments of 1983) eliminates the windfall that occurs when the heavy weighting in the benefit formula that is intended for workers with low wages goes instead to workers who spent many years in noncovered employment and worked only a few years in covered employment. This will be accomplished by modifying the benefit computation formula to consider a worker's pension from noncovered employment. This provision will decrease program costs by $0.1 billion for 1983-89.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-6785**

RIN: 0960-AA65

52. SUPPLEMENTAL SECURITY INCOME PROGRAM; TEMPORARY RESIDENTS OF EMERGENCY SHELTERS FOR THE HOMELESS

Priority: Agency Determination

Legal Authority: 42 USC 1383 (e)(i)(d)

CFR Citation: 20 CFR 416, Subpart B; 20 CFR 416, Subpart M

Abstract: Section 1611(e)(1)(A) of the Social Security Act provides that, with certain limited exceptions, no person may be eligible for Supplemental Security Income Benefits for months throughout which he or she resides in a public institution. Section 403 of Pub. L. 98-21, which these regulations would implement, provides that an aged, blind, or disabled resident of a public emergency shelter for the homeless may be eligible for benefits for as many as three months in any 12-month period throughout which he or she is a resident of such a shelter. Program costs will be approximately $2 million for fiscal year 1983.

Timetable:

Action	Date	FR Cite
NPRM	04/18/84	49 FR 15225
NPRM Comment Period Begin	04/18/84	
NPRM Comment Period End	06/18/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Harry J. Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, **301 594-7337**

RIN: 0960-AA70

53. AID TO FAMILIES WITH DEPENDENT CHILDREN AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DISREGARDING OF SUPPORT AND MAINTENANCE ASSISTANCE BASED ON NEED

Priority: Agency Determination

Legal Authority: 42 USC 602; 42 USC 1382a; 42 USC 1302; PL 98-369

CFR Citation: 20 CFR 416, Subpart K; 20 CFR 416, Subpart L; 45 CFR 233.20

Abstract: These proposed regulations implement section 404 of Pub. L. 98-21 and section 2639 of Pub. L. 98-369 which provide that certain support and maintenance assistance is not to be counted when determining an individual's eligibility for and the amount of his or her Supplemental Security Income (SSI) benefits or at the State's option, his or her Aid to Families With Dependent Children (AFDC) payments. Section 404 is effective May 1, 1983 through September 30, 1984. Section 2639 is effective October 1, 1984 through September 30, 1987.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Harry J. Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, **301 594-7337**

RIN: 0960-AA71

54. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; DISREGARD OF INCOME OF DEPENDENT CHILDREN DERIVED FROM PARTICIPATION IN PROGRAMS CARRIED OUT UNDER THE JOB TRAINING PARTNERSHIP ACT

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 602(a)(8)(A)(11); 42 USC 602(a)(18); PL 97-300, Sec 503

CFR Citation: 45 CFR 233.20

Abstract: Provides for disregard at State option, of the income of any dependent child derived from a program carried out under the JTPA for purposes of determining eligibility or benefit amount under AFDC. Provides also that these same amounts will be disregarded in determining whether the family's gross income exceeds 150 percent of the State's need standard. A State may disregard all or a portion of monthly unearned income for any length of time specified by the State. All such disregards will be applied before applying the $30 and one-third income disregard. This regulation does not have an annual effect on the economy of more than $100 million.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/15/83	48 FR 32346
Final Action	11/00/84	

Small Entity: No

Government Levels Affected: State

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 2nd St. SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AA72

55. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; DEDUCTIONS; REDUCTIONS; AND NONPAYMENT OF BENEFITS-NONPAYMENT OF BENEFITS TO PRISONERS

Legal Authority: PL 98-21, Sec 339

CFR Citation: 20 CFR 404, Subpart E

Abstract: These proposed rules provide for the suspension of OASDI benefits to convicted felons while in prison; benefits to auxiliaries based on an incarcerated individual's earnings will not be affected. It extends to OASI the current provision that limits payment of DI benefits to prisoners convicted of a felony and will be effective with benefits payable for the month after the month of enactment; i.e. May 1983. The changes we are proposing will not have any significant impact on either administrative or program cost.

Timetable:

Action	Date	FR Cite
NPRM	01/30/84	49 FR 03672
NPRM Comment Period Begin	01/30/84	
NPRM Comment Period End	03/30/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-4715

RIN: 0960-AA73

56. SUPPLEMENTAL SECURITY INCOME PROGRAM; WHAT IS NOT INCOME

Legal Authority: 42 USC 1302; 42 USC 1383(d)

CFR Citation: 20 CFR 416, Subpart K

Abstract: Under the proposed change, the receipt of any item which, if retained, would be an excluded nonliquid resource will be dealt with solely under the resource rules. The change will provide more equitable treatment for those who receive such items and would resolve an apparent conflict stemming from application of income rules to receipt of excludable nonliquid resources. The proposed change will result in no significant program or administrative cost or savings.

Timetable:

Action	Date	FR Cite
NPRM	10/20/83	48 FR 48684
NPRM Comment Period Begin	10/20/83	
NPRM Comment Period End	11/21/83	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Henry D. Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7463

RIN: 0960-AA74

57. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCE LIMITS FOR CONDITIONAL SSI PAYMENTS

Legal Authority: 42 USC 1302; 42 USC 1382b(b); 42 USC 1383(d)

CFR Citation: 20 CFR 416, Subpart L

Abstract: Current regulations for the Supplemental Security Income program provide that if total resources (liquid and nonliquid) exceed certain limits, an individual may receive conditional SSI payments while disposing of the excess resources. This proposed regulation will eliminate the limit on total resources but retain the limit on liquid resources so that individuals who have little or no income but who own expensive, hard to dispose of nonliquid resources, may receive conditional payments. The proposed change will result in no significant program or administrative cost or savings.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Henry D. Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, 301 594-7463

RIN: 0960-AA75

58. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; RESIDENCY REQUIREMENT FOR PAYING BENEFITS TO NON-RESIDENT ALIENS

Legal Authority: 42 USC 405; 42 USC 1302; PL 98-21, Sec 340

CFR Citation: 20 CFR 404.460(b)

Abstract: These regulations implement Sec. 340 of Pub. L. 98-21--The Social Security Amendments of 1983--which provides a U.S. residence requirement that the dependent or survivor beneficiary must now meet if he or she is an alien outside the U.S. These provisions do not apply to the alien who is an old-age beneficiary who is residing outside the U.S. The dependent or survivor beneficiary, however, who is an alien outside the U.S. will not be paid benefits effective January 1, 1985 unless he or she satisfies these new residence requirements. These provisions will effect negligible budget

savings, i.e., $50 million for the period 1983-89.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: C.H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 597-3408**

RIN: 0960-AA76

---

59. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; INDEXING FOR WIDOW(ER)'S BENEFITS; EFFECT OF REMARRIAGE ON WIDOW(ER)'S ENTITLEMENT; REDUCTION OF DISABLED WIDOW'S BENEFITS; ETC

Legal Authority: PL 98-21, Sec 131; PL 98-21, Sec 133; PL 98-21, Sec 134; PL 98-21, Sec 334; 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart C; 20 CFR 404, Subpart D; 20 CFR 404, Subpart E; 20 CFR 404, Subpart G

Abstract: These final rules will explain: (1) that in many situations remarriage will no longer affect a widow(er)'s entitlement to benefits on the earnings record of a deceased insured worker; (2) that benefit amounts for a widow(er) will be larger because the worker's earnings will be indexed based on the surviving spouse's eligibility rather than on the worker's year of death; (3) that benefits to a widow(er) who becomes entitled before age 60 (based on disability) will no longer be further reduced for months before age 60; (4) that, as an exception to limited retroactivity, a widow(er) age 60 or 61 may choose to have benefits begin effective with the month of death even though he or she did not apply until the next month. Budgetary information is unavailable at this time.

Timetable:

Action	Date	FR Cite
NPRM	05/29/84	49 FR 22340
NPRM Comment Period Begin	05/29/84	
NPRM Comment Period End	07/30/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-6785**

RIN: 0960-AA77

---

60. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME; CHANGES OF TIME OR PLACE OF HEARINGS BEFORE ADMINISTRATIVE LAW JUDGES, NOTICE OF HEARINGS, AND DISMISSAL ETC

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart J; 20 CFR 416, Subpart N

Abstract: These rules were developed as a result of a decision of the U.S.D.C. for the District of Colorado in the case of Pulido et al. v. Heckler. The rules would revise (1) 20 CFR 404.938 and 20 CFR 416.1438 to provide that a notice of hearing will be provided to a claimant at least 20 days prior to the date of a hearing; (2) 20 CFR 404.936 and 20 CFR 416.1436 to set forth standards to be applied and factors to be considered by an ALJ in determining whether there is good cause for changing the time or place of a hearing at a claimant's request; and (3) 20 CFR 404.957 and 20 CFR 416.1457 to permit the ALJ to dismiss a request for hearing without further contact with a claimant or his or her representative when the claimant and the representative fail to appear at the hearing and the ALJ has not found good cause for changing the time or place of the hearing.

Timetable:

Action	Date	FR Cite
NPRM	03/23/84	49 FR 10939
NPRM Comment Period Begin	03/23/84	
NPRM Comment Period End	05/22/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: TITLE CONT: of Hearing Requests When Claimants Fail to Appear.

Agency Contact: Eugene R. Larkin, Policy Analyst, Div. of Hearings Procedures, Department of Health and Human Services, Social Security Administration, Office of Hearings and Appeals, Room 101 Webb Building, P.O. Box 3200, Arlington, Virginia 22203, **703 235-8545**

RIN: 0960-AA78

---

61. SUPPLEMENTAL SECURITY INCOME PROGRAM; PRESUMPTIVE DISABILITY AND PRESUMPTIVE BLINDNESS; CATEGORIES OF IMPAIRMENTS; CHRONIC RENAL DISEASE

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416.934

Abstract: Section 1631(a)(B) of the Social Security Act provides for the payment of benefits to persons applying for supplemental security income benefits on the basis of disability or blindness before making a formal determination when available information indicates a high probability that disability exists. These presumptive disability and blindness decisions may be made at the Social Security district offices in a limited number of impairment categories. We are proposing to add Chronic Renal Disease to these categories in view of the predictability that the disease will result in a finding of disability. Budgetary impact is expected to be negligible.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7415**

RIN: 0960-AA79

62. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAMS; DETERMINING DISABILITY AND BLINDNESS; APPENDIX 1 PART B; MEDICAL CRITERIA FOR EVALUATION OF CHILDREN

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P

Abstract: We are proposing revisions in the medical criteria in the Listing of Impairments, used in determining disability in children on medical considerations alone without regard to vocational factors, such as age, education, and work experience. The medical criteria in this appendix describes a level of impairment severity which is considered sufficient to find a person disabled or blind. These medical criteria must be periodically updated to reflect medical advances in diagnosis and treatment and recent changes in methods used to evaluate the severity of particular impairments. We are proposing revisions in the medical criteria for 9 of 14 body system listings in Part B of Appendix 1. The revisions are of a technical-medical nature. Budgetary impact is expected to be negligible.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7415**

RIN: 0960-AA80

63. AID TO FAMILIES WITH DEPENDENT CHILDREN; REDUCTION OF FEDERAL FUNDS FOR UNREPORTED CHILD SUPPORT COLLECTIONS

Legal Authority: 42 USC 1302; 42 USC 603

CFR Citation: 45 CFR 201.5

Abstract: This final rule makes a technical amendment to 45 CFR 201.5 based on section 407 of Public Law 96-265, the Social Security Disability Amendments of 1980. The rule requires the Department of Health and Human Services to reduce a State's title IV-A grant award for failure to include appropriate child support collections on its statement of expenditures.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA83

64. AID TO FAMILIES WITH DEPENDENT CHILDREN; DEFINITION OF PERMISSIBLE STATE PRACTICE-QUALITY CONTROL

Legal Authority: 42 USC 1302; 42 USC 602

CFR Citation: 45 CFR 205.40

Abstract: The proposed rule will amend the definition of "Permissible State Practice." The rule will enable quality control to review against Federal requirements when a State plan is not amended to reflect new Federal rules, or when a State plan is submitted which is inconsistent with Federal rules and has not yet been disapproved.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA85

65. AID TO FAMILIES WITH DEPENDENT CHILDREN; CONSIDERATION OF UTILITY PAYMENTS MADE BY TENANTS IN HOUSING AND URBAN DEVELOPMENT ASSISTED HOUSING

Legal Authority: PL 98-181; 42 USC 602; 42 USC 1302

CFR Citation: 45 CFR 233

Abstract: The proposed rule will provide that Housing and Urban Development Assisted Aid to Families With Dependent Children tenants who pay utilities but no rent to landlord will have their utilities considered rent by a State IV-A agency in computing the Aid to Families With Dependent Children grant.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA87

66. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; COVERAGE OF CERTAIN FEDERAL EMPLOYEES; COVERAGE OF EARNINGS OF FEDERAL JUDGES

Legal Authority: PL 98-21, Sec 101; PL 98-118, Sec 4

CFR Citation: 20 CFR 404.1018; 20 CFR 404.1061

Abstract: The proposed regulations would codify section 101 of Pub. L. 98-21, as amended by section 4 of Pub. L. 118, which generally provides Social Security coverage for certain Federal employees and covers certain payments to retired Federal judges after 1985. Estimated increased revenues (resulting from this legislation) for 1984-1989 are $9.4 billion. Long-range savings are estimated at .28 percent of taxable payroll.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Dave Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7460**

RIN: 0960-AA89

67. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS TREATMENT OF OASDI AND SSI LUMP SUM PAYMENTS IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383(a)

CFR Citation: 20 CFR 404, Subpart U; 20 CFR 416, Subpart F

Abstract: These proposed rules would revise 20 CFR 404.2040 and 20 CFR 416.640, which stipulate the use of benefit payments by a representative payee, explaining that retroactive title II and title XVI benefits received by a representative payee who is a member of an Aid to Families with Dependent Children (AFDC) assistance unit, on behalf of a child in the same unit, may be considered available to meet the needs of that AFDC assistance unit. If the representative payee is not a member of the assistance unit, title II and title XVI benefits would be counted as available income for AFDC purposes only to the extent that the payee provides these funds to the AFDC household for the beneficiary's maintenance. Potential costs and benefits are not available at this time. We are also proposing direct payment to a beneficiary under age 18 if the beneficiary is within 7 months of attaining age 18 and is initially filing an application for benefits. This proposed revision represents a policy change and is an extension of the 4-month period in our current regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: **Phil Berge**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7452**

RIN: 0960-AA90

68. SUPPLEMENTAL SECURITY INCOME PROGRAM; PRESUMPTIVE DISABILITY AND PRESUMPTIVE BLINDNESS; CATEGORIES OF IMPAIRMENTS-AIDS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416.934

Abstract: Section 1631(a)(B) of the Social Security Act provides for the payment of benefits to persons applying for supplemental security income benefits on the basis of disability or blindness before making a formal determination when available information indicates a high probability that disability exists. These presumptive disability and blindness decisions may be made at the Social Security district offices in a limited number of impairment categories. We are adding AIDs to these categories in view of the predictability that the disease will result in a finding of disability. Budgetary impact is expected to be negligible.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	

Small Entity: No

Agency Contact: **William J. Ziegler**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7415**

RIN: 0960-AA91

69. SUPPLEMENTAL SECURITY INCOME PROGRAM; THE AUTOMOBILE, PROPERTY ESSENTIAL TO SELF-SUPPORT, THE HOME

Priority: Agency Determination

Legal Authority: 42 USC 1383; 42 USC 1302; 42 USC 1382b

CFR Citation: 20 CFR 416.1212; 20 CFR 416.1218; 20 CFR 416.1220; 20 CFR 416.1222; 20 CFR 416.1224; 20 CFR 416.1225; 20 CFR 416.1226; 20 CFR 416.1227

Abstract: The regulations are being amended to provide rules where resources are excluded because they are property essential to an individual's self-support. These changes, which do not appear in existing regulations, include value limits for property essential to self-support and describe conditions under which an individual's property will be taken into consideration when income-producing activities are associated with the home. Certain rules involving the automobile and the home are included with these regulations since they relate to the self-support rules. We estimate no additional costs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: **Henry Lerner**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 594-7463**

RIN: 0960-AA92

70. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MENTAL DISORDERS-APPENDIX 1 - PART A

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart P

Abstract: Section 12.00 of Appendix 1 Part A to the Disability Regulations (404.1501 through 404.1598) describes those mental disorders which are considered severe enough to prevent a person from doing any gainful activity. We are proposing a comprehensive revision to that section to require consideration of the nature and clinical manifestations of mental disorders as well as consideration of the degree of limitations such disorders may impose on an individual's ability to work. Initial estimates of the Budgetary impact are 3.5 billion for title II and 0.795 for title XVI. Estimates for Health Care Costs are now being obtained.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: **William Ziegler**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, **301 594-7415**

RIN: 0960-AA93

71. PUBLIC ASSISTANCE PROGRAMS; EXCLUSION OF CERTAIN FUNDS DISTRIBUTED TO MEMBERS OF INDIAN TRIBES AS INCOME AND RESOURCES

Legal Authority: 42 USC 1302; 42 USC 602(a)(8); PL 97-458; PL 98-64

CFR Citation: 45 CFR 233.20

Abstract: This proposed regulation pertains to the distribution of certain funds to members of Indian tribes and exclusion of those funds from income and resources in the determination of eligibility and the amount of assistance payments for AFDC in all jurisdictions and the adult assistance programs in Guam, Puerto Rico, and the Virgin Islands.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA95

72. PUBLIC ASSISTANCE PROGRAMS, DUPLICATE ASSISTANCE PAYMENTS

Legal Authority: 42 USC 1302; 42 USC 603

CFR Citation: 45 CFR 201.70

Abstract: This proposed regulation will require States to report on their quarterly statement of expenditures the Federal share of previously claimed assistance checks which are determined to be: (1) replacements of checks cashed by eligible recipients, or (2) original checks cashed by persons other than the authorized payee. This rule will also clarify procedures for claiming Federal Financial Participation for duplicate checks.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, Office of Intergovernmental Comm., 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AA96

73. ● OLD AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BLACK LUNG PROGRAM; AND SUPPLEMENTAL SECURITY INCOME PROGRAM; OFFICE OF MANAGEMENT & BUDGET CONTROL NUMBERS FOR APPROVED INFORMATION ETC

Legal Authority: 44 USC 3507(f)

CFR Citation: 20 CFR 404; 20 CFR 410.240; 20 CFR 416

Abstract: To comply with the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and with regulations implementing the Act published by OMB on 3/31/83 (48 FR 13666), we are publishing, as part of our regulations, the OMB control number for all reporting or recordkeeping requirements currently approved by OMB that are imposed by 20 CFR Parts 401, 404, 410, 416, and 422 of existing regulations.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Additional Information: TITLE CONT: Collection Requirements Imposed by Social Security Administration Regulations

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7519**

RIN: 0960-AA97

74. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DETERMINATIONS OF DISABILITY- PERFORMANCE STANDARD REVISIONS AND OTHER CHANGES INVOLVING ETC

Legal Authority: 30 USC 923; 42 USC 404; 42 USC 405; 42 USC 427; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart Q; 20 CFR 416, Subpart J

Abstract: Effective June 1, 1981, we promulgated regulations requiring State agencies making disability determinations for the Social Security Administration to meet accuracy and processing time standards and to follow other administrative requirements and procedures. The purpose of these changes is to improve the disability determination process and to clarify and update certain administrative requirements. On the basis of experience in operating under those regulations, we are now proposing performance standard changes for both accuracy and processing time, as well as some administrative changes in fiscal, audit, and appeal requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: TITLE CONT: Administrative Requirements and Procedures

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 594-7415**

RIN: 0960-AA98

75. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; CARDIOVASCULAR SYSTEM

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff Appendix 1, Part A

Abstract: Section 4.00 of Appendix 1 of the Disability regulations (404.1501 through 404.1598) describes cardiovascular impairments considered severe enough to prevent an individual from doing any gainful activity. We are reviewing this section of the Listing of Impairments and are anticipating the need for revising the criteria to bring them more up to date with current medical technologies and practice in this area of medicine which is advancing rapidly.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 301 594-3352

RIN: 0960-AA99

76. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; RESPIRATORY SYSTEM

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff, Appendix 1, Part A

Abstract: Section 3.00 of Appendix 1 to the Disability Regulations (404.1501 through 404.1598) describes those respiratory impairments which are considered severe enough to prevent a person from engaging in any gainful activity. We are proposing comprehensive revision to that section to require consideration of the nature and clinical manifestations of respiratory disorders, as well as consideration of the degree of limitations such disorders may impose on an individual's ability to work.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 301 594-3352

RIN: 0960-AB00

77. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MUSCULOSKELETAL SYSTEM

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff, Appendix 1, Part A.

Abstract: Section 1.00 of Appendix 1 to the Disability Regulations 404.1501 through 404.1598 describes those musculoskeletal impairments which are considered severe enough to prevent a person from doing any gainful activity. We are proposing comprehensive revisions to that section to ensure that the medical evaluation criteria are up to date and consistent with the latest advances in medicine.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, 301 594-3352

RIN: 0960-AB01

78. ● AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM, TREATMENT OF ASSIGNED SUPPORT PAYMENTS RECEIVED DIRECTLY AND RETAINED BY AFDC APPLICANTS OR RECIPIENTS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 232.12; 45 CFR 233.20; 45 CFR 302.31; 45 CFR 303.80

Abstract: This proposed regulation establishes two methods under which support payments directly received from an absent parent and retained by an AFDC recipient must be accounted for. One method is the IV-A income method in which the IV-A agency counts retained support as income and the other is IV-D recovery in which the IV-D agency collects payments on the indebtedness from the recipient. The proposed regulations provide policy for the collection or accounting for retained support.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second Street, SW, Washington, DC 20201, 202 245-2637

RIN: 0960-AB02

79. ● AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; OFFICE OF MANAGEMENT AND BUDGET CONTROL NUMBERS FOR INFORMATION COLLECTION REQUIREMENTS CONTAINED IN AFDC REGULATIONS

Legal Authority: 44 USC 3507(f)

CFR Citation: 45 CFR 200

Abstract: To comply with the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and with regulations implementing the Act published by OMB on 3/31/83 (48 FR 13666), we are publishing, as part of our regulations, the OMB control numbers for all reporting or recordkeeping requirements currently approved by OMB that are imposed by 45 CFR Chapter II of existing regulations.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Cliff Terry, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, 301 594-7519

RIN: 0960-AB04

80. ● BLACK LUNG PROGRAM; ESTABLISHING DEPENDENCY OF SURVIVING DIVORCED WIFE AND COMPUTATION OF BASIC RATE

Legal Authority: 30 USC 801

CFR Citation: 20 CFR 410

Abstract: These proposed regulations correct several errors in our regulations relating to the Black Lung Benefits Program, update the formula for determining the monthly black lung benefit amount, and change the heading of 20 CFR 410 to "Federal Mine Safety and Health Act of 1977".

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 597-3409**

RIN: 0960-AB05

---

81. ● AID TO FAMILIES WITH DEPENDENT CHILDREN; APPLICATION OF FEDERAL FINANCIAL PARTICIPATION OF RECOVERED INCORRECT PAYMENTS TO QUALITY CONTROL DISALLOWANCES

Legal Authority: 42 USC 1203; 42 USC 603

CFR Citation: 45 CFR 201.69

Abstract: This proposed rule would reduce the Federal dollar amount of Quality Control Disallowances assessed on States for incorrect assistance payments (payments to ineligibles and overpayments to eligible individuals) made in the Aid to Families With Dependent Children program by a percentage of the recoveries of incorrect payments made.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, Office of Intergovernmental Comm., Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AB06

---

82. ● AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; INCOME AND ELIGIBILITY VERIFICATION SYSTEMS

Priority: Agency Determination

Legal Authority: PL 98-369 The Deficit Reduction Act of 1984

CFR Citation: 45 CFR 205.50; 45 CFR 205.51; 45 CFR 205.56; 45 CFR 205.57; 45 CFR 205.58; 45 CFR 205.60; 45 CFR 206.10

Abstract: The proposed regulations describe State agency requirements to access and use of income and eligibility information in the administration of the AFDC program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Interim Final Rule	00/00/00	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., S.W., Washington, D.C. 20201, **202 245-2637**

RIN: 0960-AB07

---

83. ● AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; IMPLEMENTATION OF THE DEFICIT REDUCTION ACT OF 1984

Priority: Agency Determination

Legal Authority: PL 98-369 The Deficit Reduction Act of 1984

CFR Citation: 45 CFR 205.50; 45 CFR 206.10; 45 CFR 224.51; 45 CFR 232.11; 45 CFR 233.20(a)(2); 45 CFR 233.31; 45 CFR 233.51; 45 CFR 233.38; 45 CFR 234.60(a)(12); 45 CFR 238; 45 CFR 240.22; 45 CFR 239.12; 45 CFR 239.14

Abstract: The interim regulations implement changes made to the Aid to Families With Dependent Children (AFDC) program by the Deficit Reduction Act of 1984. These changes affect eligibility requirements, countable income and resources, work programs and program administration.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/84	

Small Entity: No

Agency Contact: Barbara Levering, Director, OIC, Department of Health and Human Services, Social Security Administration, Office of Family Assistance, 2100 Second St., SW, Washington, DC 20201, **202 245-2637**

RIN: 0960-AB08

---

84. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; INCOME; BILLS PAID FOR YOU

Legal Authority: 42 USC 1382(a)

CFR Citation: 20 CFR 416.1103(g)

Abstract: Federally funded needs based payments are counted dollar for dollar as income for SSI purposes regardless of the manner in which they are paid (e.g., directly to a vendor). Bills paid by "someone else" (e.g., a relative or friend) are not income. Regulations need clarification that "someone else" does not mean another federally funded needs based program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 594-7337**

RIN: 0960-AB09

---

85. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; INCOME; EXCLUSION FROM INCOME OF CERTAIN ALASKA BONUS PAYMENTS

Legal Authority: PL 98-369 The Deficit Reduction Act of 1984

CFR Citation: 20 CFR 416.1124(c)(7)

Abstract: Prior to 5/1/84, the Alaska Longevity Bonus (ALB) of $250 per month was excluded from income for Supplemental Security Income (SSI) purposes for all aged SSI recipients. The exclusion applied if the recipient was age 65 or older and resided in Alaska for at least 25 years. The Alaska legislature recently enacted a modification to the ALB law which reduces the length of residency requirement to only one year. In their conference report of 6/22/84 both houses agreed to continue the SSI income disregard only for those individuals who first become an eligible individual or spouse and satisfy the 25 year residency requirement on or before September 30, 1985.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 594-4753**

RIN: 0960-AB10

86. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCES; EXCLUSION OF UNDERPAYMENTS

Legal Authority: PL 98-369, Deficit Reduction Act of 1984

CFR Citation: 20 CFR 416.1210

Abstract: The proposed regulations implement legislation requiring the exclusion from resources of supplemental security income and title II underpayments for 6 months following the month of payment.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 594-7453**

RIN: 0960-AB11

87. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCES GENERAL, TRUSTS

Legal Authority: 42 USC 1382b

CFR Citation: 20 CFR 416.1201, (Revision)

Abstract: Under the present definition of resources, unless a beneficiary of a trust both owns and has the right, authority, or power to liquidate or convert trust assets to his own use, those assets are not a countable resource of the beneficiary. This is true even though a trustee, in his discretion, has the legal authority to use trust funds for the support and maintenance of a beneficiary. We are proposing to revise the rules with regard to trust ownership.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 594-7453**

RIN: 0960-AB12

88. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; TERMINATION OF FEDERAL FISCAL LIABILITY

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart T

Abstract: These regulations would remove 20 CFR Sec. 416.2086. This section contains our policies on: determining the error rate used to calculate the Federal fiscal liability (FFL) amount for States with which we have agreements for us to administer both their mandatory and the optional State Supplementary payment programs under the Supplementary Security Income (SSI) program; calculating the FFL amount; making the FFL payments; and exclusions and adjustments to the FFL amount. Our new policy would preclude determinations and payment of FFL for any Federal fiscal year beginning on or after October 1, 1984. We expect this change to save $5 million in administrative costs in fiscal year 1985 and $26.1 million in FFL and administrative costs in each fiscal year after 1985.

Timetable:

Action	Date	FR Cite
NPRM	04/23/84	49 FR 17016
NPRM Comment Period Begin	04/23/84	
NPRM Comment Period End	06/22/84	
Final Action	09/30/84	

Small Entity: No

Agency Contact: Duane Heaton, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-7951**

RIN: 0960-AB13

89. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; PROBATIVE VALUE OF EVIDENCE

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1519ff, (New)

Abstract: Section 404.1519 will present common-sense approaches to the assigning of probative value to various kinds of medical and nonmedical evidence in the determination of disability. The regulation will provide a ranking of evidence in terms of that which is the most persuasive to that which is the least. The regulation will also contrast different types of evidence and offer approaches to weighing the relative value of each in terms of disabling impairment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir. of Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, **301 594-3352**

RIN: 0960-AB14

90. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; USE OF PSYCHOLOGIST FOR DETERMINATIONS OF DISABILITY

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff

Abstract: Disability regulations 404.1615(C) and 416.1015(C) state that disability determinations are to be made by a medical consultant and a disability examiner. The preamble to the cited regulations defines a medical consultant as a physician. We will be proposing new policies with regard to responsibilities of psychologists and physicians in mental disorder claims.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Hugh A. Meade, Jr., Dir. Division of Preadjudicative Policy, Department of Health and Human Services, Social Security Administration, Office of Disability, 6401 Security Blvd., Baltimore, MD 21235, **301 597-3352**

RIN: 0960-AB15

91. ● OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BLACK LUNG PROGRAM; OPPORTUNITY FOR ORAL HEARING BEFORE BENEFIT RECOVERY

Legal Authority: 42 USC 404; 42 USC 405; 42 USC 427; 42 USC 1302; 30 USC 921; 30 USC 922(a); 30 USC 922(b); 30 USC 936(a); 30 USC 952; 31 USC 957

CFR Citation: 20 CFR 404.902a; 20 CFR 404.907; 20 CFR 404.930; 20 CFR 410.561; 20 CFR 410.623; 20 CFR 410.630

Abstract: These regulations reflect the Supreme Court's decision in Califano v. Yamasaki that SSA must provide the person who is requesting that SSA waive recovery of an overpayment with an opportunity for an oral hearing before action is taken to recover the overpayment.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Charles H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 597-3408**

RIN: 0960-AB17

92. ● OLD-AGE, SURVIVORS, DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; SOCIAL SECURITY DISABILITY BENEFITS

Priority: Agency Determination

Legal Authority: Social Security Disability Benefits Reform Act of 1984; 42 USC 1302; 42 USC 405; 42 USC 1383

CFR Citation: 20 CFR 404; 20 CFR 416

Abstract: The proposed regulations will reflect provisions of the Social Security Disability Benefits Reform Act of 1984. The provisions include the following: (1) Standard of review for termination of disability benefits and periods of disability; (2) Evaluation of pain; (3) Multiple impairments; (4) Moratorium on mental impairment reviews (see RIN AA93); (5) Notice of reconsideration, prereview notice, demonstration projects; (6) Continuation of benefits during appeal; (7) Qualifications of medical professionals evaluating mental impairments; (8) Consultative examination, medical evidence; (9) Uniform standards; (10) Payment of costs of rehabilitation services; (11) SSI benefits for individuals who perform substantial gainful activity despite a severe medical impairment; (12) Frequency of continuing eligibility reviews; (13) Measures to improve compliance with Federal law; and (14) other policies related to benefit determinations. These will be issued as several separate notices of proposed rulemaking, generally under the timetable specified.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Charles Rollins, Director, Division of Regulations, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-6695**

RIN: 0960-AB18

93. ● SUPPLEMENTAL SECURITY INCOME PROGRAM; CERTAIN PROVISIONS OF P.L. 98-369 (THE DEFICIT REDUCTION ACT OF 1984)

Legal Authority: PL 98-369 the Deficit Reduction Act of 1984; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416

Abstract: These proposed regulations will reflect five provisions of the Deficit Reduction Act of 1984. These provisions pertain to the following: (1) Mandatory assignment of rights of payment by Medicaid recipients; (2) Increase in SSI assets limit; (3) Limit on rate of recoupment of overpayments; (4) Treatment of overpayments when assets exceed limits; (5) Adjustment of SSI benefits on account of retroactive title II benefits; and (6) Other policies related to benefit determination. These will be issued as separate notices of proposed rulemaking, generally under the timetable specified.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Charles Rollins, Director, Division of Regulations, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 594-6695**

RIN: 0960-AB19

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Completed Actions

Social Security Administration (SSA)

COMPLETED RULEMAKINGS

94. SUPPLEMENTAL SECURITY INCOME PROGRAM; EXCEPTION TO STATUS AS RESIDENT OF A PUBLIC INSTITUTION FOR EDUCATIONAL AND VOCATIONAL TRAINING

CFR Citation: 20 CFR 416, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	05/09/84	49 FR 19637

Small Entity: No

Agency Contact: Irving Darrow 301 597-3409

RIN: 0960-AA24

95. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISION OF TOTALIZATION BENEFIT COMPUTATION

CFR Citation: 20 CFR 404, Subpart T

Completed:

Reason	Date	FR Cite
Final Action	07/24/84	49 FR 29771

Small Entity: No

Agency Contact: David Smith 301 594-7460

RIN: 0960-AA39

96. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; EXTENSION OF TRIAL WORK PERIOD AND REINSTATEMENT OF BENEFITS

CFR Citation: 20 CFR 404, Subpart P; 20 CFR 416, Subpart I

Completed:

Reason	Date	FR Cite
Final Action	05/29/84	49 FR 22268

Small Entity: No

Agency Contact: Harry Short 301 594-7337

RIN: 0960-AA42

97. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; STATE LAW IN DETERMINING CHILD'S RELATIONSHIP TO WORKER

CFR Citation: 20 CFR 404, Subpart D

Completed:

Reason	Date	FR Cite
Final Action	05/22/84	49 FR 21512

Small Entity: No

Agency Contact: Jack Schanberger 301 594-6785

RIN: 0960-AA56

98. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; BENEFIT EQUALITY BETWEEN THE SEXES

CFR Citation: 20 CFR 404.332(b)(3); 20 CFR 404.335(a)(4); 20 CFR 404.341(b)(3); 20 CFR 404.352(b)(2); 20 CFR 404.355; 20 CFR 404.371(b)(2); 20 CFR 404.383; 20 CFR 404.384; 20 CFR 404.410; 20 CFR 404.412; 20 CFR 404.417; 20 CFR 404.420; 20 CFR 404.421; 20 CFR 404.450; 20 CFR 404.1343

Completed:

Reason	Date	FR Cite
Final Action	06/12/84	49 FR 24113

Small Entity: No

Agency Contact: C.H. Campbell 301 597-3408

RIN: 0960-AA57

99. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; INSURED STATUS AND QUARTERS OF COVERAGE-DISABILITY INSURED STATUS

CFR Citation: 20 CFR 404, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	07/13/84	49 FR 28546

Small Entity: No

Agency Contact: William Ziegler 301 594-7415

RIN: 0960-AA66

100. OLD-AGE, SURVIVORS, DISABILITY INSURANCE PROGRAM; TREATMENT OF CERTAIN DEFERRED COMPENSATION AND SALARY REDUCTION ARRANGEMENTS; TREATMENT OF CONTRIBUTIONS UNDER SIMPLIFIED EMPLOYEE PENSIONS

CFR Citation: 20 CFR 404.429; 20 CFR 404.1041; 20 CFR 404.1042; 20 CFR 404.1049; 20 CFR 404.1050; 20 CFR 404.1054a; 20 CFR 404.1054b; 20 CFR 404.1054c; 20 CFR 404.1054d; 20 CFR 404.1059

Completed:

Reason	Date	FR Cite
Withdrawn	07/00/84	

Small Entity: Yes

Agency Contact: Clara Barrett Powell 301 594-7459

RIN: 0960-AA67

101. LOW INCOME HOME ENERGY ASSISTANCE PROGRAM; REALLOTMENT REPORT; ADJUSTMENT OF ANNUAL MEDIAN INCOME FOR HOUSEHOLD SIZE

CFR Citation: 45 CFR 96.81; 45 CFR 96.85

Completed:

Reason	Date	FR Cite
Final Action	07/02/84	49 FR 27145

Small Entity: No

Agency Contact: Barbara Levering 202 245-2637

RIN: 0960-AA68

102. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; RECOVERY OF DISALLOWANCES

CFR Citation: 45 CFR 201.5(c)

Completed:

Reason	Date	FR Cite
Withdrawn	07/00/84	

Small Entity: No

Agency Contact: Laurence Love 202 245-2637

RIN: 0960-AA82

103. AID TO FAMILIES WITH DEPENDENT CHILDREN; SAMPLE COMPLETION REQUIREMENTS FOR QUALITY CONTROL

CFR Citation: 45 CFR 205.40

Completed:

Reason	Date	FR Cite
Withdrawn	07/00/84	

Small Entity: No

Agency Contact: Barbara Levering 202 245-2637

RIN: 0960-AA86

104. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; QUALITY CONTROL REQUIREMENTS; SAMPLE SIZE COMPLETION AND OTHER SAMPLING ISSUES

CFR Citation: 45 CFR 205.40 to 205.45

Completed:

Reason	Date	FR Cite
Regulation Action Cancelled	07/00/84	

Small Entity: No

Agency Contact: Barbara Levering 202 245-2637

RIN: 0960-AA94

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of Child Support Enforcement (OCSE)

Current and Projected Rulemakings

105. FEES FOR SERVICES TO NON-AFDC FAMILIES

Priority: Agency Determination

Legal Authority: 42 USC 654(6); PL 97-248, Sec 171; 42 USC 655(a); PL 97-35, Sec 2333; The Child Support Enforcement Amendments of 1984

CFR Citation: 45 CFR 302.33; 45 CFR 304.50

Abstract: States must charge an application fee not to exceed $25 for non-AFDC IV-D services. States have an option as to whether or not to recover costs in excess of the application fee. Costs may be recovered either from the absent parent or from the custodial parent. If a State elects to collect from the custodial parent (by deducting the costs from the amount of support which is collected), the State must have in effect a procedure for informing all individuals authorized to establish support obligations that it plans to recover costs from collections. The effective date is August 13, 1981 for the recovery of costs provisions and October 1, 1985 for the mandatory application fee provision.

Timetable:

Action	Date	FR Cite
NPRM	09/15/83	48 FR 41450
Final Action	10/00/84	

Small Entity: No

Agency Contact: Michael Fitzgerald, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, **301 443-5350**

RIN: 0992-AA02

106. COMPUTERIZED CHILD SUPPORT ENFORCEMENT SYSTEM

Legal Authority: PL 96-265, Sec 405; 42 USC 652(d); 42 USC 652(e); 42 USC 655(a); 42 USC 654(16)

CFR Citation: 45 CFR 302.85; 45 CFR 303.65; 45 CFR 303.66; 45 CFR 303.67; 45 CFR 304.20; 45 CFR 304.90; 45 CFR 304.91; 45 CFR 307

Abstract: These final regulations make Federal funding available at the 90 percent rate for the costs of developing, implementing and enhancing computerized child support enforcement systems (CSES) that meet the requirements in the regulations; they also specify criteria OCSE uses in determining whether to approve an initial and annually updated advance planning document (APD) so that the system will receive 90 percent FFP; they specify that OCSE must review approved CSESs funded at 90 percent FFP on a continuous basis; they specify the conditions under which OCSE will suspend approval of an APD for systems funded at 90 percent FFP; and they make explicit the conditions under which FFP is available at the 70 percent rate for CSESs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/81	46 FR 47788
Final Action	10/00/84	

Small Entity: No

Agency Contact: Michael Fitzgerald, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, **301 443-5350**

RIN: 0992-AA06

107. TREATMENT OF ASSIGNED SUPPORT PAYMENTS RECEIVED DIRECTLY AND RETAINED BY AFDC RECIPIENTS

Legal Authority: 42 USC 652(a); 42 USC 1302

CFR Citation: 45 CFR 232.12; 45 CFR 233.20; 45 CFR 302.31; 45 CFR 303.80

Abstract: These joint Office of Family Assistance (OFA)-OCSE regulations provide regulatory authority for child support enforcement agencies to recover support payments that have been assigned to the State as a condition of eligibility for receiving AFDC when these support payments have been incorrectly made directly to the family. These regulations give States the flexibility to use either the child support or AFDC agency in resolving a direct payment problem.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/82	47 FR 43953
Final Action	10/00/84	

Small Entity: No

Agency Contact: Marianne Rufty, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, **301 443-5350**

RIN: 0992-AA08

108. PROCEDURES FOR CASE ASSESSMENT AND PRIORITIZATION

Legal Authority: 42 USC 652(a)(1); 42 USC 1302

CFR Citation: 45 CFR 303.10

Abstract: This regulation permits State child support enforcement agencies to implement case assessment and prioritization procedures to achieve greater program efficiency. Limited program resources and other operating constraints have compelled IV-D agencies to use prioritization procedures. Although many States have implemented such procedures, they are concerned that current Federal regulations require IV-D agencies to locate absent parents, establish paternity and establish and enforce support obligations for all cases, on a first come, first served basis. The regulation alleviates States' concerns and allows States to focus available resources on cases which have high probability for success.

Timetable:

Action	Date	FR Cite
NPRM	04/29/83	48 FR 19424
Final Action	10/00/84	

Small Entity: No

Agency Contact: Marianne Rufty, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, **301 443-5350**

RIN: 0992-AA09

109. MEDICAL SUPPORT ENFORCEMENT

Legal Authority: 42 USC 654(13); 42 USC 1302

CFR Citation: 45 CFR 304.20; 45 CFR 304.23; 45 CFR 306.50; 45 CFR 306.51; 45 CFR 302.80; 45 CFR 306.0

Abstract: Currently, medical support enforcement activities are pursued through optional cooperative agreements between the State IV-D agency and the State Medicaid agency.

This regulation requires all State IV-D agencies to attempt to obtain minimal medical support information during the normal processing of child support cases. This will result in increased use of available third party resources in the form of private medical insurance and in medical cost savings to State and Federal governments. State IV-D agencies are also required to petition to include medical support in new or modified orders for support, if employment-related medical insurance is available to the absent parent.

Timetable:

Action	Date	FR Cite
NPRM	08/04/83	48 FR 35468
Final Action	10/00/84	

Small Entity: No

Agency Contact: **Carol Jordan**, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, **301 443-5350**

RIN: 0992-AA12

110. REVISION OF IV-D PROGRAM AUDIT REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 652(a)(1); 42 USC 652(a)(4); 42 USC 603(h); 42 USC 1302; PL 98-378 The Child Support Enforcement Amendments of 1984

CFR Citation: 45 CFR 305

Abstract: These proposed regulations revise the audit regulations by adding audit criteria based on statutory State plan requirements, performance indicators for evaluating State IV-D programs, and new audit criteria related to the performance indicators. Since 1977, OCSE has conducted an annual process-oriented audit of each State's Child Support Enforcement program that reviews the establishment and use of procedures to carry out specific child support activities. However, since State IV-D programs have been in operation for 8 years and in many instances have reached a degree in maturity where it is no longer necessary to focus primarily on process-oriented functions, we believe that the OCSE audit should evaluate the States via both established functions and performance indicators and related criteria. This change will better enable the Federal government to measure program efficiency and results. Also included in this proposed rule are changes mandated by the Child Support Enforcement Amendments of 1984 which replace current annual audits with requirements for audits at least once every three years; replace current penalty provisions for non-compliance (5 percent of Federal AFDC funds)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: with graduated penalties and procedures for suspension of penalties based on corrective action plans.

Agency Contact: **Michael P. Fitzgerald**, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, Room 1010, 6110 Executive Boulevard, Rockville, MD 20852, **301 443-5350**

RIN: 0992-AA13

111. ● OMB CONTROL NUMBERS FOR INFORMATION COLLECTION REQUIREMENTS CONTAINED IN OCSE REGULATIONS

Legal Authority: 42 USC 1302; 44 USC 3507(f); 44 USC 3512; 44 USC 3516

CFR Citation: 45 CFR 300, (New)

Abstract: To implement the provisions of section 3512 of Paperwork Reduction Act of 1980 and the regulations at 5 CFR 1320.5(b) implemented by the Office of Management and Budget (OMB), OCSE is displaying in 45 CFR Part 300 current OMB control numbers for information collection requirements contained in OCSE regulations. Additional control numbers will be added to the numbers in 45 CFR Part 300 when we are notified by OMB.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: **Gail Blatt**, Program Technician, Department of Health and Human Services, Office of Child Support Enforcement, 6110 Executive Blvd., Rockville, Maryland 20852, **301 443-5350**

RIN: 0992-AA15

112. ● IMPLEMENTATION OF CHILD SUPPORT ENFORCEMENT AMENDMENTS OF 1984

Priority: Agency Determination

Legal Authority: PL 98-378 Child Support Enforcement Amendments of 1984; 42 USC 1302

CFR Citation: 45 CFR 301.1; 45 CFR 302; 45 CFR 303; 45 CFR 304; 45 CFR 305; 45 CFR 307

Abstract: The proposed rules implement the Child Support Enforcement Amendments of 1984, which require all States to enact laws requiring the use of certain procedures in their Child Support Enforcement programs. Such procedures include income or wage withholding, expedited processes for establishing and enforcing support obligations, State income tax refund offsets, liens against property, extended paternity statute of limitations, imposition of security, bond or guarantee and providing information to consumer reporting agencies. States must also notify AFDC recipients of child support collections made during the year; establish guidelines for child support award amounts; publicize the availability of support enforcement services; and charge a mandatory application fee not to exceed $25.00 for non-AFDC support services. States may charge absent parents late payment fees of between 3 percent and 6 percent of arrearages and may provide tracking and monitoring of support payments at the request of either parent. The statute also reduces Federal funding to States for administrative costs, revises the system for payment of incentives to States on (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: collections, extends the Federal income tax refund offset processes to non-AFDC families for five years, and makes several other changes to the current IV-D program.

Agency Contact: **Elizabeth Matheson**, Program Specialist, Department of Health and Human Services, Office of Child Support Enforcement, 6110 Executive Blvd., Rockville, Maryland 20852, **301 443-5350**

RIN: 0992-AA16

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of Child Support Enforcement (OCSE)

Completed Actions

COMPLETED RULEMAKINGS

113. REIMBURSEMENT OF STATE AGENCY IN INITIAL MONTH OF INELIGIBILITY FOR AFDC

Priority: Agency Determination

CFR Citation: 45 CFR 302.32

Completed:

Reason	Date	FR Cite
Final Action	05/29/84	49 FR 22287
Final Action Effective	05/29/84	

Small Entity: No

Agency Contact: Carol Jordan 301 443-5350

RIN: 0992-AA01

114. INTERCEPT OF UNEMPLOYMENT BENEFITS

Priority: Agency Determination

CFR Citation: 45 CFR 302.65

Completed:

Reason	Date	FR Cite
Final Action	03/09/84	49 FR 8924
Final Action Effective	03/09/84	

Small Entity: No

Agency Contact: Carol Jordan 301 443-5350

RIN: 0992-AA05

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Office of Assistant Secretary for Health (OASH)

Current and Projected Rulemakings

115. GRANTS FOR ADOLESCENT PREGNANCY AND FAMILY LIFE PROJECTS

Legal Authority: 42 USC 300z et seq Public Health Service Act

CFR Citation: 42 CFR 59

Abstract: The proposed rule would establish the requirements for grants for demonstration projects funded under the recently enacted Title XX of the Public Health Service Act. The title authorizes the Department of Health and Human Services to make grants to projects that will provide health, social and education services to pregnant and nonpregnant adolescents, adolescent parents, and their families.

Timetable:

Action	Date	FR Cite
NPRM	05/20/83	48 FR 22750
NPRM Comment Period Begin	05/20/83	48 FR 22750
NPRM Comment Period End	07/19/83	
Final Action	12/00/84	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Given the size of the appropriation anticipated, the number of grants for demonstration projects that can be funded is not expected to result in this regulation's having a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act.

Agency Contact: Donald Underwood, Grants Management Officer, Department of Health and Human Services, Public Health Service, Office of Adolescent Pregnancy Programs, Room 1351, HHS-N, 330 Independence Ave.,S.W., Washington, DC 20201, 202 245-0146

RIN: 0905-AA24

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Office of Assistant Secretary for Health (OASH)

Completed Actions

COMPLETED RULEMAKINGS

116. INVOLUNTARY CHILD AND SPOUSAL SUPPORT ALLOTMENTS

CFR Citation: 42 CFR 21

Completed:

Reason	Date	FR Cite
Final Action	02/28/84	49 FR 7235
Final Action Effective	02/28/84	49 FR 7235

Small Entity: Not Applicable

Agency Contact: Winston J. Dean 301 443-2626

RIN: 0905-AA79

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA)

Current and Projected Rulemakings

117. CONFIDENTIALITY OF ALCOHOL AND DRUG ABUSE PATIENT RECORDS

Legal Authority: 42 USC 290ee-3; 42 USC 290dd-3

CFR Citation: 42 CFR 2

Abstract: Federal law requires that certain alcohol and drug abuse patient records be kept confidential. A comprehensive rewrite of implementing regulations proposed in the NPRM simplifies and substantially shortens existing rules and proposes major substantive changes including: (1) Limiting applicability to specialized alcohol and drug abuse programs, (2) Requiring notice to patients of Federal confidentiality requirements, (3) Including a sample consent form, (4) Eliminating the impediment to a patient's access to her/his own records, (5) Eliminating most sections restricting disclosures based on patient consent, (6) Eliminating the prohibition on the entry of a court order authorizing disclosure of subjective information regarding a patient.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	01/02/80	45 FR 53
NPRM	08/25/83	48 FR 38758
NPRM Comment Period End	10/24/83	
Final Action	11/00/84	

Small Entity: No

Additional Information: The location of the confidentiality provisions for alcohol and drug abuse patient records has been transferred from one public law to another and has been changed in the United States Code. P.L. 98-24, the Alcohol and Drug Abuse Amendments of 1983, consolidates alcohol, drug abuse, and mental health authorities in Title V of the Public Health Service Act. Section 408 of the Drug Abuse Prevention, Treatment and Rehabilitation Act (21 U.S.C. 1175) is transferred to section 527 of the Public Health Service Act and is now codified at 42 U.S.C. 290ee-3. Section 333 of the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (42 U.S.C. 4582) is transferred to section 523 of the Public Health Service Act and is now codified at 42 U.S.C. 290dd-3.

Agency Contact: Judith T. Galloway, Regulations Officer, Department of Health and Human Services, Alcohol, Drug Abuse, and Mental Health Administration, Room 13C-06, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-3200**

RIN: 0905–AA26

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Center for Disease Control (CDC)

Current and Projected Rulemakings

118. FOREIGN QUARANTINE

Legal Authority: 42 USC 264 to 272 Public Health Service Act

CFR Citation: 42 CFR 71

Abstract: Most of the existing regulations under Part 71 were developed during the 1950's to implement the introduction, transmission, or spread of communicable disease from foreign countries into the United States. The amendment will update existing regulations to reflect current concepts of disease surveillance, investigation, and control which have been implemented by CDC since 1967. These changes result in a large savings to the government, the maritime and airline industries, and the traveling public without adverse impact on the public health.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	10/11/83	48 FR 50777
NPRM Comment Period End	12/11/83	
Final Action	10/31/84	

Small Entity: No

Agency Contact: Dr. Laurence S. Farer, Acting Director, Department of Health and Human Services, Centers for Disease Control, Quarantine Div, Ctr for Prevention Svcs, 1600 Clifton Road, N.E., Atlanta, GA 30333, **404 329-2574**

RIN: 0905–AA31

119. PROJECT GRANTS FOR HEALTH PROGRAMS FOR REFUGEES

Legal Authority: 8 USC 1522(b) Section 412(b)(5) Immigration and Nationality Act; PL 96-212 Refugee Act of 1980; PL 97-363 Refugee Assistance Amendments of 1982

CFR Citation: 42 CFR 51e

Abstract: Regulations are required by Department policy for this project grant program administered by the Centers for Disease Control (CDC) under an intra-agency agreement with the Office of Refugee Resettlement (ORR). The project grants are awarded to State and local health agencies to assist them in providing initial health assessments to arriving refugees. These health assessments specifically address conditions of public health concerns, like tuberculosis, and also identify personal health problems that could impair the effective resettlement of the refugee. CDC has established the program requirements, guidelines, and standards for evaluation.

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	

Small Entity: No

Additional Information: FTS 236-1802

Agency Contact: Anthony M. Scardaci, Associate Dir., Ctr. for Prevention Services, Department of Health and Human Services, Centers for Disease Control, 1600 Clifton Road, N.E., Atlanta, GA 30333, **404 329-1802**

RIN: 0905–AB43

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Center for Disease Control (CDC)

Completed Actions

COMPLETED RULEMAKINGS

120. SPECIFICATIONS FOR MEDICAL EXAMINATIONS OF UNDERGROUND COAL MINERS

CFR Citation: 42 CFR 37

Completed:

Reason	Date	FR Cite
Final Action	03/01/84	49 FR 7562
Final Action Effective	04/02/84	49 FR 7562

Small Entity: No

Agency Contact: Ms. Mitzie Martin **304 291-4301**

RIN: 0905–AA27

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

121. ABBREVIATED NEW DRUG APPLICATIONS FOR POST-1962 DRUGS

Priority: Agency Determination, Major

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 314

Abstract: This proposed rule would permit applicants to file abbreviated new drug applications (ANDA's) for products identical to approved post-1962 drugs and to omit certain reports that are required in full NDA's to show safety and effectiveness of the product. It would apply only to certain drug products specified by FDA. If adopted, the proposed rule would reduce duplicative human testing of drugs and also reduce the cost to the manufacturer of getting the affected drugs on the market.

Will be withdrawn due to enactment of the Drug Price Competition and Patent Term Restoration Act of 1984.

Timetable:

Action	Date	FR Cite
Withdraw	00/00/00	

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: The proposed rule would have a significant favorable effect on small business firms that market generic drugs, because the proposed rule would reduce existing regulatory barriers to competition in the pharmaceutical market. Details on the effects on small businesses will be included as part of an initial regulatory impact analysis, to be made available when the proposed rule is published.

Agency Contact: Jean Mansur, Dep. Director Div. of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-361), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3640**

RIN: 0905-AA01

122. OBLIGATIONS OF SPONSORS OF CLINICAL INVESTIGATIONS

Priority: Agency Determination

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360b to 360f Federal Food, Drug, and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 262 Public Health Service Act; 42 USC 263b to 263n Public Health Service Act

CFR Citation: 21 CFR 52; 21 CFR 71; 21 CFR 170; 21 CFR 171; 21 CFR 180; 21 CFR 310; 21 CFR 312; 21 CFR 314; 21 CFR 320; 21 CFR 330; 21 CFR 430; 21 CFR 431; 21 CFR 510; 21 CFR 511; 21 CFR 514; ...

Abstract: This proposed rule would clarify or revise certain existing requirements concerning obligations of persons who sponsor clinical investigations involving a drug or medical device and extend those requirements to cover other products regulated by FDA. The rule is intended to provide greater protection of the rights and safety of subjects involved in clinical investigations and to help assure the quality and integrity of the data filed with FDA under the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act.

Timetable:

Action	Date	FR Cite
NPRM	09/27/77	42 FR 49612
NPRM Comment Period Begin	09/27/77	42 FR 49612
NPRM Comment Period End	12/27/77	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Marilyn L. Watson, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3640**

RIN: 0905-AA03

123. OVER-THE-COUNTER (OTC) DRUG REVIEW

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 310; 21 CFR 330; 21 CFR 333; 21 CFR 334; 21 CFR 335; 21 CFR 336; 21 CFR 337; 21 CFR 338; 21 CFR 339; 21 CFR 340; 21 CFR 341; 21 CFR 342; 21 CFR 343; 21 CFR 344; 21 CFR 345; ...

Abstract: The OTC drug review establishes conditions under which OTC drugs are considered generally recognized as safe and effective and not misbranded. After a final monograph (i.e., final rule) is issued, only OTC drugs meeting the conditions of the monograph, or having an approved new drug application, may be legally marketed. NOTE: NPRM for "Antidotes, Toxic Ingestion Products" to be combined with NPRM for "Emetic Products" and reproposed as "Poison Treatment Products." NPRM for "Astringent (Wet Dressings) Products" to be included in NPRMs for "External Analgesic" & "Skin Protectant Products." NPRM for "Diaper Rash Products" to be included in NPRMs for "Anti-fungal," "Anti-microbial," "External Analgesic" and "Skin Protectant Products." NPRM for "Fever Blister/Cold Sore Products (External)" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Insect Bites and Stings (Relief) Products" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Male Genital Desensitizer Products" to be included in NPRM for "External Analgesic Products." NPRM for "Mercurial (Topical) Products" to be included in NPRM for (cont)

Supplemental Timetable:

Acne (Topical) Products
ANPRM 03/23/82 (47 FR 12430)
NPRM 10/00/84

Alcohol (Topical) Products
ANPRM 05/21/82 (47 FR 22344)

Alertness Aid Products
ANPRM 12/08/75 (40 FR 57292)
NPRM 06/13/78 (43 FR 25544)
Final Action 10/00/84

Anorectal Products
ANPRM 05/27/80 (45 FR 35576)
NPRM 10/00/84

Anthelmintic Products
ANPRM 09/09/80 (45 FR 59541)
NPRM 08/24/82 (47 FR 37062)
Final Action 10/00/84

Antibiotic First Aid Products
ANPRM 04/01/77 (42 FR 17642)
NPRM 07/09/82 (47 FR 29986)
Final Action 00/00/00

Anticaries Products
ANPRM 03/28/80 (45 FR 20666)
NPRM 00/00/00

Antidiarrheal Products
ANPRM 03/21/75 (40 FR 12924)
NPRM 00/00/00

Antidotes, Toxic Ingestion Products
ANPRM 01/05/82 (47 FR 444)
Antiemetic Products
ANPRM 03/21/75 (40 FR 12934)
NPRM 07/13/79 (44 FR 41064)
Final Action 00/00/00
Antifungal (Topical) Products
ANPRM 03/23/82 (47 FR 12480)
NPRM 00/00/00
Antimicrobial Products
ANPRM 09/13/74 (39 FR 33103)
NPRM 01/06/78 (43 FR 1210)
Revised NPRM 00/00/00
Antiperspirant Products
ANPRM 10/10/78 (43 FR 46694)
NPRM 08/20/82 (47 FR 36492)
Final Action 00/00/00
Aphrodisiac Products
ANPRM 10/01/82 (47 FR 43572)
NPRM 10/00/84
Astringent (Wet Dressings) Products
ANPRM 09/07/82 (47 FR 39436)
Benign Prostatic Hypertrophy Products
ANPRM 10/01/82 (47 FR 43566)
NPRM 00/00/00
Boil Ointments
ANPRM 06/29/82 (47 FR 28306)
NPRM 00/00/00
Camphorated Oil Drug Products
Final Action 09/21/82 (47 FR 41716)
Cholecystokinetic Products
ANPRM 02/12/80 (45 FR 9286)
NPRM 08/24/82 (47 FR 37068)
Final Action 06/10/83 (48 FR 27004)
Corn and Callus Remover Products
ANPRM 01/05/82 (47 FR 522)
NPRM 00/00/00
Cough/Cold (Anticholinergic/Expectorant) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 07/09/82 (47 FR 30002)
Final Action 00/00/00
Cough/Cold (Antihistamine) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 10/00/84
Cough/Cold (Antitussive) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 10/19/83 (48 FR 46576)
Final Action 00/00/00
Cough/Cold (Bronchodilator) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 10/26/82 (47 FR 47520)
Final Action 00/00/00
Cough/Cold (Combination) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 00/00/00
Cough/Cold (Nasal Decongestant) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 12/00/84
Dandruff, Seborrheic Dermatitis and Psoriasis Control Products
ANPRM 12/03/82 (47 FR 54646)
NPRM 00/00/00
Diaper Rash Products
ANPRM 09/07/82 (47 FR 39406)
Digestive Aid Products
ANPRM 01/05/82 (47 FR 454)
NPRM 00/00/00
Emetic Products
ANPRM 03/21/75 (40 FR 12902)
NPRM 09/05/78 (43 FR 39544)
Exocrine Pancreatic Insufficiency Products
ANPRM 12/21/79 (44 FR 75666)
NPRM 00/00/00
External Analgesic Products
ANPRM 12/04/79 (44 FR 69768)
NPRM 02/08/83 (48 FR 05852)
Final Action 00/00/00
Fever Blister Products (Internal)
ANPRM 01/05/82 (47 FR 502)
NPRM 00/00/00
Fever Blister/Cold Sore Products (External)
ANPRM 09/07/82 (47 FR 39436)
Hair Grower and Hair Loss Prevention Products
ANPRM 11/27/80 (45 FR 73955)
NPRM 10/00/84
Hormone (Topical) Products
ANPRM 01/05/82 (47 FR 430)
NPRM 10/00/84
Hypo/Hyperphosphatemia Products
ANPRM 12/09/80 (45 FR 81154)
NPRM 10/00/84
Ingrown Toenail Relief Products
ANPRM 10/17/80 (45 FR 69128)
NPRM 09/03/82 (47 FR 39120)
Final Action 00/00/00
Insect Bites and Stings (Relief) Products
ANPRM 09/07/82 (47 FR 39412)
Insect Repellant Drug Products (Internal)
ANPRM 01/05/82 (47 FR 424)
NPRM 06/10/83 (48 FR 26986)
Final Action 00/00/00
Internal Analgesic Products
ANPRM 07/08/77 (42 FR 35346)
NPRM 12/00/84
Internal Deodorant Products
ANPRM 01/05/82 (47 FR 512)
NPRM 00/00/00
Laxative Products
ANPRM 03/21/75 (40 FR 12902)
NPRM 10/00/84
Leg Muscle Cramps (Nocturnal Relief) Products
ANPRM 10/01/82 (47 FR 43562)
NPRM 00/00/00
Male Genital Desensitizer Products
ANPRM 09/07/82 (47 FR 39412)
Menstrual Products
ANPRM 12/07/82 (47 FR 55075)
NPRM 00/00/00
Mercurial (Topical) Products
ANPRM 01/05/82 (47 FR 436)
Nailbiting/Thumbsucking Deterrent Products
ANPRM 10/17/80 (45 FR 69122)
NPRM 09/03/82 (47 FR 39096)
Final Action 00/00/00
Nighttime Sleep Aid Products
ANPRM 12/08/75 (40 FR 57292)
NPRM 06/13/78 (43 FR 25544)
Final Action 00/00/00
Ophthalmic Products
ANPRM 05/06/80 (45 FR 30002)
NPRM 06/28/83 (48 FR 29788)
Final Action 00/00/00
Oral Cavity (Health Care) Products
ANPRM 05/25/82 (47 FR 22760)
NPRM 00/00/00
Oral Discomfort (Relief) Products
ANPRM 05/25/82 (47 FR 22712)
NPRM 00/00/00
Oral Mucosal Injury Products
ANPRM 11/02/79 (44 FR 63270)
NPRM 07/26/83 (48 FR 33984)
Final Action 00/00/00
Otic Products
ANPRM 12/16/77 (42 FR 63556)
NPRM 07/09/82 (47 FR 30012)
Final Action 00/00/00
Overindulgence Remedies
ANPRM 10/01/82 (47 FR 43540)
NPRM 00/00/00
Pediculicide Products
ANPRM 06/29/82 (47 FR 28312)
NPRM 00/00/00
Poison Ivy/Oak/Sumac Prevention
ANPRM 09/07/82 (47 FR 39412)
Poison Treatment Products
NPRM 10/00/84
Skin Bleaching Products
ANPRM 11/03/78 (43 FR 51546)
NPRM 09/03/82 (47 FR 39108)
Final Action 00/00/00
Skin Protectant Products
ANPRM 08/04/78 (43 FR 34628)
NPRM 02/15/83 (48 FR 6820)
Final Action 00/00/00
Smoking Deterrent Products
ANPRM 01/05/82 (47 FR 490)
NPRM 00/00/00
Stomach Acidifier Products
ANPRM 10/19/79 (44 FR 60316)
NPRM 10/00/84
Vaginal Contraceptive Products
ANPRM 12/12/80 (45 FR 82014)
NPRM 00/00/00
Vaginal Drug Products
ANPRM 10/13/83 (48 FR 46694)
NPRM 00/00/00
Wart Remover Products
ANPRM 10/03/80 (45 FR 65609)
NPRM 09/03/82 (47 FR 39102)
Final Action 00/00/00
Weight Control Products
ANPRM 02/26/82 (47 FR 8466)
NPRM 00/00/00

Small Entity: No

Additional Information: ABSTRACT CONT: "Antimicrobial Products." "Poison Ivy/Oak/Sumac Prevention" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Alcohol (Topical) Products" to be included in revised NPRM for "Antimicrobial Products."

SMALL BUSINESS CONT: The effects, if any, vary depending on the individual rulemaking. However, the agency anticipates that the rules would not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act.

Agency Contact: William E. Gilbertson, Director, Division of OTC Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-210), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4960**

RIN: 0905-AA06

124. REYE SYNDROME - LABELING FOR SALICYLATE-CONTAINING DRUG PRODUCTS

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 201.314

Abstract: The Food and Drug Administration is considering proposing to require certain over-the-counter (OTC) and prescription salicylate-containing drug products for human use to bear a warning against the use of the products for the treatment of flu or chickenpox in children or adolescents under 16 years of age, because salicylates may be associated with the development of Reye syndrome in this age group.The Department of Health and Human Services is currently sponsoring a study to determine what further regulatory measures are warranted.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/82	47 FR 57886
ANPRM Comment Period Begin	12/28/82	47 FR 57886
ANPRM Comment Period End	02/28/83	

Next Action Undetermined

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Although there would be costs involved for relabeling and possible product reformulations, the agency believes, at this time, that impacts on small businesses would be insufficient to warrant a regulatory flexibility analysis under the Regulatory Flexibility Act.

Agency Contact: Paul O. Fehnel, Jr., Chief, Precedent Regs & Leg Activities Br., Department of Health and Human Services, Food and Drug Administration, Nat Center for Drugs & Biologics (HFN-7), Rockville, MD 20857, **301 443-6490**

RIN: 0905-AA07

125. SUCROSE AND CORN SUGAR, CORN SYRUP, AND INVERT SUGAR

Priority: Agency Determination

Legal Authority: 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 182; 21 CFR 184

Abstract: These two proposed rules would affirm the GRAS (generally recognized as safe) status of sucrose and corn sugar, corn syrup, and invert sugar. This action is the result of a re-evaluation of the safety of these food ingredients as part of FDA's review of the safety of all GRAS ingredients.

Timetable:

Action	Date	FR Cite
NPRM	11/30/82	47 FR 53917
NPRM Comment Period Begin	11/30/82	47 FR 53917
NPRM Comment Period End	01/31/83	
Notice of 30-day ext. of Com. Per.	02/04/83	48 FR 05279
Final Action	00/00/00	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Because the effect of the two proposals is to maintain current known uses of sucrose and corn sugar, corn syrup, and invert sugar covered by the proposals, there could be no significant economic impact on large or small businesses.

Agency Contact: Corbin I. Miles, Chief, GRAS Review Branch, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-335), 200 C Street, SW, Washington, DC 20204, 202 472-4750

RIN: 0905-AA09

126. CAFFEINE

Priority: Agency Determination

Legal Authority: 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 341 Federal Food, Drug, and Cosmetic Act; 21 USC 371(e) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 165; 21 CFR 181

Abstract: This proposed rule would announce the agency's tentative conclusion that a prior sanction exists for the use of caffeine in soft drinks. A companion proposal would propose the revocation of the food standard for soda water which requires that soda water designated by any name that includes the word "cola" or "pepper" contain caffeine.

Timetable:

Action	Date	FR Cite
NPRM	10/21/80	45 FR 69816
NPRM Comment Period Begin	10/21/80	45 FR 69816
NPRM Comment Period End	12/22/80	
Revised NPRM	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Prince Harrill (for food standard proposal), Deputy Director, Division of Food Technology (see Agency contact heading for address); phone 202-485-0097.

SMALL BUSINESSES CONT: Because the proposed rule would announce the agency's tentative conclusion that a prior sanction exists for the use of caffeine in soft drinks, there should be no economic impact on any business, large or small, in the affected industry.

Agency Contact: Lawrence Lin (for GRAS status), Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-335) 200 C Street, SW, Washington, DC 20204, 202 426-8950

RIN: 0905-AA10

127. POLICY FOR REGULATING CARCINOGENIC CHEMICALS IN FOOD AND COLOR ADDITIVES

Priority: Agency Determination

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR Chapter 1

Abstract: This proposed rule would establish a new policy for assessing the safety of food and color additives containing minute levels of carcinogenic substances. The proposal would clarify the definition of an "additive" to apply the Delaney Clause only when the additive as a whole has been shown to cause cancer, and would use risk assessment procedures as one of the tools for determining the safety of an additive under the general safety clause of section 409 of the Federal Food, Drug, and Cosmetic Act.

Timetable:

Action	Date	FR Cite
ANPRM	04/02/82	47 FR 14464
ANPRM Comment Period Begin	04/02/82	47 FR 14464
ANPRM Comment Period End	07/01/82	
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Alan M. Rulis (for risk assessment procedures), Consumer Safety Officer (see Agency Contact heading for address), phone (202) 472-5676.

Agency Contact: Terry C. Troxell (for policy and rules), Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-334) 200 C Street, SW, Washington, DC 20204, 202 472-5690

RIN: 0905-AA12

128. INFANT FORMULA; LABELING REQUIREMENTS

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 321(aa) Federal Food, Drug, and Cosmetic Act; 21 USC 343(a) Federal Food, Drug, and Cosmetic Act; 21 USC 343(j) Federal Food, Drug, and Cosmetic Act; 21 USC 350a Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 371(e) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 105; 21 CFR 107

Abstract: This proposed rule would revise labeling requirements for infant formula to require the label declaration of nutrients under the Infant Formula Act of 1980, expiration dating, and directions for preparation and use, including a pictogram and a symbol to indicate the need for dilution. This proposal would provide necessary information for health care professionals and assist consumers, including those who cannot read English, in the appropriate preparation and use of infant formula to assure the health and well being of formula-fed infants.

Timetable:

Action	Date	FR Cite
NPRM	07/12/83	48 FR 31880
NPRM Comment Period Begin	07/12/83	48 FR 31880
NPRM Comment Period End	09/12/83	
Final Action	00/00/00	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: The agency estimates that this proposed rule would impose a one-time cost of approximately $50,000 total for the industry (5 firms). Because sales of infant formula in the U.S. are estimated to exceed $500 million annually, the cost of this proposed rule would not have a perceptible effect.

Agency Contact: Nicholas Duy, Chemist, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-204) 200 C Street, SW, Washington, DC 20204, 202 245-3117

RIN: 0905-AA13

129. NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS; DEFINITION AND GENERAL CONSIDERATIONS; REVISED PROCEDURES REGARDING MEDICATED FEED APPLICATIONS

Priority: Agency Determination

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 207; 21 CFR 210; 21 CFR 225; 21 CFR 226; 21 CFR 501; 21 CFR 514; 21 CFR 558

Abstract: This proposed rule would revise the existing rules to provide revised criteria for the need of an approved medicated feed application for the manufacture of medicated feeds.

Timetable:

Action	Date	FR Cite
NPRM	01/09/81	46 FR 2456
NPRM Comment Period Begin	01/09/81	46 FR 2456
NPRM Comment Period End	04/09/81	
Tentative Final Rule	07/29/83	48 FR 34574
Tentative Final Rule Comment Period begins	07/29/83	48 FR 34574
Tentative Final Rule Comment Period ends	10/27/83	
Final Action	11/00/84	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Although there would be costs involved for several sectors of the medicated feed industry, the impacts on small businesses would be insufficient to warrant a regulatory flexibility analysis under the Regulatory Flexibility Act.

Agency Contact: George Graber, Director, Division of Animal Feeds, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-220), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4438

RIN: 0905-AA15

130. NATIONAL ENVIRONMENTAL POLICY ACT; POLICY AND PROCEDURES

Legal Authority: 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 42 USC 4332 National Environmental Policy Act of 1969

CFR Citation: 21 CFR 25

Abstract: This proposed rule would amend agency requirements for compliance with the National Environmental Policy Act in accordance with the Council on Environmental Quality's regulations (40 CFR 1500-1508). This rule, which has agency-wide applicability, would change the environmental documents and procedures followed for environmental review of actions proposed by or requested by the agency.

Timetable:

Action	Date	FR Cite
NPRM	12/11/79	44 FR 71742
NPRM Comment Period Begin	12/11/79	44 FR 71742
NPRM Comment Period End	02/11/80	

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: Not Applicable

Agency Contact: John C. Matheson, Chief, Environmental Staff, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-310), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1880

RIN: 0905-AA16

131. PREMARKET APPROVAL; PROCEDURES FOR MEDICAL DEVICES

Priority: Agency Determination

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 360c to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 373 Federal Food, Drug, and Cosmetic Act; 21 USC 374 Federal Food, Drug, and Cosmetic Act; 21 USC 375 Federal Food, Drug, and Cosmetic Act; 21 USC 379 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 814

Abstract: This proposed rule would establish requirements for submission to FDA of applications for premarket approval including safety and effectiveness data for all class III (premarket approval) medical devices. The rule would establish procedures for manufacturers to demonstrate the safety and effectiveness of these medical devices.

Timetable:

Action	Date	FR Cite
NPRM	12/12/80	45 FR 81769
NPRM Comment Period Begin	12/12/80	45 FR 81769
NPRM Comment Period End	02/10/81	
Notice of 60-day Ext. of Com. Per.	02/17/81	46 FR 12502
Final Action	12/00/84	

Small Entity: Not Applicable

Agency Contact: Charles H. Kyper, Acting Premarket Approval Coordinator, Department of Health and Human Services, Food and Drug Administration, Center for Devices & Rad Health (HFZ-402), 8757 Georgia Avenue, Silver Spring, MD 20910, 301 427-7114

RIN: 0905-AA19

132. DENTAL DEVICES; CLASSIFICATION

Priority: Agency Determination

Legal Authority: 21 USC 360c Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 872

Abstract: This proposed rule would classify commercially distributed dental devices into one of three regulatory classes, depending upon the regulatory controls needed to assure their safety and effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	12/30/80	45 FR 85962
NPRM Comment Period Begin	12/30/80	45 FR 85962
NPRM Comment Period End	03/02/81	
Notice of 30-day Ext. of Com. Per.	03/06/81	46 FR 15519
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Darryl G. Singleton, Dental Officer, Department of Health and Human Services, Food and Drug Administration, Center for Devices & Rad Health (HFZ-470), 8757 Georgia Avenue, Silver Spring, MD 20910, 301 427-7555

RIN: 0905-AA20

133. DETACHED CIGARETTE FILTERS AS MEDICAL DEVICES; CLASSIFICATION

Priority: Agency Determination

Legal Authority: 21 USC 360c Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 868

Abstract: FDA plans to issue a proposed rule to classify into one of three regulatory classes those detached cigarette filters that FDA has concluded are medical devices based on evidence showing that manufacturers or vendors intend the articles to cure, mitigate, treat, or prevent disease or to affect the structure or function of the body within the meaning of section 201(h) of the act. The classification would be dependent upon the regulatory controls needed to assure the safety and effectiveness of the device. The proposal is a follow-up to FDA's November 25, 1980 decision granting, in part, a request to regulate certain detached cigarette filters as medical devices and denying requests to regulate as devices cigarettes and attached cigarette filters, generally.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert A. Forst, Paralegal Specialist, Department of Health and Human Services, Food and Drug Administration, Nat Cent for Devices & Rad Health (HFZ-84), 5600 Fishers Lane, Rockville, MD 20857, 301 443-4874

RIN: 0905-AA21

134. PROTECTION OF HUMAN SUBJECTS; PRISONERS USED AS RESEARCH SUBJECTS

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 360c to 360f Federal Food, Drug, and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 262 Public Health Service Act; ...

CFR Citation: 21 CFR 50

Abstract: This proposed rule would establish conditions under which biomedical research on prisoners would be accepted in satisfaction of FDA's regulatory requirements. In the Federal Register of July 7, 1981 (46 FR 35085), FDA stayed indefinitely the effective date of the original rule, pending final action on its proposal. FDA's original rule, published May 30, 1980 (45 FR 36386), had been challenged in court by several prisoners and a drug

manufacturer because the rule would have virtually banned research on prisoners. Under the new proposal published December 18, 1981, FDA would accept, in addition to the categories of research listed in the original rule, the results of biomedical research on prisoners if the sponsor of the proposed research establishes that the conditions set forth by the National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research had been met.

Timetable:

Action	Date	FR Cite
NPRM	12/18/81	46 FR 61666
NPRM Comment Period Begin	12/18/81	46 FR 61666
NPRM Comment Period End	02/16/82	
Final Action	00/00/00	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: Any costs the proposed rules would impose would not affect any small entities as defined by the Regulatory Flexibility Act. The only companies currently conducting research on prisoners are among the largest pharmaceutical companies.

Agency Contact: Halyna P. Breslawec, Staff Pharmacist, Department of Health and Human Services, Food and Drug Administration, Office of Health Affairs (HFY-2), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1382**

RIN: 0905-AA22

135. CURRENT GOOD MANUFACTURING PRACTICE FOR HUMAN FOOD

Priority: Task Force

Legal Authority: 21 USC 332 Federal Food, Drug, and Cosmetic Act; 21 USC 333 Federal Food, Drug, and Cosmetic Act; 21 USC 334 Federal Food, Drug, and Cosmetic Act; 21 USC 342(a) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 110

Abstract: This tentative final rule represents the next action on FDA's proposed revisions to the Current Good Manufacturing Practice regulations published June 8, 1979, and FDA's review of the existing regulations under Executive Order 12291 and the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
NPRM	06/08/79	47 FR 33238
NPRM Comment Period Begin	06/08/79	47 FR 33238
NPRM Comment Period End	12/31/79	
ANPRM	06/00/84	
Tentative Final Rule	02/00/85	

Small Entity: Not Applicable

Additional Information: Old title during review: "Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding Human Food (Umbrella Rule)"

Agency Contact: F. Leo Kauffman, Chief, Formulation Sec. Plant & Protein Br., Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-214) 200 C Street, SW, Washington, D.C. 20204, **202 485-1017**

RIN: 0905-AA72

136. ADDITIONAL STANDARDS FOR DIAGNOSTIC SUBSTANCES FOR LABORATORY TESTS; BLOOD GROUPING SERUM

Legal Authority: 21 USC 262 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 660

Abstract: As part of FDA's retrospective review of its existing regulations for blood and blood products, FDA proposes to amend the additional standards for blood grouping serum. In the future, FDA intends to publish additional proposed rules based on the ongoing review of the regulations for blood and blood products.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Joseph Wilczek, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1306**

RIN: 0905-AA75

137. PANEL ON REVIEW OF BACTERIAL TOXOIDS AND BACTERIAL VACCINES WITH U.S. STANDARDS OF POTENCY

Priority: Agency Determination

Legal Authority: 42 USC 262 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 620

Abstract: This proposed rule would place bacterial toxoids and bacterial vaccines with U.S. Standards of Potency in categories designated as (1) safe and effective and not misbranded, (2) unsafe or ineffective and misbranded and (3) not within category (1) or (2) on the basis that available data are insufficient to classify such products. The proposal would bring these products into conformance with current standards of safety and effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Steven F. Falter, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 8800 Rockville Pike, Bethesda, MD 20205, **301 443-1306**

RIN: 0905-AA80

138. PANEL ON REVIEW OF BLOOD AND BLOOD PRODUCTS

Priority: Agency Determination

Legal Authority: 42 USC 262 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 606; 21 CFR 610; 21 CFR 640; 21 CFR 660

Abstract: This proposed rule would place blood and blood products in categories designated as (1) safe and effective and not misbranded, (2) unsafe or ineffective and misbranded and (3) not within category (1) or (2) on the basis that available data are insufficient to classify such products. This proposal would bring these products into conformance with current standards of safety and effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Steven F. Falter, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 8800 Rockville Pike, Bethesda, MD 20205, **301 443-1306**

RIN: 0905-AA82

139. PANEL ON REVIEW OF ALLERGENIC EXTRACTS

Priority: Agency Determination

Legal Authority: 42 USC 262 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 600.13; 21 CFR 680.1; 21 CFR 680.2; 21 CFR 680.3

Abstract: This proposed rule would place allergenic extracts in categories designated as (1) safe and effective and not misbranded, (2) unsafe or ineffective and misbranded, and (3) not within category (1) or (2) on the basis that available data are insufficient to classify such products. The proposal would bring these products into conformance with current standards of safety and effectiveness.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Michael L. Hooten, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1306**

RIN: 0905-AA83

140. GOOD LABORATORY PRACTICE FOR NONCLINICAL LABORATORY STUDIES

Priority: Agency Determination

Legal Authority: 21 USC 346 Federal Food, Drug, and Cosmetic Act; 21 USC 346a Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act; 21 USC 381 Federal Food, Drug, and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 262 Public Health Service Act; 42 USC 263 Public Health Service Act; ...

CFR Citation: 21 CFR 58

Abstract: This proposed rule will propose revisions to the regulations covering Good Laboratory Practice for Nonclinical Laboratory Studies based upon the agency's review of these existing rules under Executive Order 12291 and the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Paul D. Lepore, Staff Scientist, Department of Health and Human Services, Food and Drug Administration, Bioresearch Monitoring Staff (HFC-30), 5600 Fishers Lane, Rockville, MD 20857, **301 443-2390**

RIN: 0905-AA84

141. EXEMPT INFANT FORMULA

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 321(aa) Federal Food, Drug, and Cosmetic Act; 21 USC 343(a) Federal Food, Drug, and Cosmetic Act; 21 USC 350a Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 107.3; 21 CFR 107.50

Abstract: The Infant Formula Act of 1980 exempts from some of its requirements specialty infant formulas that are intended for use by infants with special dietary needs. This proposed rule would implement the exemption provisions of the Infant Formula Act of 1980 by establishing the terms and conditions under which those infant formulas would continue to be exempt.

Timetable:

Action	Date	FR Cite
NPRM	07/12/83	48 FR 31875
NPRM Comment Period Begin	07/12/83	48 FR 31875
NPRM Comment Period End	09/12/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Nicholas Duy, Chemist, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-204) 200 C Street, SW, Washington, D.C. 20204, 202 **245-3117**

RIN: 0905-AA85

142. PRIOR SANCTION FOR LEAD IN TIN CANS

Priority: Agency Determination

Legal Authority: 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 181

Abstract: This proposed rule would codify a prior sanction for lead that migrates from solder used in tin cans. It would resolve a long standing question about the legal status of lead used in making tin cans.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Agency Contact: Blondell Anderson, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-334), 200 C Street, S.W., Washington, D.C. 20204, 202 **472-5740**

RIN: 0905-AA86

143. IRRADIATION IN THE PRODUCTION, PROCESSINGS, AND HANDLING OF FOOD

Priority: Agency Determination

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 342 Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 373 Federal Food, Drug, and Cosmetic Act; 21 USC 374 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 179.25; 21 CFR 179.26

Abstract: This proposed rule would permit the sterilization of food with ionizing radiation and would prescribe necessary labeling. This proposal has resulted from increased interest in irradiation in food processing by industry and Congress, as well as the completion of a report by FDA's Irradiated Food Committee.

Timetable:

Action	Date	FR Cite
ANPRM	03/27/81	46 FR 18992
ANPRM Comment Period Begin	03/27/81	46 FR 18992
ANPRM Comment Period End	06/25/81	
Ext. of Comment Period to 07/27/81	07/07/81	46 FR 35120
NPRM	02/14/84	
NPRM Comment Period Begin	02/14/84	49 FR 05714
NPRM Comment Period End	04/16/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Clyde A. Takeguchi, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-334) 200 C Street, SW, Washington, D.C. 20204, **202 472-5690**

RIN: 0905-AA88

144. COMMON OR USUAL NAMES FOR VEGETABLE PROTEIN PROD. AND SUBSTITUTES FOR MEATS, SEAFOOD, POULTRY, EGGS OR CHEESES WHICH CONTAIN VEG. PROTEIN PROD. AS SOURCES OF PROTEIN

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 102.75; 21 CFR 102.76

Abstract: This final rule will establish common or usual names for vegetable protein products and names and definitions of nutritional equivalence for substitutes for the five major protein foods. The final rule will provide consistency in the labeling and in the nutrient content of vegetable protein substitutes for the five major protein foods.

Timetable:

Action	Date	FR Cite
NPRM	06/14/74	39 FR 20892
NPRM Comment Period Begin	06/14/74	39 FR 20892
NPRM Comment Period End	08/14/74	
Interim Final Rule	07/14/78	43 FR 30471
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Elizabeth Campbell, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-312), 200 C Street, S.W., Washington, D.C. 20204, **202 485-0177**

RIN: 0905-AA90

145. ABBREVIATED NEW ANIMAL DRUG APPLICATIONS FOR POST-1962 ANIMAL DRUGS

Priority: Agency Determination

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1; 21 CFR 514.2; 21 CFR 514.3; 21 CFR 514.11

Abstract: This proposed rule would permit applicants to file abbreviated new animal drug application (ANADAs) for products identical to approved post-1962 drugs and to omit certain reports that are required in full NADAs to show safety and effectiveness of the product. It would apply only to certain drug products specified by FDA. If adopted, the proposed rule would reduce duplicative testing of drugs and also reduce the cost to the manufacturer of getting the affected drugs on the market.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Richard Lehmann, Dir., Div. of Biometrics & Production Drugs, Department of Health and Human Services, Food and Drug Administration, Bureau of Veterinary Medicine (HFV-120), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3134**

RIN: 0905-AA91

146. INVESTIGATIONAL NEW ANIMAL DRUGS FOR EXPORT

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 511.1

Abstract: This tentative final rule would detail requirements and procedures for the submission of a notice of investigational exemption to export an investigational new animal drug.

Timetable:

Action	Date	FR Cite
NPRM	01/06/78	43 FR 1100
NPRM Comment Period Begin	01/06/78	43 FR 1100
Tentative Final Rule	10/00/84	

Small Entity: No

Agency Contact: Frank Pugliese, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-100), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4313**

RIN: 0905-AA93

147. AVAILABILITY OF BULK NEW ANIMAL DRUG SUBSTANCES TO VETERINARIANS

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1

Abstract: This proposed rule would permit veterinarians to obtain bulk new animal drug substances for compounding products for use in their own practice. A number of veterinarians have requested that the regulations be revised in order that bulk new animal drug substances may be legally obtained by them for use in their practices.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Frank Pugliese, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-100), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4313**

RIN: 0905-AB01

148. OBLIGATIONS OF CLINICAL INVESTIGATORS

Priority: Agency Determination

Legal Authority: 21 USC 346 Federa Food, Drug, and Cosmetic Act; 21 USC 346a Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and

Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 360c to 360f Federal Food, Drug, and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug, and Cosmetic Act; 21 USC 361 Federal Food, Drug, and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 262 Public Health Service Act; 42 USC 263b to 263n Public Health Service Act

CFR Citation: 21 CFR 16.1; 21 CFR 56.1; 21 CFR 56.2; 21 CFR 56.3; 21 CFR 56.8; 21 CFR 56.15; 21 CFR 56.21; 21 CFR 56.25; 21 CFR 56.26; 21 CFR 56.34; 21 CFR 56.80; 21 CFR 56.82; 21 CFR 56.85; 21 CFR 56.87; 21 CFR 56.90; ...

Abstract: This final rule will clarify existing regulations governing the conduct of persons who conduct clinical investigations on new drug products and extends the regulations to include persons who conduct clinical investigations on medical devices, food or color additives, and electronic products. This final rule will provide greater protection of the rights and safety of subjects in clinical investigations and help ensure the quality and integrity of the research data used to support the marketing of FDA-regulated products.

Timetable:

Action	Date	FR Cite
NPRM	08/08/78	43 FR 35186
NPRM Comment Period Begin	08/08/78	43 FR 35186
NPRM Comment Period End	12/06/78	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: **Marilyn Watson,** Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3640**

RIN: 0905-AB02

149. SPONSORED COMPOUNDS IN FOOD-PRODUCING ANIMALS; CRITERIA AND PROCEDURES FOR EVALUATING THE SAFETY OF CARCINOGENIC RESIDUES

Priority: Agency Determination

Legal Authority: 21 USC 342 Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 376 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 500.80; 21 CFR 500.82; 21 CFR 500.84; 21 CFR 500.86; 21 CFR 500.88; 21 CFR 514.1; 21 CFR 514.11; 21 CFR 514.115

Abstract: This reproposal would establish an operational definition of the no-residue requirements of the anti-cancer clauses of the Federal Food, Drug, and Cosmetic Act regarding food additives, color additives, and drugs intended for use in food-producing animals.

Timetable:

Action	Date	FR Cite
NPRM	03/20/79	44 FR 17070
NPRM Comment Period Begin	03/20/79	44 FR 17070
NPRM Comment Period End	07/18/79	
Amended NPRM	02/11/83	48 FR 06361
Revised NPRM	10/00/84	

Small Entity: Yes

Agency Contact: **Joseph Settepani,** Dep Associate Dir for Human Food Safety, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-301), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4500**

RIN: 0905-AB04

150. SOLID CONTENT WEIGHT OR DRAINED WEIGHT FOR CANNED FRUITS AND VEGETABLES

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 101.105; 21 CFR 101.107

Abstract: This final rule will amend the appropriate regulations to permit the declaration of the solid content weight (fill weight) or drained weight, in addition to the net quantity of contents, on the labels of canned fruits and vegetables. The rule will permit industry to voluntarily provide additional labeling information in the interest of improving consumers' ability to make value comparisons in the marketplace.

Timetable:

Action	Date	FR Cite
NPRM	11/07/75	40 FR 52171
NPRM Comment Period Begin	11/07/75	40 FR 52171
Reprop. Comment Per. to 07/01/79	12/09/77	42 FR 62282
Final Action	10/00/84	

Small Entity: Not Applicable

Agency Contact: **Prince G. Harrill,** Deputy Director, Div. of Food Tech., Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-210) 200 C Street, SW, Washington, D.C. 20204, **202 485-0097**

RIN: 0905-AB05

151. REPORTING REQUIREMENTS FOR MARKETED ANIMAL DRUGS

Legal Authority: 21 USC 360C Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 510.300; 21 CFR 510.301; 21 CFR 514.8

Abstract: This proposed rule would amend the reporting requirements for marketed animal drugs to clarify the information on dosage and species, and to specify reporting requirements for manufacturers. To permit a more accurate assessment of adverse effects related to dosage and species, and to clarify the responsibility of premix manufacturers in reporting adverse effects from use of medicated feeds.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: **Andrew Beaulieu,** Veterinary Medical Officer, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-210), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3044**

RIN: 0905-AB06

152. NEW DRUG APPROVAL PROCESS; REVISION OF NDA RULES

Priority: Task Force

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic

Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 310; 21 CFR 312; 21 CFR 314; 21 CFR 430; 21 CFR 431; 21 CFR 433

Abstract: This proposed rule would revise extensively the NDA rules to improve the efficiency of FDA's operations and to update and clarify its internal policies in reviewing and expediting applications for new drugs. These revisions are believed necessary to improve the efficiency of the drug review process. The result would be greater assurance that safe and effective new drugs are approved as promptly as possible. The undertaking reflects FDA's commitment to refine and improve the entire IND/NDA process. The IND/NDA rules were scheduled for retrospective review announced by FDA in its July 2, 1982 notice (47 FR 29004) establishing priorities for reviewing the agency's existing rules under the Regulatory Flexibility Act and Executive Order 12291. This item was previously listed in the agenda as New Drug Approval Process; Revision of IND/NDA Rules (RIN 0905-AA00).

Timetable:

Action	Date	FR Cite
NPRM	10/19/82	47 FR 46622
NPRM Comment Period Begin	10/19/82	47 FR 46622
NPRM Comment Period End	12/20/82	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Michael C. McGrane, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 443-5220**

RIN: 0905-AB08

153. NEW DRUG APPROVAL PROCESS; REVISION OF IND RULES

Priority: Task Force

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 312

Abstract: This proposed rule would revise extensively the IND rules to improve the efficiency of FDA's operations and to update and clarify its internal policies in reviewing and expediting applications for new drugs. These revisions are believed necessary to improve the efficiency of the drug review process. The result would be greater assurance that safe and effective new drugs are approved as promptly as possible. The undertaking reflects FDA's commitment to refine and improve the entire IND/NDA process. The IND/NDA rules were scheduled for retrospective review announced by FDA in its July 2, 1982 notice (47 FR 29004) establishing priorities for reviewing the agency's existing rules under the Regulatory Flexibility Act and Executive Order 12291. This item was previously listed in the agenda as New Drug Approval Process: Revision of IND/NDA Rules (RIN 0905-AA00).

Timetable:

Action	Date	FR Cite
NPRM	06/09/83	48 FR 26760
NPRM Comment Period Begin	06/09/83	48 FR 26760
NPRM Comment Period End	08/08/83	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Steven H. Unger, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 443-5220**

RIN: 0905-AB09

154. FOOD INGREDIENT LABELING: EMULSIFIERS AND STABILIZERS; EXEMPTIONS

Legal Authority: 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 101

Abstract: This proposed rule would revise the food ingredient labeling regulations concerning the use of stabilizers and emulsifiers.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Elizabeth J. Campbell, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-312) 200 C Street, SW, Washington, D.C. 20204, **202 485-0177**

RIN: 0905-AB26

155. CHANGES IN PROPER NAMES OF CERTAIN BIOLOGICAL PRODUCTS

Legal Authority: 21 USC 201 Federal Food, Drug, and Cosmetic Act; 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 360 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 21 USC 501 Federal Food, Drug, and Cosmetic Act; 21 USC 502 Federal Food, Drug, and Cosmetic Act; 21 USC 510 Federal Food, Drug, and Cosmetic Act; 21 USC 701 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act; 42 USC 263 Public Health Service Act; 42 USC 263a Public Health Service Act; 42 USC 264 Public Health Service Act

CFR Citation: 21 CFR 600; 21 CFR 606; 21 CFR 610; 21 CFR 620; 21 CFR 630; 21 CFR 640; 21 CFR 660

Abstract: This proposed rule would update and clarify the biologic regulations to more accurately identify products, reduce the length of the proper names, and eliminate inconsistencies regarding names of products between the biologics regulations and recommendations of the United States Pharmacopeia and United States Adopted Names.

Timetable:

Action	Date	FR Cite
NPRM	10/31/80	45 FR 72409
NPRM Comment Period Begin	10/31/80	45 FR 72409
NPRM Comment Period End	12/30/80	
Final Action	11/00/84	

Small Entity: Not Applicable

Agency Contact: Joseph Wilczek, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1306**

RIN: 0905-AB29

156. CURRENT GOOD MANUFACTURING PRACTICE FOR BLOOD AND BLOOD COMPONENTS; UNIFORM BLOOD LABELING

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 601; 21 CFR 640

Abstract: This proposed rule would revise, simplify, and update the labeling requirements for any blood and blood component product that is collected or manufactured in a blood bank.

Timetable:

Action	Date	FR Cite
NPRM	10/31/80	45 FR 72416
NPRM Comment Period Begin	10/31/80	45 FR 72416
NPRM Comment Period End	12/30/80	
Final Action	11/00/84	

Small Entity: Not Applicable

Agency Contact: Steven F. Falter, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-368), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1306**

RIN: 0905-AB30

157. NEW ANIMAL DRUG REQUIREMENTS FOR MEDICATED FREE-CHOICE FEEDS

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 510.455

Abstract: This proposed rule would amend the regulations to provide for maintenance of confidentiality of data to support approval of medicated free-choice feeds. The proposed rule responds to a petition filed jointly by two trade associations to maintain confidentiality of consumption and stability data submitted in a master file in support of approval of a medicated feed application.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Richard P. Lehman, Dir., Div. of Biometric & Production Drugs, Department of Health and Human Services, Food and Drug Administration, Bureau of Veterinary Medicine (HFV-102), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3134**

RIN: 0905-AB34

158. STANDARDIZED FOODS; PROPOSAL TO AMEND STANDARDS OF IDENTITY

Legal Authority: 21 USC 341 Federal Food, Drug, and Cosmetic Act; 21 USC 371(e) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 133; 21 CFR 137; 21 CFR 139; 21 CFR 145; 21 CFR 146; 21 CFR 150; 21 CFR 160; 21 CFR 161; 21 CFR 163; 21 CFR 164; 21 CFR 169

Abstract: This proposed rule would revise certain food standards to require that all optional ingredients be labeled in accordance with 21 CFR 101. Declaration of optional ingredients by common or usual name provides information to consumers so that they can make more informed decisions in the marketplace regarding foods which contain ingredients which they may wish to avoid for health, ethnic, or other reasons.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: P. G. Harrill, Deputy Dir., Div. of Food Technology, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-210) 200 C Street, SW, Washington, DC 20204, **202 485-0097**

RIN: 0905-AB35

159. NUTRIENT REQUIREMENTS FOR INFANT FORMULA

Legal Authority: 21 USC 321(aa) Federal Food, Drug, and Cosmetic Act; 21 USC 350(a) Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 107

Abstract: This proposed rule would codify and modify, if necessary, the nutrient profile set forth in the Infant Formula Act of 1980 in the interest of assuring the nutritional adequacy of infant formulas.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Nicholas Duy, Chemist, Department of Health and Human Services, Food and Drug Administration, Bureau of Foods (HFF-204), 200 C St., S.W., Washington, DC 20204, **202 245-3117**

RIN: 0905-AB37

160. SULFITING AGENTS; LABELING IN DRUGS FOR HUMAN USE; PRECAUTIONARY STATEMENT

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 201

Abstract: This proposed rule would require a label declaration in the form of a precautionary statement for all sulfiting agents when used in drugs. Persons who are susceptible to allergic-type reactions caused by sulfiting agents will, by review of the product labeling, be able to avoid drug products containing these substances.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Edwin V. Dutra, Jr., Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6490**

RIN: 0905-AB38

161. LABELING OF DRUG PRODUCTS FOR OVER-THE-COUNTER HUMAN USE

Priority: Agency Determination

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 330

Abstract: The agency's exclusivity policy of limiting over-the-counter (OTC) drug monograph labeling terminology to specific words and phrases has been the subject of comment throughout the OTC drug review process. This proposed rule would modify that exclusivity policy as it relates to indications for use and would prescribe the placement of monograph terminology in the labeling of OTC drug products. The modified exclusivity policy would permit manufacturers to use other truthful and nondescriptive wording relating to indications for use in addition to the required monograph language.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: William E. Gilbertson, Dir., Div. of OTC Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-210), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4960**

RIN: 0905-AB40

162. PRECLEARANCE REQUIREMENTS AND TEMPORARY EXEMPTION PROCEDURE FOR CONDUCTING RESEARCH IN DIRECT-TO-CONSUMER PRESCRIPTION DRUG ADVERTISING

Priority: Agency Determination

Legal Authority: 21 USC 321(m) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 202

Abstract: This proposed rule would establish a procedure whereby firms may conduct research on direct-to-consumer advertising of prescription drugs. To conduct this research, exemptions from certain requirements in the existing regulations would be granted. In February 1983, firms were requested to honor a voluntary moratorium on direct-to-consumer advertising. Because certain firms are anxious to initiate such advertising, action by the agency is necessary. The proposed procedures are intended to obtain pertinent information that will permit an assessment of the potential effects of consumer advertising on the public health.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Paul O. Fehnel, Jr., Chief, Precedent Regs & Leg Activities Br, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6490**

RIN: 0905-AB42

163. ● GUIDELINE FOR VETERINARY PRESCRIPTIONS AND OTHER ORDERS

Legal Authority: 21 USC 355F1

CFR Citation: 21 CFR 201.105; 21 CFR 201.110

Abstract: To provide uniform guidance to practitioners and dispensers of veterinary drugs regarding (1) the procedures to be followed when a drug is prescribed, ordered, or dispensed by a veterinarian; (2) the content of prescriptions and other orders; and (3) the content of the labeling of prescription veterinary drugs at the time of retail delivery.

Timetable:

Action	Date	FR Cite
Draft Guideline	07/26/84	49 FR 30076
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: Mr. Gary Dykstra, Dep Asso Dir of Surv & Compliance, Department of Health and Human Services, Public Health Service, Center for Veterinary Medicine (HFV 201), Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20857, **301 443-3400**

RIN: 0905-AB47

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Food and Drug Administration (FDA)

Existing Regulations Under Review

164. CURRENT GOOD MANUFACTURING PRACTICE FOR FINISHED PHARMACEUTICALS

Priority: Agency Determination

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 211

Abstract: As part of its retrospective review, FDA plans to determine the need for any changes in the current GMPs to eliminate unnecessary requirements and to allow flexibility without undermining protection of the public health.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	
End Review	10/00/84	

Small Entity: Undetermined

Agency Contact: Robert J. Meyer, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 443-5220**

RIN: 0905-AA73

165. ANTIBIOTIC DRUGS

Priority: Agency Determination

Legal Authority: 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 371(f) Federal Food, Drug, and Cosmetic

Act; 21 USC 371(g) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 430; 21 CFR 431; 21 CFR 432; 21 CFR 433; 21 CFR 436; 21 CFR 440; 21 CFR 442; 21 CFR 444; 21 CFR 446; 21 CFR 448; 21 CFR 449; 21 CFR 450; 21 CFR 452; 21 CFR 453; 21 CFR 455; ...

Abstract: As part of its retrospective review, FDA is currently reviewing these final rules to determine which should be maintained in effect and which may no longer be necessary for the review and approval of antibiotic drugs. One aspect of this retrospective review has been completed by publication of a final rule exempting antibiotic drugs and antibiotic susceptibility medical devices from certification.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	
End Review	02/00/85	

Small Entity: Undetermined

Agency Contact: Robert J. Meyer, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 443-5220**

RIN: 0905-AA74

166. BUBBLE BATH PRODUCTS

Priority: Agency Determination

Legal Authority: 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 362 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 740.17

Abstract: As part of its retrospective review, FDA is reviewing this 1980 final rule requiring that labels of cosmetic bubble bath products bear a prescribed caution statement and adequate directions for their safe use. Petitions from two trade associations assert, among other things, that the requirements of the rule are unjustified and place an undue burden on industry.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/82	
Interim Stay of effective date	02/18/83	48 FR 07169
Notice of Proposed Stay with request for comment	02/18/83	48 FR 07203
End Review	11/00/84	

Small Entity: Undetermined

Agency Contact: Heinz J. Eiermann, Director, Division of Cosmetics Technology, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied, Nutrition (HFF-440) 200 C Street, SW, Washington, DC 20204, **202 245-1530**

RIN: 0905-AA76

167. RECORDS AND REPORTS; ELECTRONIC PRODUCTS

Priority: Agency Determination

Legal Authority: 42 USC 263 Public Health Service Act

CFR Citation: 21 CFR 1002

Abstract: As part of its retrospective review, FDA plans to determine the need for revision of the various records and reports requirements in Part 1002 for radiation-emitting electronic products to eliminate unnecessary requirements and to allow flexibility without undermining protection of the public health.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	
End Review	12/00/84	

Small Entity: Undetermined

Agency Contact: John G. Bailey, Dir., Division of Information Services, Department of Health and Human Services, Food and Drug Administration, Center for Devices & Rad Health (HFZ-40), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6541**

RIN: 0905-AA78

168. PERFORMANCE STANDARDS FOR IONIZING RADIATION EMITTING PRODUCTS

Priority: Agency Determination

Legal Authority: 42 USC 263f Public Health Service Act

CFR Citation: 21 CFR 1020.30; 21 CFR 1020.31; 21 CFR 1020.32

Abstract: These rules establish certification and reporting requirements for manufacturers and assemblers of diagnostic x-ray system components, radiographic equipment, and fluoroscopic equipment. The rules also identify specific standards for such items as radiation leakage, amount of material between patient and image reception, and measuring compliance. The review of the rules is intended to identify any undue burden they may impose and whether they need to be revised to respond effectively to the dynamic technological environment.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	
End Review	12/00/84	

Small Entity: Undetermined

Agency Contact: Harvey Rudolph, Acting Deputy Director Planning Staff, Department of Health and Human Services, Food and Drug Administration, Center for Devices & Rad Health (HFZ-83), 5600 Fishers Lane, Rockville, MD 20857, **301 443-3426**

RIN: 0905-AA94

169. NEW ANIMAL DRUG APPROVAL PROCESS; REVIEW OF NADA RULES

Priority: Agency Determination

Legal Authority: 21 USC 360(b) Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1; 21 CFR 514.8

Abstract: These rules are being reviewed for the purpose of improving, to the extent possible, FDA's practices, procedures and policies with respect to the agency's review of original and supplemental new animal drug applications (NADA's). The review is intended to improve the efficiency of the NADA review process and to identify any unnecessary burdens imposed by the rules.

Timetable:

Action	Date	FR Cite
Begin Review	08/00/82	
End Review	12/00/84	

Small Entity: Undetermined

Agency Contact: Richard A. Carnevale, DVM, Acting Dep Associate Dir for Sci Eval, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-101), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4313**

RIN: 0905-AA96

170. DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN

Legal Authority: 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 429

Abstract: FDA's rules providing for the certification of insulin prescribe (1) standards of identity and of strength, quality, and purity; (2) tests and methods of assay to determine compliance with such standards; (3) effective periods for certificates and other conditions under which they shall cease to be effective as to certified batches; (4) administration and procedure; and (5) fees necessary to provide, equip, and maintain an adequate certification service. These rules are being reviewed to determine whether they impose any undue burden and to identify any necessary revisions as a result of technological changes in the development of insulin products.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/82	
End Review	02/00/85	

Small Entity: No

Agency Contact: Robert D. Bradley, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6490**

RIN: 0905-AA98

171. DRUGS USED FOR TREATMENT OF NARCOTIC ADDICTS

Legal Authority: 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 242a Public Health Service Act; 42 USC 257 Public Health Service Act

CFR Citation: 21 CFR 291

Abstract: The rules covered by this review govern the use of methadone in the maintenance and treatment of narcotic addicts. The rules include conditions for use of methadone and appropriate methods of professional practice for medical treatment of the narcotic addiction of various classes of addicts. This review will help to determine what level of flexibility is most appropriate in satisfying the intent of the law, while still adopting to changing conditions.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/82	
End Review	11/00/84	

Small Entity: Undetermined

Agency Contact: Edwin V. Dutra, Jr., Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6490**

RIN: 0905-AA99

172. BIOAVAILABILITY AND BIOEQUIVALENCE REQUIREMENTS

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 320

Abstract: These rules establish requirements concerning the bioavailability and bioequivalence of drugs intended for human use. The agency is reviewing these rules to determine whether they impose any undue burden and to otherwise reexamine their requirements.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/82	
End Review	10/00/84	

Small Entity: Undetermined

Agency Contact: Richard L. Arkin, Regulatory Counsel, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6490**

RIN: 0905-AB00

173. RADIOACTIVE DRUGS FOR CERTAIN RESEARCH USES

Legal Authority: 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 361

Abstract: As part of its retrospective review, FDA is reviewing its existing regulation in Part 361 covering radioactive drugs for certain research use to eliminate any unnecessary requirements and to consider whether any new requirements are necessary to protect the public health.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	11/00/84	

Small Entity: No

Agency Contact: Robert D. Bradley, Consumer Safety Officer, Department of Health and Human Services, Food and Drug Administration, Center for Drugs & Biologics (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 443-6490**

RIN: 0905-AB39

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Food and Drug Administration (FDA)

Completed Actions

COMPLETED RULEMAKINGS

174. ALLERGENIC SOURCE MATERIAL

CFR Citation: 21 CFR 680

Completed:

Reason	Date	FR Cite
Final Action	06/21/84	49 FR 25430
Final Action Effective	10/19/84	49 FR 25430

Small Entity: No

Agency Contact: Michael Hooten 301 443-1306

RIN: 0905-AA02

175. LABELING OF SODIUM CONTENT OF FOODS

Priority: Agency Determination

CFR Citation: 21 CFR 101.9; 21 CFR 101.13; 21 CFR 105.69

Completed:

Reason	Date	FR Cite
Final Action	04/18/84	49 FR 15510
Final Action Effective	07/01/85	49 FR 26571

Small Entity: No

Agency Contact: F. Edward Scarbrough 202 485-0250

RIN: 0905-AA11

176. MEDICAL DEVICE REPORTING

Priority: Agency Determination

CFR Citation: 21 CFR 803

Completed:

Reason	Date	FR Cite
Final Action	09/14/84	49 FR 36326

Small Entity: No

Agency Contact: Robert A. Forst 301 443-4874

RIN: 0905-AA17

177. FOOD LABELING; PROTEIN PRODUCTS; WARNING LABEL

Priority: Agency Determination

CFR Citation: 21 CFR 101.17

Completed:

Reason	Date	FR Cite
Final Action	04/06/84	49 FR 13679
Final Action Effective	08/06/84	49 FR 13679

Small Entity: Not Applicable

Agency Contact: Victor P. Frattali 202 245-1064

RIN: 0905-AA89

178. BENZYL ALCOHOL

Priority: Agency Determination

CFR Citation: 21 CFR 201.320

Completed:

Reason	Date	FR Cite
Withdrawn not necessary; USP now requires label warning statement	08/00/84	

Small Entity: No

Agency Contact: Richard L. Arkin 301 443-4690

RIN: 0905-AB03

179. EXEMPTION FROM PLACEMENT REQUIREMENTS FOR REQUIRED LABEL STATEMENTS ON SOFT DRINKS IN CANS

CFR Citation: 21 CFR 1

Completed:

Reason	Date	FR Cite
Final Action	04/04/84	49 FR 13338
Final Action Effective	04/04/84	49 FR 13338

Small Entity: Undetermined

Agency Contact: Raymond W. Gill 202 485-0180

RIN: 0905-AB27

180. SMOKED AND SMOKE-FLAVORED FISH; CURRENT GOOD MANUFACTURING PRACTICE

CFR Citation: 21 CFR 122

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20484
Final Action Effective	05/15/84	49 FR 20484

Small Entity: No

Agency Contact: F. Leo Kauffman 202 485-0107

RIN: 0905-AB36

181. ORAL HYPOGLYCEMIC DRUG PRODUCTS

CFR Citation: 21 CFR 201; 21 CFR 310

Completed:

Reason	Date	FR Cite
Final Action	04/11/84	49 FR 14303
Final Action Effective	10/09/84	49 FR 27936

Small Entity: No

Agency Contact: Robert D. Bradley 301 443-6490

RIN: 0905-AB41

COMPLETED REVIEWS

182. CURRENT GOOD MANUFACTURING PRACTICE FOR MEDICATED PREMIXES

Priority: Agency Determination

CFR Citation: 21 CFR 226

Completed:

Reason	Date	FR Cite
End Review	07/11/84	

Small Entity: Undetermined

Agency Contact: Robert S. Brigham 301 443-6243

RIN: 0905-AA95

183. CURRENT GOOD MANUFACTURING PRACTICE FOR MEDICATED FEEDS

Priority: Agency Determination

CFR Citation: 21 CFR 225

Completed:

Reason	Date	FR Cite
End Review	07/11/84	

Small Entity: Undetermined

Agency Contact: Robert S. Brigham 301 443-6243

RIN: 0905-AA97

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Current and Projected Rulemakings

Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

184. REASONABLE VOLUME OF UNCOMPENSATED SERVICES TO PERSONS UNABLE TO PAY (HILL-BURTON)

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 300r; 42 USC 300s; 42 USC 300s-6

CFR Citation: 42 CFR 124, Subpart F

Abstract: The existing regulations at 42 CFR Part 124, Subpart F establish specific requirements that recipients of Federal assistance under Title VI or Title XVI of the PHS Act made assurances that they will make available in the facility constructed, modernized or converted with that assistance, a reasonable volume of

services to persons unable to pay for services. The proposed regulation would provide increased flexibility to obligated facilities and reduce administrative burden while assuring access to intended beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Richard R. Ashbaugh, Acting Associate Dir. for Health Facilities, Department of Health and Human Services, Health Resources and Services Administration, Parklawn Building, Room 1103, 5600 Fishers Lane, Rockville, MD 20857, **301 443-6560**

RIN: 0905-AA35

185. HEALTH SYSTEMS AGENCY AND STATE HEALTH PLANNING AND DEVELOPMENT AGENCY REVIEWS; CERTIFICATE OF NEED

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 216 Public Health Service Act; 42 USC 300k-1 to 300n-1

CFR Citation: 42 CFR 143, Subpart D; 42 CFR 123, Subpart E

Abstract: The Certificate of Need (CON) Program is a State-run program requiring health care providers to submit certain proposed large capital expenditures for review by the State Health Planning and Development Agency which determines whether the expenditures are needed. If the proposed expenditures are found to be unneeded, the provider faces penalties--which vary from State to State--if the project proceeds. The proposed rules would raise minimum thresholds for planned projects to be reviewed. Also, States could exempt from review certain projects intended solely for medical research. States also may modify the requirements for a health maintenance organization (HMO) or combination of such organizations to qualify for an exemption. The proposed rules also would give State agencies greater discretion in determining the types of projects to be reviewed, the procedures to be followed, and the criteria to be considered in reviewing applications.

Timetable:

Action	Date	FR Cite
NPRM	08/10/83	48 FR 36390
NPRM Comment Period Begin	08/10/83	48 FR 36390
NPRM Comment Period End	10/11/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Florence B. Fiori, Acting Associate Dir. for Health Planning, Department of Health and Human Services, Health Resources and Services Administration, Parklawn Building, Room 13A-56, 5600 Fishers Lane, Rockville, MD 20857, **301 443-6560**

RIN: 0905-AA38

186. LIMITATION ON FEDERAL PARTICIPATION FOR CAPITAL EXPENDITURES

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 1320a-1 Social Security Act; 42 USC 216 Public Health Service Act; 42 USC 300k-1 to 300n-1 Public Health Service Act

CFR Citation: 42 CFR 100, Subpart A

Abstract: This NPRM sets forth provisions under which the Secretary may deny Federal reimbursement under Title XVIII (Medicare) and Title XIX (Medicaid), for expenses related to capital expenditures (1) which the Designated Planning Agency (DPA) has found to be inconsistent with established standards, criteria or plans developed under the Public Health Service (PHS) Act; or (2) for which the DPA was not provided notice as required. The NPRM includes changes made in response to comments received on the NPRM published in the Federal Register on March 19, 1976; changes necessary to conform to the amendments to Title XV of the PHS Act enacted by the Health Planning and Resources Development Amendments of 1979 (P.L. 96-79), the Health Programs Extension Act of 1981 (P.L. 97-35); and changes necessary to conform to the amendments to Section 1122 of the Social Security Act enacted by the Social Security Amendments of 1983 (P.L. 98-21). Also, many States have discontinued their agreements with the Department to perform reviews under the Section 1122 program because the requirements of Section 1122 are inconsistent with the Department's requirements for acceptable certificate of (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/10/83	48 FR 36402
NPRM Comment Period Begin	08/10/83	48 FR 36402
NPRM Comment Period End	10/11/83	
Final Action	11/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: need programs. Now, requirements for CON and Section 1122 reviews are as alike as possible.

Agency Contact: Florence B. Fiori, Acting Associate Dir. for Health Planning, Department of Health and Human Services, Health Resources and Services Administration, Parklawn Building, Room 13A-56, 5600 Fishers Lane, Rockville, MD 20857, **301 443-6560**

RIN: 0905-AA39

187. GRANTS FOR NURSE PRACTITIONER TRAINEESHIP PROGRAMS

Legal Authority: 42 USC 216; 42 USC 296m

CFR Citation: 42 CFR 57, Subpart AA

Abstract: This final regulation governs a grant program to provide traineeships for nurse practitioner training to registered nurses. The rule deletes the requirement that trainees must be residents of health manpower shortage areas and provides instead that applicants from such areas be given special considerations; the rule modifies practice commitment requirements and includes conditions for waiver or suspension of repayments. No funding for future traineeships is anticipated. The rule is needed to administer existing traineeships and to monitor compliance and repayment/waivers.

Timetable:

Action	Date	FR Cite
(Past) Interim Final Rule	05/06/80	45 FR 29803
Interim Final Rule	08/01/84	49 FR 30702

Next Action Undetermined

Small Entity: No

Agency Contact: Ms. Jo Eleanor Elliott, Director, Division of Nursing, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 5C-26, Rockville, MD 20857, **301 443-5786**

RIN: 0905-AA47

188. STANDARDS FOR THE ACCREDITATION OF EDUCATIONAL PROGRAMS FOR AND THE CREDENTIALING OF RADIOLOGIC PERSONNEL

Priority: Agency Determination

Legal Authority: PL 97-35 Consumer Patient Rad Health and Safety Act of 1981; 42 USC 10004

CFR Citation: 42 CFR 75

Abstract: The Department is proposing rulemaking to establish standards for both the accreditation of educational programs and the certification of radiologic personnel. Standards have been developed after consultation with relevant professional and State officials for accreditation of educational institutions and certification of radiologic personnel. The categories of personnel to be affected by the initial standards are: radiographers, dental hygienists, dental assistants, radiation therapy technologists, and nuclear medicine technologists. The standards are mandatory for agencies of the Federal Government. Standards are voluntary for States.

Timetable:

Action	Date	FR Cite
NPRM	07/12/83	48 FR 31966
NPRM Comment Period Begin	07/13/83	
NPRM Comment Period End	11/09/83	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Dr. William S. Brooks, Health Personnel Standards Br., DADHP, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-95, Rockville, MD 20857, **301 443-6757**

RIN: 0905-AA49

189. TRAINING GRANTS FOR PREVENTIVE MEDICINE RESIDENCY PROGRAM

Legal Authority: 42 USC 295h-1c

CFR Citation: 42 CFR 57, Subpart EE

Abstract: These regulations would implement provisions of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35) which give the Secretary new authority for a grants program which will assist schools of medicine, osteopathy, and public health in the planning and development of new residency programs and the maintenance and improvement of existing residency training programs in preventive medicine. Funds from this program can be used to provide financial assistance to trainees in the residency programs. Notice of Proposed Rulemaking (NPRM) during third quarter of FY 1983, if included in FY 1983 appropriations.

Timetable:

Action	Date	FR Cite
NPRM	12/09/83	48 FR 55272
NPRM Comment Period Begin	12/09/83	48 FR 55272
NPRM Comment Period End	02/07/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Daniel N. Masica, M.D., Acting Director, Division of Medicine, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 4C-25, Rockville, MD 20857, **301 443-6190**

RIN: 0905-AA50

190. NATIONAL HEALTH SERVICE CORPS (NHSC); PRIVATE PRACTICE OPTION (PPO) LOANS TO INDIVIDUALS

Legal Authority: 42 USC 254f Public Health Service Act

CFR Citation: 42 CFR 23

Abstract: The Secretary is authorized to make such arrangements as are deemed necessary for the individual exercising the private practice option for the use of equipment and supplies and for the lease or acquisition of other equipment and supplies. Upon the expiration of the private practice agreement, the Secretary may sell to the individual equipment and other property of the United States utilized by the individual in providing health services. Sales may be made at fair market value, except that the Secretary is permitted to make such sales for a lesser value if he determines that the individual is financially unable to pay the full market value.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Health Resources and Services Administration, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, **301 443-2380**

RIN: 0905-AA57

191. NURSING STUDENT LOAN PROGRAM (NSL); DEBT MANAGEMENT; DELINQUENCY RATES

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 297a to 297h

CFR Citation: 42 CFR 57, Subpart D

Abstract: This final rule would amend existing regulations governing the Nursing Student Loan (NSL) program set forth in Subpart D of 42 CFR Part 57. This rule: (1) reflects technical amendments made to sections 835-841 of the Public Health Service Act since the existing regulations were published in the FEDERAL REGISTER on May 9, 1974; (2) simplifies the existing regulations so that they are written in clear, concise language; and (3) would strengthen the regulations regarding recordkeeping and collection procedures and establish performance standards against which a nursing school's delinquency rate would be measured.

Timetable:

Action	Date	FR Cite
NPRM	06/03/83	48 FR 25072
NPRM Comment Period Begin	06/04/83	
NPRM Comment Period End	07/18/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Dev. Branch, DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, 301 443-4540

RIN: 0905–AA58

192. GRANTS FOR MATERNAL AND CHILD HEALTH SERVICES FEDERAL SET-ASIDE PROGRAM

Legal Authority: 42 USC 701 to 709

CFR Citation: 42 CFR 51a; 42 CFR 51d; 42 CFR 51f

Abstract: The Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35) revised Title V of the Social Security Act to establish the Maternal and Child Health Service Block Grant. In the block grant there is a Federal Set-Aside Program which provides for the retention of 10 to 15 percent of the appropriation in each fiscal year for continuation of certain categorical programs (special projects of regional and national significance, maternal and child health research and training, genetic disease testing, counseling and information and hemophilia diagnostic and treatment centers). A Final Rule, published on June 25, 1982, made regulations for the previous programs applicable to the set-aside authority until regulations specifically designed for the set-aside could be developed.

Timetable:

Action	Date	FR Cite
NPRM	01/12/83	48 FR 1323
NPRM Comment Period Begin	01/12/83	
NPRM Comment Period End	02/11/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Public Health Service, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905–AA61

193. PROGRAM GRANTS FOR MIGRANT HEALTH SERVICES

Legal Authority: 42 USC 216 Public Health Service Act; 42 USC 254b Public Health Service Act

CFR Citation: 42 CFR 56

Abstract: A notice of proposed rulemaking (NPRM) was published in the Federal Register on December 19, 1980 to revise the existing regulations to incorporate provisions of Pub. L. 95-626, the Health Services Amendments of 1979. Because of administrative changes and new policy direction, a new NPRM will be developed to place greater emphasis on and to facilitate State participation in this program. The new NPRM would also simplify the regulation and incorporate the provisions of Pub. L. 95-626. These regulations will simplify application requirements for States, give certain priorities to awards to States, and will offer alternatives for States to meet requirements which have tended to be barriers to States.

Timetable:

Action	Date	FR Cite
Previous NPRM	12/19/80	45 FR 85366
NPRM	04/00/85	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: This regulation will increase opportunities for States to become grantees under this program. Not every State will choose to implement this approach and it is anticipated that many who do will implement it in co-application with existing grantees. Therefore, it is expected that this regulation will not have a significant impact on a substantial number of small entities as defined by the Regulatory Flexibility Act.

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Public Health Service, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905–AA62

194. PROGRAM GRANTS FOR BLACK LUNG CLINICS

Legal Authority: 30 USC 937(a)

CFR Citation: 42 CFR 55a

Abstract: This is a notice of proposed rulemaking (NPRM) which would amend the current Black Lung Clinics regulation. It would implement an administrative decision to simplify the regulation and to foster a greater role for the States in the administration of the program.

Timetable:

Action	Date	FR Cite
NPRM	11/01/83	48 FR 50363
NPRM Comment Period Begin	11/01/83	48 FR 503[illegible]
NPRM Comment Period End	12/16/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Public Health Service, Legislation and Policy, BHCDA, Room 7-05, 5600 Fishers Lane, Rockville, MD 20857, 301 443-2380

RIN: 0905–AA64

195. HEALTH MAINTENANCE ORGANIZATIONS

Priority: Agency Determination

Legal Authority: 42 USC 216, as amended; 42 USC 300e to 300e-17, as amended

CFR Citation: 42 CFR 110

Abstract: The regulations at 42 CFR Part 110, Subparts A,B,C,H, & I would be amended to provide needed regulatory guidance concerning certain provisions in the Health Maintenance Organization Amendments of 1981. These rules govern the organization and operation of health maintenance organizations (HMOs). These rules specifically establish requirements for certain employers and States to offer to their employees the option of membership in qualified HMOs; and establish requirements for continued compliance of Federally qualified HMOs. Changes would include regulatory interpretations of community rating by class, the definition of primary care outside of the HMO's service area, and the protection of HMO members from liability of payment of any fees which are the legal obligation of the HMO. In addition, the regulations would be amended to delete burdensome or unnecessary regulatory provisions.

Timetable:

Action	Date	FR Cite
NPRM	03/22/83	48 FR 12060
NPRM Comment Period Begin	03/22/83	
NPRM Comment Period End	05/23/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Dwight Blankenbaker, Director, Policy Office, HMO, Department of Health and Human Services, Public Health Service, Bureau of HMOs & Resources Development, 5600 Fishers Lane, Rockville, MD 20857, **301 443-4106**

RIN: 0905-AA65

196. PROJECT GRANTS AND LOANS FOR HOME HEALTH SERVICES AND TRAINING

Priority: Agency Determination

Legal Authority: 42 USC 255

CFR Citation: 42 CFR 51e

Abstract: Title III of the Public Health Service Act was amended by section 6 of the Orphan Drug Act of 1983 (P.L. 97-414). The effect of the amendment authorizes a new program of grants and loans to support home health services. Specifically, it authorizes grants to nonprofit agencies and loans to proprietary agencies to establish and operate home health programs. It also authorizes grants and contracts for training paraprofessionals to provide home health services, with special consideration given to trainees 50 years of age or older. The amendment requires five separate reports to Congress and requires the Secretary to develop and carry out demonstration projects regarding patients at risk of institutionalization and alternative reimbursement methodologies. The program is expected to impact in cost savings through better methods of identifying patients at risk and decreasing the length and frequency of hospital stays.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Health Resources and Services Administration, Legislation and Policy, BHCDA, 5600 Fishers Lane, Room 7-05, Rockville, MD 20857, **301 443-2380**

RIN: 0905-AB11

197. PRIMARY CARE BLOCK GRANT PROGRAM

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 300Y to 300Y11

CFR Citation: 42 CFR 51; 45 CFR 74; 45 CFR 96

Abstract: Section 1932 of the Public Health Service Act was amended by section 8 of the Orphan Drug Act of 1983 (P.L. 97-414). The effect of the amendment requires the Secretary to promulgate separate regulations for the Primary Care Block Grant taking into consideration the distinctive features of the program such as: the program consists principally of community health centers; the States have the option of assuming responsibility for the program; the States have to make a substantial financial contribution; if a State opts for the block, it agrees to continue to provide a statutory range of services; new centers could only be established in medically underserved areas; and procedural safeguards protecting existing centers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: James J. Corrigan, Associate Bureau Director, Department of Health and Human Services, Health Resources and Services Administration, Legislation and Policy, BHCDA, 5600 Fishers Lane, Room 7-05, Rockville, MD 20857, **301 443-2380**

RIN: 0905-AB12

198. HEALTH PROFESSIONS STUDENT LOAN (HPSL) PROGRAM; DUE DILIGENCE

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 294m to 294q

CFR Citation: 42 CFR 57, Subpart C

Abstract: This notice of proposed rulemaking will amplify due diligence requirements in the regulations implementing the Health Professions Student Loan Program (Section 740 of the Public Health Service Act).

Timetable:

Action	Date	FR Cite
NPRM	09/06/84	49 FR 35324
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Dev. Br., DSA, BHPr, Department of Health and Human Services, Public Health Service, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, **301 443-4540**

RIN: 0905-AB14

199. NURSING STUDENT LOAN (NSL) PROGRAM; DUE DILIGENCE

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 297a to 297h

CFR Citation: 42 CFR 57, Subpart D

Abstract: This notice of proposed rulemaking will amplify due diligence requirements in the regulations implementing the Nursing Student Loan Program (Section 835 of the Public Health Service Act).

Timetable:

Action	Date	FR Cite
NPRM	09/06/84	49 FR 35328
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms Peggy Washburn, Chief, Program Dev. Br., DSA, BHPr, Department of Health and Human Services, Public Health Service, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, **301 443-4540**

RIN: 0905-AB15

200. TECHNICAL AMENDMENTS TO INDIAN HEALTH SERVICE GRANT REGULATION REVISING 42 CFR PART 36, SUBPARTS H AND J, TO CONFORM WITH 45 CFR 74

Legal Authority: 5 USC 301; 25 USC 450; 25 USC 1601

CFR Citation: 42 CFR 36, Subpart H; 42 CFR 36, Subpart J; 45 CFR 74

Abstract: IHS has been directed by the Department to revise 42 CFR 36, Subparts H and J, as required by the Uniform Administrative Requirements for Grants-in-Aid to State and local Governments, Circular No. A-102, Revised (published September 12, 1977, 42 FR 45828), to conform with the Department's regulations on grant administration (45 CFR Part 74). IHS is also to consult with the tribes and the final rule may not go into effect until 30 days after publication in the Federal Register. Changes to Subpart J are governed by Section 702(b) of P.L. 94-437 which requires that any changes be

published with at least a 60-day comment period and that IHS will consult with appropriate national or regional Indian organizations to the extent practicable.

Timetable:

Action	Date	FR Cite
NPRM	11/17/83	48 FR 52410
NPRM Comment Period Begin	11/17/83	48 FR 52410
NPRM Comment Period End	01/16/84	
Final Action	11/00/84	

Small Entity: No

Additional Information: REGULATIONS MERGED: RIN 0905-AB18, Grants for Development, Construction, and to make this new action Operations of Facilities and Services, merged with RIN 0905-AB19, Indian Health Care Improvement Act Programs.

Agency Contact: Richard J. McCloskey, Dir, Off of Legislation & Regulations, IHS, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 6A-14, Rockville, MD 20857, 301 443-1116

RIN: 0905-AB23

201. HEALTH PROFESSIONS STUDENT LOAN PROGRAM: PERFORMANCE STANDARD

Legal Authority: 42 USC 216; 42 USC 294m to 294q

CFR Citation: 42 CFR 57, Subpart C

Abstract: This proposed rule would amend existing regulations governing the Health Professions Student Loan (HPSL) program and would modify the procedures for determining whether or not a school is in compliance with the 5 percent performance standard.

Timetable:

Action	Date	FR Cite
NPRM	06/03/83	48 FR 25071
NPRM Comment Period Begin	06/04/83	48 FR 25071
NPRM Comment Period End	07/05/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Ms Peggy Washburn, Chief, Prog. Dev. Br., DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-48, Rockville, MD 20857, 301 443-4540

RIN: 0905-AB24

202. INDIAN HEALTH SERVICE, 42 CFR PART 36 SUBPART I, CONTRACTS UNDER THE INDIAN SELF-DETERMINATION ACT: AMENDMENTS

Legal Authority: 25 USC 450G

CFR Citation: 42 CFR 36, Subpart I

Abstract: This is a revision to implement a policy to charge interest and penalties on delinquent debts. This is in compliance with Department of the Treasury's guidelines pertaining to debt collection activities and the joint regulations issued on April 17, 1981, by the Attorney General and the Comptroller General and is consistent with the Debt Collection Act of 1982 (P.L. 97-365). This will require a change to the Department's Indian Health Service (IHS) P.L. 93-638 regulations to include a new contract/grant clause.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Richard J. McCloskey, Director, Office of Leg. & Reg. Services, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, PKLN Bldg. Rm. 6A-20, Rockville, MD 20857, 301 443-1116

RIN: 0905-AB31

203. GRANTS FOR NURSE ANESTHETISTS TRAINEESHIPS

Legal Authority: 42 USC 216; 42 USC 297-1

CFR Citation: 42 CFR 57, Subpart F (Proposed)

Abstract: These proposed rules would implement section 831 of the Public Health Service Act to make grants to public or private nonprofit institutions to cover the costs of traineeships for the training, in programs which meet such requirements as the Secretary shall by regulation prescribe and which are accredited by an entity or entities designated by the Secretary of Education, of licensed registered nurses to be nurse anesthetists.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Mrs. Gretchen Osgood, Deputy Director, Division of Nursing, BHPr, Department of Health and Human Services, Public Health Service, 5600 Fishers Lane, Room 5C-26, Rockville, MD 20857, 301 443-5786

RIN: 0905-AB33

204. ● REVISIONS TO HILL-BURTON GRANT RECOVERY REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 216; 42 USC 300R; 42 USC 300S; 42 USC 300S-6

CFR Citation: 42 CFR 53, Subpart M

Abstract: Included in the Deficit Reduction Act of 1984 are amendments dealing with recovery of Hill-Burton grant funds. This regulation would revise the current regulations at 42 CFR 53 Subpart M to conform with the provisions of the Deficit Reduction Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/84	

Small Entity: No

Agency Contact: Richard R. Ashbaugh, Acting Associate Dir. for Health Facilities, Department of Health and Human Services, Public Health Service, 5600 Fishers Lane, Room 11-03, Rockville, Maryland 20857, 301 443-6560

RIN: 0905-AB45

205. ● REVISED HEAL PROGRAM REGULATIONS

Legal Authority: 42 USC 216; 42 USC 294 to 294l

CFR Citation: 42 CFR 60

Abstract: This proposed rule would revise existing regulations governing the Health Education Assistance Loan (HEAL) program, authorized by the PHS Act. These proposed revisions would strengthen the regulations to improve the due diligence procedures at schools and lending institutions for making,

servicing, and collecting HEAL loans and would clarify the rights and responsibilities of lenders, schools, borrowers, and the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Dev. Branch, DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 8-48, Rockville, Maryland, 20857, **301 443-4540**

RIN: 0905-AB46

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Completed Actions

Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

COMPLETED RULEMAKINGS

206. MINIMUM REQUIREMENTS FOR CONSTRUCTION AND EQUIPMENT FOR HOSPITAL AND MEDICAL FACILITIES

Priority: Agency Determination

CFR Citation: 42 CFR 124, Subpart C

Completed:

Reason	Date	FR Cite
Final Action	08/20/84	49 FR 33019

Small Entity: No

Agency Contact: Richard R. Ashbaugh **301 443-6560**

RIN: 0905-AA34

207. GRANTS FOR PREDOCTORAL, GRADUATE, AND FACULTY DEVELOPMENT EDUCATION PROGRAMS IN FAMILY MEDICINE

CFR Citation: 42 CFR 57, Subpart Q

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11612
Final Action Effective	03/26/84	49 FR 11612

Small Entity: No

Agency Contact: Daniel N. Masica, M.D. **301 443-6190**

RIN: 0905-AA43

208. GRANTS FOR RESIDENCY TRAINING IN GENERAL INTERNAL MEDICINE OR GENERAL PEDIATRICS

CFR Citation: 42 CFR 57, Subpart FF

Completed:

Reason	Date	FR Cite
Final Action	02/24/84	49 FR 6905
Final Action Effective	02/24/84	49 FR 6905

Small Entity: No

Agency Contact: Daniel N. Masica, M.D. **301 443-6190**

RIN: 0905-AA44

209. HEALTH PROFESSIONS CURRICULUM DEVELOPMENT

CFR Citation: 42 CFR 57, Subpart NN

Completed:

Reason	Date	FR Cite
Final Action	05/11/84	49 FR 19999
Final Action Effective	05/11/84	49 FR 19999

Small Entity: No

Agency Contact: Mr. David B. Hoover **301 443-6853**

RIN: 0905-AA45

210. INDIAN HEALTH SERVICE/HEALTH RESOURCES AND SERVICES ADMINISTRATION; PREGRADUATE EDUCATION SCHOLARSHIP PROGRAM

CFR Citation: 42 CFR 36, Subpart J

Completed:

Reason	Date	FR Cite
Final Action	02/29/84	49 FR 7380
Final Action Effective	02/29/84	49 FR 7380

Small Entity: No

Agency Contact: Pierre Colombel **301 443-5441**

RIN: 0905-AA51

211. GRANTS FOR TRAINEESHIPS IN HEALTH ADMIN., HOSPITAL ADMIN., OR HEALTH POLICY ANALYSIS AND PLANNING AT PUBLIC OR NON-PROFIT PRIVATE EDUC. INSTITUTIONS OTHER THAN SCHOOLS OF PUBLIC HEALTH

CFR Citation: 42 CFR 58, Subpart D

Completed:

Reason	Date	FR Cite
Final Action	05/22/84	49 FR 21534
Final Action Effective	05/22/84	49 FR 21534

Small Entity: No

Agency Contact: Joseph Kadish, Ed.D. **301 443-6896**

RIN: 0905-AB16

212. GRANTS FOR GRADUATE PROGRAMS IN HEALTH ADMINISTRATION

CFR Citation: 42 CFR 58, Subpart A

Completed:

Reason	Date	FR Cite
Final Action	05/22/84	49 FR 21534
Final Action Effective	05/22/84	49 FR 21534

Small Entity: No

Agency Contact: Joseph Kadish, Ed.D. **301 443-6896**

RIN: 0905-AB17

213. HEALTH EDUCATION ASSISTANCE LOAN PROGRAMS: INSURANCE PREMIUM CHANGES

Priority: Agency Determination

CFR Citation: 42 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	07/25/84	49 FR 29958
Final Action Effective	07/25/84	49 FR 29958

Small Entity: No

Agency Contact: Ms. Peggy Washburn **301 443-4540**

RIN: 0905-AB32

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—National Institutes of Health (NIH)

Current and Projected Rulemakings

214. NATIONAL LIBRARY OF MEDICINE PROGRAMS. REVISION OF GENERAL RULES FOR THE NATIONAL LIBRARY OF MEDICINE AND NATIONAL LIBRARY OF MEDICINE GRANTS

Legal Authority: 42 USC 216; 42 USC 276; 42 USC 280b-4

CFR Citation: 42 CFR 4; 42 CFR 59a; 42 CFR 63; 42 CFR 64

Abstract: All of the regulations are being substantially clarified and reduced in size by eliminating out of date or otherwise available information. The regulations at 42 CFR Part 4 pertain to the access of facilities and library collections. Those at 42 CFR Part 59a deal with NLM extramural programs. Part 59a is being amended to remove the requirement that photocopies of biomedical material be provided without charge to users. The regulations at 42 CFR Part 63 deal with both NIH and NLM traineeships. Part 63 is proposed to be deleted because NIH no longer has general traineeship authority and the sole remaining NLM program is unfunded. The regulations at 42 CFR Part 634 govern the training grants of NIH and NLM.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Kenneth Carney, Executive Officer, Department of Health and Human Services, Public Health Service, National Library of Medicine, Bethesda, MD 20209, **301 496-6491**

RIN: 0905-AA66

215. NATIONAL INSTITUTES OF HEALTH CENTER GRANTS 42 CFR 52A

Legal Authority: 42 USC 287d; 42 USC 289c-2; 42 USC 289c-6

CFR Citation: 42 CFR 59a

Abstract: The regulations would cover grants by the National Institutes of Health for support of research and demonstration centers. They would replace existing regulations covering only centers supported by the National Heart, Lung and Blood Institute. These regulations would be available for other center programs which may be created in the future or operated under the general research authorities of NIH.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Lowell D. Peart, NIH Regulations Officer, Department of Health and Human Services, National Institutes of Health, Bethesda, MD 20205, **301 496-4606**

RIN: 0905-AA68

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Health Care Financing Administration (HCFA)

Current and Projected Rulemakings

216. IMPOSITION OF COST SHARING CHARGES UNDER MEDICAID

Priority: Task Force

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 431.55; 42 CFR 447.15; 42 CFR 447.53

Abstract: This final rule responds to comments received on a final rule with comment period published on February 8, 1983 (48 FR 5730). That rule set forth revised requirements concerning the imposition of cost sharing charges on Medicaid recipients when they receive medical services covered by Medicaid. This document clarifies the recipient's liability for cost sharing charges and makes other revisions based on public comments.

Timetable:

Action	Date	FR Cite
Final Rule with Comment	02/08/83	48 FR 05730
Final Action	10/00/84	

Small Entity: No

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Medicaid Eligibility Policy, Room 416, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, **301 594-9051**

RIN: 0938-AA02

217. MEDICAID OVERPAYMENT REPORTING REQUIREMENTS

Priority: Agency Determination

Legal Authority: 31 USC 951 to 953; 42 USC 1302

CFR Citation: 42 CFR 447.401 to 447.431

Abstract: This regulation requires States to establish procedures to establish overpayments made to providers of services and report and refund them to HCFA on a timely basis. It is intended to reduce State and Federal Medicaid costs and improve program efficiency.

Timetable:

Action	Date	FR Cite
NPRM	04/05/83	48 FR 14664
Final Action	10/00/84	

Small Entity: No

Agency Contact: Dan Metzman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Overpayments, Room 1-B-2, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, **301 594-8194**

RIN: 0938-AA04

218. MMIS: CONDITIONS OF APPROVAL AND REAPPROVAL AND PROCEDURES FOR REDUCTION OF FEDERAL FINANCIAL PARTICIPATION

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395hh; 42 USC 1396(g)(4); 42 USC 1396(b)(3)

CFR Citation: 42 CFR 433.110 to 433.114; 42 CFR 433.116 to 433.117; 42 CFR 433.119 to 433.123; 42 CFR 433.127; 42 CFR 433.130 to 433.131; 42 CFR 400.310

Abstract: This regulation would establish conditions for initial approval of MMIS and for subsequent reapproval. It would also establish procedures for reduction of FFP for MMIS in those States failing to meet

initial or reapproval standards. It is intended to improve effectiveness of States' MMIS; to ensure efficient system operations; to better detect cases of fraud, waste and abuse effectively; and to reduce Medicaid program costs.

Timetable:

Action	Date	FR Cite
NPRM	03/03/83	48 FR 9038
Final Action	11/00/84	

Small Entity: No

Agency Contact: Daniel Baker, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Methods & Syst Requiremts, Rm 2-A-1, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, **301 594-5415**

RIN: 0938–AA05

219. WITHHOLDING THE FEDERAL SHARE OF PAYMENTS TO RECOVER MEDICARE OR MEDICAID OVERPAYMENTS

Priority: Agency Determination

Legal Authority: PL 97-35, Sec 2104; 42 USC 1395vv; PL 96-499, Sec 905; 42 USC 1396a(a)(13); 42 USC 1396b(a)(1); 42 USC 1396b(j); 42 USC 1396b(h)

CFR Citation: 42 CFR 400.310; 42 CFR 405.301; 42 CFR 405.375; 42 CFR 447.30; 42 CFR 447.31

Abstract: This regulation provides for the recovery of overpayments to providers and physicians under Medicare and Medicaid by withholding the Federal share of payments. It is intended to improve financial management, promote efficiency and increase accountability for overpayments.

Timetable:

Action	Date	FR Cite
NPRM	02/10/83	48 FR 06304
Interim Final Rule	10/00/84	

Small Entity: No

Agency Contact: Dan Metzman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Overpayments, Room 1-B-2, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, **301 594-8194**

RIN: 0938–AA09

220. INTEREST ASSESSMENT ON OVERPAYMENTS AND UNDERPAYMENTS TO PROVIDERS AND SUPPLIERS

Priority: Agency Determination

Legal Authority: 42 USC 1395g

CFR Citation: 42 CFR 405.376; 42 CFR 405.419

Abstract: This regulation gives HCFA the authority to assess interest on overpayments to Medicare providers and suppliers of services and requires HCFA to pay interest on underpayments. It conforms HCFA actions to the Federal Claims Collection Act and to existing Departmental regulations. It is intended to improve efficiency and to promote better management.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/06/82	47 FR 54811
Final Action	10/00/84	

Small Entity: No

Agency Contact: Dan Metzman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Overpayments, Room 1-B-2, Meadows East Bldg, 6325 Security Blvd., Baltimore, MD 21207, **301 594-8194**

RIN: 0938–AA11

221. HOME HEALTH AGENCIES: AIDE TRAINING AND FINANCIAL SECURITY REQUIREMENTS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395f; 42 USC 1395g; 42 USC 1395j to 1395v; 42 USC 1395x to 1395z; 42 USC 1395aa to 1395cc; 42 USC 1395gg; 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395ww; 42 USC 1395xx

CFR Citation: 42 CFR 405.236; 42 CFR 405.402; 42 CFR 405.419; 42 CFR 405.429; 42 CFR 405.1031; 42 CFR 405.1101; 42 CFR 405.1201 to 405.1202; 42 CFR 405.1227; 42 CFR 405.1231; 42 CFR 405.1702; 42 CFR 405.1731

Abstract: These regulations would establish home health aide training, supervision, and duty requirements applicable to all home health agencies that provide home health aide services under Part A or B of the Medicare program. They would require home health agencies participating in Medicare to meet conditions, including bonding or establishment of escrow accounts, to ensure the financial security of the Medicare program. The regulation would also amend the existing Medicare definition of a foreign trained physical therapist by deleting certain outdated requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Agency Contact: Stefan Miller, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Laboratory and Ambulatory Services Branch, 300 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 597-6394**

RIN: 0938–AA13

222. HOME AND COMMUNITY BASED SERVICES

Priority: Agency Determination

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.726; 42 CFR 435.735; 42 CFR 435.217; 42 CFR 436.217; 42 CFR 440.180; 42 CFR 441.302; 42 CFR 441.303; 42 CFR 441.304; 42 CFR 441.306; 42 CFR 441.310; 42 CFR 435.3; 42 CFR 435.232

Abstract: This regulation allows States to reduce Medicaid expenses for institutional care and gives the beneficiary an opportunity to receive necessary services at home. Clarifies the deeming of income methodology to prevent unnecessary institutionalization to qualify for benefits. It is intended to revise regulations to provide maximum flexibility to the States and make them less burdensome.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/81	46 FR 48524
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Robert Wren, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Provider Services, Room 405, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, **301 594-9820**

RIN: 0938–AA19

223. CONDITIONS OF PARTICIPATION FOR HOSPITALS

Priority: Task Force

Legal Authority: 42 USC 1395t; 42 USC 1396d; 42 USC 1395hh; 42 USC 1395x; PL 98-369, Sec 2335; PL 98-369, Sec 2340

CFR Citation: 42 CFR 482.1 to 482.66

Abstract: This regulation simplifies requirements which hospitals must meet to be certified to participate in Medicare and Medicaid. It is intended to reduce Federal requirements, simplify and clarify regulations, and provide maximum flexibility in hospital administration while strengthening patient health and safety. This regulation is a review item of the Presidential Task Force on Regulatory Relief. It will also conform Medicare regulations to statutory changes made by PL 98-369 regarding certification of psychiatric and tuberculosis hospitals.

Timetable:

Action	Date	FR Cite
NPRM	01/04/83	48 FR 299
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Sheila Ryan, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Standards and Certification, 300 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-3775**

RIN: 0938-AA23

224. SNF COST LIMITS FOR COST REPORTING PERIODS BEGINNING 10/01/82

Priority: Agency Determination

Legal Authority: 42 USC 1395x(v)(1); PL 98-369, Sec 2319

CFR Citation: 42 CFR 405.460

Abstract: This notice would set a revised schedule of limits on SNF inpatient routine service costs for cost reporting periods beginning on or after October 1, 1982.

Timetable:

Action	Date	FR Cite
Proposed Notice	00/00/00	

Small Entity: Undetermined

Agency Contact: Carl Slutter, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Payment Policy, Rm. 1-F-3 ELR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-7365**

RIN: 0938-AA25

225. TREATMENT OF COST OF UNCOMPENSATED SERVICES FURNISHED IN FULFILLMENT OF A HILL-BURTON FREE CARE OBLIGATION

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395 et seq

CFR Citation: 42 CFR 405.420

Abstract: This regulation clarifies Medicare policy regarding reimbursement for services provided as free care under a Hill-Burton obligation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/82	47 FR 43656
Final Action	01/00/85	

Small Entity: No

Agency Contact: Paul Trimble, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Div. of Audits & Payment Policy, Rm. 1-A-5, East Low Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, **301 594-8640**

RIN: 0938-AA28

226. LIMITATION ON PAYMENT FOR SERVICES FURNISHED TO EMPLOYED AGED, THEIR SPOUSES, AND SPOUSES OF YOUNGER EMPLOYEES

Priority: Agency Determination

Legal Authority: PL 97-248, Sec 116(b); 42 USC 1395y(b); PL 98-369, Sec 2301; PL 98-369, Sec 2338

CFR Citation: 42 CFR 405.340; 42 CFR 405.341; 42 CFR 405.342; 42 CFR 405.343; 42 CFR 405.344

Abstract: The regulation requires employers to offer their employees age 65 through 69, their dependents and spouses age 65 through 69 of employees under age 65 and their dependents the same health benefits as offered to their younger employees. The provision makes Medicare the secondary payor for such employees. This provision amends the Federal Age Discrimination in Employment Act (ADEA).

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/13/83	48 FR 15902
Final Action	12/00/84	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Medicare Eligibility, BERC, Rm. 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9077**

RIN: 0938-AA31

227. AMENDING COST REPORTS AND REOPENING INTERMEDIARY PAYMENT DETERMINATIONS AND ADMINISTRATIVE REVIEW DECISIONS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395f(b); 42 USC 1395g; 42 USC 1395l; 42 USC 1395x(v); 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395ww; 42 USC 1395xx; 42 USC 405; 42 USC 1395g(a); 42 USC 1395x(v); 42 USC 1395ii; 42 USC 1395oo

CFR Citation: 42 CFR 405.453(f); 42 CFR 405.1833; 42 CFR 405.1885; 42 CFR 405.1887

Abstract: This proposal would establish rules to govern and distinguish between the amending of cost reports and the reopening of Medicare intermediary payment determinations and administrative review decisions. This proposal would provide guidance to intermediaries and the Provider Reimbursement Review Board concerning the circumstances under which those actions may be taken.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: George Cray, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Procedural Policy Branch, Room 349 EHR, 6325 Security Boulevard, Baltimore, MD 21207, **301 597-3874**

RIN: 0938-AA33

228. RECOGNITION OF STATE REIMBURSEMENT CONTROL SYSTEMS

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1395(a)(1)(F); 42 USC 1395hh; 42 USC 1305ww(c); PL 98-369, Sec 2315

CFR Citation: 42 CFR 403.300; 42 CFR 403.302; 42 CFR 403.304; 42 CFR 403.306; 42 CFR 403.308; 42 CFR 403.310; 42 CFR 403.312; 42 CFR 403.314; 42 CFR 403.316; 42 CFR 403.318; 42 CFR 403.320; 42 CFR 403.322

Abstract: This regulation would permit payment to hospitals under a State applied alternative reimbursement system if that system meets certain statutory and administrative requirements. This regulation also includes changes resulting from Pub. L. 98-369.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Agency Contact: Anthony Lovecchio, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Alternative Reimb. Systems, 1-A-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-4010**

RIN: 0938-AA34

229. SURVEY AND CERTIFICATION PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 1395t; 42 USC 1395x; 42 USC 1395bb; 42 USC 1395cc; 42 USC 1395hh; 42 USC 1396a; 42 USC 1396(i)

CFR Citation: 42 CFR 405; 42 CFR 431; 42 CFR 481; 42 CFR 442; 42 CFR 489; 42 CFR 490; 42 CFR 455; 42 CFR 485; 42 CFR 488; 42 CFR 491

Abstract: This regulation would streamline, simplify and integrate survey and certification procedures for providers and suppliers under Medicare and Medicaid. It is intended to accomplish effective monitoring with greater flexibility to States without loss of quality of health services.

Timetable:

Action	Date	FR Cite
NPRM	05/27/82	47 FR 23404
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Walter Merten, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Survey Procedures and Training, 2-K-1 DWE, 1849 Gwynn Oak Ave., Baltimore, MD 21207, **301 594-3812**

RIN: 0938-AA38

230. PAYMENTS TO HMOS AND CMPS

Legal Authority: 42 USC 1395x(s)(2)(H); 42 USC 1395mm; PL 98-369, Sec 2350

CFR Citation: 42 CFR 417, (New)

Abstract: These regulations would authorize both prospective reimbursement under risk-sharing contracts and cost-based reimbursement under reasonable cost reimbursement contracts for health maintenance organizations (HMOs) and other medical plans. These regulations also include changes resulting from P.L. 98-369.

Timetable:

Action	Date	FR Cite
NPRM	05/25/84	49 FR 22198
NPRM Comment Period Begin	05/25/84	
NPRM Comment Period End	07/09/84	
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Anthony Lovecchio, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Alternative Reimb. Systems, BERC, 1-A-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-4010**

RIN: 0938-AA43

231. RHC PROSPECTIVE REIMBURSEMENT

Legal Authority: 42 USC 1395l(a)(3)

CFR Citation: 42 CFR 405.2401 to 405.2430; 42 CFR 447.371

Abstract: This regulation would establish a prospective payment method for rural clinic health services under Medicare and Medicaid. It is intended to provide incentives for more efficient delivery of those services.

Timetable:

Action	Date	FR Cite
NPRM	12/01/82	47 FR 54113
Revised NPRM	08/00/85	

Small Entity: No

Agency Contact: Anthony Lovecchio, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Altern Reimbursemt Systems, Rm 1-A-1, East Low Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, **301 594-4010**

RIN: 0938-AA44

232. PHYSICIAN CERTIFICATION AND PLAN OF TREATMENT REQUIREMENTS

Legal Authority: PL 96-499, Sec 930(e); 42 USC 1302; 42 USC 1395hh; PL 98-369, Sec 2336

CFR Citation: 42 CFR 405.1633; 42 CFR 405.1634; 42 CFR 405.1717

Abstract: These rules confirm interim final rules published on October 26, 1982 (47 FR 47388) with changes that make it possible for certain additional physicians to certify need for home health services and to establish and review a plan of treatment for those services. The changes are responsive to public comments and also serve to implement section 2336 of Pub. L. 98-369. The rules also make clarifying changes with respect to timing and procedures for certification for home health services and outpatient physical therapy and speech pathology services.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/26/82	47 FR 47388
Final Action	11/00/84	

Small Entity: No

Agency Contact: Raymond T. Johnson, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Utilization Effectiveness Branch, BERC, Rm. 455 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9370**

RIN: 0938-AA46

233. MEDICAID ELIGIBILITY

Legal Authority: PL 97-248, Sec 137(b); PL 98-369, Sec 2373

CFR Citation: 42 CFR 435; 42 CFR 436

Abstract: This regulation would implement changes with respect to Medicaid eligibility groups and coverage criteria made by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) and the Deficit Reduction Act of 1984 (PL 98-369). Most of these

changes affect the provisions of September 30, 1981 regulations concerning Medicaid eligibility for the medically needy, published as a result of the Omnibus Budget Reconciliation Act of 1981. The regulations would also respond to public comments received on the September 30 regulations. Because of changes required by TEFRA and in order to respond to comments, an NPRM will be published rather than a final regulation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: No

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Medicaid Eligibility, Room 416, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, 301 594-9050

RIN: 0938-AA58

234. INTERMEDIATE SANCTION OF LONG-TERM CARE FACILITIES AND END STAGE RENAL DISEASE (ESRD) FACILITIES

Legal Authority: 42 USC 1302; 42 USC 1395; 42 USC 1395x; 42 USC 1395aa; 42 USC 1395cc; 42 USC 1395hh; PL 98-369, Sec 2352

CFR Citation: 42 CFR 405.1501; 42 CFR 405.1502; 42 CFR 442.1 to 442.2; 42 CFR 442.117 to 442.119; 42 CFR 489.1 to 489.3; 42 CFR 489.50; 42 CFR 489.53; 42 CFR 489.60; 42 CFR 489.62; 42 CFR 489.64; 42 CFR 489.66

Abstract: This regulation would authorize the Secretary and State Medicaid agencies to impose an alternative to terminating long-term care facilities found to be out of compliance with the Medicare conditions of participation or the Medicaid conditions of participation or standards. This regulation would also include changes that would implement provisions of P.L. 98-369 relating to flexible sanctions for End Stage Renal Disease (ESRD) facilities that are not in compliance with the Medicare program requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Brenda Suggs, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Long Term Care Services Branch, 2nd Floor, Dogwood East Bldg, 1848 Gwynn Oak Ave, Baltimore, MD 21207, 301 594-5017

RIN: 0938-AA60

235. THIRD PARTY LIABILITY (TPL), PREMIUM FFP RATES, MANDATORY ASSIGNMENT OF RIGHTS TO PAYMENTS; SOURCES OF STATE FUND

Legal Authority: 42 USC 1396a(a)(25); 42 USC 1396b(d)(2); PL 98-369, Sec 2367

CFR Citation: 42 CFR 432.2; 42 CFR 432.50; 42 CFR 432.60; 42 CFR 433.15; 42 CFR 433.45; 42 CFR 433.136; 42 CFR 433.139; 42 CFR 433.149; 42 CFR 433.151 to 433.152; 42 CFR 433.145; 42 CFR 433.137; 42 CFR 435.604

Abstract: This regulation provides States with flexibility in establishing their programs so as to maximize operational efficiency and promote cost-avoidance procedures. It is intended to promote program management efficiency and reduce program costs by increasing TPL recoveries. This regulation also conforms the Medicaid regulations to statutory changes that require Medicaid applicants to assign to the State their rights to third party payments as a condition of eligibility.

Timetable:

Action	Date	FR Cite
NPRM	06/04/84	49 FR 23078
Final Action	03/00/85	

Small Entity: No

Agency Contact: William Hickman, Director, Department of Health and Human Services, Health Care Financing Administration, Division of Operations, BPO, Room 367, Meadows East Bldg, 6300 Security Blvd, Baltimore, MD 21207, 301 594-9101

RIN: 0938-AA65

236. MEDICAID MANAGEMENT INFORMATION SYSTEMS: SYSTEM REQUIREMENTS

Legal Authority: 42 USC 1396b

CFR Citation: Not applicable

Abstract: This notice will notify Medicaid State agencies with Medicaid Management Information Systems of new system requirements for diagnostic coding; uniform billing for hospitals; standard electronic media billing formats for hospital bills. It is intended to reduce the administrative burden on providers and promote program efficiency.

Timetable:

Action	Date	FR Cite
Proposed Notice	04/19/83	48 FR 16750
Final Action	11/00/84	

Small Entity: Undetermined

Agency Contact: William Grant, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Method & Systems Requirmts, Rm 2-A-1, Meadows East Bldg, 6325 Security Blvd, Baltimore, MD 21207, 301 594-7847

RIN: 0938-AA75

237. MENTAL RETARDATION—DEFINITION OF "PERSONS WITH RELATED CONDITIONS"

Legal Authority: 42 USC 1302; 42 USC 1396d

CFR Citation: 42 CFR 435.1009

Abstract: This regulation would amend Medicaid regulations on intermediate care facility services for the mentally retarded persons with related conditions by revising the current definition of "persons with related conditions". This definition is presently tied to the definition of developmental disability in the Developmental Disabilities Assistance and Bill of Rights Act (DDABRA). This regulation establishes a Medicaid definition of conditions related to mental retardation that would meet the specific needs of the Medicaid program and would be independent of the definition of developmental disability in the DDABRA.

Timetable:

Action	Date	FR Cite
NPRM	02/23/83	48 FR 7593
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Robert Wren, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Provdr Servcs Coverage Policy, Rm 405, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, **301 594-9820**

RIN: 0938-AA78

238. FEDERAL FINANCIAL PARTICIPATION FOR INMATES IN PUBLIC INSTITUTIONS AND INDIVIDUALS IN AN INSTITUTION FOR MENTAL DISEASE OR TUBERCULOSIS

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.1008; 42 CFR 436.1004

Abstract: This regulation would preclude the availability of Federal matching funds in expenditures for all services to an individual who is an inmate in a public institution or to an individual under age 65 who is a patient in an institution for mental diseases or tuberculosis from the date of admission to the date of discharge. We would continue to provide matching funds in expenditures for services for individuals under age 22 who are receiving inpatient psychiatric services.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	48 FR 13446
NPRM Comment Period End	05/02/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Roy Trudel, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility Policy, 416 East High Rise Bldg., 6325 Security Blvd, Baltimore, Maryland 21207, **301 594-9128**

RIN: 0938-AA93

239. PAYMENTS TO INSTITUTIONS

Legal Authority: 42 USC 1396a; 42 USC 1396b

CFR Citation: 42 CFR 435.722; 42 CFR 435.725; 42 CFR 435.733; 42 CFR 435.832; 42 CFR 436.832

Abstract: This regulation alleviates problems encountered by States in calculating patient income to be applied to the cost of care in institutions. It extends Medicaid eligibility to certain individuals in medical institutions. It is intended to permit States greater flexibility in administering their programs (Regulatory Reform).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility, Room 416 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9050**

RIN: 0938-AB00

240. BENEFIT PERIOD DETERMINATIONS

Legal Authority: 42 USC 1395d; 42 USC 1395x

CFR Citation: 42 CFR 405; 42 CFR 409

Abstract: This regulation would amend current regulations regarding Medicare spell of illness to create a distinction between "inpatient" and "resident" for purposes of determining whether a patient is an inpatient of an SNF.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Bob Wren, Director, Division of Provider Services, Department of Health and Human Services, Health Care Financing Administration, Room 405 East High Rise, 6325 Security Boulevard, Baltimore, MD 21207, **301 594-9820**

RIN: 0938-AB03

241. CLAIMS PROCESSING ASSESSMENT SYSTEM

Legal Authority: 42 USC 1396a(a)(4); 42 USC 1396b(r)(4)

CFR Citation: 42 CFR 431.800

Abstract: This regulation would revise claims processing requirements for Medicaid Quality Control (MQC) systems. It would propose that current claims processing elements of the MQC system would become part of the Medicaid Management Information System (MMIS) and be added as a condition for annual MMIS approval and reapproval. These changes are intended to increase State flexibility in reporting requirements and reduce the burden on States under the current MQC system.

Timetable:

Action	Date	FR Cite
NPRM	08/09/83	48 FR 36151
NPRM Comment Period Begin	08/09/83	48 FR 36151
NPRM Comment Period End	09/08/83	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Marianne Faulstich, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Claims Processing Assessment Work Group, 2-K-1 ELR, 6325 Security Boulevard, Baltimore, MD 21207, **301 597-3961**

RIN: 0938-AB04

242. MISCELLANEOUS CONFORMING AMENDMENTS

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 405; 42 CFR 408; 42 CFR 409; 42 CFR 430; 42 CFR 431; 42 CFR 433; 42 CFR 435; 42 CFR 441; 42 CFR 442

Abstract: These rules amend existing Medicare and Medicaid regulations to conform them to statutory and policy changes that have occurred since those regulations were last published. The pertinent statutory changes are primarily those contained in the Omnibus Reconciliation Acts of 1980 and 1981 (P.L. 96-499 and P.L. 97-35), the Tax Equity and Fiscal Responsibility Act of 1982 (P.L. 97-248), the Social Security Amendments of 1983 (P.L. 98-21), and the Continuing Appropriations for Fiscal Year 1982 (P.L. 97-161).

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Agency Contact: Luisa Iglesias, Technical Assistant, Department of Health and Human Services, Health Care Financing Administration, BERC Regulations Staff, 4230 North, 300 Independence Ave., S.W., Washington, DC 20201, **202 245-0383**

RIN: 0938-AB05

243. EARLY AND PERIODIC SCREENING, DIAGNOSIS, AND TREATMENT (EPSDT) PROGRAM

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 441.50; 42 CFR 441.51; 42 CFR 441.55; 42 CFR 441.56; 42 CFR 441.57; 42 CFR 441.58; 42 CFR 441.59; 42 CFR 441.60; 42 CFR 441.61; 42 CFR 441.62; 42 CFR 441.70; 42 CFR 441.71; 42 CFR 441.75; 42 CFR 441.80; 42 CFR 441.85

Abstract: This regulation would eliminate the penalty under Medicaid which reduces Federal funds for a State's Aid to Families with Dependent Children (AFDC) program for any quarter during which a State fails to meet certain requirements, which States must incorporate into their State plan. In addition it would modify current Medicaid EPSDT regulations with a view toward reducing Federal requirements, strengthening some aspects of current regulations, and providing maximum flexibility to States in the administration of the EPSDT program while maintaining quality child health care.

Timetable:

Action	Date	FR Cite
NPRM	08/22/83	48 FR 38611
NPRM Comment Period Begin	08/22/83	
NPRM Comment Period End	10/21/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Robert Wren, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Services, BERC, 405 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9820**

RIN: 0938-AB06

244. SPENDDOWN

Priority: Task Force

Legal Authority: 42 USC 1396a(a)(17); 42 USC 1396a(r)

CFR Citation: 42 CFR 435.732; 42 CFR 435.831; 42 CFR 436.732; 42 CFR 436.831

Abstract: These regulations permit States to revise the process by which medical expenses are considered in determining Medicaid eligibility. This process applies when an individual's income level during a budget period would ordinarily preclude eligibility except that incurred medical expenses reduce income to the eligibility level.

Timetable:

Action	Date	FR Cite
NPRM	09/02/83	48 FR 39959
NPRM Comment Period Begin	09/02/83	
NPRM Comment Period End	11/01/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Marinos Svolos, Director, Div. of Medicaid Eligibility, Department of Health and Human Services, Health Care Financing Administration, Room 416 East High Rise Bldg., 6325 Security Boulevard, Baltimore, MD 21207, **301 594-9050**

RIN: 0938-AB07

245. UTILIZATION AND QUALITY CONTROL PEER REVIEW ORGANIZATIONS: IMPOSITION OF SANCTIONS ON HEALTH CARE PRACTITIONERS AND PROVIDERS OF HEALTH CARE SERVICES

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1302c; 42 USC 1302c-5

CFR Citation: 42 CFR 474.0 to 474.58

Abstract: This regulation would establish certain rights and responsibilities of health care practitioners and other persons who provide health care services and establishes sanctions and penalties that the Secretary may impose for non-compliance. The regulations would also impose certain related responsibilities on utilization and quality control peer review organizations. These regulations are intended to assure that the public receives medically necessary, quality health services.

Timetable:

Action	Date	FR Cite
NPRM	04/18/84	49 FR 15233
Final Action	11/00/84	

Small Entity: No

Agency Contact: Anthony J. Tirone, Director, PRO Implementation Task Force, Department of Health and Human Services, Health Care Financing Administration, 1-K-3 Dogwood East Bldg., 1849 Gwynn Oak Avenue, Baltimore, MD 21207, **301 594-9208**

RIN: 0938-AB11

246. UTILIZATION AND QUALITY CONTROL PEER REVIEW ORGANIZATION (PRO): ASSUMPTION OF RESPONSIBILITIES AND MEDICARE REVIEW FUNCTIONS AND COORDINATION OF MEDICAID WITH PROS

Priority: Agency Determination

Legal Authority: 42 USC 1320c Note; 42 USC 1320c to 1320c-12; 42 USC 1395cc(a); 42 USC 1302; 42 USC 1395g; 42 USC 1395l; 42 USC 1395u; 42 USC 1395y; 42 USC 1395cc; 42 USC 1395gg; 42 USC 1395kk; 42 USC 1395pp; 42 USC 1395k; 42 USC 1396a(d); 42 USC 1396h(a)(3)(c)

CFR Citation: 42 CFR 405; 42 CFR 431; 42 CFR 433; 42 CFR 456; 42 CFR 466

Abstract: This regulation would set forth requirements for the conduct of review and relations with Medicaid with respect to Utilization and Quality Control Peer Review Organizations (PROs). This regulation would redirect, simplify and enhance the cost-effectiveness of the program of peer review under Medicare. This regulation also includes changes to require all hospitals under Medicare to have an agreement with a PRO or a Professional Standards Review Organization and to permit limited provider representation in a PRO governing body.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 29026
Final Action	11/00/84	

Small Entity: No

Agency Contact: Kay Terry, Director, Division of Peer Review, Department of Health and Human Services, Health Care Financing Administration, 2-K-3 Dogwood East Building, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, **301 594-7910**

RIN: 0938-AB12

247. ACQUISITION PROTECTION AND DISCLOSURE OF UTILIZATION AND QUALITY CONTROL PEER REVIEW ORGANIZATION INFORMATION

Priority: Agency Determination

Legal Authority: 42 USC 1302; 42 USC 1320c to 1320c-12

CFR Citation: 42 CFR 476

Abstract: This regulation sets forth requirements for the acquisition, protection and disclosure of information obtained or generated by Utilization and Quality Control Peer Review Organizations (PROs). This regulation provides PROs with the right to access necessary information and sets forth their responsibilities to assure that information once acquired is adequately safeguarded and used for proper purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/16/84	49 FR 14977
Final Action	11/00/84	

Small Entity: No

Agency Contact: Mary K. Terry, Director, Div. of Review Programs, Department of Health and Human Services, Health Care Financing Administration, 2-K-3 Dogwood East Building, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, 301 594-7910

RIN: 0938-AB13

248. PERFORMANCE CRITERIA AND STATISTICAL STANDARDS FOR EVALUATING INTERMEDIARY PERFORMANCE DURING FISCAL YEAR 1984

Legal Authority: 42 USC 1395h

CFR Citation: Not applicable

Abstract: This notice would update the performance criteria and statistical standards to be used for evaluating the performance of fiscal intermediaries in the administration of the Medicare program for fiscal year 1984. The results of the evaluations would be considered whenever HCFA enters into, renews, or terminates an intermediary agreement; assigns or reassigns providers of services to an intermediary; or designates regional or national intermediaries.

Timetable:

Action	Date	FR Cite
Proposed Notice	04/12/84	49 FR 14581
Final Action	10/00/84	

Small Entity: Not Applicable

Agency Contact: Newton Dikoff, Director, Division of Standards, Department of Health and Human Services, Health Care Financing Administration, Room 1-B-4 Meadows East Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-8190

RIN: 0938-AB19

249. RELATIONS WITH OTHER AGENCIES - BUY-IN, AND MISCELLANEOUS MEDICAID DEFINITIONS

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 431.625; 42 CFR 435.1009; 42 CFR 440.2; 42 CFR 440.10; 42 CFR 440.20; 42 CFR 440.80; 42 CFR 440.160; 42 CFR 441.151; 42 CFR 447.40; 42 CFR 431.800; 42 CFR 440.30

Abstract: This regulation revises several definitions and clarifies ambiguities in existing Medicaid regulations. These changes are a part of the Department's regulatory reform effort to clarify those regulations that are ambiguous or that have been identified as problematic.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	48 FR 13446
Final Action	03/00/85	

Small Entity: No

Agency Contact: Thomas Hoyer, Chief, Institutional Services Branch, Department of Health and Human Services, Health Care Financing Administration, Room 409 EHR, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-9446

RIN: 0938-AB21

250. PART A PREMIUM FOR UNINSURED AGED FOR 12-MONTH PERIOD BEGINNING 01/01/85

Legal Authority: 42 USC 1395i-2(d)(2)

CFR Citation: 42 CFR 405.100

Abstract: This notice announces Medicare's monthly hospital insurance premium for the uninsured aged for the 12 months beginning January 1, 1985.

Timetable:

Action	Date	FR Cite
Notice	09/30/84	

Small Entity: Not Applicable

Agency Contact: Barbara Klees, Acting Chief, Hospital Insurance Branch, Department of Health and Human Services, Health Care Financing Administration, 1-C-11 Oak Meadows Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-2780

RIN: 0938-AB22

251. PART B PREMIUM FOR 12-MONTH PERIOD BEGINNING 01/01/85

Legal Authority: 42 USC 1395r(a)(1), (3) and (4); 42 USC 1395r(e)(1) and (2)

CFR Citation: 42 CFR 405.902

Abstract: This notice announces the monthly actuarial rates for aged (age 65 and over) and disabled (under age 65) enrollees in the Medicare Supplementary Medical Insurance (SMI) program for the 12 months beginning January 1, 1985. It also announces the monthly SMI premium rate to be paid by all enrollees during the 12 months beginning January 1, 1985. In addition, the notice announces the extension of the Part B premium amount at 25 per cent of program costs for the calendar years 1986 and 1987.

Timetable:

Action	Date	FR Cite
Notice	09/30/84	

Small Entity: Not Applicable

Agency Contact: Carter Warfield, Actuary, Department of Health and Human Services, Health Care Financing Administration, 1-C-11 Oak Meadows Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-2893

RIN: 0938-AB23

252. PRO RECONSIDERATIONS AND APPEALS

Legal Authority: 42 USC 1302; 42 USC 1320c-4; 42 USC 1320c Note; 42 USC 1320c-3(g); 42 USC 1155; 42 USC 1866(a); 42 USC 1395cc(a)

CFR Citation: 42 CFR 473.7; 42 CFR 473.18; 42 CFR 473.20; 42 CFR 473.22; 42 CFR 473.24; 42 CFR 473.28; 42 CFR 473.30; 42 CFR 473.34; 42 CFR 473.36; 42 CFR 473.32; 42 CFR 473.42; 42 CFR 473.44; 42 CFR 473.46; 42 CFR 473.48; 42 CFR 473.50;

Abstract: This proposal implements that portion of Public Law 97-248 addressing reconsiderations and appeals of PRO denial determinations. It would establish procedures for (1) a PRO to reconsider its denial determinations regarding medical necessity, reasonableness and appropriateness of services and application of the waiver of liability provision; (2) appeals to the Department following a PRO reconsideration; and (3) judicial review following administrative hearings.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 29041
Final Action	11/00/84	

Small Entity: No

Agency Contact: Kay Terry, Director, Division of Review Policy, Department of Health and Human Services, Health Care Financing Administration, 2-K-3 Dogwood East Building, 1849 Gwynn Oak Avenue, Baltimore, MD 21207, **301 594-7910**

RIN: 0938-AB24

253. MEDICARE AND MEDICAID: CORRECTIONS AND CONFORMING CHANGES

Legal Authority: 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 408; 42 CFR 409; 42 CFR 440; 42 CFR 474; 42 CFR 456; 42 CFR 488

Abstract: This document corrects errors and omissions in final rules published on December 15, 1982 and March 25, 1983. It also makes technical corrections and conforming changes in other regulations that deal with principles of reimbursement, beneficiary appeals, physician certification, and program integrity. The changes are needed primarily to conform certain rules to other regulations that have been amended and to reflect statutory and policy changes that have occurred since the rules were last published.

Timetable:

Action	Date	FR Cite
Final Action	02/00/85	

Small Entity: No

Agency Contact: Luisa V. Iglesias, Technical Assistant, Department of Health and Human Services, Health Care Financing Administration, BERC Regulations Staff, Rm. 4230 North Bldg., 300 Indp. Ave. SW, Washington, D.C. 20201, **202 245-0383**

RIN: 0938-AB25

254. ELIMINATION OF THE AGGREGATION METHOD OF COMPUTING LESSER OF COSTS OR CHARGES AND THE CARRYOVER PROVISION

Legal Authority: 42 USC 1395f(b); 42 USC 1395l(a); PL 98-369, Sec 2308; PL 98-369, Sec 2321

CFR Citation: 42 CFR 405.455

Abstract: This regulation would eliminate application of the lower of cost or charges aggregation method for determining payment for services furnished under Part A or Part B of Medicare effective with cost reporting periods beginning on or after October 1, 1984. It would also eliminate the provision that allows for the accumulation and carry-forward of unreimbursed costs. In addition, this regulation would propose to implement sections 2308 (the aggregation method elimination) and 2321 (payment for durable medical equipment provided by home health agencies under the lower of cost or charges principle) of P.L. 98-369.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: William Goeller, Division Director, ORP, Department of Health and Human Services, Health Care Financing Administration, Room 1-H-5 East Low Rise, 6325 Security Boulevard, Baltimore, MD 21207, **301 597-1803**

RIN: 0938-AB29

255. INPATIENT HOSPITAL DEDUCTIBLE (1985)

Legal Authority: 42 USC 1395e(b) (2)

CFR Citation: Not applicable

Abstract: This notice provides for cost sharing amounts payable by the beneficiary for inpatient hospital services. It will inform the public of the revised rates.

Timetable:

Action	Date	FR Cite
Notice	09/30/84	

Small Entity: Not Applicable

Agency Contact: Barbara Klees, Acting Chief, Hospital Insurance Branch, Department of Health and Human Services, Health Care Financing Administration, 1-C-11 Oak Meadows Building, 6325 Security Boulevard, Baltimore, MD 21207, **301 594-2780**

RIN: 0938-AB30

256. REVISED RCE LIMITS - CY1984

Legal Authority: 42 USC 1395xx(a)(2)(B)

CFR Citation: 42 CFR 405.482

Abstract: This notice updates the reasonable compensation equivalent (RCE) limits for provider-based physicians for 1984.

Timetable:

Action	Date	FR Cite
Notice	01/00/85	

Small Entity: No

Agency Contact: Bernard Patashnik, Division Director, Department of Health and Human Services, Health Care Financing Administration, 1-A-5 East High Rise Building, 6325 Security Boulevard, Baltimore, MD 21207, **301 597-1335**

RIN: 0938-AB32

257. PROCEDURES FOR DETERMINING WHETHER PROVIDERS, PRACTITIONERS, OR OTHER SUPPLIERS OF SERVICES ARE LIABLE FOR CERTAIN NONCOVERED SERVICES

Legal Authority: 42 USC 1395hh; 42 USC 1395pp; 42 USC 1302; 42 USC 1395g; 42 USC 1395l; 42 USC 1395u; 42 USC 1395x; 42 USC 1395y; 42 USC 1395cc; 42 USC 1395gg; 31 USC 3711; 42 USC 1395f

CFR Citation: 42 CFR 405.195; 42 CFR 405.196; 42 CFR 405.332

Abstract: This proposal would revise the way HCFA applies the limitation of liability provision under section 1879 of the Social Security Act. It would implement section 145 of Pub. L. 97-248, that provides that a provider, practitioner or other supplier of services shall be deemed to have knowledge that payment cannot be made for noncovered services if the entity had previously been notified by the

Secretary that a pattern of inappropriate utilization had occurred but has continued the practice after having a reasonable opportunity to correct the inappropriate utilization.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Jack Wasserman, Chief, Medicare Procedural Policy Branch, Department of Health and Human Services, Health Care Financing Administration, 349 East High Rise Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 597-3703

RIN: 0938-AB33

258. FORMS USED FOR CLAIMING PAYMENT

Legal Authority: 42 USC 1302; 42 USC 1395f; 42 USC 1395n; 42 USC 1395hh; 42 USC 1395tt

CFR Citation: 42 CFR 405.1662

Abstract: This proposed rule would revise the Medicare regulations to include provisions pertaining to various forms used in requesting enrollment in and payment for services under the Medicare program. This rule also would provide an up-to-date listing and discussion of procedures for providers of services and other practitioners to obtain billing forms that meet Medicare requirements and those of other insurers.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Daniel Baker, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, BPO, Div. of Methods & Systems Requirements, Room 2-A-1 ME Bldg., 6325 Security Boulevard, Baltimore, MD 21207, 301 594-1999

RIN: 0938-AB34

259. ADJUSTMENT OF FEDERAL SHARE FOR UNCASHED OR FOR CANCELLED MEDICAID CHECKS

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 201.5; 45 CFR 201.67; 42 CFR 430.0

Abstract: This proposal would require a State agency to refund to the Federal government the federal share of Medicaid checks that remain uncashed 180 days after issuance. We would require that the federal share of a cancelled (voided) Medicaid check be refunded quarterly since there has been no expenditure by the State.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: David McNally, Director, Div. of State Agency Financial Mgt, Department of Health and Human Services, Health Care Financing Administration, Room 350 Meadows East Building, 6325 Security Boulevard, Baltimore, MD 21207, 301 597-1398

RIN: 0938-AB35

260. REISSUANCE OF THE WAGE INDEX IN THE 1981 SCHEDULE OF LIMITS ON HOSPITAL PER DIEM INPATIENT GENERAL ROUTINE OPERATING COSTS

Legal Authority: 42 USC 1395x(v) (1)

CFR Citation: 42 CFR 405.460

Abstract: This notice affirms the use of the wage index that was used to calculate the 1981 schedule of limits on hospital per diem inpatient general routine operating costs which was issued on June 30, 1981 (46 FR 33637) and September 30, 1981 (46 FR 48010). The 1981 wage index was reissued for public comment on February 17, 1984 (49 FR 6175). This schedule is being reissued as the result of the April 29, 1983 decision of the U.S. District Court for the District of Columbia. The District Court declared the 1981 schedule for hospital cost limits invalid for failure to comply with the Administrative Procedure Act insofar as the schedule incorporated or was formulated by using a wage index that was calculated by excluding Federal government hospital wage data. This notice continues the exclusion of Federal government hospital wage data in the calculation of the wage index.

Timetable:

Action	Date	FR Cite
Proposed Notice	02/17/84	49 FR 6175
Final Action	10/00/84	

Small Entity: No

Agency Contact: Maureen McGrath, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Div. of Hospital Payment Policy, 1-F-3 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-7373

RIN: 0938-AB38

261. REVISIONS TO MEDICAID PAYMENT FOR INPATIENT HOSPITAL AND LONG-TERM CARE FACILITY SERVICES

Legal Authority: 42 USC 1302; 42 USC 1396a(a)(30); PL 98-369

CFR Citation: 42 CFR 447.253; 42 CFR 447.272; 42 CFR 447.280

Abstract: This regulation would make several changes to the procedural requirements for States to obtain approval of their inpatient reimbursement rates. It is intended that these changes would promote increased economy in the administration of the Medicaid program while retaining State flexibility to the maximum extent possible. This regulation also includes changes resulting from section 2369 of P.L. 98-369.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: Tzvi Hefter, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Long Term Care Section, Room 1-A-1 ELR Bldg., 6325 Security Blvd., Baltimore, MD 21207, 301 597-1808

RIN: 0938-AB40

262. FFP FOR LTC FACILITIES AFTER TERMINATION OF PROVIDER AGREEMENT

Legal Authority: 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 442.16; 42 CFR 442.40; 42 CFR 442.42

Abstract: These rules would modify and clarify policy on Federal financial participation (FFP) in State Medicaid payments to a skilled nursing facility (SNF) or an intermediate care facility (ICF) after the facility's provider agreement has been terminated or has expired and not been renewed.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Affected Sectors: 919 General Government, Not Elsewhere Classified

Government Levels Affected: State

Agency Contact: Gilda Martin, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Financial Policy Branch, Rm. 350 Meadows East, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1399

RIN: 0938-AB42

263. ● OFFICE OF MANAGEMENT AND BUDGET REQUEST FOR REVIEW OF REPORTING AND RECORDKEEPING REQUIREMENTS

Legal Authority: 42 USC 1302; 42 USC 1395x(p); 42 USC 1395x(s)(3); 42 USC 1395aa; 42 USC 1395hh

CFR Citation: 42 CFR 405.1413(c); 42 CFR 405.1716(c); 42 CFR 405.1716(d); 42 CFR 405.1717(b); 42 CFR 405.1717(e); 42 CFR 405.1725(a); 42 CFR 405.1733(b); 42 CFR 434.27(a)(3); 42 CFR 434.36; 42 CFR 434.55

Abstract: This proposed rule sets forth recommendations made by the Office of Management and Budget for changes in several regulations containing collection of information requirements, and HCFA responses to those recommendations. The requirements affect the providers and suppliers of outpatient physical therapy and speech pathology services; physical therapists certified as independent practitioners; portable X-ray services; and Medicaid contracts with health maintenance organizations and prepaid health plans.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: Stefan Miller, Laboratory and Ambulatory Branch Chief, Department of Health and Human Services, Health Care Financing Administration, 300 East High Rise Bldg., 6325 Security Blvd., Baltimore, Maryland 21207, 301 597-6394

RIN: 0938-AB46

264. ● MEDICARE AND MEDICAID BUDGET RECONCILIATION AMENDMENTS OF 1984; INFORMATION NOTICE ON MEDICARE AND MEDICAID AMENDMENTS

Legal Authority: PL 98-369

CFR Citation: Not applicable

Abstract: This notice describes briefly some of the provisions of the Medicare and Medicaid Budget Reconciliation Amendments of 1984 (Pub.L. 98-369, enacted July 18, 1984) that affect eligibility, benefits, reimbursement and administration of the Medicare and Medicaid programs.

Timetable:

Action	Date	FR Cite
Notice	11/00/84	

Small Entity: Undetermined

Agency Contact: Matt M. Plonski, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Eligibility and Administration Branch, Room 132 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9630

RIN: 0938-AB47

265. ● HOSPITAL PROSPECTIVE PAYMENT RATES FOR FY 1986

Priority: Agency Determination

Legal Authority: 42 USC 1395ww

CFR Citation: 42 CFR 405.470(e)(2)

Abstract: This proposed notice will solicit public comments on changes in the methods, amounts, and factors used to determine prospective payment rates applicable to discharges occurring during the 1986 Federal fiscal year.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Yes

Agency Contact: Marilyn J. Koch, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Hospital Payment Policy, Room 190 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9344

RIN: 0938-AB48

266. ● MEDICARE RECOVERY AGAINST THIRD PARTIES

Legal Authority: PL 98-369, Sec 2344

CFR Citation: 42 CFR 405, Subpart C

Abstract: These rules would implement section 2344 of Pub. L. 98-369 which specifically authorizes recovery against any third party responsible for all or part of the costs of services furnished to Medicare beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Herbert M. Pollock, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Medicare Claims Payment Policy Branch, Room 474 EHR, 6325 Security Blvd., Baltimore, Md. 21207, 301 594-4978

RIN: 0938-AB49

267. ● PAYMENT FOR CLINICAL DIAGNOSTIC LABORATORY SERVICES

Priority: Agency Determination

Legal Authority: PL 98-369, Sec 2303

CFR Citation: Not yet determined

Abstract: These regulations would implement provisions of Pub.L. 98-369 relating to payment and "assignment" for diagnostic laboratory tests.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medical Services Reimbursement, Room 1-A-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1334

RIN: 0938-AB50

268. ● CRITERIA AND STANDARDS FOR INTERMEDIARIES AND CARRIERS-- FISCAL YEAR 1985

Priority: Agency Determination

Legal Authority: PL 98-369, Sec 2326

CFR Citation: Not yet determined

Abstract: This notice will announce the statistical standards and performance

criteria against which Medicare intermediaries and carriers will be evaluated in fiscal year 1985. It also notifies the public that in FY 1985 and 1986 the Secretary may enter into two agreements with intermediaries and two contracts with carriers on the basis of competitive bidding. This process may be used only to replace intermediaries and carriers that have over a period of time been in the lowest 20th percentile of intermediaries and carriers, respectively, as measured by the Secretary's cost and performance criteria.

Timetable:

Action	Date	FR Cite
Notice with Comment Period	10/00/84	

Small Entity: No

Agency Contact: Newton Dikoff, Director, Div. of Operations and Standards, Department of Health and Human Services, Health Care Financing Administration, Rm. 1-E-6 Meadows East, 6325 Security Blvd., Baltimore, MD 21207, **301 594-8191**

RIN: 0938-AB51

269. ● PAYMENT ADJUSTMENTS FOR HOSPITAL WAGE INDEXES UNDER THE PROSPECTIVE PAYMENT SYSTEM

Legal Authority: 42 USC 1395ww(d); PL 98-369, Sec 2316

CFR Citation: 42 CFR 405.473

Abstract: This proposed rule would implement section 2316(c) of Pub.L. 98-369 which provides for a payment adjustment to a hospital that demonstrates that its wage index value does not appropriately reflect the wage levels in the labor market serving the hospital.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Yes

Agency Contact: Marilyn Koch, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Hospital Payment Policy, Room 190 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9344**

RIN: 0938-AB52

270. ● MEDICAL REVIEW REQUIREMENTS FOR SKILLED NURSING FACILITIES AND INDEPENDENT PROFESSIONAL REVIEW REQUIREMENTS FOR INTERMEDIATE CARE FACILITIES

Legal Authority: PL 98-369, Sec 2368

CFR Citation: 42 CFR 456

Abstract: This regulation would implement provisions of the Medicare and Medicaid Budget Reconciliation Amendments of 1984 relating to State plan requirements for medical review in skilled nursing facilities and independent professional review in intermediate care facilities under Medicaid. This regulation would also correct a technical error to assure that Christian Science sanitoria are excluded from the revised review requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Pat Harfst, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Institutional & Ambulatory Services, 2-E-3 DWE Bldg., 1848 Gwynn Oak Avenue, Baltimore, MD 21207, **301 594-9712**

RIN: 0938-AB53

271. ● HMOS AND CMPS; DEFICIT REDUCTION ACT PROVISIONS

Legal Authority: PL 98-369, Sec 2364

CFR Citation: Not yet determined

Abstract: These regulations would implement certain provisions of Section 2350 of the Deficit Reduction Act as those provisions affect HMOs and CMPs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: No

Agency Contact: Robert E. Wren, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Services Coverage Policy, Room 405 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-7107**

RIN: 0938-AB54

272. ● RECERTIFICATION OF NEED FOR INPATIENT CARE

Legal Authority: PL 98-369, Sec 2363

CFR Citation: 42 CFR 456

Abstract: These rules would implement section 2363 of Pub. L. 98-369 which modifies the requirements and timing for recertification of need for inpatient care in hospitals, skilled nursing facilities and intermediate care facilities under Medicaid.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Thomas E. Hoyer, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Institutional Services Branch, Room 409 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9446**

RIN: 0938-AB55

273. ● HEALTH MAINTENANCE ORGANIZATIONS AND COMPETITIVE MEDICAL PLANS; ENROLLMENT PERIODS AND BENEFIT STABILIZATION FUNDS

Legal Authority: 42 USC 1395mm

CFR Citation: 42 CFR 417

Abstract: These regulations would implement section 2350 of Pub. L. 98-369 by requiring that HMOs and CMPs hold coordinated open enrollment periods in geographic areas that encompass two or more organizations and by permitting risk HMOs and CMPs to set aside a portion of the funds required to be used for additional benefits on a benefit stabilization fund.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Anthony Lovecchio, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Alternative Reimbursement Systems, Room 1-A-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-4010**

RIN: 0938-AB57

274. ● HOSPICE CONTRACTING FOR CORE SERVICES

Legal Authority: PL 98-369, Sec 2343

CFR Citation: 42 CFR 418

Abstract: This regulation would implement provisions of PL 98-369, the Medicare and Medicaid Budget Reconciliation Amendments of 1984, relating to hospices contracting for "core services." PL 97-248, the Tax Equity and Fiscal Responsibility Act of 1982, authorized time limited Medicare Part A coverage for hospice services. The law specifies that a hospice must routinely provide the following "core services" directly: nursing care, medical social services, physician's services, and counseling services . This regulation would permit the Secretary to waive the nursing care "core services" requirement for hospices which are located in rural areas, which were in operation on or before January 1, 1983, and which have demonstrated a good faith effort to hire their own nurses.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: Thomas Hoyer, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Institutional Services Branch, Room 409 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9446

RIN: 0938-AB58

275. ● INDIRECT PAYMENT OF SUPPLEMENTARY MEDICAL INSURANCE

Legal Authority: PL 98-369, Sec 2339

CFR Citation: Not yet determined

Abstract: This proposed regulation would implement provisions of Pub.L. 98-369 that allow payment for services furnished under Part B of Medicare to be made to a health benefits plan. Under previous law, such payment could be made only to a beneficiary or to an entity providing services.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility, Room 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9077

RIN: 0938-AB59

276. ● ENROLLMENT AND PREMIUM PENALTY WITH RESPECT TO WORKING AGED PROVISIONS

Legal Authority: PL 98-369, Sec 2338; 42 USC 1395p; 42 USC 1395r

CFR Citation: Not yet determined

Abstract: This regulation would implement provisions of PL 98-369 relating to enrollment and premium penalty with respect to the Working Aged. This regulation would waive Part B enrollment penalty for workers and their spouses aged 65 through 69 who elect private coverage under the provision of TEFRA and would establish special enrollment periods for such workers.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility Policy, Room 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9077

RIN: 0938-AB60

277. ● PAYMENT FOR SERVICES OF TEACHING PHYSICIANS

Legal Authority: 42 USC 1395u; 42 USC 1395x

CFR Citation: 42 CFR 405.465; 42 CFR 405.466; 42 CFR 405.520; 42 CFR 405.521; 42 CFR 405.522

Abstract: These regulations would implement provisions of Pub.L. 98-369 relating to the method used to determine the customary charges for physicians' services in teaching hospitals.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medical Services Reimbursement, Room 1-A-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1334

RIN: 0938-AB61

278. ● TREATMENT OF SOCIAL SECURITY COST OF LIVING INCREASES FOR INDIVIDUALS WHO LOSE SSI ELIGIBILITY

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 435.135

Abstract: This proposal revises Medicaid rules to provide that a State, in determining categorically needy financial eligibility for an individual who would still be eligible for benefits under SSI but for receipt of a section 215(i) cost of living increase after April 1977, must treat that individual as if he or she were still receiving SSI benefits. Section 215(i) cost of living increases are made to persons who receive monthly Social Security cash benefits. (This regulation is being developed pursuant to a court order and may be withdrawn if the Department wins on Appeal.)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Roy Trudel, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility Policy, Room 416 EHR, 6325 Security Blvd., Baltimore, MD 21207, 301 594-9128

RIN: 0938-AB62

279. ● DEFINITION OF LOW INCOME HOSPITALS

Legal Authority: PL 98-369, Sec 2315

CFR Citation: Not yet determined

Abstract: This notice would implement provisions of the Medicare and Medicaid Budget Reconciliation Amendments of 1984. This notice would define hospitals with a "significantly disproportionate number of patients who have low income or are entitled to benefits under Part A" of Medicare, for purposes of Prospective Payment.

Timetable:

Action	Date	FR Cite
Notice	11/00/84	

Small Entity: No

Agency Contact: Marilyn J. Koch, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Hospital Payment Policy, Room 190 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9343**

RIN: 0938–AB63

280. ● MEDICARE/MEDICAID REVALUATION OF ASSETS

Legal Authority: PL 98-369, Sec 2314; 42 USC 1395x

CFR Citation: Not yet determined

Abstract: This regulation would implement section 2314 of Pub.L. 98-369. The amendment would limit the increase in capital-related cost reimbursement to a new owner that would result from the reevaluation of hospital assets acquired in fiscal year 1985 and thereafter. The capital-related cost of the new owner would be based on the lesser of (a) historical cost (the cost to the original owner), or (b) the purchase price of the asset.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: William J. Goeller, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Division of Audit and Payment Policy, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1803**

RIN: 0938–AB64

281. ● END-STAGE RENAL DISEASE PROGRAM - NETWORK AREA DESIGNATIONS

Legal Authority: 42 USC 625(g); 42 USC 1302; 42 USC 1395x; 42 USC 1395y(a); 42 USC 1395hh; 42 USC 1395kk; 42 USC 1395rr

CFR Citation: 42 CFR 405.2100 to 405.2171; 42 CFR 492.1 to 492.86

Abstract: This proposal would remove the requirement for rulemaking as the method of changing designations of ESRD network areas and allow us to implement a faster process for changing network area designations. The proposal would also transfer Medicare regulations covering the ESRD program from Part 405, Subpart U to a new Part 492.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Yes

Agency Contact: Patricia Harfst, Acting Director, Department of Health and Human Services, Health Care Financing Administration, Division of Inst. & Ambulatory Services, 2-E-3 Dogwood East Bldg., 1849 Gwynn Oak Ave., Baltimore, MD. 21207, **301 594-9713**

RIN: 0938–AB65

282. ● PAYMENT TO HHAS AND HOSPICES FOLLOWING TERMINATION

Legal Authority: PL 98-369, Sec 2348; 42 USC 1395cc

Abstract: This regulation would implement provisions of the Medicare and Medicaid Budget Reconciliation Amendments of 1984 relating to the thirty day coverage for service furnished by a Home Health Agency or Hospice whose agreement has been terminated.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Gale Held, Director, Division of Operations, Department of Health and Human Services, Health Care Financing Administration, 367 Meadows East Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-9101**

RIN: 0938–AB67

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Health Care Financing Administration (HCFA)

Completed Actions

COMPLETED RULEMAKINGS

283. STATE RESIDENCY REQUIREMENTS

Priority: Task Force

CFR Citation: 42 CFR 435.403; 42 CFR 436.403

Completed:

Reason	Date	FR Cite
Final Action	04/05/84	49 FR 13526
Final Action Effective	05/07/84	

Small Entity: No

Agency Contact: Marinos Svolos 301 594-9050

RIN: 0938–AA03

284. LIMITATION OF REASONABLE CHARGES FOR SERVICES IN HOSPITAL OUTPATIENT SETTINGS

Priority: Agency Determination

CFR Citation: 42 CFR 405.502

Completed:

Reason	Date	FR Cite
Withdrawn	05/00/84	

Small Entity: Undetermined

Agency Contact: Leonard Nowacki 301 594-2871

RIN: 0938–AA17

285. HHA COST LIMITS (EFFECTIVE 07/01/84)

Priority: Agency Determination

CFR Citation: 42 CFR 405.460

Completed:

Reason	Date	FR Cite
Final Action	07/02/84	49 FR 27272
Final Action Effective	07/01/84	

Small Entity: No

Agency Contact: Judith V. Thomas 301 594-9235

RIN: 0938–AA24

286. BASIC REQUIREMENTS FOR OPERATING A MEDICAID QUALITY CONTROL (MQC) SYSTEM

Priority: Agency Determination

CFR Citation: 42 CFR 431.800 to 431.802

Completed:

Reason	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: Joyce G. Somsak 301 597-1354

RIN: 0938–AA39

287. ACCESS TO BOOKS, DOCUMENTS, AND RECORDS OF SUBCONTRACTORS

CFR Citation: 42 CFR 420.301; 42 CFR 420.302

Completed:

Reason	Date	FR Cite
Final Action	04/06/84	49 FR 13698
Final Action Effective	05/07/84	

Small Entity: No

Agency Contact: Leslie Miscevic 301 597-1376

RIN: 0938–AA47

288. MMIS: DEFINITION OF MECHANIZED CLAIMS PROCESSING AND INFORMATION RETRIEVAL SYSTEMS AND NOTICE OF MEDICARE ELIGIBILITY DETERMINATION & INFORMATION RETRIEVAL SYSTEM

CFR Citation: 42 CFR 433.111

Completed:

Reason	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: William Grant 301 594-7847

RIN: 0938–AA63

289. COVERAGE OF OPTOMETRISTS' SERVICES

CFR Citation: 42 CFR 405.232a; 42 CFR 405.232c

Completed:

Reason	Date	FR Cite
Final Action	06/07/84	49 FR 23620
Final Action Effective	07/09/84	

Small Entity: No

Agency Contact: James Hannon 301 594-9514

RIN: 0938–AA72

290. UTILIZATION AND QUALITY CONTROL PEER REVIEW ORGANIZATION (PRO) AREA DESIGNATIONS AND DEFINITIONS OF ELIGIBLE ORGANIZATIONS

Priority: Agency Determination

CFR Citation: 42 CFR 460; 42 CFR 400; 42 CFR 462

Completed:

Reason	Date	FR Cite
Final Action	02/27/84	49 FR 7202
Final Action Effective	03/28/84	

Small Entity: Yes

Agency Contact: Anthony J. Tirone 301 594-1827

RIN: 0938–AB14

291. MEDICARE ECONOMIC INDEX FOR REASONABLE CHARGES (EFFECTIVE 07/01/84)

CFR Citation: 42 CFR 405.504

Completed:

Reason	Date	FR Cite
Final Action	06/20/84	49 FR 25309

Small Entity: No

Agency Contact: Susan Kunkel 301 594-1023

RIN: 0938–AB31

292. SKILLED NURSING FACILITY (SNF) LIMITS – FY 83

Priority: Agency Determination

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Withdrawn	05/00/84	

Small Entity: Undetermined

Agency Contact: Carl Slutter 301 594-7365

RIN: 0938–AB39

293. MMIS PERFORMANCE STANDARDS

CFR Citation: 42 CFR 433.115

Completed:

Reason	Date	FR Cite
Withdrawn	04/00/84	

Small Entity: No

Agency Contact: John VanWalker 301 597-3465

RIN: 0938–AB41

294. CHANGES TO THE INPATIENT HOSPITAL PROSPECTIVE PAYMENT SYSTEM; AND FISCAL YEAR 1985 RATES

Priority: Agency Determination

CFR Citation: 42 CFR 405.470; 42 CFR 405.471; 42 CFR 405.472; 42 CFR 405.473; 42 CFR 405.474; 42 CFR 405.476; 42 CFR 405.477; 42 CFR 405.452

Completed:

Reason	Date	FR Cite
Final Action	08/31/84	49 FR 34728

Small Entity: Yes

Agency Contact: Marilyn Koch 301 594-9344

RIN: 0938–AB44

[FR Doc. 84-24439 Filed 10-19-84; 8:45 am]

Monday
October 22, 1984

Part IX

Department of Housing and Urban Development

Semiannual Regulatory Agenda

HUD

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Subtitles A and B

[Docket No. N-84-1438]

Semiannual Agenda of Regulations

AGENCY: Department of Housing and Urban Development.

ACTION: Semiannual agenda, under Executive Order 12291 and the Regulatory Flexibility Act, of regulations expected to be issued and under review.

SUMMARY: In accordance with section 5 of Executive Order 12291, "Federal Regulation," the Department is publishing its Agenda of proposed regulations already issued or expected to be issued, and of currently effective rules that are under review. Also, under section 602 of the Regulatory Flexibility Act, the Department has prepared a regulatory flexibility agenda of regulations expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of small entities. As permitted by Executive Order 12291 and the Regulatory Flexibility Act, the two agendas are combined for publication.

FOR FURTHER INFORMATION CONTACT: Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10278, 451 7th Street, S.W., Washington, D.C. 20410, (202) 755-7055. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Executive Order 12291, "Federal Regulation," issued on February 17, 1981 (46 FR 13193), requires each agency to publish semiannually an agenda of regulations that the agency has issued or expects to issue of currently effective regulations that are under agency review.

The Regulatory Flexibility Act, 5 U.S.C. 601-612, requires each agency to publish semiannually a regulatory flexibility agenda of rules expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12291 and section 605 of the Regulatory Flexibility Act each permit incorporation of the agenda it requires with any other prescribed agenda. Accordingly, the agenda set out below combines the information required by the Executive Order and by the Regulatory Flexibility Act. In addition, the Agenda contains certain information not required by either the Executive Order or by the Act which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

For purposes of Executive Order 12291, "regulation" or "rule" is defined as "an agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the procedure or practice requirements of an agency," subject to certain exceptions. The Agenda published below concentrates upon regulatory material contained, or expected to be contained, in the Code of Federal Regulations (CFR) (or incorporated therein by reference) following publication in the *Federal Register*. As appropriate, however, issuances in the nature of general statements of policy may be published in the *Federal Register* but not for codification in the CFR.

Heretofore, the Department has used this agenda to satisfy the requirements imposed on the Department by section 7(o) of the Department of Housing and Urban Development Act, 42 U.S.C. 3535(o). These requirements include, among other things, transmittal of a semiannual agenda of all rules or regulations which are under development or review by the Department to the congressional committees having jurisdictional oversight (the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking, Finance and Urban Affairs). However, because of the scheduled October adjournment of Congress, the Department has decided to submit a semiannual agenda to the congressional committees early in 1985 when Congress resumes.

The agenda items are divided first by program office. Within each program office, the agenda items are divided into three groups: (i) Current and projected rulemakings, (ii) reviews of existing regulations, and (iii) completed or withdrawn regulations and completed reviews. Within each grouping, rules are listed in chronological order by the Part number of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected Part number. Rules which are designated "priority" include all regulations designated for priority development or review by the Department, all regulations that are "major rules" under section 1(b) of Executive Order 12291, and all regulations designated for review by the Presidential Task Force on Regulatory Relief.

Under Executive Order 12291, a "major rule" means "any regulation that is likely to result in: 1) An annual effect on the economy of $100 million or more; 2) a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or 3) significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets."

Items listed in this Agenda are from the following Offices within the Department: Office of the Secretary; Office of Housing; Office of Public and Indian Housing; Office of Community Planning and Development; Office of Fair Housing and Equal Opportunity; Office of Administration; and Office of the Inspector General.

DATED: August 27, 1984.

John J. Knapp,

General Counsel.

BILLING CODE 4210-01-T

HUD

Office of the Secretary—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	00 CFR Not yet determined Removal of References to Superseded DOL Regulations (S-3-84; FR-1888)	2501-AA18
2	*24 CFR 55, (New) Procedure for Floodplain Management and the Protection of Wetlands. Implementation of Executive Orders 11988 and 11990 (S-7-84; FR-865)	2501-AA23
3	*24 CFR 14 Implementation of the Equal Access to Justice Act in Administrative Proceedings (S-3-82; FR-1547)	2501-AA00
4	24 CFR 17 Implementation of the Interest Provisions of the Debt Collection Act of 1982 (S-9-84; FR-2022)	2501-AA24
5	24 CFR 20 Board of Contract Appeals Rules of Procedure (S-1-79)	2501-AA04
6	*24 CFR 24 Suspension and Debarment (S-2-79; FR-1676)	2501-AA05
7	24 CFR 46 Protection of Human Subjects in Research (S-6-83; FR-1807)	2501-AA15
8	24 CFR 58 Environmental Review Procedures - Rental Rehabilitation and Housing Development Grant Program (S-6-84; FR-1965)	2501-AA25
9	*24 CFR 81.41(b) Secondary Market Operations of the Federal National Mortgage Association (FNMA) (S-3-81)	2501-AA10
10	24 CFR 791 Allocation and Use of Assisted Housing Authority (S-7-84; FR-1896)	2501-AA27

*Indicates priority regulation.

Office of the Secretary—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
11	00 CFR not yet determined Office of Small and Disadvantaged Business Utilization: General Functions and Role in the Department's Procurement Process (S-8-84; FR-1894)	2501-AA22

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
12	24 CFR 15 Production or Disclosure of Material or Information (S-9-83; FR-1820)	2501-AA16
13	24 CFR 25 Mortgagee Review Board (S-3-79)	2501-AA06
14	*24 CFR 27 Nonjudicial Foreclosure of Multifamily Mortgages (S-4-82; FR-1583)	2501-AA01
15	*24 CFR 1800 Solar Energy and Energy Conservation Program (S-5-82; FR-1700)	2501-AA02
16	24 CFR 3710 Removal of Chapter VII - New Community Corporation (S-4-84; FR-1924)	250¹-AA21
17	24 CFR 40 Accessibility Standards for Design, Construction, and Alteration of Publicly Owned Residential Structures (S-5-84; FR-1957)	2501-AA26

*Indicates priority regulation.

Office of Housing—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
18	00 CFR Not yet determined Troubled Projects Amendments (H-50-84)	2502-AC31
19	*24 CFR 35 Lead Based Paint Poisoning Prevention (H-81-82; FR-1748)	2502-AA06
20	*24 CFR 200 Elimination of Minimum Property Standards (MPS) for One- and Two-Family Dwellings (H-74-82; FR-1655)	2502-AA03
21	24 CFR 200.929 Use of Materials Bulletin No. 38i - HUD Building Product Standards and Certification Program for the Grademarking of Lumber (H-104-82)	2502-AA66
22	24 CFR 200.935 Use of Materials Bulletin No. 85 - HUD Building Product Standards and Certification Program for Poly (Vinyl Chloride) Windows (H-105-82; FR-1926)	2502-AA67
23	24 CFR 200.935 Use of Materials Bulletin No. 86 - HUD Building Product Standards and Certification Program for EPDM Roofing (H-106-82)	2502-AA68
24	24 CFR 200, Subpart S Supplement to Minimum Property Standards for Solar Heating and Domestic Hot Water Systems (H-6-80; FR-1320)	2502-AA99
25	24 CFR 200.929 Use of Material Bulletin No. 78a, Plastic Supply Piping for Domestic Cold Water (H-33-79; FR-1154)	2502-AB05

HUD

Office of Housing—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
26	24 CFR 200.925 Applicability of Minimum Property Standards Manufactured Homes under Title II of the National Housing Act (H-82-82; FR-1578)	2502-AB24
27	*24 CFR 200 Users Fee Schedule for the Technical Suitability of Products Program (H-56-83; FR-1827)	2502-AB78
28	*24 CFR 200 Minimum Property Standards for Care-Type Housing -- MPS (H-39-83; FR-1776)	2502-AB86
29	24 CFR 200 Mortgage Insurance Eligibility, Procedures and Processing (H-19-84; FR-1887)	2502-AC26
30	*24 CFR 200 Use of Commitment Correspondents in Connection with FHA Mortgage Insurance (H-60-84;FR-1954)	2502-AC66
31	24 CFR 200.935 Use of Materials Bulletin (UM) No. 44d-HUD Building Product Standards and Certification Program for Carpet and Attached Cushion (H-85-84)	2502-AC71
32	24 CFR 200.93 Multifamily Participation Review Committee (H-75-84; FR-2008)	2502-AC72
33	24 CFR 200.161 Revision of Direct Endorsement Program (H-84-84)	2502-AC75
34	24 CFR 200.935 Use of Materials Bulletin (UM) No. 52b - HUD Building Product Standards and Certification Program for Wood Flush Doors (H-83-84)	2502-AC78
35	24 CFR 201 Property Improvement and Manufactured Home Loan Program (H-57-81; FR-1656)	2502-AA93
36	24 CFR 203.32 Second Mortgages or Liens on FHA-Insured Mortgages--Escrow Accounts Associated with Interest Buy-Downs (H-84-82; FR-1590)	2502-AA57
37	24 CFR 203.43c Eligibility of Mortgages Involving a Dwelling Unit in a Cooperative Housing Development (H-93-82; FR-1742)	2502-AA61
38	24 CFR 203.410 Issue Date of Debentures (H-51-81; FR-1501)	2502-AA91
39	24 CFR 203.22(a) Mutual Mortgage Insurance and Rehabilitation Loans Payment Privileges and Application of Late Charges (H-9-79; FR-1028)	2502-AB02
40	24 CFR 203 Mortgage Insurance for One-to-Four-Family Residences--Adjustment for Damages or Neglect (H-19-79; FR-837)	2502-AB03
41	24 CFR 203.670 to 203.683 Mortgage Insurance - Occupancy of Property (H-1-78; FR-968)	2502-AB10
42	24 CFR 203 Mortgagee Approval - Eligibility Requirements (H-64-78; FR-903)	2502-AB12
43	*24 CFR 203 Temporary Mortgage Assistance Payments (TMAP), and Assignments to Housing and Urban Development (H-29-81; FR-1415)	2502-AB79
44	24 CFR 203.18 Veteran Qualifications--Eligibility Requirements for Mutual Mortgage Insurance and Rehabilitation Loans (H-47-83; FR-1801)	2502-AB89
45	*24 CFR 203.12 Mortgage Insurance Endorsement on a New or Existing Dwelling in a New Subdivision or Improved Area (H-13-84; FR-1867)	2502-AC04
46	24 CFR 203 Reinsurance Demonstration Program (H-46-84)	2502-AC11
47	24 CFR 203.42(a) Mutual Mortgage Insurance and Rehabilitation Loans; Elimination of Restrictions on Contiguous Properties Applicable to Investor Mortgagors (H-1-84; FR-1831)	2502-AC17
48	*24 CFR 203 Changes in Maximum Loan-to-Value Ratio, Single Family Housing (H-42-84; FR-1935)	2502-AC33
49	24 CFR 203 Extending Single Family One-Time Mortgage Insurance Premium Provision for Single-Family Mortgages to Funds Other Than Those Insured Under the Mutual Mortgage Insurance Fund (H-40-84; ETC	2502-AC35
50	*24 CFR 203 Single Family Mortgage Insurance on Hawaiian Home Lands (H-39-84; FR-1928)	2502-AC36
51	*24 CFR 200 Payment of Claims without Acquisition of Title (H-38-84; FR-1927)	2502-AC37
52	24 CFR 203 Single Family Mortgage Insurance - Indian Reservations (H-36-84; FR-1921)	2502-AC39
53	24 CFR 203 Insurance of Single Family Shared Appreciation Mortgages (H-33-84; FR-1917)	2502-AC42
54	*24 CFR 203 Insurance of Single Family Adjustable Rate Mortgages (H-32-84; FR-1916)	2502-AC43
55	*24 CFR 203 Insurance of Single Family Indexed Mortgages (H-31-84; FR-1915)	2502-AC44
56	24 CFR 203 Retention Period for Mortgagee Single Family Claim Records (H-81-84)	2502-AC50
57	24 CFR 203 Limit On Claim Cost (H-82-84)	2502-AC52
58	24 CFR 203 Penalty for Lack of Documentation (H-80-84)	2502-AC54
59	24 CFR 203 Refinancing of FHA Single Family Loans-Technical Revisions (H-66-84; FR-1979)	2502-AC80
60	24 CFR 204 Coinsurance Program (H-28-80; FR-1094)	2502-AB01
61	24 CFR 205 Mortgage Insurance for Land Development (Title X); Provides Eligibility for Refinancing Transactions (H-41-83; FR-1779)	2502-AB98
62	24 CFR 205 Geographical Eligibility of Property (H-67-84; FR-1982)	2502-AC51
63	24 CFR 207 Multifamily Mortgage Insurance (H-96-82)	2502-AA63
64	24 CFR 207 Mortgage Insurance Programs under National Housing Act (H-48-81; FR-1525)	2502-AA90
65	24 CFR 207 Section 223(A) Amendments (H-65-83)	2502-AB92
66	24 CFR 207 Limitation on Prepayment for Bond Financed Projects (H-54-83; FR-1819)	2502-AC01
67	24 CFR 207 Multifamily Housing Mortgage Insurance - Assignment of Insured Mortgages (H-35-83; FR-1768)	2502-AC14
68	24 CFR 207.256 Change in Default Notice Reporting Period - Multifamily Insurance (H-4-84; FR-1842)	2502-AC18
69	24 CFR 207.4 Multifamily Mortgage Insurance Programs; Requirement of Increased Equity Limited Recourse or Special Escrow (H-15-84; FR-1871)	2502-AC19
70	*24 CFR 207 Deregulation of Rents (H-28-84; FR-1905)	2502-AC21
71	24 CFR 207 Insurance of Multifamily Graduated Payment Mortgages (H-16-84; FR-1872)	2502-AC27
72	24 CFR 207 Section 223(f) Insurance in Connection With Rental Rehabilitation Development Grant Program (H-52-84)	2502-AC29
73	24 CFR 207 Insurance of Multifamily Shared Application Mortgages (H-41-84; FR-1934)	2502-AC34
74	24 CFR 207 Insurance of Multifamily Partially Amortized Mortgages (H-34-84; FR-1918)	2502-AC41

HUD

Office of Housing—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
75	24 CFR 207.32a Section 223(f) Cooperatives (H-56-84)	2502-AC47
76	24 CFR 207 Limitation on Prepayment of Mortgages or Multifamily Rental Housing (H-54-84)	2502-AC49
77	24 CFR 207 Coinsurance for the Purchase or Refinancing of Existing Multifamily Housing Projects - Technical Revisions (H-63-84; FR-1973)	2502-AC74
78	24 CFR 207 Flood Insurance Requirements for Mortgages Insurance and Grant Program (H-74-84; FR-2007)	2502-AC76
79	24 CFR 208 Partial Payment of Claims (H-88-84)	2502-AC62
80	24 CFR 213 Cooperative Housing Mortgage Insurance Subordinated Secretary-held Mortgages (H-33-83; FR-1756)	2502-AB97
81	*24 CFR 215 Preferences for Persons Displaced and Living in Substandard Housing (H-22-80; FR-1597)	2502-AA34
82	*24 CFR 215 Rental Assistance for Families in Shared Housing (H-49-83; FR-1804)	2502-AB72
83	24 CFR 215 Occupancy Policies in Assisted Projects for the Elderly (H-59-83; FR-1829)	2502-AB87
84	*24 CFR 215 Definition of Income Rents and Reexamination of Family Income for the Rent Supplement and Section 236 Programs (H-140-82, H-141-82; FR-1702)	2502-AC05
85	24 CFR 215 State Agency Amendments (H-70-84; FR-1997)	2502-AC73
86	24 CFR 219 Flexible Subsidy Program (H-48-82)	2502-AA53
87	24 CFR 232 Mortgage Insurance for Board And Care Homes (H-55-84)	2502-AC48
88	24 CFR 234.26 Condominium Projects - Mutual Mortgage Insurance and Insured Loans (H-5-82; FR-1388)	2502-AA43
89	24 CFR 234.27 Increase in Maximum Insurable Amount of Condominium Unit Owned by a Nonoccupant (H-90-84; FR-2030)	2502-AC60
90	24 CFR 234 Condominium Ownership Mortgage Insurance-1983 Act Amendments (H-71-84; FR-1999)	2502-AC79
91	*24 CFR 241 Maximum Mortgage Amounts for Hospitals (H-72-84; FR-2004)	2502-AC64
92	24 CFR 242 Refinancing of Hospital Mortgages (H-50-83; FR-1806)	2502-AC15
93	*24 CFR 242 Mortgage Insurance Requirements for Private and Public Hospitals (H-69-84, FR-1992)	2502-AC61
94	*24 CFR 401, (To be moved to 245) Tenant Participation in Multifamily Housing Projects (H-20-83; FR-1730)	2502-AB66
95	*24 CFR 245 Tenant Participation--Prepayment or Termination of Insurance of Subsidized Projects (H-79-84; FR-2015)	2502-AC57
96	24 CFR 245 Tenant Participation for Items Requiring HUD Approval (H-89-84)	2502-AC58
97	*24 CFR 255 Section 223(f) Coinsurance for Private Mortgage Lenders (H-53-81; FR-1391)	2502-AA92
98	24 CFR 265.13 Transfer from Nonprofit to Profit Motivated Ownership for Multifamily Housing Projects with HUD-Insured or HUD-Held Mortgages (H-37-83; FR-1771)	2502-AB93
99	*24 CFR 290 HUD-Owned Multifamily Projects-Management and Disposition (H-69-78; FR-432)	2502-AC68
100	24 CFR 291 Disclosure of Financial Information to Mortgage Purchasers (H-78-84; FR-2014)	2502-AC65
101	*24 CFR 390 Securitization of Adjustable Rate Mortgages (H-61-84; FR-1962)	2502-AC70
102	*24 CFR 450 Evictions from Certain Subsidized and HUD-owned Projects (H-5-83; FR-1661)	2502-AB59
103	*24 CFR 850 Housing Development Grant Program (H-26-84; FR-1902)	2502-AC23
104	*24 CFR 880 Government Officials, Conflicts of Interest (H-127-82)	2502-AA13
105	*24 CFR 880 Section 8-Limit on Contract Rent Increases (H-132-82; FR-1703)	2502-AA18
106	24 CFR 880.405 Clarification of Contract Rent Adjustment After Cost Certification (H-77-84; FR-2013)	2502-AC69
107	24 CFR 882 Section 8 Housing Assistance Payments Program - Moderate Rehabilitation (H-38-81; FR-1527)	2502-AA86
108	24 CFR 882.300 to 882.316 Section 8 Housing Assistance Payments Program - Existing Contract Administration (H-58-78; FR-659)	2502-AB46
109	24 CFR 882 Targeting of Section 8 Certificates of Family Participation (H-22-83; FR-1736)	2502-AB47
110	24 CFR 882.103 Section 8 Housing Assistance Payments Programs Portability of Section 8 Existing Housing Certificates (H-46-83; FR-1800)	2502-AB88
111	24 CFR 882 Single Room Occupancy Housing (H-25-84; FR-1898)	2502-AC25
112	*24 CFR 882 Section 8 Housing Assistance Payments Program-Existing Housing-Quality Standards-Lead Based Paint (H-2-83; FR-1528)	2502-AC55
113	*24 CFR 885 Eligibility of Existing Structures and Moderate Rehabilitation to Meet Needs of Non-Elderly Handicapped (H-40-81; FR-1543)	2502-AA29
114	24 CFR 885 Housing for the Elderly or Handicapped (H-99-82; FR-1463)	2502-AB28
115	24 CFR 885 Management Rules and Comprehensive Housing and Community Development Amendments (H-34-83; FR-1761)	2502-AC03
116	*24 CFR 885 Prepayment of Section 202 Direct Loans (H-10-84; FR-1857)	2502-AC53
117	*24 CFR 886 Additional Assistance Program for Projects with HUD-Insured or HUD-Held Mortgages (H-89-78)	2502-AA41
118	24 CFR 886 Miscellaneous Revisions to Part 886 (H-59-84; FR-1950)	2502-AC59
119	24 CFR 888 Section 8 Housing Assistance Payments Programs: Fair Market Rent Schedules for Existing Housing and Moderate Rehabilitation (H-27-84; FR-1904)	2502-AC22
120	*24 CFR 888 Section 8 Housing Assistance Payments Program Contract Rent Annual Adjustment Factors (Federal Register Notice of Publication) (H-57-84)	2502-AC46
121	24 CFR 888 Section 8 Housing Assistance Payments Programs; Promulgation of Fair Market Rent Schedules for Existing Housing and Moderate Rehabilitation by Notice (H-73-84; FR-2005)	2502-AC56
122	24 CFR 888 Section 8 Housing Assistance Payments Program: Fair Market Rent Schedules for Existing Housing and Moderate Rehabilitation (H-86-84)	2502-AC67
123	*24 CFR 892 Section 8-Litigation by PHAs to Recover Wrongfully Used Section 8 Funds (H-126-82; FR-1692)	2502-AA12
124	*24 CFR 3280 Federal Manufactured Home Construction and Safety Standards (H-46-82; FR-1637)	2502-AA01

HUD

Office of Housing—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
125	24 CFR 3282.454 Manufactured Home Procedural and Enforcement Regulations Monitoring Inspection Fee (H-30-83; FR-1767)	2502-AB48
126	24 CFR 3282.203 MFC Home Procedural and Enforcement Regulations to Clarify Procedures to be Followed by Design Approval and Production Inspection Primary Inspection Agencies (H-53-82; FR-1815)	2502-AC16
127	24 CFR 3500 Controlled Business - RESPA Amendments (H-45-84; FR-1942)	2502-AC09
128	*00 CFR Not yet determined Manufactured Home Construction and Safety Standards (Voluntary Consensus Standards) (H-72-82; FR-1633)	2502-AA02

*Indicates priority regulation.

Office of Housing—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
129	24 CFR 886, Subpart C Section 8 Housing Assistance Program for Disposition of the HUD-Owned Projects (H-6-79; FR-823)	2502-AB42

Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
130	24 CFR 40 Standards for Design, Construction and Alteration of Publicly-Owned Residential Structures (H-71-78; FR-822)	2502-AB13
131	*24 CFR 200 Minimum Property Standards for Multifamily Housing - MPS (H-69-81; FR-1529)	2502-AA31
132	24 CFR 200 Mutual Mortgage Insurance and Insured Home Improvement Loans-Deregulation (H-58-81; FR-1728)	2502-AA94
133	24 CFR 200.935 Use of Materials Bulletin No. 59b-HUD Building Product Standards Certification Program for Wood Windows (H-34-79; FR-1404)	2502-AB06
134	*24 CFR 200 Correction of Structural Defects - Eligibility for Assistance; Insurance of Loans and Mortgages in American Samoa; Nonoccupant Mortgagors - Maximum Mortgage Amount; Payment of MIP; ETC	2502-AC07
135	24 CFR 201 Interest Charge on Late Premium Payments (H-26-81; FR-1616)	2502-AA84
136	24 CFR 201.1504(a) Increased Loan Limits for Manufactured Home and Combination and Manufactured Home Lot and Designated High Cost Area Limits (H-19-82; FR-1551)	2502-AB18
137	*24 CFR 201 Deregulation of FHA Maximum Interest Rate (H-44-84; FR-1937)	2502-AC32
138	24 CFR 202 Property Improvement and Mobile Home Loans - Approval of Lending Institutions (H-90-82; FR-1713)	2502-AB94
139	*24 CFR 203.47 Growing Equity Mortgages (H-85-82; FR-1573)	2502-AA58
140	24 CFR 203 Mutual Mortgage Insurance and Insured Home Improvement Loans-Miscellaneous Regulations (H-44-81; FR-1623)	2502-AA88
141	24 CFR 203.351(a)(4) Deficiency Judgements - Single Family HUD/FHA-Insured Mortgages (H-95-82; FR-1717)	2502-AB27
142	*24 CFR 203 Mortgage Insurance and Home Improvement Loan: Elimination of Appendix A (H-18-83; FR-1722)	2502-AB60
143	*24 CFR 203 Maximum Mortgage Amount - Section 203(h) (H-61-83)	2502-AB82
144	*24 CFR 205 Mortgage Insurance Program under National Housing Act (Use of Inferior Liens) (H-45-81; FR-1559)	2502-AA30
145	24 CFR 207.26a Disposition of General Contractor's Holdback (H-13-81)	2502-AA77
146	24 CFR 207 Deletion of Statutory Mortgage Limits (H-66-83)	2502-AB77
147	24 CFR 213 Coinsurance for Multifamily Cooperatives (H-29-84; FR-1908)	2502-AC45
148	24 CFR 215 Occupancy Policies for Single-Person Households in Elderly Projects (H-70-83)	2502-AB91
149	*24 CFR 220 Urban Renewal Mortgage Insurance and Insured Improvement Loans (H-47-81; FR-1480)	2502-AA89
150	*24 CFR 220 One-Time Mortgage Insurance Premium for General and Special Risk Insurance Programs (H-63-83)	2502-AB76
151	24 CFR 221 Section 221(d)(4) Coinsurance (H-67-83)	2502-AB74
152	24 CFR 223 Refinancing of Hospital Projects (H-68-83)	2502-AB99
153	24 CFR 234 Mortgage Insurance for Condominium Units - Amendments to Restrict Number of Units Available to Insured Non-owner Occupants (H-53-84)	2502-AC28
154	*24 CFR 251 Coinsurance for Multifamily Rental Housing (H-66-78; FR-1198)	2502-AA38
155	24 CFR 255 Rental Rehabilitation Production Programs - Availability of Coinsurance (H-51-84)	2502-AC30
156	24 CFR 277.12 Prepayment of Section 202 Direct Loans (H-10-84; FR-1899)	2502-AC24
157	*24 CFR 290 Rent Determinations for Assisted Families in HUD-owned Multifamily Projects (H-3-83; FR-1645)	2502-AB62
158	*24 CFR 803 Fair Market Rent (FMR) Schedules for New Construction and Substantial Rehabilitation under Sections 8 & 23 Housing Assistance Payments Program (FY 1984) (H-69-83; FR-1864)	2502-AB73

HUD

Office of Housing—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
159	24 CFR 811 Tax-Exempt Financing for Purchase of HUD-owned Projects with Section 8 Assistance (H-7-84; FR-1847)	2502-AC20
160	*24 CFR 850 Housing Development Grant Program; Minimum Standards (H-37-84; FR-1925)	2502-AC38
161	*24 CFR 880 Section 8-Amendments Implementing sections 324(1), 323(3) and 329 H of the HCD Amendments of 1981, and section 211 (b) of the HCD Amendments of 1979 (H-130-82; FR-1675)	2502-AA16
162	*24 CFR 880 Rent Increase Notification (H-135-82; FR-1677)	2502-AA21
163	*24 CFR 880 Section 8 New Construction and Substantial Rehabilitation, Availability of Units Under Contract at Initial Occupancy (H-138-82; FR-1688)	2502-AA24
164	24 CFR 882.120 Section 8 Housing Assistance Payments Program, Existing (H-36-82; FR-1521)	2502-AA51
165	24 CFR 882.204 Section 8 Housing Assistance Payments Program - Existing Housing (H-75-82; FR-1539)	2502-AB23
166	24 CFR 885 Bonding Requirement: Loans for Housing for the Elderly or Handicapped (H-57-83; FR-1824)	2502-AB95
167	*24 CFR 888 Section 8 Housing Assistance Payments Program Contract Rent Annual Adjustment Factors (Federal Register Notice of Publication) (H-72-83; FR-1837)	2502-AB70
168	*24 CFR 888 Section 8 Housing Assistance Payments Program Fair Market Rent Schedules (1984) for the Section 8 Existing Housing and Moderate Rehabilitation Program (H-71-83)	2502-AB71
169	24 CFR 791 Review of Applications for Housing Assistance and Allocation of Housing Assistance Funds (H-4-81; FR-1512)	2502-AA73
170	*24 CFR 904 Definition of Income, Income Limits, Rent and Reexamination of Family Income for Section 8 (H-79-82; FR-1599)	2502-AA05
171	24 CFR 1700 Introduction, Land Registration, and Application of Regulations to Existing and Future Filings (H-80-82; FR-1595)	2502-AA56
172	24 CFR 1710 Amendments Relating to Interstate Land Sales Registration (H-35-84; FR-1919)	2502-AC40
173	24 CFR 3282 Amendments to Procedural and Enforcement Regulations (H-107-82)	2502-AB31
174	*24 CFR 3282.454 Manufactured Home Procedural and Enforcement Regulations Monitoring Inspection Fee (H-11-83; FR-1699)	2502-AB65
175	24 CFR 201 Indexed FHA Interest Rate (H-55-83; FR-1821)	2502-AB80
176	*24 CFR 290 HUD-owned Multifamily Projects - Management and Disposition (H-69-78; FR-432)	2502-AA39
177	*24 CFR 882.109 Section 8 Housing Assistance Payments Program-Existing- Housing Quality Standards-Lead Based Paint (H-2-83; FR-1528)	2502-AB64
178	24 CFR 886 Section 8 Housing Assistance Payments Program-Special Allotment (H-68-84; FR-1984)	2502-AC77

*Indicates priority regulation.

Office of Community Planning and Development—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
179	24 CFR 42 Uniform Relocation Assistance and Real Property Acquisition (CPD-15-83)	2506-AA46
180	*24 CFR 50 Departmental Policies, Responsibilities, and Procedures for Protection and Enhancement of Environmental Quality (CPD-29-78; FR-1054)	2506-AA10
181	*24 CFR 58 Environmental Review Procedures for the CDBG Program (CPD-21-81; FR-1027)	2506-AA05
182	*24 CFR 510 Section 312 Rehabilitation Loan Program (CPD-9-84)	2506-AA52
183	24 CFR 510 Rehabilitation Loan Program (CPD-9-82; FR-1128)	2506-AA54
184	*24 CFR 511 Residential Rental Rehabilitation Program (CPD-7-84; FR-1901)	2506-AA55
185	*24 CFR 511.32 Performance Adjustments to Formula Allocations-Rental Rehabilitation Program (CPD-14-84)	2506-AA60
186	24 CFR 570.410 Special Projects Program (CPD-5-82; FR-1554)	2506-AA01
187	*24 CFR 570 Small Cities CDBG Program (CPD-35-81; FR-1502)	2506-AA06
188	24 CFR 570.513 Lump Sum Drawdown of CDBG Funds for Property Rehabilitation Financing (CPD-39-81; FR-1572)	2506-AA19
189	24 CFR 570 Urban Renewal Provisions (CPD-16-79)	2506-AA22
190	24 CFR 570.402 Technical Assistance: Discretionary Awards (CPD-6-79; FR-1115)	2506-AA30
191	24 CFR 570.405 CDBG Secretary's Discretionary Fund: Insular Areas (CPD-6-83; FR-1822)	2506-AA32
192	24 CFR 570.488 to 570.499 Community Development Block Grants: State's Program (CPD-7-83)	2506-AA38
193	*24 CFR 570, Subpart G Community Development Block Grants Urban Development Action Grants (CPD-14-83)	2506-AA40
194	*24 CFR 570.906(b) Small Cities Program (CPD-12-83; FR-1825)	2506-AA43
195	*24 CFR 570 Community Development Block Grant (CPD-6-84; FR-1895)	2506-AA47
196	24 CFR 570.513 Community Development Block Grants; Lump Sum Drawdowns for Property Rehabilitation Financing (CPD-2-84; FR-1854)	2506-AA48
197	24 CFR 570.703 Section 108 Loan Guarantee Assistance Fees (CPD-10-84; FR-1974)	2506-AA59
198	*24 CFR 571 Indian CDBG Program (CPD-18-79; FR-1612)	2506-AA09
199	*24 CFR 571.302 Indian CDBG Program - Project Selection Process (CPD-5-83)	2506-AA33

HUD

Office of Community Planning and Development—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
200	24 CFR 571.101 Indian CDBG Program Assured Funding Process (CPD-4-84)	2506-AA50
201	24 CFR 571.607 Indian CDGB Program - Conflict of Interest Provisions (CPD-5-84)	2506-AA51
202	24 CFR 571 CDBG Program for Indian Tribes and Alaskan Natives (CPF-11-84; FR-2000)	2506-AA56
203	24 CFR 571.702 (b) (6) Indian Community Development Block Grant Program: Revision to Corrective and Remedial Action (CPD-13-84)	2506-AA58
204	24 CFR 590 Urban Homesteading (CPD-41-81; FR-1624)	2506-AA20
205	*24 CFR 596 Enterprise Zones (CPD-11-83)	2506-AA45

*Indicates priority regulation.

Office of Community Planning and Development—Completed Actions

Sequence Number	Title	Regulation Identifier Number
206	24 CFR 510 Section 312 Rehabilitation Loan Program (CPD-24-78)	2506-AA31
207	*24 CFR 510 Section 312 Rehabilitation Loan Program (CPD-9-84)	2506-AA53
208	*24 CFR 511.30 Funding Allocation Formula for the Rental Rehabilitation Program (CPD-8-84; FR-1912)	2506-AA49
209	*24 CFR 570 Community Development Block Grants, Grant Administration (CPD-38-81; FR-1852)	2506-AA07
210	*24 CFR 570 Community Development Block Grants, Performance Review (CPD-44-81)	2506-AA08
211	24 CFR 570 Categorical Program Settlement Fund; Model Cities Transition Policies (CPD-13-81; FR-1712)	2506-AA18
212	*24 CFR 571.101 Indian CDBG Program - Allocation of Funds (CPD-4-83) (FR-1830)	2506-AA34
213	24 CFR 571.101 CDBG for Indian Tribes and Alaskan Natives, Relocation of Funds (CPD-13-83; FR-1830)	2506-AA44
214	24 CFR 590 Urban Homesteading (CPD-25-79; FR-1237)	2506-AA24
215	24 CFR 710 Removal of Part 710 Financing Private New Community Development (Chapter VII, Subchapter B--Assistance for New Communities--1968 Act) (CPD-9-83; FR-1777)	2506-AA41
216	*24 CFR 511 Rental Rehabilitation Program (CPD-17-82)	2506-AA03
217	*24 CFR 570.450 Urban Development Action Grants Change in Funding Cycles (CPD-12-84; FR-2009)	2506-AA57

*Indicates priority regulation.

Office of Fair Housing and Equal Opportunity—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
218	*24 CFR 8 Nondiscrimination Based on Handicap in Federally-Assisted Programs and Activities (FH&EO-4-84; FR-770)	2529-AA26
219	24 CFR 105 Procedures for Enforcement of Complaints Against Discriminatory Housing Practices (FH&EO-1-82)	2529-AA03
220	24 CFR 105 Procedure for Processing Complaints under section 804 of the Fair Housing Act (FH&EO-6-84; FR-2012)	2529-AA24
221	*24 CFR 107 Nondiscrimination and Equal Opportunity Housing Under Executive Order 11063 (FH&EO-2-82; FR-2020)	2529-AA12
222	24 CFR 108 Affirmative Fair Housing, Marketing Technical Amendments (FH&EO-2-83; FR-1670)	2529-AA17
223	24 CFR 114 Fair Housing Prohibitions Against Discrimination-Financing Activities (FH&EO-2-78)	2529-AA07
224	24 CFR 114 Fair Housing-Prohibitions Against Discrimination (FH&EO-5-78)	2529-AA08
225	24 CFR 114 Fair Housing-Prohibited Appraisal Practices (FH&EO-8-78)	2529-AA09
226	24 CFR 114 Fair Housing-Property Insurance Activities (FH&EO-10-78)	2529-AA10
227	24 CFR 115.11 Recognition of Substantially Equivalent Laws (FH&E0-5-84; FR-1976)	2529-AA25
228	24 CFR 120 Community Housing Resource Board Grant Program (FH&EO-2-81; FR-1407)	2529-AA06
229	24 CFR 125 Affirmative Administration of Federal Programs and Activities Relating to Housing and Urban Development (FH&EO-11-78)	2529-AA11
230	*24 CFR 144 Implementation of Section 109 of the Housing and Community Development Act of 1974 (FH&EO-13-78; FR-1058)	2529-AA02
231	*24 CFR 146 Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from HUD (FH & EO-1-79; FR-1161)	2529-AA01

*Indicates priority regulation.

HUD

Office of Fair Housing and Equal Opportunity—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
232	24 CFR 135 Employment Opportunities for Businesses and Lower Income Persons in Connection with Assisted Projects (FH&EO-4-81)	2529-AA15

Office of Fair Housing and Equal Opportunity—Completed Actions

Sequence Number	Title	Regulation Identifier Number
233	24 CFR 7 Equal Employment Opportunity; Policies and Procedures (FH&EO-3-84; FR-1922)	2529-AA22
234	*24 CFR 115 Recognition of Substantially Equivalent Laws (FH&EO-5-81; FR-1576)	2529-AA00
235	24 CFR 115 Proposal to Grant Equivalency Recognition to Additional Jurisdictions; Withdrawal of Recognition to Wichita, Kansas (FH&EO-1-84; FR-1878)	2529-AA21
236	*24 CFR 115 Recognition of Jurisdictions With Substantially Equivalent Laws, Three States and Six Localities (FH&EO-4-84)	2529-AA23
237	24 CFR 108 Compliance Procedures for Affirmative Fair Housing Marketing (FH&EO-3-82)	2529-AA13

*Indicates priority regulation.

Office of Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
238	24 CFR 570 Federal Procurement of Cement Containing Fly Ash (ADM-1-84; FR-1938)	2535-AA05
239	24 CFR 3 Organization, Function, and Delegations of Authority Subpart C - Secretary's Delegations of Authority to Heads of Offices (ADM-2-82)	2535-AA01
240	41 CFR 24 HUD Acquisition Regulation (ADM-2-84)	2535-AA06

Office of Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
241	24 CFR 16 Implementation of the Privacy Act of 1974 (ADM-4-82; FR-1628)	2535-AA03
242	24 CFR 17, Subpart B Administrative Claims; Collection of Claims by the Government under the Federal Claims Collection Act of 1966; Standards for Collection of Claims (ADM-1-82; FR-1644)	2535-AA00
243	41 CFR 24 HUD Acquisition Regulations (ADM-1-83; FR-1860)	2535-AA04

Office of the Inspector General—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
244	24 CFR 44 OMB Circular A-102, Uniform Requirements for Assistance to State and Local Government, Audit Requirements (Attachment P) Non-Federal Governmental Audit Requirements (IG-1-83; FR-1813)	2508-AA03

HUD

Office of the Inspector General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
245	24 CFR 2000 Organization, Functions and Delegations of Authority Establishment of Office of Inspector General (IG-1-81; FR-1651)	2508-AA02
246	24 CFR 2002 Availability of Information to the Public Establishment of Office of Inspector General (IG-1-82; FR-1650)	2508-AA04
247	24 CFR 2004 Production in Response to Subpoenas or Demands of Courts or other Authorities, Establishment of Office of Inspector General (IG-2-82; FR-1649)	2508-AA01

Office of Public and Indian Housing—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
248	24 CFR 912 Increase in Single Person Occupancy Limits (P-48-84)	2577-AA07
249	00 CFR Not yet determined Emergency Shelter Program (H-49-84)	2577-AA08
250	24 CFR 965.303 Repeal of the Rule on Individual Metering of Utilities for Existing PHA-Owned Projects (P-36-83; FR-1769)	2577-AA27
251	24 CFR 904 Low-Income Housing--Homeownership Opportunities Turnkey III Program (P-55-79; FR-563)	2577-AA19
252	24 CFR 904 Turnkey III Homeownership Opportunities Program (P-7-83; FR-1695)	2577-AA25
253	*24 CFR 905 Indian Preferences (P-51-83; FR-1808)	2577-AA26
254	*24 CFR 906 Public Housing Homeownership for Lower Income Families (P-21-84; FR-1890)	2577-AA10
255	24 CFR 941.204 Public Housing Development; Prototype Costs (P-64-84; FR 1975)	2577-AA13
256	*24 CFR 960 Low-Income Public Housing-Lease Requirements, Evictions and Hearings (P-26-79; FR-1164)	2577-AA18
257	24 CFR 965.602 PHA-Owned or Leased Projects-Maintenance and Operations; Transfer of Contracting Authority (P-76-84; FR-2011)	2577-AA12
258	24 CFR 243 Pet Ownership in Assisted Rental Housing for the Elderly and Handicapped (P-43-84; FR-1936)	2577-AA05
259	*24 CFR 968 Public Housing Program - Comprehensive Improvement Assistance Program (P-58-84)	2577-AA09
260	24 CFR 968 Comprehensive Improvement Assistance Program - Viability Standards (P-62-84; FR-1970)	2577-AA14
261	*24 CFR 969 Public Housing Program-Continued Operation of Projects as Lower-Income Housing After Completion of Debt Service (P-60-79; FR-1202)	2577-AA15
262	*24 CFR 970 Public Housing Program-Demolition of Buildings or Disposition of Real Property (P-23-84; FR-1892)	2577-AA02
263	*24 CFR 990 Modification to the Performance Funding System (P-2-84; FR-1834)	2577-AA00
264	24 CFR 990 Performance Funding System (PFS) Letter of Credit Treasury Financial Communications System (LDC-TFCS) for Disbursing Operating Subsidy Payments (P-47-84)	2577-AA06
265	24 CFR 990.102 Annual Contributions for Operating Subsidy - Performance Funding System (P-38-83; FR-1775)	2577-AA23
266	*24 CFR 990 Annual Contributions for Operating Subsidy Performance Funding System-Energy Conservation Adjustments (P-26-83; FR-1747)	2577-AA24

*Indicates priority regulation.

Office of Public and Indian Housing—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
267	24 CFR 905 Indian Housing (P-31-82)	2577-AA17
268	24 CFR 905 Indian Public Housing Program (P-101-82)	2577-AA21
269	24 CFR 965 Project Management; Modernization of Oil-Fired Heating Plants (P-11-82)	2577-AA20

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
270	*24 CFR 913 Definition of Income, Income Limits, Rent and Reexamination of Family Income for the Public and Indian Housing Programs (P-17-84; FR-1882)	2577-AA01
271	*24 CFR 941 Use of Development Funds for CIAP or for Acquisition of Property (CIAP Conversion) (P-22-84; FR-1891)	2577-AA03

HUD

Office of Public and Indian Housing—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
272	*24 CFR 941 Public Housing Development, Revision of Requirements (P-103-82; FR-1665)	2577-AA22
273	*24 CFR 965 Tenant Allowances for Utilities (P-95-78; FR-350)	2577-AA16
274	24 CFR 968 Comprehensive Improvement Assistance Program--Major Repairs (P-40-83; FR-1778)	2577-AA28
275	24 CFR 968 Comprehensive Improvement Assistance (Special Purpose Modernization) (P-53-83; FR-1812)	2577-AA29

*Indicates priority regulation.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Current and Projected Rulemakings

Office of the Secretary (HUDSEC)

1. REMOVAL OF REFERENCES TO SUPERSEDED DOL REGULATIONS (S-3-84; FR-1888)

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: Not yet determined

Abstract: This rule removes all references to superseded DOL Regulations in Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	08/00/84	

Small Entity: No

Agency Contact: Bernard Shriber, Department of Housing and Urban Development, Office of the Secretary, Executive Assistant to the Assistant, Secretary for Housing, 202 755-6606

RIN: 2501-AA18

2. ● PROCEDURE FOR FLOODPLAIN MANAGEMENT AND THE PROTECTION OF WETLANDS. IMPLEMENTATION OF EXECUTIVE ORDERS 11988 AND 11990 (S-7-84; FR-865)

Priority: Agency Determination, Task Force

Legal Authority: EO 11988; EO 11990; EO 12127; PL 91-190

CFR Citation: 24 CFR 55, (New)

Abstract: This regulation sets forth the policy, procedure and responsibilities of the Department of Housing and Urban Development to implement and enforce Executive Order 11988, Floodplain Management, and Executive Order 11990, the Protection of Wetlands. This regulation replaces a general statement of Departmental policy (44 FR 47623; August 14, 1979) implementing these Executive Orders pending the adoption of final procedures.

Timetable:

Action	Date	FR Cite
NPRM	08/09/79	44 FR 47006
NPRM Comment Period Begin	08/09/79	44 FR 47006
General Statement of Departmental Policy	08/14/79	44 FR 47623
NPRM Comment Period End	11/10/79	
Proposed Rule and request for Public Comment	12/00/84	

Small Entity: No

Agency Contact: Walter Prybyla, Deputy Director, Department of Housing and Urban Development, Office of the Secretary, Environmental Management Division, 202 755-6611

RIN: 2501-AA23

3. IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN ADMINISTRATIVE PROCEEDINGS (S-3-82; FR-1547)

Priority: Task Force

Legal Authority: 5 USC 504 Equal Access to Justice Act

CFR Citation: 24 CFR 14

Abstract: The Equal Access to Justice Act provides that in certain Federal agency adversary adjudications pending between October 1, 1981 and September 30, 1984, the agency that conducts the proceeding shall award attorney fees and other expenses to qualified parties who prevail against the agency, unless (1) the position of the agency as a party to the proceeding was substantially justified; (2) special circumstances make an award unjust; or (3) the prevailing party engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy. The rule will establish procedures for the submission and consideration of applications for award. In light of the limited number of proceedings to which the rule will be applicable, the potential costs of the rule are expected to be minimal.

Timetable:

Action	Date	FR Cite
NPRM	01/26/84	49 FR 3202
NPRM Comment Period Begin	01/26/84	49 FR 3202
Final Action	11/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Affected Sectors: 152 General Building Contractors-Residential Buildings; 153 Operative Builders; 154 General Building Contractors-Nonresidential Buildings; 161 Highway and Street Construction, Except Elevated Highways; 162 Heavy Construction, Except Highway and Street Construction; 651 Real Estate Operators (Except Developers) and Lessors; 655 Subdividers and Developers; 701 Hotels, Motels, and Tourist Courts; Multiple

Government Levels Affected: Federal

Agency Contact: Grant E. Mitchell, Department of Housing and Urban Development, Office of the Secretary, Office of General Counsel, 202 755-6550

RIN: 2501-AA00

4. ● IMPLEMENTATION OF THE INTEREST PROVISIONS OF THE DEBT COLLECTION ACT OF 1982 (S-9-84; FR-2022)

Legal Authority: 42 USC 3535 (d); 31 USC 3711; 31 USC 3717

CFR Citation: 24 CFR 17; 24 CFR 200; 24 CFR 201; 24 CFR 203; 24 CFR 207; 24 CFR 202; 24 CFR 220; 24 CFR 232; 24 CFR 241; 24 CFR 250; 24 CFR 255

Abstract: This rule implements increased changes for late payments made to the government by debtors. Regulatory changes include the imposition of interest at a minimum Annual rate of interest on the outstanding debt which is equal to the average investment rate of the Treasury tax and loan accounts as determined by the Secretary of the Treasury; assessment of penalty charges of up to six percent for payments over 90 days late; and charges for the administrative costs of processing the late payment. The Department must issue a demand letter to the debtor which indicates when the payment is due and the date used to calculate the interest and penalty charges.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/00/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Samuel B. Rothman, Attorney-Advisor, Department of Housing and Urban Development, Office of the Secretary, Office of Program Enforcement, 202 755-7184

RIN: 2501-AA24

5. BOARD OF CONTRACT APPEALS RULES OF PROCEDURE (S-1-79)

Legal Authority: 41 USC 601 et seq Contract Disputes Act of 1978

CFR Citation: 24 CFR 20

Abstract: Would revise the rules of procedure of HUD Board of Contract Appeals to implement statutory changes made by the Contract Disputes Act of 1978 and uniform rules issued by the Office of Federal Procurement Policy.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: David T. Anderson, Chairman, Department of Housing and Urban Development, Office of the Secretary, Board of Contract Appeals, Room 2158, 202 755-0132

RIN: 2501-AA04

6. SUSPENSION AND DEBARMENT (S-2-79; FR-1676)

Priority: Agency Determination

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 24

Abstract: Would amend 24 CFR Part 24 to conform with Policy Letter 82-1, "Policy Guidance Concerning Government-wide Debarment, Suspension and Ineligibility" issued by the Office of General Procurement Policy, dated June 24, 1982. Additionally, it would clarify the criteria for imposing administrative sanctions on grantees and program participants other than procurement contractors, as well as to clarify the procedural safeguards afforded participants in suspension and debarment proceedings.

Timetable:

Action	Date	FR Cite
NPRM	10/11/83	48 FR 46072
NPRM Comment Period Begin	10/11/83	48 FR 46072
NPRM Comment Period End	12/12/83	
Final Action	08/00/84	

Small Entity: No

Agency Contact: Phillip L. Schulman, Asst Gen Coun for Insp Gen & Admn Proceedngs, Department of Housing and Urban Development, Office of the Secretary, 202 755-5557

RIN: 2501-AA05

7. PROTECTION OF HUMAN SUBJECTS IN RESEARCH (S-6-83; FR-1807)

Priority: Undetermined

Legal Authority: Executive Order to be issued

CFR Citation: 24 CFR 46

Abstract: In response to a Presidential Commission, an Interagency Task Force on the Protection of Human Subjects in Research has proposed that all Federal agencies adopt a common policy and uniform regulations for the protection of human subjects in research. An Executive Order is expected to be issued shortly to implement this proposal and to set the Government-wide policy.

HUD has agreed to adopt the policy and to issue a regulation based on a model previously promulgated by the Department of Health and Human Services on this subject, and as embodied in the planned Executive Order.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: Compliance costs for HUD's adoption of the model regulation will be minimal, because almost all research conducted by HUD falls within categories exempted from the requirements of the model regulation. The infrequent projects that may not be exempt (perhaps one every two years) have in the past been proposed by organizations already subject to the Department of Health and Human Services regulation, and thus would not have any incremental compliance costs for the organization, other than the actual project requirements.

Costs would be slight.

Affected Sectors: Profit and Non-profit Research Organizations.

Levels of Government Affected: only HUD itself.

The Executive Order will be published for public comment and then promulgated with changes, if any, resulting from the public comment. Once the order is promulgated, agencies adopting the policy verbatim may move directly to the publishing of a final rule without a public comment process. HUD expects to follow this procedure.

Agency Contact: Arthur S. Newburg, Senior Advisor for Research Management, Department of Housing and Urban Development, Office of the Secretary, Policy Development and Research, 202 755-8238

RIN: 2501-AA15

8. ● ENVIRONMENTAL REVIEW PROCEDURES - RENTAL REHABILITATION AND HOUSING DEVELOPMENT GRANT PROGRAM (S-6-84; FR-1965)

Legal Authority: 42 USC 1437o(i)(1) and (2); 42 USC 5304(f)

CFR Citation: 24 CFR 58

Abstract: Implements Section 17(i) of the Housing and Urban-Rural Recovery Act of 1983 which makes the award and use of resources under the Housing Development Grant and Rental Rehabilitation Programs subject to the statutory provisions governing environmental review that apply to the Community Development Grant Programs. The rule also implements Section 17(i) by creating a special procedure for considering program effects on property that is included, or eligible to be included, on the National Register of Historic Places.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/07/84	49 FR 23610
Final Action	10/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Agency Contact: Charles E. Thomson, Department of Housing and Urban Development, Office of the Secretary, Office of Environmental and Energy, Environmental Management Division, 202 755-6611

RIN: 2501-AA25

9. SECONDARY MARKET OPERATIONS OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA) (S-3-81)

Priority: Agency Determination

Legal Authority: 12 USC 1723a Federal Natl Mortgage Association Charter Act; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 81.41(b); 24 CFR 81.45(b)

Abstract: This rule would 1) amend the definition of "FNMA security" at 24 CFR 81.41(b) to delete the exclusionary parenthetical and 2) repeal the provision in 24 CFR 81.45(b) which allows FNMA debentures in book-entry form only.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Walter T. Cassidy, Assistant General Counsel for Finance, Department of Housing and Urban Development, Office of the General Counsel, 202 755-7260

RIN: 2501-AA10

10. ALLOCATION AND USE OF ASSISTED HOUSING AUTHORITY (S-7-84; FR-1896)

Legal Authority: 42 USC 1439

CFR Citation: 24 CFR 791

Abstract: The rule revises HUD's regulations for the allocation of housing assistance funds to conform with statutory changes made by the Housing and Urban-Rural Recovery Act of 1983. It contains a more explicit description of the allocation formula; specifies that the formula is applicable only to funds the first time they are available for reservation; deletes specific requirements on allocating funds in accordance with approved Housing Assistance Plans; and modifies the requirements for local consultation in the allocation process.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	

Small Entity: No

Additional Information: Includes: H-4-81, FR-1512, RIN-2502-AA73

Agency Contact: Robert J. Coyle, Housing Policy Analyst, Department of Housing and Urban Development, Office of the Secretary, Office of Policy Development, 202 426-0751

RIN: 2501-AA27

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Existing Regulations Under Review

Office of the Secretary (HUDSEC)

11. ● OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION: GENERAL FUNCTIONS AND ROLE IN THE DEPARTMENT'S PROCUREMENT PROCESS (S-8-84; FR-1894)

Legal Authority: 42 USC 3535(d)

CFR Citation: Not yet determined

Abstract: The Department is considering amending its regulations on the role of the Office of Small and Disadvantaged Business Utilization (OSDBU) in the procurement process. The 1978 Amendments to the Small Business Act of 1958 identify responsibilities of the OSDBU to establish goals for the participation by small business concerns and small business concerns controlled by socially and economically disadvantaged individuals in HUD procurement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Casey Mann, II, Special Assistant, Department of Housing and Urban Development, Office of the Secretary, Office of Small & Disadvantaged Business, Utilization, 202 755-3630

RIN: 2501-AA22

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Secretary (HUDSEC)

Completed Actions

COMPLETED RULEMAKINGS

12. PRODUCTION OR DISCLOSURE OF MATERIAL OR INFORMATION (S-9-83; FR-1820)

CFR Citation: 24 CFR 15

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11159
Final Action Effective	05/08/84	49 FR 11159

Small Entity: No

Agency Contact: David White 202 755-7137

RIN: 2501-AA16

13. MORTGAGEE REVIEW BOARD (S-3-79)

CFR Citation: 24 CFR 25

Completed:

Reason	Date	FR Cite
Final Action	09/09/83	48 FR 40705
Final Action Effective	10/11/83	48 FR 40705

Small Entity: No

Agency Contact: Phillip L. Schulman 202 755-5557

RIN: 2501-AA06

14. NONJUDICIAL FORECLOSURE OF MULTIFAMILY MORTGAGES (S-4-82; FR-1583)

Priority: Agency Determination

CFR Citation: 24 CFR 27

Completed:

Reason	Date	FR Cite
Final Action	02/24/84	49 FR 7072
Final Action Effective	03/26/84	49 FR 7072

Small Entity: No

Agency Contact: Geoffrey L. Patton 202 755-5351

RIN: 2501-AA01

15. SOLAR ENERGY AND ENERGY CONSERVATION PROGRAM (S-5-82; FR-1700)

Priority: Agency Determination

CFR Citation: 24 CFR 1800

Completed:

Reason	Date	FR Cite
Final Action	03/16/84	49 FR 9865
Final Action Effective	04/26/84	49 FR 9865

Small Entity: No

Agency Contact: Dr. Richard H. Francis 202 755-7166

RIN: 2501-AA02

16. REMOVAL OF CHAPTER VII - NEW COMMUNITY CORPORATION (S-4-84; FR-1924)

CFR Citation: 24 CFR 3710; 24 CFR 3720

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11169
Final Action Effective	05/07/84	49 FR 11169

Small Entity: No

Agency Contact: Grant E. Mitchell 202 755-6550

RIN: 2501-AA21

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

17. ● ACCESSIBILITY STANDARDS FOR DESIGN, CONSTRUCTION, AND ALTERATION OF PUBLICLY OWNED RESIDENTIAL STRUCTURES (S-5-84; FR-1957)

Legal Authority: 42 USC 4153; 42 USC 3535 (d)

CFR Citation: 24 CFR 40

Abstract: Rule adopts standards for access to publicly owned residential buildings by physically handicapped people. The rule implements the Department's mandate under the Architectural Bainers Act to promulgate accessibility standards for residential buildings. The adopted standards are the same as standards adopted by three other agencies/government corporations responsible for developing standards under the Act.

Timetable:

Action	Date	FR Cite
Final Action	08/07/84	49 FR 31620
Final Action Effective	10/04/84	49 FR 31620

Small Entity: No

Additional Information: Includes: H-71-78; FR-822

Agency Contact: Margaret Milner, Program Analyst (Housing Policy Analyst), Department of Housing and Urban Development, Office of the Secretary, 202 755-6454

RIN: 2501-AA26

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)

Current and Projected Rulemakings

18. TROUBLED PROJECTS AMENDMENTS (H-50-84)

Priority: Undetermined

Legal Authority: PL 98-181

CFR Citation: Not yet determined

Abstract: Implements section 217 of the Housing and Urban Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity:

Undetermined

Agency Contact: Charles Bartlett, Assistant General Counsel, Department of Housing and Urban Development, Office of Housing, Multifamily Mortgage Insurance, 202 755-7090

RIN: 2502-AC31

19. LEAD BASED PAINT POISONING PREVENTION (H-81-82; FR-1748)

Priority: Agency Determination, Major

Legal Authority: 42 USC 4801 et seq Lead-Based Paint Poisoning Prevent Act

CFR Citation: 24 CFR 35

Abstract: Would develop regulations consistent with the Lead-Based Paint Poisoning Prevention Act. Alternatives to address the problem are being developed at this time. The potential cost is estimated to exceed $100 million per year. This action would benefit children susceptible to lead-based paint poisoning and would avoid cost of medical treatment and reduce the occurrence of mental retardation traced to lead-base paint.

Timetable:

Action	Date	FR Cite
ANPRM	05/04/84	49 FR 19210
ANPRM Comment Period Begin	05/04/84	49 FR 19210
ANPRM Comment Period End	07/03/84	
Final Action	03/00/85	

Small Entity: Yes

Agency Contact: Grant E. Mitchell, Assistant General Counsel, Department of Housing and Urban Development, Office of Housing, Office of General Counsel, Fiscal Management and Energy Division, 202 755-6550

RIN: 2502-AA06

20. ELIMINATION OF MINIMUM PROPERTY STANDARDS (MPS) FOR ONE- AND TWO-FAMILY DWELLINGS (H-74-82; FR-1655)

Priority: Task Force

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 200

Abstract: Would revise eligibility criteria for single family housing by accepting applications for properties which comply with local codes rather than MPS 4900.1 whose health and safety provisions require a level of performance substantially equivalent to a nationally recognized model building code.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Donald R. Fairman, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Construction, Standards, 202 755-5718

RIN: 2502-AA03

21. USE OF MATERIALS BULLETIN NO. 38I - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR THE GRADEMARKING OF LUMBER (H-104-82)

Legal Authority: 42 USC 3535(d) Department of HUD Act; 12 USC 1715(b) National Housing Act

CFR Citation: 24 CFR 200.929

Abstract: Would promulgate HUD Use of Materials Bulletin No. 38i (UM 38i). UM 38i is a revision of existing UM which references appropriate industry consensus standards and contains procedures for accepting and listing agencies for the grademarking of lumber.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Jerome Tobias, Structural Engineer, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-5929

RIN: 2502-AA66

22. USE OF MATERIALS BULLETIN NO. 85 - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR POLY (VINYL CHLORIDE) WINDOWS (H-105-82; FR-1926)

Legal Authority: 42 USC 3535(d) Department of HUD Act; 12 USC 1715(b) National Housing Act

CFR Citation: 24 CFR 200.935; 24 CFR 200.941

Abstract: Would promulgate HUD Use of Materials Bulletin No. 85 (UM 85). UM 85 accepts recently published product standards for poly (vinyl chloride) plastic windows. In addition, it would provide for a certification program for these products.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	05/24/84	
NPRM	05/25/84	49 FR 22106
NPRM Comment Period End	07/24/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Leslie Breden, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-5929

RIN: 2502-AA67

23. USE OF MATERIALS BULLETIN NO. 86 - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR EPDM ROOFING (H-106-82)

Legal Authority: 42 USC 3535(d) Department of HUD Act; 12 USC 1715(b) National Housing Act

CFR Citation: 24 CFR 200.935

Abstract: Would promulgate HUD Use of Materials Bulletin No. 86 (UM 86). UM 86 accepts recently published product standards for EPDM roofing membrane. In addition, it would provide for a certification program for these products.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Tson-Liang Tang, Structural Engineer, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, 202 755-5929

RIN: 2502-AA68

24. SUPPLEMENT TO MINIMUM PROPERTY STANDARDS FOR SOLAR HEATING AND DOMESTIC HOT WATER SYSTEMS (H-6-80; FR-1320)

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 200, Subpart S

Abstract: Updates obsolete references in MPS 4930.2 and reflects current changes in solar heating.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/17/82	47 FR 35760
Interim Rule effective	12/08/82	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Mark W. Holman, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, **202 755-6590**

RIN: 2502-AA99

25. USE OF MATERIAL BULLETIN NO. 78A, PLASTIC SUPPLY PIPING FOR DOMESTIC COLD WATER (H-33-79; FR-1154)

Legal Authority: 42 USC 3535(d) Department of HUD Act; 12 USC 1715(b) National Housing Act

CFR Citation: 24 CFR 200.929

Abstract: UM 78 originally outlined the requirements and conditions for HUD field office acceptance of a number of plastic piping materials for use in domestic water service, (from water main to house), and included references covering polybutylene piping (PB). UM 78 identified national standard references for plastic piping which is normally used in residential construction for domestic cold water service. This revision will update references to industry standards and combine UM 78 and UM 76, "CPCV and PB Plastic Hot and Cold Water Distribution."

Timetable:

Action	Date	FR Cite
NPRM	09/03/80	45 FR 58374
NPRM	09/00/84	

Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Department of Housing and Urban Development, Office of Housing, Technical Support Branch, **202 755-5718**

RIN: 2502-AB05

26. APPLICABILITY OF MINIMUM PROPERTY STANDARDS MANUFACTURED HOMES UNDER TITLE II OF THE NATIONAL HOUSING ACT (H-82-82; FR-1578)

Legal Authority: 12 USC 1701 et seq National Housing Act

CFR Citation: 24 CFR 200.925; 24 CFR 200.926

Abstract: Would insure financing of properties with manufactured homes under Title II of the National Housing Act, as a means to broaden affordable home ownership opportunities. To qualify for such financing, the manufactured homes, foundations and sites must meet prescribed standards to insure adequate security for HUD-insured mortgages. By such action homeowners can expect reduced housing cost without sacrificing housing quality or durability.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/24/83	48 FR 7731
Interim Rule effective	04/06/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, **202 755-6720**

RIN: 2502-AB24

27. USERS FEE SCHEDULE FOR THE TECHNICAL SUITABILITY OF PRODUCTS PROGRAM (H-56-83; FR-1827)

Priority: Agency Determination

Legal Authority: 12 USC 1701 National Housing Act

CFR Citation: 24 CFR 200

Abstract: This rule establishes a new system of fees to be charged manufacturers of new housing construction products and materials for which HUD's acceptance is sought under the Technical Suitability of Products Program. The rule will conserve federal funds by shifting a portion of the costs associated with determining the acceptability of a product to the manufacturer.

Timetable:

Action	Date	FR Cite
NPRM	03/01/84	49 FR 7587
NPRM Comment Period Begin	03/01/84	
NPRM Comment Period End	04/30/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Donald R. Fairman, Director, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, Office of Manufctd Housing & Construct Stds, **202 755-5718**

RIN: 2502-AB78

28. MINIMUM PROPERTY STANDARDS FOR CARE-TYPE HOUSING -- MPS (H-39-83; FR-1776)

Priority: Agency Determination

Legal Authority: 42 USC 3535(d) Dept of HUD Act

CFR Citation: 24 CFR 200

Abstract: Would amend the present minimum property standards (MPS) by adopting a new MPS for Care-Type housing. This new MPS would replace the present MPS for Care-Type housing 4920.1. It would delete marketability and livability items from the present Care-Type MPS 4920.1 to the same extent they were deleted from the MPS for one and two family dwellings 4900.1 and as proposed for the multifamily MPS 4910.1 and would adopt by reference nationally recognized Model Building Codes or other State and local codes to provide health and safety protection.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mark W. Holman, Architect, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Const Standards, **202 755-6590**

RIN: 2502-AB86

29. MORTGAGE INSURANCE ELIGIBILITY, PROCEDURES AND PROCESSING (H-19-84; FR-1887)

Legal Authority: 12 USC 1702 National Housing Act; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 200

Abstract: This rule would 1) establish general eligibility procedures and processing for all HUD mortgage insurance applications 2) describe ineligible applications that will be rejected, and 3) provide for the review and re-evaluation of rejected applicants upon their written request. The rule would clarify that the burden of proof of eligibility is on the applicant. Applicants for mortgage insurance with records of previous poor performance, defaults, or foreclosures will be rejected as ineligible unless they can satisfy HUD that the poor performance, default or foreclosure was beyond their control.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: All

Agency Contact: Jon Will Pitts, Director, Department of Housing and Urban Development, Office of Housing, Participation and Compliance Division, 202 755-6779

RIN: 2502-AC26

30. ● USE OF COMMITMENT CORRESPONDENTS IN CONNECTION WITH FHA MORTGAGE INSURANCE (H-60-84;FR-1954)

Priority: Agency Determination

Legal Authority: 12 USC 1709(a)

CFR Citation: 24 CFR 200; 24 CFR 203

Abstract: This proposed rule would create a new category of approved program participants to be known as commitment correspondents in the FHA single family mortgage insurance programs. Commitment correspondents would be authorized, on behalf of approved mortgagees, to accept and process FHA loan applications, obtain commitments from HUD, and assign these commitments to approved mortgagees.

Timetable:

Action	Date	FR Cite
NPRM	10/10/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-6720

RIN: 2502-AC66

31. ● USE OF MATERIALS BULLETIN (UM) NO. 44D-HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR CARPET AND ATTACHED CUSHION (H-85-84)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200.935; 24 CFR 200.944

Abstract: Would promulgate HUD Use of Materials Bulletin (UM) No. 44d, which is a revision of existing UM 44c, and accepts national industry consensus standards for manufacture, sampling, testing, and acceptance of carpet and carpet with attached cushion. In addition, it would provide for a certification and labeling program for carpet to be acceptable under HUD programs.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Department of Housing and Urban Development, Office of Housing, Technical Support Branch, 202 755-5718

RIN: 2502-AC71

32. ● MULTIFAMILY PARTICIPATION REVIEW COMMITTEE (H-75-84; FR-2008)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200.93

Abstract: This final rule would amend the designated membership of the multifamily participation Review Committee to reflect the joint utilization of the committee by the Assistant Secretary for Housing-Federal Commissioner and the Assistant Secretary for Public and Indian Housing. This change reflects the 1983 reorganization of the Department, which established the position of the Assistant Secretary for Public and Indian Housing.

Timetable:

Action	Date	FR Cite
Final Action	01/00/85	
Final Action Effective	03/15/85	

Small Entity: No

Agency Contact: Jon Will Pitts, Director, Department of Housing and Urban Development, Office of Housing, Participation and Compliance Division, 202 755-6776

RIN: 2502-AC72

33. ● REVISION OF DIRECT ENDORSEMENT PROGRAM (H-84-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200.161

Abstract: Revision of Direct Endorsement Program to lower net worth requirement to make program usable for smaller lenders. This regulation would eliminate special requirements and let any approved mortgagee participate.

Timetable:

Action	Date	FR Cite
Final Action Effective	02/00/85	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC75

34. ● USE OF MATERIALS BULLETIN (UM) NO. 52B - HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR WOOD FLUSH DOORS (H-83-84)

Legal Authority: 42 USC 3535(d); 12 USC 1715(b)

CFR Citation: 24 CFR 200.935; 24 CFR 200.952

Abstract: Would promulgate HUD Use of Materials Bulletin (UM) No. 52b, which is a revision of an existing UM for Wood Flush Doors. UM52b references a revised industry consensus standard that covers the manufacture, testing, and a certification and labelling of such products. In addition, it establishes a certification and labelling

program for doors to be acceptable under HUD program.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Agency Contact: Donald R. Fairman, Chief, Department of Housing and Urban Development, Office of Housing, Technical Support Branch, 202 755-5718

RIN: 2502-AC78

35. PROPERTY IMPROVEMENT AND MANUFACTURED HOME LOAN PROGRAM (H-57-81; FR-1656)

Legal Authority: 12 USC 1701 National Housing Act

CFR Citation: 24 CFR 201

Abstract: Would amend and revise Part 201 in accordance with the Department's deregulation efforts. Would reduce the regulations by approximately twenty-five percent and clarify the remaining. The revisions also would include amendments that address findings of OIG audits of the programs.

Timetable:

Action	Date	FR Cite
NPRM	07/05/84	49 FR 27553
NPRM Comment Period Begin	07/05/84	
NPRM Comment Period End	08/20/84	
Final Action	09/00/84	

Small Entity: No

Additional Information: Includes: H-90-82, H-91-82, H-92-82.

Agency Contact: William L. Halpern, Director, Department of Housing and Urban Development, Office of Housing, Title I Insurance Division, 202 755-6680

RIN: 2502-AA93

36. SECOND MORTGAGES OR LIENS ON FHA-INSURED MORTGAGES--ESCROW ACCOUNTS ASSOCIATED WITH INTEREST BUY-DOWNS (H-84-82; FR-1590)

Legal Authority: 12 USC 1709 National Housing Act; 12 USC 1715 National Housing Act

CFR Citation: 24 CFR 203.32; 24 CFR 213.520; 24 CFR 234.55

Abstract: Would reverse current prohibitior against the use of insured mortgages on properties with secondary mortgages or liens. These amendments also provide for the recapture of funds placed into escrow accounts to reduce the mortgagor's monthly payments to principal and interest in the early years of the mortgage. No alternatives are being considered. No potential costs have been identified. Potential benefits include greater homeownership opportunities for homebuyers, allowing sellers to recapture funds used to buy down interest rates and increased use of buy down which would allow more families to qualify for mortgages.

Timetable:

Action	Date	FR Cite
NPRM	04/10/84	49 FR 14113
NPRM Comment Period Begin	04/10/84	49 FR 14113
NPRM Comment Period End	06/10/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AA57

37. ELIGIBILITY OF MORTGAGES INVOLVING A DWELLING UNIT IN A COOPERATIVE HOUSING DEVELOPMENT (H-93-82; FR-1742)

Legal Authority: 12 USC 1709 National Housing Act

CFR Citation: 24 CFR 203.43c; 24 CFR 203.437

Abstract: Would relax some restrictions which have unnecessarily inhibited activity under the program. The rule would delete the requirement that corporations waive the right of first refusal and it would eliminate the limitation of the mortgage term on an individual share to the term remaining on the blanket mortgage. The 1983 statute extends the availability of mortgage insurance in existing conventionally financed cooperatives provided construction has been completed one year. The statute removed the requirement that the cooperative have an insured blanket mortgage.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/84	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AA61

38. ISSUE DATE OF DEBENTURES (H-51-81; FR-1501)

Legal Authority: 12 USC 1701 et seq National Housing Act, as amended

CFR Citation: 24 CFR 203.410

Abstract: Would change the method by which debenture interest is computed when a property is conveyed to the Secretary in exchange for insurance benefits.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard B. Buchheit, Director, Department of Housing and Urban Development, Office of Housing, Single Family Servicing Division, 202 755-6672

RIN: 2502-AA91

39. MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS PAYMENT PRIVILEGES AND APPLICATION OF LATE CHARGES (H-9-79; FR-1028)

Legal Authority: 12 USC 1715b National Housing Act; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 203.22(a); 24 CFR 203.24(a) (4); 24 CFR 203.558; 24 CFR 213.518; 24 CFR 222.6; 24 CFR 234.37

Abstract: Would provide that insured single family mortgages will no longer require 30 days advance notice of prepayment or payment on interest payment date. Would also permit mortgagees to collect late charges within the purview of the security instruments.

Timetable:

Action	Date	FR Cite
NPRM	05/18/84	49 FR 21079
NPRM Comment Period Begin	05/18/84	49 FR 21079
NPRM Comment Period End	06/18/84	
Final Action	11/00/84	
Final Action Effective	03/00/85	

Small Entity: No

Agency Contact: Richard Buchheit, Director, Department of Housing and Urban Development, Office of Housing, Single Family Servicing Division, 202 755-6672

RIN: 2502-AB02

40. MORTGAGE INSURANCE FOR ONE-TO-FOUR-FAMILY RESIDENCES--ADJUSTMENT FOR DAMAGES OR NEGLECT (H-19-79; FR-837)

Legal Authority: 12 USC 1715b National Housing Act, as amended; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 203

Abstract: Allows conveyance or assignment of fire damaged property when the fire insurance policy has been terminated (or renewal refused) and the mortgagee has been unable to obtain adequate insurance to protect its investment.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/26/80	45 FR 56800
Interim Rule effective	09/22/80	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Richard Buchheit, Director, Department of Housing and Urban Development, Office of Housing, Single Family Servicing Division, 202 755-6672

RIN: 2502-AB03

41. MORTGAGE INSURANCE - OCCUPANCY OF PROPERTY (H-1-78; FR-968)

Legal Authority: 12 USC 1713 National Housing Act, as amended

CFR Citation: 24 CFR 203.670 to 203.683

Abstract: Prescribes revised criteria for determining when HUD will accept conveyance of one-to-four-family properties by mortgagees with tenants or former mortgagors in occupancy. This revision attempts to take into account the public comments on, and HUD's own experience under, the existing rule in achieving the objective of limiting occupied conveyance to where it is in HUD's interest while at the same time ensuring due process to occupants.

Timetable:

Action	Date	FR Cite
NPRM	04/20/79	44 FR 23800
Interim Final Rule	09/10/80	45 FR 59561
Revised NPRM	00/00/00	

Small Entity: No

Agency Contact: Alan Kappeler, Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-3046

RIN: 2502-AB10

42. MORTGAGEE APPROVAL - ELIGIBILITY REQUIREMENTS (H-64-78; FR-903)

Legal Authority: 12 USC 1709 National Housing Act, as amended; 12 USC 1713 National Housing Act, as amended; 12 USC 1715 National Housing Act, as amended

CFR Citation: 24 CFR 203; 24 CFR 207; 24 CFR 211

Abstract: Amended Part 203 to simplify and reorganize mortgagee approval requirements. Amended financial reporting requirements for mortgagees and moved the requirements relating to the withdrawal of mortgagee approval to Part 25.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/30/80	45 FR 50560
Interim Rule effective	09/10/80	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Andrew Zirneklis, Mortgagee Review Board Officer, Department of Housing and Urban Development, Office of Housing, Office of Mortgagee Activities, 202 426-3976

RIN: 2502-AB12

43. TEMPORARY MORTGAGE ASSISTANCE PAYMENTS (TMAP), AND ASSIGNMENTS TO HOUSING AND URBAN DEVELOPMENT (H-29-81; FR-1415)

Priority: Agency Determination

Legal Authority: 12 USC 1715b; 12 USC 1715u

CFR Citation: 24 CFR 203; 24 CFR 204

Abstract: Amendment to TMAP and Assignment Rule to conform to requirements of court Order on date of default and issues decided by Court of Appeals against Department.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Richard B. Buchheit, Director, Single Family Servicing Division, Department of Housing and Urban Development, Office of Housing, 202 755-8680

RIN: 2502-AB79

44. VETERAN QUALIFICATIONS--ELIGIBILITY REQUIREMENTS FOR MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS (H-47-83; FR-1801)

Legal Authority: 12 USC 1709 National Housing Act; 12 USC 1715b National Housing Act; 12 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 203.18

Abstract: Rule proposes to eliminate the requirement that a veteran submit a Certificate of Veteran Status from the Veterans Administration in order to establish eligibility for special loan terms for veterans. The proposed change would permit a veteran to certify that he or she qualifies as a veteran and would require the veteran to submit only a copy of his or her discharge papers. This change would expedite the processing of FHA mortgage insurance for veterans and eliminate the fee charged by the Veterans Administration for issuance of a Certificate of Veteran Status.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: John J. Coonts, Director, Single Family Development Division, Department of Housing and Urban Development, Office of Housing, 202 755-6720

RIN: 2502-AB89

45. MORTGAGE INSURANCE ENDORSEMENT ON A NEW OR EXISTING DWELLING IN A NEW SUBDIVISION OR IMPROVED AREA (H-13-84; FR-1867)

Priority: Agency Determination

Legal Authority: 12 USC 1709 Sec. 203 National Housing Act; 12 USC 1715b Sec. 211 National Housing Act; 42 USC 3535(d) Sec. 7(d) Department of HUD Act

CFR Citation: 24 CFR 203.12

Abstract: This proposed rule would establish Sec. 203.12 in Title 24 of the Code of Federal Regulations setting forth an optional procedure for complying with HUD requirements for conditional and master conditional commitments and endorsement of a mortgage on one- to four-family dwellings located in an improved area. Current policies require that a new subdivision must be shown to satisfy HUD subdivision analysis requirements which cover both environmental and underwriting factors, and other site development criteria.

Timetable:

Action	Date	FR Cite
NPRM	05/24/84	49 FR 21938
NPRM Comment Period Begin	05/24/84	49 FR 21938
NPRM Comment Period End	07/23/84	
Final Action	03/00/85	

Small Entity: Undetermined

Agency Contact: Alan Kappeler, Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing and, Mortgages Activities, 202 755-3046

RIN: 2502-AC04

46. REINSURANCE DEMONSTRATION PROGRAM (H-46-84)

Legal Authority: PL 98-181, Sec 428 The Housing & Urban-Rural Recov. Act of 1983

CFR Citation: 24 CFR 203

Abstract: This program would test feasibility of entering into reinsurance contracts with private mortgage insurance companies in order to reduce government risk and speed mortgage processing. Benefits would be improved processing at reduced costs for the government.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC11

47. MUTUAL MORTGAGE INSURANCE AND REHABILITATION LOANS; ELIMINATION OF RESTRICTIONS ON CONTIGUOUS PROPERTIES APPLICABLE TO INVESTOR MORTGAGORS (H-1-84; FR-1831)

Legal Authority: 12 USC 1715b National Housing Act; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 203.42(a)

Abstract: This proposed rule would remove 24 CFR 203.42(a). The current rule prohibits the insuring of a mortgage on property on which there is a dwelling to be rented by a mortgagor, if the property is part of, or contiguous to, a subdivision or group of similar properties and if the mortgagor has a financial interest in eight or more of the contiguous properties. This rulemaking would eliminate this rental property mortgage restriction, thereby enabling investors to more freely apply for FHA mortgage insurance to purchase one-to-four family rental units.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: John Coonts, Director, Single Family Housing Division, Department of Housing and Urban Development, Office of Housing, 202 755-6720

RIN: 2502-AC17

48. CHANGES IN MAXIMUM LOAN-TO-VALUE RATIO, SINGLE FAMILY HOUSING (H-42-84; FR-1935)

Priority: Agency Determination

Legal Authority: PL 98-181; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Regulation to permit a maximum loan-to-value ratio of 97 percent to owner-occupants purchasing one-to-four-family dwellings appraised at no more than $50,000.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: John J. Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC33

49. EXTENDING SINGLE FAMILY ONE-TIME MORTGAGE INSURANCE PREMIUM PROVISION FOR SINGLE-FAMILY MORTGAGES TO FUNDS OTHER THAN THOSE INSURED UNDER THE MUTUAL MORTGAGE INSURANCE FUND (H-40-84; ETC

Legal Authority: 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 234; 24 CFR 221

Abstract: Rule under consideration by the Department to extend the one-time mortgage insurance premium provision for single-family mortgages to funds other than the Mutual Mortgage Insurance Fund.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	03/00/85	

Small Entity: Undetermined

Additional Information: TITLE CONT: FR-1930).

Agency Contact: James B. Mitchell, Director, Department of Housing and Urban Development, Office of Housing, Financial Policy Division, 202 426-4325

RIN: 2502-AC35

50. SINGLE FAMILY MORTGAGE INSURANCE ON HAWAIIAN HOME LANDS (H-39-84; FR-1928)

Priority: Agency Determination

Legal Authority: PL 98-181; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Regulation to provide mortgage insurance for certain property located within Hawaiian homelands.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: John J. Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC36

51. PAYMENT OF CLAIMS WITHOUT ACQUISITION OF TITLE (H-38-84; FR-1927)

Priority: Agency Determination

Legal Authority: 12 USC 1710 National Housing Act; PL 98-181

CFR Citation: 24 CFR 200; 24 CFR 203; 24 CFR 204; 24 CFR 220; 24 CFR 228

Abstract: Would authorize the Secretary to pay insurance claims without acquiring title to the property where (1) foreclosure sale produces price equal to property's fair market value (less appropriate adjustments for acceptable costs) and (2) insurance claim is assigned to the Secretary.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Agency Contact: Alan Kappeler, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, 202 755-3046

RIN: 2502-AC37

52. SINGLE FAMILY MORTGAGE INSURANCE - INDIAN RESERVATIONS (H-36-84; FR-1921)

Priority: Undetermined

Legal Authority: PL 98-181; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Regulation to provide mortgage insurance on Indian reservations.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: John J. Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC39

53. INSURANCE OF SINGLE FAMILY SHARED APPRECIATION MORTGAGES (H-33-84; FR-1917)

Legal Authority: 42 USC 1715z

CFR Citation: 24 CFR 203; 24 CFR 234

Abstract: HUD proposes regulations governing the insurance of mortgages, the terms of which permit the lender to share in the net appreciated value of the mortgaged property at the time of its sale.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC42

54. INSURANCE OF SINGLE FAMILY ADJUSTABLE RATE MORTGAGES (H-32-84; FR-1916)

Priority: Agency Determination

Legal Authority: 12 USC 1715z

CFR Citation: 24 CFR 203; 24 CFR 221; 24 CFR 234

Abstract: HUD will propose regulations governing the insuring of mortgages, the terms of which permit adjustments to a mortgagor's payments based on changes in an interest rate index.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/06/84	49 FR 23580
Interim rule effective	07/30/84	
Comments due	08/06/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC43

55. INSURANCE OF SINGLE FAMILY INDEXED MORTGAGES (H-31-84; FR-1915)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-10

CFR Citation: 24 CFR 203; 24 CFR 234

Abstract: HUD will propose regulations governing the insuring of a mortgage, the terms of which permit for adjustments to the principal balance of the loan, and mortgagee payments based upon periodic changes in a price index.

Timetable:

Action	Date	FR Cite
NPRM	06/04/84	49 FR 23063
NPRM Comment Period Begin	06/04/84	49 FR 23063
NPRM Comment Period End	08/03/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, 202 755-6720

RIN: 2502-AC44

56. ● RETENTION PERIOD FOR MORTGAGEE SINGLE FAMILY CLAIM RECORDS (H-81-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Under the new Single Family Claims System, the mortgagee is not required to provide documentation to support the fiscal data reported or entered on the new claim form. Instead, the mortgagee will be randomly audited; at which time is mortgagee is expected to produce all the supporting receipts, payment ledger records, etc.

We plan to change the regulations to specify the retention period and file contents for records supporting single family claim payments and mortgage reviews.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: S.A. Evans, Director, Department of Housing and Urban Development, Office of Housing, Office of Finance and Accounting, **202 755-6310**

RIN: 2502-AC50

---

57. ● LIMIT ON CLAIM COST (H-82-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: Due to the costs of processing single family to both HUD and the mortgagee, we propose a regulation change which will set a limit of $50 or less on 1) the amount of refund HUD will expect from the mortgagee, and 2) the amount of claim the mortgagee will file with HUD.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: S. A. Evans, Director, Department of Housing and Urban Development, Office of Housing, Office of Finance and Accounting, **202 755-6310**

RIN: 2502-AC52

---

58. ● PENALTY FOR LACK OF DOCUMENTATION (H-80-84)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: The new single family process provides for "random audits" of mortgagees' records which file S/F claims with HUD for insurance benefits. During the audit, the mortgagee will be required to provide specific supporting documentation. When the mortgagee cannot produce the required documentation, HUD will penalize the mortgagee for the amount not supported plus the current interest rate on that unsupported amount from the date of payment.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: S.A. Evans, Director, Department of Housing and Urban Development, Office of Housing, Office of Finance and Accounting, **202 755-6310**

RIN: 2502-AC54

---

59. ● REFINANCING OF FHA SINGLE FAMILY LOANS-TECHNICAL REVISIONS (H-66-84; FR-1979)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Abstract: The proposed rule would make various technical revisions to provisions in 24 CFR Part 203 relating to FHA insurance in connection with the refinancing of single family housing.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
NPRM Comment Period Begin	11/00/84	
NPRM Comment Period End	01/00/85	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Office of Single Family Housing, **202 755-6720**

RIN: 2502-AC80

---

60. COINSURANCE PROGRAM (H-28-80; FR-1094)

Legal Authority: 12 USC 1701 et seq National Housing Act

CFR Citation: 24 CFR 204

Abstract: Would revise the single family coinsurance requirements to adopt a recently proposed rule and to incorporate certain public comments received in response to that proposal. This revision: (1) extends coverage to include mortgages on condominiums and non-occupant owner transactions; (2) replaces the stop-loss provision with a hold-harmless provision intended to protect the secondary market against failure of lenders to pass through insurance benefits paid by HUD; (3) clarifies and simplifies various requirements in light of several years' experience with the program; and (4) permits coinsuring mortgagees to obtain mortgage insurance to cover the risk of their 10 percent exposure. Includes H-59-81.

Timetable:

Action	Date	FR Cite
NPRM	11/25/80	46 FR 78164
Final Action	02/00/85	

Small Entity: No

Additional Information: Includes: H-59-81.

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, **202 755-6720**

RIN: 2502-AB01

---

61. MORTGAGE INSURANCE FOR LAND DEVELOPMENT (TITLE X); PROVIDES ELIGIBILITY FOR REFINANCING TRANSACTIONS (H-41-83; FR-1779)

Priority: Undetermined

Legal Authority: 12 USC 1715n National Housing Act

CFR Citation: 24 CFR 205

Abstract: This rule provides for the refinancing of existing mortgages insured under Title X of the National Housing Act.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24147
NPRM Comment Period Begin	06/12/84	49 FR 24147
NPRM Comment Period End	08/13/84	
Final Action	02/00/85	

Small Entity: Undetermined

Agency Contact: John J. Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, **202 755-6720**

RIN: 2502-AB98

---

62. ● GEOGRAPHICAL ELIGIBILITY OF PROPERTY (H-67-84; FR-1982)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 205; 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24

CFR 232; 24 CFR 234; 24 CFR 242; 24 CFR 244; 24 CFR 250; 24 CFR 255

Abstract: This rule would make clear that property in certain U.S. Territories is eligible for HUD's insurance programs.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, **202 755-5720**

RIN: 2502-AC51

63. MULTIFAMILY MORTGAGE INSURANCE (H-96-82)

Legal Authority: 12 USC 1713 National Housing Act as amended; 12 USC 1715d National Housing Act as amended; 12 USC 1715k National Housing Act as amended; 12 USC 1715z-10 National Housing Act as amended; 12 USC 1715z-6 National Housing Act as amended; 12 USC 1752-9 National Housing Act as amended; 12 USC 1715l National Housing Act as amended; 12 USC 1715z-7 National Housing Act as amended

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 232; 24 CFR 241; 24 CFR 242; 24 CFR 244

Abstract: Would amend mortgage insurance regulations to require payment of fees for rehabilitation feasibility processing and for reprocessing of outstanding commitments after appropriate extensions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, **202 755-6223**

RIN: 2502-AA63

64. MORTGAGE INSURANCE PROGRAMS UNDER NATIONAL HOUSING ACT (H-48-81; FR-1525)

Legal Authority: 12 USC 1713 Housing & Community Development Act of 1980; 12 USC 1715 Housing & Community Development Act of 1980

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 231; 24 CFR 232; 24 CFR 234; 24 CFR 242; 24 CFR 244

Abstract: Would amend Parts 207, 213, 220, 221, 231, 232, 234, 242 and 244 to allow up to a 20% increase in maximum project mortgage amounts to cover increased costs due to the installation of a solar energy system or residential energy conservation measures.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, **202 755-6223**

RIN: 2502-AA90

65. SECTION 223(A) AMENDMENTS (H-65-83)

Legal Authority: 12 USC 1170 National Housing Act

CFR Citation: 24 CFR 207; 24 CFR 255

Abstract: This rule would correct the recent revision to the Section 223(F) regulation (published 5/25/83) which provided exceptions in determining whether a property exceeds the rehabilitation threshold making it ineligible for Section 223(F) insurance. The purchase price of such items as ranges and refrigerators will now be included in determining whether a property is eligible since the basic limits were substantially raised in the 5/25/83 rule and those exceptions are no longer necessary. The same changes would be made for Section 223(F) Coinsurance.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: April LeClair, Director, Insurance Division, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, **202 755-1913**

RIN: 2502-AB92

66. LIMITATION ON PREPAYMENT FOR BOND FINANCED PROJECTS (H-54-83; FR-1819)

Priority: Undetermined

Legal Authority: 12 USC 1170 National Housing Act

CFR Citation: 24 CFR 207; 24 CFR 231; 24 CFR 241

Abstract: This rule will make the cited sections consistent with Section 221 which already contains this provision. The prepayment limitation to the mortgage insurance regulations was added due to the increased use of tax-exempt bonds as a financing mechanism. Bond purchases typically demand a ten-year period during which the bonds cannot be called except in extraordinary circumstances such as an FHA insurance claim.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	

Small Entity: Undetermined

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, **202 755-6223**

RIN: 2502-AC01

67. MULTIFAMILY HOUSING MORTGAGE INSURANCE - ASSIGNMENT OF INSURED MORTGAGES (H-35-83; FR-1768)

Legal Authority: 12 USC 1713; 43 USC 3535(d)

CFR Citation: 24 CFR 207; 24 CFR 261

Abstract: The proposed rule would amend 24 CFR 207.261 to permit a mortgagee to sell or syndicate the entire or any portion of its beneficial interest in an insured multifamily mortgage or pool of multifamily mortgages without prior HUD consent if certain conditions are met. These conditions would maintain the rights, benefits, and obligations of all parties potentially

affected by an assignment of insured mortgages.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: James T. Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AC14

68. CHANGE IN DEFAULT NOTICE REPORTING PERIOD - MULTIFAMILY INSURANCE (H-4-84; FR-1842)

Legal Authority: 42 USC 3535(d); 12 USC 1713

CFR Citation: 24 CFR 207.256

Abstract: The Department proposes to amend its default notification regulation to move up the date upon which a mortgagee must notify HUD of a mortgagor's non-payment.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: James Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AC18

69. MULTIFAMILY MORTGAGE INSURANCE PROGRAMS; REQUIREMENT OF INCREASED EQUITY LIMITED RECOURSE OR SPECIAL ESCROW (H-15-84; FR-1871)

Priority: Undetermined

Legal Authority: 12 USC 1715b Sec 211 National Housing Act; 42 USC 3535(d) Sec 7(d) Department of HUD Act

CFR Citation: 24 CFR 207.4; 24 CFR 207.19; 24 CFR 220.507; 24 CFR 220.508; 24 CFR 221.514; 24 CFR 221.515; 24 CFR 221.531; 24 CFR 221.532; 24 CFR 231.3; 24 CFR 231.4; 24 CFR 232.30; 24 CFR 232.32; 24 CFR 232.61

Abstract: HUD will propose to strengthen the commitment of profit motivated and limited dividend multifamily mortgagors by limiting their mortgages to 85 percent of value or replacement cost, except in cases where the mortgagors agree either to accept limited personal liability for loan repayment or to establish an up-front, rent-up escrow. More specifically, a profit-motivated or limited distribution mortgagor would not be permitted to receive a mortgage in excess of 85 percent of value or replacement cost, unless it were to agree to either:

1. Provide an escrow, in the form of cash or letter of credit, of an amount equal to three percent of the mortgage. The escrow funds would have to remain available for project use until the project achieved sustaining occupancy and showed a positive cash flow, at which time one half of the escrow balance would be released; the remainder of the escrow funds would be released 120 days later, assuming that the positive cash flow condition had been maintained; or

2. Assume personal liability for repayment of a percentage of the mortgage amount, determined in accordance with sliding scale.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC19

70. DEREGULATION OF RENTS (H-28-84; FR-1905)

Priority: Agency Determination

Legal Authority: PL 98-181

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221

Abstract: This proposed rule would implement a recent statutory amendment granting the Secretary discretion to regulate rents, among other things, in unsubsidized multifamily projects with mortgages insured pursuant to section 207 of the National Housing Act after 11/30/83. Before this amendment, the statute mandated that the Secretary regulate rents in those projects. The rule also adds an alternative method of determining rents in projects insured before 11/30/83 under sections 207, 220 and 221.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: James Tahash, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Development, 202 755-5654

RIN: 2502-AC21

71. INSURANCE OF MULTIFAMILY GRADUATED PAYMENT MORTGAGES (H-16-84; FR-1872)

Priority: Undetermined

Legal Authority: 12 USC 1715z-10

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 231

Abstract: These Amendments would permit the Department to insure:

1) Graduate payment mortgages - loans that provide for rates of amortization corresponding to anticipated interests in project income.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Additional Information: These rules may be published separately.

Agency Contact: Joseph Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing Dev., 202 755-6225

RIN: 2502-AC27

72. SECTION 223(F) INSURANCE IN CONNECTION WITH RENTAL REHABILITATION DEVELOPMENT GRANT PROGRAM (H-52-84)

Priority: Undetermined

Legal Authority: PL 98-181

CFR Citation: 24 CFR 207; 24 CFR 255

Abstract: Regulation will provide for more liberal maximum per unit repair limits and secondary financing terms for structures to be insured pursuant to Section 223(f) of the National Housing Act. Mortgage financing repair and rehabilitation may be either fully insured or coinsured.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Development, 202 755-5720

RIN: 2502-AC29

73. INSURANCE OF MULTIFAMILY SHARED APPLICATION MORTGAGES (H-41-84; FR-1934)

Legal Authority: 42 USC 1715z

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 231

Abstract: Regulation will govern the insuring of mortgages, the terms of which permit the lender to share in the net appreciated value of the mortgaged project at the time of its sale.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6225

RIN: 2502-AC34

74. INSURANCE OF MULTIFAMILY PARTIALLY AMORTIZED MORTGAGES (H-34-84; FR-1918)

Legal Authority: 42 USC 1715z

CFR Citation: 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 231

Abstract: Regulations governing the Department's insuring of mortgages, the terms of which do not require full amortization of the loan over the mortgage term.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC41

75. SECTION 223(F) COOPERATIVES (H-56-84)

Priority: Undetermined

Legal Authority: 12 USC 1715n National Housing Act

CFR Citation: 24 CFR 207.32a; 24 CFR 255

Abstract: This rule would provide mortgage insurance for rental housing projects to be converted to cooperatives and to refinance existing cooperatives.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Joseph Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC47

76. LIMITATION ON PREPAYMENT OF MORTGAGES OR MULTIFAMILY RENTAL HOUSING (H-54-84)

Priority: Undetermined

Legal Authority: PL 98-181

CFR Citation: 24 CFR 207; 24 CFR 221; 24 CFR 215; 24 CFR 886

Abstract: Rule will restrict prepayment of multifamily project mortgages whenever Secretary has prepayment approval responsibilities. Prepayment will not be approved unless project is no longer needed for lower income housing, tenants have been given notice and opportunity to comment, and a relocation assistance plan has been put in place. Where Secretary is not responsible for approving prepayment and therefore cannot restrict it, priority will be given for additional section 8 and troubled project assistance in order to discourage prepayment.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: James Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AC49

77. ● COINSURANCE FOR THE PURCHASE OR REFINANCING OF EXISTING MULTIFAMILY HOUSING PROJECTS - TECHNICAL REVISIONS (H-63-84; FR-1973)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 207; 24 CFR 255

Abstract: This interim rule revises Parts 207 and 255 of the CFR in order to implement Section 303 of the Housing and Urban-Rural Recovery Act of 1983. Section 303 authorizes special FHA coinsurance benefits for multifamily housing projects which are assisted under the new Rental Rehabilitation Grant Program also authorized in the 1983 Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/29/84	49 FR 27489
Final Action	00/00/00	

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing, 202 755-5720

RIN: 2502-AC74

78. ● FLOOD INSURANCE REQUIREMENTS FOR MORTGAGES INSURANCE AND GRANT PROGRAM (H-74-84; FR-2007)

Legal Authority: 42 USC 4012(a); 42 USC 4106(a)

CFR Citation: 24 CFR 207; 24 CFR 215; 24 CFR 232; 24 CFR 238; 24 CFR 242; 24 CFR 244; 24 CFR 250; 24 CFR 884; 24 CFR 886; 24 CFR 904

Abstract: This rule would implement HUD's responsibilities under the Flood Disaster Protection Act of 1973. It would amend rules governing programs

involving mortgage insurance and housing assistance grants to require that flood insurance be obtained for eligible properties.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Walter Prybyla, Deputy Director, Environmental Mgt. Div., Department of Housing and Urban Development, Office of Housing, 202 755-6611

RIN: 2502-AC76

---

79. ● PARTIAL PAYMENT OF CLAIMS (H-88-84)

Priority: Undetermined

Legal Authority: 12 USC 1715z(e)

CFR Citation: 24 CFR 208

Abstract: This rule pertains to the payment of insurance claims of defaulted multifamily project mortgages to comply with Section 213(e) of the Housing and Community Development Act of 1980.

Timetable:

Action	Date	FR Cite
Final Action	02/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AC62

---

80. COOPERATIVE HOUSING MORTGAGE INSURANCE SUBORDINATED SECRETARY-HELD MORTGAGES (H-33-83; FR-1756)

Legal Authority: 12 USC 1715b; 12 USC 1715e

CFR Citation: 24 CFR 213

Abstract: The proposed rule will permit unsubsidized multifamily rental housing projects with Secretary-held mortgages to be converted to cooperatives by subordinating the Secretary-held mortgage to a new first mortgage. The proposal would benefit tenants by giving them the opportunity for cooperative homeownership at a lower cost. The government would benefit by sharing half of the equity appreciation received by the project owner in selling the project to a Cooperative.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AB97

---

81. PREFERENCES FOR PERSONS DISPLACED AND LIVING IN SUBSTANDARD HOUSING (H-22-80; FR-1597)

Priority: Agency Determination

Legal Authority: 12 USC 1701s Housing & Community Development Amendments 1979; 42 USC 1437d; 42 USC 1437f

CFR Citation: 24 CFR 215; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 885; 24 CFR 886; 24 CFR 904; 24 CFR 905; 24 CFR 960

Abstract: Would establish preferences in the Section 8 and Rent Supplement programs for those "living in substandard housing", and for those who are "involuntarily displaced". Would also establish the new statutory preference for those paying more than 50 percent of their income for rent.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Margaret Milner, Program Analyst, Department of Housing and Urban Development, Office of Housing, Office of Policy Development, 202 755-6454

RIN: 2502-AA34

---

82. RENTAL ASSISTANCE FOR FAMILIES IN SHARED HOUSING (H-49-83; FR-1804)

Priority: Agency Determination

Legal Authority: 12 USC 1701s; 12 USC 1715b; 12 USC 1715l; 12 USC 1408; 12 USC 1715z-1; 42 USC 1437; 42 USC 3535(d); 42 USC 1410(b); 42 USC 4301; 42 USC 3535(o)

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 812; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 885; 24 CFR 889; 24 CFR 231; 24 CFR 813

Abstract: Will provide greater freedom of choice for families in selecting living arrangements and will allow those families who choose this option to obtain the social benefits of shared housing such as security, companionship and sharing of household tasks and expenses. Will also implement 1983 statute to assure cost- effective shared housing for elderly families that meet habitability standards. Will incorporate regulatory changes to modify occupancy policies governing placement of single-person households in efficiency and one-bedroom units to encourage better utilization of available units.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: Includes: H-70-83

Agency Contact: Margaret Milner, Program Analyst, Department of Housing and Urban Development, Office of Housing, Office of Policy Development, 202 755-6454

RIN: 2502-AB72

---

83. OCCUPANCY POLICIES IN ASSISTED PROJECTS FOR THE ELDERLY (H-59-83; FR-1829)

Legal Authority: 42 USC 1437d; 12 USC 1715z-1; 12 USC 1701q; 12 USC 1701s

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 813; 24 CFR 860; 24 CFR 860; 24 CFR 881; 24 CFR 885; 24 CFR 889

Abstract: Proposed rule to alter occupancy policies applicable to elderly housing, to assure utilization of efficiency units, to provide for shared occupancy of units, and to establish priorities for allocation of efficiency and one-bedroom units.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: James T. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AB87

84. DEFINITION OF INCOME RENTS AND REEXAMINATION OF FAMILY INCOME FOR THE RENT SUPPLEMENT AND SECTION 236 PROGRAMS (H-140-82, H-141-82; FR-1702)

Priority: Agency Determination

Legal Authority: 12 USC 1701s; 12 USC 1715b; 12 USC 1715z-1; 42 USC 3535(d)

CFR Citation: 24 CFR 215; 24 CFR 236

Abstract: This rule will implement recent statutory changes affecting the definition of income for purposes of eligibility and rent determination as well as rent requirements and reexamination of income under the Rent Supplement and Section 236 Programs. It is expected to adopt definitions and procedures similar to those adopted for the Section 8 and Public and Indian Housing Programs under related statutory amendments in a pending rulemaking.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/23/84	49 FR 29580
Interim Rule effective	10/01/84	49 FR 29580
Final Action	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, 202 755-5654

RIN: 2502-AC05

85. ● STATE AGENCY AMENDMENTS (H-70-84; FR-1997)

Legal Authority: 12 USC 1715z-16(b)(3); 12 USC 1715z-16(c)

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 245

Abstract: This rule would make the Department's regulations on prohibited lease terms applicable to projects owned by state housing agencies.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: James Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3970

RIN: 2502-AC73

86. FLEXIBLE SUBSIDY PROGRAM (H-48-82)

Legal Authority: 12 USC 1715j National Housing Act; PL 95-551 Housing & Community Development Amendments of 1978

CFR Citation: 24 CFR 219

Abstract: Would establish a flexible subsidy loan program for certain limited dividend projects for the correction of physical and cash flow deficiencies. Interim rule in preparation. (Was listed incorrectly on previous agenda as H-14-80.) Includes: H-64-82. Interim rule published May 21, 1979 (44 FR 29632), effective June 19, 1979.

Timetable:

Action	Date	FR Cite
Previous Interim Rule	05/21/79	44 FR 29632
Previous Interim Rule effective	06/19/79	44 FR 29632
Final Action	00/00/00	

Small Entity: No

Additional Information: Includes: H-64-82.

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AA53

87. MORTGAGE INSURANCE FOR BOARD AND CARE HOMES (H-55-84)

Priority: Undetermined

Legal Authority: 12 USC 1715w National Housing Act; PL 98-181

CFR Citation: 24 CFR 232

Abstract: Adds "board and care homes" as facilities eligible for NHA Mortgage insurance under section 232.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-6223

RIN: 2502-AC48

88. CONDOMINIUM PROJECTS - MUTUAL MORTGAGE INSURANCE AND INSURED LOANS (H-5-82; FR-1388)

Legal Authority: 12 USC 1709 National Housing Act; 12 USC 1715 National Housing Act

CFR Citation: 24 CFR 234.26

Abstract: Provides for HUD/FHA mortgage insurance of condominium units in projects that have been approved for loan guaranty by the Administrator of Veterans Affairs. The rule also eliminates the requirement that a conventionally financed project be committed to a plan of condominium ownership at least twelve months prior to the time individual units are eligible for HUD/FHA mortgage insurance, although it is still required that at least 70 percent of the units be sold and the title conveyed with respect to conventionally financed projects. These changes are needed to facilitate homeowner purchases of condominium properties. The 1983 statute deletes mandate to accept VA approved condominiums, eliminates authority to accept units in condominiums converted less than 12 months with some exceptions, and requires 80% of insured mortgages to be owner-occupied.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/18/81	46 FR 46317
Final Action	02/00/85	

Small Entity: No

Additional Information: Includes: H-53-84.

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, **202 755-6720**

RIN: 2502-AA43

89. ● INCREASE IN MAXIMUM INSURABLE AMOUNT OF CONDOMINIUM UNIT OWNED BY A NONOCCUPANT (H-90-84; FR-2030)

Legal Authority: 42 USC 3535(d); PL 98-181

CFR Citation: 24 CFR 234.27

Abstract: This rule implements Section 425 of the Housing and Urban-Rural Recovery Act of 1983, which increases the maximum insurable amount of a mortgage or a condominium unit owned by a nonoccupant mortgagor. This provision of the 1983 Act has already been implemented for single family units.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	
Final Action Effective	03/00/85	

Small Entity: No

Agency Contact: John J. Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, **202 755-6720**

RIN: 2502-AC60

90. ● CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE-1983 ACT AMENDMENTS (H-71-84; FR-1999)

Legal Authority: 12 USC 1715y

CFR Citation: 24 CFR 234

Abstract: This rule will revise the requirements for condominium mortgage insurance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/00/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: John Coonts, Director, Department of Housing and Urban Development, Office of Housing, Single Family Development Division, **202 755-6270**

RIN: 2502-AC79

91. ● MAXIMUM MORTGAGE AMOUNTS FOR HOSPITALS (H-72-84; FR-2004)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-7

CFR Citation: 24 CFR 241; 24 CFR 242

Abstract: Proposed rule to require greater equity contribution for insurance of mortgages related to projects that have estimated replacement costs greater than $75 million.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Insured Multifamily Housing Development, **202 755-5720**

RIN: 2502-AC64

92. REFINANCING OF HOSPITAL MORTGAGES (H-50-83; FR-1806)

Legal Authority: 12 USC 1715z-7; 12 USC 1715n; 42 USC 3535(d)

CFR Citation: 24 CFR 242

Abstract: Hospitals have been eligible for mortgage insurance under Section 242 of the National Housing Act since 1968. If appropriate regulations are published, hospitals previously insured under Section 242 could refinance their mortgages up to the original amount of the mortgage provided there was no increase in the debt service. This provision would be of particular assistance to hospitals which were insured at a high interest rate and could reduce their debt service by refinancing at a lower rate.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Includes: H-68-83

Agency Contact: Joseph E. Malloy, Chief, Insurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 **755-6223**

RIN: 2502-AC15

93. ● MORTGAGE INSURANCE REQUIREMENTS FOR PRIVATE AND PUBLIC HOSPITALS (H-69-84, FR-1992)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-7

CFR Citation: 24 CFR 242

Abstract: Proposed rule prescribes requirements governing insurance of mortgages for public hospitals, and includes new eligibility provisions for tax supported hospitals.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: James Hamernick, Director, Department of Housing and Urban Development, Office of Housing, Insured Multifamily Housing Development, **202 755-5720**

RIN: 2502-AC61

94. TENANT PARTICIPATION IN MULTIFAMILY HOUSING PROJECTS (H-20-83; FR-1730)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-16 National Housing Act; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 401, (To be moved to 245); 24 CFR 245

Abstract: Amendment would add requirements providing an opportunity for tenants in certain types of multifamily housing projects to comment on requests by a project owner for HUD approval of any of the following owner action: (1) conversion from project-paid utilities to tenant-paid utilities; (2) conversion of residential units to commercial space, cooperative housing or condominiums; (3) a partial release of mortgage security; and (4) major capital additions to a project. The requirements for tenant participation in project rent increases, as provided in existing 24 CFR 401, would be continued with certain

changes and with exemptions for rent utility costs. The amendments implement section 202(b)(1) of the Housing and Community Development Amendments of 1978, as amended in 1981.

Timetable:

Action	Date	FR Cite
NPRM	12/20/83	48 FR 56232
NPRM Comment Period Begin	12/20/83	48 FR 56232
NPRM Comment Period End	02/21/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AB66

95. ● TENANT PARTICIPATION--PREPAYMENT OR TERMINATION OF INSURANCE OF SUBSIDIZED PROJECTS (H-79-84; FR-2015)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-15

CFR Citation: 24 CFR 245

Abstract: Would implement Section 250(a) of the National Housing Act to provide tenant participation in requests for HUD approval to prepay a mortgage. The rule would also implement Section 250(b) and (c) to provide a priority for additional assistance under Section 8 of the United States Housing Act of 1937 and Section 201 of the Housing and Community Development Amendment of 1978 to tenants and applications to become tenants of a project. This assistance would be provided with respect to Section 236, rent supplement and Section 202 projects where the owner has the right to prepay the mortgage without HUD approval. Such assistance would be provided if funds are available and if HUD determines that the assistance is necessary to prevent prepayment of the mortgage.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing, 202 426-3970

RIN: 2502-AC57

96. ● TENANT PARTICIPATION FOR ITEMS REQUIRING HUD APPROVAL (H-89-84)

Priority: Undetermined

Legal Authority: PL 98-181

CFR Citation: 24 CFR 245

Abstract: This rule would provide for tenant input into the prepayment of mortgages and into items requiring HUD approval for State Agency projects.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AC58

97. SECTION 223(F) COINSURANCE FOR PRIVATE MORTGAGE LENDERS (H-53-81; FR-1391)

Priority: Agency Determination

Legal Authority: 12 USC 1701 National Housing Act

CFR Citation: 24 CFR 255

Abstract: Would broaden lender eligibility to include mortgage bankers, provide for a GNMA guaranteed securities program, change the premium sharing formula, permit lenders to reinsure their risk exposure, and make miscellaneous technical corrections. Final rule will incorporate public comments and program experience with respect to the interim rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/25/83	48 FR 23386
Interim Rule effective	06/28/83	
Final Action	12/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Additional Information: Includes: H-29-84; FR-1908; H-51-84.

Agency Contact: Vaughn L. Sanders, Chief, Coinsurance Branch, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Housing, Development, 202 755-1913

RIN: 2502-AA92

98. TRANSFER FROM NONPROFIT TO PROFIT MOTIVATED OWNERSHIP FOR MULTIFAMILY HOUSING PROJECTS WITH HUD-INSURED OR HUD-HELD MORTGAGES (H-37-83; FR-1771)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 265.13

Abstract: Rule would remove the provision which prohibits a nonprofit owner transferring a project to a profit-motivated owner from receiving any remuneration in excess of the nominal consideration necessary to effect the transfer. The rule would permit the selling nonprofit owner to retain the amount of purchase proceeds, if any, which exceeds the greater of 10 percent of the unpaid principal balance of the mortgage loan or the costs of restoring the project to sound physical and financial condition.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AB93

99. ● HUD-OWNED MULTIFAMILY PROJECTS-MANAGEMENT AND DISPOSITION (H-69-78; FR-432)

Priority: Agency Determination

Legal Authority: 12 USC 1715z-16; 12 USC 1701z-11; 12 USC 1701z-12; 12 USC 1713; 12 USC 1715b

CFR Citation: 24 CFR 290; 24 CFR 886

Abstract: Would conform current regulation more closely to Section 203

of the Housing and Community Development Act of 1978, as amended; decrease reliance on project-based Section 8 subsidies as a means of maintaining availability of units for low- and moderate-income persons; and conform the rental structure in HUD-owned properties to statutory changes in rents charged under subsidy programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/79	44 FR 56608
NPRM	09/00/84	

Small Entity: No

Additional Information: Includes: FR-1645 (H-3-83), RIN-2502-AB62.

Agency Contact: Conrad Egan, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, **202 755-5216**

RIN: 2502-AC68

---

100. ● DISCLOSURE OF FINANCIAL INFORMATION TO MORTGAGE PURCHASERS (H-78-84; FR-2014)

Legal Authority: 42 USC 3535(i)(3); 12 USC 1713(k)

CFR Citation: 24 CFR 291

Abstract: This rule would permit the department to disclose profit and loss information to potential purchasers of HUD-held mortgages to facilitate mortgage sales. It is necessary to overcome the presumption against disclosure derived from the Trade Secrets Act, 18 USC 1905.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: Audrey Hinton, Chief, Department of Housing and Urban Development, Office of Housing, Mortgage Sales Branch, **202 755-9280**

RIN: 2502-AC65

---

101. ● SECURITIZATION OF ADJUSTABLE RATE MORTGAGES (H-61-84; FR-1962)

Priority: Agency Determination

Legal Authority: 12 USC 17219g; 12 USC 1723(a)

CFR Citation: 24 CFR 390

Abstract: This rule would amend 24 CFR Part 390 to enable GNMA to guarantee securities based on mortgages that do not contain fixed rate, level payment provisions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	

Small Entity: No

Agency Contact: Cheryl Patton, Department of Housing and Urban Development, Office of Housing, Office of Mortgage Finance, **202 755-5593**

RIN: 2502-AC70

---

102. EVICTIONS FROM CERTAIN SUBSIDIZED AND HUD-OWNED PROJECTS (H-5-83; FR-1661)

Priority: Agency Determination

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 450

Abstract: Clarifies the Department's intent that evictions of tenants from certain subsidized and HUD-held projects be effected solely by judicial action. This rule requires the landlord to advise the tenant in a termination notice, that the tenant is entitled to a court proceeding at which he or she may present a defense to the eviction. The landlord is prohibited from resorting to "self-help" evictions or any non-judicial process even where such actions are authorized by state or local law. This rule is procedural only and does not alter in any way the grounds for which the landlord may terminate a tenancy.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/83	48 FR 22913
Interim Rule effective	07/12/83	
Final Action	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, **202 755-5654**

RIN: 2502-AB59

---

103. HOUSING DEVELOPMENT GRANT PROGRAM (H-26-84; FR-1902)

Priority: Agency Determination, Major

Legal Authority: PL 98-181

CFR Citation: 24 CFR 850

Abstract: Implements the Housing Development Grant Program established by Section 301 of the Housing and Urban-Rural Recovery Act of 1983. Under this Program, the Secretary is authorized to make grants to cities and urban counties and to States acting on behalf of units of general local government to support new construction or substantial rehabilitation of residential rental housing. At least 20 percent of the units in a project assisted under this Program must be leased to, or made available for occupancy by, lower income families for a period of 20 years. The rent for these units cannot exceed 30 percent of the adjusted income of a family or 50 percent of area median income. Assisted projects must be located within eligible areas, special purpose areas or neighborhood preservation areas.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/14/84	49 FR 24634
Interim rule effective	08/07/84	
Final Action	11/00/84	

Small Entity: Undetermined

Agency Contact: Jessica Franklin, Department of Housing and Urban Development, Office of Housing, Office of Insured Multifamily Development, **202 755-6142**

RIN: 2502-AC23

---

104. GOVERNMENT OFFICIALS, CONFLICTS OF INTEREST (H-127-82)

Priority: Agency Determination

Legal Authority: PL 97-35 Housing & Community Development Amendments of 1981

CFR Citation: 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 888; 24 CFR 889

Abstract: Would prevent possible conflicts of interest on the part of Federal, State and local government officials with regard to participation in projects assisted under Section 8.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: John J. Knapp, Department of Housing and Urban Development, Office of the General Counsel, 202 755-7244

RIN: 2502-AA13

105. SECTION 8-LIMIT ON CONTRACT RENT INCREASES (H-132-82; FR-1703)

Priority: Agency Determination

Legal Authority: PL 97-35 Housing & Community Development Amendments of 1981

CFR Citation: 24 CFR 880; 24 CFR 881

Abstract: Would limit Section 8 contract rent increases for new construction and substantial rehabilitation projects to operating increases incurred for comparable units in the market area.

Timetable:

Action	Date	FR Cite
NPRM	11/23/83	48 FR 52936
NPRM Comment Period Begin	11/23/83	48 FR 52936
NPRM Comment Period End	01/23/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: James J. Tahash, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AA18

106. ● CLARIFICATION OF CONTRACT RENT ADJUSTMENT AFTER COST CERTIFICATION (H-77-84; FR-2013)

Legal Authority: 42 USC 1437c(b); 42 USC 3535(d)

CFR Citation: 24 CFR 880.405; 24 CFR 881.405

Abstract: This final rule would clarify that net income earned during the construction period be used only to reduce allowed construction costs and to fund a replacement reserve but not to reduce allowable contract rents.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	
Final Action Effective	03/00/85	

Small Entity: Undetermined

Agency Contact: Linda Cheatham, Director, Department of Housing and Urban Development, Office of Housing, Technical Support Division, 202 426-0035

RIN: 2502-AC69

107. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM - MODERATE REHABILITATION (H-38-81; FR-1527)

Legal Authority: PL 95-557 Housing and Community Development Act of 1974; 42 USC 1437 U.S. Housing Act of 1937

CFR Citation: 24 CFR 882

Abstract: Simplifies and reduces program requirements for local PHAs and participating owners, provides greater local flexibility and implements provision of the HCD Amendments of 1981.

Timetable:

Action	Date	FR Cite
Prior Interim Rule	11/09/79	44 FR 65061
Prior Interim Rule effective	12/10/79	
Interim Final Rule	08/09/82	47 FR 34376
Interim Rule effective	09/28/82	47 FR 34376
Final Action	06/00/85	

Small Entity: No

Agency Contact: Louise Kleffner, Director, Moderate Rehabilition Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, 202 755-5597

RIN: 2502-AA86

108. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM - EXISTING CONTRACT ADMINISTRATION (H-58-78; FR-659)

Priority: Undetermined

Legal Authority: 42 USC 1437 US Housing Act of 1937

CFR Citation: 24 CFR 882.300 to 882.316

Abstract: To establish policies and procedures for securing contract administrators to implement the Section 8 Existing Housing Program in municipalities, counties or similar localities where there is no Public Housing Agency, public body or governmental entity able and willing to administer the program directly.

Timetable:

Action	Date	FR Cite
NPRM	04/10/79	44 FR 21556
Final Action	03/00/85	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AB46

109. TARGETING OF SECTION 8 CERTIFICATES OF FAMILY PARTICIPATION (H-22-83; FR-1736)

Legal Authority: 42 USC 1347f U.S. Housing Act of 1937

CFR Citation: 24 CFR 882

Abstract: Would amend 24 CFR Part 882 to eliminate restrictions on targeting Section 8 Certificates of Family Participation under certain circumstances. The amendment would permit HUD to provide Section 8 Certificates of Family Participation to families who may otherwise lose their assistance because (1) HUD was outbid at a foreclosure sale, and (2) an owner decides not to renew a Housing Assistance Payments Contract. The Amendment would also clarify HUD's authority to provide Section 8 Certificates of Family Participation to eligible tenants residing in projects being sold by HUD.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	

Small Entity: No

Agency Contact: Cynthia Thornley, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing, 202 755-5654

RIN: 2502-AB47

110. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS PORTABILITY OF SECTION 8 EXISTING HOUSING CERTIFICATES (H-46-83; FR-1800)

Priority: Undetermined

Legal Authority: 42 USC 1437 U.S. Housing Act of 1937

CFR Citation: 24 CFR 882.103; 24 CFR 882.209

Abstract: To establish a method for transferring Section 8 Existing Certificates between Public Housing agencies to permit families to move from the jurisdiction of one PHA to the jurisdiction of another and supplement the mobility mechanisms that are already in place.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AB88

111. SINGLE ROOM OCCUPANCY HOUSING (H-25-84; FR-1898)

Priority: Undetermined

Legal Authority: PL 98-181, Sec 210 Housing and Urban-Rural Recovery Act of 1983

CFR Citation: 24 CFR 882

Abstract: Regulation will authorize Section 8 assistance in connection with single room occupant dwelling units.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Madeline Hastings, Director, Existing Housing Division, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, 202 755-6887

RIN: 2502-AC25

112. ● SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM-EXISTING HOUSING-QUALITY STANDARDS-LEAD BASED PAINT (H-2-83; FR-1528)

Priority: Agency Determination

Legal Authority: 42 USC 1437f

CFR Citation: 24 CFR 882

Abstract: This rule would limit the applicability of HUD's Lead Based Paint regulation for units leased under the Section 8 Existing Housing and Moderate Rehabilitation Programs to those units built before 1950 and in which assisted families with children under age seven choose to live.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Department of Housing and Urban Development, Office of Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AC55

113. ELIGIBILITY OF EXISTING STRUCTURES AND MODERATE REHABILITATION TO MEET NEEDS OF NON-ELDERLY HANDICAPPED (H-40-81; FR-1543)

Priority: Agency Determination

Legal Authority: 12 USC 1701g Sec 202, Housing Act of 1959; PL 96-399 Housing and Community Development

CFR Citation: 24 CFR 885

Abstract: Would make eligible for financing under Section 202 loan program the acquisition, with or without moderate rehabilitation, of housing and related facilities for the non-elderly handicapped.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/16/82	47 FR 51565
Interim Rule effective	11/16/82	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Robert W. Wilden, Director, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Assisted Elderly Division, 202 426-8730

RIN: 2502-AA29

114. HOUSING FOR THE ELDERLY OR HANDICAPPED (H-99-82; FR-1463)

Legal Authority: 12 USC 1701q Housing Act of 1959

CFR Citation: 24 CFR 885

Abstract: Review of 24 CFR 885 with a view toward simplification of the program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert W. Wilden, Director, Assisted Housing Division, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, 202 426-8730

RIN: 2502-AB28

115. MANAGEMENT RULES AND COMPREHENSIVE HOUSING AND COMMUNITY DEVELOPMENT AMENDMENTS (H-34-83; FR-1761)

Priority: Undetermined

Legal Authority: 12 USC 1701q Housing Act of 1959; 42 USC 3535(d)

CFR Citation: 24 CFR 885

Abstract: Review HUD's current regulations on loans for housing for the elderly or handicapped. The proposed regulation will reflect statutory amendments and eliminate duplicative regulatory provisions.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, 202 755-5654

RIN: 2502-AC03

116. ● PREPAYMENT OF SECTION 202 DIRECT LOANS (H-10-84; FR-1857)

Priority: Agency Determination

Legal Authority: 12 USC 1701q; PL 98-181

CFR Citation: 24 CFR 885

Abstract: This rule would establish requirements on prepayment of Section 202 direct loan mortgages.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	02/00/85	
Final Action Effective	03/00/85	

Small Entity: Undetermined

Additional Information: Includes: FR-1899.

Agency Contact: Conrad Egan, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, **202 426-3968**

RIN: 2502-AC53

117. ADDITIONAL ASSISTANCE PROGRAM FOR PROJECTS WITH HUD-INSURED OR HUD-HELD MORTGAGES (H-89-78)

Priority: Major

Legal Authority: 42 USC 1437 Housing & Community Development Act of 1974

CFR Citation: 24 CFR 886

Abstract: Amended 24 CFR 886, Subpart A to remove the requirement that HUD annually inspect 100% of the units under HUD-insured or HUD-held mortgages and to call for inspections based on a reasonable sample. This brings this requirement in line with other programs which permit inspections on a sample basis.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/26/78	43 FR 60157
Interim Rule effective	12/26/78	
Final Action	00/00/00	

Small Entity: No

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, **202 755-5654**

RIN: 2502-AA41

118. ● MISCELLANEOUS REVISIONS TO PART 886 (H-59-84; FR-1950)

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 886

Abstract: This rule would make various amendments to Part 886-Section 8 Housing Assistance Payments Programs-Special Allotments. The changes include (1) modification of the termination of tenancy procedures of Sections 886.128 and 886.328, (2) the deletion of cost certification requirements at Sections 886.333 (c) and (d); and (3) other miscellaneous amendments.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Marc Harris, Department of Housing and Urban Development, Office of Housing, Multifamily Property Disposition Division, **202 755-7220**

RIN: 2502-AC59

119. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS: FAIR MARKET RENT SCHEDULES FOR EXISTING HOUSING AND MODERATE REHABILITATION (H-27-84; FR-1904)

Priority: Undetermined

Legal Authority: 42 USC 1437f US Housing Act of 1937; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 888

Abstract: This rule proposes revised Fair Market Rents (FMRs) scheduled at 24 CFR 888 to issue the 1984 annual revision of the FMRs for the Section 8 Existing Housing and Moderate Rehabilitation Programs, including space rentals by owners of manufactured homes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/84	49 FR 27658
Interim Rule effective	10/01/84	49 FR 27658
Final Action	12/00/84	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Existing and Assisted Housing, Existing Housing Division, **202 755-5720**

RIN: 2502-AC22

120. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM CONTRACT RENT ANNUAL ADJUSTMENT FACTORS (FEDERAL REGISTER NOTICE OF PUBLICATION) (H-57-84)

Priority: Agency Determination

Legal Authority: 42 USC 1437 U.S. Housing Act of 1937

CFR Citation: 24 CFR 888

Abstract: To be used to adjust rents under the Section 8 Housing Assistance Payments Program.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, Existing Housing Division, **202 755-5720**

RIN: 2502-AC46

121. ● SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS; PROMULGATION OF FAIR MARKET RENT SCHEDULES FOR EXISTING HOUSING AND MODERATE REHABILITATION BY NOTICE (H-73-84; FR-2005)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 888

Abstract: This rule would amend the Section 8 Existing Housing and Moderate Rehabilitation on procedures to provide for the promulgation of Fair Market Rents (FMRs) by Notice. Proposed FMRs would be published

with a minimum of a 30 day comment period, with final FMRs effective upon publication.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	
Final Action Effective	03/00/85	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, 202 755-5720

RIN: 2502-AC56

122. ● SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM: FAIR MARKET RENT SCHEDULES FOR EXISTING HOUSING AND MODERATE REHABILITATION (H-86-84)

Priority: Undetermined

Legal Authority: 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 888

Abstract: This document is to amend the Fair Market Rents (FMRs) Schedules at 24 CFR 888 to issue the 1985 annual revision of the FMRs for the Section 8 Existing Housing and the Moderate Rehabilitation Programs, to include space rentals by owners of manufactured homes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/85	

Small Entity: No

Agency Contact: Gerald J. Benoit, Director, Existing Housing Branch, Department of Housing and Urban Development, Office of Housing, Office of Existing and Assisted Housing, Existing Housing Division, 202 755-5720

RIN: 2502-AC67

123. SECTION 8-LITIGATION BY PHAS TO RECOVER WRONGFULLY USED SECTION 8 FUNDS (H-126-82; FR-1692)

Priority: Agency Determination

Legal Authority: PL 97-35 Housing & Community Development Amendments of 1981

CFR Citation: 24 CFR 892

Abstract: Would permit PHAs to retain, out of judgments obtained by them in recovering amounts wrongfully paid as a result of fraud and abuse in the Section 8 program, an amount equal to the greater of 1) legal expenses incurred in obtaining the judgment or 2) 50 percent of the amount actually collected on the judgments.

Timetable:

Action	Date	FR Cite
NPRM	02/23/83	48 FR 7590
NPRM Comment Period Begin	02/23/83	
NPRM Comment Period End	04/25/83	
Final Action	12/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Agency Contact: Gershon M. Ratner, Associate General Counsel, Department of Housing and Urban Development, Office of Housing, Office of Litigation, 202 755-1300

RIN: 2502-AA12

124. FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (H-46-82; FR-1637)

Priority: Major, Task Force

Legal Authority: 42 USC 5401 et seq Natl Mfctrd Hous Cnstn & Sfty Stds Act 1974

CFR Citation: 24 CFR 3280

Abstract: As a result of conducting numerous research projects, the need to improve indoor air quality, technology, changes in energy prices, the need to clarify portions of the standards, etc., it is necessary for the Department to revise the existing construction and safety standards. In addition, the Presidential Task Force on Regulatory Relief included the Standards among a list of 30 federal regulations to be reconsidered under Executive Order 12291. As a result of the standard revisions, the safety and durability of manufactured homes will be improved. As part of this revision, changes have been made in the regulations with a de-regulatory purpose.

Timetable:

Action	Date	FR Cite
ANPRM Revision-Manufactured Home Construction & Safety Stds	06/07/79	44 FR 32711
NPRM	08/16/83	48 FR 37136
NPRM Comment Period Begin	08/16/83	
NPRM Comment period extended indefinitely	10/26/83	48 FR 49520
NPRM Comment Period End	00/00/00	
Final Action	00/00/00	

Small Entity: No

Additional Information: Includes: H-71-82.

Public Compliance Cost: Initial Cost: $10,000,000; Yearly Recurring Cost: $10,000,000; Base Year for Dollar Estimates: 1984

Government Levels Affected: State, Federal

Analysis: Preliminary RIA 08/16/83 (48 FR 37152)

Agency Contact: Richard Mendlen, Department of Housing and Urban Development, Office of Housing, Manufactured Hsing and Const Standards, 202 755-5798

RIN: 2502-AA01

125. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS MONITORING INSPECTION FEE (H-30-83; FR-1767)

Legal Authority: 42 USC 5419; 42 USC 3535(d)

CFR Citation: 24 CFR 3282.454

Abstract: Would apply the manufactured home monitoring inspection fee to each manufactured home section rather than to each home.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Agency Contact: Tobias A. Gottesman, Branch Chief, Department of Housing and Urban Development, Office of Housing, Manufactured Housing Standards Branch, 202 755-6920

RIN: 2502-AB48

126. MFC HOME PROCEDURAL AND ENFORCEMENT REGULATIONS TO CLARIFY PROCEDURES TO BE FOLLOWED BY DESIGN APPROVAL AND PRODUCTION INSPECTION PRIMARY INSPECTION AGENCIES (H-53-82; FR-1815)

Legal Authority: 42 USC 5424

CFR Citation: 24 CFR 3282.203; 24 CFR 3282.359; 24 CFR 3282.360; 24 CFR 3282.361; 24 CFR 3282.362

Abstract: The proposed regulation would (1) allow DAPIAs to prepare designs and quality assurance manuals in conjunction with manufacturers; (2) delete the prohibition against DAPIAs approving their own designs and quality assurance manuals; (3) allow DAPIAs to prepare designs and quality assurance manuals and changes to them in conjunction with manufacturers. The rule would also eliminate requirement that IPIAS keep a permanent record of data plates and would clarify other portions of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Includes: H-107-82.

Agency Contact: James C. McCollom, Office of Mfc Home Construction Standards, Department of Housing and Urban Development, Office of Housing, Manufactured Housing Standards Division, 202 755-6920

RIN: 2502-AC16

127. CONTROLLED BUSINESS - RESPA AMENDMENTS (H-45-84; FR-1942)

Priority: Undetermined

Legal Authority: 12 USC 2607

CFR Citation: 24 CFR 3500

Abstract: The rule will implement statutory amendments established by Section 461 of the Housing and Urban Rural Recovery Act of 1983 (Pub.L.98-181). The amendments address a problem identified as "controlled business" and the manner in which Section 8 of the Real Estate Settlement Procedures Act (12 USC 2607), the kickback prohibition of RESPA is to be applied to such arrangements. No alternatives are being considered because of the statutory mandate. The potential costs cannot be accurately projected but are believed to be incidental.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Additional Information: Additional Agency Contact: John J. Coonts, Director, Single Family Development Division, (202) 755-6720.

Agency Contact: Grant E. Mitchell, Assistant General Counsel, Department of Housing and Urban Development, Office of Housing, Office of General Counsel, Fiscal Management and Energy Division, 202 755-6550

RIN: 2502-AC09

128. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (VOLUNTARY CONSENSUS STANDARDS) (H-72-82; FR-1633)

Priority: Major

Legal Authority: 42 USC 401 et seq Natl Mfctrd Hous Cnstrn & Sfty Stds Act 1974

CFR Citation: Not yet determined

Abstract: This is a request for responses to develop and maintain voluntary consensus standards for residential manufactured homes. In an effort to adhere to OMB Circular A-119, "Federal Participation in the Development and Use of Voluntary Standards", the Department is interested in working with voluntary standards bodies in developing and adopting voluntary standards for use as the Federal Manufactured Home Construction and Safety Standards. The request for response would identify those private organizations qualified and interested in developing and maintaining standards which can meet the intent of the Act. Responses to ANPRM are now being considered.

Timetable:

Action	Date	FR Cite
ANPRM	07/07/82	47 FR 29605
ANPRM Comment Period Begin	07/07/82	
ANPRM Comment Period End	07/31/82	

Next Action Undetermined

Small Entity: No

Agency Contact: James McCollom, Director, Department of Housing and Urban Development, Office of Housing, Manufactured Housing and Construction, Standards Division, 202 766-5210

RIN: 2502-AA02

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Existing Regulations Under Review

Office of Housing (OH)

129. SECTION 8 HOUSING ASSISTANCE PROGRAM FOR DISPOSITION OF THE HUD-OWNED PROJECTS (H-6-79; FR-823)

Legal Authority: 42 USC 1437 Housing & Community Development Act of 1974; PL 96-153 Housing & Community Development Amendments of 1979; PL 96-399 Housing & Community Development Act of 1980

CFR Citation: 24 CFR 886, Subpart C

Abstract: Provides for the use of Section 8 housing assistance in the disposition of HUD-owned projects. Final rule preparation awaits decision on the future use of Section 8 relating to Property Disposition. Includes: H-7-79. Interim rule published December 6, 1979 (44 FR 70362), effective December 26, 1979.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/06/79	44 FR 70362
Interim Rule effective	12/26/79	

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Marvin T. Hilman, Director, Department of Housing and Urban Development, Office of Housing, Multifamily Sales Division, **202 755-7343**

RIN: 2502-AB42

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)

Completed Actions

COMPLETED RULEMAKINGS

130. STANDARDS FOR DESIGN, CONSTRUCTION AND ALTERATION OF PUBLICLY-OWNED RESIDENTIAL STRUCTURES (H-71-78; FR-822)

CFR Citation: 24 CFR 40

Completed:

Reason	Date	FR Cite
To be included in S-5-84 (FR-1957)	08/00/84	

Small Entity: No

Agency Contact: Margaret Milner 202 755-6454

RIN: 2502-AB13

131. MINIMUM PROPERTY STANDARDS FOR MULTIFAMILY HOUSING - MPS (H-69-81; FR-1529)

Priority: Major, Task Force

CFR Citation: 24 CFR 200

Completed:

Reason	Date	FR Cite
Final Action	05/01/84	49 FR 18690
Final Action Effective	06/11/84	49 FR 18690

Small Entity: No

Agency Contact: Mark W. Holman 202 755-6590

RIN: 2502-AA31

132. MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS-DEREGULATION (H-58-81; FR-1728)

CFR Citation: 24 CFR 200; 24 CFR 202; 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/00/84	

Small Entity: No

Agency Contact: John J. Coonts 202 755-6720

RIN: 2502-AA94

133. USE OF MATERIALS BULLETIN NO. 59B-HUD BUILDING PRODUCT STANDARDS CERTIFICATION PROGRAM FOR WOOD WINDOWS (H-34-79; FR-1404)

CFR Citation: 24 CFR 200.935; 24 CFR 200.939

Completed:

Reason	Date	FR Cite
Final Action	06/12/84	49 FR 24121
Final Action Effective	08/06/84	49 FR 24121

Small Entity: No

Agency Contact: Leslie Breden 202 755-5929

RIN: 2502-AB06

134. CORRECTION OF STRUCTURAL DEFECTS - ELIGIBILITY FOR ASSISTANCE; INSURANCE OF LOANS AND MORTGAGES IN AMERICAN SAMOA; NONOCCUPANT MORTGAGORS - MAXIMUM MORTGAGE AMOUNT; PAYMENT OF MIP; ETC

Priority: Agency Determination

CFR Citation: 24 CFR 200; 24 CFR 201; 24 CFR 203; 24 CFR 204; 24 CFR 205; 24 CFR 207; 24 CFR 220; 24 CFR 221; 24 CFR 232; 24 CFR 234; 24 CFR 242; 24 CFR 244

Completed:

Reason	Date	FR Cite
Final Action	03/30/84	49 FR 12693
Final Action Effective	05/10/84	49 FR 12693

Small Entity: No

Agency Contact: John Coonts 202 755-6720

RIN: 2502-AC07

135. INTEREST CHARGE ON LATE PREMIUM PAYMENTS (H-26-81; FR-1616)

CFR Citation: 24 CFR 201; 24 CFR 207; 24 CFR 220; 24 CFR 232

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/00/84	

Small Entity: No

Agency Contact: Shirley A. Evans 202 755-6310

RIN: 2502-AA84

136. INCREASED LOAN LIMITS FOR MANUFACTURED HOME AND COMBINATION AND MANUFACTURED HOME LOT AND DESIGNATED HIGH COST AREA LIMITS (H-19-82; FR-1551)

CFR Citation: 24 CFR 201.1504(a); 24 CFR 201.1504(b); 24 CFR 201.530(A)(C)

Completed:

Reason	Date	FR Cite
Final Action	04/11/84	49 FR 14332
Final Action Effective	05/22/84	

Small Entity: No

Agency Contact: William L. Halpern 202 755-6680

RIN: 2502-AB18

137. DEREGULATION OF FHA MAXIMUM INTEREST RATE (H-44-84; FR-1937)

Priority: Agency Determination

CFR Citation: 24 CFR 201; 24 CFR 220; 24 CFR 221; 24 CFR 232; 24 CFR 234; 24 CFR 241; 24 CFR 242; 24 CFR 244; 24 CFR 250; 24 CFR 255

Completed:

Reason	Date	FR Cite
Final Action	05/08/84	49 FR 19454
Final Action Effective	11/30/84	49 FR 19454

Small Entity: No

Agency Contact: Alan Kappeler 202 755-3906

RIN: 2502-AC32

138. PROPERTY IMPROVEMENT AND MOBILE HOME LOANS - APPROVAL OF LENDING INSTITUTIONS (H-90-82; FR-1713)

CFR Citation: 24 CFR 202

Completed:

Reason	Date	FR Cite
Final Action	06/19/84	49 FR 24989
Final Action Effective	09/10/84	49 FR 24989

Small Entity: No

Agency Contact: Andy Zirneklis 202 755-3976

RIN: 2502-AB94

139. GROWING EQUITY MORTGAGES (H-85-82; FR-1573)

Priority: Agency Determination

CFR Citation: 24 CFR 203.47

Completed:

Reason	Date	FR Cite
Final Action	05/08/84	49 FR 19451
Final Action Effective	06/18/84	49 FR 19451

Small Entity: No

Agency Contact: John Coonts 202 755-6720

RIN: 2502-AA58

140. MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS-MISCELLANEOUS REGULATIONS (H-44-81; FR-1623)

CFR Citation: 24 CFR 203; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 234; 24 CFR 235; 24 CFR 240

Completed:

Reason	Date	FR Cite
Final Action	05/21/84	49 FR 21317
Final Action Effective	07/24/84	49 FR 21317

Small Entity: No

Agency Contact: John J. Coonts 202 755-6720

RIN: 2502-AA88

141. DEFICIENCY JUDGEMENTS - SINGLE FAMILY HUD/FHA-INSURED MORTGAGES (H-95-82; FR-1717)

CFR Citation: 24 CFR 203.351(a)(4); 24 CFR 203.360

Completed:

Reason	Date	FR Cite
Final Action	04/11/84	49 FR 14336
Final Action Effective	05/22/84	49 FR 14336

Small Entity: No

Agency Contact: Richard Buchheit 202 755-6672

RIN: 2502-AB27

142. MORTGAGE INSURANCE AND HOME IMPROVEMENT LOAN: ELIMINATION OF APPENDIX A (H-18-83; FR-1722)

Priority: Agency Determination

CFR Citation: 24 CFR 203; 24 CFR 234

Completed:

Reason	Date	FR Cite
Final Action	04/11/84	49 FR 14336
Final Action Effective	05/22/84	49 FR 14336

Small Entity: No

Agency Contact: John J. Coonts 202 755-6720

RIN: 2502-AB60

143. MAXIMUM MORTGAGE AMOUNT - SECTION 203(H) (H-61-83)

Priority: Agency Determination

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Final Action	09/27/83	48 FR 44066
Final Action Effective	11/07/83	

Small Entity: No

Agency Contact: John Coonts 202 755-6720

RIN: 2502-AB82

144. MORTGAGE INSURANCE PROGRAM UNDER NATIONAL HOUSING ACT (USE OF INFERIOR LIENS) (H-45-81; FR-1559)

Priority: Agency Determination

CFR Citation: 24 CFR 205; 24 CFR 207; 24 CFR 213; 24 CFR 221; 24 CFR 232; 24 CFR 244

Completed:

Reason	Date	FR Cite
Final Action	03/29/84	49 FR 12214
Final Action Effective	05/10/84	49 FR 12214

Small Entity: No

Agency Contact: Linda D. Cheatham 202 426-0035

RIN: 2502-AA30

145. DISPOSITION OF GENERAL CONTRACTOR'S HOLDBACK (H-13-81)

CFR Citation: 24 CFR 207.26a; 24 CFR 221.548a; 24 CFR 231.10c; 24 CFR 213.34a

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/00/84	

Small Entity: No

Agency Contact: Linda D. Cheatham 202 426-0035

RIN: 2502-AA77

146. DELETION OF STATUTORY MORTGAGE LIMITS (H-66-83)

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 231; 24 CFR 234; 24 CFR 251; 24 CFR 255

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/00/84	

Small Entity: No

Agency Contact: James Hamernick 202 755-7520

RIN: 2502-AB77

147. COINSURANCE FOR MULTIFAMILY COOPERATIVES (H-29-84; FR-1908)

CFR Citation: 24 CFR 213; 24 CFR 255

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AA92	08/00/84	

Small Entity: No

Agency Contact: James Hamernick 202 755-5720

RIN: 2502-AC45

148. OCCUPANCY POLICIES FOR SINGLE-PERSON HOUSEHOLDS IN ELDERLY PROJECTS (H-70-83)

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 860; 24 CFR 880; 24 CFR 881; 24 CFR 882.209; 24 CFR 885; 24 CFR 889

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AB72	08/00/84	

Small Entity: No

Agency Contact: Sally Springer 202 426-0751

RIN: 2502-AB91

149. URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS (H-47-81; FR-1480)

Priority: Agency Determination

CFR Citation: 24 CFR 220

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11160
Final Action Effective	05/08/84	49 FR 11160

Small Entity: No

Agency Contact: Joseph E. Malloy 202 755-6223

RIN: 2502-AA89

150. ONE-TIME MORTGAGE INSURANCE PREMIUM FOR GENERAL AND SPECIAL RISK INSURANCE PROGRAMS (H-63-83)

Priority: Agency Determination

CFR Citation: 24 CFR 220; 24 CFR 221; 24 CFR 222; 24 CFR 226; 24 CFR 227; 24 CFR 234; 24 CFR 235; 24 CFR 237; 24 CFR 240

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/01/84	

Small Entity: No

Agency Contact: James B. Mitchell 202 426-4325

RIN: 2502-AB76

151. SECTION 221(D)(4) COINSURANCE (H-67-83)

Priority: Undetermined

CFR Citation: 24 CFR 221

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AA38	08/00/84	

Small Entity: No

Agency Contact: Vaughn L. Sanders 202 755-1913

RIN: 2502-AB74

152. REFINANCING OF HOSPITAL PROJECTS (H-68-83)

Priority: Undetermined

CFR Citation: 24 CFR 223

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AC15	08/00/84	

Small Entity: Not Applicable

Agency Contact: C. Edward Lewis, Jr. 202 426-8730

RIN: 2502-AB99

153. MORTGAGE INSURANCE FOR CONDOMINIUM UNITS - AMENDMENTS TO RESTRICT NUMBER OF UNITS AVAILABLE TO INSURED NON-OWNER OCCUPANTS (H-53-84)

CFR Citation: 24 CFR 234

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AA43	08/00/84	

Small Entity: Undetermined

Agency Contact: John Coonts 202 755-6720

RIN: 2502-AC28

154. COINSURANCE FOR MULTIFAMILY RENTAL HOUSING (H-66-78; FR-1198)

Priority: Agency Determination

CFR Citation: 24 CFR 251

Completed:

Reason	Date	FR Cite
Final Action	08/09/84	49 FR 32016
Final Action Effective	10/04/84	49 FR 32016

Small Entity: No

Agency Contact: James B. Mitchell 202 426-4325

RIN: 2502-AA38

155. RENTAL REHABILITATION PRODUCTION PROGRAMS - AVAILABILITY OF COINSURANCE (H-51-84)

Priority: Undetermined

CFR Citation: 24 CFR 255

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AA92	08/00/84	

Small Entity: No

Agency Contact: Vaughn L. Sanders 202 755-1913

RIN: 2502-AC30

156. PREPAYMENT OF SECTION 202 DIRECT LOANS (H-10-84; FR-1899)

CFR Citation: 24 CFR 277.12; 24 CFR 885

Completed:

Reason	Date	FR Cite
To be included in H-10-84, FR-1857	08/00/84	

Small Entity: No

Agency Contact: Conrad Egan 202 755-5216

RIN: 2502-AC24

157. RENT DETERMINATIONS FOR ASSISTED FAMILIES IN HUD-OWNED MULTIFAMILY PROJECTS (H-3-83; FR-1645)

Priority: Agency Determination

CFR Citation: 24 CFR 290

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AA39	08/27/84	

Small Entity: No

Agency Contact: Marvin Hilman 202 755-7343

RIN: 2502-AB62

158. FAIR MARKET RENT (FMR) SCHEDULES FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION UNDER SECTIONS 8 & 23 HOUSING ASSISTANCE PAYMENTS PROGRAM (FY 1984) (H-69-83; FR-1864)

Priority: Agency Determination

CFR Citation: 24 CFR 803; 24 CFR 888

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25850
Final Action Effective	09/13/84	49 FR 25850

Small Entity: No

Agency Contact: Linda D. Cheatham 202 426-0035

RIN: 2502-AB73

159. TAX-EXEMPT FINANCING FOR PURCHASE OF HUD-OWNED PROJECTS WITH SECTION 8 ASSISTANCE (H-7-84; FR-1847)

CFR Citation: 24 CFR 811

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/01/84	

Small Entity: No

Agency Contact: Fred McLaughlin 202 755-7172

RIN: 2502-AC20

160. HOUSING DEVELOPMENT GRANT PROGRAM; MINIMUM STANDARDS (H-37-84; FR-1925)

Priority: Agency Determination, Major

CFR Citation: 24 CFR 850

Completed:

Reason	Date	FR Cite
Notice published	06/20/84	49 FR 25400

Small Entity: Undetermined

Agency Contact: Jessica Franklin 202 755-6142

RIN: 2502-AC38

161. SECTION 8-AMENDMENTS IMPLEMENTING SECTIONS 324(1), 323(3) AND 329 H OF THE HCD AMENDMENTS OF 1981, AND SECTION 211 (B) OF THE HCD AMENDMENTS OF 1979 (H-130-82; FR-1675)

Priority: Agency Determination

CFR Citation: 24 CFR 880

Completed:

Reason	Date	FR Cite
Final Action	04/24/84	49 FR 17447
Final Action Effective	05/24/84	49 FR 17447

Small Entity: No

Agency Contact: Joseph Malloy 202 755-6223

RIN: 2502-AA16

162. RENT INCREASE NOTIFICATION (H-135-82; FR-1677)

Priority: Agency Determination

CFR Citation: 24 CFR 880; 24 CFR 881

Completed:

Reason	Date	FR Cite
Final Action	08/06/84	49 FR 31281
Final Action Effective	10/01/84	49 FR 31281

Small Entity: No

Agency Contact: James J. Tahash 202 755-5654

RIN: 2502-AA21

163. SECTION 8 NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION, AVAILABILITY OF UNITS UNDER CONTRACT AT INITIAL OCCUPANCY (H-138-82; FR-1688)

Priority: Agency Determination

CFR Citation: 24 CFR 880; 24 CFR 881

Completed:

Reason	Date	FR Cite
Final Action	08/07/84	49 FR 31395
Final Action Effective	10/03/84	49 FR 31395

Small Entity: No

Agency Contact: James J. Tahash 202 755-5654

RIN: 2502-AA24

164. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM, EXISTING (H-36-82; FR-1521)

CFR Citation: 24 CFR 882.120

Completed:

Reason	Date	FR Cite
Final Action	06/28/84	49 FR 26575
Final Action Effective	09/17/84	49 FR 26575

Small Entity: No

Agency Contact: Gerald J. Benoit 202 755-5720

RIN: 2502-AA51

165. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM - EXISTING HOUSING (H-75-82; FR-1539)

CFR Citation: 24 CFR 882.204; 24 CFR 882.209; 24 CFR 882.216

Completed:

Reason	Date	FR Cite
Final Action	03/29/84	49 FR 12215
Final Action Effective	05/10/84	

Small Entity: No

Agency Contact: Gerald J. Benoit 202 755-5720

RIN: 2502-AB23

166. BONDING REQUIREMENT: LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED (H-57-83; FR-1824)

CFR Citation: 24 CFR 885

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20486
Final Action Effective	06/25/84	49 FR 20486

Small Entity: No

Agency Contact: Robert W. Wilden 202 426-8730

RIN: 2502-AB95

167. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM CONTRACT RENT ANNUAL ADJUSTMENT FACTORS (FEDERAL REGISTER NOTICE OF PUBLICATION) (H-72-83; FR-1837)

Priority: Agency Determination

CFR Citation: 24 CFR 888

Completed:

Reason	Date	FR Cite
Final Action	02/29/84	49 FR 7502
Final Action Effective	02/29/84	49 FR 7502

Small Entity: No

Agency Contact: Gerald J. Benoit 202 755-5720

RIN: 2502-AB70

168. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM FAIR MARKET RENT SCHEDULES (1984) FOR THE SECTION 8 EXISTING HOUSING AND MODERATE REHABILITATION PROGRAM (H-71-83)

Priority: Agency Determination

CFR Citation: 24 CFR 888

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/00/84	

Small Entity: No

Agency Contact: Gerald J. Benoit 202 755-5720

RIN: 2502-AB71

169. REVIEW OF APPLICATIONS FOR HOUSING ASSISTANCE AND ALLOCATION OF HOUSING ASSISTANCE FUNDS (H-4-81; FR-1512)

CFR Citation: 24 CFR 791

Completed:

Reason	Date	FR Cite
To be included in RIN 2577-AA04	08/00/84	

Small Entity: No

Agency Contact: Robert J. Coyle 202 426-0751

RIN: 2502-AA73

170. DEFINITION OF INCOME, INCOME LIMITS, RENT AND REEXAMINATION OF FAMILY INCOME FOR SECTION 8 (H-79-82; FR-1599)

Priority: Agency Determination

CFR Citation: 24 CFR 904; 24 CFR 905; 24 CFR 913; 24 CFR 960; 24 CFR 965

Completed:

Reason	Date	FR Cite
Final Action	05/10/84	49 FR 19926
Final Action Effective	07/01/84	49 FR 19926

Small Entity: No

Agency Contact: James J. Tahash 202 755-5654

RIN: 2502-AA05

171. INTRODUCTION, LAND REGISTRATION, AND APPLICATION OF REGULATIONS TO EXISTING AND FUTURE FILINGS (H-80-82; FR-1595)

CFR Citation: 24 CFR 1700; 24 CFR 1710; 24 CFR 1730

Completed:

Reason	Date	FR Cite
Final Action	08/06/84	49 FR 31366
Final Action Effective	09/01/84	49 FR 31366

Small Entity: No

Agency Contact: John L. Brady 202 755-0502

RIN: 2502-AA56

172. AMENDMENTS RELATING TO INTERSTATE LAND SALES REGISTRATION (H-35-84; FR-1919)

CFR Citation: 24 CFR 1710

Completed:

Reason	Date	FR Cite
Final Action	08/06/84	49 FR 31372
Final Action Effective	10/01/84	49 FR 31372

Small Entity: No

Agency Contact: John L. Brady 202 755-0502

RIN: 2502-AC40

173. AMENDMENTS TO PROCEDURAL AND ENFORCEMENT REGULATIONS (H-107-82)

CFR Citation: 24 CFR 3282

Completed:

Reason	Date	FR Cite
To be included in RIN 2502-AC16	08/00/84	

Small Entity: No

Agency Contact: Tobias A. Gottesman 202 755-6920

RIN: 2502-AB31

174. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS MONITORING INSPECTION FEE (H-11-83; FR-1699)

Priority: Agency Determination

CFR Citation: 24 CFR 3282.454

Completed:

Reason	Date	FR Cite
Final Action	06/28/84	49 FR 26576
Final Action Effective	09/28/84	49 FR 26576

Small Entity: Not Applicable

Agency Contact: Tobias A. Gottesman 202 755-6920

RIN: 2502-AB65

COMPLETED REVIEWS

175. INDEXED FHA INTEREST RATE (H-55-83; FR-1821)

Priority: Undetermined

CFR Citation: 24 CFR 201; 24 CFR 203; 24 CFR 205; 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 232; 24 CFR 234; 24 CFR 235; 24 CFR 236; 24 CFR 241; 24 CFR 242; 24 CFR 244

Completed:

Reason	Date	FR Cite
End Review	08/01/84	

Small Entity: No

Agency Contact: James B. Mitchell 202 426-4325

RIN: 2502-AB80

176. HUD-OWNED MULTIFAMILY PROJECTS - MANAGEMENT AND DISPOSITION (H-69-78; FR-432)

Priority: Agency Determination

CFR Citation: 24 CFR 290

Completed:

Reason	Date	FR Cite
End Review	07/00/84	

Small Entity: No

Agency Contact: Marvin T. Hilman 202 755-7343

RIN: 2502-AA39

177. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM-EXISTING- HOUSING QUALITY STANDARDS-LEAD BASED PAINT (H-2-83; FR-1528)

Priority: Agency Determination

CFR Citation: 24 CFR 882.109; 24 CFR 35

Completed:

Reason	Date	FR Cite
End Review	08/00/84	

Small Entity: No

Agency Contact: Gerald J. Benoit 202 755-5720

RIN: 2502-AB64

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

178. ● SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM-SPECIAL ALLOTMENT (H-68-84; FR-1984)

Legal Authority: 42 USC 1437c; 42 USC 1437f; 42 USC 3535(d)

CFR Citation: 24 CFR 886

Abstract: This rule removes 24 CFR Part 886 because all sales governed by the support have closed and because all remaining sales of HUD-owned projects requiring substantial rehabilitation will be governed by 24 CFR 886 Subpart C.

Timetable:

Action	Date	FR Cite
Final Action	08/06/84	49 FR 31285
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: Marvin Hilman, Director, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, **202 755-7343**

RIN: 2502-AC77

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Current and Projected Rulemakings

Office of Community Planning and Development (CPD)

179. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION (CPD-15-83)

Priority: Undetermined

Legal Authority: 42 USC 4601 et seq

CFR Citation: 24 CFR 42; 24 CFR 43

Abstract: Would revise HUD rules to conform to government-wide Uniform Act regulations developed by the Uniform Act Interagency Regulatory Review Working Group formed by OMB. The rule would establish Uniform policies and procedures for all Federal agencies responsible for implementing the Uniform Act. (DOT at the request of OMB published the proposed government-wide rule which will issue a final rule that HUD will use for promulgating its rule.)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: Includes CPD-4-81 (RIN-2506-AA14).

Agency Contact: Melvin J. Geffner, Acting Director, Relocation and Real Estate, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Rehabilitation, **202 755-4871**

RIN: 2506-AA46

180. DEPARTMENTAL POLICIES, RESPONSIBILITIES, AND PROCEDURES FOR PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY (CPD-29-78; FR-1054)

Priority: Task Force

Legal Authority: 42 USC 4321 The National Environmental Policy Act of 1969; PL 95-557 Housing & Community Development Act of 1979

CFR Citation: 24 CFR 50

Abstract: This interim rule will replace an interim rule published on November 27, 1979 (44 FR 67906). The rule provides policies and procedures for HUD consideration of environmental factors in decision-making under HUD programs (except the Community Development Block Grant Program). The rule implements the National Environmental Policy Act (NEPA) and several specific environmental laws and authorities. The rule changes a number of elements of the November 1979 interim rule to reduce the regulatory burden and procedural details. It revises thresholds for environmental impact statements (EIS) to single threshold of 2500 dwelling units; increases reliance on environmental assessments for determining when an EIS is required; provides a basis for HUD acceptance of environmental reviews prepared by the Veterans Administration; clarifies activities that are "categorically excluded" from NEPA; and contains other elements in compliance with regulations of the Council on Environmental Quality. Review completed.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/15/82	47 FR 56266
Interim Rule effective	03/10/83	
Final Action	10/00/84	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Fred D. Regetz, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Management Division, **202 755-6611**

RIN: 2506-AA10

181. ENVIRONMENTAL REVIEW PROCEDURES FOR THE CDBG PROGRAM (CPD-21-81; FR-1027)

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974; PL 97-35 Housing & Community Development Amendments of 1981; 42 USC 4321 et seq National Environmental Policy Act of 1969; 42 USC 1437

CFR Citation: 24 CFR 58

Abstract: The final rule provides policies and procedures by which assisted communities and participating states discharge Federal environmental review responsibilities. The final rule

also streamlines and reduces the environmental requirements. Such actions include: (1) an expanded listing of block grant activities and projects exempt or categorically excluded from the NEPA requirements; (2) the definitive list of related statutes and authorities that must be observed by grant recipients for the release of block grant funds as required by the HUD legislation; and (3) the further provisions needed to conform with and implement innovative measures of the HUD Amendments of 1981 such as the new state-administered block grant program for small cities and the assumption of the environmental oversight responsibilities by such states.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/12/82	47 FR 15750
Interim Rule effective	05/19/82	
Final Action	03/00/85	

Small Entity: No

Additional Information: Includes: CPD-23-81; CPD-27-78.

Agency Contact: Charles E. Thomsen, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, Environmental Management Division, 202 755-6611

RIN: 2506-AA05

182. SECTION 312 REHABILITATION LOAN PROGRAM (CPD-9-84)

Priority: Agency Determination

Legal Authority: 42 USC 1452b Housing Act of 1964

CFR Citation: 24 CFR 510

Abstract: This regulation would replace the interest rates now in effect in the Section 312 program with a two tiered system - 3% for low income homeowners and a floating rate geared to Treasury securities for all others. This regulation would also implement for the first time an application fee for processing loan applications to cover administrative costs of the program. It would also provide for the imposition of an annual risk charge to be added to the interest rate to compensate for losses in the program.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: William Hanson, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Loan Rehabilitation, Office of Community Planning & Development, 202 755-6336

RIN: 2506-AA52

183. REHABILITATION LOAN PROGRAM (CPD-9-82; FR-1128)

Legal Authority: 42 USC 1452(b) Housing Act of 1964; 42 USC 3535(d)

CFR Citation: 24 CFR 510

Abstract: The regulation will set forth a complete program for the administration of the Section 312 Rehabilitation Loan Program. It will be the first comprehensive rule governing this program, which is presently operating under the HUD Rehabilitation Financing Handbook 7375.1 (dated February 1974) and 24 CFR 510.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Includes: CPD-14-82, CPD-2-81, CPD-24-78.

Agency Contact: William Hanson, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Rehabilitation, 202 755-5954

RIN: 2506-AA54

184. RESIDENTIAL RENTAL REHABILITATION PROGRAM (CPD-7-84; FR-1901)

Priority: Major

Legal Authority: 42 USC 1437o; 42 USC 3535(d)

CFR Citation: 24 CFR 511

Abstract: This rule will implement the requirements of section 17 of the United States Housing Act of 1937, enacted into law in section 301 of the Housing and Urban-Rural Recovery Act of 1983. The regulation will set forth the program requirements to be met by grantees and recipients of grant funds and enumerate requirements for grantees to receive and administer their grants.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/20/84	49 FR 16936
Interim Rule effective	05/24/84	
Comments due	06/19/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: Includes: CPD-17-82; CPD-8-84; FR-1912

Agency Contact: Robert I. Dodge III, Director, Office of Urban Rehabilitation, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5685

RIN: 2506-AA55

185. ● PERFORMANCE ADJUSTMENTS TO FORMULA ALLOCATIONS-RENTAL REHABILITATION PROGRAM (CPD-14-84)

Priority: Agency Determination

Legal Authority: PL 98-181

CFR Citation: 24 CFR 511.32

Abstract: This rule sets forth the performance adjustment standards for the new Rental Rehabilitation Program. Beginning with Fiscal Year 1986, the Secretary of Hud may adjust the allocation for a city, urban county, consortia, or State administering a rental rehabilitation program by up to 15 percent above or below the amount of its annual allocation based on an annual review of performance in carrying out the performance adjustment standards established in this rule.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Craig Nickerson, Director, Rental Rehabilitation Division, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5970

RIN: 2506-AA60

186. SPECIAL PROJECTS PROGRAM (CPD-5-82; FR-1554)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 570.410

Abstract: This interim rule established a new Community Development Special Projects Program for states and units of general local government. This rule describes policy and procedures for HUD to award Special Projects Assistance. Interim rule effective August 11, 1982.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/12/82	47 FR 30053
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Local, State

Agency Contact: Yvette Aidara, Program Analyst, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, Policy Development Division, **202 755-8909**

RIN: 2506-AA01

187. SMALL CITIES CDBG PROGRAM (CPD-35-81; FR-1502)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 570

Abstract: The revisions will implement the statutory changes made by the 1983 Amendments. Specifically, this includes definitions of low and moderate income benefit, 51% test for benefit to low and moderate income persons, added local citizens participation requirements and coverage of program income. This rule will also address the public comments received on the interim rule published August 16, 1982.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/16/82	47 FR 35674
Interim Rule effective	08/16/82	
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	
Final Action	06/00/85	

Small Entity: No

Additional Information: Includes: CPD-3-80; CPD-12-82. Additional Agency Contact: Bryant Monroe, (202) 755-6322.

Agency Contact: Helen Duncan, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, State and Small Cities Division, **202 755-6322**

RIN: 2506-AA06

188. LUMP SUM DRAWDOWN OF CDBG FUNDS FOR PROPERTY REHABILITATION FINANCING (CPD-39-81; FR-1572)

Legal Authority: 42 USC 5301c Housing & Community Development Act of 1974

CFR Citation: 24 CFR 570.513

Abstract: Rule will preclude new lump sum drawdown agreements that only provide minimal interest earnings (e.g. lump sum deposits where the sole benefit gained from the private sector lender is interest earned at passbook savings rate). Also, advance HUD review of agreements will be eliminated in accordance with the 1981 Act. The proposed policy to prescribe payment of higher interest rates plus an additional benefit (e.g. provision of administrative services) will: (a) improve quality of new agreements and benefits received by recipients; and (b) reduce the number of agreements in jurisdictions where private lenders are unwilling to provide adequate benefits. In addition, substantial disbursements from the lump sum funds must begin within 180 days after deposit, in accordance with the Housing and Urban-Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Linda Pellish, Rehabilitation Program Specialist, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Rehabilitation, **202 755-5970**

RIN: 2506-AA19

189. URBAN RENEWAL PROVISIONS (CPD-16-79)

Legal Authority: PL 93-383 Housing & Community Development Act of 1974; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 570

Abstract: Provisions for 1) the use of funds for the completion of urban renewal projects and neighborhood development programs, 2) deductions authorized to be made from such funds for repayment of temporary loans outstanding, and 3) procedures for financial settlement of projects.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: No

Agency Contact: Thomas H. Terrell, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, **202 755-6330**

RIN: 2506-AA22

190. TECHNICAL ASSISTANCE: DISCRETIONARY AWARDS (CPD-6-79; FR-1115)

Legal Authority: PL 93-383 Title I, HUD Act of 1974, as amended

CFR Citation: 24 CFR 570.402

Abstract: Would amend 24 CFR 570.402 to update and clarify the priorities for Technical Assistance funding and to clarify application and review procedures for awards.

Timetable:

Action	Date	FR Cite
NPRM	06/16/80	45 FR 40954
Interim Final Rule	12/00/84	
Final Action	03/00/85	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1985

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Jerome Friedman, Director, Policy Division, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, 202 755-8909

RIN: 2506-AA30

191. CDBG SECRETARY'S DISCRETIONARY FUND: INSULAR AREAS (CPD-6-83; FR-1822)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 570.405; 24 CFR 570.430

Abstract: This rule revises the regulation governing the Community Development Block Grant (CDBG) program for the Insular Areas. It eliminates inconsistencies with the current statute and streamlines and simplifies program administration.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1982

Affected Sectors: None

Government Levels Affected: Local

Agency Contact: Hazel P. Braxton, Program Analyst, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, Secretary's Fund Division, 202 755-6092

RIN: 2506-AA32

192. COMMUNITY DEVELOPMENT BLOCK GRANTS: STATE'S PROGRAM (CPD-7-83)

Priority: Undetermined

Legal Authority: 42 USC 5301 et seq Housing and Community Developmnt Act of 1979

CFR Citation: 24 CFR 570.488 to 570.499

Abstract: This revision would implement the 1983 amendments. This includes: definitions of low and moderate income persons, requirements for meeting the three national objectives, the 51% test for low and moderate income benefit, added local and state public participation, coverage of program income, performance reporting and record keeping, and consequences of states dropping program administration after FY 85.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	
Final Action	06/00/85	

Small Entity: Not Applicable

Agency Contact: Richard J. Kennedy, Asst. Dir. State Small Cities Div., Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, State and Small Cities Division, 202 755-6322

RIN: 2506-AA38

193. COMMUNITY DEVELOPMENT BLOCK GRANTS URBAN DEVELOPMENT ACTION GRANTS (CPD-14-83)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq

CFR Citation: 24 CFR 570, Subpart G

Abstract: The proposed regulations will correct a number of inaccuracies of a technical nature. These include Davis-Bacon Act Relationship to Indian tribes, and various corrections to eligibility matters including use of new census data. The alternative was a set of technical amendments which the Office of General Counsel advised against. The cost of this regulation should be negligible while the benefits are significant in terms of providing corrections and updated information of a technical nature to applicants and recipients.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: No

Agency Contact: William Hammer, Director, Development Division D, UDAG, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-6035

RIN: 2506-AA40

194. SMALL CITIES PROGRAM (CPD-12-83; FR-1825)

Priority: Agency Determination

Legal Authority: 42 USC 5301-20

CFR Citation: 24 CFR 570.906(b)

Abstract: Amendment to program management provisions of community development regulations to provide for annual performance reports from Small Cities grantees. Rule will only apply to grants for which HUD has administrative responsibility (no applicability to the State-administered Small Cities Program).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	03/00/85	

Small Entity: Undetermined

Agency Contact: Helen Duncan, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, State and Small Cities Division, 202 755-6322

RIN: 2506-AA43

195. COMMUNITY DEVELOPMENT BLOCK GRANT (CPD-6-84; FR-1895)

Priority: Task Force

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 570

Abstract: As a result of the 1983 amendments to the Housing and Community Development Act of 1974 as amended, this proposed rule would set forth new requirements governing the administration of Community Development Block Grant funds under subpart A (General Provisions), C (Eligible Activities), D (Entitlement Grants), F (Small Cities Programs), K (Other Applicable Laws), M (Loan

Guarantees), J (Grant Administration), and O (Program Management).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	03/00/85	

Small Entity: Undetermined

Additional Information: Includes: CPD-38-81, FR-1852, CPD-44-81

Government Levels Affected: Local, Federal

Agency Contact: James R. Broughman, Director, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, Entitlement Cities Division, 202 755-9267

RIN: 2506-AA47

196. COMMUNITY DEVELOPMENT BLOCK GRANTS; LUMP SUM DRAWDOWNS FOR PROPERTY REHABILITATION FINANCING (CPD-2-84; FR-1854)

Legal Authority: 42 USC 5310; 42 USC 3535(d)

CFR Citation: 24 CFR 570.513

Abstract: The proposed rule would revise regulations relating to the characterization of rehabilitation loans made with private funds (24 CFR 570.513(d)). The revision would characterize such loans or other block grant assistance (or program income derived therefrom) which are used to subsidize or guarantee the payment of such loans as "activities assisted in part" with Federal funds. The effect of this change will be to remove the applicability of Davis-Bacon labor requirements to such loans. This, in turn, will eliminate the necessity for case-by-case waivers from Davis-Bacon requirements under Section 110 of the Housing and Community Development Act of 1974.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Justin Logsdon, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Labor Relations, 202 755-5370

RIN: 2506-AA48

197. ● SECTION 108 LOAN GUARANTEE ASSISTANCE FEES (CPD-10-84; FR-1974)

Legal Authority: 42 USC 5308; 42 USC 3535(d); 42 USC 3535(j)

CFR Citation: 24 CFR 570.703

Abstract: The rule would permit the Assistant Secretary for Community Planning and Development to establish a fee to help defray administrative costs of processing and servicing section 108 loan guarantees.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Paul Webster, Director, Department of Housing and Urban Development, Office of Community Planning and Development, Financial Management Division, 202 755-1871

RIN: 2506-AA59

198. INDIAN CDBG PROGRAM (CPD-18-79; FR-1612)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 571

Abstract: This rule revises the regulations governing the Community Development Block Grant Program for Indian Tribes and Alaskan Native Villages. The revision incorporates new policies and procedures and simplifies the regulations' text and the application process. Substantial changes were made to the application requirements, the number of criteria for rating projects, the Indian preference requirements, and by eliminating comprehensive grants. Review completed.

Timetable:

Action	Date	FR Cite
NPRM	12/13/82	47 FR 55868
NPRM Comment Period Begin	12/13/82	47 FR 55868
NPRM Comment Period End	01/03/83	
Interim Final Rule	03/18/83	48 FR 11648
Comment Period begins	03/18/83	
Interim Rule effective	03/18/83	
Comment Period ends	05/17/83	
Final Action	09/00/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Local

Agency Contact: Marcia A. B. Brown, Program Officer, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, Secretary's Fund Division, 202 755-6092

RIN: 2506-AA09

199. INDIAN CDBG PROGRAM - PROJECT SELECTION PROCESS (CPD-5-83)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 571.302

Abstract: This rule revises the process for selecting projects for funding from those submitted through the application process by Indian Tribes and Alaskan Native Villages. The change is intended to improve the selection process by focusing on those projects having the greatest impact and the best quality elements.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: Not Applicable

Additional Information: Sectors Affected: Indian Tribes and Alaskan Native Villages.

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1982

Affected Sectors: None

Government Levels Affected: Local

Agency Contact: Marcia A. B. Brown, Program Officer, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, Secretary's Fund Division, **202 755-6092**

RIN: 2506-AA33

200. INDIAN CDBG PROGRAM ASSURED FUNDING PROCESS (CPD-4-84)

Priority: Undetermined

Legal Authority: 42 USC 5301 et seq Housing and Urban Development Act of 1974

CFR Citation: 24 CFR 571.101

Abstract: Would provide assured funding to Tribes with populations exceeding 5,000 through noncompetitive distribution. This would enable the large Tribes to plan for their community development needs more consistently and would eliminate the competitive advantage they may have over small Tribes.

Timetable:

Action	Date	FR Cite
ANPRM	01/00/85	
ANPRM Comment Period Begin	01/00/85	
ANPRM Comment Period End	03/00/85	

Small Entity: No

Agency Contact: Leroy P. Gonnella, Director, Secretary's Fund Division, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, **202 755-6092**

RIN: 2506-AA50

201. INDIAN CDGB PROGRAM - CONFLICT OF INTEREST PROVISIONS (CPD-5-84)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 571.607

Abstract: This rule will simplify the procedures for requesting waivers of conflict of interest provisions required by the Indian CDBG Program. It will provide authority to Field Offices to grant exceptions to conflict of interest requirements if certain conditions are present.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: No

Agency Contact: Marcia A. B. Brown, Program Officer, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, **202 755-6092**

RIN: 2506-AA51

202. ● CDBG PROGRAM FOR INDIAN TRIBES AND ALASKAN NATIVES (CPF-11-84; FR-2000)

Legal Authority: 42 USC 5701-30

CFR Citation: 24 CFR 571

Abstract: This rule would incorporate new policies and procedures that would simplify and add flexibility to the rating and ranking process for applicants in the CDBG program for Indian Tribes and Alaskan Native villages.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/84	

Small Entity: No

Agency Contact: Leroy Gonnella, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Program Policy Development, **202 755-6092**

RIN: 2506-AA56

203. ● INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: REVISION TO CORRECTIVE AND REMEDIAL ACTION (CPD-13-84)

Priority: Undetermined

Legal Authority: 42 USC 5301 et seq; 42 USC 3535 (d)

CFR Citation: 24 CFR 571.702 (b) (6)

Abstract: This rule amends the corrective and remedial actions to be taken against grant recipients who fail to perform properly. One of the actions to be taken is to require recipients to reimburse their program account of Letter of Credit in any amounts improperly expended. This amendment allows the recipient to make such reimbursement through an in-kind contribution if sufficient cash is not available.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Marcia A. B. Brown, Asst. to Director for Indian CDBG Program, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-6092**

RIN: 2506-AA58

204. URBAN HOMESTEADING (CPD-41-81; FR-1624)

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 590

Abstract: Rule would reduce to the extent consistent with statutory objective, requirements applicable to localities participating in the Urban Homesteading Program. The changes reflect the Department's deregulation goals under Executive Order 12291. Changes include: the elimination of references to Section 312 and addition of the requirements of the Urban-Rural Recovery Act of 1983, except for the authorized multifamily Urban Homesteading Demonstration and the Locally Owned Property Demonstration.

Timetable:

Action	Date	FR Cite
NPRM	07/05/84	49 FR 27572
NPRM Comment Period Begin	07/05/84	49 FR 27572
NPRM Comment Period End	09/04/84	
Final Action	02/00/85	

Small Entity: No

Additional Information: includes FR-1237

Agency Contact: Richard R. Burk, Director, Urban Homesteading, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Rehabilitation, **202 755-5324**

RIN: 2506-AA20

205. ENTERPRISE ZONES (CPD-11-83)

Priority: Agency Determination

Legal Authority: Proposed Enterprise Zone Employmt & Developmt Tax Act of 1983

CFR Citation: 24 CFR 596

Abstract: Provides procedures for nomination of geographic areas by States and Local governments for designation as an enterprise zone by Secretary of HUD. Program intended to stimulate the creation of new jobs, particularly for disadvantaged workers and long-term unemployed individuals, and to promote re-evaluation of distressed areas through tax incentives and actions to reduce regulatory requirements to encourage free enterprise by the private sector within the zones.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/84	

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Michael T. Savage, CPD Enterprise Zone Coordinator, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-6300**

RIN: 2506-AA45

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Completed Actions

COMPLETED RULEMAKINGS

206. SECTION 312 REHABILITATION LOAN PROGRAM (CPD-24-78)

CFR Citation: 24 CFR 510

Completed:

Reason	Date	FR Cite
To be included in RIN 2506-AA54	08/00/84	

Small Entity: No

Agency Contact: Wait C. Johnson 202 755-5954

RIN: 2506-AA31

207. SECTION 312 REHABILITATION LOAN PROGRAM (CPD-9-84)

Priority: Agency Determination

CFR Citation: 24 CFR 510

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda Duplicates RIN 2506-AA52	08/00/84	

Small Entity: No

Agency Contact: William Hanson 202 755-6336

RIN: 2506-AA53

208. FUNDING ALLOCATION FORMULA FOR THE RENTAL REHABILITATION PROGRAM (CPD-8-84; FR-1912)

Priority: Agency Determination

CFR Citation: 24 CFR 511.30

Completed:

Reason	Date	FR Cite
To be included in RIN 2506-AA55	08/00/84	

Small Entity: No

Agency Contact: Craig Nickerson 202 755-5970

RIN: 2506-AA49

209. COMMUNITY DEVELOPMENT BLOCK GRANTS, GRANT ADMINISTRATION (CPD-38-81; FR-1852)

Priority: Agency Determination

CFR Citation: 24 CFR 570

Completed:

Reason	Date	FR Cite
To be included in RIN 2506-AA47	08/00/84	

Small Entity: No

Agency Contact: James R. Broughman 202 755-9267

RIN: 2506-AA07

210. COMMUNITY DEVELOPMENT BLOCK GRANTS, PERFORMANCE REVIEW (CPD-44-81)

Priority: Agency Determination

CFR Citation: 24 CFR 570

Completed:

Reason	Date	FR Cite
To be included in RIN 2506-AA47	08/00/84	

Small Entity: No

Agency Contact: James R. Broughman 202 755-9267

RIN: 2506-AA08

211. CATEGORICAL PROGRAM SETTLEMENT FUND; MODEL CITIES TRANSITION POLICIES (CPD-13-81; FR-1712)

CFR Citation: 24 CFR 570; 24 CFR 580

Completed:

Reason	Date	FR Cite
Final Action	12/02/83	48 FR 54339

Small Entity: No

Agency Contact: Thomas H. Terrell 202 755-6330

RIN: 2506-AA18

212. INDIAN CDBG PROGRAM - ALLOCATION OF FUNDS (CPD-4-83) (FR-1830)

Priority: Agency Determination

CFR Citation: 24 CFR 571.101

Completed:

Reason	Date	FR Cite
Final Action	05/07/84	49 FR 19300
Final Action Effective	06/18/84	49 FR 19300

Small Entity: Not Applicable

Agency Contact: Leanna Tolson 202 755-6092

RIN: 2506-AA34

213. CDBG FOR INDIAN TRIBES AND ALASKAN NATIVES, RELOCATION OF FUNDS (CPD-13-83; FR-1830)

CFR Citation: 24 CFR 571.101

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda Duplicates RIN 2506-AA34	05/04/84	

Small Entity: No

Agency Contact: Leroy Gonnella 202 755-6092

RIN: 2506-AA44

214. URBAN HOMESTEADING (CPD-25-79; FR-1237)

CFR Citation: 24 CFR 590

Completed:

Reason	Date	FR Cite
To be included in RIN 2506-AA20	08/01/84	

Small Entity: Undetermined

Agency Contact: Richard R. Burk 202 755-5324

RIN: 2506-AA24

215. REMOVAL OF PART 710 FINANCING PRIVATE NEW COMMUNITY DEVELOPMENT (CHAPTER VII, SUBCHAPTER B--ASSISTANCE FOR NEW COMMUNITIES--1968 ACT) (CPD-9-83; FR-1777)

CFR Citation: 24 CFR 710

Completed:

Reason	Date	FR Cite
Withdrawn	08/00/84	

Small Entity: No

Agency Contact: Grant E. Mitchel 202 755-6550

RIN: 2506-AA41

216. RENTAL REHABILITATION PROGRAM (CPD-17-82)

Priority: Agency Determination, Major

CFR Citation: 24 CFR 511

Completed:

Reason	Date	FR Cite
To be included in RIN 2506-AA55	08/00/84	

Small Entity: No

Agency Contact: Robert I. Dodge, III 202 755-5685

RIN: 2506-AA03

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

217. ● URBAN DEVELOPMENT ACTION GRANTS CHANGE IN FUNDING CYCLES (CPD-12-84; FR-2009)

Priority: Agency Determination

Legal Authority: 42 USC 5301

CFR Citation: 24 CFR 570.450; 24 CFR 570.459; 24 CFR 570.460

Abstract: Revised the Urban Development Action Grant funding cycle from a quarterly cycle to a four-month cycle. This change applies to funding cycles both for large cities and urban counties and for small cities. This change provides applicants more time to prepare their applications and should decrease the percentage of applications that are held over for consideration in subsequent funding rounds.

Timetable:

Action	Date	FR Cite
Final Action	08/03/84	49 FR 31069
Final Action Effective	09/03/84	49 FR 31069

Small Entity: No

Agency Contact: Michael McMahon, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Urban Development Action Grants, 202 755-8227

RIN: 2506-AA57

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Current and Projected Rulemakings

Office of Fair Housing and Equal Opportunity (FHEO)

218. NONDISCRIMINATION BASED ON HANDICAP IN FEDERALLY-ASSISTED PROGRAMS AND ACTIVITIES (FH&EO-4-84; FR-770)

Priority: Agency Determination

Legal Authority: 29 USC 794 Rehabilitation Act of 1973; 29 USC 706 Rehabilitation Act Amendments of 1974

CFR Citation: 24 CFR 8

Abstract: Would add a new 24 CFR 8 Part to set forth procedures and policies to assure nondiscrimination based on handicap in programs and activities receiving Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	04/19/78	43 FR 16652
Interim Final Rule	05/06/83	48 FR 29638
Interim Rule published	05/18/83	48 FR 22470
Interim Rule published	06/15/83	48 FR 27528
Proposed Rule published	06/15/83	48 FR 27529
Final Action	00/00/00	

Small Entity: No

Agency Contact: Laurence D. Pearl, Director, Office of Program Compliance, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, 202 755-5904

RIN: 2529-AA26

219. PROCEDURES FOR ENFORCEMENT OF COMPLAINTS AGAINST DISCRIMINATORY HOUSING PRACTICES (FH&EO-1-82)

Legal Authority: 42 USC 3601 to 3619 Title VIII, Civil Rights Act of 1968

CFR Citation: 24 CFR 105

Abstract: This regulation sets forth procedures carrying out the

Department's responsibilities with respect to complaints filed under Section 810 of Title VIII of the Civil Rights Act of 1968, as amended.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Off of Fair Hsng Enforc and Sec 3 Compliance, 202 755-5673

RIN: 2529-AA03

---

220. ● PROCEDURE FOR PROCESSING COMPLAINTS UNDER SECTION 804 OF THE FAIR HOUSING ACT (FH&EO-6-84; FR-2012)

Legal Authority: 42 USC 3535 (d); 42 USC 3601 to 3619

CFR Citation: 24 CFR 105

Abstract: This rule would amend 24 CFR Part 105 which governs the procedure for processing complaints under section 108 of the Fair Housing Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Agency Contact: Charles M. Farbstein, Assistant General Counsel, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Equal Opportunity, 202 755-6207

RIN: 2529-AA24

---

221. NONDISCRIMINATION AND EQUAL OPPORTUNITY HOUSING UNDER EXECUTIVE ORDER 11063 (FH&EO-2-82; FR-2020)

Priority: Agency Determination

Legal Authority: EO 11063

CFR Citation: 24 CFR 107

Abstract: This regulation established compliance and enforcement procedures utilized by the Department in implementing its responsibilities under E.O. 11063. This regulation will be amended to include coverage of sex and religious discrimination in accordance with Executive Order 12259 issued December 31, 1980 and to conform with the Executive Order.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	
Final Action Effective	02/00/85	

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Off of Fair Hsng Enforc and Sec 3 Compliance, 202 755-5673

RIN: 2529-AA12

---

222. AFFIRMATIVE FAIR HOUSING, MARKETING TECHNICAL AMENDMENTS (FH&EO-2-83; FR-1670)

Legal Authority: 42 USC 3601 et seq, Title VIII, Civil Rights Act of 1968; 42 USC 3535(d) Department of HUD Act; EO 11063

CFR Citation: 24 CFR 108; 24 CFR 107; 24 CFR 200

Abstract: The amendment will clarify when the certificate of intent not to market housing is submitted and that the notice of intent to begin marketing is part of an owner's responsibility under the Affirmative Fair Housing Marketing Plan (and has been approved by OMB under the Paperwork Reduction Act). It will also require that owners of FHA-insured, unsubsidized projects submit annually data on the race, ethnicity and gender of household head.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Peter Kaplan, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Program Standards and Evaluation, 202 755-7727

RIN: 2529-AA17

---

223. FAIR HOUSING PROHIBITIONS AGAINST DISCRIMINATION-FINANCING ACTIVITIES (FH&EO-2-78)

Legal Authority: 42 USC 3601 et seq Civil Rights Act of 1968

CFR Citation: 24 CFR 114

Abstract: Would add a new Subpart G detailing HUD's standards and policies in assessing unlawful conduct relating to the financing of dwellings.

Timetable:

Action	Date	FR Cite
ANPRM	02/25/80	45 FR 12265

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing Enforcement, 202 755-5673

RIN: 2529-AA07

---

224. FAIR HOUSING-PROHIBITIONS AGAINST DISCRIMINATION (FH&EO-5-78)

Legal Authority: 42 USC 3601 et seq Civil Rights Act of 1968

CFR Citation: 24 CFR 114

Abstract: Would add Subparts A to F detailing HUD's general standards to be utilized by HUD in its investigation and conciliation of complaints filed pursuant to the Federal Fair Housing Statute.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing Enforcement, 202 755-5673

RIN: 2529-AA08

---

225. FAIR HOUSING-PROHIBITED APPRAISAL PRACTICES (FH&EO-8-78)

Legal Authority: 42 USC 3601 et seq Civil Rights Act of 1968

CFR Citation: 24 CFR 114

Abstract: Would add a new Subpart I detailing HUD's general standards and policies regarding complaints against appraisal practices.

Timetable:

Action	Date	FR Cite
ANPRM	02/25/80	45 FR 12265

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing Enforcement, 202 755-5673

RIN: 2529-AA09

---

226. FAIR HOUSING-PROPERTY INSURANCE ACTIVITIES (FH&EO-10-78)

Legal Authority: 42 USC 3601 et seq Civil Rights Act of 1968

CFR Citation: 24 CFR 114

Abstract: Would add a new Subpart H detailing HUD's general standards to be utilized by HUD concerning property insurance practices which could constitute discriminatory activities.

Timetable:

Action	Date	FR Cite
ANPRM	02/25/80	45 FR 12265

Next Action Undetermined

Small Entity: No

Agency Contact: Katrina Ross, Director, Fair Housing Enforcement Division, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Fair Housing Enforcement, 202 755-5673

RIN: 2529-AA10

---

227. ● RECOGNITION OF SUBSTANTIALLY EQUIVALENT LAWS (FH&E0-5-84; FR-1976)

Legal Authority: 42 USC 3610; 42 USC 3535(d)

CFR Citation: 24 CFR 115.11

Abstract: The proposed rule would amend 24 CFR Part 115 which provides recognition by HUD of those state and local Fair Housing Laws that provide rights and remedies substantially equivalent to those provided by Title VIII of the Civil Rights Act of 1968. The rule would recognize the additional jurisdictions of Hillsborough County, Florida; Tampa, Florida; Dubuque, Iowa; Lawrence, Kansas; and Jefferson County, Kentucky.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Steven J. Sacks, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Federal State and Local Programs Divisions, 202 426-3500

RIN: 2529-AA25

---

228. COMMUNITY HOUSING RESOURCE BOARD GRANT PROGRAM (FH&EO-2-81; FR-1407)

Legal Authority: 42 USC 3601 et seq Civil Rights Act of 1968

CFR Citation: 24 CFR 120

Abstract: This part sets forth the rules governing the disbursement of funds to assist Community Housing Resource Boards in carrying out activities that enhance the effectiveness of goals of the Voluntary Affirmative Marketing Agreement Program. The final rule is in preparation. There are no problems anticipated and no additional costs contemplated.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/25/82	47 FR 12926
Interim Rule effective	05/12/82	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Deborah Seabron Dickens, Program Coordinator, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Housing and Community Development Division, Office of Voluntary Compliance, 202 755-5992

RIN: 2529-AA06

---

229. AFFIRMATIVE ADMINISTRATION OF FEDERAL PROGRAMS AND ACTIVITIES RELATING TO HOUSING AND URBAN DEVELOPMENT (FH&EO-11-78)

Legal Authority: 42 USC 3601 et seq Civil Rights Act of 1968; EO 12259

CFR Citation: 24 CFR 125

Abstract: Would add a new Part 125 detailing HUD's standards and policies to assure that HUD's programs and activities are administered in a manner affirmatively to further fair housing.

Timetable:

Action	Date	FR Cite
ANPRM	02/25/80	45 FR 12265

Next Action Undetermined

Small Entity: No

Agency Contact: Peter Kaplan, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Office of Program Standards and Evaluation, 202 755-7727

RIN: 2529-AA11

---

230. IMPLEMENTATION OF SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 (FH&EO-13-78; FR-1058)

Priority: Agency Determination

Legal Authority: 42 USC 5301 et seq Housing & Community Development Act of 1974

CFR Citation: 24 CFR 144

Abstract: This regulation would assure nondiscrimination on the grounds of race, color, national origin, sex, handicap or age in any program funded in whole or in part with Community Development Block Grant Funds.

Timetable:

Action	Date	FR Cite
NPRM	11/25/80	45 FR 78508
Final Action	00/00/00	

Small Entity: No

Agency Contact: Barry Anderson, Director, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Program Compliance Division, 202 755-5404

RIN: 2529-AA02

231. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM HUD (FH & EO-1-79; FR-1161)

Priority: Major

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975

CFR Citation: 24 CFR 146

Abstract: This part sets forth policies and procedures to assure nondiscrimination on the basis of age in programs receiving financial assistance from the Department.

Timetable:

Action	Date	FR Cite
NPRM	11/04/80	45 FR 73454
Final Action	02/00/85	

Small Entity: No

Agency Contact: Myra B. Kennedy, Equal Opportunity Specialist, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Program Compliance Division, 202 755-5904

RIN: 2529-AA01

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Fair Housing and Equal Opportunity (FHEO) — Existing Regulations Under Review

232. EMPLOYMENT OPPORTUNITIES FOR BUSINESSES AND LOWER INCOME PERSONS IN CONNECTION WITH ASSISTED PROJECTS (FH&EO-4-81)

Legal Authority: 12 USC 1701u Housing & Urban Development Act of 1968; 42 USC 3535(d) Dept. of HUD Act

CFR Citation: 24 CFR 135

Abstract: This regulation implements the provisions of Section 3 of the Housing and Urban Development Act of 1968 with respect to opportunities for training and employment for lower income residents arising in connection with HUD assisted projects and for contracting opportunities for business concerns located in or owned in substantial part by persons residing in the area of HUD assisted projects.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Harold Payne, Section 3 Coordinator, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Off of Fair Hsng Enforc and Sec 3 Compliance, 202 755-5673

RIN: 2529-AA15

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Office of Fair Housing and Equal Opportunity (FHEO) — Completed Actions

COMPLETED RULEMAKINGS

233. EQUAL EMPLOYMENT OPPORTUNITY; POLICIES AND PROCEDURES (FH&EO-3-84; FR-1922)

CFR Citation: 24 CFR 7

Completed:

Reason	Date	FR Cite
Final Action	06/28/84	49 FR 26692
Final Action Effective	09/17/84	49 FR 26692

Small Entity: No

Agency Contact: Laurence D. Pearl 202 755-5904

RIN: 2529-AA22

234. RECOGNITION OF SUBSTANTIALLY EQUIVALENT LAWS (FH&EO-5-81; FR-1576)

Priority: Agency Determination

CFR Citation: 24 CFR 115

Completed:

Reason	Date	FR Cite
Final Action	08/09/84	49 FR 32042
Final Action Effective	10/08/84	49 FR 32042

Small Entity: No

Agency Contact: Steven J. Sacks 202 426-3500

RIN: 2529-AA00

235. PROPOSAL TO GRANT EQUIVALENCY RECOGNITION TO ADDITIONAL JURISDICTIONS; WITHDRAWAL OF RECOGNITION TO WICHITA, KANSAS (FH&EO-1-84; FR-1878)

CFR Citation: 24 CFR 115

Completed:

Reason	Date	FR Cite
Final Action	08/09/84	49 FR 32049
Final Action Effective	10/04/84	49 FR 32049

Small Entity: No

Agency Contact: Steven Sacks 202 426-3500

RIN: 2529-AA21

236. RECOGNITION OF JURISDICTIONS WITH SUBSTANTIALLY EQUIVALENT LAWS, THREE STATES AND SIX LOCALITIES (FH&EO-4-84)

Priority: Agency Determination

CFR Citation: 24 CFR 115

Completed:

Reason	Date	FR Cite
To be included in RIN 2529-AA21	08/00/84	

Small Entity: Not Applicable

Agency Contact: Steven J. Sacks 202 426-3500

RIN: 2529-AA23

HUD—FHEO — Completed Actions

COMPLETED REVIEWS

237. COMPLIANCE PROCEDURES FOR AFFIRMATIVE FAIR HOUSING MARKETING (FH&EO-3-82)

CFR Citation: 24 CFR 108

Completed:

Reason	Date	FR Cite
End Review	05/20/84	

Small Entity: No

Agency Contact: Peter Kaplan 202 755-7727

RIN: 2529-AA13

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Current and Projected Rulemakings

Office of Administration (OA)

238. FEDERAL PROCUREMENT OF CEMENT CONTAINING FLY ASH (ADM-1-84; FR-1938)

Priority: Undetermined

Legal Authority: Resource Conservation And Recovery Act of 1936

CFR Citation: 24 CFR 570; 24 CFR 207

Abstract: Rule will provide restrictions on Federal procurement of cement and concrete containing fly ash. Will be patterned on Environmental Protection Agency guidelines.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Ed Girovasi, Director, Department of Housing and Urban Development, Office of Administration, Policy and Evaluation Division, Office of Procurement And Contracts, **202 755-5294**

RIN: 2535-AA05

239. ORGANIZATION, FUNCTION, AND DELEGATIONS OF AUTHORITY SUBPART C - SECRETARY'S DELEGATIONS OF AUTHORITY TO HEADS OF OFFICES (ADM-2-82)

Legal Authority: 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 3

Abstract: Subpart C delegates authority from the Secretary to the Comptroller and then to certain Divisions. This subpart is almost entirely obsolete. The alternatives being considered are to eliminate Subpart C entirely or to update all the obsolete references. Neither one will have any significant costs; each will require a minimal amount of staff time and Federal Register publication costs. The benefits of both alternatives are to eliminate a potentially confusing delegation of authority.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Donald C. Demitros, Director, Department of Housing and Urban Development, Office of Administration, Office of Finance and Accounting, Mortgage Insurance Accounting and Servicing, **202 755-5645**

RIN: 2535-AA01

240. ● HUD ACQUISITION REGULATION (ADM-2-84)

Priority: Undetermined

Legal Authority: 42 USC 3535 (d)

CFR Citation: 41 CFR 24; 48 CFR 24

Abstract: The proposed rule will amend the HUD Acquisition Regulation to add a section on clauses and forms. This revision will clarify the HUD Acquisition Regulation and place it in the proper format.

Timetable:

Action	Date	FR Cite
Final Action	02/00/85	

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi, Jr., Director, Department of Housing and Urban Development, Office of Administration, Policy and Evaluation Division, **202 755-5294**

RIN: 2535-AA06

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Completed Actions

Office of Administration (OA)

COMPLETED RULEMAKINGS

241. IMPLEMENTATION OF THE PRIVACY ACT OF 1974 (ADM-4-82; FR-1628)

CFR Citation: 24 CFR 16

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20485
Final Action Effective	06/25/84	49 FR 20485

Small Entity: No

Agency Contact: Arthur L. Stokes 202 755-5320

RIN: 2535-AA03

HUD—OA

Completed Actions

242. ADMINISTRATIVE CLAIMS; COLLECTION OF CLAIMS BY THE GOVERNMENT UNDER THE FEDERAL CLAIMS COLLECTION ACT OF 1966; STANDARDS FOR COLLECTION OF CLAIMS (ADM-1-82; FR-1644)

CFR Citation: 24 CFR 17, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	08/14/84	49 FR 32346

Small Entity: No

Agency Contact: Brenda M. Lambert 202 755-5145

RIN: 2535-AA00

243. HUD ACQUISITION REGULATIONS (ADM-1-83; FR-1860)

CFR Citation: 41 CFR 24; 48 CFR 24

Completed:

Reason	Date	FR Cite
Final Action	03/01/84	49 FR 7696
Final Action Effective	04/01/84	49 FR 7696

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi, Jr. 202 755-5294

RIN: 2535-AA04

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Inspector General (HUDIG)

Current and Projected Rulemakings

244. OMB CIRCULAR A-102, UNIFORM REQUIREMENTS FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENT, AUDIT REQUIREMENTS (ATTACHMENT P) NON-FEDERAL GOVERNMENTAL AUDIT REQUIREMENTS (IG-1-83; FR-1813)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 44

Abstract: The regulation will establish general audit requirements for State and local governments and Indian tribal governments, or a subdivision of such entities, as well as Public Housing Authorities that receive Federal assistance from HUD. The regulation will implement OMB Circular A-102, Attachment P-- "Audit Requirements" as to audits of non-federal governments. Audits that meet the requirements of the OMB Circular must be accepted by all Federal grant agencies.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/30/83	48 FR 57483
Final Action	12/00/84	

Small Entity: No

Agency Contact: Steven A. Switzer, Assistant Inspector General for Audit, Department of Housing and Urban Development, Office of the Inspector General, 202 755-6342

RIN: 2508-AA03

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of the Inspector General (HUDIG)

Completed Actions

COMPLETED RULEMAKINGS

245. ORGANIZATION, FUNCTIONS AND DELEGATIONS OF AUTHORITY ESTABLISHMENT OF OFFICE OF INSPECTOR GENERAL (IG-1-81; FR-1651)

CFR Citation: 24 CFR 2000

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11161
Final Action Effective	05/08/84	49 FR 11161

Small Entity: No

Agency Contact: Phillip L. Schulman 202 755-5557

RIN: 2508-AA02

246. AVAILABILITY OF INFORMATION TO THE PUBLIC ESTABLISHMENT OF OFFICE OF INSPECTOR GENERAL (IG-1-82; FR-1650)

CFR Citation: 24 CFR 2002

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11165
Final Action Effective	05/08/84	49 FR 11165

Small Entity: No

Agency Contact: Phillip Schulman 202 755-5557

RIN: 2508-AA04

247. PRODUCTION IN RESPONSE TO SUBPOENAS OR DEMANDS OF COURTS OR OTHER AUTHORITIES, ESTABLISHMENT OF OFFICE OF INSPECTOR GENERAL (IG-2-82; FR-1649)

CFR Citation: 24 CFR 2004; 24 CFR 15, Subpart H

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11167
Final Action Effective	05/08/84	49 FR 11167

Small Entity: No

Agency Contact: Phillip L. Schulman 202 755-5557

RIN: 2508-AA01

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

248. INCREASE IN SINGLE PERSON OCCUPANCY LIMITS (P-48-84)

Priority: Undetermined

Legal Authority: PL 98-181; 42 USC 1437a Sec 3(b)(3) US Housing Act of 1937

CFR Citation: 24 CFR 912

Abstract: Implements Section 202 of the Housing and Urban-Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: Undetermined

Agency Contact: Nancy Chisholm, Director, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, **202 755-6713**

RIN: 2577-AA07

249. EMERGENCY SHELTER PROGRAM (H-49-84)

Priority: Undetermined

Legal Authority: PL 98-181

CFR Citation: Not yet determined

Abstract: Implements Section 216 of the Housing and Urban - Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Thomas Sherman, Director, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, **202 755-5380**

RIN: 2577-AA08

250. REPEAL OF THE RULE ON INDIVIDUAL METERING OF UTILITIES FOR EXISTING PHA-OWNED PROJECTS (P-36-83; FR-1769)

Legal Authority: 42 USC 1437; 42 USC 1437a; 42 USC 1437d; 42 USC 1436g

CFR Citation: 24 CFR 965.303; 24 CFR 965.305; 24 CFR 965.310; 24 CFR 965.401 to 965.410

Abstract: Rule amendment to allow PHAs to employ a more flexible cost-benefit analysis when determining the cost-effectiveness of individual metering of tenant utilities.

Timetable:

Action	Date	FR Cite
NPRM	11/14/83	48 FR 51785
NPRM Comment Period Begin	11/14/83	48 FR 51785
NPRM Comment Period End	01/13/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Charles R. Ashmore, Utilities Officer, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 472-4703**

RIN: 2577-AA27

251. LOW-INCOME HOUSING--HOMEOWNERSHIP OPPORTUNITIES TURNKEY III PROGRAM (P-55-79; FR-563)

Legal Authority: 42 USC 1437 et seq U.S. Housing Act of 1937, as amended

CFR Citation: 24 CFR 904

Abstract: Would amend 24 CFR 904 relating to management and operations of Turnkey III Programs and add a new section governing the financing of homeowner purchase of Turnkey III units. Amendments should increase sale of homeownership units to homebuyers and would clarify certain technical program procedures which have been obstacles to program implementation. Included: H-17-81, Separate final rule no longer in preparation; H-18-81, Separate final rule no longer in preparation; H-19-81, Separate final rule no longer in preparation; H-71-81, Review completed.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	43 FR 60830

Small Entity: No

Additional Information: Includes: H-17-81; H-18-81; H-19-81; H-71-81.

Agency Contact: Wayne Hunter, Senior Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6713**

RIN: 2577-AA19

252. TURNKEY III HOMEOWNERSHIP OPPORTUNITIES PROGRAM (P-7-83; FR-1695)

Legal Authority: 42 USC 1437 U. S. Housing Act of 1937; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 904

Abstract: Would permit the use of operating subsidy to cover HUD-approved expenses; and to incorporate other technical changes applicable to existing Turnkey III projects.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0.00; Yearly Recurring Cost: $0.00

Government Levels Affected: Local, Federal

Agency Contact: Joyce Roberson, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 472-4703**

RIN: 2577-AA25

253. INDIAN PREFERENCES (P-51-83; FR-1808)

Priority: Agency Determination

Legal Authority: 42 USC 1437 et seq U.S. Housing Act of 1937; 25 USC 450e(b) Indian Self-Determin. & Education Assist. Act

CFR Citation: 24 CFR 905

Abstract: Section 7(b) of the Indian Self-Determination and Education Assistance Act requires that preference be given to the greatest extent feasible to Indian organizations and economic enterprises in contracting and to Indians in employment and training. The goal is to improve the provision of Indian preference in both development and management as compared to the current regulations implementing Indian preference.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	09/23/83	48 FR 43345
Comment Period ends	11/22/83	
Comment date extended to	12/15/83	
NPRM	02/00/85	

Small Entity: No

Agency Contact: Cyrus Toll, Housing Management Specialist, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-2980

RIN: 2577-AA26

254. PUBLIC HOUSING HOMEOWNERSHIP FOR LOWER INCOME FAMILIES (P-21-84; FR-1890)

Priority: Agency Determination

Legal Authority: 42 USC 1437c Sec 5(h) and 6(c) U.S. Housing Act of 1937; 42 USC 3535(d) Sec 7(d) Department of HUD Act

CFR Citation: 24 CFR 906

Abstract: Rule would provide for homeownership opportunities for lower-income families.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: No

Agency Contact: Wayne Hunter, Senior Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, 202 755-6713

RIN: 2577-AA10

255. ● PUBLIC HOUSING DEVELOPMENT; PROTOTYPE COSTS (P-64-84; FR 1975)

Legal Authority: 42 USC 1437 (d); 42 USC 3535 (d)

CFR Citation: 24 CFR 941.204

Abstract: The rule would amend public housing development regulations governing the calculation of prototype cost units. Under the proposed rule currently published unit prototype costs will be used to compute dwelling construction and equipment cost limits and total development cost limits.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Raymond W. Hamilton, Director, Public Housing Development Div., Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, 202 755-5282

RIN: 2577-AA13

256. LOW-INCOME PUBLIC HOUSING-LEASE REQUIREMENTS, EVICTIONS AND HEARINGS (P-26-79; FR-1164)

Priority: Agency Determination, Task Force

Legal Authority: 42 USC 1437 U.S. Housing Act of 1937, as amended

CFR Citation: 24 CFR 960; 24 CFR 966

Abstract: Would amend the regulations to simplify the requirements for provisions included in the lease between a PHA and its tenants and the requirements for the grievance procedure.

Timetable:

Action	Date	FR Cite
Previous NPRM	08/04/80	45 FR 51615
NPRM	12/13/82	47 FR 55689
NPRM Comment Period Begin	12/13/82	
NPRM Comment Period End	02/11/83	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Edward Whipple, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-0744

RIN: 2577-AA18

257. ● PHA-OWNED OR LEASED PROJECTS-MAINTENANCE AND OPERATIONS; TRANSFER OF CONTRACTING AUTHORITY (P-76-84; FR-2011)

Priority: Undetermined

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 965.602

Abstract: This rule amends the definition of the Consolidated Supply Contract (CSC) Contracting Officer to indicate that the CSC Contracting Officer is the Department's Director of the Office Procurement and Contracts or designee.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	
Final Action Effective	03/00/85	

Small Entity: Undetermined

Agency Contact: Thomas Sherman, Director, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, 202 755-5380

RIN: 2577-AA12

258. PET OWNERSHIP IN ASSISTED RENTAL HOUSING FOR THE ELDERLY AND HANDICAPPED (P-43-84; FR-1936)

Priority: Undetermined

Legal Authority: 42 USC 1439; PL 98-181

CFR Citation: 24 CFR 243; 24 CFR 942

Abstract: Sec. 227 of the 1983 Statute permits elderly and handicapped tenants who live in rental housing projects for the elderly or handicapped including projects covered under low-income public housing (including the Indian rental program) to own common household pets. Owners, managers and housing authorities are prohibited from discriminating against persons in connection with admission to, or continued occupancy of, such housing because of ownership of pets.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Agency Contact: Mary Tracy Schulhof, Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, 202 755-5989

RIN: 2577-AA05

259. PUBLIC HOUSING PROGRAM - COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM (P-58-84)

Priority: Agency Determination

Legal Authority: 42 USC 1437 U.S. Housing Act of 1937

CFR Citation: 24 CFR 968

Abstract: Amends existing regulation to state standard for project viability, as requirement for eligibility for modernization under Comprehensive Improvement Assistance Program.

Regulation will require determination of long-term viability based on criteria related to the statutory criteria for demolition of public housing under Section 18 of the U.S. Housing Act of 1937. No other basic approach appears justified and consideration of alternatives is being limited to application of the statutory criteria. Benefits are a clear standard to facilitate program administration and provide a strong method for deciding when it is worthwhile to modernize a project. This will avoid waste of modernization funds for projects which are not viable for long-term operation as public housing.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: No

Government Levels Affected: Local, Federal

Agency Contact: Wayne Hunter, Senior Policy Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, **202 755-6713**

RIN: 2577-AA09

260. ● COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM - VIABILITY STANDARDS (P-62-84; FR-1970)

Priority: Undetermined

Legal Authority: 42 USC 3535 (d)

CFR Citation: 24 CFR 968

Abstract: The proposed rule would establish an initial three stage viability screening procedure which HUD would carry out in processing preliminary applications for assistance under the CIAP program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
NPRM Comment Period Begin	11/00/84	
NPRM Comment Period End	01/00/85	

Small Entity: Undetermined

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6713**

RIN: 2577-AA14

261. PUBLIC HOUSING PROGRAM-CONTINUED OPERATION OF PROJECTS AS LOWER-INCOME HOUSING AFTER COMPLETION OF DEBT SERVICE (P-60-79; FR-1202)

Priority: Major

Legal Authority: 42 USC 1437 et seq U.S. Housing Act of 1937; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 969

Abstract: Adds a new Part 869 to provide for an extension of Annual Contributions Contract (ACC) to (1) permit continued payment of operating subsidy after completion of debt service; and (2) provide a contractual basis for continued operation as low-income housing. Permits operation of project as lower-income housing after completion of debt service in accordance with a plan approved by HUD. Proposed rule reflecting significant changes in interim rule in preparation.

Timetable:

Action	Date	FR Cite
Interim Rule effective	09/15/80	
Interim Final Rule	00/00/00	

Small Entity: No

Agency Contact: Richard L. Rivard, Housing Management Officer, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-5595**

RIN: 2577-AA15

262. PUBLIC HOUSING PROGRAM-DEMOLITION OF BUILDINGS OR DISPOSITION OF REAL PROPERTY (P-23-84; FR-1892)

Priority: Agency Determination

Legal Authority: 42 USC 1439; PL 98-181

CFR Citation: 24 CFR 970

Abstract: The purpose of this regulation is to state requirements for the demolition or disposition of public housing. This regulation would supersede the existing regulation on this subject (24 CFR Part 970).

Timetable:

Action	Date	FR Cite
NPRM	07/12/84	49 FR 28414
NPRM Comment Period Begin	07/12/84	49 FR 28414
NPRM Comment Period End	09/10/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: C. Wayne Hunter, Senior Policy Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Policy, **202 755-6713**

RIN: 2577-AA02

263. MODIFICATION TO THE PERFORMANCE FUNDING SYSTEM (P-2-84; FR-1834)

Priority: Agency Determination

Legal Authority: 42 USC 1437g; 42 USC 3535(d)

CFR Citation: 24 CFR 990

Abstract: This rule would require a year-end adjustment of dwelling rental and other income to allow public housing operating subsidy to properly reflect actual rather than anticipated income. The rule would also provide for simplification of the "delta," the factor used to determine the annual change in the "allowable expense level" in calculation of the amount of operating subsidy.

Timetable:

Action	Date	FR Cite
NPRM	07/30/84	49 FR 30330
NPRM Comment Period Begin	07/30/84	49 FR 30330
NPRM Comment Period End	09/28/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: John Comerford, Chief, Financial Management Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 426-1872**

RIN: 2577-AA00

264. PERFORMANCE FUNDING SYSTEM (PFS) LETTER OF CREDIT TREASURY FINANCIAL COMMUNICATIONS SYSTEM (LDC-TFCS) FOR DISBURSING OPERATING SUBSIDY PAYMENTS (P-47-84)

Priority: Undetermined

Legal Authority: 42 USC 1437g US Housing Act of 1937; 42 USC 1437 Note Housing and Community Development Act of 1974; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 990

Abstract: This rule would establish the Letter of Credit Treasury Financial Communications System for the disbursement of operating subsidy payments to public housing agencies receiving more than $120,000 annually.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
NPRM Comment Period Begin	02/00/85	
NPRM Comment Period End	04/00/85	

Small Entity: Undetermined

Agency Contact: Beverly B. Hardy, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, Fiscal Management Branch, 202 426-1872

RIN: 2577-AA06

265. ANNUAL CONTRIBUTIONS FOR OPERATING SUBSIDY - PERFORMANCE FUNDING SYSTEM (P-38-83; FR-1775)

Legal Authority: 42 USC 1437 et seq U.S. Housing Act of 1937; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 990.102; 24 CFR 990.108; 24 CFR 990.109

Abstract: Would require a recalculation of Operating Subsidy for units withheld from occupancy.

Timetable:

Action	Date	FR Cite
NPRM	05/31/84	49 FR 22663
NPRM Comment Period Begin	05/31/84	49 FR 22663
NPRM Comment Period End	07/02/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: John T. Comerford, Chief, Financial Management Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-1872

RIN: 2577-AA23

266. ANNUAL CONTRIBUTIONS FOR OPERATING SUBSIDY PERFORMANCE FUNDING SYSTEM-ENERGY CONSERVATION ADJUSTMENTS (P-26-83; FR-1747)

Priority: Agency Determination

Legal Authority: 42 USC 1437g United States Housing Act of 1937; 42 USC 1437 Note Housing & Community Development Act of 1974; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 990

Abstract: Amends the distribution of operating subsidies under the Performance Funding System by providing for the assessment of a five percent penalty on operating subsidies for fiscal year 1983 (or 1984) for those PHAs that have not demonstrated energy conservation efforts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/20/83	48 FR 42810
Interim Rule effective	10/21/83	
Comments due	11/21/83	
Final Action	03/00/85	

Small Entity: No

Agency Contact: John T. Comerford, Chief, Financial Management Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-1872

RIN: 2577-AA24

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Existing Regulations Under Review

Office of Public and Indian Housing (PIH)

267. INDIAN HOUSING (P-31-82)

Legal Authority: 42 USC 1437 et seq U.S. Housing Act of 1937

CFR Citation: 24 CFR 905

Abstract: Would delete excessive Federal requirements and assure that Indian housing activities are undertaken in the most cost-effective manner.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Patricia Arnaudo, Deputy Director, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6522

RIN: 2577-AA17

268. INDIAN PUBLIC HOUSING PROGRAM (P-101-82)

Legal Authority: 42 USC 1437 et seq U.S. Housing Act of 1937

CFR Citation: 24 CFR 905

Abstract: Except for statutory requirements, the deregulation of all

Indian Housing regulations is under consideration. This will lower the cost and improve the delivery of public housing to Indian people.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Patricia Arnaudo, Acting Director, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Indian Housing, 202 755-6522

RIN: 2577-AA21

269. PROJECT MANAGEMENT; MODERNIZATION OF OIL-FIRED HEATING PLANTS (P-11-82)

Legal Authority: 42 USC 1437d U.S. Housing Act of 1937; 42 USC 3535(d) Department of HUD Act

CFR Citation: 24 CFR 965

Abstract: Added a new Subpart E to implement a set-aside of $25,000,000 in loan authority from the FY 1980 Modernization Program to modernize oil-fired heating plants in Public Housing Agency owned-projects. Final rule development suspended pending termination of funding allocation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/23/80	45 FR 41936
Interim Rule effective	07/31/80	
End Review	00/00/00	

Small Entity: No

Agency Contact: Charles Ashmore, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6640

RIN: 2577-AA20

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Office of Public and Indian Housing (PIH)

Completed Actions

COMPLETED RULEMAKINGS

270. DEFINITION OF INCOME, INCOME LIMITS, RENT AND REEXAMINATION OF FAMILY INCOME FOR THE PUBLIC AND INDIAN HOUSING PROGRAMS (P-17-84; FR-1882)

Priority: Agency Determination

CFR Citation: 24 CFR 913; 24 CFR 904; 24 CFR 905; 24 CFR 960; 24 CFR 965

Completed:

Reason	Date	FR Cite
Final Action	05/21/84	49 FR 21476
Final Action Effective	07/01/84	49 FR 21476

Small Entity: No

Agency Contact: Edward Whipple 202 426-0744

RIN: 2577-AA01

271. USE OF DEVELOPMENT FUNDS FOR CIAP OR FOR ACQUISITION OF PROPERTY (CIAP CONVERSION) (P-22-84; FR-1891)

Priority: Agency Determination

CFR Citation: 24 CFR 941

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/00/84	

Small Entity: No

Agency Contact: Thomas Sherman 202 755-5380

RIN: 2577-AA03

272. PUBLIC HOUSING DEVELOPMENT, REVISION OF REQUIREMENTS (P-103-82; FR-1665)

Priority: Agency Determination

CFR Citation: 24 CFR 941

Completed:

Reason	Date	FR Cite
Final Action	03/30/84	49 FR 12698
Final Action Effective	05/10/84	49 FR 12698

Small Entity: No

Agency Contact: Raymond W. Hamilton 202 426-0938

RIN: 2577-AA22

273. TENANT ALLOWANCES FOR UTILITIES (P-95-78; FR-350)

Priority: Agency Determination, Task Force

CFR Citation: 24 CFR 965

Completed:

Reason	Date	FR Cite
Final Action	08/07/84	49 FR 31399
Final Action Effective	10/02/84	49 FR 31399

Small Entity: No

Agency Contact: Charles R. Ashmore 202 472-4703

RIN: 2577-AA16

274. COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM--MAJOR REPAIRS (P-40-83; FR-1778)

CFR Citation: 24 CFR 968

Completed:

Reason	Date	FR Cite
Final Action	08/09/84	49 FR 31860
Final Action Effective	10/04/84	49 FR 31860

Small Entity: No

Agency Contact: Pris Buckler 202 755-6640

RIN: 2577-AA28

275. COMPREHENSIVE IMPROVEMENT ASSISTANCE (SPECIAL PURPOSE MODERNIZATION) (P-53-83; FR-1812)

CFR Citation: 24 CFR 968

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20487
Final Action Effective	06/25/84	49 FR 20487

Small Entity: No

Agency Contact: Pris Buckler 202 755-6640

RIN: 2577-AA29

[FR Doc. 84-24270 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part X

Department of the Interior

Semiannual Regulatory Agenda

DOI

DEPARTMENT OF THE INTERIOR

Office of the Secretary

18 CFR Ch. IV

25 CFR Ch. I

30 CFR Chs. II, IV and VII

36 CFR Chs. I and XII

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Agenda of Rules Scheduled for Review or Development

AGENCY: Department of the Interior.

ACTION: Semiannual agenda of rules scheduled for review or development.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between October 1984 and April 1985. A semiannual agenda is required by the Regulatory Flexibility Act and Executive Order 12291.

ADDRESS: Unless otherwise indicated, all Agency Contacts are located at the Department of the Interior, 18th and C Streets, N.W., Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: All comments and inquiries with regard to these rules should be directed to the appropriate Agency Contact. General comments or inquiries relating to the agenda should be directed to the Division of Directives and Regulatory Management, Office of Information Resources Management, Department of the Interior, at the address above or on 202-343-6191.

SUPPLEMENTARY INFORMATION: With this publication the Department satisfies the requirement of Executive Order 12291 that the Department publish in April and October of each year an agenda of rules that have been issued or are expected to be issued, and currently effective rules that are scheduled for review. Simultaneously the Department meets the requirement of the Regulatory Flexibility Act that an agenda be published in April and October of each year identifying rules which will have significant economic effects on a substantial number of small entities; those rules which will have such effects are specifically identified in the agenda. This incorporation of agendas is expressly allowed by Executive Order 12291.

DATED: August 24, 1984.

Richard R. Hite,

Deputy Assistant Secretary of the Interior.

BILLING CODE 4310-10-T

DEPARTMENT OF THE INTERIOR (DOI) — Completed Actions

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

COMPLETED RULEMAKINGS

MISTAKES IN BIDS

Priority: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 41 CFR 14-2.4

Abstract: Subpart 14-2.4 will be revised to reflect the delegation of authority to contracting officers for approving withdrawal of bids containing mistakes under the conditions in 41 CFR 1-2.4063(a)(1).

Timetable:

Action	Date	FR Cite
Final Action Effective	04/01/84	
Final Action	04/10/84	49 FR 14252

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: William Opdyke, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th and C Streets, NW, Washington, DC 20240, 202 343-3433

RIN: 1090-AA04

DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION

Priority: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 48 CFR 1400 et seq

Abstract: The Interior Procurement Regulations shall be revised to conform to the Federal Acquisition Regulations, which shall replace the Federal Procurement Regulations, and are scheduled for publication and distribution in FY 1984.

Timetable:

Action	Date	FR Cite
NPRM	02/13/84	49 FR 5472
Final Action Effective	04/01/84	
Final Action	04/10/84	49 FR 14252

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: William Opdyke, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th and C Streets, NW, Washington, DC 20240, 202 343-3343

RIN: 1090-AA00

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI) — Current and Projected Rulemakings

Office of the Solicitor (OSOL)

PRACTICES BEFORE THE DEPARTMENT

Legal Authority: 43 USC 1464

CFR Citation: 43 CFR 1

Abstract: This rule governs practice in administrative proceedings before the Department. It will be revised to update its provisions and assure that they are consistent with the Department's employee conduct regulations (43 CFR Part 20) and the Ethics in Government Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Deborah Ryan, Attorney-Advisor, Department of the Interior, Office of the Solicitor, 18th and C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA00

● RECORDS AND TESTIMONY

Legal Authority: 5 USC 552

CFR Citation: 43 CFR 2

Abstract: The Department's regulations implementing the Freedom of Information Act will be clarified and updated as appropriate under current law. The Department's fee schedule for processing Freedom of Information Act and Privacy Act requests will be updated to reflect the current costs of making records available to the public.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: John D. Trezise, Assistant Solicitor, Department of the Interior, Office of the Solicitor, 18th & C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA02

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Office for Equal Opportunity (OEO)

NONDISCRIMINATION ON THE BASIS OF AGE

Priority: Undetermined

Legal Authority: 42 USC 6101

CFR Citation: 43 CFR 17, Subpart C

Abstract: This rule will set forth guidelines for non-discrimination on the basis of age in programs or activities receiving Federal financial assistance from the Department.

Timetable:

Action	Date	FR Cite
NPRM	01/03/80	45 FR 976
Final Action	01/01/85	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 45 CFR 90 also applies. Originally scheduled: January 1979.

Agency Contact: Melvin C. Fowler, Department of the Interior, Office for Equal Opportunity, 18th and C Streets, NW, Washington, DC 20240, 202 343-4331

RIN: 1091-AA00

NONDISCRIMINATION ON THE BASIS OF HANDICAP

Priority: Undetermined

Legal Authority: PL 95-602, Sec 504; 29 USC 794

CFR Citation: 43 CFR 17, Subpart B

Abstract: This rule will provide for the enforcement of section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap as applied to programs or activities conducted by the Department of the Interior.

Timetable:

Action	Date	FR Cite
Awaiting DOJ and OMB approval	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Joseph A. Canedo, Department of the Interior, Office for Equal Opportunity, 18th and C Streets, NW, Washington, DC 20240, 202 343-3669

RIN: 1091-AA01

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Office of Hearings and Appeals (OHA)

SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Priority: Undetermined

Legal Authority: 43 USC 1201; 43 USC 1701

CFR Citation: 43 CFR 4, Subpart E

Abstract: Rulemaking has been initiated to revise existing rules to place time limitations on the filing of petitions for reconsideration of decisions of the Board of Land Appeals.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Agency Contact: David L. Hughes, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3750

RIN: 1094-AA01

● SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Legal Authority: 30 USC 1275; 5 USC 301

CFR Citation: 43 CFR 4.1276

Abstract: The proposed rulemaking will revise existing rules to place time limitations on the filing of petitions for reconsideration of decisions of the Board of Land Appeals.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Interim Final Rule	07/00/85	

Small Entity: No

Agency Contact: David L. Hughes, Attorney-Adviser, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, 703 235-3750

RIN: 1094-AA10

TRIBAL ACQUISITION OF INTERESTS UNDER SPECIAL STATUTE

Priority: Undetermined

Legal Authority: 25 USC 2201 to 2210

CFR Citation: 43 CFR 4.300; 43 CFR 4.301; 43 CFR 4.302; 43 CFR 4.303; 43 CFR 4.304; 43 CFR 4.305; 43 CFR 4.306; 43 CFR 4.307; 43 CFR 4.308

Abstract: The Indian Land Consolidation Act (Act) was enacted on January 12, 1983, and changes existing law regarding the descent of Indian trust and restricted lands. The Act provides that certain undivided fractional interests in such lands can now be acquired by the tribe instead of descending by intestacy or devise. Existing regulations governing the probate of Indian lands by Indian Probate Judges must therefore be amended to conform with the Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	01/00/85	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, 703 235-3800

RIN: 1094-AA08

DEPARTMENT OF THE INTERIOR (DOI)
Office of Hearings and Appeals (OHA)

Completed Actions

COMPLETED RULEMAKINGS

SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Legal Authority: 43 USC 1601 to 1628

CFR Citation: 43 CFR 4, Subpart E

Abstract: This rule amends regulations governing hearings and appeals to implement Secretarial Order No. 3078, dated April 29, 1982, abolishing the Alaska Native Claims Appeal Board and consolidating the functions of that Board under the jurisdiction of the Interior Board of Land Appeals effective June 30, 1982. The effect of these amendments is to ensure that uniform procedures apply to all appeals governed by this Subpart and to eliminate duplicative regulations. To implement this internal organization change, the jurisdictional statement for the former Alaska Native Claims Appeal Board in Subpart A (43 CFR 4.1) is removed and that for the Interior Board of Land Appeals, also in 43 CFR 4.1, is revised. Regulations in 43 CFR Part 4, Subpart J, formerly applicable to appeals to the Alaska Native Claims Appeal Board, are revoked and Subpart J is reserved. References to the Alaska Native Claims Appeal Board and Subpart J in 43 CFR Part 2560 are being changed to Interior Board of Land Appeals and Subpart E.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/18/82	47 FR 26390
Final Action	02/21/84	49 FR 6371
Final Action Effective	02/21/84	49 FR 6371

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: David L. Hughes, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-3750

RIN: 1094-AA02

GENERAL; OFFICE OF HEARINGS AND APPEALS: SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Legal Authority: 30 USC 1275; 5 USC 301

CFR Citation: 43 CFR 4, Subpart A; 43 CFR 4, Subpart L

Abstract: Rulemaking has been initiated to implement Secretarial Order No. 3092, dated April 26, 1983, which abolished the Board of Surface Mining and Reclamation Appeals and transferred its functions to the Board of Land Appeals. For this purpose, the jurisdictional statement for the Board of Land Appeals in 43 CFR 4.1(a)(3) will be amended to add a description of this Board's new functions. Correspondingly, the provisions of 43 CFR 4.1(a)(4) will be removed. Also, references to the Board of Land Appeals will be substituted for the references to the Board of Surface Mining and Reclamation Appeals in 43 CFR Part 4, Subpart L (43 CFR 4.1100(c); 4.1107(c); 4.1282(a)). No substantive changes in the existing procedures in Subpart L are to be effected by the rulemaking.

Timetable:

Action	Date	FR Cite
Final Action	03/01/84	49 FR 7564
Final Action Effective	03/01/84	49 FR 7564

Small Entity: No

Additional Information: As an incidental matter, the rule will amend 43 CFR 4.1109(a) and 4.1266(b)(2) to provide current addresses and/or telephone numbers for the field and/or regional offices of the Office of the Solicitor and the Office of Surface Mining Reclamation and Enforcement. Originally scheduled: October 1983.

DOI—OHA

Completed Actions

Agency Contact: David L. Hughes, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, **703 235-3750**

RIN: 1094–AA07

PETITIONS FOR AWARD OF COSTS AND EXPENSES UNDER SEC 525(E) OF THE SURFACE MINING CONTROL AND RECLAMATION ACT OF 1977

Legal Authority: 30 USC 1201 et seq

CFR Citation: 43 CFR 4.1290; 43 CFR 4.1294

Abstract: The proposed rulemaking revises rules governing petitions for the award of costs and expenses under section 525(e) of the Surface Mining Control and Reclamation Act of 1977 to conform with the Supreme Court's decision in Ruckelshaus v. Sierra Club, 463 U.S., 103 S. Ct. 3275 (1983), holding that, absent some degree of success on the merits by a claimant, it is not appropriate for a court to award attorneys' fees. This rulemaking will give the public more effective notice than would individual administrative decisions interpreting existing rules in a manner consistent with the Ruckelshaus decision.

Timetable:

Action	Date	FR Cite
NPRM	02/06/84	49 FR 4401
Withdrawn	04/23/84	49 FR 17043

Small Entity: No

Agency Contact: John H. Kelly, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3810**

RIN: 1094–AA09

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)

United States Fish and Wildlife Service (FWS)

Current and Projected Rulemakings

GENERAL PROVISIONS: DEFINITIONS

Legal Authority: 16 USC 704; 16 USC 712

CFR Citation: 50 CFR 10, Subpart B

Abstract: The list of migratory birds found at 50 CFR 10.13 would be amended by adding formerly unprotected species which are covered by the convention concluded with the Union of Soviet Socialist Republics for conservation of migratory birds and their environment. Also, the laughing gull, which was inadvertently omitted when the list was last revised, would be restored. Several species of birds belonging to groups protected under conventions concluded with Canada and Mexico have recently been found in the United States and would also be added to the list. The Mexican duck, which is no longer found in the United States, would be deleted from the list; Mexican-like ducks which are found in the Southwestern United States would continue to be protected as hybrids of the mallard, a migratory bird.

Timetable:

Action	Date	FR Cite
NPRM	06/05/84	49 FR 23197
NPRM Comment Period Begin	06/06/84	
NPRM Comment Period End	08/06/84	
Final Action	04/00/85	

Small Entity: No

Additional Information: Originally scheduled: July 1980.

Agency Contact: Rollin D. Sparrowe, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 254-3207**

RIN: 1018–AA02

GENERAL PROVISIONS

Priority: Agency Determination

Legal Authority: 16 USC 704; 16 USC 712; 16 USC 668a

CFR Citation: 50 CFR 10

Abstract: The Service would define the eligibility criteria for zoological institutions to qualify for scientific research and educational activities involving migratory birds and other wildlife.

Timetable:

Action	Date	FR Cite
NPRM	06/07/84	49 FR 23665
NPRM Comment Period Begin	06/07/84	49 FR 23665
NPRM Comment Period End	08/06/84	
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018–AA78

SEIZURE AND FORFEITURE PROCEDURES

Priority: Undetermined

Legal Authority: 16 USC 1540; 16 USC 3371 to 3378

CFR Citation: 50 CFR 12

Abstract: This Part would be amended to apply customs laws to seizures and forfeitures incurred under the Lacey Act Amendments of 1981 and the Endangered Species Act, as authorized by both statutes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018–AA04

GENERAL PERMIT PROCEDURES; IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Priority: Agency Determination

Legal Authority: 16 USC 1540; 16 USC 703 to 712; 16 USC 668a

CFR Citation: 50 CFR 13; 50 CFR 14

Abstract: These various permit rules will be reviewed and amended, if necessary, to eliminate any unnecessary, burdensome, or counterproductive information collection.

Timetable:

Action	Date	FR Cite
NPRM	06/18/84	49 FR 24898
End Review	12/31/84	
Final Action	01/00/85	
Final Action Effective	02/00/85	

Small Entity: No

Additional Information: As a result of the review of these 50 CFR Parts, the Service will initiate two rules. The first rule will deal with the establishment of "user Fees" for persons engaged in importing and exporting wildlife. A second rule appears above in RIN 1018-AA78.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018-AA75

HUMANE TRANSPORT OF WILD ANIMALS AND BIRDS

Legal Authority: PL 97-79, 95 Stat. 1073

CFR Citation: 50 CFR 14

Abstract: Section 9(d) of the Lacey Act Amendments of 1981 shifts authority for prescribing requirements for the humane and healthful transport of wild animals and birds from the Secretary of the Treasury to the Secretary of the Interior. This authority will be promulgated in Part 14.

Timetable:

Action	Date	FR Cite
Notice of Public Meeting	02/26/82	47 FR 8386
Notice of Intent to propose Rules	06/30/82	47 FR 28431
NPRM	09/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA07

IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Legal Authority: 16 USC 3376(a)(2)

CFR Citation: 50 CFR 14

Abstract: The Service would amend the requirements for marking and labeling containers or packages containing fish or wildlife in a joint rulemaking with the Department of Commerce. The Lacey Act Amendments of 1981 make it unlawful to import, export, or transport in interstate commerce any containers or packages containing fish or wildlife that are not marked or labeled in accordance with regulations jointly issued by the Secretaries of the Interior and of Commerce. Such regulations will be in accordance with existing commercial practices.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018-AA79

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Supplemental Timetable:

Amargosa vole
NPRM 08/29/83 (48 FR 39090)
Final Action 08/00/84

Arizona agave
NPRM 05/20/83 (48 FR 22757)
Final Action 05/18/84 (49 FR 21055)

Ash Meadows; one plant and seven insects
NPRM 10/13/83 (48 FR 46590)
Final Action 10/00/84

Ashy dogweed
NPRM 07/22/83 (48 FR 33501)
Final Action 07/19/84 (49 FR 29232)

Bahama and Schaus swallowtail butterflies
NPRM 08/29/83 (48 FR 39096)
Final Action 08/00/84

Big Spring spinedace
NPRM 11/30/83 (48 FR 54082)
Final Action 11/00/84

Brown pelican
NPRM 11/10/83 (48 FR 51736)
Final Action 11/00/84

Fresno kangaroo rat
NPRM 11/21/83 (48 FR 52608)
Final Action 11/00/84

Gouania hillebrandii
NPRM 09/07/83 (48 FR 40407)
Final Action 09/00/84

Hau hele'ula
NPRM 09/12/83 (48 FR 40920)
Final Action 09/00/84

Heliotrope milk-vetch
NPRM 01/13/81 (46 FR 3188)
Final Action 08/00/84

Hierro giant and Ibiza wall lizards
NPRM 09/07/83 (48 FR 40404)
Final Action 02/29/84 (49 FR 7394)

Indian flap shelled turtle
NPRM 09/07/83 (48 FR 40404)
Final Action 02/29/84 (49 FR 7394)

Johnston's frankenia
NPRM 07/08/83 (48 FR 31414)
Final Action 07/00/84

Key tree-cactus
NPRM 07/29/83 (48 FR 34483)
Final Action 07/19/84 (49 FR 29234)

Long haired phlox
NPRM 08/29/83 (48 FR 39093)
Final Action 08/00/84

Mariana Island species
NPRM 11/29/83 (48 FR 53729)
Final Action 11/00/84

Modoc sucker
NPRM 01/31/84 (49 FR 3892)
Final Action 01/00/85

Ozark cavefish
NPRM 01/31/84 (49 FR 3889)
Final Action 01/00/85

San Benito evening primrose
NPRM 10/31/83 (48 FR 50126)
Final Action 10/00/84

Silverling
NPRM 10/25/83 (48 FR 49316)
Final Action 09/00/84

Smoky madtom
NPRM 11/21/83 (48 FR 52612)

Final Action 11/00/84

Texas snowbells

NPRM 10/11/83 (48 FR 46086)

Final Action 10/00/84

Three Yaqui River fishes

NPRM 07/15/83 (48 FR 32527)

Final Action 06/00/84

Small Entity: No

Additional Information: After reviewing the biological status of candidate and listed species, the Service promptly proceeds to propose rules to list, delist, or reclassify such species as appropriate. Generally, final action on the proposed rules must be taken within one year.

Agency Contact: John L. Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA10

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be proposed which would list certain species of wildlife and plants as endangered or threatened species and, where prudent, would identify their critical habitat.

Supplemental Timetable:

Arizona cliffrose

NPRM 07/15/83 (48 FR 32520)

Final Action 05/29/84 (49 FR 22326)

Bidens cuneate

NPRM 08/23/82 (47 FR 36675)

Final Action 02/17/84 (49 FR 6099)

Diamond Head schiedea

NPRM 08/23/82 (47 FR 36675)

Final Action 02/17/84 (49 FR 6099)

Flagstaff pennyroyal

NPRM 06/29/83 (48 FR 29929)

Final Action 12/00/84

Utah prairie dog

NPRM 05/13/83 (48 FR 21604)

Utah prairie dog (downlist)

Final Action 05/29/84 (49 FR 22330)

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: John L. Spinks, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA12

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: 50 CFR 17.21(g), Captive-bred Wildlife, provides regulatory relief for activities that enhance the propagation or survival of living, captive-bred, exotic species listed as endangered and born in the U.S. There is also a provision by which certain specifically situated native species may be eligible. The Service recognizes that a number of native species that do not presently qualify for the benefits of this regulation are specifically situated such that their continued survival would be enhanced by being qualified; therefore, the Service will propose to establish criteria by which species are to be so qualified.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA19

ENDANGERED SPECIES ACT RULES

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17; 50 CFR 424

Abstract: The Endangered Species Act Amendments of 1982 made changes in the procedures that must be followed in promulgating rules under the Endangered Species Act. The Amendments also set up a procedure to designate certain populations of listed species as "experimental." Changes must be made in 50 CFR Parts 17 and 424 to accommodate the Amendments. Part 17 would be amended to allow certain populations of species otherwise listed as Endangered or Threatened to be designated experimental populations; for such populations to be designated as essential or nonessential; and for appropriate protective measures to be applied to such populations. Part 424 would be amended to alter the procedures followed in determining whether species are Endangered or Threatened and in designating and revising Critical Habitat. Changes would be made in the treatment of petitions from the public, mandatory time limits for various actions, standards under which determinations are made, and other procedural matters.

Timetable:

Action	Date	FR Cite
NPRM 50 CFR 424	08/08/83	48 FR 36062
NPRM 50 CFR 17	01/09/84	49 FR 1166
Final Action 50 CFR 17	09/00/84	
Final Action 50 CFR 424	11/00/84	

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: Robert Gilmore, Associate Director-Federal Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4646**

RIN: 1018-AA57

THREATENED WILDLIFE

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17, Subpart D

Abstract: At the request of State, Federal and private parties, the special rule on the American alligator, found in 50 CFR 17.42(a), will be reviewed in order to determine whether to revise or revoke certain prohibitions and procedures. Areas to be considered during the review include: present prohibitions on export of meat and parts other than hides; need for serially numbering each tag applied to hides; need for a Federal permit to kill alligators legally held under State Alligator Farmer permits; and use of data collected from reports required of permittees.

Timetable:

Action	Date	FR Cite
Notice of Intent	07/16/82	47 FR 31024
NPRM	12/00/84	
NPRM Comment Period Begin	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA60

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Abstract: The Ninety-Seventh Congress of the United States enacted the 1982 amendments to the Endangered Species Act of 1973 providing for (1) the incidental taking of listed species and (2) prohibiting the removal and reduction to possession of listed plants from lands under Federal jurisdiction. These amendments require appropriate regulatory amendments.

Timetable:

Action	Date	FR Cite
NPRM	07/08/83	48 FR 31417
NPRM Comment Period Begin	07/08/83	48 FR 35973
NPRM Comment Period End	09/02/83	
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA64

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1540

CFR Citation: 50 CFR 17

Abstract: Part 17 would be amended to implement provisions of the Endangered Species Act Amendments of 1982 on noncommercial transshipments of wildlife and pre-Act status.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-9242**

RIN: 1018-AA66

● ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be developed to list, reclassify or delist certain species of wildlife and plants as endangered or threatened species. When prudent, critical habitat will also be identified.

Supplemental Timetable:

Alabama beach mice (3 species)
NPRM 06/07/84 (49 FR 23794)
Final Action 06/00/85

Alligator snapping turtle
ANPRM 02/27/84 (49 FR 7416)
Final Action 02/00/85

Amber Darter
NPRM 07/13/84 (49 FR 28572)
Final Action 07/00/85

American Alligator
NPRM 06/20/84 (49 FR 25342)
Final Action 06/00/85

Beautiful goetzea
NPRM 06/18/84 (49 FR 24903)
Final Action 06/18/85

Blue Ridge goldenrod
NPRM 07/23/84 (49 FR 29629)
Final Action 07/00/85

Carex specuicola
NPRM 04/11/84 (49 FR 14406)
Final Action 04/00/85

Conasauga logperch
NPRM 07/13/84 (49 FR 28572)
Final Action 07/00/85

Desert dace
NPRM 05/29/84 (49 FR 22355)
Final Action 05/00/85

Desert pupfish
NPRM 05/16/84 (49 FR 20739)
Final Action 05/00/85

Fish Creek Springs tui chub
NPRM 06/06/84 (49 FR 23409)
Final Action 06/00/85

Flattened musk turtle
NPRM 04/05/84 (49 FR 13558)
Final Action 04/00/85

Foskett speckled dace
NPRM 04/17/84 (49 FR 15099)
Final Action 04/00/85

Hiko White River springfish
NPRM 05/07/84 (49 FR 19360)
Final Action 05/00/85

Hutton tui chub
NPRM 04/17/84 (49 FR 15099)
Final Action 04/00/85

Interior least tern
NPRM 05/29/84 (49 FR 22444)
Final Action 05/00/85

June Sucker
NPRM 07/02/84 (49 FR 27183)
Final Action 07/00/85

Key Largo woodrat and cotton mouse
NPRM 04/06/84 (49 FR 13720)
Final Action 04/00/85

Lakela's mint
NPRM 07/23/84 (49 FR 29632)
Final Action 07/00/85

Large flowered fiddleneck
NPRM 05/08/84 (49 FR 19534)
Final Action 05/00/85

Last chance townsendia
NPRM 05/29/84 (49 FR 22352)
Final Action 05/00/85

Maguire primrose
NPRM 04/13/84 (49 FR 14771)
Final Action 04/00/85

Mancos milk vetch
NPRM 06/28/84 (49 FR 26610)
Final Action 06/00/85

Niangua darter
NPRM 04/17/84 (49 FR 15102)
Final Action 04/00/85

Owens tui chub
NPRM 03/23/84 (49 FR 10959)
Final Action 03/23/85

Pecos bluntnose shiner
NPRM 05/11/84 (49 FR 20031)
Final Action 05/00/85

Railroad Valley springfish
NPRM 04/17/84 (49 FR 15109)
Final Action 04/00/85

Rhizome fleabane
NPRM 04/24/84 (49 FR 17548)
Final Action 04/00/85

Sacramento Mountains thistle
NPRM 05/16/84 (49 FR 20735)
Final Action 05/00/85

San Mateo thornmint
NPRM 06/18/84 (49 FR 24906)
Final Action 06/00/85

Sonoran chub
NPRM 06/06/84 (49 FR 23402)
Final Action 06/00/85

Thornber's fishhook cactus
NPRM 04/24/84 (49 FR 17551)
Final Action 04/00/85

Trispot Darter
NPRM 07/13/84 (49 FR 28572)
Final Action 07/00/85

Vahl's boxwood
NPRM 07/13/84 (49 FR 28580)
Final Action 07/00/85

Warner sucker
NPRM 05/21/84 (49 FR 21383)
Final Action 05/00/85

Welsh's milkweed
NPRM 06/06/84 (49 FR 23399)
Final Action 06/00/85

White River spinedace

NPRM 05/29/84 (49 FR 22359)
Final Action 05/00/85

White River springfish
NPRM 05/07/84 (49 FR 19360)
Final Action 05/00/85

Small Entity: Not Applicable

Additional Information: Originally scheduled: October 1984.

Agency Contact: **John Spinks**, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA84

MARINE MAMMALS

Priority: Undetermined

Legal Authority: 16 USC 1382(a)

CFR Citation: 50 CFR 18

Abstract: The Service will propose rules that would require the marking, tagging, or otherwise identifying of raw parts of certain lawfully taken marine mammals, including those taken by Alaska Natives for purposes of subsistence or the creation and selling of authentic native articles of handicrafts and clothing. Except for scientific research purposes, the rules would also prohibit exportation of raw parts of these marine mammals from Alaska and the sale of such parts, other than those that are edible, to persons other than resident Alaska Natives. These rules are necessary for management purposes. Proposed rule is postponed pending the outcome of the final rule that provides for the transfer of marine mammal management authority to the State of Alaska (05/18/83; 48 FR 22446).

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Originally scheduled: July 1980.

Agency Contact: **Leroy Sowl**, Chief, Division of Wildlife Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 632-2202**

RIN: 1018-AA20

MIGRATORY BIRD HUNTING

Priority: Major

Legal Authority: 16 USC 703 to 711

CFR Citation: 50 CFR 20

Abstract: The Service will publish a series of major documents establishing migratory bird hunting regulations for the 1984-85 season. The documents consist of proposed frameworks providing outside limits for dates and hours of shooting, as well as bag and possession limits; final frameworks for hunting seasons from which States may select regulations; and final rules approving such State selections.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/84	49 FR 11120
NPRM	06/13/84	49 FR 24419
Final Action	09/00/84	

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: Small entities likely to be affected by these rules include some sporting goods stores, hardware stores, motels and hotels, restaurants, clothing stores, boat and marine equipment stores, marinas, gasoline stations, private hunting clubs, land owners' leasing hunting rights, and mail order houses selling hunting equipment and supplies. Originally scheduled: April 1984. E.O. 12291: These rules are major because of the economic values associated with migratory game bird hunting; however, the need to obtain and consider the latest population data for these migratory birds requires that the regulatory schedule be shortened. The regulatory impact analysis, as required by E.O. 12291, and the small entity flexibility analysis, as required by 5 U.S.C. 601 et seq., have been combined into one analysis as provided for by both authorities. Copies of the combined analysis will be available from the Agency Contact upon publication of the Notice of Intent in March 1984.

Analysis: Preliminary RIA 03/00/84; Draft RFA 03/00/84

Agency Contact: **Rollin D. Sparrowe**, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 254-3207**

RIN: 1018-AA24

ENDANGERED SPECIES CONVENTION

Priority: Undetermined

Legal Authority: 16 USC 1531 to 1543; TIAS 8249

CFR Citation: 50 CFR 23

Abstract: The regulations implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora will be clarified and revised to incorporate certain recommendations of the Parties.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1980.

Agency Contact: **Thomas J. Parisot**, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA29

IMPORTATION, EXPORTATION AND TRANSPORTATION OF PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 24

Abstract: This Part will establish designated ports for the importation, exportation and re-exportation of plants.

Timetable:

Action	Date	FR Cite
NPRM	02/28/83	48 FR 8314
Final Action	11/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018–AA34

CONSERVATION EASEMENTS

Legal Authority: 16 USC 460k; 16 USC 668dd et seq

CFR Citation: 50 CFR 25

Abstract: This subpart will be revised to include new rules which govern non-Federal activities affecting conservation easements.

Timetable:

Action	Date	FR Cite
NPRM	04/25/84	49 FR 17778
Final Action	12/00/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018–AA38

NATIONAL WILDLIFE REFUGES

Priority: Undetermined

Legal Authority: 16 USC 668dd et seq; Withdrawal Proclamation of 2/11/80, Sec 204(c) (45 FR 9562)

CFR Citation: 50 CFR 26, Subpart C

Abstract: The emergency management rules for the twelve areas in Alaska, which were withdrawn and reserved as National Wildlife Refuges, will be rescinded.

Timetable:

Action	Date	FR Cite
Emergency Rule	03/04/80	45 FR 14192
Rescind Emergency Rule	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: July 1980.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018–AA35

PUBLIC ENTRY AND USE, HUNTING AND FISHING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 26; 50 CFR 32; 50 CFR 33

Abstract: Regulations will be proposed which will simplify and reduce administrative costs related to the process in which special regulations, relating to public access and use, hunting and fishing, are issued for units of the National Wildlife Refuge System. Regulations will be issued to amend or relax the public access and use restrictions for individual national wildlife refuges.

Timetable:

Action	Date	FR Cite
NPRM	07/03/84	49 FR 27334
NPRM Comment Period Begin	07/03/84	49 FR 27334
NPRM Comment Period End	08/02/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1981

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018–AA36

PUBLIC ENTRY

Legal Authority: 16 USC 460k

CFR Citation: 50 CFR 26, Subpart B

Abstract: Special regulations will be issued for public access, use and recreation within certain individual national wildlife refuges when there is a need to amend, modify, relax, or make more stringent the regulations contained in Subchapter C. The regulations will supplement the provisions in Part 26.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018–AA69

MINERAL OPERATIONS

Legal Authority: 16 USC 460k; 16 USC 668dd et seq

CFR Citation: 50 CFR 29, Subpart C

Abstract: This subpart will be revised to include new rules which govern mining on areas within the National Wildlife Refuge System.

Timetable:

Action	Date	FR Cite
NPRM	12/31/80	45 FR 86512
Final Action	04/00/85	

Small Entity: No

Additional Information: The information collection requirements contained in this rule will be submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. Originally scheduled: January 1981.

Agency Contact: James F. Gillett, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018–AA39

HUNTING: GENERAL PROVISIONS

Priority: Undetermined

Legal Authority: 16 USC 704

CFR Citation: 50 CFR 32, Subpart A

Abstract: These regulations will be revised to rescind the Lake St. Clair NWR, MI, Closed Area and revise the Pee Dee NWR, NC, Closed Areas.

Timetable:

Action	Date	FR Cite
NPRM	07/10/84	49 FR 28079
NPRM Comment Period Begin	07/10/84	49 FR 28079

Action	Date	FR Cite
NPRM Comment Period End	08/09/84	
Final Action	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA46

HUNTING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 32

Abstract: Special regulations will be issued for hunting on individual wildlife refuge areas.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/13/82	47 FR 40302
NPRM	07/03/84	49 FR 27334
NPRM Comment Period Begin	07/03/84	49 FR 27334
NPRM Comment Period End	08/02/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA71

MIGRATORY GAME BIRD HUNTING; RESIDENT GAME HUNTING

Priority: Undetermined

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 32, Subparts B and C

Abstract: Regulations will be proposed which would add the following National Wildlife Refuges (NWR) to the list of: - Open areas (migratory game birds) - Optima NWR,OK; Trempealeau NWR, WI -Open areas (upland game) - Optima NWR, OK; Trempealeau NWR, WI - Open areas (big game) - Fox River NWR, WI; Optima NWR, OK; Trempealeau NWR, WI

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA81

SPORT FISHING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 33

Abstract: Special regulations will be issued for sport fishing on individual wildlife refuge areas.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA50

SPORT FISHING

Priority: Undetermined

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 33

Abstract: Regulations will be proposed which would add the following National Wildlife Refuges (NWR) to the list of: - Open areas (sport fishing) - Trempealeau NWR, WI; Wertheim NWR, NY.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA82

ALASKA NATIONAL WILDLIFE REFUGES

Priority: Undetermined

Legal Authority: 43 USC 1621(g)

CFR Citation: 50 CFR 36

Abstract: A new Subpart F will be added and will contain regulations for certain lands within and/or adjacent to certain National Wildlife Refuges in Alaska pursuant to Section 22(g) of the Alaska Native Claims Settlement Act of 1971.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA83

ALASKA NATIONAL WILDLIFE MONUMENTS

Legal Authority: 16 USC 432; 16 USC 742(f); 16 USC 460(k)(3); Presidential Proclamations of 12/1/78 (43 FR 57009); 16 USC 3101

CFR Citation: 50 CFR 96 to 106

Abstract: These rules, which would have provided the general land management regulations for Yukon Flats and Becharof National Wildlife Monuments in Alaska. will be withdrawn

Timetable:

Action	Date	FR Cite
Notice of Intent	02/28/79	44 FR 11247
NPRM	06/28/79	44 FR 37754
Withdraw Proposed Rules	04/00/85	

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The Department of the Interior previously determined that these regulations were not significant under the provisions of E.O. 12044. They will not be reconsidered under the provisions of E.O. 12291, since the Service plans to withdraw the proposed rules that were published on June 28, 1979. Originally scheduled: July 1979.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA55

ALASKA NATIONAL WILDLIFE MONUMENTS: MINERALS MANAGEMENT

Legal Authority: 16 USC 432; 16 USC 742(f); 30 USC 21 et seq; Presidential Proclamations of 12/1/78 (43 FR 57019, 57119); 30 USC 612; 16 USC 3101

CFR Citation: 50 CFR 107

Abstract: This rule, which would have governed mining in Yukon Flats and Becharof National Wildlife Monuments in Alaska, will be withdrawn.

Timetable:

Action	Date	FR Cite
Notice of Intent	02/28/79	44 FR 11247
NPRM	01/11/80	45 FR 2616
Withdraw Proposed Rules	04/00/85	

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The Department of the Interior previously determined that this rule was not significant under the provisions of E.O. 12044. It will not be reconsidered under the provisions of E.O. 12291, since the Service plans to withdraw the proposed rule that was published on January 11, 1980. Originally scheduled: January 1980.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA56

ENDANGERED SPECIES: INTERAGENCY COOPERATION

Priority: Task Force

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 402

Abstract: The Endangered Species Act Amendments of 1978, 1979 and 1982 made some changes in the consultation requirements of Section 7. These proposed rules would amend existing rules governing Section 7 consultation by implementing changes required by the amendments and incorporating other procedural changes designed to improve interagency cooperation.

Timetable:

Action	Date	FR Cite
NPRM	07/07/83	48 FR 31275
Final Action	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Agency Contact: John L. Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA00

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Existing Regulations Under Review

FEATHER IMPORT QUOTAS

Priority: Undetermined

Legal Authority: 19 USC 1202 Headnote 2(d),Tariff Schedules of the U.S.

CFR Citation: 50 CFR 15

Abstract: This rule, which is scheduled for review, contains annual quotas on the importation of skins bearing feathers of the mandarin duck and five species of pheasants, and methods for allocation of the annual import quotas. The quotas are mandated by the Tariff Classification Act of 1962.

Timetable:

Action	Date	FR Cite
End Review	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Thomas Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA77

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: While listed specimens found dead may be salvaged without permit for scientific purposes by qualified parties, the area of consideration for revision of this Part requires the issuance of permits for the import or export of such specimens or their parts such as blood, tissue, sperm, etc. The Service wishes to review these restrictions to determine whether or not they are in the best interest of the enhancement of the survival of listed species. Affected parties of the scientific community have commented on the seeming counterproductive effect of the restrictions of these regulations. The Service has therefore agreed to review pertinent parts in order to determine the need, if any, to revise the regulations.

Timetable:

Action	Date	FR Cite
Notice of Intent	10/00/84	
End Review	04/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA61

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Completed Actions

COMPLETED RULEMAKINGS
GENERAL PERMIT PROCEDURES

Priority: Agency Determination

Legal Authority: 16 USC 701 et seq; 16 USC 1531 et seq; 18 USC 42 to 44

CFR Citation: 50 CFR 13; 50 CFR 14; 50 CFR 15; 50 CFR 16; 50 CFR 17; 50 CFR 18; 50 CFR 19; 50 CFR 21; 50 CFR 22; 50 CFR 23

Abstract: A revision of definitions, procedures and terms relative to issuance criteria found in Parts 10 through 23 of Title 50 in order to clarify, define, consolidate, and lend consistency insofar as practical, and placement of issuance criteria for all affected Parts (10 through 23) in Part 13 for the convenience of affected parties. Affected State, Federal and private parties as well as the Service have noted the need for clearly defined and consistent issuance criteria, consolidated insofar as practical, "in one place." As a result of reviewing this action and related regulations appearing elsewhere in the agenda, the Service has determined that no separate regulation is necessary. See other regulations affecting the cited Parts of Title 50 for further information. This entry will be deleted from the next agenda.

Timetable:

Action	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1982.

Agency Contact: Thomas J. Parisot, Chief, Wildlife Permit Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA05

IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Priority: Undetermined

Legal Authority: 16 USC 704; 16 USC 712; 16 USC 1382; 16 USC 1538(d) to 1538(f); 16 USC 3371 to 3378

CFR Citation: 50 CFR 14

Abstract: The Service would revise 50 CFR Part 14 to make a number of changes involving: (1) the use of designated, border, or special ports, (2) the filing of import or export declarations, and (3) the licensing of persons engaged in business as importers or exporters of fish or wildlife.

Timetable:

Action	Date	FR Cite
Duplicates RIN 1018-AA75	08/27/84	

Small Entity: Undetermined

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018-AA06

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be proposed which would list certain species of wildlife and plants as endangered or threatened species and, where prudent, would identify their critical habitat.

Timetable:

Action	Date	FR Cite
All Rules now final	08/31/84	

Supplemental Timetable:

Pedate checker-mallow and slender-petaled mustard
NPRM 07/15/83 (48 FR 32522)
Final Action 08/31/84 (49 FR 34497)

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: John L. Spinks, Jr., Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA13

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Abstract: Regulations will be proposed which would reclassify or delist, as appropriate, certain species of fish or wildlife.

Timetable:

Action	Date	FR Cite
All Rules now final	04/24/84	

Supplemental Timetable:

Arctic peregrine falcon
NPRM 03/01/83 (48 FR 8796)
Final Action 03/20/84 (49 FR 10520)

Red, eastern gray and western gray kangaroos
NPRM 04/08/83 (48 FR 14528)
Withdrawn 04/24/84 (49 FR 17555)

Sampson's pearly mussel
NPRM 07/15/83 (48 FR 32534)
Final Action 01/09/84 (49 FR 1057)

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: John L. Spinks, Jr., Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA14

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Abstract: Rules will be developed to list certain species of wildlife and plants as endangered or threatened species and, where prudent, would identify critical habitat.

Timetable:

Action	Date	FR Cite
All Rules now final	02/28/84	

Supplemental Timetable:

Wood stork (U.S. populations)
Notice of status review 02/16/82 (47 FR 6675)
NPRM 02/28/83 (48 FR 8402)
Final Action 02/28/84 (49 FR 7332)

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: John L. Spinks, Department of the Interior, United States Fish and Wildlife Service, 18th & C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA15

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Abstract: Rules will be developed to list certain species of wildlife and plants as endangered or threatened species and, where prudent, would identify critical habitat.

Timetable:

Action	Date	FR Cite
All Rules now final	07/13/84	

Supplemental Timetable:

clay-loving wild buckwheat
NPRM 06/22/83 (48 FR 28504)
Final Action 07/13/84 (49 FR 28562)

endangered US woodland caribou
Emergency listing 01/14/83 (48 FR 1722)
NPRM 06/22/83 (48 FR 28500)
Final Action 02/29/84 (49 FR 7390)

Quemador del Pacifico
NPRM 07/15/83 (48 FR 32525)
Final Action 06/00/84

Small Entity: No

Agency Contact: John L. Spinks, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA17

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Priority: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Abstract: This rule will revise 50 CFR 17.42(b) to allow transshipments under the Endangered Species Act in green, olive ridley and loggerhead sea turtles found to be eligible for trade under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The amended rule would more closely align the Act with CITES.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/03/83	48 FR 42
NPRM	05/04/83	48 FR 20098
Withdrawn	04/26/84	49 FR 17981

Small Entity: Undetermined

Additional Information: The information collection requirements contained in section 17.42(b) of this rule will be submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. Originally scheduled: April 1983.

Agency Contact: Thomas J. Parisot, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1937**

RIN: 1018-AA65

ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Abstract: Regulations will be proposed to identify experimental populations for Colorado squawfish (Ptychocheilus lucius), woundfin (Plagopterus argentissimus), and Delmarva Peninsula fox squirrel (Squirus niger cinereus) as provided by Section 10(j) of the 1982 amendments to the Endangered Species Act. The experimental population designation will increase management flexibility to enhance the recovery efforts for those species.

Timetable:

Action	Date	FR Cite
All Rules now final	04/10/84	

Supplemental Timetable:

Colorado squawfish; woundfin
NPRM 04/10/84 (49 FR 14149)

Delmarva Peninsula fox squirrel
NPRM 04/05/84 (49 FR 13556)

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: John L. Spinks, Chief, Office of Endangered Species, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-2771**

RIN: 1018-AA80

MARINE MAMMALS

Priority: Undetermined

Legal Authority: 16 USC 1361 to 1407

CFR Citation: 50 CFR 18

Abstract: Part 18 would be amended to implement provisions of the Marine Mammal Protection Act Amendments of 1981.

Timetable:

Action	Date	FR Cite
ANPRM	07/29/83	48 FR 34486
Merged with RIN 1018-AA20	08/27/84	
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Leroy Sowl, Chief, Division of Wildlife Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 632-2202**

RIN: 1018-AA67

APPENDICES

Legal Authority: 16 USC 1531 to 1543 TIAS 8249

CFR Citation: 50 CFR 23, Subpart C

Abstract: This subpart lists species included in Appendices I, II and III of

the Endangered Species Convention (CITES). It is amended to reflect any charges in the Appendices that occur through the formal procedures established by the Convention. Most such charges occur biennially at meetings of the party nations; although species may be added or removed through postal procedures at any time.

Timetable:

Action	Date	FR Cite
All Rules now final	04/05/84	

Supplemental Timetable:

Giant Panda, App.I
NPRM 10/27/83 (48 FR 49667)
Final Action 04/05/84 (49 FR 13538)
Seven Indian Snakes, App.III
NPRM 01/18/84 (49 FR 2128)
Final Action 04/05/84 (49 FR 13538)

Small Entity: No

Additional Information: Originally scheduled: April 1982. The next meeting of the parties is scheduled for spring 1985.

Agency Contact: Richard L. Jachowski, Chief, Office of Scientific Authority, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 653-5948**

RIN: 1018-AA32

MIGRATORY GAME BIRD HUNTING; RESIDENT GAME HUNTING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 32, Subpart B; 50 CFR 32, Subpart C

Abstract: Regulations will be proposed which would add the following National Wildlife Refuges (NWR) to the list of: Open areas (migratory game birds) - Tensas River NWR, LA; Big Boggy NWR, TX; Open areas (upland game) - Tensas River NWR, LA; Upper Souris NWR, ND; Deer Flat NWR, OR; Eufaula NWR, AL/GA; Pee Dee NWR, NC; Chassahowitzka NWR, FL: Open areas (big game) - Chassahowitzka NWR, FL; Tensas River NWR, LA; Great Dismal Swamp NWR, NC; Deer Flat NWR, OR.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	48 FR 40411
Final Action	06/01/84	49 FR 22819
Final Action Effective	07/02/84	49 FR 22819

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA70

SPORT FISHING

Priority: Undetermined

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 33

Abstract: Rules will be proposed which add the following National Wildlife Refuges (NWR) to the list of: Open areas (sport fishing) - Eufaula NWR, AL/GA; Antioch Dunes NWR, GA; San Francisco Bay NWR, CA; Tensas River NWR, LA; Minnesota Valley NWR, MN; Deer Flat NWR, OR; Big Boggy NWR, TX; Nisqually NWR, WA.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	48 FR 40411
Final Action	06/01/84	49 FR 22819
Final Action Effective	07/02/84	49 FR 22819

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA72

ALASKA NATIONAL WILDLIFE REFUGES

Priority: Undetermined

Legal Authority: 16 USC 3101

CFR Citation: 50 CFR 36

Abstract: Regulations will be proposed to implement Section 1008 of the Alaska Land Act concerning oil and gas leasing program for non-North Slope Federal lands.

Timetable:

Action	Date	FR Cite
Final Action No action planned during next six months	08/27/84	

Small Entity: Undetermined

Additional Information: The information collection requirements contained in this rule will be submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. Originally scheduled: October 1981.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA51

ALASKA NATIONAL WILDLIFE REFUGES

Priority: Undetermined

Legal Authority: 16 USC 668dd; 16 USC 3193(b)(2)

CFR Citation: 50 CFR 36

Abstract: The appeals process in 50 CFR 36.33(d) regarding cabins will be revised to include review by the Alaska Regional Director prior to a hearing in accordance with 43 CFR 4.700.

Timetable:

Action	Date	FR Cite
No action planned in next six months	08/27/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA73

CONSERVATION OF ENDANGERED AND THREATENED SPECIES OF FISH, WILDLIFE AND PLANTS: COOPERATION WITH THE STATES

Priority: Undetermined

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 81

Abstract: The Service will amend 50 CFR Part 81 to incorporate Endangered Species Act Amendments of 1982 regarding change in maximum percentage of Federal cost sharing payments to States with Endangered and Threatened species programs pursuant to Section 6 of the Act.

Timetable:

Action	Date	FR Cite
Final Action	07/26/84	49 FR 30073
Final Action Effective	07/26/84	49 FR 30073

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: John L. Spinks, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 703 235-2771

RIN: 1018-AA74

COMPLETED REVIEWS

ADMINISTRATIVE PROVISIONS; PUBLIC ENTRY AND USE; PROHIBITED ACT; ENFORCEMENT, PENALTY AND PROCEDURAL REQUIREMENTS; LAND USE MANAGEMENT

Priority: Undetermined

Legal Authority: 16 USC 685; 16 USC 690d; 16 USC 725; 16 USC 460k

CFR Citation: 50 CFR 25 to 31

Abstract: These parts, which are scheduled for review, provide a variety of administrative functions of the National Wildlife Refuge System.

Timetable:

Action	Date	FR Cite
End Review	08/27/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981. The results of this review have been analyzed and the rule identified in RIN 1018-AA36 has been initiated. Such rule will change the issuance of special regulations for national wildlife refuges from an annual effort to permanent regulations for hunting, public use, and sport fishing.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4311

RIN: 1018-AA62

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Current and Projected Rulemakings

● POSSESSION OF WEAPONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR Not yet determined

Abstract: This proposed rulemaking pertains to Catoctin Mountain Park in Maryland. The rulemaking will prohibit, with exceptions, the possession of weapons, whether loaded or unloaded, within the park.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: It has been determined that this regulation is necessary for the protection and security of the President of the United States while he is at Camp David.

Agency Contact: Lowell Sturgill, Associate Regional Director, Operations, Department of the Interior, National Park Service, National Capital Region, 1100 Ohio Drive, SW, Washington, DC 20242, 202 426-6658

RIN: 1024-AB05

● GENERAL PROVISIONS RESOURCE PROTECTION, PUBLIC USE AND RECREATION BOATING AND WATER USE ACTIVITIES

Legal Authority: 16 USC 1; 16 USC 1a to 2(h); 16 USC 3

CFR Citation: 36 CFR 1; 36 CFR 2; 36 CFR 3

Abstract: The service completed a major revision of these regulations in April 1984. A thorough review of the regulations will be conducted after the 1984 visitor use season, leading to minor revisions and further refinements.

Timetable:

Action	Date	FR Cite
NPRM	02/15/85	
NPRM Comment Period Begin	02/15/85	
NPRM Comment Period End	03/15/85	

Small Entity: No

Agency Contact: Andrew T. Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, Branch of Ranger Activities, Interior Building, 18th and C Sts. NW, Wash., DC 20240, 202 343-4187

RIN: 1024-AB09

● VEHICLES AND TRAFFIC SAFETY

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 4

Abstract: The service proposes to review and revise the regulations in this part, which has not undergone major revision since 1966. Revisions are expected, at a minimum, to reflect the abolishment of management categories, to provide for consistency with state vehicle codes and to strengthen the regulation pertaining to driving under the influence of alcohol or drugs.

Timetable:

Action	Date	FR Cite
NPRM	01/03/85	
NPRM Comment Period Begin	01/03/85	
NPRM Comment Period End	03/03/85	

Small Entity: No

Agency Contact: Andrew T. Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, Branch of Ranger Activities, 18th and C Sts. NW, Washington, DC 20240, 202 343-4187

RIN: 1024-AB06

BIG CYPRESS NATIONAL PRESERVE: INDIAN USE AND OCCUPANCY

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.86

Abstract: This rule will define the Statutory rights of the Miccosukee and Seminole Indians within Big Cypress National Preserve.

Timetable:

Action	Date	FR Cite
NPRM	11/12/81	46 FR 55709
Final Action	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Ronald Miller, Law Enforcement Specialist, Department of the Interior, National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, **404 242-4916**

RIN: 1024-AA07

BLACK CANYON OF THE GUNNISON NATIONAL MONUMENT: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date	FR Cite
NPRM	07/15/83	48 FR 32365
Final Action	09/00/84	

Small Entity: No

Additional Information: Originally scheduled: July 1980.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024-AA11

FIRE ISLAND NATIONAL SEASHORE: OFF-ROAD VEHICLES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will amend existing regulations pertaining to off-road vehicle use by designating routes for their use.

Timetable:

Action	Date	FR Cite
NPRM	07/25/83	48 FR 33722
Final Action	12/00/84	

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: Len Frank, Department of the Interior, National Park Service, North Atlantic Regional Office, 15 State Street, Boston, MA 02109, **617 223-3765**

RIN: 1024-AA14

CURECANTI RECREATION AREA: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date	FR Cite
NPRM	11/18/83	48 FR 52484
Final Action	10/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024-AA61

ZION NATIONAL PARK: TRUCKING

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: The Service is proposing to review existing trucking regulations for Zion National Park. These rules will adjust times, conditions and costs for truck convoys on the Zion-Mt. Carmel tunnel road to accommodate the safe use of park roads by visitors and to recover the costs of convoy services. The alternative to this rule is to leave existing provisions in place with no cost recovery and continuing public safety problems.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	06/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024-AA78

ARCHAEOLOGICAL RESOURCES PROTECTION ACT OF 1979 DEPARTMENTAL REGULATIONS

Priority: Undetermined

Legal Authority: 16 USC 470aa et seq

CFR Citation: 43 CFR 7(b)

Abstract: This rule will implement the provisions of Section 10(b) of the Archaeological Resources Protection Act of October 31, 1979, and will be based on the uniform rule found in 43 CFR 7. The intended effect of this rule is to advise the public of its obligations to the Department and to further advise of the Department's obligations to the public concerning the protection and conservation of archaeological resources located on public and Indian lands within the United States, its territories and possessions.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983. A draft currently is in preparation.

Agency Contact: Bennie C. Keel, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4101**

RIN: 1024-AA83

HUNTING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: The regulation pertains to the New River Gorge National River located in West Virginia. This regulation would allow hunting on those lands and waters administered by the National Park Service as part of the New River Gorge National River area. This regulation is consistent with the park enabling legislation.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA86

FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This regulation pertains to the Upper Delaware Scenic and Recreation River in New York State. The final regulations published on June 30, 1983 prohibit certain fishing methods that are allowed by New York State law. This proposed regulation would authorize fishing in any manner consistent with existing State law.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7075

RIN: 1024-AA87

FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This regulation pertains to the New River Gorge National River located in West Virginia. The final regulations published on June 30, 1983 prohibit certain fishing methods and the taking of certain species that are allowed by the laws of West Virginia. This regulation would authorize the use of those fishing methods and the taking of those fish species consistent with West Virginia law.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA88

COMMERCIAL VEHICLE FEES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This regulation affects the Delaware Water Gap National Recreation Area and that portion of Route 209 that passes through the park. Interim commercial vehicle fees for Route 209 have been in effect since October 14, 1983. This regulation will establish revised fees.

Timetable:

Action	Date	FR Cite
NPRM	10/14/83	48 FR 46779
Final Action	11/00/84	

Small Entity: No

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, 215 597-7057

RIN: 1024-AA99

● APPALACHIAN NATIONAL SCENIC TRAIL

Legal Authority: 16 USC 3; 16 USC 1246(i)

CFR Citation: 36 CFR 7.100

Abstract: The Service proposes to review the levels of resource and visitor protection on the Appalachian Trail provided by the General Regulations in 36 CFR Parts 1 and 2 and to revise 36 CFR 7.100 accordingly.

Timetable:

Action	Date	FR Cite
NPRM	12/01/84	
NPRM Comment Period Begin	12/01/84	
NPRM Comment Period End	02/01/85	

Small Entity: No

Agency Contact: David A. Ritchie, Project Manager, Department of the Interior, National Park Service, Appalachian Trail Project Office, Harpers Ferry Center, Harpers Ferry, WV 25425, 304 535-2346

RIN: 1024-AB07

● OPERATION OF SEAPLANE AND AMPHIBIOUS AIRCRAFT

Priority: Undetermined

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 7.20(b)(iv)

Abstract: Delete this portion of regulation since it is no longer needed at Fire Island National Seashore.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	06/00/85	

Small Entity: No

Agency Contact: John Hauptman, Superintendent, Department of the Interior, National Park Service, Fire Island National Seashore, 120 Laurel Street, Patchogue, New York 11772, 516 289-4810

RIN: 1024-AB21

● SEAPLANE REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.20(b)

Abstract: Fire Island National Seashore - Proposed revision of Seaplane Regulations 36 CFR 7.20(b). This revision eliminates one community as an authorized taxi and docking area. That area is Robbins Rest.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	
NPRM Comment Period Begin	10/15/84	
NPRM Comment Period End	11/15/84	

Small Entity: No

Agency Contact: Leonard A. Frank, Chief, Resource Mngmt & Visitor Protection, Department of the Interior, National Park Service, 15 State Street, Boston, MA 02109, 617 223-3351

RIN: 1024-AB26

FISHING, PARK BOUNDARY

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.27

Abstract: This proposed regulation pertains to Fort Jefferson National Monument and will delete references to the taking of crayfish and Conch. Information will be included to redefine the park boundary. These changes are necessary to reflect a closure of park waters to the removal of crayfish and Conch and to update boundary changes mandated by Congressional action in 1980 that enlarged the park area.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA96

FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.36

Abstract: This proposed regulation pertains to Mammoth Cave National Park. The regulation will allow fishing to take place in accordance with applicable Kentucky State law.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA94

● MINING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.45(a)

Abstract: This deletion applies to Everglades National Park in Florida. Section 7.45(a) will be deleted because it is a duplication of the General Regulations 36 CFR, Sections 1.6, 1.7 and 2.1.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: FTS 242-4916.

Agency Contact: Ronald F. Miller, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AB10

● STOCK GRAZING, STOCK DRIVEWAYS AND HAYING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.51

Abstract: This proposed rulemaking pertains to Curecanti National Recreation Area located in Colorado. The rulemaking will establish criteria for authorized use of certain areas for the grazing of livestock and haying of irrigated meadows as part of the Colorado River Storage Project Act of April 11, 1956 (70 Stat. 105, Public Law 485).

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, Denver, CO 80225, **303 234-3070**

RIN: 1024-AB11

● HANG GLIDERS AND BALLOONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.51(e)

Abstract: This proposed rulemaking pertains to Curecanti National Recreation Area in Colorado. The rulemaking will establish criteria for the operation or use of hang gliders and balloons designed for powerless flight consistent with Department of the Interior and National Park Service policies.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, 655 Parfet Street, Denver, CO 80225, **303 234-3070**

RIN: 1024-AB12

● OFF-ROAD VEHICLE USE

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.51 (d)

Abstract: This proposed rulemaking pertains to Curecanti National Recreation Area located in Colorado. The rulemaking will establish criteria for the operation of vehicles in off-road situations consistent with existing Executive Order 11644 and National Park Service and Department of the Interior policies.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, 655 Parfet Street, Denver, CO 80225, **303 234-3070**

RIN: 1024-AB27

● COULEE DAM RECREATION AREAS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.55

Abstract: The Service proposes to regulate trapping activities in accordance with State law.

Timetable:

Action	Date	FR Cite
NPRM	11/15/84	

Small Entity: No

Agency Contact: Gordon Boyd, Chief Park Ranger, Department of the Interior, National Park Service, P.O. Box 37, Coulee Dam, WA 99116, **509 633-0991**

RIN: 1024-AB14

● COULEE DAM RECREATION AREA OFF-ROAD VEHICLES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.55

Abstract: The Service proposes to establish a regulation designating routes for ORV use.

Timetable:

Action	Date	FR Cite
NPRM	11/15/84	

Small Entity: No

Agency Contact: Gordon Boyd, Chief Park Ranger, Department of the Interior, National Park Service, P.O. Box 37, Coulee Dam, WA 99116, 509 633-0991

RIN: 1024-AB15

● TARGET PRACTICE

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.62

Abstract: This proposed rulemaking pertains to Lake Chelan NRA and will designate a specially designed and constructed facility and time and location for target practice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Richard Winters, Acting Superintendent, Department of the Interior, National Park Service, North Cascades National Park, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB19

COMMERCIAL VEHICLE FEES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.67

Abstract: This regulation pertains to Cape Cod National Seashore and will revise existing fees charged for commercial vehicles.

Timetable:

Action	Date	FR Cite
Final Action	05/00/85	

Small Entity: Undetermined

Agency Contact: Leonard A. Frank, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 15 State Street, Boston, MA 02109, 617 223-3351

RIN: 1024-AA91

● AIRCRAFT

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 7.69

Abstract: This regulation will allow aircraft to utilize the water surface of Ross Lake within the park boundaries.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Richard Winters, Acting Superintendent, Department of the Interior, National Park Service, North Cascades National Park, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB20

● TARGET PRACTICE

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 7.69

Abstract: This proposed rulemaking pertains to Ross Lake National Recreation Area and will designate a specially designed and constructed facility and time and location for target practice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Richard Winters, Acting Superintendent, Department of the Interior, National Park Service, North Cascades National Park, 800 State Street, Sedro Wooley, WA 98284, 206 855-1331

RIN: 1024-AB28

● MOUNTAIN CLIMBING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.7 (d)

Abstract: This deletion affects Rocky Mountain National Park in Colorado. Section 7.7 (d) will be deleted so that Rocky Mountain National Park will be in line with several other National Parks with significant technical climbing and no required registration check in/check out.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB16

● WINTER BACKCOUNTRY TRIPS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.7 (e)

Abstract: This deletion affects Rocky Mountain National Park in Colorado. Section 7.7 (e) will be deleted so that Rocky Mountain National Park will be in line with several other National Parks that do not require check out for overnight winter camping.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Thomas J. McDonnell, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, Denver, CO 80225, 303 234-3070

RIN: 1024-AB17

● GLEN CANYON NATIONAL RECREATION AREA, DESIGNATED AIRSTRIPS

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.70(a)(1)

Abstract: This action is proposed to delete a reference to an airstrip at Wahweap which was closed by FAA in 1982 because of accidents and potential hazards to an adjacent residential area. Alternate landing facilities are available seven miles away.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	
NPRM Comment Period Begin	10/15/84	
NPRM Comment Period End	11/15/84	

Small Entity: No

Agency Contact: John Ritenour, Chief, Resource Mngmt & Visitor Protection, Department of the Interior, National Park Service, Glen Canyon National Recreation Area, P.O. Box 1507, Page, AZ 86040, **602 645-2471**

RIN: 1024-AB24

FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.71

Abstract: Final regulations published June 30, 1983 in the Federal Register prohibit several fishing methods that are authorized by State laws in Pennsylvania and New Jersey. This proposed regulation affects the Delaware Water Gap National Recreation Area and would allow fishing in any manner consistent with the State laws of Pennsylvania and New Jersey.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, **215 597-7057**

RIN: 1024-AA98

FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.73

Abstract: This proposed regulation pertains to Buck Island Reef National Monument and would establish criteria for the taking of lobsters in accordance with the laws of the Territory of the Virgin Islands.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA93

SUBMERGED FEATURES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.73

Abstract: This regulation pertains to Buck Island Reef National Monument and would protect coral formations from damage by park visitors.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA97

BOATS

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.74

Abstract: This proposed regulation pertains to the Virgin Islands National Park and will establish a permit system relating to mooring of boats, length of stay and other criteria.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AB00

FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.74

Abstract: This proposed regulation pertains to the Virgin Islands National Park and will establish criteria for the taking of lobsters in accordance with the laws of the Territory of the Virgin Islands.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AB01

PARTIAL DELETION OF EXISTING REGULATION

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.75(a)(2)(v)

Abstract: The final regulations published on June 30, 1983 in the Federal Register adequately cover the provision found in 36 CFR 7.75(a)(2)(v). The new Section reference will be found in 36 CFR 1.2(e) when the final regulations become effective. Section 7.75(a)(2)(v) will then be deleted. This deletion affects Padre Island National Seashore.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: William M. Lukens, Jr., Superintendent, Department of the Interior, National Park Service, Padre Island, NS, 9405 S. Padre Island Dr., Corpus Christi, TX 78418, **512 937-2621**

RIN: 1024-AB03

● HUNTING

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.75(b)

Abstract: Clarify existing regulatory language as it pertains to hunting.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: William M. Lukens, Jr., Superintendent, Department of the Interior, National Park Service, Padre Island National Seashore, 9405 South Padre Island Drive, Corpus Christi, TX 78418, **512 937-2621**

RIN: 1024-AB22

● ALCOHOLIC BEVERAGES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.88(b)

Abstract: This proposed rulemaking would prohibit the possession and use of alcoholic beverages within the confines of all swimming beaches at Indiana Dunes National Lakeshore.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	
NPRM Comment Period Begin	11/30/84	
NPRM Comment Period End	12/30/84	

Small Entity: No

Agency Contact: James R. Walker, Visitor Services Specialist, Department of the Interior, National Park Service, Midwest Region, 1709 Jackson St., Omaha, NE 68102, 402 221-3475

RIN: 1024-AB25

● WATER USE

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.9(a)(4)(ii)

Abstract: This revision would change established beginning and ending dates for water skiing at St. Croix National Scenic Riverway from Memorial Day through Labor Day to the period May 15th through September 15th. This rulemaking would also change the southern limit from mile 24.5 to 1 mile 25.0.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	
NPRM Comment Period Begin	11/30/84	
NPRM Comment Period End	12/30/84	

Small Entity: No

Agency Contact: James R. Walker, Visitor Services Specialist, Department of the Interior, National Park Service, Midwest Region, 1709 Jackson St., Omaha, NE 68102, 402 221-3475

RIN: 1024-AB08

● DELETION OF 36 CFR PART 50 AND REVISION OF PART 7

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 50; 36 CFR 7.96; 36 CFR 7.99

Abstract: This deletion affects National Capital Region. Part 50 will be deleted and regulations peculiar to this region will be incorporated in revisions to Part 7. 7.96 will address special regulations in those NPS areas within the District of Columbia. 7.99 will address special regulations in NPS areas in the District of Columbia, Maryland and Virginia.

The National Capital Region will then use the same general regulations as the rest of the NPS.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Lowell Sturgill, Associate Regional Director, Operations, Department of the Interior, National Park Service, National Capital Region, 1100 Ohio Drive, SW, Washington, DC 20242, 202 426-6658

RIN: 1024-AB29

OFF ROAD VEHICLE USE

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.98

Abstract: This proposed regulation pertains to Cape Lookout National Seashore and will establish criteria for the operation of vehicles in off road situations consistent with existing NPS policy.

Timetable:

Action	Date	FR Cite
Final Action	06/00/85	

Small Entity: Undetermined

Agency Contact: Ronald Miller, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, 404 221-4916

RIN: 1024-AA89

● NATIONAL CEMETERY REGULATIONS

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 12

Abstract: These regulations were last revised in 1971 and are again in need of updating to assure appropriate levels of protection and consistent management of national cemeteries.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	
NPRM Comment Period Begin	03/15/85	
NPRM Comment Period End	00/00/00	

Small Entity: No

Agency Contact: Andrew T. Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, Branch of Ranger Activities, Interior Building, 18th and C Sts., NW, Washington, DC 20240, 202 343-4187

RIN: 1024-AB04

NATIONAL PARK SYSTEM UNITS IN ALASKA

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 13

Abstract: This rule will provide for the closure of certain areas within Denali National Park and Preserve, Glacier Bay National Park and Preserve and Katmai National Park and Preserve to snowmachines, motorboats and aircraft use.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Bill Tanner, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA71

NATIONAL PARK SYSTEM UNITS IN ALASKA

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 13

Abstract: This rule will govern all authorized types of cabin use in National Park Service areas in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	04/03/84	49 FR 13160
Extension of NPRM Comment Period to 08/13/84	06/01/84	49 FR 22835
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Bill Tanner, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA85

PROTECTION OF HUMPBACK WHALES

Legal Authority: 16 USC 1; 16 USC 1531; 16 USC 1361

CFR Citation: 36 CFR 13

Abstract: These permanent regulations will replace the temporary regulations that expired December 31, 1983. These permanent regulations define terms, authorize a permit system, establish vessel operating restrictions, establish a mechanism for designating whale waters and vessel limits and prohibit the harvest of certain species of fish and crustaceans which are prey species of the humpback whale.

Timetable:

Action	Date	FR Cite
NPRM	04/18/84	49 FR 15482
Final Action	11/00/84	

Small Entity: No

Agency Contact: Rich O'Guinn, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AB02

● CONCESSION OPERATIONS

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 13

Abstract: This rulemaking will establish procedures for providing commercial visitor services in certain Alaska national park areas as provided for by the Alaska National Interest Lands Act.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: William Tanner, Staff Park Ranger, Department of the Interior, National Park Service, Alaska Regional Office - NPS, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AB18

IDENTIFICATION OF INTEGRAL VISTAS ASSOCIATED WITH FEDERAL CLASS I AREAS

Priority: Major

Legal Authority: 42 USC 7491; 16 USC 1, et seq National Park Service Organic Act

CFR Citation: 36 CFR 16, (New)

Abstract: This rule will provide guidelines for identification of integral vistas and a list of integral vistas associated with 44 of the 48 National Park Service mandatory class I areas where visibility is an important value. The alternatives under consideration include (a) no action and (b) proposal of revised list of integral vistas. Upon completion, the RIA will discuss costs and benefits of the rule. Cost-benefit analysis is difficult, however, and speculative at best, since the rule merely identifies the integral vistas, but commits the decision on whether and how much to protect any particular vista to the permitting authority (usually the state, otherwise GPA). In other words, once an integral vista is properly and timely identified, the permitting authority must balance its protection against costs of compliance, the time necessary for compliance, the energy and nonair quality environmental impacts of compliance, and the remaining useful life of any existing source, subject to such requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/15/81	46 FR 3646
NPRM Comment Period Begin	01/15/81	46 FR 3646
Prop. Guidelines/Notice of Avail.	01/15/81	46 FR 3646
NPRM Comment Period End	02/17/81	
Comment Period begins	04/24/81	46 FR 23389
Comment Period reopened	04/24/81	46 FR 23389
Comment Period Ends	06/08/81	46 FR 23389
(Future) Comment Period, Reproposal begin	02/00/85	
(Future) Reproposal, NPRM	02/00/85	
(Future) Comment Period reproposal ends	04/00/85	
Final Action	11/00/85	
Final Action Effective	12/00/85	

Small Entity: No

Additional Information: Originally scheduled: October 1981. EPA regulatory deadline for final action: 12/31/85.

Analysis: Preliminary RIA 02/00/85; Final RIA 11/00/85

Agency Contact: Molly N. Ross, Deputy Division Chief, Department of the Interior, National Park Service, Air and Water Quality Division, 18th and C Streets, NW, Washington, DC 20240, 202 343-4911

RIN: 1024-AA35

FIRE ISLAND NATIONAL SEASHORE: ZONING

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 28

Abstract: This rule will be revised to add new definitions, to amend permitted and prohibited uses and to update zoning standards to reflect Seashore policy and local zoning ordinances.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	06/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Larry Hovig, Department of the Interior, National Park Service, North Atlantic Regional Office, 15 State Street, Boston, MA 02109, 617 223-1178

RIN: 1024-AA80

OLYMPIC NATIONAL PARK: ZONING

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 29

Abstract: This rule will allow landowners within Olympic National Park to make minor changes to private lands without the threat of condemnation. The alternative to this proposal is the more costly one of condemnation of private lands for incompatible development.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Chuck Woodbury, Department of the Interior, National Park Service, Pacific Northwest Regional Office, Westin Building, 2001 6th Avenue, Seattle, WA 98121, 206 442-4832

RIN: 1024-AA81

YOSEMITE NATIONAL PARK: ADMINISTRATION EL PORTAL LAW ENFORCEMENT AND FIRE PREVENTION

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 34

Abstract: This rule will promulgate law enforcement and fire prevention regulations for the El Portal area in Yosemite National Park. El Portal is an administrative site used by the National Park Service and is not currently covered under other regulations in Title 36.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Phil Ward, Department of the Interior, National Park Service, Western Regional Office, 450 Golden Gate Avenue, Box 36063, San Francisco, CA 94102, 415 556-1866

RIN: 1024-AA29

DEMONSTRATIONS AND SPECIAL EVENTS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 50

Abstract: This rule will amend 36 CFR 50.19 concerning demonstrations and special events in the National Capital Parks. Specifically, the rule will define the term "Vietnam Veterans Memorial," prohibit demonstrations and special events in the memorial, and place minor restrictions on the use of staging and sound systems near the memorial. The rule will also amend 36 CFR 50.24 and 50.52 to add the Vietnam Veterans Memorial as an area where sales are not allowed and to delete Constitution Gardens from that list.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/12/82	47 FR 51126
Final Action	10/00/84	
Final Action Effective	11/00/84	

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: Sandra Alley, Associate Regional Director, Public Affairs, Department of the Interior, National Park Service, National Capital Region, 1100 Ohio Drive, SW, Washington, DC 20242, 202 426-6700

RIN: 1024-AA43

NOMINATIONS TO THE NATIONAL REGISTER OF HISTORIC PLACES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 60

Abstract: This rule is being amended to revise: appeals for listing nominations by persons or local governments in States without approved State historic preservation programs; procedures for nominations from State and Federal agencies; and procedures for making changes to listed properties and removals from the National Register, including appeals, and to incorporate 36 CFR Part 63.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/16/81	46 FR 56183
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Hardy Pearce, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9505

RIN: 1024-AA44

DETERMINATION OF ELIGIBILITY FOR INCLUSION IN THE NATIONAL REGISTER OF HISTORIC PLACES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 63

Abstract: This rule incorporates certain revisions responding to the National Historic Preservation Act Amendments of 1980. In addition to responding to the new law, these changes update and revise in other minor respects the procedures for determining the eligibility of properties for the National Register. This rule will be consolidated with 36 CFR Part 60. Proposed rule (36 CFR Part 1204) was published May 23, 1980 (45 FR 34909).

Timetable:

Action	Date	FR Cite
NPRM 36 CFR 1204	05/23/80	45 FR 34909
NPRM	03/00/85	

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Agency Contact: Carol Shull, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9539

RIN: 1024-AA46

WAIVER OF FEDERAL AGENCY RESPONSIBILITIES UNDER THE NATIONAL HISTORIC PRESERVATION ACT

Legal Authority: 16 USC 470

CFR Citation: 36 CFR 78

Abstract: This rule is necessary under the National Historic Preservation Act Amendments of 1980 which require the Secretary of the Interior to establish

new procedures for the waiver of the requirements of Section 110 of the Act.

Timetable:

Action	Date	FR Cite
NPRM	03/23/84	49 FR 10944
Final Action	10/00/84	
Final Action Effective	11/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Steve Sheffield, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-9516

RIN: 1024-AA57

● CURATION OF FEDERALLY-OWNED ARCHEOLOGICAL COLLECTIONS

Priority: Undetermined

Legal Authority: 16 USC 470a; 16 USC 470dd

CFR Citation: 36 CFR 79

Abstract: This rule fulfills the Secretary of the Interior's responsibility to issue regulations on the disposition, exchange and curation of federally-owned prehistoric and historic archeological artifacts and associated records recovered under the Antiquities Act of 1906, the Reservoir Salvage Act of 1960 (as amended by the Archeological and Historic Preservation Act of 1974), the National Historic Preservation Act of 1966 (as amended) and the Archaeological Resources Protection Act of 1979. The regulation will describe Federal agency responsibilities to preserve federally-owned archeological collections and provide guidance for Federal agencies to select appropriate repositories and to ensure that appropriate Indian tribes or individuals are notified concerning the disposition of materials recovered from Indian lands.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Dr. Bennie C. Keel, Departmental Consulting Archeologist, Department of the Interior, National Park Service, Washington, DC 20240, 202 343-4101

RIN: 1024-AB13

● FISHING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 783(d)(3)

Abstract: This proposed rulemaking would authorize the taking of crayfish and turtles in areas designated by the Superintendent of Ozark National Scenic Riverways consistent with Missouri fishing laws.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	
NPRM Comment Period Begin	11/30/84	
NPRM Comment Period End	12/30/84	

Small Entity: No

Agency Contact: James R. Walker, Visitor Services Specialist, Department of the Interior, National Park Service, Midwest Region, 1709 Jackson St., Omaha, NE 68102, 402 221-3475

RIN: 1024-AB23

CEMETERY SITES AND HISTORICAL PLACES

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 43 CFR 2653

Abstract: The Service is proposing to amend 43 CFR 2653.5 by deleting all references to the Service as the consulting agency concerning the cultural value and significance of existing Alaska Native cemetery sites and historical places. This revision will relieve the Service from the responsibility of being the consulting agency for sites located on all Federal lands in Alaska, thus eliminating an expensive duplication of Federal effort.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Rich O'Guinn, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA84

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Existing Regulations Under Review

RECOVERY OF SCIENTIFIC, PREHISTORIC, HISTORIC AND ARCHAEOLOGICAL DATA: PROCEDURES FOR NOTIFICATION, REPORTING AND DATA RECOVERY

Priority: Undetermined

Legal Authority: 16 USC 469; 16 USC 470; 16 USC 470aa

CFR Citation: 36 CFR 66

Abstract: This rule is part of the Department's proposed overall rulemaking with respect to the Archeological and Historic Preservation Act of 1974. This guidance will facilitate the Department's coordination of activities authorized under the Act, and its reporting to Congress on the scope and effectiveness of the program, as required by section 5(c) of the Act.

Timetable:

Action	Date	FR Cite
NPRM	01/28/77	42 FR 5374
End Review	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1979. A completely new draft is in preparation.

Agency Contact: Bennie Keel, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4101

RIN: 1024-AA49

PRESERVATION OF AMERICAN ANTIQUITIES: DEFINITION OF AN OBJECT OF ANTIQUITY

Priority: Undetermined

Legal Authority: 16 USC 431 to 433

CFR Citation: 36 CFR 76

Abstract: This rule will implement the provisions of the American Antiquities Act of June 8, 1906, and is in response to a Federal court ruling on the vagueness of the term "object of antiquity" and failure of the Federal government to inform the public in lay terms. This rule will be redesignated from 43 CFR Part 3. Proposed rule (43 CFR Part 3) was published April 10, 1978 (43 FR 14975). A second proposed rule will be published after 36 CFR Part 69 is published as a final rule.

Timetable:

Action	Date	FR Cite
NPRM 43 CFR 3	04/10/78	43 FR 14975
End Review	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1980.

Agency Contact: Bennie Keel, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-4101

RIN: 1024-AA56

TRANSPORTATION AND UTILITY SYSTEMS IN ALASKA

Legal Authority: 16 USC 3161

CFR Citation: 43 CFR 36

Abstract: This rule will establish procedures for the review and approval of any application for a transportation or utility system in Alaska, if any portion of the system's route will be within any national conservation system unit, national recreation area or national conservation area in the State.

Timetable:

Action	Date	FR Cite
NPRM	07/15/83	48 FR 32506
End Review	03/00/85	

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: Brian Koula, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-7957

RIN: 1024-AA58

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Completed Actions

COMPLETED RULEMAKINGS

CEDAR BREAKS NATIONAL MONUMENT: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date	FR Cite
NPRM	08/30/82	47 FR 38156
Final Action	07/20/84	49 FR 29374

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, 303 234-3068

RIN: 1024-AA12

NORTH CASCADES NATIONAL PARK: SNOWMOBILES

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for snowmobile use within the park.

Timetable:

Action	Date	FR Cite
NPRM	12/23/82	47 FR 57300
Final Action	05/09/84	49 FR 19651

Small Entity: No

Additional Information: Originally scheduled: October 1981.

Agency Contact: Chuck Woodbury, Department of the Interior, National Park Service, Pacific Northwest Regional Office, Westin Bldg., Room 1920, 2001 6th Avenue, Seattle, WA 98121, 206 442-4832

RIN: 1024-AA21

YOSEMITE NATIONAL PARK: FISH MANAGEMENT WATERS

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule is being revised to rescind the regulations relating to experimental fish management waters in Yosemite National Park, California (7.16).

Timetable:

Action	Date	FR Cite
NPRM	08/04/80	45 FR 51618
This NPRM is being withdrawn since it is unnecessary	08/27/84	

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule.Originally scheduled: July 1980.

Agency Contact: Phil Ward, Department of the Interior, National Park Service, Western Regional Office, 450 Golden Gate Avenue, Box 36063, San Francisco, CA 94102, 415 556-1866

RIN: 1024-AA28

ZION NATIONAL PARK: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date	FR Cite
NPRM	07/15/83	48 FR 32367
Final Action	08/31/84	

Small Entity: No

Additional Information: Originally scheduled: July 1980.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024–AA31

DELAWARE WATER GAP NATIONAL RECREATION AREA: COMMERCIAL TRUCKING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will describe those limited conditions under which commercial trucks will be allowed on park roads.

Timetable:

Action	Date	FR Cite
NPRM	10/14/83	48 FR 46779
Final Action	03/13/84	49 FR 9419

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Bill Supernaugh, Department of the Interior, National Park Service, Mid-Atlantic Regional Office, 143 South Third Street, Philadelphia, PA 19106, **218 597-7057**

RIN: 1024–AA62

DINOSAUR NATIONAL MONUMENT: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date	FR Cite
NPRM	04/28/83	48 FR 19185
Final Action	08/31/84	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024–AA63

ROCKY MOUNTAIN NATIONAL PARK: FISHING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will revise existing regulations to permit previously prohibited catch-and-release fishing opportunities for greenback cutthroat, a threatened species; revise size and possession limits for other species of cutthroat, rainbow and brown trout; and provide special management areas where greenback cutthroat trout have been or will be placed.

Timetable:

Action	Date	FR Cite
NPRM	10/18/83	48 FR 48257
Final Action	06/18/84	49 FR 24892

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024–AA67

ROCKY MOUNTAIN NATIONAL PARK: SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: This rule will provide for the use of snowmobiles within the park.

Timetable:

Action	Date	FR Cite
NPRM	06/16/83	48 FR 27553
Final Action	06/25/84	49 FR 25852

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: John Chapman, Department of the Interior, National Park Service, Rocky Mountain Regional Office, 655 Parfet Street, P.O. Box 25287, Denver, CO 80225, **303 234-3068**

RIN: 1024–AA68

FISHING

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: The Service is proposing to add new provisions to its special regulations to authorize the use of nets for smelt dipping within Apostle Islands, Sleeping Bear Dunes, and Pictured Rocks National Lakeshores. Regulations to allow this use are required to provide an exception to the general prohibition against this use in National Park System areas found in 36 CFR 2.3.

Timetable:

Action	Date	FR Cite
NPRM	12/27/83	48 FR 56971
NPRM Comment Period Begin	01/27/84	49 FR 3492
NPRM Comment Period End	02/25/84	
Final Action Inc as part of Fishing as auth by State law for the 3 parks	04/30/84	49 FR 18442

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Bob Walker, Department of the Interior, National Park Service, Midwest Regional Office, 1709 Jackson Street, Omaha, NE 68102, **402 221-3438**

RIN: 1024–AA74

DISCRETIONARY HUNTING

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: The Service is proposing to add new provisions to its special regulations to authorize discretionary hunting within certain specific units of the National Park System pursuant to 36 CFR 2.2. The regulations will establish locations and procedures for discretionary hunting.

Timetable:

Action	Date	FR Cite
NPRM	12/27/83	48 FR 56971
NPRM Comment Period End	01/27/84	48 FR 3492
Final Action	04/30/84	49 FR 18442

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Weston Kreis, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-5607**

RIN: 1024–AA75

SNOWMOBILE USE

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: The Service is proposing to add new provisions to its special regulations to authorize snowmobile use within park areas. Special regulations, as required by 36 CFR 2.18, will provide for more consistent snowmobile use Servicewide. The regulations will identify routes and water surfaces, within park areas, where snowmobile use will be allowed. In addition, a revision to the snowmobile regulation for Crater Lake National Park will be proposed in order to change an existing route.

Timetable:

Action	Date	FR Cite
NPRM	12/27/83	48 FR 56971
NPRM Comment Period Begin	01/27/84	49 FR 3492
NPRM Comment Period End	02/25/84	
Final Action	04/30/84	49 FR 18442

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Weston Kreis, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-5607

RIN: 1024-AA76

AIRCRAFT USE

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7

Abstract: The Service is proposing to add new provisions to its special regulations to authorize aircraft use within park areas. Special regulations, as required by 36 CFR 2.17, will provide for more consistent aircraft use Servicewide and will identify locations within park areas where aircraft use will be allowed.

Timetable:

Action	Date	FR Cite
NPRM	12/27/83	48 FR 56971
NPRM Comment Period Begin	01/27/84	49 FR 3492
NPRM Comment Period End	02/25/84	
Final Action	04/30/84	49 FR 18442

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Weston Kreis, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-5607

RIN: 1024-AA77

FISHING

Priority: Undetermined

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.83

Abstract: This proposed regulation pertains to the Ozark National Scenic Riverways. The regulation would allow the taking of crayfish in any manner authorized under applicable Missouri State law and also limit the digging of bait for personal use only.

Bait Digging only; Cray fishing is being withdrawn for further consideration.

Timetable:

Action	Date	FR Cite
Final Action	04/30/84	49 FR 18451

Small Entity: Undetermined

Agency Contact: James R. Walker, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 1709 Jackson Street, Omaha, NE 68102, 402 221-3476

RIN: 1024-AA92

MOTORIZED VEHICLES, CAMP STRUCTURES, AND HUNTING, TRAPPING AND GATHERING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.86

Abstract: This proposed regulation pertains to the Big Cypress National Preserve. It is intended to make several deletions and revisions as they relate to vehicles, structures, and the taking of frogs and crayfish for personal consumption.

Timetable:

Action	Date	FR Cite
Withdrawn - this regulatory action is no longer necessary at this time	08/27/84	

Small Entity: Undetermined

Agency Contact: Weston P. Kreis, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-5607

RIN: 1024-AA95

MONUMENTS AND MEMORIALS

Priority: Undetermined

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.94

Abstract: This pertains to Andersonville National Historic Site. We intend to delete the entire Section 7.94 since it is no longer needed.

Timetable:

Action	Date	FR Cite
Final Action	06/30/83	48 FR 30296

Small Entity: Undetermined

Agency Contact: Weston P. Kreis, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, 202 343-5607

RIN: 1024-AA90

GLACIER BAY: HUMPBACK WHALES

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 13

Abstract: The Service is proposing to revise existing regulations necessary to protect the humpback whale, an endangered species, within Glacier Bay National Park and Preserve. Protection of this endangered species is required by the Endangered Species Act and the Marine Mammal Protection Act.

Timetable:

Action	Date	FR Cite
Duplicate of RIN 1024-AB02	08/27/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Rich O'Guinn, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, 907 271-4551

RIN: 1024-AA79

APPLICABILITY OF REGULATIONS

Priority: Undetermined

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 50

Abstract: This rule revises 36 CFR Part 50.1 to permit certain parks within the National Capitol Region to utilize the rules and regulations found in 36 CFR Parts 1-7.

Timetable:

Action	Date	FR Cite
NPRM	02/28/79	44 FR 11244
Withdrawn	08/27/84	

Small Entity: Undetermined

Additional Information: The effects of this document were previously considered under the provision of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: July 1978.

Agency Contact: Lowell Sturgill, Department of the Interior, National Park Service, National Capitol Region, 1100 Ohio Drive, SW, Washington, DC 20242, **202 426-6658**

RIN: 1024-AA42

PROCEDURES FOR APPROVED STATE AND LOCAL GOVERNMENT HISTORIC PRESERVATION PROGRAMS

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 61

Abstract: Extensive revision of this rule is anticipated because the National Historic Preservation Act Amendments of 1980 require the Secretary of the Interior to promulgate or revise regulations for State historic preservation programs. The Secretary is also required to develop a procedure for certifying local governments as eligible to carry out the purposes of the Act. Such certification will allow local governments to receive a portion of their State's annual Historic Preservation Fund grant via transfer from the State.

Timetable:

Action	Date	FR Cite
Interim Rule & Request for Comments 36 CFR 1201	05/09/80	45 FR 30623
NPRM 36 CFR 1201	09/10/80	45 FR 59590
NPRM	05/02/83	48 FR 19742
Final Action	04/13/84	49 FR 14890
Final Action Effective	05/14/84	49 FR 19890

Small Entity: No

Additional Information: Originally scheduled: May 1978.

Agency Contact: Hardy Pearce, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9505**

RIN: 1024-AA45

HISTORIC PRESERVATION CERTIFICATIONS PURSUANT TO THE TAX REFORM ACT OF 1976, THE REVENUE ACT OF 1978, THE TAX TREATMENT EXTENSION ACT OF 1980, AND THE ECONOMIC ETC

Legal Authority: Tax Reform Act of 1976, as amended; Revenue Act of 1978; Tax Treatment Extension Act of 1980; Economic Recovery Tax Act of 1981

CFR Citation: 36 CFR 67

Abstract: This rule will be revised to incorporate new requirements of Pub. L. 96-541 in order to provide for the donation of historic easements, and to initiate a processing fee for certification of rehabilitation work. Review of historic certification applications by States will now be at the discretion of the States. The introductory material in the regulation will also be revised to explain changes in tax treatments resulting from the Economic Recovery Tax Act of 1981. (Pub. L. 97-34). Final rule (36 CFR Part 1208) was published December 19, 1980 (45 FR 83488). Due to Pub. L. 96-541 becoming law in December 1980 and Pub. L. 97-34 becoming law in January 1982, rule will again be revised.

Timetable:

Action	Date	FR Cite
Final Action 36 CFR 1208	12/19/80	45 FR 83488
NPRM	07/05/83	48 FR 30686
Final Action	03/12/84	49 FR 9302
Final Action Effective	04/11/84	49 FR 9302

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: Ward Jandl, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9584**

RIN: 1024-AA50

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Indian Affairs (BIA)

Current and Projected Rulemakings

● APPEALS FROM ADMINISTRATIVE ACTIONS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 2

Abstract: The present administrative appeal regulations are ambiguous and misleading. It is difficult to tell what issues may be appealed and to whom the appeal should be sent. Most deadlines are uncertain. Those that are certain are often unrealistic. It is also unclear when a final decision will be rendered by the Interior Board of Indian Appeals and when it will be rendered by the Assistant Secretary for Indian Affairs. Alternatives will be developed by reviewing the existing appeal regulations of other agencies. Consideration will be given to specifying which types of appeals go to the Assistant Secretary and which to the Board. The alternative of providing for the Assistant Secretary to make a case-by-case decision whether or not to refer the matter to the Board will also be considered. The primary benefit should be reduced frustration for both appellants and the BIA officials who handle the appeals. The greatest cost may be that both appellants and BIA officials may have to comply with more specified procedures and meet more

deadlines in order for the system to work.

Timetable:

Action	Date	FR Cite
NPRM	01/15/85	
NPRM Comment Period Begin	01/15/85	
NPRM Comment Period End	03/15/85	

Small Entity: Undetermined

Agency Contact: David Etheridge, Attorney-Adviser, Department of the Interior, Bureau of Indian Affairs, Office of the Solicitor, Washington, DC 20240, 202 343-8526

RIN: 1076-AB21

● PREFERENCE IN EMPLOYMENT

Legal Authority: 25 USC 43; 25 USC 46; 25 USC 44; 25 USC 348; 25 USC 472; 25 USC 479

CFR Citation: 25 CFR 5

Abstract: The revision of this rule will extend the expired date of July 17, 1984, for one year to permit the Osage Tribal Council the additional time to organize and to establish current membership standards for purposes of Indian preference employment for their tribal members in the Bureau of Indian Affairs.

Timetable:

Action	Date	FR Cite
Final Action	10/15/84	

Small Entity: No

Agency Contact: Mercedes Lewis, Personnel Staffing Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Consitution Avenue, NW, Washington, DC 20245, 202 343-9306

RIN: 1076-AB22

● ESTATES OF INDIANS OF THE FIVE CIVILIZED TRIBES

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 16

Abstract: This rule amends existing regulations to reflect the consolidation of the Muskogee Field Office of the Solicitor with the Tulsa Regional Office of the Solicitor.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1381
NPRM Comment Period Begin	01/11/84	49 FR 1381
NPRM Correction	01/19/84	49 FR 2267
NPRM Comment Period End	02/21/84	
Final Action	09/04/84	

Small Entity: No

Agency Contact: Larry R. Blair, Acting Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, Code 450, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-6434

RIN: 1076-AB19

ACTION ON WILLS OF OSAGE INDIANS

Priority: Undetermined

Legal Authority: PL 95-496

CFR Citation: 25 CFR 17

Abstract: This rule is being revised to permit the Field Solicitor of the Department to: (1) approve/disapprove wills of persons of Osage Indian blood providing for the disposition of restricted property; (2) issue orders and decisions; (3) issue subpoenas and to administer oaths to witnesses testifying at hearings; and (4) send appeals from decisions to the Regional Solicitor of the Department.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1981.

Agency Contact: Raymond F. Sanford, Regional Solicitor, Department of the Interior, Bureau of Indian Affairs, Southwest Region, P.O. Box 3156, Tulsa, OK 74101, 202 343-9405

RIN: 1076-AA03

SOCIAL WELFARE

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 20

Abstract: Public Law 97-394 requires the Bureau of Indian Affairs to impose a rateable reduction on general assistance (GA) grant payments to eligible Indian clientele. When implemented, the rateable reduction will vary among states in that it will be identical in amount to the reductions established by the states in the administration of their respective Aid to Families with Dependent Children programs. In the past, the Bureau has made GA grant payments at the full need levels established by the states. The effect of applying a rateable reduction will be reduced program costs.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1381
NPRM Comment Period Begin	02/21/84	
Final Action	01/00/85	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Larry L. Blair, Acting Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6434

RIN: 1076-AA77

INDIAN CHILD WELFARE ACT

Priority: Undetermined

Legal Authority: 25 USC 1952; 25 USC 2, 25 USC 9

CFR Citation: 25 CFR 23

Abstract: This rule will be amended to reflect the requirements to implement the overall Indian Child Welfare Act program.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1381
Final Action	11/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Larry R. Blair, Acting Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6434

RIN: 1076-AA85

SCHOOL BOARDS

Priority: Agency Determination

Legal Authority: 25 USC 2001 et seq

CFR Citation: 25 CFR 35

Abstract: The purpose of this rule is to define and delineate the duties and responsibilities of local Indian School Boards in accordance with Federal statutes and regulations. This rule will provide Bureau-wide consistency for the overall exercise of authority and control of Bureau and tribally operated schools.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076–AB03

MINIMUM ACADEMIC STANDARDS FOR THE BASIC EDUCATION OF INDIAN CHILDREN AND NATIONAL CRITERIA FOR DORMITORY SITUATIONS

Priority: Agency Determination

Legal Authority: 25 USC 2001; 25 USC 2002; PL 95-561

CFR Citation: 25 CFR 36

Abstract: This rule will prescribe minimum academic standards for the basic education of Indian children in Bureau schools and provide the national criteria for use in the operations of dormitories by the Bureau. This Part has been redesignated from 25 CFR Part 31e.

Timetable:

Action	Date	FR Cite
NPRM	03/23/83	
NPRM Comment Period Begin	03/23/83	
NPRM Comment Period End	05/09/83	
Final Action	10/00/84	

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076–AA08

PRE-KINDERGARTEN PROGRAM STANDARDS

Priority: Agency Determination

Legal Authority: 25 USC 2001

CFR Citation: 25 CFR 36, (Addition)

Abstract: The development of Pre-kindergarten Program Standards will formalize and provide consistency to the Bureau's Pre-kindergarten program operation. The regulations will address eligibility requirements, minimum performance standards, administrative and organizational requirements, curriculum, instruction, staff development, parental involvement, student achievement, student support services and evaluation. Equitable distribution of funds and duplication of program efforts will be two potential cost benefits due to this action.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Undetermined

Additional Information: This action is linked to RIN 1076-AA08.

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6364

RIN: 1076–AB01

EDUCATION PERSONNEL

Priority: Agency Determination

Legal Authority: 25 USC 2011; 25 USC 2015

CFR Citation: 25 CFR 38, (Revision)

Abstract: The review of this rule is to update and/or delete the requirements that apply to all individuals appointed or converted to contract education positions in the Bureau of Indian Affairs. The review applies to employees with continuing tenure in both the competitive and excepted service who incumber education positions.

Timetable:

Action	Date	FR Cite
End Review	08/01/84	
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, 202 343-2175

RIN: 1076–AB02

INDIAN SCHOOL EQUALIZATION PROGRAM

Priority: Agency Determination

Legal Authority: PL 95-561; 25 USC 2008

CFR Citation: 25 CFR 39

Abstract: This rule, which contains the funding mechanism for Bureau operated and contract elementary and secondary schools, has been reviewed and will be revised when academic and dormitory standards are finalized in 25 CFR Part 36.

Timetable:

Action	Date	FR Cite
End Review	03/30/84	
Interim Final Rule	09/04/84	49 FR 34820
Correction	09/13/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4872

RIN: 1076–AA09

ADMINISTRATION OF THE HIGHER EDUCATION PROGRAM

Priority: Agency Determination

Legal Authority: 25 USC 13; PL 67-85

CFR Citation: 25 CFR 40

Abstract: This rule will revise established policies and provide uniform procedures to govern the higher education program administered under the authority of 25 U.S.C. 13. This rule applies only to educational grants; Bureau educational loans are governed by 25 CFR Part 91. This Part has been redesignated from 25 CFR Part 32.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Don Standing Elk, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4871**

RIN: 1076-AA10

GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES AND NAVAJO COMMUNITY COLLEGE

Priority: Agency Determination

Legal Authority: 25 USC 1815; 25 USC 640

CFR Citation: 25 CFR 41, (Revision)

Abstract: The Secretary proposes to revise the current regulations which are used to govern the administration of grants to the Tribally Controlled Community Colleges. The revision is mandatory since the current regulations do not apply to the new requirements which were made under the Amendments Act. The revision will govern the new requirements which include: 1. Planning Grants; 2. Forward Funding; 3. Facility Construction; 4. Endowments; and 5. New Method of Counting Students.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: Edward Lonefight, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-7387**

RIN: 1076-AA11

SPECIAL EDUCATION

Priority: Agency Determination

Legal Authority: PL 94-142

CFR Citation: 25 CFR 45

Abstract: This rule will establish standards for the provision of special education and related services to Indian children in schools operated by or under the authority of the Bureau. This Part has been redesignated from 25 CFR Part 31k.

Timetable:

Action	Date	FR Cite
NPRM	09/29/80	45 FR 64472
Final Action	09/30/84	

Small Entity: No

Additional Information: DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: January 1980.

Agency Contact: Charles Cordova, Chief, Branch of Exceptional Education, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-6675**

RIN: 1076-AA14

ADMINISTRATION OF THE ADULT EDUCATION PROGRAM

Priority: Agency Determination

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 46

Abstract: The development of these regulations is to establish basis administrative and organizational requirements, uniform procedures, and program management guidelines that will provide an equitable delivery of Adult Education Program funds and services on a Bureau-wide basis.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: Esther J. Whalen, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4871**

RIN: 1076-AA15

● PREPARATION OF A ROLL OF EASTERN CREEK INDIANS

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 1401 et seq; 5 USC 301

CFR Citation: 25 CFR 63

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the one-time compilation of a roll of Eastern Creek Indian descendants eligible to share in a per capita distribution of an apportioned share of judgment funds awarded the Creek Nation of Indians in Indian Claims Commission Docket 275. The roll has been completed and approved and the per capita payment made. Therefore, there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	
Final Action Effective	01/30/85	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB25

● PREPARATION OF A ROLL OF PYRAMID LAKE PAIUTE INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 64

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the one-time compilation of a roll of members of the Pyramid Lake Paiute Tribe eligible to share in the distribution of judgment funds awarded the Pyramid Lake Paiute Indians by the Indian Claims Commission in Docket No. 87-B. The roll has been completed and approved and the distribution of judgment funds made. Therefore, it has been determined that there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43a.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	
Final Action Effective	01/30/85	

Small Entity: No

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076–AB27

● PREPARATION OF A ROLL OF MOHAVE DESCENDANTS ENROLLED AS MEMBERS OF THE COLORADO RIVER INDIAN TRIBES

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 67

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the one-time compilation of a roll of certain members of the Colorado River Indian Tribes who were lineal descendants of the aboriginal Mohave Tribe eligible to share in the per capita distribution of an apportioned share of judgment funds awarded the Mohave Indians by the Indian Claims Commission in Dockets Nos. 283 and 295. The roll has been completed and approved and the per capita payment made. Therefore, it has been determined that there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43e.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	
Final Action Effective	01/30/85	

Small Entity: No

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076–AB30

PREPARATION OF A ROLL OF ALASKA NATIVES

Priority: Undetermined

Legal Authority: PL 94-204; PL 92-203

CFR Citation: 25 CFR 69

Abstract: This rule is being amended to provide procedures for the redetermination of permanent residence of Alaska Natives enrolled pursuant to Public Law 92-203 in accordance with section 1(c) of Public Law 94-204. This Part has been redesignated from 25 CFR Part 43h.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1981.

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-3594

RIN: 1076–AA18

● PREPARATION OF A ROLL OF PERSONS OF GRAND RIVER OTTAWA INDIAN BLOOD TO BE USED AS THE BASIS TO DISTRIBUTE JUDGMENT FUNDS

Legal Authority: PL 94-540

CFR Citation: 25 CFR 72

Abstract: As a result of review, it has been determined that this rule is no longer necessary and should be revoked. The rule governed the one-time compilation of a roll of persons who possess Grand River Ottawa Indian blood to be used to distribute the judgment funds awarded the Grand River Band of Ottawa Indians in Indian Claims Commission Docket 40-K. The roll has been completed and approved and the per capita payment made. Therefore, it has been determined that there is no further need for or applicability of this rule. This Part has been redesignated from 25 CFR Part 43n.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	
Final Action Effective	01/30/85	

Small Entity: No

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076–AB33

● PREPARATION OF A MEMBERSHIP ROLL OF THE PRIBILOF ISLANDS ALEUT COMMUNITIES OF ST. PAUL AND ST. GEORGE

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 77

Abstract: This rule governed the one-time compilation of a roll of members of the Pribilof Islands Aleut Communities of St. Paul and St. George eligible to share in a per capita distribution of judgment funds awarded the Aleut Communities of the Pribilof Islands by the U.S. Court of Claims in Dockets 352 and 369-A. The roll has been completed and approved and the per capita payment made. Therefore, there is no further need for or applicability of the rule and the rule is being revoked.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	
Final Action Effective	01/30/85	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076–AB36

● USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

Priority: Undetermined

Legal Authority: 5 USC 301; 87 Stat 466; 87 Stat 467; 87 Stat 468; 96 Stat 2512; 96 Stat 2513; 96 Stat 2514

CFR Citation: 25 CFR 87

Abstract: The regulations govern the preparation of proposed plans for the use or distribution of all judgement funds awarded to Indian tribes and groups by the Indian Claims Commission, the United States Court of Claims or the United State Claims Court, excepting any tribe or group whose trust relationship with the Federal Government has been terminated and for which there exists legislation authorizing the disposition of its judgment funds; and of all funds deriving from judgments entered prior to the date of the Act for which there has been no enabling legislation. The regulations are being revised to eliminate gender-specific terminology.

incorporate the provisions of the Act of January 12, 1983 and for clarification. The revisions will make the regulations current to existing laws and should enable parties affected to more easily understand the regulations. The proposed revisions are a result of a review of the rules completed on July 16, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	

Small Entity: No

Agency Contact: John A. Shapard, Branch Chief, Department of the Interior, Bureau of Indian Affairs, Branch of Acknowledgment & Research, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3568**

RIN: 1076-AB20

LICENSED INDIAN TRADERS

Priority: Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 5 USC 301

CFR Citation: 25 CFR 140

Abstract: On April 25, 1980, the Bureau published a proposed rule that would have amended the regulations governing Indian traders on most Indian reservations. That proposal would have restricted application of the regulations to businesses located in isolated communities where there is an absence of competition. Most comments received were strongly opposed to the proposal and supportive of diligent enforcement of the trader regulations on all Indian reservations. In response to those comments, the Bureau has proposed to modernize the trading regulations by adopting as its regulations the consumer protection statutes of the state where the business is located. This Part has been redesignated from 25 CFR Part 251. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	01/06/81	46 FR 1298
Final Action	10/00/84	

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: April 1981.

Agency Contact: Jack Spencer, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-5786**

RIN: 1076-AA24

LICENSED INDIAN TRADERS

Legal Authority: PL 96-277; EO 12328

CFR Citation: 25 CFR 140

Abstract: Public Law 96-277 changed the procedure under which employees of the Federal government may enter into trading with Indians. Previously, the law allowed for trades between Federal employees and Indians only in certain cases which could be approved, for ample cause, on an individual basis by the Secretary of the Interior. Public Law 96-277 and E.O. 12328 provide that trading by employees of the Bureau of Indian Affairs and the Indian Health Service may enter into trading with Indians on a case-by-case basis when requested in accordance with regulations published by the Secretary of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	10/07/83	48 FR 45789
NPRM Comment Period Begin	11/07/83	
Final Action	09/30/84	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: John G. Combs, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-8718**

RIN: 1076-AA80

LAND ACQUISITIONS

Priority: Undetermined

Legal Authority: PL 97-459

CFR Citation: 25 CFR 151

Abstract: The Bureau proposes to publish amendments to Part 151 dealing with acquisition of fractional interests in land. Simultaneously, this rule will be reviewed to determine if all provisions are current and up-to-date.

Timetable:

Action	Date	FR Cite
End Review	04/13/84	
NPRM	09/30/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: William J. Bucholz, Acting Chief, Div. of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 **343-2398**

RIN: 1076-AA81

LEASING AND PERMITTING

Priority: Undetermined

Legal Authority: 25 USC 380; 25 USC 393; 25 USC 394; 25 USC 395; 25 USC 397; 25 USC 402; 25 USC 402a; 25 USC 403; 25 USC 403a to c; 25 USC 415; 25 USC 415a to d; 25 USC 477; 25 USC 635

CFR Citation: 25 CFR 162

Abstract: This rule will reorganize Part 162 into three new subheadings: (1) How to Acquire Leases; (2) Special Provisions and Requirements of Leases; and (3) Special Provisions for Specific Reservations. These revisions will facilitate the use of the regulations for easier reference. This Part has been redesignated from 25 CFR Part 131.

Timetable:

Action	Date	FR Cite
NPRM	10/27/78	43 FR 50210
Final Action	11/00/84	

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: July 1979.

Agency Contact: William J. Bucholz, Acting Chief, Department of the Interior, Bureau of Indian Affairs, Division of Real Estate Services, 18th and C Streets, NW, Washington, DC 20240, **202 343-2398**

RIN: 1076-AA29

GRAZING REGULATIONS FOR FORMER NAVAJO-HOPI JOINT USE AREA LANDS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 640d; 25 USC 640d-28

CFR Citation: 25 CFR 168

Abstract: This rule will be revised to clarify the Secretary's responsibilities over grazing control and range restoration activities in the area formerly known as the Joint Use Area under the July 9, 1980 amendments to the Navajo-Hopi Settlement Act, 25 U.S.C. 640d-640d-28. The rule will also be revised to correct vague and/or ambiguous language contained in certain provisions of the existing rule. This Part has been redesignated from 25 CFR Part 153.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/15/84	
Final Action	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: Sam Miller, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4088**

RIN: 1076-AA33

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

Legal Authority: 5 USC 301; 62 Stat. 273

CFR Citation: 25 CFR 176

Abstract: This rule contains regulations to be followed for the operation of the electric power system at the Flathead Project, Montana. This Part has been redesignated from 25 CFR Part 232.

Timetable:

Action	Date	FR Cite
NPRM	11/10/82	47 FR 50850
NPRM Comment Period Begin	10/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: Charles P. Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA73

USE OF WATER ON INDIAN RESERVATIONS

Priority: Undetermined

Legal Authority: 25 USC 1a; 25 USC 2; 25 USC 9; 25 USC 381; 25 USC 415

CFR Citation: 25 CFR 179

Abstract: This rule will state the criteria the Secretary will follow in determining whether to approve water codes enacted by Indian tribes which would regulate the use of waters on Indian reservations. This Part has been redesignated from 25 CFR Part 260.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: April 1981.

Agency Contact: Sam St. Arnold, Division of Water and Land Resources, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA37

CONTRACTS FOR PROSPECTING AND MINING ON INDIAN MINERAL LANDS

Legal Authority: 25 USC 396; 25 USC 396d; 25 USC 415; 25 USC 476; 25 USC 477

CFR Citation: 25 CFR 211

Abstract: The regulations in this Part govern contracts for the prospecting and mining of Indian-owned minerals, other than oil and gas. Revisions will be made which would combine rules for the review and approval of mineral development contracts on both tribal and allotted lands into one Part. This Part has been redesignated from 25 CFR Part 171.

Timetable:

Action	Date	FR Cite
NPRM	08/11/80	45 FR 53164
NPRM	07/12/83	48 FR 31978
End Review	02/24/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tommy Riggs (see Agency Contact heading for phone and address). Originally scheduled: May 1978.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St. Lakewood Office Plaza, Rm 239, Golden, CO 80401, **303 234-6961**

RIN: 1076-AA38

LEASING OF ALLOTTED LANDS FOR MINING

Legal Authority: 25 USC 396; 35 Stat. 396

CFR Citation: 25 CFR 212

Abstract: As a result of review, it has been determined that this Part is no longer necessary and should be revoked. The rules which currently govern the leasing of oil and gas on Indian allotted lands will be replaced by a new 25 CFR Part 218. This Part has been redesignated from 25 CFR Part 172.

Timetable:

Action	Date	FR Cite
NPRM	08/11/80	45 FR 53164
NPRM	07/12/83	48 FR 31978
End Review	02/24/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tommy Riggs (see Agency Contact heading for phone and address). Originally scheduled: April 1981.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St., Lakewood Ofc. Plaza, Rm. 239, Golden, Co 80401, **303 234-6961**

RIN: 1076-AA39

OPERATION, RECLAMATION AND CONSERVATION ON MINERAL LANDS

Legal Authority: 25 USC 380; 25 USC 396; 25 USC 396d; 25 USC 415; 25 USC 476; 25 USC 477; 42 USC 4332

CFR Citation: 25 CFR 216

Abstract: This rule will provide for mining and exploration plans, performance plans and other operational aspects of mining on Indian lands, including compliance with the National Environmental Policy Act. This Part has been redesignated from 25 CFR Part 177. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	08/11/80	45 FR 53164
Final Action	10/31/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tommy Riggs (see Agency Contact heading for phone and address). Originally scheduled: May 1978.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St., Lakewood Ofc. Plaza, Rm. 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA40

OIL AND GAS MINERAL AGREEMENTS

Priority: Undetermined

Legal Authority: PL 97-382; 52 Stat. 347; 35 Stat. 783

CFR Citation: 25 CFR 225

Abstract: The Bureau proposes to publish regulations that will govern mineral agreements for the development of Indian owned oil and gas resources pursuant to the Indian Mineral Development Act of 1982, Public Law 97-382, which authorizes the tribes to enter into negotiated agreements rather than go through the previously required competitive advertising procedure.

Timetable:

Action	Date	FR Cite
NPRM	07/12/83	48 FR 31978
Final Action	03/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Don Jones, Chief, Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Mineral Resources, 730 Simms Street, Lakewood Office Plaza, Room 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA82

● COMMERCIAL FISHING ON RED LAKE INDIAN RESERVATION

Legal Authority: 25 USC 2; 5 USC 301

CFR Citation: 25 CFR 242

Abstract: Regulations provide for the Tribe to harvest fish commercially. No other entities are involved.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: Except for two sex-based references, the regulation is/has been agreeable to all.

Government Levels Affected: Local, Federal

Agency Contact: Ulyses S. St. Arnold, Acting Director, Land & Water Resources, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-4004

RIN: 1076-AB13

● REINDEER IN ALASKA

Legal Authority: 48 USC 250(k)

CFR Citation: 25 CFR 243

Abstract: This regulation is being revised to enable the BIA to regulate the sale of reindeer products as well as reindeer.

Timetable:

Action	Date	FR Cite
NPRM	10/30/84	

Small Entity: No

Agency Contact: Ulyses S. St. Arnold, Acting Director, Land & Water Resources, Department of the Interior, Bureau of Indian Affairs, Div. of Land & Water Res., 1951 Constitution Ave., NW, Washington, DC 20245, 202 343-2373

RIN: 1076-AB16

● WIND RIVER RESERVATION GAME CODE

Legal Authority: 43 USC 1457; 25 USC 2; 25 USC 9; 65 Stat. 1262; 18 USC 1165; 16 USC 3371; 18 Stat. 685

CFR Citation: 25 CFR 244, (New)

Abstract: The interim rule will provide regulations governing hunting of big and small game on the Wind River Indian Reservation in Wyoming, to conserve, protect and increase the currently depleted populations. No alternative actions for addressing the problem are being considered. The program will be confined to a localized area, and economic effects will be relatively insignificant. Benefits will be conservation of existing populations through reduced hunting mortality. Costs for personnel and equipment to enforce the regulations are estimated at $235,000 for the first year and $200,000 annually thereafter.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/15/84	

Small Entity: No

Agency Contact: Gary Rankel, Fish and Wildlife Specialist, Department of the Interior, Bureau of Indian Affairs, Main Interior - 18th and C Sts., NW, Washington, DC 20245, 202 343-5696

RIN: 1076-AB43

● OFF-RESERVATION TREATY FISHING - FRASER RIVER CONVENTION; SOCKEYE AND PINK SALMON FISHERY

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 249

Abstract: This rule is an annual amendment covering the treaty Indian fishery in waters subject to the Fraser River Convention. Regulations provided by the rule assure fulfillment of obligations to treaty tribes and to Canada. The alternative of no regulation would leave the treaty Indian fishery unregulated, and was not considered. The rule is beneficial in that it will allow for the implementation of treaty guaranteed rights in a manner consistent with U.S. obligations to Canada. The rule will not result in a major increase in costs or prices for consumers, individual industries,

Federal, State, or local government agencies, or geographic regions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/09/84	49 FR 27937
Final Action	12/00/84	

Small Entity: No

Agency Contact: Gary Rankel, Fish and Wildlife Specialist, Department of the Interior, Bureau of Indian Affairs, Main Interior - 18th and C Sts., NW, Washington, DC 20245, **202 343-5696**

RIN: 1076-AB12

PRESERVATION OF ANTIQUITIES

Priority: Undetermined

Legal Authority: 16 USC 470aa

CFR Citation: 25 CFR 261

Abstract: Part 261 is authorized by the Antiquities Act of 1906 (16 U.S.C. 432) which has been largely superseded by the Archeological Resources Protection Act (16 U.S.C. 470aa). This Part has been redesignated from 25 CFR Part 132.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: George Farris, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-6574**

RIN: 1076-AA44

HERITAGE PRESERVATION

Priority: Undetermined

Legal Authority: 16 USC 469; 16 USC 470aa; 16 USC 470f; 42 USC 1996

CFR Citation: 25 CFR 262

Abstract: This rule will establish procedures for implementing the requirements of legislation relating to cultural resources. Subpart A will implement the requirements of the National Historic Preservation Act as it pertains to Bureau actions which may affect properties that are listed on the National Register of Historic Places. Subpart B will implement the requirements of the Archaeological Resources Protection Act, particularly the requirement that no archaeological resources may be excavated without a permit. This Part has been redesignated from 25 CFR Part 281.

Timetable:

Action	Date	FR Cite
NPRM Subpart A	09/15/80	45 FR 60923
Final Action	09/30/84	

Small Entity: Undetermined

Additional Information: DETERMINATION UNDER E.O. 12291: The effects of this document were previously considered under the provisions of E.O. 12044 which was revoked by E.O. 12291 on February 17, 1981. The document will be reconsidered under the provisions of E.O. 12291 before it is published as a final rule. Originally scheduled: April 1981.

Agency Contact: George Farris, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-6574**

RIN: 1076-AA45

GUIDANCE ON THE APPLICATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT TO BUREAU DECISIONS

Priority: Undetermined

Legal Authority: 42 USC 4321 to 4347

CFR Citation: 25 CFR 263

Abstract: This rule will provide guidance to tribal governments and other persons and entities that propose the Bureau take an action which must be preceded by the preparation of either an environmental impact statement or an environmental assessment. This Part has been redesignated from 25 CFR Part 280.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1981.

Agency Contact: George Farris, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-6574**

RIN: 1076-AA46

CONTRACTS UNDER INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Priority: Agency Determination

Legal Authority: 25 USC 450; 41 USC 501

CFR Citation: 25 CFR 271

Abstract: A proposed rule, published in 47 FR 40326 on September 13, 1982, changed regulations to provide assistance to tribes from contracts to grants or cooperative agreement and for other purposes. The public comments to the proposed rule were overwhelmingly unfavorable. Consequently, the Bureau intends to publish a reproposed rule to (1) strengthen administrative controls over contracts, (2) eliminate obsolete and unnecessary requirements, and (3) to clarify or simplify the regulatory provisions.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40326
NPRM	09/00/85	
Final Action	12/31/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Jim Burris (see Agency Contact heading for phone and address). Originally scheduled: October 1981.

Agency Contact: George Clark, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4796**

RIN: 1076-AA47

GRANTS UNDER INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Priority: Agency Determination

Legal Authority: 25 USC 450h

CFR Citation: 25 CFR 272

Abstract: The purpose of this rule is (1) to provide for changes in administrative processes, (2) to establish procedures and definitions consistent with other parts of this chapter, and (3) to ensure that self-determination grants are consistent with legislative intent.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40338
NPRM	09/00/85	
Final Action	12/31/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Jim Burris (see Agency Contact heading for phone and address). Originally scheduled: October 1981.

Agency Contact: George Clark, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4796

RIN: 1076-AA48

EDUCATION CONTRACTS UNDER JOHNSON-O'MALLEY ACT

Priority: Agency Determination

Legal Authority: 25 USC 455 to 457

CFR Citation: 25 CFR 273

Abstract: A proposed rule was published in 47 FR 40340 on September 13, 1982 to provide consistency with 25 CFR Part 271. That is, to provide assistance to tribes by grant or cooperative agreement rather than by contract. The public comments were unfavorable to the proposed revision, consequently the Bureau intends to publish a reproposed rule to (1) strengthen administrative controls over contracts, (2) clarify the relationship between tribes and Indian education committees, and (3) to otherwise organize the subparts for easier use.

Timetable:

Action	Date	FR Cite
Final Action implementing one subsection (school lunch provision)	12/23/82	47 FR 57274
Final Action remainder	12/00/83	
NPRM	09/00/84	
NPRM	09/30/84	
Final Action	12/31/85	

Small Entity: No

Additional Information: Originally scheduled: May 1978.

Agency Contact: Sam Johnson, Chief, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-6364

RIN: 1076-AA49

SCHOOL CONSTRUCTION CONTRACTS OR SERVICES FOR TRIBALLY OPERATED PREVIOUSLY PRIVATE SCHOOLS

Priority: Agency Determination

Legal Authority: 25 USC 458; 25 USC 458d; PL 93-638; PL 95-561; PL 96-46

CFR Citation: 25 CFR 274

Abstract: A proposed rule was published in 47 FR 40348 on September 13, 1982, to change from contracts to grants and cooperative agreements as the method of providing assistance to tribes. The public comments were unfavorable to the proposed revision. Consequently the Bureau intends to publish a reproposed rule to (1) strengthen administrative controls over school construction contracts, (2) to include the Office of Indian Education Programs in the application and approval procedures and (3) remove unnecessary administrative language. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40348
NPRM	09/00/85	
Final Action	12/31/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Harvey Jacobs (202) 343-4493 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: George Clark, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4796

RIN: 1076-AA50

STAFFING

Priority: Agency Determination

Legal Authority: 42 USC 4762; 25 USC 450i; 26 USC 48

CFR Citation: 25 CFR 275

Abstract: This part outlines methods available to tribes for utilizing the services of Bureau employees. Revisions will be made to include the Office of Indian Education Programs in the application and approval procedures for the awards under Public Law 93-638.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40352
NPRM	09/00/85	
Interim Final Rule	12/31/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Harvey Jacobs (202) 343-5517 (see Agency Contact heading for address). Originally scheduled: January 1981.

Agency Contact: Pat Fulgham, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-9306

RIN: 1076-AA51

UNIFORM ADMINISTRATIVE REQUIREMENTS FOR CONTRACTS AND GRANTS

Priority: Agency Determination

Legal Authority: PL 93-638

CFR Citation: 25 CFR 276

Abstract: This rule establishes the requirements for the uniform administration of contracts and grants to Indian Tribal Governments pursuant to P.L. 93-638.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40353
NPRM	09/00/85	
Final Action	12/31/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1981.

Agency Contact: George Clark, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4796

RIN: 1076-AA52

SCHOOL CONSTRUCTION CONTRACTS FOR PUBLIC SCHOOLS UNDER INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT

Priority: Agency Determination

Legal Authority: 25 USC 458c(b); 41 USC 501

CFR Citation: 25 CFR 277

Abstract: A proposed rule was published in 47 FR 40353 on September 13, 1982, the purpose of which was to

change the method of award to tribes from contracts and grants and cooperative agreements. The public comments were unfavorable to such a change. Consequently, the Bureau intends to publish a reproposed rule to (1) strengthen controls over school construction contracts, (2) to provide changes in administrative processes and (3) to remove unnecessary administrative language.

Timetable:

Action	Date	FR Cite
NPRM	09/13/82	47 FR 40356
NPRM	09/00/85	
Final Action	12/31/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: Frank Latta, Department of the Interior, Bureau of Indian Affairs, P.O. Box 1788, Albuquerque, NM 87103, 505 766-2985

RIN: 1076–AA53

SPECIAL ECONOMIC DEVELOPMENT AND CORE MANAGEMENT FOR SMALL TRIBES

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 278

Abstract: This Part will contain regulations which offer grants to Indian tribes for business development, development of natural resources, and which encourage non-Federal investment and promote sound business principles and offer core management grants to small tribes to permit such tribes to establish and maintain competent and responsible management capabilities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/12/83	48 FR 32006
Final Action	10/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Woodrow Sneed, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-3663

RIN: 1076–AA54

BUY INDIAN ACT CONTRACTING

Legal Authority: 25 USC 47; 36 Stat. 891

CFR Citation: 48 CFR 1480

Abstract: This rule will be codified as the new 48 CFR Part 1480 instead of the old 41 CFR Part 14H to establish policies and procedures concerning the Bureau of Indian Affairs acquisition management system. This issuance pertains to contracts (excluding road construction in the State of Oklahoma and all other construction nationwide) entered pursuant to the Act of June 25, 1910 (25 U.S.C. 47), which is usually referred to as the "Buy Indian Act."

Timetable:

Action	Date	FR Cite
NPRM	10/08/82	47 FR 44678
Reproposed Rule	08/01/84	
Final Action Effective	12/01/84	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Peter A. Campanelli, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-5125

RIN: 1076–AA56

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Indian Affairs (BIA)

Existing Regulations Under Review

LAW AND ORDER ON INDIAN RESERVATIONS

Priority: Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 11

Abstract: This part is being revised to preclude Courts of Indian Offenses from adjudicating intra-tribal governmental disputes absent consent of an Indian tribe (11.22). Consideration is also being given to revising this part to adopt state substantive law in place of the offenses presently enumerated in this part. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
End Review	12/30/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1981.

Agency Contact: George Skibine, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-7885

RIN: 1076–AA01

ESTATES OF INDIANS OF THE FIVE CIVILIZED TRIBES

Priority: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 16

Abstract: This rule, which is scheduled for review, sets forth procedures in connection with the performance by State courts of certain functions which affect properties in which restricted interest owned by an Indian of the Five Civilized Tribes. In addition, this Part includes certain other responsibilities of the Secretary, such as escheat of estates of deceased Indians of the Five Civilized Tribes.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William J. Bucholz, Acting Chief, Division of Real Estate Serv., Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-2398

RIN: 1076–AA87

CONSTITUTIONAL AND CIVIL RIGHTS OF INDIAN STUDENTS

Priority: Agency Determination

Legal Authority: PL 95-561; 25 USC 2017

CFR Citation: 25 CFR 42

Abstract: This rule will set forth policies, requirements and procedures to ensure the protection of the constitutional and civil rights of students attending Bureau or contract schools and dormitories. This Part has been redesignated from 25 CFR Part 31i. This rule is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	05/22/79	44 FR 29855
Begin Review	05/01/84	
NPRM	09/30/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Harvey Jacobs, Chief, Brch. of Supplemental Support Serv., Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-6364**

RIN: 1076-AA12

MAINTENANCE AND CONTROL OF STUDENT RECORDS IN BUREAU SCHOOLS

Priority: Agency Determination

Legal Authority: 25 USC 295; PL 93-579; PL 93-380, Sec 438; PL 94-142

CFR Citation: 25 CFR 43, (Revision)

Abstract: 25 CFR 43 is being reviewed as scheduled under the Regulatory Reform Act. To update, and modify those sections that may not be consistent with current legislation and/or agency needs.

Timetable:

Action	Date	FR Cite
End Review	09/30/84	

Small Entity: Undetermined

Agency Contact: Harvey Jacobs, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, **202 343-6364**

RIN: 1076-AB06

PREPARATION OF ROLLS OF INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 61, (Revision)

Abstract: The regulations contained in 25 CFR 61 are general regulations that govern the compilation of rolls of Indian tribes by the Secretary of the Interior pursuant to statutory authority. This rule will revise the regulations to add certain portions which will govern the preparation of specific rolls under statutory authority, delete other portions that governed the preparation of certain rolls which have subsequently been completed and for which there is not further need or applicability, and make general revisions of an administrative nature including the elimination of sex-based and gender specific terminology. This rule also scheduled for review. This Part has been redesignated from 25 CFR Part 41. This Part is also scheduled for review.

Timetable:

Action	Date	FR Cite
End Review	07/09/84	
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB07

● ENROLLMENT OF INDIANS OF THE RINCON, SAN LUISENO BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 74

Abstract: This rule, which is scheduled for review, governed the enrollment of persons in the Rincon, San Luiseno Band of Mission Indians of California as of July 21, 1957. The rule also provides procedures for maintaining a current membership roll. This Part has been redesignated from 25 CFR Part 46.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	09/01/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB34

● ENROLLMENT OF INDIANS OF THE SAN PASQUAL BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 76

Abstract: This rule, which is scheduled for review, governed the enrollment of persons in the San Pasqual Band of Mission Indians in California as of January 1, 1959. The rule also provides procedures for maintaining a current membership roll. This Part has been redesignated from 25 CFR Part 48.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	09/01/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB35

LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Legal Authority: 25 USC 1451; PL 93-262

CFR Citation: 25 CFR 101

Abstract: This part is being revised to improve the processing of U.S. Direct Loan applications, improving the collection procedures currently used, and expediting the processing of expert assistance loans.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/84	
NPRM	09/30/84	
End Review	09/30/84	

Small Entity: Undetermined

Agency Contact: Richard Nephew, Assistant Chief, Div of Financial Assistance, Department of the Interior, Bureau of Indian Affairs, Division of Financial Assistance, Main Interior Building - (Room 4062), 18th & C Streets, NW Washington, DC 20245, 202 343-3651

RIN: 1076-AB04

● LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Legal Authority: 25 USC 1451; PL 93-262

CFR Citation: 25 CFR 101

Abstract: This Part is being revised to improve the processing of U.S. direct loan applications, improving the collection procedures currently used, and expediting the processing of expert assistance loans.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/84	
NPRM	03/31/85	
End Review	03/31/85	

Small Entity: Undetermined

Agency Contact: Joe Weller, Chief, Division of Financial Assistance, Department of the Interior, Bureau of Indian Affairs, Division of Financial Assistance, Main Interior Bldg. Room 4062, 18th and C St. NW Washington, DC 20245, 202 343-5324

RIN: 1076-AB17

INDIVIDUAL INDIAN MONEY ACCOUNTS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 43 USC 1457

CFR Citation: 25 CFR 115

Abstract: This rule, which is scheduled for review, describes the operation of the Individual Indian Monies Accounts maintained by the Bureau for individual Indians and groups.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Barton Wright, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-7336

RIN: 1076-AA89

● DEPOSIT AND EXPENDITURE OF INDIVIDUAL FUNDS OF MEMBERS OF THE OSAGE TRIBE OF INDIANS WHO DO NOT HAVE CERTIFICATES OF COMPETENCY

Priority: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 117

Abstract: Procedures for management of funds (deposits, charges, compensations to be paid out, etc.) for members of the Osage Tribe who do not have certificates of competency, for minors; compensation for guardians and attorneys; protection of these individuals' trust resources. No alternatives are under active consideration. Regulations will be reviewed for any necessary updates, clarity, etc. No cost or benefit estimates applicable at this time.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	03/01/85	

Small Entity: No

Agency Contact: Shirley M. Crosby, Program Coordination Officer, Department of the Interior, Bureau of Indian Affairs, Office of Trust Responsibilities, Main Interior, Washington, DC 20245, 202 343-3600

RIN: 1076-AB18

● ALASKA NATIVE FUND

Legal Authority: PL 92-203; PL 95-178

CFR Citation: 25 CFR 123

Abstract: This part which prescribes the process for distribution of the Alaska Native Fund is scheduled for review.

Timetable:

Action	Date	FR Cite
Begin Review	09/00/84	
End Review	09/00/85	

Small Entity: No

Agency Contact: Betty Wilkinson, Financial Manager, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue NW, Washington, DC 20245, 202 343-4595

RIN: 1076-AB15

● BUSINESS PRACTICES ON THE NAVAJO, HOPI AND ZUNI RESERVATIONS

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 141

Abstract: This rule which prescribes the process for regulation of reservation businesses for the protection of Indian consumers on the Navajo, Hopi and Zuni Reservations is scheduled for review.

Timetable:

Action	Date	FR Cite
Begin Review	09/00/84	
End Review	09/00/85	

Small Entity: Undetermined

Agency Contact: Jack L. Spencer, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-5786

RIN: 1076-AB14

OPERATION OF U.S.M.S. "NORTH STAR" BETWEEN SEATTLE, WASHINGTON AND STATIONS OF THE BUREAU OF INDIAN AFFAIRS AND OTHER GOVERNMENT AGENCIES, ALASKA

Priority: Undetermined

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 142

Abstract: This rule, which is scheduled for review, provides for operation of the U.S.M.S. "North Star." This Part has been redesignated from 25 CFR 254.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Gerald Taylor, Seattle Liaison Office, Department of the Interior, Bureau of Indian Affairs, Federal Building, Seattle, WA 98104, **206 764-3328**

RIN: 1076-AA96

ROADS OF THE BUREAU OF INDIAN AFFAIRS

Legal Authority: 25 USC 13; 25 USC 318(a); PL 97-424, Sec 105(a)(3); 23 USC 109(o); 23 USC 112(b); 23 USC 114(c); 23 USC 202(e); 23 USC 204; 23 USC 217

CFR Citation: 25 CFR 170

Abstract: With the Surface Transportation Assistance Act of 1982, Indian reservation road construction is funded from the Highway Trust Fund with authorizations for Fiscal Years 1983, 1984, 1985 and 1986. Other provisions include a requirement for proper maintenance of roads, applications of the "Buy Indian" and Indian Self Determination Acts, and joint program management by the Secretaries of Interior and Transportation. These changes in the law make changes in regulations imperative. The no-action alternative would leave program managers with outdated guidelines. Cost of the action will be minimal and it imposes no burden on the public. Benefits will be a better ordered road construction and maintenance program on Indian reservations, greater management efficiency, and clarity of procedures for federal managers, legislators and tribal officials. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: James T. Ball, Planning Engineer, Div. of Transportation, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-6043**

RIN: 1076-AB05

● LEASING OF RESTRICTED LANDS OF MEMBERS OF FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING

Priority: Undetermined

Legal Authority: Sec. 2, 35 Stat. 312; Sec. 18, 41 Stat. 426; Sec. 1, 45 Stat. 495; Sec. 1, 47 Stat. 777; 25 USC 356; Secs. 3, 11, 35 Stat. 313, 316; Sec. 8, 47 Stat. 779

CFR Citation: 25 CFR 213

Abstract: Leasing of restricted lands of members of Five Civilized Tribes, Oklahoma for mining. There are no alternatives being considered and the potential cost is unknown.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Ms. Pat Wilkenson, Realty Specialist, Department of the Interior, Bureau of Indian Affairs, Muskogee Area Office, Old Federal Building, Muskogee, Oklahoma 74401, **918 736-2292**

RIN: 1076-AB41

● LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA, FOR MINING EXCEPT OIL AND GAS

Priority: Undetermined

Legal Authority: Sec. 3, 34 Stat. 543

CFR Citation: 25 CFR 214

Abstract: Leasing of Osage Reservation Lands, Oklahoma for mining, except oil and gas

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Noel Barker, Realty Specialist, Department of the Interior, Bureau of Indian Affairs, Osage Agency, Pawhuska, Oklahoma 74056, **918 287-2481**

RIN: 1076-AB42

OFF-RESERVATION TREATY FISHING

Priority:

Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 5 USC 301

CFR Citation: 25 CFR 249

Abstract: This rule, which is scheduled for review, governs protection of off-reservation nonexclusive fishing rights; promotes proper management, conservation and protection of fisheries resources; and provides for determination of restrictions on the manner of nonexclusive fishing privileges.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Charles P. Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-2373**

RIN: 1076-AB00

INDIAN FISHING: HOOPA VALLEY INDIAN RESERVATION

Priority: Undetermined

Legal Authority: 25 USC 2; 25 USC 9; 5 USC 301; Reorganization Plan No. 3 of 1950; 64 Stat. 1262

CFR Citation: 25 CFR 250

Abstract: This rule, which contains the regulations for the Hoopa fishery, will be revised to remove burdensome requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/24/83	48 FR 29004
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Daniel Swaney, Superintendent, Department of the Interior, Bureau of Indian Affairs, Hoopa Agency, P.O. Box 307, Hoopa, CA 95546, **916 625-4285**

RIN: 1076-AA83

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Indian Affairs (BIA)

Completed Actions

COMPLETED REVIEWS

INDIAN EDUCATION POLICIES

Priority: Agency Determination

Legal Authority: 25 USC 2010; 25 USC 2013

CFR Citation: 25 CFR 32

Abstract: This rule, which is scheduled for review, states the policies to be followed by all schools and education programs under the jurisdiction of the Bureau.

Timetable:

Action	Date	FR Cite
End Review	01/11/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: George Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-2175**

RIN: 1076-AA88

PARTIAL PAYMENT CONSTRUCTION CHARGES ON INDIAN IRRIGATION PROJECTS

Priority: Undetermined

Legal Authority: 25 USC 385; 25 USC 386

CFR Citation: 25 CFR 134

Abstract: This rule, which is scheduled for review, governs partial payments of construction charges and establishes percentages to be paid and dates of payment.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA90

CONSTRUCTION ASSESSMENTS, CROW INDIAN IRRIGATION PROJECT

Priority: Undetermined

Legal Authority: Stat. 338, Sec 15; Stat. 338, Sec 60

CFR Citation: 25 CFR 135

Abstract: This rule, which is scheduled for review, establishes charges assessed against Irrigation District lands and non-Indian lands not included in an Irrigation District.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA91

FORT HALL INDIAN IRRIGATION PROJECT

Priority: Undetermined

Legal Authority: 46 Stat. 1063, Sec. 9

CFR Citation: 25 CFR 136

Abstract: This rule, which is scheduled for review, governs repayment contracts, construction costs and repayment of construction costs of the project.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA92

REIMBURSEMENT OF CONSTRUCTION COSTS, SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZONA

Priority: Undetermined

Legal Authority: 43 Stat. 476, Sec. 5

CFR Citation: 25 CFR 137

Abstract: This rule, which is scheduled for review, governs water supply, availability of water, construction charges present and future, construction cost limits, and power development of the project.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA93

REIMBURSEMENT OF CONSTRUCTION COSTS, AHTANUM UNIT, WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

Priority: Undetermined

Legal Authority: 25 USC 385

CFR Citation: 25 CFR 138

Abstract: This rule, which is scheduled for review, governs construction costs and assessable acreages, repayments of construction costs, deferment of assessments, and assessments after the Indian title has been extinguished.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AA94

REIMBURSEMENT OF CONSTRUCTION COSTS, WAPATO-SATUS UNIT, WAPATO INDIAN IRRIGATION PROJECT, WASHINGTON

Priority: Undetermined

Legal Authority: 25 USC 386

CFR Citation: 25 CFR 139

Abstract: This rule, which is scheduled for review, governs construction costs and assessable acreage, repayment of construction costs, deferment of assessments, and assessments after the Indian title has been extinguished.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4004

RIN: 1076-AA95

ISSUANCE OF PATENTS IN FEE, CERTIFICATES OF COMPETENCY, REMOVAL OF RESTRICTIONS, AND SALE OF CERTAIN INDIAN LANDS

Priority: Undetermined

Legal Authority: 5 USC 301; 25 USC 355; 25 USC 372; 25 USC 373; 25 USC 378; 25 USC 379; 25 USC 404; 25 USC 405; 25 USC 483

CFR Citation: 25 CFR 152

Abstract: This rule, which is scheduled for review, covers applications for and issuance of patents in fee; applications for and issuance of certificates of competency; removal of restrictions; and the sales, exchanges and conveyances of trust or restricted land.

Timetable:

Action	Date	FR Cite
End Review	04/13/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William Bucholz, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-7737

RIN: 1076-AA97

NAVAJO GRAZING REGULATIONS

Priority: Undetermined

Legal Authority: 25 USC 9; 25 USC 179; 25 USC 397; 25 USC 345; 25 USC 402

CFR Citation: 25 CFR 167

Abstract: This rule, which is scheduled for review, governs preservation of the forage, land and water resources on the Navajo Reservation; protection of the interests of the Navajo from encroachment of certain individuals who may or may not be members of the Tribe; adjustment of livestock numbers to the carrying capacity of the range; increased tribal participation; and improvement of livestock through proper breeding procedures.

Timetable:

Action	Date	FR Cite
End Review	03/19/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1981.

Agency Contact: Sam Miller, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4088

RIN: 1076-AA71

PUEBLO INDIAN LANDS BENEFITED BY IRRIGATION DRAINAGE WORKS OF MIDDLE RIO GRANDE CONSERVANCY DISTRICT, NEW MEXICO

Priority: Undetermined

Legal Authority: 45 Stat. 312

CFR Citation: 25 CFR 172

Abstract: This rule, which is scheduled for review, designates acreage of certain Pueblo lands that is susceptible to economic irrigation and cultivation.

Timetable:

Action	Date	FR Cite
End Review	03/07/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Phil Corke, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, 202 343-4004

RIN: 1076-AA98

LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

Priority: Undetermined

Legal Authority: 34 Stat. 543, Sec. 3; 45 Stat. 1478; 45 Stat. 1479

CFR Citation: 25 CFR 226

Abstract: This rule, which is scheduled for review, governs leasing procedures, rental and royalty, operations, requirements of lessees, and penalties.

Timetable:

Action	Date	FR Cite
End Review	04/02/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Don Jones, Chief Oil and Gas Engineer, Department of the Interior, Bureau of Indian Affairs, Division of Energy and Minerals, 730 Simms St., Lakewood Ofc. Plaza, Rm. 239, Golden, CO 80401, 303 234-6961

RIN: 1076-AA99

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

● DETERMINATION OF HEIRS AND APPROVAL OF WILLS, EXCEPT AS TO MEMBERS OF THE FIVE CIVILIZED TRIBES AND OSAGE INDIANS

Legal Authority: 25 USC 372; 25 USC 373; 25 USC 373a; 25 USC 373b; 25 USC 374

CFR Citation: 25 CFR 15

Abstract: The purpose of this rule is to tie in the Bureau's duties and responsibilities with the regulations of the Office of Hearings and Appeals.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/84	
End Review	07/18/84	

Small Entity: No

Agency Contact: William J. Bucholz, Acting Chief, Div. of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, Main Interior Bldg., 1951 Constitution Ave, Washington, DC 20245, 202 343-2398

RIN: 1076-AB11

● ESTATES OF INDIANS OF THE FIVE CIVILIZED TRIBES

Legal Authority: 5 USC 301; 25 USC 355; 25 USC 375c; 25 USC 375d; 25 USC 501 to 509

CFR Citation: 25 CFR 16

Abstract: The purpose of this rule is to set forth the procedures for discharging the responsibilities of the Secretary in connection with the performance by state courts of certain functions which affect property in which a restricted interest is owned by an Indian of the Five Civilized Tribes.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/84	
End Review	07/18/84	

Small Entity: No

Agency Contact: Mr. William J. Bucholz, Acting Chief, Div. of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-2398**

RIN: 1076-AB10

● ENROLLMENT APPEALS

Legal Authority: 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 62

Abstract: This rule, which is scheduled for review, provides procedures for filing appeals in conjunction with the rejection of any name from a roll of an Indian tribe when final approval thereof rests within the purview of the Secretary either because of provisions in tribal constitutions or specific acts of Congress. The regulations are not to apply in those instances where the procedures for filing appeals by applicants rejected for tribal membership are prescribed in tribal documents. This Part has been redesignated from 25 CFR Part 42.

Timetable:

Action	Date	FR Cite
End Review	07/16/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB23

● PREPARATION OF A ROLL OF EASTERN CREEK INDIANS

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 1401 et seq; 5 USC 301

CFR Citation: 25 CFR 63

Abstract: This rule, which is scheduled for review, governed the one-time compilation of a roll of Eastern Creek Indian descendants eligible to share in a per capita distribution of an apportioned share of judgment funds awarded the Creek Nation of Indians in Indian Claims Commission Docket 275. The roll has been completed and approved and the per capita payment made. Therefore, as a result of the review, it has been determined that there is no further need or applicability for the rule and it can be scheduled for revocation. This Part has been redesignated from 25 CFR Part 43.

Timetable:

Action	Date	FR Cite
End Review	07/09/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB24

● PREPARATION OF A ROLL OF PYRAMID LAKE PAIUTE INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 64

Abstract: This rule, which is scheduled for review, governed the one-time compilation of a roll of members of the Pyramid Lake Paiute Tribe eligible to share in the distribution of judgment funds awarded the Pyramid Lake Paiute Indians by the Indian Claims Commission in Docket No. 87-B. The roll has been completed and approved and the distribution of judgment funds made. Therefore, as a result of the review, it has been determined that there is no further need for or applicability of this rule and it can be scheduled for revocation. This Part has been redesignated from 25 CFR Part 43a.

Timetable:

Action	Date	FR Cite
End Review	05/04/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB26

● PREPARATION OF A MEMBERSHIP ROLL OF DELAWARE INDIANS OF WESTERN OKLAHOMA

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; PL 96-318, Sec 10

CFR Citation: 25 CFR 65

Abstract: This rule, which is scheduled for review, governs the one-time compilation of a roll of members of the Delaware Tribe of Western Oklahoma eligible to share in a per capita payment of an apportioned share of judgment funds awarded the Delaware Tribe of Indians and the Absentee Delaware Tribe of Western Oklahoma in Indian Claims Commission dockets 27-A and 241, 289, and 27-B and 338, 27-E and 202, and 27. As a result of the review, it has been determined that there is a continued need for this rule This Part has been redesignated from 25 CFR Part 43b.

Timetable:

Action	Date	FR Cite
End Review	07/09/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB28

● PREPARATION OF ROLLS OF DELAWARE INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; PL 96-318, Sec 10

CFR Citation: 25 CFR 66

Abstract: This rule, which is scheduled for review, governs the one-time compilation of certain rolls of Delaware Indian descendants eligible to share in a per capita payment of an apportioned share of judgment funds awarded the Delaware Tribe of Indians and the Absentee Delaware Tribe of Western Oklahoma in Indian Claims Commission dockets 27-A and 241, 289, and 27-B and 338, 27-E and 202, and 27. As a result of the review, it has been determined that there is a continued need for this rule. This Part has been redesignated from 25 CFR Part 43c.

Timetable:

Action	Date	FR Cite
End Review	07/09/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3594**

RIN: 1076-AB29

● PREPARATION OF A ROLL OF MOHAVE DESCENDANTS ENROLLED AS MEMBERS OF THE COLORADO RIVER INDIAN TRIBES

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 67

Abstract: This rule, which is scheduled for review, governed the one-time compilation of a roll of certain members of the Colorado River Indian Tribes who were lineal descendants of the aboriginal Mohave Tribe eligible to share in the per capita distribution of an apportioned share of judgment funds awarded the Mohave Indians by the Indian Claims Commission in Dockets Nos. 283 and 295. The roll has been completed and approved and the per capita payment made. Therefore, as a result of the review, it has been determined that there is no further need for or applicability of this rule and it can be scheduled for revocation. This Part has been redesignated from 25 CFR Part 43e.

Timetable:

Action	Date	FR Cite
End Review	05/04/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB31

● PREPARATION OF A ROLL OF PERSONS OF GRAND RIVER OTTAWA INDIAN BLOOD TO BE USED AS THE BASIS TO DISTRIBUTE JUDGMENT FUNDS

Legal Authority: PL 94-540

CFR Citation: 25 CFR 72

Abstract: This rule, which is scheduled for review, governed the one-time compilation of a roll of persons who possess Grand River Ottawa Indian blood to be used to distribute the judgment funds awarded the Grand River Band of Ottawa Indians in Indian Claims Commission Docket 40-K. The roll has been completed and approved and the per capita payment made. Therefore, as a result of the review, it has been determined that there is no further need for or applicability of this rule and it can be scheduled for revocation. This Part has been redesignated from 25 CFR Part 43n.

Timetable:

Action	Date	FR Cite
End Review	05/04/84	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3594

RIN: 1076-AB32

● USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

Legal Authority: 5 USC 301; 87 Stat 466; 87 Stat 467; 87 Stat 468; 96 Stat 2512; 96 Stat 2513; 96 Stat 2514

CFR Citation: 25 CFR 87

Abstract: A review of rules, 25 CFR 87 was completed on July 16, 1984. As a result of the review, proposed revisions to the regulations are anticipated. The review indicated that revisions were necessary in order to eliminate gender-specific terminology, incorporate the provisions of the Act of January 12, 1983 and to clarify certain sections of the regulations.

Timetable:

Action	Date	FR Cite
End Review	07/16/84	

Small Entity: No

Agency Contact: John A. Shapard, Brnch Chief, Brnch of Acknowledgment & Resch, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3568

RIN: 1076-AB37

● INDIAN MONEYS, PROCEEDS OF LABOR

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 155

CFR Citation: 25 CFR 113

Abstract: This rule is scheduled for revocation as stated in PL 97-100 dated December 23, 1981 and PL 257 dated September 10, 1982

Timetable:

Action	Date	FR Cite
End Review	07/24/84	

Small Entity: No

Agency Contact: Thomas A. Stangl, Chief, Div of Program Development & Imple, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-2128

RIN: 1076-AB38

● CREATION OF TRUSTS FOR RESTRICTED PROPERTY OF INDIANS, FIVE CIVILIZED TRIBES, OKLAHOMA

Priority: Undetermined

Legal Authority: 47 Stat. 778, Sec. 7

CFR Citation: 25 CFR 116

Abstract: Procedures for establishment of trust estates of members of the Five Civilized Tribes. There are no alternatives being considered. Rule will be reviewed for updating and clarity, as appropriate. Information on costs or benefits, if applicable, is unknown at this point.

Timetable:

Action	Date	FR Cite
End Review	07/24/84	
Begin Review	10/01/84	

Small Entity: No

Agency Contact: Shirley M. Crosby, Program Coordination Officer, Department of the Interior, Bureau of Indian Affairs, Office of Trust Responsibilities, Main Interior, Washington, DC 20245, 202 343-3600

RIN: 1076-AB39

● OSAGE ROLL, CERTIFICATE OF COMPETENCY

Legal Authority: 25 USC 331

CFR Citation: 25 CFR 154

Abstract: This part is in the process of being revoked as it has been repealed by Public Law 95-496.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/84	
End Review	07/18/84	

Small Entity: No

Agency Contact: Mr. William J. Bucholz, Acting Chief, Div. of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-2398

RIN: 1076-AB09

DOI—BIA

Completed Actions

● **OSAGE LANDS**

Legal Authority: 5 USC 301; 25 USC 331

CFR Citation: 25 CFR 158

Abstract: The purpose of this rule is to permit an Osage allottee to make application to change his or her designation of homestead or to institute partition proceedings when necessary.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/84	
End Review	07/18/84	

Small Entity: No

Agency Contact: Mr. William J. Bucholz, Acting Chief, Div. of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-2398**

RIN: 1076-AB08

● **RIGHTS-OF-WAY OVER INDIAN LAND**

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 169

Abstract: This regulation is being revised to streamline the process of granting rights-of-way across Indian trust land.

Timetable:

Action	Date	FR Cite
End Review	08/30/84	

Small Entity: No

Agency Contact: Allen Naranjo, Realty Specialist, Department of the Interior, Bureau of Indian Affairs, Div. of Real Estate Ser., 1951 Constitution Ave, NW, Washington, DC 20245, **202 343-3609**

RIN: 1076-AB40

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Current and Projected Rulemakings

ROYALTY MANAGEMENT REGULATIONS FOR INDIAN LANDS

Priority: Undetermined

Legal Authority: 25 USC 2101 et seq; 30 USC 1701 et seq; Secretarial Order No. 3087, as amended

CFR Citation: 30 CFR 201 to 203; 30 CFR 206; 30 CFR 210; 30 CFR 212; 30 CFR 217 to 219; 30 CFR 228; 30 CFR 241; 30 CFR 243; 25 CFR 211; 25 CFR 212

Abstract: Royalty Management regulations affecting Indian lands will be revised following the implementation by the Bureau of Indian Affairs (BIA) of new 25 CFR 211 and 225 rules currently proposed. The royalty management regulations will be revised or modified to reflect the changes required by the Federal Oil and Gas Royalty Management Act of 1982 and Secretarial Order No. 3087 (Organizational Structuring of the Department of the Interior Minerals Management Functions).

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, **703 860-7511**

RIN: 1010-AA39

ROYALTY MANAGEMENT REGULATIONS FOR FEDERAL LANDS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq; Secretarial Order No. 3071; Secretarial Order No. 3087, as amended

CFR Citation: 30 CFR 201 to 203; 30 CFR 206; 30 CFR 210; 30 CFR 212; 30 CFR 217 to 219; 30 CFR 228 to 229; 30 CFR 241; 30 CFR 243

Abstract: All royalty management regulations affecting Federal lands will be redesignated from Title 43 and will be revised or modified to reflect the changes required by the Federal Oil and Gas Royalty Management Act of 1982 and Secretarial Order Nos. 3071 and 3087 (Organizational Structuring of the Department of the Interior Minerals Management Functions).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, **703 860-7511**

RIN: 1010-AA43

ROYALTY REGULATIONS FOR COAL AND OTHER SOLID MINERALS

Priority: Undetermined

Legal Authority: 30 USC 192 et seq; 25 USC 2102

CFR Citation: 30 CFR 201 to 249

Abstract: The proposed regulation will revise old and develop new sections to cover Royalty Management's increased responsibilities required by Federal Law. This would clarify existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver, Federal Center, Building 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA58

GUIDELINES FOR THE VALUATION OF OIL FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206; 25 CFR 211; 25 CFR 212

Abstract: Consistent oil valuation guidelines for royalty computation purposes from Federal and Indian leases will be prepared in response to a Linowes Commission recommendation that the Minerals Management Service issue detailed, definitive product valuation guidelines.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	11/29/82	47 FR 53822
Notice of Proposed Guidelines	12/21/82	47 FR 56871
Notice-Revised Proposed Guidelines	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Royalty Standards and Measurements Division, Denver Federal Center, Building 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA30

GUIDELINES FOR THE VALUATION OF GAS AND GAS PRODUCTS FOR ROYALTY PURPOSES FROM INDIAN LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: This guideline will provide consistent valuation procedures for Royalty computations for gas and gas products from Indian leases. This guideline is being prepared in response to a Linowes Commission recommendation for detailed, definitive product valuation guidelines which contain clear terms and procedures.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Bldg. 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA40

VALUATION GUIDELINES FOR COMPUTATION OF ROYALTIES FROM COAL

Priority: Undetermined

Legal Authority: 30 USC 192 et seq; Secretarial Order No. 3087; Secretarial Order No. 3071

CFR Citation: 30 CFR 206

Abstract: This guideline will provide consistent valuation procedures for coal for the purpose of royalty computations. The guideline is being prepared in response to a Linowes Commission recommendation for detailed, definitive product valuation guidelines which contain clear terms and procedures.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guideline	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Bldg. 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA42

GUIDELINES FOR COMPUTATION OF OIL AND GAS TRANSPORTATION ALLOWANCE

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: These guidelines will establish consistent procedures for the determination of the oil and gas transportation allowance for the purpose of royalty computations. The guidelines are in response to a Linowes Commission finding that current procedures are inconsistent throughout the royalty program.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Royalty Standards & Measurements Div., Denver Federal Center, Building 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA45

GUIDELINES FOR COMPUTATION OF GAS PROCESSING ALLOWANCE

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: These guidelines will provide consistent procedures for the determination of the gas processing allowance for the purpose of royalty computations. The guidelines are in response to a Linowes Commission finding that current procedures are inconsistent throughout the royalty program.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	02/00/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Royalty Standards & Measurements Div., Denver Federal Center, Building 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA46

GUIDELINES FOR THE VALUATION OF GAS AND GAS PRODUCTS FOR ROYALTY PURPOSES, FROM FEDERAL LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Abstract: Consistent gas and gas products valuation guidelines for Royalty computation purposes, from Federal leases will be prepared. These guidelines are in response to a Linowes Commission recommendation that the Minerals Management Service issue detailed, definitive product valuation guidelines. These guidelines will provide clear terms and procedures and

will help clarify areas which are ambiguous. This was previously part of RIN 1010-AA30.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	11/29/82	47 FR 53822
Notice of Proposed Guidelines	12/21/82	47 FR 56871
Notice of Revised Proposed Guidelines	02/00/85	

Small Entity: Undetermined

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Building 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA54

REGULATIONS FOR THE VALUATION OF OIL, GAS, AND GAS PRODUCTS FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq; 25 USC 2102

CFR Citation: 30 CFR 206; 25 CFR 211; 25 CFR 212

Abstract: Existing rules will be revised to consolidate, and streamline the oil, gas and gas products valuation regulations for Federal Onshore, Offshore, and Indian leases, now in 30 CFR, Part 206, and 25 CFR, Parts 211 and 212. These revisions are being made in response to a Linowes Commission recommendation to establish a consistent product valuation policy which is less burdensome to the public, and will result in additional revenues for the Government.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: William H. Feldmiller, Chief, Royalty Valuation and Standards, Department of the Interior, Minerals Management Service, Denver Federal Center, Building 85, Lakewood, CO 80225, **303 231-3184**

RIN: 1010-AA59

● SUBMITTAL OF SALES CONTRACTS, DIVISION ORDERS AND SIMILAR DOCUMENTS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 207; 30 CFR 210

Abstract: The Department of Interior is considering proposing rulemaking to eliminate the requirements for submittal of Sales Contracts, Division Orders and similar documents. The proposed rule will contain a requirement that such documents be retained for 6 years by the operators/lessees and be available for inspection during audit by MMS.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: Mr. Orie L. Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, **703 860-7511**

RIN: 1010-AA60

REGULATIONS FOR ROYALTY-IN-KIND CRUDE OIL

Legal Authority: 30 USC 181 et seq; 43 USC 1331 et seq; 30 USC 1701 et seq

CFR Citation: 30 CFR 208; 30 CFR 209

Abstract: The royalty-in-kind provisions of these rules, some of which were transferred from the Department of Energy, will be revised in order to simplify and streamline the Federal Government's process for selling its royalty crude. The contents of existing 30 CFR 208 and 30 CFR 209 will be combined at new 30 CFR 208. 30 CFR 209 will be removed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, 18th & C Streets, NW, Washington, DC 20240, **703 860-7511**

RIN: 1010-AA31

FEDERAL OIL AND GAS ROYALTY MANAGEMENT ACT OF 1982

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 210; 30 CFR 212; 30 CFR 217 to 219; 30 CFR 228 to 229; 30 CFR 241; 30 CFR 243

Abstract: These Parts will be revised to implement the new requirements of royalty management functions authorized by the Act and to deal primarily with the collection, accounting and distribution of royalty and rental payments from Federal and Indian lands.

Timetable:

Action	Date	FR Cite
NPRM	09/20/83	48 FR 42902
Final Action	09/00/84	

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: Orie Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, **703 860-7511**

RIN: 1010-AA41

● INFORMATION COLLECTION - SOLID MINERALS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359; 25 USC 296d

CFR Citation: 30 CFR 210; 30 CFR 218

Abstract: The Department of the Interior intends to promulgate an interim rule requiring coal and other solid mineral operators/lessees to provide information to start-up and operate the Auditing and Financial System (AFS) for solid minerals produced on Federal and Indian lands. The data collected will be used to document payments, maintain royalty accounts, and for audits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/84	

Small Entity: Undetermined

Agency Contact: Mr. Orie L. Kelm, Chief, Royalty Regs. Development and Review, Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, **703 860-7511**

RIN: 1010-AA62

REGULATIONS FOR THE IMPLEMENTATION AND OPERATION OF THE PRODUCTION ACCOUNTING AND AUDITING SYSTEM (PAAS)

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq; 30 USC 181 et seq

CFR Citation: 30 CFR 216

Abstract: The proposed regulations set out the specific reports required from operators of Federal and Indian Leases for the implementation and operation of the Production Accounting and Auditing System. This will ensure tighter controls on Federal lands and thus result in additional revenues for the Government.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	10/00/84	

Small Entity: Undetermined

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, **703 860-7511**

RIN: 1010-AA55

GUIDELINES FOR PROCEDURES AND AUDIT STANDARDS FOR COOPERATIVE AGREEMENTS

Priority: Undetermined

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 228

Abstract: This guideline will establish minimal acceptable standards necessary for a state or Indian Tribe to enter into a cooperative agreement with the Minerals Management Service; and the information necessary to carry out the activities authorized under the terms of the cooperative agreement.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guideline	10/00/84	

Small Entity: Undetermined

Agency Contact: Milton R. Dial, Chief, Royalty Compliance Division, Department of the Interior, Minerals Management Service, Denver, Federal Center, Building 85, Lakewood, CO 80225, **303 231-3011**

RIN: 1010-AA56

PROCEDURES AND AUDIT STANDARDS FOR REGULATIONS GOVERNING DELEGATION OF AUTHORITY

Priority: Undetermined

Legal Authority: 30 USC 1735

CFR Citation: 30 CFR 229

Abstract: This regulation will establish minimum acceptable standards for states to receive delegations of authority to carry out activities of the Federal Royalty Management System. It would allow states to conduct audits, and investigations with respect to all Federal lands within the state (and Indian lands with permission of the affected tribe or allottee).

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Agency Contact: Milton R. Dial, Chief, Royalty Compliance Division, Department of the Interior, Minerals Management Service, Denver, Federal Center, Building 85, Lakewood, CO 80225, **303 231-3011**

RIN: 1010-AA57

AIR QUALITY

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.57

Abstract: This rule will be amended to establish an exemption from air quality review for Outer Continental Shelf exploration activities located more than 20 miles from shore and more than 50 miles from shore for development and production activities. Alternatives considered include having no exemption and varied mileage criteria for different activities. Exemptions would cut-down significantly the amount of paperwork required to conduct operations.

Timetable:

Action	Date	FR Cite
NPRM	06/10/83	48 FR 26837
NPRM Comment Period Begin	06/10/83	
NPRM Comment Period End	08/10/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Jane Roberts, Legislative and Regulatory Specialist, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 860-7916**

RIN: 1010-AA33

OIL AND GAS AND SULPHUR OPERATIONS ON THE OUTER CONTINENTAL SHELF (OCS); GEOLOGICAL AND GEOPHYSICAL (G&G) EXPLORATIONS OF THE OCS; OCS OIL AND GAS INFORMATION PROGRAM

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250, (Revision); 30 CFR 251.13, (Revision); 30 CFR 251.14, (Revision); 30 CFR 252.3, (Revision)

Abstract: The rules at 30 CFR 250 will be revised by consolidating regulations, OCS Orders, Notices to Lessees, and related offshore operating requirements into a unified body of regulations; eliminating burdensome and counterproductive requirements; adding performance standards; and simplifying and streamlining these rules to the maximum extent practicable (provisions at 30 CFR 251.13, 251.14, and 30 CFR 252.3, which mirror provisions at 30 CFR 250, are also being revised). Other alternatives considered were not revising the regulations and revising only those regulations identified by industry. Potential savings and benefits are undetermined at this time but are expected to be more than the other available alternatives.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: Merged in whole or in part into one rulemaking: 1010-AA11, 30 CFR 250.70 & .80,

Penalties; 1010-AA13, 30 CFR 250.3 & 251.14, Disclosure of Information; 1010-AA25, OCS Order No. 2, para. 8, Safety Requirements for Drilling Operations in a H2S Environment; 1010-AA26, OCS Order No. 6, Well Completion of Oil & Gas Wells; 1010-AA28, OCS Order No. 11, Oil & Gas Production Rates, Prevention Waste, & Protection of Correlative Rights; 1010-AA32, 30 CFR 250.45, Reports of Accidents & Malfunctions; 1010-AA34, 30 CFR 250.75, Self-Inspection; 1010-AA47, 30 CFR 250.80-2, Remedies & Penalties; 1010-AA48, 30 CFR 250, Environmental Reports; 1010-AA49, 30 CFR 250, Protection of Cultural Resources; 1010-AA50, 30 CFR 250.35, Effects of Drilling & Reworking on Lease Term; 1010-AA51, OCS Order No. 5, Production Safety Systems; 1010-AA52; OCS Order No. 9, Pipelines.

Agency Contact: David S. Schuenke, Chief, Branch of Rules, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 860-7916**

RIN: 1010-AA53

● NONDISCRIMINATION IN OUTER CONTINENTAL SHELF CONTRACTING

Priority: Undetermined

Legal Authority: 14 USC 1863

CFR Citation: 30 CFR 250

Abstract: The proposed rule would prohibit unlawful discrimination in contracting activities conducted in support of oil and gas exploration, development, and production on the Outer Continental Shelf (OCS). The rules would also provide a process whereby persons who believed they had been denied a contract because of unlawful discrimination would have a forum. Violators would be subject to the same penalties that are available for other OCS rule violations. These proposed rules would implement the purposes of section 604 of the OCS Lands Act Amendments of 1978. Alternatives considered span from the issuance of a policy statement and no rules to a proposal of extensive affirmative action rules similar to those rescinded in the past. Very few complaints are expected to arise as there has been no evidence of discrimination to date. Therefore, the costs are expected to be minimal.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: David A. Schuenke, Chief, Branch of Rules, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 860-7916**

RIN: 1010-AA63

● SUSPENSION OF OPERATIONS AND LEASE CANCELLATION

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.12

Abstract: Amends the regulations to require the granting of an automatic suspension of operations to permit time to carry out the activities described in an approved development and production plan for a Gulf of Mexico lease in water depths of 400 to 900 meters. Alternatives considered include maintaining the current policy of discretionary suspensions and granting longer primary terms in deeper water. The amendment is expected to cut costs and increase Federal revenues by eliminating some of the uncertainties of operating in deeper water.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/24/84	49 FR 17449
Final Action	02/00/85	

Small Entity: No

Agency Contact: Jane A. Roberts, Legislative and Regulatory Specialist, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 860-7916**

RIN: 1010-AA64

● AIR QUALITY

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.57

Abstract: Amendments to the DOI Air Quality regulation for oil and gas operations will be proposed for Outer Continental Shelf areas adjacent to California. The changes would provide additional safeguards for those pollutants which could be critical to air quality in the region. A determination of potential costs and benefits cannot be made until responses to the Advance Notice of Proposed Rulemaking are analyzed.

Timetable:

Action	Date	FR Cite
ANPRM	12/14/84	
ANPRM Comment Period Begin	12/14/84	
ANPRM Comment Period End	02/14/85	

Small Entity: Undetermined

Agency Contact: John Mirabella, General Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 860-7916**

RIN: 1010-AA61

● VIABLE CORAL COMMUNITIES

Priority: Undetermined

Legal Authority: 43 USC 1334

CFR Citation: 43 CFR 6224

Abstract: The regulations at 43 CFR 6224 concerning protection and management of viable coral communities will be rescinded. These regulations are unenforceable due to a decision by the U.S. Court of Appeals for the Fifth Circuit. The rescission of these regulations will have no economic effect.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	

Small Entity: Undetermined

Agency Contact: John Mirabella, General Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 860-7916**

RIN: 1010-AA65

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Completed Actions

COMPLETED RULEMAKINGS

COLLECTION OF ROYALTIES, RENTALS, BONUSES AND OTHER MONIES DUE THE FEDERAL GOVERNMENT FROM OUTER CONTINENTAL SHELF LEASES

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 218.155; 30 CFR 256.47

Abstract: This rule was revised to require the mandatory use of Electronic Funds Transfer by the lessee for aggregate payments to the government which total $50,000 or more for royalties and the 4/5 bonus bid amount. The remittance method provides the U.S. Treasury with funds on the actual date of transfer rather than several days later, as is the case with current manual check clearing procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/10/83	48 FR 26778
Final Action	03/08/84	49 FR 8602

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Orie L. Kelm, Deputy Associate Director (Policy), Department of the Interior, Minerals Management Service, Mail Stop 660, Reston, VA 22091, 703 860-7511

RIN: 1010-AA38

DEFINITION OF AREA ADJACENT TO A STATE

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.2; 30 CFR 252.2

Abstract: This rule will be amended to revise the definition of "area adjacent to a State" to any portion of the Outer Continental Shelf, in a planning area which is bordered by the territorial waters of that State. Alternatives considered include use of seaward boundaries set-up by other agencies and mutual agreement between States. The definition would clarify the information and data available to a State for inspection.

Timetable:

Action	Date	FR Cite
NPRM	08/24/83	48 FR 38500
NPRM Comment Period Begin	08/24/83	
NPRM Comment Period End	09/23/83	
Final Action	03/22/84	49 FR 10666
Final Action Effective	04/23/84	

Small Entity: No

Agency Contact: John Mirabella, General Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, 703 860-7916

RIN: 1010-AA36

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Office of Surface Mining Reclamation and Enforcement (OSM)

Current and Projected Rulemakings

RESTRICTION ON FINANCIAL INTERESTS OF STATE EMPLOYEES

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 705.5

Abstract: This rule will amend the definition of employee to allow persons with industry or other financially restricted interests to be board members but not to exceed a majority of the voting members. All board members would file conflict of interest statements to ensure that the majority of the board had no conflict of interest, either direct or indirect.

Timetable:

Action	Date	FR Cite
NPRM	09/06/79	44 FR 52098
NPRM Comment Period Begin	05/30/84	49 FR 22498
NPRM Comment Period End	07/31/84	
Final Action	09/24/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Ann L. Chapman, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3326

RIN: 1029-AA41

MAINTENANCE OF STATE PROGRAMS AND PROCEDURES FOR SUBSTITUTING FEDERAL ENFORCEMENT OF STATE PROGRAMS AND WITHDRAWING APPROVAL OF STATE PROGRAMS

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 733

Abstract: This rule will be revised to provide the Director, Office of Surface Mining, with additional options when problems are identified in the administration of approved State programs. The Office will propose a shortened, streamlined process for taking action when a site-specific problem arises in a State.

Timetable:

Action	Date	FR Cite
NPRM	11/29/84	
Final Action	04/08/85	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Mary Crouter, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA42

PERMIT APPLICATION FEE SCHEDULE FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS UNDER FEDERAL, FEDERAL LANDS NOT UNDER COOPERATIVE AGREEMENT, AND INDIAN LANDS PROGRAMS

Legal Authority: 30 USC 1257

CFR Citation: 30 CFR 736

Abstract: The proposed rule would allow fees to be collected for OSM costs for processing surface coal mine permit applications.

Timetable:

Action	Date	FR Cite
NPRM	08/22/84	
Final Action	12/20/84	

Small Entity: No

Agency Contact: James M. Kress, Acting Chief, Branch of Regulatory Programs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA48

GENERAL REQUIREMENTS FOR SURFACE COAL MINING AND RECLAMATION OPERATIONS ON FEDERAL LANDS; STATE FEDERAL COOPERATIVE AGREEMENTS

Legal Authority: 30 USC 1201 et seq; 30 USC 181 et seq

CFR Citation: 30 CFR 740; 30 CFR 745; 30 CFR 746

Abstract: Various language changes will be proposed in 30 CFR 740, 745, and 746 for technical accuracy and to clarify ambiguous language that has surfaced since publication of the new rules in February, 1983. A change will be proposed at 30 CFR 740.11 to clarify whether States may have jurisdiction for private surface lands over unleased Federal coal, under a Cooperative Agreement. A change will be proposed at 30 CFR 740.15 concerning concurrence of Federal land management agencies on bond release.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Jim Kress, Acting Chief, Branch of Regulatory Programs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA49

PERMANENT FEDERAL PROGRAM FOR INDIAN LANDS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 750 to 759, Subchapter E

Abstract: This rule will apply the permanent surface mining program requirements to Indian lands.

Timetable:

Action	Date	FR Cite
NPRM	10/24/83	48 FR 49174
Final Action	09/00/84	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: H.B. Simpson, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5866

RIN: 1029-AA28

PERMIT APPLICATION-MINIMUM REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES; MINIMUM REQUIREMENTS FOR RECLAMATION AND OPERATION PLAN

Priority: Undetermined

Legal Authority: 30 USC 1257 et seq

CFR Citation: 30 CFR 779.25(l); 30 CFR 780.14(c); 30 CFR 780.25(a),(l)(i); 30 CFR 783.25(l); 30 CFR 784.16(a),(l)(i); 30 CFR 784.23(c)

Abstract: The proposed changes will address a revision to the Act which authorizes a licensed land surveyor to prepare the permit package as a lead official.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Stan Zeccolo, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-4022

RIN: 1029-AA50

PERMANENT REGULATORY PROGRAM: SUBSIDENCE CONTROL-PERFORMANCE STANDARDS-UNDERGROUND MINING ACTIVITIES

Priority: Undetermined

Legal Authority: 30 USC 1211(g)

CFR Citation: 30 CFR 817.121(d); 30 CFR 817.121(e)

Abstract: The proposed rule would change the requirements for mining under specified structures and facilities and bodies of water.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: C. Y. Chen, Mining Engineer, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW, Washington, DC 20240, 202 343-2160

RIN: 1029-AA47

BLASTER TRAINING AND CERTIFICATION FOR BLASTERS AND MEMBERS OF BLASTING CREWS FOR FEDERAL PROGRAMS AND FEDERAL LANDS NOT UNDER COOPERATIVE AGREEMENTS

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 855

Abstract: The proposed rule will establish a program to train and certify persons who use or are in charge of crews that use explosives in connection with surface coal mining on Federal lands not under cooperative agreements and for Federal programs.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: James M. Kress, Acting Chief, Branch of Regulatory Programs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave. NW, Washington, DC 20240, 202 343-5361

RIN: 1029-AA51

STATE PROGRAM APPROVALS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR Subchapter T

Abstract: This Subchapter contains approvals of programs for regulatory authority in States to administer the Surface Mining Control and Reclamation Act. The affected Parts in

Title 30 are indicated in parentheses after each State.

Supplemental Timetable:

Massachusetts(921) - Federal Program
NPRM 04/01/83 (48 FR 14006)
Final Action 09/12/83 (48 FR 41000)
Rhode Island(939) - Federal Program
NPRM 12/22/82 (47 FR 57246)
Final Action 09/12/83 (48 FR 40990)
Tennessee (942)
NPRM 06/29/84 (49 FR 26898)
Final Action 10/01/84

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Murray Newton, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5866

RIN: 1029-AA38

STATE-FEDERAL COOPERATIVE AGREEMENTS

Legal Authority: 30 USC 1201 et seq.

CFR Citation: 30 CFR Subchapter T

Abstract: This Subchapter will incorporate the State-Federal Cooperative Agreements for the permanent regulatory programs on Federal lands in various States. The affected Parts in Title 30 are indicated in parentheses after each State.

Supplemental Timetable:

Alabama(901)
NPRM 11/30/84
North Dakota(934)
NPRM 06/21/82 (47 FR 26769)
Final Action 09/15/83 (48 FR 41387)
Ohio(935)
NPRM 09/07/83 (48 FR 40396)
Final Action 04/13/84 (49 FR 14735)
Utah(944)
NPRM 03/31/82 (47 FR 13738)
Final Action 10/00/84
Virginia(946)
NPRM 06/27/83 (48 FR 29545)
Final Action 10/00/84
West Virginia(948)
NPRM 06/17/83
Final Action 03/09/84 (49 FR 8913)
Wyoming(950)
NPRM 02/02/84

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: Murray Newton, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-5866

RIN: 1029-AA40

DEPARTMENT OF THE INTERIOR (DOI)
Office of Surface Mining Reclamation and Enforcement (OSM)

Existing Regulations Under Review

REIMBURSEMENTS TO STATES

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 725

Abstract: This rule will be reviewed to determine the extent of revision that will be required to update the grants sections. Recent policy mandated by the Department's Inspector General, the General Accounting Office and the Office of Management and Budget dictates that additions be made to this Part and that numerous sections be updated and revised.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Carole L. Battle, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3146

RIN: 1029-AA44

GRANTS FOR PROGRAM DEVELOPMENT AND ADMINISTRATION AND ENFORCEMENT

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 735

Abstract: This rule will be reviewed to determine the extent of revision that will be required to update the grants sections. Recent policy mandated by the Department's Inspector General, the General Accounting Office and the Office of Management and Budget dictates that additions be made to this Part and that numerous sections be updated and revised.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Carole L. Battle, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, 202 343-3146

RIN: 1029-AA45

STATE RECLAMATION GRANTS

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 886

Abstract: This rule will be reviewed to determine the extent of revision that will be required to update the grants sections of the abandoned mine land regulations. Recent policy mandated by the Department's Inspector General, the General Accounting Office and the Office of Management and Budget dictates that additions be made to this Part and that numerous sections be updated and revised.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

DOI—OSM

Existing Regulations Under Review

Agency Contact: Carole L. Battle, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, **202 343-3146**

RIN: 1029-AA46

DEPARTMENT OF THE INTERIOR (DOI)
Office of Surface Mining Reclamation and Enforcement (OSM)

Completed Actions

COMPLETED RULEMAKINGS

ABANDONED MINE RECLAMATION FUND: FEE COLLECTION AND COAL PRODUCTION REPORTING

Priority: Undetermined

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 870

Abstract: 30 CFR 870.15(b) will be revised to incorporate new requirements for additional information needed to check production figures against other sources as prescribed in forms OSM-1 and OSM-1(a). The rule also will add a definition of "operator" to 30 CFR 870.5, which will clarify the responsibility for fee payment and avoid costly and time-consuming investigations and litigation in determining the liable party. In addition, a new 30 CFR 870.13(e) will be proposed, which will contain a method of computing fees where no records have been kept. 30 CFR 870.15 will be revised to add the requirement of a 6-year statute of limitation (already in Federal debt collection law) on overdue fees to give operators fair and sufficient notice of their extent of liability for interest on overdue fees. A new requirement will be added to 30 CFR 870.17 to give the Office of Surface Mining authority to audit all tipples, including non-producers.

Timetable:

Action	Date	FR Cite
NPRM	11/30/83	48 FR 54190
Final Action	07/05/84	49 FR 27493
Final Action Effective	08/06/84	

Small Entity: No

Additional Information: Originally scheduled: October 1982.

Agency Contact: Jane Robinson, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-7944**

RIN: 1029-AA34

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Reclamation (RB)

Current and Projected Rulemakings

SURFACE MANAGEMENT OF RECLAMATION LANDS

Priority: Undetermined

Legal Authority: 43 USC 154; 43 USC 371 et seq

CFR Citation: 43 CFR 401

Abstract: This rule will provide the basic requirements for mineral exploration on and removal from Bureau lands. This rule also will ensure that projects are adequately protected and will provide uniformity within Bureau field offices for the requirements in managing these lands.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Additional Information: The information collection requirements contained in this rule will be submitted to the Office of Management and Budget for approval as required by 44 U.S.C. 3501 et seq. Originally scheduled: April 1983.

Agency Contact: Terence Cooper, Staff Assistant Land Resources, Department of the Interior, Bureau of Reclamation, 18th and C Streets, NW, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA04

● RECLASSIFICATION AS IRRIGABLE OF HIGH LAND COLUMBIA BASIN PROJECT, WASHINGTON

Priority: Undetermined

Legal Authority: Sec. 8, 57 Stat 14; 16 USC 835

CFR Citation: 43 CFR 416

Abstract: Prescribe policies and procedures under which arable high land within an irrigation district, when included in farm units or water delivery units, or in designated areas served therefrom, on the Columbia Basin Project, Washington, may be reclassified as irrigable. Such reclassification will permit the lands to receive water and be subject to assessment by the district.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	01/31/85	

Small Entity: Undetermined

Agency Contact: Terence Cooper, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA10

NEWLANDS RECLAMATION PROJECT, NV; TRUCKEE RIVER STORAGE PROJECT, NV; & WASHOE RECLAMATION PROJECT; NV-CA (TRUCKEE & CARSON RIVER BASINS, CA-NV); PYRAMID LAKE INDIAN RESERVATION, NV, ETC

Priority: Undetermined

Legal Authority: 43 USC 373; 33 USC 466; 16 USC 703 to 711; 16 USC 715 to 715r; 32 Stat 388; 70 Stat 775; 72 Stat 705

CFR Citation: 43 CFR 418, (Revision)

Abstract: Allocation of water for irrigation, Indian tribes and endangered species in an area of water shortage as required by the Secretary of the Interior by Court Order orders. See Pyramid Lake Paiute Tribe of Indians v. Morton, 353 F. Supp. 252 (D.D.C. 1973) and Carson-Truckee Water Conservancy District v. Watt, 549 F. Supp. 704 (D. Nev. 1982).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Additional Information: TITLE CONT: Stillwater Area, NV.

Affected Sectors: 01 AGRICULTURAL PRODUCTION-CROPS; 09 FISHING, HUNTING, AND TRAPPING

Agency Contact: **Roy H. Boyd**, Chief, Water Operations Branch, Department of the Interior, Bureau of Reclamation, 18th & C Streets, NW, Washington, DC 20240, **202 343-5471**

RIN: 1006-AA08

OFF-ROAD VEHICLE USE

Priority: Undetermined

Legal Authority: 43 USC 391 et seq

CFR Citation: 43 CFR 420

Abstract: This rule governs the use of off-road vehicles on Bureau Lands and provides for the opening of only those lands where the use of such vehicles will not adversely affect associated project features or facilities. The provisions of this rule will be expanded to cover the use of ultralight vehicles, since, by definition, these vehicles are excluded from control of the Federal Aviation Administration.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: **Richard Crysdale**, Div of W&L Tech Services, Eng and Research, Department of the Interior, Bureau of Reclamation, Bldg 67, Federal Center, Denver, CO 80225, **303 234-3319**

RIN: 1006-AA06

DEPARTMENT OF THE INTERIOR (DOI) Existing Regulations Under Review

Bureau of Reclamation (RB)

● OCCUPANCY OF CABIN SITES ON PUBLIC CONSERVATION AND RECREATION AREAS

Priority: Undetermined

Legal Authority: 43 USC 373; 43 USC 682; 43 USC 1201; 43 USC 869; 16 USC 664; 16 USC 686; 16 USC 690; 16 USC 725; 43 USC 315; 16 USC 3

CFR Citation: 43 CFR 21

Abstract: Establishes when, and by what standards, use of conservation and recreation areas under private cabin permits must be modified or discontinued so as to allow the public use of such areas, and the procedures for renewing, extending, phasing out or terminating private cabin permits.

Timetable:

Action	Date	FR Cite
Begin Review	09/30/84	
End Review	12/01/84	

Small Entity: Undetermined

Agency Contact: **Terence Cooper**, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA13

● SALE OF LANDS IN FEDERAL RECLAMATION PROJECTS

Priority: Undetermined

Legal Authority: 32 Stat 390; 46 Stat 368; 64 Stat 40; 43 USC 373; 43 USC 424; 43 USC 375; 41 Stat 605; 46 Stat 367; 53 Stat 1197; 64 Stat 39

CFR Citation: 43 CFR 402

Abstract: Provides guidelines for the sale of withdrawn public domain lands and acquired non-Federal lands located within authorized Federal Reclamation Projects to settlers.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
End Review	01/31/85	

Small Entity: Undetermined

Agency Contact: **Terence Cooper**, Staff Specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA12

● UNPRODUCTIVE LAND: ELIMINATION OR EXCHANGE

Priority: Undetermined

Legal Authority: 43 USC 1201; 43 USC 423

CFR Citation: 43 CFR 403

Abstract: Provides the procedures for the eliminating from irrigated project lands of lands permanently unproductive, for exchanging entries, for making additional entries, amending water rights, extending time for making repayments of construction, operation and maintenance charges and for the taking over of a project by the Water User's Organization.

Timetable:

Action	Date	FR Cite
Begin Review	12/01/84	
End Review	02/28/85	

Small Entity: Undetermined

Agency Contact: **Terence Cooper**, Staff Specialist - Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA11

● EXCHANGE OR AMENDMENT OF FARM UNITS ON FEDERAL RECLAMATION PROJECTS

Priority: Undetermined

Legal Authority: 43 USC 373; 43 USC 451

CFR Citation: 43 CFR 406

Abstract: Provides methodology for the exchanging of certain unpatented farm units or private lands on a Federal irrigation project for farm units available on the same or any other such project. The exchange is limited to

certain classes of qualified applicants whose lands classification indicates insufficient productivity to support a family unit.

Timetable:

Action	Date	FR Cite
Begin Review	01/02/85	
End Review	03/31/85	

Small Entity: Undetermined

Agency Contact: Terence Cooper, Staff specialist, Land Resources, Department of the Interior, Bureau of Reclamation, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA09

ASSESSMENT BY IRRIGATION DISTRICTS OF LANDS OWNED BY THE UNITED STATES, COLUMBIA BASIN PROJECT, WASHINGTON

Priority: Undetermined

Legal Authority: 16 USC 835c-1; 16 USC 835c-4

CFR Citation: 43 CFR 413

Abstract: This rule, which is scheduled for review, contains the provisions which govern the levy and enforcement of assessments by or on behalf of irrigation districts against lands owned by the United States within the Columbia Basin Project.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Frank E. Ellis, Department of the Interior, Bureau of Reclamation, 18th and C Streets, NW, Washington, DC 20240, **202 343-5671**

RIN: 1006-AA07

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Land Management (BLM)

Current and Projected Rulemakings

PUBLIC LAND RECORDS

Legal Authority: 5 USC 301; 43 USC 2; 44 USC 3101; 43 USC 13; 43 USC 751; 43 USC 1201; 43 USC 2457; 43 USC 1740

CFR Citation: 43 CFR 1813

Abstract: This rule will amend the existing regulations by updating them to reflect and accommodate the transition from the Manual Record System (Tract Books, Master Plats, etc), to an Automated Records System.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Malcolm Schnitker, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA77

CONVEYANCING DOCUMENTS

Legal Authority: 43 USC 1745; 43 USC 1746

CFR Citation: 43 CFR 1860

Abstract: This rule will be amended to provide a procedure under which documents of disclaimer or corrections of conveyance documents can be applied for and obtained.

Timetable:

Action	Date	FR Cite
NPRM	05/03/82	47 FR 19060
Final Actior	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: January 1981.

Agency Contact: Mark Etchart, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA05

OPENING AND CLOSING LANDS

Priority: Undetermined

Legal Authority: 43 USC 1740; 43 USC 1201

CFR Citation: 43 CFR 2090; 43 CFR 2091

Abstract: This rule will amend the existing regulations to: (1) clarify how and when specific actions close or open public lands; (2) provide the procedure under which information concerning opening and closing of public lands will be published in the Federal Register; and (3) eliminate confusion about when lands are open or closed by specifying if and when the record notation rule will apply.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Agency Contact: Jim Powell, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-6846**

RIN: 1004-AA78

ALASKA

Legal Authority: 94 Stat. 2437

CFR Citation: 43 CFR Subpart 2627

Abstract: This rule will be amended to provide a change in selection procedures for the State of Alaska as provided for in the amendments to the Alaska Statehood Act.

Timetable:

Action	Date	FR Cite
NPRM	11/18/83	48 FR 48400
Final Action	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: January 1981.

Agency Contact: La Velle Black, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-6511**

RIN: 1004-AA12

FAA AIRPORT GRANTS

Priority: Undetermined

Legal Authority: 49 USC 2215

CFR Citation: 43 CFR 2640; 43 CFR 2641

Abstract: This rule will amend the existing regulations to incorporate changes made by the Airport and Airway Improvement Act of 1982 and other procedural changes to improve the operation of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Mark Etchart, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA76

ALASKA NATIVE SELECTIONS

Priority: Undetermined

Legal Authority: 43 USC 1601 et seq

CFR Citation: 43 CFR 2650; 43 CFR 2651

Abstract: This rule will establish a new method of charging acreage against Alaska Native Entitlement pursuant to the Alaska Native Claims Settlement Act. It will also establish a procedure for use by Alaska Native Corporations in selecting additional lands to fulfill any additional entitlement due to the change in the method of charging acreage.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Agency Contact: Lee Barkow, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-6511**

RIN: 1004-AA75

CONVEYANCE OF FEDERALLY-OWNED MINERAL INTERESTS

Priority: Undetermined

Legal Authority: 43 USC 1719(b)

CFR Citation: 43 CFR 2720

Abstract: This rule will be amended to make minor revisions to the existing regulations on conveyancing of Federally-owned mineral interests and to provide segregation of lands covered by an application.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: David Hemstreet, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-8731**

RIN: 1004-AA15

RECREATION AND PUBLIC PURPOSES ACT: CONVEYANCES

Legal Authority: 43 USC 869 et seq; 43 USC 1721

CFR Citation: 43 CFR 2740; 43 CFR 2910

Abstract: These rules will be amended to facilitate acquisition of public lands by States, State instrumentalities and subdivisions, including counties and municipalities, for recreational or public purposes. These amendments would not affect procedures as they relate to non-profit associations other than to require a nonrefundable application service fee.

Timetable:

Action	Date	FR Cite
NPRM	09/28/82	47 FR 42684
Final Action	01/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: John Mezes, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-8731**

RIN: 1004-AA16

RIGHTS-OF-WAY: PRINCIPLES AND PROCEDURES

Legal Authority: 43 USC 1746; 30 USC 185

CFR Citation: 43 CFR 2800; 43 CFR 2880

Abstract: This rule will be amended to revise the schedule used in the cost reimbursement process for processing and monitoring right-of-way grants(2803.1-1; 2883.1-1).

Timetable:

Action	Date	FR Cite
NPRM	01/17/83	48 FR 2110
Final Action	03/00/84	
NPRM	09/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1982.

Agency Contact: Derrell Barnes, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AA17

RIGHTS-OF-WAY; PRINCIPLES AND PROCEDURES; OIL AND NATURAL GAS PIPELINES AND RELATED FACILITIES, GENERAL

Priority: Undetermined

Legal Authority: 43 USC 1746; 30 USC 181 et seq

CFR Citation: 43 CFR 2800; 43 CFR 2880

Abstract: This rule will amend the existing right-of-way regulations to provide a clear and streamlined procedure for setting the annual rental for rights-of-way.

Timetable:

Action	Date	FR Cite
ANPRM	05/04/84	49 FR 19049
ANPRM Comment Period Begin	07/03/84	49 FR 19049
NPRM	10/00/84	

Small Entity: Undetermined

Agency Contact: Derrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AA74

● RIGHTS-OF-WAY, PRINCIPALS AND PROCEDURES

Priority: Undetermined

Legal Authority: 43 USC 1732; 43 USC 1740

CFR Citation: 43 CFR 2800

Abstract: This rulemaking will provide procedures for the administration of

rights-of-way granted under statutes that were repealed by the Federal Land Policy and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AA99

● RIGHTS-OF-WAY, PRINCIPALS AND PROCEDURES

Priority: Undetermined

Legal Authority: 43 USC 1746

CFR Citation: 43 CFR 2800

Abstract: This rule will be amended to provide for improved administration of rights-of-way under the Federal Land Policy and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AB00

● RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Undetermined

Legal Authority: 30 USC 185

CFR Citation: 43 CFR 2880

Abstract: This rule will be amended to provide for improved administration of rights-of-way under the Mineral Leasing Act.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AA98

● RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 2880

Abstract: This rule will be amended to include a revised schedule used in the cost reimbursement process for processing and monitoring right-of-way grants and temporary use permits issued in connection with oil and gas facilities.

Timetable:

Action	Date	FR Cite
NPRM	06/25/84	49 FR 25972
NPRM Comment Period Begin	06/25/84	
NPRM Comment Period End	08/24/84	
Final Action	10/00/84	

Small Entity: Undetermined

Additional Information: This item was separated for the rulemaking on Rights-of-Way: Principals and Procedures; Oil and Gas Pipelines and Related Facilities, RIN 1004-AA-17.

Agency Contact: Darrell Barnes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AB03

RECREATION AND PUBLIC PURPOSES ACT LEASES

Priority: Undetermined

Legal Authority: 43 USC 869 et seq

CFR Citation: 43 CFR 2910; 43 CFR 2912

Abstract: The rule will amend the existing regulations to implement policy changes as they relate to the granting of public lands for recreation and public purposes under the Recreation and Public Purposes Act.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: John Mezes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA73

AIRPORT LEASES

Priority: Undetermined

Legal Authority: 43 USC 1201; 43 USC 1734; 43 USC 1740

CFR Citation: 43 CFR Subpart 2911

Abstract: This rule would be revised to: remove from the regulations those provisions repealed by the Federal Land Policy and Management Act of 1976 relating to withdrawals of beacon lights and air navigation facilities; to impose an increased application service fee; and to update the provisions relating to the setting of rental charges for lands leased for airport purposes.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1983.

Agency Contact: Mark Etchart, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA49

● EXPLORATION ACTIVITY; OIL AND GAS LEASING

Priority: Undetermined

Legal Authority: 16 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 to 359; 40 USC 760 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3040; 43 CFR 3100

Abstract: This rulemaking will make corrections and minor modifications to the existing regulations. It will also provide clarification on the issue of future interest.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Undetermined

Agency Contact: Valliere Cacy, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2228

RIN: 1004-AA97

OIL AND GAS LEASING

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359

CFR Citation: 43 CFR 3100; 43 CFR 3110; 43 CFR 3120

Abstract: This rule will amend the recently codified regulations to include procedural changes that have developed as a result of operations under the regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Undetermined

Agency Contact: Valliere Cacy, Department of the Interior, Bureau of Land Management, 1800 C Street NW, Washington, DC 20240, 202 653-2190

RIN: 1004-AA72

● NONCOMPETITIVE LEASING

Priority: Undetermined

Legal Authority: 16 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 to 359; 43 USC 1701 et seq

CFR Citation: 43 CFR 3110.1-3(a); 43 CFR 3110.1-3(d)

Abstract: These rules will be amended to clarify that the minimum size for an oil and gas lease in the coterminous States is 640 acres or an entire surveyed or protracted section, whichever is larger and change the minimum lease size for a noncompetitive oil and gas lease in Alaska to 2,560 acres or 4 entire contiguous sections, whichever is larger.

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	49 FR 32609
NPRM Comment Period End	10/15/84	

Small Entity: Undetermined

Agency Contact: Valliere Cacy, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2228

RIN: 1004-AB02

COMBINED HYDROCARBON LEASING

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 et seq; 43 USC 1701 et seq; 95 Stat. 1070

CFR Citation: 43 CFR 3140

Abstract: This rule would be amended to provide definitions of and procedures for meeting the production in paying quantities and the diligent development of tar sand requirements for all combined hydrocarbon leases.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Edward E. Coggs, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-2892

RIN: 1004-AA70

● ONSHORE OIL AND GAS OPERATIONS - ONSHORE OIL AND GAS ORDER NUMBER 4- MEASUREMENT OF CRUDE OIL AND NATURAL GAS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359; 25 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.7

Abstract: This document is being issued under the oil and gas operations regulations as found in 43 CFR Part 3160. The order details the requirements for the accurate measurement and recording of the volumes of natural gas, crude oil and lease condensation produced and sold from Federal and Indian (except Osage) leases. This includes such production from other leases which is allocated to a covered lease. This order is not codified but is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Additional Information: Onshore Oil and Gas Orders are used in place of the previously issued or proposed Notice to Lessees and Operators (NTL) which were issued by the Conservation Division of the Geological Survey.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2147

RIN: 1004-AA96

ONSHORE OIL AND GAS ORDER NO. 3 - DISPOSAL OF PRODUCED WATER/ PROTECTION OF FRESH WATER AND OTHER MINERALS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Abstract: This order is being issued under the revised oil and gas regulations as found in 43 CFR Part 3160. The order details the requirements for the handling, storing or disposing of water produced from oil or gas wells. It also details measures required for protection of fresh water or other minerals encountered. It replaces NTL-2B. This order is not codified, but is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Additional Information: Onshore Oil and Gas Orders are used in place of the previously issued or proposed Notice to Lessees and Operators (NTL) which were issued by the Conservation Division of the U.S. Geological Survey.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2147

RIN: 1004-AA66

ONSHORE OIL AND GAS ORDER NO. 2 - HYDROGEN SULFIDE OPERATIONS

Priority: Undetermined

Legal Authority: 30 USC 189; 30 USC 359

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Abstract: This order is being issued under the revised oil and gas regulations as found in 43 CFR Part 3160. The order details the requirements for protecting workers and the public from hydrogen sulfide. It specifies documentation needed prior to operation and measures required during drilling and production. This order is not codified but is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Onshore Oil and Gas Orders are used in place of the previously issued or proposed Notice to Lessees and Operators (NTL) which were issued by the Conservation Division of the U.S. Geological Survey.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2147**

RIN: 1004-AA67

GEOTHERMAL RESOURCES UNIT AGREEMENTS - UNPROVEN AREAS

Legal Authority: 30 USC 1001 to 1025

CFR Citation: 43 CFR 3280

Abstract: This rule, which contains the provisions governing the formation and operation of geothermal unit plans of development, will be revised to eliminate unnecessary and outdated provisions.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735. Originally scheduled: October 1983.

Agency Contact: Stephen Spector, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 653-2147**

RIN: 1004-AA63

COAL MANAGEMENT: GENERAL; COAL MANAGEMENT PROVISIONS AND LIMITATIONS

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359 et seq; 30 USC 521 to 531 et seq; 30 USC 1201 et seq; 43 USC 1701 et seq; 90 Stat. 1083 to 1092

CFR Citation: 43 CFR 3400; 43 CFR 3470

Abstract: These rules will be revised to provide policies and procedures that would be followed in issuing and using certificates of bidding rights.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1983.

Agency Contact: Carole Smith, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-6821**

RIN: 1004-AA58

● COAL MANAGEMENT - GENERAL

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359

CFR Citation: 43 CFR 3400

Abstract: This rule will amend the existing regulations covering the procedures for leasing and management of Federal coal to reflect certain recommendations of the Commission on Fair Market Value Policy for Federal Coal Leasing and the Office of Technology Assessment.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Dan Dick (202) 343-4437.

Agency Contact: Tom Walker, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-4636**

RIN: 1004-AA95

COAL LEASE AND COAL LAND EXCHANGES; ALLUVIAL VALLEY FLOORS

Legal Authority: 30 USC 1260(b)(5)

CFR Citation: 43 CFR Subpart 3436

Abstract: This rule will be revised to delete the provision requiring alluvial valley floor exchange proponents to bear all the administrative costs connected with such exchanges.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Additional Agency Contact: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address).

Agency Contact: Carole Smith, Department of the Interior, Bureau of Land Management, 18th & C Streets, NW, Washington, DC 20240, **202 343-6821**

RIN: 1004-AA64

● LEASING OF SOLID MINERALS OTHER THAN COAL AND OIL SHALE

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359

CFR Citation: 43 CFR Group 3500

Abstract: This rulemaking is being totally revised by format only to facilitate ease of understanding and to promote clarity and efficiency. The rulemaking will divide the minerals covered into specific titles.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACTS: Zareh Mozian (202) 343-3258; Robert C. Bruce (202) 343-8735.

Agency Contact: Marcia Rohn, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-3258

RIN: 1004-AB01

OPERATING REGULATIONS FOR EXPLORATION, DEVELOPMENT AND PRODUCTION

Priority: Undetermined

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3570

Abstract: This rule will revise the existing regulations to streamline them and to have them reflect current policy and industry operating practices relating to the leasing of minerals other than oil and gas.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Agency Contact: Harry Moritz, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-7722

RIN: 1004-AA68

PALEONTOLOGY

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 8270

Abstract: This rule will be revised to provide the procedures for the management of paleontological specimens located on the public lands.

Timetable:

Action	Date	FR Cite
NPRM	08/17/82	47 FR 35914
Second NPRM	11/00/86	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: R.O. Miller (202) 343-8735 (see Agency Contact heading for address). The information collection requirements contained in this rule were approved by the Office of Management and Budget under 44 USC 3501 et seq and assigned clearance number 1004-0106. Originally scheduled: 07/80.

Agency Contact: Carl Barna, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-3207

RIN: 1004-AA27

FEDERAL OIL SHALE MANAGEMENT

Priority: Major

Legal Authority: 30 USC 181 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3900

Abstract: This major rule will establish procedures for conducting a competitive leasing program, including procedures for issuing competitive oil shale leases, leasing multimineral deposits, issuing exploration licenses, and managing oil shale leases. Oil shale is a resource that has significant potential to increase the domestic energy supply and to reduce the Nation's dependence on foreign sources of energy. The rule is needed to establish procedures that will allow orderly development of this resource. Annual Federal costs of administering the oil shale leasing program described in the rule are estimated to be $3.5 million to $4.0 million. Total production from Federal leases is expected to range from 120,000 barrels per day to 400,000 barrels per day by the year 2000. The annual production costs associated with Federal oil shale leases are estimated to range from $1.2 billion to $3.1 billion. The shift in balance of payments resulting from the Federal program is estimated to be $5.5 billion to $7.0 billion in 1990. The rule, therefore, has been determined to be major because it is anticipated to have greater than a $100 million annual impact on the economy. Copies of the (cont)

Timetable:

Action	Date	FR Cite
NPRM	02/11/83	48 FR 6510
Final Action	12/00/84	
Second NPRM	01/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: Preliminary Regulatory Impact Analysis were available from the Agency Contacts upon publication of the proposed rule. Copies of the Final Regulatory Impact Analysis will be available from the Agency Contacts upon publication of the final rule. ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1982.

Analysis: Preliminary RIA 02/11/83 (48 FR 6510); Final RIA 12/00/84

Agency Contact: Elizabeth Owen, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-3258

RIN: 1004-AA04

● GRAZING ADMINISTRATION EXCLUSIVE OF ALASKA

Priority: Undetermined

Legal Authority: 43 USC 315; 43 USC 1181(d); 43 USC 1701 et seq

CFR Citation: 43 CFR 4110; 43 CFR 4130

Abstract: This rulemaking will amend the existing regulations to clarify questions concerning livestock and base property leases.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: R. O. Miller, (202) 343-8735

Agency Contact: Billy Templeton, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-9193

RIN: 1004-AA94

WILD FREE-ROAMING HORSE AND BURRO PROTECTION: MANAGEMENT AND CONTROL

Legal Authority: 16 USC 1331 to 1340; 43 USC 1701 et seq

CFR Citation: 43 CFR 4700

Abstract: This part will be revised in order to reorganize the regulations into a logical, consistent format and to remove needless self-regulation more appropriate for the Bureau Manual. In addition, related rules will be consolidated (aircraft and motor vehicles - 4730 and 4740; removal of horses and burros - 4720, 4740 and 4750), and rules which have no foundation in the law will be eliminated (problem animals - (4740.3(c); fencing of private land - 4750.3)). Procedures for adoption and title transfer will be clarified, and burdensome requirements for veterinarian certifications will be eased by canceling the requirement or

allowing certification from any qualified official (4740.4-2 and 4740.5). The costs to those who choose to participate in the adoption program should be lessened by these revisions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: Richard Starke, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-9215

RIN: 1004-AA31

CULTURAL RESOURCE MANAGEMENT

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq; 16 USC 470 et seq; 42 USC 4321; 16 USC 432; 16 USC 470aa et seq; 42 USC 1996; 16 USC 433; 36 CFR 800.11

CFR Citation: 43 CFR 8100; 43 CFR 8110; 43 CFR 8111; 43 CFR 8140; 43 CFR 8141; 43 CFR 8142; 43 CFR 8143

Abstract: The rule will adapt a Governmentwide compliance procedure to a Bureau-specific procedure, with substantial streamlining, reduction of outside consultation, quicker management decisions that are more rapidly carried out, public land users being allowed to proceed with land or resource use with less delay and cultural resources being protected as effectively as under the existing review system of review.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: John G. Douglas, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AA69

RECREATION: GENERAL

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq; 43 USC 869; 43 USC 1181a; 43 USC 315; 43 USC 4321 et seq; 16 USC 460l to 461; 16 USC 1131; 16 USC 1271 to 1287; 16 USC 1241; 16 USC 670; 29 USC 794

CFR Citation: 43 CFR Subpart 8300

Abstract: This rule will be amended to revise the policy statement for recreation management of the public lands.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: Wesley R. Henry, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AA35

USE AUTHORIZATIONS; SPECIAL RECREATION PERMITS

Legal Authority: 43 USC 1201 et seq; 43 USC 1701 et seq; 43 USC 1181a; 16 USC 460 to 6a

CFR Citation: 43 CFR Subpart 8372

Abstract: This rule is being revised to reflect revised, special recreation policies.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Ted Hudson (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: Bruce Brown, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-9353

RIN: 1004-AA36

MANAGEMENT OF DESIGNATED WILDERNESS AREAS

Legal Authority: 43 USC 1701 et seq; 16 USC 1131

CFR Citation: 43 CFR 8560

Abstract: This rule will provide procedures for the use of Congressionally designated wilderness areas in public lands.

Timetable:

Action	Date	FR Cite
NPRM	06/14/83	48 FR 27366
Final Action	11/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: R.O. Miller (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: David Porter, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-6064

RIN: 1004-AA37

UNAUTHORIZED USE OF PUBLIC LANDS

Priority: Undetermined

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 9230

Abstract: This rule will be amended to clarify those activities that are prohibited on the public lands, to provide managers with additional authority to resolve existing violations and to clarify the authority of the Secretary of the Interior in instances of mineral trespass.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: Leroy Allen, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-8815

RIN: 1004-AA38

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Land Management (BLM)

Completed Actions

COMPLETED RULEMAKINGS

ONSHORE OIL AND GAS OPERATIONS

Priority: Undetermined

Legal Authority: PL 97-451

CFR Citation: 43 CFR 3160

Abstract: This rule will be amended to incorporate regulations which implement the provisions of the Federal Oil and Gas Royalty Management Act of 1982 and, to the extent possible, to incorporate the provisions of the former 30 CFR Part 221 which were transferred to the Bureau from the Minerals Management Service in August, 1983.

Timetable:

Action	Date	FR Cite
Final Action	08/12/83	48 FR 36584
Final Action Effective	08/12/83	48 FR 36584
NPRM	09/16/83	48 FR 41738

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Steve Spector, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 653-2147**

RIN: 1004-AA51

GEOTHERMAL RESOURCES OPERATIONS

Priority: Undetermined

Legal Authority: 30 USC 1001 to 1025

CFR Citation: 43 CFR 3260

Abstract: This rule will be amended to service the provisions of the former 30 CFR Part 270, which were transferred to the Bureau from the Minerals Management Service and which regulate geothermal operations conducted under leases, and to remove burdensome and cumbersome provisions and make them easier to understand.

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	48 FR 44788
Final Action Effective	09/30/84	48 FR 44788

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: Steve Spector, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 653-2147**

RIN: 1004-AA52

ALASKA NATIVE SELECTIONS

Legal Authority: 43 USC 1601 et seq

CFR Citation: 43 CFR 2650

Abstract: This rule will amend existing regulations, which authorize Alaska Native corporations to select more lands than they are entitled to receive actual conveyance for, to establish a formula for reducing the amount of excess lands selected and to provide the authority to reject excessive overselections if they are not voluntarily reduced by the Native corporations.

Timetable:

Action	Date	FR Cite
NPRM	07/19/82	47 FR 31368
Withdrawn - no longer needed	09/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1981.

Agency Contact: La Velle Black, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-6511**

RIN: 1004-AA13

SALES: FEDERAL LAND POLICY AND MANAGEMENT ACT

Legal Authority: 43 USC 1701; 43 USC 1713

CFR Citation: 43 CFR 2710

Abstract: This rule will be amended to clarify issues that have arisen during the implementation of the existing regulations, to streamline the sales process and to change the terms for payment for public lands.

Timetable:

Action	Date	FR Cite
Notice of Intent	01/12/83	48 FR 1324
NPRM	12/06/83	48 FR 54656
Final Action	07/17/84	49 FR 29012
Final Action Effective	08/17/84	49 FR 29012

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1981.

Agency Contact: Ben Koski, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA14

ALASKA FUR FARM LEASES

Priority: Undetermined

Legal Authority: 43 USC 360; 43 USC 361; 43 USC 1201

CFR Citation: 43 CFR Subpart 2916

Abstract: This rule would be revised to remove burdensome requirements, impose an increased application fee, and revise the bases for rental charges for the use of lands obtained under the provisions of the regulations.

Timetable:

Action	Date	FR Cite
This rulemaking is no longer needed and is being deleted	08/27/84	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACTS: Beaumont McClure (202) 343-6511 and Ted Hudson (202) 343-8753 (see Agency Contact heading for address). Originally scheduled: April 1983.

Agency Contact: Ralph Conrad, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA50

OIL AND GAS LEASING

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3100

Abstract: This rule would provide the procedures for the reinstatement of oil and gas leases and the conversion of unpatented oil placer claims authorized by the Act of January 12, 1983 (Public Law 97-451).

Timetable:

Action	Date	FR Cite
NPRM	02/03/84	49 FR 4217
Final Action	07/30/84	49 FR 30446
Final Action Effective	08/29/84	49 FR 30446

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: April 1983.

Agency Contact: Jeff Zabler, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-2182

RIN: 1004-AA53

NONCOMPETITIVE LEASES

Priority: Undetermined

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359

CFR Citation: 43 CFR 3110

Abstract: This rule will amend the existing regulations on simultaneous filings of noncompetitive oil and gas leases to reduce questionable practices associated with the program.

Timetable:

Action	Date	FR Cite
NPRM	03/15/84	49 FR 9752
Final Action	06/29/84	49 FR 26918
Final Action Effective	07/30/84	49 FR 26918

Small Entity: No

Agency Contact: Lois Mason, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 653-2190

RIN: 1004-AA71

LEASING OF MINERALS OTHER THAN OIL AND GAS: GENERAL; SURFACE EXPLORATION

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3500; 43 CFR 23

Abstract: As a result of review, 43 CFR Part 3500 is being revised to change definitions of terms, to change rentals, and to alter requirements for preference right lease applicants, as well as to simplify and clarify provisions. 43 CFR Part 23 is removed, because its provisions duplicate the provisions of the National Environmental Policy Act.

Timetable:

Action	Date	FR Cite
NPRM	03/30/82	47 FR 13472
Final Action	04/25/84	49 FR 17892
Final Action Effective	05/25/84	49 FR 17892

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address). The information collection requirements contained in this rule were approved by the Office of Management and Budget under 44 U.S.C. 3501 et seq and assigned clearance number 1004-0121. Originally scheduled: January 1981.

Agency Contact: Marge Cooper, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 343-8537

RIN: 1004-AA25

GRAZING ADMINISTRATION: EXCLUSIVE OF ALASKA

Legal Authority: 43 USC 315; 43 USC 315a; 43 USC 315r; 43 USC 1701 et seq

CFR Citation: 43 CFR 4100

Abstract: This rule, which provides for the uniform administration of livestock grazing on the public lands exclusive of Alaska, will be streamlined to eliminate burdensome and cumbersome provisions and to make them easier to understand.

Timetable:

Action	Date	FR Cite
Notice of Intent to propose Rule	12/09/82	47 FR 55402
NPRM	05/13/83	48 FR 21826
Final Action	02/21/84	49 FR 6440
Final Action Effective	03/22/84	49 FR 6440

Small Entity: No

Additional Information: Originally scheduled: April 1983. ADDITIONAL AGENCY CONTACT: R.O. Miller (202) 343-8735 (see Agency Contact for address).

Agency Contact: Billy Templeton, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-9193

RIN: 1004-AA48

ADVERTISED SALES: GENERAL

Priority: Undetermined

Legal Authority: 30 USC 601 et seq; 43 USC 1181(a)

CFR Citation: 43 CFR 5400

Abstract: This rule will be revised to provide an internal protest procedure for use in connection with advertised timber sales.

Timetable:

Action	Date	FR Cite
NPRM	01/31/84	49 FR 3884
Final Action	07/13/84	49 FR 28560
Final Action Effective	08/13/84	49 FR 28560

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983. ADDITIONAL AGENCY CONTACT: Robert C. Bruce (202) 343-8735 (see Agency Contact heading for address).

Agency Contact: Chuck Frost, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, 202 653-8864

RIN: 1004-AA65

ADVERTISED SALES: GENERAL

Legal Authority: 43 USC 1181a; 30 USC 601 et seq; 16 USC 615a

CFR Citation: 43 CFR Subpart 5401

Abstract: This rule will be amended to remove the requirement that the authorized officer will furnish access to the sale area for all competitive sales of forest products.

Timetable:

Action	Date	FR Cite
NPRM	06/29/83	48 FR 29890
Second NPRM	12/19/83	48 FR 56909
Final Action	06/08/84	49 FR 23838
Final Action Effective	07/09/84	49 FR 23838

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: R.O. Miller (202) 343-8735 (see Agency Contact heading for address). Originally scheduled: October 1982.

DOI—BLM

Completed Actions

Agency Contact: Charles Frost, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 653-8864**

RIN: 1004–AA33

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Geological Survey (GS)

Current and Projected Rulemakings

● RULES AND REGULATIONS PURSUANT TO THE WATER RESOURCES ACT OF 1984

Priority: Undetermined

Legal Authority: 42 USC 10303 Water Resources Research Act of 1984

CFR Citation: 18 CFR 501, (Revision); 18 CFR 502, (Revision); 18 CFR 503, (Revision); 18 CFR 504, (Revision); 18 CFR 505, (Revision); 18 CFR 506, (Revision); 18 CFR 507, (Revision); 18 CFR 508, (Revision); 30 CFR 401

Abstract: The purpose of this action is to establish procedures that will enable the Secretary of the Interior to meet his responsibilities in administering the program of state water research institutes reauthorized by the Water Resources Research Act of 1984. The rules and regulations presently governing the grant program were promulgated in 1964 and are not responsive to the new legislation. The new rules and regulations will primarily address matters of: administrative responsibility within the Department; state designation of the universities hosting the institutes; cost-sharing requirements and the evaluation process called for by the Act; and application and reporting procedures. The action will provide clear and consistent administrative direction to both the granting agency and the grantees. The revised rule will be redesignated as 30 CFR 401.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	

Small Entity: Undetermined

Agency Contact: Madge Ertel, State Liaison Specialist, Department of the Interior, Geological Survey, Mail Stop 424 - 22092, Reston, Virginia, **703 860-7921**

RIN: 1028–AA00

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE INTERIOR (DOI)
Office of the Secretary (OS)

Current and Projected Rulemakings

● ADMINISTRATIVE REQUIREMENTS FOR ASSISTANCE PROGRAMS

Legal Authority: 5 USC 301

CFR Citation: 43 CFR 00

Abstract: This rule implements Government-wide requirements established by the Office of Management and Budget (OMB) under OMB Circulars for the administration of assistance agreements.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: No

Agency Contact: Ceceil Coleman, Grants Policy Specialist, Department of the Interior, Office of the Secretary, 18th & C Streets, NW, Washington, DC 20240, **202 343-6431**

RIN: 1093–AA01

● DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION

Legal Authority: 5 USC 301

CFR Citation: 48 CFR 1400

Abstract: This rule will implement changes made in the FAR as a result of the Competition in Contracting Act of 1984, P.L. 98-369.

Timetable:

Action	Date	FR Cite
Final Action	04/01/85	

Small Entity: No

Agency Contact: William Opdyke, Chief, Branch of Policy and Regulations, Department of the Interior, Office of the Secretary, 18th & C Streets, NW, Washington, DC 20240, **202 343-3433**

RIN: 1093–AA00

[FR Doc. 84-24440 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XI

Department of Justice

Semiannual Regulatory Agenda

DOJ

DEPARTMENT OF JUSTICE

8 CFR Ch. I

21 CFR Ch. II

28 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Legal Policy, Department of Justice.

ACTION: Regulatory Agenda.

SUMMARY: The Department of Justice is publishing its October 1984 regulatory agenda pursuant to Executive Order No. 12291, "Federal Regulation," 3 CFR 127 (1981 Compilation), the Regulatory Flexibility Act, 5 U.S.C.A. 601-612 (West 1984), and Office of Management and Budget Bulletin No. 84-16, June 22, 1984.

FOR FURTHER INFORMATION CONTACT: Janis A. Sposato, Administrative Counsel, Justice Management Division, Department of Justice, Room 1220, 10th and Constitution Avenue, N.W., Washington, D.C. 20530 (202-633-3452).

SUPPLEMENTARY INFORMATION: The Department has identified 20 current and projected rulemakings for inclusion in the agenda. Three of these regulations have had final actions and for one no further action is planned. Also, the Department had one existing regulation under review. However, that review has been completed.

DATED: August 31, 1984.

Tex Lezar,

Assistant Attorney General, Office of Legal Policy.

BILLING CODE 4410-01-T

DEPARTMENT OF JUSTICE (DOJ)
Civil Rights Division (CRT)

Current and Projected Rulemakings

NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Priority: Agency Determination

Legal Authority: 42 USC 6103

CFR Citation: 28 CFR 42, Subpart H, (New)

Abstract: This regulation will implement the Age Discrimination Act of 1975, as amended. The proposed rule was published for comment, modified, approved by the Office of Legal Counsel, Department of Justice and forwarded to the Secretary of the Department of Health and Human Services for approval on November 10, 1980.

Timetable:

Action	Date	FR Cite
NPRM	05/19/80	45 FR 32710
Final Action	00/00/00	

Small Entity: No

Agency Contact: David B. Marblestone, Attorney, Department of Justice, Civil Rights Division, Appellate Section, Washington, DC 20530, 202 633-4492

RIN: 1190-AA03

PROCEDURES FOR THE ADMINISTRATION OF SECTION 5 OF THE VOTING RIGHTS ACT OF 1965, AS AMENDED

Priority: Undetermined

Legal Authority: 5 USC 301; 28 USC 509; 28 USC 510; 42 USC 1973c

CFR Citation: 28 CFR 51

Abstract: PROBLEM THE REGULATION WILL ADDRESS: Revision of the Procedures is needed as a result of experience under them since 1981, interpretations of Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c, contained in judicial decisions, changes mandated by the 1982 Amendments to the Voting Rights Act, P.L. 97-205, 96 Stat. 131., and to set out substantive standards followed by the Attorney General. ALTERNATIVES BEING CONSIDERED: (1) Revisions to address all of the problems described above, or (2) revisions limited to incorporate changes made by the 1982 Amendments. ACTION'S POTENTIAL COSTS: None. ACTION'S POTENTIAL BENEFITS: Entities subject to Section 5 and other interested persons will receive greater guidance with respect to the procedures and standards of the Attorney General.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: David Hunter, Attorney, Voting Section, Department of Justice, Civil Rights Division, Washington, D.C. 20530, 202 724-5898

RIN: 1190-AA05

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF JUSTICE PROGRAMS

Priority: Agency Determination

Legal Authority: 29 USC 794

CFR Citation: 28 CFR 39

Abstract: This regulation will implement section 504 of the Rehabilitation Act of 1973, as amended, concerning nondiscrimination on the basis of handicap as it applies to programs and activities conducted by the Department of Justice.

Timetable:

Action	Date	FR Cite
NPRM	12/16/83	48 FR 55996
NPRM Comment Period Begin	12/16/83	48 FR 55996
Supplemental Notice for Clarification	03/01/84	49 FR 7792
NPRM Comment Period End	04/16/84	
Final Action	11/10/84	

Small Entity: No

Agency Contact: Ms. Stewart B. Oneglia, Chief, Coordination and Review Section, Department of Justice, Civil Rights Division, 10th & Constitution Avenue, NW, Washington, DC 20530, 202 724-2222

RIN: 1190-AA06

DOJ—CRT

Current and Projected Rulemakings

● **IMPLEMENTATION OF THE PROVISIONS OF THE VOTING RIGHTS ACT REGARDING LANGUAGE MINORITY GROUPS**

Priority: Undetermined

Legal Authority: 5 USC 301; 28 USC 509; 28 USC 510; 42 USC 1973b; 42 USC 1973j(d); 42 USC 1973aa-1a; 42 USC 1973aa-2

CFR Citation: 28 CFR 55

Abstract: Revision of the minority language guidelines is needed to conform them to new determinations of coverage and to changes mandated by the 1982 Amendments to the Voting Rights Act, PL 97-205. Affected entities and interested persons will have more accurate information with respect to the application of the minority language requirements of the Voting Rights Act.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: David H. Hunter, Attorney, Voting Section, Department of Justice, Civil Rights Division, Washington, DC 20530, 202 724-5898

RIN: 1190-AA15

DEPARTMENT OF JUSTICE (DOJ)
Civil Rights Division (CRT)

Completed Actions

COMPLETED RULEMAKINGS

EDUCATION PROGRAMS OR ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE--IMPLEMENTATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED

Priority: Agency Determination

CFR Citation: 28 CFR 42.701 to 42.771, (New)

Completed:

Reason	Date	FR Cite
No further action planned	08/27/84	

Small Entity: No

Agency Contact: Ms. Stewart B. Oneglia 202 724-2222

RIN: 1190-AA04

[FR Doc. 84-24441 Filed 10-19-84; 8:45 am]

DEPARTMENT OF JUSTICE (DOJ)
Drug Enforcement Administration (DEA)

Current and Projected Rulemakings

21 CFR PART 1304 - RECORDS AND REPORTS OF REGISTRANTS CHANGES IN REGISTRANT REPORTING REQUIREMENTS

Legal Authority: 21 USC 821; 21 USC 827; PL 95-633, Title I Psychotropic Substances Act of 1978

CFR Citation: 21 CFR 1304.38(a); 21 CFR 1304.39(b); 21 CFR 1304.40

Abstract: In furtherance of the Single Convention on Narcotic Drugs, the Convention on Psychotropic Substances and the Psychotropic Substances Act of 1978, DEA plans to amend 21 CFR Part 1304 to include reporting requirements for categories of drugs listed in Schedules III and IV of the Psychotropic Convention and Schedule IV of the Single Convention on Narcotic Drugs. Concurrently, other reporting requirements will be simplified, reduced or eliminated in order to reduce the overall reporting requirements imposed on registrants under the Controlled Substances Act.

Timetable:

Action	Date	FR Cite
NPRM	11/08/83	48 FR 51329
NPRM Comment Period Begin	11/08/83	48 FR 51329
NPRM Comment Period End	01/09/84	
Final Action	09/15/84	
Final Action Effective	09/15/84	

Small Entity: No

Additional Information: This proposed amendment remains under review within the Drug Enforcement Administration.

Agency Contact: Alfred A. Russell, Chief, Regulatory Support Section, Department of Justice, Drug Enforcement Administration, Office of Diversion Control, Washington, D.C. 20537, 202 633-1570

RIN: 1117-AA01

[FR Doc. 84-24441 Filed 10-19-84; 8:45 am]

DEPARTMENT OF JUSTICE (DOJ)
General Administration (DOJADM)

Current and Projected Rulemakings

REQUESTS FOR RECOGNITION; ACCREDITATION OF REPRESENTATIVES

Legal Authority: 8 USC 1103

CFR Citation: 8 CFR 292

Abstract: The proposed regulation change would restructure the procedures controlling requests for recognition of organizations and applications to accredit representatives of recognized organizations to practice before officers of the Immigration and Naturalization Service, immigration judges and the Board of Immigration Appeals. See 48 F.R. 53124.

Timetable:

Action	Date	FR Cite
NPRM	11/25/83	48 FR 53124
NPRM Comment Period Begin	11/25/83	48 FR 57502
NPRM Comment Period End	01/27/84	
Final Action	10/00/84	

Action	Date	FR Cite
Final Action Effective	10/00/84	

Small Entity: No

Agency Contact: David B. Holmes, Chief Attorney Examiner, Department of Justice, General Administration, 5203 Leesburg Pike, Suite 1609, Falls Church, VA 22041, **703 756-6168**

RIN: 1103-AA01

[FR Doc. 84-24441 Filed 10-19-84; 8:45 am]

DEPARTMENT OF JUSTICE (DOJ)

Immigration and Naturalization Service (INS)

Current and Projected Rulemakings

IMPOSITION OF MINIMUM BOND AS CONDITION OF RELEASE

Legal Authority: 8 USC 1103; 8 USC 1252; 8 USC 1254

CFR Citation: 8 CFR 3.1(b)(7); 8 CFR 242.2

Abstract: The proposed rule would revise the procedures relating to release of apprehended aliens. Release without bond would be authorized only for compelling interests of the government, and only by a district director of the Immigration and Naturalization Service. Neither an Immigration Judge nor the Board of Immigration Appeals would have authority to release an alien without bond.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Since the proposed rule would impact upon the newly created Executive Office For Immigration Review, it is subject to review and promulgation by the Attorney General.

Agency Contact: Michael J. Heilman, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, 425 Eye Street, NW, Washington, DC 20536, **202 633-2620**

RIN: 1115-AA03

● SPECIAL PROVISIONS RELATING TO AIRCRAFT; DESIGNATION OF PORTS OF ENTRY FOR ALIENS ARRIVING BY CIVIL AIRCRAFT

Legal Authority: 8 USC 1103; 8 USC 1229

CFR Citation: 8 CFR 239.1; 8 CFR 239.2(a) & (b)

Abstract: The proposed rule would eliminate the current exemption of carrier liability for inspectional overtime of aircraft arriving on schedule where permission is granted to land at other than a designated international airport of entry between 5 p.m. and 8 a.m. It would place liability for payment of inspectional overtime on the benefiting user, not on the government.

Timetable:

Action	Date	FR Cite
NPRM	07/18/84	49 FR 29104
NPRM Comment Period Begin	07/18/84	49 FR 29104
NPRM Comment Period End	09/17/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ellis B. Linder, Immigration Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., N.W., Washington, D.C. 20536, **202 633-2745**

RIN: 1115-AA09

● INSPECTION OF PERSONS APPLYING FOR ADMISSION; PREINSPECTION

Legal Authority: 8 USC 1103; 8 USC 1225

CFR Citation: 8 CFR 235.5(c)

Abstract: The proposed rule would shift the financial burden for excess costs relating to INS personnel at preclearance facilities from the United States government to the benefiting carriers. These excess costs would include such items as quarters, post-of-duty differentials, and transportation of family members and household effects.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	11/00/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Valerie M. Blake, Immigration Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., N.W., Washington, D.C. 20536, **202 633-2694**

RIN: 1115-AA10

● NONIMMIGRANT CLASSES; EXTENSIONS OF STAY FOR CERTAIN NONIMMIGRANT CLASSIFICATIONS

Legal Authority: 8 USC 1103; 8 USC 1184

CFR Citation: 8 CFR 214.2

Abstract: This final rule will improve the extension of stay rules for the E, J, and certain NATO nonimmigrant classifications by allowing the nonimmigrant to enter the United States for a longer period of time upon initial admission. This change should eliminate unnecessary extension of stay applications while still allowing for adequate control of these nonimmigrant groups.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Agency Contact: Jeffrey Trecartin, Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., N.W., Washington, D.C. 20536, **202 633-3240**

RIN: 1115-AA11

● DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Legal Authority: 8 USC 1182

CFR Citation: 8 CFR 212.7(b)(4) & (5)

Abstract: This rulemaking proposes to amend the existing regulations relating to requirements and guarantees of post arrival medical care for immigrant family members who are mentally retarded or aliens who have had one or more attacks of mental illness by eliminating current requirements for annual follow-up medical reports over a 5-year period.

Timetable:

Action	Date	FR Cite
NPRM	07/24/84	49 FR 29803
NPRM Comment Period Begin	07/24/84	49 FR 29803
NPRM Comment Period End	08/23/84	
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Agency Contact: R. Michael Miller, Deputy Assistant Commr., Adjudications, Department of Justice, Immigration and Naturalization Service, 425 Eye St., N.W., Washington, D.C. 20536, **202 633-3320**

RIN: 1115-AA12

DEPARTMENT OF JUSTICE (DOJ)
Immigration and Naturalization Service (INS)

Completed Actions

COMPLETED RULEMAKINGS

NONIMMIGRANT CLASSES; PETITION FOR ALIEN TO PERFORM TEMPORARY SERVICES OR LABOR

CFR Citation: 8 CFR 214.2(h)(3)

Completed:

Reason	Date	FR Cite
Final Action	04/18/84	49 FR 15182
Final Action Effective	06/18/84	49 FR 15182

Small Entity: No

Agency Contact: Bert C. Rizzo 202 633-3946

RIN: 1115-AA05

CERTAIN AMERASIANS FATHERED BY UNITED STATES CITIZENS

CFR Citation: 8 CFR 103.1(l); 8 CFR 103.2; 8 CFR 204.1; 8 CFR 204.2; 8 CFR 205.1; 8 CFR 205.2; 8 CFR 212.8(b); 8 CFR 214.2

Completed:

Reason	Date	FR Cite
Final Action	03/07/84	49 FR 8420
Final Action Effective	03/07/84	49 FR 8420

Small Entity: Undetermined

Agency Contact: Alice Strickler & Ann Leupp 202 633-5014

RIN: 1115-AA08

[FR Doc. 84-24441 Filed 10-19-84; 8:45 am]

DEPARTMENT OF JUSTICE (DOJ)
Legal Activities (LA)

Current and Projected Rulemakings

● REVISION OF DEPARTMENT OF JUSTICE FEE REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT

Legal Authority: 28 USC 509; 28 USC 510; 5 USC 301; 5 USC 552

CFR Citation: 28 CFR 16, (Revision)

Abstract: This is a proposed revision to the procedural regulations of the Department of Justice, 28 CFR 16.10, setting forth the fees to be charged under the Freedom of Information Act ("FOIA"), 5 USC 552. It is proposed that this provision be amended, for the first time since 1975, to increase certain of the fees charged under the Act. No change is proposed in the current charge of 10 cents per page for duplication.

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	
Final Action	11/01/84	

Small Entity: No

Agency Contact: Kevin R. Jones, Deputy Assistant Attorney General, Department of Justice, Legal Activities, **202 633-4606**

RIN: 1105-AA04

● IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN DEPARTMENT OF JUSTICE ADMINISTRATIVE PROCEEDINGS

Priority: Undetermined

Legal Authority: 5 USC 504 Equal Access to Justice Act

CFR Citation: 28 CFR 24, (Revision)

Abstract: The Equal Access to Justice Act is now in the process of being reauthorized by Congress. Various amendments being proposed, if adopted, will require revision of the procedures for applications for attorneys fees, eligible parties, and proceedings covered.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/84	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Analysis: Preliminary RIA 12/00/84; Final RIA 03/00/85

Agency Contact: Helen Shaw, Department of Justice, Legal Activities, **202 633-2034**

RIN: 1105-AA05

DEPARTMENT OF JUSTICE (DOJ)
Legal Activities (LA)

Completed Actions

COMPLETED RULEMAKINGS

REVIEW OF DEPARTMENT OF JUSTICE REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION ACT AND THE PRIVACY ACT OF 1974

CFR Citation: 28 CFR 0; 28 CFR 16

Completed:

Reason	Date	FR Cite
Final Action	03/29/84	49 FR 12248
Final Action Effective	04/30/84	49 FR 12248

Small Entity: Not Applicable

Agency Contact: Kevin R. Jones 202 633-4606

RIN: 1105-AA02

[FR Doc. 84-24441 Filed 10-19-84; 8:45 am]

DEPARTMENT OF JUSTICE (DOJ)
Office of Justice Assistance, Research and Statistics (OJARS)

Current and Projected Rulemakings

FORMULA GRANT PROGRAM

Legal Authority: 42 USC 3701 Omnibus Crime Control and Safe Streets Act of 1968

CFR Citation: 28 CFR Not yet determined

Abstract: The regulation will provide guidance to States applying for assistance in the way of Formula Grants. Approximately $50 million in Federal grant funds would be made available to the States.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	
ANPRM Comment Period Begin	10/00/84	
ANPRM Comment Period End	12/00/84	

Small Entity: Not Applicable

Additional Information: The $1.5 million cost would be borne by the States.

Public Compliance Cost: Initial Cost: $1,500,000; Yearly Recurring Cost: $1,500,000; Base Year for Dollar Estimates: 1984

Government Levels Affected: Local, State

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Assistance, Research and Statistics, OJARS Office of General Counsel, 633 Indiana Ave., N.W., Room 1268, Washington, D.C. 20531, 202 742-7792

RIN: 1121-AA00

LEAA ADMINISTRATIVE REVIEW PROCEDURE

Legal Authority: 42 USC 3701 Omnibus Crime Control and Safe Streets Act of 1968

CFR Citation: 28 CFR 18

Abstract: This regulation was previously under review. However, the review has been completed and it has been determined that rulemaking be proposed. The regulation will simplify the hearing and appeal procedure which is statutorily required by Title I of the Omnibus Crime Control and Safe Streets Act. There should be some small savings in the review process.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/84	
ANPRM Comment Period Begin	11/00/84	
ANPRM Comment Period End	01/00/85	

Small Entity: Not Applicable

Government Levels Affected: Local, State

Agency Contact: Charles A. Lauer, General Counsel, Department of Justice, Office of Justice Assistance, Research and Statistics, 633 Indiana Avenue, N.W., Washington, D.C. 20531, 202 724-7795

RIN: 1121-AA01

DEPARTMENT OF JUSTICE (DOJ)
Office of Justice Assistance, Research and Statistics (OJARS)

Completed Actions

COMPLETED REVIEWS

LEAA ADMINISTRATIVE REVIEW PROCEDURE

CFR Citation: 28 CFR 18

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Not Applicable

Agency Contact: Charles A. Lauer 202 724-7792

RIN: 1121-AA01

[FR Doc. 84-24441 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XII

Department of Labor

Semiannual Regulatory Agenda

DOL

DEPARTMENT OF LABOR

Office of the Secretary

20 CFR Chs. I, IV, V, VI, and VII

29 CFR Subtitle A and Chs. II, IV, V, XVII, and XXV

30 CFR Ch. I

41 CFR Chs. 29 and 60

Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Labor.

ACTION: Semiannual agenda of regulations selected for review or development.

SUMMARY: This document sets forth the Department's Semiannual Agenda of Regulations which have been selected for review or development during the coming one year period. The agenda complies with the requirements of both Executive Order 12291 and the Regulatory Flexibility Act.

DATES: The agenda includes all regulations which are expected to be under review or development between October 1984 and October 1985.

FOR FURTHER INFORMATION CONTACT: Roland G. Droitsch, Acting Deputy Assistant Secretary for Policy, Office of the Assistant Secretary for Policy, Department of Labor, 200 Constitution Avenue, NW, Room S2233, Washington, D.C. 20210, (202) 523-9058.

SUPPLEMENTARY INFORMATION: Executive Order 12291 and the Regulatory Flexibility Act require the semiannual publication in the **Federal Register** of an agenda of regulations.

Executive Order 12291 became effective February 17, 1981, and in substance requires the Department of Labor to publish an agenda, listing all the regulations it expects to have under active consideration for promulgation, proposal or review during the coming one year period. It also requires the Department to conduct a Regulatory Impact Analysis for all "major" regulations being developed.

The Regulatory Flexibility Act became effective on January 1, 1981. It applies only to regulations for which a notice of proposed rulemaking was issued on or after January 1, 1981, and requires the Department of Labor to publish an agenda, listing all the regulations it expects to propose or promulgate that are likely to have a "significant economic impact on a substantial number of small entities" (5 U.S.C. 602). For any regulation that will have this impact, the Department must conduct a Regulatory Flexibility Analysis to gauge the economic consequences of the rule, and to analyze the availability of more flexible approaches for lightening the rule's regulatory burden on "small entities."

If a proposed regulation will not have a "significant economic impact on a substantial number of small entities," the Department of Labor must publish a certification to that effect at the time of the general notice of proposed rulemaking or at the time of the publication of the final rule. That certification must be accompanied by a succinct statement explaining the reasons for the agency's determinations.

As permitted by law, the Department of Labor is combining in this publication its agendas under the Regulatory Flexibility Act and Executive Order 12291.

The regulatory reform process, of which the unified agenda is a part, continues to be an extremely valuable aid in the development of better regulations by the Department. We believe that our regulatory reform program has resulted in improved regulatory management, more clearly written regulations and significantly less burdensome regulations.

Further improvement is certainly needed, and we are constantly seeking new and innovative approaches in pursuit of this goal. All interested members of the public are invited and encouraged to let Departmental Officials know how our regulatory reform process can be further improved and, of course, to participate in and comment on the review or development of the regulations listed on the agenda.

The Department of Labor's next semiannual agenda, under Executive Order 12291 and the Regulatory Flexibility Act, will be published in April 1985.

Raymond J. Donovan,

Secretary of Labor.

BILLING CODE 4510-23-T

Office of the Secretary—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Debt Collection Act Regulations; Disclosure to Consumer Reporting Agencies; Administrative Offset; Interest, Penalties, and Administrative Costs	1290-AA03

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2	*Federal Service Contracts: Appeals Board (ESA/W-H-SCA)	1290-AA02

*Indicates priority regulation.

DOL

Employment Standards Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
3	*Club Membership (ESA/OFCCP)	1215-AA00
4	*Government Contractors; Affirmative Action Requirements (ESA/OFCCP)	1215-AA01
5	Affirmative Action Obligations for Disabled Veterans, Veterans of Vietnam Era, and Handicapped Workers (ESA/OFCCP)	1215-AA02
6	Black Lung: Obligations of Lessors for Claims for Benefits (ESA/OWCP)	1215-AA03
7	Longshoreman's Act: Regional Offices (ESA/OWCP)	1215-AA12
8	FECA Medical Fee Regulations (ESA/OWCP)	1215-AA13
9	General Modification of the Regulations for Administering the FECA (ESA/OWCP)	1215-AA29
10	*Labor Standards Provisions, Davis-Bacon and Related Acts (ESA/W-H)	1215-AA07
11	*Employment of Full-Time Students at Subminimum Wages (ESA/W-H)	1215-AA08
12	*Employment of Minors Between Fourteen and Sixteen Years of Age (Child Labor Regulation Number Three) (ESA/W-H)	1215-AA09
13	*Defining and Delimiting the Terms "Any Employee Employed in a Bona Fide Executive, Administrative, or Professional Capacity. . ." (ESA/W-H)	1215-AA14
14	General Regulations Under the Walsh-Healey Public Contracts Act	1215-AA26
15	*Employment of Homeworkers in Certain Industries	1215-AA27

*Indicates priority regulation.

Employment Standards Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
16	Black Lung Benefits. Requirements for Coal Mine Operators Insurance (ESA/OWCP)	1215-AA16
17	Longshoremen's Act: Second Injury Relief; Annual Assessments (ESA/OWCP)	1215-AA18
18	Child Labor Regulations Subpart E, Occupations Particularly Hazardous for the Employment of Minors 16 and 17 Years of Age Involving the Operation of Bakery Machines (ESA/W-H)	1215-AA20
19	*Child Labor Regulations Subpart E, Occupations Particularly Hazardous for the Employment of Minors 16 and 17 Years of Age Involving Slaughtering and Related Occupations (ESA/WH)	1215-AA21
20	Records to be Kept by Employers (ESA/W-H)	1215-AA22
21	Child Labor Regulations Subpart E, Occupations Particularly Hazardous for the Employment of Minors 16 and 17 Years of Age Involving Motor Vehicle Drivers and Helpers (ESA/W-H)	1215-AA23

*Indicates priority regulation.

Employment Standards Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
22	*Job Training Partnership Act (JTPA)	1215-AA25
23	Claims for Compensation Under the Federal Employees' Compensation Act, as Amended (ESA/OWCP)	1215-AA28
24	*Rules of Practice for Administrative Proceedings: Davis-Bacon, Service Contract Acts (ESA/W-H)	1215-AA11

*Indicates priority regulation.

Employment and Training Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
25	Piece Rate Adjustments	1205-AA30
26	Senior Community Service Employment Program	1205-AA29
27	*Airline Deregulation: Employee Benefit Program	1205-AA07
28	Limitations on Tax Credit Reductions and Interest on Advances to States	1205-AA14
29	Extended Benefits Under Federal Unemployment Compensation Act	1205-AA15
30	Trade Adjustment Assistance: Benefit Payments	1205-AA17
31	Unemployment Compensation for Ex-Servicemembers	1205-AA26

DOL

Employment and Training Administration—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
32	*Unemployment Insurance Quality Control Program	1205-AA28
33	*Work Incentive Program for AFDC Recipients Under Title IV of the Social Security Act	1205-AA27

*Indicates priority regulation.

Employment and Training Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
34	Labor Certification: Canadian Railroad Workers	1205-AA01
35	Labor Certification: Construction Workers on Guam	1205-AA02
36	Labor Certification: Apprentice Construction Workers on Guam	1205-AA03

Office of Pension and Welfare Benefits Programs—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
37	Individual Benefit Reporting - Recordkeeping - Multiple Employer Plans	1210-AA02
38	Individual Benefit Reporting and Recordkeeping for Single Employer Plans	1210-AA03
39	*Plan Assets Regulation	1210-AA06
40	Participant Directed Individual Account Plans	1210-AA08
41	Loans to Participants	1210-AA09
42	*Proposed Exemption and Alternative Method of Compliance for Annual Reporting of Certain Investments	1210-AA14
43	Adequate Consideration	1210-AA15
44	*Definition of Plan Assets -- Employee Contributions	1210-AA16

*Indicates priority regulation.

Office of Pension and Welfare Benefits Programs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
45	Alternate Format of the Updated Summary Plan Description	1210-AA05
46	Distribution of Summary Annual Reports	1210-AA10
47	Summary Plan Description Filing	1210-AA13

Bureau of Labor Management Relations and Cooperative Programs—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
48	*Airline Deregulation: First Right of Hire	1214-AA00
49	Administration of Labor Protection Provisions Affecting Mass Transit Employees under 13(c) of the Urban Mass Transportation Act	1214-AA01

*Indicates priority regulation.

DOL

Office of Labor Management Standards—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
50	Labor Organization Annual Report	1294-AA00

Office of Labor Management Standards—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
51	Election Enforcement Provisions of the LMRDA	1294-AA01

Mine Safety and Health Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
52	*Alternate Program for Equipment Approvals	1219-AA06
53	*Review of Self-Contained Self Rescue Devices (SCSR) Standards Applicable to Coal Mining	1219-AA08
54	*Review of Hoisting and Transportation of Persons and Material Standards Applicable to Coal Mining	1219-AA12
55	*Safety Standards for Underground Coal Mines; Roof, Face and Rib Support	1219-AA13
56	*Review of Metal and Nonmetal Electricity Standards	1219-AA14
57	*Review of Metal and Nonmetal Gassy Mine Standards	1219-AA15
58	*Safety Standards for Underground Coal Mines; Explosives and Blasting	1219-AA16
59	*Review of Metal and Nonmetal Explosives Standards	1219-AA17
60	*Review of Metal and Nonmetal Loading, Hauling, and Dumping Standards	1219-AA18
61	*Safety Standards for Machinery and Equipment at Metal and Nonmetal Mines	1219-AA19
62	*Review of Metal and Nonmetal Fire Prevention and Control Standards	1219-AA20
63	*Review of Metal and Nonmetal Air Quality Standards	1219-AA21
64	*Review of Metal & Nonmetal Ground Control Standards	1219-AA22
65	*Requirements of Approval of Explosives and Sheathed Explosive Units, Water Stemming Bags, Electric Detonators and Blasting Units	1219-AA23

*Indicates priority regulation.

Mine Safety and Health Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
66	*Review of Metal and Nonmetal Standards	1219-AA00
67	*Review of Safety and Health Standards Applicable to Coal Mining	1219-AA01
68	Miner Participation in the Respirable Dust Sampling Program	1219-AA02
69	Pattern of Violations	1219-AA04
70	Construction Work at Surface Areas of Mines: Safety, Health Standards	1219-AA05
71	*Review of Cabs or Canopies Standards Applicable to Coal Mining	1219-AA09
72	*Review of Electrical Standards Applicable to Coal Mining	1219-AA10
73	*Review of Ventilation Standards Applicable to Coal Mining	1219-AA11
74	*Review of Oil and Gas Wells Standards Applicable to Coal Mining	1219-AA24

*Indicates priority regulation.

DOL

Office of the Assistant Secretary for Administration and Management—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
75	*Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance from the Department of Labor	1291-AA02
76	*Department of Labor Acquisition Regulation (DOLAR) (Implementation of Federal Acquisition Regulation (FAR))	1291-AA03
77	*Enforcement of Nondiscrimination on the Basis of Handicap in Department of Labor Programs	1291-AA04

*Indicates priority regulation.

Office of the Assistant Secretary for Administration and Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
78	Debarment and Suspension of Contractors	1291-AA01

Office of the Inspector General—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
79	Federal and Non-Federal Audit Requirements	1292-AA01

Occupational Safety and Health Administration—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
80	Health Hazards of Chemicals in Laboratories	1218-AA00
81	*Carcinogen Policy	1218-AA01
82	*Cotton Dust	1218-AA02
83	*Ethylene Oxide (EtO)	1218-AA03
84	*Respiratory Protection	1218-AA05
85	*Ethylene Dibromide (EDB)	1218-AA06
86	*Lead - Reconsideration of Whole Standard	1218-AA11
87	Lead - Coverage of the Stevedoring Industry	1218-AA13
88	Access to Employee Exposure and Medical Records	1218-AA15
89	*Asbestos	1218-AA26
90	*Methods of Compliance	1218-AA28
91	Field Sanitation	1218-AA44
92	*Benzene	1218-AA47
93	4,4'-Methylenedianiline	1218-AA58
94	*Safety and Health Regulations for Longshoring	1218-AA56
95	*Concrete and Masonry Construction (Concrete, Concrete Forms, and Shoring)	1218-AA20
96	*Grain Handling Facilities	1218-AA22
97	*Commercial Diving Operations: Whole Standard	1218-AA23
98	*Electrical Safety - Related Work Practices	1218-AA32
99	*Powered Platforms for Exterior Building Maintenance	1218-AA33
100	*Oil and Gas Well Drilling and Servicing	1218-AA34
101	*Excavations (Excavations, Trenching, and Shoring)	1218-AA36
102	*Fall Protection	1218-AA37
103	*Underground Construction (Tunnels and Shafts)	1218-AA38
104	*Electrical Standards - Construction	1218-AA39
105	*Scaffolds	1218-AA40
106	*Safety Testing or Certification of Certain Workplace Equipment and Materials (Formerly entitled Accreditation of Testing Laboratories)	1218-AA42
107	*Crane or Derrick Suspended Personnel Platforms	1218-AA45
108	*Scaffolds and similar work surfaces	1218-AA46
109	*Fall Protection Systems	1218-AA48
110	*Accident Prevention Tags	1218-AA49

DOL

Occupational Safety and Health Administration—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
111	*Ladders and similar climbing devices	1218-AA50
112	*Confined Spaces	1218-AA51
113	Logging	1218-AA52
114	*Control of Hazardous Energy Sources (Lockout/Tagout)	1218-AA53
115	Mechanical Power Presses	1218-AA54
116	*Stairways and Ladders	1218-AA57
117	*Electric Power Generation, Transmission and Distribution	1218-AA59
118	*Revision of Recordkeeping Requirements for Testing and Maintenance Checks	1218-AA60
119	Pulp, Paper and Paperboard Mills	1218-AA61
120	*Shipyard Standards	1218-AA62

*Indicates priority regulation.

Occupational Safety and Health Administration—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
121	*Safety and Health Regulations for Shipyard Employment	1218-AA55
122	*Hazardous Materials	1218-AA31

*Indicates priority regulation.

Office of the Assistant Secretary for Veteran's Employment & Training Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
123	Annual Report From Federal Contractors	1293-AA01

Office of the Assistant Secretary for Veteran's Employment & Training Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
124	Services for Veterans	1293-AA03

DEPARTMENT OF LABOR (DOL)

Office of the Secretary (OS)

Current and Projected Rulemakings

1. ● DEBT COLLECTION ACT REGULATIONS; DISCLOSURE TO CONSUMER REPORTING AGENCIES; ADMINISTRATIVE OFFSET; INTEREST, PENALTIES, AND ADMINISTRATIVE COSTS

Legal Authority: 31 USC 3711 et seq

CFR Citation: 29 CFR 20

Abstract: These regulations will implement the Debt Collection Act of 1982 (PL 97-365). The Debt Collection Act gives Federal Agencies new tools to collect on debts owed to the United States. These include the authority for Federal Agencies to disclose the existence and amount of delinquent debts to a consumer reporting agency; to collect a debt by means of an administrative offset; and to charge interest, assess penalties and recover administrative charges to delinquent debts. These regulations establish the policies and procedures the Labor Department will employ to implement the foregoing Debt Collection Act tools. The Labor Department's rules are in conformance with the Federal claims collection standards, issued jointly by the Department of Justice and the General Accounting Office.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	11/00/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Seth D. Zinman, Asso. Sol. for Leg. and Legal Counsel, Department of Labor, Office of the Secretary, Francis Perkins Building, 200 Constitution Ave., NW, Rm N2428, Washington, DC 20210, **202 523-8201**

RIN: 1290-AA03

DEPARTMENT OF LABOR (DOL)
Office of the Secretary (OS)

Completed Actions

COMPLETED RULEMAKINGS

2. FEDERAL SERVICE CONTRACTS: APPEALS BOARD (ESA/W-H-SCA)

Priority: Agency Determination

Legal Authority: 41 USC 353; 41 USC 354; 5 USC 301; Reorganization Plan No. 14 of 1950, 5 USC Appendix; 40 USC 327 to 332

CFR Citation: 29 CFR 8

Abstract: The proposed regulation describes procedures relevant to appeals under the Service Contract Act for a new Board of Service Contract Appeals. The existing regulation is related to 29 CFR Part 4, which was published on 10/27/83 (48 FR 49736). A 30-day extension changing the effective date from 12/27/83 until 1/27/84 was published on 12/22/83 (48 FR 56577), and effective on 01/27/84 (48 FR 56577). On 01/19/81 a notice withdrawing Part 8 was published (46 FR 4951) because 29 CFR Part 6, containing a new Subpart F (published 01/16/81; 46 FR 4398), provided for appeals to the Secretary on SCA matters instead of a Board. Final action on 29 CFR 6 was deferred in response to the 01/29/81 Presidential memorandum until 08/14/81. At that time, the Department again proposed a new Part 8 providing appeal to a Board of Service Contract Appeals rather than to the Secretary.

Timetable:

Action	Date	FR Cite
Previous NPRM	04/22/80	45 FR 27410
29 CFR 6 (with new Subpart F)	01/16/81	
Notice withdrawing Part 8	01/19/81	46 FR 4951
NPRM	08/14/81	46 FR 41438
NPRM Comment Period End	10/13/81	
Final Action	03/21/84	49 FR 10636
Final Action Effective	03/21/84	49 FR 10636

Small Entity: No

Agency Contact: Gail Coleman, Counsel for Trial Litigation, Department of Labor, Office of the Secretary, Office of Solicitor, Rm N2716, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7626**

RIN: 1290-AA02

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)
Employment Standards Administration (ESA)

Current and Projected Rulemakings

3. CLUB MEMBERSHIP (ESA/OFCCP)

Priority: Task Force

Legal Authority: EO 11246, as amended

CFR Citation: 41 CFR 60-1.11

Abstract: These provisions would have made it a violation for federal contractors to pay membership fees or other expenses for employees to join an organization which limits membership on the basis of race, color, religion, sex or national origin. The Department has since proposed to withdraw this regulation. Further action on the proposed withdrawal is pending completion of additional study of the issues involved.

Timetable:

Action	Date	FR Cite
NPRM	01/22/80	45 FR 4954
Interim Final Rule	01/16/81	46 FR 3892
Proposal of Withdrawal	03/27/81	46 FR 19004
End comment on Withdrawal Proposal	04/27/81	
Study of issues	00/00/00	

Small Entity: No

Agency Contact: Leonard J. Biermann, Director, Division of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-9426**

RIN: 1215-AA00

4. GOVERNMENT CONTRACTORS; AFFIRMATIVE ACTION REQUIREMENTS (ESA/OFCCP)

Priority: Major, Task Force

Legal Authority: EO 11246, as amended; 38 USC 2012; 29 USC 793; 29 USC 1781

CFR Citation: 41 CFR 60-1; 41 CFR 60-2; 41 CFR 60-4; 41 CFR 60-20; 41 CFR 60-30; 41 CFR 60-50; 41 CFR 60-60; 41 CFR 60-250; 41 CFR 60-741

Abstract: These provisions contain OFCCP's rules covering nondiscrimination and affirmative action obligations of covered contractors under EO 11246, the Vietnam Era Veterans Readjustment Assistance Act of 1974, the Rehabilitation Act of 1973, and Section 481 of the Job Training and Partnership Act. The rules would be revised to make them more cost effective, reduce paperwork burdens and assure that contractors may always hire the best qualified person regardless of race, color, religion, sex, or national origin. Proposed changes to the regulations were published in the Federal Register on 12/28/79 and 02/22/80, and a final rule on these issues was published on 12/30/80 (45 FR 86215). The rule was

stayed and reviewed in accordance with the President's Executive Order 12291 of 02/17/81. An ANPRM was published on 07/14/81 (46 FR 36213) and supplemented on 08/21/81 (46 FR 42490) to elicit comments on several issues pertaining to the regulation. A notice of proposed rulemaking was published on 08/25/81 (46 FR 42968) with comments due by 10/26/81. The proposal suspended the effective date of the 12/30/80 regulation, and proposed revision of that regulation. A final rule will be (cont)

Timetable:

Action	Date	FR Cite
ANPRM	07/14/81	46 FR 36213
Supplement to ANPRM	08/21/81	46 FR 42490
Previous NPRM & suspend eff date	08/25/81	46 FR 42968
NPRM	04/23/82	47 FR 17770
NPRM Comment Period Begin	04/23/82	
NPRM Comment Period End	05/24/82	
Final Action	00/00/00	

Small Entity: Yes

Additional Information: ABSTRACT CONT: forwarded to OMB for review and publication in the Federal Register.

Agency Contact: Leonard J. Biermann, Director, Division of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg., 200 Constitution Avenue, NW, Washington, DC 20210, **202 523-9426**

RIN: 1215-AA01

5. AFFIRMATIVE ACTION OBLIGATIONS FOR DISABLED VETERANS, VETERANS OF VIETNAM ERA, AND HANDICAPPED WORKERS (ESA/OFCCP)

Legal Authority: 29 USC 793; 38 USC 2012

CFR Citation: 41 CFR 60-1; 41 CFR 60-250; 41 CFR 60-741

Abstract: This proposal would make the definition section of these regulations consistent with 1978 amendments to the Rehabilitation Act of 1973 and the Vietnam Era Veterans' Readjustment Assistance Act, and conform these rules to changes in DOL's regulations implementing Sec 504 of the Rehabilitation Act. These provisions reflecting statutory changes have been incorporated into the 08/25/81 "main" OFCCP proposal (46 FR 42968).

Timetable:

Action	Date	FR Cite
NPRM	12/30/80	45 FR 86205
NPRM Comment Period Begin	12/30/80	45 FR 86205
NPRM Comment Period End	03/02/81	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Leonard J. Biermann, Director, Division of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-9426**

RIN: 1215-AA02

6. BLACK LUNG: OBLIGATIONS OF LESSORS FOR CLAIMS FOR BENEFITS (ESA/OWCP)

Legal Authority: 30 USC 901 et seq

CFR Citation: 20 CFR 725.491(b)(2)

Abstract: The intent of this proposal is to make explicit the Department's policy that a lessor of a coal mine, who has never actually operated such a mine, will not be held liable for the payment of benefits for black lung contracted in the course of employment in that mine and, therefore, need not insure against that possibility.

Timetable:

Action	Date	FR Cite
NPRM	01/27/81	46 FR 8570
NPRM Comment Period Begin	01/27/81	46 FR 8570
NPRM Comment Period End	03/30/81	
Final Action	12/31/84	

Small Entity: Undetermined

Agency Contact: James DeMarce, Associate Director, Department of Labor, Employment Standards Administration, Rm C3520, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-6692**

RIN: 1215-AA03

7. LONGSHOREMAN'S ACT: REGIONAL OFFICES (ESA/OWCP)

Legal Authority: 33 USC 939(b)

CFR Citation: 20 CFR 702.101

Abstract: The low volume of cases received under the Longshore Act and its extensions did not justify maintaining separate longshore district offices for the disposition of cases in the Denver and Kansas City regions. Therefore, these offices were closed and their workloads transferred to the Seattle and Chicago district offices, respectively. This rule would formalize these changes by making a technical amendment to 20 CFR 702.101 redefining the jurisdictions of the four affected district offices.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Neil Montone, Associate Director, Department of Labor, Employment Standards Administration, Rm C4315, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8572**

RIN: 1215-AA12

8. FECA MEDICAL FEE REGULATIONS (ESA/OWCP)

Legal Authority: 5 USC 8101 et seq

CFR Citation: 20 CFR 10.400 et seq

Abstract: 5 USC 8103(a) of the Federal Employees' Compensation Act provides that the United States shall furnish a broad range of medical services and supplies to employees of the United States injured in the performance of duty. ESA proposes to exercise its statutory authority to define the "reasonableness" of medical service costs and thereby monitor, and possibly reduce, these costs by imposing a schedule of allowable fees to be paid for services under this law. On 06/07/84 (49 FR 23658), a notice of proposed rulemaking was published with comments due by 08/06/84. The comment period was extended from 08/06/84 to 10/05/84 in response to a request by the American Medical Association (49 FR 33695).

Timetable:

Action	Date	FR Cite
NPRM	06/07/84	49 FR 23658
NPRM Comment Period Begin	06/07/84	49 FR 23658
NPRM Comment Period End	08/06/84	
Extension of Comment Period	08/24/84	49 FR 33695
Final Action	02/01/85	

Small Entity: Undetermined

Agency Contact: Thomas M. Markey, Deputy Associate Director, Department of Labor, Employment Standards Administration, Rm S3229, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7552

RIN: 1215-AA13

9. GENERAL MODIFICATION OF THE REGULATIONS FOR ADMINISTERING THE FECA (ESA/OWCP)

Legal Authority: 5 USC 8101 et seq

CFR Citation: 20 CFR 10.1 et seq

Abstract: This proposal would revise the Federal Employees' Compensation Act regulations to (1) increase the ability of employing agencies to monitor the Act's continuance of pay (COP) provisions; (2) reduce the period for using up the remainder of the 45-day COP eligibility when there is a recurrence of a disability subsequent to a first return to work from six months to 90 days from the date of return to work; (3) require partially disabled employees to report on their efforts to find work; (4) reduce the number of internal body organs that are included in the list of schedule awards payable to employees who suffer a loss or loss of use of such organs; (5) make other modifications designed to provide consistent rationale for the payment of benefits; and (6) incorporate procedures for giving full due process in overpayment cases before recoupment.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	

Small Entity: No

Agency Contact: Thomas M. Markey, Deputy Associate Director, Department of Labor, Employment Standards Administration, Rm S3229, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7552

RIN: 1215-AA29

10. LABOR STANDARDS PROVISIONS, DAVIS-BACON AND RELATED ACTS (ESA/W-H)

Priority: Task Force

Legal Authority: 40 USC 276a to 276a7; 40 USC 276c; 40 USC 327 to 332; 29 USC 259; 5 USC Appendix Reorganization Plan No. 14 of 1950; 4 USC 301

CFR Citation: 29 CFR 1; 29 CFR 3; 29 CFR 5

Abstract: These regulations govern labor standards applicable to Federally funded or assisted construction contracts subject to the Davis-Bacon and Related Acts, and contracts subject to the Contract Work Hours and Safety Standards Act. The existing regulations were targeted for review by the President's Task Force on Regulatory Relief. An ANPRM was published 08/14/81 (46 FR 41444), with comments due by 10/13/81, resulting from DOL's reexamination of rules previously published 01/16/81 (46 FR 4306, 4308) and subsequently stayed. A final rule was published 05/28/82 (47 FR 23644-79) but was deferred on 07/26/82 (47 FR 32070) in order to comply with a preliminary injunction issued on 07/22/82 in the U.S. District Court. On December 23, 1982, the court permanently enjoined certain provisions of the 05/28/82 final rules. The Department appealed, and on 04/29/83 (48 FR 19532) published the unenjoined provisions of the 05/28/82 final rules. The enjoined sections were deferred pending final conclusion of all appeals. On 07/05/83 the U.S. Court of Appeals for the District of Columbia upheld certain challenged provisions and on 01/16/84 the Supreme Court denied review of the (cont)

Timetable:

Action	Date	FR Cite
Final Action	04/29/83	48 FR 19532
Final Action Effective	06/28/83	48 FR 19532
Final Action	00/00/00	

Small Entity: Yes

Additional Information: ABSTRACT CONT: Appeals Court decision. Once the injunction is amended by the District Court, the Department intends to implement those regulations which were upheld in the Appeals Court decision.

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA07

11. EMPLOYMENT OF FULL-TIME STUDENTS AT SUBMINIMUM WAGES (ESA/W-H)

Priority: Task Force

Legal Authority: 29 USC 214

CFR Citation: 29 CFR 519

Abstract: This regulation governs the issuance of certificates authorizing the employment of full time students at subminimum wages. Under this proposal the regulation would be revised to permit the issuance of certificates authorizing employment of full time students at subminimum wages for periods longer than the current one year duration. By eliminating unnecessary annual certifications, this change would free significant staff capacity within Wage/Hour for more important work, including workplace inspection and reduce a paperwork burden upon employers. The existing regulation was targeted for review by the President's Task Force on Regulatory Relief. The Wage and Hour Division plans to publish a new proposed revision by 06/00/85, which will supersede the 07/16/82 proposal.

Timetable:

Action	Date	FR Cite
Previous NPRM	07/16/82	47 FR 31010
Comment Period extended to 01/13/83	08/06/82	47 FR 34166
Comments due on Previous NPRM	08/16/82	47 FR 34166
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8333

RIN: 1215-AA08

12. EMPLOYMENT OF MINORS BETWEEN FOURTEEN AND SIXTEEN YEARS OF AGE (CHILD LABOR REGULATION NUMBER THREE) (ESA/W-H)

Priority: Task Force

Legal Authority: 29 USC 203

CFR Citation: 29 CFR 570

Abstract: This regulation sets forth the occupations and periods and conditions

for the employment of minors 14 and 15 years of age. A number of changes are being considered which would update the provisions of this regulation which have not been changed since 1938. As proposed, the regulation would (1) expand permissible hours of work, (2) tighten employment restrictions in certain occupations such as those involving work near open flames, and (3) remove employment restrictions where no hazard is deemed to exist. The proposals are intended to provide a balanced approach to rationalizing the regulations in light of current employment conditions. The regulation was targeted for review by the President's Task Force on Regulatory Relief. The Wage and Hour Division plans to publish a new proposed revision by 06/00/85, which will supersede the 07/16/82 proposal.

Timetable:

Action	Date	FR Cite
Previous NPRM	07/16/82	47 FR 31254
Comment Period extended to 01/13/83	08/06/82	47 FR 34166
Comments due on Previous NPRM	08/16/82	
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA09

13. DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL CAPACITY. . ." (ESA/W-H)

Priority: Major, Task Force

Legal Authority: 29 USC 213(a)(1)

CFR Citation: 29 CFR 541

Abstract: These regulations set forth the criteria used in the determination of the application of the Fair Labor Standards Act exemption for "executive," "administrative," "professional" and "outside sales employees" from the minimum wage and overtime requirements of the Act. The existing regulation was targeted for review by the President's Task Force on Regulatory Relief. A final rule increasing the salary test criteria was published on 01/13/81 (46 FR 12206) and was scheduled to become effective on 02/13/81. On 02/12/81 (41 FR 11912) an indefinite stay of the final rule was published. On 03/27/81 (46 FR 18998) a proposal to suspend the final rule indefinitely was published with comments due by 04/28/81.

Timetable:

Action	Date	FR Cite
Indefinite stay of Final Rule	02/12/81	46 FR 11972
Propsl to suspend Rule indefinitely	03/27/81	46 FR 18998
Comments due on Suspension Proposal	04/28/81	
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA14

14. GENERAL REGULATIONS UNDER THE WALSH-HEALEY PUBLIC CONTRACTS ACT

Legal Authority: 41 USC 38; 41 USC 40

CFR Citation: 41 CFR 50-201.101(a)(2)(xi)

Abstract: This proposed rule would amend the Walsh-Healey Public Contracts Act regulations to provide an alternative regular dealer definition applicable to dealers in specialty advertising products who bid on contracts subject to the Act. Current regulations provide, in part, that the stock maintained by a regular dealer must be "a true inventory from which sales are made." The proposed rule would modify this requirement with respect to regular dealers in specialty advertising products to conform with the practice in that industry of maintaining minimal inventories. The proposed definition would relieve potential contractors in this industry from having to maintain stock in a manner which is inconsistent with industry practice, alleviate Federal procurement problems resulting from a lack of qualified bidders, as well as encourage more competition in this area. On 05/30/84, a notice of proposed rulemaking, allowing 30 days for public comment, was published in the Federal Register (49 FR 22502).

Timetable:

Action	Date	FR Cite
NPRM	05/30/84	49 FR 22502
NPRM Comment Period Begin	05/30/84	49 FR 22502
NPRM Comment Period End	06/29/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA26

15. EMPLOYMENT OF HOMEWORKERS IN CERTAIN INDUSTRIES

Priority: Agency Determination

Legal Authority: 29 USC 211

CFR Citation: 29 CFR 530

Abstract: This regulation sets forth restrictions on industrial homework and governs the issuance of certificates authorizing the employment of homeworkers in certain industries, pursuant to Section 11 (d) of the Fair Labor Standards Act (FLSA). As originally issued, these regulations restricted the employment of industrial homework in seven industries: knitted outerwear; women's apparel; jewelry; buttons and buckles; gloves and mittens; handkerchiefs; and embroideries. On March 27, 1984, the Department issued (49 FR 11792) a 120 day emergency temporary suspension on the ban on homework in the knitted outerwear industry. The ban had been removed by the Department on November 9, 1981 following extensive hearings and public comment. This action was subsequently upheld by the District Court for the District of Columbia. However, on appeal the ban was reimposed on February 29, 1984 by a mandate of the U.S. Court of Appeals for the District of Columbia Circuit. On 05/08/84, the District Court ruled that the Department's emergency rule was invalid and ordered the Department to rescind the rule. On 05/24/84, the Department rescinded the emergency rule, and (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/27/84	49 FR 11786
NPRM Comment Period Begin	03/27/84	49 FR 11786
Emergency Temporary Rule Suspending homework ban for knitted outerwear	03/27/84	49 FR 11792
NPRM Comment Period End	04/26/84	
Extension of Comment Period	04/26/84	49 FR 17974
Rescission of Emergency Rule	05/24/84	49 FR 22036
Reopening of Comment Period	06/22/84	49 FR 25641
Final Action Effective	11/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: reinstated the ban on homework in the knitted outerwear industry (49 FR 22036). On 03/27/84 the Department also published a proposed rule rescinding the ban on homework in the knitted outerwear industry. In addition to soliciting comments on the proposed rescission, the Department sought comments on alternatives to such action (49 FR 11786). The period for public comment on the proposed rule was extended from 30 to 45 days (49 FR 17974). On 06/22/84, the Department reopened the comment period for 15 days in order to invite additional comments on alternatives to a total rescission of the ban on homework in the knitted outerwear industry, particularly on the alternative of licensing or registering of employers of homeworkers in that industry (49 FR 25641).

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA27

DEPARTMENT OF LABOR (DOL)

Employment Standards Administration (ESA)

Existing Regulations Under Review

16. BLACK LUNG BENEFITS. REQUIREMENTS FOR COAL MINE OPERATORS INSURANCE (ESA/OWCP)

Legal Authority: 30 USC 901 et seq

CFR Citation: 20 CFR 726

Abstract: These rules would govern the manner by which a coal mine operator fulfills its insurance obligations under the Black Lung Benefits Act, either by qualification as a self-insurer or by contracting with a commercial insurance company. Revision of Part 726 is necessary as a result of enactment of amendments to the Act in 1978 and 1981.

Timetable:

Action	Date	FR Cite
End Review	01/31/85	

Small Entity: Undetermined

Agency Contact: James DeMarce, Associate Director, Department of Labor, Employment Standards Administration, Rm C3520, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-6692**

RIN: 1215-AA16

17. LONGSHOREMEN'S ACT: SECOND INJURY RELIEF; ANNUAL ASSESSMENTS (ESA/OWCP)

Legal Authority: 33 USC 901 et seq

CFR Citation: 20 CFR 702

Abstract: Revisions and additions are being considered to reflect and codify the Department's policies and procedures for handling second injury relief cases and to modify the procedures pertaining to the annual assessment of insurance carriers and self-insurers. Action is now being deferred in light of Congressional action on amendments to the Act; however, these amendments will require regulatory revisions.

Timetable:

Action	Date	FR Cite
NPRM	01/27/81	46 FR 8890
NPRM Comment Period Begin	01/27/81	46 FR 8890
NPRM Comment Period End	03/30/81	
End Review	00/00/00	

Small Entity: No

Agency Contact: Neil Montone, Associate Director, Department of Labor, Employment Standards Administration, Rm C4315, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8572**

RIN: 1215-AA18

18. CHILD LABOR REGULATIONS SUBPART E, OCCUPATIONS PARTICULARLY HAZARDOUS FOR THE EMPLOYMENT OF MINORS 16 AND 17 YEARS OF AGE INVOLVING THE OPERATION OF BAKERY MACHINES (ESA/W-H)

Legal Authority: 29 USC 203

CFR Citation: 29 CFR 570.62

Abstract: ESA is conducting an in-depth review of Hazardous Occupations Order No. 11 which prohibits the employment of minors 16 and 17 years of age in certain occupations involved in the operation of power-driven bakery machines. This review is being conducted to determine the changes, if any, necessary to reflect technological advancement and to clarify the application of existing prohibitions.

Timetable:

Action	Date	FR Cite
End Review	06/00/85	

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA20

19. CHILD LABOR REGULATIONS SUBPART E, OCCUPATIONS PARTICULARLY HAZARDOUS FOR THE EMPLOYMENT OF MINORS 16 AND 17 YEARS OF AGE INVOLVING SLAUGHTERING AND RELATED OCCUPATIONS (ESA/WH)

Priority: Task Force

Legal Authority: 29 USC 203

CFR Citation: 29 CFR 570.61

Abstract: This Order prohibits the employment of minors 16 and 17 years of age in occupations involving slaughtering, meat packing or processing, or rendering. A review of this order is being conducted to determine possible changes to clarify its scope and to update it in light of various technological changes which have occurred in the affected occupations since it was adopted. The existing regulation was targeted for review by the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
End Review	06/00/85	

Small Entity: Yes

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA21

20. RECORDS TO BE KEPT BY EMPLOYERS (ESA/W-H)

Legal Authority: 29 USC 211(c)

CFR Citation: 29 CFR 516

Abstract: Revision of this regulation is being considered to reflect the repeal or modification of certain minimum wage and overtime exemptions by the 1974 and 1977 amendments to the Fair Labor Standards Act.

Timetable:

Action	Date	FR Cite
End Review	12/31/84	

Small Entity: No

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA22

21. CHILD LABOR REGULATIONS SUBPART E, OCCUPATIONS PARTICULARLY HAZARDOUS FOR THE EMPLOYMENT OF MINORS 16 AND 17 YEARS OF AGE INVOLVING MOTOR VEHICLE DRIVERS AND HELPERS (ESA/W-H)

Legal Authority: 29 USC 203

CFR Citation: 29 CFR 570.52

Abstract: Hazardous Occupations Order No. 2 prohibits the employment of minors 16 and 17 years of age in certain occupations involving motor vehicle driving and helpers outside the cab of a vehicle transporting goods. The Order is being reviewed for possible revision.

Timetable:

Action	Date	FR Cite
End Review	06/00/85	

Small Entity: Undetermined

Agency Contact: Dorothy P. Come, Assistant Administrator, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8333**

RIN: 1215-AA23

DEPARTMENT OF LABOR (DOL)

Employment Standards Administration (ESA)

Completed Actions

COMPLETED RULEMAKINGS

22. JOB TRAINING PARTNERSHIP ACT (JTPA)

Priority: Agency Determination

Legal Authority: 29 USC 1781

CFR Citation: 41 CFR 60

Abstract: These regulations will implement Section 481 of the Job Training Partnership Act (JTPA). This section titled, Training to Fulfill Affirmative Action, provides that contractors subject to the affirmative action obligations of the Executive Order may establish or participate in JTPA training programs which are designed to assist such contractors in meeting their affirmative action obligations. Contractors which have such training programs must continue to meet their affirmative action obligations, but they need only maintain an abbreviated affirmative action program. While the Act encourages contractors to establish or participate in JTPA training programs, it also provides an incentive for them to do so by relieving them of paperwork burdens necessitated by a full affirmative action program.

Timetable:

Action	Date	FR Cite
Merged with RIN 1215-AA01	08/27/84	

Small Entity: Yes

Agency Contact: Irene N. Mee, Acting Director, Div. of Program Policy, Department of Labor, Employment Standards Administration, Rm C3324, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-9426**

RIN: 1215-AA25

23. CLAIMS FOR COMPENSATION UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT, AS AMENDED (ESA/OWCP)

Legal Authority: 5 USC 8101 et seq

CFR Citation: 20 CFR 10.137; 20 CFR 10.400 et seq

Abstract: The Department of Labor published on 10/18/83 proposed amendments to the regulations regarding administration of claims for compensation under the Federal Employees' Compensation Act (FECA) (48 FR 48249). The Department, having considered the comments received from the public, labor unions, and other Federal agencies, published final rules on 05/03/84, effective 07/02/84 (49 FR 18976). The chief objectives of these regulations are to (1) clarify the procedure injured Federal employees and the employing agencies should

follow in seeking and obtaining authorized medical treatment for job-related injuries; (2) specifically define which physicians, hospitals, etc., may be authorized under the FECA to provide and obtain payment from the Government for medical care and services to injured Federal employees; and (3) establish a procedure for excluding physicians, hospitals, etc., from participating in the program and for denying payment to such persons out of the Employees' Compensation Fund.

Timetable:

Action	Date	FR Cite
NPRM	10/18/83	48 FR 48249
NPRM Comment Period Begin	10/18/83	48 FR 48249
NPRM Comment Period End	12/01/83	
Final Action	05/03/84	49 FR 18976
Final Action Effective	07/02/84	49 FR 18976

Small Entity: Yes

Agency Contact: Thomas M. Markey, Deputy Associate Director, Department of Labor, Employment Standards Administration, Rm S3229, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7552

RIN: 1215-AA28

24. RULES OF PRACTICE FOR ADMINISTRATIVE PROCEEDINGS: DAVIS-BACON, SERVICE CONTRACT ACTS (ESA/W-H)

Priority: Agency Determination

Legal Authority: 40 USC 276a to 276a-7; 40 USC 327 to 332; 41 USC 353; 41 USC 354; 40 USC 276c; 5 USC Appendix Reorg Plan 14 of 1950

CFR Citation: 29 CFR 6

Abstract: The revisions to this part are intended to provide administrative hearings in enforcement cases and substantial interest proceedings involving the Davis-Bacon Act, the Service Contract Act and the Contract Work Hours and Safety Standards Act, and substantial variance and arms-length hearings under the Service Contract Act. These revisions are designed to make such proceedings as uniform as possible. A proposal was published on 04/22/80. Final regulations were published on 01/16/81 (46 FR 4398), to take effect on 02/17/81. However, in response to the 01/81 Presidential memorandum, the Department deferred the effective date of these regulations until 08/14/81. On 08/14/81 (46 FR 41428), a proposed regulation was published with comments due by 10/13/81. In the same publication, the effective date of the 01/16/81 rule was deferred until action was taken on the proposal of 08/14/81. Final action on Davis-Bacon and Contract Work Hours and Safety Standards Act proceedings was published as Subpart B on 07/01/83 (48 FR 30602), to be effective 06/28/83, concurrent with the substantive provisions of 29 CFR Part 5 (48 FR 19540, 04/29/83). Final action on Service Contract Act (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/22/80	45 FR 27400
Final Action	01/16/81	46 FR 4398
NPRM	08/14/81	46 FR 41428
NPRM Comment Period Begin	08/14/81	46 FR 41428
NPRM Comment Period End	10/13/81	
Final Action Effective Davis-Bacon proceedings 29 CFR 6, Subpart B	06/28/83	48 FR 30602
Final Action Davis-Bacon proceedings 29 CFR 6, Subpart B	07/01/83	48 FR 30602
Final Action	03/21/84	49 FR 10626
Final Action Service Contract Act Provisions	03/21/84	
Final Action Effective	03/21/84	49 FR 10626

Small Entity: No

Additional Information: ABSTRACT CONT: proceedings was published and became effective on 03/21/84 (49 FR 10626). This document contains the final text of procedural regulations under the Davis-Bacon and Service Contract Acts.

Agency Contact: Gail Coleman, Counsel for Trial Litigation, Department of Labor, Office of the Secretary, Rm N2716, FPBldg. (Office of Solicitor), 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7626

RIN: 1215-AA11

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Current and Projected Rulemakings

25. ● PIECE RATE ADJUSTMENTS

Legal Authority: 8 USC 1101(a)(15)(H)(ii); 8 USC 214.2(h)(3)(i)

CFR Citation: 20 CFR 655

Abstract: The regulation as proposed retains in place a regulation protecting covered U.S. farmworkers from adverse effect, informs covered U.S. agricultural employers of their duties under the temporary alien labor certification program, and reflects DOL's policy on this subject.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	10/00/84	
Final Action	11/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Agency Contact: Thomas Bruening, Chief, Division of Labor Certification, Department of Labor, Employment and Training Administration, 601 D Street, NW, Room 8122, Patrick Henry Building, Washington, DC 20213, 202 376-6665

RIN: 1205-AA30

26. ● SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Priority: Undetermined

Legal Authority: PL 97-115 Community Service Employment for Older Americans

CFR Citation: 29 CFR 89

Abstract: The regulations will revise and update the existing rules for the Senior Community Service Employment Programs. These changes will not create new cost nor materially change the existing program. However, they will place the program in compliance with the reauthorization of the Older American Act which is expected to be completed by the Congress prior to September 30, 1984.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/84	
ANPRM Comment Period Begin	12/01/84	
ANPRM Comment Period End	01/30/85	
NPRM	03/01/85	
Final Action	07/01/85	
Final Action Effective	07/01/85	

Small Entity: No

Agency Contact: Paul A. Mayrand, Director, Special Targeted Programs, Department of Labor, Employment and Training Administration, 601 D Street, NW, Room 6122, Patrick Henry Building, Washington, DC 20213, 202 376-6225

RIN: 1205-AA29

27. AIRLINE DEREGULATION: EMPLOYEE BENEFIT PROGRAM

Priority: Agency Determination

Legal Authority: 49 USC 1552; PL 95-504

CFR Citation: 20 CFR 638

Abstract: These regulations are being developed to implement the benefit provisions contained in Section 43 of the Airline Deregulation Act. The Act requires the Secretary of Labor to specify the percentage of prior salary which an "eligible protected employee" would receive as a benefit payment under the Act. An eligible protected employee is a person who has had at least 4 years of employment with a certificated air carrier as of October 24, 1978 and who loses his or her job during the ten years following such date in a bankruptcy or major employment contraction if and only if the Civil Aeronautics Board determines that the principal causes of such job loss was deregulation. On May 17, 1984 the U.S. District Court for the District of Columbia held that Section 43 of the Airline Deregulation Act was unconstitutional. Because Section 43 provides statutory authority for these regulations their development has been delayed pending the outcome of this litigation.

Timetable:

Action	Date	FR Cite
NPRM	03/30/79	44 FR 19146
NPRM Comment Period End	04/30/79	
NPRM First right of hire	09/17/82	47 FR 41304
Comments due First right of hire NPRM	10/18/82	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA07

28. LIMITATIONS ON TAX CREDIT REDUCTIONS AND INTEREST ON ADVANCES TO STATES

Legal Authority: PL 97-35, Sec 2406; PL 97-35, Sec 2407; PL 97-35, Sec 2408

CFR Citation: 20 CFR 608

Abstract: The Omnibus Budget Reconciliation Act of 1981 amended the tax credit provisions of FUTA to authorize the placing of a "cap" on reductions in tax credits on a State-by-State basis in certain prescribed circumstances. The amendment requires these determinations to be made in accordance with regulations prescribed by the Secretary of Labor. The same Act also amended Title XII of the Social Security Act to assess interest on advances to States, the payment of which is prohibited from State unemployment funds. The proposal would implement these statutory changes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA14

29. EXTENDED BENEFITS UNDER FEDERAL UNEMPLOYMENT COMPENSATION ACT

Legal Authority: PL 91-573, Title II; PL 96-499; PL 96-364; PL 97-35; PL 98-21

CFR Citation: 20 CFR 615

Abstract: These regulations would be amended to implement various statutory amendments of 1981, 1982, and 1983 to the Federal-State Extended Unemployment Compensation Act of 1970. The regulations would (1) provide for the denial of extended benefits to certain interstate claimants and to individuals who fail to actively engage in seeking work or refuse to accept an offer of suitable work, (2) provide for the purging of certain disqualifications in order to establish eligibility for extended benefits, and (3) establish the method of determining the rate of insured unemployment for extended benefit claims, the State trigger rates and removal of the National trigger.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St., NW, Washington, DC 20213, 202 376-7063

RIN: 1205-AA15

30. TRADE ADJUSTMENT ASSISTANCE: BENEFIT PAYMENTS

Legal Authority: 19 USC 2320

CFR Citation: 20 CFR 635

Abstract: These regulations would implement the 1981 and 1984 amendments to the Trade Act of 1974. The Trade Adjustment Assistance program provides adjustment assistance in the form of reemployment services, training, job search, relocation allowances, and cash benefits (adjustment assistance) to workers whose unemployment is linked to

increased imports of foreign-made products. The amendments represent a fundamental shift in program emphasis from income maintenance to placement and employment services and benefits such as training, job search and relocation. The 1981 amendments are designed to assure that adjustment assistance and reemployment services are more appropriately targeted to trade impacted workers with emphasis placed on their return to work. The 1984 amendments will enable impacted workers to collect 26 weeks of additional IRA while in training beginning with the first week of training if that training has not been approved until after the last week of entitlement to basic IRA. Also, allowances for job search and relocation have been increased. These changes would be published under 20 CFR 635 and such (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/04/83	48 FR 9444
NPRM Comment Period Begin	03/04/83	48 FR 32837
NPRM Comment Period End	07/28/83	
Final Action	05/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: publication would substantially revise and supersede 29 CFR 91.

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D St, NW, Washington, DC 20213, **202 376-7063**

RIN: 1205-AA17

31. UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS

Legal Authority: 5 USC 8508; 5 USC 8521 to 8525

CFR Citation: 20 CFR 614

Abstract: Section 201 of Public Law 97-362 (Miscellaneous Revenue Act of 1982) amends the eligibility requirements for unemployment compensation for ex-servicemembers. Proposed regulations are under development to implement these new requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Gene Biglin, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, Rm 7426, PHBldg., 601 D Street, NW, Washington, DC 20213, **202 376-7063**

RIN: 1205-AA26

32. ● UNEMPLOYMENT INSURANCE QUALITY CONTROL PROGRAM

Priority: Agency Determination

Legal Authority: 42 USC 501 et seq

CFR Citation: Not yet determined

Abstract: The Employment and Training Administration (ETA) is designing a quality control (QC) program for the State Employment Security Agency (SESA) Unemployment Insurance (UI) system. The President's Fiscal Year (FY) 1985 Budget includes provision for a UI QC program. The establishment of a UI QC program is a major initiative of the Secretary of Labor to reduce administrative errors and claimant abuse in the UI system. The ETA is proposing to issue regulations to establish a permanent QC program in the SESA UI system.

Timetable:

Action	Date	FR Cite
NPRM	12/01/84	
Final Action	03/15/85	
Final Action Effective	04/01/85	

Small Entity: No

Agency Contact: Carolyn Golding, Director, Quality Control Program Task Force, Department of Labor, Employment and Training Administration, 601 D Street NW, Rm 7112, Patrick Henry Building, Washington, DC 20213, **202 376-6636**

RIN: 1205-AA28

33. ● WORK INCENTIVE PROGRAM FOR AFDC RECIPIENTS UNDER TITLE IV OF THE SOCIAL SECURITY ACT

Priority: Agency Determination

Legal Authority: PL 98-369 Deficit Reduction Act of 1984, Sec. 2631 & 2634

CFR Citation: 29 CFR 56.20(b); 29 CFR 56.51(b)(1); 45 CFR 224.20(b); 45 CFR 224.51(b)(1)

Abstract: The law which prescribes various exemptions from registration for employment by AFDC applicants and recipients contains no exemption for women in the later stage of pregnancy when they are least employable. The amendment exempts women expecting to give birth in the month of registration or the next 3 months.

The law presently provides that where a child's caretaker is sanctioned for failure to participate in WIN, that person may not continue to receive the child's benefits which must be paid to a protective payee. This has been difficult to implement.

The amendment permits States to continue paying the sanctioned caretaker on behalf of a child but only after they have been unable to locate a suitable replacement and a delay will effect the child adversely.

Both revisions will conserve WIN staff time and program funds.

There is no notice of proposed rulemaking or NPRM comment period. This amendment is a conforming regulation and only paraphrases the statute Congress intended to be effective by October 1, 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/84	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: William J. Kacvinsky, Executive Director, Department of Labor, Employment and Training Administration, National Coordination Comm. Room 8028 PHBldg, 601 D Street, NW, Washington, DC 20213, **202 376-6890**

RIN: 1205-AA27

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Completed Actions

COMPLETED RULEMAKINGS

34. LABOR CERTIFICATION: CANADIAN RAILROAD WORKERS

Legal Authority: 8 USC 1182(a)(14)

CFR Citation: 20 CFR 656.10

Abstract: This proposed rule would add to the Department's list of precertified occupations, Canadian citizens who work for international railroads and who qualify for employment in the U.S. because of seniority rights under a collective bargaining agreement between the employer and an international labor union. The Department is continuing its review of issues involving the proposed regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/16/81	46 FR 3910
NPRM Comment Period End	07/14/81	
Withdrawn	06/07/84	

Small Entity: No

Agency Contact: Richard Gilliland, Director, U.S. Employment Service, Department of Labor, Employment and Training Administration, Rm 8000, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-6289

RIN: 1205-AA01

35. LABOR CERTIFICATION: CONSTRUCTION WORKERS ON GUAM

Legal Authority: 8 USC 1184(c)

CFR Citation: 20 CFR 655.107(c)

Abstract: The Department is assessing the desirability of revising its procedures for determining adverse effect wage rates for Guam or of eliminating the requirement for such rates.

Timetable:

Action	Date	FR Cite
ANPRM	10/16/81	46 FR 50981
ANPRM Comment Period End	12/15/81	
Withdrawn	08/09/84	

Small Entity: No

Agency Contact: Richard Gilliland, Director, U.S. Employment Service, Department of Labor, Employment and Training Administration, Rm 8000, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-6289

RIN: 1205-AA02

36. LABOR CERTIFICATION: APPRENTICE CONSTRUCTION WORKERS ON GUAM

Legal Authority: 8 USC 1184(c)

CFR Citation: 20 CFR 655.107(b)

Abstract: The Department is assessing the desirability of revising its procedures for determining adverse effect wage rates for Guam or of eliminating the requirement for such rates.

Timetable:

Action	Date	FR Cite
NPRM	10/16/81	46 FR 50982
NPRM Comment Period End	12/16/81	
Withdrawn	08/09/84	

Small Entity: No

Agency Contact: Richard Gilliland, Director, U.S. Employment Service, Department of Labor, Employment and Training Administration, Rm 8000, PHBldg., 601 D St, NW, Washington, DC 20213, 202 376-6289

RIN: 1205-AA03

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)

Office of Pension and Welfare Benefits Programs (PWBP)

Current and Projected Rulemakings

37. INDIVIDUAL BENEFIT REPORTING - RECORDKEEPING - MULTIPLE EMPLOYER PLANS

Legal Authority: 29 USC 1025; 29 USC 1059; 29 USC 1135

CFR Citation: 29 CFR 2520; 29 CFR 2530

Abstract: The rule would govern: (1) reports that must be furnished to participants and beneficiaries in multiple employer pension plans, regarding the benefits to which they are entitled, or may become entitled, at retirement; and (2) records that must be maintained to provide the information necessary to prepare these reports. This rule was first proposed on 02/09/79 (44 FR 8294) jointly with the single employer plan benefit reporting regulations.

Timetable:

Action	Date	FR Cite
Previous NPRM	02/09/79	44 FR 8294
NPRM	08/08/80	45 FR 52824
NPRM Comment Period End	10/08/80	
Notice of 11/25/80 Public Hearing	11/12/80	45 FR 74727
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Robert Doyle, Acting Chief, Division of Plan Standards, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8515

RIN: 1210-AA02

38. INDIVIDUAL BENEFIT REPORTING AND RECORDKEEPING FOR SINGLE EMPLOYER PLANS

Legal Authority: 29 USC 1025; 29 USC 1059; 29 USC 1135

CFR Citation: 29 CFR 2520; 29 CFR 2530

Abstract: The rule would govern: (1) reports that must be furnished to participants and beneficiaries in single employer pension plans, regarding the benefits to which they are entitled, or may become entitled, at retirement; and (2) records that must be maintained to provide the information necessary to prepare these reports. This rule was first proposed on 02/09/79 (44 FR 8294) jointly with the multiple employer plan benefit reporting regulation.

Timetable:

Action	Date	FR Cite
Previous NPRM	02/09/79	44 FR 8294
NPRM	08/01/80	45 FR 51231
Notice of 11/25/80 Public Hearing	11/12/80	45 FR 74728
NPRM Comment Period End	10/01/81	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Robert Doyle, Acting Chief, Division of Plan Standards, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700 FPBldg., 200 Constitution Ave. NW, Washington, DC 20210, **202 523-8515**

RIN: 1210-AA03

39. PLAN ASSETS REGULATION

Priority: Task Force

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: The remaining part of this regulation would clarify what investments constitute assets of an employee benefit plan under ERISA. The regulation had been targeted for review by the President's Task Force on Regulatory Relief. A final rule dealing with the housing portion of the regulation was published on 05/18/82 (47 FR 21241) and became effective on 06/17/82. The publication date of the final regulation dealing with the remaining issues is under consideration.

Timetable:

Action	Date	FR Cite
Previous NPRM	08/28/79	44 FR 50363
Previous NPRM	06/01/80	45 FR 38084
NPRM	10/00/84	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: William A. Schmidt, Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm C4508, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-9592**

RIN: 1210-AA06

40. PARTICIPANT DIRECTED INDIVIDUAL ACCOUNT PLANS

Legal Authority: 29 USC 1104(c); 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: The regulation would describe the kinds of plans referred to in Section 404(c) as participant directed individual account plans, the circumstances under which a participant or beneficiary will be considered to have exercised control over his individual account, and the consequences under section 404(c) of such an exercise of control.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: Charmaine B. Gordon, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm C4508, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, **202 523-9593**

RIN: 1210-AA08

41. LOANS TO PARTICIPANTS

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: This rule describes the circumstances under which the exemption in section 408(b)(1) from the prohibited transaction provisions for loans by a plan to plan participants will be available.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: William Flanagan, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm C4508, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, **202 523-8610**

RIN: 1210-AA09

42. ● PROPOSED EXEMPTION AND ALTERNATIVE METHOD OF COMPLIANCE FOR ANNUAL REPORTING OF CERTAIN INVESTMENTS

Priority: Agency Determination

Legal Authority: 29 USC 1024; 29 USC 1030; 29 USC 1135

CFR Citation: 29 CFR 2520

Abstract: ERISA and the regulations issued thereunder, require the administrator of an employee benefit plan, unless otherwise exempt, to file annual reports relating to the financial status and activities of the plan. Among other things, the annual report is required to include statements and schedules concerning the assets of the plan and transactions involving those assets. This regulation will provide an alternative method of compliance with the annual reporting requirements for certain employee benefit plans which invest in entities, the underlying assets of which constitute plan assets under the Department's "Plan Assets" regulation.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: George Holmes, Plan Benefit Specialist, Department of Labor, Office of Pension and Welfare Benefits Programs, 200 Constitution Ave., NW, Room N-4472 FP Bldg, Washington, DC 20210, **202 523-8515**

RIN: 1210-AA14

43. ● ADEQUATE CONSIDERATION

Legal Authority: 29 USC 1003(18); 29 USC 1135

CFR Citation: 29 CFR 2510

Abstract: This regulation would provide guidance as to what constitutes adequate consideration under section 3(18) of ERISA for securities for which there is no generally recognized market.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: Charmaine Gordon, Staff Attorney, Department of Labor, Office of Pension and Welfare Benefits Programs, 200 Constitution Ave., NW, Room C-4508 FP Bldg, Washington, DC 20210, **202 523-9593**

RIN: 1210-AA15

44. ● DEFINITION OF PLAN ASSETS -- EMPLOYEE CONTRIBUTIONS

Priority: Agency Determination

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2550

Abstract: This regulation would describe when monies paid to, or

withheld by, an employer as contributions to an employee benefit plan are considered "Plan Assets" for purposes of Title I of ERISA and certain related provisions of the Internal Revenue Code. Proposed regulations dealing with this matter were published by the Department on August 28, 1979, and June 6, 1980.

Timetable:

Action	Date	FR Cite
NPRM	08/28/79	44 FR 50363
NPRM Comment Period Begin	12/18/79	
NPRM Comment Period End	01/07/80	
Public Hearings	02/27/80	
NPRM	06/06/80	45 FR 38084
Final Action	02/00/85	

Small Entity: No

Additional Information: Subpart of RIN 1210-AA06 (Definition of Plan Assets and Establishment of Trust) which will be handled separately.

Agency Contact: **Rudolph Niussl**, Plan Benefit Specialist, Department of Labor, Office of Pension and Welfare Benefits Programs, 200 Constitution Ave., NW, Room C-4508 FP Bldg, Washington, DC 20210, **202 523-8671**

RIN: 1210-AA16

DEPARTMENT OF LABOR (DOL)

Office of Pension and Welfare Benefits Programs (PWBP)

Completed Actions

COMPLETED RULEMAKINGS

45. ALTERNATE FORMAT OF THE UPDATED SUMMARY PLAN DESCRIPTION

Legal Authority: 29 USC 1024; 29 USC 1030; 29 USC 1135

CFR Citation: 29 CFR 2520.104b.2

Abstract: The Employee Retirement Income Security Act of 1974 (ERISA) requires that every plan administrator provide plan participants and beneficiaries and the Department of Labor with a summary of plan provisions, known as the summary plan description (SPD). This regulation would provide an alternative with respect to the form the updated SPD may take and how it may be distributed.

Timetable:

Action	Date	FR Cite
NPRM	04/26/83	48 FR 18838
NPRM Comment Period Begin	04/26/83	
NPRM Comment Period End	06/27/83	
Withdrawn	07/09/84	49 FR 27954

Small Entity: Yes

Additional Information: On July 9, 1984 (49 FR 27954), the Department withdrew a proposed rule under ERISA which would have provided a plan administrator with an alternative means of complying with the statutory requirement to furnish an updated summary plan description to participants and beneficiaries at five year intervals for those plans which have adopted amendments during the five year period.

Agency Contact: **Robert Doyle**, Acting Chief, Division of Plan Standards, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8515**

RIN: 1210-AA05

46. DISTRIBUTION OF SUMMARY ANNUAL REPORTS

Legal Authority: 29 USC 1024; 29 USC 1029; 29 USC 1030; 29 USC 1135

CFR Citation: 29 CFR 2520

Abstract: In regulations published in the Federal Register on July 23, 1982, plans were allowed to meet the distribution requirement for current employees by posting a copy of Form 5500-R (annual report) or a notice of its availability in years when the Form 5500-R was used as the annual report. This project would look at whether distribution to current employees by posting of the SAR or a notice of its availability should be allowed in all years and for all plans (not just small plans in years when the Form 5500-R is filed).

Timetable:

Action	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: Undetermined

Agency Contact: **Joseph L. Roberts III**, Plan Benefit Specialist, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8685**

RIN: 1210-AA10

47. SUMMARY PLAN DESCRIPTION FILING

Legal Authority: 29 USC 1030; 29 USC 1135

CFR Citation: 29 CFR 2520

Abstract: In addition to distributing Summary Plan Descriptions (SPDs) and material modification to participants and beneficiaries, pension plans and certain welfare plans must file these documents with the Department. This regulation would provide an alternative means of meeting the filing requirement.

Timetable:

Action	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: Yes

Agency Contact: **Robert Doyle**, Acting Chief, Div. of Plan Standards, Department of Labor, Office of Pension and Welfare Benefits Programs, Rm N4700, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8515**

RIN: 1210-AA13

[FR Doc. 84-24904 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)

Current and Projected Rulemakings

Bureau of Labor Management Relations and Cooperative Programs (LMRCP)

48. AIRLINE DEREGULATION: FIRST RIGHT OF HIRE

Priority: Agency Determination

Legal Authority: 49 USC 1552; PL 95-504

CFR Citation: 29 CFR 220

Abstract: These regulations will implement the first right of hire provisions of the Airline Deregulation Act of 1978. Under the language of the Act relating to this duty to hire, each protected employee who is "furloughed or otherwise terminated" (except for cause) from his or her employment by a certificated air carrier between the date the Act was passed and October 24, 1988 "shall have first right of hire, regardless of age, in his occupational specialty" by any covered carrier hiring "additional employees," with the sole exception that covered carriers are entitled to recall furloughed employees before hiring a protected individual. A notice of rulemaking was published on November 22, 1983.

Timetable:

Action	Date	FR Cite
NPRM	03/30/79	44 FR 19146
NPRM Comment Period End	04/30/79	
NPRM First right of hire	09/17/82	47 FR 41304
Comments due First right of hire NPRM	10/18/82	
Congressional Committees' Review	11/09/83	
Final Action	11/22/83	48 FR 52854
Final Action effective date stayed pending District Court ruling 05/21/84 (49 FR 21499)	00/00/00	

Small Entity: No

Agency Contact: Ron Glass, Chief, Division of Employee Protections, Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5639, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-6495

RIN: 1214-AA00

49. ADMINISTRATION OF LABOR PROTECTION PROVISIONS AFFECTING MASS TRANSIT EMPLOYEES UNDER 13(C) OF THE URBAN MASS TRANSPORTATION ACT

Priority: Undetermined

Legal Authority: 49 USC 1609

CFR Citation: 29 CFR 215

Abstract: This proposal would revise the Department's current guidelines concerning administrative procedures in processing applications for mass transit assistance under the Urban Mass Transportation Act of 1964, as amended, and the criteria followed by the Secretary of Labor when certifying "fair and equitable" employee arrangements under section 13(c) of the Act.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Ron Glass, Chief, Division of Employee Protections, Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5639, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-6495

RIN: 1214-AA01

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)

Current and Projected Rulemakings

Office of Labor Management Standards (OLMS)

50. LABOR ORGANIZATION ANNUAL REPORT

Legal Authority: 29 USC 431; 29 USC 438; 29 USC 461

CFR Citation: 29 CFR 403.3; 29 CFR 403.4

Abstract: 29 USC 431 requires labor organizations to file annual financial reports with DOL. OLMS plans to revise Labor Organization Annual Report Form LM-2 which was developed for obtaining this required reporting. The planned changes would clarify the instructions for completing the report, improve disclosure to union members and assist the Department in detecting violations of the LMRDA.

Timetable:

Action	Date	FR Cite
NPRM	05/30/85	

Small Entity: No

Agency Contact: Kay Oshel, Chief, Division of Interpretations & Stds, Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5109, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7373

RIN: 1294-AA00

DEPARTMENT OF LABOR (DOL)

Existing Regulations Under Review

Office of Labor Management Standards (OLMS)

51. ELECTION ENFORCEMENT PROVISIONS OF THE LMRDA

Legal Authority: 29 USC 481; 29 USC 482

CFR Citation: 29 CFR 452, Subpart J

Abstract: This rule, if promulgated, would revise and update the existing enforcement provisions of the interpretative bulletin on elections of union officers subject to the LMRDA. A notice of proposed rulemaking was published on 10/03/80 (45 FR 65925) with comments due by 12/17/80. No further action has been taken. The proposed rulemaking may be reconsidered during 1985.

DOL—OLMS **Existing Regulations Under Review**

Timetable:

Action	Date	FR Cite
NPRM	10/03/80	45 FR 65925
NPRM Comment Period End	12/17/80	
Proposed Rulemaking reconsidered	12/00/83	
End Review	00/00/00	

Small Entity: No

Agency Contact: Kay Oshel, Chief, Division of Interpretation & Stds., Department of Labor, Bureau of Labor Management Relations and Cooperative Programs, Rm N5109, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, **202 523-7373**

RIN: 1294-AA01

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)
Mine Safety and Health Administration (MSHA)

Current and Projected Rulemakings

52. ALTERNATE PROGRAM FOR EQUIPMENT APPROVALS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 37

Abstract: This would be a new Part. The proposal would provide an alternate program for the approval of certain equipment used in underground mines. MSHA is reviewing the comments received on the preproposal draft and studying alternative approaches to the certification process.

Timetable:

Action	Date	FR Cite
ANPRM	03/04/83	48 FR 09475
Notice of Public Meetings	03/18/83	48 FR 11665
ANPRM Comment Period End	05/03/83	

Next Action Undetermined

Small Entity: Yes

Additional Information: On 03/04/83 MSHA published a notice in the Federal Register announcing the availability of a preproposal draft for Part 37. Public meetings were held in April 1983 and the comment period closed on 05/03/83.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA06

53. REVIEW OF SELF-CONTAINED SELF RESCUE DEVICES (SCSR) STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1714

Abstract: The Self-Contained Self Rescue Devices (SCSR) Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	07/01/83	48 FR 30589
ANPRM Comment Period Begin	07/01/83	
ANPRM Comment Period End	08/30/83	
NPRM	02/00/85	

Small Entity: Yes

Additional Information: Public conferences were held during August 1983. The proposed rule is expected to be published in February 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA08

54. REVIEW OF HOISTING AND TRANSPORTATION OF PERSONS AND MATERIAL STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1400

Abstract: The hoisting and transportation standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	07/01/83	48 FR 30589
ANPRM Comment Period Begin	07/01/83	
ANPRM Comment Period End	08/30/83	
NPRM	02/00/85	

Small Entity: Yes

Additional Information: Public conferences were held during August 1983. The proposed rule is expected to be published in February 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA12

55. SAFETY STANDARDS FOR UNDERGROUND COAL MINES; ROOF, FACE AND RIB SUPPORT

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.200

Abstract: The Roof Control Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	09/02/83	48 FR 40165
ANPRM Comment Period Begin	09/02/83	48 FR 40165
ANPRM Comment Period End	11/18/83	
NPRM	12/00/84	
Final Action	12/00/84	

Small Entity: Yes

Additional Information: The ANPRM was published September 2, 1983 (48 FR 40165). This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables. Public conferences were held October 25 and 27, 1983. The proposed rule is expected to be published in December 1984.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA13

56. REVIEW OF METAL AND NONMETAL ELECTRICITY STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.12; 30 CFR 56.12; 30 CFR 57.12

Abstract: The electricity standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/83	45 FR 19267
ANPRM	05/20/83	48 FR 22895
ANPRM Comment Period Begin	05/20/83	
ANPRM Comment Period End	07/19/83	
Final Action	02/00/85	
NPRM	03/00/85	

Small Entity: Yes

Additional Information: The proposed rule is expected to be published during March 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA14

57. REVIEW OF METAL AND NONMETAL GASSY MINE STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 57.21

Abstract: The Gassy Mine Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/83	45 FR 19267
ANPRM	06/10/83	48 FR 27025
ANPRM Comment Period Begin	06/10/83	
ANPRM Comment Period End	08/09/83	
Extension of Comment Period to 09/09/83	08/12/83	48 FR 36789
NPRM	10/00/84	

Small Entity: Yes

Additional Information: The proposed rule is expected to be published in October 1984. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA15

58. SAFETY STANDARDS FOR UNDERGROUND COAL MINES; EXPLOSIVES AND BLASTING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1300

Abstract: The Explosives Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	05/08/84	49 FR 19601
ANPRM Comment Period Begin	05/08/84	49 FR 19601
ANPRM Comment Period End	07/20/84	
NPRM	03/00/85	

Small Entity: Yes

Additional Information: The ANPRM was published on May 8, 1984. Public Conferences were held in June 1984. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards Applicable to Coal) and has been separately identified in order to more easily distinguish timetables. See also RIN 1219-AA23 for detailed requirements and timetables of

Approval Schedules. The proposed rule is expected in March 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA16

59. REVIEW OF METAL AND NONMETAL EXPLOSIVES STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.6; 30 CFR 56.6; 30 CFR 57.6

Abstract: The explosives standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	08/20/84	49 FR 33087
ANPRM Comment Period Begin	08/20/84	
ANPRM Comment Period End	10/19/84	
Extension of ANPRM Comment Period to	11/16/84	49 FR 37640
NPRM	05/00/85	

Small Entity: Yes

Additional Information: The ANPRM was published August 20, 1984 (49 FR 33087). This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. A proposed rule is expected to be published 05/85.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA17

60. REVIEW OF METAL AND NONMETAL LOADING, HAULING, AND DUMPING STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.9; 30 CFR 56.9; 30 CFR 57.9

Abstract: The Loading, Hauling and Dumping Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	04/22/83	48 FR 17513
ANPRM Comment Period Begin	04/22/83	
ANPRM Comment Period End	06/21/83	
NPRM	10/00/84	

Small Entity: Yes

Additional Information: The proposed rule is expected to be published during September 1984. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA18

61. SAFETY STANDARDS FOR MACHINERY AND EQUIPMENT AT METAL AND NONMETAL MINES

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.14; 30 CFR 56.14; 30 CFR 57.14

Abstract: The Machinery and Equipment Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	02/11/83	48 FR 6489
ANPRM Comment Period Begin	02/11/83	
ANPRM Comment Period End	04/15/83	
NPRM	03/06/84	49 FR 8375
NPRM Comment Period Begin	03/06/84	49 FR 8375
NPRM Comment Period End	05/07/84	
Notice of Public Hearings	05/21/84	
Final Action	03/00/85	

Small Entity: Yes

Additional Information: The proposed rule was published March 6, 1984. Public hearings were held in June 1984. The final rule is expected in March 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA19

62. REVIEW OF METAL AND NONMETAL FIRE PREVENTION AND CONTROL STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.4; 30 CFR 56.4; 30 CFR 57.4

Abstract: The Fire Prevention and Control Standards are Part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	12/28/82	47 FR 10593
ANPRM Comment Period Begin	12/28/82	
ANPRM Comment Period End	02/28/83	
NPRM	10/04/83	48 FR 45336
NPRM Comment Period Begin	10/04/83	
NPRM Comment Period End	12/05/83	
Notice of Public Hearings	12/30/83	48 FR 57702
Final Action	11/00/84	

Small Entity: Yes

Additional Information: The proposed rule was published October 4, 1983 (48 FR 57702). This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. Public hearings were held in February 1984. A final rule is expected during November 1984.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA20

63. REVIEW OF METAL AND NONMETAL AIR QUALITY STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.5; 30 CFR 56.5; 30 CFR 57.5

Abstract: The Air Quality Standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	07/06/83	48 FR 31171
ANPRM Comment Period Begin	07/06/83	
Extension of Comment Period to 10/06/83.	08/12/83	48 FR 36789
Extension of Comment Period to 11/07/83.	09/16/83	48 FR 41747
ANPRM Comment Period End	11/07/83	
NPRM	02/00/85	

Small Entity: Yes

Additional Information: The proposed rule is expected to be published in February 1985. This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA21

64. REVIEW OF METAL & NONMETAL GROUND CONTROL STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.3; 30 CFR 56.3; 30 CFR 57.3

Abstract: The Ground Control standards are part of the overall metal and nonmetal review of high priority sections. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	03/11/83	48 FR 10593
ANPRM Comment Period Begin	03/11/83	
ANPRM Comment Period End	05/11/83	
NPRM	03/06/84	49 FR 8368
NPRM Comment Period Begin	03/06/84	49 FR 8368
NPRM Comment Period End	05/07/84	
Notice of Public Hearings	05/21/84	
Final Action	03/00/85	

Small Entity: Yes

Additional Information: This entry is part of RIN 1219-AA00 (Review of Metal and Nonmetal Standards) and has been separately identified in order to more easily distinguish timetables. The proposed rule was published on March 6, 1984. Public hearings were held in June 1984. The final rule is expected in March 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA22

65. REQUIREMENTS OF APPROVAL OF EXPLOSIVES AND SHEATHED EXPLOSIVE UNITS, WATER STEMMING BAGS, ELECTRIC DETONATORS AND BLASTING UNITS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 15; 30 CFR 16; 30 CFR 17; 30 CFR 25

Abstract: The explosives approval schedules are part of the overall coal review of high priority standards. The schedules in 30 CFR Parts 15, 16, 17, and 25 list requirements for approval of explosives, water stemming bags, electrical detonators, and blasting units, respectively.

Timetable:

Action	Date	FR Cite
ANPRM	06/05/84	49 FR 23281
ANPRM Comment Period Begin	06/05/84	
ANPRM Comment Period End	08/10/84	
NPRM	03/00/85	

Small Entity: Yes

Additional Information: The ANPRM was published on June 5, 1984 and a public conference was held in Pittsburgh, PA on 7/11/84. The NPRM is expected in March 1985. This entry is part of RIN 1219-AA16 (Review of

Explosives Standards Applicable to Coal Mining); however, it has been listed separately to more easily identify requirements and timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm. 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA23

DEPARTMENT OF LABOR (DOL)

Mine Safety and Health Administration (MSHA)

Existing Regulations Under Review

66. REVIEW OF METAL AND NONMETAL STANDARDS

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55; 30 CFR 56; 30 CFR 57

Abstract: These standards would be revised to : (1) eliminate unnecessary standards; (2) clarify and update existing standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry. Originally the ANPRM comment period ended 05/27/80, but on 06/06/80 (45 FR 38087), comments were extended to 08/05/80. NPRM of 11/20/81 announced MSHA's initial priorities for its comprehensive standards review and its intent to hold informal public conferences.

Timetable:

Action	Date	FR Cite
ANPRM	03/25/80	45 FR 19267
ANPRM Comment Period End	08/05/80	
Additional ANPRM	11/20/81	46 FR 57253
Comment Period extended to 06/30/82	05/28/82	
Public Conferences, April & May 82	05/00/82	47 FR 10190
Post Conference comments due	06/04/82	47 FR 23484
End Review	00/00/00	

Small Entity: Yes

Additional Information: Each high priority section is listed separately in this document.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA00

67. REVIEW OF SAFETY AND HEALTH STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 70; 30 CFR 71; 30 CFR 75; 30 CFR 77

Abstract: MSHA plans to review these standards to: (1) clarify and update existing standards; (2) eliminate unnecessary standards; (3) reduce recordkeeping burdens on the industry; and (4) incorporate technological advances. MSHA has initiated a review of all safety standards for underground coal mines. As part of this review, MSHA is specifically suggesting for regulatory changes to roof support, explosives, and the ventilation requirements in sec 75.316.

Timetable:

Action	Date	FR Cite
ANPRM	07/09/82	47 FR 30025
Comment Period extended to 11/15/82	08/27/82	47 FR 38097
ANPRM Comment Period End	11/15/82	
End Review	00/00/00	

Small Entity: Yes

Additional Information: Each high priority section is listed separately in this document.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA01

68. MINER PARTICIPATION IN THE RESPIRABLE DUST SAMPLING PROGRAM

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 70; 30 CFR 71; 30 CFR 90

Abstract: This proposal would amend MSHA's coal mine respirable dust regulations to permit miners' representatives to participate in the dust sampling process for underground and surface miners and for miners who have evidence of pneumoconiosis. Since the proposal, MSHA has revised all of its coal mine respirable dust sampling procedures to simplify and improve the dust sampling process. MSHA will evaluate all of the comments and testimony on the proposal within the context of the new dust program to determine appropriate regulatory action. At this time, MSHA does not anticipate further rulemaking action during 1984.

Timetable:

Action	Date	FR Cite
NPRM	04/08/80	45 FR 24008
NPRM Comment Period End	06/02/80	
Further Rulemaking Action	01/00/85	
End Review	01/00/85	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA02

69. PATTERN OF VIOLATIONS

Legal Authority: 30 USC 814(e); 30 USC 957

CFR Citation: 30 CFR 104

Abstract: The Mine Act provides for closure under certain conditions, of mines having a pattern of serious violations until the mine is completely free of such violations. The proposed regulation would set forth criteria for determining if a "pattern of violations" exists. Since the proposal was published, the statutory concept of "significant and substantial violations" (S&S) has been redefined by the Federal Mine Safety and Health Review Commission. Because the definition of these violations is a critical element in this rulemaking, MSHA is re-evaluating its current policy on S&S violations to determine an appropriate course of regulatory action.

Timetable:

Action	Date	FR Cite
NPRM	08/15/80	45 FR 54656
NPRM Comment Period End	10/14/80	
End Review	00/00/00	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA04

70. CONSTRUCTION WORK AT SURFACE AREAS OF MINES: SAFETY, HEALTH STANDARDS

Legal Authority: 30 USC 811(a)(8)

CFR Citation: 30 CFR 110

Abstract: This rule would set forth minimum safety and health requirements for construction workers at surface areas of mines. Since the ANPRM, rulemaking has subsequently been affected by legislative actions which limit MSHA's jurisdiction over certain construction activities at surface mines. In addition, several legislative proposals have been introduced which would permanently affect MSHA's jurisdiction over these activities. MSHA has decided to defer further rulemaking until a more definitive position has been reached with respect to MSHA's jurisdiction over surface construction.

Timetable:

Action	Date	FR Cite
ANPRM	09/07/79	44 FR 52258
ANPRM Comment Period End	10/22/79	
End Review	00/00/00	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA05

71. REVIEW OF CABS OR CANOPIES STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1710

Abstract: The Cabs or Canopies Standards are part of the overall coal review of standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	06/00/85	
End Review	06/00/85	

Small Entity: Yes

Additional Information: An ANPRM is expected to be published in June 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA. 22203, **703 235-1910**

RIN: 1219-AA09

72. REVIEW OF ELECTRICAL STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.500; 30 CFR 75.600; 30 CFR 75.700; 30 CFR 75.800; 30 CFR 75.900; 30 CFR 75.1000

Abstract: The Electrical Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update existing Standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
End Review	12/00/84	
ANPRM	03/00/85	

Small Entity: Yes

Additional Information: The ANPRM is expected to be published in March 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA10

73. REVIEW OF VENTILATION STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.300

Abstract: The Ventilation Standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2)

clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
End Review	12/00/84	
ANPRM	02/00/85	

Small Entity: Yes

Additional Information: The ANPRM is expected to be published during February 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards applicable to Coal) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA11

74. REVIEW OF OIL AND GAS WELLS STANDARDS APPLICABLE TO COAL MINING

Priority: Agency Determination

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1700

Abstract: The oil and gas wells standards are part of the overall coal review of high priority standards. These standards would be revised to: (1) eliminate unnecessary standards; (2) clarify and update standards; (3) incorporate technological advances; and (4) reduce recordkeeping burdens on the industry.

Timetable:

Action	Date	FR Cite
ANPRM	02/00/85	

Small Entity: Yes

Additional Information: The ANPRM is expected to be published in February 1985. This entry is part of RIN 1219-AA01 (Review of Safety and Health Standards Applicable to Coal Mining) and has been separately identified in order to more easily distinguish timetables.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm. 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA24

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL) Current and Projected Rulemakings

Office of the Assistant Secretary for Administration and Management (OASAM)

75. NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM THE DEPARTMENT OF LABOR

Priority: Agency Determination

Legal Authority: 29 USC 706 et seq; 42 USC 6101 to 6107; 42 USC 2000d-6; 20 USC 1618; 15 USC 3151; 29 USC 1501 et seq

CFR Citation: 29 CFR 31

Abstract: The existing Title VI regulation is being reviewed with a view toward establishing a single comprehensive civil rights regulation covering all DOL statutory authority relating to nondiscrimination in Federally assisted programs. The need for uniform administrative and enforcement procedures is also being reviewed.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: $0

Affected Sectors: None

Government Levels Affected: Local, State

Agency Contact: William J. Harris, Director, Office of Civil Rights, Department of Labor, Office of the Assistant Secretary for Administration and Management, Rm N4603, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8927**

RIN: 1291-AA02

76. DEPARTMENT OF LABOR ACQUISITION REGULATION (DOLAR) (IMPLEMENTATION OF FEDERAL ACQUISITION REGULATION (FAR))

Priority: Major

Legal Authority: 5 USC 301; 40 USC 486(c); 41 USC 401; EO 12352

CFR Citation: 48 CFR 29

Abstract: Acquisition policies and procedures of the Federal Government have been developed in the past with little regard to uniformity among agencies. The result of this was a wide range of different procurement policies which caused contractors considerable confusion. The Office of Federal Procurement Policy, working with other agencies and the public, developed a uniform and simplified procurement regulation known as the Federal Acquisition Regulation (FAR) which became effective April 1, 1984. However, because the FAR does not contain all the procedural details for implementing specific policies, agencies are authorized to issue their own supplementary regulations. The Department of Labor Acquisition Regulation is being issued to implement the FAR where required and to supplement the FAR, with policies unique to DOL in areas where there is no FAR coverage. The DOLAR implements the FAR to the extent necessary incorporating public comments where appropriate, without duplicating, paraphrasing or contradicting the FAR. The DOLAR adheres to the FAR structured organization of subject matter and complies with the (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/19/84	49 FR 25160
NPRM Comment Period Begin	06/19/84	49 FR 25160
NPRM Comment Period End	07/19/84	
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT: FAR-proscribed numbering system.

Public Compliance Cost: Initial Cost: $0

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Theodore Goldberg, Director, Office of Proc. & Grant Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, N.W., Washington, DC 20210, 202 523-9174

RIN: 1291-AA03

77. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF LABOR PROGRAMS

Priority: Agency Determination

Legal Authority: 29 USC 794

CFR Citation: 29 CFR 33

Abstract: Before the 1978 Amendments to Section 504 of the Rehabilitation Act of 1973, Congress had not held Federal Agencies to the same standard of accessibility to which recipients of Federal assistance were held. This proposed regulation would not require DOL to take any action when it can demonstrate that taking such action would result in a fundamental alteration in the nature of a program or activity or in undue financial and administrative burdens. This regulation would require, however, that persons with handicaps, who are eligible for and who can achieve the purpose of a federally-conducted program or activity, be allowed access to that program or activity. Effective communication would also be required with applicants, participants, personnel, and members of the public that have impaired vision or hearing.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William J. Harris, Director, Office of Civil Rights, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Room N4603, FPBldg., Washington, DC 20210, 202 523-8927

RIN: 1291-AA04

DEPARTMENT OF LABOR (DOL) Completed Actions

Office of the Assistant Secretary for Administration and Management (OASAM)

COMPLETED RULEMAKINGS

78. DEBARMENT AND SUSPENSION OF CONTRACTORS

Legal Authority: 41 USC 252; 5 USC 301

CFR Citation: 41 CFR 29-1.6

Abstract: The Office of Management and Budget requires all federal agencies to implement its Policy Letter 82-1 on Debarment and Suspension through implementing regulations. These rules govern standards, policies, and procedures which will apply if an individual or concern is to be debarred or suspended from eligibility to receive DOL contracts.

Timetable:

Action	Date	FR Cite
Replaced by FAR/DOLAR	06/19/84	

Small Entity: No

Additional Information: Office of Management and Budget Policy Letter 82-1 on debarment and suspension is being implemented as part of the Department of Labor Acquisition Regulations (DOLAR) in 48 CFR Chapter 49, Subpart 2909.4. The DOLAR implements the Federal Acquisition Regulation (FAR) which became effective April 1, 1984.

Agency Contact: Theodore Goldberg, Dir., Ofc. of Procurement & Grant Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, Rm C4311, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-9174

RIN: 1291-AA01

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL) Current and Projected Rulemakings

Office of the Inspector General (OIG)

79. FEDERAL AND NON-FEDERAL AUDIT REQUIREMENTS

Legal Authority: 5 USC 301

CFR Citation: 41 CFR 29-70.217

Abstract: This rule would provide for independent audits on an organization-wide basis of financial operations of Federal grantees that are State or local governments or Indian tribal governments that receive Federal assistance as well as Universities, hospitals and non-profit organizations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Previous action RIN 1292-AA00, Federal and Non-Federal Audit Requirements.

Agency Contact: Edwin Terrell, Chief, Federal Assistance Coord. Branch, Department of Labor, Office of the Inspector General, Rm. S5030, FP Bldg., 200 Constitution Avenue, NW, Washington, D.C. 20210, 202 523-8190

RIN: 1292-AA01

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Current and Projected Rulemakings

80. HEALTH HAZARDS OF CHEMICALS IN LABORATORIES

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1450

Abstract: Existing OSHA standards are designed to protect employees who are engaged in work involving exposure to only a few toxic chemicals during relatively standardized, continuous or repetitive processes. In contrast, laboratory workers are exposed to a multitude of toxic substances under frequently changing or unpredictable conditions. OSHA will examine whether prudent work practices and protective equipment, chosen for the specific facility and task, are more effective, feasible and economical for laboratory work than adhering to OSHA's current substance-specific exposure standards.

Timetable:

Action	Date	FR Cite
ANPRM	04/14/81	46 FR 21785
ANPRM Comment Period End	07/15/81	
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA00

81. CARCINOGEN POLICY

Priority: Major, Task Force

Legal Authority: 29 USC 653; 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1990

Abstract: The Carcinogen Policy describes the criteria and procedures OSHA will use to identify, classify, and then regulate carcinogens. The Policy also establishes a process for screening chemicals and for setting priorities for potential rulemaking activities. The validity of the scientific criteria set forth in the policy and the cost-effectiveness of the rule are being reexamined. The original standard was issued in 1980 before the Supreme Court "benzene" decision on significant risk. Thereafter, a final rule deleting provisions of the Carcinogen Policy that were inconsistent with the benzene decision was published on 01/19/81 (46 FR 4889). A proposal was published on 01/23/81 (46 FR 7402) to permit alternatives to the risk analysis section of the carcinogen policy to be addressed. The proposal was withdrawn on 03/27/81 (46 FR 19000). An advance notice of proposed rulemaking was published on 01/05/82 (47 FR 187) with comments due by 04/05/82. That document also proposed to stay the publication of the candidate and priority lists. The final stay was published on 01/04/83 (48 FR 241). As part of its evaluation of the policy, OSHA is reviewing the public comments received in response (Cont)

Timetable:

Action	Date	FR Cite
ANPRM	01/05/82	47 FR 187
End of Comment Period on stay	02/19/82	
ANPRM Comment Period End	04/05/82	
Stay published	01/04/83	48 FR 241
NPRM	06/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: to the document published by the Office of Science and Technology Policy entitled, "Chemical Carcinogens, Review of the Science and its Associated Principles, May 1984". This document, which resulted from the combined efforts of senior scientists from several federal agencies, may affect OSHA's proposal to modify the Carcinogen Policy.

Government Levels Affected: Federal

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA01

82. COTTON DUST

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1043

Abstract: The standard, issued in 1978, has been legally challenged and stayed as it applies to certain industries. In addition, where the standard is in effect, there have been problems with the device that is used to measure cotton dust. Further, control methods specified by the standard may not be cost effective. There is also question about the demonstration of a significant risk of disease in some of the industry sectors covered by the standard. Data are now being collected to determine how and to what extent the rule should be revised. Two ANPRMs have been published: 03/31/81 (46 FR 19501) and 02/09/82 (47 FR 5906). The second ANPRM modified and expanded the issues set forth in the first ANPRM. On 08/13/82 (47 FR 35255) OSHA proposed to stay enforcement of the current standard for knitting operations. The comment period on the proposed stay ended 09/13/82. A notice of final decision on the stay was published 02/04/83 (48 FR 5267). A proposal to revise the standard for cotton dust was published 06/10/83 (48 FR 26962). Public hearings were held during September and October 1983 in various locations.

Timetable:

Action	Date	FR Cite
ANPRM	03/31/81	46 FR 19501
ANPRM Comment Period End	05/15/81	
Second ANPRM	02/09/82	47 FR 5906
Second ANPRM Comment Period ended	03/26/82	
NPRM	06/10/83	48 FR 26962
NPRM Comment Period Begin	06/10/83	48 FR 26962
NPRM Comment Period End	08/26/83	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA02

83. ETHYLENE OXIDE (ETO)

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1047

Abstract: OSHA has amended its standard for occupational exposure to ethylene oxide. The new standard establishes a permissible exposure limit of 1 part ethylene oxide (Et0) per million parts of air and requires, among other things, personal protective equipment, exposure measurement, training, medical surveillance, signs and labels, and recordkeeping. The basis for this action is OSHA's determination that exposure to Et0 presents a carcinogenic, mutagenic, genotoxic, reproductive, neurologic and sensitization hazard to workers. A proposed standard for Et0 was published 04/21/83 (48 FR 17284). Informal public hearings were held 07/19/83 to 07/28/83. The final standard was published on 06/22/84 (49 FR 25734). OSHA did not make a final determination concerning whether a short term exposure limit (STEL) should be included in the final standard for Et0 in the 06/22/84 publication. OSHA has requested that various individuals and organizations having expertise on issues associated with the STEL submit comments, analysis and criticism to OSHA. OSHA intends to publish a reasoned decision on the STEL in December 1984.

Timetable:

Action	Date	FR Cite
ANPRM	01/26/82	47 FR 3566
ANPRM Comment Period End	03/31/82	
NPRM	04/21/83	48 FR 17284
NPRM Comment Period Begin	04/21/83	
NPRM Comment Period End	06/17/83	
Final Rule	06/22/84	49 FR 25734
Final Action per Court Order	12/17/84	

Small Entity: Yes

Public Compliance Cost: Yearly Recurring Cost: $72,400,000; Base Year for Dollar Estimates: 1982

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA03

84. RESPIRATORY PROTECTION

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.134; 29 CFR 1915.152; 29 CFR 1918.102; 29 CFR 1926.103

Abstract: The present respiratory protection standards have been in place for 10 years and do not take into consideration the current state-of-the-art for respiratory protection. In addition, the general industry standard for respirators contains redundancies and includes several advisory provisions which should be eliminated or changed. OSHA is reviewing the standard and intends to propose revisions following its analysis of the standard and other comments and information received.

Timetable:

Action	Date	FR Cite
ANPRM	05/14/82	47 FR 20803
ANPRM Comment Period Begin	05/14/82	
Notice of Clarification	08/31/82	47 FR 38362
ANPRM Comment Period End	09/13/82	
NPRM	04/00/85	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA05

85. ETHYLENE DIBROMIDE (EDB)

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1048

Abstract: On 12/18/81 (46 FR 61671) OSHA published an ANPRM announcing its intention to consider revising the current standard regulating occupational exposure to ethylene dibromide. Recent scientific studies have reported that EDB caused cancer when administered orally, by inhalation and by skin application in laboratory rats and mice. In addition, other studies have shown EDB to be a mutagen, teratogen and testicular toxin in experimental animals. On the basis of these reports, OSHA has determined that its current permissible exposure limit of 20 ppm does not provide exposed workers adequate protection against cancer and other adverse health effects. A proposed new standard for EDB was published 10/07/83 (48 FR 45956).

Timetable:

Action	Date	FR Cite
ANPRM	12/18/81	46 FR 61671
Comment Period extended to 03/31/83	02/26/82	47 FR 8380
ANPRM Com Per orig ended	03/31/82	46 FR 61671
Comment Period extended to 05/31/82	04/02/82	47 FR 14169
ANPRM Comment Period End	05/31/82	
NPRM	10/07/83	48 FR 45956
NPRM Comment Period Begin	10/07/83	48 FR 45956
NPRM Comment Period End	11/21/83	
Public Hearing Announcement	12/20/83	48 FR 56243
Public Hearing held 2/8/84 to	02/10/84	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-7075

RIN: 1218-AA06

86. LEAD - RECONSIDERATION OF WHOLE STANDARD

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1025

Abstract: The current standard for occupational exposure to lead was promulgated in 1978. It sets a PEL of 50 micrograms of lead per cubic meter of air (50 ug/m3), and requires the use of feasible engineering or workpractice controls. There are serious questions concerning significant risk, feasibility and cost-effectiveness of the standard in certain industries; therefore, OSHA has announced its intention to review and reconsider the regulation. The ANPRM asked for comment on such issues as economic and technological feasibility, and cost-effectiveness.

Timetable:

Action	Date	FR Cite
ANPRM	04/21/81	46 FR 22764
ANPRM Comment Period End	06/01/81	
NPRM	06/00/85	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA11

87. LEAD - COVERAGE OF THE STEVEDORING INDUSTRY

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1025

Abstract: Circumstances unique to the stevedoring industry may make the application of the OSHA Lead Standard, in its present form, inappropriate. Therefore, OSHA has proposed to exempt this industry or to administratively stay application of the entire standard to this industry while the Agency examines (1) whether the stevedoring industry should be subject to this, or any lead standard and (2) if the industry should be subject to a different lead standard, what form that standard should take. This action has been combined with RIN 1218-AA11 and publication of action on this item will occur at the time action is taken on item AA11.

Timetable:

Action	Date	FR Cite
NPRM	02/26/82	47 FR 8381
NPRM Comment Period End	03/29/82	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA13

88. ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910.20

Abstract: The regulation, promulgated in May, 1980 (45 FR 35212), requires employers to preserve and maintain exposure and medical records pertinent to an employee's occupational exposure to toxic substances, and to assure access to these records by employees, designated employee representatives, and OSHA. OSHA has reviewed the regulation and has proposed certain modifications including revision of the definitions of "toxic substance" and "exposure records", changes in the scope and application of the regulation and additional trade secret protection provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/13/82	47 FR 30420
Washington, DC Hearing	07/13/82	
Notices of Intent for Hearing due	09/14/82	
NPRM Comment Period End	09/21/82	
Hearing presentations due	09/21/82	
Final Action	12/00/84	

Small Entity: Undetermined

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA15

89. ASBESTOS

Priority: Major

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1910.1001

Abstract: OSHA has announced its intention to revise this standard because data indicate that the present OSHA permissible exposure limit (PEL) may not adequately protect workers from asbestos-related diseases. The revision will include a change in the PEL and other appropriate modifications. On November 4, 1983, OSHA published an Emergency Temporary Standard (48 FR 51086) which immediately reduced the PEL to 0.5 fibers/cc. The ETS was challenged in the U.S. Court of Appeals for the 5th Circuit, and was stayed pending judicial review on 11/23/83. The review was completed on 3/7/84. At that time the Appeals Court held the ETS to be invalid and ordered enforcement of the ETS permanently stayed. OSHA has published a proposal to revise the current standard on 04/10/84 (49 FR 4116). Public hearings were held in June 1984. OSHA is currently reviewing the information received during the hearing.

Timetable:

Action	Date	FR Cite
End Review	04/00/83	
Emergency Temporary Standard (ETS)	11/04/83	48 FR 51086
ETS Comment Period Begins	11/04/83	48 FR 51086
ETS stayed by Court Order	11/23/83	
NPRM	04/10/84	49 FR 4116
NPRM Comment Period Begin	04/10/84	49 FR 4116
NPRM Comment Period End	05/25/84	
Public Hearings Held 06/19/84 to	07/12/84	
Final Action	03/00/85	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA26

90. METHODS OF COMPLIANCE

Priority: Major, Task Force

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000(e); 29 CFR 1910.134(a)(1)

Abstract: OSHA is reviewing its policy relating to the use of engineering controls and respirators for air contaminants. Current OSHA standards require that employers implement feasible engineering controls to maintain air contaminant concentrations in the workplace to within the prescribed permissible exposure limits. The use of respirators is permitted only in those cases where engineering controls are not feasible, are not yet installed or are not adequate. This policy has been criticized as being too inflexible, not cost-effective and often unnecessary for health protection. OSHA intends to perform a careful review of the relevant issues and to consider, as a first action, the possible revision of two standards, 29 CFR 1910.1000(e) Air Contaminants and 29 CFR 1910.134(a)(1) Respiratory Protection. OSHA's policy for the use of engineering controls and respirators was targeted for review by the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
ANPRM	02/22/83	48 FR 7473
ANPRM Comment Period End	06/22/83	
NPRM	12/00/84	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA28

91. FIELD SANITATION

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1928

Abstract: OSHA is considering amending 29 CFR 1928 (Standards for Agriculture) to require employers to provide sanitation facilities for agricultural employees working in the field. OSHA is taking this action in compliance with an order of the District Court for the District of Columbia and a negotiated settlement with the Migrant Legal Action Program which requires the Agency to make a good faith effort to complete a field sanitation standard or to publish a determination that no such standard is needed.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/83	48 FR 8495
ANPRM Comment Period Begin	03/01/83	
ANPRM Comment Period End	05/02/83	
NPRM	03/01/84	49 FR 7590
NPRM Comment Period Begin	03/01/84	49 FR 13714
NPRM Comment Period Extended	04/06/84	49 FR 13714
NPRM Comment Period End	04/27/84	
Public Hearings Held 05/23/84 to	06/28/84	
Final Action	02/16/85	

Small Entity: Undetermined

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA44

92. BENZENE

Priority: Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000, Table Z-2; 29 CFR 1910.1028

Abstract: OSHA intends to undertake an expedited rulemaking on benzene in response to the potential significance of the risk presented by occupational exposure to benzene.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Agency Contact: Dr. Leonard Vance, Director, Health Standards Program, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg., 200 Constitution Ave. N.W., Washington, D.C. 20210, **202 523-7075**

RIN: 1218-AA47

93. 4,4'-METHYLENEDIANILINE

Priority: Undetermined

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: Not yet determined

Abstract: OSHA is joining with the Environmental Protection Agency (EPA) to solicit additional information concerning production and use of 4,4'-methylenedianiline (MDA), estimates of environmental and occupational exposure, and studies of the toxic and carcinogenic effects of MDA. The two agencies are concerned that the risks from exposure to MDA, a carcinogen in animals, may be significant; hence the agencies are joining together to explore regulatory options under their respective statutory authorities to reduce such risks. In order to conserve resources and avoid duplication of effort, OSHA has joined with EPA to establish a single docket of information on MDA.

Timetable:

Action	Date	FR Cite
ANPRM	09/20/83	48 FR 42836
ANPRM Comment Period Begin	09/20/83	48 FR 42836
ANPRM Comment Period End	11/23/83	
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Dr. Leonard Vance, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N-3718, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA58

94. SAFETY AND HEALTH REGULATIONS FOR LONGSHORING

Priority: Agency Determination

Legal Authority: 29 USC 655 (Occupational Safety and Health Act of 1970); 33 USC 941 (Longshoremen's and Harborworkers Compensation Act)

CFR Citation: 29 CFR 1910.16, 29 CFR 1918, (Revision)

Abstract: The purpose of this regulatory action would be to update and revise a standard first issued in 1960. The current language in many instances addresses the hazards to cargo handling involving methods long since abandoned, and fails to address the serious hazards of newer methods. Because so much of the current standard is out of date, compliance is minimal. These revised guidelines will provide both employers and employees with a blueprint for effective and safe workpractices in the cargo handling industry.

No other alternative other than revision is contemplated. The current standard is too outdated to serve as a basis for increased consultation, training or education. The annual cost of the revision is expected to be minimal -- less than five million dollars.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm. N3605 FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA56

95. CONCRETE AND MASONRY CONSTRUCTION (CONCRETE, CONCRETE FORMS, AND SHORING)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926, Subpart Q

Abstract: One of the greatest hazards associated with concrete and masonry structures in the construction industry is the collapse or failure of the entire structure or its forms and shoring. The catastrophic failures that have occurred in recent years compel review of the existing standard applicable to such construction operations.

Timetable:

Action	Date	FR Cite
ANPRM	02/09/82	47 FR 5910
ANPRM Comment Period End	04/10/82	
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA20

96. GRAIN HANDLING FACILITIES

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1910

Abstract: Employees in grain handling facilities (grain elevators, processing plants, and mills) are exposed to safety hazards associated with fires and explosions. Enforcement personnel have met with difficulties in the application of existing OSHA general industry standards to control these major hazards. OSHA is now developing a proposed standard for grain handling facilities.

Timetable:

Action	Date	FR Cite
ANPRM	02/15/80	45 FR 10732
ANPRM Comment Period End	03/24/80	
NPRM	01/06/84	49 FR 996
NPRM Comment Period End	06/08/84	49 FR 6923
Public Hearings held through 07/12/84	06/12/84	49 FR 6923
Final Action	08/00/85	

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA22

97. COMMERCIAL DIVING OPERATIONS: WHOLE STANDARD

Priority: Task Force

Legal Authority: 29 USC 655(b); 40 USC 333; 33 USC 941

CFR Citation: 29 CFR 1910

Abstract: The standard regulates commercial diving operations. It needs to be revised to provide more flexibility to small diving operations with regard to equipment use, medical fitness, and recordkeeping. In addition, other issues need to be resolved, including the issue of dual jurisdiction over diving operations which now exists between OSHA and the U.S. Coast Guard. The standard has been targeted for review by the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
ANPRM	02/26/82	47 FR 8379
Extend Comment Period from 04/12/82	04/16/82	
ANPRM Comment Period End	06/14/82	
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA23

98. ELECTRICAL SAFETY - RELATED WORK PRACTICES

Priority: Agency Determination, Major

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Standards are currently under review for the second part (Subpart S of Part 1910) of OSHA's electrical standard, which relates to Electrical Safety Related Work Practices.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA32

99. POWERED PLATFORMS FOR EXTERIOR BUILDING MAINTENANCE

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: The present standard, which requires positive engagement of a powered platform with a building face to provide stabilization, may need to be revised because many variance designs have been submitted which do not provide positive engagement of the platform, yet claim equal stability. The agency believes there may be merit to this claim.

Timetable:

Action	Date	FR Cite
ANPRM	02/11/83	48 FR 6368
ANPRM Comment Period Begin	02/11/83	48 FR 6368
ANPRM Comment Period End	03/14/83	
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA33

100. OIL AND GAS WELL DRILLING AND SERVICING

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Employees in oil and gas well drilling and servicing are exposed to a variety of safety hazards which are not specifically covered by present OSHA safety standards. It has proved difficult to apply the existing general industry standards to control the unique nature of this industry. OSHA is considering a standard which will address the unique problems of oil and gas well drilling and servicing.

Timetable:

Action	Date	FR Cite
NPRM	12/28/83	48 FR 57202
NPRM Comment Period End	06/04/84	49 FR 9913
Public Hearing Held 07/24/84 thru	08/10/84	49 FR 9913
Final Action	08/00/85	

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA34

101. EXCAVATIONS (EXCAVATIONS, TRENCHING, AND SHORING)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.650 to 1926.653

Abstract: This rule prescribes and recommends the minimum measures to be taken to protect employees from injury during excavation work. A revision of the existing rule is being considered because trench and excavation sidewall failures that have resulted in death and injury to workers continue in significant numbers. Claims that the standards are ambiguous and too restrictive, especially with respect to the type of soil involved, have also been made.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA36

102. FALL PROTECTION

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.500 to 1926.502

Abstract: The existing standard is being reviewed because it is poorly formatted, ambiguous, omits coverage of several areas needing fall protection and is misnamed. The standard has resulted in industry and trade confusion as well as compliance officer misapplication because of its present format and language.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA37

103. UNDERGROUND CONSTRUCTION (TUNNELS AND SHAFTS)

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.800

Abstract: The existing standards may be revised to update the treatment of hazards of construction in underground locations such as tunnels, shafts, chambers, passageways and covered excavations. In some cases, the existing standard may be too restrictive. Additionally, some of the language is ambiguous.

Timetable:

Action	Date	FR Cite
NPRM	07/00/83	48 FR 35774
NPRM Comment Period extended to	02/17/84	48 FR 56087
Final Action	07/00/85	

Small Entity: No

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA38

104. ELECTRICAL STANDARDS - CONSTRUCTION

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333 Sec 107

CFR Citation: 29 CFR 1926

Abstract: The current OSHA standard incorporates the old (1971) National Electrical Code by reference and is in need of updating. The agency is examining the rule in light of repeated criticisms that many details in the present standard either conflict with or limit the implementation of current construction practices.

Timetable:

Action	Date	FR Cite
NPRM	10/07/83	48 FR 45872
NPRM Comment Period extended to	12/31/83	48 FR 54652
Final Action	01/00/85	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA39

105. SCAFFOLDS

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.450 to 1926.452

Abstract: Several significant problem areas in this rule are being reviewed: (1) the maximum distance between the scaffold and the wall; (2) whether cross-bracing may be used in lieu of guardrails; (3) whether cross-bracing may be used as guardrails.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA40

106. SAFETY TESTING OR CERTIFICATION OF CERTAIN WORKPLACE EQUIPMENT AND MATERIALS (FORMERLY ENTITLED ACCREDITATION OF TESTING LABORATORIES)

Priority: Agency Determination

Legal Authority: 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1936; 29 CFR 1907; 29 CFR 1910; 29 CFR 1935

Abstract: This proposal addresses various requirements in the General Industry standards (Part 1910) for either "safety testing" of certain workplace equipment and materials or the use of equipment/materials "certified for safety." It would include many self-regulatory and standards-developing efforts in the private sector and use already existing systems (in private sector or Government) for (1) the accreditation of testing laboratories and third-party certification programs, and (2) the certification for safety of workplace equipment. New Part 1936 would affect only applicants seeking system recognition by OSHA. New Part 1935 would contain those test methods/procedures already specified in OSHA standards or adopted through 6(b) rulemaking. Amended Part 1910 would (1) clarify employer responsibilities, (2) require valid test results or certifications, and (3) provide uniformity in OSHA terminology for several already-existing requirements and definitions. The remainder of Part 1907 would be revoked.

Timetable:

Action	Date	FR Cite
ANPRM	01/04/83	48 FR 270
ANPRM Comment Period Begin	01/04/83	48 FR 7204
ANPRM Comment Period End	03/15/83	
NPRM	06/21/84	49 FR 19336
Informal Public Hearing	09/25/84	49 FR 28739
Final Action	00/00/00	

Small Entity: No

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg., 200 Constitution Ave., NW, Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA42

107. CRANE OR DERRICK SUSPENDED PERSONNEL PLATFORMS

Priority: Agency Determination

Legal Authority: 29 USC 655

CFR Citation: 29 CFR 1926.550(g)

Abstract: The use of cranes and derricks to suspend personnel in platforms is a hazardous operation that is not currently covered by OSHA Construction Standards. OSHA has issued administrative instructions on this practice, but this alternative to rulemaking has not been successful. This NPRM has been developed to reduce the number of accidents, many of which involve multiple fatalities, that result from equipment inadequacies and failures or improper work practices. Data to determine the potential costs and benefits from this rulemaking are currently being collected by OSHA's Office of Regulatory Analysis.

Timetable:

Action	Date	FR Cite
NPRM	02/17/84	49 FR 6280
NPRM Comment Period End	08/10/84	49 FR 25248
Public Hearing Held	09/18/84	

Small Entity: Undetermined

Affected Sectors: 15 BUILDING CONSTRUCTION - GENERAL CONTRACTORS AND OPERATIVE BUILDERS; 16 CONSTRUCTION OTHER THAN BUILDING CONSTRUCTION - GENERAL CONTRACTORS; 17 CONSTRUCTION - SPECIAL TRADE CONTRACTORS

Government Levels Affected: State, Federal

Analysis: Preliminary RIA 09/30/83; Draft RFA 09/30/83

Agency Contact: Barry White, Director, Department of Labor, Occupational Safety and Health Administration, Room N3605, 200 Constitution Avenue N.W., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA45

108. SCAFFOLDS AND SIMILAR WORK SURFACES

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Existing standards for scaffolds and similar working surfaces need to be revised because they are out of date and restrict technological innovation. The proposed revision is performance oriented and permits flexibility for compliance.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room No. N3605 FPBldg., 200 Constitution Avenue, N.W., Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA46

109. FALL PROTECTION SYSTEMS

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Existing standards do not contain criteria for fall protection systems. Consequently, requirements containing criteria for fall protection systems would be added to 29 CFR Part 1910; Subpart I, Personal Protective Equipment, to enhance employee protection from injury and death due to falls to different elevations.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605 FP Building, 200 Constitution Avenue, Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA48

110. ACCIDENT PREVENTION TAGS

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Standards for accident prevention tags, contained in 29 CFR Part 1910; Subpart J, would be revised to update existing criteria, and to provide more flexibility by correcting problems associated with the specificity of some of the existing requirements. The proposed revision would also recognize the use of symbols or pictographs rather than only written legends, and would ensure that tags are designed and used properly to enhance their function in identifying hazards to employees.

Timetable:

Action	Date	FR Cite
NPRM	04/24/84	49 FR 17541
NPRM Comment Period Begin	04/24/84	49 FR 17542
NPRM Comment Period End	06/08/84	
Final Action	01/00/85	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605, FP Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA49

111. LADDERS AND SIMILAR CLIMBING DEVICES

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Existing standards for ladders and similar climbing devices need to be revised because they are out of date and restrict technological innovation. The proposed revision is performance oriented and permits flexibility for compliance.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room No. N3605 FPBldg., 200 Constitution Avenue, N.W., Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA50

112. CONFINED SPACES

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: Entry into confined spaces has been responsible for many employee deaths and injuries. However, current standards do not specifically address the hazards associated with entry into confined spaces. Therefore, OSHA is proposing certain criteria and precautions which are necessary to minimize the hazards associated with employees entering confined spaces.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Room N3605 FP Building, 200 Constitution Avenue, N.W., Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA51

113. LOGGING

Priority: Undetermined

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.266, (Revision)

Abstract: Logging is a very hazardous industry. It has an incidence rate nearly twice that of manufacturing, and reflecting the seriousness of the injuries incurred, a lost workday rate nearly four times as high. The purpose of the standard will be to protect workers from the ever-present hazards of chain saw operation, falling objects (trees, branches), rolling or sliding logs, falls from trees, and materials handling accidents. At present there is no OSHA standard specifically applicable to logging in general. There is a standard, 29 CFR 1910.266, applicable only to pulpwood logging; however, pulpwood is logging estimated to account for less than half of the logging activity in the United States. Development of a national OSHA standard addressing all types of logging will provide coverage for those loggers not now protected. The new regulation will provide coverage where there is no approved state regulation and will set a minimum safety level for those states that chose to develop a state regulation.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Undetermined

Additional Information: A preproposal draft standard was circulated for public comment. The proposed standard will be developed to incorporate public comment as appropriate.

Affected Sectors: 24 LUMBER AND WOOD PRODUCTS, EXCEPT FURNITURE

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., N.W., Rm. N3605, Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA52

114. CONTROL OF HAZARDOUS ENERGY SOURCES (LOCKOUT/TAGOUT)

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910, (New)

Abstract: The proposed standard will fill a major gap in our current regulations which now depend for enforcement on the general duty clause 5(a)(1). It will apply to those situations where the unexpected energization, start up or the release of stored energy would cause injury to employees. Providing comprehensive and uniform control procedures is also expected to reduce significantly the potential for injury and death of employees because the hazards targeted for control exist in virtually every workplace. Further, the proposed standard will respond to the concerns of organized labor who petitioned OSHA in 1979 and again in 1982 for regulatory action to protect employees and to the American National Standards Institute's petition for OSHA to adopt its consensus standard ANSI Z244.1-1982. Regulatory options involve developing a comprehensive standard covering all potentially hazardous energy sources or limiting the scope and application to those certain machines or industries that are causing most of the injuries. The potential cost and benefits cannot be assessed until a regulatory impact analysis is conducted.

Timetable:

Action	Date	FR Cite
ANPRM	06/17/80	45 FR 41012
ANPRM Comment Period Begin	06/17/80	
ANPRM Comment Period End	09/15/80	
Preproposal Draft Submitted	07/00/83	
NPRM	01/00/85	
NPRM Comment Period Begin	04/00/85	

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, N.W., Rm. N3605, Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA53

115. MECHANICAL POWER PRESSES

Priority: Undetermined

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.211, (Revision); 29 CFR 1910.217, (Revision)

Abstract: This regulatory action will remove an existing provision which prohibits Presence Sensing Device Initiation of Mechanical power presses, and will add provisions which will enable the Presence Sensing Device Initiation to be done safely. Presence Sensing Device Initiation has been identified as presenting potential increases in safety and productivity with an ergonomic advantage of less worker fatigue. A regulatory impact analysis is in progress.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Undetermined

Additional Information: A preproposal draft standard was circulated for public comment. The proposed standard will be developed to incorporate public comment as appropriate.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Analysis: Preliminary RIA 08/00/84

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, N.W., Rm. N3605, Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA54

116. STAIRWAYS AND LADDERS

Priority: Agency Determination

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.1050 to 1926.1051

Abstract: The use of stairways and ladders during construction can be extremely hazardous for employees. OSHA presently has regulations covering the construction, use, and maintenance of stairways and ladders, used on construction worksites. However, this NPRM has been developed to streamline those requirements and to reduce the number of accidents that result from insufficient fall protection provisions. Data to determine the potential costs and benefits from this rulemaking are currently being collected and analyzed by OSHA's Office of Regulatory Analysis.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Additional Information: This new Subpart X is a revision of the ladder and stairway portions of existing Subparts L (ladders and scaffolds) and M (Floor and Wall Openings and Stairways). The remaining portions of Subparts L and M are being revised as Subparts L (scaffolds) and M (Fall Protection). (RIN 1218-AA37 - Fall Protection; RIN 1218-AA40 - Scaffolds.)

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Analysis: Preliminary RIA 05/00/84; Draft RFA 05/00/84

Agency Contact: Barry White, Director, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N-3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA57

117. ELECTRIC POWER GENERATION, TRANSMISSION AND DISTRIBUTION

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: A major area of coverage not addressed in the current OSHA electrical standards for general industry (29 CFR 1910) involves the maintenance and operation practices associated with electrical transmission and distribution lines, substations and generating stations. It is intended that the proposed standard fill this void by establishing minimum requirements for electrical safety work practices for employees working on or near facilities whose purpose is the generation and distribution of electricity.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm. N3605, FP Bldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA59

118. REVISION OF RECORDKEEPING REQUIREMENTS FOR TESTING AND MAINTENANCE CHECKS

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910; 29 CFR 1915; 29 CFR 1918

Abstract: The purpose of this regulatory action is to revise 31 provisions in Parts 1910, 1915, and 1918 by allowing employers to certify that regulatory requirements have been met, instead of requiring employers to maintain more extensive and burdensome records of information. OSHA is undertaking this action in compliance with the Paperwork Reduction Act of 1980.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, N3605, FP Building, 200 Constitution Avenue, NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA60

119. ● PULP, PAPER AND PAPERBOARD MILLS

Priority: Undetermined

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.261, (Revision)

Abstract: This regulatory action will revise the existing standards covering mills where pulp, paper, and paperboard are manufactured and converted. The revision will develop performance oriented standards that address current gaps in coverage, the use of new technology, the elimination of outmoded or redundant provisions, and the use of appropriate OSHA general industry standards.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Affected Sectors: 26 PAPER AND ALLIED PRODUCTS

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Room N-3605, Washington, DC 20210, 202 523-8061

RIN: 1218-AA61

120. ● SHIPYARD STANDARDS

Priority: Agency Determination

Legal Authority: 29 USC 655

CFR Citation: 29 CFR 1915, (Revision)

Abstract: This regulatory action will revise the existing standards covering shipyard employment. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, recognize new technology, and eliminate outmoded or redundant provisions. This project will be coordinated with RIN 1218-AA55, a project to include all pertinent 1910 standards into Part 1915. Later this project may be broken down into separate Subparts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Affected Sectors: 373 Ship and Boat Building and Repairing

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Room N3605, Washington, DC 20210, 202 523-8063

RIN: 1218-AA62

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Existing Regulations Under Review

121. SAFETY AND HEALTH REGULATIONS FOR SHIPYARD EMPLOYMENT

Priority: Agency Determination

Legal Authority: 29 USC 655 (Occupational Safety and Health Act of 1970); 33 USC 941 (Longshoremen's and Harborworkers Compensation Act)

CFR Citation: 29 CFR 1915, (Recodification)

Abstract: The purpose of this action would be to place unrevised in Part 1915, all OSHA Part 1910 General Industry Standards that are not now located in Part 1915, but that relate to the work undertaken in shipyard employment, thereby creating a vertical standard.

The Action is essentially only bookkeeping, i.e., moving standards.

unchanged from one location in the CFR to another -- from Part 1910 to Part 1915. It can therefore be done without a proposed rule, and will be published as a final rule. It will end the long standing confusion over the application of OSHA standards to this industry among employers, employees, and OSHA compliance staff.

As these are existing standards, there are no potential costs. This inclusion project will be coordinated with the project designed to revise Part 1915.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm. N3605 FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA55

122. HAZARDOUS MATERIALS

Priority: Agency Determination

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Abstract: The present Subpart H, Hazardous Materials, standard is out of date and in some respects is oriented towards public safety and property protection. OSHA has been petitioned to cover many other hazardous materials operations where presently it has no standards.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/81	46 FR 7692
ANPRM Comment Period Begin	01/23/81	46 FR 7692
ANPRM Comment Period End	02/01/82	
End Review	00/00/00	

Small Entity: Undetermined

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg., 200 Constitution Ave, NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA31

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

DEPARTMENT OF LABOR (DOL) Current and Projected Rulemakings

Office of the Assistant Secretary for Veteran's Employment & Training Service (ASVET)

123. ANNUAL REPORT FROM FEDERAL CONTRACTORS

Legal Authority: 38 USC 2012(d)

CFR Citation: 20 CFR 1040

Abstract: Implements requirements of 38 USC 2012(d) for an annual report from entities having contracts of $10,000 or more with Federal agencies or departments. Specifies that the report shall include the number of special disabled and Vietnam-era veterans in the contractor's work force by job category and hiring location, number of employees hired and of those hired, the number of special disabled and Vietnam-era veterans.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Joseph C. Juarez, Dir., Ofc. of Veterans' Emp. & Trng Programs, Department of Labor, Office of the Assistant Secretary for Veteran's Employment & Training Service, Rm S1316, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-9110**

RIN: 1293-AA01

DEPARTMENT OF LABOR (DOL) Completed Actions

Office of the Assistant Secretary for Veteran's Employment & Training Service (ASVET)

COMPLETED RULEMAKINGS

124. SERVICES FOR VETERANS

Legal Authority: 38 USC 41; 38 USC 42

CFR Citation: 20 CFR 652B; 20 CFR 653

Abstract: Implements provisions of 38 USC which requires the Department of Labor through the State employment service agencies to provide priority services to veterans. It further clarifies the role and responsibilities of the Assistant Secretary for Veterans' Employment and Training in administering the Department of Labor veterans programs and activities that formerly were under the jurisdiction of the Employment and Training Administration. Administration of the Disabled Veterans Outreach Program (DVOP) according to the 38 USC 2003A is an important part of the regulations. These regulations also remove and reserve 20 CFR 653, Subpart C, from previous regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/01/83	48 FR 34866
NPRM Comment Period Begin	08/01/83	48 FR 34866
NPRM Comment Period End	08/31/83	
Final Action	03/30/84	49 FR 12918
Final Action Effective	04/30/84	49 FR 12918

Small Entity: No

DOL—ASVET **Completed Actions**

Agency Contact: Joseph C. Juarez, Dir., Ofc of Veterans' Emp. & Trng. Programs, Department of Labor, Office of the Assistant Secretary for Veteran's Employment & Training Service, Rm S1316, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, **202 523-9110**

RIN: 1293-AA03

[FR Doc. 84-24964 Filed 10-19-84; 8:45 am]

Reader Aids

Federal Register

Vol. 49, No. 205

Monday, October 22, 1984

INFORMATION AND ASSISTANCE

SUBSCRIPTIONS AND ORDERS

Subscriptions (public)	202-783-3238
Problems with subscriptions	275-3054
Subscriptions (Federal agencies)	523-5240
Single copies, back copies of FR	783-3238
Magnetic tapes of FR, CFR volumes	275-2867
Public laws (Slip laws)	275-3030

PUBLICATIONS AND SERVICES

Daily Federal Register

General information, index, and finding aids	523-5227
Public inspection desk	523-5215
Corrections	523-5237
Document drafting information	523-5237
Legal staff	523-4534
Machine readable documents, specifications	523-3408

Code of Federal Regulations

General information, index, and finding aids	523-5227
Printing schedules and pricing information	523-3419

Laws

Indexes	523-5282
Law numbers and dates	523-5282
	523-5266

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the President	523-5230
Weekly Compilation of Presidential Documents	523-5230

United States Government Manual 523-5230

Other Services

Library	523-4986
Privacy Act Compilation	523-4534
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, OCTOBER

38525-38926.....1
38927-39034.....2
39035-39152.....3
39153-39272.....4
39273-39504.....5
39505-39652.....9
39653-39828.....10
39829-39994.....11
39995-40156.....12
40157-40382.....15
40383-40556.....16
40557-40774.....17
40775-41008.....18
41009-41226.....19
41227-42538.....22

PARTS AFFECTED DURING OCTOBER

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

3.....39511

Proposed Rules:

Ch. III.....40040

3 CFR

Executive Orders:

April 17, 1926
Revoked in part by PLO 6575.....40407
5327 Revoked in part by PLO 6574.....40406
6843 Revoked in part by PLO 6573.....40406
11145 (See EO 12489).....38927
11157 (Amended by EO 12488).....38525
11183 (See EO 12489).....38927
11287 (See EO 12489).....38927
11776 (See EO 12489).....38927
12131 (See EO 12489).....38927
12190 (See EO 12489).....38927
12196 (See EO 12489).....38927
12216 (See EO 12489).....38927
12296 (See EO 12489).....38927
12345 (See EO 12489).....38927
12367 (See EO 12489).....38927
12395 (See EO 12489).....38927
12488.....38525
12489.....38927
12490.....40393

Proclamations:

5240.....39273
5241.....39275
5242.....39277
5243.....39279
5244.....39281
5245.....39283
5246.....39285
5247.....39505
5248.....39507
5249.....39509
5250.....39653
5251.....39655
5252.....39829
5253.....39831
5254.....39833
5255.....40383
5256.....40385
5257.....40387
5258.....40389
5259.....40391
5260.....40557
5261.....40775
5262.....41227
5263.....41229
5264.....41231

4 CFR

81.....38527

5 CFR

315.....39287

7 CFR

2.....38929
272.....39035
273.....39035
301.....38930, 40157
319.....39038
371.....38529, 41009
427.....40777
431.....41009
432.....40781
444.....39512
651.....40395
910.....39288, 39995, 41014
920.....39657
928.....40559
966.....39153, 40397
981.....38530, 40788
1065.....39995
1079.....40397
1097.....39835
1435.....38532
1910.....40789
1944.....40789
1951.....41220
1980.....41223
3015.....38533

Proposed Rules:

58.....39166
443.....41064
800.....40582, 40583
910.....40182
985.....39166
1030.....40183
1434.....39167

8 CFR

103.....41014
214.....39663, 41014
292a.....41014

Proposed Rules:

248.....39685

9 CFR

78.....39836
81.....39517
92.....41015

201.....39516
203.....39516
Proposed Rules:
93.....41257
113.....39853
319.....39560
327.....39560

10 CFR

2.....38534
50.....38534
1035.....41233
Proposed Rules:
20.....38643
34.....39168
50.....39066

11 CFR

4.....41016
5.....41016

12 CFR

205.....40794
226.....40560
407.....41237
543.....41237
544.....41237
552.....41237
562.....41237
563.....38924
564.....38924
615.....39518
571.....41237
741.....40561
746.....40561
Proposed Rules:
5.....38954, 39066
563.....40584
564.....40584

13 CFR

102.....40564
121.....39996, 40398
122.....39837
123.....39268
140.....38931
Proposed Rules:
121.....40877

14 CFR

21.....39650
39.....38534–38537, 38931, 9288–39291, 39997, 40799, 40800
71.....38538, 38539, 40158, 40400
75.....39291, 40801
91.....38933
95.....39998
97.....40003
221.....40004
234.....40565
250.....40401
255.....40401
291.....40401
399.....40567
Proposed Rules:
Ch. I.....39336
21.....40154, 40184
23.....40186
25.....40041
39.....38643, 39336, 39565, 40042
45.....40154
71.....38644, 39686, 40042, 40187, 40878
302.....39337
389.....39337
398.....40043
399.....39337, 40043, 40588

15 CFR

373.....40568
399.....40568
Proposed Rules:
371.....39154
373.....38955, 39154
376.....38955
390.....39154
399.....39154

16 CFR

13.....39040, 39159, 39839, 39840, 41017
1010.....39663
1030.....39292
1602.....39669
1632.....39790
Proposed Rules:
13.....39070

17 CFR

1.....39518, 40159
3.....39518
16.....40159
33.....40005
140.....39518
145.....39518
239.....40569
240.....40573
241.....40159
270.....40569
274.....40569
Proposed Rules:
210.....38956
229.....38956
240.....40188, 40416
270.....40879

18 CFR

2.....39293, 40802
35.....39293
154.....39042, 39293, 40802
201.....39293, 40802
270.....39293, 40802
271.....39293, 39535, 40802
294.....39536
301.....39293
341.....38540
342.....38540
343.....38540
344.....38540
345.....38540
346.....38540
347.....38540
385.....39538
389.....38934, 39293
Proposed Rules:
154.....38956
271.....39032

19 CFR

4.....41152
6.....41152
7.....41152
10.....39043, 41152
11.....41152
12.....41152
18.....39044, 41152
19.....41152
24.....41152
54.....41152
101.....41152
112.....41152
113.....41152
114.....41152
123.....39044, 41152
125.....41152
127.....41152
132.....41152
133.....41152
134.....40802, 41152
141.....41152
142.....41152
144.....39044, 41152
145.....41152
146.....41152
147.....41152
148.....41152
151.....41152
162.....41152
171.....39047
172.....39048, 41152
174.....41152
191.....41152
Proposed Rules:
Ch. I.....39854
4.....39072
6.....39075
19.....39077
24.....39075
151.....40882

20 CFR

404.....38935, 41244
618.....41017
621.....41018
655.....41018
Proposed Rules:
Ch. V.....39686

21 CFR

Ch. I.....41019
81.....38935, 38936
176.....40402
193.....40575
430.....39670
436.....39670, 40006
440.....39670
442.....40006
455.....39670
510.....39539
522.....38937, 38938
558.....39539, 39842
866.....40380
1308.....39307
Proposed Rules:
201.....40188
808.....38645, 38646

22 CFR

Ch. VIII.....40804
51.....40403
305.....38939

23 CFR

625.....38940
660.....40006
Proposed Rules:
Ch. III.....38648
658.....38956

24 CFR

17.....39675
115.....39676
251.....38943
Proposed Rules:
105.....40528
200.....39855, 41212
203.....39686, 40188, 41212
204.....41212
207.....39688, 39690, 41068
220.....39690, 41068, 41212
221.....39690, 41068, 41212
226.....39686
231.....41068
234.....39686
235.....41212
237.....41212
241.....40044
242.....40044, 40047
246.....39690
255.....39690
290.....40888
570.....39693
882.....41072
886.....40888
941.....39694

25 CFR

5.....39157
244.....39308

26 CFR

1.....39051, 39314, 39540, 39677, 40011, 40016, 41246
5f.....39677
18.....38920
25.....38540, 39843
35a.....40403
41.....39544
150.....40804
601.....40808
Proposed Rules:
1.....39078, 39344, 39571, 41261
51.....40896
301.....39566

27 CFR

285.....41020

28 CFR

0.....39843, 41246
2.....40403
545.....38914

29 CFR

1601.....39053
2619.....40161
2705.....38542

30 CFR

210.....40576
212.....40576
217.....40576
218.....40576
219.....40576
228.....40576
229.....40024, 40576
241.....40576
243.....40576
914.....41020
917.....39053
935.....41024
938.....40028
942.....38874
Proposed Rules:
250.....41077

779.....38958
780.....38958
783.....38958
784.....38958
816.....38958
817.....38958
906.....38653
917.....41262
944.....40421

32 CFR

544.....39946

Proposed Rules:

505.....40589

33 CFR

100.....40403
110.....40809
117.....39157, 40404
165.....40405, 40810
181.....39327
183.....39327
320.....39478
323.....39478
325.....39478
330.....39478, 39843

Proposed Rules:

100.....38654, 38655
117.....38656, 40422, 40423 40900, 41264

34 CFR

Proposed Rules:

221.....40362
361.....38656
362.....38656
366.....38656
369.....38656
373.....38656
379.....38656
385.....38656
386.....38656
389.....38656

35 CFR

253.....41025

Proposed Rules:

121.....38660

36 CFR

50.....39677

37 CFR

Proposed Rules:

Ch. II.....39171
201.....39174

38 CFR

5.....39328
8.....39328
13.....39328
17.....39328
21.....39544, 40810

Proposed Rules:

21.....39572

39 CFR

10.....38543
447.....40768
601.....40858
956.....40768

Proposed Rules:

10.....39573, 41265
111.....38661

40 CFR

30.....38943
45.....41004
46.....41006
52.....39057-39062, 39545-39547, 39843, 40029, 40162, 40164, 41026-41029
60.....40031, 41030
61.....38946
81.....41029
87.....41000
123.....39063
133.....40405
233.....38947
271.....39328, 39683, 41036, 41038
790.....39774
799.....39810

Proposed Rules:

Ch. I.....39696
52.....38962, 39574-39582, 39696, 39866, 39869, 40051, 40052, 40607
60.....40542
65.....38963, 39080, 39583-39587
81.....40053, 40424, 40425
86.....40258
122.....38812, 39697
180.....39698, 40608
232.....39012
233.....39012
260.....38786
261.....38786
264.....38786
265.....38786
270.....38786
271.....38671, 38786, 39175, 40055, 40610
300.....40320
406.....40611
407.....40611
408.....40611
409.....40611
411.....40611
422.....40611
424.....40611
426.....40611
430.....40611
431.....40611
432.....40611
439.....40611
721.....39703
761.....39966

41 CFR

Ch. 201.....39159
201-1.....38948
201-4.....38948
201-35.....38948
201-36.....38948

Proposed Rules:

101-11.....41265

42 CFR

57.....40406
405.....40167

43 CFR

3100.....39329
3200.....39329
3470.....39329
3500.....39329

Public Land Orders:

6572.....40031
6573.....40406
6574.....40406
6575.....40407

Proposed Rules:

2650.....41266
3160.....40354

44 CFR

64.....40552
67.....39684
150.....39844

Proposed Rules:

67.....39176, 40901

45 CFR

3.....39160

Proposed Rules:

205.....39488
305.....39488
1180.....39346

46 CFR

33.....40407
35.....40407
75.....40407
78.....40407
94.....40407
97.....40407
107.....39161
108.....39161
109.....39161
161.....40407
167.....40407
180.....40407
185.....40407
192.....40407
196.....40407
381.....39847
510.....38544
515.....38544
550.....38836
552.....38836
553.....38836
555.....38836
558.....38836
559.....38836
560.....38836
561.....38836
562.....38836
564.....38836
566.....38836
568.....38836
569.....38836

Proposed Rules:

Subchapter D (30-40).....38672
Subchapter H (70-89).....38672
Subchapter I (90-106).....38672
550.....40940
580.....40940

47 CFR

1.....40168, 40858
2.....39330, 40410, 41247
13.....39064, 40170
61.....40858
73.....38544-38548, 39064, 40032, 41249
81.....40170, 40410
83.....40170, 40172, 40410, 41249
87.....39330
90.....40175, 40177, 41247
97.....40414

Proposed Rules:

Ch. I.....39081
2.....39082, 40611
67.....40192
68.....39349
73.....38673-38679, 39352
81.....40193
90.....39082
97.....40194, 40611

48 CFR

Ch. 2.....38549, 38599, 38605
Ch. 5.....39335, 40576
Ch. 9.....38949
Ch. 18.....41038
501.....40032
504.....40577

Proposed Rules:

Ch. 5.....39872, 40615
5.....38680, 39151
6.....38680, 39151
14.....38680, 39151
15.....38680, 39151

49 CFR

1.....38609
173.....40033
178.....40033
533.....41250
571.....38610, 39335
574.....38610, 39335
575.....38610, 39335
700.....40036
1002.....39548
1033.....39162
1103.....38613
1300.....38540, 38614
1303.....38614
1304.....38614
1305.....38614
1306.....38614
1307.....38614
1308.....38614
1309.....38614
1310.....38614
1312.....38614, 40415

Proposed Rules:

Ch. VI.....40426
107.....40056
173.....39177
571.....39872
701.....40057
1152.....39085

50 CFR

17.....40036
20.....40038
32.....38642
285.....38641, 38642, 39684, 39851, 40415, 40580
424.....38900
630.....40415

638.....40415
641.....39548, 41063
650.....39065
652.....39558, 40580
654.....39162
655.....41063
658.....39162

Proposed Rules:
17.....39179, 39353, 39873, 40058, 40196, 41266
611.....40615
630.....40621

LIST OF PUBLIC LAWS

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last List October 16, 1984

CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

New units issued during the week are announced on the back cover of the daily **Federal Register** as they become available.

A checklist of current CFR volumes comprising a complete CFR set, also appears in the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

The annual rate for subscription to all revised volumes is $550 domestic, $137.50 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Charge orders (VISA, MasterCard, or GPO Deposit Account) may be telephoned to the GPO order desk at **(202) 783-3238** from 8:00 a.m. to 4:00 p.m. eastern time, Monday—Friday (except holidays).

Title	Price	Revision Date
1, 2 (2 Reserved)	$6.00	Jan. 1, 1984
3 (1983 Compilation and Parts 100 and 101)	7.00	Jan. 1, 1984
4	12.00	Jan. 1, 1984
5 Parts:		
1-1199	13.00	Jan. 1, 1984
1-1199 (Special Supplement)	None	Jan. 1, 1984
1200-End, 6 (6 Reserved)	6.00	Jan. 1, 1984
7 Parts:		
0-45	13.00	Jan. 1, 1984
46-51	12.00	Jan. 1, 1984
52	14.00	Jan. 1, 1984
53-209	13.00	Jan. 1, 1984
210-299	13.00	Jan. 1, 1984
300-399	7.50	Jan. 1, 1984
400-699	13.00	Jan. 1, 1984
700-899	13.00	Jan. 1, 1984
900-999	14.00	Jan. 1, 1984
1000-1059	12.00	Jan. 1, 1984
1060-1119	9.50	Jan. 1, 1984
120-1199	7.50	Jan. 1, 1984
1200-1499	13.00	Jan. 1, 1984
1500-1899	6.00	Jan. 1, 1984
1900-1944	14.00	Jan. 1, 1984
1945-End	13.00	Jan. 1, 1984
8	7.00	Jan. 1, 1984
9 Parts:		
1-199	13.00	Jan. 1, 1984
200-End	9.50	Jan. 1, 1984
10 Parts:		
0-199	14.00	Jan. 1, 1984
200-399	12.00	Jan. 1, 1984
400-499	12.00	Jan. 1, 1984
500-End	13.00	Jan. 1, 1984
11	7.50	Apr. 1, 1984
12 Parts:		
1-199	9.00	Jan. 1, 1984
200-299	14.00	Jan. 1, 1984
300-499	9.50	Jan. 1, 1984
500-End	14.00	Jan. 1, 1984
13	13.00	Jan. 1, 1984
14 Parts:		
1-59	13.00	Jan. 1, 1984
60-139	13.00	Jan. 1, 1984
140-199	7.00	Jan. 1, 1984
200-1199	13.00	Jan. 1, 1984
1200-End	7.50	Jan. 1, 1984
15 Parts:		
0-299	7.00	Jan. 1, 1984
300-399	13.00	Jan. 1, 1984
400-End	12.00	Jan. 1, 1984
16 Parts:		
0-149	9.00	Jan. 1, 1984
150-999	9.50	Jan. 1, 1984
1000-End	13.00	Jan. 1, 1984
17 Parts:		
1-239	14.00	Apr. 1, 1984
240-End	13.00	Apr. 1, 1984
18 Parts:		
1-149	12.00	Apr. 1, 1984
150-399	15.00	Apr. 1, 1984
400-End	6.50	Apr. 1, 1984
19	17.00	Apr. 1, 1984
20 Parts:		
1-399	7.50	Apr. 1, 1984
400-499	13.00	Apr. 1, 1984
500-End	14.00	Apr. 1, 1984
21 Parts:		
1-99	9.00	Apr. 1, 1984
100-169	12.00	Apr. 1, 1984
170-199	12.00	Apr. 1, 1984
200-299	4.25	Apr. 1, 1984
300-499	14.00	Apr. 1, 1984
500-599	13.00	Apr. 1, 1984
600-799	6.00	Apr. 1, 1984
800-1299	9.50	Apr. 1, 1984
1300-End	6.00	Apr. 1, 1984
22	17.00	Apr. 1, 1984
23	13.00	Apr. 1, 1984
24 Parts:		
0-199	8.00	Apr. 1, 1984
200-499	14.00	Apr. 1, 1984
500-699	6.00	Apr. 1, 1984
700-1699	12.00	Apr. 1, 1984
1700-End	9.50	Apr. 1, 1984
25	14.00	Apr. 1, 1984
26 Parts:		
§§ 1.0-1.169	14.50	Apr. 1, 1984
§§ 1.170-1.300	10.00	Apr. 1, 1984
§§ 1.301-1.400	7.50	Apr. 1, 1984
§§ 1.401-1.500	13.00	Apr. 1, 1984
§§ 1.501-1.640	12.00	Apr. 1, 1984
§§ 1.641-1.850	12.00	Apr. 1, 1984
§§ 1.851-1.1200	14.00	Apr. 1, 1984
§§ 1.1201-End	17.00	Apr. 1, 1984
2-29	13.00	Apr. 1, 1984
30-39	9.00	Apr. 1, 1984
40-299	14.00	Apr. 1, 1984
300-499	9.50	Apr. 1, 1984
500-599	8.00	[1] Apr. 1, 1980
600-End	5.50	Apr. 1, 1984
27 Parts:		
1-199	13.00	Apr. 1, 1984
200-End	12.00	Apr. 1, 1984
28	13.00	July 1, 1984
29 Parts:		
0-99	14.00	July 1, 1984
100-499	6.50	July 1, 1984
500-899	14.00	July 1, 1984
900-1899	7.50	July 1, 1984
1900-1910	8.50	July 1, 1983
1911-1919	5.50	July 1, 1984
1920-End	14.00	July 1, 1984
30 Parts:		
0-199	7.00	July 1, 1983
200-699	5.50	July 1, 1984
700-End	13.00	Oct. 1, 1983
31 Parts:		
0-199	8.00	July 1, 1984
200-End	9.50	July 1, 1984

Title	Price	Revision Date
32 Parts:		
1–39, Vol. I	8.50	July 1, 1983
1–39, Vol. II	13.00	July 1, 1983
1–39, Vol. III	9.00	July 1, 1983
40–189	13.00	July 1, 1984
190–399	13.00	July 1, 1984
400–699	12.00	July 1, 1983
630–699	12.00	July 1, 1984
700–799	13.00	July 1, 1984
800–999	9.50	July 1, 1984
1000–End	6.00	July 1, 1984
33 Parts:		
1–199	14.00	July 1, 1983
200–End	7.00	July 1, 1983
34 Parts:		
*1–299	14.00	July 1, 1984
300–399	8.50	July 1, 1984
400–End	15.00	July 1, 1983
35	7.50	July 1, 1984
36 Parts:		
*1–199	9.00	July 1, 1984
200–End	12.00	July 1, 1983
37	8.00	July 1, 1984
38 Parts:		
0–17	7.00	July 1, 1983
18–End	6.50	July 1, 1983
39	8.00	July 1, 1984
40 Parts:		
1–51	7.50	July 1, 1983
52	14.00	July 1, 1983
53–80	14.00	July 1, 1983
81–99	7.50	July 1, 1983
100–149	6.00	July 1, 1983
150–189	6.50	July 1, 1983
190–399	7.00	July 1, 1983
400–424	6.50	July 1, 1983
425–End	13.00	July 1, 1983
41 Chapters:		
1, 1–1 to 1–10	13.00	July 1, 1984
*1, 1–11 to Appendix, 2 (2 Reserved)	13.00	July 1, 1984
3–6	7.00	July 1, 1983
7	6.00	July 1, 1984
8	4.50	July 1, 1984
9	13.00	July 1, 1984
10–17	9.50	July 1, 1984
18, Vol. I, Parts 1–5	6.50	July 1, 1983
18, Vol. II, Parts 6–19	7.00	July 1, 1983
18, Vol. III, Parts 20–52	6.50	July 1, 1983
19–100	13.00	July 1, 1984
101	14.00	July 1, 1983
*102–End	9.50	July 1, 1984

Title	Price	Revision Date
42 Parts:		
1–60	12.00	Oct. 1, 1983
61–399	7.50	Oct. 1, 1983
400–End	17.00	Oct. 1, 1983
43 Parts:		
1–999	9.00	Oct. 1, 1983
1000–3999	14.00	Oct. 1, 1983
4000–End	7.50	Oct. 1, 1983
44	12.00	Oct. 1, 1983
45 Parts:		
1–199	9.00	Oct. 1, 1983
200–499	6.00	Oct. 1, 1983
500–1199	12.00	Oct. 1, 1983
1200–End	9.00	Oct. 1, 1983
46 Parts:		
1–40	9.00	Oct. 1, 1983
41–69	9.00	Oct. 1, 1983
70–89	5.00	Oct. 1, 1983
90–139	9.00	Oct. 1, 1983
140–155	8.00	Oct. 1, 1983
156–165	9.00	Oct. 1, 1983
166–199	7.00	Oct. 1, 1983
200–399	12.00	Oct. 1, 1983
400–End	7.00	Oct. 1, 1983
47 Parts:		
0–19	12.00	Oct. 1, 1983
20–69	14.00	Oct. 1, 1983
70–79	13.00	Oct. 1, 1983
80–End	13.00	Oct. 1, 1983
48	1.50	[2] Sept. 19, 1983
49 Parts:		
1–99	7.00	Oct. 1, 1983
100–177	14.00	Nov. 1, 1983
178–199	13.00	Nov. 1, 1983
200–399	12.00	Oct. 1, 1983
400–999	13.00	Oct. 1, 1983
1000–1199	12.00	Oct. 1, 1983
1200–1299	12.00	Oct. 1, 1983
1300–End	7.50	Oct. 1, 1983
50 Parts:		
1–199	9.00	Oct. 1, 1983
200–End	13.00	Oct. 1, 1983
CFR Index and Findings Aids	17.00	Jan. 1, 1984
Complete 1984 CFR set	550.00	1984
Microfiche CFR Edition:		
Complete set (one-time mailing)	155.00	1983
Subscription (mailed as issued)	200.00	1984
Individual copies	2.25	1984

[1] No amendments to this volume were promulgated during the period Apr. 1, 1980 to March 31, 1984. The CFR volume issued as of Apr. 1, 1980, should be retained.

[2] Refer to September 19, 1983, FEDERAL REGISTER, Book II (Federal Acquisition Regulation).

10-22-84
Vol. 49—No. 205

BOOK 2:
Pages 41855-42538

14

federal register

Book 2 of 2 Books
Monday, October 22, 1984

465-623
G.S.A.

Unified Agenda of Federal Regulations

41856 Part XIII—Department of State

41858 Part XIV—Department of Transportation

41978 Part XV—Department of the Treasury

42124 Part XVI—ACTION

42126 Part XVIII—Advisory Council on Historic Preservation

42128 Part XVIII—Architectural and Transportation Barriers Compliance Board

42132 Part XIX—Environmental Protection Agency

42202 Part XX—Equal Employment Opportunity Commission

42208 Part XXI—Federal Emergency Management Agency

42218 Part XXII—Federal Mediation and Conciliation Service

42220 Part XXIII—General Services Administration

42242 Part XXIV—International Development Cooperation Agency/Agency for International Development

42246 Part XXV—Merit Systems Protection Board

42248 Part XXVI—National Aeronautics and Space Administration

42252 Part XXVII—National Capital Planning Commission

42254 Part XXVIII—National Foundation on the Arts and the Humanities/National Endowment for the Humanities

42258 Part XXIX—National Science Foundation

42262 Part XXX—Office of Management and Budget

42270 Part XXXI—Office of Personnel Management

42282 Part XXXII—Panama Canal Commission

42286 Part XXXIII—Pennsylvania Avenue Development Corporation

42288 Part XXXIV—Pension Benefit Guaranty Corporation

42298 Part XXXV—Railroad Retirement Board

42304 Part XXXVI—Selective Service System

42306 Part XXXVII—Small Business Administration

42314 Part XXXVIII—Tennessee Valley Authority

42316 Part XXXIX—Veterans Administration

42332 Part XL—Civil Aeronautics Board

42350 Part XLI—Commodity Futures Trading Commission

42358 Part XLII—Consumer Product Safety Commission

42370 Part XLIII—Farm Credit Administration

42376 Part XLIV—Federal Communications Commission

42408 Part XLV—Federal Deposit Insurance Corporation

42418 Part XLVI—Federal Energy Regulatory Commission, DOE

42424 Part XLVII—Federal Home Loan Bank Board

42426 Part XLVIII—Federal Maritime Commission

42434 Part XLIX—Federal Reserve System

42444 Part L—Federal Trade Commission

42458 Part LI—Interstate Commerce Commission

42470 Part LII—National Credit Union Administration

42478 Part LIII—Nuclear Regulatory Commission

42516 Part LIV—Securities and Exchange Commission

federal register

Monday
October 22, 1984

Part XIII

Department of State

Semiannual Regulatory Agenda

STATE

DEPARTMENT OF STATE

22 CFR Ch. I

[Docket No. SD-189]

Semiannual Agenda of Regulations and Regulatory Flexibility Agenda

AGENCY: Department of State.

ACTION: Publication of regulatory agenda.

SUMMARY: As required by Executive Order 12291 and OMB Bulletin No. 84-16, the October 1984 agenda of regulations of the Department of State is set forth below. The agenda also contains regulatory flexibility information required by the Regulatory Flexibility Act of 1980 (Pub. L. 96-354).

FOR FURTHER INFORMATION CONTACT: K. E. Malmborg, Assistant Legal Adviser for Management, Department of State, Room 4427A, 2201 C Street, NW, Washington, D.C. 20520, telephone (202) 632-2350.

DATED: August 23, 1984.

Willard A. DePree,

Acting Under Secretary for Management.

BILLING CODE 4710-08-T

DEPARTMENT OF STATE (STATE) — Current and Projected Rulemakings

FOREIGN MISSIONS ACT REGULATIONS

Legal Authority: 22 USC 4301 et seq; 22 USC 254(e)

CFR Citation: Not yet determined

Abstract: The Foreign Missions Act creates certain authorities for the Secretary of State relating to the regulation of foreign missions, diplomatic, consular, and international organizations. Exercise of those authorities could involve restricting or controlling the access of such missions to American vendors of goods and services. Exercise of other authorities in the Foreign Missions Act could affect the location of premises of foreign missions. Exercise of authority in the Diplomatic Relations Act, 22 USC 254(a) et seq., as amended by Title VI of P.L. 98-164, will have an impact on the acquisition of liability insurance coverage for the operation of motor vehicles, vessels, and aircraft by personnel of foreign missions, and could in certain situations, subject foreign missions to surcharges or fees. The regulations under consideration would provide procedures for exercise of these authorities. These regulations are at the stage of preliminary consideration. No timetable has been established other than that established in Title VI of P.L. 98-164.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: James E. Nolan, Director, Office of Foreign Missions, Department of State, Room 2105, 2201 C Street, NW, Washington, D.C. 20520, 202 632-3416

RIN: 1400-AA00

DEPARTMENT OF STATE (STATE) — Existing Regulations Under Review

INTERNATIONAL TRAFFIC IN ARMS

Priority: Agency Determination

Legal Authority: 22 USC 2757 et seq The Arms Export Control Act

CFR Citation: 22 CFR 121 to 128; 22 CFR 130

Abstract: The proposed International Traffic in Arms Regulations (ITAR) referred to in previous agendas have been revised.

Timetable:

Action	Date	FR Cite
Federal Register Notice offering last opportunity to comment	08/31/84	
Final Action	10/15/84	

Small Entity: No

Agency Contact: William B. Robinson, Director, Department of State, Office of Munition Control, 2201 C Street, NW, Washington, DC 20520, 202 632-9755

RIN: 1400-AA02

[FR Doc. 84-25332 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XIV

Department of Transportation

Semiannual Regulatory Agenda

DOT

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Ch. I

23 CFR Chs. I and II

33 CFR Chs. I and IV

41 CFR Ch. 12

46 CFR Chs. I and III

49 CFR Subtitle A, Chs. I-VI

[OST Docket No. 59; Notice 84-11]

Department Regulations Agenda; Semiannual Summary

AGENCY: Department of Transportation.

ACTION: Department Regulations Agenda.

SUMMARY: The Regulations Agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding twelve months or such longer period as may be anticipated, or for which action has been completed since the last Agenda. The Agenda provides the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of, and allow it to more effectively participate in, the Department's regulatory activity.

ADDRESSES: The mailing address for the initiating offices of the Department which appear in the Agenda are 400 Seventh Street, S.W., Washington, D.C. 20590, except for the Federal Aviation Administration which is located at 800 Independence Avenue, S.W., Washington, D.C. 20591; the U.S. Coast Guard, which is located at 2100 Second Street, S.W., Washington, D.C. 20593; and the Saint Lawrence Seaway Development Corporation, which is located at 400 Seventh Street, S.W., Box 44090, Washington, D.C. 20026-4090.

FOR FURTHER INFORMATION CONTACT:

General

For further information on the Agenda, in general, contact: Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 Seventh Street, S.W., Washington, D.C. 20590, 202-426-4723.

Specific

For further information about any particular item on the Agenda, contact the individual listed in the column headed "Agency Contact" for that item.

SUPPLEMENTARY INFORMATION:

Table of Contents

Supplementary Information:

- Background
- Regulatory Flexibility Act
- Definitions
- Explanation of Information on the Agenda
- General
- Mailing Lists for Regulatory Documents
- General Rulemaking Contact Persons
- Public Rulemaking Dockets
- Request for Comments
- Purpose
- Appendix A - Instructions for Obtaining Copies of Regulatory Documents
- Appendix B - General Rulemaking Contact Persons
- Appendix C - Public Rulemaking Dockets Agenda

Background

Improvement of government regulations is a prime goal of the Reagan Administration. There should be no more regulations than necessary, and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they orginally were designed.

To help the Department of Transportation ("Department") achieve these goals, and in accordance with Executive Order 12291 ("Federal Regulation"; 46 FR 13193; February 19, 1981) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), the Department prepares a semiannual Regulations Agenda for publication in the **Federal Register.** The Agenda summarizes all current and projected rulemaking, reviews of existing regulations and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding twelve months or such longer period as may be anticipated or for which action has been completed since the last Agenda.

The Agendas are based on reports submitted by the initiating offices in January and July each year. After these reports are consolidated for, and reviewed by, the Department Regulations Council, the Department's Regulations Agenda is prepared and published in the **Federal Register.** The Department's last Agenda was published in the **Federal Register** on April 19, 1984 (49 FR 16074). The next one is scheduled for publication in the **Federal Register** in April 1985.

Regulatory Flexibility Act

In 1980, Congress passed the Regulatory Flexibility Act (RFA), Pub. L. 96-354, which requires the designation of those regulations for which a Regulatory Flexibility Analysis will be prepared, i.e., those regulations that would have a significant economic impact on a substantial number of small entities. The heading "Small Entity" will indicate whether a Regulatory Flexibility Analysis is required by a "yes" or a "no." If a regulatory flexibility analysis will be prepared for a particular rulemaking, that fact also will be noted under the heading "Analysis."

The RFA also requires that each year the Department publish a list of those regulations that have a significant economic impact on a substantial number of small entities and are to be reviewed under the Act during the succeeding twelve months. The Agenda includes those regulations to be reviewed under the RFA or those for which review has been concluded since the last Agenda. A "yes" or "no" will be found under the heading "small entity," for each such regulation. It should be noted, however, that after a preliminary assessment of the regulations listed for RFA review, it may be found that the regulations, in fact, do not have a significant economic impact on a substantial number of small entities and a full RFA review will be unnecessary.

Definitions

The Agenda covers all rules and regulations of the Department, including those that establish conditions for

financial assistance. The following definitions are provided for ease in understanding the information in this document.

(1) *Initiating office* means an operating administration or other organizational element within the Department, the head of which is authorized by law or delegation to issue regulations or to formulate regulations for issuance by the Secretary.

(2) *Significant regulation* means a regulation that is not an emergency regulation and that in the judgment of the head of the initiating office, or the Secretary, or the Deputy Secretary

(a) Is a major regulation;

(b) Concerns a matter on which there is substantial public interest or controversy;

(c) Has a major impact on another operating administration or other parts of the Department or other Federal Agency;

(d) Has a substantial effect on State and local governments;

(e) Has a substantial impact on a major transportation safety problem;

(f) Initiates a substantial regulatory program or change in policy;

(g) Is substantially different from international requirements or standards; or

(h) Otherwise involves important Department policy.

(3) *Major regulation* means a significant regulation for which a Regulatory Impact Analysis is required to be prepared.

(4) *Emergency regulation* means (a) a regulation that, in the judgment of the head of the initiating office, circumstances require to be issued without notice and opportunity for public comment or made effective in less than 30 days after publication in the **Federal Register**; or (b) is governed by short-term statutory or judicial deadlines.

(5) *Nonsignificant regulation* means a regulation that, in the judgment of the head of the initiating office, is neither a significant nor an emergency regulation.

A preliminary and final Regulatory Impact Analysis is required for each proposed and final regulation, respectively that

(1) Is likely to result in:

(a) An annual effect on the economy of $100 million or more;

(b) A major effect on the general economy in terms of costs, consumer prices, or production;

(c) A major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions;

(d) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets; or

(2) The Secretary or head of the initiating office determines deserves such an analysis.

Explanation of Information on the Agenda

The format for this Agenda is required by Office of Management and Budget Bulletin No. 84-7 (December 29, 1983).

First, the Agenda is divided by initiating offices. Then, in accordance with the OMB Bulletin, for each initiating office the Agenda is divided into three categories: (1) current and projected rulemakings, (2) reviews of existing regulations, and (3) completed actions. These categories are further subdivided into priority rulemakings (or regulations) and other rulemakings. Priority rulemakings are divided into major and non-major, with non-major including all significant rulemakings that do not require a regulatory impact analysis. The priority entries include those regulations that were designated for review by the Presidential Task Force on Regulatory Relief. The "other rulemakings" include all those defined by the Department as nonsignificant, including the routine and frequent rulemakings. For each entry, the Agenda provides the following information: (1) a short descriptive title; (2) the legal basis for the action being taken or the regulation being reviewed; (3) the related regulatory citation in the Code of Federal Regulations; (4) an abstract of the review or the proposed or final regulation; (5) a timetable, including the earliest expected date for a decision on whether to issue the proposed or final regulation, or complete the review and determine the corrective action to be taken. (The action taken can be revocation or revision of the regulation, or it can be a determination that no regulatory action is necessary because the regulation is found to be achieving its goals and the goals and objectives of Executive Order 12291 and the Department's Regulatory Policies and Procedures.); (6) a statement as to whether the Regulatory Flexibility Act applies because of the rulemaking's effect on small entities; (7) if there is information that does not fit in the other categories, it will be included under a separate heading, entitled "Additional Information"; (8) a listing of any analyses an initiating office will prepare or has prepared for the rulemaking document; e.g., a Regulatory Impact Analysis or Evaluation, an Environmental Impact Statement (EIS), a Regulatory Flexibility Analysis, or an Urban Impact Analysis. (It should be noted that, even though a Regulatory Impact Analysis is not required for some items on the Agenda, the Department requires an economic analysis for all of its regulations. This economic analysis is contained in the Regulatory Evaluation.); (9) an agency contact office or official who can provide further information, including advice on how to obtain documents referenced in the Agenda; and (10) a "RIN" number assigned solely to identify an individual action in the Agenda. Finally, for priority rulemakings, the method by which it was determined that the rulemaking was "priority" is also provided.

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules) to keep those requirements operationally current, only the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations are included; individual regulations are not listed.

If a regulatory docket number has already been established, it may be provided under the "Additional Information" heading. If a member of the public desires further information regarding a particular proposal or regulation, reference should be made to this docket number. The Federal Highway Administration also provides an FHPM number at this point for easier reference by those who use the Federal-aid Highway Program Manual (FHPM). The numbers following the FHPM represent, respectively, the volume,

chapter, section and subsection at which the material is located in the FHPM.

In the "Timetable" column, abbreviations are used to indicate the particular documents being considered for issuance by that date. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, NPRM for Notice of Proposed Rulemaking, and FR for Final Rule. Listing a future date in this column is not an indication that a proposal or a final rule will be issued on that date; it is the earliest date on which a decision is expected to be made on whether to issue the document listed. Submittal of any proposed or final rule to the Office of Management and Budget for review, under Executive Order 12291, must follow such a decision. For major rules, this review could take 60 days or more. If any document is issued, publication in the **Federal Register** would follow within a few days. In addition, these dates are based on current schedules. Subsequently received information could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

It should be noted that some of the items on the Agenda result from programs that were established to review existing regulations and revoke or revise those regulations that the initiating office determined were not achieving their intended purpose. Projects under regulatory development that resulted from a review of existing regulations to determine whether they should be revoked or revised are preceded by the word "Review" in the "Title" column. Because some reviews can be large-scale undertakings, and because there are already a number of these in the regulatory development process, the Department thought it would provide the public with valuable information if it indicated not only which regulatory reviews are under consideration but also which reviews have now reached the stage where proposed revisions are being, or have been, prepared. The number of regulatory projects that an initiating office can handle is limited by available resources. Therefore, the number of projects in the regulatory development stage may limit the number of reviews that can be added.

General

To allow for easier use of the Agenda and for quick comparison with earlier Agendas, the Department has instituted the following additional procedures in the Agenda: (1) Items listed on the Agenda retain the same order in each semiannual publication. If subheadings are used within an initiating office's listing, then the same order is retained within each subheading. (2) New items generally are added at the end of the appropriate portion of the Agenda. A dot (●) preceding an entry indicates that the entry appears in its present section of the Agenda for the first time.

Mailing Lists for Regulatory Documents

To assist the public in obtaining regulatory documents issued within the Department of Transportation, an Appendix A has been included in this document. The appendix contains instructions on how to be placed on mailing lists for copies of regulatory documents, including the Department's Semiannual Regulations Agenda, issued by the operating administrations of the Department and the Office of the Secretary. There is no charge for this service; however, because of the costs involved, the number of copies of a document forwarded to an individual requestor may be limited. Persons already on mailing lists for particular documents within the Department will remain on those lists and should not reapply.

By following the instructions specified in the appendix, a person can be placed on a mailing list for future copies of the Department's Regulations Agenda, which will be updated and published in the **Federal Register** every year during April and October. By using the Agenda, individuals can determine which Notice or Advance Notice of Proposed Rulemaking, to be issued by elements of the Department, is of interest to them. Then, using the instructions in the appendix, such persons also can be placed on a mailing list to ensure that, after the document of interest is issued, a copy will be mailed to them for their review and comment. In this way, individuals will be relieved of the burden of having to review the **Federal Register**, perhaps on a daily basis. The Department expects that this process will ensure that those people placed on mailing lists will receive early notice so that their views on the document can be adequately prepared and presented within the established comment period.

General Rulemaking Contact Persons

To assist persons desiring to obtain general information concerning the rulemaking process within the Department's operating administrations, an Appendix B has been added to the Agenda. This appendix sets forth the addresses and the telephone numbers of the persons who can respond quickly to requests for general rulemaking information. Please note, however, that questions related to particular rulemaking actions should still be referred to the contact person listed with the particular rulemaking on the Agenda.

Public Rulemaking Dockets

To facilitate the inspection of docket files and the submission of comments by the public, an Appendix C sets forth the addresses and working hours for the Rules Docket for each operating administration.

Request for Comments

Agenda

Our Agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information as well as make the Agenda easier to use. We would also like you, the public, to make suggestions or comments on how the Agenda could be further improved. For example, do you find the information presented in an easily understandable manner? Do you find it easy to follow a regulation's development from Agenda to Agenda? Do you find that the format for setting out the information enables you to use the Agenda easily? Do you find that the explanation of the information in the Agenda is clearly explained in the preamble to the Agenda? Your responses to these questions or any other comments or suggestions you may have should be sent to Neil R. Eisner, whose address appears above.

Reviews

In an effort to comply further with the spirit of Executive Order 12291 and the Regulatory Flexibility Act, we are also seeking suggestions on existing regulations that should be included in our review of existing regulations list; that is, which existing regulations issued by an operating administration of the Department or the Office of the Secretary do you believe need to be reviewed to determine whether they

should be revised or revoked? The Department is particularly interested in obtaining information on requirements that have a "significant economic impact on small entities" and therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please send them, along with your explanation of why they should be reviewed, to the concerned operating administration or the Office of the Secretary, at the appropriate address noted in the "Addresses" paragraph above.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that are targeted for review under the RFA. Those comments should be addressed to the "contact" person of the operating administration involved, at the appropriate address noted in the "Addresses" paragraph above.

Purpose

The Department is publishing this Regulations Agenda in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity. Knowledge of the nature and scope of this activity, as well as the specific proposals and reviews being considered, should result in more effective public participation in the Department's regulatory activity. For example, awareness of the dates when notices may be issued seeking public comment should allow appropriate planning and more efficient use of the comment period. By providing the expected date for a decision on whether to issue a final rule, the Department expects that more appropriate planning by those concerned with the regulation will also be possible. This publication in the **Federal Register** does not impose any binding obligation on the Department, or any of the offices within the Department, with regard to any specific item on the Agenda or the Review List. Regulatory action in addition to the items listed is not precluded. If further information is desired on any of the items listed in the Agenda or the Review List, the public is encouraged to contact the individual listed for the particular item. Additional information concerning the Agenda, in general, or the Department's Regulatory Policies and Procedures may be obtained from Neil R. Eisner, whose address and telephone number appear above.

Issued in Washington, D.C. on October 3, 1984.

Elizabeth Hanford Dole,

Secretary of Transportation.

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

United States Coast Guard (USCG)

Persons who desire to obtain a copy of any regulatory document to be issued by the USCG that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), United States Coast Guard, 2100 Second Street, S.W., Washington, D.C. 20593.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for Notices and Advance Notices of Proposed Rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling 202-426-8058 or by writing to: Federal Aviation Administration, Office of Public Affairs. Attention: Public Information Center, APA-430, 800 Independence Avenue, S.W., Washington, D.C. 20591.

Federal Highway Administration (FHWA)

The FHWA maintains a consumer mailing list for individuals and agencies wishing to routinely receive Federal-aid highway related rulemaking actions. Persons may selectively choose to receive rulemaking materials in a number of separately identified program categories from the Code of Federal Regulations, Title 23. Those wishing to take advantage of the FHWA consumer mailing list may obtain additional information by writing to: Consumer Affairs Representative, Office of Public Affairs, Room 4208, Federal Highway Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Persons who desire to obtain a copy of any regulatory document to be issued by the FHWA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), Federal Highway Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Federal Railroad Administration (FRA)

Persons who desire to obtain a copy of any regulatory document to be issued by the FRA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), Federal Railroad Administration, 400 7th Street, S.W., Washington, D.C. 20590.

National Highway Traffic Safety Administration (NHTSA)

Persons who desire to obtain a copy of any other regulatory document to be issued by the NHTSA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), National Highway Traffic Safety Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Urban Mass Transportation Administration (UMTA)

Persons who desire to obtain a copy of any regulatory document to be issued by UMTA that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the following address: (Name of contact person), Urban Mass Transit Administration, 400 7th Street, S.W., Washington, D.C. 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

Persons who desire to obtain a copy of any regulatory document to be issued by SLSDC that is listed in this Agenda should communicate with the contact person listed with the regulation either by telephone or by letter to the contact person at the address specified below: (Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090.

Research and Special Programs Administration (RSPA)

Persons wishing to be placed on mailing lists for regulatory documents to be issued by RSPA should contact: Mr.

Roosevelt McKinley, Jr., Information Services Division, DMT-11, 400 7th Street, S.W., Washington, D.C. 20590.

Maritime Administration (MARAD)

Any one desiring a copy of a MARAD regulatory document referred to in the Agenda may request a copy of that document by contacting Mrs. Georgia Stamas, Secretary, Maritime Administration, 400 Seventh Street, S.W. (Room 7300), Washington, D.C. 20590, (202) 426-5746.

Office of the Secretary (OST)

Persons desiring to receive future copies of the Regulations Agenda should submit their request to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, D.C. 20590, (202) 426-4723.

Persons who have an interest in specific regulatory documents to be issued by the Office of the Secretary should forward requests for copies of those documents to the same address. These requests should fully identify the document desired.

Appendix B - General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

USCG - Capt. Chris Holland, Marine Safety Council, USCG Headquarters Building, Room 4402, 2100 Second Street, S.W., Washington, D.C. 20593. Telephone: 202/426-1477.

FAA - John H. Cassidy, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Ave., S.W., Room 915A, Washington, D.C. 20591. Telephone: 202/426-3073.

FHWA - Michael J. Laska, Office of the Chief Counsel, 400 7th Street, S.W., Room 4223, Washington, D.C. 20590. Telephone: 202/426-0761.

FRA - Mike Haley, Office of Chief Counsel, 400 7th Street, S.W., Room 5101, Washington, D.C. 20590. Telephone: 202/472-9042.

NHTSA - Roger Fairchild, Office of Chief Counsel, 400 7th Street, S.W., Room 5219, Washington, D.C. 20590. Telephone: 202/426-2992.

UMTA - Katherine Cowen, Office of Chief Counsel, 400 7th Street, S.W., Room 9228, Washington, D.C. 20590. Telephone: 202/426-4011.

SLSDC - Fredrick A. Bush, General Counsel's Office, 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090. Telephone: 202/426-3574.

RSPA - Vita Simon, Office of Chief Counsel, 400 7th Street, S.W., Room 8420, Washington, D.C. 20590. Telephone: 202/755-4972.

MARAD - Mrs. Georgia Stamas, Secretary, Maritime Administration, 400 7th Street, S.W., Room 7300B, Washington, D.C. 20590. Telephone: 202/426-5746.

OST - Neil Eisner, Office of Regulation and Enforcement, 400 7th Street, S.W., Room 10105, Washington, D.C. 20590. Telephone: 202/426-4723.

Appendix C - Public Rulemaking Dockets

The following is a list of Rule Docket locations for the various operating administrations where the public may review regulatory dockets and hand deliver comments on advance notices and notices of proposed rulemaking:

USCG - Marine Safety Council, 2100 2nd Street, S.W., Room 4402, Washington, D.C. 20593. Working Hours: 7:30-4:00 (Monday-Friday).

FAA - Rules Docket, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Ave., S.W., Room 915G, Washington, D.C. 20591. Working Hours: 8:30-5:00.

FHWA - Docket Room, 400 7th Street, S.W., Room 4205, (Federal Motor Carrier Safety Regulations in Room 3404), Washington, D.C. 20590. Working Hours: 7:45-4:15.

FRA - Docket Clerk, 400 7th Street, S.W., Room 5101, Washington, D.C. 20590. Working Hours: 8:30-5:00.

NHTSA - Docket Room, 400 7th Street, S.W., Room 5109, Washington, D.C. 20590. Working Hours: 8:00-4:00.

UMTA - Docket Clerk, 400 7th Street, S.W., Room 9223, Washington, D.C. 20590. Working Hours: 8:30-5:00.

SLSDC - 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090. Working Hours: 8:15-4:45.

RSPA - Docket Branch, 400 7th Street, S.W., Room 8426, Washington, D.C. 20590. Working Hours: 8:30-5:00.

MARAD - Docket Clerk, 400 7th Street, S.W., Room 7300, Washington, D.C. 20590. Working Hours: 9:00-5:30.

OST - Docket Clerk, 400 7th Street, S.W., Room 10105, Washington, D.C. 20590. Working Hours: 9:00-5:30.

BILLING CODE 4910-62-T

Office of the Secretary—Priority Rulemakings: Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	*Allocation of "Slots" at Washington National Airport	2105-AA00
2	*Nondiscrimination on the Basis of Handicap (Mass Transit Programs)	2105-AA01
3	*Construction Differential Subsidy (CDS) Repayments; Total Repayment Policy	2105-AA15

*Indicates priority regulation.

DOT

Office of the Secretary—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
4	*Title VI Civil Rights Regulation	2105-AA02
5	*Minority Business Enterprise Program (Direct Contracting)	2105-AA03
6	*Review: Minority Business Enterprise Program (Financial Assistance Programs)	2105-AA04
7	*Public Availability of Information	2105-AA05
8	*Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--State Transportation Agencies' EEO Affirmative Action Programs	2105-AA06
9	*Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970	2105-AA16
10	*Conversion of CAB Procedural Rules to DOT Rules	2105-AA19

*Indicates priority regulation.

Office of the Secretary—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
11	Consolidation of Transportation Grants to U.S. Territories	2105-AA08
12	Nondiscrimination on the Basis of Age in DOT Financial Assistance Programs	2105-AA09
13	Minority Business Enterprise Program (Financial Assistance programs); counting credit for suppliers and other service providers	2105-AA20

Office of the Secretary—Priority Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
14	*Nondiscrimination on the Basis of Handicap (Air Travel)	2105-AA18

*Indicates priority regulation.

Office of the Secretary—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
15	Suspension and Debarment of Contractors	2105-AA12

Office of the Secretary—Priority Reviews—Completed Actions

Sequence Number	Title	Regulation Identifier Number
16	*Title VI Regulation	2105-AA13

*Indicates priority regulation.

DOT

U.S. Coast Guard—Priority Rulemakings: Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
17	*Damage Stability and Flooding Protection Standards for Great Lakes Bulk Dry Cargo Vessels (80-159)	2115-AA01
18	*Segregated Ballast, Dedicated Clean Ballast, and Crude Oil Washing on Existing Tank Vessels of 20,000 to 40,000 Deadweight Tons (82-028)	2115-AA05
19	*Shipping Fairway System off the Coast of California (83-032)	2115-AB29

*Indicates priority regulation.

U.S. Coast Guard—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
20	*Review: Licensing of Pilots; Manning of Vessels--Pilots (77-084)	2115-AA04
21	*Review: Qualifications of the Person in Charge of Oil Transfer Operations, Tankerman Requirements (79-116)	2115-AA03
22	*Licensing of Officers and Motorboat Operators and Registration of Staff Officers (81-059)	2115-AA64
23	*Intervals for Drydocking and Tailshaft Examination on Inspected Vessels (84-024)	2115-AB58
24	*Safety Rules for Vessels Engaged in Chemical Waste Incineration at Sea (84-025)	2115-AB60

*Indicates priority regulation.

U.S. Coast Guard—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
25	VTS Houston-Galveston, TX (74-029)	2115-AA07
26	Review: Fixed Fire Extinguishing Systems on Uninspected Vessels (74-284)	2115-AA08
27	Review: Stability Standards for Hopper Dredges (76-080)	2115-AA11
28	Review: Construction and Equipment; Existing Self-Propelled Vessels Carrying Bulk Liquefied Gases (77-069)	2115-AA00
29	Requirement for First Purchaser List Kept by Boat Dealers (77-115)	2115-AA16
30	Review: Miscellaneous Changes to 46 CFR 56 (77-140)	2115-AA17
31	Lifesaving Systems for Great Lakes Vessels (77-202)	2115-AA19
32	Reception Facilities (78-035)	2115-AA21
33	Liquefied Natural Gas Waterfront Facility (78-038)	2115-AA22
34	Review: Private Aids to Navigation and State Aids to Navigation (78-157)	2115-AA27
35	Review: Aids to Navigation - General Interference with, Damages to and Charges for Aids to Navigation (78-159)	2115-AA28
36	Approval of Inflatable Personal Flotation Devices (PFDs) (78-174)	2115-AA29
37	Crane Operator Qualifications and Standards for Offshore Crane Design Inspection, Testing and Operation (79-059)	2115-AA34
38	Workplace Safety and Health Requirements for Facilities on the Outer Continental Shelf (79-077)	2115-AA35
39	Vessel Personnel Licensing and Certification Standards of Foreign Countries (79-081)	2115-AA36
40	Joint U.S.-Canada Vessel Traffic Management regulations for the Pacific region (79-131)	2115-AA39
41	Deepwater Port Liability Fund Requirements (79-158)	2115-AA41
42	Modification to Line Throwing Device Requirements (79-160)	2115-AA42
43	Launching Devices for Liferafts (79-168)	2115-AA45
44	Valve Inspection for Thermal Fluid Heaters (80-064)	2115-AA49
45	Inflatable Liferaft Stability (80-113)	2115-AA50
46	Maneuvering Performance Regulations (80-136)	2115-AA53
47	Servicing Inflatable Liferafts (81-010)	2115-AA57
48	Personal Flotation Devices (81-023)	2115-AA58
49	Automated Main and Auxiliary Machinery (81-030)	2115-AA59
50	Safety Rules for Self-propelled Vessels Carrying Hazardous Liquids and Bulk Liquefied Gases (81-052)	2115-AA62
51	General Bridge Permit Regulations (81-057)	2115-AA61
52	Relocation of Boundary Lines (81-058)	2115-AA63
53	Update of 46 CFR part 153 (81-078)	2115-AA66
54	Acceptance of ASME Boilers with ASME S, E, A, and H stamps (81-079)	2115-AA67
55	Shipping Safety Fairway Amendments, Gulf of Mexico (81-080)	2115-AB57
56	General Revision of 46 CFR 151, Barges Carrying Certain Bulk Dangerous Cargoes (81-082)	2115-AA70
57	Tank Vessels Carrying Noxious Liquid Substances in Bulk; Pollution Prevention and Control, Equipment and Operational Requirements (81-101)	2115-AA73
58	Fairways on the Southern Coast of Alaska (81-103)	2115-AA74
59	Fees for Numbering of Undocumented Vessels (82-001)	2115-AA75

DOT

U.S. Coast Guard—Other Rulemakings—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
60	Suspension and Revocation Proceedings (82-002)	2115-AA76
61	OSV Subchapter (82-004)	2115-AA77
62	Subchapter "D" & "O" Barges - Internal Inspections (82-005)	2115-AA78
63	Casualty Reporting Requirements for Recreational Boats (82-015)	2115-AA82
64	Rewrite of 33 CFR Part 157 (82-030)	2115-AA88
65	Hand Held Flashlights. Independent Inspection Agencies (82-042)	2115-AA91
66	Aids to Navigation on Outer Continental Shelf (82-054)	2115-AA92
67	Natural Ventilation Regulations for Small Boats (82-056)	2115-AA94
68	Update Bulk Liquefied Gas Tanker Requirements (82-058)	2115-AA95
69	Casualty Reporting Requirements (82-069)	2115-AB30
70	Numbering System Requirements (82-076)	2115-AB17
71	Visual Distress Signals-Strobe Lights (82-084)	2115-AB18
72	Nautical Schools: Implementing the Maritime Educational Training Act of 1980 (82-092)	2115-AB21
73	Documentation of Vessels; Controlling Interest (82-105)	2115-AB27
74	Shipboard Navigational Equipment (83-004)	2115-AB31
75	Sailing School Vessel Regulations (83-005)	2115-AB32
76	Revocation of Military Explosives Regulations (83-006)	2115-AB33
77	Miscellaneous Amendments to Recreational Boating Standards (83-012)	2115-AB34
78	Carriage and Use of Liquefied or Non-liquefied Flammable Gas as Cooking Fuels on Vessels Carrying Passengers for Hire (83-013)	2115-AB35
79	Emergency Position Indicating Radiobeacons (EPIRB) (80-024)	2115-AA48
80	Reassessment of Coast Guard Fire Protection Regulations to Incorporate SOLAS 1974 (83-026)	2115-AB36
81	Extend Applicability of Certain Western Rivers Provisions of the Inland Navigation Rules to Other Waters (83-028)	2115-AB37
82	Independent Laboratory Inspection of Lifesaving Equipment (83-030)	2115-AB38
83	Material Standards for Fixed Structures (83-035)	2115-AB40
84	Reassessment of Coast Guard Marine Engineering Regulations -- Incorporation of SOLAS 74 Amendments (83-043)	2115-AB41
85	Requirement for Federal Pilots on Foreign Trade Vessels Where a Pilot is not Required by State Law; State of Maine (83-044)	2115-AB48
86	Compatibility of Cargoes (83-047)	2115-AB49
87	Revisions to the Advance Notice of Arrival and Departure Regulations (83-048)	2115-AB50
88	Redocumentation of Vessels Sold at Sea (83-066)	2115-AB52
89	Editorial Changes to Title 46 CFR Resulting from P.L. 98-89 (83-067)	2115-AB54
90	Simplified Admeasurement (83-070)	2115-AB51
91	Requirements for Mobile Offshore Drilling Units (83-071)	2115-AB56
92	Amendments to Bridge Lighting Requirements (84-022)	2115-AB62
93	Documentation of Vessels, Hailing Port Markings (84-027)	2115-AB64
94	Cargoes of Particular Hazard (84-039)	2115-AB63

U.S. Coast Guard—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
95	Safety/Security Zone Regulations	2115-AA97
96	Anchorage Area Regulations	2115-AA98
97	Drawbridge Regulations	2115-AA99

U.S. Coast Guard—Priority Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
98	*Vessel Reporting Requirements	2115-AB28

*Indicates priority regulation.

DOT

U.S. Coast Guard—Other Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
99	Regulatory Flexibility Act Reviews	2115-AB01
100	Equipment for Lifeboats, Life Rafts, Lifefloats, and Buoyant Apparatus for Passenger Vessels	2115-AB42
101	Oceanographic Research Vessels, Handling, Use and Control of Explosives and Other Dangerous Articles: Magazines	2115-AB43
102	Annual Inspections, Passenger Vessels	2115-AB44
103	Logbook Entries, Cargo Vessels	2115-AB45
104	General Lifesaving Requirements, Tank Vessels	2115-AB46
105	Special Operating Requirements, Uninspected Vessels	2115-AB47

U.S. Coast Guard—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
106	Inland Waters Navigation Regulations - Waters Connecting Lake Huron and Lake Erie (78-151)	2115-AA25
107	Offshore Oil Lightering (78-180)	2115-AA30
108	Pilot Boarding Equipment (79-032)	2115-AB09
109	Colregs Demarcation Lines - Savannah River, GA. Amelia Island, FLA (80-142)	2115-AA54
110	General Bridge Operation Regulations (82-025)	2115-AA87
111	Visual Distress Signal Equipment Requirements (82-073)	2115-AA96
112	Documentation of Vessels; U.S.-Built Determinations (82-085)	2115-AB19
113	Requirement for Safety Approval of Cargo Containers (83-049)	2115-AB55
114	Listing of Additional Test Labs for Portable Fire Extinguishers (83-050)	2115-AB53
115	Documentation of Vessels, Definition of United States (84-020)	2115-AB59
116	Realignment of COTP and Marine Inspection Zone, Boston and Providence (84-037)	2115-AB61

Federal Aviation Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
117	*Parts Manufacturer Approvals	2120-AA00
118	*Airborne Low-Level Wind Shear Equipment Requirements	2120-AA01
119	*Airport Noise Compatibility Planning	2120-AA03
120	*Use of Alcohol or Drugs	2120-AA16
121	*Aircraft Owners and Pilot Association - Duration of Airman Medical Certificates	2120-AA41
122	*High Density Airport Traffic Rule	2120-AA72
123	*Floor Proximity Emergency Escape Path Marking	2120-AA86
124	*Airplane Cabin Fire Protection	2120-AA87
125	*Flammability Requirement for Aircraft Seat Cushions	2120-AA88
126	*Metropolitan Washington Airports Policy	2120-AA89
127	*Expansion of CVR/FDR Equipment Requirements on U.S. Aircraft	2120-AA95
128	*Design Standards on Improved Load Test Criteria for Occupant Seat/Restraint Systems	2120-AB21
129	*Airplane Cabin Fire Protection	2120-AB22
130	*Improved Cabin Materials -- FAR 25.853	2120-AB23
131	*Civil Helicopter Noise Certification	2120-AB33
132	*Improved Flammability Criteria for Materials Used in Interiors of Airplane Cabins	2120-AB34
133	*Slot Transfer Methods	2120-AB37
134	*Slot Allocation Alternative Methods	2120-AB38
135	*Aviation Consumer Action Project Public Citizen Health Research Group, Petition to Amend Part 121 - Medical Equipment Requirements	2120-AB40
136	*Anti-Misting Kerosene	2120-AB41
137	*Elimination of Airport Delays	2120-AB42
138	*Shoulder Harnesses in Normal, Utility, and Acrobatic Category Airplanes	2120-AB43

*Indicates priority regulation.

DOT

Federal Aviation Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
139	Review: Part 91 Notice	2120-AA07
140	Review: Part 91 Review Lost Communications	2120-AA08
141	Review: Objects Affecting Navigable Airspace	2120-AA09
142	Review: Update of Part 139	2120-AA10
143	Pilot Oxygen Mask Requirements	2120-AA11
144	Review: Metropolitan Washington Airports Regulations	2120-AA12
145	Review: Revision of Part 91	2120-AA13
146	Recording of Aircraft Titles and Security Documents - Notice of Lien	2120-AA14
147	Cessna Finance Petition	2120-AA15
148	Inoperative Instruments or Equipment	2120-AA19
149	Parachute Jumping, Notice and Authorization Requirements	2120-AA21
150	Terminal Control Areas (TCA's): Phoenix	2120-AA22
151	Terminal Control Area (TCA) New York (Modification)	2120-AA24
152	Terminal Control Area (TCA) Las Vegas (Modification)	2120-AA25
153	Flight Operations Control Systems	2120-AA26
154	Review: Rotorcraft Review Notice No. 2-Systems	2120-AA27
155	Review: Rotorcraft Review Notice No. 3-Powerplants	2120-AA28
156	Review: Rotorcraft Review Notice No. 4-Airframe	2120-AA29
157	Review: Rotorcraft Review Notice No. 5-Operations and Maintenance	2120-AA30
158	Temporary Flight Restrictions	2120-AA34
159	Foreign Air Carriers and Operators of Certain Large U.S.- Registered Airplanes	2120-AA42
160	Standards for Approval of an Automatic Takeoff Thrust Control System	2120-AA46
161	Part 25 Certification Review	2120-AA47
162	Flight After Structural Failure	2120-AA48
163	Implementation of SAFER Propulsion System Recommendations	2120-AA49
164	FY-1982 Miscellaneous Amendments	2120-AA50
165	Primary Category Aircraft	2120-AA51
166	Proposed Minimum Aeronautical Experience Requirements - Instrument Rating	2120-AA52
167	Certification: Student Recreational, Recreational, Student Other Than Recreational and Private Pilots	2120-AA54
168	Amend Part 23 to Include Requirements for Crash-Resistant Fuel Systems	2120-AA57
169	Amend Part 23 to Include Empennage Fatigue Requirements	2120-AA58
170	Regulation of Motor Vehicles Carrying Passengers for Hire at Washington National Airport	2120-AA62
171	Airport Improvement Program	2120-AA73
172	Noise Standards: Aircraft Type and Airworthiness Certification	2120-AA74
173	FAR 23 Airworthiness Review	2120-AA75
174	Revise Part 23 to Include Commuter Category Airplanes	2120-AA77
175	SFAR 38-1--Certification and Operating Requirements	2120-AA78
176	Accelerated Ground Training - Flight Engineers' Skill Requirements	2120-AA79
177	Instrument Flight Rule Requirements	2120-AA82
178	Airplane Simulator Use in Airman Certification	2120-AA83
179	Rotorcraft Structural Fatigue and Damage Tolerance	2120-AA84
180	Fire Protection Requirements for Cargo or Baggage Compartments	2120-AA90
181	FAR 23.49(b) Stall Speeds for Single Engine and Multiengine Airplanes of 6,000 lbs. or less	2120-AA92
182	Use of X-Ray Systems	2120-AA96
183	Mechanical Reliability Reports	2120-AA97
184	Amendment of Sections 91.171, 91.172, and Appendices E and F of Part 43	2120-AA98
185	Renewal of Inspection Authorization	2120-AA99
186	National Airspace Review (NAR) Terminal Airspace Task Group Recommendations	2120-AB02
187	Mode S Transponder	2120-AB03
188	General Aviation Safety Panel's Recommendations	2120-AB04
189	Fatigue Limit Test (Propellers)	2120-AB05
190	Electronic Fuel Controls	2120-AB06
191	Turbo Prop Engine Propeller Brake Proposals	2120-AB07
192	Flight Time, Duty Time and Rest Requirements	2120-AB08
193	All-Engine Flight Path	2120-AB16
194	Standards for Approval of A Reduced V1 Methodology for Takeoff on Wet Runways and Flight Path Requirements for Engine Loss During Takeoff	2120-AB17
195	Revise Part 25 to Include Special Conditions for High Altitude Operations	2120-AB18
196	Subpart F -- Equipment Airworthiness Regulations	2120-AB19
197	Appendix G, Continuous Turbulence Criteria	2120-AB20
198	Review of FAR 33.87(a)(7)	2120-AB24
199	Advanced V/Stol Rotorcraft Standards	2120-AB25
200	Rebuilt Engine Maintenance Records	2120-AB29
201	Market Survey Experimental Certificates for Aircraft Modifiers	2120-AB30

DOT

Federal Aviation Administration—Other Rulemakings—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
202	Protective Breathing Equipment	2120-AB32
203	Occupant Protection/Restraint Standards for Parts 27 and 29 Rotorcraft	2120-AB35
204	Transport Rotorcraft Performance	2120-AB36
205	Proposed Department of Energy Prohibited Areas	2120-AB39

Federal Aviation Administration—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
206	Part 95 Instrument Flight Rules	2120-AA63
207	Airworthiness Directives	2120-AA64
208	Standard Instrument Approach Procedures	2120-AA65
209	Airspace Actions	2120-AA66

Federal Aviation Administration—Priority Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
210	*Airmen Medical Standards	2120-AA70

*Indicates priority regulation.

Federal Aviation Administration—Other Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
211	Part 21--Certification Procedures for Products and Parts	2120-AB09
212	Maintenance, Preventive Maintenance, Rebuilding, and Alteration	2120-AB10
213	Part 45--Identification and Registration Marking	2120-AB11
214	Part 61--Certification: Pilots and Flight Instructors	2120-AB12
215	Part 67--Medical Standards and Certification	2120-AB13
216	Part 141--Pilot Schools	2120-AB14
217	Part 121 -- Certification and Operations: Domestic, Flag, and Supplemental Air Carriers and Commercial Operators of Large Aircraft	2120-AB27
218	Part 135 -- Air Taxi Operators and Commercial Operators	2120-AB28

Federal Aviation Administration—Priority Rulemakings: Non-Major—Completed Actions

Sequence Number	Title	Regulation Identifier Number
219	*Flight Crewmembers: Limitations on Use of Services	2120-AA02
220	*Review: Airport Layout Plan Approvals	2120-AA67
221	*1984 Olympics	2120-AB26

*Indicates priority regulation.

DOT

Federal Aviation Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
222	Review: Aircraft Engine Regulations Notice	2120-AA04
223	Revision of Applicability of Part 139	2120-AA17
224	White-Diamond Corporation-Use of Nasal Oxygen Cannulas	2120-AA44
225	ATA - Advanced Simulation Requirements	2120-AA94
226	Rotorcraft Simulator Use In Airman Certification	2120-AB00
227	Airport Radar Service Area	2120-AB01
228	Development of Major Repair Data (Extend the Effectivity of SFAR 36)	2120-AB31

Federal Aviation Administration—Other Reviews—Completed Actions

Sequence Number	Title	Regulation Identifier Number
229	Rotorcraft Certification and Operating Rules	2120-AA68

Federal Highway Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
230	*Splash/Spray Suppressant Devices on Truck Tractors, Semitrailers and Trailers	2125-AA84
231	*Driver's Record of Duty Status	2125-AB22

*Indicates priority regulation.

Federal Highway Administration—Priority Rulemakings: Major—Completed Actions

Sequence Number	Title	Regulation Identifier Number
232	*Minimum Cab Space Dimensions	2125-AA00
233	*Truck Size and Weight	2125-AA85

*Indicates priority regulation.

Federal Highway Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
234	*Review: Design Standards for Highways	2125-AA15
235	*Employee Safety and Health Standards	2125-AA06
236	*Review: Outdoor Advertising Control and Acquisition	2125-AA04
237	*Review: Environmental Impact and Related Procedures	2125-AA05
238	*Air Quality Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs	2125-AB10

*Indicates priority regulation.

DOT

Federal Highway Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
239	Review: Civil Rights Requirements	2125-AA08
240	State Highway Agency Construction Contract Equal Opportunity Compliance Review Program Requirements	2125-AB08
241	Review: Contract Procedures	2125-AA18
242	Review: General Materials Requirements	2125-AA19
243	Review: Accommodation of Utilities	2125-AA20
244	Review: Utility Relocation, Adjustments and Reimbursement	2125-AA21
245	Emergency Relief	2125-AA50
246	Acceleration of Projects	2125-AA87
247	Pavement Design Policy	2125-AA88
248	Skid Accident Reduction Program	2125-AA90
249	Participation in Contract Claim Awards and Settlements	2125-AB02
250	Forest Highways	2125-AB03
251	Highway Construction or Alteration Necessitated by Construction of Water Resources Development Projects	2125-AB04
252	Erosion and Sediment Control on Highway Construction Projects	2125-AB05
253	Navigational Clearances for Bridges	2125-AB07
254	Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (Including Supportive Services); Report Requirements	2125-AB15
255	Federal-Aid Program Approval and Project Authorization	2125-AB18
256	Supportive Services for Disadvantaged and Women's Businesses	2125-AB19
257	Required Contract Provisions	2125-AB20
258	Contract Procedures; Advertising For Bids; Noncollusion Affidavit	2125-AB21
259	Public Lands Highways	2125-AB23
260	Toxic Gases in Truck Cabs	2125-AA25
261	Ambient Temperature in Heavy Duty Truck Cabs	2125-AA26
262	Review: Compliance with Motor Carrier Noise Standards	2125-AA27
263	Review: Disqualifying Offenses, Drugs	2125-AA31
264	Written Examination	2125-AA33
265	Retail Fertilizer Distribution Exemption	2125-AA34
266	Review: Notification, Reporting and Recording of Accidents	2125-AA35
267	Railroad Grade Crossings	2125-AA36
268	Review: Disqualification of Drivers (Traffic Records)	2125-AA79
269	Reimbursement; State Highway Agency Audit Expense	2125-AA63
270	Transfer of Federal-Aid Highway Funds	2125-AA64
271	Review: Highway Planning Program Administration	2125-AA10
272	Review: Payback Regulation Amendments	2125-AA11
273	Review: Coordination of Federal and Federally Assisted Programs and Projects	2125-AA12
274	Transfers of Allocated Urban Funds	2125-AA65
275	Mass Transit and Special Use Highway Projects	2125-AB01
276	Review: The Acquisition Function	2125-AA23
277	Review: Relocation Assistance	2125-AA81
278	Public Hearings and Location Design Approval	2125-AB09

Federal Highway Administration—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
279	Manual on Uniform Traffic Control Devices	2125-AA37
280	Relocation Assistance-Moving Payments-Moving Expense Schedules	2125-AA38

Federal Highway Administration—Other Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
281	Motorist Aid Systems	2125-AA48
282	Rear End Underride Protection	2125-AA58

DOT

Federal Highway Administration—Priority Rulemakings: Non-Major—Completed Actions

Sequence Number	Title	Regulation Identifier Number
283	*Minimum Levels of Financial Responsibility for Motor Carriers of Property	2125-AA80

*Indicates priority regulation.

Federal Highway Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
284	Physical Construction Authorization	2125-AA92
285	National Bridge Inspection Standards	2125-AA93
286	Defense Access Roads; Revision	2125-AB06
287	Contract Procedures; Bonus Payment; Rescission of Regulation	2125-AB14
288	Review: Driver Qualification Files	2125-AA78
289	Motor Carrier Safety Assistance Program	2125-AA94
290	Buy American Requirements	2125-AB16
291	Preconstruction Procedures; Project Agreement Form	2125-AB17

Federal Highway Administration—Other Reviews—Completed Actions

Sequence Number	Title	Regulation Identifier Number
292	Project Agreements	2125-AA49
293	Federal-Aid Program Approval and Authorization	2125-AA51
294	Emergency Relief	2125-AA50

National Highway Traffic Safety Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
295	*Heavy Duty Vehicle Brake Systems (Formerly Truck and Trailer Brake Systems)	2127-AA00
296	*Occupant Crash Protection - Test procedures and other issues	2127-AB20
297	*MY 1985-1986 Light Truck Fuel Economy Standards	2127-AA75
298	*MY 1984-1985 Light Truck Average Fuel Economy Standards	2127-AB22
299	*Crashworthiness Ratings	2127-AA03

*Indicates priority regulation.

National Highway Traffic Safety Administration—Priority Rulemakings: Major—Completed Actions

Sequence Number	Title	Regulation Identifier Number
300	*Occupant Crash Protection	2127-AA89

*Indicates priority regulation.

DOT

National Highway Traffic Safety Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
301	*National Minimum Drinking Age	2127-AB30
302	*Child Restraint Tether Anchorages	2127-AA39
303	*Child Seating Systems	2127-AB08
304	*National Driver Register	2127-AA98
305	*Splash and Spray Suppression Devices	2127-AA97
306	*Uniform Tire Quality Grading Standards - Treadwear Amendments	2127-AB21

*Indicates priority regulation.

National Highway Traffic Safety Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
307	Truck Rear Underride Protection	2127-AA43
308	Flammability of School Bus Interior Materials	2127-AA44
309	Pedestrian Protection	2127-AA45
310	Seating Reference Point/Motor Vehicle Driver's Eye Range	2127-AA46
311	Controls & Displays	2127-AA05
312	Controls and Displays	2127-AA06
313	Windshield Defoggers	2127-AA91
314	Brake Systems	2127-AA13
315	Hydraulic and Air Brake Systems	2127-AA92
316	Hydraulic Brake Systems	2127-AA94
317	Brake Hoses	2127-AA09
318	Brake Hoses	2127-AA90
319	Commercial Vehicle Conspicuity	2127-AA12
320	Lamps, Reflective Devices, and Associated Equipment	2127-AA16
321	Lamps, Reflective Devices, and Associated Equipment	2127-AA17
322	Lamps, Reflective Devices, and Associated Equipment	2127-AA18
323	Lamps, Reflective Devices, and Associated Equipment	2127-AA19
324	Lamps, Reflective Devices, and Associated Equipment	2127-AA77
325	Lamps, Reflective Devices, and Associated Equipment	2127-AA79
326	Lamps, Reflective Devices, and Associated Equipment	2127-AB10
327	Lamps, Reflective Devices, and Associated Equipment	2127-AB11
328	Rear View Mirror Systems	2127-AA21
329	Rear View Mirror Systems	2127-AA23
330	Rear View Mirrors	2127-AA88
331	Referee Brake Fluids	2127-AB09
332	Air Brake Systems	2127-AA27
333	Motorcycle Controls	2127-AA28
334	Motorcycle Controls and Displays	2127-AA29
335	Steering Control Rearward Displacement	2127-AA32
336	Door Locks and Door Retention Components	2127-AB13
337	Seat Belt Assemblies	2127-AA35
338	Seat Belt Assemblies	2127-AA37
339	Seat Belt Assembly Anchorages	2127-AA95
340	Child Seating Systems	2127-AA80
341	Motorcycle Helmets	2127-AA40
342	Air Brake Systems	2127-AB12
343	Evidential Breath Testing Devices	2127-AA99
344	Calibrating Devices for Evidential Breath Testing Devices	2127-AB00
345	Highway Safety Standards	2127-AA96
346	Incentive Grant Criteria for Alcohol Traffic Safety Programs--Amendment	2127-AB23
347	Vehicle Classification - Compact Vans/Station Wagons	2127-AA57
348	Anthropomorphic Test Dummies	2127-AA48
349	Consumer Information--Stopping Distance	2127-AA50
350	Consumer Information - Wet Stopping Distance	2127-AA56

DOT

National Highway Traffic Safety Administration—Priority Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
351	*Hydraulic Brake Systems	2127-AA62
352	*Lamps, Reflective Devices, and Associated Equipment	2127-AA60
353	*Head Restraints	2127-AA58
354	*Side Door Strength	2127-AA59
355	*Fuel System Integrity	2127-AA61

*Indicates priority regulation.

National Highway Traffic Safety Administration—Other Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
356	Occupant Protection In Interior Impact	2127-AB16
357	Windshield Glazing Materials	2127-AA73
358	Seating Systems	2127-AA69
359	Windshield Mounting	2127-AA74
360	Child Seating Systems	2127-AA70
361	School Bus Seating System	2127-AA65
362	Highway Safety Programs; Assessment and Status	2127-AB19
363	Voluntary Tire Registration	2127-AB18
364	Uniform Tire Quality Grading	2127-AA52

National Highway Traffic Safety Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
365	Tire Selection and Rims, Non-Passenger Cars	2127-AA26
366	School Bus Body Joint Strength	2127-AA41
367	Uniform Tire Quality Grading	2127-AA51
368	Consumer Information Regulations - Operation of Utility Vehicles on Paved Roadways	2127-AA82
369	Optional Early Compliance With Center High-Mounted Stop Lamp Requirements	2127-AB29

National Highway Traffic Safety Administration—Other Reviews—Completed Actions

Sequence Number	Title	Regulation Identifier Number
370	Impact Protection for the Driver from the Steering Control System and Steering Control Rearward Displacement	2127-AA72
371	Windshield Defrosting and Defogging Systems	2127-AB25
372	Windshield Wiping and Washing Systems	2127-AB26
373	Brake Hoses	2127-AB24
374	Motor Vehicle Brake Fluids	2127-AB27
375	Power Operated Window Systems	2127-AB28

Federal Railroad Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
376	*Alcohol and Drugs	2130-AA18

*Indicates priority regulation.

DOT

Federal Railroad Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
377	Safety Standards for Cabooses	2130-AA01
378	Amendments to Regulations Implementing Section 905 of the 4R Act	2130-AA04
379	Special Safety Inquiry	2130-AA06
380	Rules of Practice	2130-AA07
381	Special Safety Inquiry; Rail Passenger Equipment	2130-AA25
382	Special Safety Inquiry; Rail-Highway Grade Crossing Safety	2130-AA27
383	Special Safety Inquiry; Railroad Power Brakes	2130-AA28
384	Railroad Locomotive Safety Standards	2130-AA29
385	Railroad Operating Rules	2130-AA30
386	Freight Car Safety Standards	2130-AA31
387	Review of Locomotive Cab Safety	2130-AA32

Federal Railroad Administration—Other Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
388	Regulatory Flexibility Act Reviews	2130-AA10

Federal Railroad Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
389	Removal of Roof Running Boards	2130-AA12

Urban Mass Transportation Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
390	*"Buy America" Requirements of the Surface Transportation Assistance Act of 1982	2132-AA15

*Indicates priority regulation.

Urban Mass Transportation Administration—Priority Rulemakings: Major—Completed Actions

Sequence Number	Title	Regulation Identifier Number
391	*"Buy America" Requirements of Surface Transportation Assistance Act of 1978	2132-AA00

*Indicates priority regulation.

Urban Mass Transportation Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
392	*Regulation Implementing the Nondiscrimination Section of the Urban Mass Transportation Act	2132-AA01
393	*Environmental Impact and Related Procedures	2132-AA03
394	*Charter Bus Regulations	2132-AA04

DOT

Urban Mass Transportation Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
395	*Air Quality Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs	2132-AA19
396	*Major Capital Investment Projects	2132-AA22

*Indicates priority regulation.

Urban Mass Transportation Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
397	Innovative Techniques and Methods	2132-AA05
398	Miscellaneous Amendments - Organization, Functions, and Procedures	2132-AA06
399	Technology Introduction	2132-AA07
400	School Bus Operations	2132-AA09
401	Private Enterprise Participation	2132-AA20

Urban Mass Transportation Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
402	Buy America Requirement	2132-AA21

Saint Lawrence Seaway Development Corporation—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
403	St. Lawrence Seaway Tariff of Tolls Amendment	2135-AA06

Saint Lawrence Seaway Development Corporation—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
404	Seaway Regulations - Amendments	2135-AA07

Research and Special Programs Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
405	*Review: Performance-Oriented Packaging Standards	2137-AA01
406	*Data Collection and Reporting: Hazardous Materials Incident Reports	2137-AA51
407	*Reportable Quantities of Hazardous Substances	2137-AA68

*Indicates priority regulation.

DOT

Research and Special Programs Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
408	Definition of a Flammable Solid	2137-AA05
409	Review: Revision of Operating Procedures for Motor Vehicles	2137-AA07
410	Use of Interested Inspectors for Cylinder Inspections	2137-AA08
411	Consolidation and Revision of Requirements for the Carriage of Explosives by Vessel	2137-AA10
412	Oxidizing Materials Definition, Criteria and Proposed Regulations	2137-AA11
413	Shipment of Matches	2137-AA13
414	Interior Piping	2137-AA21
415	Location, Size, and Operating Pressure of Pipelines	2137-AA22
416	Miscellaneous Hazardous Materials Communications Regulations	2137-AA25
417	Radiation Level Specifications	2137-AA27
418	Private Carriers Licensed to Use Radioactive Materials	2137-AA28
419	Specification Packages of Type B and Fissile Radioactive Materials	2137-AA29
420	Quality Assurance for Radioactive Materials Shippers	2137-AA30
421	Placarding of Empty Tank Cars	2137-AA35
422	DOT Specification 51 Portable Tanks	2137-AA36
423	Monitoring External Corrosion Control	2137-AA38
424	Steel Pipe	2137-AA40
425	Design, Maintenance and Testing of MC-306 Cargo Tanks	2137-AA42
426	Reclassification of Cordeau Detonant Fuse	2137-AA54
427	Isolated Corrosion Pitting	2137-AA57
428	Records for Hydrostatic Testing, Operation and Maintenance and Accident Reporting	2137-AA58
429	Nondestructive Testing of Girth Welds	2137-AA59
430	Intrastate Liquid Pipelines	2137-AA60
431	Confirmation or Revision of Maximum Operating Pressure for Certain Changes in Class Location	2137-AA62
432	Specification 8W and 8WA Welded Steel Cylinders	2137-AA63
433	Revision of the IM Tank Table	2137-AA64
434	Cylinder Retester Identification Numbers	2137-AA65
435	Clarification of Welding Requirements for Gas Pipelines	2137-AA69
436	Ovality of Field Bends in Steel Pipe	2137-AA70
437	Damage Prevention Program for Gas Pipelines (Docket No. PS-59)	2137-AA71
438	Modifications to DOT Specification 21PF-1 Overpacks	2137-AA72
439	Marking Owner's Symbols on Compressed Gas Cylinders	2137-AA74
440	Tritium and Carbon-14; Low Specific Activity Radioactive Materials Transported for Disposal	2137-AA75

Research and Special Programs Administration—Other Rulemakings: Routine and Frequent—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
441	Conversion of Individual Exemptions to Regulations of General Applicability	2137-AA43
442	Minor Regulatory Adjustments to Regulations of General Applicability	2137-AA44
443	Matter Incorporated by Reference (Hazardous Materials)	2137-AA45
444	Implementation of the ICAO Technical Instructions	2137-AA48

Research and Special Programs Administration—Other Reviews—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
445	Rewrite and Recodification of Section 173.34	2137-AA73

DOT

Research and Special Programs Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
446	Review: Recodification of Radioactive Materials Requirements	2137-AA03
447	Radiation Exposure for Transportation Workers	2137-AA06
448	Standards for Polyethylene Containers	2137-AA09
449	Requirements for Reporting Gas Incidents	2137-AA15
450	Small Arms Ammunition	2137-AA55
451	Modifications of Specifications for Cargo Tanks for Liquids, including Provisions for Vacuum Trucks for Hazardous Waste	2137-AA56
452	Design of Pipeline Components (Docket No. PS-78)	2137-AA66
453	Qualification of Welders	2137-AA67

Maritime Administration—Priority Rulemakings: Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
454	*Vessel Obligation Guarantees; Vessel Requirements, United States Construction	2133-AA29

*Indicates priority regulation.

Maritime Administration—Priority Rulemakings: Non-Major—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
455	*Cargo Preference-U.S. Flag Vessels-Determination of Fair and Reasonable Rates	2133-AA02
456	*Award and Administration of Operating-Differential Subsidy (ODS) for Dry Bulk Cargo Vessels	2133-AA04
457	*Review: Operating-Differential Subsidy (ODS) Rates for Liner Vessels	2133-AA07
458	*Obligation Guarantees	2133-AA30
459	*Establishment of Mandatory Position Reporting System for Vessels	2133-AA31
460	*Determinations of Non-availability of U.S.-Flag Vessels	2133-AA36
461	*Cargo Preference; U.S.-Flag Vessels	2133-AA37

*Indicates priority regulation.

Maritime Administration—Other Rulemakings—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
462	Federal Income Tax Aspects of the Capital Construction Fund	2133-AA05
463	Requirements and Procedures for the Administration of Condition Surveys and Maintenance and Repair Subsidy	2133-AA08
464	Requirements for Establishing United States Citizenship	2133-AA15
465	Statistical Data for Use In Operating-Differential Subsidy (ODS) Application Hearings	2133-AA16
466	Suspension of ODS Agreements for All or Portion of the Vessels Included Therein	2133-AA17
467	Treatment of Subsidy During Voyage Deviations	2133-AA18
468	Participation by Vessels Built with CDS in the Carriage of Oil from Alaska in the Domestic Trade	2133-AA19
469	Rules of Practice and Procedures; for Hearing in Operating-Differential Subsidy (ODS) Application; Applications for Subsidies and Other Direct Financial Aid	2133-AA20
470	Federal Tort Claims	2133-AA32
471	Vessel Obligation Guarantees; Waivers for Foreign-Built Main Diesel Engines	2133-AA33
472	Making Excess or Surplus Federal Property Available to the United States Merchant Marine Academy (USMMA), State Maritime Academies and Approved Nonprofit Maritime Training Institutions	2133-AA34
473	Priority Use and Allocation of Shipping Services, Containers and Port Facilities and Services for National Defense Operations	2133-AA39
474	Blanket Approval for Bareboat Charters of Pleasure Boats to Non-citizens	2133-AA40

DOT

Maritime Administration—Priority Rulemakings: Non-Major—Completed Actions

Sequence Number	Title	Regulation Identifier Number
475	*Merchant Marine Training	2133-AA03

*Indicates priority regulation.

Maritime Administration—Other Rulemakings—Completed Actions

Sequence Number	Title	Regulation Identifier Number
476	National Shipping Authority	2133-AA11
477	Review: Capital Construction Fund	2133-AA12
478	Implementation Procedures for the National Defense Program	2133-AA13
479	Dividend Policy for Operators Receiving Operating- Differential Subsidy	2133-AA26

DEPARTMENT OF TRANSPORTATION (DOT)

Office of the Secretary (OST)

Current and Projected Rulemakings

Priority Rulemakings: Major

1. ALLOCATION OF "SLOTS" AT WASHINGTON NATIONAL AIRPORT

Priority: Major

Legal Authority: 49 USC 1303; 49 USC 1347; 49 USC 1348(a); 49 USC 1348(b); 49 USC 1348(c); 49 USC 1354(a); Federal Aviation Act of 1958, as amended, Sec 103; Federal Aviation Act of 1958, as amended, Sec 306; Federal Aviation Act of 1958, as amended, Sec 307(a); Federal Aviation Act of 1958, as amended, Sec 307(b); Federal Aviation Act of 1958, as amended, Sec 307(c); Federal Aviation Act of 1958, as amended, Sec 313(a); 49 USC 106(g); Act for the Administration of Washington Natl Airport, Sec 2

CFR Citation: 14 CFR 93

Abstract: Proposed amendment to establish procedures for allocating the hourly number of instrument flight operations (takeoffs and landings) or "slots" that may be reserved at Washington National Airport (WNA) in accordance with the FAA's High Density Rule. This proposal is considered a significant rulemaking project due to substantial public interest and potential costs to airlines. The Civil Aeronautics Board and the Department of Justice have expressed concerns about continuing the antitrust immunity under which the airline scheduling committees currently allocate slots at WNA. A new method of allocation may become necessary.

Timetable:

Action	Date	FR Cite
NPRM	10/27/80	45 FR 71236
Emergency Regulation	11/03/80	45 FR 72637
Comment Period extended	01/05/81	46 FR 932
Public Hearing	02/03/81	
To be withdrawn	00/00/00	

Small Entity: No

Additional Information: The CAB in conjunction with the FAA commissioned the Polinomics Research Laboratories, Inc., to research the allocation problem. A report of its findings has been prepared. Another report by Econ, Inc., analyzing a slot allocation auction procedure has been prepared under an FAA contract. The emergency regulation was published in the Federal Register on November 3, 1980 (45 FR 72637). The NPRM for a long term solution to the slot allocation problem was issued on October 27, 1980 (45 FR 71236). A public hearing was held on February 13, 1981, and the comment period was extended until February 26, 1981 (46 FR 932, January 5, 1981). On June 1, 1984, the FAA issued NPRM 84-6, dealing with slot transfers among carriers, and NPRM 84-7 proposing a slot allocation method for use if a scheduling committee should fail to allocate slots. These NPRM's are discussed in the FAA portion of the agenda.The withdrawal of this NPRM might be accomplished in conjunction with final action on NPRMs 84-6 and 84-7.

Analysis: Preliminary RIA 10/27/80

Agency Contact: Harvey Safeer, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-3331

RIN: 2105-AA00

2. NONDISCRIMINATION ON THE BASIS OF HANDICAP (MASS TRANSIT PROGRAMS)

Priority: Major

Legal Authority: 29 USC 794 Rehabilitation Act of 1973, as amended; 49 USC 1612(a) Urban Mass Trans. Act of 1964, as amended; 23 USC 142 Note Federal-aid Highway Act of 1973, as amended; 49 USC 1612 (second(c)) Urban Mass Trans. Act of 1964, as amend

CFR Citation: 49 CFR 27

Abstract: The Department's rule concerning mass transit service for handicapped persons is currently an interim final rule published July 20, 1981 (48 FR 37488). This rule was issued after a court decision said that section 504 did not authorize the Department's previous mass transit requirements. In 1983, Congress enacted section 317(c) of the Surface Transportation Assistance Act of 1982, which requires the Department to publish a new rule. The Department published an NPRM for this

new rule on September 8, 1983 (48 FR 40684). The Department will review the comments and publish a final rule based on this NPRM.

Timetable:

Action	Date	FR Cite
NPRM	09/08/83	48 FR 40684
Extension of Comment Period	10/31/83	48 FR 50125
Final Action	01/00/85	

Small Entity: Yes

Analysis: Preliminary RIA 09/08/83

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4723**

RIN: 2105-AA01

3. CONSTRUCTION DIFFERENTIAL SUBSIDY (CDS) REPAYMENTS; TOTAL REPAYMENT POLICY

Priority: Major

Legal Authority: 46 USC 1114(b)Merchant Marine Act, 1936, as amended, Sec. 204(6); 46 USC 1117 Merchant Marine Act, 1936, as amended, Sec. 207; 46 USC 1156 Merchant Marine Act, 1936, as amended, Sec. 506; 46 USC 1204 Merchant Marine Act, 1936, as amended, Sec. 714

CFR Citation: 46 CFR 276

Abstract: The regulation would amend 46 CFR 276 which would set forth the Department's policy in considering requests for repayment of construction-differential subsidy as authorized under the provisions of the Merchant Marine Act of 1936, as amended.

Timetable:

Action	Date	FR Cite
First NPRM	11/02/78	43 FR 51045
Second NPRM	05/05/80	45 FR 29610
Interim Rulemaking	10/15/80	45 FR 68393
Amendment to Interim Rule	11/24/80	45 FR 77445
Third NPRM	01/31/83	48 FR 4408
NPRM Public Comment Pd. closed	04/01/83	
NPRM Comment Period extended to	05/02/83	

Next Action Undetermined

Small Entity: No

Additional Information: First NPRM, November 2, 1978 (43 FR 51045). Second NPRM, May 5, 1980 (45 FR 29610). Interim Rulemaking, October 15, 1980 (45 FR 68393). Amendment to Interim Rule, November 24, 1980 (45 FR 77445). The interim rule was invalidated by the U.S. Court of Appeals of the D.C. Circuit in 1982. Third NPRM, January 31, 1983 (48 FR 4408). Public comment period closed on April 1, 1983. Comment period on NPRM extended until May 2, 1983.

Analysis: Regulatory Evaluation 01/00/83

Agency Contact: Warren Dean, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2972**

RIN: 2105-AA15

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

4. TITLE VI CIVIL RIGHTS REGULATION

Priority: Agency Determination

Legal Authority: 42 USC 2000d-4

CFR Citation: 49 CFR 21

Abstract: In 1981, the Department proposed a consolidation and expansion of its existing Title VI regulation (49 CFR Part 21). Few comments were received on this NPRM, and a final regulation was never published. The Department reviewed the existing regulation to determine if changes were needed. It was concluded that the Department can continue to enforce Title VI appropriately through the existing regulation. Consequently the Department does not anticipate further rulemaking action, and intends to withdraw the NPRM.

Timetable:

Action	Date	FR Cite
NPRM	01/19/81	46 FR 5588
NPRM Comment Period End	04/20/81	
To be withdrawn	00/00/00	

Small Entity: No

Additional Information: NPRM published in the Federal Register January 19, 1981 (46 FR 5588). No further action will be taken on this NPRM pending the outcome of the priority regulatory review. Comment period closed April 20, 1981.

Analysis: Regulatory Evaluation 01/19/81

Agency Contact: Dorsey Thomas, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4754**

RIN: 2105-AA02

5. MINORITY BUSINESS ENTERPRISE PROGRAM (DIRECT CONTRACTING)

Priority: Agency Determination

Legal Authority: EO 11625; EO 12138; 45 USC 803; PL 95-507

CFR Citation: 49 CFR 23

Abstract: As part of the NPRM that proposed its minority business program rule, (49 CFR Part 23), the Department proposed rules concerning minority business involvement in direct DOT procurement. However, because of the program established by Public Law 95-507, these proposed rules became unnecessary, and were never finalized. That program provides for subcontracting plans and goals in certain direct Federal contracts as well as for disadvantaged business set-asides under the Small Business Administration 8(a) program. The Department intends to withdraw this proposal.

Timetable:

Action	Date	FR Cite
NPRM	05/17/79	44 FR 28928
NPRM Comment Period End	07/16/79	
Final Action concerning financial assistance programs	03/31/80	45 FR 21172
Withdraw Proposed Rule	00/00/00	

Small Entity: No

Additional Information: The Department published a final rule concerning its financial assistance

programs on March 31, 1980 (45 FR 21172). The Department has concluded that further rulemaking in the direct contracting field is unnecessary at this time, and intends to withdraw this proposed rule.

Analysis: Regulatory Evaluation 05/17/79

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4723**

RIN: 2105-AA03

6. REVIEW: MINORITY BUSINESS ENTERPRISE PROGRAM (FINANCIAL ASSISTANCE PROGRAMS)

Priority: Agency Determination

Legal Authority: 42 USC 2000d Civil Rights Act of 1964, Title VI; 49 USC 1730; 45 USC 906; 49 USC 1615

CFR Citation: 49 CFR 23

Abstract: The Department is reviewing its regulation establishing a minority business enterprise (MBE) program in its financial assistance programs (49 CFR Part 23). This regulation has been controversial, is of interest to most DOT grant recipients and contractors, and affects the operations of all DOT financial assistance programs. As part of the Administration's program of reviewing regulations that are costly or controversial, the Department has decided that it is necessary to consider revisions of the existing rule. The aim of the revisions would be to reduce regulatory burdens associated with the present rule and clarify the administration of some provisions about which questions have been raised. On the basis of this review, the Department intends to publish an NPRM that would propose changes in the administrative mechanism through which the Department's minority business program is carried out.

Timetable:

Action	Date	FR Cite
Final Action	03/31/80	45 FR 21172
NPRM make interim amend to final rule, pend. revision of entire rule	03/12/81	46 FR 16282
Final Action for interim amendment	04/27/81	46 FR 23457
NPRM	01/00/85	

Small Entity: Yes

Additional Information: Final Rule published March 31, 1980 (45 FR 21172). NPRM to make interim amendment to this final rule, proposing to delete two controversial provisions, pending revision of the entire rule published March 12, 1981 (46 FR 16282). Final rule for interim amendment published April 27, 1981 (46 FR 16202). Further action to revise existing rule under consideration.

Analysis: Final RFA 04/27/81; Regulatory Evaluation 04/27/81

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4723**

RIN: 2105-AA04

7. PUBLIC AVAILABILITY OF INFORMATION

Priority: Agency Determination

Legal Authority: 5 USC 552 Freedom of Information Act

CFR Citation: 49 CFR 7

Abstract: This involves a revision of DOT's Freedom of Information Act regulations. Specific areas to be revised may include the fee schedule and the policy on waivers of fees for public interest groups and the press. This rulemaking is significant because of substantial public interest. It is needed because the Freedom of Information Regulations need periodic revision to keep current with changes in case law, policy, and implementation costs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	

Small Entity: No

Additional Information: The regulations were last revised in 1975 (40 FR 7915). A new revision is currently under internal development.

Agency Contact: Rebecca H. Lima, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4542**

RIN: 2105-AA05

8. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE DEPARTMENT OF TRANSPORTATION--STATE TRANSPORTATION AGENCIES' EEO AFFIRMATIVE ACTION PROGRAMS

Priority: Agency Determination

Legal Authority: Federal-Aid Highway Act of 1968, as amended, Sec 22(a); RR Revitalization & Regulatory Reform Act of 1976, Sec 905; 49 USC 1615 Urban Mass Transportation Act of 1964, as amended; 29 USC 794 Rehabilitation Act of 1973, Sec 504

CFR Citation: 49 CFR 1.48(c); 49 CFR 2.49(u); 49 CFR 1.51(a)

Abstract: The proposed regulation would set forth requirements and procedures for all State Departments of Transportation (DOTs) equal employment opportunity compliance programs. It would also consolidate FHWA, FRA, and UMTA responsibilities in this area. This proposed regulation is significant because it would affect the equal opportunity employment programs of all State transportation agencies. It is needed because OST, FHWA, FRA, and UMTA each have responsibility for implementing the equal employment opportunity programs of State DOTs. This proposed rule would assure full coordination among these departmental elements, reduce the burden on the recipients, simplify reporting requirements, and eliminate duplication of effort.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: The proposed regulation was forwarded to EEOC for review and coordination. The primary issue addressed by this proposal was raised in the course of reviewing a related regulation. Further action will be delayed pending the outcome of that review.

Agency Contact: Dorsey Thomas, Department of Transportation, Office of

the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4754**

RIN: 2105-AA06

9. UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Priority: Agency Determination

Legal Authority: 42 USC 4601 et seq

CFR Citation: 49 CFR 25

Abstract: This regulation would establish cost-effective policies and procedures governing Federal and Federally-assisted relocation assistance and real property acquisition programs under the Uniform Act. The Department published this NPRM at the request of OMB, and it is anticipated that when a final rule is issued, it will serve as a model for other Federal agencies covered by the Uniform Act.

Timetable:

Action	Date	FR Cite
NPRM	04/14/83	48 FR 16198
Final Action	08/00/84	

Small Entity: No

Government Levels Affected: Local, State

Analysis: Regulatory Evaluation 04/14/83

Agency Contact: Wayne F. Kennedy, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0342**

RIN: 2105-AA16

10. ● CONVERSION OF CAB PROCEDURAL RULES TO DOT RULES

Priority: Agency Determination

Legal Authority: PL 95-504, Airline Deregulation Act of 1978; 49 USC 1301 et seq, Federal Aviation Act of 1958, as amended; 49 USC Subtitle I.

CFR Citation: 49 CFR Chapter II, Subchapter B

Abstract: On January 1, 1985, the Civil Aeronautics Board sunsets. Most of the continuing functions of the CAB will transfer to DOT. This rulemaking would revise the CAB procedural rules by deleting unnecessary and redundant provisions and designating the appropriate DOT Offices to handle transferred responsibilities. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Agency Contact: Warren Dean, Assistant General Counsel for Int'l Law, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2972**

RIN: 2105-AA19

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

11. CONSOLIDATION OF TRANSPORTATION GRANTS TO U.S. TERRITORIES

Legal Authority: PL 95-134, Title V

CFR Citation: 49 CFR 29

Abstract: The regulation would comply with Title V of Pub. L. 95-134, which permits departments and agencies to consolidate grant programs, reduce reporting requirements, and waive local matching fund requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/08/79	44 FR 1765

Next Action Undetermined

Small Entity: No

Agency Contact: Irving Glasser, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4455**

RIN: 2105-AA08

12. NONDISCRIMINATION ON THE BASIS OF AGE IN DOT FINANCIAL ASSISTANCE PROGRAMS

Legal Authority: PL 94-135, Title III

Abstract: This regulation would prohibit age discrimination by recipients of DOT financial assistance programs. Few comments were received on the NPRM. The Department intends to publish a final rule later this year.

Timetable:

Action	Date	FR Cite
NPRM	10/22/79	44 FR 60946
Final Action	10/00/84	

Small Entity: No

Agency Contact: Ira Laster, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4380**

RIN: 2105-AA09

13. ● MINORITY BUSINESS ENTERPRISE PROGRAM (FINANCIAL ASSISTANCE PROGRAMS); COUNTING CREDIT FOR SUPPLIERS AND OTHER SERVICE PROVIDERS

Legal Authority: 42 USC 2000d; 49 USC 1730; 45 USC 906; 49 USC 1615; PL 97-424, Sec 105(f), Surface Transp. Assist. Act of 1982

CFR Citation: 49 CFR 27.47(e)(f)

Abstract: The current DOT MBE rule provides that recipients and contractors may receive only 20 percent credit for the cost of goods purchased from MBE suppliers who do not manufacture the goods. The Department intends to propose a regulation to correct the perceived inequities resulting from this approach.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
End Review	08/00/84	

Small Entity: No

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4723**

RIN: 2105-AA20

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Office of the Secretary (OST)

Existing Regulations Under Review
Priority Reviews

14. ● NONDISCRIMINATION ON THE BASIS OF HANDICAP (AIR TRAVEL)

Priority: Agency Determination

Legal Authority: 29 USC 794; PL 97-248, Sec. 511-519 Airport and Airway Improv. Act of 1982

CFR Citation: 49 CFR 27; 14 CFR 382

Abstract: The Civil Aeronautics Board (CAB) has a regulation providing protection of the rights of handicapped air travellers. Based on recent Congressional action, DOT will enforce this regulation after January 1, 1985.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA18

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Office of the Secretary (OST)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

15. SUSPENSION AND DEBARMENT OF CONTRACTORS

Legal Authority: 49 USC 1651 et seq

CFR Citation: 49 CFR 29

Abstract: The final rule established procedures for imposition of debarment and other sanctions against contractors when it is demonstrated that DOT funds are improperly used.

Timetable:

Action	Date	FR Cite
NPRM	12/13/82	47 FR 55700
Final Action	04/18/84	49 FR 15197
Final Action Effective	05/18/84	

Small Entity: No

Government Levels Affected: Local, State

Analysis: Regulatory Evaluation 04/15/84

Agency Contact: Lynne Adams-Whitaker, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4723

RIN: 2105-AA12

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Office of the Secretary (OST)

Completed Actions
Priority Reviews

COMPLETED REVIEWS

16. TITLE VI REGULATION

Priority: Agency Determination

Legal Authority: 42 USC 2000(d) Civil Rights Act of 1964, Title VI

CFR Citation: 49 CFR 21

Abstract: This regulation prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving DOT financial assistance, provides examples of prohibited practices, and establishes enforcement procedures. Because the regulation affects all DOT financial assistance programs, creates administrative burdens for DOT and its recipients, and is an old regulation that has not been extensively revised since the early 1970s, it is an appropriate subject for a priority regulatory review, which will be led by the Departmental Office of Civil Rights with the participation of other affected DOT offices. The purposes of the review will be to make recommendations for how to carry out Title VI of the Civil Rights Act of 1964 and prevent discrimination in DOT-assisted programs more efficiently and with fewer administrative burdens.

Timetable:

Action	Date	FR Cite
Proj merged with Title VI Civil Rights Regulation RIN = 2105-AA02	08/27/84	

Small Entity: No

Additional Information: This review is cancelled because it duplicates action already being taken: Title VI Civil Rights Regulation RIN = 2105-AA02.

Agency Contact: Dorsey Thomas, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4754

RIN: 2105-AA13

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Current and Projected Rulemakings
Priority Rulemakings: Major

17. DAMAGE STABILITY AND FLOODING PROTECTION STANDARDS FOR GREAT LAKES BULK DRY CARGO VESSELS (80-159)

Priority: Major

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 45; 46 CFR 93

Abstract: Would require a level of subdivision for new ships which is at least equivalent to that required for Maritime Administration construction loan guarantees. Would reduce the risk of catastrophic sinking and increase the time available to utilize recently improved survival gear. This project is significant because it would initiate a significant change in policy which differs substantially from international standards. Additionally, it could result in a major price increase for an individual industry.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/83	48 FR 8312
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. CGD 80-159.

Analysis: Preliminary RIA 12/00/84

Agency Contact: Mr. F. Michael, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2187**

RIN: 2115-AA01

18. SEGREGATED BALLAST, DEDICATED CLEAN BALLAST, AND CRUDE OIL WASHING ON EXISTING TANK VESSELS OF 20,000 TO 40,000 DEADWEIGHT TONS (82-028)

Priority: Major

Legal Authority: 46 USC 3705(c); 46 USC 3706(d); 46 USC 2104; 46 USC 3306

CFR Citation: 33 CFR 157

Abstract: This project would amend 33 CFR pt. 157 for the purpose of implementing the tanker construction and equipment standards in 46 USC 3705(c) and 46 USC 3706(d). These statutes require tank vessels of 20,000 to 40,000 DWT that are 15 years old or older to have segregated ballast tanks, dedicated clean ballast tanks or a crude oil washing system by January 1, 1986 or the date they reach 15 years of age; whichever occurs later. This rulemaking is considered significant because of the economic impact of the statute on industry, and Congressional and Administration interest. It is needed because implementing standards mandated by the Port and Tanker Safety Act, will reduce operational pollution from ballasting, tank cleaning and sludge removal on existing tank vessels that are 15 years old or older.

Timetable:

Action	Date	FR Cite
Notice of Intent to Develop Regs	03/18/82	47 FR 11724
Notice of Intent Comment ends	05/03/82	
NPRM	01/24/84	49 FR 2998
Final Action	12/00/84	

Small Entity: No

Additional Information: A notice of intent to develop regulations under this docket was published on March 18, 1982 (47 FR 11724). Comment period on Notice of intent closed May 3, 1983.

Analysis: Preliminary RIA 10/01/83; Environmental Impact Statement 12/00/84

Agency Contact: Lt. Lantz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4431**

RIN: 2115-AA05

19. SHIPPING FAIRWAY SYSTEM OFF THE COAST OF CALIFORNIA (83-032)

Priority: Major

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 166

Abstract: Would implement the results of the Port Access Route Study mandated by the Ports and Waterways Safety Act. As a result of the study, the Coast Guard has preliminarily determined that potential conflicts between oil drilling and shipping require creation of a fairway system off the coast of California from the vicinity of San Francisco to Los Angeles/Long Beach and changes to the San Francisco and Santa Barbara channel traffic separation schemes. No structures would be permitted in the fairway.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: Results of the Port Access Study for California were published in the Federal Register on June 24, 1982 (47 FR 27430) and on October 14, 1982 (47 FR 46043). Disapproval of one section of the proposed system by the International Maritime Organization will require a new study of a limited geographical area and may delay publication of the NPRM. A notice of this study will be published in the Federal Register in June 1984.

Analysis: Preliminary RIA 11/00/84

Agency Contact: Mr. C. Young, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 245-0108**

RIN: 2115-AB29

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

20. REVIEW: LICENSING OF PILOTS; MANNING OF VESSELS--PILOTS (77-084)

Priority: Agency Determination

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 7101; 46 USC 7109; 46 USC 7112; 46 USC 8101

CFR Citation: 46 CFR 10; 46 CFR 157

Abstract: This proposal would: (1) set the minimum age requirement of 21 years, (2) reflect the statutory requirement that requires pilots to have an annual physical examination, (3) change the experience requirement for a tonnage endorsement of "any gross tons," (4) require pilots to maintain knowledge of the routes on their

licenses, (5) maintain the authority of the Coast Guard to establish limitations on licenses.

Timetable:

Action	Date	FR Cite
NPRM	11/28/80	45 FR 79258
Supplemental NPRM	01/27/83	48 FR 3912
Notice of Additional Hearings and Extension of Comment Period	06/30/83	48 FR 30152
Public Hearings 06/08/83 to	07/06/83	
Notice of Reopening and Extension of Comment Period	10/13/83	48 FR 46556
Supplemental NPRM	10/13/83	48 FR 46556
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 77-084. A Regulatory Analysis and Work Plan were completed in October 1978. NPRM published November 28, 1980 (45 FR 79258). Public hearings were held in January and February 1981. A SNPRM was published January 27, 1983 (48 FR 3912). Notice of Public Hearings; Reopening and Extension of Comment Period was published May 9, 1983 (48 FR 20770). Notice of additional public hearing and extension of comment period was published June 30, 1983 (48 FR 30152). Public hearings were held in June and July 1983. Extension and reopening of comment period was published October 13, 1983 (48 FR 46556). A final rule and NPRM are in the clearance process.

Analysis: Regulatory Evaluation 11/28/80

Agency Contact: Mr. J. Hartke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2985

RIN: 2115-AA04

21. REVIEW: QUALIFICATIONS OF THE PERSON IN CHARGE OF OIL TRANSFER OPERATIONS, TANKERMAN REQUIREMENTS (79-116)

Priority: Agency Determination

Legal Authority: 46 USC 3703; 46 USC 7317; 46 USC 8703; 46 USC 9101; 46 USC 9102

CFR Citation: 33 CFR 155; 46 CFR 12; 46 CFR 13; 46 CFR 30; 46 CFR 31; 46 CFR 35; 46 CFR 70; 46 CFR 90; 46 CFR 98; 46 CFR 105; 46 CFR 151; 46 CFR 153; 46 CFR 157

Abstract: Would redefine and establish qualifying criteria for certifying individuals engaged in the carriage and transfer of the various categories of dangerous cargoes in bulk. This is considered significant because of passage of the Port and Tanker Safety Act of 1978 and the fact that the International Convention on the Standards for Training, Certification and Watchkeeping for Seafarers of 1978 will enter into force on April 28, 1984. This rulemaking is necessary because most pollution incidents are the result of personnel error; consequently, the minimum qualifications of persons involved in handling polluting substances should be specified.

Timetable:

Action	Date	FR Cite
NPRM	12/18/80	45 FR 83268
Begin Public Hearings	01/00/81	
End Public Hearings	02/00/81	
Supplemental NPRM	12/00/84	
Final Action	12/00/85	

Small Entity: Yes

Additional Information: Docket No. CGD 79-116 and 79-116a. Environmental Analysis and Inflationary Impact Statement completed February 1977. Extensive comments were received on the April 25, 1977 NPRM and it was withdrawn on April 30, 1979. NPRM published December 1980 (45 FR 83268 and 45 FR 83290). ADDITIONAL ANALYSIS: Inflationary Impact Statement.

Analysis: Regulatory Evaluation 12/00/85; Environmental Impact Statement 12/00/85

Agency Contact: LCDR Pendegraft, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2241

RIN: 2115-AA03

22. LICENSING OF OFFICERS AND MOTORBOAT OPERATORS AND REGISTRATION OF STAFF OFFICERS (81-059)

Priority: Agency Determination

Legal Authority: 46 USC 3306; 46 USC 7101; 46 USC 7102; 46 USC 7103; 46 USC 7104; 46 USC 7105; 46 USC 7106; 46 USC 7107; 46 USC 7108; 46 USC 7009; 46 USC 7110; 46 USC 7111; 46 USC 7112; 46 USC 7113; 46 USC 7114; ...

CFR Citation: 46 CFR 10

Abstract: Would amend the licensing regulations to simplify administration and improve readability to the public. Also to provide a license structure for all mariners with which to advance in an orderly career pattern. Will also delete many unnecessary and outdated licenses. This regulation has been made significant because of its far reaching impact on all licensed officers of the merchant marine.

Timetable:

Action	Date	FR Cite
ANPRM	10/29/81	46 FR 53624
NPRM	08/08/83	48 FR 35920
Comment Period extended	11/10/83	48 FR 51650
Supplemental NPRM	11/00/84	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 46 USC 8101; 46 USC 8105; 46 USC 8104; 46 USC 8301; 46 USC 8302; 46 USC 8303; 46 USC 8304; 46 USC 8502; 46 USC 7701; 46 USC 7702; 46 USC 7703;

Analysis: Regulatory Evaluation 08/08/83

Agency Contact: LCDR Naccara, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2240

RIN: 2115-AA64

23. ● INTERVALS FOR DRYDOCKING AND TAILSHAFT EXAMINATION ON INSPECTED VESSELS (84-024)

Priority: Agency Determination

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 31; 46 CFR 61; 46 CFR 71; 46 CFR 91; 46 CFR 107; 46 CFR 167; 46 CFR 189

Abstract: Various Coast Guard regulations specify the intervals for drydocking and tailshaft examinations on inspected vessels. The Coast Guard is considering changing these intervals. Extending the interval between drydockings, if it could be accomplished without diminishing overall vessel safety, could result in significant savings to vessel operators. The ANPRM sought information from industry on developing technology. This regulation is significant because it

involves important departmental safety policy.

Timetable:

Action	Date	FR Cite
ANPRM	05/04/84	49 FR 19050
NPRM	12/00/84	

Small Entity: Yes

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: LT Potvin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4431**

RIN: 2115-AB58

24. ● SAFETY RULES FOR VESSELS ENGAGED IN CHEMICAL WASTE INCINERATION AT SEA (84-025)

Priority: Agency Determination

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 153

Abstract: Would establish safety rules for vessels engaged in the incineration of chemical wastes at sea. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LCDR D. B. Crawford, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1217**

RIN: 2115-AB60

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Current and Projected Rulemakings
Other Rulemakings

25. VTS HOUSTON-GALVESTON, TX (74-029)

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 161

Abstract: Would make mandatory a now voluntary vessel traffic service.

Timetable:

Action	Date	FR Cite
NPRM	09/18/80	45 FR 62158

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 74-029.

Analysis: Regulatory Evaluation 09/18/80

Agency Contact: Mr. E. LaRue, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-5116**

RIN: 2115-AA07

26. REVIEW: FIXED FIRE EXTINGUISHING SYSTEMS ON UNINSPECTED VESSELS (74-284)

Legal Authority: 46 USC 2104; 46 USC 4104; 46 USC 4105; 46 USC 4302; 49 USC 108

CFR Citation: 46 CFR 162.029

Abstract: Would establish standards for the construction and installation of Halon 1301 and other fixed fire extinguishing systems as optional systems for compliance with existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/19/82	47 FR 16648
Final Action	05/00/85	

Small Entity: No

Additional Information: Docket No. CGD 74-284.

Analysis: Regulatory Evaluation 05/00/85

Agency Contact: Mr. K. Wahle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1444**

RIN: 2115-AA08

27. REVIEW: STABILITY STANDARDS FOR HOPPER DREDGES (76-080)

Legal Authority: 46 USC 88; 46 USC 362; 46 USC 367

CFR Citation: 46 CFR 42; 46 CFR 45

Abstract: Would permit a deeper load line assignment for hopper dredges which meet the proposed damage stability standards.

Timetable:

Action	Date	FR Cite
NPRM	12/10/79	44 FR 70791
Final Action	12/00/84	

Small Entity: No

Additional Information: Docket No. CGD 76-080. Alternative procedure under consideration.

Analysis: Regulatory Evaluation 12/10/79

Agency Contact: LCDR Letourneau, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2187**

RIN: 2115-AA11

28. REVIEW: CONSTRUCTION AND EQUIPMENT; EXISTING SELF-PROPELLED VESSELS CARRYING BULK LIQUEFIED GASES (77-069)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 154

Abstract: Would amend regulations for existing self-propelled vessels that carry bulk liquefied gases by including the substantive requirements for the "Code for Existing Ships Carrying Liquefied Gases in Bulk" adopted by the International Maritime Organization (IMO). These amended regulations would increase safety levels for existing ships carrying gas.

Timetable:

Action	Date	FR Cite
ANPRM	06/30/77	42 FR 33353
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. 77-069.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Dr. A. Rowek, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1217**

RIN: 2115-AA00

29. REQUIREMENT FOR FIRST PURCHASER LIST KEPT BY BOAT DEALERS (77-115)

Legal Authority: 46 USC 1464

CFR Citation: 33 CFR 179

Abstract: Would require boat dealers to assist in creating a list of retail purchasers so manufacturers could send notice to alert for safety defects.

Timetable:

Action	Date	FR Cite
NPRM	12/29/80	45 FR 85475

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 77-115.

Analysis: Regulatory Evaluation 12/29/80

Agency Contact: Mr. Ellison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1065**

RIN: 2115-AA16

30. REVIEW: MISCELLANEOUS CHANGES TO 46 CFR 56 (77-140)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 56

Abstract: Would update Title 46, Subchapter F - Marine Engineering.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 77-140.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. F. Weidner, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2160**

RIN: 2115-AA17

31. LIFESAVING SYSTEMS FOR GREAT LAKES VESSELS (77-202)

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR Subchapter D; 46 CFR Subchapter H; 46 CFR Subchapter I; 46 CFR Subchapter T; 46 CFR Subchapter Q

Abstract: Would amend regulations for lifeboats and other equipment to improve chances of personnel survival following abandonment of vessel.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Docket No. CGD 77-202.

Analysis: Regulatory Evaluation 01/00/85

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1445**

RIN: 2115-AA19

32. RECEPTION FACILITIES (78-035)

Legal Authority: 33 USC 1905

CFR Citation: 33 CFR 154

Abstract: Would require ports and terminals to ensure waste reception facilities are provided to receive vessel oil and chemical wastes.

Timetable:

Action	Date	FR Cite
ANPRM	03/24/83	48 FR 12395
NPRM	06/19/84	49 FR 25196
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 78-035.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT Davison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-9579**

RIN: 2115-AA21

33. LIQUEFIED NATURAL GAS WATERFRONT FACILITY (78-038)

Legal Authority: 50 USC 191; 33 USC 1224

CFR Citation: 33 CFR 126

Abstract: Would establish LNG Waterfront Facility Safety Regulations in accordance with Memorandum of Understanding between USCG and Materials Transportation Bureau, RSPA.

Timetable:

Action	Date	FR Cite
ANPRM	08/03/78	43 FR 34362
Supplementary ANPRM	03/08/79	44 FR 12693
NPRM	10/00/84	

Small Entity: Yes

Additional Information: Docket No. CGD 78-038.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT Davison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-9579**

RIN: 2115-AA22

34. REVIEW: PRIVATE AIDS TO NAVIGATION AND STATE AIDS TO NAVIGATION (78-157)

Legal Authority: 14 USC 2; 14 USC 83; 14 USC 85; 5 USC 610

CFR Citation: 33 CFR 66

Abstract: Would codify and clarify the regulations concerning State and private aids to navigation.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 78-157.

Agency Contact: Mr. Tarrentino, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1974**

RIN: 2115-AA27

35. REVIEW: AIDS TO NAVIGATION - GENERAL INTERFERENCE WITH, DAMAGES TO AND CHARGES FOR AIDS TO NAVIGATION (78-159)

Legal Authority: 14 USC 81; 14 USC 87; 14 USC 92

CFR Citation: 33 CFR 60; 33 CFR 62; 33 CFR 66; 33 CFR 70; 33 CFR 74; 33 CFR 76

Abstract: Would codify, revise and clarify the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 78-159.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT(jg) Bittner, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1973**

RIN: 2115-AA28

36. APPROVAL OF INFLATABLE PERSONAL FLOTATION DEVICES (PFDS) (78-174)

Legal Authority: 46 USC 3306; 46 USC 3703; 46 USC 4102; 46 USC 4302

CFR Citation: 46 CFR 160

Abstract: Would establish performance standards for inflatable and hybrid PFDs and procedures for granting product approval to these devices.

Timetable:

Action	Date	FR Cite
ANPRM	03/15/79	44 FR 15933
NPRM	11/00/84	

Small Entity: No

Additional Information: Docket No. CGD 78-174.

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: Mr. S. Wehr, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AA29

37. CRANE OPERATOR QUALIFICATIONS AND STANDARDS FOR OFFSHORE CRANE DESIGN INSPECTION, TESTING AND OPERATION (79-059)

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 6101; 46 USC 6301; 49 USC 108

CFR Citation: 33 CFR 140; 33 CFR 143; 33 CFR 149; 46 CFR 107; 46 CFR 108; 46 CFR 109

Abstract: Would develop required qualifications for crane operators employed on the Outer Continental Shelf and standards for crane design, inspection, and testing.

Timetable:

Action	Date	FR Cite
ANPRM	01/10/80	45 FR 2052
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. CGD 79-059.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: LCDR Cross, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2307

RIN: 2115-AA34

38. WORKPLACE SAFETY AND HEALTH REQUIREMENTS FOR FACILITIES ON THE OUTER CONTINENTAL SHELF (79-077)

Legal Authority: 43 USC 1333; 43 USC 1347

CFR Citation: 33 CFR 142

Abstract: This regulation would develop occupational safety and health standards for personnel working on OCS facilities.

Timetable:

Action	Date	FR Cite
Notice of Meeting	03/05/81	46 FR 15402
Correction of Notice	03/19/81	46 FR 17702
NPRM	01/09/84	49 FR 1085
Correction	02/20/84	49 FR 7253
Final Action	12/00/84	

Small Entity: Yes

Additional Information: Docket No. CGD 79-077.

This action is taken in concert with OSHA.

Analysis: Regulatory Evaluation 01/09/84

Agency Contact: LDCR Cross, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2307

RIN: 2115-AA35

39. VESSEL PERSONNEL LICENSING AND CERTIFICATION STANDARDS OF FOREIGN COUNTRIES (79-081)

Legal Authority: 46 USC 9101

CFR Citation: 46 CFR 30

Abstract: Establishes procedures for verification of training, qualification and watchkeeping standards of personnel serving on foreign tank vessels.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/07/80	45 FR 23425

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 79-081(a).

Analysis: Regulatory Evaluation 04/07/80

Agency Contact: LCDR G. Naccara, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2240

RIN: 2115-AA36

40. JOINT U.S.-CANADA VESSEL TRAFFIC MANAGEMENT REGULATIONS FOR THE PACIFIC REGION (79-131)

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 161

Abstract: Would implement the provisions of an agreement for a cooperative vessel traffic management system for the Pacific region.

Timetable:

Action	Date	FR Cite
NPRM	08/18/83	48 FR 37433

Next Action Undetermined

Small Entity: No

Additional Information: Next action dependent upon Canadian Government.

Analysis: Regulatory Evaluation 08/18/83

Agency Contact: LCDR T. Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1940

RIN: 2115-AA39

41. DEEPWATER PORT LIABILITY FUND REQUIREMENTS (79-158)

Legal Authority: 33 USC 1509; 33 USC 1517

CFR Citation: 33 CFR 137; 33 CFR 150

Abstract: Would implement provisions of the Deepwater Port Act of 1974 to establish and administer liability limits and compensation relative to accidental oil spills at deep water port sites.

Timetable:

Action	Date	FR Cite
NPRM	10/02/80	45 FR 67708
Interim Final Rule	06/24/82	47 FR 27478
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 79-158.

Analysis: Regulatory Evaluation 06/24/82

Agency Contact: Mr. F. Martin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 472-5052**

RIN: 2115-AA41

42. MODIFICATION TO LINE THROWING DEVICE REQUIREMENTS (79-160)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 33; 46 CFR 75; 46 CFR 78; 46 CFR 94; 46 CFR 97; 46 CFR 108; 46 CFR 160; 46 CFR 167; 46 CFR 192; 46 CFR 196

Abstract: Would modify the regulation requiring a line throwing device only in cargo vessels over 500 gross tons and passenger vessels on international voyages. This project is to be withdrawn due to adverse comments received during the NPRM stage.

Timetable:

Action	Date	FR Cite
NPRM	12/11/80	45 FR 81616
To be withdrawn	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 79-160.

Analysis: Regulatory Evaluation 12/11/80

Agency Contact: LT Gold, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2183**

RIN: 2115-AA42

43. LAUNCHING DEVICES FOR LIFERAFTS (79-168)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 160; 46 CFR 163

Abstract: Proposed specification for approval of devices used for launching inflatable liferafts.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 79-168.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LCDR Riley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1445**

RIN: 2115-AA45

44. VALVE INSPECTION FOR THERMAL FLUID HEATERS (80-064)

Legal Authority: 43 USC 1333(d); 46 USC 2104; 46 USC 3301; 46 USC 3305; 46 USC 3306; 46 USC 3307; 46 USC 3316; 50 USC 198

CFR Citation: 46 CFR 61

Abstract: Would clarify the inspection standards for valves on thermal heaters.

Timetable:

Action	Date	FR Cite
NPRM	10/18/82	47 FR 46336
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 80-064.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: CDR Strasser, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2183**

RIN: 2115-AA49

45. INFLATABLE LIFERAFT STABILITY (80-113)

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 160

Abstract: Would provide specific rules for function, size, and placement of stability appendages.

Timetable:

Action	Date	FR Cite
ANPRM	06/29/81	46 FR 33341
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 80-113.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. M. Daniels, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1445**

RIN: 2115-AA50

46. MANEUVERING PERFORMANCE REGULATIONS (80-136)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 1

Abstract: Would establish requirements to improve ship maneuvering and stopping ability for new tank vessels and possibly all vessels in response to mandates in 46 USC 3703. International Maritime Organization recommendations will be considered.

Timetable:

Action	Date	FR Cite
ANPRM	09/14/81	46 FR 45631
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. CGD 80-136.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: Mr. E. Holler, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2197**

RIN: 2115-AA53

47. SERVICING INFLATABLE LIFERAFTS (81-010)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 160

Abstract: Would allow liferaft servicing in U.S. and foreign ports without Coast Guard Marine inspectors.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-010.

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: LT Keegan, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1444**

RIN: 2115-AA57

48. PERSONAL FLOTATION DEVICES (81-023)

Legal Authority: 46 USC 1454; 46 USC 1488

CFR Citation: 33 CFR 175; 33 CFR 181

Abstract: Revokes an obsolete provision and makes several editorial changes.

Timetable:

Action	Date	FR Cite
NPRM	04/12/82	47 FR 15606

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 81-023.

Analysis: Regulatory Evaluation 04/12/82

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-0108

RIN: 2115-AA58

49. AUTOMATED MAIN AND AUXILIARY MACHINERY (81-030)

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 62

Abstract: Would implement the provisions for periodically unattended machinery spaces and automated machinery in the 1974 SOLAS Amendments and the guidance on system design in the Coast Guard Navigation and Inspection Circular on Automated Main and Auxiliary Machinery.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-030.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT Randall, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2206

RIN: 2115-AA59

50. SAFETY RULES FOR SELF-PROPELLED VESSELS CARRYING HAZARDOUS LIQUIDS AND BULK LIQUEFIED GASES (81-052)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 1; 46 CFR 153; 46 CFR 154

Abstract: Would revise application and examination procedures by which foreign vessels carrying chemicals and liquified gases obtain a letter of compliance (LOC).

Timetable:

Action	Date	FR Cite
NPRM	05/10/82	47 FR 20084
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-052.

Analysis: Regulatory Evaluation 05/10/82

Agency Contact: Mr. E. Pfersich, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA62

51. GENERAL BRIDGE PERMIT REGULATIONS (81-057)

Legal Authority: 33 USC 401

CFR Citation: 33 CFR 115

Abstract: Would establish rules for issuing general bridge permits.

Timetable:

Action	Date	FR Cite
NPRM	09/23/82	47 FR 41988
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-057.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. J. Schwartz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 755-7620

RIN: 2115-AA61

52. RELOCATION OF BOUNDARY LINES (81-058)

Legal Authority: 33 USC 151

CFR Citation: 46 CFR 7

Abstract: Would relocate boundary lines in Part 46 CFR Part 7 in accordance with PL 96-324.

Timetable:

Action	Date	FR Cite
NPRM	06/07/82	47 FR 24604
SNPRM	09/15/83	48 FR 41454
Comment Period reopened	03/00/84	49 FR 908
Final Action	01/00/85	

Small Entity: No

Additional Information: Public hearings were held 10/18/83 and 10/26/83 and a meeting was held on 1/17/84 with the TSAC working group. Comment period reopened until 3/1/84 (49 FR 908).

Analysis: Regulatory Evaluation 06/07/82

Agency Contact: LCDR B. Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AA63

53. UPDATE OF 46 CFR PART 153 (81-078)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 153

Abstract: Would revise and update 46 CFR part 153 through the ninth set of amendments to the IMO Chemical Code.

Timetable:

Action	Date	FR Cite
NPRM	05/12/83	48 FR 19755
Final Action	12/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-078.

Analysis: Regulatory Evaluation 05/12/83

Agency Contact: Mr. R. Query, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA66

54. ACCEPTANCE OF ASME BOILERS WITH ASME S, E, A, AND H STAMPS (81-079)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 52; 46 CFR 53

Abstract: Would delete requirement that Coast Guard review plans and inspect power and heating boilers when stamped with ASME S, E, A, or H symbol stamps.

Timetable:

Action	Date	FR Cite
NPRM	08/18/83	48 FR 37441
Supplemental NPRM	11/03/83	48 FR 50781
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-079.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. H. Hime, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2160

RIN: 2115-AA67

55. ● SHIPPING SAFETY FAIRWAY AMENDMENTS, GULF OF MEXICO (81-080)

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 166

Abstract: The Coast Guard is proposing to amend existing shipping fairways and to establish new fairway anchorages in the Gulf of Mexico. The fairway modifications and anchorages are necessary to provide for safe access routes in areas of high traffic density and offshore structures.

Timetable:

Action	Date	FR Cite
NPRM	08/09/82	47 FR 34432
Supplemental NPRM	03/30/84	49 FR 12715
Supplemental NPRM	05/03/84	49 FR 18870
NPRM (anticipated)	12/00/84	

Small Entity: No

Additional Information: This supplementary NPRM continues an action originated in 1982 which proposed changes to part 166. A final rule was published on 6/30/83 promulgating only editorial changes to part 166. This NPRM contains specific proposals for changes to fairways and anchorages.

Analysis: Regulatory Evaluation 08/09/82

Agency Contact: Mr. C. Young, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 245-0108

RIN: 2115-AB57

56. GENERAL REVISION OF 46 CFR 151, BARGES CARRYING CERTAIN BULK DANGEROUS CARGOES (81-082)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 151

Abstract: Would revise the rules for barges carrying bulk cargoes by clarifying the language, eliminating unnecessary requirements and upgrading some existing requirements.

Timetable:

Action	Date	FR Cite
ANPRM	06/04/84	49 FR 23085
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-082.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: R.M. Query, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA70

57. TANK VESSELS CARRYING NOXIOUS LIQUID SUBSTANCES IN BULK; POLLUTION PREVENTION AND CONTROL, EQUIPMENT AND OPERATIONAL REQUIREMENTS (81-101)

Legal Authority: 33 USC 1901 et seq.

CFR Citation: 33 CFR 157

Abstract: Would limit and restrict the discharge of noxious liquid substances made by chemical tankers.

Timetable:

Action	Date	FR Cite
ANPRM	01/13/82	48 FR 1519
NPRM	06/00/85	

Small Entity: No

Additional Information: Docket No. CGD 81-101.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: F. Wybenga, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA73

58. FAIRWAYS ON THE SOUTHERN COAST OF ALASKA (81-103)

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 166

Abstract: Would establish fairways on the southern coast of Alaska implementing the result of a Port Access Route Study.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. CGD 81-103.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: Mr. C. Young, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 245-0108

RIN: 2115-AA74

59. FEES FOR NUMBERING OF UNDOCUMENTED VESSELS (82-001)

Legal Authority: 46 USC 1472

CFR Citation: 33 CFR 173

Abstract: Would raise fees for the numbering of undocumented vessels in areas where the Coast Guard is the issuing authority.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. CGD 82-001.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-0108

RIN: 2115-AA75

60. SUSPENSION AND REVOCATION PROCEEDINGS (82-002)

Legal Authority: 46 USC 7701

CFR Citation: 46 CFR 5

Abstract: Revise and Amend 46 CFR Part 5 to (1) incorporate changes due to recent legislative actions (2) improve clarity and conciseness and (3) make substantive procedural changes.

Timetable:

Action	Date	FR Cite
NPRM	09/30/83	48 FR 44851
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 82-002.

Analysis: Regulatory Evaluation 09/30/83

Agency Contact: CDR Stansell, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2215

RIN: 2115-AA76

61. OSV SUBCHAPTER (82-004)

Legal Authority: 46 USC 3301(3); 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 125 to 136

Abstract: Create new 46 CFR subchapter governing Offshore Supply Vessels.

Timetable:

Action	Date	FR Cite
ANPRM	02/14/83	48 FR 6636
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 82-004.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LCDR Gilmour, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2160**

RIN: 2115-AA77

62. SUBCHAPTER "D" & "O" BARGES - INTERNAL INSPECTIONS (82-005)

Legal Authority: 46 USC 3306; 46 USC 3307

CFR Citation: 46 CFR 151

Abstract: Change Subchapter "O" Regulation on internal inspection to coincide with drydock interval.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 82-005.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: CDR Strasser, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2183**

RIN: 2115-AA78

63. CASUALTY REPORTING REQUIREMENTS FOR RECREATIONAL BOATS (82-015)

Legal Authority: 46 USC 1486

CFR Citation: 33 CFR 173; 33 CFR 174

Abstract: Amend casualty and accident reporting requirements for operators of recreational boats involved in boating accidents.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-015.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-0108**

RIN: 2115-AA82

64. REWRITE OF 33 CFR PART 157 (82-030)

Legal Authority: 46 USC 3306; 46 USC 2104; 46 USC 3703

CFR Citation: 33 CFR 157

Abstract: Amend pollution regulations to clarify, correct minor errors, and incorporate policy decisions and international interpretations.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: This project is related to CGD 82-028, Segregated Ballast, Dedicated Clean Ballast, and Crude Oil Washing. Any further action on this project must wait until the rulemaking process for CGD 82-028 is completed because any policy decisions that result will be applicable to this rulemaking.

Agency Contact: LT. Lantz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4431**

RIN: 2115-AA88

65. HAND HELD FLASHLIGHTS. INDEPENDENT INSPECTION AGENCIES (82-042)

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 161

Abstract: Would remove two-cell flashlight requirements, and revise material and testing requirements in flashlight approval specification, change "independent laboratory" to "independent inspection agency," throughout Subchapter Q and revise other regulations accordingly.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 82-042.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LCDR Miante, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2206**

RIN: 2115-AA91

66. AIDS TO NAVIGATION ON OUTER CONTINENTAL SHELF (82-054)

Legal Authority: 14 USC 2; 14 USC 83; 14 USC 85; 14 USC 92; 14 USC 633

CFR Citation: 33 CFR 67

Abstract: Would allow manufacturer certification of lights for marking artificial islands and fixed structures.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. 82-054.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT Hayden, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1973**

RIN: 2115-AA92

67. NATURAL VENTILATION REGULATIONS FOR SMALL BOATS (82-056)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 183

Abstract: Would replace existing regulations with voluntary industry standard.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 82-056.

Agency Contact: Mr. L. Gray, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4027

RIN: 2115-AA94

68. UPDATE BULK LIQUEFIED GAS TANKER REQUIREMENTS (82-058)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 154

Abstract: Would update and revise standards for self-propelled vessels carrying bulk liquefied gases.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Additional Information: Docket No. 82-058.

Analysis: Regulatory Evaluation 06/00/85

Agency Contact: Dr. A. Rowek, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1217

RIN: 2115-AA95

69. CASUALTY REPORTING REQUIREMENTS (82-069)

Legal Authority: 43 USC 1333; 43 USC 1348; 33 USC 1509(a)

CFR Citation: 33 CFR 146; 33 CFR 150

Abstract: Would eliminate the cost of salvage, cleaning, gas freeing, and drydocking from damage costs in Title 33.

Timetable:

Action	Date	FR Cite
NPRM	10/19/83	48 FR 48475
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. 82-069a.

Analysis: Regulatory Evaluation 10/19/83 (48 FR 48475)

Agency Contact: LT Diaduk, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1455

RIN: 2115-AB30

70. NUMBERING SYSTEM REQUIREMENTS (82-076)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 174

Abstract: Would give states greater flexibility in the managing of their numbering systems.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-076.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1080

RIN: 2115-AB17

71. VISUAL DISTRESS SIGNALS-STROBE LIGHTS (82-084)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 175

Abstract: Would add strobe lights as an optional carriage item for inland rule waters.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 82-084.

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1080

RIN: 2115-AB18

72. NAUTICAL SCHOOLS: IMPLEMENTING THE MARITIME EDUCATIONAL TRAINING ACT OF 1980 (82-092)

Legal Authority: 46 USC 3306; 46 USC 12959(e)

CFR Citation: 46 CFR 166; 46 CFR 167; 46 CFR 168

Abstract: Would update authority cites for Nautical Schools Inspection Regulations (46 CFR Subchapter "R") and update certain parts to conform with current inspection policies. Nautical School vessels operated by the United States (formerly called "Public Nautical School Ships") between 15 and 300 gross tons would be subject to inspection for the first time.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: No

Additional Information: Docket No. CGD 82-092.

Analysis: Regulatory Evaluation 10/00/85

Agency Contact: LCDR Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB21

73. DOCUMENTATION OF VESSELS; CONTROLLING INTEREST (82-105)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: Solicits comments on the term "controlling interests" for the purpose of documenting vessels owned by partnerships.

Timetable:

Action	Date	FR Cite
ANPRM	11/12/82	47 FR 51170
NPRM	07/16/84	49 FR 28744
Final Action	01/00/85	

Small Entity: Undetermined

Additional Information: Docket No. CGD 82-105.

Analysis: Regulatory Evaluation 07/16/84

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1492

RIN: 2115-AB27

74. SHIPBOARD NAVIGATIONAL EQUIPMENT (83-004)

Legal Authority: 46 USC 391(a)

CFR Citation: 33 CFR 164

Abstract: Would implement the requirements of the first set of amendments to the International

Convention for the Safety of Life at Sea (SOLAS). The amendments concern requirements for speed logs, rate of turn indicators, RPM indicators, and pitch and mode indicators on vessels fitted with variable pitch propellers.

Timetable:

Action	Date	FR Cite
NPRM	10/14/83	48 FR 46819
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-004.

Analysis: Regulatory Evaluation 10/14/83 (48 FR 46819)

Agency Contact: Capt. Moran, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4958**

RIN: 2115-AB31

---

75. SAILING SCHOOL VESSEL REGULATIONS (83-005)

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 169

Abstract: Would generate a new set of inspection regulations for sailing school vessels as mandated by the Sailing School Vessel Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Yes

Additional Information: Docket No. CGD 83-005.

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: LT Astley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4431**

RIN: 2115-AB32

---

76. REVOCATION OF MILITARY EXPLOSIVES REGULATIONS (83-006)

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1806; 49 USC 1807; 49 USC 1808; 46 USC 170

CFR Citation: 46 CFR 146

Abstract: Would revoke 46 CFR concurrently with the Research and Special Programs Administration's Materials Transportation Bureau (MTB) rulemaking and revise other sections in Title 46 accordingly.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-006. To be published concurrently with Materials Transportation Board rulemaking.

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: Mr. F. Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1577**

RIN: 2115-AB33

---

77. MISCELLANEOUS AMENDMENTS TO RECREATIONAL BOATING STANDARDS (83-012)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 183

Abstract: Would revoke unnecessary regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/12/84	44 FR 14538
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-012.

Analysis: Regulatory Evaluation 04/12/84

Agency Contact: Mr. A. Colihan, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1063**

RIN: 2115-AB34

---

78. CARRIAGE AND USE OF LIQUEFIED OR NON-LIQUEFIED FLAMMABLE GAS AS COOKING FUELS ON VESSELS CARRYING PASSENGERS FOR HIRE (83-013)

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 4104; 46 USC 4105; 46 USC 4302

CFR Citation: 46 CFR 25; 46 CFR 58; 46 CFR 147; 46 CFR 184

Abstract: Proposed requirements for the use of liquefied flammable gas as cooking fuel.

Timetable:

Action	Date	FR Cite
NPRM	03/22/84	49 FR 10685
Supplemental NPRM	10/00/84	

Small Entity: Yes

Additional Information: Docket No. CGD 83-013.

Analysis: Draft RFA 11/00/83; Regulatory Evaluation 03/22/84 (49 FR 10685)

Agency Contact: LCDR Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4431**

RIN: 2115-AB35

---

79. EMERGENCY POSITION INDICATING RADIOBEACONS (EPIRB) (80-024)

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 33; 46 CFR 35; 46 CFR 75; 46 CFR 78; 46 CFR 94; 46 CFR 97; 46 CFR 160; 46 CFR 161; 46 CFR 167; 46 CFR 180; 46 CFR 185; 46 CFR 192

Abstract: Would require use of EPIRB's on vessels operating on the Great Lakes.

Timetable:

Action	Date	FR Cite
NPRM	10/04/82	47 FR 43736
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 80-024.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1444**

RIN: 2115-AA48

---

80. REASSESSMENT OF COAST GUARD FIRE PROTECTION REGULATIONS TO INCORPORATE SOLAS 1974 (83-026)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306; 46 USC 3503; 46 USC 3703

CFR Citation: 46 CFR Subchapter D; 46 CFR Subchapter H; 46 CFR Subchapter I

Abstract: Would bring Coast Guard regulations into agreement with the international requirements of SOLAS 1974.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-026. Incorporates part of docket CGD 81-090.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. D. Kerlin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2197

RIN: 2115-AB36

81. EXTEND APPLICABILITY OF CERTAIN WESTERN RIVERS PROVISIONS OF THE INLAND NAVIGATION RULES TO OTHER WATERS (83-028)

Legal Authority: 33 USC 2071

CFR Citation: 33 CFR 94

Abstract: Would designate certain waters upon which rules 9(a)(ii), 15(b), and 24(i) of the Inland Navigation Rules will apply.

Timetable:

Action	Date	FR Cite
NPRM	12/08/83	48 FR 54977
Supplemental NPRM	05/03/84	49 FR 18870
Final Action	10/00/84	

Small Entity: Yes

Additional Information: Docket No. CGD 83-028.

Analysis: Regulatory Evaluation 12/08/83 (48 FR 54977)

Agency Contact: LCDR J. Kirkpatrick, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 245-0108

RIN: 2115-AB37

82. INDEPENDENT LABORATORY INSPECTION OF LIFESAVING EQUIPMENT (83-030)

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Abstract: Would establish independent laboratory inspection of lifeboats, liferafts, and launching equipment to replace Coast Guard inspection.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-030.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB38

83. MATERIAL STANDARDS FOR FIXED STRUCTURES (83-035)

Legal Authority: 43 USC 1331

CFR Citation: 46 CFR Subchapter N

Abstract: Would implement the Best Available and Safest Technology (BAST) requirement of the Outer Continental Shelf Lands Act Amendments, 1978.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. CGD 83-035. Incorporated docket number CGD 80-160.

Agency Contact: LCDR Cross, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2307

RIN: 2115-AB40

84. REASSESSMENT OF COAST GUARD MARINE ENGINEERING REGULATIONS -- INCORPORATION OF SOLAS 74 AMENDMENTS (83-043)

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR Subchapter F

Abstract: Would effect a general reassessment of Subchapter F and incorporation of international requirements becoming effective 1 Sept. 1984.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-043.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: LCDR Miante, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2160

RIN: 2115-AB41

85. REQUIREMENT FOR FEDERAL PILOTS ON FOREIGN TRADE VESSELS WHERE A PILOT IS NOT REQUIRED BY STATE LAW; STATE OF MAINE (83-044)

Legal Authority: 33 USC 1226

CFR Citation: 33 CFR 161

Abstract: Would require Federally-licensed pilots on certain self-propelled vessels engaged in foreign trade, when operating in several specified areas in the navigable waters of the United States within the State of Maine, where a pilot is not otherwise required by State law.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. CGD 83-044.

Agency Contact: Mr. E. LaRue, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-5116

RIN: 2115-AB48

86. COMPATIBILITY OF CARGOES (83-047)

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 150

Abstract: Would consolidate requirements for compatible storage of bulk liquid hazardous materials on tank vessels; would update table from April 14, 1983.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-047.

ADDITIONAL LEGAL AUTHORITY: 48 CFR 1.46(t) also applies.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Dr. M. Parnorouskis, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-6262

RIN: 2115-AB49

87. REVISIONS TO THE ADVANCE NOTICE OF ARRIVAL AND DEPARTURE REGULATIONS (83-048)

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 161

Abstract: This project would remove the reporting requirements for certain dangerous cargoes. The reporting requirements for "cargoes of particular hazard" will be retained, though.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT Evans, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-9578

RIN: 2115-AB50

88. REDOCUMENTATION OF VESSELS SOLD AT SEA (83-066)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: Would describe procedures for redocumenting a vessel which is sold while the vessel is at sea.

Timetable:

Action	Date	FR Cite
NPRM	07/19/84	49 FR 29249
Final Action	01/00/85	

Small Entity: No

Additional Information: Docket No. CGD 83-066.

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1492

RIN: 2115-AB52

89. EDITORIAL CHANGES TO TITLE 46 CFR RESULTING FROM P.L. 98-89 (83-067)

Legal Authority: PL 98-89

CFR Citation: 46 CFR Chapter 1

Abstract: Would amend Title 46, CFR to reflect 46 U.S.C. citations for marine safety laws consolidated and reenacted by P.L. 98-89.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-067.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LCDR D. Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2197

RIN: 2115-AB54

90. SIMPLIFIED ADMEASUREMENT (83-070)

Legal Authority: PL 96-594

CFR Citation: 46 CFR 69

Abstract: This project would unify various separate parts in 46 CFR dealing with admeasurement.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. CGD 83-070.

Agency Contact: Mr. R. Bunnell, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2192

RIN: 2115-AB51

91. REQUIREMENTS FOR MOBILE OFFSHORE DRILLING UNITS (83-071)

Legal Authority: 46 USC 2104; 46 USC 2303; 46 USC 3305; 46 USC 3306; 46 USC 3311; 46 USC 3312; 46 USC 3318

CFR Citation: 46 CFR Subchapter I-A

Abstract: This project would generally update the regulations pertaining to mobile offshore drilling units. These regulations have not been updated since 1978 and need to reflect provisions of the Outer Continental Shelf Lands Act Amendments of 1978 and 1982 and the treaty for Safety of Life at Sea (1974), which has been accepted by the United States.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/84	49 FR 22836
NPRM	01/00/85	

Small Entity: No

Additional Information: CGD 83-071

Agency Contact: LCDR J. Veentjer, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2197

RIN: 2115-AB56

92. ● AMENDMENTS TO BRIDGE LIGHTING REQUIREMENTS (84-022)

Legal Authority: 49 USC 1655

CFR Citation: 33 CFR 118

Abstract: Would provide regulatory standards for prescribing or approving signals other than lighting on bridges.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: Mr. A. Meschter, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-0942

RIN: 2115-AB62

93. ● DOCUMENTATION OF VESSELS, HAILING PORT MARKINGS (84-027)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: Solicits comments on whether regulations requiring marking of hailing port on vessels should be continued and, if so, what changes should be made in methods for determining port to be marked.

Timetable:

Action	Date	FR Cite
ANPRM	05/17/84	49 FR 20872
Final Action	12/00/84	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1492

RIN: 2115-AB64

94. ● CARGOES OF PARTICULAR HAZARD (84-039)

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 126

DOT—USCG

Current and Projected Rulemakings
Other Rulemakings

Abstract: Would update regulations defining "cargo of particular hazard" to make them consistent with Research and Special Programs Administration [RSPA] definitions found elsewhere in the CFR.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: LT E. Davison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-9578

RIN: 2115-AB63

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Current and Projected Rulemakings
Other Rulemakings: Routine and Frequent

95. SAFETY/SECURITY ZONE REGULATIONS

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to range from 11/84 to 3/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	03/00/85	

Small Entity: No

Agency Contact: CAPT Moran, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-5116

RIN: 2115-AA97

96. ANCHORAGE AREA REGULATIONS

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to range from 11/84 to 3/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	03/00/85	

Small Entity: No

Agency Contact: Mr. L. Manoliades, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-5116

RIN: 2115-AA98

97. DRAWBRIDGE REGULATIONS

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected - 50. Action dates range from 11/84 to 03/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	03/00/85	

Small Entity: No

Agency Contact: Mr. Meschter, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1380

RIN: 2115-AA99

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Existing Regulations Under Review
Priority Reviews

98. VESSEL REPORTING REQUIREMENTS

Priority: Agency Determination

Legal Authority: 46 USC 391a

CFR Citation: 33 CFR 161

Abstract: These regulations were developed and promulgated pursuant to the Port and Tanker Safety Act. They require vessel owners to report their locations, arrivals and departures when carrying certain hazardous cargoes. The barge industry and certain boat owners in the past have opposed these regulations. These regulations are being reviewed because of their controversy and impact on the barge and towing industry.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	01/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: LT Franchini, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 755-1357

RIN: 2115-AB28

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Existing Regulations Under Review
Other Reviews

99. REGULATORY FLEXIBILITY ACT REVIEWS

CFR Citation: 33 CFR 1 to 199; 46 CFR 1 to end

Abstract: In accordance with the Regulatory Flexibility Act, the Coast Guard has been publishing a list of regulations in the Agenda which have been using the Small Business Administration definition of a small entity. The Coast Guard is now

considering developing its own definition.

Timetable:

Action	Date	FR Cite
Begin Review	06/29/81	46 FR 33404
End Review	10/00/84	

Small Entity: Yes

Additional Information: Review in Process.

Agency Contact: Mr. Bruce Novak, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1477

RIN: 2115-AB01

100. EQUIPMENT FOR LIFEBOATS, LIFE RAFTS, LIFEFLOATS, AND BUOYANT APPARATUS FOR PASSENGER VESSELS

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 75.20

Abstract: Regulations require certain specific items of emergency equipment for use in lifeboats, life rafts and so on. This part is being reviewed as part of the Coast Guard's ongoing program of reviewing all existing regulations periodically.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-1444

RIN: 2115-AB42

101. OCEANOGRAPHIC RESEARCH VESSELS, HANDLING, USE AND CONTROL OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES: MAGAZINES

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 194.10

Abstract: Regulations contain specifications for construction, location and maintenance of explosives magazines. This review is being conducted because these regulations will have an impact on small businesses and as such should be reviewed under the authority of the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: Yes

Agency Contact: LCDR W. Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB43

102. ANNUAL INSPECTIONS, PASSENGER VESSELS

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 71.25

Abstract: Regulations contain specific annual inspection requirements and methods of carrying out those inspections. This regulation is being reviewed to see if there may be some way to reduce inspection costs while maintaining or improving levels of safety.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: LCDR D. Parsons, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB44

103. LOGBOOK ENTRIES, CARGO VESSELS

Legal Authority: 46 USC 2104; 46 USC 201; 46 USC 11304

CFR Citation: 46 CFR 97.35

Abstract: The regulations list requirements for keeping logbooks on Cargo Vessels. This review is part of the Coast Guard's ongoing program to periodically review all regulations for costs and effectiveness.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: LCDR. W. Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB45

104. GENERAL LIFESAVING REQUIREMENTS, TANK VESSELS

Legal Authority: 46 USC 2104; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 33.01

Abstract: Contains general requirements for construction, maintenance and inspection of life rafts, lifeboats and personal flotation devices. This review is part of the Coast Guard's ongoing program to periodically review all regulations for costs and effectiveness.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: CDR D. Strasser, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-2190

RIN: 2115-AB46

105. SPECIAL OPERATING REQUIREMENTS, UNINSPECTED VESSELS

Legal Authority: 46 USC 2104; 46 USC 523p; 46 USC 4104; 46 USC 4105; 46 USC 4302

CFR Citation: 46 CFR 26.03

Abstract: Contains requirements for action to be taken in emergencies. This review is being conducted in accordance with requirements in the Regulatory Flexibility Act because it affects small entities.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: Yes

Agency Contact: LCDR W. Morani, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 426-4431

RIN: 2115-AB47

[FR Doc. 84-25824 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

106. INLAND WATERS NAVIGATION REGULATIONS - WATERS CONNECTING LAKE HURON AND LAKE ERIE (78-151)

Legal Authority: 33 USC 1221 to 1232

CFR Citation: 33 CFR 162

Abstract: Would modernize existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/03/83	48 FR 2523
Final Action	04/30/84	49 FR 18297
Final Action Effective	05/30/84	

Small Entity: No

Additional Information: Docket No. CGD 78-151.

Analysis: Regulatory Evaluation 04/30/84

Agency Contact: Mr. LaRue, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4958**

RIN: 2115-AA25

107. OFFSHORE OIL LIGHTERING (78-180)

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 156

Abstract: Would establish requirements for vessel to vessel transfers of oil or hazardous materials if the cargo is bound for a U.S. port.

Timetable:

Action	Date	FR Cite
NPRM	05/31/79	44 FR 31486
Supplementary NPRM	09/09/83	48 FR 40741
Final Action	03/26/84	49 FR 11170
Final Action Effective	04/26/84	

Small Entity: No

Additional Information: Docket No. CGD 78-180.

Analysis: Regulatory Evaluation 03/26/84

Agency Contact: LT Evans, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-9578**

RIN: 2115-AA30

108. PILOT BOARDING EQUIPMENT (79-032)

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 26; 46 CFR 31; 46 CFR 71; 46 CFR 97; 46 CFR 108; 46 CFR 189

Abstract: Would amend current regulations for the equipment and operating standards utilized in embarking and disembarking pilots on vessels. Will combine existing standards with those in the Safety of Life at Sea Convention of 1974 and add a new section dealing with pilot ladder replacement steps.

Timetable:

Action	Date	FR Cite
NPRM	10/05/83	48 FR 45425
Final Action	06/21/84	49 FR 25453
Final Action Effective	07/21/84	

Small Entity: No

Additional Information: Docket No. CGD 79-032.

Analysis: Regulatory Evaluation 06/21/84 (49 FR 25453)

Agency Contact: LT John Astley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-2183**

RIN: 2115-AB09

109. COLREGS DEMARCATION LINES - SAVANNAH RIVER, GA. AMELIA ISLAND, FLA (80-142)

Legal Authority: 33 USC 151

CFR Citation: 33 CFR 80

Abstract: Would move the Colregs lines along the coast of Georgia to coincide with the Georgia Dept. of Natural Resources' fishing lines.

Timetable:

Action	Date	FR Cite
NPRM	07/27/81	46 FR 38378
Withdrawn	03/22/84	49 FR 10676

Small Entity: No

Additional Information: Docket No. CGD 80-142.

Agency Contact: LCDR Kirkpatrick, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 245-0108**

RIN: 2115-AA54

110. GENERAL BRIDGE OPERATION REGULATIONS (82-025)

Legal Authority: 49 USC 1655

CFR Citation: 33 CFR 117

Abstract: Would consolidate bridge operation regulations into one part.

Timetable:

Action	Date	FR Cite
NPRM	07/12/82	47 FR 30176
Supplementary NPRM	05/31/83	48 FR 24094
Final Action	04/24/84	49 FR 17450
Final Action Effective	05/24/84	

Small Entity: No

Additional Information: Docket No. 82-025.

Agency Contact: Mr. Meschter, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-0942**

RIN: 2115-AA87

111. VISUAL DISTRESS SIGNAL EQUIPMENT REQUIREMENTS (82-073)

Legal Authority: 46 USC 1454

CFR Citation: 33 CFR 175

Abstract: Amend to clarify definition of "Coastal waters".

Timetable:

Action	Date	FR Cite
NPRM	09/23/82	46 FR 41992
Final Action	02/27/84	49 FR 7118
Final Action Effective	09/01/84	

Small Entity: No

Additional Information: Docket No. CGD 82-073.

Analysis: Regulatory Evaluation 02/27/84

Agency Contact: Mr. R. Franseen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-0108**

RIN: 2115-AA96

112. DOCUMENTATION OF VESSELS; U.S.-BUILT DETERMINATIONS (82-085)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: A final rule was published providing revised criteria for use in determining when a vessel is deemed built in the United States.

Timetable:

Action	Date	FR Cite
ANPRM	10/14/82	47 FR 45888
NPRM	05/15/83	48 FR 20249
Final Action	02/09/84	49 FR 4944
Final Action Effective	03/09/84	

Small Entity: Undetermined

Additional Information: Docket No. CGD 82-085.

Analysis: Regulatory Evaluation 02/09/84

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1492**

RIN: 2115-AB19

113. REQUIREMENT FOR SAFETY APPROVAL OF CARGO CONTAINERS (83-049)

Legal Authority: 46 USC 1503

CFR Citation: 49 CFR 450; 49 CFR 451; 49 CFR 452; 49 CFR 453

Abstract: This project would (1) require all gross weight markings on the container to be consistent; (2) modify the time period between examinations; and (3) provide for a continuous examination program.

Timetable:

Action	Date	FR Cite
NPRM	10/18/83	48 FR 49074
NPRM Comment Period Begin	10/18/83	48 FR 49074
NPRM Comment Period End	12/08/83	
Final Action	04/18/84	49 FR 15560
Final Action Effective	05/18/84	

Small Entity: No

Additional Information: Docket No. CGD 83-049.

Analysis: Regulatory Evaluation 04/18/84

Agency Contact: LT Lantz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-4431**

RIN: 2115-AB55

114. LISTING OF ADDITIONAL TEST LABS FOR PORTABLE FIRE EXTINGUISHERS (83-050)

Legal Authority: 46 USC 375

CFR Citation: 46 CFR 162

Abstract: This proposal would add recently recognized independent testing laboratories in 46 CFR 162.

Timetable:

Action	Date	FR Cite
Final Action	03/01/84	49 FR 7566
Final Action Effective	04/01/84	

Small Entity: No

Additional Information: Docket No. 83-050.

Analysis: Regulatory Evaluation 03/01/84

Agency Contact: Mr. Wahle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1444**

RIN: 2115-AB53

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

115. ● DOCUMENTATION OF VESSELS, DEFINITION OF UNITED STATES (84-020)

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Abstract: Final rule was published to conform definition of United States in the regulations to that in statute and clarify status of American Samoa as part of the United States for purposes of documentation of vessels.

Timetable:

Action	Date	FR Cite
Final Action	06/07/84	49 FR 23627
Final Action Effective	06/07/84	

Small Entity: No

Analysis: Regulatory Evaluation 06/07/84

Agency Contact: LCDR Meeks, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-1492**

RIN: 2115-AB59

116. ● REALIGNMENT OF COTP AND MARINE INSPECTION ZONE, BOSTON AND PROVIDENCE (84-037)

Legal Authority: 14 USC 1633

CFR Citation: 33 CFR 3

Abstract: Would realign the boundary between two Marine Safety Offices.

Timetable:

Action	Date	FR Cite
Final Action	06/28/84	49 FR 26582

Small Entity: No

Agency Contact: LT E. Davison, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 426-9578**

RIN: 2115-AB61

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

117. PARTS MANUFACTURER APPROVALS

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 21

Abstract: Would (1) simplify the procedure for approving a PMA applicant's design on the basis of identicality to an already approved design; (2) reduce PMA application and reporting requirements; and (3) add a marking requirement which will facilitate field installation of replacement parts manufactured under a PMA and help avoid use of incorrect parts. The proposed revision is considered to be significant because it is controversial. Differences of opinion exist with respect to the methods available for showing identicalness of parts. Also the Parts Manufacturer Approval application and reporting requirements may be unnecessarily burdensome.

Timetable:

Action	Date	FR Cite
NPRM	12/23/75	42 FR 43985
Supplemental NPRM	01/15/81	46 FR 3775
To be withdrawn	10/00/84	

Small Entity: Yes

Additional Information: Docket No. 17147. This project was initiated December 23, 1975. NPRM No. 77-19 was published in the Federal Register (42 FR 43985). Comment period later reopened until January 4, 1978 (NPRM No. 77-19A, 42 FR 61048) and again reopened until May 15, 1978 (NPRM No. 77-19B, 43 FR 15432). Portions of NPRM 77-19 dealing with other subjects were handled separately. Supplemental Notice of Proposed Rulemaking (SNPRM) was published January 15, 1981 (46 FR 3775). Initial comment period closed April 15, 1981; reply comment period closed May 15, 1981. NPRM 77-19D reopening the comment period until August 24, 1981, and the reply comment period until September 21, 1981, was published July 23, 1981 (46 FR 38062). In view of the Congressional, Federal Agency, and public comments on this rulemaking, a Regulatory Flexibility Analysis will be prepared, whether or not required by the Regulatory Flexibility Act.

Agency Contact: Michele Owsley, Department of Transportation, Federal Aviation Administration, P. O. Box 1689, Ft. Worth, TX 76101, 817 877-2076

RIN: 2120–AA00

118. AIRBORNE LOW-LEVEL WIND SHEAR EQUIPMENT REQUIREMENTS

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: Would revise existing regulation to require all large passenger-carrying aircraft be equipped with a device that will display wind shear information to the pilots. This action is considered a significant project because it will generate substantial public interest and will be controversial. As a result of several accidents involving wind shear, it is necessary to identify equipment that will enable pilots to identify low level wind shear conditions.

Timetable:

Action	Date	FR Cite
ANPRM	05/03/79	44 FR 25807

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 19110. In 1975, the FAA began a two year effort to develop a wind shear program. As part of the program, FAA began work to develop a wind shear warning and pilot aiding device which has achieved encouraging results. Following the initial announcement of this proposal it was determined that a regulatory analysis would not be required; however, an evaluation will be made and docketed. ANPRM No. 79-11 was published on May 3, 1979 (44 FR 25807) and comment period closed August 3, 1979. (14 CFR Parts 91, 121 & 135).

Agency Contact: David L. Catey, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120–AA01

119. AIRPORT NOISE COMPATIBILITY PLANNING

Priority: Agency Determination

Legal Authority: 49 USC 1341(a) Federal Aviation Act of 1958, Sec. 301(a); 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611; 49 USC 2101 Aviation Safety and Noise Abatement Act of 1979; 49 USC 2102 Aviation Safety and Noise Abatement Act of 1979; 49 USC 2103(a) Aviation Safety and Noise Abatement Act of 1979; 49 USC 2104(a) Aviation Safety and Noise Abatement Act of 1979; 49 USC 2104(b) Aviation Safety and Noise Abatement Act of 1979; 49 USC 2201 et seq Airport and Airway Improvement Act of 1982

CFR Citation: 14 CFR 150

Abstract: Would revise and replace with a final rule the interim rule (FAR Part 150) on this subject, (1) prescribing requirements for airport operators choosing to submit an airport noise exposure map or an airport noise compatibility program, (2) establishing a single system of measuring aircraft noise and a single system for determining the exposure of individuals to noise in the vicinity of airports, and (3) identifying land uses that are normally compatible (or noncompatible) with various levels of noise around airports. The proposed regulation is significant because it is of substantial interest to the public, potentially affecting State and local governments and the aviation community. The Aviation Safety and Noise Abatement Act of 1979 requires the Secretary of Transportation (and through delegation, the Administrator of the FAA) to establish items (1), (2), and (3).

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 49 CFR 1.47(m) also applies. The Aviation Noise Abatement Policy, issued November 18, 1976, establishes a pilot noise abatement planning program, the Airport Noise Control and Land Use Compatibility (ANCLUC) Program. The Aviation Safety and Noise Abatement Act of 1979 establishes the basis and legal requirement for this and the interim rule FAR Part 150. FAR Part 150, the interim rule, was adopted January 19, 1981, and became effective February 28, 1981. Comments were received on the interim rule through December 1, 1981.

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: Richard Tedrick, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 755-9027

RIN: 2120–AA03

120. USE OF ALCOHOL OR DRUGS

Priority: Agency Determination

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61; 14 CFR 91

Abstract: Proposed rule which will subject Certificated Flight Crewmembers suspected of being under the influence of alcohol to blood-alcohol tests and establish a specific

blood-alcohol content level at which a pilot is considered to be intoxicated. This rulemaking is significant because it may involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	07/27/81	46 FR 36480

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 21956.

Analysis: Regulatory Evaluation 07/27/81

Agency Contact: Roger Baker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8194

RIN: 2120-AA16

121. AIRCRAFT OWNERS AND PILOT ASSOCIATION - DURATION OF AIRMAN MEDICAL CERTIFICATES

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: Petition to extend the validity period of third-class medical certificates from 24 months to 36 months. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	12/02/82	47 FR 54414

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 19176.

Analysis: Regulatory Evaluation 12/02/82

Agency Contact: William H. Hark, M.D., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3802

RIN: 2120-AA41

122. HIGH DENSITY AIRPORT TRAFFIC RULE

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 93

Abstract: Would rescind the operations reservations rule as it applies to the John F. Kennedy, LaGuardia, and Chicago O'Hare Airports. Under the current rule, an operator must secure a reservation for any instrument flight rule departure or arrival operation at those airports during designated hours. The proposal is considered significant because of the public interest it is likely to generate.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	48 FR 13434
Interim Final Rule	03/06/84	49 FR 8237

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 22471. The rule was originally promulgated to reduce air traffic congestion and delay. With the advent of improved programs, procedures, and air traffic flow management, the rule is felt to be unnecessary. On March 6, 1984, the FAA issued an interim final rule that amended the High Density Rule (49 FR 8237; March 6, 1984). The agency will reexamine within the next 6-9 months (from the 3/1/84 issuance date) the capability of the air traffic control system to handle the unusual demands that a less constrained system may create, such as significant airborne holding and multiple requests by operators for release from gates. This will be examined in connection with airport capacity and the experience levels of air traffic control personnel.

Analysis: Regulatory Evaluation 03/31/83

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA72

123. FLOOR PROXIMITY EMERGENCY ESCAPE PATH MARKING

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 21; 14 CFR 25

Abstract: This action proposes new performance standards for floor proximity emergency lighting which would be capable of providing visual guidance for emergency evacuation when all sources of cabin illumination more than 4 feet above the aisle floor are totally obscured by smoke.

Timetable:

Action	Date	FR Cite
NPRM	10/11/83	48 FR 46218
Final Action	11/00/84	

Small Entity: Yes

Additional Information: Docket No. 23792.

Analysis: Draft RFA 10/11/83; Regulatory Evaluation 10/11/83

Agency Contact: Henri P. Branting, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8382

RIN: 2120-AA86

124. AIRPLANE CABIN FIRE PROTECTION

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 25; 14 CFR 121

Abstract: This action proposes a new requirement for smoke detectors in lavatories and automatic fire extinguishers in lavatory trash receptacles in air carrier airplanes.

Timetable:

Action	Date	FR Cite
NPRM	05/17/84	49 FR 21010
NPRM Comment Period Begin	05/17/84	49 FR 21010
NPRM Comment Period End	09/14/84	

Small Entity: No

Agency Contact: Henri P. Branting, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 462-8382

RIN: 2120-AA87

125. FLAMMABILITY REQUIREMENT FOR AIRCRAFT SEAT CUSHIONS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 25; 14 CFR 29; 14 CFR 121

Abstract: This proposed action would establish in a Special Federal Aviation Regulation new and more stringent flammability requirements for seat cushions and would require that the cushions in airplanes operating under Part 121 comply with these new requirements after a specified date.

Timetable:

Action	Date	FR Cite
NPRM	10/11/83	48 FR 46250
Final Action	10/00/84	

Small Entity: Yes

Additional Information: Docket No. 23791.

Analysis: Draft RFA 10/11/83; Regulatory Evaluation 10/11/83

Agency Contact: Henri P. Branting, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8382

RIN: 2120-AA88

126. METROPOLITAN WASHINGTON AIRPORTS POLICY

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(b) Federal Aviaiton Act of 1958, Sec. 307(b); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); Act for the Administration of Washington National Airport; Second Washington Airport Act; 64 Stat. 770, Sec. 4

CFR Citation: 14 CFR 93

Abstract: This rulemaking proposes to change the annual passenger ceiling at Washington National Airport from 16 million to 14.8 million or to a figure between 14.8 million and 16 million depending upon the highest annual passenger level forecasted within the next 2 years. It also proposes to allow commuter carriers utilizing smaller, quieter aircraft to conduct a limited number of "stolrunway" operations at National Airport in addition to the operations permitted by the current limitations. This amendment is proposed to guide the future operation and development of Washington National and Dulles International Airports and to improve the quality of the environment in the areas around National. This rulemaking is considered to be significant because of possible public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/28/83	
SNPRM	06/14/84	49 FR 24626
SNPRM Comment Period	07/16/84	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 21955.

Analysis: Regulatory Evaluation 06/14/84

Agency Contact: Edward P. Faberman, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3773

RIN: 2120-AA89

127. EXPANSION OF CVR/FDR EQUIPMENT REQUIREMENTS ON U.S. AIRCRAFT

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 135

Abstract: This action proposes to change the regulations to expand the minimum flight data recorder (FDR) requirements for existing and newly manufactured pre-1969 type certificated aircraft operating under Part 121. This proposed action also would amend Part 135 to require cockpit voice recorders (CVR) on multiengine-powered, fixed-wing aircraft manufactured after a certain date if the aircraft requires two pilots and is certificated to carry six or more passengers. This is in response to an NTSB recommendation.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: John W. Flavin, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8177

RIN: 2120-AA95

128. DESIGN STANDARDS ON IMPROVED LOAD TEST CRITERIA FOR OCCUPANT SEAT/RESTRAINT SYSTEMS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop improved load test criteria for occupant seat/ restraint systems on transport airplanes based on the on-going joint FAA/NASA/industry transport airplane crashworthiness program which encompasses tests and studies of past survivable accident data. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2120

RIN: 2120-AB21

129. AIRPLANE CABIN FIRE PROTECTION

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49

USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop a revision to FAR 25.853 to improve fire protection for lavatories and galleys by requiring that smoke detectors and fire extinguishers, among other things, be installed. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Dick Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AB22

130. IMPROVED CABIN MATERIALS – FAR 25.853

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop criteria for interior cabin materials specified in FAR 25.853 that will improve safety in the cabin seating environment. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Dick Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AB23

131. CIVIL HELICOPTER NOISE CERTIFICATION

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431(b) Federal Aviation Act of 1958, Sec. 611(b); 42 USC 4321 et seq. National Environmental Policy Act, Title I; EO 11514

CFR Citation: 14 CFR 21; 14 CFR 36

Abstract: Would revise noise certification standards for aircraft to add provisions applicable to helicopters. These would apply to civil helicopters in the normal, transport, and restricted categories, and would provide noise level limits and test procedures for the issuance of new and amended type certificates. It would also prohibit changes in type design of helicopters that might increase their noise levels beyond certain limits. Although this notice contains several provisions similar to those in an earlier notice, which was withdrawn in 1981, it differs from that notice in several important aspects. One is the absence of any limit on manufacture of older non-conforming types; another is the increased commonality between these proposed standards and those adopted by the International Civil Aviation Organization (ICAO).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Part 36 of the Federal Aviation Regulations (14 CFR Part 36) contains noise standards for aircraft type and airworthiness certification. As the part is currently organized, Subparts B and C and Appendices A, B, and C apply to transport category large airplane and subsonic turbojet powered airplanes regardless of category. Appendix F contains the provisions applicable to propeller driven light airplanes. This notice proposes to prescribe noise levels and test procedures for civil helicopters certificated in the normal, transport, and restricted categories. These proposals include rules governing the issuance of new and amended type certificates for helicopters for which application is made on and after the publication date of this notice. The proposed rule would prohibit certain growth or other design changes if those changes might result in noise levels beyond prescribed limits. The proposed rule also provides the test conditions and procedures for conducting helicopter noise tests to demonstrate compliance with the prescribed noise levels.

Analysis: Regulatory Evaluation 10/00/84; Environmental Analysis 10/00/84

Agency Contact: Richard N. Tedrick, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 755-9027

RIN: 2120-AB33

132. IMPROVED FLAMMABILITY CRITERIA FOR MATERIALS USED IN INTERIORS OF AIRPLANE CABINS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop a revision to FAR 25.853 to improve fire test methods of interior materials that will improve the safety in cabin seating environments. This regulation has been made significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: Dick Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98166, 206 431-2121

RIN: 2120-AB34

133. ● SLOT TRANSFER METHODS

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 93

Abstract: This notice proposes a mechanism which would remove Government restrictions on the transfer of slots used by operators at high density airports. The proposal is, in

part, in response to recommendations made by a number of air carriers in connection with the FAA's High Density Rulemaking. A separate NPRM on a procedure for initial allocation of slots in the event a scheduling committee is unable to allocate capacity at a high density airport has also been issued. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/07/84	49 FR 23806
NPRM Comment Period Begin	06/07/84	
NPRM Comment Period End	08/06/84	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 04/03/84

Agency Contact: Edward P. Faberman, Acting Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-3773**

RIN: 2120-AB37

134. ● SLOT ALLOCATION ALTERNATIVE METHODS

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 93

Abstract: This notice set forth a procedure to be used if the scheduling committees are unable to allocate newly available slots at the high density airports. The proposal is, in part, a response to the recommendations made by a number of air carriers and commuters in response to the FAA's High Density Rulemaking. Those commenters stated that they are concerned that the scheduling committees may deadlock. A separate NPRM on the transfer of slots has also been issued. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	06/07/84	49 FR 23788
NPRM Comment Period Begin	06/07/84	
NPRM Comment Period End	08/06/84	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 05/30/84

Agency Contact: Edward P. Faberman, Acting Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-3773**

RIN: 2120-AB38

135. ● AVIATION CONSUMER ACTION PROJECT PUBLIC CITIZEN HEALTH RESEARCH GROUP, PETITION TO AMEND PART 121 - MEDICAL EQUIPMENT REQUIREMENTS

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121.309(d); 14 CFR 121.333(c)

Abstract: This notice proposes to require air carriers to provide medical equipment for use in the diagnosis and treatment of in-flight medical emergencies by qualified personnel. The notice further proposes to require air carriers to report such in-flight medical emergencies, how the medical equipment was used, and the disposition of the patient. The intended effect of this proposal is to enhance the potential for diagnosis and initial treatment of in-flight medical emergencies prior to care at a surface facility. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Lawrence Bedore, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8096**

RIN: 2120-AB40

136. ● ANTI-MISTING KEROSENE

Priority: Agency Determination

Legal Authority: 49 USC Federal Aviation Act of 1958, Sec. 313; 49 USC Federal Aviation Act of 1958, Sec. 601; 49 USC Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 135

Abstract: This notice proposes to require turbine engine operations under Part 121 and 135 to be conducted with anti-misting kerosene to reduce the post-crash fire hazard due to ignition of fuel released from a ruptured fuel tank in an impact survivable accident. This rule is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: John McGee, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8323**

RIN: 2120-AB41

137. ● ELIMINATION OF AIRPORT DELAYS

Priority: Agency Determination

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 14 CFR 11.49

CFR Citation: 14 CFR 93

Abstract: This proposed rule is designed to alleviate increased delays throughout the air traffic system. If implemented, the FAA would alter current airline scheduling through a lottery process to more evenly space arrivals and departures throughout the day. Alternatives include voluntary schedule changes by the airlines. The rule, or the alternatives, would benefit the airline industry and the public by limiting delays. This regulation is significant because of its involvement with important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	08/20/84	49 FR 33082

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24206.

Agency Contact: Edward P. Faberman, Acting Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3775

RIN: 2120-AB42

138. ● SHOULDER HARNESSES IN NORMAL, UTILITY, AND ACROBATIC CATEGORY AIRPLANES

Priority: Agency Determination

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec 313; 49 USC 1421 Federal Aviation Act of 1958, Sec 601; 49 USC 1423 Federal Aviation Act of 1958, Sec 603

CFR Citation: 14 CFR 23; 14 CFR 91

Abstract: This notice proposes to amend Parts 23 and 91 of the Federal Aviation Regulations (FAR) to require the installation of shoulder harnesses at all seats of normal, utility, and acrobatic category airplanes with a passenger seating configuration, excluding pilot seats, of nine or less, manufactured after December 31, 1984, and to require the pilot-in-command to brief passengers on how to fasten and unfasten their shoulder harness for takeoff and landings if shoulder harnesses are installed. This proposal responds to the conclusions of an FAA Crashworthiness Study Report, a Petition for Rulemaking from the General Aviation Manufacturers Association (GAMA), and Safety Recommendations from the National Transportation Safety Board (NTSB). This proposal will enhance the crashworthiness of small airplanes manufactured after December 31, 1984. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: J. Robert Ball, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, Missouri 64106, 816 324-5688

RIN: 2120-AB43

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

139. REVIEW: PART 91 NOTICE

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 91

Abstract: The agency conducted a Regulatory Review Conference of 14 CFR Part 91, Subpart B, in September 1977, in order to update that part. This action will cover all proposals covered by the review except for lost communications.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 16431.

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA07

140. REVIEW: PART 91 REVIEW LOST COMMUNICATIONS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 91

Abstract: Proposed amendment to simplify lost communications procedures.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	

Small Entity: No

Additional Information: Docket No. 16431.

Analysis: Regulatory Evaluation 11/01/84

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA08

141. REVIEW: OBJECTS AFFECTING NAVIGABLE AIRSPACE

Legal Authority: 49 USC 1304 Federal Aviation Act of 1958, Sec. 104; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611; 49 USC 1501 Federal Aviation Act of 1958, Sec. 1101

CFR Citation: 14 CFR 77

Abstract: Would revise and reorganize 14 CFR Part 77 in a more logical sequence and present regulatory requirements relating to proposed construction or alteration and their impact on navigable airspace. It is also intended to clarify and strengthen agency actions in determining whether a particular object would be a hazard to air navigation.

Timetable:

Action	Date	FR Cite
National Airspace Review Begins 7-9-84		

Action	Date	FR Cite
Notice of Review	06/19/78	43 FR 26322
Review Conference	12/08/80	
NPRM	07/00/85	

Small Entity: No

Additional Information: Docket No. 16920.

Analysis: Regulatory Evaluation 07/30/84

Agency Contact: Sid Wugalter, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8790

RIN: 2120-AA09

142. REVIEW: UPDATE OF PART 139

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 1432 Federal Aviation Act of 1958, Sec. 612

CFR Citation: 14 CFR 139

Abstract: Revision of 14 CFR Part 139 to update and clarify the part including fire-fighting, rescue, and airport fueling operation requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: This project was initiated on June 25, 1975, in response to a GAO evaluation of the FAA's Airport Certification Program and the result it has on improving the safety of airports. The project has been delayed for a number of reasons that impacted completion and publication of an NPRM. Some of these reasons are: FAA cost benefit analysis of CFR services, recent changes to the F.A. Act and proposed sunset of CAB. On November 22, 1982 FAA conducted a listening session with aviation industry representatives. A public meeting was held on July 14, 1983, to discuss areas of concern such as airport crash, fire and rescue equipment requirements, snow removal and extended safety areas.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Jose Roman, Jr., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3087

RIN: 2120-AA10

143. PILOT OXYGEN MASK REQUIREMENTS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1421 to 1430 Fed. Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 135

Abstract: Proposed rule to permit certain widebody turbojet airplanes to operate up to flight level of 45,000 feet above sea level without requirements for the pilot to use supplemental oxygen.

Timetable:

Action	Date	FR Cite
NPRM	08/12/82	47 FR 35146

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23243.

Analysis: Regulatory Evaluation 08/12/82

Agency Contact: Steve Stieneker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA11

144. REVIEW: METROPOLITAN WASHINGTON AIRPORTS REGULATIONS

Legal Authority: Administration of Washington National Airport Act, Secs. 2 & 5; Second Washington Airport Act; 64 Stat. 770, 72 Stat. 731

CFR Citation: 14 CFR 159

Abstract: Proposed revision to reflect changed operational conditions and policies and to simplify, clarify and consolidate the regulations pertaining to the National Capital Airports.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Edward S. Faggen, Department of Transportation, Federal Aviation Administration, Washington National Airport Hangar 9, Washington, DC 20001, 703 557-8123

RIN: 2120-AA12

145. REVIEW: REVISION OF PART 91

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 to 1430 Fed. Aviation Act of 1958, Secs. 602 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91

Abstract: This review deals with the air traffic and general operating rules in Part 91 - the most fundamental aviation regulations. This action would reorganize and rearrange the rules without substantive change, to make them easier to use and understand. (Phase I). A later action will review and revise them to eliminate unnecessary burdens in keeping with E.O. 12291. (Phase II). AOPA withdrew its petition on November 20, 1980, so the FAA could proceed with this two-step review. ANPRM 79-2 published the original AOPA petition for comment on January 22, 1979 (44 FR 4571). NPRM 79-2A proposing reorganization of Part 91 was published on September 10, 1981 (46 FR 45256). NPRM 79-2B extended the comment period to April 9, 1982 (December 10, 1981; 46 FR 60461). Comments received on NPRM 79-2A will form a basis for proceeding with Phase II.

Timetable:

Action	Date	FR Cite
ANPRM	01/22/79	44 FR 4571
NPRM	09/10/81	46 FR 45256

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18334.

Analysis: Regulatory Evaluation 09/10/81

Agency Contact: James R. Kelln, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8150**

RIN: 2120-AA13

146. RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS - NOTICE OF LIEN

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1403 Federal Aviation Act of 1958, Sec. 503; 49 USC 1405 Federal Aviation Act of 1958, Sec. 505; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 49

Abstract: Proposed amendment to prescribe specific procedures for filing Notice of Lien with the Aircraft Registry. This proposal would also require release of the Notice filed upon satisfaction of the lien.

Timetable:

Action	Date	FR Cite
NPRM	01/13/75	40 FR 2445

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 14236.

Agency Contact: Elizabeth Flinta, Department of Transportation, Federal Aviation Administration, PO Box 25724, Okla City, OK 73125, **405 686-2284**

RIN: 2120-AA14

147. CESSNA FINANCE PETITION

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1403 Federal Aviation Act of 1958, Sec. 503; 49 USC 1405 Federal Aviation Act of 1958, Sec. 505; 49 USC 1406 Federal Aviation Act of 1958, Sec. 506; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 47

Abstract: Petition for rulemaking to amend Part 47 to provide all persons who hold a security interest in aircraft the same protection now afforded the seller of an aircraft under a conditional sales contract.

Timetable:

Action	Date	FR Cite
ANPRM	10/20/77	42 FR 55891
NPRM	05/22/80	45 FR 34826

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 17311.

Analysis: Regulatory Evaluation 05/22/80

Agency Contact: Elizabeth Flinta, Department of Transportation, Federal Aviation Administration, PO Box 25724, Okla City, OK 73125, **405 686-2284**

RIN: 2120-AA15

148. INOPERATIVE INSTRUMENTS OR EQUIPMENT

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec.313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421(a) to 1430 Fed. Av. Act 1958, Secs. 601(a) to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 43; 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 135

Abstract: Proposed rule to revise Part 91 to include provisions that will allow the operation of powered aircraft with certain installed instruments and equipment inoperative. The proposal would consolidate minimum equipment list requirements presently contained in various parts of the Federal Aviation Regulations into one regulation.

Timetable:

Action	Date	FR Cite
NPRM	10/26/81	46 FR 52278

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 22320.

Analysis: Regulatory Evaluation 10/26/81

Agency Contact: Dale C. Ruoff, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8194**

RIN: 2120-AA19

149. PARACHUTE JUMPING, NOTICE AND AUTHORIZATION REQUIREMENTS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 105

Abstract: Proposed amendments would require notice of parachute jumps in terms of above mean sea level and would require ATC authorization for jumps in/into a terminal control area.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8783**

RIN: 2120-AA21

150. TERMINAL CONTROL AREAS (TCA'S): PHOENIX

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1510 Federal Aviation Act of 1958, Sec. 1110

CFR Citation: 14 CFR 71

Abstract: Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action	Date	FR Cite
NPRM	04/07/80	45 FR 23457
SNPRM	06/15/81	46 FR 31269

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18605/79-AWE-18.

Analysis: Regulatory Evaluation 06/15/81

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8783**

RIN: 2120-AA22

151. TERMINAL CONTROL AREA (TCA) NEW YORK (MODIFICATION)

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1510 Federal Aviation Act of 1958, Sec. 1110

CFR Citation: 14 CFR 71

Abstract: Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action	Date	FR Cite
NPRM	01/08/81	46 FR 2088

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18605.

Analysis: Regulatory Evaluation 01/08/81

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8783**

RIN: 2120-AA24

152. TERMINAL CONTROL AREA (TCA) LAS VEGAS (MODIFICATION)

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1510 Federal Aviation Act of 1958, Sec. 1110

CFR Citation: 14 CFR 71

Abstract: Terminal Control Areas (TCA's) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8783**

RIN: 2120-AA25

153. FLIGHT OPERATIONS CONTROL SYSTEMS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313 (a); 49 USC 1421 to 1430 Fed. Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 121

Abstract: Based upon a Transamerican Airlines (TIAS) and World Airways (WRLS) joint petition for rulemaking, the FAA is considering amending Part 121 to allow among other things all operations to be conducted under a flight operations control system. Advance Notice 80-16 (14 FR 67103) issued Oct. 2, 1980, published the entire petition and requested comments to assist the FAA in determining what if any regulatory proposals should be developed.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/80	45 FR 67103

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18591.

Agency Contact: Roger E. Riviere, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8096**

RIN: 2120-AA26

154. REVIEW: ROTORCRAFT REVIEW NOTICE NO. 2-SYSTEMS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29; 14 CFR 91

Abstract: This notice is the second of a series of notices that propose to add new airworthiness, operation, and maintenance standards for rotorcraft. This particular notice proposes changes to Parts 27, 29, and 91 and deals only with the flight controls and associated systems on rotorcraft.

Timetable:

Action	Date	FR Cite
NPRM	08/26/82	47 FR 37806
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 23266.

Analysis: Regulatory Evaluation 08/26/82

Agency Contact: Jim Honaker, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, **817 877-2552**

RIN: 2120-AA27

155. REVIEW: ROTORCRAFT REVIEW NOTICE NO. 3-POWERPLANTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29

Abstract: This notice is the third of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the engine and related equipment certification requirements in Parts 27 and 29 of the Federal Aviation Regulations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: Wilbur Wells, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, **817 877-2551**

RIN: 2120-AA28

156. REVIEW: ROTORCRAFT REVIEW NOTICE NO. 4-AIRFRAME

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49

USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29

Abstract: This is the fourth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the airframe and related equipment requirements in Parts 27 and 29 of the Federal Aviation Regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, 817 877-2549

RIN: 2120-AA29

157. REVIEW: ROTORCRAFT REVIEW NOTICE NO. 5-OPERATIONS AND MAINTENANCE

Legal Authority: 49 USC 1341 Federal Aviation Act of 1958, Sec. 301; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 43; 14 CFR 45; 14 CFR 61; 14 CFR 91; 14 CFR 121; 14 CFR 127; 14 CFR 133; 14 CFR 135

Abstract: This is the fifth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the operations and maintenance requirements pertaining to rotorcraft and covered in Parts 43, 45, 61, 91, 121, 127, 133, and 135 of the Federal Aviation Regulations. Part 1 would also be amended to add a definition of a Class D rotorcraft-load combination.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Roger Baker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8194

RIN: 2120-AA30

158. TEMPORARY FLIGHT RESTRICTIONS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 91

Abstract: This proposal features provisions that would allow the Administrator to restrict all flight operations within a designated area under specified situations.

Timetable:

Action	Date	FR Cite
NPRM	04/29/82	47 FR 18560
Final Action	11/00/84	

Small Entity: No

Additional Information: Docket No. 22951.

Analysis: Regulatory Evaluation 04/29/82

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA34

159. FOREIGN AIR CARRIERS AND OPERATORS OF CERTAIN LARGE U.S.- REGISTERED AIRPLANES

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 to 1430 Fed Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 125; 14 CFR 129; 14 CFR 135

Abstract: This project would amend the regulations to govern the operation by foreign air carriers and other operators of U.S.-registered civil airplanes which have a seating capacity of 20 or more passengers or a maximum payload capacity of 6,000 pounds or more.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Lawrence P. Bedore, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA42

160. STANDARDS FOR APPROVAL OF AN AUTOMATIC TAKEOFF THRUST CONTROL SYSTEM

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This action would review certain special conditions issued for Part 25 airplanes and incorporate in Part 25 those that have not been previously incorporated.

Timetable:

Action	Date	FR Cite
NPRM	04/27/84	49 FR 18240
NPRM Comment Period Begin	04/27/84	
Extension of Comment Period	07/20/84	49 FR 29410
NPRM Comment Period End	08/27/84	
Next Action Undetermined		

Small Entity: No

Additional Information: The special conditions included in this project are automatic take-off thrust control systems (ATTCS). Docket No. 24046.

Analysis: Regulatory Evaluation 04/27/84

Agency Contact: James M. Walker, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2116

RIN: 2120-AA46

161. PART 25 CERTIFICATION REVIEW

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This action would amend the airworthiness standards contained in Part 25 applicable to transport category airplanes to: (1) relieve the regulatory burden wherever possible, (2) ensure the airworthiness standards are practicable for the light transport airplanes common to regional air carrier operation, and (3) update Part 25 for clarity and accuracy.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: Gary Killion, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, **206 431-2112**

RIN: 2120-AA47

162. FLIGHT AFTER STRUCTURAL FAILURE

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This ANPRM would request information necessary to conduct safety benefit, cost, environmental, and energy impact analyses for a proposed Part 25 requirement for continued safe flight and landing after failure of any single structural element.

Timetable:

Action	Date	FR Cite
ANPRM	07/11/83	48 FR 31842
Notice of Comment Period extension	08/22/83	48 FR 38004

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23690.

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, **206 431-2120**

RIN: 2120-AA48

163. IMPLEMENTATION OF SAFER PROPULSION SYSTEM RECOMMENDATIONS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This action would amend Sec 25.975 to require fuel tank vent protection during ground fires and Sec 25.1189 to require design practices which maximize the probability of engine fuel supply shut-off in a potential fire situation.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: James M. Walker, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, **206 431-2116**

RIN: 2120-AA49

164. FY-1982 MISCELLANEOUS AMENDMENTS

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421 to 1430 Fed Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 21; 14 CFR 65; 14 CFR 107; 14 CFR 121; 14 CFR 135; 14 CFR 145

Abstract: This action would amend various sections of the regulations. The proposed amendments are clarifying, editorial, or corrective in nature.

Timetable:

Action	Date	FR Cite
NPRM	10/03/83	48 FR 45214

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23781.

Analysis: Regulatory Evaluation 10/03/83

Agency Contact: Ida Cronauer, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8357**

RIN: 2120-AA50

165. PRIMARY CATEGORY AIRCRAFT

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607; 49 USC 1428 Federal Aviation Act of 1958, Sec. 608; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 21; 14 CFR 31; 14 CFR 43; 14 CFR 91

Abstract: This action is to determine what role the Federal Government should take in protecting the safety of individuals who have decided freely to participate in airborne recreational and personal activities by regulating the airworthiness of the equipment to be used.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: James F. Zahringer, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8323**

RIN: 2120-AA51

166. PROPOSED MINIMUM AERONAUTICAL EXPERIENCE REQUIREMENTS - INSTRUMENT RATING

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 61

Abstract: This action would amend Sec 61.65(a)(1) to delete the words "or commercial" and would amend Sec 61.65(e)(1) to decrease the required hours of pilot flight time.

Timetable:

Action	Date	FR Cite
NPRM	06/20/83	48 FR 28104

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23672

Analysis: Regulatory Evaluation 06/20/83

Agency Contact: Lauren D. Basham, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8196

RIN: 2120-AA52

167. CERTIFICATION: STUDENT RECREATIONAL, RECREATIONAL, STUDENT OTHER THAN RECREATIONAL AND PRIVATE PILOTS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: This petition proposes to establish a new concept in the certification of pilots to permit the issuance of a student recreational, a recreational, a student other than recreational, and a private pilot certificate.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: James F. Byers, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8196

RIN: 2120-AA54

168. AMEND PART 23 TO INCLUDE REQUIREMENTS FOR CRASH-RESISTANT FUEL SYSTEMS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would amend Part 23 to include requirements for crash-resistant fuel tanks, lines and fittings.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA57

169. AMEND PART 23 TO INCLUDE EMPENNAGE FATIGUE REQUIREMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would provide for fatigue integrity of small airplane empennage structure where present Part 23 fatigue requirements apply only to the wing.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: The FAA is evaluating additional data obtained from NASA.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA58

170. REGULATION OF MOTOR VEHICLES CARRYING PASSENGERS FOR HIRE AT WASHINGTON NATIONAL AIRPORT

Legal Authority: 49 USC 1354 F.A. Act of 1958, Sec. 313; F.A. Act, Sec. 5 of Act for Admin of Wash National Airport

CFR Citation: 14 CFR 159

Abstract: Amendment to require taxicab drivers and other drivers of ground vehicles carrying passengers for hire to and from Washington National Airport to obtain a permit from the FAA Metropolitan Washington Airports. Regulation would prescribe procedures for issuance and revocation of permits.

Timetable:

Action	Date	FR Cite
ANPRM	05/02/83	48 FR 19838
NPRM	09/00/84	

Small Entity: Yes

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Edward S. Faggen, Department of Transportation, Federal Aviation Administration, Washington National Airport, Hangar 9, Washington, DC 20001, 703 557-8123

RIN: 2120-AA62

171. AIRPORT IMPROVEMENT PROGRAM

Legal Authority: PL 97-248 Airport and Airway Improvement Act of 1982

CFR Citation: 14 CFR 156, (Proposed)

Abstract: This action would prescribe requirements and procedures for applicants desiring to receive financial assistance under the Airport and Airway Improvement Act of 1982. The program provides grants for planning and developing public-use airports and the implementation of noise compatibility programs. Generally, to receive funds, the applicant must be a public agency; although, in some

instances, private airport owners may receive funds. Contents of the regulation will be governed by the requirements of the Act and OMB Circular A-102.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: In September 1982, legislation authorizing the Airport Improvement Program was enacted. This same legislation repealed the Airport and Airway Development Act of 1970 which authorized the Airport Development Aid Program (CFR Pt. 152).

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Bob David, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8590**

RIN: 2120-AA73

172. NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611

CFR Citation: 14 CFR 36

Abstract: Part 36 prescribes noise type certification standards for turbo jet powered airplanes and propeller driven small airplanes regardless of category. This review will examine the need to reorganize and realign the noise standards to make them more understandable and easier to use. This review would reorganize existing material into several new subparts, and utilize an improved numbering system to provide for the easier inclusion of future changes. Other improvements would be made by deleting redundancies, obsolete compliance dates, and making other minor changes. Additionally, Part 36 will be reviewed in accordance with Executive Order 12291 to reduce regulatory burdens on the public, including the preparation of both a Regulatory Evaluation and a Regulatory Flexibility Analysis.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Yes

Additional Information: Will also consider Petition for Rulemaking from the Aerospace Industries of America (Docket No. 23340; Petition Notice No. PR-82-13). Comment Period closed January 20, 1983.

Analysis: Draft RFA 09/00/84; Environmental Assessment 09/00/84; Regulatory Evaluation 09/00/84

Agency Contact: Richard Tedrick, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 755-9027**

RIN: 2120-AA74

173. FAR 23 AIRWORTHINESS REVIEW

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would update Part 23 to be compatible with current technology, reduce the regulatory burden on the public and where possible, state the requirements more objectively.

Timetable:

Action	Date	FR Cite
Announcement of Review	01/31/83	48 FR 4290
Notice of Reopening of Comment Period	06/09/83	48 FR 26623
NPRM	12/00/85	

Small Entity: No

Additional Information: Docket No. 23494. Other regulatory projects affecting Part 23, and not needing analysis more in-depth than would occur as part of this review, are being included in this review to assure efficient use of the affected FAA rulemaking resources. Current projects in this category include the project to revise Part 23 to include Special Conditions and the project to amend Part 23 to include Marking Requirements for External Openable Exits. A public meeting is planned as a result of proposals received and four separate NPRM's are planned to resolve the known issues.

Analysis: Regulatory Evaluation 12/00/85

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th St., Kansas City, MO 64106, **816 374-6930**

RIN: 2120-AA75

174. REVISE PART 23 TO INCLUDE COMMUTER CATEGORY AIRPLANES

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would amend Part 23 to include airworthiness standards for multi-engine airplanes having a maximum passenger seating configuration, excluding any pilot seat, of 19 seats, and with a maximum takeoff weight of up to 19,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	11/15/83	48 FR 52010
Final Action	02/00/85	

Small Entity: No

Additional Information: Docket No. 23516.

Analysis: Regulatory Evaluation 11/15/83

Agency Contact: Earsa L. Tankesley, Department of Transportation, Federal Aviation Administration, 601 E. 12th St., Kansas City, MO 64106, **816 374-6930**

RIN: 2120-AA77

175. SFAR 38-1--CERTIFICATION AND OPERATING REQUIREMENTS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 127

Abstract: This notice would amend SFAR 38 by clearly defining the applicable certification and operating rules appropriate to the operation to be conducted.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Daniel Keenan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA78

176. ACCELERATED GROUND TRAINING - FLIGHT ENGINEERS' SKILL REQUIREMENTS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 63; 14 CFR 91; 14 CFR 125

Abstract: This proposed action would amend the regulations to allow the flight engineers' normal procedure practical test to be conducted in an approved flight simulator in lieu of conducting it, in flight, in an airplane.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 22781.

Agency Contact: Gary Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA79

177. INSTRUMENT FLIGHT RULE REQUIREMENTS

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 135

Abstract: This proposed action would amend the regulations to: (1) allow operation of single-engine aircraft in IFR conditions; (2) permit IFR operations en route with a VFR buffer zone underneath the cloud ceiling and an IFR approach at destination; (3) change IFR minimums at U.S. military airports to be compatible with U.S. civil airport requirements; provide drift down standards during en route operations in IFR conditions in multi-engine aircraft; and provide consistency in regulations regarding references to instrument approach requirements.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 20164

Agency Contact: Roger E. Riviere, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8096

RIN: 2120-AA82

178. AIRPLANE SIMULATOR USE IN AIRMAN CERTIFICATION

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 61; 14 CFR 121

Abstract: This proposed action would amend the regulations to objectively match maneuver and procedure requirements with a catalog of simulation devices. The amendment should extend the maximum credit to simulation devices that objective requirements will permit.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: David C. Gilliom, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3460

RIN: 2120-AA83

179. ROTORCRAFT STRUCTURAL FATIGUE AND DAMAGE TOLERANCE

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1351 Federal Aviation Act of 1958, Sec. 310; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 to 1430 Fed. Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 29

Abstract: This advance notice proposes to add damage tolerance requirements to the fatigue evaluation requirements of Section 29.571 of Federal Aviation Regulation Part 29.

Timetable:

Action	Date	FR Cite
ANPRM	01/06/83	48 FR 772
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. 23485.

Public meeting held on February 8, 1983.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: Robert T. Weaver, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft Worth, TX 76101, 817 877-2548

RIN: 2120-AA84

180. FIRE PROTECTION REQUIREMENTS FOR CARGO OR BAGGAGE COMPARTMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To develop criteria for cargo compartment liners required for all categories of cargo compartments except Class A and to investigate compartment volume, ventilation and detection and fire prevention capabilities of certain approved self-extinguishing materials used for cargo compartment liners.

Timetable:

Action	Date	FR Cite
NPRM	08/08/84	49 FR 31830

Next Action Undetermined

Small Entity: No

Additional Information: This regulation was formerly titled "Cargo Compartment Classification".

Analysis: Regulatory Evaluation 08/08/84

Agency Contact: Richard Nelson, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2121

RIN: 2120-AA90

181. FAR 23.49(B) STALL SPEEDS FOR SINGLE ENGINE AND MULTIENGINE AIRPLANES OF 6,000 LBS. OR LESS

Legal Authority: 49 USC 1354 F.A. Act, Sec. 313; 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1423 F.A. Act, Sec. 603

CFR Citation: 14 CFR 23

Abstract: This action would relieve the current 61-knot stall speed requirements of Part 23 by either deleting the requirement or specifying an alternative requirement.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Additional Information: A new generation of turbo-powered, single-engine airplanes is being developed whose operating efficiency and performance will be greatly reduced if they are required to meet the current stall speed requirements. The object of this rulemaking activity is to permit design and certification of higher performance, single-engine airplanes that may achieve higher cruise speeds with better specific fuel consumption by increasing wing loading.

Analysis: Draft RFA 08/00/84; Regulatory Evaluation 08/00/84

Agency Contact: Earsa Tankesley, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA92

182. USE OF X-RAY SYSTEMS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604; 49 USC 1425 Federal Aviation Act of 1958, Sec. 605

CFR Citation: 14 CFR 108; 14 CFR 129

Abstract: This proposed action would amend the regulations to delete reference to 1 milliroentgen and to change wording of sign at each X-ray screening station. It also proposes that the new American Society for Testing and Materials Standards F792-82 be adopted in place of the requirement that the X-ray system have the capability of distinguishing insulated 24-gauge copper wire.

Timetable:

Action	Date	FR Cite
NPRM	06/18/84	49 FR 24974
NPRM Comment Period Begin	06/18/84	49 FR 24974
NPRM Comment Period End	08/17/84	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 06/18/84

Agency Contact: Theofulus P. Tsacoumis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-4817

RIN: 2120-AA96

183. MECHANICAL RELIABILITY REPORTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: This action would allow certificate holders to mail or deliver mechanical reliability reports to the responsible FAA office within 72 hours after the 24-hour reporting period.

Timetable:

Action	Date	FR Cite
NPRM	08/13/84	49 FR 32306
NPRM Comment Period Begin	08/13/84	
NPRM Comment Period End	10/12/84	

Small Entity: No

Agency Contact: Fred W. Crenshaw, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8098

RIN: 2120-AA97

184. AMENDMENT OF SECTIONS 91.171, 91.172, AND APPENDICES E AND F OF PART 43

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 43; 14 CFR 91

Abstract: This action would delay an October 15, 1982, compliance date to afford operators additional time to accomplish tests and inspections required by Sec. 91.171, correct inappropriate references, and delete a requirement for integrated system tests of ATC transponders by operators.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Charles J. Sarich, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8177

RIN: 2120-AA98

185. RENEWAL OF INSPECTION AUTHORIZATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 65

Abstract: This action would reconsider Amendment 65-22 which was issued to clarify rules and to adopt additional rules applicable to applicants for, and holders of, an inspection authorization. If necessary, the action would also revise the regulations to improve enforcement procedures pertaining to mechanics' certificates and inspection authorizations.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Charles W. Mayernik, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8203

RIN: 2120-AA99

186. NATIONAL AIRSPACE REVIEW (NAR) TERMINAL AIRSPACE TASK GROUP RECOMMENDATIONS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 91

Abstract: Would (1) change terminal control area designation criteria; (2) change operating requirements in terminal control areas; (3) change name of airport traffic area to control tower area; (4) standardize two-way radio communications requirements at all airports with operating control towers; (5) adopt a new definition for airport traffic area; (6) redefine control zone ceiling and lateral dimension limitations; and (7) replace statute miles with nautical mile designations.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Harold W. Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8783

RIN: 2120-AB02

187. MODE S TRANSPONDER

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1353 Federal Aviation Act of 1958, Sec. 312; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 43; 14 CFR 91; 14 CFR 121; 14 CFR 127; 14 CFR 135

Abstract: Proposes use of Mode S transponder within terminal control areas and generally above 12,500 feet MSL. Also proposes that ATCRBS transponder may be used in those airspace areas.

Timetable:

Action	Date	FR Cite
ANPRM	10/18/83	48 FR 48364

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Docket No. 23799. Mode S is considered to be the key airborne link to the new automated National Airspace System. It will also figure as a key component in data-linking information between air and ground.

Analysis: Regulatory Evaluation 10/18/83

Agency Contact: Harold W. Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8783

RIN: 2120-AB03

188. GENERAL AVIATION SAFETY PANEL'S RECOMMENDATIONS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 91

Abstract: Would standardize weather minimums in all airspace at night.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Harold W. Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8783

RIN: 2120-AB04

189. FATIGUE LIMIT TEST (PROPELLERS)

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 35

Abstract: Would revise Part 35 Fatigue Limit Test (Propellers) to add requirement for composite propellers to include environmental effects in fatigue evaluation bird impact and lightning protection.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: N. Buckman, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7330

RIN: 2120-AB05

190. ELECTRONIC FUEL CONTROLS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Abstract: Would revise FAR 33.67 to incorporate requirements for electronic fuel controls for gas turbines.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: A. Jackson, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7330

RIN: 2120-AB06

191. TURBO PROP ENGINE PROPELLER BRAKE PROPOSALS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Abstract: Would revise Part 33 by adding a new section entitled "Engine Propeller Brake Systems Tests." This new section would require tests of the propeller brake with respect to ground locking, dynamic braking, and engine starts and stops.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: Donald F. Perrault, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, **617 273-7330**

RIN: 2120-AB07

192. FLIGHT TIME, DUTY TIME AND REST REQUIREMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 135

Abstract: This rulemaking is directed at improving the flight time, duty time and rest requirements applicable to flight crewmembers employed by air carriers, air taxis and commuter operators.

Timetable:

Action	Date	FR Cite
NPRM	03/28/84	49 FR 12136
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 23634. The Regulatory Negotiation Advisory Committee was established on June 27, 1983 to develop recommended rulemaking proposals for this rulemaking (48 FR 21339 and 29771; May 12 and June 28, 1983). The committee met through the summer to discuss such proposals.

Analysis: Regulatory Evaluation 03/28/84

Agency Contact: Edward P. Faberman, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, **202 426-3773**

RIN: 2120-AB08

193. ALL-ENGINE FLIGHT PATH

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To ensure obstacle clearance during takeoff when the all-engine operating and the one-engine inoperative intended track are different.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 01/00/85

Agency Contact: Bill Boxwell, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2119**

RIN: 2120-AB16

194. STANDARDS FOR APPROVAL OF A REDUCED V1 METHODOLOGY FOR TAKEOFF ON WET RUNWAYS AND FLIGHT PATH REQUIREMENTS FOR ENGINE LOSS DURING TAKEOFF

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25; 14 CFR 121

Abstract: This proposal would amend Parts 25 and 121 to allow the use of the reduced V1/reduced screen height concept for transport category airplanes when taking off on wet runways and to ensure obstacle clearance during takeoff when the all-engine operating and the one-engine inoperative intended track are different.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 01/00/85

Agency Contact: Bill Boxwell, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2119**

RIN: 2120-AB17

195. REVISE PART 25 TO INCLUDE SPECIAL CONDITIONS FOR HIGH ALTITUDE OPERATIONS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This proposal would review special conditions issued for high altitude operation and to consolidate and incorporate these special conditions into Part 25.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Mark Quam, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2134**

RIN: 2120-AB18

196. SUBPART F -- EQUIPMENT AIRWORTHINESS REGULATIONS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: To amend Subpart F and other associated subparts such that the regulatory requirements are stated on a functional basis to facilitate certification of 1985 and later airplanes.

Timetable:

Action	Date	FR Cite
NPRM	08/00/86	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/86

Agency Contact: Ron Hersh, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2111**

RIN: 2120-AB19

197. APPENDIX G, CONTINUOUS TURBULENCE CRITERIA

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 25

Abstract: This proposal would review Appendix G of Part 25 for possible revision of design criteria.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2120**

RIN: 2120-AB20

198. REVIEW OF FAR 33.87(A)(7)

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Abstract: This action would revise Part 33 to better define requirements for stabilization of oil temperature during 5-minute periods of the endurance test.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/85

Agency Contact: H. Jackson, Department of Transportation, Federal Aviation Administration, New England Region, 12 New England Executive Park, ANE-110, Burlington, Massachusetts 01803, **617 273-7330**

RIN: 2120-AB24

199. ADVANCED V/STOL ROTORCRAFT STANDARDS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 00, (New)

Abstract: This proposed action would establish airworthiness standards for advanced V/Stol rotorcraft. This action is needed since current rotorcraft airworthiness standards in Parts 27 and 29 are insufficient for anticipated tilt rotor and other advanced design rotorcraft.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Jim Honaker, Department of Transportation, Federal Aviation Administration, Southwest Region, P.O. Box 1689, Fort Worth, Texas 76101, **817 877-2552**

RIN: 2120-AB25

200. REBUILT ENGINE MAINTENANCE RECORDS

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91

Abstract: This action would propose to delete the rule that allows engine manufacturers to designate their overhaul engines as being "zero time engines."

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Robert J. Baker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8098**

RIN: 2120-AB29

201. MARKET SURVEY EXPERIMENTAL CERTIFICATES FOR AIRCRAFT MODIFIERS

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1427 to 1429 Federal Aviation Act of 1958, Secs. 607-609; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 21

Abstract: This action proposes to amend the regulations to permit certain aircraft modifiers to apply for an experimental certificate to use the modified aircraft for market surveys, sale demonstrations, or customer crew training in the same manner as aircraft and aircraft engine manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	02/21/84	49 FR 6468
NPRM Comment Period Begin	02/21/84	49 FR 6468
NPRM Comment Period End	04/23/84	
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. 23544

Analysis: Regulatory Evaluation 02/21/84

Agency Contact: Alphonse G. Santarelli, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8361**

RIN: 2120-AB30

202. PROTECTIVE BREATHING EQUIPMENT

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: This action proposes to update the regulations applicable to protective breathing equipment (PBE) and require compliance with Technical Standard Order-C99 (TSO-C99). The proposed changes would specify additional requirements for portable PBE at all required hand fire extinguisher locations and training requirements for crewmembers using PBE.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Roger E. Riviere, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8096**

RIN: 2120-AB32

203. ● OCCUPANT PROTECTION/RESTRAINT STANDARDS FOR PARTS 27 AND 29 ROTORCRAFT

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 611; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 27; 14 CFR 29

Abstract: This project is to revise and clarify transport rotorcraft performance airworthiness standards and to establish minimum gradients of climb during takeoff.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	

Small Entity: No

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, **817 877-2549**

RIN: 2120-AB35

204. ● TRANSPORT ROTORCRAFT PERFORMANCE

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 29

Abstract: This project is to amend Parts 27 and 29 to establish occupant protection standards in minor crashes at a level consistent with the present state of the art without imposing an unreasonable economic burden on the industry.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: Undetermined

Agency Contact: Jim S. Honaker, Department of Transportation, Federal Aviation Administration, P.O. Box 1689, Fort Worth, Texas 76101, **817 877-2552**

RIN: 2120-AB36

205. ● PROPOSED DEPARTMENT OF ENERGY PROHIBITED AREAS

Priority: Undetermined

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Secs. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 106(g) Revised, Pub. L. 97-449, January 12, 1983

CFR Citation: 14 CFR 11.65; 14 CFR 73

Abstract: The proposed establishment or modification of prohibited airspace over these sites is one segment of a Department of Energy (DOE) comprehensive effort to enhance the protection of vital nuclear weapons research, development, and production facilities. If established, helicopter operations at any altitude over the designated sites would be prohibited without prior DOE authorization.

Timetable:

Action	Date	FR Cite
ANPRM	02/08/84	49 FR 04765
Public Hearings Announced	07/20/84	49 FR 29411
Extension of Comment Period	08/07/84	49 FR 31435
ANPRM Comment Period End	11/16/84	

Small Entity: Yes

Agency Contact: Brent A. Fernald, AAT-238, Airspace & Traffic Rules Br., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8626**

RIN: 2120-AB39

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

206. PART 95 INSTRUMENT FLIGHT RULES

Legal Authority: 49 USC 1348 F.A. Act of 1958, Sec. 307; 49 USC 1510 F.A. Act of 1958, Sec. 1110

CFR Citation: 14 CFR 95

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--2500. 04/00/84 - 04/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	04/00/85	

Small Entity: No

Agency Contact: Don Tuna, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8277**

RIN: 2120-AA63

207. AIRWORTHINESS DIRECTIVES

Legal Authority: 49 USC 1354(a) F.A. Act, Sec. 313(a); 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1423 F.A. Act, Sec. 603; 49 USC 1431(b) F.A. Act, Sec. 611(b)

CFR Citation: 14 CFR 39

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--300. 04/00/84 - 04/00/85.

DOT—FAA

Current and Projected Rulemakings
Other Rulemakings: Routine and Frequent

Timetable:

Action	Date	FR Cite
Total actions expected to end	04/00/85	

Small Entity: No

Agency Contact: Jack McGrath, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8192

RIN: 2120-AA64

208. STANDARD INSTRUMENT APPROACH PROCEDURES

Legal Authority: 49 USC 1348 F.A. Act, Sec. 307; 49 USC 1354(a) F.A. Act, Sec. 313(a); 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1510 F.A. Act, Sec. 1110

CFR Citation: 14 CFR 97

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--2800. 04/00/84 - 04/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	04/00/85	

Small Entity: No

Agency Contact: Don Tuna, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8277

RIN: 2120-AA65

209. AIRSPACE ACTIONS

Legal Authority: 49 USC 1348(a) F.A. Act, Sec. 307(a); 49 USC 1354(a) F.A. Act, Sec. 313(a)

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--525. 04/00/84 - 04/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	04/00/85	

Small Entity: No

Agency Contact: Hal Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8783

RIN: 2120-AA66

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Existing Regulations Under Review
Priority Reviews

210. AIRMEN MEDICAL STANDARDS

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 67

Abstract: These regulations specify the medical standards which must be met before a medical certificate is issued to an airman. For example, a medical certificate is required before a person can obtain a pilot license. During a recent rulemaking involving these regulations, a considerable number of commenters expressed the belief that the current standards should and could be revised to state, in generally applicable objective terms, all those circumstances in which the FAA will issue medical certificates. In the past, some certificates have been issued on a case-by-case basis, with appropriate limitations, under exemption and waiver provisions where strict compliance with the existing standards was not essential in the interest of safety. A comprehensive review of these regulations is necessary to determine if the commenters' arguments are correct. If they are and the requested regulatory changes are possible, it could greatly reduce burdens, both on the FAA and airmen, associated with the processing of medical certificates.

Timetable:

Action	Date	FR Cite
End Review	09/00/85	

Small Entity: No

Additional Information: Docket No. 23190.

Agency Contact: William H. Hark, M.D., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3802

RIN: 2120-AA70

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Existing Regulations Under Review
Other Reviews

211. PART 21--CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 21

Abstract: This part prescribes procedural requirements for the issuance of type certificates and changes to those certificates; the issuance of production certificates; the issuance of airworthiness certificates; and the issuance of export airworthiness approvals. In addition it prescribes rules governing the holders of these certificates and procedural requirements for the approval of certain materials, parts, processes, and

appliances. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-7815

RIN: 2120-AB09

212. MAINTENANCE, PREVENTIVE MAINTENANCE, REBUILDING, AND ALTERATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 43

Abstract: This part prescribes rules governing the maintenance, preventive maintenance, rebuilding, and alteration of any aircraft having a U.S. airworthiness certificate; foreign-registered civil aircraft used in common carriage or carriage of mail, and airframes, aircraft engines, propellers, appliances, and component parts of such aircraft. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-7815

RIN: 2120-AB10

213. PART 45--IDENTIFICATION AND REGISTRATION MARKING

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 45

Abstract: This part prescribes the requirements for identification of aircraft, aircraft engines, and propellers that are manufactured under the terms of a type or production certificate; identification of certain replacement and modified parts produced for installation on type certificated products; and nationality and registration marking of U.S. registered aircraft. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-7815

RIN: 2120-AB11

214. PART 61--CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: This part prescribes the requirements for issuing pilot and flight instructor certificates and ratings, the conditions under which these ratings are necessary, and the privileges and limitations of those certificates and ratings. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-7815

RIN: 2120-AB12

215. PART 67--MEDICAL STANDARDS AND CERTIFICATION

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 67

Abstract: This part prescribes the medical standards and procedures that apply to the issuance of medical certificates to airmen. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-7815

RIN: 2120-AB13

216. PART 141--PILOT SCHOOLS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 141

Abstract: This part prescribes the requirements for issuing pilot school certificates, provisional pilot school certificates, and associated ratings and the general operating rules for the holders of those certificates and ratings; the personnel and aircraft requirements for a pilot school or a provisional pilot school certificate; and the facilities an

applicant must have available to hold a pilot school or provisional pilot school certificate. Also prescribed are the curriculum and course outline requirements for the issuance of a pilot school or provisional pilot school certificate or rating; the requirements for the issuance of an examining authority to the holder of a pilot school certificate and the privileges and limitations of that authority; and the operating rules that are applicable to a pilot school or provisional pilot school certificated under this part. The review will also analyze the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-7815

RIN: 2120-AB14

217. PART 121 -- CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1421 to 1430 Federal Aviation Act of 1958, Secs. 601-610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 121

Abstract: Review of rules governing the certification and operations of air carriers, supplemental air carriers, and commercial air carriers engaging in: (1) interstate or overseas transportation under a certificate of public convenience and necessity; (2) foreign air transportation under a certificate of public convenience and necessity; (3) charter flights or other special service operations; and (4) carriage of persons or property in air commerce for compensation or hire. These regulations are being reviewed to comply with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-7815

RIN: 2120-AB27

218. PART 135 -- AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421 to 1430 Federal Aviation Act of 1958, Secs. 601-610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 135

Abstract: Review of rules governing: (1) air taxi operations conducted under Part 298; (2) transportation of mail by aircraft conducted under a postal service contract; and (3) carriage of persons or property for compensation or hire as a commercial operator in specified aircraft. These regulations are being reviewed to comply with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William J. Sullivan, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-7815

RIN: 2120-AB28

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Completed Actions
Priority Rulemakings: Non-Major

COMPLETED RULEMAKINGS

219. FLIGHT CREWMEMBERS: LIMITATIONS ON USE OF SERVICES

Priority: Agency Determination

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602; 49 USC 1423 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 121

Abstract: The FAA has established a project to determine the need to revise that provision of Part 121 which prohibits certificate holders from using the services of any person as a pilot flight crewmember if that person has reached his or her 60th birthday and to extend the rule to cover all flight crewmembers in air carrier operations. The "Age 60" rule is significant because, since its adoption, it has been objected to by pilots flying in Part 121 operations. Any actions that the FAA proposes can be expected to generate significant concern over the economic and career consequences to flight crewmembers and to air carriers. This project is needed in light of a recent government study on the "Age 60" rule and air carrier experience involving down-bidding of age 60 pilots to flight engineer positions.

Timetable:

Action	Date	FR Cite
ANPRM	07/08/82	47 FR 29782
Withdrawn	03/30/84	49 FR 14692

Small Entity: No

Additional Information: Docket No. 23174. Public Law 96-171 (07/18/79) directed the National Institutes of Health (NIH) to conduct a study to determine if the "Age 60 rule" is warranted. The report, issued August 1982, recommends retaining the rule.

extending it to cover Part 135 operations, and implementing a study to collect data to possibly relax the current rule. The ANPRM 82-10 was published July 8, 1982. (47 FR 29782). The comment period closed November 5, 1982.

Agency Contact: Lawrence P. Bedore, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8096**

RIN: 2120-AA02

220. REVIEW: AIRPORT LAYOUT PLAN APPROVALS

Priority: Task Force

Legal Authority: 49 USC 1701 Airport and Airway Development Act of 1970

CFR Citation: 14 CFR 152

Abstract: This proposed rule would concentrate on Airport Layout Plan (ALP) approvals as required by Federal Aviation Regulation Part 152 in an effort to reduce the regulatory and paperwork burden on state and local governments. The ALP approval review was selected by the Presidential Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	08/15/83	48 FR 36828
Withdrawn	08/03/84	49 FR 31078

Small Entity: No

Additional Information: Docket No. 23723.

Analysis: Regulatory Evaluation 08/15/83

Agency Contact: Bob David, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-8590**

RIN: 2120-AA67

221. 1984 OLYMPICS

Priority: Agency Determination

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 106(g) (Revised PL 97-449, January 12, 1983)

CFR Citation: 14 CFR 91; 14 CFR 107; 14 CFR 108; 14 CFR 109; 14 CFR 121; 14 CFR 135

Abstract: FAA proposes airport, airspace, aviation security and flight operations requirements, 1984 Summer Olympics, Los Angeles, California. In addition, the notice announces other FAA services including air commerce and aviation security information to be available for and during the Olympic period. This rulemaking is significant because it involves important Departmental policy. This rule terminated by its own terms in August 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/25/83	48 FR 53374
Final Action	04/13/84	49 FR 14842
Final Action Effective	07/14/84	

Small Entity: No

Additional Information: A public hearing on this proposal was held in Los Angeles, California, December 14, 1983. Most comments were directed to proposed prohibition of general aviation traffic at Los Angeles/Ontario airports, flight restrictions as they affect news coverage, and the airport reservation system.

Analysis: Regulatory Evaluation 11/25/83

Agency Contact: Harold W. Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 426-3759**

RIN: 2120-AB26

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

222. REVIEW: AIRCRAFT ENGINE REGULATIONS NOTICE

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23; 14 CFR 25; 14 CFR 27; 14 CFR 29; 14 CFR 33

Abstract: Proposed amendment to resolve a number of regulatory issues raised by engine manufacturers and to update those standards.

Timetable:

Action	Date	FR Cite
NPRM	11/20/80	45 FR 76872
Final Action	02/23/84	49 FR 6832
Final Action Effective	03/29/84	

Small Entity: No

Additional Information: Docket No. 16919.

Analysis: Regulatory Evaluation 02/23/84

Agency Contact: George F. Muleahy, Department of Transportation, Federal Aviation Administration, FAA NE Region, 12 Executive Park, Burlington, MA 01803, **617 273-7330**

RIN: 2120-AA04

223. REVISION OF APPLICABILITY OF PART 139

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 1432 Federal Aviation Act of 1958, Sec. 612

CFR Citation: 14 CFR 139

Abstract: Proposed amendment to require the certification of airports serving any scheduled or unscheduled passenger operation of an air carrier with aircraft having a seating capacity of more than 30 passengers. This supplemental notice revises the original proposal and implements a statutory change enacted by Congress.

Timetable:

Action	Date	FR Cite
NPRM	06/12/80	45 FR 39857
Supplemental NPRM	06/06/83	48 FR 25211
Final Action	04/27/84	49 FR 18086
Final Action Effective	05/29/84	

Small Entity: No

Additional Information: Docket No. 20450. After further analysis and review in light of comments received to Notice 80-10, the FAA concluded that its authority to issue the proposed rule

was unclear and that rulemaking should not proceed until the statutory basis for the proposed rule was clarified. For this reason, the FAA suspended action on the notice and on January 22, 1981, published in the Federal Register (46 FR 6975) a copy of its letter to Congress requesting clarification of its authority to regulate airports under Section 621 of the F.A. Act. In response to that request, on September 3, 1982, the Airport and Airway Improvement Act of 1982 (P.L. 97-248) was enacted and in part amended Sections 610 and 612 of the F.A. Act. To implement the authority of P.L. 97-248, this Notice revises the amendments proposed in Notice 80-10.

Analysis: Regulatory Evaluation 06/06/83

Agency Contact: Jose Roman, Jr., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-3087

RIN: 2120-AA17

224. WHITE-DIAMOND CORPORATION-USE OF NASAL OXYGEN CANNULAS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Abstract: Petition to add a paragraph (a)(5) to Sec 23.1447 stating that a nasal oxygen cannula may be used for pilots at or below 20,000 feet and for passengers at or below 22,000 feet instead of an oxygen mask covering the nose and mouth.

Timetable:

Action	Date	FR Cite
NPRM	12/16/82	47 FR 56456
Final Action	02/08/84	49 FR 7338
Final Action Effective	03/29/84	

Small Entity: No

Additional Information: Docket No. 21571.

Analysis: Regulatory Evaluation 12/16/82

Agency Contact: Earsa L. Tankesly, Department of Transportation, Federal Aviation Administration, 601 E. 12th St., Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA44

225. ATA - ADVANCED SIMULATION REQUIREMENTS

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 121

Abstract: This petition proposes to amend certain provisions relative to the advanced airplane simulator requirements of Appendix H of Part 121. The proposed amendment would allow expanded training and checking to be accomplished in advanced simulators that have not been fully upgraded to the latest state-of-the-art technological capabilities. It would extend indefinitely the Phase IIA training alternative which presently has a 3 1/2-year time limitation.

Timetable:

Action	Date	FR Cite
Withdrawn	08/20/84	49 FR 33025

Small Entity: No

Additional Information: Docket No. 22818. At this time, the agency proposes to address certain portions of that petition; i.e., a notice that will make certain features of Phase IIA permanent.

Agency Contact: Steve Stieneker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 212 426-8096

RIN: 2120-AA94

226. ROTORCRAFT SIMULATOR USE IN AIRMAN CERTIFICATION

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Abstract: This action proposes to publish an Appendix B to Part 61 which would list the practical test requirements for airline transport pilot certificates and associated type ratings in rotorcraft and objectively match these requirements with a catalog of simulation devices.

Timetable:

Action	Date	FR Cite
Project cancelled	07/00/84	

Small Entity: No

Additional Information: Project cancelled pending completion of Airplane Simulator Use in Airman Certification (RIN=2120-AA83).

Agency Contact: David C. Gilliom, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-3460

RIN: 2120-AB00

227. AIRPORT RADAR SERVICE AREA

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 71; 14 CFR 91; 14 CFR 103; 14 CFR 105

Abstract: Would (1) designate airspace within which each person operating an aircraft must maintain two-way radio communications with ATC; (2) require arriving and overflying aircraft to establish two- way radio communication prior to entering the designated airspace; (3) allow aircraft departing satellite airports to establish two-way radio communications as soon as possible; (4) require ultralight and parachute jumping operations to be conducted under an ATC authorization.

Timetable:

Action	Date	FR Cite
NPRM	07/28/83	48 FR 34286
Final Action SFAR No. 45	12/22/83	48 FR 50038

Small Entity: No

Additional Information: Docket No. 23708. ADDITIONAL LEGAL AUTHORITY: 14 CFR 11.45, 14 CFR 11.65.

Analysis: Regulatory Evaluation 07/28/83

Agency Contact: Harold W. Becker, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, DC 20591, 202 426-8783

RIN: 2120-AB01

228. DEVELOPMENT OF MAJOR REPAIR DATA (EXTEND THE EFFECTIVITY OF SFAR 36)

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421

Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR SFAR 36; 14 CFR 121; 14 CFR 127; 14 CFR 135; 14 CFR 145; 14 CFR 11

Abstract: This action proposes to extend the effectivity of Special Federal Aviation Regulation (SFAR) No. 36, which provides that repair stations, air carriers, air taxis, and commercial operators of large aircraft may accomplish major repairs using self-developed repair data which have not been specifically approved by the FAA.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/31/84	49 FR 4354
Final Action SFAR 36-3	02/03/84	49 FR 4354

Small Entity: No

Additional Information: Docket No. 17551.

Agency Contact: Angelo Mastrullo, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 426-8203

RIN: 2120-AB31

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Completed Actions
Other Reviews

COMPLETED REVIEWS

229. ROTORCRAFT CERTIFICATION AND OPERATING RULES

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 to 1425 Fed Aviation Act of 1958, Secs. 603 to 605

CFR Citation: 14 CFR 27; 14 CFR 29; 14 CFR 91; 14 CFR 127

Abstract: This will include a review of new flight control and associated system airworthiness for rotorcraft. Previous notices covered the applicability of rotorcraft certification, instrument flight rules (IFR) certification, and the certification of anti-icing and deicing equipment. This review is based on a number of proposals discussed at the Rotorcraft Regulatory Review held December 10-14, 1979, in New Orleans, La.; and the Rotorcraft Regulatory Review Meeting held August 18-20, 1980, in Washington, DC. This regulation is incorporated into Rotorcraft Regulatory Review Program Amendment No. 2 (RIN 2120-AA27).

Timetable:

Action	Date	FR Cite
End Review	04/00/84	
Project Merged	08/27/84	

Small Entity: No

Agency Contact: Robert T. Weaver, Department of Transportation, Federal Aviation Administration, PO Box 1689, Ft. Worth, TX 76101, 817 877-2548

RIN: 2120-AA68

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Current and Projected Rulemakings
Priority Rulemakings: Major

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

230. SPLASH/SPRAY SUPPRESSANT DEVICES ON TRUCK TRACTORS, SEMITRAILERS AND TRAILERS

Priority: Major

Legal Authority: 49 USC 2314; 49 USC 3102; Section 414 of STAA of 1982

CFR Citation: 49 CFR 393

Abstract: Section 414 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424) states that Congress declares the visibility on wet roadways in the Interstate System should be improved by reducing splash and spray from truck tractors, semitrailers and trailers. Congress instructed the Secretary to establish, by regulation, minimum standards with respect to the performance and installation of splash and spray suppression devices on truck tractors, semitrailers and trailers. Further, Congress mandated that all vehicles in use 5 years from date of enactment, be equipped with such devices. The revisions to 49 CFR .393 will implement this mandate. This rulemaking is considered significant because of its economic impact on the motor carrier industry.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Analysis: Preliminary RIA 08/00/84; Draft RFA 08/00/84

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20591, 202 426-9767

RIN: 2125-AA84

231. ● DRIVER'S RECORD OF DUTY STATUS

Priority: Major

Legal Authority: 49 USC 3102

CFR Citation: 49 CFR 395

Abstract: A final rule with a request for comments will be issued to comply with an opinion issued by the United States Court of Appeals for the District of Columbia. The FHWA is amending the Federal Motor Carrier Safety Regulations (FMCSR) to (1) reinstate the 12 hour limitation in the 100 mile exemption provision in lieu of the present 15 consecutive hours, and (2) reinstate the 7 data items deleted from the recordkeeping requirement of the driver's record of duty status. The Court stated that the FHWA had not adequately demonstrated that the enforcement of drivers' hour requirements would not be compromised by the omission of the seven items or the expansion of the exception. A public docket is being opened and FHWA will determine if such a factual basis for future rulemaking can be demonstrated.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Additional Information: The FHWA had issued a final rule on Driver's Logs (BMCS Docket No. MC-99) on November 26, 1982 (47 FR 53383), which revised the recordkeeping requirements of the driver's logs. It was determined that the final rule published on November 26, 1982, was a major regulatory reduction action under Executive Order 12291. This determination was based on projected cost savings which would result from the reduction in requirements for maintaining the driver's record of duty status. This rulemaking action will reinstate requirements which existed prior to the November 26, 1982, final rule as mandated by the United States Court of Appeals. For this reason, this rulemaking action will be considered a major rule under Executive Order 12291 and a significant regulation under the regulatory policies and procedures of the Department of Transportation. This regulation is significant because of substantial public interest.

Analysis: Final RFA 11/26/82 (47 FR 53383); Reg. Evaluation 11/26/82 (47 FR 53383)

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AB22

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Completed Actions
Priority Rulemakings: Major

COMPLETED RULEMAKINGS

232. MINIMUM CAB SPACE DIMENSIONS

Priority: Major

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 393

Abstract: This regulation would have specified minimum sizes for the cab portion of the regulated commercial vehicles manufactured after a certain date. The rulemaking was considered to be significant because it had the potential of being costly if extensive changes to cab configurations became necessary. The FHWA has withdrawn the ANPRM. It has been determined that rulemaking action is not necessary at this time. The FHWA anticipates that future designs of tractor trailer combinations will provide for longer tractors with a corresponding increase in interior cab space.

Timetable:

Action	Date	FR Cite
ANPRM	02/14/78	43 FR 6273
ANPRM Comment Period End	07/14/78	
Report Issued review of present cab sizes	02/27/80	
Withdrawn	08/02/84	49 FR 30980

Next Action Undetermined

Small Entity: No

Additional Information: DOCKET NO. MC-79

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA00

233. TRUCK SIZE AND WEIGHT

Priority: Major

Legal Authority: 23 USC 315; Sec. 133, 411, 412, 413, and 416 of the STAA of 1982

CFR Citation: 23 CFR 658

Abstract: This action establishes the final network of highways on which commercial vehicles with the dimensions authorized by the Surface Transportation Assistance Act of 1982 (STAA) may operate. Criteria for exceptions, additions, and withdrawals from the designated systems are included. The rule addresses width, length and weight of vehicles, grandfather clauses, reasonable access and specialized equipment. This rulemaking is considered significant based primarily on the substantial savings in transport costs expected to result from implementation of the proposal and on controversy regarding route designations in certain locations.

Timetable:

Action	Date	FR Cite
NPRM	09/14/83	48 FR 41276
NPRM Comment Period End	10/31/83	
Final Action	06/05/84	49 FR 23302
Final Action Effective	06/05/84	49 FR 23302

Small Entity: No

Additional Information: Additional contacts: Sheldon Strickland (202) 426-0153; Hal Brown (202) 426-1993. A comment period of 60 days ending August 6, 1984 was established to solicit public comment on the "12 foot lane issue" in accordance with the opinion issued by the U.S. District Court for the District of Columbia on March 7, 1984. Future rulemaking on issues unresolved will be initiated after comment period.

Analysis: Preliminary RIA 09/14/83 (48 FR 41276); Draft RFA 09/14/83 (48 FR 41276); Final RFA 06/05/84 (49 FR 23302); Final RIA 06/05/84 (49 FR 23302)

Agency Contact: Dave Oliver, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0825

RIN: 2125-AA85

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

ENGINEERING AND TRAFFIC OPERATIONS

234. REVIEW: DESIGN STANDARDS FOR HIGHWAYS

Priority: Agency Determination

Legal Authority: 23 USC 109; 23 USC 315; 23 USC 402

CFR Citation: 23 CFR 625

Abstract: This regulation would amend the existing geometric design standards for highways for the new construction and major reconstruction of Federal-aid highways by replacing several publications incorporated by reference in 23 CFR Part 625 with a single new publication. Public comments were requested on the geometric design criteria as presented in a draft of the new publication, "A Policy on Geometric Design of Highways and Streets" prepared by the American Association of State Highway and Transportation Officials (AASHTO). Comments received as a result of NPRM published February 14, 1980 (45 FR 10236) have been evaluated and recommended changes submitted to AASHTO for consideration. Notice regarding status of proposed rule published November 17, 1980 (45 FR 75690); it indicated further rulemaking action is not anticipated before Summer 1983. Based on the current AASHTO development schedule, submission of a final document to FHWA is not anticipated until mid-1984. This rulemaking is considered significant because it concerns a matter for which there is substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	02/14/80	45 FR 10236
Final Action	12/00/84	

Small Entity: No

Additional Information: Docket No. 80-2. CFR CITATION: FHPM 6-2-1-1 also applies.

Analysis: Reg. Evaluation (Minimal impact) 02/14/80

Agency Contact: Wilson B. Harkins, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0313

RIN: 2125-AA15

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

235. EMPLOYEE SAFETY AND HEALTH STANDARDS

Priority: Agency Determination

Legal Authority: 49 USC 304; 49 USC 1653

CFR Citation: 49 CFR 399

Abstract: This regulation would provide safety and health standards to govern employees engaged in the operation, maintenance, and loading and unloading of motor vehicles, designed to eliminate uncertainty with regard to the jurisdictional authority of the Occupational Safety and Health Administration (OSHA). This proposal is significant because it may have a significant impact on OSHA. These standards are needed because they are designed to eliminate uncertainty with regard to the jurisdictional authority of the OSHA and to improve safety and health standards for employees of motor carriers.

Timetable:

Action	Date	FR Cite
NPRM	03/02/78	43 FR 8566
NPRM Comment Period End	05/31/78	
Notice ext. Comm. Pd to 06/30/78	06/09/78	43 FR 25145

Next Action Undetermined

Small Entity: No

Additional Information: DOCKET NO. MC-64. An NPRM was issued March 2, 1978 (43 FR 8566) and the closing date for the comment period was May 31, 1978. A notice of June 9, 1978 (43 FR 25143) extended the comment period to June 30, 1978. As a result of the analysis of the comments, another NPRM is being considered. No further action is anticipated within the next 12 months.

Analysis: Regulatory Evaluation 03/02/78

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA06

RIGHT-OF-WAY AND ENVIRONMENT

236. REVIEW: OUTDOOR ADVERTISING CONTROL AND ACQUISITION

Priority: Agency Determination

Legal Authority: 23 USC 131; 23 USC 148; 23 USC 315

CFR Citation: 23 CFR 750, Subpart G

Abstract: This regulation would provide a definition of "effective control" of outdoor advertising as required by 23 U.S.C. 131. It would also set further requirements for signs exempt from control under the statute and establish the basic framework for State development of police power regulations and procedures. The regulation would also outline the requirements for Federal participation in the acquisition of compensable nonconforming outdoor advertising devices. This proposal is significant because it may involve substantial public interest, is controversial and involves important departmental policy. This regulation is necessary for the maintenance of national uniformity in the outdoor advertising control program. Since 23 U.S.C. 131 is regulatory in nature, it is necessary to establish and maintain minimum Federal program requirements. The proposal involves the consolidation of two existing regulations, 23 CFR pt. 750,subpts. D and G, and one interim regulation 23 CFR pt. 750, subpt. E. The regulations have been in effect since September 16, 1975 and July 29, 1974, respectively. The interim regulations have been in effect (cont)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: CFR CITATION: FHPM 7-6-2 also applies.

LEGAL AUTHORITY: 49 CFR 1.48 also applies.

ABSTRACT CONT: since October 18, 1976. The proposed consolidation will

be issued as an NPRM. An ANPRM, published April 30, 1979, (44 CFR 25387) and a Notice, published May 17, 1979, (44 CFR 28946) announced public hearings as part of an overall review of the Highway Beautification Program. These currently proposed regulations may be modified as a result of this review. A Notice published June 15, 1979 (44 CFR 34516) announced a hearing site change and a change in hearing procedures. On June 25, 1979 (44 FR 37100), a Notice announced amendments to the Highway Beautification Act by the Surface Transportation Assistance Act of 1978. A Notice published on July 12, 1979 (44 FR 40781) announced the establishment of a National Advisory Committee on Outdoor Advertising and Motorist Information. The need for further action is being reviewed by the Department of Transportation.

Agency Contact: Myron Laible, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 245-0021

RIN: 2125-AA04

237. REVIEW: ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 4321 et seq; 23 USC 101 et seq; 49 USC 1601 et seq; 49 USC 303(c)

CFR Citation: 23 CFR 771; 49 CFR 622

Abstract: This regulation covers the preparation of environmental impact statements and related documents and compliance with other Federal environmental requirements under FHWA and UMTA grant programs. The changes are intended to streamline the project development process and provide increased decisionmaking authority to agency field offices. The amendments are significant because they involve important departmental policy. They are needed to reduce burdens associated with the environmental review process.

Timetable:

Action	Date	FR Cite
Notice and Request for Comments on Priority Review	04/13/81	46 FR 21620
NPRM	08/01/83	48 FR 34894
Final Action	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: A. Marner, UMTA (202) 426-2360.

Notice and request for comments on priority review of environmental process published on April 13, 1981 (46 FR 21620). The NPRM published on 8/1/83 (48 FR 34894) provided a 60-day comment period.

Analysis: Regulatory Evaluation 08/01/83

Agency Contact: R. E. Gatz, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0106

RIN: 2125-AA05

238. AIR QUALITY PROCEDURES FOR USE IN FEDERAL-AID HIGHWAY AND FEDERALLY FUNDED TRANSIT PROGRAMS

Priority: Agency Determination

Legal Authority: 23 USC 109(h); 23 USC 109(j); 23 USC 315; 42 USC 4332; 42 USC 7401; 42 USC 7506

CFR Citation: 23 CFR 770

Abstract: This regulation proposes to consolidate and amend existing air quality requirements for transportation projects into a single amended air quality regulation. The amended regulation is intended to streamline and simplify (1) the process of determining which highway projects are exempt from the Federal assistance limitations of section 176(a) of the Clean Air Act (CAA), and (2) the conformity and priority procedures contained in 23 CFR 770. The amendments are also intended to provide more authority and flexibility to State and local agencies and to meet the objectives of the CAA in the most cost-effective and expeditious manner. The amendments are significant because they involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: James Getzewich, (202) 426-7182, of UMTA.

Analysis: Reg. Evaluation 12/00/84

Agency Contact: James M. Shrouds, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-4838

RIN: 2125-AB10

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

CIVIL RIGHTS

239. REVIEW: CIVIL RIGHTS REQUIREMENTS

Legal Authority: 23 USC 140; 23 USC 315; 23 USC 324

CFR Citation: 23 CFR 230

Abstract: These regulations contain the policies, procedures and guides for implementing equal employment opportunity requirements under the Federal and Federal-aid highway programs. The changes are intended to eliminate unnecessary requirements, streamline procedures and reduce recordkeeping and reporting requirements.

Timetable:

Action	Date	FR Cite
Notice and Request for Comments on Priority Review	04/13/81	46 FR 21620
NPRM	10/00/84	

Small Entity: No

Additional Information: CFR CITATION: FHPM 6-4-1-2, 2-2-2, and 2-2-3 also apply. Notice and request for comments on priority review published 04/13/81 (46 FR 21620).

Analysis: Reg. Evaluation (Minimal impact) 10/00/84

Agency Contact: Edward W. Morris, Jr., Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0471

RIN: 2125-AA08

240. STATE HIGHWAY AGENCY CONSTRUCTION CONTRACT EQUAL OPPORTUNITY COMPLIANCE REVIEW PROGRAM REQUIREMENTS

Legal Authority: 23 USC 112(b); 23 USC 140(a); 23 USC 315

CFR Citation: 23 CFR 230

Abstract: The proposed revisions would amend the existing FHWA regulation governing construction contract equal employment opportunity (EEO) compliance procedures, which concern the employment practices of construction contractors on Federal highway projects. This proposal would eliminate existing detailed compliance procedures and allow States flexibility in adopting a procedure with respect to contract compliance.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation 10/00/84

Agency Contact: Glen R. Reed, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0471

RIN: 2125-AB08

ENGINEERING AND TRAFFIC OPERATIONS

241. REVIEW: CONTRACT PROCEDURES

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128

CFR Citation: 23 CFR 633

Abstract: This revision to an existing regulation would simplify Federal-aid contract procedures.

Timetable:

Action	Date	FR Cite
NPRM	08/18/78	43 FR 36685
Supplemental NPRM	01/00/85	

Small Entity: No

Additional Information: An initial NPRM was issued on 08/18/78, 43 FR 36685. It has been determined to issue another NPRM after further review.

Analysis: Reg. Evaluation (Minimal impact) 01/00/85

Agency Contact: L. J. Witman, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0355

RIN: 2125-AA18

242. REVIEW: GENERAL MATERIALS REQUIREMENTS

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128

CFR Citation: 23 CFR 635D

Abstract: This regulation would simplify procedures relating to general material requirements for Federal-aid construction work.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: An initial NPRM was issued on 01/29/81 (46 FR 9642). It has been determined to issue another NPRM based on further review.

Analysis: Reg. Evaluation (Minimal impact) 12/00/84

Agency Contact: A. R. Radliff, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0355

RIN: 2125-AA19

243. REVIEW: ACCOMMODATION OF UTILITIES

Legal Authority: 23 USC 109; 23 USC 116; 23 USC 315

CFR Citation: 23 CFR 645

Abstract: This revision to an existing regulation would update and simplify policies and procedures for accommodating utility facilities on the right-of-way of Federal-aid and direct Federal highway projects.

Timetable:

Action	Date	FR Cite
Previous NPRM	04/17/80	45 FR 26280
NPRM	01/10/84	49 FR 1219
NPRM Comment Period Begin	01/10/84	49 FR 1219
NPRM Comment Period End	03/12/84	
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 01/10/84 (49 FR 1219)

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA20

244. REVIEW: UTILITY RELOCATION, ADJUSTMENTS AND REIMBURSEMENT

Legal Authority: 23 USC 123; 23 USC 315

CFR Citation: 23 CFR 645

Abstract: This revision to an existing regulation would update and simplify the policies and procedures for the adjustment and relocation of utility facilities on Federal-aid highway projects and projects under the direct supervision of the Federal Highway Administration.

Timetable:

Action	Date	FR Cite
ANPRM	03/08/79	44 FR 12209
NPRM	11/20/80	45 FR 76924
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 11/20/80

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA21

245. ● EMERGENCY RELIEF

Legal Authority: 23 USC 101; 23 USC 1201(f); 23 USC 125; 23 USC 315; 42 USC 5155

CFR Citation: 23 CFR 668

Abstract: This rulemaking will revise procedures for the administration of emergency funds for the repair or reconstruction of Federal-aid highways, which are found to have suffered serious damage by natural disasters

over a wide area or catastrophic failures. These revisions will improve the effectiveness of program implementation.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: This rulemaking resulted from a review of the regulation (RIN 2125-AA50).

Analysis: Reg. Evaluation (Minimal impact) 11/00/84

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA50

246. ACCELERATION OF PROJECTS

Legal Authority: 23 USC 140; 23 USC 315; Surface Transportation Assistance Act of 1982, Sec. 129

CFR Citation: 23 CFR 630

Abstract: This revision would expedite the processing of Federal-aid highways projects by promoting wider use of the findings and recommendations of the demonstration project carried out under section 141 of the 1976 Federal-Aid Highway Act. This action is also being taken pursuant to section 129 of the Surface Transportation Assistance Act of 1982.

Timetable:

Action	Date	FR Cite
ANPRM	08/26/83	48 FR 38854
ANPRM Comment Period Begin	08/26/83	48 FR 57330
ANPRM Comment Period End	11/25/83	
To be withdrawn	10/00/84	

Small Entity: No

Additional Information: Additional Information: An interim policy statement was published 6/6/83 (48 FR 25181) to implement acceleration methods for selected projects within existing regulations. Initially, FHWA had considered issuing a new regulation as a vehicle for accelerating Federal-aid projects pursuant to Section 129 of the STAA of 1982. However, it has been determined that the objectives of Section 129 can be best implemented by revisions to existing regulations. Therefore, separate regulations will not be issued regarding the acceleration program. This approach received the concurrence of Deputy Administrator Lamm on April 11, 1984. This regulation will be withdrawn.

Agency Contact: S. M. Silence, Department of Transportation, Federal Highway Administration, 400 Seventh Street, NW, Washington, DC 20590, 202 426-0334

RIN: 2125-AA87

247. PAVEMENT DESIGN POLICY

Legal Authority: 23 USC 109(a)(b)(c); 23 USC 315

CFR Citation: 23 CFR 626

Abstract: The existing regulation on pavement design would be modified to eliminate unnecessary requirements and duplicative provisions.

Timetable:

Action	Date	FR Cite
ANPRM	01/00/85	
NPRM	08/00/85	

Small Entity: No

Additional Information: Action is being deferred pending completion of the AASHTO (States) guide on pavement design.

Analysis: Reg. Evaluation (Minimal impact) 08/00/85

Agency Contact: Leon Noel, Department of Transportation, Federal Highway Administration, 400 Seventh Street, NW, Washington, DC 20590, 202 426-0327

RIN: 2125-AA88

248. SKID ACCIDENT REDUCTION PROGRAM

Legal Authority: 23 USC 109(a)(b)(c); 23 USC 315; 23 USC 401; 23 USC 402; 49 USC 1655

CFR Citation: 23 CFR 626; 23 CFR 1204

Abstract: The FHWA issued an ANPRM to solicit comments on the adequacy of the current policy on skid accident reduction. Comments will be requested on specific issues raised concerning the current policy.

Timetable:

Action	Date	FR Cite
ANPRM	05/25/84	49 FR 0604
NPRM	02/00/85	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 02/00/85

Agency Contact: Leon Noel, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0327

RIN: 2125-AA90

249. PARTICIPATION IN CONTRACT CLAIM AWARDS AND SETTLEMENTS

Legal Authority: 23 USC 110; 23 USC 120; 23 USC 315

CFR Citation: 23 CFR 635

Abstract: The revisions would address the extent to which Federal-aid highway funds may participate in awards and settlements of Federal-aid highway contract claims brought by private contractors against State Highway Agencies. The revisions would clarify the existing regulation by specifying more definitive criteria in determining eligibility for participation. It is anticipated that the revised regulation would enable State Highway Agencies to submit more specific information supporting their requests for participation determinations more consistent State-to-State.

Timetable:

Action	Date	FR Cite
NPRM	03/27/84	49 FR 11678
NPRM Comment Period Begin	03/27/84	49 FR 23663
NPRM Comment Period End	07/30/84	
Final Action	11/00/84	

Small Entity: No

Additional Information: Docket No. 84-3

Analysis: Reg. Evaluation (Minimal impact) 03/27/84 (49 FR 11678)

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB02

250. FOREST HIGHWAYS

Legal Authority: 23 USC 202; PL 97-424, Sec 126

CFR Citation: 23 CFR 660

Abstract: The revision would provide a method for allocating forest highway

funds based upon the relative transportation needs of the national forest system pursuant to section 126 of the Surface Transportation Assistance Act of 1982. The FHWA and United States Forest Service have jointly developed the proposed allocation method based upon transportation needs of renewable resource outputs and backlog of forest related improvement costs of public roads designated as forest highways.

Timetable:

Action	Date	FR Cite
NPRM	03/27/84	49 FR 11681
NPRM Comment Period Begin	03/27/84	49 FR 11681
NPRM Comment Period End	05/11/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. 84-2

Analysis: Reg. Evaluation (Minimal impact) 03/27/84 (49 FR 11681)

Agency Contact: Allen W. Burden, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0456

RIN: 2125-AB03

251. HIGHWAY CONSTRUCTION OR ALTERATION NECESSITATED BY CONSTRUCTION OF WATER RESOURCES DEVELOPMENT PROJECTS

Legal Authority: 23 USC 109(a); 23 USC 315

CFR Citation: 23 CFR 620

Abstract: The proposed regulation would prescribe policies and procedures for the coordination of highway and water resources development projects; the financing of the alteration of highway on any of the Federal-aid highway systems made necessary by the construction of water resources development projects; and the financing of new highway construction through areas that may be inundated by proposed water resources development projects. The proposed regulation essentially retains existing FHWA policy and procedures.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 01/00/85

Agency Contact: Daniel O'Connor, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-7690

RIN: 2125-AB04

252. EROSION AND SEDIMENT CONTROL ON HIGHWAY CONSTRUCTION PROJECTS

Legal Authority: 23 USC 109(g); 23 USC 315; 23 USC 109(h); 33 USC 1323

CFR Citation: 23 CFR 650

Abstract: The proposed regulation will adopt AASHTO Guide Specifications for water pollution control. It has been determined that AASHTO Specifications are adequate and appropriate for managing and enforcing erosion and sediment control activities on Federal-aid projects.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 01/00/85

Agency Contact: Daniel S. O'Connor, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-7690

RIN: 2125-AB05

253. NAVIGATIONAL CLEARANCES FOR BRIDGES

Legal Authority: 23 USC 144(h); 23 USC 315; 33 USC 401; 33 USC 491; 33 USC 511; 33 USC 525; 33 USC 535

CFR Citation: 23 CFR 650

Abstract: The proposed regulation would establish FHWA policy and would set forth coordination procedures for Federal-aid highway bridges which require navigational clearances.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 01/00/85

Agency Contact: Philip Thompson, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7690

RIN: 2125-AB07

254. EQUAL EMPLOYMENT OPPORTUNITY ON FEDERAL AND FEDERAL-AID CONSTRUCTION CONTRACTS (INCLUDING SUPPORTIVE SERVICES); REPORT REQUIREMENTS

Legal Authority: 23 USC 101; 23 USC 112; 23 USC 117; 23 USC 140; 23 USC 315

CFR Citation: 23 CFR 230; 23 CFR 640; 23 CFR 642

Abstract: The FHWA is amending its regulation on recordkeeping and reporting requirements for on-the-job training on Federal-aid construction contracts. The revised regulation would no longer require contractors to submit the Federal-Aid Highway Construction Contractor's Semi-Annual Training Report (OMB No. 2125-0021) and would no longer require State Highway Agencies to complete and submit the Federal-Aid Highway Construction Semi-Annual Training Report (OMB No. 2125-0021). In addition, the specific recordkeeping requirement and documentation of contractor performance under the training special provision would be eliminated. The revisions are being proposed as a result of an effort to carry out an internal Cost Avoidance, Reduction, Efficiency, and Effectiveness (CARE) program.

Timetable:

Action	Date	FR Cite
NPRM	11/22/82	47 FR 52470
NPRM Comment Period Begin	11/22/82	47 FR 52470
NPRM Comment Period End	12/22/82	
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 11/22/82 (47 FR 52470)

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB15

255. ● FEDERAL-AID PROGRAM APPROVAL AND PROJECT AUTHORIZATION

Legal Authority: 23 USC 105; 23 USC 106; 23 USC 118; 23 USC 134; 23 USC 315

CFR Citation: 23 CFR 630

Abstract: This action addresses FHWA's programming and authorization policies and procedures for projects under the Federal-aid program. The purpose of this action will be to determine if revisions are warranted in order to improve overall management of the Federal-aid highway program.

Timetable:

Action	Date	FR Cite
ANPRM	08/03/84	49 FR 31079
NPRM	01/00/85	

Small Entity: Undetermined

Analysis: Reg. Evaluation (Minimal impact) 01/00/85

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB18

256. ● SUPPORTIVE SERVICES FOR DISADVANTAGED AND WOMEN'S BUSINESSES

Legal Authority: 23 USC 140

CFR Citation: 23 CFR 230

Abstract: This regulation will prescribe procedures for supportive services programs to provide training and assistance to women business enterprises and disadvantaged businesses in Federal-aid highway contracting activities. It will implement the statutory provisions of Section 119(b) of the Surface Transportation Assistance Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Analysis: Reg. Evaluation (Minimal impact) 10/00/84

Agency Contact: L. J. Witman, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0355

RIN: 2125-AB19

257. ● REQUIRED CONTRACT PROVISIONS

Legal Authority: 23 USC 114; 23 USC 315

CFR Citation: 23 CFR 633

Abstract: This revision will update the existing regulation by including in the required contract provisions new labor standard provisions issued by the Department of Labor, disadvantaged business requirements issued by the Department of Transportation, changes in subcontracting requirements previously issued by FHWA and contract termination provisions issued by Office of Management and Budget.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 10/00/84

Agency Contact: Gary L. Henderson, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0355

RIN: 2125-AB20

258. ● CONTRACT PROCEDURES; ADVERTISING FOR BIDS; NONCOLLUSION AFFIDAVIT

Legal Authority: 23 USC 112; 23 USC 315

CFR Citation: 23 CFR 635

Abstract: The revisions would require all persons submitting bids on a Federal-aid highway project to submit with the bid an affidavit on non-collusion. The submission of an affidavit of non-collusion will serve to notify bidders that collusion on bidding is a violation of law and will serve in a court or administrative hearing as evidence of intent when other evidence that demonstrates the act of collusion is presented.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 10/00/84

Agency Contact: Mr. Leon Witman, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0355

RIN: 2125-AB21

259. ● PUBLIC LANDS HIGHWAYS

Legal Authority: 23 USC 202(c); 23 USC 204; 23 USC 315

CFR Citation: 23 CFR 667

Abstract: The proposed revisions are intended to bring the existing regulation up to date considering recent legislative and administrative changes in the program. Public Lands Highways are Federal-aid highways which are bounded on both sides by unappropriated or unreserved public lands, nontaxable Indian lands or other Federal reservations. The regulation would specify procedures for allocation of funds and project administration and provides guidance on eligibility of work.

Timetable:

Action	Date	FR Cite
NPRM	09/19/84	49 FR 36657
NPRM Comment Period Begin	09/19/84	
NPRM Comment Period End	10/19/84	
Final Action	02/00/85	

Small Entity: No

Analysis: Regulatory Evaluation (min. impact) 09/19/84 (49 FR 36657)

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB23

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

260. TOXIC GASES IN TRUCK CABS

Legal Authority: 49 USC 304

CFR Citation: 49 CFR 392

Abstract: This regulation would set maximum toxic gas levels in truck cabs.

No further action is anticipated within the next 6 months.

Timetable:

Action	Date	FR Cite
ANPRM	01/00/78	43 FR 120
NPRM	06/18/79	44 FR 34992

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. MC-80.

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA25

261. AMBIENT TEMPERATURE IN HEAVY DUTY TRUCK CABS

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 399

Abstract: This regulation would set maximum permissible ambient temperatures in truck cabs. No further action is anticipated within the next 6 months.

Timetable:

Action	Date	FR Cite
ANPRM	02/08/79	43 FR 5397

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. MC-81.

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA26

262. REVIEW: COMPLIANCE WITH MOTOR CARRIER NOISE STANDARDS

Legal Authority: 49 USC 304

CFR Citation: 49 CFR 325

Abstract: The FHWA is considering amending the noise emission standards to add a new minimum distance of 31 feet from which to measure highway noise. FHWA is also considering eliminating the correction factor which allowed a variance for noise tests taken at hard sites, e.g., asphalt, compared to those taken at soft sites, e.g. grassy areas.

Timetable:

Action	Date	FR Cite
NPRM	04/03/80	45 FR 22120

Next Action Undetermined

Small Entity: No

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA27

263. REVIEW: DISQUALIFYING OFFENSES, DRUGS

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 391

Abstract: The FHWA intends to amend the Disqualification of Drivers regulation (49 CFR 391.15) by reviewing and enlarging that group of substances and drugs whose use by drivers operating commercial motor vehicles is forbidden and is considered a disqualifying offense.

Timetable:

Action	Date	FR Cite
NPRM	11/24/80	45 FR 77466
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 11/24/80

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA31

264. WRITTEN EXAMINATION

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 391.35

Abstract: The FHWA is considering a revision of the written examination requirement for commercial vehicle drivers. The options being considered are (1) rescission of the requirement, (2) leaving the requirement as it is and updating the questions, or (3) changing the requirement to a pass/fail situation. An ANPRM was issued on 03/04/82 (47 FR 4256). After further review and after consideration of comments, the FHWA issued a NPRM which proposes to rescind the requirement.

Timetable:

Action	Date	FR Cite
ANPRM	03/04/82	47 FR 4256
NPRM	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 09/00/84

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA33

265. RETAIL FERTILIZER DISTRIBUTION EXEMPTION

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 390

Abstract: The FHWA proposes to exempt drivers and vehicles transporting fertilizer, dry and liquid, in specific fertilizer distribution and application equipment from the Federal Motor Carrier Safety Regulations with few exceptions.

Timetable:

Action	Date	FR Cite
ANPRM	02/00/82	47 FR 5273

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph J. Fulnecky, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2125-AA34

266. REVIEW: NOTIFICATION, REPORTING AND RECORDING OF ACCIDENTS

Legal Authority: 49 USC 304; 49 USC 320; 49 USC 1655

CFR Citation: 49 CFR 394

Abstract: The revision deals primarily with revising the truck and bus accident report forms. Being considered are (1) the consolidation of both forms into one, (2) reducing the number of copies to be filed and (3) raising the reporting threshold from the present $2,000 to a higher figure.

Timetable:

Action	Date	FR Cite
NPRM	01/16/84	49 FR 1912
NPRM Comment Period Begin	01/16/84	
NPRM Comment Period End	03/16/84	
Comment Period extended to 06/01/84	04/05/84	
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 01/16/84 (49 FR 1912)

Agency Contact: James K. O'Steen, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1700

RIN: 2125-AA35

267. RAILROAD GRADE CROSSINGS

Legal Authority: 49 USC 304

CFR Citation: 49 CFR 392.10

Abstract: The FHWA is considering a revision that would make this Federal regulation more consistent with the Uniform Vehicle Code with respect to stopping requirements.

Timetable:

Action	Date	FR Cite
ANPRM	11/18/82	47 FR 51904
NPRM	12/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 12/00/84

Agency Contact: Joseph J. Fulnecky, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2125-AA36

268. REVIEW: DISQUALIFICATION OF DRIVERS (TRAFFIC RECORDS)

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 391, Subpart B

Abstract: This proposal would require the disqualification of Interstate truck and bus drivers based on the driver's traffic or accident record.

Timetable:

Action	Date	FR Cite
ANPRM	09/27/82	47 FR 42383
NPRM	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 10/00/84

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA79

PAYMENT PROCEDURES

269. REIMBURSEMENT; STATE HIGHWAY AGENCY AUDIT EXPENSE

Legal Authority: Surface Transportation Assistance Act of 1982, Sec. 159

CFR Citation: 23 CFR 140

Abstract: Section 159 of the STAA of 1982 expanded the definition of the term "construction" in section 101(a), title 23, United States Code, to include costs incurred by the States in performing Federal-aid project related audits which directly benefit the Federal-aid highway program. 23 CFR Part 140 is revised to reflect the statutory amendment.

Timetable:

Action	Date	FR Cite
NPRM	02/24/84	49 FR 6921
NPRM Comment Period End	04/24/84	
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 02/24/84 (49 FR 6921)

Agency Contact: Harvey Wood, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0562

RIN: 2125-AA63

270. TRANSFER OF FEDERAL-AID HIGHWAY FUNDS

Legal Authority: Surface Transportation Assistance Act of 1982, Sec. 116

CFR Citation: 23 CFR 160, Subpart A; 23 CFR 160, Subpart B; 23 CFR 160, Subpart C

Abstract: This regulation revision will reflect the required statutory changes included in section 116 of the STAA of 1982 regarding the transfer of Interstate construction funds.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 10/00/84

Agency Contact: Carla Child, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0674

RIN: 2125-AA64

PLANNING

271. REVIEW: HIGHWAY PLANNING PROGRAM ADMINISTRATION

Legal Authority: 23 USC 104; 23 USC 307; 23 USC 315; Surface Transportation Assistance Act of 1982

CFR Citation: 23 CFR 420, Subpart A; 23 CFR 450, Subpart C

Abstract: This revision to an existing regulation would reflect policy changes in management of the highway planning and research program, e.g., allowing separate projects for components of the program (urbanized area planning, statewide planning, research and development), and applying matching rates to time periods rather than a fiscal year fund, etc. NPRM was published January 11, 1979 (44 FR 2400). As a result of comments received to the Docket, as well as internal coordination, FHWA is considering combining this regulation with 23 CFR Part 450, Subpart C, Metropolitan Planning Funds, since both deal with program administration. A revised NPRM combining parts 420 and 450 and incorporating requirements mandated by the Surface Transportation Assistance Act of 1982 is being prepared.

Timetable:

Action	Date	FR Cite
NPRM	01/11/79	44 FR 2400
NPRM	09/00/84	
Final Action	01/00/85	

Small Entity: No

Additional Information: Docket No. 78-24. CFR CITATION: FHPM 4-1-2-1 and 4-4-7 also applies. ADDITIONAL AGENCY CONTACT: Sam W. P. Rea,

(202) 426-2961. A 60 day comment period will be provided.

Analysis: Reg. Evaluation (Minimal impact) 08/00/84

Agency Contact: Barna Juhasz, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0175

RIN: 2125-AA10

272. REVIEW: PAYBACK REGULATION AMENDMENTS

Legal Authority: 23 USC 103(e)(5)(6); PL 96-106, Sec 2(c)

CFR Citation: 23 CFR 480

Abstract: Federal Highway Administration regulations in 23 CFR Part 480 prescribe the circumstances under which states must repay the Federal Government for the Federal contribution to the purchase of property for Interstate highway projects that are later withdrawn. Congress, in Public Law 96-106, amended 23 U.S.C. 103(e) to change the circumstances under which repayment must be made. This revision to an existing regulation would incorporate the legislative changes in 23 CFR Part 480.

Timetable:

Action	Date	FR Cite
NPRM	11/20/80	45 FR 76705
NPRM	09/00/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 08/00/84.

Agency Contact: C. L. Shufflebarger, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0404

RIN: 2125-AA11

273. REVIEW: COORDINATION OF FEDERAL AND FEDERALLY ASSISTED PROGRAMS AND PROJECTS

Legal Authority: EO 12372

CFR Citation: 49 CFR 17

Abstract: This revision would implement Executive Order 12372 and related OMB implementing procedures regarding intergovernmental review of Federal programs.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: The operating procedures governing intergovernmental review of FHWA programs are contained in 49 CFR 17 as published by the Office of the Secretary (48 FR 29264, 6/24/83). It has not yet been determined whether additional regulations will be issued by the FHWA.

Agency Contact: Sam Rea, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2961

RIN: 2125-AA12

274. TRANSFERS OF ALLOCATED URBAN FUNDS

Legal Authority: 23 USC 150; PL 97-424, Sec 124

CFR Citation: 23 CFR 160

Abstract: These regulations will implement increased flexibility authorized by Section 124 of the Highway Improvement Act of 1982 by providing procedures for approval of requests for transfer of Federal-aid Urban System funds (out of allocation to an urbanized area) to other urban areas in the State. Section 124 has been implemented with guidance directed to FHWA Regional Offices. Regulatory changes will be made in the future as part of an overall update of 23 CFR 160.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Additional Agency Contact: K.C. Kippley (see Agency Contact heading for address) (202) 426-0673.

Agency Contact: Gary Maring, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0150

RIN: 2125-AA65

275. MASS TRANSIT AND SPECIAL USE HIGHWAY PROJECTS

Legal Authority: 23 USC 137 (Sec 118 of STAA); 23 USC 142 (Sec 120 of STAA); 23 USC 146 (Sec 163 of STAA); 23 USC 149; 23 USC 315

CFR Citation: 23 CFR 810

Abstract: The existing regulation would be revised to incorporate statutory changes mandated by the Surface Transportation Assistance Act of 1982 (STAA) and to make other revisions to update references to other regulations or statutes and to reflect administrative changes. The revisions would provide the basic criteria for determining whether mass transit and special use highway projects are eligible for Federal-aid funding under 23 USC 137, 142, and 149. This rulemaking consolidates previous projected rulemakings under the headings Fringe and Corridor Parking and High Occupancy Lanes.

Timetable:

Action	Date	FR Cite
NPRM	04/26/84	49 FR 17968
NPRM Comment Period Begin	04/26/84	49 FR 17969
NPRM Comment Period End	06/25/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: George Schoener, (202) 426-0210.

Analysis: Reg. Evaluation (Minimal impact) 04/26/84 (49 FR 17968)

Agency Contact: James Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB01

RIGHT-OF-WAY AND ENVIRONMENT

276. REVIEW: THE ACQUISITION FUNCTION

Legal Authority: 42 USC 2000d-1; 42 USC 4633; 42 USC 4651 to 4655; 23 USC 315; 23 USC 323

CFR Citation: 23 CFR 712

Abstract: This revision would reduce regulatory burdens and associated costs to State highway agencies in the area of

acquisition of real property for rights-of-way on Federal-aid highway projects. Further action to be determined pending issuance of government- wide relocation and acquisition regulations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Douglas A. Wubbels, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0142

RIN: 2125-AA23

277. REVIEW: RELOCATION ASSISTANCE

Legal Authority: 42 USC 4601 et seq; 23 USC 315

CFR Citation: 23 CFR 740

Abstract: This revision would reduce Federal requirements related to the relocation assistance program. Priority review completed. Further action to be determined pending issuance of government-wide relocation and acquisition regulations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Robert J. Moore, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0116

RIN: 2125-AA81

278. PUBLIC HEARINGS AND LOCATION DESIGN APPROVAL

Legal Authority: 23 USC 101 et seq; 23 USC 109(h); 23 USC 128; 23 USC 315; 49 USC 1651; 49 USC 1657(e)(1)

CFR Citation: 23 CFR 790

Abstract: The existing regulation contains duplicative provisions that are contained in 23 CFR 771. The rescission of 23 CFR 790 will simplify and consolidate project development processes preceding PS & E (Plans, Specifications, and Estimates) under the NEPA process and will consolidate requirements for public hearings in a single regulation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Undetermined

Analysis: Reg. Evaluation 10/00/84

Agency Contact: Florence Mills, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0303

RIN: 2125-AB09

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

ENGINEERING AND TRAFFIC OPERATIONS

279. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

Legal Authority: 23 USC 109(b); 23 USC 109(d); 23 USC 402(a)

CFR Citation: 23 CFR 655

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--2. 06/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	06/00/85	

Small Entity: No

Agency Contact: P. Russell, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0411

RIN: 2125-AA37

RIGHT-OF-WAY AND ENVIRONMENT

280. RELOCATION ASSISTANCE-MOVING PAYMENTS-MOVING EXPENSE SCHEDULES

Legal Authority: 42 USC 4601 et seq; 23 USC 315

CFR Citation: 23 CFR 740

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Revisions are published annually. Total actions expected--1. 01/00/85.

Timetable:

Action	Date	FR Cite
Total actions expected to end	01/00/85	

Small Entity: No

Agency Contact: Gerald Starkweather, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0117

RIN: 2125-AA38

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Existing Regulations Under Review
Other Reviews

ENGINEERING AND TRAFFIC OPERATIONS

281. MOTORIST AID SYSTEMS

Legal Authority: 23 USC 104; 23 USC 105; 23 USC 307; 23 USC 315

CFR Citation: 23 CFR 655

Abstract: This regulation has been selected for review because of FHWA policy on minimization of red tape.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	10/00/84	

Small Entity: No

Agency Contact: Robert Harp, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0411

RIN: 2125-AA48

FEDERAL MOTOR CARRIER SAFETY REGULATIONS

282. REAR END UNDERRIDE PROTECTION

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 393

Abstract: This regulation has been selected for review to improve rear end protection on heavy motor vehicles in conjunction with action taken by the National Highway Traffic Safety Administration on January 18, 1981.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	10/00/84	

Small Entity: No

Agency Contact: Neill Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA58

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Completed Actions
Priority Rulemakings: Non-Major

COMPLETED RULEMAKINGS

283. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS OF PROPERTY

Priority: Agency Determination

Legal Authority: Surface Transportation Assistance Act of 1982 Section 406(a)

CFR Citation: 49 CFR 387

Abstract: Section 406(a) of the Surface Transportation Assistance Act of 1982 amended Section 30 of the Motor Carrier Act of 1980 by allowing the Secretary to extend the "phase-in-period" for the reduced minimum levels of financial responsibility from 2 years to 3 1/2 years. This rulemaking action extends the effective date for reduced liability limits to January 1, 1985, as specifically provided for by Section 406(a). This rulemaking is significant because the rulemaking action which initially set the reduced levels was considered significant. On June 28, 1983, the FHWA issued an emergency interim final rule extending the effective date for reduced liability limits from July 1, 1983, to July 1, 1984. This action was taken in an effort to maintain stability in both the insurance and motor carrier industries while further consideration was given to this matter.

Timetable:

Action	Date	FR Cite
NPRM	04/11/83	48 FR 15499
Interim Final Rule	06/28/83	48 FR 29648
Action	Date	FR Cite
Final Action Effective	07/01/84	49 FR 27288
Final Action	07/02/84	49 FR 27288

Small Entity: No

Analysis: Regulatory Evaluation 07/02/84 (49 FR 27288)

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA80

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

284. PHYSICAL CONSTRUCTION AUTHORIZATION

Legal Authority: 23 USC 112; 23 USC 114; 23 USC 315; 23 USC 3334; 23 USC 4231 to 4233; 42 USC 4601 et seq

CFR Citation: 23 CFR 635

Abstract: This revision is intended to simplify existing requirements and to reduce unnecessary delays. In limited cases, this revision permits FHWA to authorize physical construction the same time it authorizes advertisement for bids even though some residentially improved properties have not been vacated.

Timetable:

Action	Date	FR Cite
NPRM	07/11/83	48 FR 31667
Final Action	07/13/84	49 FR 28549
Final Action Effective	08/12/84	49 FR 28549

Small Entity: No

Additional Information: This regulatory action was carried on the April 1984 Agenda as a "completed action" with a publication date of 2/00/84. However, review was extended by OMB and the Final Rule was not published until 7/13/84 (49 FR 28549).

Analysis: Reg. Evaluation (minimal impact) 07/13/84 (49 FR 28549)

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AA92

285. NATIONAL BRIDGE INSPECTION STANDARDS

Legal Authority: 23 USC 116(d); 23 USC 144; 23 USC 315

CFR Citation: 23 CFR 650

Abstract: This revision would permit States to increase the maximum time interval between the inspections for certain types or groups of bridges, as opposed to retaining the mandatory 2-year interval as required under the regulation currently in effect. The revision would provide State highway agencies greater flexibility with which to utilize available inspection resources in a cost-effective manner. Based upon bridge safety considerations and comments received on the notice of proposed rulemaking, the proposed revision was withdrawn on April 23, 1984.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2550
Withdrawn	04/23/84	49 FR 17039

Small Entity: No

Additional Information: Additional Legal Authority: 49 CFR 1.48(b)

Analysis: Reg. Evaluation (Minimal Impact) 01/20/83

Agency Contact: John J. Ahlskog, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-7697

RIN: 2125-AA93

286. DEFENSE ACCESS ROADS; REVISION

Legal Authority: 23 USC 210; 23 USC 315

CFR Citation: 23 CFR 660

Abstract: This revision prescribes policies and procedures governing evaluation of defense access roads needs and administration of projects financed under the defense access roads and other defense-related special highway programs. The revisions clarify the existing regulation by reflecting organizational changes and eliminating duplicative provisions.

Timetable:

Action	Date	FR Cite
Final Action	05/24/84	49 FR 21923
Final Action Effective	05/24/84	49 FR 21923

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 05/24/84 (49 FR 21923)

Agency Contact: Charles W. Miley, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0432

RIN: 2125-AB06

287. CONTRACT PROCEDURES; BONUS PAYMENT; RESCISSION OF REGULATION

Legal Authority: 23 USC 112; 23 USC 315

CFR Citation: 23 CFR 635

Abstract: This document rescinds the existing regulation prohibiting bonus payments because such policy prohibiting those payments to contractors for completion of the contract in advance of time specified is no longer warranted. The increase in the costs for bonus payments will be more than offset by (1) reducing inflation costs, (2) minimizing inconvenience to traveling public caused by delays, (3) increasing safety through the construction zone, (4) reducing expenses associated with maintaining traffic control during construction, and (5) reducing the costs of project administration and inspection.

Timetable:

Action	Date	FR Cite
Final Action	06/13/84	49 FR 24374
Final Action Effective	06/13/84	49 FR 24374

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 06/13/84 (49 FR 24374)

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB14

288. REVIEW: DRIVER QUALIFICATION FILES

Legal Authority: 49 USC 304; 49 USC 1655

CFR Citation: 49 CFR 391

Abstract: The FHWA is considering a revision to the Federal Motor Carrier Safety Regulations that would exempt motor carriers and drivers from the driver qualification rules regarding certain paperwork and administrative requirements for drivers of lightweight vehicles having a gross vehicle weight rating of between 10,000 and 15,000 pounds. After careful consideration of comments submitted to the public docket and further review, the FHWA determined that no further action was warranted and the NPRM was formally withdrawn on 5/18/84 (49 FR 21084).

Timetable:

Action	Date	FR Cite
NPRM	04/04/83	48 FR 14413
Withdrawn	05/18/84	49 FR 21084

Small Entity: No

Additional Information: An ANPRM was issued on August 30, 1982 (47 FR 39698). Comment period closed on October 25, 1982.

Analysis: Reg. Evaluation (Minimal impact) 05/18/84 (49 FR 21084)

Agency Contact: Neill L. Thomas, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9767

RIN: 2125-AA78

289. MOTOR CARRIER SAFETY ASSISTANCE PROGRAM

Legal Authority: STAA of 1982, Secs. 401 to 404; 49 USC 2301 to 2304

CFR Citation: 49 CFR 350

Abstract: The interim final rule announced that the FHWA intends to make grants to qualified States for the development or implementation of programs for the enforcement of Federal rules, regulations, standards, and orders applicable to commercial motor vehicle safety and hazardous materials transportation by highway and compatible States' rules, regulations, standards, and orders. The interim final rule prescribes procedures for administration of the grant program until a final rule is promulgated. A final rule has been published.

DOT—FHWA

Completed Actions
Other Rulemakings

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/31/83	48 FR 39455
Final Action	09/27/84	49 FR 38135

Small Entity: No

Additional Information: An amendment to the Interim Final Rule was published on 1/27/84 (49 FR 3476). The amendment provides for discretionary redistribution by the Federal Highway Administrator of appropriated funds unallocated in the first year of the MCSAP for state enforcement plans that have demonstrated a particular need.

Analysis: Reg. Evaluation (Minimal impact) 08/00/84

Agency Contact: W.R. Fiste, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0701

RIN: 2125-AA94

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

290. ● BUY AMERICAN REQUIREMENTS

Legal Authority: 23 USC 315; PL 97-424, Sec 165; PL 98-229, Sec 110

CFR Citation: 23 CFR 635

Abstract: This final rule revised the existing Buy America regulation to implement the provision mandated by Section 10 of Pub. L. 98-229, 98 Stat. 55, enacted on March 9, 1984. Section 10 amends Section 165(a) of the Surface Transportation Assistance Act of 1982 (STAA of 1982) by striking the word "cement" from the statutory language. The revised language removed cement from the materials and products that are covered by the Buy America provisions of the STAA of 1982. The regulations contained in 23 CFR 635.410 implementing Buy America were revised to reflect the statutory amendment.

Timetable:

Action	Date	FR Cite
Final Action Effective	03/09/84	49 FR 18820
Final Action	04/03/84	49 FR 18820

Small Entity: No

Analysis: Regulatory Evaluation 04/03/84 (49 FR 18820)

Agency Contact: Paul E. Cunningham, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0392

RIN: 2125-AB16

291. ● PRECONSTRUCTION PROCEDURES; PROJECT AGREEMENT FORM

Legal Authority: 23 USC 110(a); 23 USC 315

CFR Citation: 23 CFR 630

Abstract: This document revised FHWA regulations to substitute Form PR-2 (Rev. 1-84), Federal-Aid Project Agreement for PR-2 (Rev. 10-75) of the same title. The revised, substituted form is necessary to incorporate statutory and regulatory requirements which have been issued since the form was last revised. The form PR-2 is prepared and executed for most Federal-aid highway projects in accordance with 23 USC 110. Editorial and format clarifications were also made to the form.

Timetable:

Action	Date	FR Cite
Final Action	08/20/84	49 FR 33008
Final Action Effective	08/20/84	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 08/00/84

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AB17

[FR Doc. 84-25824 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Completed Actions
Other Reviews

COMPLETED REVIEWS

292. PROJECT AGREEMENTS

Legal Authority: 23 USC 110; 23 USC 315

CFR Citation: 23 CFR 630, Subpart C

Abstract: This regulation has been selected for review because of FHWA policy on minimization of red tape. Further action to be determined.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	06/00/84	

Small Entity: No

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA49

293. FEDERAL-AID PROGRAM APPROVAL AND AUTHORIZATION

Legal Authority: 23 USC 105; 23 USC 106; 23 USC 118; 23 USC 134; 23 USC 315

CFR Citation: 23 CFR 630A

Abstract: This regulation has been selected for review because of FHWA's policy on minimization of red tape. Rulemaking has been initiated. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	04/00/84	

Small Entity: No

Agency Contact: J. A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA51

DOT—FHWA

Completed Actions
Other Reviews

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

294. ● EMERGENCY RELIEF

Legal Authority: 23 USC 101; 23 USC 1201(f); 23 USC 125; 23 USC 315; 42 USC 5155

CFR Citation: 23 CFR 668

Abstract: This regulation has been selected for review because of FHWA's policy on minimization of red tape.

Rulemaking has been initiated. See "Other Rulemakings" portion of agenda.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/83	
End Review	06/00/84	

Small Entity: No

Agency Contact: J.A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0450

RIN: 2125-AA50

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Current and Projected Rulemakings
Priority Rulemakings: Major

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

295. HEAVY DUTY VEHICLE BRAKE SYSTEMS (FORMERLY TRUCK AND TRAILER BRAKE SYSTEMS)

Priority: Major

Legal Authority: 15 USC 1392 National Traffic & Motor Vehicle Safety Act of 1966; 15 USC 1407 National Traffic & Motor Vehicle Safety Act of 1966

CFR Citation: 49 CFR 571.121; 49 CFR 571.105

Abstract: Would establish a new brake standard for all trucks, buses and trailers with a Gross Vehicle Weight Rating (GVWR) over 10,000 pounds. This standard would replace Standard No. 121, Air Brake Systems, and that portion of Standard No. 105, Hydraulic Brake Systems, that applies to vehicles with a GVWR over 10,000 pounds. It would also establish new requirements for heavy trailers having other than air-actuated brakes. In developing the standard, the agency will consider compatibility with international regulations. Research programs in support of this new standard and possible future upgradings of the standard will investigate such long-term advanced braking system concepts as automatic brake adjustors, load-sensing proportioning valves, air driers, and retarders for heavy trucks, buses and trailers. This rule is considered significant because of the level of public and Congressional interest. It is necessary to prevent and reduce the severity of accidents involving heavy vehicles by providing increased accident avoidance capability.

Timetable:

Action	Date	FR Cite
Previous ANPRM	02/15/79	44 FR 9783
ANPRM	02/28/80	45 FR 13155

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-03. ANPRM, Notice 1; Second ANPRM, Notice 3.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA00

296. ● OCCUPANT CRASH PROTECTION - TEST PROCEDURES AND OTHER ISSUES

Priority: Major

Legal Authority: 15 USC 1392 National Traffic and Motor Vehicle Safety Act ETC; 15 USC 1407 National Traffic and Motor Vehicle Safety ACT ETC

CFR Citation: 49 CFR 571.208; 49 CFR 572

Abstract: This rulemaking addresses the test procedures used in compliance testing, the dummy used for such testing, and the oblique angle test requirement in the automatic occupant crash protection standard. It also addresses some related issues including the standard's applicability to convertibles, reporting requirements for manufacturers, and the exercise of "due care" by manufacturers, in complying with the standard. This rulemaking will consider whether the Hybrid III dummy or a variation may be substituted for the dummy currently specified in 49 CFR 572 at some future time with corresponding changes in, or additions to the injury criteria established by the existing Federal Motor Vehicle Safety Standard 208. The costs and benefits of these various proposed changes are not yet known. This regulation is significant because of its involvement with departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Undetermined

Analysis: Preliminary RIA 09/30/84

Agency Contact: Barry Felrice, Associate Administrator for Rulemaking, Department of Transportation, National Highway Traffic Safety Administration, NRM-01, 400 Seventh Street, S.W., Washington, DC 20590, 202 426-1810

RIN: 2127-AB20

FUEL ECONOMY STANDARDS

297. MY 1985-1986 LIGHT TRUCK FUEL ECONOMY STANDARDS

Priority: Major

Legal Authority: 15 USC 2002

CFR Citation: 49 CFR 533

Abstract: In accordance with the mandatory requirements of section 502(b) of the Motor Vehicle Information and Cost Savings Act, this rulemaking would establish light truck average fuel economy standards for model year 1986 and revise the model year 1985 standard. The initial NPRM had proposed standards for MY 1987. That portion of the first proposal will be covered in a subsequent rulemaking. A second NPRM responded to a Ford Motor Co. petition for rulemaking to

reconsider the model year 1984 and 1985 light truck fuel economy standard. The second NPRM proposed the maintenance of the 1984 standards and a lowering of the 1985 standards.

Timetable:

Action	Date	FR Cite
NPRM	03/08/84	49 FR 8637
NPRM Comment Period Begin	03/08/84	49 FR 8637
NPRM Comment Period End	04/09/84	
NPRM	05/30/84	49 FR 22516
NPRM Comment Period Begin	05/30/84	49 FR 22516
NPRM Comment Period End	06/29/84	
Final Action	10/00/84	

Small Entity: No

Analysis: Preliminary RIA 03/08/84

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AA75

298. ● MY 1984-1985 LIGHT TRUCK AVERAGE FUEL ECONOMY STANDARDS

Priority: Major

Legal Authority: 15 USC 2002

CFR Citation: 49 CFR 533

Abstract: In response to a petition for rulemaking from Ford Motor Co., and in accordance with the requirements of Section 502 of the Motor Vehicle Information and Cost Savings Act, would reconsider the level of light truck average fuel economy standards established for model years 1984 and 1985. A NPRM proposing the maintenance of the 1984 standards and the lowering of the 1985 standard was published in May, 1984. This regulation is significant because of the substantial cost it may involve.

Timetable:

Action	Date	FR Cite
NPRM	05/30/84	49 FR 22516
NPRM Comment Period Begin	05/30/84	
NPRM Comment Period End	06/29/84	
Final Action	09/00/84	

Small Entity: No

Additional Information: Final action on this NPRM will be taken in conjunction with the rulemaking on Post-MY-1985-86 Light Truck Fuel Economy Standards (RIN 2127-AA75).

Agency Contact: William Boehly, Director, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AB22

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

299. CRASHWORTHINESS RATINGS

Priority: Major

Legal Authority: 15 USC 1401; 15 USC 1941

CFR Citation: 49 CFR Chapter 5

Abstract: Ratings: Would require manufacturers to disseminate crashworthiness performance information concerning their cars to the public, to provide consumers with comparative information on the crashworthiness performance of new car models. This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace.

Timetable:

Action	Date	FR Cite
NPRM	01/22/81	46 FR 7025

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-17. NPRM, Notice 1. Comment due date extended to October 22, 1981 by notice published April 2, 1981 (46 FR 19947; Notice 2).

Analysis: Preliminary RIA 01/22/81

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1740

RIN: 2127-AA03

COMPLETED RULEMAKINGS

300. OCCUPANT CRASH PROTECTION

Priority: Major

Legal Authority: 15 USC 1392 National Traffic and Motor Vehicle Safety Act ETC; 15 USC 1407 National Traffic and Motor Vehicle Safety Act ETC

CFR Citation: 49 CFR 571.208

Abstract: In 1981, NHTSA rescinded the automatic restraint requirements of Standard No. 208. This action was reversed by a June 1982 opinion by the U.S. Court of Appeals (D.C. Cir.) and by a June 1983 opinion by the Supreme Court. The Supreme Court remanded the case to the Court of Appeals with directions to remand the matter to the Department for further consideration consistent with the Supreme Court opinion. (The Court of Appeals remanded the matter to the Department effective September 23, 1983.) On September 1, 1983, the Department published a notice suspending until September 1, 1984, the automatic restraint requirements of the standard, to permit the agency time for the further review contemplated by the Supreme Court decision. As a part of this review, the Department published a notice on October 19, 1983, proposing several alternative actions to provide protection for an automobile's front seat occupants in case of frontal, side-impact, and roll-over accidents. Public meetings were held in Los Angeles, Kansas City, and Washington, D.C. on November 28-29; December 1-2; and December 5-7, 1983, respectively. On May 14, 1984, a supplemental notice of proposed (cont)

Timetable:

Action	Date	FR Cite
Suspension of Rule and Request for comments	09/01/83	48 FR 39908

DOT—NHTSA

Completed Actions
Priority Rulemakings: Major

Action	Date	FR Cite
NPRM	10/19/83	48 FR 48622
NPRM Comment Period Begin	10/19/83	
NPRM Comment Period End	12/19/83	
Supplemental NPRM	05/14/84	49 FR 20460
Final Action Phase-in starts at 10% level 09/01/86.	07/17/84	49 FR 28962
Final Action Effective	08/16/84	49 FR 28962

Small Entity: Undetermined

Additional Information: DOCKET NUMBER 74-14. SNPRM, Notice 35. Comment Period 5/14/84 to 6/13/84, Final Rule issued 7/11/84, and Final Rule published 7/17/84.

ABSTRACT CONT: rulemaking was published (49 FR 20460). This SNPRM asked for comments on remaining issues and four new alternatives. On July 11, 1984 the final rule was issued. This rule requires the installation of automatic protection systems in all new cars beginning with model year 1990 (September 1, 1989) unless, prior to that time, state mandatory belt usage laws are enacted that cover at least two-thirds of the U.S. population. The requirement would be phased in by an increasing percentage of production over a three-year period beginning with model year 1987 (September 1, 1986). To further encourage the installation of advanced technology, the rule would treat cars equipped with such technology other than automatic belts on the driver's side as equivalent to 1.5 vehicles during the phase-in.

Analysis: Preliminary RIA 10/19/83; Final RIA 07/11/84

Agency Contact: Barry Felrice, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1810**

RIN: 2127-AA89

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

301. ● NATIONAL MINIMUM DRINKING AGE

Priority: Agency Determination

Legal Authority: 23 USC 158

CFR Citation: 23 CFR 1206, (New)

Abstract: Would prescribe requirements necessary to implement 23 U.S.C. 158, which provides penalties for States that don't adopt twenty-one as the Minimum Drinking Age. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/07/84	
NPRM Comment Period Begin	09/07/84	
NPRM Comment Period End	10/08/84	
Final Action	12/01/84	
Final Action Effective	12/01/84	

Small Entity: No

Government Levels Affected: State

Agency Contact: George Reagle, Associate Administrator, Department of Transportation, National Highway Traffic Safety Administration, for Traffic Safety Programs, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0837**

RIN: 2127-AB30

302. CHILD RESTRAINT TETHER ANCHORAGES

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.210

Abstract: Would require lap belt and tether anchorages for use with child restraint systems. Alternatives being considered are whether to require anchorages and how many anchorages per car should be provided. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	12/11/80	45 FR 81625

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 80-18. NPRM, Notice 1.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA39

303. CHILD SEATING SYSTEMS

Priority: Agency Determination

Legal Authority: 14 USC 1392; 14 USC 1407

CFR Citation: 49 CFR 571.213

Abstract: In cooperation with the FAA, would amend Standard No. 213 to make child restraint systems appropriate for use in aircraft. This rulemaking is significant because it may involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	08/15/83	48-FR 36849
Final Action	08/00/84	

Small Entity: No

Additional Information: Docket No. 74-09. NPRM, Notice 13.

Analysis: Regulatory Evaluation (minimal) 08/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AB08

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

304. NATIONAL DRIVER REGISTER

Priority: Agency Determination

Legal Authority: 23 USC 401 Note

Abstract: The National Driver Register Act of 1982 directs the agency to establish a new National Driver Register (NDR) that will assist states in electronically exchanging information about problem drivers. This rulemaking will establish the procedures for making

an orderly transition from the current NDR system to the electronic system mandated by the act. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: CFR citation to be determined.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Clay Hatch, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Avenue, SW, Washington, DC 20590, 202 426-4932

RIN: 2127-AA98

305. SPLASH AND SPRAY SUPPRESSION DEVICES

Priority: Agency Determination

Legal Authority: 49 USC 2314

CFR Citation: 49 CFR 583

Abstract: In accordance with the mandate of section 414 of the Surface Transportation Assistance Act of 1982, would establish minimum standards with respect to the performance of splash and spray suppression devices on truck tractors, semitrailers and trailers. Would also establish minimum standards with respect to the installation of splash and spray suppression devices on new vehicles. This regulation is significant because it is potentially controversial.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Additional Information: NHTSA's rulemaking would only affect new vehicles and equipment. However, section 414 of the Surface Transportation Assistance Act also mandates that the Department of Transportation establish minimum standards with respect to the installation of splash and spray devices for vehicles already in service. The Federal Highway Administration will conduct the rulemaking to satisfy that mandate. The Federal Highway Administration has classified its rulemaking as major. The costs of that rulemaking are expected to be much greater than NHTSA's rulemaking since (1) the population of vehicles in service is many times the annual production of new trucks, (2) a truck manufacturer will pay less per unit for each splash and spray suppression device when ordered in large quantities, and (3) the labor time to install the devices is far less for a new truck manufacturer, since it can be done at the assembly plant.

Analysis: Regulatory Evaluation, 10/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Avenue, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA97

306. ● UNIFORM TIRE QUALITY GRADING STANDARDS - TREADWEAR AMENDMENTS

Priority: Agency Determination

Legal Authority: 15 USC 1423

CFR Citation: 49 CFR 575

Abstract: Would amend treadwear grading procedures of the Uniform Tire Quality Grading Standards to assure greater reliability of grading information for consumers. Test procedures would be amended to reduce variability and uniform grade assignment procedure would be established. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Merged with RIN 2127-AA51, Uniform Tire Quality Grading

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590, 202 426-1740

RIN: 2127-AB21

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

307. TRUCK REAR UNDERRIDE PROTECTION

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would require protective devices to reduce vehicle penetration under the rear-ends of heavy trucks and trailers (without resulting in overly severe forces being transmitted to restrained and unrestrained occupants in vehicles that crash into the devices).

Timetable:

Action	Date	FR Cite
NPRM	01/08/81	46 FR 2136

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Docket No. 1-11, NPRM, Notice 8.

Research underway.

Analysis: Draft RFA 01/08/81

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA43

308. FLAMMABILITY OF SCHOOL BUS INTERIOR MATERIALS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would utilize guidelines prescribed by UMTA to define

flammability characteristics of School Bus Interior Materials.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA44

309. PEDESTRIAN PROTECTION

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would reduce adult pedestrian leg injuries and child injuries through modification of the bumper area.

Timetable:

Action	Date	FR Cite
NPRM	01/22/81	46 FR 7015

Next Action Undetermined

Small Entity: Yes

Additional Information: Docket No. 78-19. NPRM, Notice 1. Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA45

310. SEATING REFERENCE POINT/MOTOR VEHICLE DRIVER'S EYE RANGE

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Abstract: Would update the definition of Seating Reference Point to incorporate latest industry practices and amend Standards 103, 104, 107 and 111 to reference SAE Recommended Practice J941e, Motor Vehicle Driver's Eye Range, instead of an earlier version of that recommended practice.

Timetable:

Action	Date	FR Cite
ANPRM	03/08/82	47 FR 9865
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. 82-05.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA46

311. CONTROLS & DISPLAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.101

Abstract: Would amend the standard to include several symbols adopted by the International Standards Organization (ISO).

Timetable:

Action	Date	FR Cite
NPRM	11/04/82	47 FR 49993
Final Action	08/00/84	

Small Entity: No

Additional Information: Docket No. 1-18. NPRM, Notice 23.

Analysis: Regulatory Evaluation (minimal) 08/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA05

312. CONTROLS AND DISPLAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.101

Abstract: Would amend the light intensity requirements of Standard No. 101 to permit informational readout displays to be used for telltales. The agency plans to issue a supplementary NPRM with respect to these and other possible issues relating to the application of new electronic technology to controls and displays.

Timetable:

Action	Date	FR Cite
NPRM	02/01/82	47 FR 4541
SNPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. 1-18. NPRM, Notice 21.

Analysis: Regulatory Evaluation (minimal) 10/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA06

313. WINDSHIELD DEFOGGERS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.103

Abstract: In response to a petition for rulemaking, would require windshield defogging systems in passenger cars, multipurpose passenger vehicles, trucks and buses built for sale in parts of the United States other than the continental portion. (Defogging systems are already required for vehicles built for sale in the continental United States.)

Timetable:

Action	Date	FR Cite
NPRM	07/14/83	48 FR 32200
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 83-10. NPRM, Notice 1.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, D.C. 20590, 202 426-0842

RIN: 2127-AA91

314. BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Abstract: Would propose a new brake standard compatible with the harmonized brake standard now being developed by the United Nations Economic Commission for Europe (ECE). Initial efforts are directed toward requirements for passenger cars.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. 79-18.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA13

315. HYDRAULIC AND AIR BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Abstract: In response to a petition for rulemaking, would amend the brake burnish procedures specified for vehicles over 10,000 pounds by Standards No. 105 and No. 121.

Timetable:

Action	Date	FR Cite
NPRM	06/27/83	48 FR 29560
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket Nos. 70-27 and 83-07. NPRM, Docket No. 70-27, Notice 26; Docket No. 83-07, Notice 1.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590, **202 426-0842**

RIN: 2127-AA92

316. HYDRAULIC BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Abstract: In response to a petition for rulemaking, would permit smaller brake fluid reservoirs in vehicles with a GVWR greater than 10,000 pounds that are equipped with self-adjusting brakes and brake fluid level indicators.

Timetable:

Action	Date	FR Cite
NPRM	07/28/83	48 FR 34306
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 70-27.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, S.W., Washington, DC 20590, **202 426-0842**

RIN: 2127-AA94

317. BRAKE HOSES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.106

Abstract: Would permit labeling of metric-size hoses in metric units rather than inches. This action results from a petition for rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	04/12/82	47 FR 15612
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 82-09. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA09

318. BRAKE HOSES

Legal Authority: 14 USC 1392; 14 USC 1407

CFR Citation: 49 CFR 571.106

Abstract: Would consider amending portions of the standard that relate to adhesion properties of hose layers on air and vacuum brake hoses. This action results from a petition for rulemaking.

Timetable:

Action	Date	FR Cite
Notice granting petition for Rulemaking	02/18/82	47 FR 7293
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. 82-02.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA90

319. COMMERCIAL VEHICLE CONSPICUITY

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Would improve the conspicuity of commercial vehicles by establishing in FMVSS 108 performance requirements for the total lighting and marking system of commercial vehicles (excluding headlights).

Timetable:

Action	Date	FR Cite
ANPRM	05/27/80	45 FR 35405

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 80-9.

Research underway.

Analysis: Draft RFA 00/00/00

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA12

320. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition, would delete the requirement for use of a "Test Bulb" with stringent filament location specifications in testing lamp assemblies.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA16

321. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would amend the standard to reduce from 12 to 8 square inches the minimum effective projected luminous lens area of rear stop and turn signal lamps for large vehicles 80 inches or more in overall width.

Timetable:

Action	Date	FR Cite
NPRM	10/22/81	46 FR 51793

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 81-19. NPRM, Notice 1.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA17

322. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would provide an alternative location for front identification lamps on vehicles whose overall width exceeds 80 inches, allowing them to be mounted on the top of the vehicle.

Timetable:

Action	Date	FR Cite
NPRM	02/22/82	47 FR 7911
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. 82-04. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 10/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA18

323. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would consider whether the cab of a vehicle is an acceptable alternative location for the mounting of clearance lamps.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. 82-03.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA19

324. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Would amend FMVSS 108 to allow installation of a modulating headlamp on motorcycles. The agency's review of comments to the August 1983 NPRM suggests alternatives not proposed by that notice. The agency therefore plans to issue a supplementary NPRM.

Timetable:

Action	Date	FR Cite
NPRM	09/23/82	47 FR 42009
SNPRM	08/00/84	

Small Entity: No

Additional Information: Docket No. 82-16. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 08/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA77

325. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Would propose amending FMVSS 108 passenger car requirements to harmonize with some United Nations Economic Commission for Europe (ECE) requirements such as those concerning rear yellow turn signal photometrics, license plate lamp requirements, headlamp height, and the test grid for stop tail, turn and parking lamps.

Timetable:

Action	Date	FR Cite
NPRM	08/01/83	48 FR 34784
Final Action	08/00/84	

Small Entity: No

Additional Information: Docket No. 83-12. NPRM, Notice 1.

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA79

326. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a petition for rulemaking, would allow use of a new smaller 4 lamp rectangular sealed-beam headlamp system, which is capable of improved low beam photometrics and reduced glare.

Timetable:

Action	Date	FR Cite
NPRM	04/30/84	49 FR 18321
NPRM Comment Period Begin	04/30/84	
NPRM Comment Period End	05/30/84	
Final Action	11/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB10

327. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: Would amend the corrosion test requirements and procedures in Motor Vehicle Safety Standard No. 108 applicable to semi-sealed replaceable bulb headlamps and lens/reflector components of such headlamps.

Timetable:

Action	Date	FR Cite
NPRM	09/30/83	48 FR 44866
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 81-11. NPRM, Notice 5.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB11

328. REAR VIEW MIRROR SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Abstract: Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR over 10,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	11/06/78	43 FR 51657

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA21

329. REAR VIEW MIRROR SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Abstract: Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR of 10,000 pounds or less.

Timetable:

Action	Date	FR Cite
NPRM	11/06/78	43 FR 51657

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA23

330. REAR VIEW MIRRORS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Abstract: This proposal would amend FMVSS 111 by establishing requirements for passenger cars to: a) reduce the blind areas by upgrading mirror visibility using improved compliance testing procedures, b) upgrade occupant protection requirements and add pedestrian protection requirements using shatter resistant and breakaway or foldaway tests, c) set specifications for day-night reflectance requirements to reduce headlight glare, d) set specifications for convex mirror quality and use, and e) minimize obstruction of the forward view by establishing mirror location specifications. FR to permit use of passenger side convex mirrors published. FR responding to petitions and clarifying 1982 FR published. The agency plans to terminate rulemaking with respect to remaining issues.

Timetable:

Action	Date	FR Cite
NPRM	11/06/78	43 FR 51657
Final Action to permit use of passenger side convex mirrors published	09/02/82	47 FR 38698
Final Action responding to petitions and clarifying 1982 FR published	08/26/83	48 FR 38842

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4; FR, Notice 6; FR, Notice 7.

Action to be terminated with respect to other issues.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA88

331. REFEREE BRAKE FLUIDS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.116

Abstract: Would amend the requirements of Standards 106 and 116 to specify new material composition for the referee brake fluid used for compatibility testing. The referee brake fluid currently specified is difficult to obtain and would be replaced by new materials specified by SAE.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 10/00/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AB09

332. AIR BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.121

Abstract: Would delete the requirement in Standard No. 121 for a separate reservoir capable of releasing parking brakes.

Timetable:

Action	Date	FR Cite
NPRM	07/23/81	46 FR 37952

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-03. NPRM, Notice 5.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA27

333. MOTORCYCLE CONTROLS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.123

Abstract: Would permit the manual fuel cutoff control on a motorcycle to rotate about a longitudinal axis as an alternative to the current requirement for operation about a transverse axis.

Timetable:

Action	Date	FR Cite
NPRM	09/06/83	48 FR 40286
Final Action	08/00/84	

Small Entity: No

Additional Information: Docket No. 83-13. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 08/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA28

334. MOTORCYCLE CONTROLS AND DISPLAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.123

Abstract: Would be amended to permit the use of words or symbols.

Timetable:

Action	Date	FR Cite
NPRM	09/06/83	48 FR 40282
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 83-14. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA29

335. STEERING CONTROL REARWARD DISPLACEMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.204

Abstract: Would extend the applicability of the Standard from vehicles with an unloaded weight of 4,000 pounds to vehicles with an unloaded weight of 5,500 pounds.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/84; Draft RFA 00/00/00

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA32

336. DOOR LOCKS AND DOOR RETENTION COMPONENTS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.206

Abstract: Would change the applicability of the standard to exempt side doors equipped with wheel chair lifting devices.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AB13

337. SEAT BELT ASSEMBLIES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Abstract: To improve seat belt comfort, convenience, reliability and effectiveness by prescribing parameters for performance of seat belt assemblies. Subject to review under Executive Order 12291. Final Rule in partial response to petitions for reconsideration deferring effective date from September 1, 1982, to September 1, 1983, published February 18, 1982 (47 FR 7254). FR deferring effective date to September 1, 1985, published June 2, 1983 (48 FR 24717). NHTSA plans to amend certain of the previous requirements.

Timetable:

Action	Date	FR Cite
Previous NPRM	12/31/79	44 FR 77210
Final Action	01/08/81	46 FR 2064
Final Action deferring effective date to 09/01/83	02/18/82	47 FR 7254
NPRM to defer effective date to 9/1/85	11/15/82	47 FR 51432
Final Action to defer effective date to 09/01/85	06/02/83	48 FR 24717
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. 74-14. NPRM, Notice 17; FR, Notice 19; FR deferring effective date, Notice 24; NPRM for additional deferral of effective date, Notice 29. FR for additional deferral, Notice 30.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA35

338. SEAT BELT ASSEMBLIES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.209

Abstract: Would amend FMVSS 209 to modify resistance to light test procedures. This action is in response to a petition for rulemaking. Subsequent to 1980 NPRM, new test procedures were developed, necessitating a new NPRM.

Timetable:

Action	Date	FR Cite
Previous NPRM	06/01/80	45 FR 29102
NPRM	11/28/83	48 FR 53583
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 80-06. NPRM, Notice 1. Second NPRM, Notice 2.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA37

339. SEAT BELT ASSEMBLY ANCHORAGES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.210

Abstract: Would propose amending Standard No. 210 to harmonize the strength of the anchorage test with the United Nations Economic Commission for Europe (ECE) Regulation No. 14 and to upgrade other requirements and clarify language.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA95

340. CHILD SEATING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.213

Abstract: Would amend FMVSS 213 to change its buckle release pressure requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/05/83	48 FR 20259
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 74-09. NPRM, Notice 12.

Analysis: Regulatory Evaluation (minimal) 09/00/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA80

341. MOTORCYCLE HELMETS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.218

Abstract: The proposal would add new headform sizes to FMVSS 218.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: Undetermined

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA40

342. AIR BRAKE SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.121

Abstract: Would amend the brake application and release timing requirements and test devices in FMVSS No. 121 in order to better simulate the real world performance with respect to towing and towed units, especially multi-trailer combinations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 10/00/84

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AB12

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

343. EVIDENTIAL BREATH TESTING DEVICES

Legal Authority: 23 USC 402; 23 USC 403

Abstract: Would convert NHTSA's standard on evidential breath testing devices to guidelines.

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20100
NPRM Comment Period Begin	05/11/84	
NPRM Comment Period End	06/11/84	
Final Action	08/00/84	

Small Entity: No

Additional Information: In the past, states using Federal funds to purchase evidential breath testing devices were required to purchase devices meeting NHTSA specifications, which were set forth in a standard. Since this requirement no longer applies to states, the reason for maintaining a standard no longer exists. The agency therefore plans to maintain the information in the form of guidelines.

Analysis: Regulatory Evaluation (minimal) 08/00/84

Agency Contact: R. Engle, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9581

RIN: 2127-AA99

344. CALIBRATING DEVICES FOR EVIDENTIAL BREATH TESTING DEVICES

Legal Authority: 23 USC 402; 23 USC 403

Abstract: Would convert NHTSA's standard on calibrating devices for evidential breath testing devices to guidelines.

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20102
NPRM Comment Period Begin	05/11/84	
NPRM Comment Period End	06/11/84	
Final Action	08/00/84	

Small Entity: No

Additional Information: In the past, states using Federal funds to purchase calibrating devices for evidential breath testing devices were required to purchase devices meeting NHTSA specifications, which were set forth in a standard. Since this requirement no longer applies to states, the reason for maintaining a standard no longer exists. The agency therefore plans to maintain the information in the form of guidelines.

Analysis: Regulatory Evaluation (minimal) 05/11/84

Agency Contact: R. Engle, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-9581

RIN: 2127-AB00

345. HIGHWAY SAFETY STANDARDS

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1204

Abstract: This joint NHTSA/FHWA rulemaking would amend seven of the 18 Highway Safety Standards to eliminate apparent Federal paperwork requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Agency Contact: George Reagle, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0837

RIN: 2127-AA96

346. ● INCENTIVE GRANT CRITERIA FOR ALCOHOL TRAFFIC SAFETY PROGRAMS--AMENDMENT

Legal Authority: 23 USC 408

CFR Citation: 23 CFR 1209

Abstract: Would amend the 408 grant program to expand the scope of the regulation to include programs for the treatment, rehabilitation of and research into drugged driving and to establish a special grant for states with minimum sentencing requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: No

Government Levels Affected: State

Agency Contact: George Reagle, Assoc. Administrator for Traffic Safety Prgm, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0837

RIN: 2127-AB23

347. VEHICLE CLASSIFICATION - COMPACT VANS/STATION WAGONS

Legal Authority: 15 USC 1392; 15 USC 1407; 15 USC 2001

CFR Citation: 49 CFR 571; 49 CFR 523

Abstract: Would invite comment on possible amendments to the safety and fuel economy regulations, with respect to the manner in which compact vans/station wagons and certain other vehicles are classified.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: S. Wood, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2992

RIN: 2127-AA57

348. ANTHROPOMORPHIC TEST DUMMIES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 572

Abstract: Would provide performance criteria for the adult surrogate dummies which would be required in dynamic testing of vehicles if Standard 214, Side Door Strength, is upgraded.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0842

RIN: 2127-AA48

349. CONSUMER INFORMATION--STOPPING DISTANCE

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 575.101

Abstract: Would modify requirements for stopping distance consumer information. A notice was published approving various alternatives concerning the requirement to provide stopping distance information. Comments are under review and analysis.

Timetable:

Action	Date	FR Cite
NPRM	06/30/83	48 FR 30166
NPRM Comment Period Begin	06/30/83	
NPRM Comment Period End	08/05/83	
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. 83-09. NPRM, Notice 1.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1740**

RIN: 2127-AA50

350. CONSUMER INFORMATION - WET STOPPING DISTANCE

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 575.105

Abstract: Would develop a new rule for consumer information if tests indicate that there are significant differences in wet stopping distances among different models of cars on asphalt or concrete road surfaces.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1740**

RIN: 2127-AA56

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Existing Regulations Under Review
Priority Reviews

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

351. HYDRAULIC BRAKE SYSTEMS

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Abstract: This standard, which currently applies to passenger cars and school buses, specifies requirements for hydraulic service brake and associated parking brake systems. (The standard became applicable, in modified form, to hydraulic braked trucks, all types of buses, and multipurpose passenger vehicles, in 1983. A priority review of this extension of the standard has already been completed.) The purpose of the standard is to ensure safe braking performance under normal and emergency conditions. The standard is being reviewed because of its relatively high costs, and the controversial nature of some of its requirements, as well as to refine previous agency estimates of its effectiveness. An evaluation report will be prepared and made available for public comment before completion of the review. At that time, the agency will consider whether changes should be made in the standard's requirements. It should also be noted that the agency is actively involved with the Economic Commission for Europe (ECE) in international harmonization efforts in this area. A review has determined that this rule has minimal effects on small entities, and therefore a Regulatory Flexibility Act Review (cont)

Timetable:

Action	Date	FR Cite
Comments docketed		
Evaluation Report published	03/10/83	48 FR 10096

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: (RFA Review) is not required. The rule will still be reviewed as a priority review item.

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA62

352. LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: This standard, which is applicable to both motor vehicles and equipment, specifies requirements for original and replacement lamps, reflective devices, and associated equipment necessary for signaling and for the safe operation of motor vehicles during darkness and other conditions of reduced visibility. The standard is being reviewed because of its relatively high costs and to refine previous agency estimates of its effectiveness. At the present time, the review is limited to the standards requirements for side marker lamps. An evaluation report will be prepared and made available for public comment before completion of the review. At that time, the agency will consider whether changes should be made in the standard's requirements. A review has determined that this rule has minimal effects on small entities and therefore a Regulatory Flexibility Act Review (RFA Review) is not required. The rule will still be reviewed as a priority review item.

Timetable:

Action	Date	FR Cite
Comments docketed		
Evaluation Report published	08/01/83	48 FR 34783

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA60

353. HEAD RESTRAINTS

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.202

Abstract: This regulation, which was promulgated in 1969, is designed to reduce the frequency and severity of neck injuries in passenger car accidents. It is estimated that the rule requires a recurring investment of $130 million (an additional cost of $19 per vehicle).

Timetable:

Action	Date	FR Cite
Comments docketed		
Evaluation Report published	02/18/82	47 FR 7291

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127–AA58

354. SIDE DOOR STRENGTH

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.214

Abstract: This regulation provides minimum standards for side door crash resistance for passenger cars under static test conditions. NHTSA estimates that the standard saves 2,800 lives and averts 7,000 injuries a year. A recurring cost of $300 million (an additional cost of $38 per vehicle) is associated with the requirement. An initial review of this regulation, originally promulgated in 1974, was completed in 1979.

Timetable:

Action	Date	FR Cite
Comments docketed		
Evaluation Report published	12/06/82	47 FR 54839

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127–AA59

355. FUEL SYSTEM INTEGRITY

Priority: Agency Determination

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.301

Abstract: This standard, which is applicable to passenger cars, school buses, and light trucks, specifies requirements for the integrity of motor vehicle fuel systems. The purpose of the standard is to reduce deaths and injuries occurring from fires that result from fuel spillage during and after motor vehicle crashes. The standard is being reviewed to refine previous agency estimates of its effectiveness. An evaluation report will be prepared and made available for public comment before completion of the review. At that time, the agency will consider whether changes should be made in the standard's requirements. A review has determined that this rule has minimal effects on small entities, and therefore a Regulatory Flexibility Act Review (RFA Review) is not required. The rule will still be reviewed as a priority review item.

Timetable:

Action	Date	FR Cite
Comments docketed		
Evaluation Report published	01/10/83	48 FR 1089

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127–AA61

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

FEDERAL MOTOR VEHICLE SAFETY STANDARDS

356. OCCUPANT PROTECTION IN INTERIOR IMPACT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.201

Abstract: This standard, which is applicable to passenger cars, light trucks and buses, and multi-purpose passenger vehicles, includes requirements for padded instrument panels, seat backs, sun visors and arm rests. Its purpose is to provide impact protection for occupants. This regulation was selected for review because of costs, safety benefits and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/86	
End Review	12/00/86	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127–AB16

357. WINDSHIELD GLAZING MATERIALS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.205

Abstract: This regulation was selected for review because of costs, and safety benefits.

Timetable:

Action	Date	FR Cite
Begin Review	02/00/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127–AA73

358. SEATING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.207

Abstract: This regulation was selected for review because of costs.

Timetable:

Action	Date	FR Cite
Begin Review	05/00/85	
End Review	10/00/85	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA69

359. WINDSHIELD MOUNTING

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.212

Abstract: This regulation was selected for review because of costs, and safety benefits.

Timetable:

Action	Date	FR Cite
Begin Review	02/00/84	
End Review	10/00/84	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA74

360. CHILD SEATING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.213

Abstract: This regulation was selected for review because of public interest.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/84	
End Review	06/00/85	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA70

361. SCHOOL BUS SEATING SYSTEM

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.222

Abstract: This regulation was selected for review because of public interest.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/86	
End Review	06/00/86	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA65

REGULATIONS OTHER THAN SAFETY STANDARDS AND FUEL ECONOMY STANDARDS/EXEMPTIONS

362. HIGHWAY SAFETY PROGRAMS; ASSESSMENT AND STATUS

Legal Authority: 23 USC 402

CFR Citation: 23 CFR 1205

Abstract: This regulation identified five NHTSA areas for priority funding under the State and Community Highway Safety Grant Program. The review will assess the state of highway safety activity and determine the effect of the regulation nationwide, provide a trend analysis of changes in activity over several years and compare these trends with earlier periods of time. (A sixth area is covered by FHWA and will be reviewed by that agency.)

Timetable:

Action	Date	FR Cite
Report	02/00/86	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AB19

363. VOLUNTARY TIRE REGISTRATION

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407; 15 USC 1418; 15 USC 1421

CFR Citation: 49 CFR 574

Abstract: This regulation requires that independent tire dealers provide customers with a card to register newly purchased tires so that the customer may send in the completed card. These dealers were formerly required to register the tires for the customer, a requirement which has been retained for manufacturer-owned stores. The Motor Vehicle Safety and Cost Savings Authorization Act of 1982 requires that an evaluation be conducted.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/83	
Evaluation and Report	05/00/85	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AB18

364. UNIFORM TIRE QUALITY GRADING

Priority: Undetermined

Legal Authority: 15 USC 1423

CFR Citation: 49 CFR 575

Abstract: Would include rolling resistance for tires as a substitute for top temperature resistance grade in the Uniform Tire Quality Grading Standards.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1740**

RIN: 2127-AA52

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

365. TIRE SELECTION AND RIMS, NON-PASSENGER CARS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.120

Abstract: These technical amendments would clarify existing requirements or resolve minor specific technical problems.

Timetable:

Action	Date	FR Cite
NPRM	10/30/80	45 FR 71834
Final Action	05/11/84	49 FR 20822
Final Action Effective	12/01/84	

Small Entity: No

Additional Information: Docket No. 80-16. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 05/11/84

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA26

366. SCHOOL BUS BODY JOINT STRENGTH

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 572.221

Abstract: This rulemaking action was terminated on July 2, 1984. 49 FR 27181.

Timetable:

Action	Date	FR Cite
NPRM	11/27/81	46 FR 57939
Withdrawn Rulemaking action terminated	07/02/84	49 FR 27181

Small Entity: No

Additional Information: Docket No. 73-34. NPRM, Notice 5.

Analysis: Regulatory Evaluation 11/27/81

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0842**

RIN: 2127-AA41

367. UNIFORM TIRE QUALITY GRADING

Legal Authority: 15 USC 1423

CFR Citation: 49 CFR 575

Abstract: This project was merged with the new proposed treadwear amendments to the Uniform Tire Quality Grading Standards.

Timetable:

Action	Date	FR Cite
NPRM	02/02/81	46 FR 10429
Combined with new proposed UTQGS amendments	12/00/84	

Small Entity: No

Additional Information: Docket No. 25. NPRM, Notice 43.

Analysis: To be determined

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1740**

RIN: 2127-AA51

368. CONSUMER INFORMATION REGULATIONS - OPERATION OF UTILITY VEHICLES ON PAVED ROADWAYS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 575.105

Abstract: Requires manufacturers to place a prescribed sticker on the windshield or dashboard of new utility vehicles to alert drivers concerning their special handling characteristics on paved roadways. The regulation also requires similar information in the owner's manual.

Timetable:

Action	Date	FR Cite
NPRM	12/30/82	47 FR 58323
Final Action	05/11/84	49 FR 20016
Final Action Effective	09/01/84	

Small Entity: No

Additional Information: Docket No. 82-20. NPRM, Notice 1.

Analysis: Regulatory Evaluation (minimal) 05/11/84

Agency Contact: William Boehly, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1740**

RIN: 2127-AA82

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

369. ● OPTIONAL EARLY COMPLIANCE WITH CENTER HIGH-MOUNTED STOP LAMP REQUIREMENTS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Abstract: In response to a request from General Motors, who wishes to equip some 1985 passenger cars with center high-mounted stop lamps in advance of the general effective date of September 1, 1985, an amendment proposed in May 1984 was adopted allowing optional compliance with location and performance requirements as of August 1, 1984 if a manufacturer so chooses.

Timetable:

Action	Date	FR Cite
NPRM	05/17/84	49 FR 20879
NPRM Comment Period Begin	05/17/84	
NPRM Comment Period End	05/31/84	
Final Action	08/31/84	49 FR 34488

Small Entity: No

Agency Contact: Taylor Vinson, Senior Staff Attorney, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St. SW, Washington, DC 20590, **202 426-9511**

RIN: 2127-AB29

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Completed Actions
Other Reviews

COMPLETED REVIEWS

370. IMPACT PROTECTION FOR THE DRIVER FROM THE STEERING CONTROL SYSTEM AND STEERING CONTROL REARWARD DISPLACEMENT

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.203; 49 CFR 571.204

Abstract: This regulation was selected for review because of safety benefits.

Timetable:

Action	Date	FR Cite
Evaluation Report published	01/26/81	46 FR 8066
Project cancelled	08/27/84	

Small Entity: No

Additional Information: Project cancelled for further consideration.

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1574**

RIN: 2127-AA72

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

371. ● WINDSHIELD DEFROSTING AND DEFOGGING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.103

Abstract: Specifies requirements for windshield defrosting and defogging systems. A review has determined that this rule has minimal effects on small entities, and, therefore, a Regulatory Flexibility Act (RFA) Review is not required.

Timetable:

Action	Date	FR Cite
Begin Review	01/18/84	
End Review	06/27/84	

Small Entity: No

Additional Information: Review completed. RFA Review not required.

Agency Contact: Ellen Kranidas, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1600**

RIN: 2127-AB25

372. ● WINDSHIELD WIPING AND WASHING SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.104

Abstract: Specifies requirements for windshield wiping and washing systems. A review has determined that this rule has minimal effects on small entities and, therefore, a Regulatory Flexibility Act (RFA) Review is not required.

Timetable:

Action	Date	FR Cite
Begin Review	01/18/84	
End Review	06/27/84	

Small Entity: No

Additional Information: Review completed. RFA Review not required.

Agency Contact: Ellen Kranidas, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1600**

RIN: 2127-AB26

373. ● BRAKE HOSES

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.106

Abstract: Specifies labeling and performance requirements for motor vehicle brake hose, brake hose assemblies, and brake hose end fittings. A review has determined that this rule has minimal effects on small entities and, therefore, a Regulatory Flexibility Act (RFA) Review is not required.

Timetable:

Action	Date	FR Cite
Begin Review	01/18/84	
End Review	06/27/84	

Small Entity: No

Additional Information: Review completed. RFA Review not required.

Agency Contact: Ellen Kranidas, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1600**

RIN: 2127-AB24

374. ● MOTOR VEHICLE BRAKE FLUIDS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.116

Abstract: Specific requirements for fluids for use in hydraulic brake systems of motor vehicles, containers for these fluids and labeling of the containers. A review has determined that this rule has minimal effects on small entities and, therefore, a Regulatory Flexibility Act (RFA) Review is not required.

Timetable:

Action	Date	FR Cite
Begin Review	01/18/84	
End Review	06/27/84	

Small Entity: No

Additional Information: Review completed. RFA Review not required.

Agency Contact: Ellen Kranidas, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1600**

RIN: 2127-AB27

375. ● POWER OPERATED WINDOW SYSTEMS

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.118

Abstract: Specifies requirements for power-operated window and partition systems to minimize the likelihood of death or injury from their accidental operation. A review has determined that this rule has minimal effects on small entities and, therefore, a Regulatory Flexibility Act (RFA) Review is not required.

Timetable:

Action	Date	FR Cite
Begin Review	01/18/84	
End Review	06/27/84	

Small Entity: No

Additional Information: Review completed. RFA Review not required.

Agency Contact: Ellen Kranidas, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1600**

RIN: 2127-AB28

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

376. ALCOHOL AND DRUGS

Priority: Agency Determination

Legal Authority: 45 USC 431

CFR Citation: 49 CFR 218

Abstract: The NPRM invites comments on a proposed rule to address the problem of alcohol and drug use by employees engaged in rail operations. Alcohol and drugs may impair the performance of operating employees such as train and engine crews, and such impairment has been implicated in a number of serious railroad accidents. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	07/05/83	49 FR 30723
NPRM	06/12/84	49 FR 24252
Public Hearing, Denver, Colorado to gather information	07/17/84	
Public Hearing, Chicago, Illinois to gather information	07/19/84	
Public Hearing, New Orleans, LA to gather information	07/23/84	
Technical Conference, Arlington, VA to gather information	08/01/84	
Public Hearing, Wash., DC to gather information	08/02/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: Docket No. RSOR-6. FRA held public hearings previously at the ANPRM stage to gather information. Hearings were held in Atlanta, Georgia (July 25, 1983), Kansas City, Missouri (July 26, 1983), Sacramento, California (July 28, 1983), and Washington, D.C. (September 1, 1983).

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: Walter Rockey, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0895

RIN: 2130-AA18

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Current and Projected Rulemakings
Other Rulemakings

377. SAFETY STANDARDS FOR CABOOSES

Legal Authority: 45 USC 431; 45 USC 438

CFR Citation: 49 CFR 237

Abstract: The proposed rule would seek to establish comprehensive safety standards for cabooses.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSC-76-6

Analysis: Regulatory Evaluation

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA01

378. AMENDMENTS TO REGULATIONS IMPLEMENTING SECTION 905 OF THE 4R ACT

Legal Authority: PL 94-210

CFR Citation: 49 CFR 265

Abstract: This action would amend 49 CFR Part 265 to make changes necessitated by the promulgation of the Department of Transportation's comprehensive Minority Business Enterprise regulation (49 CFR Part 23). Part 265 will be revised to omit those provisions now covered in Part 23.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation

Agency Contact: Mark H. Tessler, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-7737

RIN: 2130-AA04

379. SPECIAL SAFETY INQUIRY

Legal Authority: PL 96-354

Abstract: FRA has initiated a Railroad Safety Inquiry to obtain information from the public to assist in evaluating and improving its safety regulatory program as it applies to "small railroads." The inquiry will also assist in meeting the goals of the Regulatory Flexibility Act by obtaining data that will assist in defining the economic impact of existing rules on small railroads.

Timetable:

Action	Date	FR Cite
Public Hearings 09/00/81, 10/00/81, and 11/00/81		
Notice of Hearings	08/03/81	46 FR 39461

Next Action Undetermined

Small Entity: Yes

Analysis: Regulatory Evaluation

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0895

RIN: 2130-AA06

380. RULES OF PRACTICE

Legal Authority: PL 96-354

CFR Citation: 49 CFR 211

Abstract: This proposed rule would amend 49 CFR Part 211 to respond to the provisions of the Regulatory Flexibility Act of 1980 by defining the criteria used by FRA in determining whether any regulatory proposal or final rule will have a significant economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: Lawrence I. Wagner, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-8836

RIN: 2130-AA07

381. SPECIAL SAFETY INQUIRY; RAIL PASSENGER EQUIPMENT

Legal Authority: 45 USC 431; 45 USC 438

Abstract: Special Safety Inquiry will obtain information to assess the potential impact of technological developments and operational changes on rail passenger equipment.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	01/17/84	49 FR 02045
Public Hearing	05/29/84	

Next Action Undetermined

Small Entity: No

Additional Information: A public hearing was held in Washington, D.C. on May 29, 1984 (Docket No. RSSI-84-1).

Agency Contact: Phil Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA25

382. ● SPECIAL SAFETY INQUIRY; RAIL-HIGHWAY GRADE CROSSING SAFETY

Legal Authority: 45 USC 431; 45 USC 437

Abstract: The inquiry will obtain information from the public to assist in evaluating possible future courses of action to enhance public safety at railroad-highway grade crossings.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	06/18/84	49 FR 24968
Public Hearing, St. Paul, Minnesota	07/16/84	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSSI - 84-3.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA27

383. ● SPECIAL SAFETY INQUIRY; RAILROAD POWER BRAKES

Legal Authority: 45 USC 431; 45 USC 437

CFR Citation: 49 CFR 232.13

Abstract: The inquiry will obtain information from the public to assist FRA in evaluating currently available devices that can determine the brake pipe pressure on the rear car of a train and transmit the pressure reading to the cab of the controlling locomotive.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	05/07/84	49 FR 19359
Public Hearing, Washington, D.C.	06/05/84	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSSI-84-2, Notice No. 1.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA28

384. ● RAILROAD LOCOMOTIVE SAFETY STANDARDS

Legal Authority: 45 USC 22; 45 USC 23; 45 USC 28; 45 USC 34

CFR Citation: 49 CFR 229

Abstract: This proposal would revise 49 CFR Part 229 to reduce or eliminate certain reporting and recordkeeping requirements pertaining to railroad locomotive inspections.

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20029
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. LI-7, Notice No. 1.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA29

385. ● RAILROAD OPERATING RULES

Legal Authority: 45 USC 431

CFR Citation: 49 CFR 217.13

Abstract: The proposed rule would eliminate the annual report requirement in 49 CFR 217.13 for railroads that employ 15 or fewer employees subject to the Hours of Service Act (45 USC 61-64b).

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20028
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. RSOR-8, Notice No. 1.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA30

386. ● FREIGHT CAR SAFETY STANDARDS

Legal Authority: 45 USC 431; 45 USC 438

CFR Citation: 49 CFR 215.103

Abstract: The proposed rule would clarify the definition of a defective wheel. The NPRM proposes a technical correction to 49 CFR 215.103 to eliminate confusion over the proper

DOT—FRA

Current and Projected Rulemakings
Other Rulemakings

measurement and extensiveness of discoloration found on freight car wheels due to an oxidation process that occurs after a wheel has been subject to thermal abuse.

Timetable:

Action	Date	FR Cite
NPRM	06/22/84	49 FR 25645
Public Hearing, Washington, D.C.	07/26/84	
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. RSFC-6

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA31

387. ● REVIEW OF LOCOMOTIVE CAB SAFETY

Legal Authority: 45 USC 431; 45 USC 437; 45 USC 22; 45 USC 23; 45 USC 28; 45 USC 34

CFR Citation: 49 CFR 229

Abstract: The Agency is engaged in a review of the issue of locomotive cab environment. The review will evaluate possible future courses of action to enhance the safety of railroad employees who occupy locomotive cabs.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Phillip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, Washington, DC 20590, 202 426-0897

RIN: 2130-AA32

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Existing Regulations Under Review
Other Reviews

388. REGULATORY FLEXIBILITY ACT REVIEWS

Legal Authority: PL 96-354

Abstract: In accordance with the Regulatory Flexibility Act (RFA) review plan published in the Federal Register on June 30, 1981 (46 FR 33693), FRA has not selected any specific regulations for RFA review at this time. Instead, FRA has established a plan to develop regulatory definitions of the criteria used in the RFA for the selection of regulations to be reviewed. A notice was published in the Federal Register on August 3, 1981 (46 FR 39461) initiating a safety inquiry to evaluate the effectiveness of the safety regulatory program as it applies to small railroads.

Timetable:

Action	Date	FR Cite
Review Plan	06/30/81	46 FR 33693
Notice of Safety Inquiry Review	08/03/81	46 FR 39461
Next Action Undetermined		

Small Entity: Yes

Agency Contact: Lawrence I. Wagner, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-8836

RIN: 2130-AA10

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

389. REMOVAL OF ROOF RUNNING BOARDS

Legal Authority: 45 USC 12

CFR Citation: 49 CFR 231.1, Note

Abstract: The proposed rule would delete the requirement for removal of roof running boards from certain box and other house cars as requested by the Association of American Railroads.

Timetable:

Action	Date	FR Cite
NPRM	10/27/83	48 FR 49666
Final Action	06/29/84	49 FR 26744

Small Entity: No

Additional Information: Docket No. SA-3.

Analysis: Regulatory Evaluation 06/29/84

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0897

RIN: 2130-AA12

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Urban Mass Transportation Administration (UMTA)

Current and Projected Rulemakings
Priority Rulemakings: Major

390. "BUY AMERICA" REQUIREMENTS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982

Priority: Major

Legal Authority: PL 97-424 Surface Transportation Assistance Act of 1982 Sec 165

CFR Citation: 49 CFR 661

Abstract: This rulemaking implements Section 165 of the Surface Transportation Assistance Act of 1982 (PL 97-424).

Timetable:

Action	Date	FR Cite
Emergency Final Rule	09/15/83	49 FR 41562

Next Action Undetermined

Small Entity: Yes

Additional Information: UMTA issued this regulation as an emergency regulation in September 1983. UMTA is taking this action since the requirements in Section 165 of the 1982 STAA apply to all UMTA funds obligated after January 6, 1983. UMTA will determine what, if any further regulatory activities to take based on a review of the comments.

Agency Contact: Edward J. Gill, Jr., Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4063**

RIN: 2132-AA15

DEPARTMENT OF TRANSPORTATION (DOT)
Urban Mass Transportation Administration (UMTA)

Completed Actions
Priority Rulemakings: Major

COMPLETED RULEMAKINGS

391. "BUY AMERICA" REQUIREMENTS OF SURFACE TRANSPORTATION ASSISTANCE ACT OF 1978

Priority: Major

Legal Authority: 49 USC 1602 Note; PL 95-599, Sec 401

CFR Citation: 49 CFR 660

Abstract: This rulemaking proposed amendments to the Buy America Requirements imposed by Section 401 of the Surface Transportation Assistance Act of 1978.

Timetable:

Action	Date	FR Cite
NPRM	01/18/81	46 FR 6815
NPRM Comment Period End	04/20/81	
NPRM Comment Period extended	05/20/81	46 FR 23501
Withdrawn	09/15/83	48 FR 41562

Small Entity: Yes

Additional Information: The NPRM was published on January 19, 1981 (46 FR 6815). Comments on alternative approaches were invited until April 20, 1981. UMTA extended the comment period until May 20, 1981 (46 FR 23501). UMTA has reviewed this NPRM and determined not to proceed with this rulemaking. While this regulation is still effective and does apply to all UMTA funds obligated before Jan. 6, 1983, the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424) imposes new and different Buy America requirements on UMTA recipients. Thus, UMTA has stopped all rulemaking activities on this regulation and issued a new Buy America regulation for new requirements in the 1982 STAA on September 15, 1983. UMTA has formally withdraw this NPRM.

Analysis: Preliminary RIA 01/18/81; Draft RFA 01/18/81

Agency Contact: Edward J. Gill, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4011**

RIN: 2132-AA00

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Urban Mass Transportation Administration (UMTA)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

392. REGULATION IMPLEMENTING THE NONDISCRIMINATION SECTION OF THE URBAN MASS TRANSPORTATION ACT

Priority: Agency Determination

Legal Authority: 49 USC 1615 UMT Act Sec. 19

CFR Citation: 49 CFR 626

Abstract: The proposed regulations would unify the civil rights regulations that recipients of funds under the Urban Mass Transportation Act must meet. This rulemaking is significant because substantial public interest is anticipated. Regulations are needed to implement a new statutory provision which consolidates UMTA's authority to assure effective and uniform compliance with civil rights and equal employment opportunity requirements in a manner comparable to other agencies within the Department of Transportation.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Section 19 was added to the UMT Act in November 1978 by the Surface Transportation Assistance Act of 1978. UMTA plans to issue an NPRM in 1985.

Analysis: Regulatory Evaluation 03/00/85

Agency Contact: Harry Takai, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-6371**

RIN: 2132-AA01

393. ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

Priority: Agency Determination

Legal Authority: 42 USC 4321 et seq; 23 USC 101 et seq; 49 USC 1601 et seq; 49 USC 1653(f)

CFR Citation: 23 CFR 771; 49 CFR 622

Abstract: This regulation covers the preparation of environmental impact statements and related documents and compliance with other Federal environmental requirements under UMTA and FHWA grant programs. The changes are intended to streamline the project development process and provide increased decisionmaking authority to agency field offices. This rulemaking is significant because it involves important departmental policy. It is needed to reduce burdens associated with the environmental review process.

Timetable:

Action	Date	FR Cite
Notice and Request for Comments	04/13/81	46 FR 21620
NPRM	08/01/83	48 FR 34894
Final Action	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert Gatz, FHWA, (202) 426-0106. Notice and request for comments on priority review of environmental process published on April 13, 1981 (46 FR 21620). An NPRM was published on August 1, 1983.

Analysis: Regulatory Evaluation 08/01/83

Agency Contact: Abbe Marner, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0096**

RIN: 2132-AA03

394. CHARTER BUS REGULATIONS

Priority: Task Force

Legal Authority: 49 USC 1602(f); 49 USC 1608(c)

CFR Citation: 49 CFR 604

Abstract: These regulations provide information regarding the restrictions imposed by section 3(f) of the UMT Act (49 USC 1602(f)) on charter bus operations by UMTA recipients. UMTA will publish an NPRM in October, 1984.

Timetable:

Action	Date	FR Cite
ANPRM	10/12/82	47 FR 44795
NPRM	10/00/84	

Small Entity: Yes

Additional Information: ADDITIONAL LEGAL AUTHORITY: 49 CFR 1.51 also applies. UMTA originally published these regulations on April 1, 1976 (41 FR 14123). UMTA published an ANPRM on January 19, 1981, that proposed extensive changes to the regulations. (46 FR 5394). The comment period closed on March 5, 1981. UMTA reviewed the comments received and recognized that there were many fundamental issues that needed further exploration. Consequently, UMTA decided to issue a new ANPRM rather than to continue to develop the previously issued ANPRM into an NPRM. The new ANPRM was published on October 12, 1982, and the public comment period closed on Nov. 26, 1982. Based on comments to the ANPRM, UMTA will publish an NPRM in October, 1984.

Analysis: Draft RFA 10/00/84; Regulatory Evaluation 10/00/84

Agency Contact: Douglas G. Gold, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-1936**

RIN: 2132-AA04

395. AIR QUALITY PROCEDURES FOR USE IN FEDERAL-AID HIGHWAY AND FEDERALLY FUNDED TRANSIT PROGRAMS

Priority: Agency Determination

Legal Authority: 23 USC 109(h); 23 USC 109(j); 23 USC 315; 42 USC 4332; 42 USC 7401; 42 USC 7506

CFR Citation: 23 CFR 770

Abstract: This regulation proposes to consolidate and amend existing air quality requirements for transportation projects into a single amended air quality regulation. The amended regulation is intended to streamline and simplify (1) the process of determining which highway projects are exempt from the Federal assistance limitations of section 176(a) of the Clean Air Act (CAA), and (2) the conformity and priority procedures contained in 23 CFR 770. The amendments are also intended to provide more authority and flexibility to State and local agencies and to meet the objectives of the CAA in the most cost-effective and expeditious manner. The amendments are significant because they involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: James N. Shrouds, (202) 426-4838, of FHWA.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: James Getzewich, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-7182**

RIN: 2132-AA19

396. ● MAJOR CAPITAL INVESTMENT PROJECTS

Priority: Agency Determination

Legal Authority: 49 USC 1602; 49 USC 1604; 49 USC 1607; 49 USC 1607a-1; 23 USC 103(e)(4); 23 USC 142

CFR Citation: 49 CFR 615

Abstract: This regulation will set out the process applicants for grants under the UMT Act (49 USC 1601 et seq.) and the Federal-Aid Highway Act should follow in order to be eligible for Federal financial assistance for major capital investment projects. UMTA plans to issue an NPRM in 1985. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Agency Contact: Don Emerson/Gerald Musarra, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Room 9228, Washington, DC 20590, **202 426-1936**

RIN: 2132-AA22

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

397. INNOVATIVE TECHNIQUES AND METHODS

Legal Authority: 49 USC 1603(i)

CFR Citation: 49 CFR 644

Abstract: These regulations would prescribe policies and procedures for administering the grant programs for projects using innovative techniques and methods in the management and operation of public transportation services under Section 4(i) of the UMT Act as amended.

Timetable:

Action	Date	FR Cite
NPRM	12/01/80	45 FR 79669
NPRM to be withdrawn	00/00/00	

Small Entity: No

Additional Information: UMTA will prepare a Circular dealing with Innovative Techniques and Methods 4(i). UMTA will withdraw the NPRM and publish a Circular that will be described in the Federal Register. Until then, however, the NPRM should be used as guidance.

Analysis: Regulatory Evaluation 12/01/80

Agency Contact: Ray Lopez, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-8483**

RIN: 2132-AA05

398. MISCELLANEOUS AMENDMENTS - ORGANIZATION, FUNCTIONS, AND PROCEDURES

Legal Authority: 49 USC 1657; 49 USC 1659

CFR Citation: 49 CFR 601

Abstract: These amendments will reflect modifications in the organization and distribution of functions as well as changes in the delegations of authority within the Urban Mass Transportation Administration.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: Mary Pat Stephenson, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4022**

RIN: 2132-AA06

399. TECHNOLOGY INTRODUCTION

Legal Authority: 49 USC 1602(a)(1)(c)

CFR Citation: 49 CFR 641

Abstract: These regulations would implement Section 3(a)(1)(c) of the UMT Act of 1964, as amended, by prescribing policies and procedures for administering the grant program for projects that would introduce new technology into public transportation.

Timetable:

Action	Date	FR Cite
NPRM	01/19/81	46 FR 5832
To be withdrawn	00/00/00	

Small Entity: Yes

Additional Information: UMTA will prepare a Circular dealing with Technology Introduction 3(a)(1)(c). UMTA has decided to withdraw this rulemaking activity and to issue it as a Circular that will be described in the Notice section of the Federal Register. Until then, the January 19, 1981, NPRM should be used as guidance.

Analysis: Regulatory Evaluation 01/19/81

Agency Contact: Ray Lopez, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-8483**

RIN: 2132-AA07

400. SCHOOL BUS OPERATIONS

Legal Authority: 49 USC 1602(g); 49 USC 1608(c)(6); 23 USC 103(e)(4); 23 USC 142(a); 23 USC 142(c)

CFR Citation: 49 CFR 605

Abstract: This regulation provides information regarding the restrictions imposed by section 3(g) of the UMT Act (49 USC 1602(g)) on the school bus operations by UMTA recipients. UMTA plans to issue an NPRM based on the October 12, 1982 ANPRM in October, 1984.

Timetable:

Action	Date	FR Cite
ANPRM	10/12/82	47 FR 44795
ANPRM Comment Period End	11/26/82	
NPRM	10/00/84	

Small Entity: Yes

Additional Information: UMTA originally issued this regulation on April 1, 1976 (41 FR 14128). UMTA reviewed this regulation and issued an ANPRM that proposed three alternatives to the current regulation: (1) retain the existing regulation, (2) modify the definition of "tripper services," and (3) define "exclusive" school bus service.The public comment period closed November 26, 1982.

Analysis: Draft RFA 10/00/84; Regulatory Evaluation 10/00/84

Agency Contact: Katherine Cowen, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-4011**

RIN: 2132-AA09

401. PRIVATE ENTERPRISE PARTICIPATION

Legal Authority: 49 USC 1607(e); 49 USC 1602(e)

CFR Citation: 49 CFR 614

Abstract: This regulation will implement two provisions of the UMT Act concerned with private enterprise participation: Section 8(e) of the Act (49 U.S.C. 1607(e)) which addresses the maximum feasible participation of private enterprise in the plans and programs funded by UMTA; and Section 3(e) of the Act (49 U.S.C. 1602(e)) which addresses the findings the Secretary must make, as a precondition to the provision of financial assistance under the Act, as a means of protecting the position of existing mass transportation companies.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Analysis: Regulatory Evaluation 12/00/84

DOT—UMTA

Current and Projected Rulemakings
Other Rulemakings

Agency Contact: Gerald Musarra, Attorney Adviser, Department of Transportation, Urban Mass Transportation Administration, 400 7th Street, SW, Room 9223, Washington, DC 20590, **202 426-1936**

RIN: 2132-AA20

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Urban Mass Transportation Administration (UMTA)

Completed Actions
Other Rulemakings

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

402. ● BUY AMERICA REQUIREMENT

Legal Authority: PL 97-424, Sec 165 Surface Transportation Asst Act of 1982; PL 98-229

CFR Citation: 49 CFR 661.1(d); 49 CFR 661.5(a); 49 CFR 661.5(b)

Abstract: This final rule revises the existing Urban Mass Transportation Administration Buy America regulation to implement the provision mandated by Section 10 of Public Law 98-229 (98 Stat. 55), enacted on March 9, 1984. Section 10 amends Section 165(a) of the Surface Transportation Assistance Act of 1982 (STAA of 1982) by striking "cement" from the materials and products that are covered under Section 165. Cement and cement products are therefore deleted from the domestic preference requirements of the Buy America provision as of March 9, 1984.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: No

Agency Contact: Edward J. Gill, Jr., Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Room 9228, Washington, DC 20590, **202 426-4063**

RIN: 2132-AA21

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Saint Lawrence Seaway Development Corporation (SLSDC)

Current and Projected Rulemakings
Other Rulemakings

403. ST. LAWRENCE SEAWAY TARIFF OF TOLLS AMENDMENT

Legal Authority: 33 USC 988 68 Stat. 96

CFR Citation: 33 CFR 402

Abstract: Revision of 33 CFR Part 402 in accordance with the statutory requirements of 33 USC 988. The NPRM will set forth proposed changes to the charges to be assessed for the full or partial transit of the Saint Lawrence Seaway in 1985 and thereafter as appropriate. The changes will be the result of international negotiations between the Saint Lawrence Seaway Development Corporation and the St. Lawrence Seaway Authority of Canada. Cost will be borne primarily by foreign vessels, since these regulations relate to commercial users of the seaway. The economic benefits to be derived from a safe and efficiently operated St. Lawrence Seaway are considerable.

Timetable:

Action	Date	FR Cite
NPRM	07/25/84	49 FR 29971
NPRM Comment Period Begin	07/25/84	
NPRM Comment Period End	09/10/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Frederick A. Bush, General Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 7th Street, S.W., Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090, **202 426-3574**

RIN: 2135-AA06

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Saint Lawrence Seaway Development Corporation (SLSDC)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

404. SEAWAY REGULATIONS - AMENDMENTS

Legal Authority: 33 USC 981 to 990 68 Stat. 93-96; 33 USC 1221 92 Stat. 1471

CFR Citation: 33 CFR 401

Abstract: Periodic update of Subpart A, 33 CFR Part 401 operational regulations respecting the transit of vessels on the St. Lawrence Seaway developed jointly between the Saint Lawrence Seaway Development Corporation and the St. Lawrence Seaway Authority of Canada. Cost will be borne primarily by foreign vessels, since these regulations relate to commercial users of the seaway. The economic benefits to be derived from a safe and efficiently operated St. Lawrence Seaway are considerable.

DOT—SLSDC

Completed Actions
Other Rulemakings

Timetable:

Action	Date	FR Cite
NPRM	04/05/84	49 FR 13551
NPRM Comment Period Begin	04/05/84	49 FR 13551
NPRM Comment Period End	05/21/84	
Final Action	08/02/84	49 FR 30934

Small Entity: No

Agency Contact: Frederick A. Bush, General Counsel, Department of Transportation, Saint Lawrence Seaway Development Corporation, 400 7th Street, SW, Room 5424, P.O. Box 44090, Washington, D.C. 20026-4090, 202 426-3574

RIN: 2135-AA07

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

405. REVIEW: PERFORMANCE-ORIENTED PACKAGING STANDARDS

Priority: Agency Determination

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 172; 49 CFR 173; 49 CFR 178

Abstract: To develop performance-oriented packaging standards for small packagings based on the Recommendation of the United Nations Committee of Experts on the Transport of Dangerous Goods. Also includes former non-significant rulemakings entitled "Consolidation of Specifications and Establishment of Performance Standards for Specification Bags" (Docket No. HM-153), "Specifications for and use of Specification 17 Steel Drums" (Docket No. HM-182), and "Organic Peroxide Requirements" (Project 186-72). The rulemaking is significant because a large number of specifications for packaging in the Hazardous Materials Regulations would be affected by this project. To a large extent the complexity and mass of the present Hazardous Materials Regulations are due to the detailed specification-type packaging standards contained in these regulations. To replace these with standards based on the U.N. system would both simplify the present regulations and facilitate international trade.

Timetable:

Action	Date	FR Cite
ANPRM	04/15/82	47 FR 16268
Corrections Docum & Notice of Meeting	06/17/82	47 FR 26172
Extension of Comment Period to 01/13/83	09/00/82	47 FR 40816
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket No. HM-181. Further action to be determined from evaluation of comments received on ANPRM.

Agency Contact: T. Charlton, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA01

406. DATA COLLECTION AND REPORTING: HAZARDOUS MATERIALS INCIDENT REPORTS

Priority: Agency Determination

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1809

CFR Citation: 49 CFR 171

Abstract: The current regulations require reports of hazardous material incidents. The objective of this review is to determine if the current data requirements can be modified to reduce the burden on industry but still result in the collection of the information needed for the hazardous materials safety program. Although safety programs, such as the one covered by these regulations, require data in order to function properly, it is possible that the data collection can be made less burdensome.

Timetable:

Action	Date	FR Cite
ANPRM	03/16/84	49 FR 10042
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket HM-36B.

Agency Contact: R. Abis, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA51

407. ● REPORTABLE QUANTITIES OF HAZARDOUS SUBSTANCES

Priority: Agency Determination

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 171; 49 CFR 172; 49 CFR 173

Abstract: Requested comments on the burdens and benefits associated with incorporating EPA revised Reportable Quantities of Hazardous Substances into the Hazardous Materials Regulations. Discussion of the regulatory alternatives being considered is included. Potential costs and benefits are unknown at this time. This regulation is significant because of substantial public interest and because it is potentially controversial.

Timetable:

Action	Date	FR Cite
ANPRM	08/08/83	48 FR 35965
ANPRM Comment Period Begin	08/08/83	
ANPRM Comment Period End	10/12/83	
Extension of time for public comment till 11/16/83.	10/19/83	48 FR 48483
NPRM	10/00/84	

Small Entity: No

DOT—RSPA

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA68

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)

Current and Projected Rulemakings
Other Rulemakings

408. DEFINITION OF A FLAMMABLE SOLID

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Consideration of new standards for classifying a material as a flammable solid. Previously part of Docket HM-118 which was terminated May 22, 1980 (45 FR 34560) to permit publication of ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	05/07/81	46 FR 25492

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-178

Agency Contact: C. Ke, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA05

409. REVIEW: REVISION OF OPERATING PROCEDURES FOR MOTOR VEHICLES

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 177

Abstract: Proposed simplification and recodification of the existing operating procedures for transportation of hazardous materials by motor vehicles as prescribed in Part 177. Development of driver training requirements (formerly Project 270-78).

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Project 261-78

Agency Contact: M. Morris, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA07

410. USE OF INTERESTED INSPECTORS FOR CYLINDER INSPECTIONS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 178

Abstract: Proposal would result in ending of "Interested" inspectors to perform inspections and testing of domestically manufactured low pressure gas cylinders.

Timetable:

Action	Date	FR Cite
NPRM	03/17/76	44 FR 11179

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-74A

Agency Contact: H. Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA08

411. CONSOLIDATION AND REVISION OF REQUIREMENTS FOR THE CARRIAGE OF EXPLOSIVES BY VESSEL

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 176

Abstract: Proposed consolidation and revision of requirements for the carriage of military and commercial explosives by vessel and adoption of United Nations scheme for classification and compatibility of explosives for the water mode.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Project 279-78

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: T. Allan, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1577

RIN: 2137-AA10

412. OXIDIZING MATERIALS DEFINITION, CRITERIA AND PROPOSED REGULATIONS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Development of new standards for classifying a material as an oxidizing material.

Timetable:

Action	Date	FR Cite
ANPRM	06/15/81	46 FR 31294
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. HM-179

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: C. Schultz, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA11

413. SHIPMENT OF MATCHES

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172; 49 CFR 173

Abstract: Revision and simplification of requirements concerning matches.

Timetable:

Action	Date	FR Cite
NPRM	06/09/83	48 FR 26650
Final Action	08/00/84	

Small Entity: No

Additional Information: Docket No. HM-186.

Analysis: Regulatory Evaluation 06/09/83

Agency Contact: H. Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA13

414. INTERIOR PIPING

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: The adequacy of existing standards with regard to safety problems concerning interior piping would be examined and new standards may be proposed. Responses to the ANPRM indicate that State and local safety regulations adequately cover gas piping in a building. Proposed change in "Service Line" definition would recognize this situation.

Timetable:

Action	Date	FR Cite
ANPRM	04/03/80	45 FR 22118
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. PS-67.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: R. Langley, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA21

415. LOCATION, SIZE, AND OPERATING PRESSURE OF PIPELINES

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: Operators would not be required to maintain maps and records to identify the location, size, and operating pressure of all pipelines.

Timetable:

Action	Date	FR Cite
ANPRM	11/29/79	44 FR 68493
To be withdrawn	09/00/84	

Small Entity: No

Additional Information: Docket No. PS-61. Present regulations include maps and records requirements for corrosion control (Sec 192.491); damage prevention program (Sec 192.614); transmission line recordkeeping (Sec 192.707); plus those documents implied and necessary for continuing surveillance, leakage surveys, distribution and transmission line patrol, changes in classification and emergency plans. Study showed benefits do not exceed costs for additional requirements.

Agency Contact: R. Langley, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA22

416. MISCELLANEOUS HAZARDOUS MATERIALS COMMUNICATIONS REGULATIONS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172

Abstract: Development of miscellaneous proposals dealing with the communications regulations and odorization of LP gas.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. HM-126D

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: L. Metcalfe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA25

417. RADIATION LEVEL SPECIFICATIONS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173.441(b)

Abstract: Proposed rewrite of 49 CFR 173.441(b) for clarity and enforceability.

Timetable:

Action	Date	FR Cite
NPRM	10/07/82	47 FR 44356
Interim Final Rule	09/00/84	

Small Entity: No

Additional Information: Docket No. HM-166P.

Analysis: Regulatory Evaluation 10/07/82

Agency Contact: W. Carriker, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA27

418. PRIVATE CARRIERS LICENSED TO USE RADIOACTIVE MATERIALS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173; 49 CFR 177

Abstract: Proposed exceptions for private carriers who also are licensed to use radioactive materials in the course of their businesses.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Project 298-82.

Agency Contact: W. Carriker, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA28

419. SPECIFICATION PACKAGES OF

TYPE B AND FISSILE RADIOACTIVE MATERIALS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173

Abstract: Advance notice to address feasibility of continued use and needed modifications of certain radioactive materials package designs.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	

Small Entity: No

Additional Information: Project 300-83.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA29

420. QUALITY ASSURANCE FOR RADIOACTIVE MATERIALS SHIPPERS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173

Abstract: Advance notice to solicit comments on the desirability of establishing quality assurance program requirements for all shippers of radioactive materials.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/84	

Small Entity: No

Additional Information: Project 291-80.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA30

421. PLACARDING OF EMPTY TANK CARS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172.510

Abstract: An advance notice requesting comments on the International Association of Fire Chiefs' petition for removal of the requirement for displaying the EMPTY placard on tank cars.

Timetable:

Action	Date	FR Cite
ANPRM	07/23/81	46 FR 37953
NPRM	08/00/84	

Small Entity: No

Additional Information: Docket No. HM-180

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: L. Metcalfe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA35

422. DOT SPECIFICATION 51 PORTABLE TANKS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 178

Abstract: Consideration of revisions of DOT Specification 51 Portable Tanks, including waiver of requirements for post-weld heat treatment for certain steels and use of bottom outlets.

Timetable:

Action	Date	FR Cite
ANPRM	08/00/84	

Small Entity: No

Additional Information: Project 302-83.

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA36

423. MONITORING EXTERNAL CORROSION CONTROL

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: The requirement to annually check the performance of cathodic protection on pipeline under paving and other corrosion survey regulations would be made more appropriate.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/83	48 FR 10092
NPRM	09/00/84	

Small Entity: No

Additional Information: Docket No. PS-76

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: P. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA38

424. STEEL PIPE

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: Development of performance standards for qualifying steel pipe for use in gas pipelines.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Action deferred pending development of industry standard by Voluntary Standards Committee.

Agency Contact: P. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA40

425. DESIGN, MAINTENANCE AND TESTING OF MC-306 CARGO TANKS

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805

CFR Citation: 49 CFR 173; 49 CFR 177

Abstract: Consideration of and request for comments on reducing risk of unintentional release of liquid hazardous materials from MC-306 cargo tanks. Further action to be determined from evaluation of comments received.

Timetable:

Action	Date	FR Cite
ANPRM	06/28/82	47 FR 27876
NPRM	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. HM-183

Agency Contact: J. O'Steen, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-0033

RIN: 2137-AA42

426. RECLASSIFICATION OF CORDEAU DETONANT FUSE

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172; 49 CFR 173; 49 CFR 177

Abstract: Proposal would change the hazard classification of certain types and quantities of cordeau detonant fuse from Class C explosive to Class A explosive.

Timetable:

Action	Date	FR Cite
NPRM	05/17/84	49 FR 20873
Final Action	10/00/84	

Small Entity: Undetermined

Additional Information: Project 297-82. Docket No. PS-191.

Analysis: Regulatory Evaluation 05/17/84

Agency Contact: T. Allan, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA54

427. ISOLATED CORROSION PITTING

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195

Abstract: Language would be amended to clearly state that a reduction in operating pressure is an acceptable remedy for isolated corrosion pitting.

Timetable:

Action	Date	FR Cite
NPRM	10/13/83	48 FR 46589
Final Action	09/00/84	

Small Entity: No

Additional Information: Docket No. PS-77.

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: F. Robinson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA57

428. RECORDS FOR HYDROSTATIC TESTING, OPERATION AND MAINTENANCE AND ACCIDENT REPORTING

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195

Abstract: Records of hydrostatic testing would be permitted to be kept in supporting documents as well as the pressure recording chart. The retention period for records of operations would be reduced from three years to one year. Inspection and maintenance records for components other than pipe would be kept for one year rather than three years. Revised reporting requirements would be proposed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: F. Robinson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA58

429. NONDESTRUCTIVE TESTING OF GIRTH WELDS

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195

Abstract: The requirement to nondestructively test 100 percent of the girth welds would be reduced to 90 percent at certain locations.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: F. Robinson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA59

430. INTRASTATE LIQUID PIPELINES

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195

Abstract: The applicability of Part 195 would be extended to include intrastate pipelines transporting petroleum, petroleum products or anhydrous ammonia. New definitions to be proposed.

Timetable:

Action	Date	FR Cite
NPRM	03/26/84	49 FR 11226
NPRM	08/00/84	
Final Action	02/00/85	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/84

Agency Contact: F. Robinson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA60

431. CONFIRMATION OR REVISION OF MAXIMUM OPERATING PRESSURE FOR CERTAIN CHANGES IN CLASS LOCATION

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Abstract: Proposal would change the requirement for confirmation or revision of the maximum allowable operating pressure for certain pre-tested gas pipelines when changed conditions adjacent to the pipeline meet the class location definition of 49 CFR 192.5(d)(2).

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/84

Agency Contact: R. Langley, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2392

RIN: 2137-AA62

432. SPECIFICATION 8W AND 8WA WELDED STEEL CYLINDERS

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 171; 49 CFR 173; 49 CFR 178

Abstract: Would eliminate existing Specifications 8 and 8AL and provide a consolidated specification for the manufacture of acetylene cylinders.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: Docket No. HM-23.

Analysis: Regulatory Evaluation 10/00/84

Agency Contact: M. Morris, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2075

RIN: 2137-AA63

433. REVISION OF THE IM TANK TABLE

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Would revise the IM Tank Table to incorporate interim approvals issued since April of 1981 and other changes.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: Docket No. HM-167A

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2311

RIN: 2137-AA64

434. CYLINDER RETESTER IDENTIFICATION NUMBERS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Abstract: Proposal to incorporate procedures applicable to cylinder retesters.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. HM-172B

Agency Contact: D. Henry, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 472-5982

RIN: 2137-AA65

435. ● CLARIFICATION OF WELDING REQUIREMENTS FOR GAS PIPELINES

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192.223; 49 CFR 192.225; 49 CFR 192.227; 49 CFR 192.237; 49 CFR 192.239

Abstract: Clarification of requirements for preheating and stress relieving to be proposed; redundancies in welding and welder qualification would be removed (Part 192, Subpart E).

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: William A. Gloe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA69

436. ● OVALITY OF FIELD BENDS IN STEEL PIPE

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192.313

Abstract: Limitations of Sec. 192.313(a)(2) being reviewed in light of petition by INGAA claiming impracticality of the rule. Data on hand indicates the ovality limitations may well be unnecessary for safety.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: William A. Gloe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA70

437. ● DAMAGE PREVENTION PROGRAM FOR GAS PIPELINES (DOCKET NO. PS-59)

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192.614

Abstract: Proposed wording change on requirement for operator response to notice from excavator would facilitate more effective programs.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Melvin A. Judah, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-2082

RIN: 2137-AA71

438. ● MODIFICATIONS TO DOT SPECIFICATION 21PF-1 OVERPACKS

CFR Citation: 49 CFR 178

Abstract: This rulemaking responds to a Department of Energy request that we improve the water resistance of overpacks used in the transportation of uranium hexafluoride. The natural form of mined uranium has low radioactivity; it must be purified to produce a form suitable for certain commercial uses. The purification process produces a small amount of radioactive uranium hexafluoride and a large amount of waste uranium hexafluoride enriched in the fissionable U-235 isotope that is of low radioactivity. This rulemaking addresses the packaging for the more highly radioactive, enriched uranium hexafluoride. It does not address the low level radioactive waste uranium hexafluoride, which is transported in plain cylinders.

In the recent capsize of a French vessel carrying uranium hexafluoride, there was a danger of radioactive contamination because the vessel was carrying a variety of uranium hexafluoride packages; some contained material that had been removed from spent reactor fuel and reprocessed for reuse. In the United States, this material is never reprocessed, furthermore, the enriched form of uranium hexafluoride is always carried (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/16/84	49 FR 32774
NPRM Comment Period Begin	08/16/84	
NPRM Comment Period End	09/12/84	

Small Entity: No

Additional Information: ABSTRACT CONT: in the United States in the overpacks that are addressed in this rulemaking. RSPA has no data showing any releases of radioactivity from these overpacks. DOE has been rejecting some deliveries from its contractors because of water in the overpacks; this rulemaking would increase the resistance of the overpacks to water penetration and retention.

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW., Washington, DC 20590, **202 426-2313**

RIN: 2137-AA72

439. ● MARKING OWNER'S SYMBOLS ON COMPRESSED GAS CYLINDERS

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 173.34(c)(1)

Abstract: Currently the regulations allow more than one owner symbol on a cylinder. This revision would prohibit the display of more than one owner symbol on a compressed gas cylinder. This will promote easy identification of cylinders and reduce theft problems associated with these cylinders.

Timetable:

Action	Date	FR Cite
ANPRM	04/11/84	49 FR 14405
ANPRM Comment Period Begin	04/11/84	
ANPRM Comment Period End	05/23/84	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-172A

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2075**

RIN: 2137-AA74

440. ● TRITIUM AND CARBON-14; LOW SPECIFIC ACTIVITY RADIOACTIVE MATERIALS TRANSPORTED FOR DISPOSAL

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 173.425(d)

Abstract: Currently, the transportation of tritium and carbon-14 is more strictly regulated than their disposal. In order to correct this disparity, MTB proposes to regulate their transportation to a degree more appropriate to the limited risk which they present. The proposal would permit shippers to disregard the radioactive hazard if the specific activity of the material does not exceed 0.05 microcuries per gram. This will permit disposal of these materials at other than radioactive material disposal sites. As this is a relaxation of the current rules there would be a cost savings to shippers. In addition, the scarce disposal sites for radioactive materials could be more efficiently used for the containment of more highly radioactive wastes.

Timetable:

Action	Date	FR Cite
NPRM	08/23/84	49 FR 33469
NPRM Comment Period Begin	08/23/84	
NPRM Comment Period End	09/24/84	
Final Action	12/00/84	

Small Entity: Undetermined

Agency Contact: Richard R. Rawl, Chief, Radioactive Materials Branch, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2313**

RIN: 2137-AA75

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)

441. CONVERSION OF INDIVIDUAL EXEMPTIONS TO REGULATIONS OF GENERAL APPLICABILITY

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171 to 178

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. NPRM approximately every four months; with FR targeted approximately two months thereafter. 01/00/84-12/00/84.

Timetable:

Action	Date	FR Cite
Periodic Update	01/19/84	49 FR 2250
NPRM	08/00/84	
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. HM-139

Agency Contact: D. Raines, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 472-2726**

RIN: 2137-AA43

442. MINOR REGULATORY ADJUSTMENTS TO REGULATIONS OF GENERAL APPLICABILITY

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171 to 178

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. NPRM approximately every four months, with FR targeted approximately two months thereafter. 01/00/84-12/00/84.

Timetable:

Action	Date	FR Cite
NPRM	03/22/84	49 FR 10780
Periodic Update	03/22/84	49 FR 10780
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. HM-166R.

Analysis: Regulatory Evaluation 03/22/84

DOT—RSPA

Current and Projected Rulemakings
Other Rulemakings: Routine and Frequent

Agency Contact: D. Raines, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 472-2726**

RIN: 2137-AA44

443. MATTER INCORPORATED BY REFERENCE (HAZARDOUS MATERIALS)

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. NPRM approximately every six months, with FR targeted two months thereafter. 01/00/84-12/00/84.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Additional Information: Docket No. HM-22A.

Analysis: Regulatory Evaluation 12/00/84

Agency Contact: E. Mazzullo, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2075**

RIN: 2137-AA45

444. IMPLEMENTATION OF THE ICAO TECHNICAL INSTRUCTIONS

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 171 to 175

Abstract: These amendments permit the offering, acceptance and transportation by aircraft, and by motor vehicle incident to transportation by aircraft, of hazardous materials shipments conforming to the provisions of the International Civil Aviation Organization's (ICAO) Technical Instructions for the Safe Transport of Dangerous Goods by Air, in order to facilitate continued shipment of hazardous materials in international commerce by air. They will be updated annually.

Timetable:

Action	Date	FR Cite
NPRM	07/08/84	49 FR 27180
Final Action	12/00/84	

Small Entity: No

Additional Information: Docket HM-184, HM-184A, HM-184B. This rulemaking is updated annually. For reference, see the following: NPRM 08/02/82, 47 FR 33295; Final Action 12/06/82, 47 FR 54817; NPRM 08/04/83, 48 FR 35491 and Final Action 11/29/83, 48 FR 53710.

Analysis: Regulatory Evaluation 07/08/84

Agency Contact: Edward A. Altemos, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-0656**

RIN: 2137-AA48

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)

Existing Regulations Under Review
Other Reviews

445. ● REWRITE AND RECODIFICATION OF SECTION 173.34

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173.34, Rewrite and Recodification

Abstract: The recodification of Sec. 173.34 will provide industry with regulations set up by the functions to be performed. The rewrite should make it possible to understand the regulations more readily, and simplify the process of determining how to apply specific requirements. The potential cost has tentatively been determined to be minimal.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/85	
End Review	07/00/85	

Small Entity: No

Agency Contact: Charles Hochman, Technical Staff, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 755-4906**

RIN: 2137-AA73

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Research and Special Programs Administration (RSPA)

Completed Actions
Other Rulemakings

COMPLETED RULEMAKINGS

446. REVIEW: RECODIFICATION OF RADIOACTIVE MATERIALS REQUIREMENTS

Legal Authority: 49 USC 1803; 49 USC 1806

CFR Citation: 49 CFR 173

Abstract: Proposed consolidation, simplification and recodification of the existing requirements applicable to the transportation of radioactive materials to make them compatible with latest revised international standards as promulgated by the International Atomic Energy Agency.

Timetable:

Action	Date	FR Cite
Final Action	03/10/84	48 FR 10218

Small Entity: No

Additional Information: Docket No. HM-169.

Analysis: Regulatory Evaluation 03/10/84

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2311**

RIN: 2137-AA03

447. RADIATION EXPOSURE FOR TRANSPORTATION WORKERS

Legal Authority: 49 USC 1803; 49 USC 1823

CFR Citation: 49 CFR 173

Abstract: Consideration of methods which will reduce radiation exposure levels to transportation workers (New Sections). Action terminated pending Federal occupational radiation exposure guidance from EPA.

Timetable:

Action	Date	FR Cite
Action Terminated	08/27/84	

Next Action Undetermined

Small Entity: No

Additional Information: Project 263-78

Agency Contact: R. Rawl, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2311**

RIN: 2137-AA06

448. STANDARDS FOR POLYETHYLENE CONTAINERS

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173; 49 CFR 178

Abstract: Proposal to authorize use of 55-gallon capacity plastic drums with certain hazardous materials and revise standards for polyethylene containers used as packagings for hazardous materials.

Timetable:

Action	Date	FR Cite
NPRM	08/26/82	47 FR 37592
Extension of Comment Period to 01/24/83	10/28/82	47 FR 47396
Final Action	06/14/84	49 FR 24684

Small Entity: No

Additional Information: Docket No. HM-185. This rulemaking was previously entitled "Specification for 55-gallon Plastic Drum (Project 278-78)".

Analysis: Regulatory Evaluation 08/26/82

Agency Contact: M. Gigliotti, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 755-4906**

RIN: 2137-AA09

449. REQUIREMENTS FOR REPORTING GAS INCIDENTS

Legal Authority: 49 USC 1671 et seq

CFR Citation: 49 CFR 191

Abstract: The proposed reporting forms provide additional and more appropriate information about gas safety problems and require reports from certain systems not now covered.

Timetable:

Action	Date	FR Cite
Previous NPRM	06/05/78	43 FR 24478
Supplemental NPRM	03/05/79	44 FR 12070
NPRM	03/31/83	48 FR 13450
Final Action	05/03/84	49 FR 18956

Small Entity: No

Additional Information: Docket No. OPS-49

Analysis: Regulatory Evaluation 03/31/83

Agency Contact: R. Langley, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2392**

RIN: 2137-AA15

450. SMALL ARMS AMMUNITION

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 172; 49 CFR 173

Abstract: A proposal to authorize certain types and quantities of small arms ammunition to be classed and transported as ORM-D materials.

Timetable:

Action	Date	FR Cite
NPRM	05/31/83	48 FR 24146
Final Action	05/24/84	49 FR 21934

Small Entity: Undetermined

Additional Information: Docket No. HM-187.

Analysis: Regulatory Evaluation 05/31/83

Agency Contact: L. Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2075**

RIN: 2137-AA55

451. MODIFICATIONS OF SPECIFICATIONS FOR CARGO TANKS FOR LIQUIDS, INCLUDING PROVISIONS FOR VACUUM TRUCKS FOR HAZARDOUS WASTE

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173; 49 CFR 177; 49 CFR 178

Abstract: Proposal to modify cargo tank specifications to provide for vacuum trucks for hazardous waste, establish standards for corrosion in cargo tanks and make certain other changes to the specifications.

Timetable:

Action	Date	FR Cite
Action Terminated	08/27/84	

Small Entity: Undetermined

Additional Information: Project 301-83. Consideration of the effects of corrosion in cargo tanks was originally proposed in this section of the Agenda under the project title "Cargo Tank Corrosion (Project 285-79)."

This action has been consolidated with Docket HM-183, Design, Maintenance and Testing of MC-306 Cargo Tanks (RIN 2137-AA42).

Agency Contact: A. Mallen, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 755-4906**

RIN: 2137-AA56

452. DESIGN OF PIPELINE COMPONENTS (DOCKET NO. PS-78)

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192.143

Abstract: The rule would provide for alternate criteria and would recognize that design of pipeline components in some cases should be based on pressure testing rather than unit stress criteria.

DOT—RSPA

Completed Actions
Other Rulemakings

Timetable:

Action	Date	FR Cite
NPRM	11/04/83	48 FR 50908
NPRM Comment Period Begin	11/04/83	
NPRM Comment Period End	01/03/84	
Final Action	05/10/84	49 FR 19823

Small Entity: No

Agency Contact: Paul J. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2082**

RIN: 2137-AA66

453. QUALIFICATION OF WELDERS

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195.222

Abstract: This proposal would incorporate Section IX of the ASME Boiler and Pressure Vessel Code into Part 195 for welder qualification.

Timetable:

Action	Date	FR Cite
NPRM	05/10/84	49 FR 19875
Final Action	09/20/84	49 FR 36859

Small Entity: No

Additional Information: Docket No. PS-79.

Agency Contact: William Gloe, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-2082**

RIN: 2137-AA67

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Maritime Administration (MarAd)

Current and Projected Rulemakings
Priority Rulemakings: Major

454. VESSEL OBLIGATION GUARANTEES; VESSEL REQUIREMENTS, UNITED STATES CONSTRUCTION

Priority: Major

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 298.11

Abstract: MARAD is considering amending 46 CFR 298.11 to relax the requirement that where practicable only articles, materials, and supplies of U.S. origin be used in vessels receiving obligation guarantees.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: John M. Hotaling,(202) 426-5727 (See Agency Contact heading for address).

Analysis: Preliminary RIA 09/00/84

Agency Contact: Norman Hammer, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-5733**

RIN: 2133-AA29

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Maritime Administration (MarAd)

Current and Projected Rulemakings
Priority Rulemakings: Non-Major

455. CARGO PREFERENCE-U.S. FLAG VESSELS-DETERMINATION OF FAIR AND REASONABLE RATES

Priority: Agency Determination

Legal Authority: 46 USC 1241(b); 46 USC 1114(b)

CFR Citation: 46 CFR 382, (New)

Abstract: Regulation would require provision of rate and cost data to MARAD so it can determine fair and reasonable rates for carriage of preference cargo at the request of concerned Federal agencies. This rulemaking is significant because it concerns a matter on which there is substantial public interest. It is needed to clarify the meaning of a statutory term.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Cargo preference regulation was last revised in 1977 (46 CFR 381).

Analysis: Draft Regulatory Evaluation 12/00/84

Agency Contact: Arthur Sforza, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 382-6036**

RIN: 2133-AA02

456. AWARD AND ADMINISTRATION OF OPERATING-DIFFERENTIAL SUBSIDY (ODS) FOR DRY BULK CARGO VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1171 to 1176

CFR Citation: 46 CFR Chapter II

Abstract: Regulation states conditions for award of ODS for dry bulk cargo vessels engaged in worldwide trade. This rulemaking is significant because it reflects a change in policy on a matter of substantial public interest. It is needed because it would recognize unique economic aspects of dry bulk carriers and is intended to afford sufficient flexibility to allow them to compete in worldwide trade.

Timetable:

Action	Date	FR Cite
NPRM	09/06/79	44 FR 52002

Next Action Undetermined

Small Entity: No

Additional Information: Separate rulemaking action was suspended

pending completion of review of all ODS Regulations for purposes of consolidation and simplification. Review has now been terminated.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA04

457. REVIEW: OPERATING-DIFFERENTIAL SUBSIDY (ODS) RATES FOR LINER VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1171 to 1176; 46 USC 1114(b)

CFR Citation: 46 CFR 280, (New)

Abstract: New regulation would establish subsidy rates for liner vessels under ODS agreements. This rulemaking is significant because it involves a program with substantial public interest. It is needed to formalize, in a regulation, policy of the Maritime Subsidy Board concerning subsidy rates now published in manual form.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Rulemaking action suspended pending completion of review of all ODS Regulations for purposes of consolidation and simplification.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA07

458. OBLIGATION GUARANTEES

Priority: Agency Determination

Legal Authority: 46 USC 1271 to 1279; 46 USC 1114(b)

CFR Citation: 46 CFR 298

Abstract: The amendments proposed in this rulemaking are intended to streamline procedures for processing applications for obligation guarantees under Title XI of the Merchant Marine Act, 1936, as amended, and to make those procedures more efficient and responsive; clarify the criteria that will be applied in evaluating Title XI applications; provide more detailed financial requirements; and establish specific criteria and procedures for reviewing and evaluating requests by Title XI obligors for advances to pay for debt service, insurance payments and other vessel-related expenses. The proposed rule is significant because it may involve important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	08/18/83	48 FR 37453
NPRM Comment Period Begin	08/18/83	48 FR 46825
NPRM Comment Period End	11/17/83	
Final Action	08/00/84	

Small Entity: No

Analysis: Draft Regulatory Evaluation 08/18/83; Final Regulatory Evaluation 08/00/84

Agency Contact: James L. Westcott, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0395

RIN: 2133-AA30

459. ESTABLISHMENT OF MANDATORY POSITION REPORTING SYSTEM FOR VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1122a; 46 USC 1283

CFR Citation: 46 CFR 307, (New)

Abstract: The Maritime Administrator and the Commandant of the Coast Guard have agreed to merge MARAD's U.S. Merchant Vessel Locator Filing System (USMER) with Coast Guard's Automated Mutual-Assistance Vessel Rescue System (AMVER). Under the new reporting system, USMER reports will be suspended and AMVER reports will be mandatory for all vessels that were previously subject to USMER reporting requirements. This rulemaking is significant because it may involve important Departmental policy.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: No

Agency Contact: Walter Lockland, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5743

RIN: 2133-AA31

460. DETERMINATIONS OF NON-AVAILABILITY OF U.S.-FLAG VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1122(d); 46 USC 1241(b); PL 97-31

CFR Citation: 46 CFR 381.8

Abstract: This regulation is intended to provide Government agencies and departments guidance in complying with the provisions of the Cargo Preference Act of 1954, 68 Stat. 832 (46 USC 1241(b)), commonly known as Pub. L. 664. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
Final Action	08/00/84	

Small Entity: No

Agency Contact: S. Thomas Romeo, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-1765

RIN: 2133-AA36

461. CARGO PREFERENCE; U.S.-FLAG VESSELS

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1241(b)(2); PL 97-31

CFR Citation: 46 CFR 381

Abstract: The rule will set forth procedures governing the evaluation by U.S. departments or agencies of bids from subsidized U.S.-flag bulk vessel operators for the carriage of dry bulk preference cargoes. It is significant because it is expected to be of substantial interest to the various U.S. shipper departments and agencies and to the maritime industry for which the shipment of preference cargoes represents a major source of business.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/24/84	49 FR 2897
Final Action	09/00/84	

Small Entity: No

Additional Information: While the rule was effective upon publication, comments were invited on issues raised by the rulemaking and were received. A final rule will be issued in 09/00/84.

Agency Contact: Arthur B. Sforza, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6036

RIN: 2133-AA37

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Maritime Administration (MarAd)

Current and Projected Rulemakings
Other Rulemakings

462. FEDERAL INCOME TAX ASPECTS OF THE CAPITAL CONSTRUCTION FUND

Legal Authority: 46 USC 1177; 46 USC 1114(b)

CFR Citation: 46 CFR 391

Abstract: Joint rulemaking with Treasury Department would finalize technical regulations governing the utilization of Capital Construction Fund (CCF) - comprised of deposits of the deferred income from shipping operations, related income, and CCF investment income. To be withdrawn pending further study.

Timetable:

Action	Date	FR Cite
NPRM	06/15/72	37 FR 11887
To be withdrawn	01/00/85	

Small Entity: No

Additional Information: NPRM published jointly with Treasury Department on June 15, 1972 (37 FR 11887).

Agency Contact: James L. Westcott, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0395

RIN: 2133-AA05

463. REQUIREMENTS AND PROCEDURES FOR THE ADMINISTRATION OF CONDITION SURVEYS AND MAINTENANCE AND REPAIR SUBSIDY

Legal Authority: 46 USC 1114(b); 46 USC 1171(a)

CFR Citation: 46 CFR 272

Abstract: Regulation clarifies and liberalizes MARAD policy and procedure for administering that part of the Operating-Differential Subsidy (ODS) program relating to requirement for conducting condition surveys of vessels under ODS agreements which provide maintenance and repair (M&R) subsidy.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Separate rulemaking action suspended pending completion of review of all ODS regulations for purposes of consolidation and simplification.

Agency Contact: John J. Davis, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5743

RIN: 2133-AA08

464. REQUIREMENTS FOR ESTABLISHING UNITED STATES CITIZENSHIP

Legal Authority: 46 USC 802; 46 USC 803; 46 USC 808; 46 USC 835; 46 USC 836; 46 USC 839; 46 USC 841; 46 USC 1151; 46 USC 1171; 46 USC 1276

CFR Citation: 46 CFR 355

Abstract: Proof of U.S. citizenship is required under MARAD financial assistance and vessel transfer programs. These amendments would amend citizenship regulations to simplify proof of corporate citizenship and to ensure corporate control by U.S. citizens under existing corporate organizational structures.

Timetable:

Action	Date	FR Cite
NPRM	10/12/79	44 FR 58928

Next Action Undetermined

Small Entity: No

Agency Contact: Doris Lansberry, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5711

RIN: 2133-AA15

465. STATISTICAL DATA FOR USE IN OPERATING-DIFFERENTIAL SUBSIDY (ODS) APPLICATION HEARINGS

Legal Authority: 46 USC 1175

CFR Citation: 46 CFR 207

Abstract: The amendment proposes procedures that would assist in preparation of standard forecasts of liner cargo (if a NPRM covering ODS application hearing procedures is issued) in which forecast procedures would be included.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA16

466. SUSPENSION OF ODS AGREEMENTS FOR ALL OR PORTION OF THE VESSELS INCLUDED THEREIN

Legal Authority: 46 USC 1184; 46 USC 1114(b); PL 97-35

CFR Citation: 46 CFR 295, (New)

Abstract: These regulations are necessary to implement Sec. 1603 of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35), which adds a new Sec. 614 to the Merchant Marine Act, 1936.

Timetable:

Action	Date	FR Cite
NPRM	08/18/83	48 FR 37449
Final Action	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Raymond Barberesi (see Agency Contact heading for address) (202) 382-0382.

Analysis: Draft Regulatory Evaluation 08/18/83; Final Regulatory Evaluation 10/00/84

Agency Contact: Gregory Sparkman, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0402

RIN: 2133-AA17

467. TREATMENT OF SUBSIDY DURING VOYAGE DEVIATIONS

Legal Authority: 46 USC 1173(a); 46 USC 1114(b)

CFR Citation: 46 CFR 281.6

Abstract: This regulation clarifies existing MARAD policy of generally not paying ODS to an operator for any period of operation attributable solely to a deviation from the contractually authorized subsidized service.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Rulemaking action suspended pending completion of review of all ODS regulations for purposes of consolidation and simplification.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA18

468. PARTICIPATION BY VESSELS BUILT WITH CDS IN THE CARRIAGE OF OIL FROM ALASKA IN THE DOMESTIC TRADE

Legal Authority: 46 USC 1156; 46 USC 1114(b)

CFR Citation: 46 CFR 250

Abstract: Amendments would codify in regulation form policies that were decisions issued as administrative orders.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Further action to be determined pending disposition of CDS repayment rulemaking.

Agency Contact: Frederick R. Larson, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-0374

RIN: 2133-AA19

469. RULES OF PRACTICE AND PROCEDURES; FOR HEARING IN OPERATING-DIFFERENTIAL SUBSIDY (ODS) APPLICATION; APPLICATIONS FOR SUBSIDIES AND OTHER DIRECT FINANCIAL AID

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 201; 46 CFR 208; 46 CFR 251

Abstract: Amendments to existing agency rules of practice and procedure and regulations governing applications for financial assistance, as well as new Part 208 that would establish a standard discovery order and standard techniques for forecasting the adequacy of U.S. flag liner service in hearings required under the Merchant Marine Act, 1936.

Timetable:

Action	Date	FR Cite
NPRM	06/25/79	44 FR 37003
Final Action	11/00/84	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/84

Agency Contact: Robert J. Patton, Jr., Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5711

RIN: 2133-AA20

470. FEDERAL TORT CLAIMS

Legal Authority: 28 USC 2672

CFR Citation: 46 CFR 204, (New)

Abstract: This rule establishes a system for processing Federal tort claims involving the Maritime Administration and provides information to the public on filing such claims.

Timetable:

Action	Date	FR Cite
NPRM	08/30/84	49 FR 34368
NPRM Comment Period Begin	08/30/84	
NPRM Comment Period End	10/29/84	
Final Action	12/00/84	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 28 CFR 14.11; 49 CFR 1.45(a)(2) and (3).

Agency Contact: Michael J. McMorrow, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington,DC 20590, 202 426-5715

RIN: 2133-AA32

471. VESSEL OBLIGATION GUARANTEES; WAIVERS FOR FOREIGN-BUILT MAIN DIESEL ENGINES

Legal Authority: 46 USC 1271 to 1279; 46 USC 1114(b)

CFR Citation: 46 CFR 298.11

Abstract: The proposed amendment would adopt a policy to allow all applications for waiver of the "Buy American" requirement with respect to foreign-built high and medium speed diesel engines that are not built in the United States and which afford a specified energy savings. This rulemaking is being withdrawn because the subject matter is within the scope of a separate, more comprehensive, rulemaking action titled Vessel Obligation Guarantees; Vessel Requirements, United States Construction (RIN = 2133-AA33).

Timetable:

Action	Date	FR Cite
ANPRM	04/21/83	48 FR 17120
ANPRM Comment Period Begin	04/21/83	48 FR 17120
ANPRM Comment Period End	06/20/83	
To be withdrawn	09/00/84	

Small Entity: No

Agency Contact: Paul E. Speicher, Jr., Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5727

RIN: 2133-AA33

472. MAKING EXCESS OR SURPLUS FEDERAL PROPERTY AVAILABLE TO THE UNITED STATES MERCHANT MARINE ACADEMY (USMMA), STATE MARITIME ACADEMIES AND APPROVED NONPROFIT MARITIME TRAINING INSTITUTIONS

Legal Authority: 46 USC 1295g

CFR Citation: 46 CFR 310

Abstract: MARAD proposes to implement a provision in the Maritime Education and Training Act of 1980 to make excess or surplus vessels, shipboard equipment and other marine equipment available to the USMMA, State Maritime Academies and other nonprofit training institutions approved jointly by MARAD and the Coast Guard.

Timetable:

Action	Date	FR Cite
NPRM	12/01/83	48 FR 54254
NPRM Comment Period Begin	12/01/83	48 FR 54254
NPRM Comment Period End	01/16/84	
Final Action	09/00/84	

Small Entity: No

Additional Information: Reference to this rulemaking has been moved from inclusion in the entry "Merchant Marine Training", in the "Priority Rulemakings: Non-Major" section of MARAD's portion of the Agenda.

Analysis: Draft Regulatory Evaluation 12/01/83 (48 FR 54254); Final Regulatory Evaluation 09/00/84

Agency Contact: Arthur Friedberg, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington,DC 20590, 202 426-5755

RIN: 2133-AA34

473. PRIORITY USE AND ALLOCATION OF SHIPPING SERVICES, CONTAINERS AND PORT FACILITIES AND SERVICES FOR NATIONAL DEFENSE OPERATIONS

Legal Authority: 50 USC App. 2061 et seq; EO 11490

CFR Citation: 46 CFR 340, (New)

Abstract: This regulation will establish procedures for requesting priority use and allocation of certain civil transportation resources under authority of Title I of the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.). It will apply under circumstances in which there is either the imminent or actual deployment of the Armed Forces of the United States.

Timetable:

Action	Date	FR Cite
NPRM	08/30/82	47 FR 38157
NPRM Comment Period Begin	08/30/82	47 FR 38157
NPRM Comment Period End	10/29/82	
Final Action	09/00/84	

Small Entity: No

Additional Information: Reference to this rulemaking has been moved from inclusion in the entry, "National Shipping Authority," in the "Other Rulemakings" section of MARAD's portion of the Agenda.

Agency Contact: Frank B. Case, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 382-6100

RIN: 2133-AA39

474. BLANKET APPROVAL FOR BAREBOAT CHARTERS OF PLEASURE BOATS TO NON-CITIZENS

Legal Authority: 46 USC 808; 46 USC 839; 46 USC 841a

CFR Citation: 46 CFR 221

Abstract: These amendments would expand the scope of a general provision for the blanket approval of certain vessel charters to non-citizens.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	

Small Entity: Yes

Additional Information: Reference to this rulemaking has been moved from inclusion in the entry, "Documentation, Transfer or Charter of Vessels", in the "Other Rulemakings" section of MARAD's portion of the Agenda.

Analysis: Draft RFA 08/00/84; Regulatory Evaluation 08/00/84

Agency Contact: Jessie Fernanders, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5821

RIN: 2133-AA40

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Maritime Administration (MarAd)

Completed Actions
Priority Rulemakings: Non-Major

COMPLETED RULEMAKINGS

475. MERCHANT MARINE TRAINING

Priority: Agency Determination

Legal Authority: 46 USC 1114(b); 46 USC 1295

CFR Citation: 46 CFR 310

Abstract: The Maritime Administration is amending its Merchant Marine Training regulations to effect a further ten percent reduction in the entering class at the United States Merchant Marine Academy.

Timetable:

Action	Date	FR Cite
Final Action	05/01/84	49 FR 18489
Final Action Effective	05/01/84	49 FR 18489

Small Entity: No

Agency Contact: Edwin Hackett, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 426-5759

RIN: 2133-AA03

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

DEPARTMENT OF TRANSPORTATION (DOT)
Maritime Administration (MarAd)

COMPLETED RULEMAKINGS

476. NATIONAL SHIPPING AUTHORITY

Legal Authority: 50 USC App. 2061 et seq; EO 10480; EO 11490

CFR Citation: 46 CFR 316; 46 CFR 320; 46 CFR 321; 46 CFR 326; 46 CFR 329; 46 CFR 332; 46 CFR 335 to 339

Abstract: This rulemaking was intended to amend the ten regulations related to shipping operations that govern the activities of the NSA, within MARAD during times of war and national emergency. These regulations are exempt from the notice provisions of 5 USC 553 because they involve a military function. It has been determined that amendments would require an inordinate effort relative to the benefits to be derived at this time. This action has therefore been terminated.

Timetable:

Action	Date	FR Cite
Project terminated	06/00/84	

Small Entity: No

Agency Contact: Robert Bryan, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-5752**

RIN: 2133-AA11

477. REVIEW: CAPITAL CONSTRUCTION FUND

Legal Authority: 46 USC 1177; 46 USC 1114(b)

CFR Citation: 46 CFR 390

Abstract: Amendments to regulations would clarify existing provisions and remove restrictions on fundholders. Amendments would also establish a nonrefundable application fee and an annual "activity fee", assessed on each fundholder on a sliding scale. Based on reevaluation, a determination has been made that neither clarification nor new fees are essential at this time. This project has therefore been terminated.

Timetable:

Action	Date	FR Cite
Project terminated	06/00/84	

Small Entity: No

Agency Contact: James L. Westcott, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 382-0395**

RIN: 2133-AA12

478. IMPLEMENTATION PROCEDURES FOR THE NATIONAL DEFENSE PROGRAM

Legal Authority: 46 USC 1151 to 1156; 46 USC 1114(b)

CFR Citation: 46 CFR 251

Abstract: Amendment to CDS regulations would implement Pub. Law 96-387. It would authorize, when funds become available, paying ship operators for the cost of purchasing and installing communication equipment on existing U.S. flag vessels that are suitable for government use in time of war or national emergency.

Timetable:

Action	Date	FR Cite
NPRM	09/10/81	46 FR 45164
Withdrawn	06/29/84	49 FR 26766

Small Entity: No

Agency Contact: James C. McCoy, Jr., Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 426-5727**

RIN: 2133-AA13

479. DIVIDEND POLICY FOR OPERATORS RECEIVING OPERATING- DIFFERENTIAL SUBSIDY

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 283

Abstract: Amendments clarify the requirement for adjusting "floor net worth" calculation to determine whether an operator may pay a dividend.This action was contemplated because of industry request. No further industry interest has been shown. Therefore this action is being terminated.

Timetable:

Action	Date	FR Cite
Action Terminated	08/27/84	

Small Entity: No

Agency Contact: David Lippold, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 382-0403**

RIN: 2133-AA26

[FR Doc. 84-25624 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XV

Department of the Treasury

Semiannual Regulatory Agenda

TREAS

DEPARTMENT OF THE TREASURY (TREAS)
Office of the Secretary (OS)

DEPARTMENT OF THE TREASURY

Office of the Secretary

31 CFR Subtitle A, Chs. I and II

Semiannual Agenda

AGENCY: Office of the Secretary, Treasury.

ACTION: Semiannual agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require the publication of a semiannual agenda of regulations. The semiannual agenda of the Department of the Treasury conforms to the Unified Agenda Format developed by the Regulatory Information Service Center.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific Office of the Secretary regulation contained in this agenda, contact the "agency contact" listed in the specific regulatory action. For general information concerning the agenda of the Department of the Treasury, contact Richard S. Carro, Special Assistant for Regulatory Affairs, Office of the General Counsel, Room 1422, 1500 Pennsylvania Avenue, N.W., Washington, D.C. 20220, (202) 566-8464.

SUPPLEMENTARY INFORMATION: The semiannual agenda of the Office of the Secretary includes the Office of the General Counsel and the Office of Revenue Sharing.

By direction of the Secretary.
DATED: August 27, 1984.

Christopher Hicks,

Executive Secretary.

BILLING CODE 4810-25-T

Office of the Secretary—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	*31 CFR 1.1 Disclosure of Records	1505-AA01
2	31 CFR 103 Amendments to Implementing Regulations--Currency and Foreign Transactions Reporting Act	1505-AA05
3	31 CFR 10 Continued Professional Education for Individuals Enrolled to Practice Before the Internal Revenue Service	1505-AA07
4	31 CFR 103 Casinos Regulations	1505-AA10

*Indicates priority regulation.

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
5	31 CFR 129 Portfolio Investment Survey Regulations	1505-AA06
6	*48 CFR 1033 Disputes and Appeals	1505-AA08
7	31 CFR 128 Reporting of International Capital and Foreign Currency Transactions and Holdings, Transfers of Credit, and Export of Coin and Currency	1505-AA09

*Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS)
Office of the Secretary (OS)

Current and Projected Rulemakings

1. DISCLOSURE OF RECORDS

Priority: Agency Determination

Legal Authority: 5 USC 552; 5 USC 552a; 31 USC 321

CFR Citation: 31 CFR 1.1

Abstract: This regulation amends the Department of Treasury's regulations implementing the Freedom of Information and Privacy Acts. The proposed amendments are intended to facilitate and simplify public requests for information, and to assure accurate and consistent application of policies and procedures throughout the Department. The regulation revises fees charged by the Department for duplication, search and other services to reflect increased costs to the Department.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Phyllis De Piazza, Departmental Disclosure Officer, Department of the Treasury, Office of the Secretary, **202 566-2789**

RIN: 1505-AA01

2. AMENDMENTS TO IMPLEMENTING REGULATIONS--CURRENCY AND FOREIGN TRANSACTIONS REPORTING ACT

Legal Authority: 31 USC 5314 Currency and Foreign Transactions Reporting Act

CFR Citation: 31 CFR 103

Abstract: This regulation would establish a mechanism through which the Secretary of the Treasury, exercising the authority conferred on him by the Currency and Foreign Transactions Reporting Act, could issue substantive regulations requiring financial institutions in the United States to submit reports of financial transactions with foreign financial agencies.

Timetable:

Action	Date	FR Cite
NPRM	04/05/84	49 FR 13548
NPRM Comment Period Begin	04/05/84	49 FR 13548
NPRM Comment Period End	06/04/84	
Final Action	09/00/84	
Final Action Effective	09/00/84	

Small Entity: Undetermined

Agency Contact: Robert Stankey, **Financial Crimes & Frauds**, Advisor to the Ass't Secy (Enforcement), Department of the Treasury, Office of the Secretary, Room 1458, 1500 Pennsylvania Avenue, NW, Washington, DC 20220, **202 566-8022**

RIN: 1505-AA05

3. ● CONTINUED PROFESSIONAL EDUCATION FOR INDIVIDUALS ENROLLED TO PRACTICE BEFORE THE INTERNAL REVENUE SERVICE

Legal Authority: 31 USC 330

CFR Citation: 31 CFR 10

Abstract: This notice reflects advance notice of an intention to modify the regulations governing practice before the Internal Revenue Service. The modification would require continuing professional education as a condition for the maintenance of good standing for enrollment to practice before the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
ANPRM	07/03/84	49 FR 27326
ANPRM Comment Period Begin	07/03/84	49 FR 27326
ANPRM Comment Period End	09/04/84	

Small Entity: No

Agency Contact: Mr. Leslie S. Shapiro, Director of Practice, Department of the Treasury, Office of the Secretary, Internal Revenue Service, Washington, DC 20224, **202 535-6787**

RIN: 1505-AA07

4. ● CASINOS REGULATIONS

Legal Authority: 31 USC 5311 to 5322 Bank Secrecy Act; 12 USC 1829b Bank Secrecy Act; 12 USC 1951 to 1959 Bank Secrecy Act

CFR Citation: 31 CFR 103

Abstract: The proposed rule would subject gambling casinos, not otherwise exempted under the proposed rule, to the reporting and recordkeeping requirements of Titles I and II of Public Law 91-508, commonly referred to as the "Bank Secrecy Act."

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	12/00/84	

Small Entity: No

Agency Contact: Robert J. Stankey, Federal Crimes & Fraud Advisor, Department of the Treasury, Office of the Secretary, 1500 Pennsylvania Ave., NW, Room 1458, Washington, DC 20220, **202 566-8022**

RIN: 1505-AA10

DEPARTMENT OF THE TREASURY (TREAS)

Office of the Secretary (OS)

Completed Actions

COMPLETED RULEMAKINGS

5. PORTFOLIO INVESTMENT SURVEY REGULATIONS

Legal Authority: 22 USC 3101 et seq International Investment Survey Act of 1976; EO 11961

CFR Citation: 31 CFR 129

Abstract: This regulation together with forms and instructions implements the President's responsibilities delegated to the Secretary of the Treasury under the International Investment Survey Act of 1976 (PL 94-472; 90 stat 2059; 22 USC 3101, et seq) as amended and Executive Order 11961 (42 FR 4321) as amended. The Act requires a comprehensive benchmark survey of foreign portfolio investment in the United States. The overall purpose of the survey is to provide comprehensive and reliable information concerning international investment, while minimizing the reporting burden on respondents.

Timetable:

Action	Date	FR Cite
Final Action	04/09/84	49 FR 14054
Final Action Effective	04/09/84	49 FR 14054

Small Entity: No

Agency Contact: Bertram Wolfe, Project Manager, Department of the Treasury, Office of the Secretary, (MT Room 5469a), 15th and Pennsylvania Avenue, NW, Washington, DC 20220, **202 566-8263**

RIN: 1505-AA06

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

6. ● DISPUTES AND APPEALS

Priority: Agency Determination

Legal Authority: PL 93-400; PL 96-83; 48 CFR 1.301; 48 CFR 1.303

CFR Citation: 48 CFR 1033

Abstract: This document changes, without substantive modification, the citations of the text previously codified at 41 CFR 10-60.100 through 10-60.204 to 48 CFR 1033.070 through 1033.075.

Timetable:

Action	Date	FR Cite
Final Action	03/30/84	49 FR 12703

Small Entity: No

Agency Contact: Thomas P. O'Malley, Director, Office of Procurement, Department of the Treasury, Office of the Secretary, 1500 Pennsylvania Ave., NW, Washington, DC 20220, 202 566-2856

RIN: 1505-AA08

7. ● REPORTING OF INTERNATIONAL CAPITAL AND FOREIGN CURRENCY TRANSACTIONS AND HOLDINGS, TRANSFERS OF CREDIT, AND EXPORT OF COIN AND CURRENCY

Legal Authority: 31 USC 5315

CFR Citation: 31 CFR 128

Abstract: This document removes sections 128.32 and 128.34, which relate to certain reporting requirements of banks and banking institutions, from title 31, Code of Federal Regulations. These sections require that banks and banking institutions provide certain information to a Federal Reserve Bank on a monthly basis. This information now is being reported directly to the bank supervisory agencies, including the Treasury Department's Office of the Comptroller of the Currency.

Timetable:

Action	Date	FR Cite
Final Action	08/23/84	49 FR 33446
Final Action Effective	08/23/84	49 FR 33446

Small Entity: No

Agency Contact: Thomas H.E. Moran, Department of the Treasury, Office of the Secretary, Room 5127, 1500 Pennsylvania Avenue, NW, Washington, DC 20220, 202 566-2969

RIN: 1505-AA09

[FR Doc. 84-24442 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
Office of Revenue Sharing (ORS)

BILLING CODE 4810-28-T

Office of Revenue Sharing—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
8	31 CFR 51 Regulations to Implement Legislation Renewing the General Revenue Sharing Program	1507-AA00
9	31 CFR 51 Age Discrimination Regulations	1507-AA02

Office of Revenue Sharing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
10	31 CFR 51 Reservation of Entitlement Funds, Adjustment of Allocations	1507-AA03

DEPARTMENT OF THE TREASURY (TREAS)
Office of Revenue Sharing (ORS)

8. REGULATIONS TO IMPLEMENT LEGISLATION RENEWING THE GENERAL REVENUE SHARING PROGRAM

Legal Authority: 31 USC 6701 to 6724; PL 98-185

CFR Citation: 31 CFR 51

Abstract: The General Revenue Sharing Program was renewed in 1983. The Office of Revenue Sharing is developing regulations to implement that legislation. Included within this regulatory project will be revision of policy concerning reservation of entitlement funds, adjustment of allocations described below.

Timetable:

Action	Date	FR Cite
NPRM	07/06/84	49 FR 2777
NPRM Comment Period Begin	07/06/84	
NPRM Comment Period End	08/20/84	
Final Action	09/30/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jacqueline L. Jackson, Attorney-Advisor (see Agency Contact heading for address and phone)

Government Levels Affected: Local

Agency Contact: Richard S. Isen, Chief Counsel, Department of the Treasury, Office of Revenue Sharing, Office of Chief Counsel, Washington, DC 20226, 202 634-5182

RIN: 1507-AA00

9. AGE DISCRIMINATION REGULATIONS

Legal Authority: 31 USC 6701 to 6724 The Revenue Sharing Act; 42 USC 6701 et seq Age Discrimination Act of 1975

CFR Citation: 31 CFR 51

Abstract: The Office of Revenue Sharing is required, pursuant to the Age Discrimination Act of 1975, to issue regulations implementing that Act. A proposed rule containing these regulations was issued on December 31, 1979 (44 FR 77456), as part of the overall revision of the revenue sharing regulations. Final regulations were drafted and submitted in 1979 for approval to HHS. The regulations will be issued shortly after HHS provides final approval.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jacqueline L. Jackson, Attorney-Advisor (see Agency Contact heading for address and phone)

Government Levels Affected: Local

Agency Contact: Richard S. Isen, Chief Counsel, Department of the Treasury, Office of Revenue Sharing, Office of Chief Counsel, Washington, DC 20226, 202 634-5182

RIN: 1507-AA02

DEPARTMENT OF THE TREASURY (TREAS)
Office of Revenue Sharing (ORS)

Completed Actions

COMPLETED RULEMAKINGS

10. RESERVATION OF ENTITLEMENT FUNDS, ADJUSTMENT OF ALLOCATIONS

Legal Authority: 31 USC 6701 to 6724 The Revenue Sharing Act

CFR Citation: 31 CFR 51

Abstract: This provision is being merged with the issuance of the proposed rule to implement legislation renewing the Revenue Sharing program. It will no longer be considered a separate project.

Timetable:

Action	Date	FR Cite
Merged with RIN 1507-AA00	08/27/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jacqueline L. Jackson, Attorney-Advisor (see Agency Contact heading for address and phone)

Agency Contact: Richard S. Isen, Chief Counsel for Revenue Sharing, Department of the Treasury, Office of Revenue Sharing, 2401 E Street NW, 15th Floor, Washington, DC 20226, 202 634-5182

RIN: 1507-AA03

[FR Doc. 84-6394 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Government Financial Operations (BGFO)

Bureau of Government Financial Operations, Fiscal Service

31 CFR Ch. II

Semiannual Agenda

AGENCY: Bureau of Government Financial Operations, Treasury.

ACTION: Semiannual Agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require the publication of a semiannual agenda of regulations under development or review.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific regulation contained in this agenda, contact the "agency contact" listed in the specific regulatory action.

SUPPLEMENTARY INFORMATION: The proposed regulations are not considered to be major regulations within the meaning of E.O. 12291 and will not have a significant impact on small entities within the meaning of the Regulatory Flexibility Act.

DATED: August 16, 1984.

W. E. Douglas,

Commissioner.

BILLING CODE 4810-35-T

TREAS—BGFO

Bureau of Government Financial Operations—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
11	31 CFR 205 Revision of Treasury Department Circular (TDC) No. 1075, Regulations Governing Withdrawal of Cash from the Treasury for Advances Under Federal Grant and Other Programs	1510-AA00
12	31 CFR 210 Federal Recurring Payments Through Financial Organizations By Means Other Than Checks	1510-AA01
13	31 CFR 223.1 Regulations Governing Surety Companies Doing Business With the United States	1510-AA05
14	*00 CFR Not yet determined Regulations Governing the Operation of the Cash Management Improvements Fund	1510-AA06
15	*00 CFR Not yet determined Regulations Applicable to the Billing, Collection and Deposit of Federal Agency Receipts	1510-AA07

*Indicates priority regulation.

Bureau of Government Financial Operations—Completed Actions

Sequence Number	Title	Regulation Identifier Number
16	00 CFR Not yet determined Regulations Governing the Utilization of the U.S. Treasury Financial Communications System	1510-AA03

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Government Financial Operations (BGFO)

Current and Projected Rulemakings

11. REVISION OF TREASURY DEPARTMENT CIRCULAR (TDC) NO. 1075, REGULATIONS GOVERNING WITHDRAWAL OF CASH FROM THE TREASURY FOR ADVANCES UNDER FEDERAL GRANT AND OTHER PROGRAMS

Legal Authority: 5 USC 301; 31 USC 6503; 42 USC 4213

CFR Citation: 31 CFR 205

Abstract: Revision of TDC No. 1075 will formally establish the Letter of Credit-Treasury Financial Communications System (LOC-TFCS). The two established letter of credit systems, the Letter of Credit-Federal Reserve Bank System and the Letter of Credit-Treasury Regional Disbursing Office System, do not provide the combination of Federal agency preaudit of payment requests and guaranteed payment time. The LOC-TFCS provides both of these features, thus enabling improved Federal control of advances made through letter of credit. In addition, other financing issues, such as developing more definitive guidelines for the immediate cash requirements of recipient organizations receiving advances of Federal funds, will be addressed at this time.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Decision pending	00/00/00	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Katherine Payne, Program Manager, Department of the Treasury, Bureau of Government Financial Operations, Cash Management Operations Staff, 820 Premier Bldg, 1725 I Street NW, Washington, DC 20226, **202 634-5757**

RIN: 1510-AA00

12. FEDERAL RECURRING PAYMENTS THROUGH FINANCIAL ORGANIZATIONS BY MEANS OTHER THAN CHECKS

Legal Authority: 5 USC 301; 12 USC 391

CFR Citation: 31 CFR 210

Abstract: Analysis showed the need to simplify and clarify the reclamation sections of the regulation, and to provide notice to account owners when the Government seeks recovery of post-death direct deposit/EFT payments from financial institutions. A notice of proposed rulemaking published August 7, 1984 explains the reasons for these changes. See 49 FR 31450.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31450
NPRM Comment Period Begin	08/07/84	49 FR 31450
NPRM Comment Period End	10/09/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Dan Gordon, Project Analyst, Department of the Treasury, Bureau of Government Financial Operations, ACH Program Branch, Room 224, Treasury Anx. 1, Washington, DC 20226, **202 535-6320**

RIN: 1510-AA01

13. REGULATIONS GOVERNING SURETY COMPANIES DOING BUSINESS WITH THE UNITED STATES

Legal Authority: 31 USC 9305

CFR Citation: 31 CFR 223.1; 31 CFR 223.2; 31 CFR 223.3; 31 CFR 223.8; 31 CFR 223.10; 31 CFR 223.11; 31 CFR 223.12; 31 CFR 223.14; 31 CFR 223.16; 31 CFR 223.17; 31 CFR 223.21; 31 CFR 223.22

Abstract: The amended regulations will revise United States Code references;

revise titles of designated officials; reduce quarterly reporting requirements of insurance companies from an estimated 4,000 hours annually to approximately 2,000 hours; eliminate the admitted reinsurer requirement thereby eliminating the reporting requirements and fees of 150 companies and saving approximately 900 staff review hours. Other benefits will include the reduction in application and renewal fees currently $1,050 and $700 respectively (by 30 to 50 percent); reduction in staff hours required for annual reviews (cut from 3700 hours to 1850 hours); reduction in staff hours required for application reviews (cut from 1800 to 900) and quarterly reviews (cut from 200 to 100 hours). Purpose of the revisions is to substantially reduce the human and material resources needs of this operation.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31454
NPRM Comment Period Begin	08/07/84	
NPRM Comment Period End	10/09/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Terry L. Boyer, Senior Advisor, Department of the Treasury, Bureau of Government Financial Operations, Operations Staff-Surety, 826 Premier Bldg., 1725 I Street, NW, Washington, DC 20226, **202 634-5763**

RIN: 1510-AA05

14. ● REGULATIONS GOVERNING THE OPERATION OF THE CASH MANAGEMENT IMPROVEMENTS FUND

Priority: Agency Determination

Legal Authority: 31 USC 3720

CFR Citation: Not yet determined

Abstract: Regulation establishes operations of the Cash Management Improvements Fund as established by Deficit Reduction Act of 1984 Division B, Title 6, Subtitle C, Section 2652. Provide Treasury with the authority and mechanism to enforce timing and mechanisms for collection and deposit of federal agency receipts.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Not Applicable

Agency Contact: Susan Veintemillas, Program Analyst, Department of the Treasury, Bureau of Government Financial Operations, Cash Management Division, Rm 711 Premier Building 1725 "I" St. NW, Washington, DC 20226, **202 634-2016**

RIN: 1510-AA06

15. ● REGULATIONS APPLICABLE TO THE BILLING, COLLECTION AND DEPOSIT OF FEDERAL AGENCY RECEIPTS

Priority: Agency Determination

Legal Authority: 5 USC 301; 31 USC 3301 to 3302; 31 USC 3720

CFR Citation: Not yet determined

Abstract: Authority to prescribe the timing and mechanisms for collection and deposit of Federal Agency Receipts will result in a development of an integrated government collection system, thereby reducing interest losses on collection float, providing accurate and timely cash position and account balance data, and provide for efficient handling of transactions. Regulations are required by Deficit Reduction Act of 1984, Division B, Title 6, Subtitle C, Section 2652.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Not Applicable

Agency Contact: Susan Veintemillas, Program Analyst, Department of the Treasury, Bureau of Government Financial Operations, Cash Management Division, Rm 711 Premier Building 1725 "I" St. NW, Washington, DC 20226, **202 634-2016**

RIN: 1510-AA07

DEPARTMENT OF THE TREASURY (TREAS)

Bureau of Government Financial Operations (BGFO)

Completed Actions

COMPLETED RULEMAKINGS

16. REGULATIONS GOVERNING THE UTILIZATION OF THE U.S. TREASURY FINANCIAL COMMUNICATIONS SYSTEM

Priority: Undetermined

Legal Authority: 5 USC 301; 31 USC 3301; 31 USC 3302; 31 USC 3720

CFR Citation: Not yet determined

Abstract: To further enhance the deposit and collection operations of the Government, increased use of the most efficient delivery system, the Treasury Financial Communications System (TFCS), must be accomplished. Some of the increase can be gained via voluntary actions by Federal agencies; however, mandatory use of TFCS for very large dollar deposits is considered a must to increase the efficiency of a significant number of large dollar deposits. This regulation is currently in the research stage.

Timetable:

Action	Date	FR Cite
Replaced by RINs 1510-AA06 and AA07	09/19/84	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: CFR CONT: This regulation is not published in the CFR. However, should the anticipated modifications be adopted, it may be elevated to CFR status. This regulation may be found in Treasury Department Circular No. 1083.

Affected Sectors: All

Government Levels Affected: Local, State, Federal

TREAS—BGFO **Completed Actions**

Agency Contact: Susan Veintemillas, Program Analyst, Department of the Treasury, Bureau of Government Financial Operations, Cash Management Program Staff, 711 Premier Bldg, 1725 I Street, NW, Washington, DC 20226, **202 634-2016**

RIN: 1510-AA03

[FR Doc. 84-24446 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Bureau of Alcohol, Tobacco and Firearms

27 CFR Ch. I

[Notice No. 545]

Unified Agenda of Federal Regulations

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: General notice; Unified Agenda of Federal Regulations of regulatory projects under development, consideration, and review.

SUMMARY: Pursuant to section 5 of Executive Order 12291, entitled "Federal Regulations," ATF is publishing an agenda of proposed regulations that are expected to be issued and of proposed regulations that have been issued and an agenda of existing regulations that are being reviewed under the terms of the Executive Order, within the next six months. The latter agenda also lists regulatory projects identified for review pursuant to the ATF Regulatory Reform Program. Pursuant to section 610 of the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 610), ATF is also indicating whether a regulatory project is likely to have a significant economic impact upon a substantial number of small entities.

This general notice is designed to give the public adequate notice of the regulatory activities being contemplated by ATF.

The agenda is based on information available at the present time. The next Unified Agenda of Federal Regulations will be published in the **Federal Register** of April 1985.

FOR FURTHER INFORMATION CONTACT: For information about any particular regulatory project, contact the person listed in the subheading "Agency Contact," for the regulatory project.

For general information about this general notice, contact Lori Weins, FAA, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20226; (202) 566-7626.

Following is a table of abbreviations used throughout the agenda.

TABLE OF ABBREVIATIONS

ABBREVIATION	MEANING
ANPRM	Advance notice of proposed rulemaking
ATF	Bureau of Alcohol, Tobacco and Firearms
CFR	Code of Federal Regulations

TABLE OF ABBREVIATIONS—Continued

ABBREVIATION	MEANING
DSP	Distilled Spirits Plant
E.O.	Executive Order
FR	Federal Register
FAA Act	Federal Alcohol Administration Act
NPRM	Notice of proposed rulemaking
OFR	Office of the Federal Register
OMB	Office of Management and Budget
Pub. L.	Public Law
T.D.	Treasury Decision
T.D. with N.	(Temporary) Treasury Decision with Notice
T.D. w/o N.	Treasury Decision without Notice
Treasury	Department of the Treasury

Issuance

By direction of the Secretary of the Treasury, this general notice reads as set forth below.

SIGNED: August 16, 1984.

Robert J. Maxwell,

Acting Director.

BILLING CODE 4810-31-T

Bureau of Alcohol, Tobacco and Firearms—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
17	*27 CFR 19.11 Implementation of the "Wine Impact Bill"	1512-AA06
18	*27 CFR 9 American Viticultural Areas	1512-AA07
19	*27 CFR 5 Implementation of the Distilled Spirits Tax Revision Act of 1979 and Revision of Vinegar Regulations	1512-AA08
20	*27 CFR 19.377 Reporting Taxes Due to the Governments of Puerto Rico and the Virgin Islands	1512-AA09
21	*27 CFR 5.22 Standard of Identity for Vodka	1512-AA10
22	*27 CFR 240 Materials and Processes for the Production and Treatment of Wine	1512-AA12
23	*27 CFR 4 Recodification of 27 CFR Part 4	1512-AA17
24	*27 CFR 197 Nonbeverage Drawback	1512-AA20

TREAS—BATF

Bureau of Alcohol, Tobacco and Firearms—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
25	*27 CFR 211 Recodification of 27 CFR Parts 211 and 213 as 27 CFR Parts 20 and 22	1512-AA21
26	*27 CFR 245 Recodification of Beer Regulations	1512-AA24
27	*27 CFR 240.1 to 240.145 Recodification of Wine Regulations (Subparts A to E)	1512-AA30
28	*27 CFR 4.29 Late Harvest Designation for Wine	1512-AA31
29	27 CFR 5.22(b)(1)(iii) Change In Standard of Identity For Straight Whiskies of the same Type	1512-AA32
30	*27 CFR 4.26 Estate Bottled	1512-AA34
31	27 CFR 252 Effect of Reduced Customs Staffing at Customs Bonded Warehouses	1512-AA35
32	27 CFR 5.22 Reduced Proof Distilled Spirits Products	1512-AA36
33	*27 CFR 4.39(i) Geographic Brand Names	1512-AA37
34	*27 CFR 4.25a Appellation of Origin, Name and Address, and Net Contents	1512-AA38
35	*27 CFR 5.47a 375 ml and 500 ml containers for Distilled Spirits	1512-AA39
36	*27 CFR 19.409 Overprinting Strip Stamps with the Word "Export"	1512-AA41
37	*27 CFR 240.180 to 240.400 Recodification of Wine Regulations (Subparts F to O)	1512-AA42
38	*27 CFR 13.31 Denatured Alcohol - Measurement of Proof	1512-AA43
39	*27 CFR 19.42 Caribbean Basin Economic Recovery Act	1512-AA45
40	*27 CFR 5.22(h)(3) 2 1/2% Alcohol Flavoring	1512-AA46
41	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits, and Malt Beverages; Incorporation of Voluntary Industry Codes into the Federal Regulations	1512-AA47
42	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Use of the Word Light (Lite)	1512-AA48
43	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Use of the Word "Natural"	1512-AA49
44	*27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Appearance of Athletes and Depiction of Athletic Events	1512-AA50
45	*27 CFR 178.121(a) Federal Firearms License Record Retention	1512-AA40
46	*27 CFR 178.41(b) Sales of Firearms and Ammunition by Licensees at Gun Shows	1512-AA44
47	*27 CFR 179 Removal of References to United States Attorneys and United States Marshalls as Possible Certifying Officials and Minor Changes to Identification Procedures	1512-AA51
48	*27 CFR 55 Information Gathering on Fireworks Regulations	1512-AA52
49	*27 CFR 270.11 Manufacturer's Identification on Tobacco Products Packages	1512-AA28
50	27 CFR 285 27 CFR Part 285, Manufacture of Cigarette Papers and Tubes	1512-AA33

*Indicates priority regulation.

Bureau of Alcohol, Tobacco and Firearms—Completed Actions

Sequence Number	Title	Regulation Identifier Number
51	*27 CFR 4 Advertising of Wine, Distilled Spirits, and Malt Beverages	1512-AA16

*Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS)

Bureau of Alcohol, Tobacco and Firearms (BATF)

Current and Projected Rulemakings

ALCOHOL

17. IMPLEMENTATION OF THE "WINE IMPACT BILL"

Priority: Agency Determination

Legal Authority: 26 USC 5010

CFR Citation: 27 CFR 19.11; 27 CFR 19.37 to 19.40; 27 CFR 19.42; 27 CFR 19.346; 27 CFR 19.372; 27 CFR 19.402; 27 CFR 19.505; 27 CFR 19.566; 27 CFR 19.681; 27 CFR 19.748; 27 CFR 19.763; 27 CFR 19.764; 27 CFR 19.778 to 19.780; 27 CFR 170.681 to 170.691; 27 CFR 197.105; ...

Abstract: Restores the tax system which existed for distilled spirits products containing wine or alcoholic flavoring materials prior to the enactment of the Distilled Spirits Tax Revision Act of 1979; also permits spirits bottled for industrial purposes to be transferred in bond between distilled spirits plants.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Interim Final Rule	00/00/00	

Small Entity: No

Agency Contact: Richard C. Langford, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA06

18. AMERICAN VITICULTURAL AREAS

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Abstract: Establishes grape-growing regions as American viticultural areas for purposes of labeling and advertising of wine.

Supplemental Timetable:

Alexander Valley, CA (contact Jim Whitley)
NPRM 08/19/82 (47 FR 35521)
NPRM Comment Period End 10/18/82
Hearing Held 01/24/83
Final Action 12/00/84

Altus, AR (contact Steven Simon)
NPRM 05/16/83 (48 FR 21973)
NPRM Comment Period End 06/30/83
Final Action 05/30/84 (49 FR 22469)

Anderson Valley, CA (contact Ed Reisman)
NPRM 04/04/83 (48 FR 14394)
NPRM Comment Period End 05/04/83
Final Action 08/18/83 (48 FR 37369)

Arkansas Mountain, AR (contact Steve Simon)
NPRM 04/00/85

Arroyo Seco, CA (contact Charles Bacon)
NPRM 11/03/82 (47 FR 49860)
NPRM Comment Period End 12/20/82
Final Action 04/15/83 (48 FR 16245)

Bonny Doon, CA (contact Roger Arnold)
NPRM 04/00/85

Carmel Valley, CA (contact John Linthicum)
NPRM 08/26/82 (47 FR 37588)
NPRM Comment Period End 09/24/82
Final Action 12/14/82 (47 FR 55915)

Catoctin, MD (contact Jim Ficaretta)
NPRM 02/09/83 (48 FR 5958)
NPRM Comment Period End 03/11/83
Final Action 10/13/83 (48 FR 46522)

Central Coast, CA (contact John Linthicum)
NPRM 07/12/84 (49 FR 28257)
NPRM Comment Period End 09/10/84
Final Action 02/00/85

Central Delaware Valley, PA and NJ (contact Steve Simon)
NPRM 12/04/81 (46 FR 59276)
NPRM Comment Period End 03/04/82
Final Action 03/19/84 (49 FR 10115)

Chalk Hill, CA (contact Michael Breen)
NPRM 05/12/82 (47 FR 20321)
NPRM Comment Period End 07/12/82
Final Action 10/21/83 (48 FR 48810)

Clarksburg, CA (contact Jim Ficaretta)
NPRM 09/16/83 (48 FR 41602)
NPRM Comment Period End 10/17/83
Final Action 01/23/84 (49 FR 2758)

Clear Lake, CA (contact Ed Reisman)
NPRM 10/20/83 (48 FR 48685)
NPRM Comment Period End 12/05/83
Final Action 05/09/84 (49 FR 19466)

Cole Ranch, CA (contact Steve Simon)
NPRM 12/04/81 (46 FR 59273)
NPRM Comment Period End 03/04/82
Final Action 04/15/83 (48 FR 16247)

Columbia Valley, WA and OR (contact Charles Bacon)
NPRM 08/24/83 (48 FR 38497)
NPRM Comment Period End 10/11/83
Final Action 04/00/85

Cumberland Valley, MD and PA (contact Michael Breen)
NPRM 04/00/85

Dry Creek Valley, CA (contact Ed Reisman)
NPRM 01/12/83 (48 FR 1315)
NPRM Comment Period End 02/11/83
Final Action 08/04/83 (48 FR 35395)

El Dorado, CA (contact James Hunt)
NPRM 12/14/82 (47 FR 55954)
NPRM Comment Period End 01/28/83
Final Action 09/30/83 (47 FR 55954)

Fiddletown, CA (contact James Hunt)
NPRM 02/15/83 (48 FR 6724)
NPRM Comment Period End 03/17/83
Final Action 10/04/83 (48 FR 45238)

George Washington's Birthplace, VA (contact Ed Reisman)
NPRM 06/00/85

Grand River Valley, OH (contact John Linthicum)
NPRM 04/04/83 (48 FR 14396)
NPRM Comment Period End 05/19/83
Final Action 10/21/83 (48 FR 48820)

Hermann, MO (contact Jim Ficaretta)
NPRM 12/14/82 (47 FR 55957)
NPRM Comment Period End 01/28/83
Final Action 08/18/83 (48 FR 37371)

Howell Mountain, CA (contact Jim Ficaretta)
NPRM 08/19/83 (48 FR 37670)
NPRM Comment Period End 10/03/83
Final Action 12/30/83 (48 FR 57486)

Kanawha River Valley, WVA (contact John Linthicum)
NPRM 06/00/85

King City, CA (contact Charles Bacon)
NPRM 06/00/85

Knight's Valley, CA (contact Michael Breen)
NPRM 02/09/83 (48 FR 5961)
NPRM Comment Period End 03/11/83
Final Action 10/21/83 (48 FR 48814)

Lake Erie, NY, PA, and OH (contact Robert White)
NPRM 04/04/83 (48 FR 14390)
NPRM Comment Period End 05/19/83 (48 FR 14390)
Final Action 10/21/83 (48 FR 48817)

Lake Michigan Shore, MI (contact Robert White)
NPRM 12/14/82 (47 FR 55959)
NPRM Comment Period End 01/28/83
Final Action 10/17/83 (48 FR 46524)

Linganore, MD (contact Ed Reisman)
NPRM 11/03/82 (47 FR 49863)
NPRM Comment Period End 12/03/82
Final Action 08/18/83 (48 FR 37372)

Lodi, CA (contact Roger Arnold)
NPRM 04/00/85

Loramie Creek, OH (contact Lori Weins)
NPRM 09/01/82 (47 FR 38553)
NPRM Comment Period End 10/01/82
Final Action 11/26/82 (47 FR 53355)

Los Carneros, CA (contact Steve Simon)
Amended NPRM 06/04/82 (47 FR 24344)
End Amended NPRM Comment Period 08/03/82
Final Action 08/19/83 (48 FR 37365)

Madera, CA (contact Charles Bacon)
NPRM 01/26/82 (46 FR 3564)
NPRM Comment Period End 03/12/82
Final Action 11/00/84

Martha's Vineyard, MA (contact Charles Bacon)
NPRM 08/04/83 (48 FR 35462)
NPRM Comment Period End 09/19/83
Final Action 12/00/84

Mendocino, CA (contact Ed Reisman)
NPRM 10/12/83 (48 FR 46387)
NPRM Comment Period End 11/28/83
Final Action 06/18/84 (49 FR 24711)

Merritt Island, CA (contact Lori Weins)
NPRM 11/03/82 (47 FR 49866)
NPRM Comment Period End 12/20/82
Final Action 05/17/83 (48 FR 22145)

Mesilla Valley, NM and TX (contact Ed Reisman)
NPRM 07/12/84 (49 FR 28260)
NPRM Comment Period End 08/27/84
Final Action 01/00/85

Mimbres Valley, NM (contact Ed Reisman)
NPRM 04/00/85

Mississippi Delta, MS (contact Steven Simon)
NPRM 12/23/83 (48 FR 56799)
NPRM Comment Period End 02/06/84
Final Action 08/30/84 (49 FR 34353)

Monterey, CA (contact Michael Breen)
NPRM 11/21/83 (48 FR 52597)
NPRM Comment Period End 01/05/84
Final Action 06/18/84 (49 FR 24714)

Monticello, VA (contact James Hunt)
NPRM 12/04/81 (46 FR 59274)
NPRM Comment Period End 03/04/82
Amended NPRM 11/19/82 (47 FR 52200)
End Amended NPRM Comment Period 01/03/83
Final Action 01/23/84 (49 FR 2757)

North Coast, CA (contact Charles Bacon)
Amended NPRM 01/11/82 (47 FR 1151)
End Amended NPRM Comment Period 02/25/82
Final Action 09/21/83 (48 FR 42973)

North Fork of the Roanoke, VA (contact James Hunt)
NPRM 07/27/82 (47 FR 32448)
NPRM Comment Period End 08/26/82
Final Action 04/15/83 (48 FR 16248)

North Fork of Long Island, NY (contact Ed Reisman)
NPRM 01/00/85

Northern Sonoma, CA (contact John Linthicum)
NPRM 06/27/83 (48 FR 29539)
NPRM Comment Period End 08/11/83
Final Action 01/00/85

Ohio River Valley, IN, OH, WVA, KY (contact John Linthicum)
NPRM 12/14/82 (47 FR 55961)
NPRM Comment Period End 01/28/83
Final Action 09/07/83 (48 FR 40377)

Ozark Mountains, AR (contact Steven Simon)
NPRM 04/00/85

Pacheco Pass, CA (contact Steven Simon)

NPRM 06/02/83 (48 FR 24737)
NPRM Comment Period End 07/18/83
Final Action 03/12/84 (49 FR 9168)

Paso Robles, CA (contact Roger Bowling)
NPRM 01/17/83 (48 FR 1985)
NPRM Comment Period End 02/16/83
Final Action 10/04/83 (48 FR 45239)

Potter Valley, CA (contact James Hunt)
NPRM 02/09/83 (48 FR 5955)
NPRM Comment Period End 03/11/83
Final Action 10/13/83 (48 FR 46520)

Rocky Knob, VA (contact James Hunt)
NPRM 11/19/81 (46 FR 56828)
NPRM Comment Period End 02/17/82
Final Action 06/12/83 (47 FR 1291)

Russian River Valley, CA (contact James Hunt)
NPRM 02/04/83 (48 FR 5280)
NPRM Comment Period End 03/21/83
Final Action 10/21/83 (48 FR 48812)

San Benito, CA (contact Steven Simon)
NPRM 04/00/85

San Lucas, CA (contact Charles Bacon)
NPRM 04/00/85

Santa Ynez Valley, CA (contact Charles Bacon)
NPRM 01/24/82 (47 FR 53048)
NPRM Comment Period End 01/10/83
Final Action 04/15/83 (48 FR 16250)

Shenandoah Valley, CA (contact James Hunt)
NPRM 04/13/81 (46 FR 21623)
NPRM Comment Period End 07/13/81
Final Action 12/28/82 (47 FR 57694)

Shenandoah Valley, VA and WVA (contact James Hunt)
NPRM 08/20/82 (47 FR 36445)
NPRM Comment Period End 10/04/82
Final Action 12/28/82 (47 FR 57696)

Sobre Vista, CA (contact John Linthicum)
NPRM 04/00/85

Solano County Green Valley, CA (contact Robert White)
NPRM 01/11/81 (47 FR 1149)
NPRM Comment Period End 03/12/82
Final Action 12/29/82 (47 FR 57921)

Sonoma County Green Valley, CA (contact Robert White)
NPRM 11/15/82 (47 FR 51425)
NPRM Comment Period End 12/15/82
Final Action 11/21/83 (48 FR 52577)

Sonoma Mountain, CA (contact John Linthicum)
NPRM 09/05/84 (49 FR 35027)
NPRM Comment Period End 10/22/84
Final Action 06/00/85

South Coast, CA (contact Steven Simon)
NPRM 06/00/85

Southeastern New England, RI, MA, CT (contact Charles Bacon)
NPRM 09/04/83 (48 FR 35462)
NPRM Comment Period End 09/19/83
Final Action 03/29/84 (49 FR 11829)

Suisun Valley, CA (contact Robert White)
NPRM 01/11/82 (47 FR 1153)
NPRM Comment Period End 03/12/82
Final Action 11/24/83 (47 FR 52996)

Temecula, Murrieta and Rancho Calif., CA (contact John Linthicum)
NPRM 07/27/82 (47 FR 32450)
Hearing Held 01/20/83
End Comment Period 02/20/83
Final Action 01/00/85

The Hamptons, Long Island, NY (contact Ed Reisman)
NPRM 08/13/84 (49 FR 32223)
NPRM Comment Period End 09/27/84
Final Action 06/00/85

Umpqua Valley, OR (contact Robert White)
NPRM 09/20/83 (48 FR 41604)
NPRM Comment Period End 10/17/83
Final Action 03/29/84 (49 FR 12244)

Walla Walla Valley, WA (contact Jim Ficaretta)
NPRM 06/27/83 (48 FR 29541)
NPRM Comment Period End 08/10/83
Final Action 02/06/84 (49 FR 4374)

Williamette Valley, OR (contact Jim Ficaretta)
NPRM 06/29/83 (48 FR 29882)
NPRM Comment Period End 08/15/83
Final Action 12/01/83 (48 FR 54220)

Willow Creek, CA (contact Roger Bowling)
NPRM 01/12/83 (48 FR 1318)
NPRM Comment Period End 02/11/83
Final Action 08/18/83 (48 FR 37374)

Yakima Valley, WA (contact Charles Bacon)
NPRM 11/24/82 (47 FR 53051)
NPRM Comment Period End 01/10/83
Final Action 04/04/83 (48 FR 14374)

York Mountain, CA (contact James Hunt)
NPRM 02/24/83 (48 FR 5956)
NPRM Comment Period End 03/11/83
Final Action 08/24/83 (48 FR 38462)

Small Entity: No

Agency Contact: See supplemental timetable, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7626**

RIN: 1512-AA07

19. IMPLEMENTATION OF THE DISTILLED SPIRITS TAX REVISION ACT OF 1979 AND REVISION OF VINEGAR REGULATIONS

Priority: Agency Determination

Legal Authority: 26 USC 5001 to 5691

CFR Citation: 27 CFR 5; 27 CFR 13; 27 CFR 19; 27 CFR 170; 27 CFR 173; 27 CFR 194; 27 CFR 195; 27 CFR 196; 27 CFR 197; 27 CFR 200; 27 CFR 211; 27 CFR 212; 27 CFR 213; 27 CFR 231; 27 CFR 240; ...

Abstract: Eliminates the wine gallon method of imposing the distilled spirits tax and the rectification tax; converts DSP from the former distilled spirits tax system to an all-in-bond tax system; incorporates other amendments from prior projects.

Timetable:

Action	Date	FR Cite
NPRM	07/18/79	
Temporary Regulations	12/11/79	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Richard Langford, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7531**

RIN: 1512-AA08

20. REPORTING TAXES DUE TO THE GOVERNMENTS OF PUERTO RICO AND THE VIRGIN ISLANDS

Priority: Agency Determination

Legal Authority: 26 USC 5555; 26 USC 5207

CFR Citation: 27 CFR 19.377

Abstract: Changes the reporting requirements for most Puerto Rican and Virgin Islands spirits bottled at domestic distilled spirits plants. The reporting requirement will remain as a line item on the proprietor's monthly reports. However, the time for recording tax determination of insular spirits will change from the time these spirits enter the processing account to the time of tax determination.

Timetable:

Action	Date	FR Cite
NPRM	04/13/81	46 FR 21624
Amended NPRM	11/00/84	

Small Entity: No

Agency Contact: Susan M. McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7531**

RIN: 1512-AA09

21. STANDARD OF IDENTITY FOR VODKA

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22

Abstract: Considers clarifying the standard of identity for vodka by revoking Revenue Ruling 56-98 which permits the use of small quantities of sugar or citric acid in vodka; or would

propose a new class and type of vodka which contains trace amounts of sugar or citric acid.

Timetable:

Action	Date	FR Cite
ANPRM	01/11/82	47 FR 1148
ANPRM Comment Period End	07/11/82	
NPRM	12/00/84	
Final Action	12/00/85	

Small Entity: No

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA10

22. MATERIALS AND PROCESSES FOR THE PRODUCTION AND TREATMENT OF WINE

Priority: Agency Determination

Legal Authority: 27 USC 5382

CFR Citation: 27 CFR 240

Abstract: Updates, clarifies, and simplifies the regulations relating to the production and treatment of wine.

Timetable:

Action	Date	FR Cite
NPRM	06/18/82	47 FR 26399
NPRM Comment Period Begin	06/18/82	47 FR 41402
NPRM Comment Period End	12/20/82	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Mike Breen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA12

23. RECODIFICATION OF 27 CFR PART 4

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Abstract: To revise the wine labeling and advertising regulations; where applicable, to incorporate production regulations; and due to statutory amendments requested, may result in a legislative submission.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA17

24. NONBEVERAGE DRAWBACK

Priority: Agency Determination

Legal Authority: 26 USC 5131 et seq

CFR Citation: 27 CFR 197

Abstract: To update, clarify, simplify, and recodify the regulations relating to drawback of tax on distilled spirits used in the manufacture of non-beverage products.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: This regulation affects approximately 500 entities.

Agency Contact: Steve Simon, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA20

25. RECODIFICATION OF 27 CFR PARTS 211 AND 213 AS 27 CFR PARTS 20 AND 22

Priority: Agency Determination

Legal Authority: 26 USC 5271 to 5275

CFR Citation: 27 CFR 211; 27 CFR 213; 27 CFR 19; 27 CFR 20; 27 CFR 21; 27 CFR 22; 27 CFR 30; 27 CFR 173; 27 CFR 200; 27 CFR 250; 27 CFR 251; 27 CFR 252

Abstract: To liberalize the qualification, bonding, operational, recordkeeping, and reporting requirements imposed on users and dealers of specially denatured spirits and users of tax-free alcohol.

Timetable:

Action	Date	FR Cite
NPRM	10/23/81	
NPRM Comment Period End	01/21/82	
Final Action	12/00/84	

Small Entity: No

Additional Information: 17 comments received during the comment period are being studied for incorporation in the temporary rule. A temporary rule will be issued with a nine-month comment period.

Government Levels Affected: Local, State, Federal

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA21

26. RECODIFICATION OF BEER REGULATIONS

Priority: Agency Determination

Legal Authority: 26 USC 5051 et seq; 26 USC 5401 et seq

CFR Citation: 27 CFR 245

Abstract: To simplify and clarify regulations relating to the production and taxpayment of beer; to simplify and reduce paperwork and recordkeeping requirements imposed on industry; and to reflect technological advances in the beer industry since the regulations were last revised.

Timetable:

Action	Date	FR Cite
NPRM	02/03/83	48 FR 4803
NPRM Comment Period End	05/04/83	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA24

27. RECODIFICATION OF WINE REGULATIONS (SUBPARTS A TO E)

Priority: Agency Determination

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 240.1 to 240.145

Abstract: To update, simplify and clarify regulations relating to wine; and to incorporate ATF Rulings.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Jim Whitley, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA30

---

28. LATE HARVEST DESIGNATION FOR WINE

Priority: Agency Determination

Legal Authority: 27 USC 205E; 27 USC 205F

CFR Citation: 27 CFR 4.29

Abstract: Late harvest designations, based on the Brix (percent by weight) level of the grapes at harvest would indicate to consumers that the grapes used to produce the wine were left on the vine for express purpose of increasing the sugar content. The designations would indicate additional techniques and processes were used in the production of the wine.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Michael Breen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA31

---

29. CHANGE IN STANDARD OF IDENTITY FOR STRAIGHT WHISKIES OF THE SAME TYPE

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22(b)(1)(iii); 27 CFR 19.346(b)

Abstract: Current regulations do not provide for distilled spirits plant proprietors to mingle and still designate as straight whiskies of the same type produced at different distilleries or produced by different distillers. This project will allow such whiskies to be labeled as straight as long as the whiskies are produced within the same state. Their only alternative is to leave the regulations as they are and to not allow such whiskies to be mingled and designated as straight. We do not anticipate any extra costs to result from this change in regulations. This change will result in greater flexibility for distilled spirits plant proprietors.

Timetable:

Action	Date	FR Cite
NPRM	05/08/84	49 FR 19333
NPRM Comment Period Begin	05/08/84	
NPRM Comment Period End	07/06/84	
NPRM Comment Period Extended	07/13/84	49 FR 30538
Extended NPRM Comment Period Ends	10/29/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: Robert White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA32

---

30. ESTATE BOTTLED

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.26

Abstract: To redefine estate bottled requirements and provide for additional terms to provide requirements for imported wine.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA34

---

31. EFFECT OF REDUCED CUSTOMS STAFFING AT CUSTOMS BONDED WAREHOUSES

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252; 27 CFR 251

Abstract: The Customs Bureau has withdrawn Customs Officers from Customs Bonded Warehouses, consequently, there are no Customs Officers present to certify ATF forms or to make gauges of distilled spirits. Because of possible jeopardy to the Federal Revenue, ATF has issued instructions to proprietors of customs bonded warehouses requesting them to certify ATF forms and make gauges of distilled spirits in the absence of customs officers. This change in regulations will formalize this procedure. The alternative to allowing customs bonded warehouse proprietors to sign forms and gauge spirits is to not require anyone to perform these functions. This would result in an unacceptable risk to the Federal Revenue. We do not anticipate any extra costs to result from this change in regulations. This change will ensure that there is no jeopardy to the Federal Revenue.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/85	

Small Entity: No

Agency Contact: Robert White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA35

---

32. REDUCED PROOF DISTILLED SPIRITS PRODUCTS

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22

Abstract: ATF is publishing an ANPRM to gather information from consumers and industry on whether our regulations should be amended to provide for reduced proof distilled spirits products similar to "light beer", "light wine" and similar "light" products which have become increasingly popular with consumers in recent years. Since 1968, the words "light whisky" have referred to whisky produced by two processes which are different from other

American whiskies and the term "light" does not refer to lower alcohol content. However, ATF is considering abolishing "light whisky" as a standard of identity, so that the word "light" can refer only to reduced alcohol content. Unlike wine and beer, distilled spirits products are usually sold at more than one bottling proof (e.g. whisky is frequently sold at 80 degrees, 86 degrees, and 100 degrees proof) with the difference in proof being the only distinction between products which are otherwise identical. Therefore, ATF must carefully consider labeling to insure there exists a clear cut difference in the minds of consumers between products at minimum bottling proof or above minimum bottling proof, and those which are reduced in proof.

Timetable:

Action	Date	FR Cite
ANPRM	08/04/83	48 FR 35460
ANPRM Comment Period Begin	08/04/83	48 FR 35460
ANPRM Comment Period Extension	10/28/83	48 FR 49870
ANPRM Comment Period End	11/02/83	
ANPRM Extended Comment Period Ends	01/31/84	
NPRM	12/00/84	

Small Entity: No

Additional Information: Based on the comments received, ATF will decide whether to publish a NPRM or withdraw the ANPRM.

Government Levels Affected: Federal

Agency Contact: Charles N. Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA36

33. GEOGRAPHIC BRAND NAMES

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.39(i)

Abstract: To propose alternatives to the present regulation which requires that the word "brand" appear in the same size type as the brand name itself.

Timetable:

Action	Date	FR Cite
NPRM	05/07/84	49 FR 19330
NPRM Comment Period Begin	05/07/84	
NPRM Comment Period End	07/06/84	
NPRM Comment Period Extended	07/13/84	49 FR 28417
Extended NPRM Comment Period Ends	09/14/84	
Final Action	06/00/85	

Small Entity: No

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA37

34. APPELLATION OF ORIGIN, NAME AND ADDRESS, AND NET CONTENTS

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.25a; 27 CFR 4.35; 27 CFR 4.37

Abstract: To propose to relax the appellation of origin type size requirement to substantially as conspicuous in lieu of same size as the class and type designation; to propose to allow the name and address and net content statement to appear on any label in lieu of only the brand label; and to propose multi-viticultural area appellations of origin.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Extension	11/13/83	49 FR 1752
NPRM	11/16/83	48 FR 52088
NPRM Comment Period Begin	11/16/83	
NPRM Comment Period End	01/16/84	
NPRM Comment Period Extension Ends	02/27/84	
Final Action	06/00/85	

Small Entity: No

Agency Contact: James Ficaretta, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA38

35. 375 ML AND 500 ML CONTAINERS FOR DISTILLED SPIRITS

Priority: Agency Determination

Legal Authority: 26 USC 5301; 27 USC 205

CFR Citation: 27 CFR 5.47a

Abstract: To determine if both sizes should be standards of fill or whether the 375 ml size should replace the 500 ml size.

Timetable:

Action	Date	FR Cite
NPRM	09/23/83	48 FR 43346
NPRM Comment Period Begin	09/23/83	
NPRM Comment Period Extended	03/21/84	49 FR 10553
NPRM Comment Period End	03/23/84	
Extended Comment Period Ends	01/02/85	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA39

36. OVERPRINTING STRIP STAMPS WITH THE WORD "EXPORT"

Priority: Agency Determination

Legal Authority: 26 USC 7805 (68A Stat. 917, as amended)

CFR Citation: 27 CFR 19.409; 27 CFR 19.661; 27 CFR 250.252a; 27 CFR 251.72; 27 CFR 251.85a; 27 CFR 252.102

Abstract: Currently, exporters of bottled distilled spirits are required to overprint the word "EXPORT" on the strip stamps (or alternative devices) affixed to each bottle that is exported (a tax-free removal). This requirement is burdensome for exporters in that it restricts flexibility over bottling operations.

ATF is proposing to eliminate this requirement, provided the exporter's records can be relied upon to accurately reflect all export transactions. Cases of bottled spirits will still be required to be marked in accordance with 27 CFR 252.103.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Susan McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA41

37. RECODIFICATION OF WINE REGULATIONS (SUBPARTS F TO O)

Priority: Agency Determination

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 240.180 to 240.400

Abstract: To update, simplify, and clarify regulations relating to wine; and to incorporate ATF rulings into the Regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA42

38. DENATURED ALCOHOL - MEASUREMENT OF PROOF

Priority: Agency Determination

Legal Authority: 26 USC 7805 (68A Stat. 917, as amended)

CFR Citation: 27 CFR 13.31

Abstract: The regulation will prescribe procedures for proofing industrial alcohol containing volatile or non-volatile specific gravity obscuring solids.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: Robert Petrangelo, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA43

39. CARIBBEAN BASIN ECONOMIC RECOVERY ACT

Priority: Agency Determination

Legal Authority: PL 98-67, Title II (Caribbean Basin Economic Recovery Act); 26 USC 7652

CFR Citation: 27 CFR 19.42; 27 CFR 19.377; 27 CFR 19.517; 27 CFR 250.1; 27 CFR 250.30; 27 CFR 250.31; 27 CFR 250.35; 27 CFR 250.200

Abstract: Under current law (26 USC 7652), the excise taxes collected on all merchandise manufactured in Puerto Rico and the Virgin Islands, and shipped to the U.S., are deposited into the Treasury of either Puerto Rico or the Virgin Islands.

The Caribbean Basin Economic Recovery Act was passed to promote the economic revitalization of the Caribbean Basin area by removing the duty on certain merchandise from certified Caribbean Basin countries. In order to minimize any adverse effects this would have on Puerto Rico and the Virgin Islands, a provision was added to require that the excise taxes collected on all rum that is imported into the U.S. be deposited in the Treasuries of Puerto Rico and the Virgin Islands. This would be in addition to the amounts already transferred under 26 U.S.C. 7652 (a) and (b).

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Susan McCarron, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA45

40. 2 1/2% ALCOHOL FLAVORING

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22(h)(3); 27 CFR 5.22(h)(4); 27 CFR 5.22(i); 27 CFR 5.35; 27 CFR 5.42(b); 27 CFR 5.65(a)

Abstract: Ten standard of identity products will be held more closely to the class and type of spirits indicated by their designation.

The class and type of distilled spirits contained in certain other products will be disclosed in greater detail.

Misleading impressions created by the use of the term "Distilled" on distilled spirits products containing coloring, flavoring, or blending materials will be eliminated.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Robert Petrangelo, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA46

41. ● LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS, AND MALT BEVERAGES; INCORPORATION OF VOLUNTARY INDUSTRY CODES INTO THE FEDERAL REGULATIONS

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: Discusses voluntary advertising standards of various Trade Organizations, and the possibility of incorporating them into the Federal regulations.

Timetable:

Action	Date	FR Cite
General Notice	01/00/85	

Small Entity: No

Additional Information: Additional Agency Contact: James Ficaretta.

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA47

42. ● LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; USE OF THE WORD LIGHT (LITE)

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: "Light (Lite)" was addressed to a limited extent in Notice No. 362 (45 FR 83530). However, subsequent to its publication ATF was petitioned by the Center for Science in the Public Interest (CSPI), requesting mandatory caloric labeling on all alcohol beverages, as well as the establishment of upper limits on calories in products labeled as "light (lite)". Comments will be requested on CSPI's petition as well as other issues involving use of the term "light (lite)".

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Additional Agency Contact: James Ficaretta.

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA48

43. ● LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; USE OF THE WORD "NATURAL"

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: Use of the word "natural" was initially addressed by ATF in Notice No. 362 (45 FR 83530). ATF had proposed a regulatory standard for use of the term natural, based upon the one proposed by FTC. However, due to the subsequent termination by FTC of a definition for "natural", and pertinent information received from FDA, ATF is reconsidering its earlier decision to define the term "natural".

Timetable:

Action	Date	FR Cite
General Notice	01/00/85	

Small Entity: No

Additional Information: Additional Agency Contact: James Ficaretta.

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA49

44. ● LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; APPEARANCE OF ATHLETES AND DEPICTION OF ATHLETIC EVENTS

Priority: Agency Determination

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: Discusses present policy on prohibition of active athletes and requests comments on whether the policy should be relaxed, retained, expanded to include all celebrities. On athletic events, comments are requested if the present prohibition should be expanded to include any athletic event, regardless of when the participants are shown consuming, or preparing to consume, alcohol beverages.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: Additional Agency Contact: James Ficaretta.

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA50

FIREARMS

45. FEDERAL FIREARMS LICENSE RECORD RETENTION

Priority: Agency Determination

Legal Authority: 18 USC 926 (82 Stat. 1226)

CFR Citation: 27 CFR 178.121(a); 27 CFR 178.124(b); 27 CFR 178.125(e)

Abstract: Firearms transaction records are now retained permanently under the Gun Control Act, may be disposed of after 20 years beginning December 10, 1988, excepting acquisition records retained by manufacturers and importers, which will continue to be held permanently. All transaction records obtained before the Gun Control Act of 1968, again with the exception of the acquisition records of manufacturers and importers, may be disposed of immediately.

Timetable:

Action	Date	FR Cite
NPRM	02/14/84	49 FR 5628
NPRM Comment Period End	04/16/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: J. Barry Fields, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA40

46. SALES OF FIREARMS AND AMMUNITION BY LICENSEES AT GUN SHOWS

Priority: Agency Determination

Legal Authority: 18 USC 926 (82 Stat. 1226)

CFR Citation: 27 CFR 178.41(b); 27 CFR 178.50; 27 CFR 178.100; 27 CFR 178.101

Abstract: Sales of firearms and ammunition are now restricted to the licensed premises of licensees. This proposed change will allow licensees to sell at organized gun shows held within the State of the licensed premises.

Timetable:

Action	Date	FR Cite
ANPRM	04/22/80	45 FR 26982
NPRM	09/27/83	48 FR 44089
NPRM Comment Period reopened	12/12/83	48 FR 55298

Action	Date	FR Cite
Final Action	04/00/85	

Small Entity: No

Agency Contact: J. Barry Fields, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA44

47. ● REMOVAL OF REFERENCES TO UNITED STATES ATTORNEYS AND UNITED STATES MARSHALLS AS POSSIBLE CERTIFYING OFFICIALS AND MINOR CHANGES TO IDENTIFICATION PROCEDURES

Priority: Agency Determination

Legal Authority: PL 90-618 82 Stat. 1213

CFR Citation: 27 CFR 179

Abstract: To amend the regulations by deleting the regulatory references to United States Attorneys and United States Marshalls as law enforcement officials available for certifying applications to make or transfer National Firearms Act (NFA) firearms.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: Larry White, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA51

48. ● INFORMATION GATHERING ON FIREWORKS REGULATIONS

Priority: Agency Determination

Legal Authority: 18 USC Chapter 40

CFR Citation: 27 CFR 55

Abstract: Information gathering on Safe Handling of Explosive Materials in the Fireworks industry is necessary due to accidental explosions causing death. Injuries and property damage have occurred at fireworks manufacturing and assembling plants. Damage has been in the millions of dollars and some regulatory changes are needed. This notice to gather information is to determine changes needed and potential costs.

Timetable:

Action	Date	FR Cite
General Notice	06/08/84	49 FR 23872
NPRM	11/00/85	

Small Entity: No

Agency Contact: Art Cunn, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7591

RIN: 1512-AA52

TOBACCO PRODUCTS

49. MANUFACTURER'S IDENTIFICATION ON TOBACCO PRODUCTS PACKAGES

Priority: Agency Determination

Legal Authority: 26 USC 5723

CFR Citation: 27 CFR 270.11; 27 CFR 270.212; 27 CFR 275.163; 27 CFR 275.170; 27 CFR 275.172; 27 CFR 275.174; 27 CFR 290.11; 27 CFR 290.181; 27 CFR 290.185; 27 CFR 290.241 to 290.267; 27 CFR 295.42

Abstract: To liberalize requirements relating to manufacturer identification on tobacco products packages and to make other miscellaneous changes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Cliff Mullen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA28

50. 27 CFR PART 285, MANUFACTURE OF CIGARETTE PAPERS AND TUBES

Priority: Undetermined

Legal Authority: 26 USC 7805 (68A Stat 917)

CFR Citation: 27 CFR 285

Abstract: Administrative and recordkeeping burdens under 27 CFR Part 285 and their reduction or elimination.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/84	
ANPRM Comment Period Begin	09/02/84	
ANPRM Comment Period End	10/02/84	
Final Action	01/25/85	

Small Entity: Undetermined

Agency Contact: Cliff Mullen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7531

RIN: 1512-AA33

DEPARTMENT OF THE TREASURY (TREAS) Completed Actions

Bureau of Alcohol, Tobacco and Firearms (BATF)

COMPLETED RULEMAKINGS

51. ADVERTISING OF WINE, DISTILLED SPIRITS, AND MALT BEVERAGES

Priority: Agency Determination

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Abstract: To modernize the advertising regulations under section 5(f) of the Federal Alcohol Administration Act. Hearings held September 9-10 and December 10-11, 1981.

Timetable:

Action	Date	FR Cite
ANPRM	11/21/78	
ANPRM Comment Period End	03/23/79	
NPRM	12/19/80	
NPRM Comment Period End	03/19/81	

TREAS—BATF **Completed Actions**

Action	Date	FR Cite
Notice of Hearings	07/20/81	
Multiple Hearings beginning	09/09/81	
Notice reopening Comment Period	03/19/82	
Comment Period Ended	04/19/82	
Final Action	08/08/84	49 FR 31667
Final Action Effective	09/07/84	

Small Entity: No

Additional Information: Additional Agency Contact: James Ficaretta

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, 202 566-7626

RIN: 1512-AA16

[FR Doc. 84-24444 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Comptroller of the Currency

12 CFR Ch. I

Semiannual Agenda of Regulatory Actions

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Semiannual agenda of regulations.

SUMMARY: As required by the Regulatory Flexibility Act and Executive Order 12291, the Office of the Comptroller of the Currency (Office) has prepared this semiannual agenda of its rules and regulations currently under review and scheduled for review. Regulatory actions taken since the publication of the Office's previous semiannual agenda on April 19, 1984 (49 FR 16209) are also included. It is expected that this semiannual agenda will enable the public to be more aware of, and allow it to more effectively participate in, the Office's regulatory activity.

ADDRESS: The mailing address for all contacts: Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219.

FOR FURTHER INFORMATION CONTACT: For general information about this semiannual agenda contact Nancy Lowther, Financial Analyst, Legislative and Regulatory Analysis Division, (202) 447-1177.

For additional information about a particular item on this semiannual agenda contact the individual identified as the contact person.

SUPPLEMENTARY INFORMATION: The Office has determined that none of the rulemakings discussed in this semiannual agenda requires a regulatory flexibility analysis; all entries have been determined not to have a "significant impact on a substantial number of small entities," and therefore are not subject to the provisions of the Act. Additionally, none of the rules, with the exception of Minimum Capital Ratios, is a "major" rule as defined by Executive Order 12291. Executive Order 12291 defines a "major" rule as one likely to result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

DATED: August 16, 1984.

H. Joe Selby,

Acting Comptroller of the Currency.

BILLING CODE 4810-33-T

Comptroller of the Currency—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
52	12 CFR 9 Fiduciary Powers of National Banks and Collective Investment Funds	1557-AA04
53	12 CFR 11 Securities Exchange Act Disclosure Rules	1557-AA06
54	12 CFR 17 Required Notification To Nominate Bank Directors	1557-AA07
55	12 CFR 7.5225 Reporting of Bank-Related Crimes and Mysterious Disappearances of Funds	1557-AA12
56	12 CFR 27 Fair Housing Home Loan Data System	1557-AA14
57	00 CFR Not yet determined Bankers' Banks	1557-AA17
58	12 CFR 5, (New Subsection) Bank Service Corporations	1557-AA23
59	12 CFR 5.52 Brokerage Activities to be Conducted in an Operating Subsidiary	1557-AA34
60	12 CFR 19 Rules of Practice and Procedure	1557-AA43
61	Disclosure of Financial and Other Information Regarding National Banks	1557-AA44
62	12 CFR 8 Assessment of Fees; National Banks; District of Columbia Banks	1557-AA45
63	*12 CFR 3, (New) Minimum Capital Ratios; Issuance of Directives	1557-AA46

*Indicates priority regulation.

TREAS—OCC

Comptroller of the Currency—Completed Actions

Sequence Number	Title	Regulation Identifier Number
64	*12 CFR 5 Rules, Policies, and Procedures for Corporate Activities	1557-AA00
65	12 CFR 7.5217 Indemnification of Bank Directors and Personnel	1557-AA02
66	12 CFR 7.3500 Data Processing Services	1557-AA03
67	12 CFR 7.8000 Charges by National Banks	1557-AA32
68	*12 CFR 20.7 Accounting for International Loan Fees	1557-AA33
69	12 CFR 26.2(n) Management Official Interlocks	1557-AA35
70	12 CFR 8.2 Assessment of Fees; National Banks; District of Columbia Banks	1557-AA36
71	12 CFR 28 Federal Branches and Agencies of Foreign Banks	1557-AA38
72	12 CFR 29.7(d) Adjustable-Rate Mortgages	1557-AA41
73	12 CFR 20.5 Reporting of Foreign Exchange Activities	1557-AA42

*Indicates priority regulation.

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Current and Projected Rulemakings

52. FIDUCIARY POWERS OF NATIONAL BANKS AND COLLECTIVE INVESTMENT FUNDS

Legal Authority: Sec 1, 77 Stat 668; 12 USC 92a; 12 USC 481

CFR Citation: 12 CFR 9

Abstract: Comments in response to a prior rulemaking [Final rule Docket No. 80-16 (46 FR 71571) published October 29, 1980] included recommendations that additional amendments should be made to 12 CFR Part 9. The Office believes that the issues raised by the commenters can best be addressed through a comprehensive review of its regulations concerning national bank fiduciary powers and collective investment funds. The Office requested comments from the public as to the desirability and feasibility of a comprehensive review of its trust regulations pertaining to collective investment funds, including specific matters which should be addressed. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	06/25/82	47 FR 27833
ANPRM Comment Period Begin	06/25/82	47 FR 27833
ANPRM Comment Period End	09/23/82	
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Robert C. Satrom, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA04

53. SECURITIES EXCHANGE ACT DISCLOSURE RULES

Legal Authority: 15 USC 78

CFR Citation: 12 CFR 11

Abstract: Rule proposal addresses a series of amendments to the securities disclosure regulations of the Office. The proposed amendments govern such matters as the form and content of financial statements of national banks, prescribed formats for financial statements and schedules, and requirements prohibiting the falsification of accounting records and misrepresentations by officers and directors of national banks. The Office seeks to minimize the regulatory burden of the Securities Exchange Act disclosure requirements and to make these rules more understandable. The Office is particularly interested in meeting these goals in order to facilitate the development of conforming regulations concerning Securities Exchange Act disclosure requirements. The Office, together with the other banking agencies, is coordinating with the SEC in these efforts. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	11/00/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Michael C. Dugas, Attorney, Department of the Treasury, Comptroller of the Currency, Securities Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA06

54. REQUIRED NOTIFICATION TO NOMINATE BANK DIRECTORS

Legal Authority: 12 USC 1 et seq

CFR Citation: 12 CFR 17

Abstract: This regulation states that national banks may adopt bylaws or articles of association that require any shareholder proposing to nominate a director, other than a management nominee, to file certain information in advance with the Office and the bank. A proposal to rescind this regulation was published in the Federal Register.

Because of the comments received on that proposal, the Office is now considering retaining the regulation in revised form. Alternative approaches are being considered together with revisions of other rules affecting the corporate governance of national banks with a view toward developing uniform federal standards. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	04/14/80	45 FR 25078
NPRM Comment Period Begin	04/14/80	45 FR 25078
NPRM Comment Period End	06/13/80	
Final Action	00/00/00	

Small Entity: No

Agency Contact: James T. Pitts, Assistant Director, Department of the Treasury, Comptroller of the Currency, Securities and Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA07

55. REPORTING OF BANK-RELATED CRIMES AND MYSTERIOUS DISAPPEARANCES OF FUNDS

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 1818; 12 USC 1881 et seq

CFR Citation: 12 CFR 7.5225

Abstract: This ruling governs the reporting of crimes involving bank personnel or bank funds. The Office is considering changing the ruling into a regulation and making revisions to decrease the reporting requirements of banks. Topics under review include the number of offices with which reports must be filed, the $1,000 threshold for reporting mysterious disappearances of funds, and the range of crimes intended to be covered by the reporting requirements. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert S. Pasley, Assistant Director, Department of the Treasury, Comptroller of the Currency, Enforcement and Compliance Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1818

RIN: 1557-AA12

56. FAIR HOUSING HOME LOAN DATA SYSTEM

Legal Authority: 15 USC 1 et seq; 15 USC 481; 15 USC 1818; 15 USC 1691 et seq; 42 USC 3601 et seq

CFR Citation: 12 CFR 27

Abstract: This regulation requires national banks to record and retain information on age, race, sex, and marital status of applicants for home loans. Its purpose is to gather data necessary to statistically analyze lending practices to detect possible illegal discrimination. The Office is reviewing this regulation to determine if it is achieving its intended result. Research is being conducted to determine if there are alternate means of collecting data or if nonessential data may be eliminated. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Patrick J. Marr, Senior Fair Lending Specialist, Department of the Treasury, Comptroller of the Currency, Consumer Examinations Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1600

RIN: 1557-AA14

57. BANKERS' BANKS

Legal Authority: 12 USC 24(7); 12 USC 27

CFR Citation: Not yet determined

Abstract: The Garn-St. Germain Depository Institutions Act of 1982, PL 97-320, empowered this Office to charter bankers' banks, i.e., limited purpose national associations which will be owned exclusively by--and provide services solely to--depository institutions. On January 26, 1983, this office published an advance notice of proposed rulemaking Docket No. 83-3 (48 FR 3624) in order to solicit comments on what is virtually a new area of law. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	01/26/83	48 FR 03624
ANPRM Comment Period Begin	01/26/83	48 FR 03624
ANPRM Comment Period End	02/25/83	
NPRM	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joseph Daly, Attorney, Legal Advisory Services Division, 202 447-1880, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Randall J. Miller, Director for Licensing Policy and Systems, Department of the Treasury, Comptroller of the Currency, Bank Organization and Structure, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1184

RIN: 1557-AA17

58. BANK SERVICE CORPORATIONS

Legal Authority: 12 USC 1861 et seq

CFR Citation: 12 CFR 5, (New Subsection)

Abstract: The Bank Service Corporation Act was significantly amended by Section 709 of the Garn-St. Germain Depository Institutions Act of 1982, PL 97-320. Under the amended Act, a national bank may now invest up to 10% of paid-in and unimpaired capital and surplus in a bank service corporation. Prior approval of the appropriate federal regulator is necessary for a national bank to invest in a bank service corporation under certain conditions. The Office will publish notice of proposed rulemaking to solicit comments on proposed policies and procedures for obtaining the required approval. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	03/00/85	

Action	Date	FR Cite
Final Action Effective	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joseph Daly, Attorney, Legal Advisory Services Division, 202 447-1880, 490 L'Enfant Plaza East, SW, Washington, DC 20219

Agency Contact: Randall J. Miller, Director for Licensing Policy and Systems, Department of the Treasury, Comptroller of the Currency, Bank Organization and Structure, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1184**

RIN: 1557-AA23

59. BROKERAGE ACTIVITIES TO BE CONDUCTED IN AN OPERATING SUBSIDIARY

Legal Authority: 12 USC 1 et seq; 12 USC 24(7); 12 USC 92a; 12 USC 93a

CFR Citation: 12 CFR 5.52; 12 CFR 12.6(e)

Abstract: Rule proposal addresses circumstances under which the brokerage activities of national banks should be conducted in operating subsidiaries of such banks. Such arrangements would appear to provide this Office with a more efficient means of supervising and examining bank brokerage activities. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	04/17/84	49 FR 15089
NPRM Comment Period Begin	04/17/84	49 FR 15089
NPRM Comment Period End	06/01/84	
NPRM Comment Period Extended To 07/16/84	06/15/84	49 FR 24748
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Agency Contact: Linda Gottfried, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1954**

RIN: 1557-AA34

60. ● RULES OF PRACTICE AND PROCEDURE

Legal Authority: 12 USC 1818

CFR Citation: 12 CFR 19

Abstract: The proposed regulation will set forth amendments to the hearing rules for administrative hearings. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Jon D. Hartman, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Enforcement and Compliance Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1818**

RIN: 1557-AA43

61. ● DISCLOSURE OF FINANCIAL AND OTHER INFORMATION REGARDING NATIONAL BANKS

Legal Authority: 12 USC 1 et seq; 12 USC 93a

Abstract: The advance notice of proposed rulemaking requests comments on whether changes should be made in the current public disclosures required of national banks. The comments received in response to the 25 questions posed will be used in the assessment of the need for and content of a regulation regarding financial disclosure. These questions are in four general areas: general characteristics of an effective disclosure system, additional information about operations and management, additional disclosure of administrative enforcement actions, and cost-benefit considerations of possible changes. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	07/13/84	49 FR 28566
ANPRM Comment Period Begin	07/13/84	49 FR 28566
ANPRM Comment Period End	10/11/84	
NPRM	01/00/85	
Final Action	06/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: David G. Hayes, Senior Economic Advisor, Legislative and Regulatory Analysis Division, 202 447-1177, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Emily R. McNaughton, National Bank Examiner, Department of the Treasury, Comptroller of the Currency, Commercial Examinations Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1165**

RIN: 1557-AA44

62. ● ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA BANKS

Legal Authority: 12 USC 1 et seq; 12 USC 481; 12 USC 482

CFR Citation: 12 CFR 8; 12 CFR 5

Abstract: The notice of proposed rulemaking will revise the fees charged by the Office for special examinations and investigations of national banking associations and District of Columbia banks, for examinations of the affiliates of such institutions, for examinations of fiduciary activities of such institutions exercising fiduciary powers, and for examinations and investigations made pursuant to Rules, Policies, and Procedures for Corporate Activities. The revision would permit the Office to recover the expenses it incurs in performing these supervisory functions. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
NPRM Comment Period Begin	09/00/84	
NPRM Comment Period End	10/00/84	
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Agency Contact: Dennis J. Arczynski, Project Manager, Department of the Treasury, Comptroller of the Currency, Financial Operations, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1878**

RIN: 1557-AA45

63. ● MINIMUM CAPITAL RATIOS; ISSUANCE OF DIRECTIVES

Priority: Agency Determination, Major

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 161; 12 USC 1818; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 3, (New); 12 CFR 7.1100

Abstract: The proposed regulation would establish required minimum levels of capital for national banks and procedures to assure that national banks achieve and maintain adequate capital. This action is required by section 908 of the International Lending Supervision Act of 1983, 12 USC 3907. The proposed minimum ratios of capital to assets, definitions of primary and secondary capital, procedures, and other issues have been presented for comment and alternatives on these issues will be considered in conjunction with the final regulation. Because some banks, including several large banks, would need to raise or generate additional capital to meet the minimum ratios, underwriting costs may be significant, competition in capital markets is likely to increase, and dividends could be lower than historical averages until the required capital ratios have been achieved. Benefits of the proposal would include an increased capacity for banks to fund economic growth and to withstand losses, and increased stability in the nation's financial system. The minimum capital levels required by the regulation are lower than those currently contained in agency guidelines used to evaluate (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/04/84	49 FR 34838
NPRM Comment Period Begin	09/04/84	49 FR 34838
NPRM Comment Period End	11/05/84	
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: the adequacy of capital in small national banks. Therefore, nearly all small national banks meet the minimum ratios contained in the proposed regulation.

Agency Contact: **Dorothy A. Sable**, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA46

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Completed Actions

COMPLETED RULEMAKINGS

64. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES

Priority: Agency Determination

Legal Authority: 12 USC 1 et seq

CFR Citation: 12 CFR 5

Abstract: The Office is engaged in a comprehensive review of its rules, policies, and procedures governing corporate activities. On March 5, 1984 at 49 FR 7981 the Office issued a final rule to simplify the approval process for a national bank seeking to establish fiduciary powers by replacing the formal application with a simple letter of notification and by eliminating publication requirements. In addition, the final rule provided for delegation of approval authority to the district offices. On April 17, 1984 at 49 FR 15068 a final rule was published which simplified the approval process for a state bank seeking to convert to a national bank by replacing the formal application with a simple letter of notification and by eliminating the publication requirement. The effect of this rulemaking is expected to be beneficial rather than adverse, and small entities are expected to share the benefits of this rulemaking with larger institutions. Other regulations are currently being reviewed to streamline application processes. Proposed rules have been issued on new bank charters (January 6, 1984 at 49 FR 893) and on equity capital and subordinated (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/27/83	48 FR 44083
NPRM Comment Period Begin	09/27/83	48 FR 44083
NPRM	10/25/83	48 FR 49291
NPRM Comment Period End	10/27/83	
NPRM Comment Period End	11/25/83	48 FR 49291
NPRM	01/06/84	49 FR 893
NPRM Comment Period End	02/06/84	49 FR 893
Final Action	03/05/84	49 FR 7981
Final Action Effective	04/04/84	49 FR 7981
Final Action	04/17/84	49 FR 15068
NPRM	04/25/84	49 FR 17764
Final Action Effective	05/17/84	49 FR 15068
NPRM Comment Period End	06/25/84	49 FR 17764
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: debt (April 25, 1984 at 49 FR 17764). The proposed revisions will benefit national banks and the Office by removing burdensome and costly regulatory requirements, while maintaining the Office's ability to render an informed decision on the proposed activity. The effect on small entities will be considered in the development of this rulemaking.

Agency Contact: **Joseph W. Malott**, Corporate Policy Analyst, Department of the Treasury, Comptroller of the Currency, Bank Organization & Structure Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1184**

RIN: 1557-AA00

65. INDEMNIFICATION OF BANK DIRECTORS AND PERSONNEL

Legal Authority: 12 USC 24; 12 USC 93a

CFR Citation: 12 CFR 7.5217

Abstract: This interpretive ruling authorizes national banks to have indemnification articles in their articles of association providing for indemnification of directors and officers either in situations where local law or the Model Business Corporation Act would allow it. These choices replace the ruling which permitted an indemnification article allowing for indemnification where the director or

officer did not commit a willful act leading to liability. This interpretive ruling also addresses special situations where administrative action results in assessment of personal liability. It provides for insurance coverage of the acts of directors, officers and employees except where civil money penalties have been assessed. It attempts to balance the needs of banks in being able to easily recruit competent personnel and the desire to ensure conscientious performance of duties by directors or officers. This ruling will not require national banks to expend any funds or file reports, and will not otherwise have an adverse effect on their prices and costs.

Timetable:

Action	Date	FR Cite
ANPRM	02/06/80	45 FR 8025
NPRM	06/03/83	48 FR 24913
NPRM Comment Period Begin	06/03/83	48 FR 24913
NPRM Comment Period End	08/02/83	
Final Action	08/02/84	49 FR 30920
Final Action Effective	09/04/84	49 FR 30920

Small Entity: No

Agency Contact: Judith Cohn, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1954**

RIN: 1557-AA02

66. DATA PROCESSING SERVICES

Legal Authority: 12 USC 24(7)

CFR Citation: 12 CFR 7.3500

Abstract: This interpretive ruling concerns national bank data processing It was revised to eliminate certain language which had caused some confusion in the past. As revised, the interpretive ruling contains no examples or lists of permissible data processing activities. Rather the ruling provides the analytical framework for deciding the permissibility of particular data processing activities of national banks. This framework is based on the premise that data processing is not itself a distinct type of bank service. Rather, it is a technology used to render banking services. As such, data processing can be used by a national bank to perform any service which the bank may legally perform.

Timetable:

Action	Date	FR Cite
ANPRM	06/16/80	45 FR 40613
NPRM	10/19/82	47 FR 46526
NPRM Comment Period Begin	10/19/82	47 FR 46526
NPRM Comment Period End	12/20/82	
Final Action	03/26/84	49 FR 11157
Final Action Effective	04/25/84	49 FR 11157

Small Entity: No

Agency Contact: Alan Priest, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA03

67. CHARGES BY NATIONAL BANKS

Legal Authority: 12 USC 1 et seq

CFR Citation: 12 CFR 7.8000

Abstract: This interpretive ruling, which concerns the charges that may be imposed by national banks, was revised to make it clear that the ruling itself does not preempt state law regarding national bank service charges on deposit accounts. The Office believes that the comprehensive federal statutory scheme enacted over the years, together with more recent legislative actions deregulating bank deposits, leaves no room for states to impose restrictions on national bank deposit account service charges. In addition, this amendment makes it clear that the Office has the authority to deal with instances of unacceptable pricing.

Timetable:

Action	Date	FR Cite
Final Action	07/11/84	49 FR 28237
Final Action Effective	07/11/84	49 FR 28237

Small Entity: No

Agency Contact: Alan Priest, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA32

68. ACCOUNTING FOR INTERNATIONAL LOAN FEES

Priority: Agency Determination

Legal Authority: 12 USC 1 et seq; PL 98-181, Sec 906

CFR Citation: 12 CFR 20.7; 12 CFR 20.9

Abstract: This regulation and similar regulations of the Federal Reserve System and the Federal Deposit Insurance Corporation, establish uniform requirements for the accounting for fees associated with restructuring of international lending arrangements and nonrefundable fees charged by banking institutions in connection with other international loans. The regulations cover flat fees which are designed to increase the yield of the loan, syndication and management fees, agency fees, commitment fees and other similar fees. The purpose of the regulation is to assure that the appropriate portion of such fees is accrued in income over the effective life of the relevant loan as required by section 906 of the International Lending Supervision Act of 1983. Since small banks generally do not engage extensively in international lending, they would not be affected by this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	02/13/84	49 FR 5594
NPRM Comment Period Begin	02/13/84	49 FR 5594
NPRM Comment Period End	03/05/84	
Final Action	03/29/84	49 FR 12192
Final Action Effective	03/29/84	49 FR 12192
Final Action Effective	06/30/84	49 FR 12192

Small Entity: No

Agency Contact: Zane D. Blackburn, Director, Department of the Treasury, Comptroller of the Currency, Bank Accounting, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-0471**

RIN: 1557-AA33

69. MANAGEMENT OFFICIAL INTERLOCKS

Legal Authority: 12 USC 3201 et seq

CFR Citation: 12 CFR 26.2(n); 12 CFR 26.3(b); 12 CFR 26.6

Abstract: A final rule was published to conform to a change in the Depository Institution Management Interlocks Act which deleted all references to Standard Metropolitan Statistical Areas and substituted therefor the new

classifications for Metropolitan Statistical Areas adopted by the Office of Management and Budget.

Timetable:

Action	Date	FR Cite
Final Action	07/10/84	49 FR 28041
Final Action Effective	07/10/84	49 FR 28041

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Chari Anhouse, Attorney, Legal Advisory Services Division, 202 447-1880, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Jonathan Rushdoony, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA35

70. ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA BANKS

Legal Authority: 12 USC 482

CFR Citation: 12 CFR 8.2

Abstract: The rule provides for a 12 percent increase in the assessment fees to be paid by national banks on or before July 31, 1984, and on or before January 31, 1985. The increase is necessary for the Office to continue its effective supervision of the national banking system. The regulation does not impose additional reporting or recordkeeping requirements on any bank subject to the jurisdiction of this Office, nor does it have a substantial impact on smaller banks.

Timetable:

Action	Date	FR Cite
NPRM	05/10/84	49 FR 19828
NPRM Comment Period Begin	05/10/84	49 FR 19828
NPRM Comment Period End	06/11/84	
Final Action	06/27/84	49 FR 26204
Final Action Effective	06/27/84	49 FR 26204

Small Entity: No

Agency Contact: Chari Anhouse, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA36

71. FEDERAL BRANCHES AND AGENCIES OF FOREIGN BANKS

Legal Authority: 12 USC 3102; 12 USC 3108

CFR Citation: 12 CFR 28

Abstract: The rule amends 12 CFR 28 to state that Federal agencies of foreign banks may not accept deposits. This amendment conforms the rule to the requirements of the decision of the court in Conference of State Bank Supervisors v. Conover, No. 81-2256, 715 F.2d 604 (D.C. Cir. 1983).

Timetable:

Action	Date	FR Cite
Final Action	03/05/84	49 FR 07983
Final Action Effective	03/05/84	49 FR 07983

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: William A. Ryback, Director, International Banking Activity, 202 447-0413, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Richard H. Cleva, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA38

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

72. ● ADJUSTABLE-RATE MORTGAGES

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 371

CFR Citation: 12 CFR 29.7(d)

Abstract: The disclosure statement under 12 CFR 29.7(d) must be reprinted in or affixed to bank loan application or note forms for short-term or demand mortgage loans in order to exempt such loans from ARM coverage. Recently, it has become apparent to this Office that the identifying language in the statement may confuse borrowers when used in conjunction with certain loan application and note forms in widespread use among banks. This amendment resolves the potential identification confusion by permitting banks to alter the statement so that its terminology identifying the borrower is consistent with that used in the banks' forms. Where a bank uses a loan application or loan note that is written in the first person, it may also insert first-person terminology, as appropriate, for second-person terminology in the disclosure statement. This Office believes that the language clarifications will ensure better communication between banks and borrowers and will not have a significant economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Final Action	08/22/84	49 FR 33215
Final Action Effective	08/22/84	49 FR 33215

Small Entity: No

Agency Contact: Jonathan L. Levin, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA41

73. ● REPORTING OF FOREIGN EXCHANGE ACTIVITIES

Legal Authority: 12 USC 1 et seq; 12 USC 161

CFR Citation: 12 CFR 20.5

Abstract: This final rule will conform this regulation to recent changes in the monthly foreign currency reporting of banks in the United States. Such changes included a transfer in the authority to collect this data from the Treasury Department to the Federal bank regulatory agencies (this Office, Federal Reserve Board, and Federal Deposit Insurance Corporation) and changes to the reporting process and format. The final rule will reflect the revised reporting requirements and eliminate an unnecessary and possibly confusing requirement that copies of the former FC-1a and FC-2a reports be submitted to this Office. Since small banks do not engage extensively in foreign currency activities, they would not be affected by this rulemaking.

TREAS—OCC

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	08/23/84	49 FR 33435
Final Action Effective	08/23/84	49 FR 33435

Small Entity: No

Agency Contact: Joseph M. Fitzgerald, National Bank Examiner, Department of the Treasury, Comptroller of the Currency, International Banking Activity, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1747

RIN: 1557-AA42

[FR Doc. 84-24448 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Customs Service

19 CFR Ch. I

Semiannual Agenda

AGENCY: U.S. Customs Service, Treasury.

ACTION: Semiannual agenda.

SUMMARY: In response to Pub. L. 96-354, the "Regulatory Flexibility Act," and Executive Order 12291, "Federal Regulation," Customs has prepared and is publishing for public information a list of regulations either under development or under review.

FOR FURTHER INFORMATION CONTACT: For additional information regarding the substance of any particular regulatory project described in the agenda, please communicate with the person identified as the "Agency Contact." All agency contact persons are located at U.S. Customs Service Headquarters, the address of which is noted below. Comments or inquiries of a general nature about the agenda itself should be directed to Gertrude A. Bresnahan, Regulations Control Branch, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, Room 2426, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-8237).

SUPPLEMENTARY INFORMATION:

Background

Pub. L. 96-354, the "Regulatory Flexibility Act" (RFA) and Executive Order (E.O.) 12291 of February 17, 1981, "Federal Regulation," require semiannual publication, in April and October of each year, of an agenda of regulations which are "likely to have a significant economic impact on a substantial number of small entities" and "major" regulations, respectively. The RFA and E.O. 12291 also require agencies to include in their agendas currently effective rules which are under agency review. Customs agenda includes a brief abstract of each regulatory project ("project") being considered, an indication of whether the project will have an RFA impact, the section(s) of the Code of Federal Regulations affected, the legal authority for the action being taken, the name, title, and telephone number of an agency contact and, where applicable, an approximate timetable of completing action on any project for which Customs has published a notice of proposed rulemaking. In addition, the status of projects referred to in previously published agendas is shown.

The following is the eighth semiannual agenda to be published by Customs under the RFA and E.O. 12291. It has been determined that none of the projects listed as being under development meets the standards required of a "major" regulation provided in E.O. 12291.

General statutory authority for the development or review of regulations relating to Customs matters is found in section 301, title 5, United States Code (5 U.S.C. 301), and in sections 66 and 1624, title 19, United States Code (19 U.S.C. 66, 1624). When appropriate, additional specific statutory authority is indicated as the legal authority for the project.

DATED: August 17, 1984.

Harvey B. Fox,

Director, Office of Regulations and Rulings.

BILLING CODE 4820-02-T

United States Customs Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
74	19 CFR 111 Customhouse brokers	1515-AA04
75	19 CFR 113 Customs Bonds	1515-AA05
76	19 CFR 133 Copyright	1515-AA07
77	19 CFR 142 Entry of Merchandise; Bonds	1515-AA09
78	19 CFR 24.3a, (New) Accounting; Interest on Delinquent Accounts	1515-AA18
79	19 CFR 19 Customs Warehouses; Duty-Free Stores	1515-AA22
80	19 CFR 4 Entry and Clearance of Vessels	1515-AA23
81	19 CFR 18 Transportation of Bonded Merchandise	1515-AA24
82	19 CFR 10 Elimination of Duty on Articles for Handicapped Persons	1515-AA25
83	19 CFR 10 Caribbean Basin Initiative	1515-AA27
84	19 CFR 6 Aircraft Reporting Requirements	1515-AA28
85	19 CFR 6 Textiles and Textile Products	1515-AA29
86	19 CFR 18 Foreign Trade Zones	1515-AA30
87	19 CFR 4 Passengers on Foreign Vessels	1515-AA31

TREAS—CUSTOMS

United States Customs Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
88	19 CFR 134 Country of Origin Marking - Rotary Metal Cutting Tools	1515-AA32

United States Customs Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
89	19 CFR 6 Air Commerce	1515-AA00
90	19 CFR 141 Entry of Merchandise; Special Permits for Immediate Delivery	1515-AA08
91	19 CFR 171.13 Relief from Seizures	1515-AA15
92	19 CFR 134.13(c), (New) Country of Origin Marking	1515-AA20
93	19 CFR 4.66c Prevention of Pollution by Vessels	1515-AA26

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Current and Projected Rulemakings

74. CUSTOMHOUSE BROKERS

Legal Authority: 19 USC 1641

CFR Citation: 19 CFR 111

Abstract: Amend Customs Regulations to clarify responsibilities of customhouse brokers and to ensure uniform compliance with applicable regulations. Customs has under consideration as part of project issue of extent to which brokers should be regulated. Work plan 79-5 approved.

Timetable:

Action	Date	FR Cite
NPRM	04/07/83	48 FR 15154
NPRM Comment Period Begin	04/07/83	
Extension of Comment Period	05/12/83	48 FR 21343
NPRM Comment Period End	07/05/83	
T. D. in Customs Review	04/27/84	
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: SMALL BUSINESSES CONT: Determination of RFA impact to be made concurrent with publication of NPRM.

Agency Contact: Margaret M. O'Rourke, Director, Department of the Treasury, United States Customs Service, Office of Trade Operations, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-8047

RIN: 1515-AA04

75. CUSTOMS BONDS

Legal Authority: 19 USC 1623

CFR Citation: 19 CFR 113

Abstract: Consolidation of Customs bonds and related forms to simplify bond structure and language preparatory to automated program. Project would simplify transactions between Customs and importing public by clarifying bond language and reducing number of bonds. Work plan 81-2 approved.

Timetable:

Action	Date	FR Cite
ANPRM	05/26/81	46 FR 28172
ANPRM Comment Period Begin	05/26/81	
ANPRM Comment Period End	07/25/81	
NPRM	03/15/83	48 FR 11032
NPRM Comment Period Begin	03/15/83	
NPRM Comment Period End	06/13/83	
T. D. in Treasury Review	05/17/84	
Final Action	10/00/84	

Small Entity: Undetermined

Additional Information: SMALL BUSINESSES CONT: Determination on RFA impact to be made after receipt of comments received in response to expected NPRM.

Agency Contact: Joseph Goody, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-2812

RIN: 1515-AA05

76. COPYRIGHT

Legal Authority: 17 USC 1603

CFR Citation: 19 CFR 133

Abstract: Amendments to Customs Regulations relating to recordation of copyrights with Customs, to implement provisions of Pub. L. 94-533, "Copyright Act of 1976." The project would reduce administrative costs to Customs and copyright applicants. Work plan 82-17 approved.

Timetable:

Action	Date	FR Cite
NPRM	07/07/83	48 FR 31245
NPRM Comment Period Begin	07/07/83	
NPRM Comment Period End	10/05/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Samuel Orandle, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5765

RIN: 1515-AA07

77. ENTRY OF MERCHANDISE; BONDS

Legal Authority: 19 USC 1623

CFR Citation: 19 CFR 142

Abstract: Acceptance of formal entries with unsecured bonds for certain importations. The project would decrease costs to an importer of merchandise valued less than $1,000. Work plan 81-15 approved.

Timetable:

Action	Date	FR Cite
NPRM	12/21/83	48 FR 56401
NPRM Comment Period Begin	12/21/83	
NPRM Comment Period End	02/21/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Herbert Geller, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5307

RIN: 1515-AA09

78. ACCOUNTING; INTEREST ON DELINQUENT ACCOUNTS

Legal Authority: 19 USC 197; 19 USC 198; 19 USC 1484; 19 USC 1500; 19 USC 1505; 19 USC 1623; 31 USC 483a

CFR Citation: 19 CFR 24.3a, (New); 19 CFR 113.4, (New)

Abstract: Establish interest charges for the last payment of supplemental duty bills (bills for additional duties ascertained upon liquidation), reimbursable services, and miscellaneous bills issued by Customs to organizations outside the Government. Provide incentive for prompt payment or reimbursement of interest costs resulting from Government borrowing. Work Plan 80-2 approved.

Timetable:

Action	Date	FR Cite
NPRM	03/10/83	48 FR 10077
NPRM Comment Period Begin	03/10/83	
NPRM Comment Period End	05/09/83	
T. D. in Customs Review	02/08/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Robert B. Hamilton, Accountant, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-2596

RIN: 1515-AA18

79. CUSTOMS WAREHOUSES; DUTY-FREE STORES

Legal Authority: 19 USC 1556; 19 USC 1565; 19 USC 1623

CFR Citation: 19 CFR 19; 19 CFR 144

Abstract: Consideration of various actions in regard to administration of duty-free stores. Actions range from abolition of stores to their designation as class of bonded warehouse and/or increased regulation. Actions necessary due to need for increased efficiency of store administration by Customs and to address enforcement problems related to stores. Public comment requested on actions under consideration, as well as store operations in general. Work Plan 83-1 approved.

Timetable:

Action	Date	FR Cite
ANPRM	07/21/83	48 FR 33318
ANPRM Comment Period Begin	07/21/83	
ANPRM Comment Period End	09/19/83	
NPRM in Treasury Review	00/00/00	

Small Entity: No

Agency Contact: John R. Holl, Operation Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5354

RIN: 1515-AA22

80. ENTRY AND CLEARANCE OF VESSELS

Legal Authority: 19 USC 66; 19 USC 1624; 46 USC 2; 46 USC 3

CFR Citation: 19 CFR 4

Abstract: Amends Customs Regulations relating to the application of the entry and clearance requirements of the navigation laws to vessels engaged in the lightering of import and export cargo between the U.S. and vessels located beyond the territorial waters of the U.S.

Timetable:

Action	Date	FR Cite
ANPRM	10/14/83	48 FR 46808
ANPRM Comment Period Begin	10/14/83	
ANPRM Comment Period End	12/13/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Edward B. Gable, Jr., Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5732

RIN: 1515-AA23

81. TRANSPORTATION OF BONDED MERCHANDISE

Legal Authority: 19 USC 66; 19 USC 1552; 19 USC 1553; 19 USC 1557; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 18; 19 CFR 123; 19 CFR 144

Abstract: Amends Customs Regulations to provide more control over imported merchandise transported in bond from the port of entry to the port of designation or port of exportation. Establishes time periods for the receipt, delivery, and notification to Customs of arrival of imported merchandise transported in bond within the U.S. Provides that presentation to Customs of in-bond document accompanying the merchandise will be acceptable as proof of delivery and that new in-bond

control system will be applicable to truck shipments of in-bond merchandise transiting the U.S. to Canada or Mexico.

Timetable:

Action	Date	FR Cite
NPRM	10/14/83	48 FR 46812
NPRM Comment Period Begin	10/14/83	
NPRM Comment Period End	12/13/83	
T. D. in Treasury Review	08/14/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: J. Bradley Lund, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5354

RIN: 1515-AA24

82. ELIMINATION OF DUTY ON ARTICLES FOR HANDICAPPED PERSONS

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624

CFR Citation: 19 CFR 10

Abstract: Amends Customs Regulations to provide a procedure for duty-free treatment of imported articles specially designed or adapted for the use or benefit of physically or mentally handicapped persons. Describes a new law which expands coverage to encompass most articles specially designed or adapted for use by the handicapped other than articles solely for the blind.

Timetable:

Action	Date	FR Cite
NPRM	01/12/84	49 FR 1482
NPRM Comment Period Begin	01/12/84	
NPRM Comment Period End	03/12/84	
T. D. in Customs Review	07/09/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Herbert Geller, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5307

RIN: 1515-AA25

83. CARIBBEAN BASIN INITIATIVE

Legal Authority: PL 98-67; 19 USC 66; 19 USC 1523; 19 USC 1624; 19 USC 2701

CFR Citation: 19 CFR 10

Abstract: Amends the Customs Regulations to implement the duty-free aspects of the Caribbean Basin Economic Recovery Act, commonly referred to as the Caribbean Basin Initiative. Provides for the waiver of duties on most products imported from Caribbean and Central American countries designated by the President as beneficiary countries.

Timetable:

Action	Date	FR Cite
NPRM	01/05/84	49 FR 852
NPRM Comment Period Begin	01/05/84	
NPRM Comment Period End	03/05/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Frank Foote, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-2938

RIN: 1515-AA27

84. ● AIRCRAFT REPORTING REQUIREMENTS

Legal Authority: 19 USC 66; 19 USC 1624; 49 USC 1509

CFR Citation: 19 CFR 6

Abstract: Amends Customs Regulations to extend to certain commercial aircraft, the reporting requirements currently applicable to private aircraft arriving from areas south of the U.S. This includes a list of designated airports at which designated aircraft must land to report their arrival to Customs. The change is being made to expand the effectiveness of drug smuggling enforcement.

Timetable:

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30527
NPRM Comment Period Begin	07/31/84	
NPRM Comment Period End	10/01/84	
Comments being analysed	12/00/84	
Final Action	01/00/85	

Small Entity: Undetermined

Agency Contact: Galen G. Garlick, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5607

RIN: 1515-AA28

85. ● TEXTILES AND TEXTILE PRODUCTS

Legal Authority: 7 USC 1854; 19 USC 66; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 6; 19 CFR 12; 19 CFR 18; 19 CFR 19; 19 CFR 141; 19 CFR 142; 19 CFR 144; 19 CFR 146

Abstract: Implements Executive Order 12475 of May 9, 1984, by amending Customs Regulations relating to the entry of imported textiles and textile products. The regulations provide criteria for determining country of origin of articles and require a declaration as to the origin and the manufacturing or processing operations performed.

Timetable:

Action	Date	FR Cite
NPRM	08/03/84	49 FR 31248
NPRM Comment Period Begin	08/03/84	
NPRM Comment Period End	10/02/84	
Comments being analysed	12/00/84	
Final Action	01/00/85	

Small Entity: Undetermined

Agency Contact: Philip Robins, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-8181

RIN: 1515-AA29

86. ● FOREIGN TRADE ZONES

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 81a to 81u; 19 USC 1202; 19 USC 1623; 19 USC 1624; 31 USC 9701

CFR Citation: 19 CFR 18; 19 CFR 24; 19 CFR 112; 19 CFR 141; 19 CFR 144; 19 CFR 146; 19 CFR 191

Abstract: Amends Customs Regulations to incorporate new audit-inspection method of zone supervision by Customs, as well as to set forth revised general provisions applicable to the administration of zones.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 28855
NPRM Comment Period Begin	07/17/84	
NPRM Comment Period End	10/15/84	
Comments being analysed	12/00/84	
Final Action	01/00/85	

Small Entity: Undetermined

Agency Contact: John Holl, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-8151

RIN: 1515-AA30

87. ● PASSENGERS ON FOREIGN VESSELS

Legal Authority: 19 USC 66; 19 USC 1624; 46 USC 2; 46 USC 3

CFR Citation: 19 CFR 4

Abstract: Amends Customs Regulations relating to transportation of passengers by a foreign vessel between ports or places in the U.S., either directly or by way of foreign port. It would provide that, with certain exceptions, such transportation is prohibited when passengers are actually embarked at one port or place in the U.S. and disembarked at another port or place in the U.S.

Timetable:

Action	Date	FR Cite
ANPRM	04/25/84	49 FR 17769
ANPRM Comment Period Begin	04/25/84	
ANPRM Comment Period End	06/25/84	
Comments being analysed	00/00/00	

Small Entity: Undetermined

Agency Contact: Edward B. Gable, Jr., Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5732

RIN: 1515-AA31

88. ● COUNTRY OF ORIGIN MARKING - ROTARY METAL CUTTING TOOLS

Legal Authority: 19 USC 1304

CFR Citation: 19 CFR 134

Abstract: Changes practice relating to exempting imported rotary metal cutting tools from being marked individually with the country of origin. Designed to ensure that ultimate purchaser in U.S. is aware of the country of origin of the article.

Timetable:

Action	Date	FR Cite
NPRM	04/25/84	49 FR 17772
NPRM Comment Period Begin	04/25/84	
NPRM Comment Period End	06/25/84	
Comments being analysed	10/00/84	
Final Action	11/00/84	

Small Entity: Undetermined

Agency Contact: Harold Loring, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5765

RIN: 1515-AA32

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Completed Actions

COMPLETED RULEMAKINGS

89. AIR COMMERCE

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1624

CFR Citation: 19 CFR 6; 19 CFR 10

Abstract: Establish new rules for (1) duty-free trade in civil aircraft, and (2) dutiability of foreign repairs to, and foreign purchases of parts and materials for, U.S.-registered civil aircraft. Implement Title VI, Civil Aircraft Agreement, of Pub. L. 96-39, "Trade Agreements Act of 1979." Cost/benefit analysis contained in Trade Agreements Act of 1979 Statements of Administrative Action, House Document No. 96-153, Part II, pp. 507-510. Work plan 79-30 approved.

Timetable:

Action	Date	FR Cite
NPRM	01/08/80	45 FR 1633
NPRM Comment Period Begin	01/08/80	
NPRM Comment Period End	03/10/80	
Final Action T. D. 84-109	05/08/84	49 FR 19447
Final Action Effective	06/07/84	

Small Entity: Not Applicable

Agency Contact: John Mathis, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5706

RIN: 1515-AA00

90. ENTRY OF MERCHANDISE; SPECIAL PERMITS FOR IMMEDIATE DELIVERY

Legal Authority: 19 USC 1484

CFR Citation: 19 CFR 141; 19 CFR 142

Abstract: Revise Consumption Entry (Customs Form 7501) to accommodate new entry procedures set forth in Pub. L. 95-410, "Customs Procedural Reform and Simplification Act of 1978." The project would improve the procedures used by Customs for the entry of imported merchandise and the collection of statistics, and reduce the paperwork burden on the importing community by eliminating forms and assuring that only necessary information will be collected. Work plan 80-18 approved.

Timetable:

Action	Date	FR Cite
NPRM	11/01/83	48 FR 50342
NPRM Comment Period Begin	11/01/83	
NPRM Comment Period End	01/03/84	
Final Action T. D. 84-129	06/05/84	49 FR 23161
Final Action Effective	01/01/85	

Small Entity: No

Agency Contact: Herbert Geller, Operations Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5307**

RIN: 1515-AA08

91. RELIEF FROM SEIZURES

Legal Authority: 19 USC 1618

CFR Citation: 19 CFR 171.13

Abstract: Expand the regulations to cover certain situations where petitioner not in possession of seized property at time of seizure; require additional evidence in petitions for relief of such seizures; and give examples of types of evidence that will be considered. Amendments are needed to make regulation complete, and to avoid obfuscation by petitioner of any knowledge of or involvement in violation of law.

Timetable:

Action	Date	FR Cite
NPRM	08/17/83	48 FR 37227
NPRM Comment Period Begin	08/17/83	
NPRM Comment Period End	10/17/83	
Final Action T. D. 84-92.	04/25/84	49 FR 17754
Final Action Effective	05/25/84	

Small Entity: No

Agency Contact: Harriett Blank, Attorney, Department of the Treasury, United States Customs Service, Miscellaneous Penalties Branch, Room, 2426, 1301 Constitution Avenue, NW., Washington, D.C. 20229, **202 566-5746**

RIN: 1515-AA15

92. COUNTRY OF ORIGIN MARKING

Legal Authority: 19 USC 1202; 19 USC 1304

CFR Citation: 19 CFR 134.13(c), (New)

Abstract: Establish certification requirements to prohibit concealment of country of origin information on articles imported in bulk and repacked in U.S. after release from Customs custody. Importer required to (1) make clear country of origin information if he repacks merchandise, and (2) notify any subsequent purchaser or repacker, in writing, of country of origin marking requirements. Change would ensure that ultimate consumer/purchaser cognizant of country of origin of article.

Timetable:

Action	Date	FR Cite
NPRM	07/26/83	48 FR 33908
NPRM Comment Period Begin	07/26/83	
NPRM Comment Period End	09/26/83	
Final Action T. D. 84-127	06/01/84	49 FR 22793
Final Action Effective	07/02/84	

Small Entity: No

Agency Contact: Harold Loring, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5765**

RIN: 1515-AA20

93. PREVENTION OF POLLUTION BY VESSELS

Legal Authority: 19 USC 1443; 33 USC 1961; 46 USC 91; 46 USC 313

CFR Citation: 19 CFR 4.66c

Abstract: Amends Customs Regulations relating to prevention of oil pollution by oceangoing vessels by permitting district directors of Customs, upon request of the Coast Guard, to refuse or revoke the clearance or permit to proceed of a vessel until otherwise notified by the Coast Guard. Enables Customs to implement provisions of the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973. Will protect and preserve the marine environment by reducing the amount of oily wastes discharged into the sea by oceangoing vessels of the U.S., and those of foreign countries within the navigable waters of the U.S.

Timetable:

Action	Date	FR Cite
NPRM	02/01/84	49 FR 3984
NPRM Comment Period Begin	02/01/84	
NPRM Comment Period End	04/02/84	
Final Action T. D. 84-148	07/16/84	49 FR 28694
Final Action Effective	07/16/84	

Small Entity: No

Agency Contact: John Mathis, Attorney, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5706**

RIN: 1515-AA26

[FR Doc. 84-24443 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Internal Revenue Service

26 CFR Ch. I

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Semiannual agenda of regulations.

SUMMARY: This semiannual agenda lists the regulations determined as of July 31, 1984, that the Internal Revenue Service will be developing from July 31, 1984 through October 1, 1985. The purpose of this semiannual agenda is to give the public adequate notice of regulatory activities of the Internal Revenue Service.

FOR FURTHER INFORMATION CONTACT: Robert A. Bley, Executive Assistant to the Director, Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR (202-566-3331), not a toll-free call.

SUPPLEMENTARY INFORMATION:

General

Section 5 of Executive Order 12291 and section 602 of the Regulatory Flexibility Act and the Treasury Directive implementing that Act all require that a semiannual agenda of regulations under development and review be published in the **Federal Register**. The next semiannual agenda of the Internal Revenue Service will be published in the **Federal Register** in April of 1985.

Description

This Semiannual Agenda of Regulations lists all projects within the Internal Revenue Service (I.R.S.) as of July 31, 1984, for the development of regulations to appear in the Code of Federal Regulations. This agenda lists existing regulations under development by the Legislation and Regulations Division and the Employee Plans and Exempt Organizations Division of the Office of Chief Counsel, I.R.S. The following information is provided for each regulation project: the Title; priority status; whether the regulation is currently under review; its effect, if any, on small businesses; the part of the Code of Federal Regulations affected; the legal authority for issuing the regulation; a brief description of the problem to be addressed in the regulation; and a timetable of action taken and to be taken. Under additional information there is provided the control number of the project within the Chief Counsel's Office, and the name and telephone numbers of the drafting and reviewing attorneys.

By direction of the Secretary of the Treasury.

Roscoe L. Egger, Jr.,

Commissioner of Internal Revenue.

BILLING CODE 4830-01-T

Internal Revenue Service—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
94	26 USC 44F "Internal Revenue Code of 1954" Income Tax--Credit for increasing research activities	1545-AA07
95	26 USC 44G "Internal Revenue Code of 1954" Income Tax--Employee Stock Ownership Plan Credit	1545-AD56
96	26 USC 44C "Internal Revenue Code of 1954" Income Tax--Joint ownership of energy items & renewable energy source expenditures for purposes of the residential energy credit to conform to Secs 201(a) & 202 of the ETC	1545-AA03
97	26 USC 44H(d)(5) Credit for clinical testing expenses for certain drugs for rare diseases or conditions	1545-AF64
98	26 USC 46 "Internal Revenue Code of 1954" Income Tax--Investment credit for cooperatives	1545-AA09
99	26 USC 46 "Internal Revenue Code of 1954" Income Tax--The investment credit for qualified progress expenditures	1545-AA13
100	26 USC 46 "Internal Revenue Code of 1954" Income Tax--Investment credit for commuter highway vehicles	1545-AA08
101	26 USC 46(c)(8) "Internal Revenue Code of 1954" Income Tax--At risk limitations on investment credit	1545-AA15
102	26 USC 46(a) "Internal Revenue Code of 1954" Income Tax--Changes made by Secs 222(a) and 223(b) of the Crude Oil Windfall Profit Tax Act of 1980	1545-AA14
103	26 USC 38 "Internal Revenue Code of 1954" Income Tax--Tax treatment of mass assets for investment credit purposes	1545-AA10
104	26 USC 47 "Internal Revenue Code of 1954" Income Tax--Amendment of recapture rules	1545-AA18
105	26 USC 47 "Internal Revenue Code of 1954" Amendment of Income Tax Regulations under sections 47, 48 and 196 relating to basis adjustment to reflect investment tax credit	1545-AF06
106	26 USC 48 "Internal Revenue Code" Income Tax--Increase in Investment Tax Credit for Qualified Rehabilitation Expenditures	1545-AA12
107	26 USC 48 "Internal Revenue Code of 1954" Income Tax--Investment credit for rehabilitated structures	1545-AA21
108	26 USC 48(l) "Internal Revenue Code of 1954" Income Tax--Special rules added by sec 223(c) of Crude Oil Windfall Profit Tax Act 1980, relating to reduction of credit where property is financed by subsidized ETC	1545-AA26
109	26 USC 48 (l) (16) "Internal Revenue Code of 1954" Amendment of the Income Tax Regulations under section 48 (l) (16), relating to the energy investment credit for qualified intercity buses that are leased	1545-AG31
110	26 USC 48(l) "Internal Revenue Code of 1954" Income Tax--Definition of energy property, to reflect addition by sec 222(h) of the Crude Oil Windfall Profit Tax Act of 1980 of qualified intercity buses as energy property	1545-AA24
111	26 USC 48(k) "Internal Revenue Code of 1954" Income Tax--Definition of films that are "topical or otherwise essentially transitory in nature"	1545-AA22
112	26 USC 38(b) "Internal Revenue Code of 1954" Income Tax--Investment credit in case of property used by tax exempt organizations & governmental units	1545-AA23
113	26 USC 51 "Internal Revenue Code of 1954" Income Tax--Adjustments to new jobs credit	1545-AA31

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
114	26 USC 55 "Internal Revenue Code of 1954" Income Tax--Alternative minimum tax	1545-AE80
115	26 USC 56 "Internal Revenue Code of 1954" Income Tax--Minimum tax	1545-AA33
116	26 USC 57 "Internal Revenue Code of 1954" Income Tax-Minimum Tax. Item of tax preference for intangible drilling costs incurred in drilling oil, gas or geothermal wells	1545-AA34
117	26 USC 61 "Internal Revenue Code of 1954" Income Tax--Nonqualified salary reduction agreements	1545-AA35
118	26 USC 66 "Internal Revenue Code of 1954" Income Tax--Treatment of income of certain innocent spouses in community property States	1545-AA37
119	26 USC 72 "Internal Revenue Code of 1954" Income Tax--Unisex annuity tables	1545-AA38
120	26 USC 72 "Internal Revenue Code of 1954" Income Tax--Clarification of the Income Tax Regulations With Respect to the Taxation of Distribution from Qualified Plans Providing Life Insurance Protection	1545-AD60
121	26 USC 72(o) "Internal Revenue Code of 1954" Income Tax--Certain Distributions, Contributions, ETC	1545-AD61
122	26 USC 72 Loans Treated as Distributions	1545-AE41
123	26 USC 72 "Internal Revenue Code of 1954" Income Tax--Early withdrawals from deferred annuities	1545-AF08
124	26 USC 79 "Internal Revenue Code of 1954" Income Tax--Group term life insurance--Evidence of insurability	1545-AA39
125	26 USC 79(d) Nondiscrimination requirements for employer-provided group-term life insurance	1545-AE89
126	26 USC 83 "Internal Revenue Code of 1954" Income Tax--To make certain amendatory changes to rules relating to property transferred in connection with performance of services	1545-AA41
127	26 USC 86 "Internal Revenue Code of 1954" Regulations on Income Tax under the Social Security Amendments Act of 1983 relating to the Taxation of Social Security Benefits	1545-AG29
128	26 USC 101(f) "Internal Revenue Code of 1954" Income Tax--Flexible premium contracts	1545-AF28
129	26 USC 103(b) "Internal Revenue Code of 1954" Income Tax--Industrial Development Bonds for vehicles used for mass commuting	1545-AA43
130	26 USC 103 "Internal Revenue Code of 1954" Income Tax--To amend the regulations under sections 1.103-13 and 1.103-14 with respect to the calculations of "overissuance" and "cumulative cash flow deficit"	1545-AA44
131	26 USC 103 "Internal Revenue Code of 1954" Income Tax--To amend the regulations relating to the treatment of replacement funds	1545-AA46
132	26 USC 103 "Internal Revenue Code of 1954" Income Tax--To provide for the tax consequences of refunding industrial development bonds to the issuer, bond-holder & industrial user	1545-AA47
133	26 USC 103(b)(4) "Internal Revenue Code of 1954" Income Tax--Exemption for industrial development bonds for water facilities	1545-AA49
134	26 USC 103(b) "Internal Revenue Code of 1954" Income Tax--To clarify the "substantially all" test	1545-AA50
135	26 USC 103 "Internal Revenue Code of 1954" Income Tax--To clarify the "public use" and "functionally related" requirements	1545-AA51
136	26 USC 103 "Internal Revenue Code of 1954" Income Tax--To provide "timing" requirements for exempt small issues	1545-AA52
137	26 USC 103(b)(6) "Internal Revenue Code of 1954" Income Tax--To clarify the definition of the term "issue"	1545-AA54
138	26 USC 103(b) "Internal Revenue Code of 1954" Income Tax--To define the term "principal user of a facility"	1545-AA56
139	26 USC 103(b)(6)(D) "Internal Revenue Code of 1954" Income Tax--Increase in limit on small issues of industrial development bonds	1545-AA57
140	26 USC 103(b) "Internal Revenue Code of 1954" Income Tax--To clarify the definition of property which is a pollution control facility	1545-AA58
141	26 USC 103(b)(6) "Internal Revenue Code of 1954" Income Tax--Manner of electing $10 million limitation on exempt small issues	1545-AA59
142	26 USC 103 "Internal Revenue Code of 1954" Income Tax--To define the term "facility"	1545-AA60
143	26 USC 103(c) "Internal Revenue Code of 1954" Income Tax--Income tax regulations under section 103(c) to make certain corrective and clarifying changes to the arbitrage regulations	1545-AA61
144	26 USC 103A "Internal Revenue Code of 1954" Income Tax--Mortgage subsidy bonds	1545-AA63
145	26 USC 103(b) "Internal Revenue Code of 1954" Income Tax--To clarify the definition of property that is a solid waste disposal facility & to conform to statutory exemption for industrial development bonds for qualifi ETC	1545-AA64
146	26 USC 103 "Internal Revenue Code of 1954" To provide regulations requiring certain debt obligations to be issued in registered form	1545-AE18
147	26 USC 103 "Internal Revenue Code" To provide regulations under section 103(b)(10) relating to local district heating and cooling facilities	1545-AE22
148	26 USC 103 "Internal Revenue Code of 1954" To provide regulations under section 103(k) and (l)-- relating to public approval and information reporting requirements for private activity bonds	1545-AE24
149	26 USC 103 "Internal Revenue Code of 1954" To provide regulations under section 103(b)(14)-- relating to limitation on maturity of industrial development bonds	1545-AE69
150	26 USC 103 "Internal Revenue Code" Definition of "Materially higher" for acquired purpose obligations guaranteed by Federal Depository Insurance	1545-AE73
151	26 USC 103A "Internal Revenue Code" To provide regulations under section 103A relating to mortgage subsidy bonds for cooperative housing corporations	1545-AF36
152	26 USC 103(m) "Internal Revenue Code of 1954" Interest exempt other than under the Internal Revenue Code	1545-AF49
153	26 USC 103 "Internal Revenue Code of 1954" To provide regulations under section 103 (b) (6) (0) relating to restrictions on financing certain facilities with exempt small issues	1545-AF53

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
154	26 USC 103(c) "Internal Revenue Code of 1954" Arbitrage: treatment of issue price and administrative costs	1545-AF75
155	26 USC 103(n) "Internal Revenue Code of 1954" Limitation on aggregate amount of private activity bonds	1545-AG08
156	26 USC 104(a) "Internal Revenue Code of 1954" Income Tax--Changes in exclusion for sick pay & certain military, etcetera, disability pensions; certain disability income	1545-AA66
157	26 USC 105(h) "Internal Revenue Code of 1954" Income Tax Regulations under the Revenue Act of 1978, relating to self-insured medical expenses reimbursement plans	1545-AG34
158	26 USC 108 "Internal Revenue Code of 1954" Income Tax--Discharge of indebtedness	1545-AA67
159	26 USC 116 "Internal Revenue Code of 1954" Income Tax--Partial exclusion of dividends and interest received by individuals	1545-AA69
160	26 USC 117(c) "Internal Revenue Code of 1954" Income Tax--Relating to Federal grant not includable in gross income in certain cases	1545-AA70
161	26 USC 118(b) "Internal Revenue Code of 1954" Income Tax--Contributions in aid of construction for certain utilities	1545-AA71
162	26 USC 120 "Internal Revenue Code of 1954" Income Tax--Prepaid Legal Expenses	1545-AD62
163	26 USC 125 "Internal Revenue Code of 1954" Income Tax--Tax Treatment of Cafeteria Plans	1545-AD63
164	26 USC 126 "Internal Revenue Code of 1954" Income Tax-Exclusion from income of certain cost-sharing payments under government programs	1545-AA73
165	26 USC 129 "Internal Revenue Code of 1954" Income Tax--Dependent Care Assistance Programs	1545-AD65
166	26 USC 130 "Internal Revenue Code of 1954" Income Tax--Part 1 Personal injury liability assignments	1545-AF39
167	26 USC 131 Income Tax--Part I Exclusion from gross income for certain foster care payments	1545-AF52
168	26 USC 133 "Internal Revenue Code of 1954" Interest on ESOP securities acquisition loans	1545-AG46
169	26 USC 162 "Internal Revenue Code of 1954" Income Tax--Empl. Tax--Deductibility of certain transportation expenses	1545-AA76
170	26 USC 162 "Internal Revenue Code of 1954" Income Tax--To add provisions relating to State legislators travel expenses	1545-AA78
171	26 USC 162 "Internal Revenue Code of 1954" Income Tax--To provide better definitions in the area of political advertising & grassroots lobbying	1545-AA79
172	26 USC 163(d) "Internal Revenue Code of 1954" Income Tax--Limitation on interest deduction	1545-AA80
173	26 USC 165 "Internal Revenue Code of 1954" Sanctions on Issuers and Holders of Registration-Required Obligations Not in Registered Form	1545-AF63
174	26 USC 165 "Internal Revenue Code of 1954" Income Tax Regulations--Tax straddles relating to section 108 of the Tax Reform Act of 1984	1545-AG57
175	26 USC 165 "Internal Revenue Code of 1954" Temporary Income Tax regulations. Tax straddles relating to section 108 of the Tax Reform Act of 1984.	1545-AG60
176	26 USC 166(f) "Internal Revenue Code of 1954" Income Tax--Deductions for addition to a reserve for certain guaranteed debt obligations	1545-AA81
177	26 USC 168 "Internal Revenue Code of 1954" Income Tax--Accelerated cost recovery system	1545-AA87
178	26 USC 168(e)(3) "Internal Revenue Code of 1954" Income Tax--Normalization requirement for public utility property	1545-AA88
179	26 USC 168(f)(8) "Internal Revenue Code of 1954" Income Tax--Relating to terminal rental adjustment clauses in certain motor vehicle leases	1545-AF32
180	26 USC 168 Finance leases-Definition and special rules	1545-AF54
181	26 USC 168 "Internal Revenue Code of 1954" To provide regulations under section 168 relating to intangible property	1545-AF78
182	26 USC 168 "Internal Revenue Code of 1954" Temporary Regulations under the Tax Reform Act of 1984, relating to tax-exempt entity leasing	1545-AG26
183	26 USC 169 "Internal Revenue Code of 1954" Income Tax--Amortization of certain pollution control facilities	1545-AA89
184	26 USC 170 "Internal Revenue Code of 1954" Income Tax--Charitable contributions of scientific property used for research	1545-AA90
185	26 USC 170(f)(3) "Internal Revenue Code of 1954" Income Tax--Estate & Gift Taxes--Transfers of partial interests in property for conservation purposes--To extend certain temporary tax provisions	1545-AA91
186	26 USC 170(i) "Internal Revenue Code of 1954" Income Tax--Charitable contributions deduction for nonitemizers	1545-AA92
187	26 USC 172 "Internal Revenue Code of 1954" Income Tax--Net operating losses attributable to product liability losses	1545-AA93
188	26 USC 172(b)(1)(E) "Internal Revenue Code of 1954" Income Tax--Net operating losses for certain Real Estate Investment Trusts	1545-AA94
189	26 USC 179 "Internal Revenue Code of 1954" Income Tax--Election to expense certain depreciable assets	1545-AA95
190	26 USC 183 (e) (3) "Internal Revenue Code of 1954" Election to Postpone Determination with Respect to the Presumption that an Activity is Engaged in for Profit	1545-AG27
191	26 USC 189 "Internal Revenue Code of 1954" Income Tax--Amortization of real property construction period interest & taxes	1545-AA97
192	26 USC 193 "Internal Revenue Code of 1954" Income Tax--To add provisions relating to tertiary injectants to conform to Sec 251, Crude Oil Windfall Profit Tax Act 1980	1545-AA99
193	26 USC 195 "Internal Revenue Code of 1954" Income Tax--To add provisions relating to start-up expenditures	1545-AB02

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
194	*Income Tax--Estate Tax--Gift Tax--Procedure and Administration--Retirement savings	1545-AD66
195	26 USC 219(f)(3) "Internal Revenue Code of 1954" Income Tax--Various pension, etc. provisions	1545-AG62
196	26 USC 62 "Internal Revenue Code of 1954" Income Tax--Gift Tax--Employment Taxes--Retirement Income Plan Excise Taxes--Procedure and Administration--Spousal Individual Retirement Accounts Simplified Employee ETC	1545-AD59
197	26 USC 263 "Internal Revenue Code of 1954" Income Tax--Prepublication expenditures of publishers	1545-AA36
198	26 USC 266 "Internal Revenue Code of 1954" Income Tax--To clarify treatment of taxes measured by compensation paid employees	1545-AB03
199	26 USC 267 "Internal Revenue Code of 1954" Temporary regulations under section 267 IRC to reflect section 174 of the Tax Reform Act of 1984 relating to losses, expenses, and interest in transactions between related taxpayers	1545-AG10
200	26 USC 267 "Internal Revenue Code of 1954" Regulations under section 267 IRC to reflect section 174 of the Tax Reform Act of 1984 relating to losses, expenses, and interest in transactions between related taxpayers	1545-AG11
201	26 USC 269A "Internal Revenue Code of 1954" Income Tax--Personal Service Corporations	1545-AF11
202	26 USC 274(h) "Internal Revenue Code of 1954" Income Tax--To add provisions relating to foreign Conventions (as amended by section 4 of Public Law 96-608)	1545-AB04
203	26 USC 274(a) "Internal Revenue Code of 1954" Income Tax--Disallowance of certain entertainment expenses--To conform to section 361, Revenue Act of 1978	1545-AB05
204	26 USC 274(b) "Internal Revenue Code of 1954" Income Tax--Deductibility of gifts by employers	1545-AB06
205	26 USC 277 "Internal Revenue Code of 1954" Income Tax--Taxation of nonexempt membership organizations	1545-AB07
206	26 USC 280 "Internal Revenue Code of 1954" Income Tax--Amortization of production cost of motion pictures, books, records, and other similar property	1545-AB08
207	26 USC 280F "Internal Revenue Code of 1954" Temporary regulations under the Tax Reform Act of 1984, relating to limitations on investment tax credit and cost recovery deductions for luxury automobiles and certain other property	1545-AG24
208	26 USC 280A "Internal Revenue Code of 1954" Income Tax--Deductions for expenses attributable to business use of homes, rental of vacation homes	1545-AB09
209	26 USC 291 "Internal Revenue Code of 1954" Income tax--Special Rules Relating to Corporate Preference items	1545-AE78
210	26 USC 302(c)(2) "Internal Revenue Code of 1954" Waiver of Family Attribution by Entities	1545-AF13
211	26 USC 303 "Internal Revenue Code of 1954" Income Tax--Distribution in redemption of stock to pay death taxes	1545-AB13
212	26 USC 304 "Internal Revenue Code of 1954" Income Tax--Extension of Anti-Bailout Provisions to Corporation Formed or Availed of to Avoid these Provisions	1545-AF27
213	26 USC 305 "Internal Revenue Code of 1954" Income Tax--To clarify meaning of term "reasonable redemption premium"	1545-AB15
214	26 USC 305 "Internal Revenue Code of 1954" Income Tax--Temporary Regulations--Dividend reinvestment in stock of public utilities	1545-AB16
215	26 USC 305 "Internal Revenue Code of 1954" Income Tax--Dividend reinvestment in stock of public utilities	1545-AB14
216	26 USC 312 "Internal Revenue Code of 1954" Income Tax - Amendments to statutory provisions relating to earnings and profits	1545-AG30
217	26 USC 302 "Internal Revenue Code of 1954" Income Tax--Miscellaneous Corporate amendments	1545-AB12
218	26 USC 337 "Internal Revenue Code of 1954" Income Tax--Simultaneous liquidation of a parent and subsidiary	1545-AB18
219	26 USC 338 "Internal Revenue Code of 1954" Income Tax-Elections under section 338, as added by section 224 of the Tax Equity and Fiscal Responsibility Act of 1982 as amended by the Technical Corrections Act of 1982	1545-AF38
220	26 USC 338 "Internal Revenue Code of 1954" Regulations under section 338(h)(9) as added to the Code by section 306 of the Technical Corrections Act of 1982, relating to special elective recognition of gain or loss	1545-AF93
221	26 USC 7805 "Internal Revenue Code of 1954" Temporary regulations relating to elections and miscellaneous matters under section 338 of the Internal Revenue Code	1545-AG09
222	26 USC 338 "Internal Revenue Code of 1954" Income Tax--Application of section 338 to Stock and Asset Acquisitions in the international Context	1545-AG13
223	26 USC 7805 "Internal Revenue Code of 1954" Temporary regulations--Questions and answers on miscellaneous matters under section 338 of the Internal Revenue Code	1545-AG25
224	26 USC 338(i) "Internal Revenue Code of 1954" Anti-Avoidance Rules Under Sections 338 and 346 of the Internal Revenue Code of 1954	1545-AE32
225	26 USC 338 "Internal Revenue Code of 1954" Deemed Sale Price When Certain Stock Purchases Are Treated as Asset Acquisitions	1545-AF29
226	26 USC 338 "Internal Revenue Code of 1954" Income Tax--Regulations under section 338 (a)	1545-AE60
227	26 USC 341 (d) "Internal Revenue Code of 1954" Amendment of the Income Tax Regulations under section 341, relating to collapsible corporations, to reflect the Tax Reform Act of 1984	1545-AG33
228	26 USC 346(b) "Internal Revenue Code of 1954" Income Tax--Corporate Distributions of Appreciated Property and Partial Liquidations	1545-AF16
229	26 USC 355 "Internal Revenue Code of 1954" Income Tax--Distribution of stock and securities of a controlled corporation	1545-AB20
230	26 USC 368 "Internal Revenue Code of 1954" Income Tax--Triangular reorganizations, basis and other consequences	1545-AB21
231	26 USC 367(b) "Internal Revenue Code of 1954" Income Tax--Treatment of exchanges described in section 367 (b)	1545-AB26

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
232	26 USC 368(a)(2)(E) "Internal Revenue Code of 1954" Income Tax--Acquisition of a corporation by merger of a corporation controlled by the acquiring corporation	1545-AB30
233	26 USC 368(a)(2)(F) "Internal Revenue Code of 1954" Income Tax--Exchange funds	1545-AB31
234	26 USC 368 "Internal Revenue Code of 1954" Income Tax--Corporate reorganization amendments	1545-AB29
235	26 USC 368 "Internal Revenue Code of 1954" Income Tax--Temporary Regulations--Reorganizations involving financially troubled thrift institutions	1545-AB28
236	26 USC 385 "Internal Revenue Code of 1954" Income Tax--Characterization in international transactions of interests in corporations as stock or indebtedness	1545-AB34
237	26 USC 401 "Internal Revenue Code of 1954" Defined benefit plan terminations and the reversion of assets	1545-AF81
238	26 USC 401 "Internal Revenue Code of 1954" Certain Cash or deferred arrangements	1545-AG36
239	26 USC 401(a)(2) "Internal Revenue Code of 1954" Income Tax--Refund of Mistaken Contributions	1545-AD68
240	26 USC 401(a)(5) "Internal Revenue Code of 1954" Income Tax--Comparability of plans for vesting	1545-AD69
241	26 USC 401(a)(9) "Internal Revenue Code of 1954" Income Tax--Required distributions from qualified plans and individual retirement accounts and partial rollovers of individual retirement accounts	1545-AE95
242	*Income Tax--Amendment of Qualified Joint and Survivor Annuity Regulations	1545-AD70
243	26 USC 72 "Internal Revenue Code of 1954" Various pension parity, etc. provisions under the Tax Equity and Fiscal Responsibility Act of 1982 and the Economic Recovery Tax Act of 1981	1545-AE84
244	26 USC 401(k) "Internal Revenue Act of 1954" Income Tax--Certain cash or deferred arrangements	1545-AD72
245	26 USC 401(l) "Internal Revenue Code of 1954" Nondiscriminatory coordination of defined contribution plans with Old Age, Survivors, and Disability Insurance	1545-AE93
246	26 USC 402(a)(2) "Internal Revenue Code of 1954" Income Tax--Treatment of Certain Lump Sum Distributions	1545-AD73
247	26 USC 402(a)(5) "Internal Revenue Code of 1954" Income Tax--Tax-Free Rollovers of Lump Sum Distributions and Plan Termination Payments. Lump Sum Distributions Made with Respect to a Decedent	1545-AD74
248	26 USC 403 Retirement Arrangements of Churches	1545-AE25
249	26 USC 403(b)(7) "Internal Revenue Code of 1954" Income Tax--Taxability of beneficiary under annuity purchase by sec. 501(c) organization or public school	1545-AD75
250	26 USC 404(k) Procedure and Administration Regulations under the Tax Reform Act of 1984 relating to dividends from ESOP's	1545-AG65
251	26 USC 404(a)(1) "Internal Revenue Code of 1954" Income Tax--Deduction Limitations and Funding Rules for Valuing Certain Agreements	1545-AD76
252	26 USC 404(a)(10) "Internal Revenue Code of 1954" Income Tax--Employee stock ownership plan loan payments	1545-AD77
253	26 USC 404(d) "Internal Revenue Code of 1954" Income Tax--Deductibility of Payments of Deferred Compensation to Independent Contractors	1545-AD78
254	26 USC 404(g) "Internal Revenue Code of 1954" Income Tax--Deduction of Employer Liability Payments, Notice of Reorganization and Funding Requirements	1545-AD80
255	26 USC 404A "Internal Revenue Code of 1954" Income Tax--Deduction for Certain Foreign Deferred Compensation Plans	1545-AD81
256	26 USC 408 "Internal Revenue Code of 1954" Annual information reports by trustees and issuers of individual retirement plans	1545-AF83
257	26 USC 409A "Internal Revenue Code of 1954" Income Tax--Requirements for Tax Credit Employee Stock Ownership Plans, Employee Plan Credit, and Defined Contribution Plan Voting Rights	1545-AD82
258	26 USC 411(d)(1) "Internal Revenue Code of 1954" Income Tax--Coordination of Vesting and Nondiscrimination Requirements for Qualified Plans	1545-AD83
259	26 USC 410 "Internal Revenue Code of 1954" Rules clarifying the Income Tax Regulations, Part 1, with respect to Service Computation under pension, etc. plans	1545-AE39
260	26 USC 412 "Internal Revenue Code of 1954" Income Tax--Excise Tax Regulations--Funding for Qualified Plans	1545-AD84
261	26 USC 412(b) "Internal Revenue Code of 1954" Income Tax--Pension Excise Taxes--Miscellaneous Funding Provisions	1545-AD85
262	26 USC 412(c)(3) "Internal Revenue Code of 1954" Income Tax--Term, Etc. Funding for Ancillary Benefits	1545-AD86
263	26 USC 414(b) "Internal Revenue Code of 1954" Income Tax--Definitions & special rules	1545-AB35
264	26 USC 414(a) "Internal Revenue Code of 1954" Income Tax--Definitions and Special Rules; Service for Predecessor	1545-AD87
265	26 USC 414(e) "Internal Revenue Code of 1954" Income Tax--Church Plans	1545-AD88
266	26 USC 414(f) "Internal Revenue Code of 1954" Income Tax--Definition of Multiemployer Plan	1545-AD89
267	26 USC 414(m) "Internal Revenue Code of 1954" Income Tax--Employees of an Affiliated Service Group	1545-AD90
268	26 USC 414(n) Income Tax Regulations--Affiliated Service Groups and Employee Leasing	1545-AE91
269	26 USC 415 Limitations on Benefits and Contributions Under Qualified Plans	1545-AE75
270	26 USC 416 "Internal Revenue Code of 1954" Questions and answers on top-heavy plans	1545-AF18
271	26 USC 416 "Internal Revenue Code of 1954" Income Tax--Top-heavy plans	1545-AE87
272	26 USC 418 "Internal Revenue Code of 1954" Income Tax--Reorganization Status	1545-AD91
273	26 USC 418B "Internal Revenue Code of 1954" Income Tax--Minimum Contribution Requirement, In General	1545-AD92
274	26 USC 418C "Internal Revenue Code of 1954" Income Tax--Overburden Credit Against Minimum Contribution Requirement	1545-AD94

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
275	26 USC 418D "Internal Revenue Code of 1954" Income Tax--Adjustments in Accrued Benefits; Insolvent Plans; Related Vesting Provisions	1545-AD95
276	26 USC 419A "Internal Revenue Code of 1954" Treatment of Funded Welfare Benefit Plans	1545-AG14
277	26 USC 422A "Internal Revenue Code of 1954" Income Tax--Creation & treatment of incentive stock options	1545-AB36
278	26 USC 446(e) "Internal Revenue Code of 1954" Income Tax--Requests for change of method of accounting from an erroneous method of accounting	1545-AB37
279	26 USC 446(e) "Internal Revenue Code of 1954" Income Tax--Clarification of relationship between sections 446(e) and 481	1545-AB38
280	26 USC 447 "Internal Revenue Code of 1954" Income Tax--Method of accounting for corporations engaged in farming	1545-AB39
281	26 USC 451 "Internal Revenue Code of 1954" Income Tax--To clarify treatment of certain costs incurred with respect to long term contracts	1545-AB40
282	26 USC 453 "Internal Revenue Code of 1954" Income Tax--General rules relating to installment sales	1545-AB42
283	26 USC 453 "Internal Revenue Code of 1954" Income Tax Regulations--Part I. Installment Sales by nontaxable entities	1545-AF73
284	26 USC 453 "Internal Revenue Code of 1954" Income Tax Regulations--Part 1--Special rules relating to installment obligations that are readily tradable or payable on demand	1545-AG37
285	26 USC 453 "Internal Revenue Code of 1954" Income Tax--Installment obligations received from a liquidating corporation	1545-AB43
286	26 USC 453 "Internal Revenue Code of 1954" Income Tax--Installment obligations received in transactions in which gain or loss is generally not recognized	1545-AB44
287	26 USC 453 "Internal Revenue Code of 1954" Income Tax--Installment sales between related parties	1545-AB45
288	26 USC 453A "Internal Revenue Code of 1954" Income Tax--Installment method reporting by dealers in personal property	1545-AB47
289	26 USC 453B "Internal Revenue Code of 1954" Income Tax -- Gain or loss on the disposition of an installment obligation	1545-AB41
290	26 USC 453 "Internal Revenue Code of 1954" Income Tax--Installment Sales Revision Act of 1980, Regulations relating to wrap-around mortgages	1545-AB46
291	26 USC 453A "Internal Revenue Code of 1954" Income Tax Regulations--Part 1. Installment Sale by Dealers in Personal Property	1545-AF71
292	26 USC 458 "Internal Revenue Code of 1954" Income Tax--Exclusion from gross income with respect to magazines, paperbacks, and record returns after close of taxable year	1545-AB48
293	26 USC 461 "Internal Revenue Code of 1954" Income Tax--Treatment of prepaid interest	1545-AB49
294	26 USC 463 "Internal Revenue Code of 1954" Income Tax--Accrual of vacation pay	1545-AB50
295	26 USC 464 "Internal Revenue Code of 1954" Income Tax--Limitation on deductions in case of farming syndicates	1545-AB51
296	26 USC 465 "Internal Revenue Code of 1954" Income Tax--Determination of amounts at risk with respect to certain activities	1545-AB52
297	26 USC 465 "Internal Revenue Code of 1954" Extension of the at-risk rules	1545-AF86
298	26 USC 466 "Internal Revenue Code of 1954" Income Tax--Qualified discount coupons returned after close of taxable year	1545-AB53
299	26 USC 471 "Internal Revenue Code of 1954" Income Tax--Inventories at cost or market, whichever is lower	1545-AB54
300	26 USC 472(d) "Internal Revenue Code of 1954" Income Tax--Three-year averaging for increases in inventory value when electing LIFO method of accounting; value when electing LIFO method of accounting	1545-AB55
301	26 USC 472 "Internal Revenue Code of 1954" Inventory computed by use of consumer or producer price indexes	1545-AF65
302	26 USC 473 "Internal Revenue Code of 1954" Income Tax--Qualified liquidations of LIFO inventories	1545-AB56
303	26 USC 474 "Internal Revenue Code of 1954" Use of One Inventory Pool by Small Business Electing LIFO Method of Accounting	1545-AF92
304	26 USC 482 "Internal Revenue Code of 1954" Income Tax--Allocation of income & deductions among taxpayers to revise percentage applied in determining rental charge for use of tangible property	1545-AB57
305	26 USC 483(g) "Internal Revenue Code of 1954" Income Tax--Maximum rate of imputed interest for sale of land between related persons	1545-AB58
306	26 USC 483 "Internal Revenue Code of 1954" Income Tax - Semiannual compounding of the test rate under section 483	1545-AF59
307	26 USC 501(k) "Internal Revenue Code of 1954" Income Tax-Child care organizations	1545-AG64
308	26 USC 501(c)(3) "Internal Revenue Act of 1954" Income Tax--Estate Tax--Gift Tax--Exemption of Certain Amateur Athletic Organizations From Tax	1545-AD97
309	26 USC 501(c)(12) "Internal Revenue Code of 1954" Income Tax--Rules Clarifying the Regulations With Respect to the Computation of "Gross Income" of an Electric Cooperative	1545-AD99
310	26 USC 501(e) "Internal Revenue Code of 1954" Income Tax--Amendment of regulations to reflect the grant of tax exempt status to certain Hospital Service Organizations	1545-AE01
311	26 USC 501(c)(7) "Internal Revenue Code of 1954" Income Tax--Tax Treatment of Certain Social Clubs & Prohibition of Discrimination by Certain Social Clubs	1545-AD98
312	26 USC 505 (a) "Internal Revenue Code of 1954" Nondiscrimination requirements under sections 501 (c) (9) and (20)	1545-AG23

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
313	26 USC 505 (c) "Internal Revenue Code of 1954" Notification Requirement for Section 501(c) (9) and (20) organizations	1545-AG44
314	26 USC 512(a)(3) "Internal Revenue Code of 1954" Income Tax--Social clubs unrelated business income	1545-AB59
315	26 USC 513(e) "Internal Revenue Code of 1954" Income Tax--Hospital services not to constitute an unrelated trade or business	1545-AE05
316	26 USC 514(c) "Internal Revenue Code of 1954" Income Tax--Unrelated trade or business income	1545-AE00
317	26 USC 527 "Internal Revenue Code of 1954" Income Tax--Rates of tax for principal campaign committees	1545-AB60
318	26 USC 527 "Internal Revenue Code of 1954" Income Tax--Relationship between section 527 and the Federal Election Campaign Act	1545-AE06
319	26 USC 585 "Internal Revenue Code of 1954" Income Tax--Limitation on additions to bank loss reserves	1545-AB66
320	26 USC 595 "Internal Revenue Code of 1954" Treatment of Foreclosed Property by Certain Creditors	1545-AF00
321	26 USC 612 "Internal Revenue Code of 1954" Income Tax--Restoration of depletion deductions on bonus and advanced royalties in certain cases	1545-AB69
322	26 USC 613(A) "Internal Revenue Code of 1954" Income Tax--Supplementary rules on limitations on percentage depletion for oil & gas	1545-AB73
323	26 USC 613A(c)(10) "Internal Revenue Code of 1954" Income Tax--To conform to Sec 3 of the Act of 12/28/80	1545-AB74
324	26 USC 642(g) "Internal Revenue Code of 1954" Income Tax--Disallowance of certain items as deductions for estate and income tax purposes	1545-AB75
325	26 USC 644 "Internal Revenue Code of 1954" Income Tax--Special rule for property transferred at less than fair market value	1545-AB76
326	26 USC 667 "Internal Revenue Code of 1954" Income Tax--Procedure & Administration--Accumulation Trusts	1545-AB78
327	26 USC 679 "Internal Revenue Code of 1954" Income Tax--Procedure & Administration--Foreign trusts having U.S. beneficiaries	1545-AB79
328	26 USC 704(b) "Internal Revenue Code of 1954" Income Tax--Determination of partner's distributive share	1545-AB80
329	26 USC 7805 Amendment of section 1.704-1 to provide rules on partner's distributive shares of items attrib. to nonrecourse debt and the interrelationship of subsections (b) and (c) of section 704	1545-AG00
330	26 USC 706(c)(2)(B) "Internal Revenue Code of 1954" Income Tax--Items allocated to portion of year partner held interest	1545-AB81
331	26 USC 731 "Internal Revenue Code of 1954" Income Tax--Amendment of Sec 1.731-1(c) to clarify the tax treatment of a distribution of property by a partnership to a partner who had recently contributed other property	1545-AB84
332	26 USC 809(d) "Internal Revenue Code of 1954" Imputed earnings rate for mutual life insurance companies	1545-AG63
333	26 USC 818(c) "Internal Revenue Code of 1954" Treatment of graded premium policies under the approximate revaluation method of recomputing reserves	1545-AF03
334	26 USC 809 "Internal Revenue Code of 1954" Income Tax--To clarify the treatment of certain amounts refunded in reinsurance transactions	1545-AB86
335	26 USC 861(a)(7) "Internal Revenue Code of 1954" Income Tax--Source of income of underwriting income	1545-AB89
336	26 USC 861 "Internal Revenue Code of 1954" Source of interest and dividends	1545-AF15
337	26 USC 861 "Internal Revenue of Code 1954" Amendment of the Income Tax Regulations under Sec. 1.861-8 to provide for the allocation and apportionment of partnership expenses	1545-AF57
338	*Income Tax--Computation of taxable income from sources within and without the United States	1545-AB88
339	26 USC 871 "Internal Revenue Code of 1954" Income Tax--Original issue discount	1545-AB93
340	26 USC 892 "Internal Revenue Code of 1954" Income Tax--Rules for determining whether loans or net leases are commercial activities	1545-AB94
341	26 USC 897(e)(2) "Internal Revenue Code of 1954" Income Tax--Partnership, trust, and estate rules regarding taxation of foreign investment in U.S. real property interests	1545-AB98
342	26 USC 897 "Internal Revenue Code of 1954" Income Tax--Taxation of foreign investment in U.S. real property and information returns concerning foreign ownership of U.S. real property	1545-AB99
343	26 USC 897 "Internal Revenue Code of 1954" Notice of proposed rulemaking--nonrecognition corporate distributions and reorganizations under the Foreign Investment In Real Property Tax Act	1545-AF17
344	26 USC 902 "Internal Revenue Code of 1954" Income Tax--To clarify rules for determining earnings & profits of a foreign corporation & amount of creditable foreign taxes	1545-AC02
345	26 USC 904(f) "Internal Revenue Code of 1954" Income Tax--Recapture of Overall Foreign Losses	1545-AC05
346	26 USC 905(c) "Internal Revenue Code of 1954" Income Tax--Procedure & Administration--Taxpayer's obligation to file a notice of redetermination of foreign tax and civil penalties for failure to file	1545-AC06
347	26 USC 905(c) "Internal Revenue Code of 1954" Income Tax--Temporary Regulations--Taxpayer's obligation to file a notice of redetermination of foreign tax and civil penalties for failure to file	1545-AC09
348	26 USC 907 "Internal Revenue Code of 1954" Amendment of regulations under section 907 of the Internal Revenue Code of 1954 to conform them to section 211 of the Tax Equity and Fiscal Responsibility Act of 1982	1545-AE34
349	26 USC 907 "Internal Revenue Code of 1954" Income Tax--Limitation on Foreign Tax Credit for Foreign Oil and Gas Taxes	1545-AF60
350	26 USC 911 "Internal Revenue Code of 1954" Income Tax--Income of U.S. citizens & residents working abroad, exclusions and deduction from gross income	1545-AC08
351	26 USC 936 "Internal Revenue Code of 1954" Amendment of regulations under sections 934 and 936 to conform to changes made by section 213 of the Tax Equity and Fiscal Responsibility Act of 1982	1545-AF21

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
352	26 USC 936(d)(2) "Internal Revenue Code of 1954" Income Tax--Definition of qualified possession source investment income for purposes of Puerto Rico & possession tax credit	1545-AC10
353	26 USC 954 "Internal Revenue Code of 1954" Current taxation of foreign oil related income of controlled foreign corporations	1545-AE38
354	26 USC 995 "Internal Revenue code of 1954" Income Tax--Amendments affecting DISC pertaining to military sales & incremental export gross receipts	1545-AC17
355	26 USC 1014(e) "Internal Revenue Code of 1954" Income Tax--Basis of certain appreciated property transferred to decedent, ETC	1545-AC18
356	26 USC 4978 "Internal Revenue Code of 1954" Stock sales, etc, to and by ESOP's, etc	1545-AG21
357	26 USC 1056 "Internal Revenue Code of 1954" Income Tax--Basis limitation & recapture of depreciation on player contracts	1545-AC19
358	26 USC 1058 "Internal Revenue code of 1954" Income Tax--Transfers of securities under certain agreements	1545-AC20
359	26 USC 1092 "Internal Revenue Code of 1954" Income Tax--Tax straddles	1545-AC21
360	26 USC 1232A "Internal Revenue Code" Regulations under section 1232A relating to original issue discount taken into account on basis of constant interest rate	1545-AE27
361	26 USC 1232B "Internal Revenue Code" Regulations under section 1232B relating to the tax treatment of stripped bonds	1545-AE21
362	26 USC 1239 "Internal Revenue Code of 1954" Income Tax--Time for determining relatedness under section 1239--Relating to transfer of depreciable property between related persons	1545-AC29
363	26 USC 1248 "Internal Revenue Code of 1954" Income Tax--Gain from sale or exchange of stock in foreign corporations	1545-AC31
364	26 USC 1253 "Internal Revenue Code of 1954" Income Tax--To clarify treatment of basis in transfers of franchises, trademarks, & trade names	1545-AC34
365	26 USC 1254 "Internal Revenue Code of 1954" Income Tax--Gain from disposition of interest in oil or gas property	1545-AC35
366	26 USC 1092(a) "Internal Revenue Code of 1954" Income Tax Regulations--Part 1--Tax straddle identification rules	1545-AC24
367	26 USC 1256 Regulations relating to foreign currency contracts under section 1256 of the Internal Revenue Code	1545-AF50
368	26 USC 483 "Internal Revenue Code" Income Tax--Temporary regulations under section 1274 and 483 relating to deferred payments under the Tax Reform Act of 1984	1545-AG59
369	26 USC 1275 "Internal Revenue Code 1954" Original issue discount reporting requirements	1545-AG50
370	26 USC 1361 "Internal Revenue Code of 1954" Income Tax--Treatment of obligations which purport to represent debt as a second class of stock	1545-AC37
371	26 USC 1361 "Internal Revenue Code of 1954" Income Tax--Definition of S Corporation	1545-AE86
372	26 USC 1362 Amendment of Income Tax Regulations under Code sections 1362 and 1363 relating to the election, revocation, and termination of an S corporation	1545-AE26
373	26 USC 1366 "Internal Revenue Code of 1954" Income Tax--Pass-Thru of S corporation items to shareholders	1545-AE85
374	26 USC 1367 "Internal Revenue Code of 1954" Income Tax--Rules relating to adjustment to basis of stock of shareholders of S corporation and to determination of basis of property distribution by corporation	1545-AE88
375	26 USC 1371 "Internal Revenue Code of 1954" Income Tax--Certain rules relating to shareholders of subchapter S corporations	1545-AC38
376	26 USC 1371 "Internal Revenue Code of 1954" Income Tax--Application of subchapter C rules to S corporations	1545-AE90
377	26 USC 1372 Income Tax--Treatment of S corporation as a partnership for certain purposes of the Internal Revenue Code of 1954	1545-AE28
378	26 USC 1374 Amendment of Income Tax Regulations under sections 1374 and 1375 relating to the imposition of tax on capital gains and passive investment income	1545-AE92
379	26 USC 1377 "Internal Revenue Code of 1954" Income Tax--Definitions and Special Rules pertaining to S corporation	1545-AE94
380	26 USC 1361 "Internal Revenue Code of 1954" Income Tax--Certain elections under the Subchapter S Revision Act of 1982	1545-AF30
381	26 USC 1382 "Internal Revenue Code of 1954" Income Tax--To clarify Section 1.1382-6 with regard to inventory pools	1545-AB32
382	26 USC 1382 "Internal Revenue Code of 1954" Income Tax--Distributions qualifying as patronage dividends	1545-AC39
383	26 USC 1441 "Internal Revenue Code of 1954" Income Tax--Personal services income of nonresident alien individuals	1545-AC43
384	26 USC 1491 "Internal Revenue Code of 1954" Income Tax--Excise tax on transfers of property to foreign persons to avoid the Federal income tax	1545-AC44
385	26 USC 1502 "Internal Revenue Code of 1954" 26 CFR Part I--Amendment of the Income Tax Regulations under section 1502 of the Code to reflect section 224 of Tax Equity and Fiscal Responsibility Act of 1982	1545-AF41
386	26 USC 1502 "Internal Revenue Code of 1954" Amendment of consolidated returns regulations relating to life-life consolidations	1545-AF67
387	26 USC 1502 "Internal Revenue Code of 1954" Amendment of section 1.1502-14 to modify treatment of stock redemptions and nondividend distributions in excess of basis	1545-AG35
388	26 USC 1502 "Internal Revenue Code of 1954" Income Tax--Consolidated return/Accumulated earnings tax-earnings and profits when a member is a personal holding company	1545-AC51

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
389	26 USC 1502 "Internal Revenue Code of 1954" Income Tax--Credit & deductions etc., for consolidated returns	1545-AC48
390	26 USC 1502 "Internal Revenue Code of 1954" Income Tax--To reflect amendments of consolidated return regulations to reflect Merchant Marine Act of 1970 concerning Merchant Marine & Fisheries Capital ETC	1545-AC52
391	26 USC 1502 "Internal Revenue Code of 1954" Income Tax--Accelerated depreciation in investment adjustments	1545-AC47
392	26 USC 1502 "Internal Revenue Code of 1954" Income Tax--At risk limitations of section 465	1545-AC55
393	26 USC 1504 "Internal Revenue Code of 1954" Income Tax--Includibility in an affiliated group of subsidiaries formed to comply with foreign laws	1545-AC58
394	26 USC 1563(a)(2) "Internal Revenue Code of 1954" Income Tax--To reflect the U.S. Supreme Court in U.S. v. Vogel Fertilizer Co., holding that each member of Stockgroup must own stock in each brother-sister corp	1545-AC59
395	26 USC 2001 "Internal Revenue Code of 1954" Estate and Gift Taxes, Income Taxes-Unified Credit in lieu of exemptions, unified rate schedule for estate and gift taxes situs of foreign partnerships for estate taxation	1545-AC60
396	26 USC 2032A "Internal Revenue Code of 1954" Estate Tax--Valuation of certain farm, etc. real property	1545-AC62
397	26 USC 2036(a) "Internal Revenue Code of 1954" Estate & Gift Taxes--Inclusion of stock in estate where decedent retained voting rights	1545-AC63
398	26 USC 2012 "Internal Revenue Code of 1954" Estate and Gift Taxes--Increase in limitations on marital deductions	1545-AC67
399	26 USC 2210 "Internal Revenue Code of 1954" Assumption of Estate Tax Liability by ESOP's	1545-AG38
400	26 USC 2503 "Internal Revenue Code of 1954" Gift Tax--Transitional rule for the increased annual gift tax exclusion and the unlimited exclusion for certain transfers	1545-AC69
401	26 USC 2518(c) "Internal Revenue Code of 1954" Gift Tax--Certain transfers treated as qualified disclaimers	1545-AC70
402	26 USC 2518 "Internal Revenue Code of 1954" Estate & Gift Taxes--Disclaimers	1545-AC71
403	26 USC 2621 "Internal Revenue Code of 1954" Estate & Gift Tax--Generation-skipping transfers tax return requirement, ETC	1545-AC74
404	26 USC 3121(t) "Internal Revenue Code of 1954" Empl. Tax--Social security tax on employers of individuals who receive income from tips	1545-AC76
405	26 USC 3121 "Internal Revenue Code of 1954" Employment Tax--To require withholding of social security and railroad retirement tax from certain payments of sick pay	1545-AC77
406	26 USC 3121 "Internal Revenue Code of 1954" Amendment of the employment tax regulations under code section 3121(e) to conform to section 321 of the Social Security Amendments of 1983	1545-AF91
407	26 USC 6302(c) Treatment of certain deferred compensation and salary reduction arrangements	1545-AF97
408	26 USC 3405 Employment Tax--Withholding from Pensions, Annuities, and Other Deferred Income	1545-AE98
409	26 USC 3406 "Internal Revenue Code of 1954" To provide regulations relating to backup withholding under section 3406	1545-AE20
410	26 USC 3406 "Internal Revenue Code of 1954" To provide temporary regulations relating to backup withholding where the Service notifies payor to withhold due to an incorrect taxpayer identification number	1545-AF90
411	26 USC 3508 "Internal Revenue Code of 1954" Treatment of real estate agents and direct sellers as nonemployees for employment tax purposes--reporting requirements with respect to direct sellers	1545-AE62
412	26 USC 4041 "Internal Revenue Code of 1954" Excise Tax--Applicable to articles sold on and after 1964	1545-AC85
413	26 USC 4051 "Internal Revenue Code of 1954" Excise Tax--Retailers excise taxes on motor vehicles	1545-AF61
414	26 USC 4051 "Internal Revenue Code of 1954" Temporary regulation Excise Taxes on heavy trucks, truck trailers and semitrailers, and tractors sold at retail	1545-AF79
415	26 USC 4061 "Internal Revenue Code of 1954" Excise Tax--Manufacturers excise taxes on motor vehicles	1545-AC86
416	26 USC 4064 "Internal Revenue Code of 1954" Excise Tax--Gas guzzler tax	1545-AC87
417	26 USC 4071(a)(1) "Internal Revenue Code of 1954" Manufacturers & Retailers Excise Tax--Excise tax refund in cases of certain uses of tread rubber & adjustments pursuant to warranty	1545-AC88
418	26 USC 4071 "Internal Revenue Code of 1954" Manufacturers & Retailers Excise Tax--Relating to recapped or retreaded tires	1545-AC89
419	26 USC 4041 "Internal Revenue Code of 1954" Manufacturers and Retailers Excise Taxes-Taxes on fuels, tires and gasoline	1545-AF58
420	26 USC 4481 "Internal Revenue Code of 1954" Heavy Vehicle Use Tax and Tax on Diesel Fuel	1545-AF62
421	26 USC 4611 "Internal Revenue Code of 1954" Excise Tax--Environmental taxes--Imposition of taxes on petroleum and certain chemicals	1545-AC91
422	26 USC 4681 "Internal Revenue Code of 1954" Excise Tax--Environmental taxes--Imposition of tax on hazardous wastes	1545-AC92
423	26 USC 4701 "Internal Revenue Code of 1954" Excise Tax--Tax on issuer of registration-required obligation not in registered form	1545-AF31
424	26 USC 501(h) "Internal Revenue Code of 1954" Income Tax--Lobbying by public charities	1545-AE02
425	26 USC 4943 "Internal Revenue Code of 1954" Foundation excise tax-Excess business holdings	1545-AG49
426	26 USC 4941 "Internal Revenue Code of 1954" Foundation Excise Tax--Procedure and Administration--Revision of second tier excise tax provisions, etc. under Chapters 42 and 43	1545-AE09
427	26 USC 4962 "Internal Revenue Code of 1954" Income Tax--Excise Tax--Procedure and Administration-- Various Private Foundation Provisions	1545-AG18
428	26 USC 4976 "Internal Revenue Code of 1954" Tax with respect to certain funded welfare benefit plans	1545-AG12
429	26 USC 4997 "Internal Revenue Code of 1954" Excise Tax--Definition of newly discovered oil	1545-AC96

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
430	26 USC 4991 "Internal Revenue Code of 1954" Excise Tax--With Respect to the Definition of Taxable Crude Oil	1545-AD00
431	26 USC 4986 to 4998 "Internal Revenue Code of 1954" Excise Tax--Issues arising where multiple parties share in production, including unitizations, partnerships, trusts and estates	1545-AC94
432	26 USC 4992(e) "Internal Revenue Code of 1954" Excise Tax--Independent Producer Oil Allocations Within a Related Group Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD03
433	26 USC 4993 "Internal Revenue Code of I954" Excise Tax--Incremental Tertiary Oil	1545-AD04
434	26 USC 4994 "Internal Revenue Code of 1954" Excise Tax--Exemptions for Qualified Governmental Interests, Qualified Charitable Interests (Including Residential Child Care Agencies), Indian Oil, Alaskan ETC	1545-AD05
435	26 USC 4994(c) "Internal Revenue Code of 1954" Excise Tax--Exempt Front-End Oil Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD06
436	26 USC 4991 "Internal Revenue Code of 1954" Excise Tax--Oil From a Stripper Well Property	1545-AD01
437	26 USC 4996 "Internal Revenue Code of 1954" Excise Tax--Definition of oil removed from the premises	1545-AC95
438	26 USC 4996 "Internal Revenue Code of 1954" Excise Tax--Definition of Property Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD08
439	26 USC 4996 "Internal Revenue Code of 1954" Excise Tax--Amendment of Sec 51.4996-1(b) With Respect to the Treatment of Net Profits Interests for Windfall Profits Tax Purposes	1545-AD09
440	26 USC 6011 "Internal Revenue Code of 1954" Returns required on magnetic media	1545-AF12
441	26 USC 6012 "Internal Revenue Code of 1954" Form of Individual Tax Return	1545-AF24
442	26 USC 6015 To provide regulations relating to new exception to estimated tax penalty where individual has no tax liability for preceding taxable year	1545-AE71
443	26 USC 6015 "Internal Revenue Code of 1954" Conform regulations under sections 6015, 6154, 6654 and 6655 to section 201(j) of the Technical Corrections Act of 1982	1545-AF66
444	26 USC 6031 "Internal Revenue Code of 1954" Income Tax-Amendments to requirements for return of partnership income	1545-AE40
445	26 USC 6033 "Internal Revenue Code of 1954" Income Tax--Procedure & Administration--Return and reporting requirements	1545-AE14
446	26 USC 6035 "Internal Revenue Code of 1954" Income Tax-to amend regulations under Internal Revenue Code sections 6035 and 6679 relating to returns of foreign personal holding companies	1545-AE29
447	26 USC 6038 "Internal Revenue Code of 1954" Income Tax--information returns required of certain foreign-owned corporations; foreign corporation reporting requirements and penalties	1545-AE43
448	26 USC 6041 "Internal Revenue Code of 1954" Return of Information as to Payments of $600 or more	1545-AF37
449	26 USC 6045 "Internal Revenue Code of 1954" Information Returns of Brokers	1545-AG02
450	26 USC 6045 "Internal Revenue Code of 1954" Furnishing statements required with respect to certain substitute payments	1545-AG15
451	26 USC 6045 "Internal Revenue Code of 1954" Furnishing statements required with respect to certain substitute payments	1545-AG17
452	26 USC 6045 "Internal Revenue Code" Information returns of brokers	1545-AG52
453	26 USC 6046A "Internal Revenue Code of 1954" Income Tax--Regulations relating to returns as to interests in foreign partnerships	1545-AE47
454	26 USC 6049(b) Amendment of the Income Tax Regulations under section 6049(b) (2)(D) of the Internal Revenue Code of 1954 to clarify when interest is paid outside the United States	1545-AF89
455	26 USC 6050E "Internal Revenue Code of 1954" Reporting of State and local income tax refunds	1545-AE76
456	26 USC 6050D "Internal Revenue Code of 1954" Notice of proposed rulemaking-Information returns with respect to subsidized energy financing or grants	1545-AG01
457	26 USC 6050J "Internal Revenue Code of 1954" Temporary Regulation relating to reporting of foreclosures and abandonments of security under the Tax Reform Act of 1984	1545-AG43
458	26 USC 6050J "Internal Revenue Code of 1954" Notice of proposed Rulemaking relating to reporting of foreclosures and abandonments of security under the Tax Reform Act of 1984	1545-AG48
459	26 USC 6050J "Internal Revenue Code of 1954" Notice of Proposed Rulemaking relating to reporting of transfers of security to a person other than the lender under the Tax Reform Act of 1984	1545-AG51
460	26 USC 6104(b) "Internal Revenue Code of 1954" Public Inspection of Exempt Organization Returns	1545-AE16
461	26 USC 6111 "Internal Revenue Code of 1954" Proposed regulations under sections 6111 and 6709, relating to tax shelter registration	1545-AG45
462	26 USC 6112 "Internal Revenue Code of 1954" Requirement to maintain lists of investors in potentially abusive tax shelters	1545-AG55
463	26 USC 6112 "Internal Revenue Code of 1954" Requirement to maintain lists of investors in potentially abusive tax shelters	1545-AG58
464	26 USC 6166 "Internal Revenue Code of 1954" Estate Tax--Procedure and Administration--Deferral and Installment Payment of Estate Tax	1545-AD23
465	26 USC 6222 "Internal Revenue Code of 1954" Miscellaneous rules relating to consolidated administrative and judicial proceedings to determine the tax treatment of partnership items	1545-AE51
466	26 USC 6231(a)(7) "Internal Revenue Code of 1954" Designation of tax matters partner for purposes of determining the tax treatment of partnership items	1545-AE53
467	26 USC 6231(a)(3) "Internal Revenue Code of 1954" Definition of "partnership item"	1545-AF09

TREAS—IRS

Internal Revenue Service—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
468	26 USC 6232 "Internal Revenue Code of 1954" Extension of rules for partnership-level determination of Partnership items to the windfall profit tax	1545-AF88
469	26 USC 6232 "Internal Revenue Code of 1954" Proposed regulations of section 6232, relating to the applicability of partnership audit rules to the Windfall Profit Tax	1545-AG54
470	26 USC 6241 "Internal Revenue Code of 1954" Determination of the tax treatment of Subchapter S items at the Corporate level	1545-AE96
471	26 USC 6325 "Internal Revenue Code of 1954" Procedure and Administration--Release of liens, notice before levy, property exempt from levy redemption of levied real property and amount of damages in case of wrongful levy	1545-AE82
472	26 USC 6411 "Internal Revenue Code of 1954" Income Tax--Tentative Refund of Tax Under Claim of Right Adjustment	1545-AD30
473	26 USC 6001 to 6427 "Internal Revenue Code of 1954" Excise Tax--Sporting Goods and Firearms & Administration Provisions of Special Application to Manufacturers & Retailers Excise Tax	1545-AD12
474	26 USC 6602 "Internal Revenue Code of 1954" Regulations on Procedure and Admin	1545-AG42
475	26 USC 6611 "Internal Revenue Code of 1954" Modification of interest payments for certain periods	1545-AF10
476	26 USC 6652 "Internal Revenue Code of 1954" Income Tax--Penalties for Failure to Make Returns or Furnish Statements (As Amended by Sec. 1123 of Subtitle C of Title II--Omnibus Reconciliation Act of 1980)	1545-AD35
477	26 USC 6655 "Internal Revenue Code of 1954" To provide regulations relating to accelerated payment of estimated taxes by corporations	1545-AE37
478	26 USC 6659 "Internal Revenue Code of 1954" Procedure & Administration--Addition to Tax in the Case of Valuation Overstatements, & Increase in the Negligence Penalty	1545-AD39
479	26 USC 6661 "Internal Revenue Code of 1954" Income Tax--Addition to tax for a substantial understatement of liability	1545-AF05
480	26 USC 6700 "Internal Revenue Code of 1954" Penalty for promoting abusive tax shelters	1545-AE99
481	26 USC 6701 "Internal Revenue Code of 1954" Penalty for Aiding and Abetting in the understatement of Tax Liability	1545-AF01
482	26 USC 2815(d) Amendment of the Income Tax Regulations under section 6815(d) dealing with certificates of compliance with the Income tax laws issued to aliens departing the United States	1545-AF80
483	26 USC 6867 "Internal Revenue Code of 1954" Income Tax--Presumption of jeopardy in the case of illegal activity cash	1545-AE30
484	26 USC 7502 "Internal Revenue Code of 1954" Procedure and Administration--Amendment of Regulations Relating to the Timely Mailing of Returns, Taxes and Deposits	1545-AD42
485	26 USC 7609 "Internal Revenue Code of 1954" Administrative Summonses	1545-AF33
486	26 USC 7611 "Internal Revenue Code of 1954" Procedure and Administration--Restrictions on Church Tax Inquiries and Examinations	1545-AG61
487	26 USC 7805 "Internal Revenue Code of 1954" Amendments of the Regulations on Procedure and Administration under section 7701 relating to classification of certain investment arrangements	1545-AG20
488	26 USC 7805 "Internal Revenue Code of 1954" Procedure and Administration Part 602 - To provide regulations relating to the display of control number assigned by OMB	1545-AF94
489	PL 98-369, Sec 511 to 561 Temporary Regulations on effective dates and other questions arising under the employee benefit provisions of the Tax Reform Act of 1984	1545-AG41
490	26 USC 7701 "Internal Revenue Code of 1954" Indian tribal governments treated as States for certain purposes	1545-AF77
491	26 USC 7872 "Internal Revenue Code of 1954" Temporary Income Tax Regulations under the Tax Reform Act of 1984, relating to Below-market interest rate loans.	1545-AG39
492	46 USC 1177 "Merchant Marine Act of 1936" Income Tax--Maritime Capital Construction Fund	1545-AD46
493	5 USC 301 Statement of Procedural Rules--Amendments to Statement of Procedural Rules--1981-1	1545-AD55
494	5 USC 552 Amendments to the Statement of Procedural Rules 1982-2	1545-AF40
495	5 USC 301 Statement of Procedural Rules--Special Amendment	1545-AF68

*Indicates priority regulation.

Internal Revenue Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
496	26 USC 1398 "Internal Revenue Code of 1954" Income Tax--Rules relating to title 11 cases for individuals	1545-AC41
497	26 USC 6682 "Internal Revenue Code of 1954" Employment Tax--Penalties for False Information with Respect to Withholding	1545-AD40
498	26 USC 44A "Internal Revenue Code of 1954" Income Tax--Increase in child care credit	1545-AA02
499	26 USC 128 "Internal Revenue Code of 1954" Income Tax--Partial exclusion of interest	1545-AA75
500	26 USC 167(k) "Internal Revenue Code of 1954" Income Tax--Amortization of low-income housing	1545-AA84

TREAS—IRS

Internal Revenue Service—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
501	26 USC 162 "Internal Revenue Code of 1954" Income Tax--Employee Benefit Costs and Indirect Construction Costs Allocable to Self Constructed assets	1545-AA77
502	26 USC 367(a)(2) "Internal Revenue Code of 1954" Income Tax--Exception for transfers of property from the U.S. designated by the Secretary	1545-AB25
503	26 USC 367(a)(1) "Internal Revenue Code of 1954" Income Tax--Relating to ruling requests with respect to transfers by United States persons to foreign corporations	1545-AB24
504	26 USC 643(d) "Internal Revenue Code of 1954" Income tax--Treatment of credit for tax withheld on interest, dividends and patronage dividends received by an estate or trust	1545-AF04
505	26 USC 864 "Internal Revenue Code of 1954" Income Tax--To prevent a foreign bank with branch office in United States from avoiding United States taxation by booking a loan in a foreign office	1545-AB92
506	26 USC 897 "Internal Revenue Code of 1954" Income Tax--Temporary Regulations--Non-recognition, corporate distributions, and reorganization rules regarding taxation of foreign investment in U.S. real property	1545-AB96
507	26 USC 897(e)(2) "Internal Revenue Code of 1954" Income Tax--Temporary Regulations--Partnership, trust and estate rules regarding taxation of foreign investment in U.S. real property interests	1545-AB97
508	26 USC 901(f) "Internal Revenue Code of 1954" Income Tax--Certain payments for oil or gas not to be considered as taxes	1545-AC00
509	26 USC 907 "Internal Revenue Code of 1954" Income Tax--Limitation dealing with foreign tax credit for taxes paid in connection with foreign oil & gas income	1545-AC07
510	26 USC 955 "Internal Revenue Code of 1954" Amendment of regulations under section 955 dealing with related group election with respect to qualified investments in foreign base shipping company operations	1545-AF74
511	26 USC 1253 "Internal Revenue Code of 1954" Income Tax--Transfer of franchises; trademarks & trade names	1545-AC33
512	26 USC 2031 "Internal Revenue Code of 1954" Estate & Gift Taxes--Revision of interest rate assumptions for actuarial purposes	1545-AC61
513	26 USC 2039 "Internal Revenue Code of 1954" Income Tax--Regulations to change election procedures of income tax treatment	1545-AE08
514	26 USC 2522 "Internal Revenue Code of 1954" Estate Tax--Treatment of certain contributions of works of art, ETC	1545-AC66
515	26 USC 3302 "Internal Revenue Code of 1954" Amendment of sections 31.3302 (a)-3 and 31.3302 (b)-2 to delete the requirement for State certification of the Federal Unemployment Tax Act credit claimed by employees	1545-AF51
516	26 USC 4943 "Internal Revenue Code of 1954" Foundation Excise Tax--Taxes on excess business holdings of private foundations--Effect of reorganizations and corporate distributions	1545-AE13
517	26 USC 6050D "Internal Revenue Code of 1954" Temporary Income Tax Regulations-Information returns with respect to subsidized energy financing or grants	1545-AG06
518	26 USC 6053 "Internal Revenue Code of 1954" Employment tax--Reporting by certain large food or beverage establishments with respect to tips	1545-AE65
519	26 USC 6107 "Internal Revenue Code of 1954" Requirement that certain persons retain copies of income tax returns upon the liquidation of a corporation	1545-AF14
520	26 USC 6302 Federal Tax Deposit System	1545-AF99
521	26 USC 7430 "Internal Revenue Code of 1954" Recovery of court costs and certain fees in a civil tax proceeding	1545-AF25
522	26 USC 7871 "Internal Revenue Code of 1954" Indian tribal governments treated as States for certain purposes	1545-AF56
523	PL 97-34, Sec 266 Income Tax--Amortization Deduction for Motor Carrier Operating Authority	1545-AD48
524	5 USC 301 Statement of Procedural Rules--Amendments to 1981-2	1545-AD49
525	5 USC 301 Statement of Procedural Rules--1979-2 Periodic Amendments	1545-AD50
526	26 USC 7805 "Internal Revenue Code of 1954" Temporary regulations relating to finance leases	1545-AG28
527	26 USC 7805 "Internal Revenue Code of 1954" Income Tax Regulations relating to charitable contributions of property under section 170(e)(3)	1545-AG16
528	26 USC 7805 "Internal Revenue Code of 1954" Temporary regulations relating to charitable contributions of property qualifying under section 170 (e) (3)	1545-AG32
529	26 USC 6041 "Internal Revenue Code of 1954" Temporary regulations under the Interest and Dividends Tax Compliance Act of 1984 dealing with information reporting and backup withholding in the case of foreign office of U.S. ETC	1545-AG22
530	26 USC 4041 "Internal Revenue Code of 1954" Temporary Regulations under the Highway Revenue Act of 1982 and the Tax Reform Act of 1984, relating to heavy vehicle use tax, tax on diesel fuel, tax on the sale of piggyback trailers, ETC	1545-AG19
531	26 USC 6045 "Internal Revenue Code" Information returns of brokers	1545-AG47
532	26 USC 6045 "Internal Revenue Code of 1954" Temporary Regulations under the Interest and Dividend Tax Compliance Act of 1984 dealing with information and backup withholding on redemption of retirement proceeds payment ETC	1545-AG56
533	26 USC 6111 "Internal Revenue Code of 1954" Temporary regulations under section 6111 and 6707, relating to tax shelter registration	1545-AG40
534	26 USC 7652 Payment of excise taxes collected on rum to Puerto Rico and the U.S. Virgin Islands	1545-AG53

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Current and Projected Rulemakings

94. INCOME TAX--CREDIT FOR INCREASING RESEARCH ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 44F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide the extent to which taxpayers will be entitled to an income tax credit for increases in certain research activity.

Timetable:

Action	Date	FR Cite
NPRM	01/21/83	
NPRM Comment Period Begin	01/21/83	
NPRM Comment Period End	03/19/83	
Hearing	04/19/83	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-236-81.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Quinn.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of Treasury decision.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AA07

95. INCOME TAX--EMPLOYEE STOCK OWNERSHIP PLAN CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 44G Internal Revenue Code of 1954; 26 USC 404(i) Internal Revenue Code of 1954; 26 USC 409A Internal Revenue Code of 1954; 26 USC 46(a)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide guidance for electing the employee stock ownership credit based on contributions to a tax credit employee stock ownership plan. The maximum credit is determined as a percentage of aggregate compensation of employees under the plan which cannot exceed 0.5 for 1983 and 1984, and .75 for 1985 through 1987.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-151-81.

Drafting attorney: John C. Khil (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD56

96. INCOME TAX--JOINT OWNERSHIP OF ENERGY ITEMS & RENEWABLE ENERGY SOURCE EXPENDITURES FOR PURPOSES OF THE RESIDENTIAL ENERGY CREDIT TO CONFORM TO SECS 201(A) & 202 OF THE ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 44C Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide the public with guidance to comply with changes made to section 44C by the Energy Tax Act of 1978 and the Windfall Profit Tax Act of 1980 relating to defining passive and active solar system, subsidized energy financing and other terms pertaining to the residential energy credit.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-73-80.

Drafting attorney: Annie R. Alexander (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Annie R. Alexander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA03

97. CREDIT FOR CLINICAL TESTING EXPENSES FOR CERTAIN DRUGS FOR RARE DISEASES OR CONDITIONS

Legal Authority: 26 USC 7805; 26 USC 44H(d)(5); 26 USC 280C(c)(3)

CFR Citation: 26 CFR 44H; 26 CFR 280C

Abstract: Proposal would amend the Income Tax Regulations in order to conform the regulations to sections 44H and 280C(c) of the Internal Revenue Code of 1954, relating to the new credit for clinical testing expenses for certain drugs for rare diseases or conditions. The proposal would provide the public with the guidance needed to comply with the law and would affect taxpayers seeking to obtain the new credit.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	

Small Entity: Not Applicable

Additional Information: LR-55-83.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3326.

Office of Tax Legislative Counsel reviewing attorney: Fairlea Sheehy.

In the Office of the Commissioner for Signature.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF64

98. INCOME TAX--INVESTMENT CREDIT FOR COOPERATIVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954; PL 95-600, Sec 316

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance with respect to the investment

tax credit for cooperatives and their patrons.

Timetable:

Action	Date	FR Cite
NPRM	12/27/83	48 FR 56965
NPRM Comment Period Begin	12/27/83	48 FR 56965
NPRM Comment Period End	02/27/84	
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-4-78.

Drafting attorney: Patricia K. Keesler (202) 566-3430.

Reviewer: Robert Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Notice published 12/27/83.

In Chief Counsel for preparation of Treasury decision.

Agency Contact: Patricia K. Keesler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AA09

99. INCOME TAX--THE INVESTMENT CREDIT FOR QUALIFIED PROGRESS EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations add a new section to provide rules for claiming the investment credit for qualified progress expenditures.

Timetable:

Action	Date	FR Cite
NPRM	01/30/79	44 FR 05910
NPRM Comment Period Begin	01/30/79	44 FR 05910
NPRM Comment Period End	04/01/79	
Hearing	06/27/79	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-73-75.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury Attorney: Garlock.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3458**

RIN: 1545-AA13

100. INCOME TAX--INVESTMENT CREDIT FOR COMMUTER HIGHWAY VEHICLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the rules contained in sections 46 and 47 of the Internal Revenue Code of 1954 dealing with the investment tax credit for certain commuter highway vehicles, thereby providing needed guidance to the public on how the Internal Revenue Service intends to interpret those sections of the Code.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-169-79.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3487.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Draft of notice of proposed rulemaking forwarded for signature on 07/26/83.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3458**

RIN: 1545-AA08

101. INCOME TAX--AT RISK LIMITATIONS ON INVESTMENT CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46(c)(8) Internal Revenue Code of 1954; 26 USC 46(c)(9) Internal Revenue Code of 1954; 26 USC 47(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will explain and illustrate the application of the investment tax credit at risk rules under which (with certain exceptions) a taxpayer's credit base for section 38 property for purposes of calculating the amount of investment credit (for certain taxpayers engaged in certain activities) shall be reduced by the nonqualified nonrecourse financing with respect to such property.

Timetable:

Action	Date	FR Cite
NPRM	05/05/85	

Small Entity: Not Applicable

Additional Information: LR-240-81.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Rick D'Avino (202) 566-4518.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AA15

102. INCOME TAX--CHANGES MADE BY SECS 222(A) AND 223(B) OF THE CRUDE OIL WINDFALL PROFIT TAX ACT OF 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 46(a) Internal Revenue Code of 1954; 26 USC 48(l)

CFR Citation: 26 CFR 1

Abstract: The proposed regulations will reflect the repeal of the refundable feature of the solar and wind energy credits and the extension of the energy credit through 1990 for certain long-term energy projects.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-150-80.

Drafting Attorney: William A. Jackson (202) 566-4336

Reviewing Attorney: Robert B. Coplan (202) 566-3287

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

In Office of Chief Counsel (Legislative and Regulations Division) for preparation of notice.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AA14

103. INCOME TAX--TAX TREATMENT OF MASS ASSETS FOR INVESTMENT CREDIT PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 38 Internal Revenue Code of 1954; 26 USC 46 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would clarify the investment tax credit recapture treatment of mass assets thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret this area.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-92-73.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AA10

104. INCOME TAX--AMENDMENT OF RECAPTURE RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The investment tax credit recapture regulations will be updated to explain the recapture treatment for recovery property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-315-81.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AA18

105. AMENDMENT OF INCOME TAX REGULATIONS UNDER SECTIONS 47, 48 AND 196 RELATING TO BASIS ADJUSTMENT TO REFLECT INVESTMENT TAX CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 47 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954; 26 USC 196 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide rules concerning a basis adjustment in the case of the investment tax credit.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-183-82.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Notice of proposed rulemaking in the Tax Legislative Counsel's Office of Treasury Department for comment.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AF06

106. INCOME TAX--INCREASE IN INVESTMENT TAX CREDIT FOR QUALIFIED REHABILITATION EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 48 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules and definitions relating to terms such as qualified rehabilitated expenditures, qualified rehabilitated building, substantial rehabilitation and certified historic structure.

Timetable:

Action	Date	FR Cite
Notice	04/30/84	
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-238-81.

Drafting Attorney: John Schmalz (202) 566-3297.

Reviewing Attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) Reviewing Attorney: D'Avino

Preliminary draft at Treasury for review and comment.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AA12

107. INCOME TAX--INVESTMENT CREDIT FOR REHABILITATED STRUCTURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules and definitions relating to terms such as qualified rehabilitated building, qualified rehabilitated expenditure, and major portion.

Timetable:

Action	Date	FR Cite
NPRM	10/26/80	
Hearing	03/31/81	
Final Action	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-191-78

Drafting Attorney: John Schmalz (202) 566-3297.

Reviewing Attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino

Preliminary draft at Treasury for review.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AA21

108. INCOME TAX--SPECIAL RULES ADDED BY SEC 223(C) OF CRUDE OIL WINDFALL PROFIT TAX ACT 1980, RELATING TO REDUCTION OF CREDIT WHERE PROPERTY IS FINANCED BY SUBSIDIZED ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48(l) Internal Revenue Code of 1954; PL 96-223, Sec 223(c)

CFR Citation: 26 CFR 1

Abstract: The regulations will provide that subsidized energy financing and proceeds of exempt industrial development bonds used to finance a facility reduce the qualified investment in the energy property contained in that facility for purposes of determining the amount of the energy tax credit.

Timetable:

Action	Date	FR Cite
NPRM	01/26/82	47 FR 03559
NPRM Comment Period Begin	01/26/82	47 FR 03559
NPRM Comment Period End	03/20/82	
Hearing	06/03/82	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-176-80.

Drafting Attorney: Charles W. Culmer (202) 566-4336.

Reviewing Attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AA26

109. ● AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 48 (L) (16), RELATING TO THE ENERGY INVESTMENT CREDIT FOR QUALIFIED INTERCITY BUSES THAT ARE LEASED

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48 (l) (16) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendments to the regulations will provide guidance for determining the eligibility of taxpayers for the energy credit when a qualified intercity bus is leased.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-69-84.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AG31

110. INCOME TAX--DEFINITION OF ENERGY PROPERTY, TO REFLECT ADDITION BY SEC 222(H) OF THE CRUDE OIL WINDFALL PROFIT TAX ACT OF 1980 OF QUALIFIED INTERCITY BUSES AS ENERGY PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48(l) Internal Revenue Code of 1954; 26 USC 46(a)

CFR Citation: 26 CFR 1

Abstract: The proposed regulations establish rules for claiming the energy investment credit for qualified intercity buses.

Timetable:

Action	Date	FR Cite
NPRM	09/03/82	47 FR 38918
NPRM Comment Period Begin	09/03/82	47 FR 38918
NPRM Comment Period End	11/02/82	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-79-80.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Notice published in the Federal Register 09/03/82.

T.D. signed by Commissioner 8/22/83.

T.D. returned by Treasury for revision 1/12/84.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3458**

RIN: 1545-AA24

111. INCOME TAX--DEFINITION OF FILMS THAT ARE "TOPICAL OR OTHERWISE ESSENTIALLY TRANSITORY IN NATURE"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 48(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations more specifically define what movie and television films and videotapes qualify for the investment credit.

Timetable:

Action	Date	FR Cite
NPRM	06/03/82	47 FR 24142
NPRM Comment Period Begin	06/03/82	47 FR 24142
NPRM Comment Period End	08/02/82	
Final Action	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-143-80.

Drafting Attorney: David Haglund (202) 566-3297.

Reviewing Attorney: John Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thuronyi.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AA22

112. INCOME TAX--INVESTMENT CREDIT IN CASE OF PROPERTY USED BY TAX EXEMPT ORGANIZATIONS & GOVERNMENTAL UNITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 38(b) Internal Revenue Code of 1954; 26 USC 48(j) Internal Revenue Code of 1954; 26 USC 48(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would change the definition of use of property by a tax exempt organization or a governmental unit, for purpose of applying rules relating to the investment tax credit.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-223-78.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: McCarty.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-4336

RIN: 1545-AA23

113. INCOME TAX--ADJUSTMENTS TO NEW JOBS CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 51 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules and definitions relating to the targeted job as amended by the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	11/23/83	48 FR 52943
NPRM Comment Period Begin	11/23/83	48 FR 52943
NPRM Comment Period End	01/23/84	
Final Action	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-218-81.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Thuronyi, McCarty.

Notice of proposed rulemaking published, public hearing scheduled.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA31

114. INCOME TAX--ALTERNATIVE MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 55 Internal Revenue Code of 1954; 26 USC 57 Internal Revenue Code of 1954; 26 USC 58 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The Regulations will provide rules for the computation of the alternative minimum tax and the computation of the credits that may be used to reduce that tax, as well as rules for determining the amount of tax preference for excluded dividends and interest, mining exploration and development costs, and circulation, research and experimental expenditures. The Regulations will also provide rules relating to the optional 10 year write off of certain tax preferences.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-235-82.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert Coplan (202) 566-3287.

In Legislation and Regulations for preparation of notice.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AE80

115. INCOME TAX--MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 56 Internal Revenue Code of 1954; 26 USC 57 Internal Revenue Code of 1954; 26 USC 58 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will explain how to compute items of tax preference for purposes of the minimum tax. The regulations will also provide tax benefit rules with respect to the minimum tax for tax preferences.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-151-76.

Drafting attorney: Robert B. Coplan (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Revised draft of notice to Office of Tax Legislative Counsel (Treasury) 06/08/82.

Agency Contact: Robert B. Coplan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA33

116. INCOME TAX-MINIMUM TAX. ITEM OF TAX PREFERENCE FOR INTANGIBLE DRILLING COSTS INCURRED IN DRILLING OIL, GAS OR GEOTHERMAL WELLS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 57 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will explain the application and determination of the tax preference item for intangible drilling costs which was added by the Tax Reform Act of 1976. The regulations will provide rules for determining a taxpayer's net income from oil and gas properties, rules for determining if a well is nonproductive and rules for determining the proper preference tax if a well proves to be nonproductive after the close of a taxable year for which a tax return has already been filed.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-209-78.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

In Office of Chief Counsel (Legislative and Regulations Division) for preparation of notice.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AA34

117. INCOME TAX--NONQUALIFIED SALARY REDUCTION AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 61 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide guidance regarding the tax treatment of nonqualified deferred compensation arrangements established by tax exempt charitable organizations such as non-profit hospitals for their employees.

Timetable:

Action	Date	FR Cite
NPRM	02/03/78	43 FR 4638
NPRM Comment Period Begin	02/03/78	43 FR 4638
Final Action Effective	03/06/78	
NPRM Comment Period End	04/04/78	
Hearing	05/14/78	
News release issued for comment	06/11/79	
Hearing	11/27/79	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-194-77.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AA35

118. INCOME TAX--TREATMENT OF INCOME OF CERTAIN INNOCENT SPOUSES IN COMMUNITY PROPERTY STATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 66 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining acceptable amounts of community earned income transferred between spouses living apart in community property states, which will not preclude the disregard of community property laws for federal tax purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-41-81.

Drafting Attorney: Ewan Purkiss (202) 566-3238.

Reviewing Attorney: John Parcell (202) 566-3336.

In Office of Chief Counsel (Legislative and Regulations Division) for preparation of notice.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AA37

119. INCOME TAX--UNISEX ANNUITY TABLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide unisex tables to be used in reporting payments received on annuity contracts. The unisex tables would replace the tables currently prescribed in the regulations. The current tables are different for men and women.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-19-80.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Notice to Department of Treasury for formal approval 07/01/84.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AA38

120. INCOME TAX--CLARIFICATION OF THE INCOME TAX REGULATIONS WITH RESPECT TO THE TAXATION OF DISTRIBUTION FROM QUALIFIED PLANS PROVIDING LIFE INSURANCE PROTECTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would simplify income tax treatment of amounts distributed from qualified employee plans that provide life insurance.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-44-80.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD60

121. INCOME TAX--CERTAIN DISTRIBUTIONS, CONTRIBUTIONS, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72(o) Internal Revenue Code of 1954; 26 USC 72(m) Internal Revenue Code of 1954; 26 USC 405(d)(3) Internal Revenue Code of 1954; 26 USC 401(d)(5) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulation will provide taxpayers with guidance regarding income tax treatment of distributions of qualified voluntary employee contributions from qualified employee plans.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-149-81.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD61

122. LOANS TREATED AS DISTRIBUTIONS

Legal Authority: 26 USC 7805; 26 USC 72

CFR Citation: 26 CFR 1

Abstract: The regulation will provide guidance on the application of new rules for determining the income tax treatment to be accorded loans to participants or beneficiaries from qualified employer plans. The new loan rules are provided in new section 72(p) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: EE-106-82.

Drafting attorney: Calder L. Robertson, Jr., (202) 566-3422.

Reviewing attorney: Michael A. Thrasher, (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jeffrey A. Quinn.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE41

123. INCOME TAX--EARLY WITHDRAWALS FROM DEFERRED ANNUITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for reporting amounts withdrawn from deferred annuities.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-279-82.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Legislative Counsel reviewing attorney: David Garlock (202) 566-2565.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3288

RIN: 1545-AF08

124. INCOME TAX--GROUP TERM LIFE INSURANCE--EVIDENCE OF INSURABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 79 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulations will provide guidance in determining whether term life-insurance is group-term life insurance within the meaning of section 79 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	10/07/82	47 FR 44343
NPRM Comment Period Begin	10/07/82	47 FR 44343
NPRM Comment Period End	12/06/82	
Hearing	01/19/83	47 FR 53745
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-42-78.

Drafting attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Garlock, Pike.

Draft of Treasury decision being prepared in Legislation and Regulations Division.

Agency Contact: Phoebe A. Mix, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA39

125. NONDISCRIMINATION REQUIREMENTS FOR EMPLOYER-PROVIDED GROUP-TERM LIFE INSURANCE

Legal Authority: 26 USC 7805; 26 USC 79(d)

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the nondiscrimination requirements for group-term life insurance purchased for employees.

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	

Small Entity: Not Applicable

Additional Information: EE-110-82.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel reviewing attorneys: Garlock, Pike.

Notice to Office of Tax Legislative Counsel (Treasury) for comment 11/16/83.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AE89

126. INCOME TAX--TO MAKE CERTAIN AMENDATORY CHANGES TO RULES RELATING TO PROPERTY TRANSFERRED IN CONNECTION WITH PERFORMANCE OF SERVICES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 83 Internal Revenue Code of 1954; Section 252 Economic Recovery Tax Act of 1981

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers who transfer and receive property in connection with the performance of services. The amendments relate to the definition of property, the effect of section 16(b) of the Securities Exchange Act of 1934 on transferred stock, when an employer may receive a deduction for compensation paid, and the consequences to a shareholder who transfers stock to an employee of the subject corporation.

Timetable:

Action	Date	FR Cite
NPRM	11/16/83	48 FR 52079
NPRM Comment Period Begin	11/16/83	48 FR 52079
NPRM Comment Period End	01/16/84	
Final Action Effective	10/00/84	

Small Entity: Not Applicable

Additional Information: LR-16-80.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Jewett.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AA41

127. ● REGULATIONS ON INCOME TAX UNDER THE SOCIAL SECURITY AMENDMENTS ACT OF 1983 RELATING TO THE TAXATION OF SOCIAL SECURITY BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 86 Internal Revenue Code of 1954; 26 USC 6050F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules relating to the taxation of social security benefits.

The regulations explain the calculation for determining the amount of social security benefits includible in the gross income of the recipient of the benefits. The regulations also provide rules for information reporting with respect to the benefit payments which require the furnishing of the amount of social security benefits paid to and repaid by the recipient along with the name, address, and taxpayer identification number of the recipient.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-81-84.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG29

128. INCOME TAX--FLEXIBLE PREMIUM CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 101(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for determining what portion (if any) of a flexible premium life insurance contract is life insurance for purposes of section 101 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-308-82.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: David Garlock.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3288**

RIN: 1545-AF28

129. INCOME TAX--INDUSTRIAL DEVELOPMENT BONDS FOR VEHICLES USED FOR MASS COMMUTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954; Economic Recovery Tax Act of 1981, section 811

CFR Citation: 26 CFR 1

Abstract: The regulations would define a qualified mass commuting vehicle for purposes of issuance of tax-exempt bonds. A qualified mass commuting vehicle is a bus, subway car or similar equipment that is leased to a mass transit system wholly owned by one or more governmental units and that is used by the mass transit system in providing mass commuting services.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-192-81.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: McCarty.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA43

---

130. INCOME TAX--TO AMEND THE REGULATIONS UNDER SECTIONS 1.103-13 AND 1.103-14 WITH RESPECT TO THE CALCULATIONS OF "OVERISSUANCE" AND "CUMULATIVE CASH FLOW DEFICIT"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify rules relating to the proper method for determining whether the amount of tax-exempt obligations exceeds the amount necessary for the governmental purpose for which the proceeds of the obligations are to be used.

Timetable:

Action	Date	FR Cite
NPRM	03/29/83	48 FR 13051
NPRM Comment Period Begin	03/29/83	48 FR 13051
NPRM Comment Period End	05/31/83	
Hearing	06/08/83	
Final Action	12/00/84	

Small Entity: No

Additional Information: LR-82-82.

Drafting attorney: Pamela Olson (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Pike.

Notice to Treasury for formal approval 06/17/82.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA44

---

131. INCOME TAX--TO AMEND THE REGULATIONS RELATING TO THE TREATMENT OF REPLACEMENT FUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers and users of tax-exempt obligations relating to whether amounts are replaced by the proceeds of such obligations. As such, such amounts will be treated as proceeds of such obligation and would be required to be invested at less than a materially higher yield. If such amounts are not invested at less than a materially higher yield than the yield on the obligations then the obligations would be arbitrage bonds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-99-82.

Drafting attorney: Pamela F. Olson (202) 566-3459.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Pike.

In Legislation and Regulations Division for Preparation of Notice.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA46

---

132. INCOME TAX--TO PROVIDE FOR THE TAX CONSEQUENCES OF REFUNDING INDUSTRIAL DEVELOPMENT BONDS TO THE ISSUER, BOND-HOLDER & INDUSTRIAL USER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that advance refunding issues defined as those refunding issues issued more than 180 days before the redemption of the issue to be refunded may be exempt issues if issued to refund qualified public facilities. A definition of qualified public facilities is provided. Special rules for multipurpose issues are also provided.

Timetable:

Action	Date	FR Cite
Previous Notice	12/06/77	42 FR 61613
Hearing	03/15/78	
Previous Notice	02/06/79	44 FR 7177
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-70-77.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Woodward.

Revised notice forwarded to Treasury 09/08/82; pending Treasury review.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA47

---

133. INCOME TAX--EXEMPTION FOR INDUSTRIAL DEVELOPMENT BONDS FOR WATER FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(4) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide guidance to determine the rules under which facilities for furnishing water to members of the general public can be financed with tax-exempt industrial development bonds under section 103

(b) (4) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
Final Action Effective	11/07/78	
NPRM	05/31/84	
NPRM Comment Period Begin	05/31/84	
NPRM Comment Period End	07/30/84	
Final Action	09/30/84	

Small Entity: Not Applicable

Additional Information: LR-190-78.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA49

134. INCOME TAX--TO CLARIFY THE "SUBSTANTIALLY ALL" TEST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance in determining the amount of proceeds of an issue of industrial development bonds. Generally such bonds are exempt only if substantially all of the issue proceeds are used for a purpose designated in 26 USC 103 (b).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-182-79.

Drafting Attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing Attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mundstock.

Draft of notice returned to Legislation and Regulations Division for revision.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA50

135. INCOME TAX--TO CLARIFY THE "PUBLIC USE" AND "FUNCTIONALLY RELATED" REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendments to the regulations would provide additional rules to determine under what circumstances property is treated as functionally related and subordinate to an exempt facility, such as a dock or wharf, and, therefore financeable with tax-exempt industrial development bonds. Furthermore, the regulations would examine the public use requirement which generally restricts tax-exempt financing to exempt facilities used by the general public.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information:

LR-51-79

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel Reviewing attorney: Lokey.

Agency Contact: Mitchell Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA51

136. INCOME TAX--TO PROVIDE "TIMING" REQUIREMENTS FOR EXEMPT SMALL ISSUES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rules will provide "timing" requirements for exempt small issues of industrial development bonds. They will address the nature of the governmental action necessary to approve such an issue and the relationship in time between that action and various expenditures to be funded by the issue.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-245-79.

Drafting attorney: Diane Kroupa (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Jim Lokey.

Treasury comments received in Legislation and Regulations Division 12/09/83.

Agency Contact: Diane Kroupa, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA52

137. INCOME TAX--TO CLARIFY THE DEFINITION OF THE TERM "ISSUE"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers, and users of industrial development bonds relating to whether multiple lots of obligations will be treated as part of the same issue under section 103 (b).

Timetable:

Action	Date	FR Cite
NPRM	10/08/81	46 FR 50014
NPRM Comment Period Begin	10/08/81	46 FR 50014
Hearing	11/12/81	
NPRM Comment Period End	01/06/82	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-264-81.

Drafting attorney: Pamela F. Olson (202) 566-3829.

Reviewing Attorney: Barry Wold (202) 566-3294.

A revised notice of proposed rulemaking is currently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AA54

138. INCOME TAX--TO DEFINE THE TERM "PRINCIPAL USER OF A FACILITY"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would define the meaning of the term "principal user of a facility" for purposes of applying the limitation set by the Internal Revenue Code upon the permissible size of a small issue of tax-exempt industrial development bonds, as diminished by certain other capital expenditures. This regulation would help identify other facilities the capital expenditures from which must be taken into account in determining whether that issue exceeds the small issue limitation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-59-74.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Furer.

Revised draft submitted for Treasury review, 4/1/83.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA56

139. INCOME TAX--INCREASE IN LIMIT ON SMALL ISSUES OF INDUSTRIAL DEVELOPMENT BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(6)(D) Internal Revenue Code of 1954; 26 USC 103(b)(6)(I) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance regarding the effect of an urban development action grant with respect to a specific facility, upon the capital expenditures limitation with respect to a small issue of tax-exempt industrial bonds issued to finance such facility. The regulation may also provide guidance regarding the required size of such grant in relation to the cost of the facility to be financed by the bond issue, and the nexus between the grant and the financed facility.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/01/79	
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-117-79.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Furer.

Notice pending Treasury review.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AA57

140. INCOME TAX--TO CLARIFY THE DEFINITION OF PROPERTY WHICH IS A POLLUTION CONTROL FACILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will define the term "air or water pollution control facilities". The regulations will further determine the portion of the cost of such facilities that may be financed with tax-exempt industrial development bonds, whenever the facilities also serve certain other purposes.

Timetable:

Action	Date	FR Cite
NPRM	08/20/75	40 FR 36371
NPRM Comment Period Begin	08/20/75	40 FR 36371
Hearing	11/21/75	
NPRM Comment Period End	11/28/75	
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-9-75.

Drafting attorney: Barry L. Wold (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Mundstock.

Agency Contact: Barry L. Wold, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AA58

141. INCOME TAX--MANNER OF ELECTING $10 MILLION LIMITATION ON EXEMPT SMALL ISSUES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would establish revised procedures whereby the issuer of a small issue of tax-exempt industrial development bonds can elect to have a $10 million limitation rather than a $1 million limitation apply in determining the maximum allowable size of such issue. This regulation would centralize the filing of documents relating to this election to make its requirements more administrable.

Timetable:

Action	Date	FR Cite
NPRM	06/22/82	47 FR 26854
NPRM Comment Period Begin	06/22/82	47 FR 26854
NPRM Comment Period End	08/23/82	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-50-80.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Krolikowski.

Presently under review in Office of Tax Policy.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AA59

142. INCOME TAX--TO DEFINE THE TERM "FACILITY"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify meaning of term "FACILITY" for purposes of exempt small issues of industrial development bonds. This will affect whether something could qualify for the small issue exemption from the definition of industrial development bonds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-227-80.

Drafting attorney: Barry L. Wold (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Barry L. Wold, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3294**

RIN: 1545-AA60

143. INCOME TAX--INCOME TAX REGULATIONS UNDER SECTION 103(C) TO MAKE CERTAIN CORRECTIVE AND CLARIFYING CHANGES TO THE ARBITRAGE REGULATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide miscellaneous changes to the arbitrage regulations. The changes would provide guidance to issuers, purchasers and users of tax-exempt obligations. The regulations would relate to the calculations of yield for purposes of determining whether obligations are tax-exempt. If the yield on obligations acquired with the proceeds of a governmental obligation are materially higher than the yield on the governmental obligation then the interest paid on the governmental obligation is not tax-exempt.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-101-79.

Drafting attorney: Pamela F. Olson (202) 566-3459.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Pike.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3459**

RIN: 1545-AA61

144. INCOME TAX--MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules which interpret the provisions of section 103a, relating to Mortgage Subsidy Bonds. Mortgage Subsidy Bonds are any obligations a significant portion of the proceeds of which are used to provide financing for owner-occupied residences.

Timetable:

Action	Date	FR Cite
Previous NPRM	07/01/81	46 FR 34348
Hearing	11/05/81	
NPRM	11/10/81	46 FR 55513
NPRM Comment Period Begin	11/10/81	46 FR 55513
NPRM Comment Period End	01/09/82	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-20-81.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: McDowell.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3459**

RIN: 1545-AA63

145. INCOME TAX--TO CLARIFY THE DEFINITION OF PROPERTY THAT IS A SOLID WASTE DISPOSAL FACILITY & TO CONFORM TO STATUTORY EXEMPTION FOR INDUSTRIAL DEVELOPMENT BONDS FOR QUALIFI ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(b) Internal Revenue Code of 1954; 26 USC 103(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules to determine whether property is a sewage or solid waste disposal facility or a facility for the local furnishing of electric energy or gas. Qualifying property may be financed with tax exempt industrial development bonds.

Timetable:

Action	Date	FR Cite
NPRM	02/15/85	

Small Entity: Not Applicable

Additional Information: LR-100-75.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Lokey.

Forward to Tax Legislative Counsel's office for comment on 12/23/83.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3294

RIN: 1545-AA64

146. TO PROVIDE REGULATIONS REQUIRING CERTAIN DEBT OBLIGATIONS TO BE ISSUED IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954; 26 USC 163 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rules will provide that certain debt obligations issued after December 31, 1982, must be in registered form. The rules will provide examples of certain obligations that are not subject to the registration requirements. The sanctions for not issuing an obligation in registered form are the denial of an interest deduction and the denial that the interest is tax exempt.

Timetable:

Action	Date	FR Cite
NPRM	11/15/82	47 FR 51414
NPRM Comment Period Begin	11/15/82	47 FR 51414
Final Action Effective	12/31/82	
NPRM Comment Period End	01/14/83	
Hearing	01/25/83	47 FR 51413
Final Action	08/00/84	

Small Entity: Not Applicable

Additional Information: LR-255-82.

Drafting attorney: Pamela F. Olson (202) 566-3459.

Reviewing attorney: John Coulter, Jr., (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Mark Perlis.

Sent to Treasury for Review of Treasury Decision 1/84.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE18

147. TO PROVIDE REGULATIONS UNDER SECTION 103(B)(10) RELATING TO LOCAL DISTRICT HEATING AND COOLING FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 103 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers and users of industrial development bonds substantially all of the proceeds of which are to be used to provide local district heating and cooling. As such, the regulations will provide guidance with respect to which parts of heating and cooling facilities may be financed with the proceeds of such bonds.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/03/82	
NPRM	02/01/85	

Small Entity: Not Applicable

Additional Information: LR-219-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John Coulter, Jr. (202) 566-4473.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE22

148. TO PROVIDE REGULATIONS UNDER SECTION 103(K) AND (L)--RELATING TO PUBLIC APPROVAL AND INFORMATION REPORTING REQUIREMENTS FOR PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal will clarify the information reporting requirements with respect to private activity bonds. Industrial development bonds must be publicly approved--failure to fulfill this requirement results in loss of tax exemption for the interest on these bonds. Issuers of student loan bonds, charitable use bonds and industrial development bonds are required to supply certain information to the Internal Revenue Service. Failure to comply with this requirement will result in the loss of tax exemption for the bond's interest.

Timetable:

Action	Date	FR Cite
NPRM	05/11/83	48 FR 21166
NPRM Comment Period Begin	05/11/83	48 FR 21166
NPRM Comment Period End	07/11/83	
Final Action	12/01/84	

Small Entity: Not Applicable

Additional Information: LR-221-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Andrew Furer.

In Legislation and Regulations Division for preparation of Treasury Decision.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE24

149. TO PROVIDE REGULATIONS UNDER SECTION 103(B)(14)--RELATING TO LIMITATION ON MATURITY OF INDUSTRIAL DEVELOPMENT BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Rules will provide guidance with respect to computation of average weighted economic life and average weighted maturity. Rules limit the average length of the maturity of all industrial development bonds.

Timetable:

Action	Date	FR Cite
NPRM	02/01/85	

Small Entity: Not Applicable

Additional Information: LR-220-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing Attorney: John M. Coulter, Jr., (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: James Lokey.

Comments received from Tax Legislative Counsel's Office on 12/06/83.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE69

150. DEFINITION OF "MATERIALLY HIGHER" FOR ACQUIRED PURPOSE OBLIGATIONS GUARANTEED BY FEDERAL DEPOSITORY INSURANCE

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USG 103 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to issuers, purchasers and users of tax-exempt obligations the proceeds of which are used to acquire acquired purpose obligations which are guaranteed by Federal Depository Insurance. Thus, the regulations would determine whether the yield produced by certificates of deposit are materially higher than the yield on the tax-exempt obligations. If the yield on acquired purpose obligations is materially higher than the yield on such obligations then the interest paid thereon is not tax-exempt.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-231-82.

Drafting attorney: Pamela F. Olson (202) 566-3459.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel Reviewing Attorney: Andrew Pike (202) 566-8277.

Put on Suspense List Pending Legislation.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, DC 20224, 202 566-3459

RIN: 1545-AE73

151. TO PROVIDE REGULATIONS UNDER SECTION 103A RELATING TO MORTGAGE SUBSIDY BONDS FOR COOPERATIVE HOUSING CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 103A Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations will interpret the rules under section 103A, relating to mortgage subsidy bonds, as those rules relate to cooperatives. A mortgage subsidy bond is an obligation a significant portion of the proceeds of which are used to provide financing for single-family, owner-occupied residences. The proposed regulations also would provide rules for the treatment of certain leasing cooperatives under section 103 (b) (4) (A), relating to industrial development bonds for residential rental projects.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-16-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AF36

152. INTEREST EXEMPT OTHER THAN UNDER THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(m) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal would describe the application of new Code section 103 (m) to interest earned on obligations which are exempt from taxation under Federal laws outside the Internal Revenue Code. Section 103 (m) broadens the types of obligations described in section 103 (a) to include obligations on which the interest is tax-exempt under provisions of Federal law outside of the Code. Section 103 (m) provides that interest on obligations described in section 103 (m) is considered to be interest described in section 103 (a) for all purposes of the Code.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-34-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney:

In Legislation and Regulations Division for preparation of Notice of proposed rulemaking.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, DC 20224, 202 566-3459

RIN: 1545-AF49

153. TO PROVIDE REGULATIONS UNDER SECTION 103 (B) (6) (0) RELATING TO RESTRICTIONS ON FINANCING CERTAIN FACILITIES WITH EXEMPT SMALL ISSUES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would define the types of projects which may not be financed with the proceeds of tax-exempt obligations. The amendments will conform the regulations to changes made in section 103 (b) (6) by section 214 (e), Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-84-83.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Joe Krolikowski.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3590**

RIN: 1545-AF53

154. ARBITRAGE: TREATMENT OF ISSUE PRICE AND ADMINISTRATIVE COSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1.103-13

Abstract: This regulation would provide guidance to issuers of municipal bonds as to the proper treatment of administrative costs and determination of issue price. This regulation would replace the existing regulation which was invalidated by the D.C. Circuit Court of Appeals.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-32-83.

Drafting attorney: Pamela F. Olson.

Reviewing attorney: John Fischer.

In Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, for preparation of notice.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AF75

155. ● LIMITATION ON AGGREGATE AMOUNT OF PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 103(n) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide avoidance to issuers, purchasers, and users of private activity bond, as to the definition of the term private activity bond, and the limit on the amount of such bonds that an issuer may issue in a calendar year.

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	
Interim Final Rule	09/01/84	

Small Entity: Not Applicable

Additional Information: LR-116-84.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-4473.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AG08

156. INCOME TAX--CHANGES IN EXCLUSION FOR SICK PAY & CERTAIN MILITARY, ETCETERA, DISABILITY PENSIONS; CERTAIN DISABILITY INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 104(a) Internal Revenue Code of 1954; 26 USC 104(b) Internal Revenue Code of 1954; 26 USC 105(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would relate to annuities, unemployment compensation, compensation for injuries or sickness, amount received under accident or health plans, and contributions by employees to accident and health plans. Exclusions from income would be clarified.

Timetable:

Action	Date	FR Cite
NPRM	07/09/80	45 FR 46082
NPRM Comment Period Begin	07/09/80	45 FR 46082
NPRM Comment Period End	09/08/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-159-76.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Treasury decision pending Treasury review.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3288**

RIN: 1545-AA66

157. ● INCOME TAX REGULATIONS UNDER THE REVENUE ACT OF 1978, RELATING TO SELF-INSURED MEDICAL EXPENSES REIMBURSEMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 105(h) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to self-insured medical reimbursement plans. The regulations will explain whether policies issued by captive insurance companies are considered self-insured.

Timetable:

Action	Date	FR Cite
NPRM	12/01/84	

Small Entity: Not Applicable

Additional Information: EE-28-84.

Drafting attorney: Richard J. Wickersham (202) 566-3250.

Treasury attorney: Harry Conaway.

Agency Contact: Richard J. Wickersham, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3250**

RIN: 1545-AG34

158. INCOME TAX--DISCHARGE OF INDEBTEDNESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 108 Internal Revenue Code of 1954; 26 USC 1017 Internal

Revenue Code of 1954; PL 96-589, Sec 2 Bankruptcy Tax Act 1980

CFR Citation: 26 CFR 1

Abstract: This proposal would provide rules relating to certain income from the discharge of indebtedness, including rules relating to the election to reduce the basis of assets in lieu of recognizing income.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-91-81.

Drafting Attorney: Duane Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislation Counsel reviewing attorneys: McCarty, Levinson.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Charles M. Whedbee, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3474

RIN: 1545-AA67

159. INCOME TAX--PARTIAL EXCLUSION OF DIVIDENDS AND INTEREST RECEIVED BY INDIVIDUALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 116 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules relating to the partial exclusion of dividends and interest for 1981.

Timetable:

Action	Date	FR Cite
NPRM	02/09/81	47 FR 5902
NPRM Comment Period Begin	02/09/81	47 FR 5902
NPRM Comment Period End	04/12/81	
Hearing	06/22/82	47 FR 20802
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-83-80.

Drafting Attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorneys: not assigned.

Agency Contact: Phoebe A. Mix, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AA69

160. INCOME TAX--RELATING TO FEDERAL GRANT NOT INCLUDABLE IN GROSS INCOME IN CERTAIN CASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 117(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will revise existing regulations in order to allow an exclusion for a grant received under a Federal program, which would have been excludable from gross income under the general rules of section 117 but for the requirement under the grant that the recipient perform future services as a federal employee.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-72-81.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert Waltuch (202) 566-3287.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA70

161. INCOME TAX--CONTRIBUTIONS IN AID OF CONSTRUCTION FOR CERTAIN UTILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 118(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Notice would define and interpret when a utility has received a contribution in aid of construction. Changes to the applicable law were made by section 2120 of the Tax Reform Act of 1976 and section 364 of the Tax Reform Act of 1978.

Timetable:

Action	Date	FR Cite
Previous NPRM	09/27/78	
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-136-76.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA71

162. INCOME TAX--PREPAID LEGAL EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 120 Internal Revenue Code of 1954; 26 USC 501(c)(20) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the establishment and operation of a qualified group legal services plan. Employer contributions to, and benefits provided under, a qualified plan are excluded from an employee's gross income.

Timetable:

Action	Date	FR Cite
NPRM	04/29/80	45 FR 28360
NPRM Comment Period Begin	04/29/80	45 FR 28360
NPRM Comment Period End	06/30/80	
Hearing 09/04/80	07/25/80	45 FR 49596
Final Action	04/00/85	

Small Entity: Not Applicable

Additional Information: EE-5-78.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Preliminary draft of Treasury Decision to Office of Tax Legislative Counsel, 12/13/82.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AD62

163. INCOME TAX--TAX TREATMENT OF CAFETERIA PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 125 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations establish rules for the tax treatment of cafeteria plans meeting certain nondiscrimination standards. A cafeteria plan permits participating employees to select the particular fringe benefits desired from a package of employer-provided benefits, some of which are taxable and some of which are nontaxable.

Timetable:

Action	Date	FR Cite
NPRM	05/07/84	49 FR 19321
Hearing	07/26/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-16-79.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Revised preliminary draft of notice to Office of Tax Legislative Counsel (Treasury) & Actuarial Division, 6/17/83.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AD63

164. INCOME TAX-EXCLUSION FROM INCOME OF CERTAIN COST-SHARING PAYMENTS UNDER GOVERNMENT PROGRAMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 126 Internal Revenue Code of 1954; 26 USC 1255 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules on the exclusion from income of certain cost sharing payments and on the amount recaptured when the property improved with government payments is sold within a certain specified period of time.

Timetable:

Action	Date	FR Cite
NPRM	05/21/81	46 FR 27723
NPRM Comment Period Begin	05/21/81	46 FR 27723
NPRM Comment Period End	07/20/81	
Hearing	12/01/81	46 FR 50808
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-222-78.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing Attorney: Linda Kroening (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorneys: Reinhold, Levinson.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AA73

165. INCOME TAX--DEPENDENT CARE ASSISTANCE PROGRAMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 129 Internal Revenue Code of 1954; 26 USC 3121(a)(18) Internal Revenue Code of 1954; 26 USC 3306(b)(13) Internal Revenue Code of 1954; 26 USC 3401(a)(18) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: Internal Revenue Code section 129 excludes from an employee's gross income amounts paid or expenses incurred by an employer for dependent care assistance provided to an employee pursuant to a qualified program. Payments or benefits excluded under this section are not wages and consequently are not subject to tax under the Federal Insurance Contributions Act and the Federal Unemployment Act and are not subject to withholding. The regulation sets forth plan requirements and related rules.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-147-81.

Drafting attorney: Monice L. Rosenbaum (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Revised notice delivered to Commissioner 7/23/84.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AD65

166. INCOME TAX--PART 1 PERSONAL INJURY LIABILITY ASSIGNMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 130 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation project will provide rules on the exclusion from gross income for amounts received for agreeing to the assignment of a liability to make periodic payments as damages on account of personal injury or sickness.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-82-83.

Docket attorney: Cynthia Clark 566-3288.

Reviewing attorney: John Parcell 566-3336.

Tax Legislative Counsel attorney:

Agency Contact: Cynthia Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF39

167. INCOME TAX--PART I EXCLUSION FROM GROSS INCOME FOR CERTAIN FOSTER CARE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 131

CFR Citation: 26 CFR 1

Abstract: This regulation project will explain what foster child care payments may be excluded from the gross income of a foster parent.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: LR-83-83.

Docket attorney: Cynthia Clark 566-3288.

Reviewing attorney: John Parcell 566-3336.

Tax Legislative Counsel attorney:

Agency Contact: Cynthia Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, NW, Washington, DC 20224, 202 566-3288

RIN: 1545-AF52

168. ● INTEREST ON ESOP SECURITIES ACQUISITION LOANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 133 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance concerning the treatment of interest on ESOP securities acquisition loans.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: EE-73-84.

Drafting Attorney: John T. Ricotta (202) 566-3544.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG46

169. INCOME TAX--EMPL. TAX--DEDUCTIBILITY OF CERTAIN TRANSPORTATION EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954; 26 USC 62 Internal Revenue Code of 1954; 26 USC 262 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954; 26 USC 3306 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: The regulations would provide guidelines for determining when a taxpayer may deduct some transportation expenses incurred in traveling between his home and some places of work.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-173-77.

Drafting attorney: Beverly Baughman (202) 566-3297.

Reviewing attorney: Scott.

Office of Tax Legislative Counsel reviewing attorney: Furer.

Draft of notice to Tax Legislative Counsel (Treasury) 12/22/83.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA76

170. INCOME TAX--TO ADD PROVISIONS RELATING TO STATE LEGISLATORS TRAVEL EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to state legislators who elect to deduct a set per diem in lieu of having to substantiate their actual travel expenses arising from their trade or business as a state legislator.

Timetable:

Action	Date	FR Cite
NPRM	08/09/83	48 FR 36137
Final Action Effective	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-5-82.

Drafting attorney: Linda Kroening (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AA78

171. INCOME TAX--TO PROVIDE BETTER DEFINITIONS IN THE AREA OF POLITICAL ADVERTISING & GRASSROOTS LOBBYING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954; 26 USC 4945 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide better definitions in the area of political advertising and grassroots lobbying.

Timetable:

Action	Date	FR Cite
NPRM	11/25/80	45 FR 78167
NPRM Comment Period Begin	11/25/80	
NPRM Comment Period End	01/26/81	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-190-77.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: McDowell.

Presently pending in the Office of Tax Legislative Counsel for signature.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA79

172. INCOME TAX--LIMITATION ON INTEREST DEDUCTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 163(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the deductibility of interest on indebtedness incurred to purchase or carry investment property.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-1639.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorneys: Pike, Levinson.

11/28/77 Notice returned to Office of Chief Counsel (Legislation and Regulations Division) for revision.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3288

RIN: 1545-AA80

173. SANCTIONS ON ISSUERS AND HOLDERS OF REGISTRATION-REQUIRED OBLIGATIONS NOT IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulations provide rules for determining whether an issuer may claim an interest deduction for interest paid on an obligation in bearer form, which is otherwise a registration- required obligation because the issuer satisfies the conditions set forth in section 163 (f) (2) (B). In addition, the temporary regulations provide rules which define the circumstances under which a United States person may hold a registration-required obligation in bearer form.

Timetable:

Action	Date	FR Cite
NPRM	08/22/84	
NPRM Comment Period Begin	08/22/84	
Interim Final Rule	08/22/84	
NPRM Comment Period End	10/22/84	
Final Action	06/30/85	

Small Entity: No

Additional Information: LR-151-83.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Agency Contact: P. Ann Fisher or Carol T. Doran, Attorney, Office of Chief Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF63

174. ● INCOME TAX REGULATIONS--TAX STRADDLES RELATING TO SECTION 108 OF THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules under section 108 of the Tax Reform Act of 1984, relating to the treatment of certain losses on straddles entered into before the effective date of the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-147-84.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Rick Reinhold (202) 566-5453.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AG57

175. ● TEMPORARY INCOME TAX REGULATIONS. TAX STRADDLES RELATING TO SECTION 108 OF THE TAX REFORM ACT OF 1984.

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 165 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations will provide rules under section 108 of the Tax Reform Act of 1984 relating to the treatment of certain losses on straddles entered into before the effective date of the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-114-84.

Drafting attorney: Neil Zyskind (202) 566-3287.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Rick Reinhold (202) 566-5453.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AG60

176. INCOME TAX--DEDUCTIONS FOR ADDITION TO A RESERVE FOR CERTAIN GUARANTEED DEBT OBLIGATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 166(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for establishing a suspense account for certain guaranteed debt obligations.

Timetable:

Action	Date	FR Cite
NPRM	07/11/80	45 FR 46815
NPRM Comment Period Begin	07/11/80	45 FR 46815
NPRM Comment Period End	09/09/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1173.

Drafting attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Tax Legislative reviewing attorney: Mary Hutton.

Agency Contact: Phoebe A. Mix, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AA81

177. INCOME TAX--ACCELERATED COST RECOVERY SYSTEM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168 Internal Revenue Code of 1954; 26 USC 179 Internal Revenue Code of 1954; 26 USC 1245 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954; 26 USC 167 Internal Revenue Code of 1954; 26 USC 1250 Internal Revenue Code of 1954; 26 USC 57(a)(12) Internal Revenue Code of 1954; 26 USC 312(k) Internal Revenue Code of 1954; 26 USC 172(b) Internal Revenue Code of 1954; 26 USC 812(b) Internal Revenue Code of 1954; 26 USC 46(b) Internal Revenue Code of 1954; 26 USC 53(c) Internal Revenue Code of 1954; 26 USC 381(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: To provide regulations under section 168 and accompanying provisions clarifying the operation of the new accelerated cost recovery scheme. This new cost recovery system generally applies to property placed in service after December 31, 1980. Generally, section 168 applies to "recovery property" which is defined as tangible property of a character subject to the allowance for depreciation which is used in a trade or business, or held for the production of income.

Timetable:

Action	Date	FR Cite
NPRM	02/16/84	49 FR 5940
NPRM Comment Period Begin	02/16/84	49 FR 5940
NPRM Comment Period End	05/16/84	
Hearing held	05/21/84	
Final Action	02/01/85	

Small Entity: Not Applicable

Additional Information: LR-185-81.

Drafting attorneys: George T. Magnatta (202) 566-3294 John Tolleris (202) 566-3459.

Reviewing attorney: John M. Coulter, Junior.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Quinn.

Notice signed by Commissioner 1/23/84.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3294**

RIN: 1545-AA87

178. INCOME TAX--NORMALIZATION REQUIREMENT FOR PUBLIC UTILITY PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168(e)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulations would provide guidance to public utilities relating to the transitional rules for the public utility normalization requirements of ACRS under section 168 (e) (3). Prior to ACRS some public utilities did not have to normalize in order to use accelerated depreciation. Under the transitional rule these utilities are given until January 1, 1983 to meet the normalization requirements of section 168 (e) (3).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-244-81.

Drafting Attorney: Joseph Rosenthal (202) 566-3238.

Reviewing Attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Joseph Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AA88

179. INCOME TAX--RELATING TO TERMINAL RENTAL ADJUSTMENT CLAUSES IN CERTAIN MOTOR VEHICLE LEASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168(f)(8) Internal Revenue Code of 1954; Tax Equity and Fiscal Responsibility Act of 1982, Section 210

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for determining whether certain motor vehicle agreements which contain terminal rental adjustment clauses are conditional sales agreements or lease agreements.

Timetable:

Action	Date	FR Cite
NPRM	11/23/82	47 FR 52729
NPRM Comment Period Begin	11/23/82	
NPRM Comment Period End	01/24/83	
Hearing	02/10/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-187-82.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF32

180. FINANCE LEASES-DEFINITION AND SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168

CFR Citation: 26 CFR 1

Abstract: This regulations project would provide rules regarding what transaction would qualify as a finance lease, a new tax law concept enacted by the Tax Equity and Fiscal Responsibility Act of 1982. This project

would also provide guidelines for determining whether a transaction characterized as a lease is really a lease for Federal tax purposes as opposed to a conditional sale or a financing arrangement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-90-83.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr., (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Phil McCarty.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3590**

RIN: 1545-AF54

181. TO PROVIDE REGULATIONS UNDER SECTION 168 RELATING TO INTANGIBLE PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The project will clarify what type of property is "tangible" property subject to the allowance for depreciation under the accelerated cost recovery system.

Timetable:

Action	Date	FR Cite
NPRM	02/01/85	

Small Entity: Not Applicable

Additional Information: LR-17-84.

Drafting attorney: George Magnatta (202) 566-6456.

Reviewing attorney: John Coulter (202) 566-4473.

Agency Contact: George T. Magnatta, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, NW, Washington, DC 20224, **202 566-6456**

RIN: 1545-AF78

182. ● TEMPORARY REGULATIONS UNDER THE TAX REFORM ACT OF 1984, RELATING TO TAX-EXEMPT ENTITY LEASING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 168 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to tax-exempt entity leasing. The regulations will explain a number of basic issues such as types of property affected, computation of depreciation, mixed leases, service contracts, and transitional rules.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/31/85	

Small Entity: Not Applicable

Additional Information: LR-124-84.

Drafting attorney: Robert Beatson (202) 566-3590.

Reviewing attorney: John A. Tolleris (202) 566-3590.

Treasury attorney: Victor Thuronyi (202) 566-2566.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AG26

183. INCOME TAX--AMORTIZATION OF CERTAIN POLLUTION CONTROL FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 169 Internal Revenue Code of 1954; Tax Reform Act of 1976 sec 2112

CFR Citation: 26 CFR 1

Abstract: The regulations would provide a definition of "Pollution Control Facility" for purposes of amortization. An eligible taxpayer would be permitted to amortize the basis of the pollution control facility over a period of five years.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-193-76.

Drafting attorney: Barry L. Wold (202) 566-3288.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Levinson.

In Office of Chief Counsel (Interpretative Division) for preparation of notice.

Agency Contact: Barry L. Wold, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3294**

RIN: 1545-AA89

184. INCOME TAX--CHARITABLE CONTRIBUTIONS OF SCIENTIFIC PROPERTY USED FOR RESEARCH

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to corporations making a qualified research contribution of scientific equipment or apparatus to an institution of higher education.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information:

LR-219-81.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Walter Woo (202) 566-3297.

Presently pending in the Office of Tax Legislative Counsel for comment.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AA90

185. INCOME TAX--ESTATE & GIFT TAXES--TRANSFERS OF PARTIAL INTERESTS IN PROPERTY FOR CONSERVATION PURPOSES--TO EXTEND CERTAIN TEMPORARY TAX PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170(f)(3) Internal Revenue Code of 1954; 26 USC 170(h) Internal Revenue Code of 1954; 26 USC 2055(e)(2) Internal Revenue Code of 1954; 26 USC 2522(c)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25

Abstract: These regulations will provide to what extent a taxpayer can obtain a charitable deduction for a charitable contribution of a partial interest in real property.

Timetable:

Action	Date	FR Cite
NPRM	05/23/83	48 FR 22940
NPRM Comment Period Begin	05/23/83	48 FR 22940
NPRM Comment Period End	07/22/83	
Hearing	09/15/83	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-200-76.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton, Levinson.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AA91

186. INCOME TAX--CHARITABLE CONTRIBUTIONS DEDUCTION FOR NONITEMIZERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 170(i) Internal Revenue Code of 1954; 26 USC 63(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide revised substantiation requirements for charitable contribution deductions. Due to the anticipated wide use of the charitable contribution deduction for nonitemizers, Congress intended that the Internal Revenue Service prescribe rules and procedures, in addition to the currently applicable requirements to assure substantiation and verification of charitable contributions.

Timetable:

Action	Date	FR Cite
NPRM	04/25/83	48 FR 17616
NPRM Comment Period Begin	04/25/83	48 FR 17616
NPRM Comment Period End	06/24/83	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-255-81.

Drafting attorney: Annie R. Alexander (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Treasury decision pending at Treasury for comment.

Agency Contact: Annie R. Alexander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AA92

187. INCOME TAX--NET OPERATING LOSSES ATTRIBUTABLE TO PRODUCT LIABILITY LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 172 Internal Revenue Code of 1954; 26 USC 537(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide the necessary guidance with respect to product liability losses and accumulations for the payment of reasonably anticipated product liability losses. Product liability losses may be carried back ten years instead of three years.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/30/79	
NPRM	03/25/83	48 FR 12557
NPRM Comment Period Begin	03/25/83	48 FR 12557
NPRM Comment Period End	05/24/83	
Final Action	12/15/84	

Small Entity: Not Applicable

Additional Information: LR-218-78.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Furer.

In Legislation and Regulations Division for preparation of Treasury Decision.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3294**

RIN: 1545-AA93

188. INCOME TAX--NET OPERATING LOSSES FOR CERTAIN REAL ESTATE INVESTMENT TRUSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 172(b)(1)(E) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: To provide guidance to Real Estate Investment Trusts with net operating loss carryovers. A net operating loss for a year in which the taxpayer was a REIT shall not be a net operating loss carryback to any taxable year preceding the taxable year of such loss, and shall be a net operating loss carryover to each of the 15 taxable years following the taxable year of such loss. In the case of any net operating loss for a taxable year which is not a REIT year, such loss shall not be carried back to any taxable year which is a REIT year.

Timetable:

Action	Date	FR Cite
NPRM	06/26/84	84 FR 16876
NPRM Comment Period Begin	06/26/84	
NPRM Comment Period End	08/26/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-26-81.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

In Office of Chief Counsel (Legislation and Regulations Division) for revision of notice.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AA94

189. INCOME TAX--ELECTION TO EXPENSE CERTAIN DEPRECIABLE ASSETS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 179 Internal Revenue Code of 1954; 26 USC 263 Internal Revenue Code of 1954; 26 USC 1033 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules relating to the election to expense certain depreciable business assets. The regulations determine the type of property to which section 179 applies. In addition, the regulations set forth the maximum amount of section 179 expense allowed and the procedures that must be followed in claiming the expense.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-233-81.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Thuronyi, Rollyson.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AA95

190. ● ELECTION TO POSTPONE DETERMINATION WITH RESPECT TO THE PRESUMPTION THAT AN ACTIVITY IS ENGAGED IN FOR PROFIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 183 (e) (3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the election to postpone the determination whether the section 183 (d) presumption applies until the activity has been conducted for five (or seven) years. The regulations will specify who can make the election and the time and manner of making the election.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-73-84.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG27

191. INCOME TAX--AMORTIZATION OF REAL PROPERTY CONSTRUCTION PERIOD INTEREST & TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 189 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide that only a portion of the real property construction period interest and taxes are deductible for the taxable year they are paid or accrued. The remaining amounts are amortized over varying periods of time depending on the category of real property to which such amounts are attributable and the taxable year the interest and taxes are paid or accrued.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-145-76.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing Attorney: Phoebe A. Mix (202)566-3288.

Office of Tax Legislative Counsel (Treasury) Reviewing Attorney: Kuller/McKee.

In Legislation and Regulations Division for revision of the notice of proposed rulemaking to take into account recent statutory amendments.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3288**

RIN: 1545-AA97

192. INCOME TAX--TO ADD PROVISIONS RELATING TO TERTIARY INJECTANTS TO CONFORM TO SEC 251, CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 193 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers using tertiary recovery methods for the enhanced recovery of oil.

Timetable:

Action	Date	FR Cite
NPRM	01/14/83	48 FR 1761
NPRM Comment Period Begin	01/14/83	48 FR 1761
NPRM Comment Period End	03/15/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information:

LR-77-80.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Presently pending in the Office of Tax Legislative Counsel for signature.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AA99

193. INCOME TAX--TO ADD PROVISIONS RELATING TO START-UP EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 195 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers electing to amortize start-up expenditures relating to the creation or acquisition of an active trade or business.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-36-81.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Presently pending in the Office of Tax Legislative Counsel for comment.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB02

194. INCOME TAX--ESTATE TAX--GIFT TAX--PROCEDURE AND ADMINISTRATION--RETIREMENT SAVINGS

Priority: Task Force

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 219 Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 415 Internal Revenue Code of 1954; 26 USC 2039 Internal Revenue Code of 1954; 26 USC 2517 Internal Revenue Code of 1954; 26 USC 6652 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25; 26 CFR 301

Abstract: These regulations set forth rules for individual retirement plans, simplified employee pensions, and qualified voluntary employee contributions after amendment of the Internal Revenue Code of 1954 by the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	01/23/84	49 FR 2794
NPRM Comment Period Begin	01/23/84	49 FR 2794
NPRM Comment Period End	03/23/84	
Final Action	12/31/84	

Small Entity: No

Additional Information: EE-148-81.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD66

195. ● INCOME TAX--VARIOUS PENSION, ETC. PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 219(f)(3) Internal Revenue Code of 1954; 26 USC 405 Internal Revenue Code of 1954; 26 USC 408(i) Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 6693 Internal Revenue Code of 1954; PL 98-369, Sec 147; PL 98-369, Sec 491; PL 98-369, Sec 523; PL 98-369, Sec 524; PL 98-369, Sec 525; PL 98-369, Sec 526; PL 98-369, Sec 529; PL 98-369, Sec 713(d)(2), (f),(j)

Abstract: This regulations project contains various miscellaneous pension-related matters including amendments relating to IRA contributions, reporting requirements and non-filing penalties; termination of rules relating to qualified bond purchase plans and retirement bonds; treatment of distributions where substantially all contributions are employee contributions; provisions relating to top-heavy plans; repeal of estate tax exclusion for qualified pension plan benefits; affiliated service groups, employee leasing arrangements and collective bargaining agreements; certain alimony treated as compensation; and technical corrections related to sections 238, 240, and 249.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: EE-77-84.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AG62

196. INCOME TAX--GIFT TAX--EMPLOYMENT TAXES--RETIREMENT INCOME PLAN EXCISE TAXES--PROCEDURE AND ADMINISTRATION--SPOUSAL INDIVIDUAL RETIREMENT ACCOUNTS SIMPLIFIED EMPLOYEE ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 62 Internal Revenue Code of 1954; 26 USC 219 Internal Revenue Code of 1954; 26 USC 220 Internal Revenue Code of 1954; 26 USC 404(h) Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; 26 USC 409 Internal Revenue Code of 1954; 26 USC 2503 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954; 26 USC 3306 Internal Revenue Code of 1954; 26 USC 4973 Internal Revenue Code of 1954; 26 USC 4974 Internal Revenue Code of 1954; 26 USC 6693 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 25; 26 CFR 31; 26 CFR 54; 26 CFR 301

Abstract: The regulations set forth rules for sponsors of and participants in individual retirement plans, spousal individual retirement plans, and simplified employee pensions.

Timetable:

Action	Date	FR Cite
NPRM	07/14/81	46 FR 36198
NPRM Comment Period Begin	07/14/81	46 FR 36198
NPRM Comment Period End	09/14/81	
Final Action	02/00/85	

Small Entity: Not Applicable

Additional Information: EE-7-78.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

12/23/83 Draft of Treasury Decision to Office of Tax Legislative Counsel (Treasury).

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD59

197. INCOME TAX--PREPUBLICATION EXPENDITURES OF PUBLISHERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 263 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the capitalization of pre-publication expenses of publishers and authors.

Timetable:

Action	Date	FR Cite
NPRM	06/01/85	

Small Entity: Not Applicable

Additional Information: LR-253-76.

Drafting Attorney: Annette J. Guarisco (202) 566-3238.

Reviewing Attorney: John H. Parcell (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AA36

198. INCOME TAX--TO CLARIFY TREATMENT OF TAXES MEASURED BY COMPENSATION PAID EMPLOYEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 266 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for electing to capitalize certain taxes and carrying charges that are otherwise expressly deductible under subtitle A of the Code.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-22-82.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Howard Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB03

199. ● TEMPORARY REGULATIONS UNDER SECTION 267 IRC TO REFLECT SECTION 174 OF THE TAX REFORM ACT OF 1984 RELATING TO LOSSES, EXPENSES, AND INTEREST IN TRANSACTIONS BETWEEN RELATED TAXPAYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 267 Internal Revenue Code of 1954; 26 USC 706 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The temporary regulation deals with changes in section 267 arising from section 174 of the Tax Reform Act of 1984. It deals with the matching of payor deductions and payee income items in the case of expenses and interest where the accrual method payor and the cash method payee are related persons. The temporary regulation also deals with the deferral and restoration of loss on the sale or exchange of property from one member of a controlled group of corporations to another member.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-108-84.

Drafting attorneys: Keith E. Stanley (202) 566-3458, John G. Schmalz and Robert H. Ginsburgh, (202) 566-3297.

Reviewing attorney: Mark Blumkin (202) 566-3463.

Treasury attorneys: Jim Lokey (202) 566-4518, Eric Elfman (202) 566-8527, Jane Sarosdy (202) 566-8275.

Agency Contact: Keith E. Stanley, John G. Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AG10

200. ● REGULATIONS UNDER SECTION 267 IRC TO REFLECT SECTION 174 OF THE TAX REFORM ACT OF 1984 RELATING TO LOSSES, EXPENSES, AND INTEREST IN TRANSACTIONS BETWEEN RELATED TAXPAYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 267 Internal Revenue Code of 1954; 26 USC 706 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation deals with changes in section 267 arising from section 174 of the Tax Reform Act of 1984. It deals with the matching of payor deductions and payee income items in the case of expenses and interest where the accrual method payor and the cash method payee are related persons. The regulation also deals with the deferral and restoration of loss on the sale or exchange of property from one member of a controlled group of corporations to another member.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: LR-183-84.

Drafting attorneys: Keith E. Stanley (202) 566-3458, John G. Schmalz and Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Mark Blumkin (202) 566-3463.

Treasury attorneys: Jim Lokey (202) 566-4518, Eric Elfman (202) 566-8527, Jane Sarosdy (202) 566-8275.

Agency Contact: Keith E. Stanley, John G. Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG11

201. INCOME TAX--PERSONAL SERVICE CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 269A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for determining when the Internal Revenue Service may reallocate income or tax benefits between a personal service corporation and its employee-owners.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	48 FR 13438
NPRM Comment Period Begin	03/31/83	48 FR 13438
NPRM Comment Period End	05/31/83	
Hearing	07/19/83	
Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-188-82.

Drafting attorney: Phoebe A. Mix (202) 566-3238.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Andy Furer.

Agency Contact: Phoebe A. Mix, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF11

202. INCOME TAX--TO ADD PROVISIONS RELATING TO FOREIGN CONVENTIONS (AS AMENDED BY SECTION 4 OF PUBLIC LAW 96-608)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 274(h) Internal Revenue Code of 1954; PL 96-608, Sec 4; PL 97-424, Sec 543; PL 98-67, Sec 222

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules to assist taxpayers in determining whether it is as reasonable to hold a convention, seminar, or similar meeting outside North America as within it, and thus whether expenses relating to attendance at the convention are deductible.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-114-81.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: John M. Fischer (202) 566-3394.

Draft of notice to Treasury for review 11/08/82.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AB04

203. INCOME TAX--DISALLOWANCE OF CERTAIN ENTERTAINMENT EXPENSES--TO CONFORM TO SECTION 361, REVENUE ACT OF 1978

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 274(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would conform section 274 (a) (l) (B) to changes made by section 361 of the Revenue Act of 1978. The regulations disallow expenditures paid or incurred with respect to a facility used in connection with entertainment.

Timetable:

Action	Date	FR Cite
NPRM	09/26/83	48 FR 43698
NPRM Comment Period Begin	09/26/83	48 FR 43698
NPRM Comment Period End	11/22/83	
Final Action	08/30/84	

Small Entity: Not Applicable

Additional Information: LR-203-78.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Scott.

Office of Tax Legislative Counsel reviewing attorney: Reinhold.

Draft of T.D. in Legislation and Regulations Division.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB05

204. INCOME TAX--DEDUCTIBILITY OF GIFTS BY EMPLOYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 274(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would reflect the modification by the Economic Recovery Tax Act of 1981 of the third exception to the term "gift" (i.e., the exception within certain dollar limitations for awards of tangible personal property). The regulations would define the term "qualified plan award." The regulations would clarify the existing regulations under section 274 (b) of the Internal Revenue Code of 1954 by excluding from the term "tangible personal property" any award of cash, or of a gift certificate, or of a right to choose among 5 or more different items.

Timetable:

Action	Date	FR Cite
NPRM	12/16/82	47 FR 56367
NPRM Comment Period Begin	12/16/82	47 FR 56367
NPRM Comment Period End	02/14/83	
Final Action	12/30/85	

Small Entity: Not Applicable

Additional Information: LR-252-81.

Drafting attorney: Robert Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Notice published, 11/05/82.

T.D. pending Department of the Treasury review.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB06

205. INCOME TAX--TAXATION OF NONEXEMPT MEMBERSHIP ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 277 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would relate to the taxation of nonexempt membership organizations. The regulations would clarify the deductibility to the organization for furnishing services, facilities, et cetera, to its members.

Timetable:

Action	Date	FR Cite
NPRM	05/06/72	
Hearing	08/08/72	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1721.

Drafting Attorney: Bruce H. Jurist (202) 566-3238.

Reviewing Attorney: Cynthia Clark (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorneys: Hevener, Levinson.

Draft of revised notice returned to Office of Chief Counsel (Legislation and Regulations Division), 11/08/79.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AB07

206. INCOME TAX--AMORTIZATION OF PRODUCTION COST OF MOTION PICTURES, BOOKS, RECORDS, AND OTHER SIMILAR PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280 Internal Revenue Code of 1954; Section 210 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the amortization of certain production costs that are otherwise not capitalized. The regulations relate to production costs for motion pictures, books, records, and similar property.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-220-76.

Drafting Attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB08

207. ● TEMPORARY REGULATIONS UNDER THE TAX REFORM ACT OF 1984, RELATING TO LIMITATIONS ON INVESTMENT TAX CREDIT AND COST RECOVERY DEDUCTIONS FOR LUXURY AUTOMOBILES AND CERTAIN OTHER PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280F Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These temporary regulations clarify the rules limiting the investment tax credit and cost recovery deductions allowable with respect to passenger automobiles and certain other "listed property." The temporary regulations also provide rules relating to the substantiation requirements for "listed property" under section 274.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/84	

Small Entity: Not Applicable

Additional Information: LR-122-84.

Drafting attorneys: George T. Magnatta (202) 566-6456; Michel A. Daze (202) 566-3458; Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3980.

Treasury attorney: Jeff Quinn (202) 566-2175.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AG24

208. INCOME TAX--DEDUCTIONS FOR EXPENSES ATTRIBUTABLE TO BUSINESS USE OF HOMES, RENTAL OF VACATION HOMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 280A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining the deductibility of expenses incurred in connection with the business use, or rental to others, of a dwelling unit. The regulations provide rules for determining when the taxpayer uses a dwelling unit for personal use or when use by another person of the unit is treated as personal use of the unit by the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	07/21/83	48 FR 33326
NPRM Comment Period Begin	07/21/83	
NPRM Comment Period End	09/21/83	
Hearing	10/04/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-261-76.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Yecies.

Draft of Treasury decision in Legislation and Regulations Division.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB09

209. INCOME TAX--SPECIAL RULES RELATING TO CORPORATE PREFERENCE ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 291 Internal

Revenue Code of 1954; 26 USC 57(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These Regulations will provide rules relating to the determination of the 15 percent reduction for certain corporate preference items.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-234-82.

Drafting attorney: Robert B. Coplan (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Agency Contact: Robert B. Coplan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AE78

210. WAIVER OF FAMILY ATTRIBUTION BY ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 302(c)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the definitions and special rule for waiver of family attribution by entities contained in section 302 (c) (2) of the Internal Revenue Code of 1954, which relates to the tax treatment of certain redemptions of corporate stock.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-189-82.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3487.

Treasury attorney: Rick D'Avino.

Draft of notice to Treasury 12/23/83.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF13

211. INCOME TAX--DISTRIBUTION IN REDEMPTION OF STOCK TO PAY DEATH TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 303 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules for treating distributions in redemption of stock to pay death taxes to be treated as a distribution in full payment in exchange for the stock. The regulations provide rules with respect to stock that is redeemed from a shareholder whose interest in the estate is reduced by any payment of the death taxes or funeral and administrative expenses of the estate.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-124-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Thuronyi, McCarty.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3287

RIN: 1545-AB13

212. INCOME TAX--EXTENSION OF ANTI-BAILOUT PROVISIONS TO CORPORATION FORMED OR AVAILED OF TO AVOID THESE PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 304 Internal Revenue Code of 1954; 26 USC 306 Internal Revenue Code of 1954; 26 USC 351 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the extension of the section 304 anti-bailout provisions to corporations formed or availed of to avoid these provisions by using section 351 to accomplish a tax-free incorporation. Thus the regulations provide rules for transactions involving the sections 304/351 overlap.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-190-82.

Drafting attorney: Keith Stanley (202) 566-3458.

Reviewing attorney: Marcus Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Keith Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF27

213. INCOME TAX--TO CLARIFY MEANING OF TERM "REASONABLE REDEMPTION PREMIUM"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 305 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules to determine when the difference between redemption price and issue price of preferred stock will be treated as a stock distribution.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-91-74.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Notice to Department of Treasury for review 01/16/84.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB15

214. INCOME TAX--TEMPORARY REGULATIONS--DIVIDEND REINVESTMENT IN STOCK OF PUBLIC UTILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 305 Internal Revenue Code of 1954

CFR Citation: 26 CFR 5c

Abstract: Regulations would define and interpret when a qualified public utility may set up a qualified dividend reinvestment plan so that its shareholders may elect to receive qualified common stock and exclude a certain portion from income. Changes to the applicable law were made by section 321 of the Economic Tax Recovery Act of 1981.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/30/83	48 FR 30102
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-277-81.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB16

215. INCOME TAX--DIVIDEND REINVESTMENT IN STOCK OF PUBLIC UTILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 305 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Notice would define and interpret when a qualified public utility may set up a qualified dividend reinvestment plan so that its shareholders may elect to receive qualified common stock and exclude a certain portion from income. Changes to the applicable law were made by the Economic Tax Recovery Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	06/30/83	48 FR 30146
NPRM Comment Period Begin	06/30/83	48 FR 30146
NPRM Comment Period End	08/29/83	
Hearing	10/05/83	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-241-81.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, 202 566-3458

RIN: 1545-AB14

216. ● INCOME TAX - AMENDMENTS TO STATUTORY PROVISIONS RELATING TO EARNINGS AND PROFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 312 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the calculation of earnings and profits to reflect changes in the law made by section 61 of the Deficit Reduction Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-154-84.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, 202 566-3458

RIN: 1545-AG30

217. INCOME TAX--MISCELLANEOUS CORPORATE AMENDMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 302 Internal Revenue Code of 1954; 26 USC 337 Internal Revenue Code of 1954; 26 USC 1371 Internal Revenue Code of 1954; 26 USC 351 Internal Revenue Code of 1954; 26 USC 312 Internal Revenue Code of 1954; 26 USC 542(c) Internal Revenue Code of 1954; PL 96-589, Sec 5

CFR Citation: 26 CFR 1

Abstract: The regulation would amend the Income Tax Regulations to conform them to miscellaneous corporate amendments made by the Bankruptcy Tax Act of 1980.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	

Small Entity: Not Applicable

Additional Information: LR-71-81.

Drafting attorney: Michel A. Daze (202) 566-3458

Reviewing attorney: Duane H. Pellervo (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB12

218. INCOME TAX--SIMULTANEOUS LIQUIDATION OF A PARENT AND SUBSIDIARY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 337 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the nonrecognition treatment following the sale of assets of a subsidiary corporation provided that the subsidiary and certain other corporations in its affiliated group liquidate within a 12-month period.

Timetable:

Action	Date	FR Cite
NPRM	01/10/84	49 FR 1225
NPRM Comment Period Begin	01/10/84	
NPRM Comment Period End	03/10/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-130-76.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB18

---

219. INCOME TAX-ELECTIONS UNDER SECTION 338, AS ADDED BY SECTION 224 OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 AS AMENDED BY THE TECHNICAL CORRECTIONS ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954; PL 97-248, Sec 224; PL 97-448, Sec 306

CFR Citation: 26 CFR 1

Abstract: This regulation will provide rules for making elections under section 338, which permits certain stock purchases to be treated as asset acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	02/08/84	49 FR 4789
NPRM Comment Period Begin	02/08/84	
NPRM Comment Period End	04/09/84	
Final Action	11/15/84	

Small Entity: Not Applicable

Additional Information: LR-26-83.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Mark Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman.

At Treasury for signature 01/09/84.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AF38

---

220. REGULATIONS UNDER SECTION 338(H)(9) AS ADDED TO THE CODE BY SECTION 306 OF THE TECHNICAL CORRECTIONS ACT OF 1982, RELATING TO SPECIAL ELECTIVE RECOGNITION OF GAIN OR LOSS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the rules of section 338(h)(9), under which a special election can be made so that target recognizes gain or loss on the deemed sale of its assets. The proposal is necessary so that affected taxpayers can make election under the provision.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-218-83.

Drafting attorney: Bennett Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3458.

Agency Contact: Bennett Steinhauer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. NW, Washington, DC 20224, 202 566-4336

RIN: 1545-AF93

---

221. ● TEMPORARY REGULATIONS RELATING TO ELECTIONS AND MISCELLANEOUS MATTERS UNDER SECTION 338 OF THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 338 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance relating to elections and miscellaneous matters under section 338

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-141-84.

Drafting attorney: Duane Pellervo (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Duane Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, 202 566-3458

RIN: 1545-AG09

---

222. ● INCOME TAX--APPLICATION OF SECTION 338 TO STOCK AND ASSET ACQUISITIONS IN THE INTERNATIONAL CONTEXT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 338

Abstract: These Regulations will provide rules relating to section 338 as it applies to stock and asset acquisitions in the International Context.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	
Final Action	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-35-84.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Treasury attorney: Steve Shay (202) 566-5992.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 202 566-3289

RIN: 1545-AG13

223. ● TEMPORARY REGULATIONS--QUESTIONS AND ANSWERS ON MISCELLANEOUS MATTERS UNDER SECTION 338 OF THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 338 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance on a broad range of issues arising under section 338.

Timetable:

Action	Date	FR Cite
Final Action	09/28/84	

Small Entity: Not Applicable

Additional Information: LR-6-84.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Duane Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, DC 20224, **202 566-3458**

RIN: 1545-AG25

224. ANTI-AVOIDANCE RULES UNDER SECTIONS 338 AND 346 OF THE INTERNAL REVENUE CODE OF 1954

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338(i) Internal Revenue Code of 1954; 26 USC 346(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret the deemed election and consistency requirements of section 338 and the anti-avoidance rules under sections 338 and 346 of the Internal Revenue Code of 1954, which apply with respect to certain acquisitions of control of one corporation by another corporation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-192-82.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel reviewing attorney: Eric Elfman.

Agency Contact: Bennett C. Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AE32

225. DEEMED SALE PRICE WHEN CERTAIN STOCK PURCHASES ARE TREATED AS ASSET ACQUISITIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will prescribe rules for computing the basis of stock purchased in certain stock acquisitions and for allocating this basis among the assets of the corporation whose stock was thus acquired.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-191-82.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Charles Whedbee (202) 566-3487.

Office of Tax Legislative Counsel reviewing attorney: Eric Elfman.

Agency Contact: Bennett C. Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AF29

226. INCOME TAX--REGULATIONS UNDER SECTION 338 (A)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954; PL 97-248, Sec 224; PL 97-448, Sec 306

CFR Citation: 26 CFR 1

Abstract: This regulation would establish general rules relating to the effect of an election under section 338 (g), which permits certain stock purchases to be treated as asset acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	01/15/85	

Small Entity: Not Applicable

Additional Information: LR-212-82.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Eric Elfman.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AE60

227. ● AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 341, RELATING TO COLLAPSIBLE CORPORATIONS, TO REFLECT THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 341 (d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These changes to the regulations will amend the definition of a collapsible corporation and will provide rules for the aggregation of certain types of property for purposes of limiting the application of section 341 to certain corporations.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Not Applicable

Additional Information: LR-107-84.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Neil Kimmelfield (202) 535-6968.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AG33

228. INCOME TAX--CORPORATE DISTRIBUTIONS OF APPRECIATED PROPERTY AND PARTIAL LIQUIDATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 346(b) Internal Revenue Code of 1954; 26 USC 302(b) Internal Revenue Code of 1954; 26 USC 302(e) Internal Revenue Code of 1954; 26 USC 311(d) Internal Revenue Code 0f 1954; 26 USC 311(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would interpret and prevent the circumvention of the repeal of the special tax treatment for partial corporate liquidations as effected by section 222 of the Tax Equity and Fiscal Responsibility Act of 1982. Proposal would also interpret the definitions and special rules relating to appreciated property used to redeem stock contained in section 311 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Not Applicable

Additional Information: LR-218-82.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: David C. Garlock (202) 566-2566.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AF16

229. INCOME TAX--DISTRIBUTION OF STOCK AND SECURITIES OF A CONTROLLED CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 355 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal relates to the income tax treatment of the distribution of stock and securities of a controlled corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/21/77	42 FR 3866
NPRM Comment Period Begin	01/21/77	42 FR 3866
NPRM Comment Period End	03/22/77	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-936.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AB20

230. INCOME TAX--TRIANGULAR REORGANIZATIONS, BASIS AND OTHER CONSEQUENCES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to basis of stock of a corporation acquiring property in exchange for stock of a corporation in control of the acquiring corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/02/81	46 FR 112
NPRM Comment Period Begin	01/02/81	46 FR 112
NPRM Comment Period End	03/03/81	
Final Action	01/03/85	

Small Entity: Not Applicable

Additional Information: LR-1993.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AB21

231. INCOME TAX--TREATMENT OF EXCHANGES DESCRIBED IN SECTION 367 (B)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 367(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide the conditions necessary to prevent the avoidance of Federal income taxes on transfers described in section 367 (b).

Timetable:

Action	Date	FR Cite
NPRM	12/30/77	42 FR 65152
NPRM Comment Period Begin	12/30/77	42 FR 65152
NPRM Comment Period End	03/01/78	
Notice amended	10/02/79	44 FR 57390
Notice amended	12/27/82	47 FR 57502
Final Action	02/00/85	

Small Entity: Not Applicable

Additional Information: LR-2-78

Drafting attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Granwell.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of Treasury decision.

Agency Contact: Yerachmiel E. Weinstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AB26

232. INCOME TAX--ACQUISITION OF A CORPORATION BY MERGER OF A CORPORATION CONTROLLED BY THE ACQUIRING CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368(a)(2)(E) Internal Revenue Code of 1954; 26 USC 368(b)(2) Internal Revenue Code of 1954; PL 91-693

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the statutory merger of a controlled corporation into an acquiring corporation using the voting stock of the corporation controlling the merged corporation (reverse triangular merger).

Timetable:

Action	Date	FR Cite
NPRM	01/02/81	46 FR 114
NPRM Comment Period Begin	01/02/81	46 FR 114
NPRM Comment Period End	03/03/81	
Final Action	01/02/85	

Small Entity: Not Applicable

Additional Information: LR-1994.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Yecies, McKee.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB30

233. INCOME TAX--EXCHANGE FUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368(a)(2)(F) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to reorganizations of undiversified investment companies.

Timetable:

Action	Date	FR Cite
NPRM	01/07/81	46 FR 1744
NPRM Comment Period Begin	01/07/81	46 FR 1744
NPRM Comment Period End	03/08/81	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-135-76.

Drafting attorney: Neil Zyskind (202) 566-3287.

Reviewing attorney: Carolyn Swift (202) 566-3458.

Presently under consideration in Office of Chief Counsel (Legislation and Regulations Division).

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AB31

234. INCOME TAX--CORPORATE REORGANIZATION AMENDMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368 Internal Revenue Code of 1954; 26 USC 354 Internal Revenue Code of 1954; 26 USC 358 Internal Revenue Code of 1954; 26 USC 361 Internal Revenue Code of 1954; 26 USC 362 Internal Revenue Code of 1954; 26 USC 381 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would provide regulations with respect to amendments to the provisions of the Internal Revenue Code of 1954 dealing with bankruptcy and other insolvency reorganizations, thereby giving the public needed guidance on how the Internal Revenue Service intends to interpret those amendments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-63-81.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Lokey.

Partial revised draft of notice of proposed rulemaking returned with comments to Legislation and Regulations Division. 12/29/82.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB29

235. INCOME TAX--TEMPORARY REGULATIONS--REORGANIZATIONS INVOLVING FINANCIALLY TROUBLED THRIFT INSTITUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 368 Internal Revenue Code of 1954; 26 USC 382 Internal Revenue Code of 1954; 26 USC 381 Internal Revenue Code of 1954; 26 USC 597 Internal Revenue Code of 1954

CFR Citation: 26 CFR 5c

Abstract: Provision would provide temporary regulations dealing with reorganizations of financially troubled thrift institutions and with the tax consequences of financial assistance payments made to such an institution by a supervisory governmental agency, thereby giving the public needed guidance on how the Internal Revenue Service intends to interpret these issues.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/03/85	

Small Entity: Not Applicable

Additional Information: LR-230-81.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Quinn

Draft of Treasury Decision returned with comments to Legislation and Regulations Division. 12/29/82.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3458

RIN: 1545-AB28

236. INCOME TAX--CHARACTERIZATION IN INTERNATIONAL TRANSACTIONS OF INTERESTS IN CORPORATIONS AS STOCK OR INDEBTEDNESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 385 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules for determining when interests in corporations issued in international

transactions will be treated as stock or indebtedness for tax purposes.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-92-82.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay.

Draft of notice to Office of International Tax Counsel (Treasury), Office of Chief Counsel (Corporation Tax Division), etc., 05/11/82.

Comments from Office of Chief Counsel (Corporation Tax Division), 06/04/82.

Agency Contact: Bennett Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AB34

237. DEFINED BENEFIT PLAN TERMINATIONS AND THE REVERSION OF ASSETS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations describe when, in fact, a defined benefit pension plan has been terminated so as to permit reversion to the employer of excess assets.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Notice returned to Employee Plans and Exempt Organizations Division for redrafting in light of "Implementation Guidelines for Terminations of Defined Benefit Pension Plans" issued as a Treasury News Release on May 24, 1984.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3430**

RIN: 1545-AF81

238. ● CERTAIN CASH OR DEFERRED ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954; PL 98-369, Sec 527 Tax Reform Act of 1984

CFR Citation: 26 CFR 1.401(k)-1

Abstract: Amendments to conform the regulations to provisions enacted by section 527 of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-70-84.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of the Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AG36

239. INCOME TAX--REFUND OF MISTAKEN CONTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(a)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations describe those circumstances under which an employer contribution or withdrawal liability payment to a multiemployer pension plan may be refunded due to a mistake of law or fact.

Timetable:

Action	Date	FR Cite
NPRM	03/11/83	48 FR 10374
NPRM Comment Period Begin	03/11/83	48 FR 10374
NPRM Comment Period End	05/10/83	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-133-80.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Conaway.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD68

240. INCOME TAX--COMPARABILITY OF PLANS FOR VESTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(a)(5) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the comparability of contributions and benefits provided under two or more pension, profit-sharing, or stock bonus plans of an employer that are considered as a single plan for purposes of satisfying the nondiscrimination requirements of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-8-78.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Revised preliminary draft of notice to Actuarial Division, 02/07/80.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD69

241. INCOME TAX--REQUIRED DISTRIBUTIONS FROM QUALIFIED PLANS AND INDIVIDUAL RETIREMENT ACCOUNTS AND PARTIAL ROLLOVERS OF INDIVIDUAL RETIREMENT ACCOUNTS

Legal Authority: 26 USC 408(a)(6) Internal Revenue Code of 1954; 26 USC 401(a)(9) Internal Revenue Code of 1954; 26 USC 408(b)(3) Internal Revenue Code of 1954; 26 USC 408(d)(3)(C) Internal Revenue Code of 1954; 26 USC 408(j) Internal Revenue Code of 1954; 26 USC 408(k) Internal Revenue Code of 1954; 26 USC 409(b)(3)(C) Internal Revenue Code of 1954; 26 USC 219(d)(4) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will revise the Income Tax Regulations to incorporate the changes made in the law by the Tax Equity and Fiscal Responsibility Act of 1982 and the Tax Reform Act of 1984 concerning required distributions from qualified plans and individual retirement accounts and partial rollovers of individual retirement accounts.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: EE-113-82.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty. 2/6/84 Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of the notice.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE95

242. INCOME TAX--AMENDMENT OF QUALIFIED JOINT AND SURVIVOR ANNUITY REGULATIONS

Priority: Task Force

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(a)(11) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These new regulations conform the present regulations to BBS Associates, Inc. v. Commissioner of Internal Revenue, 74 T.C. 1118 (1980), affirmed 661 F. 2d 913 (1981).

Timetable:

Action	Date	FR Cite
NPRM	10/27/82	47 FR 47600
NPRM Comment Period Begin	10/27/82	47 FR 47600
NPRM Comment Period End	12/27/82	
Final Action	02/00/85	

Small Entity: Not Applicable

Additional Information: EE-52-78.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD70

243. VARIOUS PENSION PARITY, ETC. PROVISIONS UNDER THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 AND THE ECONOMIC RECOVERY TAX ACT OF 1981

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 72 Internal Revenue Code of 1954; 26 USC 101 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954; 26 USC 404 Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; 26 USC 457 Internal Revenue Code of 1954; 26 USC 1379 Internal Revenue Code of 1954; 26 USC 2039 Internal Revenue Code of 1954; 26 USC 4972 Internal Revenue Code of 1954; PL 95-600, Sec 131 Revenue Act of 1978; PL 97-248, Sec 237; PL 97-248, Sec 238; PL 97-248, Sec 245; PL 97-248, Sec 252; ...

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 54

Abstract: Regulations will interpret changes in sections 72, 101, 401, 404, 408, 457, 1379, 2039, and 4972 of the Internal Revenue Code relating to the elimination of distinctions between corporate pension plans and plans covering self-employed individuals.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: Not Applicable

Additional Information: EE-108-82.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE84

244. INCOME TAX--CERTAIN CASH OR DEFERRED ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Act of 1954; 26 USC 401(k) Internal Revenue Act of 1954; 26 USC 402(a)(8) Internal Revenue Act of 1954; PL 95-600, Sec 135 Revenue Act of 1978

CFR Citation: 26 CFR 1

Abstract: Regulation will provide definitions and interpretations governing qualified cash or deferred arrangements described in section 401(k) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	11/10/81	46 FR 55544
NPRM Comment Period Begin	11/10/81	47 FR 00988
NPRM Comment Period End	02/15/82	
Notice of Hearing	02/24/82	47 FR 08028
Hearing	04/20/82	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-169-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Treasury decision to Commissioner for signature, 02/06/84.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W, Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD72

245. NONDISCRIMINATORY COORDINATION OF DEFINED CONTRIBUTION PLANS WITH OLD AGE, SURVIVORS, AND DISABILITY INSURANCE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 401(l) Internal Revenue Code of 1954; PL 97-248, Sec 249

CFR Citation: 26 CFR 1

Abstract: Regulations will define and interpret rules governing the integration of qualified defined contribution pension, profit sharing, and stock bonus plans with benefits paid under Social Security.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-112-82.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Draft of notice pending with Regulations Review Group, 6/1/84.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE93

246. INCOME TAX--TREATMENT OF CERTAIN LUMP SUM DISTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 402(a)(2) Internal Revenue Code of 1954; 26 USC 402(e) Internal Revenue Code of 1954; 26 USC 403(a)(2)(A)(iii) Internal Revenue Code of 1954; 26 USC 411(d)(1) Internal Revenue Code of 1954; PL 93-406, Sec 2005 Employee Retirement Income Security Act; PL 94-455, Sec 1512 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Abstract: Regulations will provide definitions and other guidance relating to income tax treatment of certain distributions from qualified employee plans.

Timetable:

Action	Date	FR Cite
NPRM	04/30/75	40 FR 18798
NPRM Comment Period Begin	04/30/75	40 FR 18798
Corrected Notice of Proposed Rule	05/23/75	40 FR 22548
NPRM Comment Period End	06/16/75	
Notice of Hearing	07/03/75	40 FR 28102
Hearing	08/12/75	
Additional Notice of Proposed Rule	05/31/79	44 FR 31228
Comment Period until	07/30/79	44 FR 31228
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-14-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Treasury decision to Assistant Secretary (Tax Policy) for signature, 09/16/82.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD73

247. INCOME TAX--TAX-FREE ROLLOVERS OF LUMP SUM DISTRIBUTIONS AND PLAN TERMINATION PAYMENTS. LUMP SUM DISTRIBUTIONS MADE WITH RESPECT TO A DECEDENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 402(a)(5) Internal Revenue Code of 1954; 26 USC 402(a)(6) Internal Revenue Code of 1954; 26 USC 402(a)(7) Internal Revenue Code of 1954; 26 USC 401(a)(20) Internal Revenue Code of 1954; 26 USC 403(a)(4) Internal Revenue Code of 1954; 26 USC 403(a)(5) Internal Revenue Code of 1954; 26 USC 403(b)(1) Internal Revenue Code of 1954; 26 USC 403(b)(8) Internal Revenue Code of 1954; 26 USC 404(a)(2) Internal Revenue Code of 1954; 26 USC 691(c)(5) Internal Revenue Code of 1954; PL 94-267; PL 95-438, Sec 4; PL 95-600, Sec 156 Revenue Act of 1978; PL 96-222, Sec 101(a)(8)(A); ...

CFR Citation: 26 CFR 1

Abstract: This regulation provides rules governing the tax-free rollover of lump sum distributions and plan termination payments under a qualified employee plan.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-15-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Revised preliminary draft of notice to Office of Tax Legislative Counsel (Treasury) & Office of Assistant Commissioner (Employee Plans and Exempt Organizations), 04/01/82.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD74

248. RETIREMENT ARRANGEMENTS OF CHURCHES

Legal Authority: 26 USC 7805; 26 USC 403; 26 USC 415

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance on the application of amendments to sections 403 and 415 of the Internal Revenue Code of 1954. The amendments revise the present law rules relating to tax-sheltered annuity programs maintained by churches for their employees. The new rules generally increase the ability of churches to provide retirement income for their employees and clarify the status of such programs.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: EE-114-82.

Drafting attorney: Calder L. Robertson, Jr., (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

In Employee Plans and Exempt Organizations Division for preparation of Notice.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE25

249. INCOME TAX--TAXABILITY OF BENEFICIARY UNDER ANNUITY PURCHASE BY SEC. 501(C) ORGANIZATION OR PUBLIC SCHOOL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 403(b)(7) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide guidance on employer contributions of funds, on behalf of employees, to regulated investment company stock (mutual funds). Employer contributions and the earnings on those contributions are exempt from income tax.

Timetable:

Action	Date	FR Cite
NPRM	02/10/78	43 FR 5852
NPRM Comment Period Begin	02/10/78	43 FR 5852
NPRM Comment Period End	04/04/78	
Partial Revised Notice	12/30/80	45 FR 85786
Hearing	06/04/81	46 FR 17229
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-17-78.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Preliminary draft of T.D. to Office of Tax Legislative Counsel (Treasury) & Office of Assistant Commissioner (Employee Plans and Exempt Organizations), 3/5/83.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD75

250. ● PROCEDURE AND ADMINISTRATION REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO DIVIDENDS FROM ESOP'S

Legal Authority: 26 USC 7805; 26 USC 404(k); 26 USC 116(e); 26 USC 3405(d); 26 USC 3405(l)

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: The regulations would provide guidance relating to the deduction rules when a corporation pays a dividend with respect to stock held by a tax credit employee stock ownership plan or by an employee stock ownership plan.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: EE-72-84.

Drafting attorney: Eric A. Raps (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Eric A. Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20244, 202 566-3544

RIN: 1545-AG65

251. INCOME TAX--DEDUCTION LIMITATIONS AND FUNDING RULES FOR VALUING CERTAIN AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(a)(1) Internal Revenue Code of 1954; 26 USC 404(a)(6) Internal Revenue Code of 1954; 26 USC 404(a)(7) Internal Revenue Code of 1954; 26 USC 404(a)(3)(A) Internal Revenue Code of 1954; 26 USC 404(g) Internal Revenue Code of 1954; 26 USC 412(c)(2)(A) Internal Revenue Code of 1954; 26 USC 413(b)(7) Internal Revenue Code of 1954; 26 USC 413(c)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules for taking into account the fair market value of certain insurance products in the valuation of assets for pension plans. In addition, the regulations amend the regulations to reflect changes made by the Employee Retirement Income Security Act of 1974 to sections 404 and 413 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-141-79.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD76

252. INCOME TAX--EMPLOYEE STOCK OWNERSHIP PLAN LOAN PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(a)(10) Internal Revenue Code of 1954; 26 USC 415(c)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the deduction limitations when employer contributions to an employee stock ownership plan are used to repay the principal and interest of an exempt loan that was made to the employee stock ownership plan.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: EE-152-81.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

In Division for preparation of notice.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD77

253. INCOME TAX--DEDUCTIBILITY OF PAYMENTS OF DEFERRED COMPENSATION TO INDEPENDENT CONTRACTORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(d) Internal Revenue Code of 1954; 26 USC 404(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules for taking a deduction under section 404(d) of the Internal Revenue Code for deferred compensation paid to independent contractors. A deduction is permitted only when there is a corresponding income inclusion by the plan participant. In addition, the regulations provide guidance with regard to the amendment of section 404(b) of the Internal Revenue Code by section 133 of the Revenue Act of 1978, which clarified that a method of compensation or contributions having the effect of a plan deferring the receipt of compensation does not have to be similar to a stock bonus, pension, profit-sharing, or annuity plan to be subject to 404(a) of the Internal Revenue Code. The regulations describe methods of compensation or contributions subject to the section 404(a) rules.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-44-79.

Drafting attorney: John C. Khil (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Levinson.

3rd preliminary draft of notice to Office of Tax Legislative Counsel (Treasury) & Office of Assistant Commissioner (Employee Plans and Exempt Organizations), 10/19/81.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C 20224, 202 566-6212

RIN: 1545-AD78

254. INCOME TAX--DEDUCTION OF EMPLOYER LIABILITY PAYMENTS, NOTICE OF REORGANIZATION AND FUNDING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404(g) Internal Revenue Code of 1954; 26 USC 418A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide guidance to employers on when they may deduct employer liability payments paid under section 4062, 4063, or 4064, or part 1 of subtitle E of title IV of the Employee Retirement Income Security Act of 1974.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Not Applicable

Additional Information: EE-130-80.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD80

255. INCOME TAX--DEDUCTION FOR CERTAIN FOREIGN DEFERRED COMPENSATION PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 404A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the limitations on deductions and adjustments to earnings and profits (or accumulated profits) with respect to certain foreign deferred compensation plans.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-14-81.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Revised Preliminary draft of notice to Office of Assistant Commissioner (Employee Plans and Exempt Organizations), 2/24/83.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD81

256. ANNUAL INFORMATION REPORTS BY TRUSTEES AND ISSUERS OF INDIVIDUAL RETIREMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 408 Internal Revenue Code of 1954; PL 98-369, Sec 147

CFR Citation: 26 CFR 1

Abstract: On June 28, 1983, the Internal Revenue Service issued news release IR-83-88 requiring new information reporting by trustees of individual retirement accounts and issuers of individual retirement annuities (including accounts and annuities that are simplified employee pensions). Form 5498, Individual Retirement Arrangement Information, was prescribed in the news release as the information return to be used for this purpose. This regulation project will amend the regulations under section 408 to conform them to the reporting requirements announced in the news release. In addition, section 147 of the Tax Reform Act of 1984 amended section 408 (i) of the Code to require that contributions be identified as to the taxable year to which they apply. This amendment will be included in this regulation period.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Draft of notice at Treasury for review, 7/31/84.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, 202 566-3430

RIN: 1545-AF83

257. INCOME TAX--REQUIREMENTS FOR TAX CREDIT EMPLOYEE STOCK OWNERSHIP PLANS, EMPLOYEE PLAN CREDIT, AND DEFINED CONTRIBUTION PLAN VOTING RIGHTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 409A Internal Revenue Code of 1954; 26 USC 48 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954; 26 USC 6699 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules for electing the employee plan credit under section 48(n) of the Internal Revenue Code, establishing a tax credit employee stock ownership plan under section 409A of the Internal Revenue Code, and providing voting rights to participants of certain defined contribution plans under section 401(a)(22) of the Internal Revenue Code. Further, the regulations provide guidance for determining the applicability of and calculating the assessable penalties relating to tax credit employee stock ownership plans under section 6699 of the Internal Revenue Code. The regulations reorganize and modify the current regulations which are based on section 301(d), (e), and (f) of the Tax Reduction Act of 1975, and provide a single set of rules that would apply to tax credit employee stock ownership plans established under the provisions of the Tax Reduction Act of 1975 and the 1978 Revenue Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-49-80.

Drafting attorney: John C. Khil (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Revised preliminary draft notice to Office of Tax Legislative Counsel (Treasury), 08/31/83.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AD82

258. INCOME TAX--COORDINATION OF VESTING AND NONDISCRIMINATION REQUIREMENTS FOR QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 411(d)(1) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project was developed to prescribe rules for determining if the vesting schedule of a qualified plan discriminates in favor of employees who are officers, shareholders, or highly compensated.

Timetable:

Action	Date	FR Cite
NPRM	04/09/80	45 FR 24201
Partial Revised Notice	06/12/80	45 FR 39869
Hearing	07/10/80	45 FR 29308
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-164-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty.

Preliminary draft of Treasury Decision to Office of Tax Legislative Counsel (Treasury) and Office of Assistant Commissioner (Employee Plans and Exempt Organizations), 08/12/80.

Comments from Office of Tax Legislative Counsel (Treasury) and Office of Assistant Commissioner (Employee Plans and Exempt Organizations), 10/07/80.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD83

259. RULES CLARIFYING THE INCOME TAX REGULATIONS, PART 1, WITH RESPECT TO SERVICE COMPUTATION UNDER PENSION, ETC. PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 410 Internal Revenue Code of 1954; 26 USC 411 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project was undertaken in order to clarify permissible methods of crediting service by qualified plans for purposes of vesting and participation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: EE-65-82.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty.

10/3/83 Preliminary draft of the notice of proposed rulemaking in Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for review.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE39

260. INCOME TAX--EXCISE TAX REGULATIONS--FUNDING FOR QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 412 Internal Revenue Code of 1954; 26 USC 413(b) Internal Revenue Code of 1954; PL 93-406, Sec 1013

CFR Citation: 26 CFR 1; 26 CFR 54

Abstract: The regulations would provide guidance relating to the minimum funding requirements for employee pension benefit plans, and to excise taxes for failure to meet the minimum funding standards.

Timetable:

Action	Date	FR Cite
NPRM	12/01/82	47 FR 54093
NPRM Comment Period Begin	12/01/82	47 FR 54093
NPRM Comment Period End	01/31/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-99-78.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

12/01/82 Notice published.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD84

261. INCOME TAX--PENSION EXCISE TAXES--MISCELLANEOUS FUNDING PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 412(b) Internal Revenue Code of 1954; 26 USC 412(j) Internal Revenue Code of 1954; 26 USC 412(k) Internal Revenue Code of 1954; 26 USC 4971(d) Internal Revenue Code of 1954; 26 USC 414(f) Internal Revenue Code of 1954; 26 USC 412(a) Internal Revenue Code of 1954; 26 USC 413(b)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 54

Abstract: The regulations would provide guidance relating to the minimum funding requirements for multiemployer pension plans.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: EE-129-80.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

8/23/83 Notice to Office of Tax Legislative Counsel (Treasury) for comment.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD85

262. INCOME TAX--TERM, ETC. FUNDING FOR ANCILLARY BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 412(c)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the cost range within which an ancillary cost must fall in order to utilize 1-year term funding.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-151-80.

Drafting attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD86

263. INCOME TAX--DEFINITIONS & SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(b) Internal Revenue Code of 1954; 26 USC 414(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations relate to the definition of controlled groups of corporations and businesses under common control for purposes of certain provisions of the Employee Retirement Income Security Act of 1974 and pension related provisions of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	11/05/75	40 FR 51467
NPRM Comment Period Begin	11/05/75	40 FR 51467
NPRM Comment Period End	01/04/76	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-209-74.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Conaway.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB35

264. INCOME TAX--DEFINITIONS AND SPECIAL RULES; SERVICE FOR PREDECESSOR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Regulation will provide guidance to employers maintaining plans on when service with a predecessor employer must or may be treated as service under their plan.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: EE-22-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty.

11/25/83 Preliminary Draft of Notice to Office of Tax Legislative Counsel (Treasury) for comment.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD87

265. INCOME TAX--CHURCH PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(e) Internal Revenue Code of 1954; PL 96-364, Sec 407

CFR Citation: 26 CFR 1

Abstract: This regulation project relates to the determination of whether a retirement plan is a church plan. Changes to the applicable tax law were made by the Multiemployer Pension Plan Amendments Act of 1980. The regulations would provide persons responsible for the administration of retirement plans with the guidance needed to determine whether their plan is entitled to the special benefits afforded church plans.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-123-80.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD88

266. INCOME TAX--DEFINITION OF MULTIEMPLOYER PLAN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance relating to the definition of a "multiemployer plan" which was changed by Public Law 96-364.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-131-80.

Drafting Attorney: Eric Alan Raps (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Preliminary draft of notice to Actuarial Division, 02/18/82.

Comments from Actuarial Division, 03/23/82.

Agency Contact: Eric Alan Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD89

267. INCOME TAX--EMPLOYEES OF AN AFFILIATED SERVICE GROUP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 414(m) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules with regard to the aggregation of employees of certain organizations for purposes of certain pension requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/28/83	48 FR 8293
NPRM Comment Period Begin	02/28/83	
NPRM Comment Period End	04/29/83	
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-3-81.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Conaway, McCarty.

Notice published 2/28/83.

In Office of Chief Counsel (Employee Plans and Exempt organizations Division) for preparation of Treasury decision.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD90

268. INCOME TAX REGULATIONS--AFFILIATED SERVICE GROUPS AND EMPLOYEE LEASING

Legal Authority: 26 USC 7805; 26 USC 414(n)

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules regarding the treatment of certain leased employees. In addition, the regulations will provide guidance regarding the aggregation of certain management companies as affiliated service groups.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-111-82.

Drafting attorney: Philip R. Bosco (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Conaway.

In Employee Plans and Exempt Organizations Division for preparation of Notice.

Agency Contact: Philip R. Bosco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE91

269. LIMITATIONS ON BENEFITS AND CONTRIBUTIONS UNDER QUALIFIED PLANS

Legal Authority: 26 USC 7805; 26 USC 415; 26 USC 404(a)(3)(B); 26 USC 404(j)

CFR Citation: 26 CFR 1

Abstract: The regulations deal with the amendments to Internal Revenue Code section 415, which lower the limitations on benefits and contributions under qualified plans and the amendments to Internal Revenue Code section 404 which deal with the corresponding deduction for employer payments made to a qualified plan. The regulation also provides special rules for contributions made on behalf of disabled participants and special rules for church plans.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-107-82.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AE75

270. QUESTIONS AND ANSWERS ON TOP-HEAVY PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 416 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance to sponsors of and participants in pension, profit-sharing, and stock bonus plans. The regulations set forth rules for determining whether such plans are top-heavy and what provisions must be included in the plan if the plan is top-heavy. The regulations also set forth the time by which plans must be amended to conform to the top-heavy rules.

Timetable:

Action	Date	FR Cite
NPRM	03/15/83	48 FR 10868
NPRM Comment Period Begin	03/15/83	
NPRM Comment Period End	05/16/83	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-140-82.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3430.

Office of Tax Legislative Counsel reviewing attorney: Harry Conaway.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AF18

271. INCOME TAX--TOP-HEAVY PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 416 Internal Revenue Code of 1954; 26 USC 401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide guidance to sponsors of and participants in pension, profit-sharing, and stock bonus plans. The regulations set forth rules for determining whether such plans are top-heavy and what provisions must be included in the plan if the plan is top-heavy.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Not Applicable

Additional Information: EE-109-82.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Harry Conaway.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice of proposed rulemaking.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE87

272. INCOME TAX--REORGANIZATION STATUS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the determination of whether a multiemployer pension plan is in reorganization as described in section 418 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Not Applicable

Additional Information: EE-124-80.

Draft attorney: Paul G. Accettura (202) 566-3544.

Reviewing attorney: Richard Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Levinson.

12/23/83 Notice of proposed rulemaking to Office of Tax Legislative Counsel (Treasury), for comment.

Agency Contact: Paul Accettura, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD91

273. INCOME TAX--MINIMUM CONTRIBUTION REQUIREMENT, IN GENERAL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418B Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation project will focus on a special rule to compute the minimum contribution that employers must make to a multiemployer plan when the plan is in reorganization in order for the special funding requirements for multiemployer plans in reorganization to be met.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: EE-125-80.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Levinson.

07/26/84 Preliminary draft of the notice of proposed rulemaking in Office of Chief Counsel (Regulation Review Staff) for review.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD92

---

274. INCOME TAX--OVERBURDEN CREDIT AGAINST MINIMUM CONTRIBUTION REQUIREMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418C Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide that a multiemployer plan that is in reorganization and is overburdened with retirees is eligible for a special overburden credit which will reduce the otherwise required minimum contribution requirement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-127-80.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Pending in Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for revised draft of notice.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AD94

---

275. INCOME TAX--ADJUSTMENTS IN ACCRUED BENEFITS; INSOLVENT PLANS; RELATED VESTING PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 418D Internal Revenue Code of 1954; 26 USC 418E Internal Revenue Code of 1954; 26 USC 411(a)(3) Internal Revenue Code of 1954; 26 USC 411(a)(4) Internal Revenue Code of 1954; 26 USC 411(d)(6) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules under 26 USC 418D and 418E concerning adjustment of accrued benefits by a multiemployer plan in reorganization and suspension of benefit payments by an insolvent multiemployer plan. Conforming changes will be made to regulations under section 411 concerning permitted forfeitures and concerning the computation of the period of service in determining an employee's nonforfeitable percentage.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-128-80.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: George Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AD95

---

276. ● TREATMENT OF FUNDED WELFARE BENEFIT PLANS

Legal Authority: 26 USC 419 Internal Revenue Code of 1954; 26 USC 419A Internal Revenue Code of 1954; 26 USC 1239(d) Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue COde of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance concerning the treatment of contributions made by an employer to a welfare benefit plan.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: EE-66-84.

Drafting Attorney: John T. Ricotta/John C. Khil (202) 566-3544 or 566-6212.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta/John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3544**

RIN: 1545-AG14

---

277. INCOME TAX--CREATION & TREATMENT OF INCENTIVE STOCK OPTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 422A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance for taxpayers who either grant or receive incentive stock options. The grant of an incentive stock option to an employee by, generally, the employer, will not be a taxable event. At the time such an option is exercised by the employee, no amount of the spread will be included in the employee's gross income. When the stock acquired subject in the option is sold, the entire gain will be treated as capital gain and not ordinary income.

Timetable:

Action	Date	FR Cite
NPRM	02/07/84	49 FR 4504
NPRM Comment Period Begin	02/07/84	49 FR 4504
NPRM Comment Period End	04/09/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-279-81.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB36

278. INCOME TAX--REQUESTS FOR CHANGE OF METHOD OF ACCOUNTING FROM AN ERRONEOUS METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 446(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify the procedures for changing from an erroneous method of accounting to a proper method of accounting. Generally, taxpayers must obtain the Commissioner's consent to change their method of accounting.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	

Small Entity: Not Applicable

Additional Information: LR-188-79.

Drafting attorney: (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB37

279. INCOME TAX--CLARIFICATION OF RELATIONSHIP BETWEEN SECTIONS 446(E) AND 481

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 446(e) Internal Revenue Code of 1954; 26 USC 481 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify that in order to secure the Commissioner's permission to adopt a new accounting method the taxpayer must take any adjustment required by section 481 into income over the period prescribed by the Commissioner.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-47-80.

Drafting Attorney: Joseph Rosenthal (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Joseph Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB38

280. INCOME TAX--METHOD OF ACCOUNTING FOR CORPORATIONS ENGAGED IN FARMING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 447 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules and definitions needed to determine which corporations and partnerships with a corporate partner are subject to the requirement that income from farming be reported on the accrual method of accounting with the capitalization of preproductive expenses.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-143-76.

Drafting Attorney: Ewan Purkiss (202) 566-3238.

Reviewing Attorney: Cynthia Clark (202) 566-3238.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mary Hutton.

Notice pending Treasury review.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB39

281. INCOME TAX--TO CLARIFY TREATMENT OF CERTAIN COSTS INCURRED WITH RESPECT TO LONG TERM CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 451 Internal Revenue Code of 1954; Tax Equity and Fiscal Responsibility Act of 1982, Section 229

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify when contracts are completed and when contracts are to be severed or aggregated. The regulations would also provide rules for determining the costs properly allocable to extended period long-term contracts.

Timetable:

Action	Date	FR Cite
NPRM	03/14/83	48 FR 10702
NPRM Comment Period Begin	03/14/83	48 FR 10702
NPRM Comment Period End	05/13/83	
Hearing	06/29/83	
Final Action	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-274-81.

Drafting Attorney: Joseph Rosenthal (202) 566-3238.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton; Elfman.

Agency Contact: Joseph Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N. W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB40

282. INCOME TAX--GENERAL RULES RELATING TO INSTALLMENT SALES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Treasury decision will provide general rules and rules for reporting contingent installment obligations.

Timetable:

Action	Date	FR Cite
NPRM	02/04/81	46 FR 10749
NPRM Comment Period Begin	02/04/81	46 FR 10749

Action	Date	FR Cite
NPRM Comment Period End	04/06/81	
Hearing	10/01/81	46 FR 40774
Final Action	00/00/00	

Small Entity: Yes

Additional Information: LR-173-80.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB42

283. INCOME TAX REGULATIONS--PART I. INSTALLMENT SALES BY NONTAXABLE ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide rules relating to installment sales by nontaxable entities and the election provision by foreign personal holding companies.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Additional Information: LR-143-83.

Drafting Attorney: Linda M. Kroening (202) 566-3288.

Reviewing Attorney: John Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF73

284. ● INCOME TAX REGULATIONS--PART 1--SPECIAL RULES RELATING TO INSTALLMENT OBLIGATIONS THAT ARE READILY TRADABLE OR PAYABLE ON DEMAND

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to installment obligations that are readily tradable or payable on demand.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Undetermined

Additional Information: LR-54-84.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG37

285. INCOME TAX--INSTALLMENT OBLIGATIONS RECEIVED FROM A LIQUIDATING CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting gain in respect of installment obligations received as liquidating distributions from corporations under a plan of complete liquidation.

Timetable:

Action	Date	FR Cite
NPRM	01/13/84	49 FR 1742
NPRM Comment Period Begin	01/13/84	49 FR 1742
NPRM Comment Period End	03/16/84	
Final Action	02/00/85	

Small Entity: Not Applicable

Additional Information: LR-184-80.

Drafting attorney: Linda Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Susanne McDowell (202) 566-8527.

Agency Contact: Linda Koening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB43

286. INCOME TAX--INSTALLMENT OBLIGATIONS RECEIVED IN TRANSACTIONS IN WHICH GAIN OR LOSS IS GENERALLY NOT RECOGNIZED

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting installment obligations that are received as boot in certain exchanges in which gain is not generally recognized.

Timetable:

Action	Date	FR Cite
NPRM	05/03/84	49 FR 18866
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-186-80.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB44

287. INCOME TAX--INSTALLMENT SALES BETWEEN RELATED PARTIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting installment sales between related parties.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-2-81.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB45

288. INCOME TAX--INSTALLMENT METHOD REPORTING BY DEALERS IN PERSONAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for installment method reporting by dealers in personal property.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: LR-146-81.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB47

289. INCOME TAX -- GAIN OR LOSS ON THE DISPOSITION OF AN INSTALLMENT OBLIGATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453B Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules for reporting gain or loss upon the disposition of an installment obligation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: LR-103-81.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB41

290. INCOME TAX--INSTALLMENT SALES REVISION ACT OF 1980, REGULATIONS RELATING TO WRAP-AROUND MORTGAGES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide regulations for reporting sales of property under a wrap-around mortgage arrangement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-147-82.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB46

291. INCOME TAX REGULATIONS--PART 1. INSTALLMENT SALE BY DEALERS IN PERSONAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 453A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project will provide rules relating to sales by dealers of personal property on the installment plan.

Timetable:

Action	Date	FR Cite
Final Action	01/00/85	

Small Entity: No

Additional Information: LR-141-83.

Drafting Attorney: Linda M. Kroening (202) 566-3288.

Reviewing Attorney: John Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Suzanne McDowell (202) 566-8527.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3288**

RIN: 1545-AF71

292. INCOME TAX--EXCLUSION FROM GROSS INCOME WITH RESPECT TO MAGAZINES, PAPERBACKS, AND RECORD RETURNS AFTER CLOSE OF TAXABLE YEAR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 458 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules on the exclusion from gross income of income attributable to the sale of magazines, paperbacks, or records that are returned.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	

Small Entity: Not Applicable

Additional Information: LR-195-78.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton, Levinson.

Notice to Department of the Treasury for formal approval, 10/06/81.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB48

293. INCOME TAX--TREATMENT OF PREPAID INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 461 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to cash basis taxpayers regarding the deductibility of interest allocable to periods beyond the close of the taxable year.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-190-76.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, 202 566-3288

RIN: 1545-AB49

294. INCOME TAX--ACCRUAL OF VACATION PAY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 463 Internal Revenue Code of 1954; 26 USC 81 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules which require a taxpayer to include in its gross income for the taxable year the amount of the increase, if any, in the suspense account created under section 463. The regulation will also provide rules under section 463 which allow a taxpayer who computes income on the accrual method of accounting to deduct its accrued liabilities for vacation pay in the year the vacation pay is earned by the employee so long as such pay is payable or expected to be paid on the tax year or twelve month period following the close of the year.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-6-75.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hutton.

In Legislation and Regulations for preparation of notice of proposed rulemaking.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB50

295. INCOME TAX--LIMITATION ON DEDUCTIONS IN CASE OF FARMING SYNDICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 464 Internal Revenue Code of 1954; 26 USC 278(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that enterprises which qualify as farming syndicates must deduct expenses for feed, seed fertilizer, etcetera, only when used or consumed and to capitalize certain cost of poultry. Furthermore, farming syndicates are to capitalize certain expenses of groves, orchards and vineyard to the extent such expenses are incurred before the grove, orchard or vineyard becomes productive.

Timetable:

Action	Date	FR Cite
NPRM	11/15/83	48 FR 51936
NPRM Comment Period Begin	11/15/83	48 FR 51936
NPRM Comment Period End	01/16/84	
Hearing	03/08/84	
Final Action	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-144-76.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia C. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hutton.

Final draft of notice to Office of Tax Legislative Counsel (Treasury), 02/05/82.

Agency Contact: Howard Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AB51

296. INCOME TAX--DETERMINATION OF AMOUNTS AT RISK WITH RESPECT TO CERTAIN ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 465 Internal Revenue Code of 1954; Section 204 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers for purposes of determining the amount the taxpayer is at risk in certain activities. This guidance is necessary because a taxpayer's deductions are limited to the amount the taxpayer is at risk in the activity. This at risk limit applies to most activities except the holding of real property and certain equipment leasing by closely-held corporations.

Timetable:

Action	Date	FR Cite
NPRM	06/05/79	44 FR 32235
NPRM Comment Period Begin	06/05/79	44 FR 32235
NPRM Comment Period End	08/06/79	
Hearing	09/27/79	44 FR 49701
Final Action	12/15/84	

Small Entity: Not Applicable

Additional Information: LR-168-76.

Drafting attorneys: Alice Bennett and Ewan Purkiss (202) 566-3238.

Reviewing Attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) Reviewing attorney: D'Avino.

Agency Contact: Alice Bennett or Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB52

297. EXTENSION OF THE AT-RISK RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 465 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers with respect to the extension of the at-risk rules to all activities other than the holding of real property. The regulations would also provide guidance with respect to the exception to the at-risk rules for closely-held corporations actively engaged in equipment leasing, and the recapture provision.

Timetable:

Action	Date	FR Cite
NPRM	12/15/84	

Small Entity: Not Applicable

Additional Information: LR-192-78.

Drafting attorneys: Alice Bennett and Ewan Purkiss (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice Bennett or Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3238**

RIN: 1545-AF86

298. INCOME TAX--QUALIFIED DISCOUNT COUPONS RETURNED AFTER CLOSE OF TAXABLE YEAR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 466 Internal Revenue Code of 1954; Section 373(c), Revenue Act of 1978

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to taxpayers relating to the election to deduct redemption costs of qualified discount coupons returned after the close of the taxable year.

Timetable:

Action	Date	FR Cite
NPRM	08/03/84	49 FR 31080
NPRM Comment Period Begin	08/03/84	49 FR 31080
NPRM Comment Period End	10/02/84	
Final Action	01/15/85	

Small Entity: Not Applicable

Additional Information: LR-217-78.

Drafting attorney: Alice Bennett (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hutton.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB53

299. INCOME TAX--INVENTORIES AT COST OR MARKET, WHICHEVER IS LOWER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 471 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would revise and clarify the computation of ending inventory at cost or market whichever is lower.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-2158.

Drafting attorney: Joseph Rosenthal (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Joseph Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB54

300. INCOME TAX--THREE-YEAR AVERAGING FOR INCREASES IN INVENTORY VALUE WHEN ELECTING LIFO METHOD OF ACCOUNTING; VALUE WHEN ELECTING LIFO METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 472(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide for three-year averaging for increases in inventory value when electing the LIFO method of accounting.

Timetable:

Action	Date	FR Cite
NPRM	02/10/83	48 FR 6134
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-254-81.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AB55

301. INVENTORY COMPUTED BY USE OF CONSUMER OR PRODUCER PRICE INDEXES

Legal Authority: 26 USC 472 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide examples and further clarification of the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-57-83.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Philip R. Bosco (202) 566-3238.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF65

302. INCOME TAX--QUALIFIED LIQUIDATIONS OF LIFO INVENTORIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 473 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide interpretative and procedural rules relating to qualified liquidations of certain inventories accounted for under the LIFO method.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-82-80.

Drafting Attorney: Joseph Rosenthal (202) 566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Agency Contact: Joseph M. Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AB56

303. USE OF ONE INVENTORY POOL BY SMALL BUSINESS ELECTING LIFO METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 474 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project provides regulations pertaining to an election by a small business, which employs the dollar value LIFO method of pricing inventories, to use a single inventory pool. The regulations define "small business," thereby giving the rules of eligibility under this provision. Further, the regulations set forth the procedures of making a proper election and give transitional rules to govern pricing in the year of election.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-185-83.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Joseph Rosenthal (202) 566-3238.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, ATTN: CC:LR:T, 202 566-3238

RIN: 1545-AF92

304. INCOME TAX--ALLOCATION OF INCOME & DEDUCTIONS AMONG TAXPAYERS TO REVISE PERCENTAGE APPLIED IN DETERMINING RENTAL CHARGE FOR USE OF TANGIBLE PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 482 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would amend the current Income Tax Regulations under Internal Revenue Code section 482, relating to allocations made by the Internal Revenue Service between persons that are owned or controlled by the same interests. The amendments would adjust the deemed arm's length rental charge for the use of tangible property to reflect current market rates.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-307-76.

Drafting Attorney: Robert E. Culbertson Jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverudé (202) 566-3323.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Reinhold.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: Robert E. Culbertson Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB57

305. INCOME TAX--MAXIMUM RATE OF IMPUTED INTEREST FOR SALE OF LAND BETWEEN RELATED PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 483(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance for determining if sales of land between related persons qualify for a lower imputed rate of interest. More specifically, the regulations would provide for a definition of land and for rules to compute the maximum dollar limitation on which the lower imputed rate of interest is to apply.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-246-81.

Drafting Attorney: Ewan Purkiss (202) 566-3238.

Reviewing Attorney: Joseph Rosenthal (202) 566-3238.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3238

RIN: 1545-AB58

306. INCOME TAX - SEMIANNUAL COMPOUNDING OF THE TEST RATE UNDER SECTION 483

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 483 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide for the semiannual compounding of the test rate of interest

used to determine if a deferred payments contract contains unstated interest. Thus, in the case of a contract for the sale of property that provides for no interest or an unreasonably low rate of interest that does not satisfy the test rate of interest compounded semiannually, interest will be imputed under the contract.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-12-83.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AF59

307. ● INCOME TAX-CHILD CARE ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Nonprofit organizations which provide care for children are deemed to be tax-exempt if substantially all of the child care provided by the organization is for the purpose of enabling individuals (the parents) to be gainfully employed and the services are available to the general public.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-75-84.

Drafting Attorney: Monice Rosenbaum (202) 566-3422.

Reviewing Attorney: James L. Brokaw (202) 566-4173.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AG64

308. INCOME TAX--ESTATE TAX--GIFT TAX--EXEMPTION OF CERTAIN AMATEUR ATHLETIC ORGANIZATIONS FROM TAX

Legal Authority: 26 USC 7805 Internal Revenue Act of 1954; 26 USC 501(c)(3) Internal Revenue Act of 1954; 26 USC 170(c)(2)(B) Internal Revenue Act of 1954; 26 USC 2055(a) Internal Revenue Act of 1954; 26 USC 2522(a) Internal Revenue Act of 1954; PL 97-248, Sec 286

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25

Abstract: This regulation project relates to the exemption of certain amateur athletic organizations from tax and the deductibility of contributions to organizations that qualify for the exemption. Changes to the applicable tax law were made by the Tax Reform Act of 1976 and the Tax Equity and Fiscal Responsibility Act of 1982. The regulations affect organizations that foster national or international sports competition and provide them with guidance needed to determine whether they qualify for the exemption.

Timetable:

Action	Date	FR Cite
NPRM	05/10/79	44 FR 27446
NPRM Comment Period Begin	05/10/79	44 FR 27446
NPRM Comment Period End	07/09/79	
Hearing	10/09/79	45 FR 49275
Final Action	10/00/84	

Small Entity: Not Applicable

Additional Information: EE-53-79.

Drafting Attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Yecies, McKee.

Notice published under LR-172-76, 05/10/79.

3/22/84, withdrawal of notice to Treasury and formal approval.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD97

309. INCOME TAX--RULES CLARIFYING THE REGULATIONS WITH RESPECT TO THE COMPUTATION OF "GROSS INCOME" OF AN ELECTRIC COOPERATIVE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(c)(12) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that electric cooperatives would take into account costs of goods sold when determining income under the 85 percent member-income test. In addition, the regulations would solicit comments from the public regarding how to compute costs of goods sold.

Timetable:

Action	Date	FR Cite
NPRM	01/10/84	49 FR 1244
NPRM Comment Period Begin	01/10/84	49 FR 1244
NPRM Comment Period End	03/12/84	
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-17-81.

Drafting attorney: Roberto E. Rivera (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Jewett, McCarty.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of Treasury decision.

Agency Contact: Robert Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD99

310. INCOME TAX--AMENDMENT OF REGULATIONS TO REFLECT THE GRANT OF TAX EXEMPT STATUS TO CERTAIN HOSPITAL SERVICE ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide the rules for tax exemption for cooperative hospital service organizations. These organizations provide specified services to exempt hospitals on a centralized basis.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1384
NPRM Comment Period Begin	01/11/84	
NPRM Comment Period End	03/12/84	
Hearing	05/31/84	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: EE-44-78.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Conaway.

Notice of proposed rulemaking published 1/11/84.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AE01

311. INCOME TAX--TAX TREATMENT OF CERTAIN SOCIAL CLUBS & PROHIBITION OF DISCRIMINATION BY CERTAIN SOCIAL CLUBS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(c)(7) Internal Revenue Code of 1954; 26 USC 501(i) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations describe the requirements that a club must meet to qualify for tax exemption, explain the social character required of an exempt club, and prescribe the circumstances in which nonmember support is taken into account in determining whether substantially all of the club's activities are for its exempt purposes. Exemption is denied to clubs which by written policy discriminate on the basis of race, color, or religion.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-43-78.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Levinson.

Notice to TLC for comment, 5/25/84.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AD98

312. ● NONDISCRIMINATION REQUIREMENTS UNDER SECTIONS 501 (C) (9) AND (20)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 505 (a) Internal Revenue Code of 1954; 26 USC 505 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to the nondiscrimination requirements for voluntary employees' beneficiary association and group legal service plans.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: EE-68-84.

Drafting attorney: Eric A. Raps (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Eric A. Raps, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AG23

313. ● NOTIFICATION REQUIREMENT FOR SECTION 501(C) (9) AND (20) ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 505 (c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Section 505(c) requires that new VEBAs group legal service plans and plans providing for the payment of supplemental unemployment must timely file and advise the Service that it is applying for tax exempt status.

Timetable:

Action	Date	FR Cite
NPRM	08/31/85	

Small Entity: Not Applicable

Additional Information: EE-69-84.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, 202 566-6212

RIN: 1545-AG44

314. INCOME TAX--SOCIAL CLUBS UNRELATED BUSINESS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 512(a)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal will provide rules for determining the unrelated business taxable income of certain organizations exempt from taxation under sections 501 (c) (7) and (c) (9) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	05/13/71	36 FR 8808
NPRM Comment Period Begin	05/13/71	36 FR 8808

Action	Date	FR Cite
NPRM Comment Period End	06/14/71	
Hearing	08/31/71	36 FR 13034
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-105-83

Drafting Attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

Draft of Treasury decision in Office of Chief Counsel (Employee Plans and Exempt Organizations Division).

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3544

RIN: 1545-AB59

315. INCOME TAX--HOSPITAL SERVICES NOT TO CONSTITUTE AN UNRELATED TRADE OR BUSINESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 513(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules relating to the circumstances under which services provided by a tax-exempt hospital to other such hospitals will not be treated as an unrelated trade or business.

Timetable:

Action	Date	FR Cite
NPRM	12/13/82	47 FR 55696
NPRM Comment Period Begin	12/13/82	47 FR 55696
NPRM Comment Period End	02/08/83	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-46-78.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hevener, Levinson.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE05

316. INCOME TAX--UNRELATED TRADE OR BUSINESS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 514(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will address the issue of what constitutes real property acquired by a qualified trust. The guidance provided on this issue will determine the scope of the exception under 26 USC 514(c)(9) for such acquisitions from the term acquisition indebtedness. Under 26 USC 514, the existence of such indebtedness on income producing property gives rise to unrelated debt-financed taxable income.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-27-81.

Drafting attorney: Calder L. Robertson, Jr. (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Calder L. Robertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE00

317. INCOME TAX--RATES OF TAX FOR PRINCIPAL CAMPAIGN COMMITTEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 527 Internal Revenue Code of 1954; PL 97-34, Sec 128

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the manner of designation of a principal campaign committee by a member of Congress. A candidate for Congress may make such a designation in order to permit a campaign committee to compute its income tax by multiplying its political organization taxable income by the appropriate rates of tax specified in section 11 (b) of the Code.

Timetable:

Action	Date	FR Cite
NPRM	04/20/83	48 FR 16911
NPRM Comment Period Begin	04/20/83	48 FR 16911
NPRM Comment Period End	06/20/83	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-243-81.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Reinhold.

Notice to Office of Chief Counsel (Legislation and Regulations Division) for formal approval, 01/16/82.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AB60

318. INCOME TAX--RELATIONSHIP BETWEEN SECTION 527 AND THE FEDERAL ELECTION CAMPAIGN ACT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 527 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance on the interaction of section 527 of the Internal Revenue Code of 1954 with the Federal Election Campaign Act.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	

Small Entity: Not Applicable

Additional Information: EE-6-81.

Drafting attorney: Paul G. Accettura (202) 566-3544.

Reviewing attorney: James L. Brokaw (202) 566-4173.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Paul Accettura, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3544

RIN: 1545-AE06

319. INCOME TAX--LIMITATION ON ADDITIONS TO BANK LOSS RESERVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 585 Internal Revenue Code of 1954; PL 97-34, Sec 273

CFR Citation: 26 CFR 1

Abstract: The regulations would impose a requirement of a minimum addition to bad debt reserves of mutual savings banks in order to conform the treatment of these institutions to financial institutions described in section 585.

Timetable:

Action	Date	FR Cite
NPRM	12/19/83	48 FR 56083
NPRM Comment Period Begin	12/19/83	48 FR 56083
NPRM Comment Period End	02/17/84	
Final Action	12/31/84	

Small Entity: No

Additional Information: LR-152-79.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: Susan Thompson Baker (202) 566-3294.

Notice to Regulations Review Staff 5/11/83.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AB66

320. TREATMENT OF FORECLOSED PROPERTY BY CERTAIN CREDITORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 595 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulation would amend the existing regulations relating to the treatment of amounts realized and expended with respect to property securing loans which have been foreclosed on by certain banks.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-83-82.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr., (202) 566-4473.

Tax Legislative Counsel review attorney:Andrew E. Furer (202) 566-2927.

Preliminary draft of notice of proposed rulemaking sent to Treasury- 5/19/83.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AF00

321. INCOME TAX--RESTORATION OF DEPLETION DEDUCTIONS ON BONUS AND ADVANCED ROYALTIES IN CERTAIN CASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 612 Internal Revenue Code of 1954; 26 USC 613 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the restoration of depletion deductions on bonuses and advanced royalties and the deferment of the exclusion of advanced royalties from gross income from the property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-1148.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Notice pending Treasury review.

Agency Contact: Walter H. Woo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB69

322. INCOME TAX--SUPPLEMENTARY RULES ON LIMITATIONS ON PERCENTAGE DEPLETION FOR OIL & GAS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 613(A) Internal Revenue Code of 1954; 26 USC 703(a) Internal Revenue Code of 1954; 26 USC 705(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would clarify the circumstances under which percentage depletion will be available in the case of oil and gas wells.

Timetable:

Action	Date	FR Cite
NPRM	05/13/77	
Hearing	08/31/78	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-105-75.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Treasury decision pending at Legislation and Regulations Division for revision.

Agency Contact: Walter H. Woo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB73

323. INCOME TAX--TO CONFORM TO SEC 3 OF THE ACT OF 12/28/80

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 613A(c)(10) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance to taxpayers using the section 613A(c)(10) exception to the transfer rules under section 613A(c)(9). In general section 613A(c)(9) disallows

percentage depletion to the transferee of proven oil or gas property. Section 613A(c)(10) relates to the transfer of qualified property by an individual to a qualified transferee corporation solely in exchange for stock.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-35-81.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Presently pending in the Office of Tax Legislative Counsel for signature.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB74

324. INCOME TAX--DISALLOWANCE OF CERTAIN ITEMS AS DEDUCTIONS FOR ESTATE AND INCOME TAX PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 642(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide that section 2053 and 2054 deductions are not allowed in computing the taxable income of the estate or any other person or as an offset against sales of property unless a waiver is filed stating that on the estate tax return these deductions were not claimed.

Timetable:

Action	Date	FR Cite
NPRM	02/08/83	48 FR 5762
NPRM Comment Period Begin	02/08/83	48 FR 5762
NPRM Comment Period End	04/11/83	
Final Action	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-183-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Woodward.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AB75

325. INCOME TAX--SPECIAL RULE FOR PROPERTY TRANSFERRED AT LESS THAN FAIR MARKET VALUE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 644 Internal Revenue Code of 1954; 26 USC 641(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will explain how to compute the tax imposed by section 644 on the includible gain recognized on the sale or exchange within two years after transfer to a trust of certain property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-188-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel reviewing attorney: Garlock.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AB76

326. INCOME TAX--PROCEDURE & ADMINISTRATION--ACCUMULATION TRUSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 667 Internal Revenue Code of 1954; 26 USC 666(e) Internal Revenue Code of 1954; 26 USC 668 Internal Revenue Code of 1954; 26 USC 665(b) Internal Revenue Code of 1954; 26 USC 665(e) to 665(g) Internal Revenue Code of 1954; 26 USC 669 Internal Revenue Code of 1954; 26 USC 1302(a)(2)(B) Internal Revenue Code of 1954; 26 USC 1302(b)(2)(B) Internal Revenue Code of 1954; 26 USC 6401(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: These regulations will clarify the amount of tax imposed on a beneficiary for distributions from a trust of income accumulated by the trust in prior tax years.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: Not Applicable

Additional Information: LR-184-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert Coplan (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: D'Avino, Woodward.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AB78

327. INCOME TAX--PROCEDURE & ADMINISTRATION--FOREIGN TRUSTS HAVING U.S. BENEFICIARIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 679 Internal Revenue Code of 1954; 26 USC 678(b) Internal Revenue Code of 1954; 26 USC 643(a) Internal Revenue Code of 1954; 26 USC 643(c)(6)(C) Internal Revenue Code of 1954; 26 USC 643(c)(6)(D) Internal Revenue Code of 1954; 26 USC 643(d) Internal Revenue Code of 1954; 26 USC 6048 Internal Revenue Code of 1954; 26 USC 6677 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: These regulations will provide to what extent a grantor of a foreign trust with United States beneficiaries will be treated as an owner of that trust, and thus taxed currently on the trust's income.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-187-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Draft of notice to International Tax Counsel (Treasury), 06/08/82.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3287

RIN: 1545-AB79

328. INCOME TAX--DETERMINATION OF PARTNER'S DISTRIBUTIVE SHARE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 704(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules and examples relating to the substantial economic effect test and the determination of a partner's interest in the partnership.

Timetable:

Action	Date	FR Cite
NPRM	03/09/83	48 FR 9871
NPRM Comment Period Begin	03/09/83	48 FR 9871
NPRM Comment Period End	04/27/83	
Final Action	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-262-76.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Notice of proposed rulemaking published.

Draft Treasury decision circulating for formal approval.

Hearing held 5-4-83.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB80

329. AMENDMENT OF SECTION 1.704-1 TO PROVIDE RULES ON PARTNER'S DISTRIBUTIVE SHARES OF ITEMS ATTRIB. TO NONRECOURSE DEBT AND THE INTERRELATIONSHIP OF SUBSECTIONS (B) AND (C) OF SECTION 704

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Abstract: This project will provide proposed regulations under section 704 (b) relating to a partner's distributive share of losses and deductions attributable to nonrecourse debt. Rules concerning the interrelationship between section 704 (b) and (c) will also be provided.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-191-83.

Drafting attorney: John G Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: James Lokey (202) 566-4518.

Agency Contact: John G Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, DC 20224, 202 566-3297

RIN: 1545-AG00

330. INCOME TAX--ITEMS ALLOCATED TO PORTION OF YEAR PARTNER HELD INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 706(c)(2)(B) Internal Revenue Code of 1954; 26 USC 704 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide the methods to be used for allocating partnership items to partners whenever a partner's interest varies during the partnership taxable year.

Timetable:

Action	Date	FR Cite
NPRM	12/30/85	

Small Entity: Not Applicable

Additional Information: LR-265-76.

Drafting attorney: Robert Ginsburgh (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lokey.

Revised draft of notice to Office of Tax Legislative Counsel, 08/09/82.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB81

331. INCOME TAX--AMENDMENT OF SEC 1.731-1(C) TO CLARIFY THE TAX TREATMENT OF A DISTRIBUTION OF PROPERTY BY A PARTNERSHIP TO A PARTNER WHO HAD RECENTLY CONTRIBUTED OTHER PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 731 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide that if property is contributed to a partnership and within a short period other property is distributed to the contributing partner, the distribution may fall outside of the nonrecognition provision of section 731. The regulations would provide that the substance of the transaction, rather than its form, determines whether the distribution is tax- free. The regulations would provide examples illustrating contribution/distribution transactions that will be treated as a taxable sale or exchange.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-39-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB84

332. ● IMPUTED EARNINGS RATE FOR MUTUAL LIFE INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 809(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance to mutual life insurance companies regarding the computation of the imputed earnings rate.

Timetable:

Action	Date	FR Cite
NPRM	12/15/84	

Small Entity: Not Applicable

Additional Information: LR-159-84.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG63

333. TREATMENT OF GRADED PREMIUM POLICIES UNDER THE APPROXIMATE REVALUATION METHOD OF RECOMPUTING RESERVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 818(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the treatment by life insurance companies of graded premium policies for purposes of recomputing life insurance reserves under the approximate revaluation method.

Timetable:

Action	Date	FR Cite
NPRM	11/08/83	48 FR 51331
NPRM Comment Period Begin	11/08/83	48 FR 51331
NPRM Comment Period End	01/09/84	
Final Action	11/30/84	

Small Entity: Not Applicable

Additional Information: LR-276-82.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AF03

334. INCOME TAX--TO CLARIFY THE TREATMENT OF CERTAIN AMOUNTS REFUNDED IN REINSURANCE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 809 Internal Revenue Code of 1954; 26 USC 820 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rules will clarify the treatment of certain amounts refunded in reinsurance transaction, and provide rules with respect to the allocation of certain items in modified coinsurance contracts for purposes of an election under section 820. These regulations would affect life insurance companies that enter into coinsurance and modified coinsurance transactions.

Timetable:

Action	Date	FR Cite
NPRM	03/19/82	47 FR 11882
NPRM Comment Period Begin	03/19/82	47 FR 11882
NPRM Comment Period End	05/18/82	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-276-81.

Drafting Attorney: Alice Bennett (202)566-3238.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AB86

335. INCOME TAX--SOURCE OF INCOME OF UNDERWRITING INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 861(a)(7) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will provide rules for determining whether the source of underwriting income is income from sources within the United States to be included in gross income and for clarifying the meaning of United States risks upon which such income determination is made.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-71-77.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing Attorney: John H. Parcell (202) 566-3288.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB89

336. SOURCE OF INTEREST AND DIVIDENDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 861 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would treat interest and dividends paid by a domestic corporation having substantial gross income from certain possessions of the United States as income from sources within the United States.

Timetable:

Action	Date	FR Cite
NPRM	12/29/82	47 FR 57972
NPRM Comment Period Begin	12/29/82	47 FR 57972
NPRM Comment Period End	02/28/83	
Hearing	05/24/83	48 FR 11465
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-296-82.

Drafting attorney: unassigned.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Steve Shay.

Notice of Proposed rulemaking published. Hearing held.

In Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Charles C. Saverude, Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3323**

RIN: 1545-AF15

337. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SEC. 1.861-8 TO PROVIDE FOR THE ALLOCATION AND APPORTIONMENT OF PARTNERSHIP EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue of Code 1954; 26 USC 861 Internal Revenue of Code 1954; 26 USC 882 Internal Revenue of Code 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will indicate whether partnership expenses are to be allocated and apportioned under Sec. 1.861-8 of the partnership level or at the partner level.

Timetable:

Action	Date	FR Cite
NPRM	05/29/84	49 FR 22344
NPRM Comment Period Begin	05/29/84	
NPRM Comment Period End	07/30/84	
Final Action	12/31/84	

Small Entity: No

Additional Information: LR-101-83.

Drafting attorney: P. Ann Fisher (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

To Commissioner for signature 01/14/84.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3289**

RIN: 1545-AF57

338. INCOME TAX--COMPUTATION OF TAXABLE INCOME FROM SOURCES WITHIN AND WITHOUT THE UNITED STATES

Priority: Major

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 861 Internal Revenue Code of 1954; 26 USC 882 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendment would allow taxpayers to apply the regulations in 1.861-8 and 1.882-5 to open taxable years beginning before 01/01/77.

Timetable:

Action	Date	FR Cite
NPRM	08/30/82	47 FR 38149
NPRM Comment Period Begin	08/30/82	47 FR 38149
NPRM Comment Period End	10/29/82	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-215-78.

Drafting attorney: unassigned.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Notice published 08/30/82.

Treasury decision to Treasury for signature 10/18/83.

Analysis: Preliminary RIA 08/30/82 (47 FR 38150)

Agency Contact: Charles C. Saverude, Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3323**

RIN: 1545-AB88

339. INCOME TAX--ORIGINAL ISSUE DISCOUNT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 871 Internal Revenue Code of 1954; 26 USC 881 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954; 26 USC 1442 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: The regulations would provide rules with respect to the taxation of original issue discount on bonds and obligations held by nonresident alien individuals and foreign corporations. The regulations would also provide guidance to withholding agents for withholding tax on original issue discount on such bonds and obligations.

Timetable:

Action	Date	FR Cite
NPRM	07/12/76	41 FR 28517
NPRM Comment Period Begin	07/12/76	41 FR 28517
NPRM Comment Period End	09/09/76	
Hearing	11/18/76	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-2043.

Drafting attorney: David J. Dean (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Agency Contact: David J. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AB93

340. INCOME TAX--RULES FOR DETERMINING WHETHER LOANS OR NET LEASES ARE COMMERCIAL ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 892 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would establish the activities with respect to loans or the ownership of real property that will be considered investment activities of foreign sovereigns. Income from such investments by foreign sovereigns would be exempt from U.S. tax.

Timetable:

Action	Date	FR Cite
NPRM	07/22/80	
NPRM Comment Period Begin	07/22/80	
NPRM Comment Period End	09/22/80	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-110-80.

Drafting Attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB94

341. INCOME TAX--PARTNERSHIP, TRUST, AND ESTATE RULES REGARDING TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY INTERESTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 897(e)(2) Internal Revenue Code of 1954; 26 USC 897(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide rules for foreign partners to compute gain or loss on the sale or disposition of United States real property interests upon the sale of a partnership interest or a distribution in liquidation of a partnership interest.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-37-82.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Lainoff.

In Office of International Tax Counsel for comment, May 27, 1983.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB98

342. INCOME TAX--TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY AND INFORMATION RETURNS CONCERNING FOREIGN OWNERSHIP OF U.S. REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 897 Internal Revenue Code of 1954; 26 USC 6039C Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These proposed regulations concern the information returns which must be filed with respect to foreign investment in United States real property interests by certain corporations, partnerships, trusts, estates and nonresident alien individuals. They also concern procedures for establishing that a corporation is not a United States real property holding corporation, and for foreign corporations to elect to be treated as domestic corporations. The proposed regulations also contain provisions defining relevant terms.

Timetable:

Action	Date	FR Cite
NPRM	09/21/82	47 FR 41581
NPRM Comment Period Begin	09/21/82	
NPRM Comment Period End	11/22/82	
Second NPRM	11/03/83	48 FR 50751
Second hearing	12/13/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-154-82.

Drafting Attorney: Robert Culbertson (202) 566-3289.

Reviewing attorney: Charles C. Saverude.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AB99

343. NOTICE OF PROPOSED RULEMAKING--NONRECOGNITION CORPORATE DISTRIBUTIONS AND REORGANIZATIONS UNDER THE FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT

Legal Authority: 26 USC 897 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide rules concerning the effect of certain distributions, including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Proposal would also provide rules for determining the extent to which nonrecognition would apply to certain transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-297-82.

Drafting attorney: Robert E. Culbertson Jr., (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Wold/Granwell.

Notice to Treasury for comment 01/10/84 for review.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AF17

344. INCOME TAX--TO CLARIFY RULES FOR DETERMINING EARNINGS & PROFITS OF A FOREIGN CORPORATION & AMOUNT OF CREDITABLE FOREIGN TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 902 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide one consistent method for determining the earnings and profits of a foreign corporation for all purposes. "The regulation will also" provide new rules concerning the determination of an entity's functional currency and the recognition of currency gain or loss on transactions that are denominated in a foreign currency.

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	

Small Entity: Not Applicable

Additional Information: LR-196-75

Drafting attorney: P. Ann Fisher.

Reviewing attorneys: Carol T. Doran (202) 566-3289, Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Shay.

Draft of notice to Office of International Tax Counsel (Treasury), 07/09/82.

Agency Contact: P. Ann Fisher, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC02

345. INCOME TAX--RECAPTURE OF OVERALL FOREIGN LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 904(f) Internal Revenue Code of 1954; PL 97-248, Sec 211

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining the amount of and recapturing overall foreign losses. An overall foreign loss under any one of the separate limitations on the foreign tax credit may offset the taxpayer's United States tax on United States source income in the year of the loss. The recapture rules provide that a portion of the taxpayer's foreign taxable income under the same limitation in subsequent years is to be recharacterized as United States source income, thereby reducing the taxpayer's foreign tax credit and preventing a double tax benefit from the loss.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-3-77.

Drafting Attorney: David J. Dean (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: David J. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC05

346. INCOME TAX--PROCEDURE & ADMINISTRATION--TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 905(c) Internal Revenue Code of 1954; 26 USC 6689 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 301

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. The regulations provide special rules for redetermining the taxpayer's United States tax liability when the dollar value of the foreign currency fluctuates between the time for which the foreign tax credit is originally claimed and the time for which the foreign tax credit is redetermined. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-34-81.

Drafting attorney: Carol Doran (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay.

Draft of the notice to International Tax Counsel of October 19, 1982.

Agency Contact: Carol T. Doran, Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC06

347. INCOME TAX--TEMPORARY REGULATIONS--TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 905(c) Internal Revenue Code of 1954; 26 USC 6689 Internal Revenue Code of 1954

CFR Citation: 26 CFR 4

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. The regulations provide special rules for redetermining the taxpayer's United States tax liability when the dollar value of the foreign currency fluctuates between the time for which the foreign tax credit is originally claimed and the time for which the foreign tax credit is redetermined. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/31/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-118-82.

Drafting attorney: Carol Doran (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorney: Shay

Draft of the treasury decision to International Tax Counsel, on October 19, 1982.

Agency Contact: Carol T. Doran, Assistant Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Room 4109, Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC09

348. AMENDMENT OF REGULATIONS UNDER SECTION 907 OF THE INTERNAL REVENUE CODE OF 1954 TO CONFORM THEM TO SECTION 211 OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 907 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would amend the regulations under section 907 of the Internal Revenue Code of 1954, relating to the foreign tax credit for taxes on oil and gas income, to conform them to section 211 of the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-193-82.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Lainoff, Granwell.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AE34

349. INCOME TAX--LIMITATION ON FOREIGN TAX CREDIT FOR FOREIGN OIL AND GAS TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 907 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Notice would define and interpret certain rules that would apply in defining a taxpayer's extraction and oil-related income. Changes to the Applicable law were made by section 601 (a) of the Tax Reduction Act of 1975 (89 Stat. 54).

Timetable:

Action	Date	FR Cite
NPRM	06/27/84	49 FR 26256
NPRM Comment Period Begin	06/27/84	49 FR 26256
NPRM Comment Period End	08/27/84	
Final Action	12/00/85	

Small Entity: Not Applicable

Additional Information: LR-149-83.

Drafting Attorney: Mary Frances Pearson (202) 566-3289.

Reviewing Attorney: Charles Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Lainoff, Granwell.

In Legislation and Regulations Division for preparation of Notice of Proposed Rulemaking.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AF60

350. INCOME TAX--INCOME OF U.S. CITIZENS & RESIDENTS WORKING ABROAD, EXCLUSIONS AND DEDUCTION FROM GROSS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 911 Internal Revenue Code of 1954; 26 USC 119 Internal Revenue Code of 1954; 26 USC 913 Internal Revenue Code of 1954; 26 USC 3401(a)(8) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31

Abstract: Section 911 provides two exclusions and one deduction that may be claimed by certain United States citizens and residents living and working abroad. The exclusions are for foreign earned income up to a ceiling ($75,000 in 1982, $80,000 in 1983-1987, $85,000 in 1988, $90,000 in 1989, and $95,000 after 1989) and for the housing cost amount of a qualified individual to the extent it is attributable to employer provided amounts. The deduction is for the portion of the housing cost amount that is not attributable to employer provided amounts. The total of the exclusions and deduction may not exceed foreign earned income for the taxable year. These regulations will provide rules relating to the section 911 exclusions and deduction.

Timetable:

Action	Date	FR Cite
NPRM	07/20/83	48 FR 33007
NPRM Comment Period Begin	07/20/83	48 FR 33007
NPRM Comment Period End	09/19/83	
Hearing	11/15/83	
Final Action	11/01/84	

Small Entity: Not Applicable

Additional Information: LR-208-81.

Drafting attorney: David J. Dean (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: David J. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, **202 566-3289**

RIN: 1545-AC08

351. AMENDMENT OF REGULATIONS UNDER SECTIONS 934 AND 936 TO CONFORM TO CHANGES MADE BY SECTION 213 OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 936 Internal Revenue Code of 1954; 26 USC 934 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would amend sections 936 and 934 of the Internal Revenue Code of 1954 to conform to changes made by section 213 of the Tax Equity and Responsibility Act of 1982. These changes relate to the Puerto Rico and possession tax credit and the income tax liability incurred to the Virgin Island general rules.

Timetable:

Action	Date	FR Cite
ANPRM	11/29/82	47 FR 53746
ANPRM Comment Period Begin	11/29/82	47 FR 53746
ANPRM Comment Period End	12/29/82	
NPRM	01/10/84	49 FR 1227
NPRM Comment Period Begin	01/10/84	49 FR 1227

Action	Date	FR Cite
NPRM Comment Period End	03/12/84	
Hearing	04/03/84	49 FR 1243
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-194-82.

Drafting attorneys: Carol T. Doran, Jacob Feldman (202) 566-3289.

Reviewing Attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Steven Lainoff.

Agency Contact: Carol T. Doran and Jacob Feldman, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AF21

352. INCOME TAX--DEFINITION OF QUALIFIED POSSESSION SOURCE INVESTMENT INCOME FOR PURPOSES OF PUERTO RICO & POSSESSION TAX CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 936(d)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide rules with respect to what constitutes qualified possession source investment income for purposes of the Puerto Rico and possession tax credit.

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	

Small Entity: Not Applicable

Additional Information: LR-106-77.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

Project is in Legislation and Regulations Division for revision.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C.20224, **202 566-3289**

RIN: 1545-AC10

353. CURRENT TAXATION OF FOREIGN OIL RELATED INCOME OF CONTROLLED FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 954 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would define and interpret when foreign oil related income will be subject to current taxation under section 954 of the Internal Revenue Code of 1954. Changes to the applicable law were made by section 212 of the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-197-82.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Steve Lainoff.

In Legislation and Regulations Division for preparation of a Notice of Proposed Rulemaking.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AE38

354. INCOME TAX--AMENDMENTS AFFECTING DISC PERTAINING TO MILITARY SALES & INCREMENTAL EXPORT GROSS RECEIPTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 995 Internal Revenue code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would provide rules with respect to computing the incremental distribution and distributions with respect to military sales for purpose of the domestic international sales provisions.

Timetable:

Action	Date	FR Cite
NPRM	01/09/84	49 FR 1075
NPRM Comment Period Begin	01/09/84	49 FR 1075
NPRM Comment Period End	03/09/84	
Final Action	09/30/84	

Small Entity: Not Applicable

Additional Information: LR-246-76.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Draft of Notice in Office of International Tax Counsel for comments, July 25, 1983.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AC17

355. INCOME TAX--BASIS OF CERTAIN APPRECIATED PROPERTY TRANSFERRED TO DECEDENT, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1014(e) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation will explain the denial of a stepped-up basis for appreciated property acquired by decedent through gift within one year of death if such property passes, directly or indirectly, from donee-decedent to original donor or the donor's spouse.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-235-81.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AC18

356. ● STOCK SALES, ETC, TO AND BY ESOP'S, ETC

Legal Authority: 26 USC 1042 Internal Revenue Code of 1954; 26 USC 4978 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide guidance concerning the tax treatment of gain on certain sales of stock to and by ESOP's, etc.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: EE-71-84.

Drafting Attorney: John C. Khil (202) 566-6212.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-4902.

Agency Contact: John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AG21

357. INCOME TAX--BASIS LIMITATION & RECAPTURE OF DEPRECIATION ON PLAYER CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1056 Internal Revenue Code of 1954; 26 USC 1245 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for determining the basis of player contracts acquired by a purchaser upon the sale or exchange of a sports franchise. Generally, the purchaser's basis with respect to player contracts is to be determined by reference to the seller's adjusted basis and the gain the seller recognizes from the transfer of the player contracts. Exceptions are provided in the cases of certain corporate one-year liquidations, certain like-kind exchanges and for certain transfers relating to decedents. Furthermore, a presumption is provided that in the sale or exchange of a sports franchise, not more than 50-percent of the consideration will be allocable to player contracts unless the taxpayer can satisfy the Secretary it is proper to allocate an amount in excess of 50-percent.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-222-76.

Drafting attorney: Howard Balikov (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Mundstock/Levinson.

Draft of notice is in Office of Chief Counsel (Legislation and Regulations Division) for revision, 01/03/83.

Agency Contact: Howard Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AC19

358. INCOME TAX--TRANSFERS OF SECURITIES UNDER CERTAIN AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1058 Internal Revenue code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that so long as the provisions of section 1058 and these regulations are met, the lender will neither recognize gain or loss on the transfer of securities nor upon the return of identical securities.

Timetable:

Action	Date	FR Cite
NPRM	07/26/83	48 FR 33912
NPRM Comment Period Begin	07/26/83	48 FR 33912
NPRM Comment Period End	09/26/83	
Final Action	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-182-78.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Kuller, Levinson.

Agency Contact: Howard Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AC20

359. INCOME TAX--TAX STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092 Internal Revenue Code of 1954; 26 USC 6653 Internal Revenue Code of 1954; 26 USC 263(g) Internal Revenue Code of 1954; 26 USC 1256 Internal Revenue Code of 1954; 26 USC 1212 Internal Revenue Code of 1954; 26 USC 1236 Internal Revenue Code of 1954; 26 USC 1234A Internal Revenue Code of 1954; 26 USC 1232 Internal Revenue Code of 1954; 26 USC 1221 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide the rules under Title 5 of the Economic Recovery Tax Act of 1981 for tax straddles. These regulations will affect the tax treatment of regulated futures contracts, forward contracts, and positions in commodities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-187-81.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AC21

360. REGULATIONS UNDER SECTION 1232A RELATING TO ORIGINAL ISSUE DISCOUNT TAKEN INTO ACCOUNT ON BASIS OF CONSTANT INTEREST RATE

Legal Authority: 26 USC 163 Internal Revenue Code; 26 USC 1232A Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: Regulations would provide guidance as to computation of amount to be included in income by holders and amount to be deducted by issuers of certain bonds issued after July 1, 1982. With respect to these bonds, original issue discount is computed on the basis of a constant rate. Provision is made for the computation of original issue discount in special circumstances where the interest rate is variable, where put and call options are present, and in other circumstances.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	

Small Entity: Not Applicable

Additional Information: LR-222-82.

Drafting attorney: Theresa Bearman (202) 566-3294.

Reviewing attorney: Susan Thompson Baker (202) 566-3294.

Office of Tax Legislative Counsel Reviewing Attorney: Richard Reinhold.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Susan Thompson Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE27

361. REGULATIONS UNDER SECTION 1232B RELATING TO THE TAX TREATMENT OF STRIPPED BONDS

Legal Authority: 26 USC 1232B Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: Regulations would provide guidance as to treatment of proceeds of sale of stripped coupons and stripped bonds issued after July 14, 1982. If a stripped bond or stripped coupon is disposed of after July 1, 1982, the purchaser must include in income an amount computed under section 1232A(a). The stripper must allocate his basis in the bond components (stripped bond and stripped coupons) on the basis of their fair market value.

Timetable:

Action	Date	FR Cite
NPRM	03/15/85	

Small Entity: Not Applicable

Additional Information: LR-223-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: Susan Thompson Baker (202) 566-3294.

Office of Tax Legislative Counsel reviewing attorney: Richard Reinhold.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, DC 20224, 202 566-3294

RIN: 1545-AE21

362. INCOME TAX--TIME FOR DETERMINING RELATEDNESS UNDER SECTION 1239--RELATING TO TRANSFER OF DEPRECIABLE PROPERTY BETWEEN RELATED PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1239 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The rule will provide that 80 percent relatedness determination under section 1239 is determined immediately before or after the sale or exchange of depreciable assets. A determination of relatedness under section 1239 converts what would otherwise be capital gain into ordinary gain.

Timetable:

Action	Date	FR Cite
NPRM	01/05/83	48 FR 00667
NPRM Comment Period Begin	01/05/83	48 FR 00667
NPRM Comment Period End	03/07/83	
Final Action	12/15/84	

Small Entity: Not Applicable

Additional Information: LR-104-81.

Drafting attorney: George Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

In legislation and Regulations Division for preparation of Treasury Decision.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AC29

363. INCOME TAX--GAIN FROM SALE OR EXCHANGE OF STOCK IN FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1248 Internal Revenue Code of 1954; 26 USC 751 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would amend existing regulations with respect to the section 1248 amount attributable to stock of lower tier subsidiaries and stock in less developed country corporations. The regulations would also provide rules for determining the section 1248 amount due to certain dispositions on which gain is not recognized. The regulations would also expand the foreign tax credit available with respect to the section 1248 amount attributable to third-tier subsidiaries.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-232-76.

Drafting attorney: Mary Elizabeth Dean (202) 566-3289

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Lainoff.

In Legislation and Regulations Division for revision of notice of proposed rulemaking.

Agency Contact: Mary Elizabeth Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AC31

364. INCOME TAX--TO CLARIFY TREATMENT OF BASIS IN TRANSFERS OF FRANCHISES, TRADEMARKS, & TRADE NAMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1253 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would clarify the tax treatment of the transfer of a franchise trademark, or trade name under section 1253 of the Internal Revenue Code of 1954. It would also provide guidance regarding how to allocate the basis among the portions of the sale proceeds which are treated as arising from the sale of a capital asset and other portions which are ordinary income.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-183-81.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel attorney: Fairlea Sheehy.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3590

RIN: 1545-AC34

365. INCOME TAX--GAIN FROM DISPOSITION OF INTEREST IN OIL OR GAS PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1254 Internal Revenue Code of 1954; 26 USC 751 Internal Revenue Code of 1954; Tax Reform Act of 1976, Section 705; Tax Reform Act of 1976, Section 1901; Energy Tax Act of 1978, Section 402

CFR Citation: 26 CFR 1

Abstract: The regulations will determine the tax treatment of gain from the disposition of certain oil, gas, or geothermal property to determine how much of the gain from the disposition is subject to recapture under section 1254 and accorded ordinary income treatment. The regulations also will define intangible drilling and development costs, disposition, and oil, gas and geothermal property for purposes of section 1254.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/31/75	
NPRM	06/11/80	45 FR 39512
NPRM Comment Period Begin	06/11/80	45 FR 39512
NPRM Comment Period End	08/11/80	
Hearing	09/09/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-276-76.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

07/20/82 Treasury Decision to Treasury for briefing and comment.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AC35

366. INCOME TAX REGULATIONS--PART 1--TAX STRADDLE IDENTIFICATION RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1092(a) Internal Revenue Code of 1954; 26 USC 1092(c) Internal Revenue Code of 1954; 26 USC 1256 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide the identification rules for identified straddles, mixed straddles, and hedging transactions. Proper identification is required by the statute if the taxpayer wants to utilize the special rules for identified straddles, mixed straddles, and hedging transactions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-281-81

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Reinhold.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC24

367. REGULATIONS RELATING TO FOREIGN CURRENCY CONTRACTS UNDER SECTION 1256 OF THE INTERNAL REVENUE CODE

Legal Authority: 26 USC 7805; 26 USC 1256

CFR Citation: 26 CFR 1

Abstract: These regulations will describe what contracts are foreign currency contracts and are therefore included in the definition of regulated futures contracts in 26 USC 1256. It is necessary to know the proper description of these contracts to determine their proper tax treatment.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: LR-52-83.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: John Fischer (202) 566-3394.

TLC attorney: Suzanne McDowell (202) 566-2565.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AF50

368. ● INCOME TAX--TEMPORARY REGULATIONS UNDER SECTION 1274 AND 483 RELATING TO DEFERRED PAYMENTS UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 1274 Internal Revenue Code; 26 USC 483 Internal Revenue Code; 26 USC 7805 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance under section 1274 with respect to the determination of the issue price (for the purposes of the original issue discount rules) of a debt instrument issued for property when neither the debt instrument nor the property is publicly traded. The regulations would also provide guidance under code section 483 relating to the manner in which unstated interest accrues in the case of a contract for the sale or exchange of property where there is inadequate stated interest.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-158-84.

Drafting Attorney: Ewan Purkiss (202) 566-3238.

Reviewing Attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel reviewing attorney: Richard Reinhold/Jeff Quinn.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG59

369. ● ORIGINAL ISSUE DISCOUNT REPORTING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code 1954; 26 USC 1275 Internal Revenue Code 1954

CFR Citation: 26 CFR 1

Abstract: Section 1275 (c) (2) of the Internal Revenue Code of 1954 as amended by section 41 of the Deficit Reduction Act of 1984 requires the issuer of a publicly offered debt instrument having original issue discount to furnish the Secretary certain information with respect to such an issue. These temporary regulations require that an issuer of a publicly offered debt instrument issued at a discount furnish the Secretary with his or her name, address, and taxpayer identification number, the issue date, maturity date, and CUSIP number of the issue, the amount of original issue discount for the entire issue, the issue price (expressed as a percentage of the stated redemption price at maturity), the stated redemption price at maturity, the stated interest rate and dates of interest payments, and a description of the issue. The information will be used to update Publication 1212, a list of publicly offered original issue discount obligations to enable brokers and other middlemen to identify publicly traded OID obligations.

Timetable:

Action	Date	FR Cite
Final Action Effective	08/17/84	
Final Action	03/31/85	

Small Entity: Not Applicable

Additional Information: LR-125-84.

Drafting attorney: Theresa Bearman (202) 566-3294.

Reviewing attorney: Susan Baker (202) 566-3294.

Treasury attorney: Jeff Quinn (202) 566-2175.

Agency Contact: Theresa Bearman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3294**

RIN: 1545-AG50

370. INCOME TAX--TREATMENT OF OBLIGATIONS WHICH PURPORT TO REPRESENT DEBT AS A SECOND CLASS OF STOCK

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1361 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to shareholders and debt instrument holders who must comply with the law relating to subchapter S corporations. The regulations will provide rules relating to whether or not a subchapter S corporation has more than one class of stock.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-4-73.

Drafting attorney: Annie R. Alexander (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Sheehy.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC37

371. INCOME TAX--DEFINITION OF S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1361 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would address the following matters: (1) the number of permitted shareholders of a small business corporation (2) the types of trusts that are permitted to be shareholders of a small business corporation, (3) whether shares are permitted to be owned as a split interest and (4) the rules relating to corporations that are ineligible to be an S corporation.

Timetable:

Action	Date	FR Cite
NPRM	12/30/85	

Small Entity: Not Applicable

Additional Information: LR-262-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Draft of notice to Office of Tax Legislative Counsel, 07/84.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE86

372. AMENDMENT OF INCOME TAX REGULATIONS UNDER CODE SECTIONS 1362 AND 1363 RELATING TO THE ELECTION, REVOCATION, AND TERMINATION OF AN S CORPORATION

Legal Authority: 26 USC 7805; 26 USC 1362; 26 USC 1363

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidelines for electing, revoking and terminating S corporation status.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-260-82.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney:

In Legislation and Regulations Division for preparation of Notice of Proposed Rulemaking.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE26

373. INCOME TAX--PASS-THRU OF S CORPORATION ITEMS TO SHAREHOLDERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1366 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the tax treatment of income and loss items passed through to the shareholders.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-261-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE85

374. INCOME TAX--RULES RELATING TO ADJUSTMENT TO BASIS OF STOCK OF SHAREHOLDERS OF S CORPORATION AND TO DETERMINATION OF BASIS OF PROPERTY DISTRIBUTION BY CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1367 Internal Revenue Code of 1954; 26 USC 1368 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide rules for adjusting the basis of stock of a shareholder in an S corporation and rules for determining the treatment of property distributions by an S corporation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-264-82.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

In Legislation and Regulations Division for preparation of a notice of proposed rulemaking.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AE88

375. INCOME TAX--CERTAIN RULES RELATING TO SHAREHOLDERS OF SUBCHAPTER S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue code of 1954; 26 USC 1371 Internal Revenue Code of 1954; 26 USC 1372 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would address the following issues: (1) The number of permitted shareholders of a small business corporation, (2) The rules regarding stock held by a husband and wife, (3) The types of trusts that are permitted to be shareholders of a small business corporation, (4) Whether shares are permitted to be owned as a split interest, (5) The rules relating to the time period for making an election of status as a small business corporation and the manner for making such election, and (6) Rules relating to how a new shareholder may terminate a subchapter S election.

Timetable:

Action	Date	FR Cite
NPRM	04/17/80	45 FR 26092
NPRM Comment Period Begin	04/17/80	45 FR 26092
NPRM Comment Period End	06/13/80	
Hearing	10/08/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-277-76.

Drafting attorney: Robert Ginsburgh (202) 566-3297.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Sheehy.

Draft of Treasury Decision to Office of Tax Legislative Counsel, 10/26/82.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AC38

376. INCOME TAX--APPLICATION OF SUBCHAPTER C RULES TO S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1371 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal would amend the regulations under section 1371 to changes made by the subchapter S Revision Act of 1982 relating to the application of subchapter C rules to S corporations and other technical amendments under sections 2, 5, and 6 of the Act. The regulation would provide the public with guidance to comply with the Act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-265-82.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE90

377. INCOME TAX--TREATMENT OF S CORPORATION AS A PARTNERSHIP FOR CERTAIN PURPOSES OF THE INTERNAL REVENUE CODE OF 1954

Legal Authority: 26 USC 7805; 26 USC 1372; 26 USC 1373; 26 USC 613A; 26 USC 4996; 26 USC 48

CFR Citation: 26 CFR 1

Abstract: The regulation will provide guidance to taxpayers relating to the treatment of S corporation as partnership for purposes of certain provisions of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	

Small Entity: Not Applicable

Additional Information: LR-266-83.

Drafting attorney: David Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel Reviewing Attorney: Fairlea Sheehy.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE28

378. AMENDMENT OF INCOME TAX REGULATIONS UNDER SECTIONS 1374 AND 1375 RELATING TO THE IMPOSITION OF TAX ON CAPITAL GAINS AND PASSIVE INVESTMENT INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1374; 26 USC 1375

CFR Citation: 26 CFR 1

Abstract: The proposed regulations will provide rules relating to a tax on capital gains and excess passive income in the case of certain subchapter S corporations.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: LR-267-82.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Fairlea Sheehy.

Notice returned to Legislation and Regulations Division.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C., 202 566-3297

RIN: 1545-AE92

379. INCOME TAX--DEFINITIONS AND SPECIAL RULES PERTAINING TO S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1377 Internal Revenue Code of 1954; 26 USC 1378 Internal Revenue Code of 1954; 26 USC 1379 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would define and interpret the definitions and special rules contained in section 1377 through 1379 of the Internal Revenue Code of 1954, thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret those sections of the Code.

Timetable:

Action	Date	FR Cite
NPRM	02/01/85	

Small Entity: Not Applicable

Additional Information: LR-268-82.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE94

380. INCOME TAX--CERTAIN ELECTIONS UNDER THE SUBCHAPTER S REVISION ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1361 Internal Revenue Code of 1954; 26 USC 1362 Internal Revenue Code of 1954; 26 USC 1377 Internal Revenue Code of 1954; 26 USC 1378 Internal Revenue Code of 1954; 26 USC 1379 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations relate to the time and manner of making certain elections, consents, and refusals under the Subchapter S Revision Act of 1982 and to the taxable year which a corporation may select in order to make the election to be an S corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/26/83	48 FR 03637
NPRM Comment Period Begin	01/26/83	48 FR 03637
NPRM Comment Period End	03/28/83	
Final Action	12/30/85	

Small Entity: Not Applicable

Additional Information: LR-1-83.

Drafting attorney: Robert H. Ginsburgh (202) 566-3297.

Reviewing attorney: Walter Woo (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney: Sheehy.

Notice published, 01/26/83.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington D.C. 20224, **202 566-3297**

RIN: 1545-AF30

381. INCOME TAX--TO CLARIFY SECTION 1.1382-6 WITH REGARD TO INVENTORY POOLS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1382 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations would provide guidance to cooperatives with regard to inventory pools that remain open at the end of the taxable year.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-63-82.

Drafting attorney: Cynthia L. Clark (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Andy Pike.

Draft of notice to Office of Tax Legislative Counsel (Treasury) 07/09/82.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB32

382. INCOME TAX--DISTRIBUTIONS QUALIFYING AS PATRONAGE DIVIDENDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1382 Internal Revenue Code of 1954; 26 USC 1388 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for netting the income and losses of allocation units within the cooperative. In addition the regulations clarify the meaning of preexisting legal obligation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-268-79.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Pike.

Notice pending Treasury review.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AC39

383. INCOME TAX--PERSONAL SERVICES INCOME OF NONRESIDENT ALIEN INDIVIDUALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1441 Internal Revenue Code of 1954; 26 USC 1461 Internal Revenue Code of 1954; 26 USC 1462 Internal Revenue Code of 1954; 26 USC 3401 Internal Revenue Code of 1954; 26 USC 7605 Internal Revenue Code of 1954; 26 USC 7701 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 31; 26 CFR 301

Abstract: The regulations would provide for exemptions from withholding of tax from independent personal service income of nonresident alien individuals, clarify the obligations of withholding agents, and update the rules with respect to Forms 1042 and 1042S.

Timetable:

Action	Date	FR Cite
NPRM	11/14/83	48 FR 51788
NPRM Comment Period Begin	11/14/83	48 FR 51788
NPRM Comment Period End	01/13/84	
Final Action	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-165-78.

Drafting attorney: Mary Elizabeth Dean (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: Mary Elizabeth Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AC43

384. INCOME TAX--EXCISE TAX ON TRANSFERS OF PROPERTY TO FOREIGN PERSONS TO AVOID THE FEDERAL INCOME TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1491 Internal Revenue Code of 1954; 26 USC 1492 Internal Revenue Code of 1954; 26 USC 1494 Internal Revenue Code of 1954; 26 USC 1057 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would describe transfers by United States persons that are subject to the excise tax imposed by section 1491, would provide rules with respect to electing to treat the transfer as a taxable exchange, and would provide rules for establishing that tax avoidance was not a principal purpose of the transfer.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-236-76.

Drafting attorney: Unassigned.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Lainoff.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Charles C. Saverude, Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3323**

RIN: 1545-AC44

385. 26 CFR PART I--AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 1502 OF THE CODE TO REFLECT SECTION 224 OF TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 26 USC 338 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would make amendments to the Consolidated Return Regulations to conform them to section 338 of the Code, as added by section 224 of the Tax Equity and Fiscal Responsibility Act of 1982, as amended by section 306 of the Technical Corrections Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	12/03/84	

Small Entity: No

Additional Information: LR-80-83.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, **202 566-3458**

RIN: 1545-AF41

386. AMENDMENT OF CONSOLIDATED RETURNS REGULATIONS RELATING TO LIFE-LIFE CONSOLIDATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 26 USC 1504 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would deal with issues relating to life-life consolidations which were reserved by Treasury Decision 7877 for further study.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-66-83.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Mark Blumkin (202) 566-3463. .

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AF67

387. ● AMENDMENT OF SECTION 1.1502-14 TO MODIFY TREATMENT OF STOCK REDEMPTIONS AND NONDIVIDEND DISTRIBUTIONS IN EXCESS OF BASIS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The amendment will coordinate the consolidated return treatment of stock redemptions and nondividend distributions in excess of basis with changes made by the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Additional Information: LR-40-84.

Drafting attorney: Charles W. Culmer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Treasury attorney: Eric Elfman (202) 566-8527.

Agency Contact: Charles W. Culmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, North West, Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AG35

388. INCOME TAX--CONSOLIDATED RETURN/ACCUMULATED EARNINGS TAX-EARNINGS AND PROFITS WHEN A MEMBER IS A PERSONAL HOLDING COMPANY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal would provide rules relating to the application of the accumulated earnings tax to a group of corporations filing a consolidated income tax return when one or more members of the group is a personal holding company.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: LR-256-79.

Drafting attorney: Charles M. Whedbee (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Pending in Chief Counsel (Legislation and Regulations Division).

Agency Contact: Charles M. Whedbee, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC51

389. INCOME TAX--CREDIT & DEDUCTIONS ETC., FOR CONSOLIDATED RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would amend the consolidated returns regulations to clarify, among other things, the rules relating to net operating loss carrybacks of a member of an affiliated group filing consolidated returns to a year in which the member was not in existence, thereby giving the public needed guidance on what the rule is in that situation.

Timetable:

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30528
NPRM Comment Period Begin	07/31/84	49 FR 30528
NPRM Comment Period End	10/01/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: LR-97-79.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman

Final draft of notice of proposed rulemaking sent to Office of Tax Legislative Counsel, 8/9/82.

Agency Contact: Bennett C. Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C., **202 566-4336**

RIN: 1545-AC48

390. INCOME TAX--TO REFLECT AMENDMENTS OF CONSOLIDATED RETURN REGULATIONS TO REFLECT MERCHANT MARINE ACT OF 1970 CONCERNING MERCHANT MARINE & FISHERIES CAPITAL ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 11 USC 1177 Merchant Marine Act of 1936

CFR Citation: 26 CFR 3

Abstract: The proposal would provide rules for the income tax treatment, by corporations filing consolidated returns, with respect to capital construction funds for certain vessels.

Timetable:

Action	Date	FR Cite
NPRM	09/21/85	

Small Entity: No

Additional Information: LR-29-76.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Pike.

Notice pending Treasury review.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC52

391. INCOME TAX--ACCELERATED DEPRECIATION IN INVESTMENT ADJUSTMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would amend the consolidated returns investment adjustment rules to reflect the proper treatment of accelerated depreciation thereby giving the public needed guidance on what that proper treatment is.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-222-81.

Drafting attorney: Bennett C. Steinhauer (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

Draft of notice to Office of Chief Counsel (Corporation Tax Division) & Office of Tax Legislative Counsel (Treasury), 03/23/82.

Agency Contact: Bennett C. Steinhauer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AC47

392. INCOME TAX--AT RISK LIMITATIONS OF SECTION 465

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1502 Internal Revenue Code of 1954; 26 USC 465 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Provision would amend the consolidated returns regulations to provide rules applying the at-risk limitations of section 465 of the Internal Revenue Code of 1954 to affiliated groups filing consolidated returns, thereby giving the public needed guidance as to how these rules apply to such groups.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-75-79.

Drafting attorney: Keith Stanley (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Elfman.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Keith Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC55

393. INCOME TAX--INCLUDIBILITY IN AN AFFILIATED GROUP OF SUBSIDIARIES FORMED TO COMPLY WITH FOREIGN LAWS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1504 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to an election to treat a foreign subsidiary of a United States corporation as a domestic corporation if the subsidiary is formed in a contiguous country to comply with foreign law.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Not Applicable

Additional Information: LR-189-77.

Drafting attorney: Sandra E. Wallach (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Shay, Lainoff.

Notice pending Treasury review.

Agency Contact: Sandra E. Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3458**

RIN: 1545-AC58

394. INCOME TAX--TO REFLECT THE U.S. SUPREME COURT IN U.S. V. VOGEL FERTILIZER CO., HOLDING THAT EACH MEMBER OF STOCKGROUP MUST OWN STOCK IN EACH BROTHER-SISTER CORP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1563(a)(2) Internal Revenue Code of 1954; 26 USC 52

Internal Revenue Code of 1954; 26 USC 414(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations relating to the definition of a brother-sister controlled group of corporations are to be amended to conform to the Supreme Court decision in U.S. v. Vogel Fertilizer Company, which held that a person's stock ownership is not taken into account for purposes of the 80% ownership test unless that person owns stock in each brother-sister corporation.

Timetable:

Action	Date	FR Cite
NPRM	11/16/83	48 FR 52081
NPRM Comment Period Begin	11/16/83	48 FR 52081
NPRM Comment Period End	01/16/84	
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-35-82.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Rocap.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC59

395. ESTATE AND GIFT TAXES, INCOME TAXES-UNIFIED CREDIT IN LIEU OF EXEMPTIONS, UNIFIED RATE SCHEDULE FOR ESTATE AND GIFT TAXES SITUS OF FOREIGN PARTNERSHIPS FOR ESTATE TAXATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2001 Internal Revenue Code of 1954; 26 USC 2010 Internal Revenue Code of 1954; 26 USC 2011 Internal Revenue Code of 1954; 26 USC 2012(a) Internal Revenue Code of 1954; 26 USC 2012(c) Internal Revenue Code of 1954; 26 USC 2013(b) Internal Revenue Code of 1954; 26 USC 2013(e)(1) Internal Revenue Code of 1954; 26 USC 2014(b)(2) Internal Revenue Code of 1954; 26 USC 2035 Internal Revenue Code of 1954; 26 USC 2038(a) Internal Revenue Code of 1954; 26 USC 2044 Internal Revenue Code of 1954; 26 USC 2052 Internal Revenue Code of 1954; 26 USC 2104 Internal Revenue Code of 1954; 26 USC 2106 Internal Revenue Code of 1954; ...

CFR Citation: 26 CFR 20; 26 CFR 25; 26 CFR 1

Abstract: The unified rate schedule for estate and gift taxes and unified credit in lieu of exemptions will be implemented by the regulation. The regulations also relate to the estate tax consequences of transfers made within three years of death. In addition, the regulations clarify the situs test of foreign partnerships for purposes of the estate taxation of nonresident alien decedents.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-212-76.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Frederic E. Grundeman (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Woodward, Levinson.

Draft of notice returned to Office of Chief Counsel (Legislation Regulations Division) for revision, 10/07/81.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC60

396. ESTATE TAX--VALUATION OF CERTAIN FARM, ETC. REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2032A Internal Revenue Code of 1954; 26 USC 2013(f) Internal Revenue Code of 1954; 26 USC 1016(c) Internal Revenue Code of 1954; 26 USC 1040 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 1

Abstract: Special use valuation of certain farm and closely held business real property is available to qualifying estates. The regulation will contain definitions and rules relating to the various requirements which an estate must satisfy and will provide rules governing the imposition and payment of the "additional estate tax" should a qualified heir fail to meet the post-death requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/15/85	

Small Entity: Not Applicable

Additional Information: LR-209-81.

Drafting attorney: Fredric E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of the Tax Legislative Counsel (Treasury) reviewing attorneys: Garlock, Woodward.

Agency Contact: Fredric E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AC62

397. ESTATE & GIFT TAXES--INCLUSION OF STOCK IN ESTATE WHERE DECEDENT RETAINED VOTING RIGHTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2036(a) Internal Revenue Code of 1954

CFR Citation: 26 CFR 20

Abstract: These regulations will provide the extent to which the retention of voting rights by a transferor of stock will require that the value of that stock be included in the transferor's gross estate.

Timetable:

Action	Date	FR Cite
NPRM	08/03/83	48 FR 35143
NPRM Comment Period Begin	08/03/83	48 FR 35143
NPRM Comment Period End	11/03/83	
Final Action	02/00/85	

Small Entity: Not Applicable

Additional Information: LR-181-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Garlock, Woodward.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC63

398. ESTATE AND GIFT TAXES--INCREASE IN LIMITATIONS ON MARITAL DEDUCTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2012 Internal Revenue Code of 1954; 26 USC 2014 Internal Revenue Code of 1954; 26 USC 2055 Internal Revenue Code of 1954; 26 USC 2056 Internal Revenue Code of 1954; 26 USC 2207A Internal Revenue Code of 1954; 26 USC 2519 Internal Revenue Code of 1954; 26 USC 2523 Internal Revenue Code of 1954; 26 USC 6019 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 25

Abstract: These regulations will clarify the estate and gift tax treatment of transfers of property between spouses. They will provide how an executor may elect to treat certain property as qualified terminable interest property, in which case the imposition of transfer taxes will be delayed until the latter of (1) the surviving spouse's disposition of an interest in the property or (2) the surviving spouse's death.

Timetable:

Action	Date	FR Cite
NPRM	05/21/84	49 FR 21350
NPRM Comment Period Begin	05/21/84	49 FR 21350
NPRM Comment Period End	07/20/84	
Final Action	06/00/85	

Small Entity: Not Applicable

Additional Information: LR-211-76.

Drafting attorney: Robert B. Coplan (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thuronyi.

Agency Contact: Robert B. Coplan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC67

399. ● ASSUMPTION OF ESTATE TAX LIABILITY BY ESOP'S

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2210 Internal Revenue Code of 1954; 26 USC 2002 Internal Revenue Code of 1954; 26 USC 6018 (c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Allows estate tax liability for employer securities to be assumed by ESOP's rather than by the executor. To qualify, a qualified amount of employer securities must be acquired by the ESOP from "or on behalf of" the decedent. In addition, the executor must elect, in writing, to assume the attributable estate tax liability on behalf of the ESOP. The ESOP then becomes liable for the estate tax.

Timetable:

Action	Date	FR Cite
NPRM	08/31/85	

Small Entity: Not Applicable

Additional Information: EE-74-84.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AG38

400. GIFT TAX--TRANSITIONAL RULE FOR THE INCREASED ANNUAL GIFT TAX EXCLUSION AND THE UNLIMITED EXCLUSION FOR CERTAIN TRANSFERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2503 Internal Revenue Code of 1954

CFR Citation: 26 CFR 25

Abstract: This regulation will provide a transitional rule that the increased annual gift tax exclusion does not apply to powers of appointment granted under certain trusts created before September 12, 1981. In addition, unlimited exclusions will be permitted for correct payments by donor for certain qualifying medical expenses not reimbursed by insurance and for educational expenses paid on behalf of an individual directly to a qualifying educational institution.

Timetable:

Action	Date	FR Cite
NPRM	01/06/84	49 FR 896
NPRM Comment Period Begin	01/06/84	
NPRM Comment Period End	03/06/84	
Final Action	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-211-81.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AC69

401. GIFT TAX--CERTAIN TRANSFERS TREATED AS QUALIFIED DISCLAIMERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2518(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 25

Abstract: The regulations will provide that certain transfers will be qualified disclaimers for purposes of section 2518 (a).

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-212-81.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AC70

402. ESTATE & GIFT TAXES--DISCLAIMERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2518 Internal Revenue Code of 1954; 26 USC 2045 Internal

Revenue Code of 1954; 26 USC 2041(a)(2) Internal Revenue Code of 1954; 26 USC 2055(a) Internal Revenue Code of 1954; 26 USC 2056 Internal Revenue Code of 1954; 26 USC 2504 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 25

Abstract: This project will give guidance on the requirement under section 2518 on how to make a qualified disclaimer of a gift or inheritance. If it is qualified, it will not be treated as a gift.

Timetable:

Action	Date	FR Cite
Hearing	11/18/80	
NPRM	07/22/82	45 FR 48922
Final Action	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-213-76.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Garlock.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AC71

403. ESTATE & GIFT TAX--GENERATION-SKIPPING TRANSFERS TAX RETURN REQUIREMENT, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2621 Internal Revenue Code of 1954; 26 USC 2601 to 2614 Internal Revenue Code of 1954

CFR Citation: 26 CFR 26

Abstract: This project will establish the forms to be used in reporting a generation-skipping transfer and also will establish the date on which the return must be filed and the tax paid. It will also interpret the definitions and special rules and illustrate how to compute the tax.

Timetable:

Action	Date	FR Cite
NPRM	08/05/80	45 FR 51771
Hearing	11/05/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-234-79.

Drafting attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: David Garlock, Bob Woodward.

Agency Contact: Robert H. Waltuch, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC74

404. EMPL. TAX--SOCIAL SECURITY TAX ON EMPLOYERS OF INDIVIDUALS WHO RECEIVE INCOME FROM TIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121(t) Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulations would provide guidance for determining the amount of wages on which an employer of a tipped employee must pay social security tax if the employer pays the employee less than the minimum wage.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-35-78.

Drafting attorney: Beverly Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jewett.

Notice pending Department of the Treasury review.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3297**

RIN: 1545-AC76

405. EMPLOYMENT TAX--TO REQUIRE WITHHOLDING OF SOCIAL SECURITY AND RAILROAD RETIREMENT TAX FROM CERTAIN PAYMENTS OF SICK PAY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954; 26 USC 3231 Internal Revenue Code of 1954; PL 97-123, Sec 3

CFR Citation: 26 CFR 31

Abstract: The regulations will provide guidance to third parties paying sick pay which is subject to social security or railroad retirement tax, employees receiving the sick pay, and employers of the employees.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/82	
NPRM	07/06/82	47 FR 29266
NPRM Comment Period Begin	07/06/82	
NPRM Comment Period End	09/06/82	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-23-82.

Drafting attorney: Pamela Olson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Hevener.

01/04/83 Final regulations sent to Office of Tax Legislative Counsel for review.

Agency Contact: Pamela F. Olson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3459**

RIN: 1545-AC77

406. AMENDMENT OF THE EMPLOYMENT TAX REGULATIONS UNDER CODE SECTION 3121(E) TO CONFORM TO SECTION 321 OF THE SOCIAL SECURITY AMENDMENTS OF 1983

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3121 Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulation would provide guidance to taxpayers with respect to agreements entered into under section 3121 (e) of the Internal Revenue Code of 1954 as that Section was amended by section 321 of the Social Security Amendments of 1983.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	

Small Entity: Not Applicable

Additional Information: LR-192-83.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, 202 566-3297

RIN: 1545-AF91

407. TREATMENT OF CERTAIN DEFERRED COMPENSATION AND SALARY REDUCTION ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6302(c)

CFR Citation: 26 CFR 31

Abstract: Proposal would provide rules concerning the treatment of certain deferred compensation and salary reduction arrangements under section 3121 (v) and section 3306 (r) of the Internal Revenue Code of 1954, thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret those sections of the code.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-195-83.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney:

In Legislation and Regulations Division for preparation of Notice of Proposed Rulemaking.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, 202 566-3297

RIN: 1545-AF97

408. EMPLOYMENT TAX--WITHHOLDING FROM PENSIONS, ANNUITIES, AND OTHER DEFERRED INCOME

Legal Authority: 26 USC 7805; 26 USC 3405; 26 USC 6047(e)

CFR Citation: 26 CFR 35

Abstract: Proposed regulations would clarify and amend the temporary regulations relating to withholding from pensions, annuities, and other deferred income.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-115-82.

Drafting attorney: Patricia K. Keesler (202) 566-3903.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: Roberto E. Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AE98

409. TO PROVIDE REGULATIONS RELATING TO BACKUP WITHHOLDING UNDER SECTION 3406

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3406 Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulations will provide that a tax equal to 20 percent of any reportable payment is required to be withheld if certain conditions exist. With respect to reportable interest or dividends, backup withholding applies if (1) no number is provided in the manner required, (2) the Service notifies the payor that the payee's taxpayer identification number is not correct, (3) the payee is subject to backup withholding due to a notified payee underreporting, and (4) the payee fails to certify when required that he or she is not subject to backup withholding due to notified payee underreporting. With respect to other reportable payments (such as rents, royalties, nonemployee compensation, broker transactions, or barter exchanges), backup withholding applies if (1) no taxpayer identification number is provided, or (2) the Service notifies the payor that the payee's taxpayer identification number is not correct.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/84	
NPRM Comment Period Begin	11/01/84	
Final Action	00/00/00	
Begin Review	00/00/00	
End Review	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-224-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John Coulter, Jr. (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Richard D'Avino.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AE20

410. TO PROVIDE TEMPORARY REGULATIONS RELATING TO BACKUP WITHHOLDING WHERE THE SERVICE NOTIFIES PAYOR TO WITHHOLD DUE TO AN INCORRECT TAXPAYER IDENTIFICATION NUMBER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3406 Internal Revenue Code of 1954

CFR Citation: 26 CFR 35a

Abstract: These regulations will prescribe when withholding is required when the Internal Revenue Service notifies the payor of an incorrect taxpayer identification number. The regulations will also describe that no withholding is required if the payee, within 30 days of the Service's notification, certifies under penalties of perjury that the name and taxpayer identification number are correct. If no certification is received within 30 days, backup withholding applies until such certification is received.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/01/84	

Small Entity: Not Applicable

Additional Information: LR-7-84.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John Coulter, Jr. (202) 566-4473.

TLC attorney: Rick D'Avino.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3459

RIN: 1545-AF90

411. TREATMENT OF REAL ESTATE AGENTS AND DIRECT SELLERS AS NONEMPLOYEES FOR EMPLOYMENT TAX PURPOSES--REPORTING REQUIREMENTS WITH RESPECT TO DIRECT SELLERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3508 Internal Revenue Code of 1954; 26 USC 3509 Internal Revenue Code of 1954; 26 USC 6041A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would provide rules for the treatment of real estate agents and direct sellers as independent contractors for employment tax purposes. The proposed rules would also provide guidance for the reporting requirements of sales to direct sellers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-214-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

Office of Legislative Counsel reviewing attorney: Chris Vaughn.

Draft of notice in Treasury pending review, 1/15/84.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE62

412. EXCISE TAX--APPLICABLE TO ARTICLES SOLD ON AND AFTER 1964

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4042 Internal Revenue Code of 1954; 26 USC 4054 Internal Revenue Code of 1954; 26 USC 4058 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations would revise and update the existing regulations regarding manufacturers and retailers excise taxes on special fuels to reflect statutory changes made to section 4041 since 1964. The regulations would provide guidance to the public to comply with the laws.

Timetable:

Action	Date	FR Cite
NPRM	10/22/80	45 FR 69933
NPRM Comment Period Begin	10/22/80	45 FR 69933
NPRM Comment Period End	12/22/80	
Hearing	04/08/81	
Final Action	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-211B.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-4336

RIN: 1545-AC85

413. EXCISE TAX--RETAILERS EXCISE TAXES ON MOTOR VEHICLES

Legal Authority: 26 USC 4052 Internal Revenue Code of 1954; 26 USC 4051 Internal Revenue Code of 1954; 26 USC 4053 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations will provide guidance as to what kinds of vehicles are taxable and how the tax is computed.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: LR-30-83.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Perlis.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AF61

414. TEMPORARY REGULATION EXCISE TAXES ON HEAVY TRUCKS, TRUCK TRAILERS AND SEMITRAILERS, AND TRACTORS SOLD AT RETAIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4051 Internal Revenue Code of 1954; 26 USC 4052 Internal Revenue Code of 1954; 26 USC 4053 Internal Revenue Code of 1954

CFR Citation: 26 CFR 145

Abstract: The regulations will provide guidance to dealers in paying tax on the sale of heavy trucks, trailers, and tractors.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-142-83.

Drafting attorney: Neil Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mark Perlis.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, NW, Washington, DC 20224, 202 566-3287

RIN: 1545-AF79

415. EXCISE TAX--MANUFACTURERS EXCISE TAXES ON MOTOR VEHICLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4061 Internal Revenue Code of 1954; 26 USC 4063 Internal Revenue Code of 1954; 26 USC 4062 Internal Revenue Code of 1954

CFR Citation: 20 CFR 48; 20 CFR 142; 20 CFR 146

Abstract: The regulations will update and revise the existing regulations concerning Manufacturers and Retailers excise taxes on motor vehicles. The regulations substantially complete the task of updating the regulations under sections 4061 through 4063 of the Internal Revenue Code of 1954 to reflect statutory changes made to these sections since 1964.

Timetable:

Action	Date	FR Cite
NPRM	12/30/82	47 FR 58297
NPRM Comment Period Begin	12/30/82	47 FR 58297
NPRM Comment Period End	02/28/83	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-2119.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

In Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC86

416. EXCISE TAX--GAS GUZZLER TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4064 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations would define the terms sale, manufacturer, automobile, model year, model type, fuel economy and fuel. The regulations would outline the procedures to be followed by a small manufacturer seeking an alternate rate schedule.

Timetable:

Action	Date	FR Cite
NPRM	02/08/80	45 FR 08669
NPRM Comment Period Begin	02/08/80	45 FR 08669
NPRM Comment Period End	04/08/80	
Hearing	06/19/80	
Final Action	12/30/85	

Small Entity: Not Applicable

Additional Information: LR-205-78.

Drafting attorney: Robert Ginsburgh (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

T.D. pending Department of the Treasury review.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC87

417. MANUFACTURERS & RETAILERS EXCISE TAX--EXCISE TAX REFUND IN CASES OF CERTAIN USES OF TREAD RUBBER & ADJUSTMENTS PURSUANT TO WARRANTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4071(a)(1) Internal Revenue Code of 1954; 26 USC 4071(a)(2) Internal Revenue Code of 1954; 26 USC 4071(d)(1) Internal Revenue Code of 1954; 26 USC 4071(f) Internal Revenue Code of 1954; 26 USC 6416(b)(1) Internal Revenue Code of 1954; 26 USC 6416(b)(2)(G) Internal Revenue Code of 1954; 26 USC 6416(b)(3) Internal Revenue Code of 1954; 26 USC 6511(i) Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations will provide new regulations concerning excise tax refunds and credits in the case of certain uses of tread rubber and adjustments pursuant to warranty.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-28-81.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Pike, Levinson.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AC88

418. MANUFACTURERS & RETAILERS EXCISE TAX--RELATING TO RECAPPED OR RETREADED TIRES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4071 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: This project was opened to possibly amend the regulations so as to eliminate the distinction between shoulder to shoulder retread tires and bead to bead retread tires.

Timetable:

Action	Date	FR Cite
NPRM	02/08/84	49 FR 4790
NPRM Comment Period Begin	02/08/84	49 FR 4790
NPRM Comment Period End	03/09/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-180-81.

Drafting attorney: Jane Wilson (202) 566-4069.

Reviewing attorney: Neal E. Sheldon (202) 566-3936.

In Office of Chief Counsel (Interpretative Division) for preparation of notice.

Agency Contact: Jane Wilson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4069**

RIN: 1545-AC89

419. MANUFACTURERS AND RETAILERS EXCISE TAXES-TAXES ON FUELS, TIRES AND GASOLINE

Legal Authority: 26 USC 4071 Internal Revenue Code of 1954; 26 USC 4041 Internal

Revenue Code of 1954; 26 USC 4081 Internal Revenue Code of 1954; 26 USC 6420 Internal Revenue Code of 1954; 26 USC 6427 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: The regulations will provide guidance concerning the rates of tax on certain fuels and gasohol. In addition, the regulations will provide guidance concerning the tax on tires.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: Not Applicable

Additional Information: LR-119-83.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing Attorney: Robert Waltuch (202) 566-3287.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3287**

RIN: 1545-AF58

420. HEAVY VEHICLE USE TAX AND TAX ON DIESEL FUEL

Legal Authority: 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4481 Internal Revenue Code of 1954; 26 USC 4482 Internal Revenue Code of 1954; 26 USC 4483 Internal Revenue Code of 1954; 26 USC 6427 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 41; 26 CFR 48

Abstract: These regulations will impose a graduated use tax on heavy vehicles which use public highways. Heavy vehicles which use public highways for less than 5,000 miles (less than 7,500 miles in the case of agricultural vehicles) will be exempt. This tax will be effective July 1, 1984. There will be a one-year reduced rate available for truck fleets of 5 of less. The regulations will also impose an increase in the tax on diesel fuel to 15 cents a gallon and provide a one time credit or refund to original purchasers of lightweight diesel-powered highway vehicles. The increased diesel fuel tax is effective August 1, 1984.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-31-83.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Treasury attorney: Mark Perlis (202) 566-4206.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-4336**

RIN: 1545-AF62

421. EXCISE TAX--ENVIRONMENTAL TAXES--IMPOSITION OF TAXES ON PETROLEUM AND CERTAIN CHEMICALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4611 Internal Revenue Code of 1954; 26 USC 4612 Internal Revenue Code of 1954; 26 USC 4661 Internal Revenue Code of 1954; 26 USC 4662 Internal Revenue Code of 1954

CFR Citation: 26 CFR 52

Abstract: The regulations will provide rules for the computation of the environmental excise taxes on petroleum and certain chemicals. The regulations will also define such terms as entry and taxable chemicals and will explain how to get an exemption from tax for certain chemicals used to make fertilizer.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48839
NPRM Comment Period Begin	10/21/83	48 FR 50775
NPRM Comment Period End	01/20/84	
Hearing	02/16/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-16-81.

Drafting attorney: Cynthia L. Clark (202) 566-4336.

Reviewing attorney: Larry E. Smith (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Yecies, Levinson.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3288**

RIN: 1545-AC91

422. EXCISE TAX--ENVIRONMENTAL TAXES--IMPOSITION OF TAX ON HAZARDOUS WASTES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4681 Internal Revenue Code of 1954; 26 USC 4682 Internal Revenue Code of 1954

CFR Citation: 26 CFR 52

Abstract: The regulations will explain the imposition of the hazardous waste tax on the receipt of hazardous waste at a qualified hazardous waste disposal facility.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-341-81.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AC92

423. EXCISE TAX--TAX ON ISSUER OF REGISTRATION-REQUIRED OBLIGATION NOT IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4701 Internal Revenue Code of 1954

CFR Citation: 26 CFR 46

Abstract: This regulation will provide that registration-required obligations issued in non-registered form will have an excise tax imposed on the issuer.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-9-83.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Steven Lainoff.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AF31

424. INCOME TAX--LOBBYING BY PUBLIC CHARITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 501(h) Internal Revenue Code of 1954; 26 USC 504 Internal Revenue Code of 1954; 26 USC 4911 Internal Revenue Code of 1954; 26 USC 170(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 56

Abstract: The regulations will provide rules primarily applicable to tax exempt organizations described in section 501(c)(3) that elect to have the provisions of section 501(h) and 4911 apply to their lobbying expenditures.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-154-78.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: Paul G. Accettura (202) 566-3544.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Furer.

Revised preliminary draft of notice to Office of Tax Legislative Counsel (Treasury), 03/05/82 and to Regulations

Revised preliminary draft being prepared 8/16/84.

Agency Contact: George Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AE02

425. ● FOUNDATION EXCISE TAX-EXCESS BUSINESS HOLDINGS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4943 Internal Revenue Code of 1954; PL 91-172, Sec 101 Tax Reform Act of 1969; PL 98-369, Sec 307 Tax Reform Act of 1984; PL 98-369, Sec 308; PL 98-369, Sec 309; PL 98-369, Sec 310; PL 98-369, Sec 314

CFR Citation: 26 CFR 53.4943-1

Abstract: Amendments to conform regulations to provisions enacted by the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-65-84.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney

In Office of the Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of notice.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AG49

426. FOUNDATION EXCISE TAX--PROCEDURE AND ADMINISTRATION--REVISION OF SECOND TIER EXCISE TAX PROVISIONS, ETC. UNDER CHAPTERS 42 AND 43

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4941 Internal Revenue Code of 1954; 26 USC 4942 Internal Revenue Code of 1954; 26 USC 4943 Internal Revenue Code of 1954; 26 USC 4944 Internal Revenue Code of 1954; 26 USC 4945 Internal Revenue Code of 1954; 26 USC 4951 Internal Revenue Code of 1954; 26 USC 4952 Internal Revenue Code of 1954; 26 USC 4971 Internal Revenue Code of 1954; 26 USC 4975 Internal Revenue Code of 1954; 26 USC 4961 Internal Revenue Code of 1954; 26 USC 4962 Internal Revenue Code of 1954

CFR Citation: 26 CFR 53; 26 CFR 301; 26 CFR 1; 26 CFR 54; 26 CFR 141

Abstract: This regulation provides rules related to second tier excise taxes as defined in section 4962. The regulations provide guidance to private foundations, black lung benefit trusts, pension trusts, and disqualified persons with respect to them, who may become liable for second tier excise taxes.

Timetable:

Action	Date	FR Cite
NPRM	02/13/84	49 FR 5350
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: EE-16-81.

Drafting attorney: George Baker (202) 566-3422.

Reviewing attorney: James Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jewett.

Agency Contact: George Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AE09

427. ● INCOME TAX--EXCISE TAX--PROCEDURE AND ADMINISTRATION--VARIOUS PRIVATE FOUNDATION PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4962 Internal Revenue Code of 1954; 26 USC 507(d)(2)(c) Internal Revenue Code of 1954; 26 USC 4940(d) Internal Revenue Code of 1954; 26 USC 4940(e) Internal Revenue Code of 1954; 26 USC 4942 (a)(2) Internal Revenue Code of 1954; 26 USC 4942(f)(1) Internal Revenue Code of 1954; 26 USC 4942(g)(4) Internal Revenue Code of 1954; 26 USC 4945(d)(1) Internal Revenue Code of 1954; 26 USC 4945(d)(4) Internal Revenue Code of 1954; 26 USC 4946(d) Internal Revenue Code of 1954; 26 USC 6104(d) Internal Revenue Code of 1954; 26 USC 6603(n)(3) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 301

Abstract: These regulations will amend existing rules to reflect changes made by the Tax Reform Act of 1984 relating to the excise taxes on private foundations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-76-84.

Drafting attorney: George B. Baker (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Department of the Treasury attorney: Harry Conaway (202) 566-4902.

Agency Contact: George B. Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AG18

428. ● TAX WITH RESPECT TO CERTAIN FUNDED WELFARE BENEFIT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4976 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations will provide rules relating to the tax imposed upon certain funded welfare benefit plans which provide "disqualified benefits".

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: Not Applicable

Additional Information: EE-67-84.

Drafting Attorney: John T. Ricotta/John C. Khil (202) 566-3544 or 566-6212.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta/John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.w., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AG12

429. EXCISE TAX--DEFINITION OF NEWLY DISCOVERED OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4997 Internal Revenue Code of 1954; 26 USC 4991 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The regulations would provide guidance on the requirements for the qualification of crude oil as newly discovered oil, as well as a definition of production in "commercial quantities" that affects the net income limitation on windfall profit and the exemption for Alaskan oil.

Timetable:

Action	Date	FR Cite
NPRM	11/05/82	47 FR 50306
NPRM Comment Period Begin	11/05/82	47 FR 50306
NPRM Comment Period End	01/04/83	
Final Action	06/28/85	

Small Entity: Not Applicable

Additional Information: LR-224-81.

Drafting attorney: Robert Ginsburgh (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

T.D. pending Department of the Treasury Review.

Agency Contact: Robert H. Ginsburgh, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC96

430. EXCISE TAX--WITH RESPECT TO THE DEFINITION OF TAXABLE CRUDE OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4991 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These regulations would provide rules relating to the definitions of crude oil, condensate, and tar sand for purposes of the windfall profit tax. These definitions are important because only crude oil is subject to the windfall profit tax.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-226-81.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD00

431. EXCISE TAX--ISSUES ARISING WHERE MULTIPLE PARTIES SHARE IN PRODUCTION, INCLUDING UNITIZATIONS, PARTNERSHIPS, TRUSTS AND ESTATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4986 to 4998 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These regulations would provide rules relating to production from a unitized property of imputed stripper well crude oil, imputed heavy crude oil, and imputed newly discovered crude oil for purposes of the windfall profit tax. The regulations would provide rules for determining the amount of imputed oil and rules for allocating the imputed oil among the producers of the unitized property.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-225-81.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

In Legislation and Regulations Division for preparation of a notice of proposed rulemaking.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC94

432. EXCISE TAX--INDEPENDENT PRODUCER OIL ALLOCATIONS WITHIN A RELATED GROUP UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4992(e) Internal Revenue Code of 1954; 26 USC 4997 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The regulations would define the members of a related group. Such members must share the 1000 barrel independent producer allocation which is entitled to a lower rate of windfall profit tax.

Timetable:

Action	Date	FR Cite
NPRM	01/13/84	49 FR 1748
NPRM Comment Period Begin	01/14/84	49 FR 1748
NPRM Comment Period End	03/13/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-66-80.

Drafting attorney: Beverly Baughman (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD03

433. EXCISE TAX--INCREMENTAL TERTIARY OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4993 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The regulations would clarify the rules relating to incremental tertiary oil. The regulations provide procedural rules for requesting approval from the Service of tertiary recovery methods which are not already approved under Department of Energy regulations. The regulations also define "project beginning date" and "tertiary injectant".

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-67-80.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Notice at Treasury pending signature, 11/7/83.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD04

434. EXCISE TAX--EXEMPTIONS FOR QUALIFIED GOVERNMENTAL INTERESTS, QUALIFIED CHARITABLE INTERESTS (INCLUDING RESIDENTIAL CHILD CARE AGENCIES), INDIAN OIL, ALASKAN ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4994 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The proposed regulations will provide rules and definitions relating to various exemptions from the windfall profit tax.

Timetable:

Action	Date	FR Cite
NPRM	04/30/85	

Small Entity: Not Applicable

Additional Information: LR-69-80.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Final draft of Notice of proposed rulemaking at Treasury for formal approval.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD05

435. EXCISE TAX--EXEMPT FRONT-END OIL UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4994(c) Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These regulations would provide rules relating to the treatment of front-end tertiary oil under the crude oil windfall profit tax. The proposed regulations explain the exemption from the windfall profit tax for domestic crude oil that is removed from the premises before October 1, 1981, and that is treated as front-end oil and used to finance a front-end tertiary project on one or more properties each of which is a qualified property.

Timetable:

Action	Date	FR Cite
NPRM	12/05/80	45 FR 80551
NPRM Comment Period Begin	12/05/80	45 FR 80551
NPRM Comment Period End	02/04/81	
Hearing	02/24/81	45 FR 80554
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-68-80.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax

Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

T.D. pending Treasury review.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD06

436. EXCISE TAX--OIL FROM A STRIPPER WELL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4991 Internal Revenue Code of 1954; 26 USC 4992 Internal Revenue Code of 1954; 26 USC 4994 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: The proposed regulations provide rules and definitions relating to oil from a stripper well property for purposes of tier 2 oil and exempt stripper well oil.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2552
NPRM Comment Period Begin	01/20/83	48 FR 2552

Action	Date	FR Cite
NPRM Comment Period End	03/20/83	
Final Action	09/30/84	

Small Entity: Not Applicable

Additional Information: LR-217-81.

Drafting attorney: John Schmalz (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

Final draft at Treasury for formal approval.

Agency Contact: John Schmalz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. NW, Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD01

437. EXCISE TAX--DEFINITION OF OIL REMOVED FROM THE PREMISES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954; 26 USC 4997 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: This regulation would provide for exceptions to the general rule that crude oil is removed from the premises when it is physically transported off the premises. The exceptions are for certain uses of the crude oil on the premises, transportation to contiguous tracts and to storage tanks.

Timetable:

Action	Date	FR Cite
NPRM	01/14/83	48 FR 1762
NPRM Comment Period Begin	01/14/83	48 FR 1762
NPRM Comment Period End	03/15/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-227-81.

Drafting attorney: Beverly Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

01/14/83 Notice of Proposed Rulemaking published.

Hearing held 06-28-83.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3297**

RIN: 1545-AC95

438. EXCISE TAX--DEFINITION OF PROPERTY UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These proposed regulations would provide rules relating to the definition of "property" for purposes of the crude oil windfall profit tax. These regulations are important because the rate of tax depends, in part, on the characteristics of the property from which the crude oil is produced.

Timetable:

Action	Date	FR Cite
NPRM	11/10/82	47 FR 50924
NPRM Comment Period Begin	11/10/82	47 FR 50924
NPRM Comment Period End	01/09/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-34-82.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Schuldinger.

11/10/82 Notice of proposed rulemaking published.

Hearing held, 03/01/83.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD08

439. EXCISE TAX--AMENDMENT OF SEC 51.4996-1(B) WITH RESPECT TO THE TREATMENT OF NET PROFITS INTERESTS FOR WINDFALL PROFITS TAX PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4996 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: These proposed regulations would provide rules for determining the portion of crude oil removed from the premises attributable to the holder of a net profits interest.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-38-82.

Drafting attorney: Douglas W. Charnas (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

In Legislation and Regulations Division for preparation of a notice of proposed rulemaking.

Agency Contact: Douglas W. Charnas, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD09

440. RETURNS REQUIRED ON MAGNETIC MEDIA

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6011 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would require certain returns to be filed on magnetic media. Prior to enactment of section 319 of the Tax Equity and Fiscal Responsibility Act of 1982, there was no statutory or regulatory requirement that any particular return be filed on magnetic media or in other machine-readable form. The regulations would provide standards for determining which returns would be required to be filed on magnetic medias.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: LR-289-82.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell.

Office of Tax Legislative Counsel reviewing attorney: Mark Perlis.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF12

441. FORM OF INDIVIDUAL TAX RETURN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6012 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules for an individual taxpayer for determining the appropriate return to file, for utilizing a substitute form and for attaining assistance from the Internal Revenue Service for computing the tax liability from the partially completed return.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-300-82.

Drafting attorney: Howard Balikov (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3288.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of the notice.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, 202 566-3288

RIN: 1545-AF24

442. TO PROVIDE REGULATIONS RELATING TO NEW EXCEPTION TO ESTIMATED TAX PENALTY WHERE INDIVIDUAL HAS NO TAX LIABILITY FOR PRECEDING TAXABLE YEAR

Legal Authority: 26 USC 7805; 26 USC 6015; 26 USC 6654

CFR Citation: 26 CFR 1

Abstract: The regulation will clarify the new exception to the individual estimated tax in the case of an individual who had no tax liability for the preceding taxable year. Rules also eliminate the requirement that individuals file a declaration of estimated tax.

Timetable:

Action	Date	FR Cite
NPRM	02/01/85	

Small Entity: Not Applicable

Additional Information: LR-226-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr., (202) 566-4473.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3294

RIN: 1545-AE71

443. CONFORM REGULATIONS UNDER SECTIONS 6015, 6154, 6654 AND 6655 TO SECTION 201(J) OF THE TECHNICAL CORRECTIONS ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6015 Internal Revenue Code of 1954; 26 USC 6154 Internal Revenue Code of 1954; 26 USC 6654 Internal Revenue Code of 1954; 26 USC 6655 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This project would amend the regulations under sections 6015, 6154, 6654, and 6655 to reflect section 201(j) of the Technical Corrections Act of 1982 which adds to the definition of estimated tax an allowance for overpayment of the windfall profit tax in section 4986.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: LR-54-83.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF66

444. INCOME TAX-AMENDMENTS TO REQUIREMENTS FOR RETURN OF PARTNERSHIP INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6031 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidelines for determining when and what information a partnership must provide to its partners. The regulations also provide guidelines for determining what foreign partnerships must file information returns.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-198-82.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Meryl Silver.

Draft of notice to Tax Legislative Counsel (Treasury) 5/27/83.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE40

445. INCOME TAX--PROCEDURE & ADMINISTRATION--RETURN AND REPORTING REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6033 Internal Revenue Code of 1954; 26 USC 6034 Internal Revenue Code of 1954; 26 USC 6104 Internal Revenue Code of 1954; 26 USC 6652 Internal Revenue Code of 1954; 26 USC 6685 Internal Revenue Code of 1954; 26 USC 7207 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 301

Abstract: The regulations simplify the private foundation return and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-35-81.

Drafting attorney: James J. McGovern (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jewett.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AE14

446. INCOME TAX-TO AMEND REGULATIONS UNDER INTERNAL REVENUE CODE SECTIONS 6035 AND 6679 RELATING TO RETURNS OF FOREIGN PERSONAL HOLDING COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6035 Internal Revenue Code of 1954; 26 USC 6679 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would amend the regulations under Internal Revenue Code sections 6035 and 6679 to conform to changes made by section 340 of the Tax Equity and Fiscal Responsibility Act of 1982. Those changes simplified the information reporting requirements imposed upon officers, directors and some shareholders of foreign personal holding companies, and added a new thousand-dollar penalty for failure to comply.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-200-82.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Lainoff.

In Legislation and Regulations Division for preparation of notice of proposed rulemaking.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AE29

447. INCOME TAX--INFORMATION RETURNS REQUIRED OF CERTAIN FOREIGN-OWNED CORPORATIONS; FOREIGN CORPORATION REPORTING REQUIREMENTS AND PENALTIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6038 Internal Revenue Code of 1954; 26 USC 6038A Internal Revenue Code of 1954; PL 97-248, Sec 338; PL 97-248, Sec 339

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that certain foreign-owned corporations which transact business with other related corporations must furnish information about those transactions and the transacting corporations. The purpose of the reporting requirement is to verify that income is being reported accurately. The regulations would also amend existing penalty provisions for failure to supply information relating to certain foreign corporations, to conform those provisions to new statutory penalties imposed under the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	12/19/83	48 FR 56076
NPRM Comment Period Begin	12/19/83	48 FR 56076
NPRM Comment Period End	02/17/84	
Public Hearing Held	03/29/84	49 FR 8261
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-201-82.

Drafting attorney: David J. Dean (202) 566-3289.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Agency Contact: David J. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AE43

448. RETURN OF INFORMATION AS TO PAYMENTS OF $600 OR MORE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6041 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation relates to the written statements that trustees and executors furnish to the Internal Revenue Service. The amendment to the regulation would provide that such information returns need not be furnished to the beneficiaries of the trusts or estates.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-117-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John Coulter, Jr. (202) 566-4473.

Tax Legislative Counsel reviewing attorney: Richard Reinhold (202) 566-2926.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AF37

449. INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations in this project clarify the definition of the term "commodity" for purposes of broker reporting. Rules are provided for determining whether personal property (including gold and silver) is a commodity. Generally, the term "commodity" is defined as personal property that is deliverable in satisfaction of a regulated futures

contract, certain specified personal property that the secretary determines is to be treated as a commodity or any form or quality of or any interest in such personal property. The term "commodity" does not include a security, regulated futures contract, forward contract, or a form of tangible personal property if the gross proceeds from its sale exceed by more than 15 percent its value as a commodity. The rules proposed include alternative methods (the "exact" and "approximate" methods) of tangible personal property valuation.

Timetable:

Action	Date	FR Cite
NPRM	01/05/84	49 FR 646
NPRM Comment Period Begin	01/05/84	49 FR 646
NPRM Comment Period End	03/05/84	
Final Action	01/31/85	

Small Entity: No

Additional Information: LR-201-83.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3238.

Treasury attorney: Richard D'Avino (202) 566-4518.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3238**

RIN: 1545-AG02

450. ● FURNISHING STATEMENTS REQUIRED WITH RESPECT TO CERTAIN SUBSTITUTE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations were designed in order to alleviate certain situations in which multiple deductions or exclusions were being claimed with respect to a single payment made with respect to a single security. These situations developed because of shortcomings in the broker reporting system. These regulations provide that a broker must furnish statements to its customers with respect to certain substitute payments received by the broker on behalf of its customer. These regulations also provide that brokers must make returns of information respecting any customer to which such broker is required to furnish a statement.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-133-84.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Linda Carlisle (202) 566-4902.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG15

451. ● FURNISHING STATEMENTS REQUIRED WITH RESPECT TO CERTAIN SUBSTITUTE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1(T)

Abstract: These regulations were designed in order to alleviate certain situations in which deductions and exclusions were being claimed more than once with respect to payments made on the same securities. These situations developed because of shortcomings in the reporting system. These regulations provide that a broker must furnish statements to its customers with respect to certain substitute payments received by the broker on behalf of its customer. These regulations also provide that brokers must make returns of information respecting any customer to which such broker is required to furnish a statement.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/84	

Small Entity: Not Applicable

Additional Information: LR-115-84.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Linda Carlisle (202) 566-4902.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG17

452. ● INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 6045 Internal Revenue Code

CFR Citation: 26 CFR 1

Abstract: The regulations provide a special rule for broker reporting with respect to transactions made through a cash on delivery account (COD). In addition, these regulations make technical corrections to the list of recipients exempted from coverage under the reporting requirement, and expand the class of brokers which qualify for the multiple broker rule.

Timetable:

Action	Date	FR Cite
NPRM	05/29/84	49 FR 22343
NPRM Comment Period Begin	05/29/84	49 FR 22343
NPRM Comment Period End	07/30/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-62-84.

Drafting attorneys: Bruce H. Jurist, (202) 566-3238;C. Scott McLeod, (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3288.

Treasury attorney: Richard D'Avino (202) 566-4518.

Agency Contact: Bruce H. Jurist/C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, (202) 566-3238, **202 566-3288**

RIN: 1545-AG52

453. INCOME TAX--REGULATIONS RELATING TO RETURNS AS TO INTERESTS IN FOREIGN PARTNERSHIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6046A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would give guidance for determining which United States persons who acquire, dispose of or change their interests in foreign partnerships must report their activities. Additionally, guidance would be given as to how, when and where such persons must report and what information they must supply.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-203-82.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Meryl Silver.

In Legislation and Regulations Division for preparation of Notice of Proposed Rulemaking.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE47

454. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 6049(B) (2)(D) OF THE INTERNAL REVENUE CODE OF 1954 TO CLARIFY WHEN INTEREST IS PAID OUTSIDE THE UNITED STATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6049(b)

CFR Citation: 26 CFR 1

Abstract: This regulation clarifies when interest is considered paid outside the United States for purposes of the interest reporting requirements of section 6049 of the Internal Revenue Code of 1954 providing the public with the guidance necessary to comply with the law.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	

Small Entity: Not Applicable

Additional Information: LR-193-83.

Initiating attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel attorney: Mary Kade Wold (202) 566-5791.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Yerachmiel E. Weinstein, Attorney--Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, NW, Washington, DC 20224, 202 566-3289

RIN: 1545-AF89

455. REPORTING OF STATE AND LOCAL INCOME TAX REFUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050E Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance to persons who make payments of refunds of State or local income taxes, or who allow credits or offsets with respect to such taxes, for purposes of reporting these amounts to the Service. The regulations would also prescribe rules for providing statements to the taxpayers receiving the refund or for whom the credit or offset is allowed.

Timetable:

Action	Date	FR Cite
NPRM	09/15/83	48 FR 41436
NPRM Comment Period Begin	09/15/83	48 FR 41436
NPRM Comment Period End	11/14/83	
Final Action	11/15/84	

Small Entity: Not Applicable

Additional Information: LR-233-82.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John Parcell (202)566-3336.

Office of Tax Legislative Counsel reviewing attorney: Reinhold.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, 202 566-3238

RIN: 1545-AE76

456. NOTICE OF PROPOSED RULEMAKING-INFORMATION RETURNS WITH RESPECT TO SUBSIDIZED ENERGY FINANCING OR GRANTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050D Internal Revenue Code of 1954

CFR Citation: 26 CFR 6b

Abstract: The regulations would provide rules to be followed by persons who administer a Federal, State, or local program a principal purpose of which is to provide subsidized energy financing (as defined in section 446 (c) (10)) or grant for project to conserve or produce energy.

Timetable:

Action	Date	FR Cite
NPRM	08/02/84	49 FR 30971
NPRM Comment Period Begin	08/02/84	49 FR 30971
NPRM Comment Period End	10/01/84	
Final Action	05/00/85	

Small Entity: No

Additional Information: LR-23-84.

Drafting attorney: Annie R. Alexander (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Annie R. Alexander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. NW, Washington, DC 20224, 202 566-3297

RIN: 1545-AG01

457. ● TEMPORARY REGULATION RELATING TO REPORTING OF FORECLOSURES AND ABANDONMENTS OF SECURITY UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050J Internal Revenue Code of 1954

CFR Citation: 26 CFR IT

Abstract: The regulations will provide rules relating to information reporting of foreclosures, abandonments and other acquisitions of property securing indebtedness, including the persons and property subject to the reporting requirements and the information required to be reported, and when a person has reason to know that property has been abandoned.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
Final Action	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-120-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG43

458. ● NOTICE OF PROPOSED RULEMAKING RELATING TO REPORTING OF FORECLOSURES AND ABANDONMENTS OF SECURITY UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050J Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations proposed rules relating to information reporting of foreclosures, abandonments, and other acquisitions of property securing indebtedness, including the persons and property subject to the reporting requirement and the information required to be reported, and when a person has reason to know that property has been abandoned.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
Final Action	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-181-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG48

459. ● NOTICE OF PROPOSED RULEMAKING RELATING TO REPORTING OF TRANSFERS OF SECURITY TO A PERSON OTHER THAN THE LENDER UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050J Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations propose rules relating to information reporting of transfers of security to persons other than the lender.

Timetable:

Action	Date	FR Cite
NPRM	08/00/84	
Final Action	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-182-84.

Drafting attorney: Annette J. Guarisco (202) 566-3238.

Reviewing attorney: Alice M. Bennett (202) 566-3238.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Annette J. Guarisco, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG51

460. PUBLIC INSPECTION OF EXEMPT ORGANIZATION RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6104(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations set forth limitations on the information that will be disclosed to the public by the Internal Revenue Service with respect to the returns filed by certain exempt organizations.

Timetable:

Action	Date	FR Cite
NPRM	03/04/83	48 FR 9306
NPRM Comment Period Begin	03/04/83	48 FR 9306
NPRM Comment Period End	05/03/83	
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: EE-111-80.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jewett.

1/13/84 Comments on Treasury Decision received from Office of Tax Legislative Counsel (Treasury). In Office of Chief Counsel

T.D. signed by Commissioner 8/11/84.

T.D. forwarded to Treasury for signature 8/14/84.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE16

461. ● PROPOSED REGULATIONS UNDER SECTIONS 6111 AND 6709, RELATING TO TAX SHELTER REGISTRATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: This project will provide rules explaining what investments are tax shelters that must be registered with the Internal Revenue Service. The project will also provide rules relating to the persons required to register tax shelters and to the furnishing of tax shelter registration numbers to investors in tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	49 FR 32728
NPRM Comment Period Begin	08/15/84	49 FR 32728

Action	Date	FR Cite
NPRM Comment Period End	10/15/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-142-84.

Drafting attorney: Cynthia Clark (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4518.

Agency Contact: Cynthia Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3288**

RIN: 1545-AG45

---

462. ● REQUIREMENT TO MAINTAIN LISTS OF INVESTORS IN POTENTIALLY ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6112 Internal Revenue Code of 1954; 26 USC 6708 Internal Revenue COde of 1954

CFR Citation: 26 CFR 301

Abstract: The temporary regulations will provide guidance to organizers of and sellers of interests in potentially abusive tax shelters relating to the requirement to maintain lists identifying persons who acquire interests in those tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	

Small Entity: Not Applicable

Additional Information: LR-148-84.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3238**

RIN: 1545-AG55

---

463. ● REQUIREMENT TO MAINTAIN LISTS OF INVESTORS IN POTENTIALLY ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6112 Internal Revenue Code of 1954; 26 USC 6708 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations will provide guidance to organizers of and sellers of interests in potentially abusive tax shelters relating to the requirement to maintain lists identifying persons who acquire interests in those tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	

Small Entity: Not Applicable

Additional Information: LR-149-84.

Drafting attorney: Alice Bennett (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Alice Bennett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3238**

RIN: 1545-AG58

---

464. ESTATE TAX--PROCEDURE AND ADMINISTRATION--DEFERRAL AND INSTALLMENT PAYMENT OF ESTATE TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6166 Internal Revenue Code of 1954; 26 USC 6161 Internal Revenue Code of 1954; 26 USC 6151 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 301

Abstract: The regulations will provide guidance to executors wishing to extend the time for payment of estate tax where the estate contains an interest in a closely held business. The regulations will provide rules in determining what qualifies as an interest in a closely held business. In addition, the regulations will explain when the installment privileges allowed by section 6166 will be terminated.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-210-76.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislation Counsel (Treasury) reviewing attorneys: Thuronyi, Woodward.

In Treasury for review.

Agency Contact: Neil Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AD23

---

465. MISCELLANEOUS RULES RELATING TO CONSOLIDATED ADMINISTRATIVE AND JUDICIAL PROCEEDINGS TO DETERMINE THE TAX TREATMENT OF PARTNERSHIP ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6222 Internal Revenue Code of 1954; 26 USC 6223 Internal Revenue Code of 1954; 26 USC 6224 Internal Revenue Code of 1954; 26 USC 6227 Internal Revenue Code of 1954; 26 USC 6230 Internal Revenue Code of 1954; 26 USC 6231 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposed regulations would set forth miscellaneous procedural rules for consolidated administrative and judicial proceedings to determine the tax treatment of partnership items. The regulations would provide guidance for various elections under these new procedures and for filing requests for an administrative adjustment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-205-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Draft of notice in Treasury pending review, 10/1/83.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE51

466. DESIGNATION OF TAX MATTERS PARTNER FOR PURPOSES OF DETERMINING THE TAX TREATMENT OF PARTNERSHIP ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6231(a)(7) Internal Revenue Code of 1954; 26 USC 6230(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 5f

Abstract: Proposed regulations would set forth procedural rules for designating and revoking the designation of the "tax matters partner" for purposes of the new partnership-level audit procedures.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-206-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike.

Draft of notice in Treasury pending review.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE53

467. DEFINITION OF "PARTNERSHIP ITEM"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6231(a)(3) Internal Revenue Code of 1954; 26 USC 6230(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would define the term "partnership item" for purposes of new rules for determining the tax treatment of partnership items at the partnership level.

Timetable:

Action	Date	FR Cite
NPRM	01/14/83	48 FR 01759
NPRM Comment Period Begin	01/14/83	48 FR 01759
NPRM Comment Period End	03/15/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-186-82.

Drafting Attorney: Donald W. Stevenson (202) 566-3297.

Reviewing Attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike.

Draft of Treasury decision at Treasury pending review.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3297

RIN: 1545-AF09

468. EXTENSION OF RULES FOR PARTNERSHIP-LEVEL DETERMINATION OF PARTNERSHIP ITEMS TO THE WINDFALL PROFIT TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6232 Internal Revenue Code of 1954

CFR Citation: 26 CFR 51

Abstract: Temporary regulations set forth rules for extension of the partnership audit rules and procedures under sections 6221-6231 of the Internal Revenue Code to the windfall profit tax.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/01/84	

Small Entity: Not Applicable

Additional Information: LR-220-83.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Office of Tax Legislative Counsel reviewing attorney: Andrew Pike.

In Legislation and Regulations Division for preparation of Treasury Decision.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, DC 20224, 202 566-3297

RIN: 1545-AF88

469. ● PROPOSED REGULATIONS OF SECTION 6232, RELATING TO THE APPLICABILITY OF PARTNERSHIP AUDIT RULES TO THE WINDFALL PROFIT TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6232 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations will provide rules relating to the extension of the partnership audit rules under Code sections is 6221-6231 to the Windfall Profit Tax. These regulations provide rules under which the partnership may act on behalf of all partners in the assessment and determination of the Windfall Profit Tax.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Additional Information: LR---84.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Moshe Schuldinger (202) 566-2929.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG54

470. DETERMINATION OF THE TAX TREATMENT OF SUBCHAPTER S ITEMS AT THE CORPORATE LEVEL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6241 Internal Revenue Code of 1954; 26 USC 6242 Internal Revenue Code of 1954; 26 USC 6243 Internal Revenue Code of 1954; 26 USC 6244 Internal Revenue Code of 1954; 26 USC 6245 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposed regulations would provide new rules for determining the

tax treatment of any subchapter S item at the corporate level. Regulations would provide rules similar to rules for determining the tax treatment of partnership items. The regulations would define the term "subchapter S item."

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-269-82.

Drafting attorney: Donald W. Stevenson (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Legislative Counsel reviewing attorney: Mark Kuller.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Donald W. Stevenson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3297**

RIN: 1545-AE96

471. PROCEDURE AND ADMINISTRATION--RELEASE OF LIENS, NOTICE BEFORE LEVY, PROPERTY EXEMPT FROM LEVY REDEMPTION OF LEVIED REAL PROPERTY AND AMOUNT OF DAMAGES IN CASE OF WRONGFUL LEVY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6325 Internal Revenue Code of 1954; 26 USC 6331 Internal Revenue Code of 1954; 26 USC 6334 Internal Revenue Code of 1954; 26 USC 6337 Internal Revenue Code of 1954; 26 USC 7426 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulation will provide guidance in obtaining the issuance of a certificate of release of a notice of Federal tax lien. The regulation will revise existing regulations relating to the size of the exemption from levy available for certain property. The proposed regulation also increases the size of post-sale redemption period currently specified in the regulations. The proposed regulations also provide rules notice and procedures to service employees administering the Code for providing notice of intention to levy upon the property of a delinquent taxpayer. The proposed regulations increase the amount of damages allowed where property has been levied wrongfully.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	

Small Entity: Not Applicable

Additional Information: LR-253-82.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Robert Waltuch (202) 566-3287.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, DC 20224, **202 566-3287**

RIN: 1545-AE82

472. INCOME TAX--TENTATIVE REFUND OF TAX UNDER CLAIM OF RIGHT ADJUSTMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6411 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The proposal provides rules with respect to a tentative refund of income tax when a taxpayer has a claim of right adjustment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-45-79.

Drafting attorney: Biruta Kelly (202) 566-2456.

Reviewing attorney: Bruce Segal (202) 566-3224.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Hutton, Levinson.

In Office of Chief Counsel (Interpretative Division) for preparation of notice.

Agency Contact: Biruta Kelly, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3456**

RIN: 1545-AD30

473. EXCISE TAX--SPORTING GOODS AND FIREARMS & ADMINISTRATION PROVISIONS OF SPECIAL APPLICATION TO MANUFACTURERS & RETAILERS EXCISE TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6001 to 6427 Internal Revenue Code of 1954; 26 USC 4161 Internal Revenue Code of 1954; 26 USC 4181 Internal Revenue Code of 1954; 26 USC 4182 Internal Revenue Code of 1954

CFR Citation: 26 CFR 48

Abstract: This regulation will contain amendments which would revise and update the regulations concerning manufacturers excise taxes on sporting goods and firearms and other administrative provisions especially applicable to manufacturers and retailers excise taxes.

Timetable:

Action	Date	FR Cite
NPRM	01/05/83	48 FR 00442
NPRM Comment Period Begin	01/05/83	
NPRM Comment Period End	05/05/83	
Final Action	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-2115.

Drafting attorney: Ada S. Rousso (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing Attorneys: Hutton, Levinson.

Notice published 01/05/83

Agency Contact: Ada Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AD12

474. ● REGULATIONS ON PROCEDURE AND ADMIN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6602 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations will provide taxpayers with guidance for determining the period of time during which interest accrues on the amount of tax refunded erroneously to the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-59-84.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG42

475. MODIFICATION OF INTEREST PAYMENTS FOR CERTAIN PERIODS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6611 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide rules for determining the period during which interest accrues on an underpayment or an overpayment of tax as provided in sections 6601 and 6611 of the Internal Revenue Code of 1954. The period would be determined, in part, by the dates the return and the claim for refund are filed and by whether they were filed in a way that they can be processed.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Not Applicable

Additional Information: LR-280-82.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of the notice.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3288**

RIN: 1545-AF10

476. INCOME TAX--PENALTIES FOR FAILURE TO MAKE RETURNS OR FURNISH STATEMENTS (AS AMENDED BY SEC. 1123 OF SUBTITLE C OF TITLE II--OMNIBUS RECONCILIATION ACT OF 1980)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6652 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide for the imposition of penalties on persons failing to make a return or to furnish a statement under section 6039C relating to returns with respect to United States real property interests.

Timetable:

Action	Date	FR Cite
NPRM	01/06/83	48 FR 675
NPRM Comment Period Begin	01/06/83	48 FR 675
NPRM Comment Period End	03/07/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-153-81.

Drafting attorney: Mary E. Dean (202) 566-3289.

Reviewing attorney: Charles S. Saverude (202) 566-3323

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Lainoff.

01/06/83 Notice of Proposed Rulemaking published.

Agency Contact: Mary E. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AD35

477. TO PROVIDE REGULATIONS RELATING TO ACCELERATED PAYMENT OF ESTIMATED TAXES BY CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6655 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Rules will provide for acceleration of estimated payments by corporations, new seasonal income exception, and clarify the annualization rules. The amount of estimated tax payments required for all corporations is increased from 80 to 90 percent of current year's tax liability.

Timetable:

Action	Date	FR Cite
NPRM	03/26/84	49 FR 11186
Hearing held	06/26/84	
Final Action	02/01/85	
Effective		

Small Entity: Not Applicable

Additional Information: LR-228-82.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John M. Coulter, Jr., (202) 566-4473.

Office of Tax Legislative Counsel reviewing attorney: Sheehy.

Draft forwarded to Tax Legislative Counsel's Office on 1/19/84.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3294**

RIN: 1545-AE37

478. PROCEDURE & ADMINISTRATION--ADDITION TO TAX IN THE CASE OF VALUATION OVERSTATEMENTS, & INCREASE IN THE NEGLIGENCE PENALTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6659 Internal Revenue Code of 1954; 26 USC 6653 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301; 26 CFR 1

Abstract: The regulations would provide rules and definitions with respect to the addition to tax in the case of valuation overstatements, including rules for computing the portion of an underpayment that is attributable to a valuation overstatement. The regulations would also provide rules with respect to the increase in the negligence and fraud penalties.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-272-81.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: D'Avino.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3288

RIN: 1545-AD39

479. INCOME TAX--ADDITION TO TAX FOR A SUBSTANTIAL UNDERSTATEMENT OF LIABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6661 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the computation of the addition to tax, the avoidance of the addition to tax, and for the waiver of such amounts. In connection with avoiding the addition to tax, the regulations would provide guidance on the meanings of substantial authority, adequate disclosure, the more likely than not standard, and the term "tax shelter".

Timetable:

Action	Date	FR Cite
NPRM	03/15/83	48 FR 10862
NPRM Comment Period Begin	03/15/83	48 FR 10862
NPRM Comment Period End	05/16/83	
Hearing	07/12/83	48 FR 24736
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-277-82.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John Parcell (202)566-3336.

Office of Tax Legislative Counsel reviewing attorney: Richard Reinhold.

In Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3238

RIN: 1545-AF05

480. PENALTY FOR PROMOTING ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6700 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would provide rules and definitions relating to the penalty for promoting abusive tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	12/15/84	

Small Entity: Not Applicable

Additional Information: LR-273-82.

Drafting attorneys: Alice Bennett (202) 566-3238 and Scott McLeod (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Perlis.

Agency Contact: Alice Bennett or Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, 202 566-3288

RIN: 1545-AE99

481. PENALTY FOR AIDING AND ABETTING IN THE UNDERSTATEMENT OF TAX LIABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6701 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: Proposal will provide rules with respect to the penalty imposed on a person who aids and abets in the understatement of a third party's tax liability. The proposal also provides the standards which will subject one to the penalty.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: LR-274-82.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: Alice M. Bennett (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Mark Perlis.

In Treasury for comment.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AF01

482. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 6815(D) DEALING WITH CERTIFICATES OF COMPLIANCE WITH THE INCOME TAX LAWS ISSUED TO ALIENS DEPARTING THE UNITED STATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2815(d)

CFR Citation: 26 CFR 1

Abstract: This regulation will clarify which classes of aliens departing the United States are required to obtain certificates of compliance with the income tax laws, providing the public with the guidance needed to comply with the law.

Timetable:

Action	Date	FR Cite
NPRM	06/01/85	

Small Entity: Not Applicable

Additional Information: LR-2-84.

Initiating attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing attorney: Carol T. Doran (202) 566-3289.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Yerachmiel E. Weinstein, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, NW, Washington, DC 20224, 202 566-3289

RIN: 1545-AF80

483. INCOME TAX--PRESUMPTION OF JEOPARDY IN THE CASE OF ILLEGAL ACTIVITY CASH

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6867 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance for applying the presumptions that an amount of cash in excess of ten thousand dollars without an acknowledged owner (1) represents gross income to a single individual, (2) is taxable at a rate of fifty percent, and (3) that collection of the tax is in jeopardy for the purposes of sections 6851 and 6861.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-309-82.

Drafting attorney: Cynthia Clark (202) 566-3288.

Reviewing Attorney: John Parcell (202) 566-3336.

In Legislation and Regulations Division for preparation of notice.

Agency Contact: Cynthia Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AE30

484. PROCEDURE AND ADMINISTRATION--AMENDMENT OF REGULATIONS RELATING TO THE TIMELY MAILING OF RETURNS, TAXES AND DEPOSITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7502 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would amend existing regulations, relating to the timely mailing of documents, to provide for the timely mailing of returns, taxes and deposits.

Timetable:

Action	Date	FR Cite
NPRM	12/11/79	44 FR 71430
NPRM Comment Period Begin	12/11/79	44 FR 71430
NPRM Comment Period End	02/11/80	
Action	Date	FR Cite
Final Action	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-1406.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: John Parcell (202) 566-3336.

Office of Tax Legislative Counsel (Treasury) Reviewing attorney: Mark Kuller.

In the Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington DC 20224, **202 566-3238**

RIN: 1545-AD42

485. ADMINISTRATIVE SUMMONSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7609 Internal Revenue Code of 1954; 26 USC 7610 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: An administrative summons is used by the Internal Revenue Service to obtain taxpayer records in the hands of a third party recordkeeper, such as a bank. Sections 331, 332, and 333 of the Tax Equity and Fiscal Responsibility Act of 1982 amended sections 7602 and 7609 of the Internal Revenue Code of 1954 relating to administrative summonses. The amendments alter the circumstances under which an administrative summons may be issued and also alter the rights and obligations of the subject taxpayer and third-party recordkeeper. This regulation project will provide guidance relating to these new administrative summons procedures.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	

Small Entity: Not Applicable

Additional Information: LR-10-83.

Drafting attorney: Bruce H. Jurist (202) 566-3238.

Reviewing attorney: Alice Bennett (202) 566-3238.

Treasury attorney: Richard D'Avino (202) 566-4518.

Agency Contact: Bruce H. Jurist, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3238**

RIN: 1545-AF33

486. ● PROCEDURE AND ADMINISTRATION--RESTRICTIONS ON CHURCH TAX INQUIRIES AND EXAMINATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7611 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301; 26 CFR 1

Abstract: This regulation will clarify IRS procedures concerning church tax inquiries and examinations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-64-84.

Drafting Attorney: Monice Rosenbaum (202) 566-3422.

Reviewing Attorney: Paul G. Accettura (202) 566-3544.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AG61

487. ● AMENDMENTS OF THE REGULATIONS ON PROCEDURE AND ADMINISTRATION UNDER SECTION 7701 RELATING TO CLASSIFICATION OF CERTAIN INVESTMENT ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: These regulations relate to the classification for federal tax purposes of investment arrangements allowing multiple classes of ownership. They make clear that the existing rules on "fixed investment trust" do not apply to such investment arrangements. An arrangement is a "fixed investment trust" only if it has one class of ownership.

Timetable:

Action	Date	FR Cite
NPRM	05/02/84	49 FR 18741
NPRM Comment Period Begin	05/02/84	49 FR 18741
NPRM Comment Period End	07/02/84	
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-68-84.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Andrew E. Furer (202) 566-8278.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, Northwest, Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AG20

488. PROCEDURE AND ADMINISTRATION PART 602 - TO PROVIDE REGULATIONS RELATING TO THE DISPLAY OF CONTROL NUMBER ASSIGNED BY OMB

Priority: Undetermined

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 602

Abstract: This project will provide a table of control numbers assigned to IRS regulations by OMB.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Not Applicable

Additional Information: LR-170-83.

Drafting attorney: Susan Thompson Baker (202) 566-3294.

Reviewing attorney: Charles Whedbee (202) 566-3458.

Tax Legislative Counsel attorney: Victor Thuronyi (202) 566-4902.

Agency Contact: Susan Baker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AF94

489. ● TEMPORARY REGULATIONS ON EFFECTIVE DATES AND OTHER QUESTIONS ARISING UNDER THE EMPLOYEE BENEFIT PROVISIONS OF THE TAX REFORM ACT OF 1984

Legal Authority: PL 98-369, Sec 511 to 561

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to effective dates and other questions arising under the employee benefits provisions of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	

Small Entity: Not Applicable

Additional Information: EE-63-84.

Drafting Attorney: John T. Ricotta/John C. Khil (202) 566-3544 or (202) 566-6212.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-4902.

Agency Contact: John T. Ricotta/John C. Khil, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AG41

490. INDIAN TRIBAL GOVERNMENTS TREATED AS STATES FOR CERTAIN PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7701 Internal Revenue Code of 1954; 26 USC 7871 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would provide guidance to certain Indian tribal governments as to their treatment as States under designated sections of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	05/07/84	49 FR 19329
Final Action	01/00/85	

Small Entity: Not Applicable

Additional Information: LR-221-83.

Drafting attorney: Linda M. Kroening.

Reviewing attorney: Cynthia L. Clark.

Office of Tax Legislative Counsel: Mark Perlis.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3288**

RIN: 1545-AF77

491. ● TEMPORARY INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984, RELATING TO BELOW-MARKET INTEREST RATE LOANS.

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7872 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1T

Abstract: These regulations provide guidance to taxpayers who enter into certain below-market interest rate loan transactions. The regulations will explain what type of transactions are treated as loans and what type of loans are subject to the provisions of section 7872. If the loan is subject to the provisions of section 7872, the below-market loan will be recharacterized as an arms-length market interest rate loan coupled with a payment by the lender to the borrower in an amount equal to the inputed interest. The regulations provide rules for determining the amount and character of the inputed transfers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Additional Information: LR-123-84.

Drafting attorney: Howard A. Balikov (202) 566-3288.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Fairlea Sheehy (202) 566-4902.

Agency Contact: Howard A. Balikov, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG39

492. INCOME TAX--MARITIME CAPITAL CONSTRUCTION FUND

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 46 USC 1177 Merchant Marine Act of 1936

CFR Citation: 26 CFR 3

Abstract: The proposal would provide rules for the income tax treatment with respect to capital construction funds for certain vessels.

Timetable:

Action	Date	FR Cite
NPRM	01/29/76	41 FR 04280
NPRM Comment Period Begin	01/29/76	41 FR 04280
NPRM Comment Period End	03/29/76	
Hearing	07/07/76	
Final Action	01/01/85	

Small Entity: Not Applicable

Additional Information: LR-149-75.

Drafting attorney: Andrew B. Pullman (202) 566-3458.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of Treasury Decision.

Agency Contact: Andrew B. Pullman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3458**

RIN: 1545-AD46

493. STATEMENT OF PROCEDURAL RULES--AMENDMENTS TO STATEMENT OF PROCEDURAL RULES--1981-1

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Abstract: Semi-annual update of the Statement of Procedural Rules.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	

Small Entity: Not Applicable

Additional Information: LR-154-81.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W, Washington D.C. 20224, **202 566-4336**

RIN: 1545-AD55

494. AMENDMENTS TO THE STATEMENT OF PROCEDURAL RULES 1982-2

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 26 CFR 601

Abstract: Amendments to the statement of procedural rules will update or make corrections in these regulations and will also reflect changes in the procedures of the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-79-83.

Drafting attorney: Michel A. Daze (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

In Legislation and Regulations Division for preparation of document.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, **202 566-3458**

RIN: 1545-AF40

495. STATEMENT OF PROCEDURAL RULES--SPECIAL AMENDMENT

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Abstract: These regulations will conform the Statement of Procedural Rules with Department of Treasury regulations increasing the fees to be charged for search and duplication services in implementing the Freedom of Information Act.

Timetable:

Action	Date	FR Cite
Final Action	01/00/85	

Small Entity: No

Additional Information: LR-108-83.

Drafting attorney: Sandra Wallach (202) 566-3458.

Reviewing attorney: Charles Whedbee (202) 566-3458.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation.

Agency Contact: Sandra Wallach, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, **202 566-3458**

RIN: 1545-AF68

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Completed Actions

COMPLETED RULEMAKINGS

496. INCOME TAX--RULES RELATING TO TITLE 11 CASES FOR INDIVIDUALS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1398 Internal Revenue Code of 1954; 26 USC 1399 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to individuals (not partnerships or corporations) filing bankruptcy cases under title 11. The regulations would contain rules for both the bankrupt individual and the estate created when the individual files for bankruptcy.

Timetable:

Action	Date	FR Cite
Closed without Regulation	04/12/84	

Small Entity: Not Applicable

Additional Information: LR-48-81.

Drafting attorney: Carolyn Swift (202) 566-3458.

Reviewing attorney: Paul A. Francis (202) 566-3920.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Cunningham, Levinson.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Paul A. Francis, Technical Assistant to the Director, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AC41

497. EMPLOYMENT TAX--PENALTIES FOR FALSE INFORMATION WITH RESPECT TO WITHHOLDING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6682 Internal Revenue Code of 1954; 26 USC 7205 Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulations will relate to the civil penalty for false information with respect to withholding of income tax at source or interest, dividends, patronage dividends, and wages. The regulations will provide that the penalty will be imposed if an individual makes a false statement which results in reduced withholding and for which there was no reasonable basis.

Timetable:

Action	Date	FR Cite
NPRM	09/01/82	47 FR 38552
NPRM Comment Period Begin	09/01/82	47 FR 38552
NPRM Comment Period End	10/31/82	
Final Action T.D. 7963	07/16/84	49 FR 28706

Small Entity: Not Applicable

Additional Information: LR-194-81.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: Barry L. Wold (202) 566-3294

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: McCarty, Levinson.

Notice of proposed rulemaking published September 1, 1982.

In Legislation and Regulations Division for preparation of Treasury decision.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-3459

RIN: 1545-AD40

498. INCOME TAX--INCREASE IN CHILD CARE CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 44A Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation conforms the income tax regulations to the statutory increase in the credit allowed for expenses for household and dependent care services necessary for gainful employment, conforms the income tax regulations to the statutory increase in the amount of income deemed to be earned by the taxpayer's spouse, and defines dependent care centers.

Timetable:

Action	Date	FR Cite
NPRM	09/08/83	48 FR 40528
NPRM Comment Period Begin	09/08/83	48 FR 40528
NPRM Comment Period End	11/07/83	
Final Action T.D. 7951	04/27/84	49 FR 18090

Small Entity: Not Applicable

Additional Information: LR-214-81.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury decision published.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA02

499. INCOME TAX--PARTIAL EXCLUSION OF INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 128 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules under section 128 for the partial exclusion (a maximum of $450 for single returns and $900 for joint returns) of interest that will be effective for tax years beginning in 1985.

Timetable:

Action	Date	FR Cite
Closed without Regulations	08/00/84	

Small Entity: Not Applicable

Additional Information: LR-234-81.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel reviewing attorneys: Woodward, Levinson.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, 202 566-4336

RIN: 1545-AA75

500. INCOME TAX--AMORTIZATION OF LOW-INCOME HOUSING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 167(k) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules relating to the maximum amount of rehabilitation expenditures which are properly amortizable over 60 months. The regulations would interpret the provisions of section 264 of the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/81	
NPRM	07/15/82	47 FR 30796
NPRM Comment Period Begin	07/15/82	47 FR 30796
NPRM Comment Period End	09/13/82	
Final Action T.D. 7945	02/24/84	49 FR 6891

Small Entity: Not Applicable

Additional Information: LR-195-81.

Drafting attorney: George T. Magnatta (202) 566-3294.

Reviewing attorney: John P. MacMaster (202) 566-3294.

Office of Tax Legislative Counsel reviewing attorney: Jewett.

Treasury Decision signed by Commissioner February 10, 1983.

Agency Contact: George T. Magnatta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3294**

RIN: 1545-AA84

501. INCOME TAX--EMPLOYEE BENEFIT COSTS AND INDIRECT CONSTRUCTION COSTS ALLOCABLE TO SELF CONSTRUCTED ASSETS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 162 Internal Revenue Code of 1954; 26 USC 263 Internal Revenue Code of 1954; 26 USC 404 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide rules for the proper allocation of employee benefit costs and indirect construction costs to the basis of self-constructed assets.

Timetable:

Action	Date	FR Cite
Closed without Regulations	01/31/84	

Small Entity: Not Applicable

Additional Information: LR-79-79.

Drafting Attorney: Linda Kroening (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: Linda Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AA77

502. INCOME TAX--EXCEPTION FOR TRANSFERS OF PROPERTY FROM THE U.S. DESIGNATED BY THE SECRETARY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 367(a)(2) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would except certain property from the section 367 ruling requirement for transfers of property from the United States.

Timetable:

Action	Date	FR Cite
Closed without Regulations	08/00/84	

Small Entity: Not Applicable

Additional Information: LR-231-76.

Drafting attorney: Mary E. Dean (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorney: Wold.

Agency Contact: Mary E. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AB25

503. INCOME TAX--RELATING TO RULING REQUESTS WITH RESPECT TO TRANSFERS BY UNITED STATES PERSONS TO FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 367(a)(1) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide guidance with respect to when a ruling is required for a foreign corporation to be treated as a corporation for purposes of determining the amount of gain to be recognized on a transfer by a United States person to a foreign corporation, and would provide rules for filing a request for a ruling.

Timetable:

Action	Date	FR Cite
Notice published under LR-230-76	12/30/77	
Notice published	10/05/79	
Temp Regs pub-- T.D. 7954	10/05/79	
Hearing	02/27/80	
NPRM	12/27/82	47 FR 57503
NPRM Comment Period Begin	12/27/82	47 FR 57503
NPRM Comment Period End	02/25/83	
Final Action	05/08/84	49 FR 19460

Small Entity: Not Applicable

Additional Information: LR-24-81.

Drafting attorney: Mary Elizabeth Dean (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Granwell.

Agency Contact: Mary Elizabeth Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AB24

504. INCOME TAX--TREATMENT OF CREDIT FOR TAX WITHHELD ON INTEREST, DIVIDENDS AND PATRONAGE DIVIDENDS RECEIVED BY AN ESTATE OR TRUST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 643(d) Internal Revenue Code of 1954

CFR Citation: 26 CFR 5f

Abstract: This Regulation will explain how to allocate the credit for tax withheld on interest and dividends earned by an estate or trust between the estate or trust and its beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	04/14/83	48 FR 16071
NPRM Comment Period Begin	04/14/83	48 FR 16071
NPRM Comment Period End	06/13/83	
Hearing	06/21/83	
Withdrawn	06/19/84	49 FR 25008

Small Entity: Not Applicable

Additional Information: LR-170-82.

Drafting attorney: Cynthia L. Clark (202) 566-4336.

Legislative Counsel reviewing attorney: Reinhold.

Agency Contact: Cynthia L. Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF04

505. INCOME TAX--TO PREVENT A FOREIGN BANK WITH BRANCH OFFICE IN UNITED STATES FROM AVOIDING UNITED STATES TAXATION BY BOOKING A LOAN IN A FOREIGN OFFICE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 864 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance for determining whether interest income from sources within the United States is effectively connected with the conduct of a banking, financing, or similar business in the United States by a foreign corporation.

Timetable:

Action	Date	FR Cite
NPRM	11/04/82	47 FR 49981
NPRM Comment Period Begin	11/04/82	47 FR 49981
NPRM Comment Period End	01/03/83	
Final Action T.D. 7958	05/18/84	49 FR 21051

Small Entity: Not Applicable

Additional Information: LR-34-80.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Silver, Lainoff.

Circulating for signature. 7-23-83.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AB92

506. INCOME TAX--TEMPORARY REGULATIONS--NON-RECOGNITION, CORPORATE DISTRIBUTIONS, AND REORGANIZATION RULES REGARDING TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 897 Internal Revenue Code of 1954

CFR Citation: 26 CFR 6a

Abstract: The regulations would provide rules for determining the tax consequences to shareholders and corporations of certain distributions including: dividend distributions, redemptions, distributions in reorganizations, and liquidating distributions. They would also provide rules for determining the extent to which nonrecognition will apply to corporations, their shareholders, and other taxpayers and rules for certain transfers of property in reorganization under the Foreign Investment in Real Property Tax Act.

Timetable:

Action	Date	FR Cite
Closed without Regulations	03/15/84	

Small Entity: Not Applicable

Additional Information: LR-130-81.

Drafting attorney: Robert E. Culbertson, Jr. (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Granwell.

Agency Contact: Robert E. Culbertson, Jr., Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3289**

RIN: 1545-AB96

507. INCOME TAX--TEMPORARY REGULATIONS--PARTNERSHIP, TRUST AND ESTATE RULES REGARDING TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY INTERESTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 897(e)(2) Internal Revenue Code of 1954; 26 USC 897(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 6a

Abstract: This regulation would provide rules for foreign partners to compute gain or loss on the sale or disposition of United States real property interests upon the sale of a partnership interest or a distribution in liquidation of a partnership interest.

Timetable:

Action	Date	FR Cite
Closed without Regulations	03/01/84	

Small Entity: Not Applicable

Additional Information: LR-36-82.

Drafting attorney: Jacob Feldman (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Wold, Lainoff.

In Office of International Tax Counsel for comment, May 27, 1983.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AB97

508. INCOME TAX--CERTAIN PAYMENTS FOR OIL OR GAS NOT TO BE CONSIDERED AS TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 901(f) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Section 901 (f) denies, under certain conditions, a foreign tax credit for any payment made to a foreign country in connection with the purchase or sale of oil and gas extracted in that country. The section does not apply if either the taxpayer has an economic interest in the oil and gas or the taxpayer purchased and sold the oil or gas at fair market value. The regulations will define the terms "economic interest in oil or gas" and "fair market value of oil or gas." The regulations will provide rules for determining the amount of foreign taxes paid or accrued in connection with the purchase or sale of oil or gas.

Timetable:

Action	Date	FR Cite
NPRM	11/17/80	45 FR 75692
NPRM Comment Period Begin	11/17/80	45 FR 75692
NPRM Comment Period End	01/16/81	
Hearing	05/29/81	
Withdrawn	02/02/84	49 FR 4105

Small Entity: Not Applicable

Additional Information: LR-65-75

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel (Treasury) reviewing attorneys: Schreyer, Granwell.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3289**

RIN: 1545-AC00

509. INCOME TAX--LIMITATION DEALING WITH FOREIGN TAX CREDIT FOR TAXES PAID IN CONNECTION WITH FOREIGN OIL & GAS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 907 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations provide rules associated with limitations on the foreign tax credit for taxes paid on foreign oil and gas income.

Timetable:

Action	Date	FR Cite
NPRM	11/17/80	45 FR 75695
NPRM Comment Period Begin	11/17/80	45 FR 75695
NPRM Comment Period End	02/17/81	
Hearing	05/29/81	
Final Action T.D. 7961	06/27/84	49 FR 26208

Small Entity: Not Applicable

Additional Information: LR-70-75.

Drafting attorney: Donald K. Duffy (202) 566-4336.

Reviewing attorney: Marcus B. Blumkin (202) 566-3463.

Office of International Tax Counsel (Treasury) reviewing attorneys: Schreyer, Granwell.

In office of Chief Counsel (Legislation and Regulations Division) for preparation of T.D.

Agency Contact: Donald K. Duffy, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-4336**

RIN: 1545-AC07

510. AMENDMENT OF REGULATIONS UNDER SECTION 955 DEALING WITH RELATED GROUP ELECTION WITH RESPECT TO QUALIFIED INVESTMENTS IN FOREIGN BASE SHIPPING COMPANY OPERATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 955 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would amend section 955 of the Internal Revenue Code of 1954 to provide that an election to treat qualified investments in foreign base shipping assets on a related group basis will apply to all future years once the election is made and may not be revoked without the consent of the Commissioner.

Timetable:

Action	Date	FR Cite
NPRM	05/19/83	48 FR 22584
NPRM Comment Period Begin	05/19/83	48 FR 22584
NPRM Comment Period End	07/18/83	
Final Action Effective	02/29/84	
Final Action T.D. 7959	05/29/84	49 FR 22279

Small Entity: No

Additional Information: LR-58-83.

Drafting Attorney: Jacob Feldman (202) 566-3289.

Reviewing Attorney: Charles C. Saverude (202) 566-3323.

Office of International Tax Counsel reviewing attorney: Lainoff.

Agency Contact: Jacob Feldman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AF74

511. INCOME TAX--TRANSFER OF FRANCHISES; TRADEMARKS & TRADE NAMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 1253 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: This regulation would clarify the income tax treatment of transfers of franchises, trademarks, or trade names. It would provide guidance to determine to what extent the proceeds of such transfer are treated as gains from the sale of a capital asset rather than ordinary income.

Timetable:

Action	Date	FR Cite
Previous NPRM	07/15/71	36 FR 13148
Closed without Regulations	04/24/84	
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1644.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3590**

RIN: 1545-AC33

512. ESTATE & GIFT TAXES--REVISION OF INTEREST RATE ASSUMPTIONS FOR ACTUARIAL PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2031 Internal Revenue Code of 1954; 26 USC 2512 Internal Revenue Code of 1954; 26 USC 170(f)(4) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1; 26 CFR 11; 26 CFR 20; 26 CFR 25

Abstract: The regulations will provide for the use of a new interest rate and new actuarial tables in valuing annuities, life estates, terms for years, remainders, and reversions.

Timetable:

Action	Date	FR Cite
NPRM	10/31/83	48 FR 50087
NPRM Comment Period Begin	10/31/83	48 FR 50087
NPRM Comment Period End	12/30/83	
Final Action T.D. 7955	05/11/84	49 FR 19913

Small Entity: Not Applicable

Additional Information: LR-85-80.

Drafting attorney: Neil W. Zyskind (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Garlock, Woodward.

Agency Contact: Neil W. Zyskind, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AC61

513. INCOME TAX--REGULATIONS TO CHANGE ELECTION PROCEDURES OF INCOME TAX TREATMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2039 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulations would provide that the section 2039(c) election must actually be made by a beneficiary with regard to a distribution before the estate may exclude the value of that distribution.

Timetable:

Action	Date	FR Cite
NPRM	09/27/83	48 FR 44087
NPRM Comment Period Begin	09/27/83	
NPRM Comment Period End	11/28/83	
Final Action T.D. 7956	05/14/84	49 FR 20283

Small Entity: Not Applicable

Additional Information: EE-86-82.

Drafting attorney: Patricia K. Keesler (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Garlock.

In Office of Chief Counsel (Employee Plans and Exempt Organizations Division) for preparation of Treasury decision.

Agency Contact: Roberto E. Rivera, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE08

514. ESTATE TAX--TREATMENT OF CERTAIN CONTRIBUTIONS OF WORKS OF ART, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 2522 Internal Revenue Code of 1954; 26 USC 2055 Internal Revenue Code of 1954

CFR Citation: 26 CFR 20; 26 CFR 25

Abstract: These regulations will explain the treatment of works of art and their copyrights as separate properties for the purpose of computing the charitable deduction allowable in determining the value of the taxable estate and the value of transfers made by a donor.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48837
NPRM Comment Period Begin	10/21/83	48 FR 48838
NPRM Comment Period End	12/20/83	
Final Action T.D. 7957	05/17/84	49 FR 20811

Small Entity: Not Applicable

Additional Information: LR-210-81.

Drafting attorney: Robert B. Coplan (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Agency Contact: Robert B. Coplan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC66

515. AMENDMENT OF SECTIONS 31.3302 (A)-3 AND 31.3302 (B)-2 TO DELETE THE REQUIREMENT FOR STATE CERTIFICATION OF THE FEDERAL UNEMPLOYMENT TAX ACT CREDIT CLAIMED BY EMPLOYEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 3302 Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: Section 3302 (a) and (b) allows a credit against the Federal Unemployment Tax Act tax imposed by section 3301. Sections 31.3302 (a)-3 and 31.3302 (b)-2 require State certification of employer contributions to State unemployment funds before the credits in 3302 (a) and (b) will apply. It has been proposed that the State certification requirement be eliminated. This regulations project would amend section 31.3302 (a)-3 and 31.3302 (b)-2 to eliminate the certification requirement.

Timetable:

Action	Date	FR Cite
Closed without Regulations	02/15/84	

Small Entity: No

Additional Information: LR-53-83.

Drafting attorney: Gail H. Morse (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

In Legislation and Regulations Division for preparation of Notice of proposed rulemaking.

Agency Contact: Gail H. Morse, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3297**

RIN: 1545-AF51

516. FOUNDATION EXCISE TAX--TAXES ON EXCESS BUSINESS HOLDINGS OF PRIVATE FOUNDATIONS--EFFECT OF REORGANIZATIONS AND CORPORATE DISTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4943 Internal Revenue Code of 1954

CFR Citation: 26 CFR 53

Abstract: Regulations will provide definitions relating to "purchases" and corporate reorganizations.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/70	49 FR 6476
NPRM	05/22/79	44 FR 29680
NPRM Comment Period Begin	05/22/79	44 FR 29680
NPRM Comment Period End	07/23/79	
Notice of Hearing	07/24/79	44 FR 43292
Partial Revised Notice	08/16/79	44 FR 47958
Hearing	09/06/79	
Final Action	02/22/84	49 FR 6476

Small Entity: Not Applicable

Additional Information: EE-162-78.

Drafting attorney: Charles M. Watkins (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Jewett.

Treasury decision 7944 published 02/22/84.

Agency Contact: Charles M. Watkins, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE13

517. TEMPORARY INCOME TAX REGULATIONS-INFORMATION RETURNS WITH RESPECT TO SUBSIDIZED ENERGY FINANCING OR GRANTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6050D Internal Revenue Code of 1954

CFR Citation: 26 CFR 6b

Abstract: The temporary regulations would provide rules to be followed by persons who administer a Federal, State, or local program a principal purpose of which is to provide subsidized energy financing (as defined in section 44(c)(10)) or grants for projects designed to conserve or produce energy.

Timetable:

Action	Date	FR Cite
Closed without Regulations	06/20/84	

Small Entity: No

Additional Information: LR-24-84.

Drafting attorney: Annie R. Alexander (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

In Legislation and Regulations Division of preparation of Treasury Decision.

Agency Contact: Annie R. Alexander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. NW, Washington, DC 20224, **202 566-3297**

RIN: 1545-AG06

518. EMPLOYMENT TAX--REPORTING BY CERTAIN LARGE FOOD OR BEVERAGE ESTABLISHMENTS WITH RESPECT TO TIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6053 Internal Revenue Code of 1954

CFR Citation: 26 CFR 31

Abstract: The regulations would provide guidance to large food or beverage establishments required to report certain information with respect to tips.

Timetable:

Action	Date	FR Cite
NPRM	12/08/82	47 FR 55248
NPRM Comment Period Begin	12/08/82	47 FR 55248
NPRM Comment Period End	02/07/83	
Hearing	02/08/83	47 FR 55248
Final Action T.D. 7906	08/15/83	48 FR 36807

Small Entity: Not Applicable

Additional Information: LR-271-82.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: John Bromell (202) 566-3326.

Office of Tax Legislative Counsel reviewing attorney: Richard D'Avino.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C 20224, **202 566-3288**

RIN: 1545-AE65

519. REQUIREMENT THAT CERTAIN PERSONS RETAIN COPIES OF INCOME TAX RETURNS UPON THE LIQUIDATION OF A CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6107 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: Proposal would provide that certain persons retain copies of income tax returns, for a period of three years upon the liquidation of a corporation.

Timetable:

Action	Date	FR Cite
NPRM	11/16/83	48 FR 52087
NPRM Comment Period Begin	11/16/83	48 FR 52087
NPRM Comment Period End	01/16/84	
Final Action T.D. 7948	03/06/84	49 FR 8601

Small Entity: Not Applicable

Additional Information: LR-290-82.

Drafting attorney: Mary Frances Pearson (202) 566-3289.

Reviewing Attorney: Charles C. Saverude (202) 566-3323.

Office of Tax Legislative Counsel reviewing attorney:.

Final draft of T.D. circulated for signature 1/18/84.

Agency Contact: Mary Frances Pearson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AF14

520. FEDERAL TAX DEPOSIT SYSTEM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6302

CFR Citation: 26 CFR 1.1461-3; 26 CFR 1.6151-1; 26 CFR 1.6152-1; 26 CFR 1.6154-4; 26 CFR 1.6302-1; 26 CFR 1.6302-2; 26 CFR 31.6071(a)-1; 26 CFR 31.6151-1; 26 CFR 31.6302(c)-1; 26 CFR 31.6302(c)-2; 26 CFR 31.6302(c)-3; 26 CFR 31.6302(c)-5; 26 CFR 36.3121(l) 10-4; 26 CFR 46.6071(a)-1; 26 CFR 46.6151-1; ...

Abstract: Effective January 1, 1984, taxpayers who use the Federal Tax Deposit (FTD) system will no longer be required to use a specific FTD card for each type of tax remitted. This Treasury decision would conform the regulations to this change.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7953	05/09/84	49 FR 19643

Small Entity: Not Applicable

Additional Information: LR-118-83.

Drafting attorney: Mitchell H. Rapaport (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3459.

In Legislation and Regulations Division, Office of Chief Counsel for preparation of Treasury decision.

Agency Contact: Mitchell H. Rapaport, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AF99

521. RECOVERY OF COURT COSTS AND CERTAIN FEES IN A CIVIL TAX PROCEEDING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7430 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The proposed will set forth the circumstances in which a party normally will be considered to have exhausted the administrative remedies available within the Internal Revenue

Service for purposes of the recovery of court costs and certain fees in a civil tax proceeding brought in a court of the United States or the Tax Court.

Timetable:

Action	Date	FR Cite
NPRM	03/25/83	
NPRM Comment Period Begin	03/25/83	
NPRM Comment Period End	05/24/83	
Final Action T.D. 7950	04/07/84	49 FR 15074

Small Entity: Not Applicable

Additional Information: LR-11-83.

Drafting attorney: C. Scott McLeod (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Rick Reinhold.

Agency Contact: C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF25

522. INDIAN TRIBAL GOVERNMENTS TREATED AS STATES FOR CERTAIN PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 7871 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301

Abstract: The regulations would provide guidance to Indian tribal governments seeking to be treated as States for certain purposes under section 7871 of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7952	05/07/84	49 FR 19302

Small Entity: No

Additional Information: LR-100-83.

Drafting attorney: Linda M. Kroening (202) 566-3288.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Linda M. Kroening, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, **202 566-3288**

RIN: 1545-AF56

523. INCOME TAX--AMORTIZATION DEDUCTION FOR MOTOR CARRIER OPERATING AUTHORITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; PL 97-34, Sec 266; PL 97-424, Sec 517; PL 97-448, Sec 102(h)

CFR Citation: 26 CFR 1

Abstract: These regulations will provide rules relating to a deduction that is to be taken ratably over a 60 month period for adjusted bases of the motor carrier operating authority.

Timetable:

Action	Date	FR Cite
NPRM	06/06/83	48 FR 25224
NPRM Comment Period Begin	06/06/83	48 FR 25224
NPRM Comment Period End	08/05/83	
Final Action T.D. 7947	03/06/84	49 FR 8246

Small Entity: Not Applicable

Additional Information: LR-203-81.

Drafting attorney: Robert B. Coplan (202) 566-3287.

Reviewing attorney: Robert H. Waltuch (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Elfman, Woodward.

Agency Contact: Robert B. Coplan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AD48

524. STATEMENT OF PROCEDURAL RULES--AMENDMENTS TO 1981-2

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Abstract: The regulation would update the Statement of Procedural Rules, 26 CFR 601 to reflect changes in Internal Revenue Service Procedures.

Timetable:

Action	Date	FR Cite
Final Action	05/09/84	49 FR 19648

Small Entity: Not Applicable

Additional Information: LR-91-82.

Drafting attorney: Duane H. Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Signature package returned from Commissioner 12-22-83 for review of certain matters.

Agency Contact: Duane H. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AD49

525. STATEMENT OF PROCEDURAL RULES--1979-2 PERIODIC AMENDMENTS

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Abstract: Provision would amend the Statement of Procedural Rules to, among other things, provide updated procedures regarding ruling request and requests for technical advice, thereby giving the public needed guidance on what those procedures are.

Timetable:

Action	Date	FR Cite
Closed without Regulations	10/27/83	

Small Entity: Not Applicable

Additional Information: LR-248-79.

Drafting attorney: Keith Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Keith Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AD50

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

526. ● TEMPORARY REGULATIONS RELATING TO FINANCE LEASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 5f

Abstract: These regulations would provide basic guidance regarding the application of the finance leasing provisions enacted by the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
Project closed without Regulations	05/24/84	

Small Entity: Not Applicable

Additional Information: LR-16-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter Jr. (202) 566-4473.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington D.C. 20224, **202 566-3590**

RIN: 1545-AG28

527. ● INCOME TAX REGULATIONS RELATING TO CHARITABLE CONTRIBUTIONS OF PROPERTY UNDER SECTION 170(E)(3)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance to taxpayers making charitable contributions of inventory property under section 170 (e) (3).

Timetable:

Action	Date	FR Cite
Final Action	07/03/84	49 FR 27317

Small Entity: Not Applicable

Additional Information: LR-80-84.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Rick D'Avino (202) 566-4518.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AG16

528. ● TEMPORARY REGULATIONS RELATING TO CHARITABLE CONTRIBUTIONS OF PROPERTY QUALIFYING UNDER SECTION 170 (E) (3)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Abstract: The regulation would provide guidance to taxpayers making charitable contributions of inventory property under section 170 (e) (3).

Timetable:

Action	Date	FR Cite
Closed without issuance of Regulations	07/12/84	

Small Entity: Not Applicable

Additional Information: LR-79-84.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter Woo (202) 566-3297.

Treasury attorney: Rick D'Avino (202) 566-4518.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3297**

RIN: 1545-AG32

529. ● TEMPORARY REGULATIONS UNDER THE INTEREST AND DIVIDENDS TAX COMPLIANCE ACT OF 1984 DEALING WITH INFORMATION REPORTING AND BACKUP WITHHOLDING IN THE CASE OF FOREIGN OFFICE OF U.S. ETC

Legal Authority: 26 USC 3406 Internal Revenue Code of 1954; 26 USC 6041 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954; 26 USC 6049 Internal Revenue Code of 1954; 26 USC 7805 Internal Revenue Code of 1954

CFR Citation: 26 CFR 35a

Abstract: These regulations provide rules exempting payments by foreign offices of U.S. brokers from backup withholding and payments by foreign offices of foreign brokers from both information reporting and backup withholding, extending the time for the imposition of backup withholding by U.S. offices of U.S. banks and brokers, and exempting from backup withholding payments and obligations of international organizations, providing the public with the necessary guidance to comply with the law.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7972	08/22/84	49 FR 34340

Small Entity: Not Applicable

Additional Information: LR-101-84.

Drafting Attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing Attorney: Charles C. Saverude (202) 566-3323.

Treasury Attorney: Mary Kate Wold (202) 566-5791.

TITLE OF REGULATION CONT: and foreign brokers and by U.S. offices of U.S. brokers.

Agency Contact: Yerachmiel E. Weinstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, DC 20224, **202 566-3298**

RIN: 1545-AG22

530. ● TEMPORARY REGULATIONS UNDER THE HIGHWAY REVENUE ACT OF 1982 AND THE TAX REFORM ACT OF 1984, RELATING TO HEAVY VEHICLE USE TAX, TAX ON DIESEL FUEL, TAX ON THE SALE OF PIGGYBACK TRAILERS, ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 4041 Internal Revenue Code of 1954; 26 USC 4051 Internal Revenue Code of 1954; 26 USC 4481 Internal Revenue Code of 1954; 26 USC 4482 Internal Revenue Code of 1954; 26 USC 4483 Internal Revenue Code of 1954; 26 USC 6151 Internal Revenue Code of 1954; 26 USC 6427 Internal Revenue Code of 1954

CFR Citation: 26 CFR 41; 26 CFR 48

Abstract: These temporary regulations impose a tax on heavy vehicles used on the public highways. Heavy vehicles used 5,000 miles or less on the public highways (7,500 miles or less in the case of agricultural vehicles) will be exempt. The tax is reduced by 25 percent in the case of logging trucks. This tax will be effective on July 1, 1984. There will be a one-year reduced

rate of tax available for truck fleets of 5 or less. The regulations will also impose an increase in the tax on diesel fuel to 15 cents a gallon and provide a onetime credit or refund to original purchasers of lightweight diesel-powered highway vehicles. The increased diesel fuel tax is effective August 1, 1984. The regulations will also provide for a reduced rate of tax for a one-year period on the sale of piggyback trailers and semi-trailers and provide for an extension of the payment due date for certain fuel taxes.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7970	08/31/84	49 FR 34466

Small Entity: Not Applicable

Additional Information: LR-33-84.

Drafting attorney: William A. Jackson (202) 566-4336.

Reviewing attorney: Robert B. Coplan (202) 566-3287.

Treasury attorney: Mark Perlis (202) 566-2926.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AG19

531. ● INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code; 26 USC 6045 Internal Revenue Code

CFR Citation: 26 CFR 5f

Abstract: The regulations provide a special rule for broker reporting with respect to transactions made through a cash on delivery account (COD). In addition, these regulations make technical corrections to the list of recipients exempted from coverage under the reporting requirement, and expand the class of brokers which qualify for the multiple broker rule.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7960	05/29/84	49 FR 22281

Small Entity: Not Applicable

Additional Information: LR-61-84.

Drafting attorneys: Bruce H. Jurist, (202) 566-3238; C. Scott McLeod (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3288.

Treasury attorney: Richard D'Avino (202) 566-4518.

Agency Contact: Bruce H. Jurist/C. Scott McLeod, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, (202) 566-3288, **202 566-3238**

RIN: 1545-AG47

532. ● TEMPORARY REGULATIONS UNDER THE INTEREST AND DIVIDEND TAX COMPLIANCE ACT OF 1984 DEALING WITH INFORMATION AND BACKUP WITHHOLDING ON REDEMPTION OF RETIREMENT PROCEEDS PAYMENT ETC

Legal Authority: 26 USC 3406 Internal Revenue Code of 1954; 26 USC 6045 Internal Revenue Code of 1954; 26 USC 7605 Internal Revenue Code of 1954

CFR Citation: 26 CFR 35a

Abstract: The regulations provide rules relating to information reporting and backup withholding on redemption or retirement proceeds of certain obligations the interest payments on which constitute foreign source income and will provide the public with the necessary guidance to comply with the law.

Timetable:

Action	Date	FR Cite
Final Action	02/28/84	49 FR 7226

Small Entity: Not Applicable

Additional Information: LR-32-84.

Drafting Attorney: Yerachmiel E. Weinstein (202) 566-3289.

Reviewing Attorney: Charles C. Saverude (202) 566-3323.

Treasury Attorney: Mary Kate Wold (202) 566-5791.

TITLE OF REGULATION CONT: on certain obligations.

Agency Contact: Yerachmiel E. Weinstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AG56

533. ● TEMPORARY REGULATIONS UNDER SECTION 6111 AND 6707, RELATING TO TAX SHELTER REGISTRATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 6111 Internal Revenue Code of 1954

CFR Citation: 26 CFR 301 T

Abstract: This project will provide rules explaining what investments are tax shelters that must be registered with the Internal Revenue Service. The project will also provide rules relating to the persons required to register tax shelters and to the furnishing of tax shelter registration numbers to investors in tax shelters.

Timetable:

Action	Date	FR Cite
Final Action T.D. 7964	08/15/84	49 FR 32712

Small Entity: Not Applicable

Additional Information: LR-135-84.

Drafting attorney: Cynthia Clark (202) 566-3288.

Reviewing attorney: John Parcell (202) 566-3336.

Treasury attorney: Richard D'Avino (202) 566-4518.

Agency Contact: Cynthia Clark, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3288**

RIN: 1545-AG40

534. ● PAYMENT OF EXCISE TAXES COLLECTED ON RUM TO PUERTO RICO AND THE U.S. VIRGIN ISLANDS

Legal Authority: 26 USC 7652

CFR Citation: 26 CFR 301

Abstract: The regulations would provide rules for payment of excise taxes collected on rum to Puerto Rico and the U.S. Virgin Islands.

Timetable:

Action	Date	FR Cite
File closed	01/27/84	

Small Entity: Not Applicable

Additional Information: LR-4-84.

Drafting Attorney: David J. Dean (202) 566-3289.

Reviewing Attorney: Charles C. Saverude (202) 566-3323.

TREAS—IRS **Completed Actions**

Treasury attorney: A. W. Ganwell (202) 566-5046.

Agency Contact: David J. Dean, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3289

RIN: 1545-AG53

[FR Doc. 84-24445 Filed 10-19-84; 8:45 am]

DEPARTMENT OF THE TREASURY (TREAS)
United States Secret Service (SS)

Secret Service

31 CFR Ch. IV

Semiannual Agenda

AGENCY: United States Secret Service, Treasury.

ACTION: Semiannual agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require the publication of a semiannual agenda of regulations. The semiannual agenda of the United States Secret Service conforms to the Unified Agenda Format developed by the Regulatory Information Service Center.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific regulation contained in this agenda, contact the "agency contact" listed in the specific regulatory action.

By direction of the Secretary.

DATED: August 1, 1984.

John R. Simpson,

Director.

BILLING CODE 4810-42-T

United States Secret Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
535	31 CFR 408 Access Pursuant to Designation of Temporary Residence of the President, or Other Person Protected by the Secret Service and Temporary Offices of the President and Staff, or Certain etc	1555-AA00

DEPARTMENT OF THE TREASURY (TREAS) — Completed Actions
United States Secret Service (SS)

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

535. ● ACCESS PURSUANT TO DESIGNATION OF TEMPORARY RESIDENCE OF THE PRESIDENT, OR OTHER PERSON PROTECTED BY THE SECRET SERVICE AND TEMPORARY OFFICES OF THE PRESIDENT AND STAFF, OR CERTAIN ETC

Legal Authority: 18 USC 1752; PL 97-308

CFR Citation: 31 CFR 408

Abstract: This final rule amends 31 CFR 408 to conform to the statutory changes made by Pub. L. 97-308. Part 408 is amended to authorize the Secret Service to restrict public access to the property and/or offices of the various persons receiving protection from the Secret Service.

Timetable:

Action	Date	FR Cite
Final Action	07/13/84	49 FR 28552
Final Action Effective	07/13/84	49 FR 28552

Small Entity: Not Applicable

Additional Information: TITLE CONT: Other Persons.

Agency Contact: John M. Meenan, Deputy Legal Counsel, Department of the Treasury, United States Secret Service, Room 842, 1800 G Street, NW, Washington, DC 20223, 202 535-5771

RIN: 1555-AA00

[FR Doc. 84-24447 Filed 10-19-84; 8:45am]

Federal Register

Monday
October 22, 1984

Part XVI

ACTION

Semiannual Regulatory Agenda

ACTION

ACTION

45 CFR Ch. XII

Executive Order 12291, Federal Regulation, Semiannual Agenda of Regulations

AGENCY: ACTION.

ACTION: Publication of semiannual agenda.

SUMMARY: This agenda announces the regulations that ACTION will have under development, revision or review during the 12 month period from October 1984 to October 1985. The purpose for publishing this agenda is to give notice of any regulatory activity by the Agency in order to allow the public an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: The public is encouraged to contact the Agency official listed for the particular agenda item. For other information concerning ACTION regulations or this semiannual agenda contact Ronald C. Owens, Associate General Counsel, ACTION, 806 Connecticut Avenue, N.W., Washington, D.C. 20525, (202) 634-9333.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. 605) executive agencies are required to publish in the **Federal Register** semiannual regulatory agendas in April and October of each year.

The regulations being considered by ACTION are not "major" rules within the meaning of E.O. 12291 and no Regulatory Impact Analysis is required. ACTION has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public; and that the regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Analysis is required under 5 U.S.C. 602.

ACTION is currently working with the Department of Justice in developing the nondiscrimination regulations.

DATED: September 7, 1984.

Thomas W. Pauken,

Director, ACTION.

BILLING CODE 6050-01-T

ACTION (ACTION) — Current and Projected Rulemakings

NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 2000(d)(1); 42 USC 5057; 42 USC 5060

CFR Citation: 45 CFR 1203

Abstract: In accordance with 42 USC 2000(d)(1) ACTION will promulgate regulations implementing provisions of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, as amended, and section 417 of the Domestic Volunteer Service Act of 1973, as amended, which prohibit discrimination on the basis of race, color, national origin, religion or sex, in federally assisted programs. Relevant provisions of existing ACTION title VI regulations will be subsumed into this new regulation.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Jess Quintero, Deputy Director for Equal Opportunity, ACTION, Office of Compliance, 806 Connecticut Ave., NW, Washington, DC 20525, **202 634-9757**

RIN: 3001-AA06

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN ACTION PROGRAMS

Legal Authority: 29 USC 794; 42 USC 5057; 42 USC 5060

Abstract: In accordance with section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), ACTION will promulgate implementing regulations which prohibit discrimination on the basis of handicap in federally conducted programs and activities. ACTION regulations prohibiting discrimination on the basis of handicap in federally assisted programs are contained in 45 CFR 1232.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Jess Quintero, Deputy Director for Equal Opportunity, ACTION, Office of Compliance, 806 Connecticut Ave., NW, Washington, DC 20525, **202 634-9757**

RIN: 3001-AA07

● DENIAL OF APPLICATION FOR REFUNDING

Legal Authority: 42 USC 5052; 42 USC 5060

CFR Citation: 45 CFR 1206

Abstract: In accordance with Public Law 98-288, 1984 amendments to the Domestic Volunteer Service Act of 1973, ACTION will revise existing denial of refunding regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Ronald C. Owens, Associate General Counsel, ACTION, 806 Connecticut Ave., NW, M-607, Washington, DC 20525, **202 634-9333**

RIN: 3001-AA08

[FR Doc. 84-24965 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XVII

Advisory Council on Historic Preservation

Semiannual Regulatory Agenda

ACHP

ADVISORY COUNCIL ON HISTORIC PRESERVATION

36 CFR Ch. VIII

Regulatory Agenda

AGENCY: Advisory Council on Historic Preservation.

ACTION: Notice of Regulatory Agenda.

SUMMARY: This Regulatory Agenda is a semiannual summary of each proposed and final regulation that the Advisory Council on Historic Preservation expects to publish in the **Federal Register** during the next twelve (12) months.

ADDRESS: Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue, NW, Room 809, Washington, D.C. 20004.

FOR FURTHER INFORMATION CONTACT: Robert R. Garvey, Jr., Executive Director, Advisory Council on Historic Preservation, 202-786-0503.

DATED: August 1, 1984.

Robert R. Garvey, Jr.,

Executive Director.

BILLING CODE 4310-10-T

ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP) — Current and Projected Rulemakings

PROTECTION OF HISTORIC AND CULTURAL PROPERTIES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 800

Abstract: In order to streamline and increase the effectiveness of the Council's regulations at 36 CFR Part 800, the Council is in the process of preparing revisions to its regulations. The reason for the revisions is to implement new regulatory authorities set forth in PL 96-515, and to improve the efficiency of the historic preservation review process. The alternative to revision of the regulations is to leave them as they are, which would not achieve the goals the Council seeks. The revisions are expected to reduce the cost of complying with the regulations.

Timetable:

Action	Date	FR Cite
Revisions to Regulations	00/00/00	

Small Entity: No

Agency Contact: John M. Fowler, General Counsel, Advisory Council on Historic Preservation, 1100 Pennsylvania Avenue NW, Suite 809, Washington, DC 20004, 202 786-0503

RIN: 3010-AA00

[FR Doc. 84-24271 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XVIII

Architectural and Transportation Barriers Compliance Board

Semiannual Regulatory Agenda

ATBCB

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Ch. XI

Unified Agenda of Federal Regulations

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Submission of Unified Agenda of Federal Regulations.

SUMMARY: The Architectural and Transportation Barriers Compliance Board submits the following agenda of proposed regulatory activities which may be conducted by the agency during the next twelve months. This regulatory agenda may be revised and/or refined by the agency during the coming months as a result of action taken by the Board. In addition to any regulatory actions, the Board may also consider issuing advisory standards and/or policy statements as part of its statutory responsibilities. When appropriate, these standards and policies will also be published in the **Federal Register.**

ADDRESS: U.S. Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W., Room 1010, Washington, D.C. 20202.

FOR FURTHER INFORMATION CONTACT: For information concerning Board regulations and proposed actions, contact Ms. Sally Free, Office of Technical Services, 202/472-2700 (voice or TDD) or 202/245-1591 (messages--voice or TDD).

Mary Alice Ford,

Chairperson, Architectural and Transportation Barriers Compliance Board.

BILLING CODE 4000-07-T

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

Current and Projected Rulemakings

PRIVACY ACT REGULATION

Priority: Undetermined

Legal Authority: 5 USC 5520 Privacy Act of 1974

CFR Citation: 36 CFR 1121

Abstract: The Privacy Act requires agencies to issue regulations to implement the Act. The purposes of these regulations are to establish procedures by which an individual can determine if the Board maintains a system of records which include a record pertaining to that individual and to establish procedures for individual access to the records for review, amendment and/or correction.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	
NPRM Comment Period Begin	10/15/84	
NPRM Comment Period End	11/15/84	

Small Entity: No

Agency Contact: Merrily Raffa, General Counsel, Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W. Room 1010, Washington, DC 20202, **202 245-1801**

RIN: 3014-AA01

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD PROGRAMS

Priority: Undetermined

Legal Authority: 29 USC 794 Rehabilitation Act of 1973, as amended

CFR Citation: 36 CFR 1154

Abstract: This proposed regulation sets forth procedures and policies to assure nondiscrimination on the basis of handicap in programs and activities conducted by the Board. Patterned on the prototype regulation prepared by the Department of Justice, the draft regulation is under consideration by the Board.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: Phone number of agency contact is voice or TDD.

Agency Contact: Merrily Raffa, General Counsel, Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W., Room 1010, Washington, DC 20202, **202 245-1801**

RIN: 3014-AA02

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

Existing Regulations Under Review

MINIMUM GUIDELINES AND REQUIREMENTS FOR ACCESSIBLE DESIGN

Priority: Agency Determination

Legal Authority: 29 USC 792(b)(7) Rehabilitation Act of 1973, as amended

CFR Citation: 36 CFR 1190

Abstract: Specific provisions of the ATBCB Minimum Guidelines and Requirements for Accessible Design have been reserved until such time as sufficient research, information, and/or field experience is obtained. In addition to these reserved provisions, the Board has indicated that additional information would be useful on other provisions contained in the regulation and on other access issues. As materials and experience become available in these areas, the Board plans to take the appropriate action to complete or revise these requirements. Information on alternatives being considered for addressing a particular provision, and the potential costs and

benefits of the action being proposed will be provided during the rulemaking process. The last revision to the Minimum Guidelines and Requirements for Accessible Design was published 08/04/82 (47 FR 33862).

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Additional Information: Phone number of agency contact is voice or TDD.

Agency Contact: **Ms. Sally Free**, Acting Director-Office of Technical Services, Architectural and Transportation Barriers Compliance Board, 330 C Street, S.W., Room 1010, Washington, DC 20202, **202 472-2700**

RIN: 3014-AA00

[FR Doc. 84-24966 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XIX

Environmental Protection Agency

Semiannual Regulatory Agenda

EPA

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL #2680-5]

Regulatory Agenda

AGENCY: Environmental Protection Agency (EPA).

ACTION: Regulatory Agenda.

SUMMARY: EPA's Regulatory Agenda is a semiannual publication that appears in the **Federal Register** in April and October. It provides specific information on the status of regulations that are under development, revision, and review at EPA. This publication is necessary to keep interested parties informed of the progress of EPA regulations.

ADDRESSES: For information on a regulation in the Agenda, please contact the person listed with each entry.

If you have suggestions for improving this publication, or need general information about the Agenda, please call or write to Angela Tyler, Regulation Management Staff, Environmental Protection Agency, PM-223, Washington, D.C. 20460, (202) 382-7203.

If you want to be on the mailing list for the Regulatory Agenda, please call or write to Penelope Parker, Regulation and Information Management Division, Environmental Protection Agency, PM-223, Washington, D.C., 20460, (202) 382-5475.

FOR FURTHER INFORMATION CONTACT: Angela Tyler, (202) 382-7203.

SUPPLEMENTARY INFORMATION:

Organization of the Agenda

The regulation entries are organized by statutory area -- generally by the titles of the major legislation authorizing EPA's pollution control programs. In a few cases, the Agenda combines regulations with differing statutory authorities that have closely-related subject matter. For example, the Fuel Economy Data regulation under the Energy Policy and Conservation Act appears together with mobile source regulations under the Clean Air Act. As requested through previous public comment, a list of abbreviations of terms used in this document is included as Appendix A.

The statutory areas appear in the following order:

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and the Federal Food, Drug, and Cosmetics Act (FFDCA)
The Toxic Substances Control Act (TSCA)
The Clean Water Act (CWA) and the Marine Protection, Research, and Sanctuaries Act (MPRSA)
The Atomic Energy Act (AEA) and the Uranium Mill Tailings Radiation Control Act (UMTRCA)
The Safe Drinking Water Act (SDWA)
The Noise Control Act (NCA)
The Resource Conservation and Recovery Act (RCRA)
The Clean Air Act (CAA) and the Energy Policy and Conservation Act (EPCA)
The Comprehensive Environmental Response, Compensation, and Liability Act--"Superfund" (CERCLA)
General--Other Acts (including general grant and procurement regulations and regulations that cut across several programs)

Within each statutory area the entries are divided into three categories: (1) Current and projected regulations; (2) regulations under review; and (3) regulations and reviews of regulations that EPA is deleting from the Agenda because they have been completed, withdrawn, or postponed indefinitely. Detailed information on each of these sections is presented below.

Current and Projected Regulations

Current and projected regulations are generally listed in the Agenda once they are within a year of scheduled publication as a notice of proposed rulemaking (NPRM) or final action. Very important regulations will also appear when the scheduled publication dates are more than a year away.

The current and projected regulations appear as: (a) "New Regulations," i.e., actions that will create new CFR parts, subparts, or subsections; or (b) "Revised Regulations," i.e., actions that revise or amend already existing CFR parts, subparts, or subsections. The word "revision" will appear in parentheses after the title of each revised regulation. All regulations appearing in the Agenda for the first time are marked with bullets.

The regulations are ordered numerically by section number of the authorizing legislation. For example, all air regulations under section 109 of the Clean Air Act will appear before those under section 111.

The current and projected listings include most of the regulations under development that are:

- Subject to Executive Order 12291;
- Have been identified by the Presidential Task Force on Regulatory Relief; or
- Have been designated by the Agency for priority development or revision.

However, the listings exclude: (a) Specialized categories of actions (such as EPA approvals of state plans and other actions that do not apply nationally); and (b) routine actions (such as pesticide tolerances and minor amendments to existing regulations).

For each current and projected regulation the Agenda includes:

- The title,
- The priority classification (if applicable),
- The legal authority,
- The CFR reference,
- A short abstract,
- An analysis section (if a Regulatory Impact Analysis (RIA) and/or a Regulatory Flexibility Analysis (RFA) is being prepared),
- A timetable of existing and scheduled actions,
- A reference to small entity impacts,
- An Agency contact, and
- An additional information section.

The additional information section includes the FTS phone number for the Agency contact. It also includes the Start Action Request (SAR) number, which is assigned to the regulation for internal tracking purposes.

Regulations Under Review

The Agenda identifies existing EPA regulations: (1) That are now under review, or (2) whose review will begin before the next Agenda is published. The purpose of such reviews is to determine whether the regulation should be revised, rescinded, or left unchanged. If EPA decides to revise or rescind the regulation, the action will then appear as an entry in the appropriate current and projected area of the Agenda, and will state the timetable for completing the revision or rescission.

The review section also includes evaluations of major information collection activities the Agency is conducting under the Paperwork Reduction Act (PRA). These reviews are

done in four regulatory areas: Toxic Substances, General Pretreatment, New Source Performance Standards, and Superfund. The purpose of these reviews is to assess the quality, utility, effectiveness and efficiency of information requirements.

For each regulation under review, the Agenda provides the title, a short abstract, legal authority, CFR reference, any analysis EPA is preparing, contact person, and the schedule for completing the review. It also indicates the "review authority," which in many cases is different from the regulation's statutory authority. Regulations are reviewed under various mandates, and some satisfy more than one of these mandates. The principal mandates are:

Executive Order 12291 establishes the general policy that EPA should review its existing regulations to ensure that the costs of these regulations are justified by their benefits.

The Regulatory Flexibility Act (5 USC 610) requires that EPA review existing regulations that have a significant impact on a substantial number of small entities, including small businesses, small organizations, and small governments at least once every ten years. EPA issued its plan for conducting these reviews on July 16, 1981 at 46 FR 36930 and has used those comments in identifying candidates for review. EPA invites public comment on the need to revise these regulations.

Beginning with this Agenda, when reviews of regulations with a significant impact on small entities are completed, the Agenda entry will include an abstract that announces the Agency's decision of whether to revise, rescind, or leave the regulation unchanged. The Agency is doing this to comply with the Regulatory Flexibility Act and EPA's July 1981 plan for reviewing regulations under this Act. These reviews are identified by a "Yes" in the "small entity" category. Appendix B includes announcements for several reviews that originally appeared in previous Agendas and are now completed.

The Paperwork Reduction Act requires that Federal agencies reduce unnecessary paperwork burdens on the public. EPA reviews information collection activities for duplication, practical utility, and burden on the public.

EPA's authorizing *environmental statutes* also set review schedules for specific regulations.

Completed Actions

These are actions that appeared in the last Agenda, but are being deleted because they are completed or are no longer under consideration. The information given on these regulations and reviews of regulations is less detailed than for those that are still under consideration. Generally, it includes (1) the date and **Federal Register** citation, if any, of the last action on the regulation, and (2) an explanation of why the Agency is deleting the regulation from the Agenda.

John M. Campbell, Jr.,

Deputy Assistant Administrator for Policy, Planning, and Evaluation.

DATED: September 20, 1984.

Appendix A: (Abbreviations)

ANPRM - Advance Notice of Proposed Rulemaking
AOD - Argon-Oxygen Decarbonization
BAT - Best Available Technology
BCT - Best Conventional Technology
BOD - Biochemical Oxygen Demand
BPT - Best Practicable Technology
CA - Cooperative Agreements
CAG - Carcinogenic Assessment Group
CBOD - Carbonaceous Biochemical Oxygen Demand
CEQ - Council on Environmental Quality
CFR - Code of Federal Regulations
DOE - Department of Energy
EAF - Electric Arc Furnaces
FR - Federal Register
FTS - Federal Telecommunications System
GCWR - Gross Combination Weight Rating
GVWR - Gross Vehicle Weight Rating
HDE - Heavy-Duty Engine
HDT - Heavy-Duty Truck
HDV - Heavy-Duty Vehicle
ICS - Intermittent Control System
LDT - Light-Duty Truck
LDV - Light-Duty Vehicle
MCL - Maximum Contaminant Level
NEPA - National Environmental Policy Act
NPDES - National Pollutant Discharge Elimination System
NPRM - Notice of Proposed Rulemaking
NRDC - Natural Resources Defense Council
NSO - Nonferrous Smelter Orders
NSPS - New Source Performance Standards
OAQPS - Office of Air Quality Planning and Standards
OPP - Office of Pesticide Programs
OPTS - Office of Pesticides and Toxic Substances
OSHA - Occupational Safety and Health Administration
PCB - Polychlorinated Biphenyl
POTW - Publicly Owned Treatment Work
PSD - Prevention of Significant Deterioration
PSES - Pretreatment Standards for Existing Sources
PSNS - Pretreatment Standards for New Sources
RFA - Regulatory Flexibility Act
RIA - Regulatory Impact Analysis
RIN - Regulatory Identifier Number
RMCL - Recommended Maximum Contaminant Level
SAR - Start Action Request
SIC - Standard Industrial Code
SSC - State Superfund Contracts
TSS - Total Suspended Solids
UIC - Underground Injection Control
USC - United States Code
VOC - Volatile Organic Chemical

Appendix B

Results of *reviews* under the Regulatory Flexibility Act that appeared in several previous *Agendas*. Through an oversight, the Agency did not include these summaries with the completion notice.

Review of NSPS for Grain Elevators (40 CFR Part 60, Subpart DD)

Results of review: The review indicated that no revision to the standards is necessary, because no significant problem was identified. The emission control technology and its performance have remained essentially the same since the original investigations to develop the regulation. The standards do not apply to small grain elevators, and the review indicated that it is not appropriate to extend the requirements to small elevators.

Review completed: February 1984.

Contact: James Crowder, (919) 541-5595.

Review of Experimental Use Permits (40 CFR Part 172)

Results of review: EPA reviewed the procedures followed by registrants who request Experimental Use Permits. The Agency determined that the procedures are adequate and no revisions are necessary. The Agency will, however, clarify the internal procedures for reviewing applications.

EPA

Review completed: May 1983.

Contact: Robert Forrest, (703) 557-0592.

Review of Standards for Owners/Operators of Waste Facilities: Land Treatment (40 CFR Part 264)

Results of review: The Agency discontinued the Land Treatment review as a separate action, but is considering information gathered during this review in revising the Liner and Land Disposal standards.

EPA performed a Regulatory Flexibility Analysis (RFA) for the current Part 264 land disposal regulations. The RFA indicated that, first, the design and operating requirements of the land disposal regulations alone do not have a significant impact on small firms within any of the industry groups. Second, the cost of the corrective action requirements may be sufficient to have a significant impact on those small firms required to take corrective action. The following industry groups contain a substantial number of small firms that the RFA predicts would experience significant impacts if required to take corrective action: Wood preserving (SIC 2491), Phosphate fertilizers (SIC 2874), Explosives (SIC 2892), and Secondary smelters - nonferrous metals (SIC 3341).

Review withdrawn: August 1983.

Contact: Cliff Rothenstein, (202) 382-2791.

Review of Standards for Owners/Operators of Waste Facilities: Surface Impoundments (40 CFR Part 264)

Results of review: Same as above.

Review withdrawn: August 1983.

Contact: Cliff Rothenstein, (202) 382-2791.

Review of Standards for Owners/Operators of Waste Facilities: Location (40 CFR Parts 122, 264, 265)

Results of review: The Agency postponed this review indefinitely. It worked on several studies but reached only a few conclusions. The seismic location standards should be revised to address additional earthquake problems other than faults. EPA did not complete the floodplain studies but is planning no further work at this time.

Review postponed indefinitely: February 1984.

Contact: Penny Hansen, (202) 382-7917.

Review of Standards for Owners/Operators of Waste Facilities: Storage (40 CFR Part 264)

Results of review: The Agency is no longer reviewing this as a separate action, but is combining it with the "Standards for Storage of Hazardous Wastes in Tanks," which is currently under revision. EPA is basing modifications to these existing standards on additional information gained from this study and implementation experience.

Review combined with RIN:2050-AA57: February 1984.

Contact: William Kline, (202) 382-4781.

BILLING CODE 6560-50-T

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	User Charges for Pesticide Registrations	2070-AA64
2	Restricted Use Classification for Certain Active Ingredients Used in Fumigants	2070-AA00
3	*Data Requirements for Registration (Revision)	2070-AA07
4	*Comprehensive Revision of Pesticide Registration, Labeling, and Classification Procedures (Revision)	2070-AA56
5	*Special Review Criteria and Procedures (Revision)	2070-AA57
6	Pesticide Products; Package Size Exemption for Child Resistant Packaging (Revision)	2070-AA93
7	Tolerance Fees for Pesticide Chemicals (Revision)	2070-AA46
8	Enforcement Policy Regarding Failures to Report Information Under Section 6(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)	2070-AB12
9	Rescission of Efficacy Data Waiver for Vertebrate Control Products	2070-AB19
10	Registration of Pesticide Producing Establishment (Revision)	2070-AA04
11	Rule Governing Issuance of Emergency Exemptions from FIFRA (Revision)	2070-AA41
12	Guidelines on Disposal and Storage of Pesticides (Revision)	2070-AA61
13	Worker Protection Standards for Agricultural Pesticides (Revision)	2070-AA49

*Indicates priority regulation.

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
14	Nitrosamine Policy	2070-AA72
15	Minor Use Policy	2070-AA73
16	Peer Review Policy	2070-AA79
17	Policy Statement on "Biorational" Pesticides	2070-AA84
18	Restricted Use Classification for Certain Active Ingredients Used in Granular Insecticides	2070-AA01
19	Procedures for Satisfaction of Data Requirements under FIFRA Section 3(c)(1)(D)(Revision)	2070-AA75
20	Rules of Practice Governing Hearings (Revision)	2020-AA04
21	Partial Exemption from FIFRA Requirements for Certain Products Containing Boron Compounds	2070-AA53

EPA

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
22	Crop Rotation Policy	2070-AA74
23	Pesticide Registration (PR) Notices	2070-AA81

Toxic Substances Control Act (TSCA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
24	General Exemption Policy for Test Rules	2070-AA15
25	Decisions on Test Rules for the Interagency Testing Committee (ITC) Priority Lists 1-8, 10-14	2070-AB07
26	*PMN Exemption for Site Limited Intermediates and Low Volume Chemicals	2070-AA36
27	*PMN Exemption for Polymers	2070-AA37
28	Follow-up Rules on Existing Chemicals	2070-AA58
29	Follow-up Rules on New Chemicals	2070-AA59
30	Premanufacture Notification: Stayed Provisions (Revision)	2070-AA94
31	Section 5 (b)(4) for Certain Chemical Substances	2070-AB17
32	PCB Transformers in Buildings (Revision)	2070-AA70
33	Regulatory Investigation for 2-Ethoxyethanol, 2-Methoxyethanol and their Acetates (Glycol Ethers)	2070-AA71
34	*Section 9 Report on 1,3-Butadiene	2070-AB04
35	Regulatory Investigation of Metalworking Fluids	2070-AB09
36	Regulatory Investigation of Formaldehyde	2070-AB14
37	*Leaking Underground Storage Tanks; Initiation of Regulatory Action	2070-AB18
38	Polychlorinated Biphenyls (PCBs): Renewal of Applications for Exemptions from the Ban on Manufacturing, Processing, and Distribution	2070-AB20
39	Standards for Excluding Small Manufacturers from TSCA 8(a)	2070-AA31
40	Health and Safety Data Reporting; Submission of Tests and Copies of Health and Safety Data	2070-AA76
41	Section 8(c) Records and Reports of Allegations of Significant Adverse Reactions to Health and the Environment (Revision)	2070-AA86
42	Chemical Information Rules; Additional Automatic Reporting	2070-AA98
43	*Partial Updating of Certain TSCA Inventory Data	2070-AA99
44	Section 8 (a) Preliminary Assessment Information Rule	2070-AB08
45	Section 8(d) Health and Safety Data Reporting Rule	2070-AB11
46	TSCA Section 8(a) Comprehensive Assessment Information Rule	2070-AB13
47	Section 8(a) Rules for Polybrominated Biphenyls (PBB) and Tris (2,3-dibromopropyl)phosphate	2070-AB16
48	Section 9 Report on 4,4'- Methylenedianiline (MDA)	2070-AB15

*Indicates priority regulation.

Toxic Substances Control Act (TSCA)—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
49	*Rules Restricting the Commercial and Industrial Use of Asbestos Fibers	2070-AA29
50	Review of TSCA Section 8(c) Adverse Reactions Reporting and Recordkeeping Requirements	2070-AB03

*Indicates priority regulation.

Toxic Substances Control Act (TSCA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
51	Decision on Test Rules for Chlorinated Benzenes and Decision Not to Test Acrylamide (Health)	2070-AA16
52	Decision on Test Rules for Nitrobenzene, Dichloromethane and 1,1,1-Trichloroethane	2070-AA17
53	Decision on Test Rule for Phenylenediamines	2070-AA18
54	Decision on Test Rule for Fluoroalkenes	2070-AA19
55	Test Rule for Diethylenetriamine	2070-AA20

EPA

Toxic Substances Control Act (TSCA)—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
56	Decision on Test Rules for Eleventh ITC Priority List	2070-AA23
57	Regulatory Investigation and Advance Notice of Proposed Rulemaking - 4,4'- Methylenedianaline (MDA)	2070-AA60
58	Decision on Test Rules for Twelfth ITC Priority List	2070-AA63
59	Decision on Test Rule for Chloromethane	2070-AA65
60	Decision on Test Rule for Biphenyl	2070-AA67
61	Decision on Test Rules for Ethyltoluene and Trimethylbenzene	2070-AA68
62	Decision on Test Rule for 1,2-Dichloropropane	2070-AA77
63	Decision on Test Rule for Quinone	2070-AA78
64	Decision on Test Rule for Hexafluoropropylene Oxide	2070-AA80
65	Decision on Test Rule for Hydroquinone	2070-AA83
66	Decision on Test Rule for Cresols	2070-AA87
67	Decision on Test Rule for Alkyl Epoxides	2070-AA89
68	Decision on Test Rule for Aryl Phosphate	2070-AA91
69	Decision on Test Rule for Glycidol and Its Derivatives	2070-AA92
70	Decision on Test Rule for Propylene Oxide	2070-AA95
71	Decision on Test Rule for Aniline and Chloro-, Bromo- and/or Nitroanilines	2070-AA97
72	Incidental Uses of PCBs (Revision)	2070-AA40
73	Proposed Rulemaking on Methylene Bis- (2-chloroaniline) (MBOCA)	2070-AA52
74	Polychlorinated Biphenyls (PCBs): Exemptions From the Ban on Manufacturing, Processing and Distribution	2070-AA62
75	PCBs Use in Microscopy and Research and Development (Revision)	2070-AA69
76	New Chemicals for Export Reporting Rule	2070-AA47
77	Health and Safety Data Reporting; Submission of Lists and Copies of Health and Safety Studies	2070-AA82
78	Chlorinated Terphenyl; Submission of Notice of Manufacture or Importation	2070-AA85
79	Decision on Test Rules for Thirteenth ITC Priority List	2070-AA88
80	Section 8(a) Reporting Rule for Mesityl Oxide	2070-AB00
81	Manufacturer's Reporting-Preliminary Assessment Information; Addition of Chemicals	2070-AB01
82	Section 8(d) Health and Safety Data Reporting Rule for Methyl Pyridines and Maleic Anhydride	2070-AB02
83	Chlorinated Naphthalene, Submission of Notice of Manufacture or Importation	2070-AB05
84	Section 8(a) Reporting Rule for Chemicals Listed in the Eleventh Report of the Interagency Testing Committee	2070-AB06

Clean Water Act (CWA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
85	Water Quality Planning and Management Regulations (Revision)	2040-AA37
86	State Sludge Program Regulations	2040-AA73
87	Simplifying Construction Grants Regulations (Revision)	2040-AA70
88	Simplifying Construction Grants Regulations (Revision)	2040-AA71
89	NPDES New Source and Short Application Forms (Revision)	2040-AA00
90	Requirements for Application for 301(c) Variances	2040-AA01
91	Waivers from BAT for Nonconventional Pollutants under 301(g) (Revision)	2040-AA02
92	*Effluent Guidelines for Organic Chemicals and Plastics and Synthetic Fibers (Revision)	2040-AA05
93	Effluent Guidelines for Offshore Oil and Gas Industry (Revision)	2040-AA12
94	Effluent Guidelines for Pharmaceuticals (Revision)	2040-AA13
95	Effluent Guidelines for Paint Formulation	2040-AA15
96	Effluent Guidelines for Ink Formulation	2040-AA16
97	Effluent Guidelines for Gum and Wood (Revision)	2040-AA17
98	Effluent Guidelines for Pesticides (Revision)	2040-AA18
99	Effluent Guidelines for Metal Molding and Casting (Foundries)	2040-AA20
100	Effluent Guidelines for Nonferrous Metals (Phase II)	2040-AA27
101	Effluent Guidelines for Plastics Molding and Forming	2040-AA29
102	Effluent Guidelines for Adhesives and Sealants	2040-AA30
103	Effluent Guidelines for Nonferrous Metals Forming	2040-AA32
104	Effluent Guidelines for Rubber Processing (Revision)	2040-AA42
105	Effluent Guidelines for Pulp, Paper, and Paperboard (PCB's) (Revision)	2040-AA63
106	Effluent Guidelines for Ore Mining and Dressing (Placer Mining) (Revision)	2040-AA65
107	Effluent Guidelines for Coal Mining (Revision)	2040-AA66
108	*Best Conventional Technology (BCT) Cost Test and BCT Effluent Guidelines (Revision)	2040-AA45
109	General Pretreatment Regulations: Reforms (Revision)	2040-AA46
110	General Sludge Regulations	2040-AA75

EPA

Clean Water Act (CWA)—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
111	Removal of Oil and Hazardous Substance Discharges	2040-AA33
112	Hazardous Substances Pollution Prevention for Facilities Subject to Permitting Requirements of Section 402	2040-AA34
113	Discharge of Oil (Revision)	2040-AA48
114	Oil Pollution Prevention Regulation (Revision)	2040-AA49
115	Consolidated Permits: NPDES Issues (Revision)	2040-AA35
116	*NPDES Regulations: Regulatory Reform (Revision)	2040-AA50
117	NPDES Permit Regulations for Noncompliance and Program Reporting (Revision)	2040-AA67
118	Technical Sludge Regulations	2040-AA74
119	Ocean Dumping Criteria (Revision)	2040-AA52
120	Ocean Incineration Regulations (Revision)	2040-AA72

*Indicates priority regulation.

Clean Water Act (CWA)—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
121	Review of General Pretreatment Program Information Collection Requirements	2040-AA68

Clean Water Act (CWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
122	Compliance Extension for Innovative Technology for Industrial Discharge (Revision)	2040-AA03
123	Effluent Guidelines for Inorganic Chemicals (Phase II)	2040-AA28
124	Secondary Treatment Regulations (Revision)	2040-AA44
125	Use of Carbonaceous Biochemical Oxygen Demand (CBOD) for Secondary Treatment Regulation (Revision)	2040-AA62
126	*General Pretreatment Regulations: Removal Credits (Revision)	2040-AA47
127	*404(b)(1) Regulations (Revision)	2040-AA51
128	Sewage Sludge Disposal Guidelines (Revision)	2040-AA36

*Indicates priority regulation.

Atomic Energy Act (AEA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
129	*Residual Radioactivity	2060-AB31
130	Guidance for Occupational Radiation Exposure (Revision)	2060-AA00
131	Transuranium Elements	2060-AA01
132	Radiofrequency Radiation Guidance	2060-AA02
133	*Environmental Protection Standards for High-level Radioactive Waste	2060-AA03
134	Environmental Protection Standards for Low-Level Radioactive Waste	2060-AA04

*Indicates priority regulation.

Safe Drinking Water Act (SDWA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
135	National Primary Drinking Water Regulations: Maximum Contaminant Levels for Volatile Organic Chemicals Found in Drinking Water	2040-AA53

EPA

Safe Drinking Water Act (SDWA)—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
136	National Primary Drinking Water Regulations: Inorganic and Organic Compounds and Microbiological Contaminants and Turbidity (Revision)	2040-AA55
137	National Primary Drinking Water Regulations: Fluoride (Revision)	2040-AA56
138	Underground Injection Control Program: Federally Administered Programs (Phase II)	2040-AA69

Safe Drinking Water Act (SDWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
139	Underground Injection Control Program: Federally Administered Programs (Phase I)(Revision)	2040-AA61

Noise Control Act (NCA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
140	Withdrawal of Products from the Agency's Reports Identifying Major Noise Sources and Withdrawal of Proposed Rules	2060-AB24
141	Motor Carriers Engaged in Interstate Commerce: Noise Emission Standards (Revision)	2060-AB20

Resource Conservation and Recovery Act (RCRA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
142	Identification and Listing of Hazardous Waste: Ignitable Hazardous Waste (Revision)	2050-AA77
143	Identification and Listing: Michigan Petition	2050-AA84
144	Identification and Listing: Acute Hazardous Waste Mixture Rule (Revision)	2050-AA85
145	Identification and Listing of Hazardous Waste: Listing of Commercial Chemical Products (Revision)	2050-AA87
146	Identification and Listing of Hazardous Wastes: Nitrotoluenes/Toluidines Manufacturing Wastes	2050-AA92
147	Identification and Listing of Hazardous Wastes: Methyl Bromide Manufacturing Wastes	2050-AA93
148	Identification and Listing of Hazardous Wastes: Diphenylamine Manufacturing Wastes	2050-AA94
149	Identification and Listing of Hazardous Waste: Linuion and Bromocil Manufacture Wastes	2050-AA95
150	*Identification and Listing of Hazardous Waste: Listing of Used Oil	2050-AA96
151	*Proposed Reinterpretation of Mining Waste Exclusion (Smelting/Refining)	2050-AA99
152	*Standards for the Management of Specific Hazardous Wastes: Waste Oil	2050-AA00
153	Identification and Listing of Hazardous Waste: Definition of Solid Waste (Revision)	2050-AA03
154	Identification and Listing of Hazardous Waste: Hexavalent Chromium Modification (Revision)	2050-AA06
155	Identification and Listing of Hazardous Waste: Revise and Expand Solvent Listings (Revision)	2050-AA09
156	Identification and Listing of Hazardous Waste: Chlorinated Dioxins and Chlorinated Dibenzofurans (Revision)	2050-AA10
157	Identification and Listing of Hazardous Waste: Residuals from Production of C1-C6 Chlorinated Aliphatic Compounds (Revision)	2050-AA11
158	Identification and Listing of Hazardous Waste: Restriction of Land Disposal of Certain Hazardous Waste	2050-AA30
159	Persons Managing Recycled Hazardous Wastes (Revision)	2050-AA56
160	*RCRA Small Quantity Generator Rule (Revision)	2050-AA59
161	Identification and Listing of Hazardous Wastes: Definition of Household Waste (Revision)	2050-AA60
162	Identification and Listing of Hazardous Wastes: Dimethylhydrazine Manufacturing Waste	2050-AA61
163	Identification and Listing of Hazardous Wastes: Organobromine Manufacturing Wastes (Revision)	2050-AA62
164	Identification and Listing of Hazardous Wastes: Toluene Diisocyanate Manufacturing Wastes	2050-AA63
165	Identification and Listing of Hazardous Waste: Dimethoate, Methomyl, and Famphur	2050-AA64
166	Identification and Listing of Hazardous Waste: Carbamate Manufacturing Wastes (Revision)	2050-AA65
167	Hazardous Waste as Fuels: Administrative Standards	2050-AA74
168	*Identification and Listing of Hazardous Waste: Toxicity Characteristic Modification	2050-AA78
169	Identification and Listing of Hazardous Waste: Delisting Procedures (Revision)	2050-AA81
170	Identification and Listing of Hazardous Waste: Test Methods for Hazardous Waste (Revision)	2050-AA82

EPA

Resource Conservation and Recovery Act (RCRA)—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
171	Identification and Listing of Hazardous Waste: Schedule for Reviewing Wastes for Possible Land Disposal Restriction	2050-AA97
172	Standards for Hazardous Waste Generators: "Satellite" Accumulation of Hazardous Waste (Revision)	2050-AA13
173	*Standards for Hazardous Waste Generators: Alternate Manifest (Revision)	2050-AA16
174	Standards for Management of Specific Hazardous Waste: Miscellaneous and Experimental Units	2050-AA23
175	Standards for Owners/Operators of Waste Facilities: Storage of Ignitable and Reactive Waste; Buffer Zone Requirements (Revision)	2050-AA32
176	Standards for Owners/Operators of Hazardous Waste Facilities: Liquids and Landfills (Revision)	2050-AA34
177	Interim Status: Expansion and Modification of Facilities (Revision)	2050-AA35
178	*Consolidated Permits: Class Permits	2050-AA36
179	Enforcement of State Permits (Revision)	2050-AA40
180	Standards for Storage of Hazardous Waste in Tanks	2050-AA57
181	*Existing Portion Concept in Land Disposal Regulations (Revision)	2050-AA58
182	*Standards for Owners/Operators of Waste Facilities: Corrective Action Financial Responsibility	2050-AA69
183	Standard for Owners and Operators of Waste Facilities: Closure/Post-Closure Care and Cost Estimates and Financial Responsibility (Revision)	2050-AA70
184	*Hazardous Waste as Fuels: Technical Standards	2050-AA72
185	Land Disposal: Liner Standards (Revision)	2050-AA76
186	Land Disposal: Ground-Water Protection	2050-AA91
187	Standards for Owners and Operators of Waste Facilities: Closure and Post-Closure Care (Revision)	2050-AB00
188	Consolidated Permits: Minor Modifications to Existing RCRA Permits (Revision)	2050-AA37
189	Consolidated Permits: Duration of Permits for Hazardous Waste Facilities (Revision)	2050-AA38
190	Consolidated Permits: Construction Ban (Revision)	2050-AA39
191	Amendment to State Program Capability Requirements	2050-AB01
192	Guideline for Federal Procurement of Recycled Paper	2050-AA68
193	Hazardous Waste Management System: Interim Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities: Conforming Changes	2050-AA98

*Indicates priority regulation.

Resource Conservation and Recovery Act (RCRA)—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
194	Groundwater Monitoring	2050-AA89
195	*Standard Landfills for Owners/Operators of Waste Facilities	2050-AA50
196	*Standards for Owners/Operators of Waste Facilities: Incinerators	2050-AA53

*Indicates priority regulation.

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
197	Identification and Listing of Hazardous Waste: Warfarin and Zinc Phosphide (Revision)	2050-AA12
198	Identification and Listing of Hazardous Wastes: Spent Pickle Liquor Generated from Steel Finishing Operations	2050-AA66
199	Standards for Hazardous Waste Generators: Shipments of Hazardous Waste from Permitted Facilities (Revision)	2050-AA18
200	Standards for Hazardous Waste Generators: Transporting Hazardous Waste by Rail (Revision)	2050-AA19
201	States with Final Authorization (Revision)	2050-AA27
202	Consolidated Permits: Owner/Operator Signature (Revision)	2050-AA41
203	Consolidated Permits: Retention of Groundwater Monitoring Data (Revision)	2050-AA42
204	Consolidated Permits: Hearings on Interim Status (Revision)	2050-AA43
205	Consolidated Permits: Transfer of Permits (Revision)	2050-AA44

EPA

Clean Air Act (CAA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
206	*NAAQS for Sulfur Oxides (Revision)	2060-AA61
207	*NAAQS for Particulate Matter (Revision)	2060-AA62
208	*NAAQS for Carbon Monoxide (Revision)	2060-AA63
209	*NAAQS for Nitrogen Dioxide (Revision)	2060-AA64
210	New Source Review (Revision)	2060-AA68
211	Stack Height Regulations (Revision)	2060-AB30
212	Ambient Air Quality Surveillance (Revision)	2060-AB47
213	Restructure CFR Parts 51, 52 (Revision)	2060-AB49
214	Determination for Interstate Air Pollution Control	2060-AB52
215	Quality Assurance Procedures, Appendix F, Procedure 1	2060-AA09
216	NSPS: Stationary Internal Combustion Engines	2060-AA11
217	NSPS: Organic Solvent Cleaners	2060-AA12
218	NSPS: Perchloroethylene Dry Cleaning	2060-AA14
219	NSPS: Volatile Organic Liquids Storage	2060-AA23
220	NSPS: Rubber Products Industry-Tire Manufacturing	2060-AA24
221	NSPS: Synthetic Organic Chemical Industry: Air Oxidation Process	2060-AA30
222	NSPS: Solvent Degreasing	2060-AA33
223	NSPS: Distillation Operations	2060-AA35
224	NSPS: Petroleum Refinery, FCC Regenerators	2060-AA36
225	NSPS: Polymer and Resin Manufacture	2060-AA37
226	NSPS: Basic Oxygen Furnace (Revision)	2060-AA72
227	NSPS: Glass Manufacturing	2060-AA73
228	NSPS: Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarbonization Vessels (Revision)	2060-AA75
229	NSPS: Kraft Pulp Mills (Revision)	2060-AA97
230	NSPS: Secondary Brass and Bronze Production (Revision)	2060-AB04
231	NSPS: Sewage Treatment Plants (Revision)	2060-AB05
232	NSPS: Non-Metallic Minerals	2060-AB11
233	NSPS: Wool Fiberglass Insulation	2060-AB21
234	NSPS: Automobile and Light-Duty Truck Coating Operations (Revision)	2060-AB22
235	NSPS: On-Shore Production for Volatile Organic Compounds	2060-AB26
236	NSPS: On-Shore Production for Sulfur Dioxide	2060-AB27
237	NSPS: Fossil Fuel-Fired Steam Generators (Revision)	2060-AB29
238	*NSPS: Industrial Boilers, S02	2060-AB33
239	NSPS: Industrial Boilers--Particulate Matter and NOx	2060-AB35
240	NSPS: Reporting Requirements for Opacity	2060-AB42
241	NSPS: Gas Turbines (Revision)	2060-AB43
242	NSPS: Fired Process Heaters	2060-AB45
243	NSPS: SOCMI Reactor Processes	2060-AB55
244	Decision on Regulation of Cadmium	2060-AA38
245	NESHAPS: Arsenic from Smelters and Other Sources	2060-AA41
246	NESHAPS: Benzene in Coke Ovens/By-Products Plants	2060-AA42
247	*NESHAPS: Airborne Radionuclides	2060-AA47
248	NESHAPS: Coke Oven Emissions from By-Product Coke Oven Charging, Door Leaks, and Topside Leaks on Wet-Coal Charged Batteries (Revision)	2060-AA48
249	NESHAPS General Provisions (Revision)	2060-AA79
250	NESHAPS: Vinyl Chloride (Revision)	2060-AB06
251	NESHAPS: Mercury (Revision)	2060-AB44
252	NESHAP: Asbestos (Revision)	2060-AB51
253	Decisions on Regulating Various Air Pollutants	2060-AB56
254	Second Round Nonferrous Smelter Order Regulations	2060-AA81
255	Dispersion Techniques Implemented Before Enactment of the Clean Air Act Amendments of 1970	2060-AA49
256	"Guideline on Air Quality Models" (Revision)	2060-AB13
257	*Heavy-Duty Diesel Particulate Standards	2060-AA51
258	*NOx Regulations for Light-Duty Trucks and Heavy-Duty Engines	2060-AA52
259	Emission Standards, Test Procedures and CAFE Equivalency Factors for Methanol-Fueled New Motor Vehicles	2060-AB28
260	Importation of Motor Vehicles and Motor Vehicle Engines (Revision)	2060-AA54
261	Nonconformance Penalties for 1985 Model Year Heavy-Duty Engines (HDEs)	2060-AA56
262	Nonconformance Penalties for Light-Duty Trucks	2060-AA58
263	Amendments to Selective Enforcement Auditing Procedures for Light-Duty Vehicles (Revision)	2060-AA89
264	Small-Volume Manufacturers Certification Procedure	2060-AB54
265	Emission Performance Warranty Regulations (Revision)	2060-AB53
266	*Fuels and Fuel Additives	2060-AA59
267	*Lead Phasedown (Revision)	2060-AB50

EPA

Clean Air Act (CAA)—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
268	Fuel Economy Test Procedures; Proposed Procedures for Adjustment to Test Results to Account for Test Procedure Changes	2060-AB19

*Indicates priority regulation.

Clean Air Act (CAA)—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
269	*NAAQS: Lead	2060-AA95
270	*NAAQS: Ozone	2060-AA96
271	NSPS: Sulfuric Acid Manufacture	2060-AB02
272	Review of Information Requirements in the New Source Performance Standards (NSPS) Program	2060-AB25
273	NSPS: Ammonium Sulfate Manufacture	2060-AB34
274	NSPS: Primary Aluminum Reduction Plants	2060-AB36
275	NSPS: Cement Plants	2060-AB38
276	NSPS: Secondary Lead Smelters	2060-AB39
277	NSPS: Asphalt Concrete Plants	2060-AB41
278	NESHAPS: Beryllium	2060-AB07
279	Visibility Protection for Federal Class I Areas	2060-AB09

*Indicates priority regulation.

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
280	NSPS: Industrial Surface Coating--Vinyl and Urethane Printing	2060-AA27
281	NSPS: Refinery Fugitive Emissions	2060-AA28
282	NSPS: Synthetic Fibers	2060-AA29
283	NSPS: Petroleum Solvent Dry Cleaning	2060-AA32
284	NSPS: Lime Manufacturing Plants (Revision)	2060-AA74
285	NSPS for Primary Copper Smelters (Revision)	2060-AA77
286	NESHAPS: Listing of Coke Oven Emissions as Hazardous Air Pollutant	2060-AA39
287	NESHAPS: Decision on Regulation of Acrylonitrile	2060-AA40
288	NESHAPS: Maleic Anhydride Manufacture	2060-AA43
289	NESHAPS: Ethylbenzene/Styrene Manufacture	2060-AA44
290	NESHAPS: Benzene Fugitive Emissions	2060-AA45
291	NESHAPS: Benzene Storage	2060-AA46
292	NESHAPS: Asbestos (Revision)	2060-AA80
293	Decision on Regulation on Polycyclic Organic Matter	2060-AB48
294	Long Term Motor Vehicle Emissions Control Program (Revision)	2060-AA88
295	Amendment to the Emission Control Warranty Short Tests (Revision)	2060-AA90
296	Amendments to the Motor Vehicles Recall Regulations	2060-AB32
297	Fuel Economy Labeling and Data Base Revisions (Revision)	2060-AA94
298	Amendment and Clarification of the Test Procedures and Evaluation Criteria for Fuel Economy Retrofit Devices (Revision)	2060-AB18
299	Amendment to Transfer the Agency's Fuel Economy Retrofit Device Test Cost Liability to the Device Manufacturer (Revision)	2060-AB23
300	NSPS: Nitric Acid Manufacture (Review)	2060-AB01

EPA

Superfund (CERCLA)—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
301	Designation of Additional Hazardous Substances	2050-AA45
302	Notification of Release of Hazardous Substances and Determination of Reportable Quantities	2050-AA46
303	Notification of Continuous Release of Hazardous Substances	2050-AA47
304	Adjustment of Reportable Quantities of Hazardous Substances Identified as Carcinogens and Chronically Toxic Substances (Revision)	2050-AA80
305	Amendments to the Hazardous Substances Response Provisions of the National Oil and Hazardous Substances Pollution Contingency Plan (Subpart F) (Revision)	2050-AA75
306	National Priority List (NPL) (Revision)	2050-AA79
307	Natural Resource Claims Procedure	2050-AA48
308	Response Claims Procedures	2050-AA90

Superfund (CERCLA)—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
309	Review of Information Requirements in the Superfund Program	2050-AA86

Superfund (CERCLA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
310	*National Oil and Hazardous Substances Contingency Plan; Clarification of Authorities (Revision)	2050-AA73
311	Use of Dispersants and Other Chemicals; Revised Standard Dispersant Effective and Toxicity Tests. (National Oil and Hazardous Substances Pollution Contingency Plan) (Subpart ETC	2050-AA88

*Indicates priority regulation.

General—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
312	Training and Fellowship Grants (Revision)	2010-AA09
313	Regulations for the Federal Claims Collection Act	2020-AA01
314	Public Information and Confidentiality Regulations (Revision)	2020-AA03
315	Nondiscrimination on the Basis of Handicap for Programs Conducted by EPA	2020-AA05
316	Amending NEPA Procedures Relating to Wastewater Construction Grants (Revision)	2090-AA04
317	Emissions Trading Policy (Revision)	2010-AA08
318	List of Violating Facilities (Revision)	2060-AB17
319	Judicial Review Under EPA-Administered Statutes; Races to the Courthouse	2090-AA08
320	*Section 404 State Program Regulations (Revision)	2030-AA00

*Indicates priority regulation.

General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
321	Simplifying Implementation of the National Environmental Policy Act (NEPA) (Revision)	2090-AA03

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Current and Projected Rulemakings

1. USER CHARGES FOR PESTICIDE REGISTRATIONS

Legal Authority: 31 USC 483a / Independent Offices Appropriation Act of 1952

CFR Citation: Not applicable

Abstract: Under the authority of the Independent Offices Appropriations Act (IOAA) of 1952, the Agency is proposing to establish user fees for processing pesticide registration actions which constitute special services to registrants. The proposed registration fee system would place part of the burden of payment for the Agency's services on those who benefit from the service rather than on the Agency.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Additional Information: SAR No. 2013.

FTS: 8-557-1485.

Analysis: RIA

Agency Contact: Joseph F. Powers, Environmental Protection Agency, Pesticides and Toxic Substances, TS-757C, Washington, DC 20460, 703 557-1485

RIN: 2070-AA64

2. RESTRICTED USE CLASSIFICATION FOR CERTAIN ACTIVE INGREDIENTS USED IN FUMIGANTS

Legal Authority: 7 USC 136 / FIFRA 3

CFR Citation: 40 CFR 162.31

Abstract: FIFRA requires that pesticides be classified for either general use or restricted to trained, certified pesticide applicators, or people under their direct supervision. This rule would classify certain active ingredients in grain fumigants for restricted use based on an evaluation of the incremental risks and benefits of unrestricted use. Classification for restricted use permits the continued use of certain pesticides which, if used without restrictions may have unreasonable adverse effects on the environment.

Timetable:

Action	Date	FR Cite
NPRM	10/12/83	48 FR 46397
Final Action	10/00/84	

Small Entity: No

Additional Information: SAR No. 1828.

FTS: 8-557-0592.

Agency Contact: Robert Forrest, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767-C), Washington, DC 20460, 703 557-0592

RIN: 2070-AA00

3. DATA REQUIREMENTS FOR REGISTRATION (REVISION)

Priority: Task Force

Legal Authority: 7 USC 136(a) / FIFRA 3

CFR Citation: 40 CFR 158

Abstract: This regulation will specify the kinds of data that will normally be required to support the registration of a pesticide based on its product type and use pattern. It will state whether the requirements apply to manufacturing-use products or to end-use products. These requirements will provide two principal benefits: 1) generation of data needed to evaluate pesticides' effects, and 2) more efficient and faster pesticide development and registration. EPA is revising this regulation at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	11/24/82	47 FR 53192
Final Action	10/00/84	

Small Entity: No

Additional Information: SAR No. 1837.

FTS:8-557-9307.

Analysis: RIA

Agency Contact: Frederick S. Betz, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-769), Washington, DC 20460, 703 557-9307

RIN: 2070-AA07

4. COMPREHENSIVE REVISION OF PESTICIDE REGISTRATION, LABELING, AND CLASSIFICATION PROCEDURES (REVISION)

Priority: Task Force

Legal Authority: 7 USC 136(d) / FIFRA 3

CFR Citation: 40 CFR 162

Abstract: These regulations will revise procedures and requirements for the registration and reregistration of pesticide products, the labeling of such products, and the classification of pesticide products as restricted use products.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/79	44 FR 76311
NPRM	10/00/84	

Small Entity: No

Additional Information: SAR No. 1964.

FTS: 8-557-0592.

Analysis: RIA

Agency Contact: Jean Frane, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, DC 20460, 703 557-0592

RIN: 2070-AA56

5. SPECIAL REVIEW CRITERIA AND PROCEDURES (REVISION)

Priority: Task Force

Legal Authority: 15 USC 136 / FIFRA 3

CFR Citation: 40 CFR 162.11

Abstract: The Agency is revising its criteria for initiating special reviews of pesticides (previously known as the Rebuttable Presumption Against Registration (RPAR) Process). These revisions will make the special review process consistent with statutory changes and program experience. The Agency is also revising the procedures for special review of chemicals to make the process more efficient and to promote public discussion. The criteria are being revised at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1932.

FTS: 8-557-7400.

Agency Contact: Joanna Dizikes, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767), Washington, DC 20460, 703 557-7400

RIN: 2070-AA57

6. PESTICIDE PRODUCTS; PACKAGE SIZE EXEMPTION FOR CHILD RESISTANT PACKAGING (REVISION)

Legal Authority: 7 USC 136d / FIFRA 3

CFR Citation: 40 CFR 162

Abstract: EPA is proposing to amend its regulations on the use of child resistant packaging for pesticide products to provide for exemptions for certain products based on the size of the package in which the product is distributed. This revision should reduce the cost of packaging for producers who market large-size containers to the pest control service segment of the user community.

Timetable:

Action	Date	FR Cite
NPRM	01/04/84	49 FR 423
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 1965.

FTS: 8-557-0592.

Agency Contact: Jean Frane, Environmental Protection Agency, Pesticides and Toxic Substances, TS-767c, Washington, DC 20460, **703 557-0592**

RIN: 2070-AA93

7. TOLERANCE FEES FOR PESTICIDE CHEMICALS (REVISION)

Legal Authority: 21 USC 346(a) / FFDCA 408

CFR Citation: 40 CFR 180.33

Abstract: Section 408(o) of the Federal Food, Drug, and Cosmetic Act authorizes EPA to collect fees from registrants seeking approval of tolerance petitions. The tolerance fee structure originally was designed to cover the Agency's processing costs for reviewing tolerance petitions and for establishing tolerance levels for pesticides used on food products. The Agency has not modified its tolerance fee structure since 1972. This proposed regulation will establish a new tolerance fee structure based upon the Agency's increased costs for processing tolerance petitions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1963.

FTS: 8-557-1127.

Agency Contact: Ken Wetzel, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-757c), Washington, DC 20460, **703 557-1127**

RIN: 2070-AA46

8. ● ENFORCEMENT POLICY REGARDING FAILURES TO REPORT INFORMATION UNDER SECTION 6(A)(2) OF THE FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT (FIFRA)

Legal Authority: 7 USC 136d / FIFRA 6

Abstract: FIFRA section 6 (a)(2) requires that registrants report to EPA additional factual information regarding unreasonable adverse effects of their products. In addition to reiterating enforcement policy established in July 1979, this policy notice will expand upon the types of factual information which must be reported, and establish a uniform timeframe in which they must comply.

Timetable:

Action	Date	FR Cite
Policy Notice	11/00/84	

Small Entity: No

Additional Information: SAR No. 2180.

FTS: 8-557-0592.

Agency Contact: David Alexander, Environmental Protection Agency, Pesticides and Toxic Substances, TS-767C, Washington, DC 20460, **703 557-0592**

RIN: 2070-AB12

9. ● RESCISSION OF EFFICACY DATA WAIVER FOR VERTEBRATE CONTROL PRODUCTS

Legal Authority: 7 USC 136 / FIFRA 3

CFR Citation: 40 CFR 136

Abstract: This rule revises the conditional registration regulations to provide that applicants routinely submit efficacy data to support the registration of pesticide products intended for control of vertebrate pests that may transmit human disease.

Timetable:

Action	Date	FR Cite
NPRM	09/12/84	49 FR 35804
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2179.

FTS: 8-557-0592.

Agency Contact: Jean Frane, Environmental Protection Agency, Pesticides and Toxic Substances, TS-767C, Washington, DC 20460, **703 557-0592**

RIN: 2070-AB19

10. REGISTRATION OF PESTICIDE PRODUCING ESTABLISHMENT (REVISION)

Legal Authority: 7 USC 136 / FIFRA 7

CFR Citation: 40 CFR 167

Abstract: This regulation amends the existing regulations on registering establishments that produce pesticides. The regulation implements the Congressional mandate to register establishments that produce active ingredients used in pesticides.

Timetable:

Action	Date	FR Cite
NPRM	07/09/80	45 FR 46100
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1747.

FTS: 8-382-7846.

Agency Contact: John MacDonald, Environmental Protection Agency, Pesticides and Toxic Substances, (EN-342), Washington, DC 20460, **202 382-7846**

RIN: 2070-AA04

11. RULE GOVERNING ISSUANCE OF EMERGENCY EXEMPTIONS FROM FIFRA (REVISION)

Legal Authority: 7 USC 136 / FIFRA 18

CFR Citation: 40 CFR 166

Abstract: The Agency intends to revise certain provisions of this rule. These revisions will reflect the results of the Agency's investigation of the consistency of decisions to grant emergency exemptions under FIFRA. These revisions will examine the force of the rule to ensure enforceability of limitations embodied in emergency exemptions, and will also eliminate duplicative reporting requirements in the regulation. This rule is being developed as part of a pilot effort on negotiated rulemaking which would give interested parties outside the Agency greater involvement and

commitment to the decision-making process.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2017.

FTS: 8-557-0592.

Agency Contact: Franklin Gee, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767), Washington, DC 20460, 703 557-0592

RIN: 2070-AA41

12. GUIDELINES ON DISPOSAL AND STORAGE OF PESTICIDES (REVISION)

Legal Authority: 7 USC 136q / FIFRA 19

CFR Citation: 40 CFR 165

Abstract: EPA's Office of Pesticide Programs is updating the Guidelines on Disposal and Storage of Pesticides to make them consistent with current regulations and technology. The Office of Pesticide Programs is also adding interpretive guidance on compliance with RCRA regulations on hazardous waste as they may apply to the disposal and storage of pesticides. These guidelines serve as guidance only and compliance is completely voluntary.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Additional Information: SAR No. 2006.

FTS: 8-557-7347.

Agency Contact: Raymond R. Krueger, Environmental Protection Agency, Pesticides and Toxic Substances, TS-769C, Washington, DC 20460, 703 557-7347

RIN: 2070-AA61

13. WORKER PROTECTION STANDARDS FOR AGRICULTURAL PESTICIDES (REVISION)

Legal Authority: 7 USC 136 / FIFRA 25

CFR Citation: 40 CFR 170

Abstract: The worker protection standards for agricultural pesticides will be revised to reflect new and developing registration and reregistration of pesticide activities. The current standards need to be revised in order to update the provisions, clarify definitions and responsibilities, and improve implementation, compliance, and enforcement.

Timetable:

Action	Date	FR Cite
ANPRM	08/15/84	49 FR 32605
NPRM	07/00/85	

Small Entity: No

Additional Information: SAR No. 1640.

FTS: 8-557-7666.

Agency Contact: Linda Billings, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-766C), Washington, DC 20460, 703 557-7666

RIN: 2070-AA49

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Completed Actions

COMPLETED RULEMAKINGS

14. NITROSAMINE POLICY

CFR Citation: 40 CFR 162

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: Undetermined

Agency Contact: Carol Panasewich 703 557-7102

RIN: 2070-AA72

15. MINOR USE POLICY

CFR Citation: 40 CFR 162

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: No

Agency Contact: Carol Panasewich 703 557-7102

RIN: 2070-AA73

16. PEER REVIEW POLICY

CFR Citation: 40 CFR 162

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: No

Agency Contact: Amy Rispin 703 557-9307

RIN: 2070-AA79

17. POLICY STATEMENT ON "BIORATIONAL" PESTICIDES

CFR Citation: 40 CFR 162

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: No

Agency Contact: Frederick Betz 703 557-9307

RIN: 2070-AA84

18. RESTRICTED USE CLASSIFICATION FOR CERTAIN ACTIVE INGREDIENTS USED IN GRANULAR INSECTICIDES

CFR Citation: 40 CFR 162.31

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: Walter Waldrop 703 557-7400

RIN: 2070-AA01

19. PROCEDURES FOR SATISFACTION OF DATA REQUIREMENTS UNDER FIFRA SECTION 3(C)(1)(D)(REVISION)

CFR Citation: 40 CFR 162

Completed:

Reason	Date	FR Cite
Final Action	08/01/84	49 FR 30884

Small Entity: No

EPA—FIFRA

Completed Actions

Agency Contact: Jean Frane 703 557-0592

RIN: 2070–AA75

20. RULES OF PRACTICE GOVERNING HEARINGS (REVISION)

CFR Citation: 40 CFR 164

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: Undetermined

Agency Contact: Edward C. Gray 202 382-7505

RIN: 2020–AA04

21. PARTIAL EXEMPTION FROM FIFRA REQUIREMENTS FOR CERTAIN PRODUCTS CONTAINING BORON COMPOUNDS

CFR Citation: 40 CFR 162

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: John Street 703 557-0592

RIN: 2070–AA53

COMPLETED REVIEWS

22. CROP ROTATION POLICY

CFR Citation: 40 CFR 180

Completed:

Reason	Date	FR Cite
End Review	04/00/84	

Small Entity: No

Agency Contact: Carol Panasewich 703 557-7102

RIN: 2070–AA74

23. PESTICIDE REGISTRATION (PR) NOTICES

Completed:

Reason	Date	FR Cite
End Review	09/00/84	

Small Entity: No

Agency Contact: Robert Forrest 703 557-0592

RIN: 2070–AA81

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Toxic Substances Control Act (TSCA)

Current and Projected Rulemakings

24. GENERAL EXEMPTION POLICY FOR TEST RULES

Legal Authority: 15 USC 2603 / TSCA 4

CFR Citation: 40 CFR 790; 40 CFR 773

Abstract: This is a final notice of the policies and procedures EPA will use to grant exemptions from testing under Section 4(c) of TSCA. Section 4(c) requires EPA to exempt applicants from testing if the chemical they manufacture or process is equivalent to one which is already being tested or if testing by applicants for exemptions would duplicate data already submitted to EPA.

Timetable:

Action	Date	FR Cite
NPRM	07/18/80	45 FR 48512
Final Action	10/00/84	

Small Entity: No

Additional Information: SAR No. 1669.

Docket No. OPTS-47001.

FTS: 8-475-8130.

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, 202 475-8130

RIN: 2070–AA15

25. ● DECISIONS ON TEST RULES FOR THE INTERAGENCY TESTING COMMITTEE (ITC) PRIORITY LISTS 1-8, 10-14

Legal Authority: 15 USC 2603 / TSCA 4

CFR Citation: 40 CFR 799

Abstract: Within the next year and a half, EPA will either require testing, negotiate testing with industry, or provide adequate reasons for not requiring testing for chemicals listed on the ITC Priority Lists 1-8, 10-14.

Supplemental Timetable:

Alkyl Epoxides (ITC List 1)
ANPRM 01/04/84 (49 FR 449)
Final Action 06/00/85 to 12/00/85

Anilines (ITC List 4)
ANPRM 01/03/84 (49 FR 108)
NPRM 00/00/00

Aryl Phosphates (ITC List 2)
ANPRM 12/29/83 (48 FR 57452)
NPRM 00/00/00

Biphenol A,2-Ethylhexanoic acid (ITC List 14)
NPRM 06/00/85

Biphenyl (ITC List 10)
NPRM 05/23/83 (48 FR 23080)
Final Action 00/00/00

Carbofuran intermediates (ITC List 11)
NPRM 05/00/85

Chlorinated Benzenes (environmental) (ITC List 1)
NPRM 01/13/84 (49 FR 1760)
Final Action 02/00/85 to 12/00/85

Chlorinated Benzenes (health) (ITC List 1)
NPRM 07/18/80 (45 FR 48524)
NPRM 12/07/83 (48 FR 54836)
Final Action 02/00/85 to 12/00/85

Chloromethane (ITC List 1)
NPRM 07/18/80 (45 FR 48524)
Final Action 02/00/85 to 12/00/85

Cresols (ITC List 1)
Final Action
NPRM 07/11/83 (48 FR 31812)

Cyclohexanone (ITC List 4)
NPRM 01/03/84 (49 FR 136)
Final Action 11/00/84 to 03/00/85

Diethylenetriamine (ITC List 8)
NPRM 04/29/82 (47 FR 18386)
Final Action 03/00/85

Diisopropylbiphenyl (ITC List 14)
NPRM 06/00/85

Ethylene bis (oxyethylene) diacetate (ITC List 13)
NPRM 11/00/84

Ethyltoluene (ITC List 10)
NPRM 05/23/83 (48 FR 23088)
Final Action 00/00/00

Fluoroalkenes (ITC List 7)
ANPRM 10/30/81 (46 FR 53704)
NPRM 06/04/84 (49 FR 23112)
Final Action 00/00/00

Glycidols (ITC List 3)
ANPRM 12/30/84 (48 FR 57562)
NPRM 00/00/00

Hexafluoropropylene Oxide (ITC List 2)
NPRM 12/30/83 (48 FR 57686)
Final Action 05/00/85 to 12/00/85

Hydroquinone (ITC List 5)
NPRM 01/04/84 (49 FR 438)
Final Action 00/00/00

Isopropylbiphenyl (ITC List 14)
NPRM 06/00/85

Mesityl Oxide (ITC List 4)
NPRM 07/05/83 (48 FR 30699)
Final Action 11/00/84 to 03/00/85

Methylolurea (ITC List 12)

NPRM 05/21/84 (49 FR 21371)
Final Action 00/00/00

Oleylamine (ITC List 13)
NPRM 11/00/84

Phenylenediamines and Toluenediamines (ITC List 6)
ANPRM 01/08/82 (47 FR 973)
NPRM 00/00/00

Propylene Oxide (ITC List 1)
NPRM 01/04/84 (49 FR 430)
Final Action 02/00/85 to 12/00/85

Pyridine (ITC List 2)
NPRM 12/29/82 (47 FR 58031)
Final Action 05/00/85 to 12/00/85

Quinone (ITC List 5)
NPRM 01/04/84 (49 FR 456)
Final Action 00/00/00

Trimethylbenzene (ITC List 10)
NPRM 05/23/83 (48 FR 23088)
Final Action 00/00/00

1,2-Dibromo-4(1,2-dibromethyl) cyclohexane (ITC List 14)
NPRM 06/00/85

1,2-Dichloropropane (ITC List 3)
NPRM 01/06/84 (49 FR 899)
Final Action 06/00/85

1,2,2,4,7,7-Hexachloronorbornadiene (ITC List 13)
NPRM 11/00/84

1,2,4-Tri- and 1,2,4,5-Tetrachlorobenzenes (ITC List 1)
NPRM 07/18/80 (45 FR 48524)
NPRM 12/07/83 (48 FR 54836)
Final Action 02/00/85 to 12/00/85

1,2,4,5-Tetrachlorobenzene (environmental testing) (ITC List 1)
ANPRM 01/13/84 (49 FR 1760)
Final Action 06/00/85 to 12/00/85

2, (2-Butoxyethoxy) ethylacetate (ITC List 13)
NPRM 11/00/84

3,4-Dichlorobenzotrifluoride (ITC List 14)
NPRM 06/00/85

Small Entity: No

Additional Information: SAR No. 1137.

FTS: 8-475-8130.

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, TS-788, Washington, DC 20460, **202 475-8130**

RIN: 2070-AB07

26. PMN EXEMPTION FOR SITE LIMITED INTERMEDIATES AND LOW VOLUME CHEMICALS

Priority: Task Force

Legal Authority: 15 USC 2604 / TSCA 5

CFR Citation: 40 CFR 723

Abstract: Section 5(a) of TSCA requires manufacturers of new chemical substances to submit a premanufacture notice (PMN) to EPA before manufacture or import begins. Section 5(h)(4) authorizes the Administrator to exempt any person from the provisions of section 5 if the Agency determines that the substance will not present an unreasonable risk. This rule would exempt manufacturers of certain chemicals produced at 10,000 kg or less per year and certain site-limited intermediates from PMN requirements. This revision is being made at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
Notice	11/03/81	46 FR 54688
NPRM	08/04/82	47 FR 33896
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1820.

Docket No. OPTS-50032.

FTS:8-382-3849.

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3849**

RIN: 2070-AA36

27. PMN EXEMPTION FOR POLYMERS

Priority: Task Force

Legal Authority: 15 USC 2604 / TSCA 5

CFR Citation: 40 CFR 723

Abstract: Section 5(a) of TSCA requires manufacturers of new chemical substances to submit a premanufacture notice (PMN) to EPA before manufacture or import begins. Section 5(h)(4) of TSCA authorizes the Administrator to exempt any person from the provisions of section 5 if the Agency determines that the chemical substance will not present an unreasonable risk. This rule would exempt certain polymers from PMN requirements. This revision is being made at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
Notice	11/03/81	46 FR 54688
NPRM	08/04/82	47 FR 83924
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1881.

Docket No. OPTS-50033.

FTS:8-382-3849.

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3849**

RIN: 2070-AA37

28. FOLLOW-UP RULES ON EXISTING CHEMICALS

Legal Authority: 15 USC 2604 / TSCA 5; 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Abstract: EPA has instituted a program to monitor the commercial development of existing chemicals of concern. As these chemicals are identified, EPA will initiate rulemaking under TSCA Sections 5 or 8 to require reporting by the manufacturers and processing of these chemicals. Individual proposed or final rules will be published at different times throughout the period of October 1984 to October 1985 on at least the following chemicals: 4,4-Methylene-bis(2-chloroaniline), (MBOCA) and Hexamethylphosphoramide (HMPA) and Urethane.

Timetable:

Action	Date	FR Cite
NPRM Hexamethyl-phosphoramide (HMPA) and Urethane	10/00/84	
NPRM 4,4-Methylene-bis (2-chloroaniline) (MBOCA)	01/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1923.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, **202 382-3436**

RIN: 2070-AA58

29. FOLLOW-UP RULES ON NEW CHEMICALS

Legal Authority: 15 USC 2604 / TSCA 5; 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Abstract: EPA has instituted a program to follow the commercial development of selected new chemicals that have completed premanufacturer notice review. EPA will issue rules on new

chemicals of concern as they are identified to require follow-up reporting under TSCA Section 5 or 8, by the manufacturers and processors of the chemicals. Individual proposed and final rules will be published at different times throughout the period of October 1984 to October 1985.

Timetable:

Action	Date	FR Cite
NPRM Cocoamine and tallowamine oxide	02/17/83	48 FR 7172
NPRM Isopropylamine and Ethylamine	08/24/83	48 FR 38502
NPRM Benzenediamine 4-ethoxy sulfate	08/30/83	48 FR 39245
NPRM Polyglycidyl benzene	12/29/83	48 FR 57440
NPRM Dicarboxylic acid monoester	01/03/84	49 FR 82
NPRM Tetrachloroethylene derivative	01/03/84	49 FR 91
NPRM 8-Acetyl-3-Dodecyl-7,7,9,9-Tetramethyl 1,3-8-Triazaspiro (ETC)	01/12/84	49 FR 1753
NPRM Substituted methylpyridine non 5e substituted 2-phenoxypyridine	02/06/84	49 FR 4390
NPRM	04/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1976.

FTS: 8-382-3849.

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, D.C. 20460, 202 382-3849

RIN: 2070-AA59

30. PREMANUFACTURE NOTIFICATION: STAYED PROVISIONS (REVISION)

Legal Authority: 15 USC 2604 / TSCA 5

CFR Citation: 40 CFR 720

Abstract: On September 13, 1983, EPA stayed the effective date of sections 720.3(y), 720.36, 720.50(c), and 720.78(b) of the final premanufacture notification (PMN) rule issued under section 5 of the Toxic Substances Control Act (TSCA). All other provisions are effective as of October 26, 1983. This reproposal will revise the stayed provisions only.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	08/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1134a.

FTS: 8-382-3849.

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3849

RIN: 2070-AA94

31. ● SECTION 5 (B)(4) FOR CERTAIN CHEMICAL SUBSTANCES

Legal Authority: 15 USC 2604(b)(4) / TSCA 5

CFR Citation: 40 CFR 700

Abstract: EPA is announcing a proposed rulemaking to implement TSCA Section 5(b)(4), which provides EPA authority to develop by rule a list of substances which present or may present an unreasonable risk of injury to health or the environment. Submitters of TSCA section 5 notices for substances on the list must submit data which they believe show that the substances will not present an unreasonable risk of injury. The rule under consideration would list categories of chemicals which have frequently presented risk concerns to the Agency in the Section 5 premanufacture (PMN) review process.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2124.

FTS: 8-382-3852.

Agency Contact: Matthew Hale, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3852

RIN: 2070-AB17

32. PCB TRANSFORMERS IN BUILDINGS (REVISION)

Legal Authority: 15 USC 2605 / TSCA 6(e)

CFR Citation: 40 CFR 761.31

Abstract: Polychlorinated biphenyl (PCB) equipment is owned and operated by utilities and building owners throughout the U.S. Over the past two years, electrical transformers containing PCBs have been involved in several office fires. If the fire occurs in an occupied building, and ventilation ducts spread volatized toxic chemicals, such an incident could create a major public health problem. Although the intent of regulation would be to reduce the risk of future fires in PCB transformers that are located in buildings, the regulation would indirectly regulate the environmental dispersing of toxic chemicals that are created in transformer fires.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/84	49 FR 11070
NPRM	10/00/84	
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 2056.

FTS: 8-382-3935.

Analysis: Final RIA 00/00/00

Agency Contact: David Dull, Environmental Protection Agency, Pesticides and Toxic Substances, TS-798, Washington, DC 20460, 202 382-3935

RIN: 2070-AA70

33. REGULATORY INVESTIGATION FOR 2-ETHOXYETHANOL, 2-METHOXYETHANOL AND THEIR ACETATES (GLYCOL ETHERS)

Legal Authority: 15 USC 2603 / TSCA 6

CFR Citation: 40 CFR 764

Abstract: The purpose of this action is to initiate a regulatory investigation into the possibility of regulation of the manufacture and/or the uses of 2-methoxyethanol (2-ME), 2-ethoxyethanol (2-EE) and their acetates. Recent data suggest that inhalation of these chemicals causes teratogenic effects and testicular damage at concentrations as low as 10 and 50 ppm and perhaps lower.

Timetable:

Action	Date	FR Cite
ANPRM	01/24/84	49 FR 2921
NPRM	06/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2032.

FTS: 8-382-3945.

Analysis: Final RFA 00/00/00; Final RIA 00/00/00

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AA71

34. SECTION 9 REPORT ON 1,3-BUTADIENE

Priority: Major

Legal Authority: 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 764

Abstract: 1,3 Butadiene has been the subject of an Agency investigation to determine whether regulation under TSCA is warranted to control its use. 1,3 Butadiene is an animal carcinogen and the investigation assessed the risk from exposure. This chemical is the subject of a 180 day priority review under 4(f) of TSCA.

Timetable:

Action	Date	FR Cite
ANPRM	05/15/84	49 FR 20524
Final Action	07/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2114.

FTS: 8-382-3945.

Analysis: RIA

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB04

35. ● REGULATORY INVESTIGATION OF METALWORKING FLUIDS

Legal Authority: 15 USC 2605 / TSCA 6

CFR Citation: 40 CFR 749

Abstract: The formulation of water-based metalworking fluids with nitrite in combination with alkanolamines may present an unreasonable risk to machinists due to the formulation of nitrosamines, particularly in n-nitrosodiethanolamine (NDELA). Recent studies indicate that NDELA is a potent animal carcinogen. EPA plans to prepare a rule to ban the use of sodium and potassium nitrite as corrosion inhibitors in any water-based metalworking fluid which contains alkanolamines. The removal of nitrite as a corrosion inhibitor will increase the cost of water-based metalworking fluids. Approximately 90% of metalworking fluid formulators and a large number of users are small businesses and will be affected by the rule.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/84	49 FR 2767
NPRM	07/00/85	

Small Entity: Yes

Additional Information: SAR No. 2149.

FTS: 8-382-3945.

Analysis: RFA; RIA

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB09

36. ● REGULATORY INVESTIGATION OF FORMALDEHYDE

Legal Authority: 15 USC 2605 / TSCA 6

CFR Citation: 40 CFR 765

Abstract: As described in the Federal Register on May 23, 1984, the Agency will investigate regulatory options for the reduction of three categories of exposure to formaldehyde: 1) residents exposed to formaldehyde emissions from wood products used in the construction of mobile homes; 2) similarly exposed residents of conventional homes; 3) apparel manufacture employees exposed to formaldehyde released from treated fabrics. This investigation may lead to regulation under Section 6 of TSCA.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/84	49 FR 21870
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2146.

FTS: 8-382-3945.

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, 202 382-3945

RIN: 2070-AB14

37. ● LEAKING UNDERGROUND STORAGE TANKS; INITIATION OF REGULATORY ACTION

Priority: Major

Legal Authority: 5 USC 556 / TSCA 6; 5 USC 557

CFR Citation: 40 CFR 749

Abstract: EPA is initiating a regulatory investigation to assess the potential risks posed by leaking underground storage tanks. Leakage of products stored in underground tanks has a significant potential for contaminating groundwater. In addition, EPA is currently conducting a statistically designed nationwide survey which will help the Agency assess the magnitude of the leaking tank problem and obtain information to support regulatory decisionmaking.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/84	
NPRM	00/00/00	

Small Entity: Yes

Additional Information: SAR No. 2150.

FTS: 8-382-3935.

Agency Contact: Suzanne Rudzinski, Environmental Protection Agency, Pesticides and Toxic Substances, TS-798, Washington, DC 20460, 202 382-3935

RIN: 2070-AB18

38. ● POLYCHLORINATED BIPHENYLS (PCBS): RENEWAL OF APPLICATIONS FOR EXEMPTIONS FROM THE BAN ON MANUFACTURING, PROCESSING, AND DISTRIBUTION

Legal Authority: 5 USC 556 / TSCA 6(e)(3)(B); 5 USC 557

CFR Citation: 40 CFR 761

Abstract: On July 10, 1984, EPA promulgated a rule concerning inadvertently generated PCBs. This rule may affect 49 pending petitions for exemptions from the ban on

manufacture, processing, and distribution in commerce of polychlorinated biphenyls (PCBs). Therefore, EPA has deferred action on these petitions. If an exemption is still required, petitioners must renew their petitions by October 1, 1984. EPA will then propose a rule to respond to any renewal of any exemption petitions. Section 6(e)(3)(B) of TSCA allows the Administrator to grant exemptions from these prohibitions for not more than one year.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2150.

FTS: 8-382-3935.

Agency Contact: Suzanne Rudzinski, Environmental Protection Agency, Pesticides and Toxic Substances, TS-798, Washington, DC 20460, **202 382-3935**

RIN: 2070-AB20

39. STANDARDS FOR EXCLUDING SMALL MANUFACTURERS FROM TSCA 8(A)

Legal Authority: 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704

Abstract: Under Section 8(a) of TSCA, EPA is required to minimize burdens on small businesses by exempting small manufacturers and processors from reporting requirements unless the chemical manufactured or processed is subject to certain Agency actions. This rule will establish general standards to determine which manufacturers may qualify as "small" for the purpose of these exemptions.

Timetable:

Action	Date	FR Cite
ANPRM	09/06/80	45 FR 66180
NPRM	06/23/82	47 FR 27206
Final Action	11/00/84	

Small Entity: Yes

Additional Information: SAR No. 1529.

Docket No. OPTS-80011.

FTS:8-382-3436.

Analysis: RFA

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, **202 382-3436**

RIN: 2070-AA31

40. HEALTH AND SAFETY DATA REPORTING; SUBMISSION OF TESTS AND COPIES OF HEALTH AND SAFETY DATA

Legal Authority: 15 USC 2607 / TSCA 8(d)

CFR Citation: 40 CFR 716

Abstract: Current regulations provide that once the Interagency Testing Committee (ITC) recommends chemicals to EPA for priority consideration, the chemicals are automatically subject to section 8(d) of TSCA. This rule will amend the automatic reporting requirements to include for reporting those chemicals the ITC recommends for test rules but are not designated for EPA's priority consideration. Section 8(d) requires persons who are current or prospective manufacturers or processors of selected chemical substances to submit to EPA lists and copies of health and safety studies with respect to such substances.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1139b.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, **202 382-3436**

RIN: 2070-AA76

41. SECTION 8(C) RECORDS AND REPORTS OF ALLEGATIONS OF SIGNIFICANT ADVERSE REACTIONS TO HEALTH AND THE ENVIRONMENT (REVISION)

Legal Authority: 15 USC 2607 / TSCA 8(c)

CFR Citation: 40 CFR 717

Abstract: This amendment will clarify issues relating to coverage of the section 8(c) regulation, Records and Reports of Allegations of Significant Adverse Reactions to Health or the Environment. The amendments address the exemption of coincidental manufactures and clarify how SIC codes relate to processors subject to the rule.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1138a.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, **202 382-3436**

RIN: 2070-AA86

42. CHEMICAL INFORMATION RULES; ADDITIONAL AUTOMATIC REPORTING

Legal Authority: 15 USC 2607 / TSCA 8(a)

CFR Citation: 40 CFR 712

Abstract: Current regulations provide that when the Interagency Testing Committee (ITC) recommends chemicals to EPA for priority consideration in the promulgation of test rules, the chemicals are automatically subject to the Section 8(a) Preliminary Assessment Information rule. This rule will amend the automatic reporting requirement to include for reporting those chemicals the ITC recommends for test rules, but are not designated for EPA's priority consideration. Manufacturers of selected chemical substances must report general production, use, and exposure information with respect to the chemical substance.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1137d.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AA98

43. PARTIAL UPDATING OF CERTAIN TSCA INVENTORY DATA

Priority: Task Force

Legal Authority: 15 USC 2607 / TSCA 8(a)

CFR Citation: 40 CFR 1

Abstract: This proposal would update, under the authority of section 8(a) of TSCA, the production volume and plant site data for certain substances reported for the TSCA Chemical Substances Inventory. The information is needed by EPA to perform a number of activities associated with the implementation of TSCA. The current Inventory data base was compiled in 1979, based on 1977 data. The obsolescence of the Inventory data base and the lack of an alternative source that can fully satisfy EPA's requirements have formed the basis for the proposed action. One option would be to require certain manufacturers/importers of certain substances to report changes in production volume, plant site location, and site-limited status on an event-precipitated basis following the first reporting year during which time every person subject to this rule would be required to report.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2115.

FTS: 8-382-3749.

Agency Contact: Linda Travers, Environmental Protection Agency, Pesticides and Toxic Substances, TS-793, Washington, DC 20460, 202 382-3749

RIN: 2070-AA99

44. ● SECTION 8 (A) PRELIMINARY ASSESSMENT INFORMATION RULE

Legal Authority: 15 USC 2607a / TSCA 8(a)

CFR Citation: 40 CFR 712

Abstract: This rule adds chemicals to the list of chemicals and designated mixtures subject to the requirements of the TSCA Section 8(a) Preliminary Assessment Information Rule - manufacturer reporting (40 CFR Part 712). Manufacturers and importers are required to submit exposure-related data (EPA Form No. 7710-35) on the chemicals. These data will be used to monitor the levels of production, import and/or processing of these substances and the avenues of human and environmental exposure to these substances. It will also support risk assessment and test rule decisions. Individual proposed or final rules will be published at different times throughout the period of October 1984 to October 1985.

Timetable:

Action	Date	FR Cite
NPRM 3,4, Dichlorobenzo-trifluoride	11/00/84	

Small Entity: No

Additional Information: SAR No. 2178.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20640, 202 382-3436

RIN: 2070-AB08

45. ● SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULE

Legal Authority: 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 716

Abstract: This rule adds chemicals to the list of chemicals and designated mixtures subject to the requirements of the TSCA Section 8(d) Health and Safety Data Reporting Rule. Manufacturers and processors are required to submit unpublished health and safety studies on these substances. The reports and data will be used to support risk assessment analyses and test rule decisions. Reporting Rules in the next year may be issued on 3,4-dichlorobenzotrifluoride and other chemicals.

Timetable:

Action	Date	FR Cite
ANPRM	11/00/84	

Small Entity: No

Additional Information: SAR No. 1139a.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AB11

46. ● TSCA SECTION 8(A) COMPREHENSIVE ASSESSMENT INFORMATION RULE

Legal Authority: 15 USC 2607(a) / TSCA 8

CFR Citation: 40 CFR 712

Abstract: This rule will contain a comprehensive list of questions for industry reporting which will provide necessary information to complete chemical assessments. Each time EPA needs information on a chemical, the Agency will amend the rule to add the chemical. Not all questions will be selected for each chemical added to the rule; only the most relevant questions will be selected for each chemical. The information obtained by this rule will be used by EPA and other Federal Agencies to support assessments of and rulemaking on chemical substances.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/85	

Small Entity: No

Additional Information: SAR No. 2129.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, 202 382-3436

RIN: 2070-AB13

47. ● SECTION 8(A) RULES FOR POLYBROMINATED BIPHENYLS (PBB) AND TRIS (2,3-DIBROMOPROPYL)PHOSPHATE

Legal Authority: 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704

Abstract: This rule will amend the promulgated section 8(a) rules for Polybrominated Biphenyls (PBB) and Tris (2,3-dibromopropyl) phosphate by: 1) removing the sunset provisions; 2) clearly defining the time frame for reporting the quantity to be

manufactured or imported; 3) correcting the address to which reports are to be sent.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 2177.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, TS-778, Washington, DC 20460, **202 382-3436**

RIN: 2070-AB16

48. ● SECTION 9 REPORT ON 4,4'-METHYLENEDIANILINE (MDA)

Legal Authority: 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 764

Abstract: The Agency has concluded that the manufacture and use of 4,4'-methylenedianiline presents an unreasonable risk to the health of workers. The Agency is considering a referral of this action to the Occupational Safety and Health Administration (OSHA) under Section 9(a) of TSCA. This referral action will be submitted to OSHA and published in the Federal Register.

Timetable:

Action	Date	FR Cite
ANPRM	09/20/83	48 FR 42898
Final Action	02/00/85	

Small Entity: No

Additional Information: SAR No. 2176.

FTS: 8-382-3945.

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, **202 382-3945**

RIN: 2070-AB15

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Toxic Substances Control Act (TSCA)

Existing Regulations Under Review

49. RULES RESTRICTING THE COMMERCIAL AND INDUSTRIAL USE OF ASBESTOS FIBERS

Priority: Major

Legal Authority: 15 USC 2605 / TSCA 6

CFR Citation: 40 CFR 763

Abstract: The Agency is evaluating methods for controlling risks of the commercial and industrial use of asbestos. The Agency plans to propose two regulations which will phase out the use of asbestos over a period of several years. The first rule will ban certain products containing asbestos, while the second rule will phase out all remaining uses of asbestos over a ten-year period. EPA will coordinate its asbestos activities with those of the Federal Asbestos Task Force.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/79	44 FR 60056
NPRM (Asbestos Ban)	10/00/84	
NPRM (Asbestos Phasedown)	11/00/84	

Small Entity: Undetermined

Additional Information: SAR No. 1627.

FTS:8-382-3945

Analysis: Final RFA 00/00/00; Final RIA 00/00/00

Agency Contact: Richard Gross, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3945**

RIN: 2070-AA29

50. REVIEW OF TSCA SECTION 8(C) ADVERSE REACTIONS REPORTING AND RECORDKEEPING REQUIREMENTS

Legal Authority: 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 717

Abstract: Under Section 8(c) of the Toxic Substances Control Act, manufacturers, processors, and distributors are responsible for recording allegations that their products caused significant adverse reactions to health or the environment. As stated in the existing rule, EPA will, within 18 months, review the information requirements of the TSCA 8(c) to assess the quality, utility, effectiveness and efficiency of the requirements. This review will be conducted jointly with OPTS and the recommendations, where appropriate, will be implemented through revisions to the 8(c) rule.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/84	
End Review	06/00/85	

Small Entity: No

Additional Information: REVIEW AUTHORITY: Paperwork Reduction Act.

FTS: 8-382-2741.

Agency Contact: Gary Deutsch, Environmental Protection Agency, Pesticides and Toxic Substances, PM-223, Washington, DC 20460, **202 382-2741**

RIN: 2070-AB03

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Toxic Substances Control Act (TSCA)

Completed Actions

COMPLETED RULEMAKINGS

51. DECISION ON TEST RULES FOR CHLORINATED BENZENES AND DECISION NOT TO TEST ACRYLAMIDE (HEALTH)

CFR Citation: 40 CFR 799; 40 CFR 771

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA16

52. DECISION ON TEST RULES FOR NITROBENZENE, DICHLOROMETHANE AND 1,1,1-TRICHLOROETHANE

CFR Citation: 40 CFR 799; 40 CFR 771

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA17

53. DECISION ON TEST RULE FOR PHENYLENEDIAMINES

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA18

54. DECISION ON TEST RULE FOR FLUOROALKENES

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA19

55. TEST RULE FOR DIETHYLENETRIAMINE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA20

56. DECISION ON TEST RULES FOR ELEVENTH ITC PRIORITY LIST

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA23

57. REGULATORY INVESTIGATION AND ADVANCE NOTICE OF PROPOSED RULEMAKING - 4,4'-METHYLENEDIANALINE (MDA)

CFR Citation: 40 CFR 764

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25859

Small Entity: No

Agency Contact: Richard Gross 202 382-3945

RIN: 2070-AA60

58. DECISION ON TEST RULES FOR TWELFTH ITC PRIORITY LIST

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA63

59. DECISION ON TEST RULE FOR CHLOROMETHANE

CFR Citation: 40 CFR 799; 40 CFR 771

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA65

60. DECISION ON TEST RULE FOR BIPHENYL

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA67

61. DECISION ON TEST RULES FOR ETHYLTOLUENE AND TRIMETHYLBENZENE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA68

62. DECISION ON TEST RULE FOR 1,2-DICHLOROPROPANE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA77

63. DECISION ON TEST RULE FOR QUINONE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA78

64. DECISION ON TEST RULE FOR HEXAFLUOROPROPYLENE OXIDE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA80

65. DECISION ON TEST RULE FOR HYDROQUINONE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA83

66. DECISION ON TEST RULE FOR CRESOLS

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA87

67. DECISION ON TEST RULE FOR ALKYL EPOXIDES

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA89

68. DECISION ON TEST RULE FOR ARYL PHOSPHATE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA91

69. DECISION ON TEST RULE FOR GLYCIDOL AND ITS DERIVATIVES

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA92

70. DECISION ON TEST RULE FOR PROPYLENE OXIDE

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA95

71. DECISION ON TEST RULE FOR ANILINE AND CHLORO-, BROMO- AND/OR NITROANILINES

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA97

72. INCIDENTAL USES OF PCBS (REVISION)

CFR Citation: 40 CFR 761

Completed:

Reason	Date	FR Cite
Final Action	07/10/84	49 FR 28172

Small Entity: No

Agency Contact: David Dull 202 382-3938

RIN: 2070-AA40

73. PROPOSED RULEMAKING ON METHYLENE BIS- (2-CHLOROANILINE) (MBOCA)

CFR Citation: 40 CFR 764

Completed:

Reason	Date	FR Cite
Combined with RIN 2070-AA58	09/00/84	

Small Entity: Undetermined

Agency Contact: Richard Gross 202 382-3945

RIN: 2070-AA52

74. POLYCHLORINATED BIPHENYLS (PCBS): EXEMPTIONS FROM THE BAN ON MANUFACTURING, PROCESSING AND DISTRIBUTION

CFR Citation: 40 CFR 761

Completed:

Reason	Date	FR Cite
Final Action	07/10/84	49 FR 28154

Small Entity: No

Agency Contact: Marty Halper 202 382-3866

RIN: 2070-AA62

75. PCBS USE IN MICROSCOPY AND RESEARCH AND DEVELOPMENT (REVISION)

CFR Citation: 40 CFR 761

Completed:

Reason	Date	FR Cite
Final Action	07/10/84	49 FR 28193

Small Entity: No

Agency Contact: David Dull 202 382-3935

RIN: 2070-AA69

76. NEW CHEMICALS FOR EXPORT REPORTING RULE

CFR Citation: 40 CFR 712

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: No

Agency Contact: Joseph DeSantis 202 382-3839

RIN: 2070-AA47

77. HEALTH AND SAFETY DATA REPORTING; SUBMISSION OF LISTS AND COPIES OF HEALTH AND SAFETY STUDIES

CFR Citation: 40 CFR 716

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AA82

78. CHLORINATED TERPHENYL; SUBMISSION OF NOTICE OF MANUFACTURE OR IMPORTATION

CFR Citation: 40 CFR 704

Completed:

Reason	Date	FR Cite
Final Action	03/26/84	49 FR 11181

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AA85

79. DECISION ON TEST RULES FOR THIRTEENTH ITC PRIORITY LIST

CFR Citation: 40 CFR 799

Completed:

Reason	Date	FR Cite
Combined With RIN 2070-AB07	09/00/84	

Small Entity: No

Agency Contact: Gary Timm 202 475-8130

RIN: 2070-AA88

80. SECTION 8(A) REPORTING RULE FOR MESITYL OXIDE

CFR Citation: 40 CFR 12

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25859

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AB00

81. MANUFACTURER'S REPORTING-PRELIMINARY ASSESSMENT INFORMATION; ADDITION OF CHEMICALS

CFR Citation: 40 CFR 712

Completed:

Reason	Date	FR Cite
Withdrawn	09/00/84	

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AB01

82. SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULE FOR METHYL PYRIDINES AND MALEIC ANHYDRIDE

CFR Citation: 40 CFR 716

Completed:

Reason	Date	FR Cite
Final Action	07/27/84	49 FR 30188

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AB02

83. CHLORINATED NAPHTHALENE, SUBMISSION OF NOTICE OF MANUFACTURE OR IMPORTATION

CFR Citation: 40 CFR 704

Completed:

Reason	Date	FR Cite
Final Action	08/24/84	

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AB05

84. SECTION 8(A) REPORTING RULE FOR CHEMICALS LISTED IN THE ELEVENTH REPORT OF THE INTERAGENCY TESTING COMMITTEE

CFR Citation: 40 CFR 712

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25856

Small Entity: No

Agency Contact: Frank Kover 202 382-3436

RIN: 2070-AB06

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Water Act (CWA)

Current and Projected Rulemakings

85. WATER QUALITY PLANNING AND MANAGEMENT REGULATIONS (REVISION)

Legal Authority: 33 USC 1256 / CWA 106; 33 USC 1288 / CWA 208; 33 USC 1313 / CWA 303

CFR Citation: 40 CFR 35 G

Abstract: The Clean Water Act authorizes EPA to provide grants and other assistance to States and other governmental jurisdictions to develop and implement water quality management programs. EPA is revising the existing regulations to simplify the requirements and to remove any aspects of the regulations that are unduly detailed or inflexible.

Timetable:

Action	Date	FR Cite
NPRM	10/19/82	47 FR 46668
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1802.

FTS:8-382-7100.

Agency Contact: Carl Myers, Environmental Protection Agency, Water, (WH-554), Washington, DC 20460, **202 382-7100**

RIN: 2040-AA37

86. ● STATE SLUDGE PROGRAM REGULATIONS

Legal Authority: 33 USC 1256 /CWA 106; 33 USC 1285(g) /CWA 205(g); 33 USC 1288 /CWA 208; 33 USC 1313 /CWA 303; 42 USC 6942 /RCRA 4002

CFR Citation: 40 CFR 501

Abstract: This regulation will set forth the manner in which States are to submit a description of their sludge management programs to EPA for review. It will address the content for those submittals and the criteria EPA will use in determining whether the programs are adequate.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	01/00/86	

Small Entity: No

Additional Information: SAR No. 2163.

FTS: 8-382-7356.

Agency Contact: Charles E. Gross, Environmental Protection Agency, Water, (WH-547), Washington, DC 20460, **202 382-7356**

RIN: 2040-AA73

87. SIMPLIFYING CONSTRUCTION GRANTS REGULATIONS (REVISION)

Legal Authority: 33 USC 1361 / CWA 201

CFR Citation: 40 CFR 35, Appendix A

Abstract: A revised interim final regulation describing allowable and unallowable costs for construction grant projects was published February 17, 1984. This rule will not be published as a final rule until after Congress acts on reauthorization of the construction grants program.

Timetable:

Action	Date	FR Cite
Previous NPRM	11/06/81	46 FR 55220
NPRM	05/12/82	47 FR 20470
Interim Final Rule	05/12/82	47 FR 20450
Revised Interim Final Rule	02/17/84	49 FR 6224
Final Action	06/00/86	

Small Entity: No

Additional Information: SAR No. 1722.

Docket No. G-81-5.

FTS: 8-382-7277.

Agency Contact: William Kramer, Environmental Protection Agency, Water, (WH-595), Washington, DC 20460, **202 382-7277**

RIN: 2040-AA70

88. SIMPLIFYING CONSTRUCTION GRANTS REGULATIONS (REVISION)

Legal Authority: 33 USC 1361 / CWA 201

CFR Citation: 40 CFR 35.2205

Abstract: This rule proposes to specify a maximum allowable project cost which will limit increases on grants for construction of publicly owned treatment works (POTWs). This limit is intended to provide additional incentive for communities to manage their grant funds as efficiently as possible. It will limit the allowable cost increase for grants awarded after the effective date of this rule.

Timetable:

Action	Date	FR Cite
NPRM	02/17/84	49 FR 6113
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 1722.

Docket No. G-82-06.

FTS: 8-382-5843.

Agency Contact: Thomas Whalen, Environmental Protection Agency, Water, (WH-547), Washington, DC 20460, **202 382-5819**

RIN: 2040-AA71

89. NPDES NEW SOURCE AND SHORT APPLICATION FORMS (REVISION)

Legal Authority: 33 USC 1311 / CWA 301

CFR Citation: 40 CFR 122

Abstract: This action will develop an NPDES application form for new manufacturing, commercial, mining, and silvicultural operations. Besides obtaining information necessary for setting effluent discharge limitations, it will also help permit writers to determine whether the facility is a new source. This action will also develop a short, two-page application form for use by non-process wastewater dischargers. These dischargers usually contain only materials such as sanitary wastes and non-contact cooling water.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 1725.

FTS:8-426-2970.

Agency Contact: Gail Goldberg, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, **202 426-2970**

RIN: 2040-AA00

90. REQUIREMENTS FOR APPLICATION FOR 301(C) VARIANCES

Legal Authority: 33 USC 1311 / CWA 311

CFR Citation: 40 CFR 125

Abstract: Section 301(c) of the Clean Water Act provides for variances on economic grounds of the strict requirements of BAT controls for non-toxic, non-conventional pollutants. The Agency is considering providing a guidance document which would set out ground rules and national criteria for granting variances from BAT requirements.

Timetable:

Action	Date	FR Cite
Guidance Document	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 1404.

FTS: 8-382-2724.

Agency Contact: Karen Shafer, Environmental Protection Agency, Water, (PM-220), Washington, DC 20460, 202 382-2724

RIN: 2040-AA01

91. WAIVERS FROM BAT FOR NONCONVENTIONAL POLLUTANTS UNDER 301(G) (REVISION)

Legal Authority: 33 USC 1311 / CWA 301

CFR Citation: 40 CFR 125 F

Abstract: Section 301(g) allows NPDES permit applicants to request a waiver from BAT effluent limitations for nonconventional pollutants when the applicant can show that a less stringent permit limit will not interfere with the attainment or maintenance of water quality and will not endanger human health or the environment. This regulation will establish guidelines for evaluating waiver applications.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31462
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 1634.

FTS:8-426-7010.

Agency Contact: Robert Cantilli, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-7010

RIN: 2040-AA02

92. EFFLUENT GUIDELINES FOR ORGANIC CHEMICALS AND PLASTICS AND SYNTHETIC FIBERS (REVISION)

Priority: Major

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1461 / CWA 501

CFR Citation: 40 CFR 414; 40 CFR 416

Abstract: The Agency has proposed BPT, BAT, NSPS and pretreatment standards for the organic chemicals portion of this industry (SIC 2865, 2869). Pollutants include aromatic chlorinated hydrocarbons, phenolic compounds, and metals. EPA also proposed BCT, BAT, BPT, NSPS, and pretreatment standards for the plastics and synthetics portion of this industry (SIC 2821, 2823, 2824). Pollutants of concern include phenols, acrolein, ethylbenzene, vinyl chloride, and metals.

Timetable:

Action	Date	FR Cite
NPRM	03/21/83	48 FR 11828
Notice	08/00/84	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 1415.

FTS:8-382-7190.

The court has been notified of the schedule delay; and an alternative schedule has not yet been approved.

Analysis: RIA

Agency Contact: E.H. Forsht, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7190

RIN: 2040-AA05

93. EFFLUENT GUIDELINES FOR OFFSHORE OIL AND GAS INDUSTRY (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 435

Abstract: EPA published a final rule for BPT in 1979; NSPS and BAT standards, which had been proposed in 1975, were deferred and have subsequently been withdrawn. The agency plans to repropose regulations for NSPS and BAT; propose BCT; and make certain amendments to BPT.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	11/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1649.

FTS:8-382-7161.

Agency Contact: Dennis Ruddy, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7165

RIN: 2040-AA12

94. EFFLUENT GUIDELINES FOR PHARMACEUTICALS (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 439

Abstract: EPA has promulgated revised portions of the previous interim final BPT, BAT, NSPS, PSES, and PSNS effluent limitations and standards for the pharmaceutical manufacturing point sources. Additionally, the Agency is promulgating NSPS regulations to control the discharge of conventional pollutants for new source direct dischargers. The Agency further intends to promulgate limitations for the BCT control level. However, BCT limitations will not be established. The Agency has also postponed a final decision on the BAT and NSPS regulations that would control the discharge of the nonconventional COD pollutant.

Timetable:

Action	Date	FR Cite
NPRM	11/26/82	47 FR 53584
Final Action BPT, BAT, PSES, PSNS	10/27/83	48 FR 49808
Notice (BCT)	03/09/84	49 FR 8967
Final Action NSPS	11/00/84	
Final Action (BCT)	06/00/85	
Final Action (COD Limits)	06/00/85	

Small Entity: No

Additional Information: SAR No. 1427.

FTS:8-382-7182.

Agency Contact: Frank Hund, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7182

RIN: 2040-AA13

95. EFFLUENT GUIDELINES FOR PAINT FORMULATION

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 446

Abstract: The Agency is withdrawing the proposed BAT, NSPS, PSES, and PSNS effluent limitations and standards for the caustic and/or water wash subcategory, and also the pretreatment standards for the solvent wash subcategory. The authority for this decision is provided for under the EPA-NRDC Settlement Agreement, Paragraph 8. The Agency intends to publish a guidance document which will describe the details supporting its decision to exclude these standards from further regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/03/80	45 FR 912
Notice of Availability - Guidance Document	00/00/00	

Small Entity: No

Additional Information: SAR No. 1411.

FTS:8-426-2554.

Agency Contact: Robert Dellinger, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 426-2554

RIN: 2040-AA15

96. EFFLUENT GUIDELINES FOR INK FORMULATION

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 447

Abstract: The Agency is withdrawing the proposed BAT, NSPS, PSES, and PSNS effluent limitations and standards for the caustic and/or water wash subcategory, and also the pretreatment standards for the solvent wash subcategory. The authority for this decision is provided for under the EPA-NRDC Settlement Agreement, Paragraph 8. The Agency intends to publish a guidance document which will describe the details supporting its decision to exclude these standards from further regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/03/80	45 FR 928
Notice of Availability - Guidance Document	00/00/00	

Small Entity: No

Additional Information: SAR No. 1411A.

FTS:8-426-2497.

Agency Contact: Gregory Aveni, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7137

RIN: 2040-AA16

97. EFFLUENT GUIDELINES FOR GUM AND WOOD (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 454

Abstract: The Agency intends to promulgate the proposed BPT standards for seven subcategories and NSPS standards for four subcategories. However, the Agency will be withdrawing the proposed BAT limitations and the proposed pretreatment standards. Authority for these exclusions is provided under paragraph 8 of the NRDC - EPA settlement agreements. In addition to publishing the final BPT and NSPS standards the Agency will publish a guidance document describing the basis for the exclusion of the BAT and pretreatment standards.

Timetable:

Action	Date	FR Cite
NPRM	11/29/80	44 FR 68710
Final Action (BPT)	12/00/84	
Notice of Availability - Guidance Document	00/00/00	

Small Entity: No

Additional Information: SAR No. 1425.

FTS:8-382-7186.

Agency Contact: Richard Williams, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7186

RIN: 2040-AA17

98. EFFLUENT GUIDELINES FOR PESTICIDES (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 455

Abstract: EPA is developing effluent limitations and standards for BAT, BPT, BCT, NSPS, and Pretreatment (PSES, PSNS) controls for manufacturers and formulator/packagers of pesticides and related products. Pollutants of concern include active ingredient pesticides, organic solvents, and metals. The Agency also proposes to establish test procedures for the analysis of 66 of the 137 nonconventional pesticide pollutants for which effluent guidelines were proposed in November of 1982 (47 FR 53994). These analytical procedures will be used in supporting the final effluent guidelines and will also be used for filing applications for NPDES permits, state certifications, and for compliance monitoring under the Clean Water Act.

Timetable:

Action	Date	FR Cite
NPRM	11/30/82	47 FR 53994
NPRM (Guidance)	02/10/83	48 FR 6250
Notice	06/13/84	49 FR 24492
Notice	08/01/84	49 FR 30752
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1426.

FTS:8-382-7180

Agency Contact: George Jett, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7180

RIN: 2040-AA18

99. EFFLUENT GUIDELINES FOR METAL MOLDING AND CASTING (FOUNDRIES)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 464

Abstract: The Agency is promulgating BPT, BAT, NSPS, PSES, and PSNS for the aluminum casting, copper casting, iron and steel casting, magnesium casting, and zinc casting subcategories. The industry discharges approximately 1,200 lbs./day of toxic pollutants. Pollutants of concern include zinc, copper, lead, and phenolic compounds.

Timetable:

Action	Date	FR Cite
NPRM	11/15/82	47 FR 51512
Notice	03/20/84	49 FR 10280
Final Action	12/00/84	

Small Entity: Yes

Additional Information: SAR No. 1432.

FTS: 8-382-7189.

Analysis: RFA 00/00/00

Agency Contact: Donald Anderson, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7189

RIN: 2040-AA20

100. EFFLUENT GUIDELINES FOR NONFERROUS METALS (PHASE II)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 413

Abstract: The Agency has proposed BPT, BAT, BCT, NSPS, PSES, and PSNS for the production and refining of metals from ore for several metals not covered by the Phase I nonferrous regulation. Such metals as beryllium, zirconium, hafnium, platinum, and titanium will be regulated. Principal pollutants considered are primarily toxic metals.

Timetable:

Action	Date	FR Cite
NPRM	06/27/84	49 FR 26352
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1911.

FTS:8-382-7126.

Agency Contact: James Berlow, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7126

RIN: 2040-AA27

101. EFFLUENT GUIDELINES FOR PLASTICS MOLDING AND FORMING

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 463

Abstract: The Agency has proposed BPT, BAT, BCT, NSPS, PSES, and PSNS for the plastics molding and forming industry. These limitations address processes that blend, mold, or otherwise form plastic materials into intermediate or final plastic products. This regulation is distinct from the primary manufacture of plastic materials and compounds to be covered by regulations in the organic chemicals, plastics, and synthetic fibers category. The pollutants of concern are biochemical oxygen demand, total organic carbon, total phenols, and some organic and metal priority toxic pollutants.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	49 FR 5862
Final Action	09/00/84	

Small Entity: No

Additional Information: SAR No. 1909.

FTS:8-382-7156.

Agency Contact: Robert M. Southworth, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7156

RIN: 2040-AA29

102. EFFLUENT GUIDELINES FOR ADHESIVES AND SEALANTS

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 463

Abstract: The Agency has decided to exclude portions of the Adhesives and Sealants point source category from toxic pollutant regulation. Authority for this decision is provided under the EPA-NRDC Settlement Agreement, Paragraph 8. The Agency intends to publish a document that will provide a summary of technical findings for this industrial category.

Timetable:

Action	Date	FR Cite
Notice	02/00/85	

Small Entity: No

Additional Information: SAR No. 1910.

FTS:8-382-7190.

Agency Contact: Elwood Forsht, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7190

RIN: 2040-AA30

103. EFFLUENT GUIDELINES FOR NONFERROUS METALS FORMING

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 471

Abstract: The Agency has proposed BPT, BAT, BCT, NSPS, PSES, and PSNS for the forming (rolling, drawing, etc.) of nonferrous metals other than copper and aluminum. These limitations will apply to wastewater generated by these operations. Pollutants of concern include cadmium, chromium, lead, nickel, zinc, and toxic organics.

Timetable:

Action	Date	FR Cite
NPRM	03/05/84	49 FR 8112
Final Action	10/00/84	

Small Entity: No

Additional Information: SAR No. 1908.

FTS: 8-382-7152.

Agency Contact: Janet Goodwin, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7152

RIN: 2040-AA32

104. EFFLUENT GUIDELINES FOR RUBBER PROCESSING (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 415

Abstract: EPA has proposed to withdraw BAT and substitute limits for COD and metals equivalent to BPT for nine subcategories. Lead limits for three subcategories were studied and revisions to these limits are being made. Rubber reclaimers covered by subparts H and I have been re-examined for BCT, BAT, and NSPS regulations. National regulations will not be issued for the two rubber reclaimed subcategories.

Timetable:

Action	Date	FR Cite
NPRM	12/18/79	44 FR 75016
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1420.

FTS:8-382-7172.

Agency Contact: J. S. Vitalis, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7172

RIN: 2040-AA42

105. EFFLUENT GUIDELINES FOR PULP, PAPER, AND PAPERBOARD (PCB'S) (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 430

Abstract: EPA has promulgated effluent limitations and standards for BPT, BAT, NSPS, PSNS, and PSES levels of control for the Pulp and Paper point source category. BCT limitations will not be established until promulgation of the general methodology for determining appropriate levels of conventional-pollutants control under BCT. The Agency has proposed BAT and NSPS regulations that would limit the discharge of PCBs into waters of the United States from mills in this industrial category where fine and tissue papers are made from deink wastepaper. In response to a court remand of the final 1977 BPT regulation, EPA has also proposed a revised BPT limitation for the conventional pollutant BOD in the acetate grade production subpart of the dissolving sulfite pulp subcategory. The Agency further intends to promulgate limitations for the BCT technology control level, the control of the pollutant PCB (polychlorinated biphenyls), and the BOD limitation for the acetate grade production in the dissolving sulfite pulp subcategory.

Timetable:

Action	Date	FR Cite
NPRM (BOD)	03/12/80	45 FR 15952
NPRM (BCT)	10/29/82	46 FR 49176
NPRM (PCB)	11/18/82	47 FR 52066
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: SAR No. 1969.

FTS:8-382-7137.

Agency Contact: Robert Dellinger, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7137

RIN: 2040-AA63

106. EFFLUENT GUIDELINES FOR ORE MINING AND DRESSING (PLACER MINING) (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 144.103; 40 CFR 144.104

Abstract: The Agency is developing BAT and NSPS for mines and mills that beneficiate gold ores by ground separation methods. These methods include mining of placer deposits, dredge mining, and hydraulic mining operations. These limitations will apply to wastewater generated by these operations and are an addition to those subcategories for which final regulations were issued on December 3, 1982.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: Yes

Additional Information: SAR NO. 1413.

FTS 8-382-7164.

Analysis: RFA

Agency Contact: B. Matthew Jarett, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7164

RIN: 2040-AA65

107. EFFLUENT GUIDELINES FOR COAL MINING (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 434

Abstract: The Agency will promulgate amendments which limit the discharge of pollutants to U.S. waters from the coal mining industry. This action is a result of a Settlement Agreement executed on August 1, 1983 (National Coal Association, et al., v EPA).

Timetable:

Action	Date	FR Cite
NPRM	05/04/84	49 FR 19240
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1414.

FTS:8-382-7167.

Agency Contact: Allison Phillips, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7167

RIN: 2040-AA66

108. BEST CONVENTIONAL TECHNOLOGY (BCT) COST TEST AND BCT EFFLUENT GUIDELINES (REVISION)

Priority: Task Force

Legal Authority: 33 USC 1314 / CWA 304

CFR Citation: 40 CFR 405; 40 CFR 406; 40 CFR 407; 40 CFR 408; 40 CFR 409; 40 CFR 411; 40 CFR 412; 40 CFR 415; 40 CFR 422; 40 CFR 424; 40 CFR 425; 40 CFR 426; 40 CFR 429; 40 CFR 430; 40 CFR 431

Abstract: EPA is revising the cost reasonableness test for BCT effluent limitations for primary and secondary industries, primarily food processors and light manufacturers. EPA issued a notice withdrawing the existing BCT limitations on February 17, 1982 (47 FR 6835). EPA proposed new BCT limitations for the affected industries, including seafood processing and meat packing, pulp and paper, timber, metal finishing, inorganic chemicals, ore mining, and leather tanning. EPA is making these revisions in response to a court decision. This revision also fulfills the request for review of the program by the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	10/29/82	47 FR 49176
Notice	09/20/84	
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 1752.

FTS: 8-382-5385.

On September 20, 1984, EPA issued a notice of data availability concerning the proposed rule for best conventional pollutant control technology (BCT). This notice requested comments on new information that EPA is considering using in the final BCT methodology. The new information focuses on the cost of secondary and advanced secondary treatment at publicly owned treatment works. Following analysis of the comments we receive on the notice, EPA will either publish a reproposal or final BCT methodology.

Agency Contact: Debra Maness, Environmental Protection Agency, Water, (WH-586), Washington, DC 20460, **202 382-5385**

RIN: 2040-AA45

109. GENERAL PRETREATMENT REGULATIONS: REFORMS (REVISION)

Legal Authority: 33 USC 1317 / CWA 307

CFR Citation: 40 CFR 403

Abstract: The Agency is preparing revisions to the Pretreatment Regulations which will redefine several terms and repromulgate other definitions. These revisions will address a remand by the Third Circuit Court of Appeals, and fulfills the request for review of the program by the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 1900.

FTS: 8-426-4793.

Agency Contact: William Diamond, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, **202 426-4793**

RIN: 2040-AA46

110. ● GENERAL SLUDGE REGULATIONS

Legal Authority: 33 USC 1318 / CWA 308; 33 USC 1319 / CWA 309; 33 USC 1345 / CWA 405; 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 500

Abstract: This is a general regulation which will set forth the statutory authority applicability, and definitions for the sludge regulations to be promulgated under 40 CFR Part 501 and 503. It will also contain cross-references to other Federal regulations that may affect sewage sludge use and disposal.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	01/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 2161.

FTS: 8-382-7356.

Agency Contact: Charles E. Gross, Environmental Protection Agency, Water, WH-547, Washington, DC 20460, **202 382-7356**

RIN: 2040-AA75

111. REMOVAL OF OIL AND HAZARDOUS SUBSTANCE DISCHARGES

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 111

Abstract: This regulation sets forth the methods and procedures for the removal of oil and hazardous substances from inland waters of the United States, excluding the Great Lakes. Key elements of the regulation are voluntary removal guidelines for the proper removal and disposal of oil and hazardous substance discharges and mandatory provisions governing the use of chemical agents applied to discharges.

Timetable:

Action	Date	FR Cite
NPRM	12/23/80	45 FR 84942
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 1544.

FTS:8-382-2196.

Agency Contact: L. M. Flaherty, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, **202 382-2196**

RIN: 2040-AA33

112. HAZARDOUS SUBSTANCES POLLUTION PREVENTION FOR FACILITIES SUBJECT TO PERMITTING REQUIREMENTS OF SECTION 402

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 151

Abstract: This regulation's purpose is to prevent spills of hazardous substances into navigable waters. It sets forth requirements for the Spills Prevention Control and Countermeasure Plans for facilities which (a) are not related to transportation, (b) which store, manufacture or otherwise handle hazardous substances at their facilities, and (c) are subject to NPDES permits. The Agency will likely exempt any small facilities which store less than ten times the reportable quantities of spilled, hazardous substances.

Timetable:

Action	Date	FR Cite
NPRM	09/01/78	43 FR 39276
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 1451.

FTS:8-382-2196.

Agency Contact: L. M. Flaherty, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, **202 382-2196**

RIN: 2040-AA34

113. DISCHARGE OF OIL (REVISION)

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 110

Abstract: This revision will extend applicability to deep water ports and extend reporting requirements for oil to 200 miles offshore. It will provide for U.S. obligations under international MARPOL agreements. It will also provide for exemptions from reporting requirements for permitted dischargers and consider suggestions for exempting vegetable-oil based products from notification and employing a volumetric trigger for notification.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1579.

For information call the RCRA/Superfund Hotline (800-424-9346); in D.C. Metropolitan Area (382-3000).

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, **202 382-3000**

RIN: 2040-AA48

114. OIL POLLUTION PREVENTION REGULATION (REVISION)

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 112

Abstract: This action would revise the existing rule to reflect changes in the jurisdiction of Section 311 of the Federal Water Pollution Control Act brought about by the 1977 amendments to that Act. This revision would also involve changes in the applicability

criteria requirements for new facilities availability of SPCC Plans for review by EPA personnel, review of SPCC Plans by owners or operators, and SPCC Plan requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/20/80	45 FR 33814
Final Action	08/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1584.

FTS:8-382-2196.

Agency Contact: L. M. Flaherty, Environmental Protection Agency, Water, (WH-548B), Washington, DC 20460, 202 382-2196

RIN: 2040-AA49

115. CONSOLIDATED PERMITS: NPDES ISSUES (REVISION)

Legal Authority: 42 USC 6924 / CWA 402

CFR Citation: 40 CFR 122 to 124

Abstract: This action would implement the NPDES issues in the settlement agreement signed on June 7, 1982 in NRDC v. EPA. The NPDES issues involve requirements for water discharge permits under the NPDES program.

Timetable:

Action	Date	FR Cite
NPRM	11/18/82	47 FR 52072
Final Action	09/00/84	

Small Entity: No

Additional Information: SAR No. 1901.

FTS:8-426-4793.

Agency Contact: George Young, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-4793

RIN: 2040-AA35

116. NPDES REGULATIONS: REGULATORY REFORM (REVISION)

Priority: Task Force

Legal Authority: 33 USC 1251 / CWA 402

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 125

Abstract: These revisions are being proposed to streamline permit program requirements and ease burdens upon the public by eliminating regulations not mandated by law or essential to good program implementation; by expediting procedures where appropriate; by reducing unnecessary reporting requirements; and by promoting assumption of NPDES authority by States. These revisions are being made at the request of the President's Task Force on Regulatory Relief.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 1868.

FTS:8-426-4793.

Agency Contact: George Young, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 426-4793

RIN: 2040-AA50

117. NPDES PERMIT REGULATIONS FOR NONCOMPLIANCE AND PROGRAM REPORTING (REVISION)

Legal Authority: 33 USC 1342 / CWA 402

CFR Citation: 40 CFR 123.45

Abstract: This rule will revise certain program reporting requirements for the National Pollutant Discharge Elimination System (NPDES). It will revise the program requirements for quarterly noncompliance reports (QNCR) on major dischargers which are prepared by EPA Regions and NPDES States. The primary reason for this change in the QNCR is to establish a consistent basis for reporting noncompliance. The change should produce a more accurate and meaningful assessment of permit noncompliance by major dischargers within each State.

Timetable:

Action	Date	FR Cite
NPRM	07/23/84	49 FR 29720
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2086.

FTS: 8-475-8315.

Agency Contact: Edward S. Bender, Environmental Protection Agency, Water, (EN-338), Washington, DC 20460, 202 475-8315

RIN: 2040-AA67

118. ● TECHNICAL SLUDGE REGULATIONS

Legal Authority: 33 USC 1345 / CWA 405

CFR Citation: 40 CFR 500

Abstract: The Agency plans to provide technical criteria and management practices by issuing technical sludge regulations under Section 405 of the Clean Water Act. These regulations will address: Distribution and Marketing, Land Application to Food and Non-food Chain crops, Ocean Disposal, Incineration and Landfilling.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2162.

FTS: 8-755-0100.

Agency Contact: Patrick Tobin, Environmental Protection Agency, Water, WH-585, Washington, DC 20460, 202 755-0100

RIN: 2040-AA74

119. OCEAN DUMPING CRITERIA (REVISION)

Legal Authority: 33 USC 1401 et seq / MPRSA

CFR Citation: 40 CFR 220 to 229

Abstract: A proposed regulation will be issued to address changes in the regulations required by court action.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	08/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1604.

FTS:8-755-0356.

Agency Contact: T. A. Wastler, Environmental Protection Agency, Water, (WH-585), Washington, DC 20460, 202 755-0356

RIN: 2040-AA52

120. ● OCEAN INCINERATION REGULATIONS (REVISION)

Legal Authority: 33 USC 1410 / MPRSA

CFR Citation: 40 CFR 232

Abstract: The Agency plans to provide specific permitting regulations for the ocean incineration of liquid hazardous

and nonhazardous wastes. These regulations will be an independent part of the Ocean Dumping Regulations. The existing Ocean Dumping Regulations provide no specific criteria or standards for the review of ocean incineration permit applications.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 2140.

FTS: 8-755-0100.

Agency Contact: Patrick Tobin, Environmental Protection Agency, Water, (WH-585), Washington, DC 20460, 202 755-0100

RIN: 2040-AA72

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Water Act (CWA)

Existing Regulations Under Review

121. REVIEW OF GENERAL PRETREATMENT PROGRAM INFORMATION COLLECTION REQUIREMENTS

Legal Authority: 33 USC 1342(b) / CWA 402(b)

CFR Citation: 40 CFR 403

Abstract: The pretreatment program requires designated states, publicly-owned treatment works and their industrial users to collect data, submit reports and maintain records on pollutant dischargers, compliance actions, and related facilities descriptions. EPA is reviewing the reporting and recordkeeping requirements to determine if improvements can be made, such as increasing efficiency or eliminating unnecessary requirements. Where appropriate, the recommendations will either be incorporated into the amendments to relevant regulations and/or they will appear as part of EPA's revised policy and guidance documents.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/83	
End Review	10/00/84	

Small Entity: Yes

Additional Information: FTS:8-382-2709.

REVIEW AUTHORITY: Paperwork Reduction Act (44 USC 3506).

Agency Contact: Eric Strassler, Environmental Protection Agency, Water, (PM-223), Washington, DC 20460, 202 382-2709

RIN: 2040-AA68

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Water Act (CWA)

Completed Actions

COMPLETED RULEMAKINGS

122. COMPLIANCE EXTENSION FOR INNOVATIVE TECHNOLOGY FOR INDUSTRIAL DISCHARGE (REVISION)

CFR Citation: 40 CFR 125

Completed:

Reason	Date	FR Cite
Final Action	06/25/84	49 FR 25978

Small Entity: No

Agency Contact: Marilyn Goode 202 426-7010

RIN: 2040-AA03

123. EFFLUENT GUIDELINES FOR INORGANIC CHEMICALS (PHASE II)

CFR Citation: 40 CFR 415

Completed:

Reason	Date	FR Cite
Final Action	08/22/84	49 FR 33402

Small Entity: No

Agency Contact: Tom Fielding 202 382-7156

RIN: 2040-AA28

124. SECONDARY TREATMENT REGULATIONS (REVISION)

CFR Citation: 40 CFR 133

Completed:

Reason	Date	FR Cite
Final Action	09/20/84	

Small Entity: No

Agency Contact: William Kramer 202 382-7277

RIN: 2040-AA44

125. USE OF CARBONACEOUS BIOCHEMICAL OXYGEN DEMAND (CBOD) FOR SECONDARY TREATMENT REGULATION (REVISION)

CFR Citation: 40 CFR 133

Completed:

Reason	Date	FR Cite
Final Action	09/20/84	

Small Entity: No

Agency Contact: William Kramer 202 382-7277

RIN: 2040-AA62

126. GENERAL PRETREATMENT REGULATIONS: REMOVAL CREDITS (REVISION)

Priority: Task Force

CFR Citation: 40 CFR 403.7

Completed:

Reason	Date	FR Cite
Final Action	08/03/84	49 FR 31212

Small Entity: No

Agency Contact: Craig Jakubowics 202 426-4793

RIN: 2040-AA47

127. 404(B)(1) REGULATIONS (REVISION)

Priority: Task Force

CFR Citation: 40 CFR 230

EPA—CWA **Completed Actions**

Completed:

Reason	Date	FR Cite
Withdrawn - waiting for Army Corps reasons for revising guidelines	08/27/84	

Small Entity: No

Agency Contact: Suzanne Schwartz 202 472-3400

RIN: 2040-AA51

128. SEWAGE SLUDGE DISPOSAL GUIDELINES (REVISION)

CFR Citation: 40 CFR 500; 40 CFR 501; 40 CFR 502; 40 CFR 503

Completed:

Reason	Date	FR Cite
Split into three new entries RINS 2040-AA73,74,75	08/00/84	

Small Entity: Undetermined

Agency Contact: Tom O'Farrell 202 382-5367

RIN: 2040-AA36

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Atomic Energy Act (AEA)

Current and Projected Rulemakings

129. RESIDUAL RADIOACTIVITY

Priority: Major

Legal Authority: 42 USC 2201 / AEA; 42 USC 2021 / AEA

CFR Citation: 40 CFR 194

Abstract: The Agency is determining whether to develop standards or guidance to control radiation exposure levels to the public from residual radioactivity after cleanup of sites and facilities where radionuclides were used and where unrestricted use will be allowed. This action may also control radiation exposure levels to the general public from materials contaminated with radionuclides which will be recycled into general commerce.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	
NPRM	07/00/86	
Final Action	12/00/87	

Small Entity: Undetermined

Additional Information: SAR No. 2073.

FTS: 8-557-8977.

Analysis: RIA

Agency Contact: Stanley Lichtman, Environmental Protection Agency, Air and Radiation, ANR-460, Washington, DC 20460, 703 557-8927

RIN: 2060-AB31

130. GUIDANCE FOR OCCUPATIONAL RADIATION EXPOSURE (REVISION)

Legal Authority: AEA 274(h); 42 USC 2021(h) Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Abstract: This guidance would update existing (1960) radiation occupational exposure limits for all workers except radiation exposure to uranium miners. It would lower allowable exposure per year and incorporate selected current recommendations of national and international radiation protection advisory bodies.

Timetable:

Action	Date	FR Cite
ANPRM	09/17/79	44 FR 53785
NPRM	01/23/81	46 FR 7836
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1161.

Docket No. A-79-46.

FTS:8-557-8927.

Agency Contact: Allan Richardson, Environmental Protection Agency, Air and Radiation, (ANR 460), Washington, DC 20460, 703 557-8927

RIN: 2060-AA00

131. TRANSURANIUM ELEMENTS

Legal Authority: AEA 274(h); 42 USC 2021(h) Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Abstract: This guidance to Federal Agencies will establish dose rate limits for people exposed to transuranium elements in the general environment. This dose rate limit can be associated with an estimated maximum risk of one additional death per million persons continuously exposed at this rate per year. Guidance is undergoing interagency review.

Timetable:

Action	Date	FR Cite
NPRM	11/30/77	42 FR 60956
Interim Final Rule	09/00/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1162.

FTS:8-557-0740.

Agency Contact: Gordon Burley, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-9710

RIN: 2060-AA01

132. RADIOFREQUENCY RADIATION GUIDANCE

Legal Authority: AEA 274(h); 42 USC 2021(h) Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Abstract: This guidance will serve to limit exposure of the general public to radiofrequency radiation, which poses a potential health risk.

Timetable:

Action	Date	FR Cite
ANPRM	12/23/82	47 FR 57338
NPRM	02/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1525.

FTS: 8-557-7380.

Analysis: Background information documents

Agency Contact: Norbert Hankin, Environmental Protection Agency, Air and Radiation, (ANR-461), Washington, DC 20460, 703 557-7380

RIN: 2060-AA02

133. ENVIRONMENTAL PROTECTION STANDARDS FOR HIGH-LEVEL RADIOACTIVE WASTE

Priority: Major

Legal Authority: 42 USC 2021 / AEA 274

CFR Citation: 40 CFR 191

Abstract: EPA is developing environmental standards which state the public health and environmental requirements to be met for disposal of high-level radioactive waste. These consist of general design and site selection principles as well as numeric performance requirements for high-level waste repositories. DOE and NRC will use EPA's regulation to set their standards to govern the licensing, design and operation of permanent high-level radioactive waste disposal facilities.

Timetable:

Action	Date	FR Cite
ANPRM	12/06/76	41 FR 53363
NPRM	12/29/82	47 FR 58196
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1163.

FTS:8-557-8610.

Analysis: Final RFA 00/00/00

Agency Contact: Dan Egan, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-8610

RIN: 2060-AA03

134. ENVIRONMENTAL PROTECTION STANDARDS FOR LOW-LEVEL RADIOACTIVE WASTE

Legal Authority: AEA 274(h); 42 USC 2021(h) Reorganization Plan No. 3 of 1970

CFR Citation: 40 CFR 193

Abstract: The National Radioactive Waste Management Program requires the development of a standard for disposal of low-level radioactive wastes, uranium mill tailings, and mining wastes subject to the radioactive wastes, high-activity transuranic-contaminated wastes, uranium mill tailings, and wastes regulated under the Resource Conservation and Recovery Act of 1976.

Timetable:

Action	Date	FR Cite
ANPRM	08/31/83	48 FR 39563
NPRM	05/00/85	
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 1727.

FTS:8-557-8610.

Agency Contact: G. Lewis Meyer, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-8610

RIN: 2060-AA04

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Safe Drinking Water Act (SDWA)

Current and Projected Rulemakings

135. NATIONAL PRIMARY DRINKING WATER REGULATIONS: MAXIMUM CONTAMINANT LEVELS FOR VOLATILE ORGANIC CHEMICALS FOUND IN DRINKING WATER

Legal Authority: 42 USC 300 / SDWA 1412

CFR Citation: 40 CFR 141

Abstract: EPA will propose Recommended Maximum Contaminant Levels (RMCLs) and Primary Drinking Water Regulations to certain volatile synthetic organic compounds (VOCs). These VOCs have been most commonly found in drinking water drawn from groundwater sources. These chemicals include such compounds as trichloroethylene, tetrachloroethylene, and vinyl chloride. Aeration and granular activated carbon (GAC) systems are treatment technologies that can reduce these contaminants to a low level. Preliminary estimates show that average residential monthly bills for affected systems could rise from $1 - $14 depending on the size of the drinking water system and the type of technology selected. The Agency will promulgate RMCLs (i.e. nonenforceable health goals) before it promulgates the Maximum Contaminant Levels (MCLs) (i.e., enforceable standard).

Timetable:

Action	Date	FR Cite
Previous ANPRM	07/14/76	41 FR 23991
ANPRM	03/04/82	47 FR 9350
NPRM	06/12/84	49 FR 24330
NPRM RMCLs	06/12/84	49 FR 24330
NPRM MCLs	04/00/85	
Final Action RMCLs	04/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1567.

FTS: 8-382-7575.

Analysis: Preliminary RIA 00/00/00; Draft RFA 00/00/00

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA53

136. NATIONAL PRIMARY DRINKING WATER REGULATIONS: INORGANIC AND ORGANIC COMPOUNDS AND MICROBIOLOGICAL CONTAMINANTS AND TURBIDITY (REVISION)

Legal Authority: 42 USC 300 / SDWA 1412

CFR Citation: 40 CFR 141

Abstract: The monitoring requirements and MCLs in the National Interim Primary Drinking Water Regulations will be comprehensively reviewed for inorganic and organic compounds, microbiological contaminants and turbidity and radionuclides. EPA will conduct an assessment of exposure, analytical methods, potential health effects, and the performance and costs of treatment technologies. The Agency will promulgate Recommended Maximum Contaminant Levels (RMCLs) as non-enforceable health goals, before it promulgates the maximum contaminant levels (MCLs) as enforceable standards.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
NPRM RMCLs	05/00/85	
NPRM MCLs	07/00/86	
Final Action RMCLs	07/00/86	

Small Entity: Yes

Additional Information: SAR No. 1755.

FTS:8-382-7575.

Analysis: Preliminary RIA 00/00/00; Draft RFA 00/00/00

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA55

137. NATIONAL PRIMARY DRINKING WATER REGULATIONS: FLUORIDE (REVISION)

Legal Authority: 42 USC 300 / SDWA 1412

CFR Citation: 40 CFR 141

Abstract: The Agency will assess the maximum contaminant level (MCL) for fluoride in the National Interim Primary Drinking Water Regulations to determine if it reflects potential health effects and the performance and cost of available treatment technologies. Based on statutory requirements and recent technical information, the Agency is considering numerous options.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/81	46 FR 58345
ANPRM	10/05/83	48 FR 45502
NPRM (MCLS)	00/00/00	
NPRM (RMCLs)	00/00/00	
Final Action (RMCLs)	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 1756.

FTS:8-382-7575.

Analysis: Draft RFA; Preliminary RIA 00/00/00

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA56

138. UNDERGROUND INJECTION CONTROL PROGRAM: FEDERALLY ADMINISTERED PROGRAMS (PHASE II)

Legal Authority: 42 USC 300 / SDWA 1422

CFR Citation: 40 CFR 147

Abstract: EPA is required to prescribe an Underground Injection Control (UIC) program in states that do not have an approved UIC program. The Phase I UIC regulation will implement UIC programs in twenty-two states. This regulation will provide UIC programs for seven states and four Indian lands that are not included in the Phase I regulation.

Timetable:

Action	Date	FR Cite
NPRM	05/11/84	49 FR 20238
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 2012.

FTS: 8-382-5530.

Agency Contact: John B. Atcheson, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-5530

RIN: 2040-AA69

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Safe Drinking Water Act (SDWA)

COMPLETED RULEMAKINGS

139. UNDERGROUND INJECTION CONTROL PROGRAM: FEDERALLY ADMINISTERED PROGRAMS (PHASE I)(REVISION)

CFR Citation: 40 CFR 144.1; 40 CFR 144.3; 40 CFR 144.21; 40 CFR 144.22; 40 CFR 144.23; 40 CFR 144.25; 40 CFR 144.26; 40 CFR 144.27; 40 CFR 144.28; 40 CFR 147

Completed:

Reason	Date	FR Cite
Final Action	05/11/84	49 FR 20138

Small Entity: No

Agency Contact: John B. Atcheson 202 382-5530

RIN: 2040-AA61

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Noise Control Act (NCA)

140. WITHDRAWAL OF PRODUCTS FROM THE AGENCY'S REPORTS IDENTIFYING MAJOR NOISE SOURCES AND WITHDRAWAL OF PROPOSED RULES

Legal Authority: 42 USC 4904(b)(1) / NCA 5(b)(1); 42 USC 4905 / NCA 6(a)(1)

CFR Citation: 40 CFR 51

Abstract: This action withdraws certain products from the Agency's report identifying major noise sources issued under authority of Section 5(b)(1) of the Noise Control Act of 1972. These products are: Truck Transport Refrigeration Units, Power Lawn Mowers, Pavement Breakers, Rock Drills, Wheel and Crawler Tractors and Buses. This action also withdraws proposed noise regulations for Wheel and Crawler Tractors, and Buses, issued under the authority of Section 6(a)(1) of the Act.

Timetable:

Action	Date	FR Cite
NPRM	12/01/82	47 FR 54108
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2046.

FTS: 8-382-7748.

No CFR parts pertain. This action withdraws proposals which were not codified.

Agency Contact: Robert C. Rose, Environmental Protection Agency, Air and Radiation, Washington, DC 20460, 202 382-7748

RIN: 2060-AB24

141. MOTOR CARRIERS ENGAGED IN INTERSTATE COMMERCE: NOISE EMISSION STANDARDS (REVISION)

Legal Authority: 42 USC 4917 / NCA 18

CFR Citation: 40 CFR 202

Abstract: This action proposes to amend the noise emission regulations for motor carriers engaged in interstate commerce. The amendment aligns the noise emission standards of this regulation with those of the regulation for newly manufactured medium and heavy trucks. The proposed revised standards apply only to trucks manufactured on or after January 1, 1978 (post-1977), that have a Gross Vehicle Weight Rating (GVWR) or a Gross Combination Weight Rating (GCWR) greater than 10,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2045.

FTS: 8-382-7748.

Agency Contact: Robert C. Rose, Environmental Protection Agency, Air and Radiation, Washington, DC 20460, 202 382-7748

RIN: 2060-AB20

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Resource Conservation and Recovery Act (RCRA)

Current and Projected Rulemakings

142. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: IGNITABLE HAZARDOUS WASTE (REVISION)

Priority: Undetermined

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.21

Abstract: The current ignitability characteristics deal only with liquids. To eliminate this lack of regulatory coverage, tests and hazard thresholds are being developed for identifying ignitable solid (physical) wastes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2063.

FTS-8-382-4801.

Agency Contact: Florence Richardson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4801

RIN: 2050-AA77

143. IDENTIFICATION AND LISTING: MICHIGAN PETITION

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This regulation will add 122 chemicals to the list of commercial chemical products defined as hazardous when discarded. Thirty-five of these chemicals would be classified as acutely hazardous wastes, and the remaining 87 would be classified as toxic hazardous waste. In addition, 120 compounds would be classified as hazardous constituents; their presence in other waste could, in the future, serve as a justification for listing hazardous waste streams. This action is response to a petition filed by the State of Michigan.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: SAR No. 2021.

FTS-8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562-B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA84

144. IDENTIFICATION AND LISTING: ACUTE HAZARDOUS WASTE MIXTURE RULE (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.33

Abstract: 40 CFR 261.33(e) currently deals only with disposal of commercial chemical products consisting of a single active ingredient. In addition, under the current regulations, all concentrations of the product are regulated. This action expands the definition to cover mixtures of acutely hazardous materials as well as establish deminimus concentration limits.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Additional Information: SAR No. 2111.

FTS-8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA85

145. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: LISTING OF COMMERCIAL CHEMICAL PRODUCTS (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912 / RCRA 2002; 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.33

Abstract: This regulation will revise the current list of commercial chemical products defined as hazardous waste when disposed. The additional chemicals are derived from incorporating existing information and data from other EPA programs (i.e. Premanufacture Notification).

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2105.

FTS: 8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA87

146. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: NITROTOLUENES/TOLUIDINES MANUFACTURING WASTES

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the manufacture of nitrotoluenes/Toluidines.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	09/00/86	

Small Entity: No

Additional Information: SAR No. 2155.

FTS: 8-382-4775.

Agency Contact: Edwin Abrams, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4775

RIN: 2050-AA92

147. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: METHYL BROMIDE MANUFACTURING WASTES

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the manufacture of methyl bromide.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
Final Action	02/00/86	

Small Entity: No

Additional Information: SAR No. 2157.

FTS: 8-382-5219.

Agency Contact: Howard Fribush, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5219

RIN: 2050-AA93

148. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DIPHENYLAMINE MANUFACTURING WASTES

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the manufacture of diphenylamine.

Timetable:

Action	Date	FR Cite
NPRM	11/00/85	
Final Action	11/00/86	

Small Entity: No

Additional Information: SAR No. 2156.

FTS: 8-382-4775.

Agency Contact: Edwin F. Abrams, Chemical Engineer, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4775

RIN: 2050-AA94

149. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: LINUION AND BROMOCIL MANUFACTURE WASTES

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action will expand the list of hazardous wastes by listing wastes from the production of linuion and bromocil.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 2154.

FTS: 8-382-5096.

Agency Contact: Wanda Le Bleu-Biswas, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5096

RIN: 2050-AA95

150. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: LISTING OF USED OIL

Priority: Major

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.31

Abstract: This action will expand the list of hazardous waste by listing used oil.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	03/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 2153.

FTS: 8-382-5218.

Analysis: RFA, RIA

Agency Contact: Bob Axelrad, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, 202 382-5218

RIN: 2050-AA96

151. ● PROPOSED REINTERPRETATION OF MINING WASTE EXCLUSION (SMELTING/REFINING)

Priority: Major, Task Force

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6922 /RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action will add to 261.4(b)(7) of RCRA the phrase, "but not including wastes from processing beneficiated ores (other than smelter slag and phosphogypsum) or wastes from refining metals." Wastes removed from the exclusion therefore will be subject to Subtitle C regulation if they are hazardous. This action also will relist: aluminum spent potliners, copper acid plant blowdown sludge, lead surface impoundment solids, zinc

sludges, and ferrochrome emission control dust/sludge.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	02/00/87	

Small Entity: Undetermined

Additional Information: SAR No. 2168.

FTS: 8-382-7917.

Agency Contact: Dr. Dexter Hinckley, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565A, 202 382-7917

RIN: 2050-AA99

152. STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES: WASTE OIL

Priority: Major

Legal Authority: 42 USC 6921 / RCRA 3001; 42 USC 6932 / RCRA 3002

CFR Citation: 40 CFR 266

Abstract: Pursuant to the requirements of the Used Oil Recycling Act (incorporated into RCRA by amendment in 1980), the Agency is evaluating what types of regulatory controls should apply to the re-use and re-cycling of used oil. EPA will propose regulations based on these evaluations. In addition the Agency is considering proposal of near term interim controls including notification requirements for facilities that blend, distribute, and burn used oil fuel sold to non-industrial boiler owners.

Timetable:

Action	Date	FR Cite
NPRM	12/18/78	43 FR 58946
RPRM	03/00/85	
Final Action	03/00/86	

Small Entity: Yes

Additional Information: SAR No. 1713.

Docket No. 3012.

FTS:8-382-7917.

Analysis: RIA, RFA

Agency Contact: Michael Petruska, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-7917

RIN: 2050-AA00

153. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: DEFINITION OF SOLID WASTE (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.2; 40 CFR 261.6

Abstract: This action would modify the definition of solid waste and the applicability of RCRA standards to recycled solid wastes. It would regulate those recycling activities which have posed an environmental threat. It will reduce the regulatory burden for recycling. Some materials presently defined as wastes may be excluded from hazardous waste control; others, some presently excluded, may be subject to some level of regulatory control.

Timetable:

Action	Date	FR Cite
NPRM	04/04/83	48 FR 14472
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1191.

Docket No. 3001.

FTS: 8-382-4770.

Agency Contact: Matthew Straus, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-4770

RIN: 2050-AA03

154. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: HEXAVALENT CHROMIUM MODIFICATION (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.24

Abstract: This action modifies the hazardous waste characteristics of extraction procedure (EP) toxicity. It amends the existing regulation (which regulates on the basis of total chromium) to a standard based on hexavalent chromium (CR (+6)). This is the valence state of chromium which is of environmental concern. The regulation also includes a test method for determining CR(+6). This amendment will reduce the regulatory burden for many wastes.

Timetable:

Action	Date	FR Cite
NPRM	10/30/80	45 FR 72029
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1761.

Docket No. 3001.

FTS:8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA06

155. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: REVISE AND EXPAND SOLVENT LISTINGS (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.31; 40 CFR 261.32

Abstract: These listings will expand the present F001-F005 hazardous waste listings. EPA will also resolve the issue of which solvent mixtures should be regulated.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	
Final Action	08/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1858.

Docket No. 3001.

FTS:8-382-4797.

Agency Contact: Jacqueline Sales, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4807

RIN: 2050-AA09

156. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: CHLORINATED DIOXINS AND CHLORINATED DIBENZOFURANS (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.31; 40 CFR 261.32

Abstract: Existing regulations include a list of hazardous wastes. This action

modifies this list to add particular wastes containing certain chlorinated dibenzo-p-dioxins and dibenzofurans, chlorophenyls, phenoxy acids, amines, and esters derived from these chlorophenols. These contaminants are among the most toxic known, and consequently these wastes are of particular environmental concern. These wastes also would be subject to special management standards when land disposed or incinerated.

Timetable:

Action	Date	FR Cite
NPRM	04/04/83	48 FR 14514
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1863.

Docket No. 3001.

FTS: 8-382-4770.

Agency Contact: Judith Bellin, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA10

157. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: RESIDUALS FROM PRODUCTION OF C1-C6 CHLORINATED ALIPHATIC COMPOUNDS (REVISION)

Legal Authority: 49 USC 6905; 49 USC 6912(a); 49 USC 6921; 49 USC 6922

CFR Citation: 40 CFR 261.32

Abstract: This action will add to the list of hazardous wastes the organic residuals from the production of chlorinated aliphatic hydrocarbons having chain lengths of one to five. This action also proposes to add additional organic residuals from the production of chlorinated aliphatic hydrocarbons to the list of hazardous waste.

Timetable:

Action	Date	FR Cite
NPRM	02/10/84	49 FR 5313
Interim Final Rule	02/10/84	49 FR 5308
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 1854.

Docket No. 3001.

FTS:8-382-4761.

Agency Contact: Cate Jenkins, Environmental Protection Agency, Solid Waste and Emergency Response, Washington, DC 20460, 202 382-4788

RIN: 2050-AA11

158. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: RESTRICTION OF LAND DISPOSAL OF CERTAIN HAZARDOUS WASTE

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 264

Abstract: This action would restrict the land disposal of certain types of hazardous wastes. EPA is considering establishing criteria for identifying wastes to be restricted. These criteria will then be used to promulgate a list of wastes which should be prohibited from land disposal based on their persistence, mobility, toxicity and tendency to bioaccumulate. The Agency also expects to publish a schedule identifying when it will review wastes for possible restriction.

Timetable:

Action	Date	FR Cite
ANPRM	02/15/84	49 FR 5854
NPRM	01/00/85	
Final Action	12/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1878.

Docket No. 3001.

FTS:8-382-4770.

Analysis: RIA

Agency Contact: Susan Bromm, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-4770

RIN: 2050-AA30

159. PERSONS MANAGING RECYCLED HAZARDOUS WASTES (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.6(b)

Abstract: 40 CFR 261.6 defines standards for hazardous wastes which are used, re-used, recycled, or reclaimed. Certain hazardous wastes (those listed or those that are sludges) are subject to transportation and storage controls prior to such use, re-use, recycling, or reclamation. This action corrects some accidental omissions since substantive standards in Part 264 were not added to this section as they were developed. These corrections clarify the rules to read as they were intended to apply, and as they, in general, have been interpreted.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/20/83	48 FR 2530
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1968.

FTS:8-382-4761.

Agency Contact: Matthew Straus, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565B), Washington, DC 20460, 202 382-4761

RIN: 2050-AA56

160. RCRA SMALL QUANTITY GENERATOR RULE (REVISION)

Priority: Major

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.5

Abstract: Currently under Part 261 small generators of less than 1000 kilograms per month are exempt (although for certain more hazardous waste there are lower cut-off points). The Agency has begun a two-year study of alternatives which may result in an amendment to the current rule and proposal of a new set of standards applicable to small quantity generators. Congress is currently considering amending RCRA to lower the 1000 kg/mo exemption which may result in significantly more small businesses coming under RCRA regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Final Action	10/00/86	

Small Entity: Yes

Additional Information: SAR No. 1935.

FTS:8-382-4807.

Analysis: RFA; Final RIA 00/00/00; Draft RFA 00/00/00

Agency Contact: Bernard Stoll, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4761

RIN: 2050-AA59

161. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DEFINITION OF HOUSEHOLD WASTE (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261.4(b)(1)

Abstract: 40 CFR 261.4 excludes household waste from regulatory control under RCRA. This action expands the present household waste exclusion to cover wastes from bunkhouses, ranger stations, crew quarters, campgrounds, and picnic grounds. EPA is taking this action in response to rulemaking petitions submitted by the U.S. Departments of Agriculture and Interior.

Timetable:

Action	Date	FR Cite
NPRM	02/05/83	48 FR 06880
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1763.

FTS:8-382-4797.

Agency Contact: Filomena Chau, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4797

RIN: 2050-AA60

162. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: DIMETHYLHYDRAZINE MANUFACTURING WASTE

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by adding waste from the manufacture of dimethylhydrazine.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	01/00/86	

Small Entity: No

Additional Information: SAR No. 1954.

FTS:8-382-4761.

Agency Contact: Cate Jenkins, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4788

RIN: 2050-AA61

163. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: ORGANOBROMINE MANUFACTURING WASTES (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing wastes from the production of ethylene dibromide (EDB).

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Interim Final Rule	03/00/86	

Small Entity: No

Additional Information: SAR No. 1862.

FTS:8-382-4761.

Agency Contact: Wanda Le Bleu-Biswas, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5096

RIN: 2050-AA62

164. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: TOLUENE DIISOCYANATE MANUFACTURING WASTES

Legal Authority: 42 USC 6905; 42 USC 6912(a); 42 USC 6921; 42 USC 6922

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous wastes by listing additional wastes from the manufacture of toluene diisocyanate.

Timetable:

Action	Date	FR Cite
NPRM	05/00/84	49 FR 19608
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 1955.

FTS:8-382-4761.

Agency Contact: Wanda Le Bleu-Biswas, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-5096

RIN: 2050-AA63

165. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: DIMETHOATE, METHOMYL, AND FAMPHUR

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261

Abstract: The Agency is proposing to amend its regulations under RCRA to change the hazard class under which certain discarded commercial chemical products are listed, specifically the categorization of waste dimethoate, methomyl, and famphur.

Timetable:

Action	Date	FR Cite
NPRM	10/03/83	48 FR 45210
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1944.

FTS:8-382-4798.

Agency Contact: Alan S. Corson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA64

166. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: CARBAMATE MANUFACTURING WASTES (REVISION)

Legal Authority: 42 USC 6905 / RCRA 1006; 42 USC 6912(a) / RCRA 2002(a); 42 USC 6921 / RCRA 3001; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261.32

Abstract: This action will expand the list of hazardous waste by listing wastes from the manufacture of ethylene (bis)dithiocarbamate (EDBC).

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 1861.

FTS:8-382-4761.

Agency Contact: Howard Fribush, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-4761

RIN: 2050-AA65

167. HAZARDOUS WASTE AS FUELS: ADMINISTRATIVE STANDARDS

Legal Authority: 42 USC 6924 / RCRA 3001, 3002, 3004, 3007, 3010, 3012

CFR Citation: 40 CFR 264

Abstract: Burning of hazardous waste in boilers for the purpose of heat recovery is currently exempt from regulation under RCRA. This regulation will set specifications for used oil fuel and prohibit the burning of hazardous waste and off-spec used oil in residential, commercial and institutional boilers. The regulations will also establish notification, manifest and recordkeeping procedures for industrial boilers and furnaces burning hazardous waste and off-spec used oil.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	08/00/85	
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: SAR No. 2079.

FTS-8-382-7917.

Contains previous RIN 2050-AA29 (Standards for Owners/Operators of Waste Facilities: Boilers) (Revision)

Agency Contact: David Sussman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565A), Washington, DC 20460, 202 382-7917

RIN: 2050-AA74

168. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: TOXICITY CHARACTERISTIC MODIFICATION

Priority: Major

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261

Abstract: A number of chemicals will be selected that pose a health hazard such as CAG carcinogens, pesticides, and compounds found to cause damage (these chemicals and concentration levels will be added to the toxicity characteristics). Using ADI's and CAG risk values, waste concentration values would be derived which would yield hazardous exposure levels. This revision would require that each waste generator assess this waste to determine if the waste exhibits this toxicity characteristic; a positive finding would then require its management as a hazardous waste.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2062.

FTS-8-382-4770.

Analysis: RIA

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA78

169. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: DELISTING PROCEDURES (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 260.22

Abstract: Under the current waste regulations, a listed waste can be excluded (delisted) from the list of hazardous waste if it can be demonstrated that the waste is non-hazardous based entirely on the factors and constituents of concern used by the Agency to list the waste. This amendment would allow the Agency to consider factors other than those for which the waste was listed if it is a reasonable basis to believe that such additional factors could cause the waste to be as hazardous waste.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 2043.

FTS-8-382-4805.

Includes previous RIN 2050-AA02.

Agency Contact: Myles Morse, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565B), Washington, DC 20460, 202 382-4805

RIN: 2050-AA81

170. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: TEST METHODS FOR HAZARDOUS WASTE (REVISION)

Legal Authority: 42 USC 6921 / RCRA 3001; 42 USC 6924 / RCRA 3004; 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 261

Abstract: This action updates the RCRA manual of approved test methods (test methods for Evaluating Solid Waste, SW-846) with respect to methods for ground water and incinerator monitoring. This action would codify the guidance given to the regulated community by requiring that these methods be used in all aspects of the RCRA program. At present the tests are required, as appropriate, for hazardous waste definition and for incinerator stack monitoring. (For example, ground water monitoring and petitions for exclusion from regulation).

Timetable:

Action	Date	FR Cite
ANPRM	06/00/84	
NPRM	10/00/84	

Small Entity: No

Additional Information: SAR No. 2068.

FTS-8-382-4770.

Agency Contact: David Friedman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 382-4770

RIN: 2050-AA82

171. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: SCHEDULE FOR REVIEWING WASTES FOR POSSIBLE LAND DISPOSAL RESTRICTION

Legal Authority: 42 USC 6921 /RCRA 3001; 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 264

Abstract: This action would set forth the Agency's schedule for reviewing hazardous wastes to determine if they should be restricted from land disposal. This schedule will identify when the

Agency intends to review each hazardous waste listed in 40 CFR Part 261.

Timetable:

Action	Date	FR Cite
ANPRM	02/00/84	49 FR 5854
NPRM	07/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2166.

FTS: 8-382-4770.

This action was split off from RIN 2050-AA30.

Agency Contact: Susan Bromm, Program Manager, Environmental Protection Agency, Solid Waste and Emergency Response, WH-562B, Washington, DC20460, **202 382-4770**

RIN: 2050-AA97

172. STANDARDS FOR HAZARDOUS WASTE GENERATORS: "SATELLITE" ACCUMULATION OF HAZARDOUS WASTE (REVISION)

Legal Authority: 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 262.34

Abstract: Current regulations allow generators of hazardous waste to accumulate waste on-site for 90 days without a permit, provided the accumulation is in accordance with certain standards. This action will add an initial period for "satellite" accumulation, defined as waste accumulated in small quantities at or near a point of generation before the standards for 90 day accumulation apply. The 90 day period would begin only after the initial period is completed. This change will be more appropriate and less burdensome for short term satellite storage activities than are the existing requirements. This action would also waive the contingency plan requirement for satellite storage.

Timetable:

Action	Date	FR Cite
NPRM	01/03/83	48 FR 118
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1767.

Docket No. 3002.

FTS:8-382-4535.

Agency Contact: Chaz Miller, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, **202 382-4535**

RIN: 2050-AA13

173. STANDARDS FOR HAZARDOUS WASTE GENERATORS: ALTERNATE MANIFEST (REVISION)

Priority: Task Force

Legal Authority: 42 USC 6922 / RCRA 3002

CFR Citation: 40 CFR 262

Abstract: This action would allow generators to reuse a manifest form if they repeatedly ship identical wastes to facilities which they own or operate. This will reduce the paperwork burdens for generators. This action responds to issues raised concerning the manifest as part of settlement negotiations in Shell Oil Company, et al, v EPA, No. 80-1532 (D.C. Circuit).

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1842.

Docket No. 3002.

FTS:8-382-4753.

Agency Contact: John Thompson, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, **202 382-4697**

RIN: 2050-AA16

174. STANDARDS FOR MANAGEMENT OF SPECIFIC HAZARDOUS WASTE: MISCELLANEOUS AND EXPERIMENTAL UNITS

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 266

Abstract: General performance requirements will be established for hazardous waste management units which 40 CFR 264 does not currently address. These types of facilities include deep mines, silos, salt mines, thermal treatment units, and open detonation units. This action will also create performance requirements for facilities engaging in hazardous waste research activities. EPA's objective is to encourage research and development of hazardous waste management technology while assuring environmental protection.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	06/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1817.

Docket No. 3004.

FTS:8-382-4654.

Agency Contact: Robert Tonetti, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, **202 382-4654**

RIN: 2050-AA23

175. STANDARDS FOR OWNERS/OPERATORS OF WASTE FACILITIES: STORAGE OF IGNITABLE AND REACTIVE WASTE; BUFFER ZONE REQUIREMENTS (REVISION)

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 260; 40 CFR 264; 40 CFR 265

Abstract: The amendment would modify the requirements for storage of ignitable and reactive waste in containers and tanks at hazardous waste management facilities. It would incorporate the buffer zone requirements contained in portions of two National Fire Protection Association Codes.

Timetable:

Action	Date	FR Cite
NPRM	06/05/84	49 FR 23290
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1775.

Docket No. 3004.

FTS:8-382-7938.

Agency Contact: Angela Wilkes, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, **202 382-7938**

RIN: 2050-AA32

176. STANDARDS FOR OWNERS/OPERATORS OF HAZARDOUS WASTE FACILITIES: LIQUIDS AND LANDFILLS (REVISION)

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264, (Revision)

Abstract: The interim final rule of March 22, 1982 prohibiting the landfill disposal of containers holding free liquids will be revised to incorporate a test procedure to determine whether a waste contains free liquids, and to clarify the term "free liquids" and "free standing liquids" currently used in the regulations. A proposed revision to the landfilling of bulk liquids will also be made.

Timetable:

Action	Date	FR Cite
NPRM	02/25/82	47 FR 8307
Interim Final Rule	03/22/82	47 FR 12316
RPRM	10/00/84	
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 1843.

Docket No. 3004.

FTS:8-382-4682.

Agency Contact: Paul Cassidy, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-564), Washington, DC 20460, 202 382-4682

RIN: 2050-AA34

177. INTERIM STATUS: EXPANSION AND MODIFICATION OF FACILITIES (REVISION)

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 122; 40 CFR 265; 40 CFR 267

Abstract: Under the settlement agreement in NRDC v EPA, EPA is proposing to allow existing hazardous waste management facilities greater flexibility to expand and modify their operation during interim status. Among other things, these amendments would: (1) allow the addition of tanks and containers to treat or store waste; (2) allow increases in design capacity.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 1807.

Docket No. 3005.

FTS:8-382-2222.

Agency Contact: Deborah Wolpe, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, 202 382-2222

RIN: 2050-AA35

178. CONSOLIDATED PERMITS: CLASS PERMITS

Priority: Task Force

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 122; 40 CFR 124; 40 CFR 264; 40 CFR 266

Abstract: This regulation will amend EPA's hazardous waste management permitting regulations by establishing a class permit application form for use by facilities whose only activity subject to RCRA permitting consists of storing in above-ground tanks or containers hazardous wastes that have been generated on-site. Promulgation of this rule would expedite the permitting process for this class of facility. This is the first RCRA class/permit the Agency will issue.

Timetable:

Action	Date	FR Cite
NPRM	07/20/84	49 FR 29524
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1844.

Docket No. 3005.

FTS:8-382-7292.

Agency Contact: Penny Hansen, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-7292

RIN: 2050-AA36

179. ENFORCEMENT OF STATE PERMITS (REVISION)

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005; 42 USC 6926 / RCRA 3006

CFR Citation: 40 CFR 123

Abstract: Under the settlement agreement in NRDC v EPA, EPA is proposing amendments to state program requirements. In particular, the proposal would require that the EPA Regional Administrator explain the basis for any contention that a State failed to include a necessary provision in its permit.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 1809.

Docket No. 3005.

FTS:8-382-2222.

Agency Contact: Deborah Wolpe, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, 202 382-2222

RIN: 2050-AA40

180. STANDARDS FOR STORAGE OF HAZARDOUS WASTE IN TANKS

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: The storage or treatment of hazardous waste in tanks raises considerable concern regarding potential risk to health or the environment posed by migration of the waste. The purpose of this action is to develop a more comprehensive regulatory strategy for the proper management of aboveground and underground tanks storing or treating hazardous waste.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	
Final Action	04/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1957.

FTS:8-382-3081.

Agency Contact: William Kline, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-3081

RIN: 2050-AA57

181. EXISTING PORTION CONCEPT IN LAND DISPOSAL REGULATIONS (REVISION)

Priority: Major

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 265

Abstract: Three related areas regarding coverage of the Part 264 land disposal regulations have been challenged in public comments. These relate to requirements for liners at existing facilities. Amendments to be developed under this task are to "tighten-up" on the number of situations where operation of facilities after January 26, 1983, can continue without liners. Three issues will be addressed: (1) "expansions during interim status" (2) effective date of liner requirements, and (3) retrofit of liners.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Final Action	02/00/87	

Small Entity: Undetermined

Additional Information: SAR No. 1958.

FTS:8-382-4654.

Agency Contact: Robert Tonetti, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC 20460, 202 382-4654

RIN: 2050-AA58

182. STANDARDS FOR OWNERS/OPERATORS OF WASTE FACILITIES: CORRECTIVE ACTION FINANCIAL RESPONSIBILITY

Priority: Major

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264 H

Abstract: This rule would require owners and operators of hazardous waste disposal facilities to demonstrate financial responsibility for corrective action should the groundwater protection standard be violated as a result of such disposal. Failures to undertake corrective action by owners or operators will result in increasing degradation of groundwater resources and increased clean-up costs to the public. Firms with low net worth may not be able to obtain or afford other financial assurance mechanisms as they are currently structured in 40 CFR Part 264, Subpart H. The Agency is examining the effects of a national fund and restructured financial assurance instruments.

Timetable:

Action	Date	FR Cite
ANPRM	07/26/82	47 FR 32279
NPRM	10/00/85	

Small Entity: Yes

Additional Information: SAR No. 1948.

FTS: 8-382-4761.

Analysis: RIA, RFA

Agency Contact: Carole Ansheles, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, 202 382-4761

RIN: 2050-AA69

183. STANDARD FOR OWNERS AND OPERATORS OF WASTE FACILITIES: CLOSURE/POST-CLOSURE CARE AND COST ESTIMATES AND FINANCIAL RESPONSIBILITY (REVISION)

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265 G; 40 CFR 265 H

Abstract: These revisions would clarify ambiguities in the closure care (Subpart G) and cost estimates (Subpart H) regulations. They would amend the regulations to address areas identified by industry and the Regions, and provide regulatory relief to industry by simplifying some of the provisions.

Timetable:

Action	Date	FR Cite
NPRM	08/00/85	

Small Entity: No

Additional Information: SAR No. 2007.

FTS: 8-382-4761.

Agency Contact: Carol Ansheles, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, 202 382-4761

RIN: 2050-AA70

184. HAZARDOUS WASTE AS FUELS: TECHNICAL STANDARDS

Priority: Major

Legal Authority: 42 USC 6924 /1 RCRA 3004, 3005

CFR Citation: 40 CFR 264

Abstract: Burning of hazardous waste in boilers for the purpose of heat recovery is currently exempt from regulation under RCRA. This regulation will establish acceptable situations for use of hazardous waste fuel in industrial boilers and certain industrial furnaces. It will also establish prohibitions, operation parameters, and permit procedures.

Timetable:

Action	Date	FR Cite
NPRM	05/00/86	
Final Action	08/00/87	

Small Entity: No

Additional Information: SAR No. 2078.

FTS-8-382-7917.

Contains previous RIN 2050-AA29.

Analysis: RIA

Agency Contact: David Sussman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565A), Washington, DC 20460, 202 382-7917

RIN: 2050-AA72

185. LAND DISPOSAL: LINER STANDARDS (REVISION)

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: This amendment would revise the current land disposal standards to reflect the results of an Agency re-evaluation of the existing liner standard. This amendment would revise: 1) the type of liners required, 2) requirements for evaluation of liners and leachate collection system performance during operation, and 3) requirements for inspections and quality control during liner installation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/85	
Final Action	02/00/87	

Small Entity: No

Additional Information: SAR No. 2080.

FTS-8-382-4654.

Includes previous RINs 2050-AA21, 2050-AA50, and 2050-AA52.

Analysis: RIA

Agency Contact: Robert Tonetti, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-505), Washington, DC 20460, 202 382-4654

RIN: 2050-AA76

186. ● LAND DISPOSAL: GROUND-WATER PROTECTION

Legal Authority: 42 USC 6924

CFR Citation: 40 CFR 264

Abstract: This action will revise subpart F, of 40 CFR Part 264 to: (1) resolve problems affecting the successful installation of monitoring systems; (2) accelerate the implementation of corrective actions when needed; and (3) assure that monitoring requirements are appropriate for the severity of facility leakage.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Interim Final Rule	03/00/86	

Small Entity: No

Additional Information: SAR No. 2002.

FTS: 8-382-4658.

Agency Contact: Burnell Vincent, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, 202 382-4658

RIN: 2050-AA91

187. ● STANDARDS FOR OWNERS AND OPERATORS OF WASTE FACILITIES: CLOSURE AND POST-CLOSURE CARE (REVISION)

Legal Authority: 42 USC 6924 /RCRA 3004; 42 USC 6925 /RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265

Abstract: The Agency is planning revisions to the existing Subpart G and H regulations in accordance with the terms of the American Iron and Steel Institute (AISI) litigation. In addition, the revisions will clarify ambiguous language in the current regulations. Failure to promulgate these revisions directly violates the AISI settlement agreement. Failure to clarify ambiguous language will create problems as the Agency implements those closure and post closure requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR 2165.

FTS: 8-382-4670.

Agency Contact: Susan Hughes, Environmental Protection Agency, Solid Waste and Emergency Response, WH562B, Washington, DC 20460, 202 382-4670

RIN: 2050-AB00

188. CONSOLIDATED PERMITS: MINOR MODIFICATIONS TO EXISTING RCRA PERMITS (REVISION)

Legal Authority: 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 270.42

Abstract: Existing regulations allow EPA to make specified minor modifications to existing RCRA permits without going through the draft permit and public participation procedures required to make more substantial changes to permits. Under the settlement agreement in NRDC v EPA, EPA is proposing an amendment which would expand the kinds of permit modifications that qualify as minor modifications and thus are exempt from most procedural requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/15/84	49 FR 9850
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1805.

Docket No. 3005.

FTS:8-382-4500.

Agency Contact: Jeffrey Detlefsen, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, 202 382-4422

RIN: 2050-AA37

189. CONSOLIDATED PERMITS: DURATION OF PERMITS FOR HAZARDOUS WASTE FACILITIES (REVISION)

Legal Authority: 42 USC 6925 / RCRA 3005; 42 USC 6926 / RCRA 3006

CFR Citation: 40 CFR 123; 40 CFR 264; 40 CFR 270.50

Abstract: Existing EPA regulations provide that EPA-issued permits for hazardous waste treatment, storage and disposal facilities are effective for a fixed term not to exceed ten years. Under the settlement agreement in NRDC v EPA, EPA is proposing to revise the regulation by making permits effective for the designed operating life of the facility. Permit terms for land disposal facilities would include the post-closure care period as well. EPA would also increase opportunities for the Agency to modify permits during their term. EPA will also propose to amend State program requirements to allow authorized States to adopt similar standards to vary the duration of permits.

Timetable:

Action	Date	FR Cite
NPRM	02/08/83	48 FR 5872
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1806.

Docket No. 3005.

FTS:8-382-4535.

Agency Contact: Chaz Miller, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, 202 382-4535

RIN: 2050-AA38

190. CONSOLIDATED PERMITS: CONSTRUCTION BAN (REVISION)

Legal Authority: 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124

Abstract: Existing EPA regulations require that an owner or operator of a hazardous waste management facility receive a RCRA permit before beginning construction of the facility. Under the settlement agreement in NRDC v EPA, EPA will propose an amendment that will allow certain facilities to commence construction but not operation, before a RCRA permit is issued.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 1814.

Docket No. 3005.

FTS:8-382-2222.

Agency Contact: Deborah Wolpe, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, **202 382-2222**

RIN: 2050-AA39

191. ● AMENDMENT TO STATE PROGRAM CAPABILITY REQUIREMENTS

Legal Authority: 49 USC 6926 / RCRA 3006

CFR Citation: 40 CFR 271.16

Abstract: This action will amend 40 CFR 271.16 to require a State either to have administrative penalty authority or to request that EPA use its administrative penalty authority when warranted. The new requirements would apply to States that have received final authorization by operation of the "money target" rule, which will provide that a State has a year (two years of a statute must be changed) to comply with federal regulations promulgated after the State obtained final authorization.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2158.

FTS: 8-382-4823.

Agency Contact: Anthony M. Montrone, Environmental Protection Agency, Solid Waste and Emergency Response, WH-527, Washington, DC 20460, **202 382-4823**

RIN: 2050-AB01

192. GUIDELINE FOR FEDERAL PROCUREMENT OF RECYCLED PAPER

Legal Authority: 42 USC 6962 / RCRA 6002

CFR Citation: 40 CFR 250

Abstract: This action is a required and necessary precedent to the implementation of affirmative recycled paper procurement programs. It would encourage the recovery of post consumer wastepaper and reduce the volume of solid waste.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Final Action	05/00/86	

Small Entity: No

Additional Information: SAR No. 2011.

FTS: 8-382-2550.

Agency Contact: Jacqueline Harker, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565 A), Washington, DC 20460, **202 382-2550**

RIN: 2050-AA68

193. ● HAZARDOUS WASTE MANAGEMENT SYSTEM: INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES: CONFORMING CHANGES

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 265

Abstract: This rulemaking action makes several conforming changes to the Part 265 interim status standards to provide consistency with the Part 264 permitting requirements. The regulation modifies the following portions of the interim status standards for surface impoundments, landfills, and land treatment units:

A. Surface Impoundments - General Operating Requirements

B. Surface Impoundments and Landfills - Closure and Post-closure Care

C. Surface Impoundments - Ignitable or Reactive Waste

D. Landfills - Special Requirements for Containers

E. Land Treatment - Interpretation of "Treatment."

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 2159.

FTS: 8-382-4654.

Agency Contact: Kent Anderson, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565E, Washington, DC 20460, **202 382-4654**

RIN: 2050-AA98

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Resource Conservation and Recovery Act (RCRA) Existing Regulations Under Review

194. GROUNDWATER MONITORING

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 265

Abstract: EPA is reviewing the interim status groundwater monitoring requirements for hazardous waste facilities that manage wastes in surface impoundments, in landfills or through land treatment. One purpose of this review is to determine whether the groundwater monitoring procedures succeed in identifying which facilities are adversely affecting groundwater. Another purpose is to review how useful the data is for EPA and other agencies. EPA will determine whether the resource burdens imposed on these facilities are justified by the expected benefits of the monitoring program.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/82	
End Review	02/00/85	

Small Entity: No

Additional Information: REVIEW AUTHORITY: Paperwork Reduction Act.

SAR No. 1810.

FTS: 8-382-4761

Agency Contact: Bernard Stoll, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562), Washington, DC 20460, **202 382-4761**

RIN: 2050-AA89

195. STANDARD LANDFILLS FOR OWNERS/OPERATORS OF WASTE FACILITIES

Priority: Task Force

Legal Authority: 42 USC 6924 / RCRA

CFR Citation: 40 CFR 264

Abstract: At the request of the President's Task Force on Regulatory Relief, EPA is reviewing all land requirements for hazardous waste storage, treatment and disposal facilities. EPA will complete a RIA of alternatives, environmental benefits, costs and impacts before promulgating final land disposal regulations. EPA intends to use this analysis in making modifications to the liner standard (RIN 2050-AA76). There will be a final report on this review, available when the proposed rule is published in the Federal Register 12/85. The review will not be completed until the final rule is published 2/87.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/83	
End Review	02/00/87	

Small Entity: Yes

Additional Information: REVIEW AUTHORITY: EO 12291, Regulatory Flexibility Act.

FTS: 8-382-2791.

Agency Contact: Cliff Rothenstein, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, **202 382-2791**

RIN: 2050-AA50

196. STANDARDS FOR OWNERS/OPERATORS OF WASTE FACILITIES: INCINERATORS

Priority: Task Force

Legal Authority: 42 USC 6924 / RCRA

CFR Citation: 40 CFR 264

Abstract: At the request of the President's Task Force on Regulatory Relief, EPA is reviewing all incineration requirements for hazardous waste incineration facilities. EPA will complete an RIA on regulatory alternatives, environmental benefits, risks, costs and impacts of the present regulations prior to any revisions or final regulations.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/82	
End Review	12/00/84	

Small Entity: Yes

Additional Information: REVIEW AUTHORITY: EO 12291, Regulatory Flexibility Act.

FTS:8-382-7927.

Analysis: Final RIA

Agency Contact: Dale Ruhter, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, **202 382-2791**

RIN: 2050-AA53

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Resource Conservation and Recovery Act (RCRA) Completed Actions

COMPLETED RULEMAKINGS

197. IDENTIFICATION AND LISTING OF HAZARDOUS WASTE: WARFARIN AND ZINC PHOSPHIDE (REVISION)

CFR Citation: 40 CFR 261.33

Completed:

Reason	Date	FR Cite
Final Action	05/00/84	49 FR 19922

Small Entity: No

Agency Contact: Wanda Le Bleu-Biswas 202 382-4798

RIN: 2050-AA12

198. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES: SPENT PICKLE LIQUOR GENERATED FROM STEEL FINISHING OPERATIONS

CFR Citation: 40 CFR 261

Completed:

Reason	Date	FR Cite
Final Action	06/05/84	49 FR 23284

Small Entity: No

Agency Contact: Jacqueline Sales 202 382-4770

RIN: 2050-AA66

199. STANDARDS FOR HAZARDOUS WASTE GENERATORS: SHIPMENTS OF HAZARDOUS WASTE FROM PERMITTED FACILITIES (REVISION)

CFR Citation: 40 CFR 262

Completed:

Reason	Date	FR Cite
Withdrawn Deleted due to RCRA Reauthorization	08/00/84	

Small Entity: No

Agency Contact: Carolyn Barley 202 382-5235

RIN: 2050-AA18

200. STANDARDS FOR HAZARDOUS WASTE GENERATORS: TRANSPORTING HAZARDOUS WASTE BY RAIL (REVISION)

CFR Citation: 40 CFR 262; 40 CFR 263

Completed:

Reason	Date	FR Cite
Withdrawn Delete action due to RCRA Reauthorization	08/00/84	

Small Entity: No

Agency Contact: John Thompson 202 382-4697

RIN: 2050-AA19

EPA—RCRA

Completed Actions

201. STATES WITH FINAL AUTHORIZATION (REVISION)

CFR Citation: 40 CFR 264

Completed:

Reason	Date	FR Cite
Withdrawn Delete action due to RCRA Reauthorization	08/00/84	

Small Entity: No

Agency Contact: Truett DeGeare 202 382-2210

RIN: 2050-AA27

202. CONSOLIDATED PERMITS: OWNER/OPERATOR SIGNATURE (REVISION)

CFR Citation: 40 CFR 122

Completed:

Reason	Date	FR Cite
Withdrawn Delete action due to RCRA Reauthorization.	08/00/84	

Small Entity: No

Agency Contact: Deborah Wolpe 202 382-2222

RIN: 2050-AA41

203. CONSOLIDATED PERMITS: RETENTION OF GROUNDWATER MONITORING DATA (REVISION)

CFR Citation: 40 CFR 264; 40 CFR 270

Completed:

Reason	Date	FR Cite
Withdrawn Delete action due to RCRA Reauthorization	08/00/84	

Small Entity: No

Agency Contact: Deborah Wolpe 202 382-2222

RIN: 2050-AA42

204. CONSOLIDATED PERMITS: HEARINGS ON INTERIM STATUS (REVISION)

CFR Citation: 40 CFR 122; 40 CFR 124

Completed:

Reason	Date	FR Cite
Final Action	04/24/84	49 FR 17716

Small Entity: No

Agency Contact: Deborah Wolpe 202 382-2222

RIN: 2050-AA43

205. CONSOLIDATED PERMITS: TRANSFER OF PERMITS (REVISION)

CFR Citation: 40 CFR 270

Completed:

Reason	Date	FR Cite
Final Action Delete due to RCRA Reauthorization	08/00/84	

Small Entity: No

Agency Contact: Deborah Wolpe 202 382-2222

RIN: 2050-AA44

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Air Act (CAA)

Current and Projected Rulemakings

206. NAAQS FOR SULFUR OXIDES (REVISION)

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108

CFR Citation: 40 CFR 50.4

Abstract: EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for sulfur dioxide. The Agency will revise the standards where appropriate to protect public health and welfare.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/79	44 FR 56730
NPRM	03/00/85	
Final Action	05/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1002.

Docket No. OAQPS-79-7.

FTS:8-629-5655.

Analysis: RIA

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA61

207. NAAQS FOR PARTICULATE MATTER (REVISION)

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108

CFR Citation: 40 CFR 50.6

Abstract: Particulate matter is one of the major pollutants in the ambient air. EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for particulate matter. The Agency proposes to revise the standards to better protect public health and welfare.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/79	44 FR 56730
NPRM	03/20/84	49 FR 10408
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1003.

Docket No. A-79-29.

FTS:8-629-5655.

Analysis: RIA; Final RIA 00/00/00

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5655

RIN: 2060-AA62

208. NAAQS FOR CARBON MONOXIDE (REVISION)

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 108

CFR Citation: 40 CFR 50.8

Abstract: Carbon monoxide is a major source of air pollution which endangers people with heart and central nervous system diseases, pregnant women and other people (5-12% of U.S. population in all). EPA has reviewed the scientific

criteria used as a basis for establishing ambient air quality standards for CO. The Agency will revise the standards where appropriate to protect public health and welfare.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/78	43 FR 56250
NPRM	08/18/80	45 FR 55066
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1001.

Docket No. OAQPS-79-7.

FTS:8-629-5655.

Analysis: RIA

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-5655**

RIN: 2060-AA63

209. NAAQS FOR NITROGEN DIOXIDE (REVISION)

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108

CFR Citation: 40 CFR 50.11

Abstract: EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for nitrogen dioxide. The Agency has proposed to retain the current annual ambient air quality standard for nitrogen dioxide.

Timetable:

Action	Date	FR Cite
NPRM	02/23/84	49 FR 6866
Final Action	03/00/85	

Small Entity: No

Additional Information: SAR No. 1004.

Docket No. OAQPS 78-9.

FTS: 8-629-5655.

Analysis: RIA

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-5655**

RIN: 2060-AA64

210. NEW SOURCE REVIEW (REVISION)

Legal Authority: 42 USC 6910 / CAA 110

CFR Citation: 40 CFR 51; 40 CFR 52

Abstract: This action would revise EPA's new source requirements for new major stationary sources in PSD and Nonattainment areas. EPA is taking this action to implement a settlement agreement with Chemical Manufacturer's Association and other parties who challenged the regulation amendments promulgated on August 7, 1980.

Timetable:

Action	Date	FR Cite
NPRM	08/25/83	49 FR 38742
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1845.

FTS:8-629-5591.

Agency Contact: Kirt Cox, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5591**

RIN: 2060-AA68

211. STACK HEIGHT REGULATIONS (REVISION)

Legal Authority: 42 USC 7410 / CAA 110; 42 USC 7423 / CAA 123; 42 USC 7601 / CAA 301

CFR Citation: 40 CFR 51

Abstract: The U.S. Court of Appeals recently ordered EPA to revise the Stack Height Regulations (40 CFR 51) promulgated on February 8, 1982, at 47 FR 5864. Sierra Club and NRDC v. EPA, No. 82-1384 et al. (D.C. Circuit October 11, 1983). The Court required EPA to reconsider several issues and to revise its regulation by 01/08/85.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	01/00/85	

Small Entity: No

Additional Information: SAR No. 2103.

FTS: 8-629-5540.

Agency Contact: David Stonefield, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5540**

RIN: 2060-AB30

212. AMBIENT AIR QUALITY SURVEILLANCE (REVISION)

Legal Authority: 42 USC 7410 / CAA 110; 42 USC 7601 / CAA 301; 42 USC 7619 / CAA 319

CFR Citation: 40 CFR 58

Abstract: This action will revise Part 58 to clarify and incorporate changes to the regulations deemed appropriate as a result of the past four years of experience. One of the principal revisions will propose allowing 120 days after the end of each quarter instead of the current 90 days for the submittal of National Air Monitoring System (NAMS) air quality and precision data to EPA. The 90 days were too short a time period to properly validate the air quality data. Another revision will propose to use the 1980 census data and urbanized area boundaries instead of the 1970 values for network design and evaluation purposes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 2102.

FTS: 8-629-5651.

Agency Contact: Stanley F. Sleva, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park, NC 27711, **919 541-5651**

RIN: 2060-AB47

213. RESTRUCTURE CFR PARTS 51, 52 (REVISION)

Legal Authority: 42 USC 7410 / CAA 110

CFR Citation: 40 CFR 51; 40 CFR 52

Abstract: This rule will revise 40 CFR 51, which specifies the requirements for the adoption, preparation, and submittal of state implementation plans. The revisions will be done in several phases. Phase I will delete obsolete provisions, reduce reporting requirements, and clarify portions. References to Part 51 within Part 52 will be similarly revised. Later Phases will restructure the PSD regulations and incorporate other changes enacted by Congress.

Timetable:

Action	Date	FR Cite
NPRM	10/11/83	48 FR 46152
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 1503.

Docket No. A-81-25.

FTS: 8-629-5697.

Agency Contact: Joe Sableski, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, **919 541-5697**

RIN: 2060-AB49

---

214. ● DETERMINATION FOR INTERSTATE AIR POLLUTION CONTROL

Legal Authority: CAA 126; CAA 110(a)(2)(E)

CFR Citation: 40 CFR 52

Abstract: Sections 126 and 110 (a)(2)(E) of the Clean Air Act provide that any state may petition the Administrator of EPA for certain forms of relief against interstate pollution. A petitioning state may request the Administrator to find that a major pollution source in another state either: (1) prevents it from attaining or maintaining national ambient air quality standards, or (2) interferes with measures it must take under Part C of CAA: (a) to prevent significant deterioration of air quality, or (b) to protect visibility. The Administrator after public hearing may grant or deny the petitions.

Timetable:

Action	Date	FR Cite
Proposed Determination	09/04/84	49 FR 34851
Final Determination	00/00/00	

Small Entity: No

Additional Information: SAR No. 2151.

FTS: 8-629-5540.

Agency Contact: Larry Wilson, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5540**

RIN: 2060-AB52

---

215. QUALITY ASSURANCE PROCEDURES, APPENDIX F, PROCEDURE 1

Legal Authority: 42 USC 7411 / CAA 111; 42 USC 7414 / CAA; 42 USC 7601 / CAA

CFR Citation: 40 CFR 60, Appendix F

Abstract: This rule would add quality assurance requirements on gas continuous emission monitoring systems (CEMs) used for compliance. The purpose is to improve data quality and strengthen the basis for decisions made with regard to quality assurance.

Timetable:

Action	Date	FR Cite
NPRM	03/14/84	49 FR 9676
Final Action	03/00/85	

Small Entity: No

Additional Information: SAR No. 1741.

Docket No. A-80-29.

FTS:8-629-2415.

Agency Contact: Darryl von Lehmden, Environmental Protection Agency, Air and Radiation, (MD-77), Research Triangle Park, NC 27711, **919 541-2415**

RIN: 2060-AA09

---

216. NSPS: STATIONARY INTERNAL COMBUSTION ENGINES

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart FF

Abstract: These regulations will require the application of best available demonstrated technology to control nitrogen oxide emissions from stationary diesel and dual-fuel internal combustion engines. Some small oil drilling companies and municipal electric generation facilities may be affected by this standard. EPA will issue separate standards for gas and gasoline-fueled stationary I.C. engines later. The Agency is considering exempting engines with a displacement of less than 560 cubic inches per cylinder.

Timetable:

Action	Date	FR Cite
NPRM	07/23/79	44 FR 43152
Final Action	00/00/00	

Small Entity: Yes

Additional Information: SAR No. 1008.

Docket No. OAQPS-79-5.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA11

---

217. NSPS: ORGANIC SOLVENT CLEANERS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart JJ

Abstract: Some new issues have arisen, and EPA is deciding whether to go forward with this rule. The agency will make this decision by August 1984.

Timetable:

Action	Date	FR Cite
NPRM	06/11/80	45 FR 39766
Final Action	00/00/00	

Small Entity: Yes

Additional Information: SAR No. 1010.

Docket No. OAQPS 78-12.

FTS:8-629-5624.

Agency Contact: Fred L. Porter, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5624**

RIN: 2060-AA12

---

218. NSPS: PERCHLOROETHYLENE DRY CLEANING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart OO

Abstract: Some new issues have arisen, and EPA is deciding whether to go forward with this rule. Some small perchloroethylene facilities may be affected by this standard.

Timetable:

Action	Date	FR Cite
NPRM	11/25/80	45 FR 78174
Decision on need for standard expected by	07/00/85	

Small Entity: Yes

Additional Information: SAR No. 1119.

Docket No. A-79-30.

FTS:8-629-5624.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5624**

RIN: 2060-AA14

219. NSPS: VOLATILE ORGANIC LIQUIDS STORAGE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart AAA

Abstract: This standard will control volatile organic compound emissions from the storage of organic liquids. It will affect new, modified or reconstructed VOL storage vessels (including petroleum liquid storage vessels) with capacities of 20,000 gallons or more.

Timetable:

Action	Date	FR Cite
NPRM	07/23/84	49 FR 29698
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 1612.

Docket No. A-80-51.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA23

220. NSPS: RUBBER PRODUCTS INDUSTRY-TIRE MANUFACTURING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart BBB

Abstract: This standard will control VOC (volatile organic compound) emissions from solvent application during undertread/sidewall cementing, tread end cementing, bead cementing and green tire coating in rubber tire manufacturing plants. It will require use of less solvent or installation of a 75% efficient emission reduction system.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2676
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1615.

Docket No. A-80-9.

FTS:8-629-5578.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA24

221. NSPS: SYNTHETIC ORGANIC CHEMICAL INDUSTRY: AIR OXIDATION PROCESS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart III

Abstract: This regulation will control emissions of volatile organic compounds from the manufacture of synthetic organic chemicals via air oxidation processes.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48932
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1618.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA30

222. NSPS: SOLVENT DEGREASING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This action will require States to control organic solvent cleaners to reduce emissions of specific organic solvents designated under a separate NSPS action (SAR 1010). This action may impact any manufacturing operations that employ organic solvent cleaners to remove grease and oils from parts prior to assembly. Some new issues have arisen and EPA is deciding whether to go forward with this rule.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Additional Information: SAR No. 1695.

FTS:8-629-5624.

Agency Contact: Fred L. Porter, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5624**

RIN: 2060-AA33

223. NSPS: DISTILLATION OPERATIONS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control emissions of volatile organic compounds from modified and reconstructed facilities at petroleum refineries and synthetic organic chemical plants.

Timetable:

Action	Date	FR Cite
NPRM	12/30/83	48 FR 57538
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1733.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA35

224. NSPS: PETROLEUM REFINERY, FCC REGENERATORS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This standard will require control of sulfur dioxide from fluidized catalytic cracking units.

Timetable:

Action	Date	FR Cite
NPRM	01/17/84	49 FR 2058
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 1736.

FTS:8-629-5624.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5624**

RIN: 2060-AA36

225. NSPS: POLYMER AND RESIN MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This rule will control volatile organic compound (VOC) emissions in exhaust streams from polymerization processes in the manufacture of organic polymers and resins.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	05/00/86	

Small Entity: No

Additional Information: SAR No. 1691.

Docket No. A-82-19.

FTS:8-629-5578.

Affected Sectors: Multiple

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA37

226. NSPS: BASIC OXYGEN FURNACE (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60 N

Abstract: This action revises the existing NSPS which controls particulate emissions during air blowing in basic oxygen process furnaces in steel mills. The revision will extend coverage to charging and tapping cycles. This revision will ensure better control of particulate emissions from secondary sources and will remove some ambiguities in the existing standards for primary sources.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2658
Final Action	10/00/84	

Small Entity: No

Additional Information: SAR No. 1671.

Docket No. A-79-06.

FTS:8-629-5624.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA72

227. NSPS: GLASS MANUFACTURING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart CC

Abstract: EPA is revising the NSPS for glass manufacturing following a petition by manufacturers.

Timetable:

Action	Date	FR Cite
NPRM	11/02/83	48 FR 50670
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1007.

FTS:8-629-5578.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA73

228. NSPS: STEEL PLANTS: ELECTRIC ARC FURNACES AND ARGON-OXYGEN DECARBONIZATION VESSELS (REVISION)

Legal Authority: CAA 111; CAA 114; CAA 301(a)

CFR Citation: 40 CFR 60, Subpart AA

Abstract: This proposed change would revise existing standards for electric arc furnaces (EAF) in the steel industry. It would also add argon-oxygen decarbonization (AOD) vessels to the source category. The revised standard would limit particulate emissions, including opacity limits, from new, modified, or reconstructed EAF's and AOD vessels, and their associated dust-handling equipment.

Timetable:

Action	Date	FR Cite
NPRM	08/17/83	48 FR 37338
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1904.

Docket No. A-79-33.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA75

229. NSPS: KRAFT PULP MILLS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart BB

Abstract: EPA has reviewed this standard and is proposing to make five changes. These revisions would: (1) Exempt black liquor oxidation systems from the standards; (2) revise the existing total reduced sulfur (TRS) standard for smelt dissolving tanks; (3) revise the units of the TRS standard for smelt dissolving tanks; (4) delete the requirement to monitor the combustion temperature in lime kilns, power boilers, or recovery furnaces; and (5) change the frequency of excess emission reports from quarterly to semi-annually.

Timetable:

Action	Date	FR Cite
NPRM	01/19/84	48 FR 2448
Final Action	05/00/85	

Small Entity: No

Additional Information: SAR No. 1959.

FTS: 8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, N.C. 27711, 919 541-5578

RIN: 2060-AA97

230. NSPS: SECONDARY BRASS AND BRONZE PRODUCTION (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart M

Abstract: EPA has reviewed this standard and determined that minor revisions are warranted. The review assessed performance and costs of plants and control systems as well as economic and technological development in the industry.

Timetable:

Action	Date	FR Cite
NPRM	05/23/84	49 FR 21864
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 2050.

FTS: 8-629-5595.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB04

231. NSPS: SEWAGE TREATMENT PLANTS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA has reviewed this standard and determined that revisions to the monitoring, recordkeeping and reporting requirements are warranted. The review assessed the performance and cost of control systems as well as experience in implementing the existing standard. EPA will issue a notice in the Federal Register announcing the results of its review and proposing revisions to the standard.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 2028.

FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB05

232. NSPS: NON-METALLIC MINERALS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: The regulation will control particulate emissions from crushing, grinding and handling facilities used in 18 non-metallic mineral industries. Separate standards had earlier been considered for some of these industries such as gypsum manufacture (SAR No. 1673).

Timetable:

Action	Date	FR Cite
NPRM	08/31/83	48 FR 39566
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1880.

FTS: 8-629-5624.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, N.C. 27711, 919 541-5624

RIN: 2060-AB11

233. NSPS: WOOL FIBERGLASS INSULATION

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control particulate emissions from wool fiberglass insulation manufacturing facilities that use the rotary spin forming process.

Timetable:

Action	Date	FR Cite
NPRM	02/07/84	49 FR 4590
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1915.

FTS: 8-629-5624.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, ESES (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AB21

234. NSPS: AUTOMOBILE AND LIGHT-DUTY TRUCK COATING OPERATIONS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is revising the NSPS for automobile and light-duty truck coating operations which was promulgated in December 1980 to reflect additional operational data of the best demonstrated prime coat system. This revision of the standard does not reflect a change in the basis of the prime coat standard, but a better understanding of the performance of the prime coat system upon which the standard was originally based.

Timetable:

Action	Date	FR Cite
NPRM	07/29/82	47 FR 32743
Final Action	10/00/84	

Small Entity: No

Additional Information: SAR No. 2044.

FTS: 8-629-5624.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB22

235. NSPS: ON-SHORE PRODUCTION FOR VOLATILE ORGANIC COMPOUNDS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control volatile organic compounds from new, modified and reconstructed facilities at natural gas processing plants.

Timetable:

Action	Date	FR Cite
NPRM	01/20/84	49 FR 2656
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 2109.

Contains previous RIN 2060-AA34 NSPS: On-Shore Production.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB26

236. NSPS: ON-SHORE PRODUCTION FOR SULFUR DIOXIDE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control sulfur dioxide compounds from new, modified and reconstructed facilities at natural gas processing plants.

Timetable:

Action	Date	FR Cite
NPRM	01/20/84	49 FR 2636
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 2110.

Split from previous RIN 2060-AA34--NSPS: On-Shore Production.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB27

237. NSPS: FOSSIL FUEL-FIRED STEAM GENERATORS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111; 42 USC 7601(a)

CFR Citation: 40 CFR 60

Abstract: These revisions to the existing NSPS for large fossil fuel-fired steam generators would establish sulfur dioxide compliance, emission monitoring, and reporting requirements on a 30-day rolling average basis.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48960
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2083.

FTS: 8-629-5578.

Contains previous RIN 2060-AA25 (NSPS: Non-Fossil Fuel Fired Boilers Revision).

Agency Contact: Fred Porter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB29

238. NSPS: INDUSTRIAL BOILERS, S02

Priority: Major

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: Industrial boilers are a major stationary source of sulfur dioxide. EPA is developing performance standards for industrial boilers to achieve continuous emission reduction. The Agency will base emission limits upon the best available system of control, taking costs, environmental impacts and energy requirements into account.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	11/00/86	

Small Entity: No

Additional Information: SAR No. 2075.

FTS: 8-629-5578.

Split from previous RIN 2060-AA22 (NSPS: Industrial Boilers)

Analysis: RIA

Agency Contact: Fred Porter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB33

239. NSPS: INDUSTRIAL BOILERS--PARTICULATE MATTER AND NOX

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: Industrial boilers are a major stationary source of Particulate Matter and Nitrogen Oxide emissions. EPA is developing performance standards for industrial boilers to achieve continuous emission reduction. The Agency will base emission limits upon the best available system of control, taking costs, environmental impacts and energy requirements into account.

Timetable:

Action	Date	FR Cite
NPRM	06/19/84	49 FR 25102
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 2076

Split from previous RIN 2060-AA22 (NSPS: Industrial Boilers)

Agency Contact: Fred Porter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB35

240. NSPS: REPORTING REQUIREMENTS FOR OPACITY

Legal Authority: 42 USC 7414 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation would require that owners and operators of affected facilities that are subject to opacity standards in 40 CFR 60 record and report the opacity of emissions at specific times. The intent of this rule is to ensure that adequate opacity data are obtained and recorded.

Timetable:

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30676
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2070.

FTS: 8-629-5578.

Agency Contact: Shirley Tabler, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AB42

241. NSPS: GAS TURBINES (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: A comprehensive study is now in process which will result in proposal and promulgation of some clarifications/changes to the existing regulation and which will extend the NSPS to cover large industrial gas turbines.

Timetable:

Action	Date	FR Cite
ANPRM	10/06/83	48 FR 45701
NPRM	01/00/86	
Final Action	03/00/87	

Small Entity: No

Additional Information: SAR No. 1117.

FTS: 8-629-5595.

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB43

242. NSPS: FIRED PROCESS HEATERS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: This regulation will control emissions of nitrogen oxides from fired process heaters in the refining and chemical manufacturing industries. EPA is considering exempting facilities that have less than an as yet undetermined amount of heat input per hour.

Timetable:

Action	Date	FR Cite
NPRM	07/00/85	
Final Action	09/00/86	

Small Entity: No

Additional Information: SAR No. 2101.

FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5601

RIN: 2060-AB45

243. ● NSPS: SOCMI REACTOR PROCESSES

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: The scope of the SOCMI reactor processes NSPS includes all reactor processes (other than air oxidation reactor processes) used to manufacture 182 synthetic organic chemicals produced in quantities of at least 100 million lb/yr. These large-volume chemicals account for about 90 percent of the total domestic chemical production from the SOCMI. Furthermore, production of these large-volume chemicals is expected to have the greatest impact on nationwide VOC emissions, since the magnitude of emissions from reactor process units are generally proportional to chemical production rates.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	
Final Action	08/00/86	

Small Entity: No

Additional Information: SAR No. 2164.

FTS:8-629-5691.

Agency Contact: Les Evans, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5691

RIN: 2060-AB55

244. DECISION ON REGULATION OF CADMIUM

Legal Authority: 42 USC 7422 / CAA 122

CFR Citation: 40 CFR 61

Abstract: EPA is currently reviewing relevant available information on emissions of cadmium into the ambient air that may be either by itself or in combination with cadmium intake from food and drinking water reasonably anticipated to endanger public health. EPA will issue a decision on the necessary regulatory action for public comment before it becomes final.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	
Final Action	06/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1869.

FTS:8-629-5645.

Agency Contact: David Patrick, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, 919 541-5645

RIN: 2060-AA38

245. NESHAPS: ARSENIC FROM SMELTERS AND OTHER SOURCES

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61 N; 40 CFR 61 O; 40 CFR 61 P

Abstract: EPA proposed standards for inorganic arsenic emissions from existing and new primary copper smelters and glass manufacturing plants. In addition, EPA proposed not to develop standards for inorganic arsenic emissions from primary lead smelters, secondary lead smelters, primary zinc smelters, zinc oxide production plants, cotton gins, and arsenic chemical manufacturing plants.

Timetable:

Action	Date	FR Cite
NPRM	07/20/83	48 FR 33112
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 1684.

FTS:8-629-5624.

Agency Contact: Linda Chaput, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA41

246. NESHAPS: BENZENE IN COKE OVENS/BY-PRODUCTS PLANTS

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: This regulation will control benzene emissions generated by the processing of gaseous and liquid streams at coke by-product plants. The emission sources to be controlled include process equipment, storage vessels, and fugitive emissions. The standards will consist of equipment specifications, work practices, design specifications, and emission limits.

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23528
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 1685.

FTS:8-629-5578.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5578

RIN: 2060-AA42

247. NESHAPS: AIRBORNE RADIONUCLIDES

Priority: Major

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: Radionuclides are a hazardous air pollutant. In the April 6 Federal Register the Agency proposed standards for sources in four categories: 1) Department of Energy facilities; 2) Nuclear Regulatory Commission-licensed facilities and non-DOE facilities; 3) underground uranium mines; and 4) elemental phosphorous plants. The Agency has identified several other source categories but has chosen not to regulate them at this time.

Timetable:

Action	Date	FR Cite
NPRM	04/06/83	48 FR 15076
Final Action	11/00/84	

Small Entity: Undetermined

Additional Information: SAR No. 1595.

Docket No. A-79-11.

FTS:8-557-8977.

Agency Contact: Terrence McLaughlin, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 703 557-0704

RIN: 2060-AA47

248. NESHAPS: COKE OVEN EMISSIONS FROM BY-PRODUCT COKE OVEN CHARGING, DOOR LEAKS, AND TOPSIDE LEAKS ON WET-COAL CHARGED BATTERIES (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61 G

Abstract: This regulation will control emissions of organic pollutants designated as hazardous under section 112. It will require improved maintenance and operation to limit visible emissions from wet-coal-charged coke oven batteries. The standards apply to charging, and leaks from doors, lids or offtakes for all existing or new sources.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	04/00/86	

Small Entity: No

Additional Information: SAR No. 1686.

Docket No. A-79-15.

FTS:8-629-5624.

Agency Contact: Robert Ajax, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA48

249. NESHAPS GENERAL PROVISIONS (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61 A

Abstract: This action proposes to amend the emission testing, monitoring, and recordkeeping provisions of the National Emission Standards for

Hazardous Air Pollutants. The proposed amendments will eliminate repetition in the subparts and add procedures and criteria to determine if: (1) proposed source changes constitute modification or reconstruction; and (2) equipment and/or procedures meet the relevant standards.

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23568
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 1681.

Docket No. A-130.

FTS:8-629-5578.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA79

250. NESHAPS: VINYL CHLORIDE (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: The Agency has reviewed the vinyl chloride standard that was promulgated in October 1977. As a result, there will be administrative changes to the standard. The primary administrative change is to reinstate the definition of emergency relief valve discharges more objectively.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	03/00/86	

Small Entity: No

Additional Information: SAR No. 1971.

FTS: 8-629-5671

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, N.C., 27711, **919 541-5671**

RIN: 2060-AB06

251. NESHAPS: MERCURY (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: EPA has reviewed this standard and determined that revisions to the monitoring, recordkeeping, and reporting requirements are warranted. The review assessed the technological basis and administrative aspects of the existing standard. EPA will issue a notice in the Federal Register announcing the results of its review and propose revisions to the standard.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	11/00/85	

Small Entity: No

Additional Information: SAR No. 2137.

FTS:8-629-5578.

Agency Contact: Gilbert H. Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AB44

252. ● NESHAP: ASBESTOS (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: The Agency is analyzing possible changes in the emission standards for asbestos mills and manufacturing operations, and the possible addition of monitoring requirements for these sources. Possible changes in the exemptions for specified demolition and renovation operations in existing standards are also being analyzed. The Agency is considering changes in reporting requirements for demolition and renovation operations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
Final Action	07/00/86	

Small Entity: No

Additional Information: SAR No. 1714.

FTS 8-629-5601.

Agency Contact: James Crowder, Chief, Standards Support Section, Environmental Protection Agency, Air and Radiation, MD-13, RTP, North Carolina, **919 541-5601**

RIN: 2060-AB51

253. ● DECISIONS ON REGULATING VARIOUS AIR POLLUTANTS

Legal Authority: 42 USC 1857 et seq / CAA

Abstract: The Agency is reviewing the health effects, sources, emissions to the ambient air, and the public exposure of these pollutants. The Agency will publish the decisions whether these pollutants should be controlled as a specified air pollutant under the Clean Air Act or other regulatory mechanisms in order to protect the public health.

Supplemental Timetable:

Acrylonitrile
Decision on Regulation 11/00/84
Carbon Tetrachloride
Decision on Regulation 03/00/85
Chlorobenzenes
Decision on Regulation 07/00/85
Chlorofluorocarbon-113 (F-113)
Decision on Regulation 12/00/84
Chloroform
Decision on Regulation 08/00/85
Chromium
Decision on Regulation 06/00/85
Ethylene Dichloride
Decision on Regulation 10/00/85
Ethylene Oxide
Decision on Regulation 08/00/85
Methyl Chloroform
Decision on Regulation 12/00/84
Methylene Chloride (Dichloromethane)
Decision on Regulation 12/00/85
Nickel
Decision on Regulation 10/00/85
Perchloroethylene (tetrachloroethylene)
Decision on Regulation 07/00/85
Trichloroethylene
Decision on Regulation 07/00/85
Vinylidene Chloride
Decision on Regulation 02/00/85

Small Entity: No

Additional Information: SAR No. 2181.

FTS 8-629-5655.

Agency Contact: David Patrick, Chief, Pollutant Assessment Branch, Environmental Protection Agency, Air and Radiation, MD-12, Research Triangle Park, NC 27711, **919 541-5655**

RIN: 2060-AB56

254. SECOND ROUND NONFERROUS SMELTER ORDER REGULATIONS

Legal Authority: 42 USC 7419 / CAA 119

CFR Citation: 40 CFR 57

Abstract: These rules establish the minimum required contents of primary nonferrous smelter orders (NSOs) and the criteria and procedures EPA will use in issuing NSOs and in evaluating NSOs issued by the states. NSOs allow eligible smelters until January 1, 1988 to come into compliance with their State Implementation Plans for sulfur dioxide. These rules could affect approximately six copper, lead, zinc and other primary nonferrous smelters in the United States.

Timetable:

Action	Date	FR Cite
NPRM	09/19/83	48 FR 42050
Final Action	03/00/85	

Small Entity: No

Additional Information: SAR No. 1799.

FTS:8-382-2887.

Agency Contact: Roy Rathbun, Environmental Protection Agency, Air and Radiation, (EN-341), Washington, DC 20460, 202 382-2887

RIN: 2060-AA81

255. DISPERSION TECHNIQUES IMPLEMENTED BEFORE ENACTMENT OF THE CLEAN AIR ACT AMENDMENTS OF 1970

Legal Authority: 42 USC 7410 / CAA 123; 42 USC 7601(a); 42 USC 7423

CFR Citation: 40 CFR 51

Abstract: These regulations set the requirements for an implemented intermittent control system (ICS). If an operator can show that dispersion techniques implemented before December 31, 1970 meet the ICS requirements then the system can be used to reduce emissions in a State Implementation Plan to meet Federal ambient standards. These regulations are optional for States.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1893.

Docket No. A-79-12.

FTS:8-629-5540.

Agency Contact: Bruce Polkowsky, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, 919 541-5540

RIN: 2060-AA49

256. "GUIDELINE ON AIR QUALITY MODELS" (REVISION)

Legal Authority: CAA 165(e)

CFR Citation: 40 CFR 51.24(1); 40 CFR 52.21(m)

Abstract: This action proposes to revise the "Guideline on Air Quality Models" (issued in April 1978) to reflect changes to the state-of-the-science of modeling and changes to current practice and policies. Revisions to the Guideline were developed in 1980 and public hearings were held. Based on public comments, EPA has conducted studies to resolve some issues. Additional evaluation studies of models, suggested by commenters and performed in accordance with the recommendations of the American Meteorological Society, are underway. Early results of both are now available and should become part of EPA's guidance. The revised guideline should greatly reduce inconsistencies in the development and revision of emission limitations and in the determination of PSD increment consumption. New modeling procedures allow potentially greater accuracy in modeling results and the attainment of clean air goals at less cost.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	12/00/85	

Small Entity: No

Additional Information: SAR No. 1941.

FTS: 8-629-5561.

Docket No. A-80-46.

Agency Contact: Joseph Tikvart, Environmental Protection Agency, Air and Radiation, MD-14, Research Triangle Park, N.C. 27711, 919 541-5561

RIN: 2060-AB13

257. HEAVY-DUTY DIESEL PARTICULATE STANDARDS

Priority: Major

Legal Authority: 42 USC 7521(a)(3) / CAA 202

CFR Citation: 40 CFR 86

Abstract: Diesel engines emit 40-100 times the particulate matter emitted by catalyst-equipped vehicles operated on unleaded gasoline. EPA has proposed an emission limit of .25 grams per brake horsepower-hour and intends to repropose a standard for particulate matter concurrent with the proposed heavy-duty NOx standard. This will result in a significant reduction in fine particulate from these vehicles.

Timetable:

Action	Date	FR Cite
Previous NPRM	01/07/81	46 FR 1910
NPRM	10/00/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: SAR No. 1310.

Docket No. OMSAPC-78-3 A-80-18.

FTS:8-374-8462.

Analysis: RIA

Agency Contact: Terry Newel, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4462

RIN: 2060-AA51

258. NOX REGULATIONS FOR LIGHT-DUTY TRUCKS AND HEAVY-DUTY ENGINES

Priority: Major

Legal Authority: 42 USC 7521 / CAA 202; 42 USC 7525 / CAA 202; 42 USC 7526 / CAA 202; 42 USC 7541 / CAA 202

CFR Citation: 40 CFR 86

Abstract: Heavy-duty vehicles and light-duty trucks produce 15 percent of total NOx emissions. The Clean Air Act requires EPA to establish emission standards for heavy-duty vehicles which represents a 75% reduction in nitrogen oxides. At the request of the President's Task Force on Regulatory Relief, EPA will consider relaxing the statutory limit for 3 years to a level which can be achieved by diesel engines. These standards will prevent growth in NOx emissions and future non-attainment. These standards will be set in conjunction with the heavy-duty particulate standards (RIN 2060-AA51).

Timetable:

Action	Date	FR Cite
Previous ANPRM	11/28/80	45 FR 79382
ANPRM	01/19/81	46 FR 5836
NPRM	10/00/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: SAR No. 1315.

Docket No. A-80-18.

FTS:8-374-8462.

Analysis: RIA

Agency Contact: Terry Newel, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4462

RIN: 2060-AA52

259. EMISSION STANDARDS, TEST PROCEDURES AND CAFE EQUIVALENCY FACTORS FOR METHANOL-FUELED NEW MOTOR VEHICLES

Legal Authority: 42 USC 7521 / CAA 202, EPCA 301; 42 USC 7601; 15 USC 2001

CFR Citation: 40 CFR 86; 40 CFR 600

Abstract: This rule will develop emission standards and test standards and test procedures applicable to methanol-fueled light-duty vehicles, light-duty trucks and heavy-duty engines. Current regulations apply only to gasoline-fueled and diesel-powered vehicles. The lack of regulations is a hindrance to the development of methanol-fueled vehicles. This rule will also establish a methanol-gasoline equivalency factor for purposes of fuel economy testing.

Timetable:

Action	Date	FR Cite
ANPRM	04/10/84	49 FR 14244
NPRM	03/00/85	
Final Action	03/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 2112.

FTS: 8-374-8390.

Agency Contact: Richard Wilcox, Environmental Protection Agency, Air and Radiation, ANR 455, Washington, DC 20460, **313 668-4390**

RIN: 2060-AB28

260. IMPORTATION OF MOTOR VEHICLES AND MOTOR VEHICLE ENGINES (REVISION)

Legal Authority: 42 USC 7522 / CAA 203

CFR Citation: 40 CFR 85

Abstract: These revised regulations allow only certified vehicles and engines to be imported, except that an individual may import an uncertified version for one time only. The purpose is to improve the effectiveness and administration of EPA's present regulation. EPA solicits additional comments on other ways these regulations may be revised. A supplemental notice is being prepared to describe additional options for regulating imports.

Timetable:

Action	Date	FR Cite
NPRM	07/21/80	45 FR 48812
Supplemental NPRM	10/00/84	
Final Action	10/00/84	

Small Entity: Yes

Additional Information: SAR No. 1317.

Docket No. EN-79-9.

FTS:8-382-2499.

Agency Contact: Stanley B. Durkee, Environmental Protection Agency, Air and Radiation, (EN-340F), Washington, DC 20460, **202 382-2499**

RIN: 2060-AA54

261. NONCONFORMANCE PENALTIES FOR 1985 MODEL YEAR HEAVY-DUTY ENGINES (HDES)

Legal Authority: 42 USC 7525(g) / CAA 206; 42 USC 7601(a) / CAA

CFR Citation: 40 CFR 86

Abstract: This regulation will allow manufacturers of 1985 HDEs to sell their engines even though they fail to meet 1985 and later model year regulatory requirements for specific pollutants, provided that emissions do not exceed a specified maximum level and that the manufacturer pays a nonconformance penalty for each HDE sold. The penalty will remove any competitive advantage of noncompliance and still provide manufacturers with an incentive to meet the standard. This regulation is being developed through a regulatory negotiation project.

Timetable:

Action	Date	FR Cite
Previous NPRM	02/13/79	44 FR 9485
NPRM	03/00/85	
Final Action	08/00/85	

Small Entity: No

Additional Information: SAR No. 1571.

FTS:8-382-2500.

Agency Contact: Robert Montgomery, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, **202 382-2500**

RIN: 2060-AA56

262. NONCONFORMANCE PENALTIES FOR LIGHT-DUTY TRUCKS

Legal Authority: 42 USC 7527(g) / CAA 206; 42 USC 301(a) / CAA 206

CFR Citation: 40 CFR 86

Abstract: This regulation will allow manufacturers of 1985 light duty trucks over 6,000 pounds gross vehicle weight to sell their vehicles even though they fail to meet 1985 and later model year regulatory requirements for specific pollutants, provided that emissions do not exceed a specified maximum level and that the manufacturer pays a nonconformance penalty for each truck sold. The penalty will remove any competitive advantage of noncompliance. This regulation is being developed through a regulation negotiation project.

Timetable:

Action	Date	FR Cite
Previous NPRM	07/12/79	44 FR 40791
NPRM	03/00/85	
Final Action	08/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 1632.

FTS: 8-382-2500.

Agency Contact: Robert Montgomery, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, **202 382-2500**

RIN: 2060-AA58

263. AMENDMENTS TO SELECTIVE ENFORCEMENT AUDITING PROCEDURES FOR LIGHT-DUTY VEHICLES (REVISION)

Legal Authority: 42 USC 7525(b) / CAA 206; 42 USC 7542(b) / CAA 206; 42 USC 7601(a) / CAA 206

CFR Citation: 40 CFR 86 G; 40 CFR 86 A

Abstract: EPA is revising the Selective Enforcement Auditing procedures for LDVs to make the program more efficient (with cost savings to EPA and the affected industries), clarify various provisions, and revise the sampling procedure.

Timetable:

Action	Date	FR Cite
NPRM	03/09/84	49 FR 8947
Final Action	11/00/84	

Small Entity: No

Additional Information: SAR No. 1570.

FTS: 8-382-4104.

Agency Contact: Stephen Sinkez, Environmental Protection Agency, Air and Radiation, (EN-340), Washington, DC 20460, **202 382-4104**

RIN: 2060-AA89

264. ● SMALL-VOLUME MANUFACTURERS CERTIFICATION PROCEDURE

Legal Authority: 42 USC 7401 / CAA 206

CFR Citation: 40 CFR 86

Abstract: This action will result in rules to provide for certification of emissions compliance for commercial importers and individuals importing vehicles into the United States. By a separate action, the Manufacturers Operations Division is revising its rules for individual vehicle importation. This action is necessary to provide an appropriate mechanism to import vehicles into the United States under certification regulations and assure their compliance with the exhaust emission standards. Current rules for small-volume manufacturers were not intended to apply to conversion of previously manufactured but uncertified configurations. However, increasingly large numbers of manufacturers who import vehicles for resale have applied for EPA certification as an alternative to individual vehicle importation. This will primarily impact small business organizations involved in importing motor vehicles. The likely impact of these changes will be increased costs to these organizations.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
Final Action	10/00/85	

Small Entity: Yes

Additional Information: SAR No. 2143.

FTS: 8-374-8471.

Agency Contact: Brian Burgess, Environmental Protection Agency, Air and Radiation, ANR-455, 2625 Plymouth Road, Ann Arbor, MI 48105, **202 374-8221**

RIN: 2060-AB54

265. ● EMISSION PERFORMANCE WARRANTY REGULATIONS (REVISION)

Legal Authority: 42 USC 7541(b) / CAA 207(b)

CFR Citation: 40 CFR 85

Abstract: This rulemaking will address the issue of establishing: (1) test procedures and standards for heavy-duty gasoline vehicles, (2) new standards for light-duty vehicles and light-duty trucks, and (3) alternative dynamometer loadings for the loaded short tests. These amendments are necessary so that owners of heavy-duty vehicles will have emissions warranty protection and owners of light-duty vehicles and trucks will be entitled to warranty protection.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	
Final Action	02/00/86	

Small Entity: No

Additional Information: SAR No. 2136.

FTS: 8-374-8471.

Agency Contact: Jane Armstrong, Environmental Protection Agency, Air and Radiation, ANR-445, 2625 Plymouth Road, Ann Arbor, MI 48105, **313 374-8471**

RIN: 2060-AB53

266. FUELS AND FUEL ADDITIVES

Priority: Major

Legal Authority: 42 USC 7545 / CAA 211

CFR Citation: 40 CFR 79

Abstract: These protocols will help determine effects of fuel and fuel additives on public health and emission control devices. They will ensure that motor vehicle fuels and additives will not harm the public health. They will also ensure that they do not damage emission control devices in motor vehicles.

Timetable:

Action	Date	FR Cite
NPRM	01/00/86	

Small Entity: Undetermined

Additional Information: SAR No. 1328.

FTS:8-374-8339.

Agency Contact: Richard A. Rykowski, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4339**

RIN: 2060-AA59

267. ● LEAD PHASEDOWN (REVISION)

Priority: Major

Legal Authority: 42 USC 7545 / CAA 211

CFR Citation: 40 CFR 80

Abstract: This rule proposes a lead content standard of 0.10 gram of lead per gallon of leaded gasoline (gplg), effective January 1, 1986. This standard would replace the current standard of 1.10 gplg. Comments are sought on a total ban of leaded gas effective in 1995. EPA is taking this action due to concerns about the misfueling of cars equipped with catalytic converters and the health effects of exposure to lead, especially in small children. This should significantly reduce the amount of lead in the environment. Alternatives have been considered to relax this standard in some way for small refiners. These alternatives have been rejected because they would not allow EPA to meet the environmental goals of this regulation. Relaxation would be achieved either by setting a higher standard or allowing more lead time for small refiners.

Timetable:

Action	Date	FR Cite
NPRM	08/02/84	49 FR 31032
Final Action	12/00/84	

Small Entity: Yes

Additional Information: SAR No. 2152.

FTS: 8-382-2633.

Analysis: RFA 00/00/00; RIA 00/00/00

Agency Contact: Richard Kozlowski, Environmental Protection Agency, Air and Radiation, EN-397, Washington, DC 20460, **202 382-2633**

RIN: 2060-AB50

268. FUEL ECONOMY TEST PROCEDURES; PROPOSED PROCEDURES FOR ADJUSTMENT TO TEST RESULTS TO ACCOUNT FOR TEST PROCEDURE CHANGES

Legal Authority: 15 USC 2001 et seq / EPCA 301

CFR Citation: 40 CFR 600

Abstract: In January, 1982, the United States Court of Appeals for the Sixth Circuit issued an order requiring EPA to initiate rulemaking to establish adjustment factors for the 1980-85 Corporate Average Fuel Economy (CAFE) test results. This proposal is in response to the Court Order and will result in adjustments to EPA calculations of CAFE.

Timetable:

Action	Date	FR Cite
NPRM	12/21/83	48 FR 56526
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 2033.

FTS: 8-374-8403.

Agency Contact: Joseph Whitehead, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4403**

RIN: 2060-AB19

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Air Act (CAA) — Existing Regulations Under Review

269. NAAQS: LEAD

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50

Abstract: EPA is reassessing the health and welfare information that has become available since the last revision of the standard.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/82	
ANPRM	05/24/84	49 FR 22021
End Review	02/00/86	

Small Entity: No

Additional Information: SAR No. 1919.

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-12), Research Triangle Park, NC 27711, **919 541-5655**

RIN: 2060-AA95

270. NAAQS: OZONE

Priority: Major

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50

Abstract: EPA is reassessing the health and welfare information that has become available since the last revision of the standard.

Timetable:

Action	Date	FR Cite
Begin Review	09/00/81	
End Review	06/00/86	

Small Entity: No

Additional Information: REVIEW AUTHORITY: CAA 109.

FTS: 8-629-5655.

SAR No. 1920.

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5655**

RIN: 2060-AA96

271. NSPS: SULFURIC ACID MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart H

Abstract: EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of sulfuric acid plant control systems as well as the experience of the industry and control agencies in implementing the standards. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/83	
End Review	06/00/85	

Small Entity: No

Additional Information: REVIEW AUTHORITY: CAA 111.

FTS: 8-629-5601.

SAR No. 2026.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5601**

RIN: 2060-AB02

272. REVIEW OF INFORMATION REQUIREMENTS IN THE NEW SOURCE PERFORMANCE STANDARDS (NSPS) PROGRAM

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: The NSPS program is a national program to develop and implement standards for emissions from new and modified stationary sources. EPA is reviewing the information requirements of five NSPS and conducting in-depth examinations of one of these standards. The purpose of the study is to assess the quality, utility, effectiveness, and efficiency of the information components. The study will collect data from affected facility owners; regional, state and local authorities responsible for monitoring the program; and primary users of the information. Where appropriate, the recommendations will be incorporated in the NSPS rules and associated Information Collection Requests (ICRs).

Timetable:

Action	Date	FR Cite
Begin Review	01/00/84	
End Review	10/00/84	

Small Entity: No

Additional Information: FTS: 8-382-2743.

REVIEW AUTHORITY: Paperwork Reduction Act.

Agency Contact: James Daley, Environmental Protection Agency, Air and Radiation, PM-223, Washington, DC 20460, **202 382-2743**

RIN: 2060-AB25

273. NSPS: AMMONIUM SULFATE MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of ammonium sulfate manufacturing control systems as well as the experience of the industry and control agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	05/00/84	
End Review	05/00/85	

Small Entity: No

Additional Information: FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5601**

RIN: 2060-AB34

274. NSPS: PRIMARY ALUMINUM REDUCTION PLANTS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing this item to determine whether revisions are warranted. The review will assess performance and costs of primary aluminum reduction plant control systems as well as the experience of the industry and control agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/84	
End Review	10/00/85	

Small Entity: No

Additional Information: FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5601**

RIN: 2060-AB36

275. NSPS: CEMENT PLANTS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing the standard to determine whether revisions are warranted. The review will assess performance and costs of control systems and economic and technical developments in the industry.

Timetable:

Action	Date	FR Cite
Begin Review	08/00/83	
End Review	05/00/85	

Small Entity: No

Additional Information: FTS: 8-629-5596.

Agency Contact: Kenneth R. Durkee, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5596**

RIN: 2060-AB38

276. NSPS: SECONDARY LEAD SMELTERS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing the standard to determine whether revisions are warranted. The review will assess performance and costs of secondary lead smelter control systems as well as the experience of the industry and control agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/85	
End Review	01/00/86	

Small Entity: Yes

Additional Information: FTS: 8-629-5601.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5601**

RIN: 2060-AB39

277. NSPS: ASPHALT CONCRETE PLANTS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Abstract: EPA is reviewing this standard to determine whether revisions are warranted. The review will assess performance and costs of control systems and economic and technological developments in the industry. Of particular interest are asphalt recycling plants which in some cases have experienced "blue haze" emissions. The review will seek information to identify and quantify the "blue haze" constituents and assess control techniques.

Timetable:

Action	Date	FR Cite
Begin Review	11/00/82	
End Review	00/00/00	

Small Entity: No

Additional Information: FTS: 8-629-5596.

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5596**

RIN: 2060-AB41

278. NESHAPS: BERYLLIUM

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Abstract: EPA is reviewing the health and technological basis and administrative aspects of the national emission standard for beryllium. EPA will issue a notice in the Federal Register announcing the results of the review.

Timetable:

Action	Date	FR Cite
Begin Review	12/00/81	
End Review	00/00/00	

Small Entity: No

Additional Information: REVIEW AUTHORITY: EO 12291.

FTS: 8-629-5595.

SAR No. 2029.

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5595**

RIN: 2060-AB07

279. VISIBILITY PROTECTION FOR FEDERAL CLASS I AREAS

Legal Authority: 42 USC 7479 / CAA 169

CFR Citation: 40 CFR 51

Abstract: In response to petitions EPA is reviewing the visibility protection regulations promulgated on December 2, 1980 (45 FR 80084). EPA is reconsidering the concept of "integral vistas," the role of the Federal Land Managers, and new source review requirements. The Agency may decide to initiate changes as a result of this review.

Timetable:

Action	Date	FR Cite
Begin Review	01/00/81	
End Review	06/00/85	

Small Entity: No

Additional Information: REVIEW AUTHORITY: EO 12291.

FTS: 8-629-5540.

SAR No. 1307.

Agency Contact: Bruce Polkowsky, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, 919 541-5540

RIN: 2060-AB09

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Clean Air Act (CAA)

Completed Actions

COMPLETED RULEMAKINGS

280. NSPS: INDUSTRIAL SURFACE COATING--VINYL AND URETHANE PRINTING

CFR Citation: 40 CFR 60.580

Completed:

Reason	Date	FR Cite
Final Action	06/29/84	49 FR 26884

Small Entity: No

Agency Contact: Gene Smith 919 541-5624

RIN: 2060-AA27

281. NSPS: REFINERY FUGITIVE EMISSIONS

CFR Citation: 40 CFR 60, Subpart GGG

Completed:

Reason	Date	FR Cite
Final Action	05/30/84	49 FR 22598

Small Entity: No

Agency Contact: Gilbert Wood 919 541-5578

RIN: 2060-AA28

282. NSPS: SYNTHETIC FIBERS

CFR Citation: 40 CFR 60, Subpart HHH

Completed:

Reason	Date	FR Cite
Final Action	04/05/84	49 FR 13646

Small Entity: No

Agency Contact: Linda Chaput 919 541-5624

RIN: 2060-AA29

283. NSPS: PETROLEUM SOLVENT DRY CLEANING

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	09/21/84	

Small Entity: Yes

Agency Contact: Doug Bell 919 541-5624

RIN: 2060-AA32

284. NSPS: LIME MANUFACTURING PLANTS (REVISION)

CFR Citation: 40 CFR 60, Subpart HH

Completed:

Reason	Date	FR Cite
Final Action	04/26/84	49 FR 18076

Small Entity: No

Agency Contact: Doug Bell 919 541-5578

RIN: 2060-AA74

285. NSPS FOR PRIMARY COPPER SMELTERS (REVISION)

CFR Citation: 40 CFR 60 P

Completed:

Reason	Date	FR Cite
No adverse impacts of standards identified during review; no revisions to standard necessary	03/07/84	49 FR 8576

Small Entity: No

Agency Contact: Fred Porter 919 541-5578

RIN: 2060-AA77

286. NESHAPS: LISTING OF COKE OVEN EMISSIONS AS HAZARDOUS AIR POLLUTANT

CFR Citation: 40 CFR 61

Completed:

Reason	Date	FR Cite
Decision on Listing	09/18/84	49 FR 36560

Small Entity: No

Agency Contact: Kent Berry 919 541-5504

RIN: 2060-AA39

287. NESHAPS: DECISION ON REGULATION OF ACRYLONITRILE

CFR Citation: 40 CFR Chapter 1

Completed:

Reason	Date	FR Cite
Combined with RIN 2060-AB56	09/00/84	

Small Entity: No

Agency Contact: David Patrick 919 541-5645

RIN: 2060-AA40

288. NESHAPS: MALEIC ANHYDRIDE MANUFACTURE

CFR Citation: 40 CFR 61 H

Completed:

Reason	Date	FR Cite
Withdraws 4/80 proposal to control process vent benzene emissions in maleic anhyride manufacture	06/06/84	49 FR 23558

Small Entity: No

Agency Contact: Gilbert Wood 919 541-5578

RIN: 2060-AA43

289. NESHAPS: ETHYLBENZENE/STYRENE MANUFACTURE

CFR Citation: 40 CFR 61 I

Completed:

Reason	Date	FR Cite
Withdraws 12/80 proposal to control process vent benzene emissions in ethylbenzene/styrene manufactur	06/06/84	49 FR 23558

Small Entity: No

Agency Contact: Gilbert Wood 919 541-5578

RIN: 2060-AA44

290. NESHAPS: BENZENE FUGITIVE EMISSIONS

CFR Citation: 40 CFR 61 J

Completed:

Reason	Date	FR Cite
Final Action	06/06/84	49 FR 23498

Small Entity: No

Agency Contact: Gilbert Wood 919 541-5578

RIN: 2060-AA45

291. NESHAPS: BENZENE STORAGE

CFR Citation: 40 CFR 61 K

Completed:

Reason	Date	FR Cite
Withdraws 12/30 proposal to limit benzene emissions from storage of pure benzene	06/06/84	49 FR 23558

Small Entity: No

Agency Contact: Gilbert Wood 919 541-5578

RIN: 2060-AA46

292. NESHAPS: ASBESTOS (REVISION)

CFR Citation: 40 CFR 61M

Completed:

Reason	Date	FR Cite
Final Action	04/05/84	49 FR 13658

Small Entity: No

Agency Contact: Linda Chaput 919 541-5624

RIN: 2060-AA80

293. DECISION ON REGULATION ON POLYCYCLIC ORGANIC MATTER

Completed:

Reason	Date	FR Cite
Final Decision not to Regulate Polycylic Organic Matter	08/08/84	49 FR 31680

Small Entity: No

Agency Contact: Kent Berry 919 541-5504

RIN: 2060-AB48

294. LONG TERM MOTOR VEHICLE EMISSIONS CONTROL PROGRAM (REVISION)

CFR Citation: 40 CFR 86

Completed:

Reason	Date	FR Cite
Postponed Indefinitely	10/00/84	

Small Entity: No

Agency Contact: Robert Larson 313 688-4277

RIN: 2060-AA88

295. AMENDMENT TO THE EMISSION CONTROL WARRANTY SHORT TESTS (REVISION)

CFR Citation: 40 CFR 85

Completed:

Reason	Date	FR Cite
Final Action	06/12/84	49 FR 24320

Small Entity: No

Agency Contact: George Kittredge 202 382-7647

RIN: 2060-AA90

296. AMENDMENTS TO THE MOTOR VEHICLES RECALL REGULATIONS

CFR Citation: 40 CFR 85

Completed:

Reason	Date	FR Cite
Withdrawn	10/00/84	

Small Entity: No

Agency Contact: Anthony J. Tesoriero 202 382-2510

RIN: 2060-AB32

297. FUEL ECONOMY LABELING AND DATA BASE REVISIONS (REVISION)

CFR Citation: 40 CFR 600

Completed:

Reason	Date	FR Cite
Final Action	04/06/84	49 FR 13832

Small Entity: No

Agency Contact: Clifford Tyree 313 668-4310

RIN: 2060-AA94

298. AMENDMENT AND CLARIFICATION OF THE TEST PROCEDURES AND EVALUATION CRITERIA FOR FUEL ECONOMY RETROFIT DEVICES (REVISION)

CFR Citation: 40 CFR 610

Completed:

Reason	Date	FR Cite
Final Action	05/01/84	49 FR 18486

Small Entity: No

Agency Contact: Merrill W. Korth 313 668-4299

RIN: 2060-AB18

299. AMENDMENT TO TRANSFER THE AGENCY'S FUEL ECONOMY RETROFIT DEVICE TEST COST LIABILITY TO THE DEVICE MANUFACTURER (REVISION)

CFR Citation: 40 CFR 610

Completed:

Reason	Date	FR Cite
Final Action	05/03/84	49 FR 18837

Small Entity: No

Agency Contact: Merrill W. Korth 313 668-4299

RIN: 2060-AB23

COMPLETED REVIEWS

300. NSPS: NITRIC ACID MANUFACTURE (REVIEW)

CFR Citation: 40 CFR 60, Subpart G

Completed:

Reason	Date	FR Cite
Existing Rule (1971) to control nitrogen oxide emissions from nitric acid plants will not change	04/05/84	49 FR 13654

Small Entity: No

Agency Contact: Kenneth Durkee 919 541-5595

RIN: 2060-AB01

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Superfund (CERCLA)

Current and Projected Rulemakings

301. DESIGNATION OF ADDITIONAL HAZARDOUS SUBSTANCES

Legal Authority: 42 USC 9602 / CERCLA 102

CFR Citation: 40 CFR 302

Abstract: Section 102 of the Act requires EPA to designate hazardous substances which may present substantial danger to the public health or welfare or the environment if released into the environment. EPA is developing this regulation to supplement the lists of hazardous substances already developed under CWA 307, 311, RCRA 3001, CAA 112, and TSCA 7. It will augment the lists in 40 CFR 302 as proposed 5/25/83.

Timetable:

Action	Date	FR Cite
ANPRM	05/25/83	48 FR 23602
NPRM	10/00/85	
Final Action	07/00/86	

Small Entity: No

Additional Information: For further information contact RCRA/Superfund Hotline (800-424-9346); in Metropolitan D.C. Area (382-3000).

SAR No. 1642A.

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, **202 382-3000**

RIN: 2050-AA45

302. NOTIFICATION OF RELEASE OF HAZARDOUS SUBSTANCES AND DETERMINATION OF REPORTABLE QUANTITIES

Legal Authority: 42 USC 9602 / CERCLA 102

CFR Citation: 40 CFR 302

Abstract: EPA is developing reportable quantities for hazardous substances under Section 102 of CERCLA that will trigger the requirements in Section 103 of CERCLA. The rulemaking also amends 40 CFR 117.3 to make the reportable quantities of each hazardous substance under CERCLA 102 the reportable quantity for that substance under CWA 311(b)(2).

Timetable:

Action	Date	FR Cite
NPRM	05/25/83	48 FR 23552
NPRM	10/00/84	

Small Entity: No

Additional Information: For further information contact RCRA/Superfund Hotline (800-424-9346); in Metropolitan D.C. Area (382-3000).

SAR No. 1642B.

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, **202 382-2816**

RIN: 2050-AA46

303. NOTIFICATION OF CONTINUOUS RELEASE OF HAZARDOUS SUBSTANCES

Legal Authority: 42 USC 9602 / CERCLA 102; 42 USC 9603 / CERCLA 103

CFR Citation: 40 CFR 304

Abstract: Section 103(a) requires that persons notify the National Response Center of releases of hazardous substances. Section 103(f) provides an exemption to these reporting requirements. EPA is developing regulations that will clarify Agency policy regarding notification of continuous releases of designated hazardous substances.

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Final Action	07/00/86	

Small Entity: No

Additional Information: For further information contact the RCRA/Superfund Hotline (800-424-9346); in the Metropolitan D.C. Area (382-3000).

SAR No. 1642C.

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, **202 382-2814**

RIN: 2050-AA47

304. ADJUSTMENT OF REPORTABLE QUANTITIES OF HAZARDOUS SUBSTANCES IDENTIFIED AS CARCINOGENS AND CHRONICALLY TOXIC SUBSTANCES (REVISION)

Legal Authority: 42 USC 96021 / CERCLA 102; 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 302

Abstract: EPA has developed proposed determinations of reportable quantities under Section 102 of CERCLA that trigger the notification requirements of Section 103 of CERCLA. This rule will amend the regulation on Determination of Reportable Quantities for Hazardous Substances (40 CFR 117) to adjust the reportable quantities for hazardous substances identified as carcinogens and chronically toxic substances. This rule will also amend 40 CFR 117.3 to make these requirements applicable under CWA 311 (b).

Timetable:

Action	Date	FR Cite
NPRM	10/00/85	
Final Action	07/00/86	

Small Entity: No

Additional Information: For further information contact the RCRA/Superfund Hotline (800-424-9346); in Metropolitan D.C. (382-3000).

SAR No. 2104.

Agency Contact: Jack Kooyoomjian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, **202 382-2814**

RIN: 2050-AA80

305. AMENDMENTS TO THE HAZARDOUS SUBSTANCES RESPONSE PROVISIONS OF THE NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN (SUBPART F) (REVISION)

Legal Authority: 33 USC 1321 / CWA 311

CFR Citation: 40 CFR 300.61

Abstract: These revisions will streamline the National Contingency Plan (NCP). This regulation will expand the National Priority List (NPL) to include Federal Facilities, add provisions for consideration of community relations, address the use of environmental standards for determining appropriate response actions, clarify authorities and responsibilities of officials and Agencies involved in response.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	10/00/85	

Small Entity: No

Additional Information: SAR No. 2065.

FTS-8-475-8108.

Agency Contact: Douglas Cohen, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-458D), Washington, DC 20460, 202 475-8864

RIN: 2050-AA75

306. NATIONAL PRIORITY LIST (NPL) (REVISION)

Legal Authority: 42 USC 7605(8)(B) / CERCLA 105

CFR Citation: 40 CFR 300.66, Appendix B

Abstract: This action revises the National Priority List in the National Contingency Plan. CERCLA requires that the National Priorities List be revised at least annually. Periodic revisions will allow EPA to include serious releases of hazardous substances identified as a result of site inspection programs and to delete sites that have been cleaned up.

Timetable:

Action	Date	FR Cite
Final Action First NPL Update	09/00/84	
NPRM Second NPL Update	10/00/84	
Final Action Third NPL Update	10/00/85	

Small Entity: Undetermined

Additional Information: SAR No. 2077.

FTS: 8-382-8103.

Agency Contact: Hal Snyder, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548E), Washington, DC 20460, 202 382-8103

RIN: 2050-AA79

307. NATURAL RESOURCE CLAIMS PROCEDURE

Legal Authority: 42 USC 9611 / CERCLA 111

CFR Citation: 40 CFR 306

Abstract: This action prescribes the procedures and circumstances under which natural resources claims may be presented to the Fund to recover the costs of restoration, rehabilitation, replacement or obtaining the equivalent of a damaged natural resource.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Final Action	07/00/85	

Small Entity: No

Additional Information: SAR No. 1642D.

FTS:8-382-2184.

Analysis: RIA 00/00/00

Agency Contact: William Ross, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548D), Washington, DC 20460, 202 382-4642

RIN: 2050-AA48

308. ● RESPONSE CLAIMS PROCEDURES

Legal Authority: 42 USC 9611

CFR Citation: 40 CFR 307

Abstract: This action prescribes the procedures and circumstances under which claims may be presented to the FUND to recover the costs of cleanup. The allowable claims and necessary response costs uncovered by a party, other than the government, in carrying out the National Contingency Plan are identified in this regulation.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
Final Action	09/00/85	

Small Entity: No

Additional Information: SAR No. 2160.

FTS: 8-382-4642.

Analysis: Preliminary RIA 00/00/00

Agency Contact: William Ross, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-598D), Washington, DC 20460, 202 382-4642

RIN: 2050-AA90

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Superfund (CERCLA)

Existing Regulations Under Review

309. REVIEW OF INFORMATION REQUIREMENTS IN THE SUPERFUND PROGRAM

Legal Authority: 42 USC 9602 / CERCLA 102; 42 USC 9603 / CERCLA 103

CFR Citation: 40 CFR 303; 40 CFR 304

Abstract: The Superfund program provides funds for emergency response to the release of hazardous substances to the environment and for cleaning up inactive hazardous waste disposal sites. EPA is evaluating two information collection activities with the program, the State Priorities for Remedial Action and the Cooperative Agreement for Remedial Planning/Implementation. The purpose of the review is to assess the quality, utility, effectiveness and efficiency of the information requirements.

Timetable:

Action	Date	FR Cite
Begin Review	02/00/84	
End Review	10/00/84	

Small Entity: No

Additional Information: FTS: 8-382-7392.

REVIEW AUTHORITY: Paperwork Reduction Act.

Agency Contact: Oscar Morales, Environmental Protection Agency, Solid Waste and Emergency Response, (PM-223), Washington, DC 20460, 202 382-5495

RIN: 2050-AA86

ENVIRONMENTAL PROTECTION AGENCY (EPA)—Superfund (CERCLA)

Completed Actions

COMPLETED RULEMAKINGS

310. NATIONAL OIL AND HAZARDOUS SUBSTANCES CONTINGENCY PLAN; CLARIFICATION OF AUTHORITIES (REVISION)

Priority: Task Force

CFR Citation: 40 CFR 300

Completed:

Reason	Date	FR Cite
Combined with SAR 2065; RIN 2050-AA75	08/00/84	

Small Entity: No

Agency Contact: Kenneth E. Biglone 202 382-7906

RIN: 2050-AA73

311. USE OF DISPERSANTS AND OTHER CHEMICALS; REVISED STANDARD DISPERSANT EFFECTIVE AND TOXICITY TESTS. (NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN) (SUBPART ETC

CFR Citation: 40 CFR 300.18 Appendix B

Completed:

Reason	Date	FR Cite
Final Action	07/18/84	49 FR 29192

Small Entity: No

Agency Contact: L.M. Flaherty 202 382-2196

RIN: 2050-AA88

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

ENVIRONMENTAL PROTECTION AGENCY (EPA)—General

Current and Projected Rulemakings

312. TRAINING AND FELLOWSHIP GRANTS (REVISION)

Legal Authority: 42 USC 1857b; 33 USC 1254; 33 USC 1259; 33 USC 1260; 33 USC 1261; 42 USC 241; 42 USC 246; 42 USC 6977; 42 USC 6981; 7 USC 136u

CFR Citation: 40 CFR 46; 40 CFR 45

Abstract: EPA is revising the regulation governing training and fellowship programs assisted by grants and cooperative agreements to incorporate legally necessary changes and to clarify and update the requirements.

Timetable:

Action	Date	FR Cite
Final Action	11/00/84	

Small Entity: Undetermined

Additional Information: SAR No. 2048.

FTS:8-382-5296.

Agency Contact: Richard A. Johnson, Environmental Protection Agency, Policy Planning and Evaluation, PM-216, Washington, DC 20460, **202 382-5296**

RIN: 2010-AA09

313. REGULATIONS FOR THE FEDERAL CLAIMS COLLECTION ACT

Legal Authority: 31 USC 3711

CFR Citation: 40 CFR 13

Abstract: These regulations will set standards for EPA's debt collection actions under the Federal Claims Collection Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/00/85	

Small Entity: No

Additional Information: SAR No. 1825.

FTS:8-382-5313.

Agency Contact: Joe Dillon, Environmental Protection Agency, General Counsel and Enforcement Counsel, (A-134), Washington, DC 20460, **202 382-5313**

RIN: 2020-AA01

314. PUBLIC INFORMATION AND CONFIDENTIALITY REGULATIONS (REVISION)

Legal Authority: 5 USC 552; 7 USC 136; 42 USC 9604

CFR Citation: 40 CFR 2

Abstract: This action would make changes in EPA's procedures for handling requests under the Freedom of Information Act. It also adds a new section on procedures for treating confidential information under CERCLA. EPA will also modify its existing procedures for handling confidential information under RCRA. Changes under FIFRA were covered in a separate rulemaking proposed in September, 1983.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	03/00/85	

Small Entity: No

Additional Information: SAR No. 1791.

FTS:8-382-5460.

Agency Contact: Jane Roemer, Environmental Protection Agency, General Counsel and Enforcement Counsel, (A-134), Washington, DC 20460, **202 382-5460**

RIN: 2020-AA03

315. NONDISCRIMINATION ON THE BASIS OF HANDICAP FOR PROGRAMS CONDUCTED BY EPA

Legal Authority: 42 USC 794 / Rehabilitation Act 504

CFR Citation: 40 CFR 12

Abstract: The proposed regulation will provide for EPA's compliance with Section 504 of the Rehabilitation Act, which prohibits discrimination on the basis of handicap in the Agency's programs and activities. It will make the Agency's offices accessible to handicapped persons, and effect the necessary changes in the Agency's employment practices.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2049.

FTS: 8-382-4567.

Agency Contact: Nereid Maxey, Environmental Protection Agency, General Counsel and Enforcement Counsel, A-105, Washington, DC 20460, **202 382-4567**

RIN: 2020-AA05

316. AMENDING NEPA PROCEDURES RELATING TO WASTEWATER CONSTRUCTION GRANTS (REVISION)

Legal Authority: 42 USC 4321 / NEPA

CFR Citation: 40 CFR 6 E

Abstract: This action will update NEPA implementation procedures relating to wastewater treatment construction grants. It will make them consistent with the amendments for simplifying the construction grants regulations (see SAR No. 1722) and the 1981 Municipal Wastewater Treatment Construction Grant Amendments (P.L. No. 97-117).

Timetable:

Action	Date	FR Cite
NPRM	01/07/83	48 FR 1012
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 1835.

FTS:8-382-5910.

Agency Contact: John Gerba, Environmental Protection Agency, Office of the Administrator, (A-104), Washington, DC 20460, 202 382-5910

RIN: 2090-AA04

317. EMISSIONS TRADING POLICY (REVISION)

Legal Authority: 42 USC 7503 / CAA 110

CFR Citation: Not applicable

Abstract: EPA is developing emissions trading policy guidance governing the use of the bubble, emission offsets netting, and emission reduction banking. This policy guidance and accompanying Technical Issues Document will provide states with a framework for incorporating emissions trading activities into their state implementation plans. Through the use of emissions trading industry can substitute more controls where costs are low for less control where costs are high. This policy statement contains simplified administrative procedures and significantly expands opportunities for state and industry to use emissions trading. It takes the place of the previously announced banking regulation and incorporates EPA's recently proposed changes to its Bubble Policy.

Timetable:

Action	Date	FR Cite
Proposed Policy	04/07/82	47 FR 15076
Reproposed Policy	08/31/83	48 FR 39580
Final Action	04/00/85	

Small Entity: No

Additional Information: SAR No. 1605.

Docket No. G-81-2.

FTS:8-382-2765.

Agency Contact: Ivan Tether, Environmental Protection Agency, Policy Planning and Evaluation, (PM-223), Washington, DC 20460, 202 382-2727

RIN: 2010-AA08

318. LIST OF VIOLATING FACILITIES (REVISION)

Legal Authority: 42 USC 7606 / CAA 306; 33 USC 1368 / FWPCA 508

CFR Citation: 40 CFR 15

Abstract: The Agency will revise 40 CFR Part 15 which authorizes EPA to place facilities on the List of Violating Facilities because of recurring or continuing noncompliance with the Federal clean air or clean water standards. These revisions are required to enhance readability; ensure adequate procedural due process; and reflect organizational changes at the Agency.

Timetable:

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30628
Final Action	03/00/85	

Small Entity: No

Additional Information: FTS: 8-475-8785.

SAR No. 2014.

Agency Contact: Alan Danzig, Environmental Protection Agency, Air and Radiation, LE-130A, Washington, DC 20460, 202 475-8785

RIN: 2060-AB17

319. ● JUDICIAL REVIEW UNDER EPA-ADMINISTERED STATUTES; RACES TO THE COURTHOUSE

Legal Authority: 33 USC 1361(a) / CWA 501(a); 33 USC 1369(b) / CWA 509(b); 42 USC 7601(a)(1) / CAA 301(a)(1); 42 USC 760(b) / CAA 307(b); 42 USC 6912(a) / SWDA 2002(a); 42 USC 6976(a) / SWDA 606(a); 15 USC 2618 / TSCA 19(a); 7 USC 136n(a) / FIFRA 16(b); 7 USC 136w(a) / FIFRA 215(a); 42 USC 300j-7(a)(2) / SDWA 1448(a)(2); 42 USC 300j-9(a) / SDWA 1450(a); 42 USC 2201 / AEA 161; 42 USC 2239 / AEA 189; 21 USC 371(a) / FFDCA 701(a); 21 USC 346(a) / FFDCA 70(a)

CFR Citation: 40 CFR 23; 40 CFR 100

Abstract: In 1980 EPA issued a rule fixing a definitely ascertainable time when Clean Water Act rules would be considered issued for purposes of judicial review. This action proposes to establish similar rules for other EPA-administered statutes, and is intended to bring greater fairness to "races to the courthouse."

Timetable:

Action	Date	FR Cite
NPRM	06/04/84	49 FR 23152
Final Action	12/00/84	

Small Entity: No

Additional Information: SAR No. 2148.

FTS: 8-382-7606.

ADDITIONAL LEGAL CITE: 21 USC 348/FFDCA 408.

Agency Contact: Alan W. Eckert, Environmental Protection Agency, Office of the Administrator, LE-132A, Washington, DC 20460, 202 382-7606

RIN: 2090-AA08

320. SECTION 404 STATE PROGRAM REGULATIONS (REVISION)

Priority: Task Force

Legal Authority: 33 USC 1344 / CWA 404

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124; 40 CFR 233

Abstract: Under Section 404(g) of the Clean Water Act, EPA is responsible for approving and overseeing assumption of the 404 "dredge and fill" program by States. Pursuant to the directives of the Presidential Task Force on Regulatory Relief, and in response to comments from the States, EPA is revising its State program regulations (formerly part of the Consolidated Permit Regulations), to provide increased incentives and simplified procedures for State assumption of the Section 404 program.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	06/00/85	

Small Entity: No

Additional Information: SAR No. 1973.

FTS: 8-382-5048.

Agency Contact: John Meagher, Environmental Protection Agency, Office of the Administrator, A-104, 401 M Street, SW, Washington, DC 20460, **202 382-5048**

RIN: 2030-AA00

ENVIRONMENTAL PROTECTION AGENCY (EPA)—General — Completed Actions

COMPLETED RULEMAKINGS

321. SIMPLIFYING IMPLEMENTATION OF THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) (REVISION)

CFR Citation: 40 CFR 6

Completed:

Reason	Date	FR Cite
Combined with RIN 2090-AA04	09/00/84	

Small Entity: No

Agency Contact: John Gerba 202 382-5910

RIN: 2090-AA03

[FR Doc. 84-25522 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XX

Equal Employment Opportunity Commission

Semiannual Regulatory Agenda

EEOC

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Ch. XIV

Semiannual Regulatory Agenda

AGENCY: Equal Employment Opportunity Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: This semiannual regulatory agenda is published in accordance with the requirements of Executive Order 12291 (46 FR 13193, February 19, 1981) and the Regulatory Flexibility Act of 1980 (5 U.S.C. 601 *et seq.*). The agenda lists those guidelines which have been designated for review by the Presidential Task Force on Regulatory Relief under section 3(i) of the Executive Order; proposed guidelines and regulations, or their amendments and revisions, that have been noticed in the **Federal Register** for public comment; the need and legal basis for the actions being considered; the name and telephone number of a knowledgeable official, the status of items previously reported; and a list of proposed guidelines and regulations, or their amendments and revisions, currently being developed or under consideration for development. An assessment of EEOC's regulations under review and development shows that only one of the proposed regulations, the Uniform Guidelines on Employee Selection Procedures, is likely to fall within the Executive Order's definition of a major rule. In addition, two proposed regulatory actions, the Interpretative Bulletin on Employee Benefit Plans and the Recordkeeping Regulations, are likely to be subject to the Regulatory Flexibility Act requirements. These two items are published here to particularly allow interested small entities a meaningful and early opportunity to comment and participate in all stages of Commission regulatory development.

DATE: This information is current as of October 1984.

FOR FURTHER INFORMATION CONTACT: Allyson K. Duncan, Acting Associate Legal Counsel, Legal Services, Office of Legal Counsel, Equal Employment Opportunity Commission, 2401 E Street, N.W., Washington, D.C. 20507; telephone (202) 634-6592.

SUPPLEMENTARY INFORMATION: Executive Order 12291 and the Regulatory Flexibility Act require that a regulatory agenda of regulations under development and review be published in the **Federal Register** in April and October of each year.

Signed at Washington, D.C. this 25th day of September, 1984.

For the Commission.

Clarence Thomas,

Chairman, Equal Employment Opportunity Commission.

BILLING CODE 6570-06-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Collection of Applicant Data for Affirmative Action Purposes	3046-AA05
2	Equal Employment Opportunity in the Federal Government; Remedial Relief under Section 717	3046-AA06
3	The Equal Pay Act Interpretations	3046-AA07
4	Coordination of Federal Equal Employment Opportunity Programs	3046-AA10
5	Equal Employment Opportunity in the Federal Government	3046-AA14
6	Equal Employment Opportunity in the Federal Government	3046-AA15
7	Equal Employment Opportunity in the Federal Government	3046-AA16
8	Equal Employment Opportunity in the Federal Government	3046-AA17
9	Interpretative Bulletin on Employee Benefit Plans	3046-AA18
10	Substantive Regulations on Health Insurance Benefits for Employees Age 65 to 69	3046-AA19
11	Enforcement of Nondiscrimination on the Basis of Handicap in Equal Employment Opportunity Commission Programs	3046-AA20
12	Coverage of Apprenticeship Programs under the Age Discrimination in Employment Act	3046-AA21
13	Procedures for Administrative Exemptions under Section 9 of the Age Discrimination in Employment Act	3046-AA22

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
14	*Uniform Guidelines on Employee Selection Procedures	3046-AA00
15	Recordkeeping Regulations	3046-AA03
16	Equal Employment Opportunity in the Federal Government	3046-AA11
17	Equal Employment Opportunity in the Federal Government	3046-AA12
18	Equal Employment Opportunity in the Federal Government	3046-AA13

*Indicates priority regulation.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) — Current and Projected Rulemakings

1. COLLECTION OF APPLICANT DATA FOR AFFIRMATIVE ACTION PURPOSES

Legal Authority: 29 USC 791 Rehabilitation Act of 1973, as amended

CFR Citation: 29 CFR 1613.706

Abstract: This amendment permits federal agencies to collect handicap information from applicants for employment in order to implement and evaluate special recruitment programs undertaken for affirmative action purposes. Implementation of the final regulation is dependent on the development of an interagency report form which is in the process of being developed by OPM with the approval of OMB.

Timetable:

Action	Date	FR Cite
Interim Guidelines		46 FR 11285
Interim Guidelines effective	02/06/81	
Written Comment Period expired	04/07/81	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Clayton G. Boyd, Equal Employment Opportunity Commission, Office of Program Operations, Public Sector Programs, **202 634-6753**

RIN: 3046-AA05

2. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT; REMEDIAL RELIEF UNDER SECTION 717

Legal Authority: 42 USC 2000e-16 Section 717 of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1613

Abstract: Proposed amendments provide that an agency or the Commission may award a complainant reasonable attorney's fees and costs and backpay when an allegation of discrimination prohibited by Section 717 is resolved in favor of the complainant. Final regulations have been approved by the Commission and are in interagency coordination pursuant to Executive Order 12067. Changes to the Final regulations as a result of the interagency coordination are now being drafted.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/09/80	45 FR 24130
Interim Regulations effective	04/11/80	
In Interagency Coordination	00/00/00	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Nicholas M. Inzeo, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, **202 634-6592**

RIN: 3046-AA06

3. THE EQUAL PAY ACT INTERPRETATIONS

Legal Authority: 29 USC 206(d) et seq Equal Pay Act of 1963; 29 USC 201 et seq Fair Labor Standards Act of 1938, as amended; 29 USC 255 Portal-to-Portal Act of 1947

CFR Citation: 29 CFR 1620.1 to 1620.18

Abstract: The Commission proposes interpretations with respect to the enforcement of the Equal Pay Act. These interpretations would replace those issued by the Department of Labor which appear at 29 CFR Part 800.

Timetable:

Action	Date	FR Cite
Previous NPRM	09/01/81	46 FR 43848
Comment Period for Prev. NPRM ended	11/02/81	
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: Interagency Coordination will occur under E.O. 12067 before final publication in Federal Register.

Agency Contact: Anthony J. DeMarco, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, **202 634-6592**

RIN: 3046-AA07

4. COORDINATION OF FEDERAL EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

Legal Authority: EO 12067 Sec 1-303; EO 12067 Sec 1-304

CFR Citation: 29 CFR 1690

Abstract: These amendments to 29 CFR 1690 will implement an agreement reached by EEOC and the Department of Justice with the Office of Management and Budget which clarified the sequence to be followed when agencies are required to seek prepublication clearance of equal employment opportunity rules from EEOC under E.O. 12067, DOJ under E.O. 12250, and from OMB under E.O. 12291 and the Paperwork Reduction Act. In addition to clearance by the EEOC under E.O. 12067, equal employment opportunity rules issued under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, or any other provision of Federal statutory law which prohibits discrimination under any program or activity receiving Federal financial assistance, require clearance from DOJ under E.O. 12250. Technical amendments have been coordinated with affected Federal agencies and are awaiting OMB approval.

Timetable:

Action	Date	FR Cite
Technical Amendments	00/00/00	

Small Entity: No

Agency Contact: Stuart Frisch, Assistant Legal Counsel, Equal Employment Opportunity Commission, Coordination and Guidance, Office of Legal Counsel, **202 634-7581**

RIN: 3046-AA10

5. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Development of interim procedural regulations for processing complaints of discrimination about personnel actions which are appealable to the Merit Systems Protection Board (mixed case complaints). Final Rule under development.

Timetable:

Action	Date	FR Cite
Draft transmitted to agencies	09/00/82	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, **202 634-6753**

RIN: 3046-AA14

6. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Development of interim procedural regulations for administratively appealing decisions on grievances where an allegation of discrimination has been raised. Staff draft transmitted to Federal agencies for comments, Sept. 1982.

Timetable:

Action	Date	FR Cite
Draft transmitted to agencies	09/21/82	

Next Action Undetermined

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, **202 634-6753**

RIN: 3046-AA15

7. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 29 USC 206(d) et seq Equal Pay Act of 1963; 29 USC 204(f) Fair Labor Standards Act of 1938, as amended; 29 USC 206(d) Fair Labor Standards Act of 1938, as amended

CFR Citation: 29 CFR 1613

Abstract: Development of procedural regulations for processing Federal sector complaints filed under the Equal Pay Act. Under development.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
Final Action	02/01/85	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, **202 634-6753**

RIN: 3046-AA16

8. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Sec 717 of Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act; 6 USC 7121 Civil Service Reform Act of 1978

CFR Citation: 29 CFR 1613

Abstract: The proposed notice of rule making is intended to address the processing of federal sector EEO appeals on the questions of finality, requests to reopen, compliance with, enforcement of, and clarity of Commission decisions.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Robbie Dix, Director, Appeals Division, Equal Employment Opportunity Commission, Office of Review and Appeals, **703 756-6090**

RIN: 3046-AA17

9. INTERPRETATIVE BULLETIN ON EMPLOYEE BENEFIT PLANS

Legal Authority: 29 USC 628 The Age Discrimination in Employment Act of 1967

CFR Citation: 29 CFR 1625.10

Abstract: Comprehensive review of regulations dealing with costs and benefits under employee benefit plans.

Timetable:

Action	Date	FR Cite
Publication of Request for Comments	09/15/83	
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: John J. Pagano, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, **202 634-6592**

RIN: 3046-AA18

10. SUBSTANTIVE REGULATIONS ON HEALTH INSURANCE BENEFITS FOR EMPLOYEES AGE 65 TO 69

Legal Authority: 29 USC 621 et seq Age Discrimination in Employment Act of 1967

CFR Citation: 29 CFR 1625

Abstract: Implement Section 4(g) of the Age Discrimination in Employment Act of 1967, as amended, which was enacted by section 116(a) of the Tax Equity and Fiscal Responsibility Act of 1982; and as further amended by the Deficit Reduction Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/07/83	48 FR 26434
Begin Review	08/06/83	48 FR 26434
End Review	10/31/83	
Final Action	10/01/84	
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: John J. Pagano, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, **202 634-6592**

RIN: 3046-AA19

11. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PROGRAMS

Legal Authority: 29 USC 794 Section 504, Rehabilitation Act of 1973, as amended

CFR Citation: 29 CFR 1615

Abstract: This regulation was approved by the Commission on February 28, 1984. It was submitted to the Department of Justice for review. If it is approved, it will later be published in the Federal Register.

Timetable:

Action	Date	FR Cite
Commission considers Regulations	02/28/84	
Justice Department considers Regulation	00/00/00	
Final Action	00/00/00	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: S. Jennifer Johnson, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA20

12. ● COVERAGE OF APPRENTICESHIP PROGRAMS UNDER THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Legal Authority: 29 USC 628 Age Discrimination in Employment Act of 1967

CFR Citation: 29 CFR 1625.13; 29 CFR 1625.21

Abstract: The Department of Labor on January 9, 1969, published an interpretative guideline which provided that apprenticeship programs were not covered by the ADEA. On July 1, 1979, the Commission assumed responsibility and authority for enforcement of the ADEA. On September 29, 1981, the Commission republished the Department of Labor's guideline, 29 CFR 1625.13. After an exhaustive review of the ADEA and its legislative history, the Commission proposes to rescind 29 CFR 1625.13, as it presently exists, and promulgate a substantive rule providing that apprenticeship programs are covered by the ADEA. The extension of ADEA coverage to apprenticeship programs is consistent with the purpose of the Act. It will allow those forty years of age and older the same opportunities to participate in apprenticeship programs as are currently enjoyed by younger individuals.

Timetable:

Action	Date	FR Cite
OMB Review under E.O. 12291 Proposed Regulation sent to OMB for review under E.O. 12291	07/13/84	
NPRM	08/00/84	
NPRM Comment Period Begin	08/00/84	
NPRM Comment Period End	10/00/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: John J. Pagano, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, 202 634-6592

RIN: 3046-AA21

13. ● PROCEDURES FOR ADMINISTRATIVE EXEMPTIONS UNDER SECTION 9 OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Legal Authority: 29 USC 628 Age Discrimination in Employment Act

CFR Citation: 29 CFR 1627.15

Abstract: The purpose of the proposed amendment to 29 CFR 1627.15 is to give those covered by the ADEA more specific information about what they should do if they do wish to seek an exemption from any or all of the ADEA's prohibitions. The advantage is that the establishment of a specific procedure will facilitate the processing of exemption requests.

Timetable:

Action	Date	FR Cite
Submission of Staff Recommendations to Commission	10/00/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: John J. Pagano, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, 202 634-6592

RIN: 3046-AA22

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) Existing Regulations Under Review

14. UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES

Priority: Task Force

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964; 29 USC 621 et seq Age Discrim in Employment Act of 1967

CFR Citation: 29 CFR 1607

Abstract: UGESP Recordkeeping Provisions. On March 15, 1983, the Commission voted to review those portions of the recordkeeping provisions of the Guidelines which relate to the maintenance of data necessary to determine adverse impact. Pursuant to that vote, the Commission published in the Federal Register a notice seeking public comment in general and on several specific questions about UGESP recordkeeping. 48 Fed. Reg. 34766 (Aug. 1, 1983). Approximately 45 comments were received. The Commission is currently reviewing the comments and is considering further action. On June 12, 1984, the Commission voted to prepare an NPRM concerning certain UGESP recordkeeping requirements. Prior to publication for comment, co-signatories to UGESP will engage in discussion of recommended changes and other affected agencies will be consulted under E.O. 12067. The Commission has recently voted to review UGESP in its entirety.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	
End Review	05/00/85	

Small Entity: No

Agency Contact: Anthony DeMarco, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, 202 634-6592

RIN: 3046-AA00

15. RECORDKEEPING REGULATIONS

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1602

Abstract: The Commission proposes to revise its recordkeeping regulations to require certain employers and labor unions to maintain lists of applicants for employment and to retain employment records for two years or until termination of a Commission or court processing. The Commission is considering further revisions to the proposed amendments as the result of a study on the feasibility of a uniform government-wide equal opportunity recordkeeping regulation. The study on the feasibility of a uniform government-wide EEO regulation is complete and will require further consideration by staff. Commission action on UGESP will require staff to evaluate impact of proposed regulations on 1602 recordkeeping.

Timetable:

Action	Date	FR Cite
NPRM	07/25/78	43 FR 32280
NPRM Comment Period End	09/21/78	
Public Hearing	09/21/78	
Record closed	10/01/78	
Final Action	12/00/84	
End Review	12/00/85	

Small Entity: Yes

Agency Contact: Anthony DeMarco, Assistant Legal Counsel, Equal Employment Opportunity Commission, Legal Services, Office of Legal Counsel, **202 634-6592**

RIN: 3046-AA03

16. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Comprehensive revision of regulations for processing individual and class EEO complaints in the Federal sector. Under development.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, **202 634-6753**

RIN: 3046-AA11

17. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Comprehensive revision of regulations on affirmative action in the Federal sector. Under development.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, **202 634-6753**

RIN: 3046-AA12

18. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Abstract: Development of interim procedural regulations for the Federal sector requiring that all allegations of reprisal discrimination be processed as regular complaints. Staff draft transmitted to Federal agencies for comments, Sept. 1982.

Timetable:

Action	Date	FR Cite
Draft transmitted to agencies	09/00/82	
Interim Final Rule	05/02/83	48 FR 19705
End Review	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Equal Employment Opportunity Commission, Public Sector Programs, Office of Program Operations, **202 634-6753**

RIN: 3046-AA13

[FR Doc. 84-25333 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXI

Federal Emergency Management Agency

Semiannual Regulatory Agenda

FEMA

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Ch. I

Semiannual Agenda

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Semiannual Agenda.

SUMMARY: Pursuant to section 5 of Executive Order 12291 (Federal Regulation) the Federal Emergency Management Agency is publishing its semiannual agenda for FEMA. The agenda lists regulations that will be under development or review during the period October 1, 1984 to October 1, 1985.

ADDRESS: Rules Docket Clerk, Office of General Counsel, Room 840, 500 C Street, S.W., Washington, D.C. 20472.

FOR FURTHER INFORMATION CONTACT: For general information contact William L. Harding, Assistant General Counsel, Legislation and Regulations, Office of General Counsel, Federal Emergency Management Agency, Washington, D.C. 20472 (202) 287-0377. For additional information about a specific regulation contact the person listed as the contact point in the agenda.

SUPPLEMENTARY INFORMATION: Executive Order 12291, "Federal Regulation," directs each Executive agency to adopt procedures to improve existing and future regulations. Publication of an agenda of significant regulations is called for at least semiannually in order to give the public adequate notice of agency rulemaking activities; also publication of a regulatory flexibility agenda concerning rules likely to have a significant impact on a substantial number of small entities must be published in accordance with 5 U.S.C. 602 and 605.

In fulfillment of requirements imposed by the Executive Order and 5 U.S.C. 601 *et seq.*, this agenda describes current and projected regulations, and regulations which will be under review during the period October 1, 1984 to October 1, 1985. This agenda also contains information on regulations on which action was completed since the last FEMA semiannual agenda published April 19, 1984, 49 FR 16432.

Public comment on the agenda, including that by State and local governments, is invited and should be submitted to the Rules Docket Clerk.

The agenda is not limited to major or significant rules and contains as much information as possible concerning all FEMA regulations to be published in the next 12 months except for routine flood elevation determinations, listing of eligible communities under the National Flood Insurance Program, listing of suspended communities and similar designations.

DATED: August 20, 1984.

George Jett,

General Counsel.

BILLING CODE 6718-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Nondiscrimination in Federally-Assisted Programs	3067-AA00
2	Disaster Assistance - Individual Assistance - Crisis Counseling	3067-AA11
3	Part 205 - Federal Disaster Assistance (PL 93-288, Subpart M - Hazard Mitigation)	3067-AA13
4	Claims Under the Military Personnel and Civilian Employees' Claims Act of 1964	3067-AA20
5	Appeals of Cost Comparison Decisions Under OMB Circular A-76	3067-AA21
6	Federal Disaster Assistance - Subpart N Coastal Barrier Resources Act	3067-AA24
7	Public Safety Awards to Public Officers	3067-AA39
8	Enforcement of Nondiscrimination on Basis of the Handicap in FEMA Programs	3067-AA42
9	Federal Disaster Assistance Sub-Part E Public Assistance	3067-AA53
10	Flood Plain Management Criteria for Flood-Prone Areas	3067-AA57
11	Procedures for Flood Insurance Map Changes	3067-AA58
12	Flood Insurance Program Arrangements With Insurance Industry	3067-AA60
13	Claims	3067-AA61
14	Flood Insurance Policy Coverage Changes	3067-AA62
15	Criteria for Recognition of Flood Protection Structures on Flood Insurance Maps	3067-AA63
16	Duplication of Benefits	3067-AA65
17	Radiological Protection Program	3067-AA67
18	Population Protection Planning Program	3067-AA68
19	Uniform Relocation Assistance	3067-AA69

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
20	Preservation of the Mobilization Base Through the Placement of Procurement and Facilities in Labor Surplus Areas	3067-AA32
21	Policy Guidance and Delegation of Authorities for Use of Priorities and Allocations to Maximize Domestic Energy Supplies	3067-AA33
22	Use of Priorities and Allocation Authority for Federal Supply Classification (FSC) Common Use Items (DMO-12)	3067-AA34

FEMA

Existing Regulations Under Review—Continued

Sequence Number	Title	Regulation Identifier Number
23	General Policies for Strategic and Critical Materials Stockpiling (DMO-11)	3067-AA35
24	Policy on Use of Government-owned Industrial Plant Equipment by Private Industry (DMO-10A)	3067-AA36
25	Policy Guidance for a National Emergency Blood Program	3067-AA37
26	Emergency Health and Medical Occupations	3067-AA38
27	National Security Policy Governing Scientific and Engineering Manpower (DMO-5)	3067-AA43
28	Guidance on Priority Use of Resources in Immediate Post Attack Period (DMO-4)	3067-AA44
29	Defense Production Priorities and Allocations Authority	3067-AA45
30	Maintenance of the Mobilization Base	3067-AA46
31	Dispersion and Protective Construction: Policy, Criteria Responsibilities (DMO-1)	3067-AA47
32	Contributions for Civil Defense Equipment	3067-AA48
33	Individual and Family Grant Program	3067-AA64
34	Civil Defense: State and Local Emergency Management Assistance Programs (EMA)	3067-AA66

Completed Actions

Sequence Number	Title	Regulation Identifier Number
35	Financial Assistance, Grants and Cooperative Agreements	3067-AA01
36	Rules and Regulations Governing Special Facility Buildings and Grounds	3067-AA22
37	Floodplain Management and Protection of Wetlands	3067-AA30
38	Information Security Program	3067-AA31
39	Advisory Committees	3067-AA49
40	Flood Insurance Policy Coverage Changes	3067-AA59

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) — Current and Projected Rulemakings

1. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS

Legal Authority: 42 USC 2000d-1; 29 USC 794; 20 USC 1682; 42 USC 6103; 42 USC 5151; Reorganization Plan No. 3 of 1978; EO 12127; EO 12148

CFR Citation: 44 CFR 7

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975 and section 311 of the Disaster Relief Act of 1974. A draft regulation is undergoing interagency review. The Notice of proposed rulemaking will be issued as soon as interagency clearances are obtained.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
NPRM Comment Period Begin	01/00/85	
Final Action	04/00/85	
Final Action Effective	05/00/85	

Small Entity: No

Agency Contact: John J. Brosnahan, Director, Office of Equal Opportunity, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0700

RIN: 3067-AA00

2. DISASTER ASSISTANCE - INDIVIDUAL ASSISTANCE - CRISIS COUNSELING

Legal Authority: 42 USC 5183 Disaster Relief Act of 1974, as amended

CFR Citation: 44 CFR 205.59

Abstract: This proposed rule will implement the Crisis Counseling Assistance and Training provisions of the Disaster Relief Act. It will include eligibility criteria, application and appeal procedures, and requirements for State planning. The Crisis Counseling Assistance and Training program provides mental health services to those who may have disaster-related needs.

Timetable:

Action	Date	FR Cite
NPRM	09/04/84	49 FR 34874
NPRM Comment Period Begin	09/04/84	
NPRM Comment Period End	11/05/84	
Final Action	01/15/85	
Final Action Effective	03/15/85	

Small Entity: No

Agency Contact: Agnes Mravcak, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0555

RIN: 3067-AA11

3. PART 205 - FEDERAL DISASTER ASSISTANCE (PL 93-288, SUBPART M - HAZARD MITIGATION)

Legal Authority: 42 USC 5121 et seq Disaster Relief Act of 1974

CFR Citation: 44 CFR 205, Sub-Part M

Abstract: The proposed rule revision clarifies the hazard mitigation provisions of the Disaster Relief Act of 1974 by specifying general plan requirements and guidelines as well as other procedural requirements. The Hazard Mitigation Requirement is intended to serve as an aid to State and local governments in developing an overall mitigation program to minimize the costs of natural disasters.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	

Small Entity: No

Agency Contact: Laurence W. Zensinger, Acting Chief, Hazard Mitigation Branch, Federal Emergency Management Agency, Disaster Assistance Programs, Room 713, 500 C Street, SW, Washington, DC 20472, **202 287-0520**

RIN: 3067-AA13

4. CLAIMS UNDER THE MILITARY PERSONNEL AND CIVILIAN EMPLOYEES' CLAIMS ACT OF 1964

Legal Authority: 31 USC 3721

CFR Citation: 44 CFR 11.60 to 11.69

Abstract: The Military Personnel and Civilian Employees' Claims Act of 1964 31 USC 241, authorizes the head of an agency, with certain exceptions, to pay the claim made by a member of the uniformed services under the jurisdiction of that agency or by a civilian officer or employee of that agency, for damage to, or loss to, personal property incident to his or her service. This rule would implement the statute.

Timetable:

Action	Date	FR Cite
NPRM	09/17/84	49 FR 36411
NPRM Comment Period Begin	09/17/84	
NPRM Comment Period End	11/16/84	
Final Action	12/00/84	
Final Action Effective	01/00/85	

Small Entity: No

Agency Contact: George W. Watson, Associate General Counsel, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0376**

RIN: 3067-AA20

5. APPEALS OF COST COMPARISON DECISIONS UNDER OMB CIRCULAR A-76

Legal Authority: 31 USC 1 et seq; 41 USC 401 et seq

CFR Citation: 44 CFR 14

Abstract: OMB Circular A-76 establishes Federal policy regarding the operation of commercial activities. In compliance with OMB Circular A-76 the Federal Emergency Management Agency is establishing an informal administrative procedure to resolve appeals from directly affected parties questioning the determination between contract and in-house performance. The appeal procedure will apply only to decisions resulting from cost comparisons performed in compliance with OMB Circular A-76.

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	
NPRM Comment Period Begin	10/15/84	
NPRM Comment Period End	12/15/84	

Small Entity: No

Agency Contact: George W. Watson, Associate General Counsel, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0376**

RIN: 3067-AA21

6. FEDERAL DISASTER ASSISTANCE - SUBPART N COASTAL BARRIER RESOURCES ACT

Legal Authority: 42 USC 5201

CFR Citation: 44 CFR 205.500

Abstract: This rule will implement FEMA responsibilities under the Coastal Barrier Resources Act (PL 97-348) which was recently adopted.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	
NPRM Comment Period Begin	10/01/84	
NPRM Comment Period End	12/01/84	

Small Entity: No

Agency Contact: Charles Stuart, General Engineer, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0580**

RIN: 3067-AA24

7. PUBLIC SAFETY AWARDS TO PUBLIC OFFICERS

Legal Authority: 15 USC 2214

CFR Citation: 44 CFR 150

Abstract: This regulation revises the procedure for public safety awards to firefighters, law enforcement officers and civil defense officers. It describes the nomination criteria and the selection process for such awards which are made by the President, Attorney General, or Director, FEMA.

Timetable:

Action	Date	FR Cite
NPRM	03/01/84	
NPRM Comment Period Begin	03/01/84	
NPRM Comment Period End	04/01/84	
Final Action	09/15/84	
Final Action Effective	10/15/84	

Small Entity: No

Agency Contact: Richard Buck, Attorney Advisor, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0385**

RIN: 3067-AA39

8. ENFORCEMENT OF NONDISCRIMINATION ON BASIS OF THE HANDICAP IN FEMA PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 44 CFR 16

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of section 504 of the Rehabilitation Act of 1973, as amended in 1978 to include activities conducted directly by Federal agencies. A draft regulation has been prepared and submitted to the Department of Justice and the Equal Employment Opportunity Commission for review.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	
NPRM Comment Period Begin	03/00/85	
NPRM Comment Period End	05/00/85	

Small Entity: No

Agency Contact: John J. Brosnahan, Director, Office of Equal Opportunity, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0700**

RIN: 3067-AA42

9. FEDERAL DISASTER ASSISTANCE SUB-PART E PUBLIC ASSISTANCE

Legal Authority: 42 USC 5201

CFR Citation: 44 CFR 205.76

Abstract: This proposed rule makes changes in the FEMA disaster assistance regulations implementing the Disaster Relief Act of 1974 (PL 93-288). Changes are made in the eligibility of costs of public assistance to State and local governments. This is being done in recognition of the commitment to the disaster effort now being made by applicants in the form of cost sharing of eligible costs.

Timetable:

Action	Date	FR Cite
NPRM	02/03/84	49 FR 4222
NPRM Comment Period Begin	02/03/84	
NPRM Comment Period End	06/04/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Charles B. Stuart, General Engineer, Public Assist. Division, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0580**

RIN: 3067-AA53

10. FLOOD PLAIN MANAGEMENT CRITERIA FOR FLOOD-PRONE AREAS

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 60

Abstract: A rule will be issued that will revise the minimum floodplain management standards that deal with the placement and anchoring of mobile homes in floodprone areas. The rule will be based on comments received in response to an ANPRM (Dec. 13, 1982, 47 FR 55752) and data gathered by a mobile home study that is now underway. Other changes may include revisions to requirements for elevation certificates on new structures and to clarify or eliminate minor inconsistencies in program requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/18/85	
NPRM Comment Period Begin	02/18/85	
NPRM Comment Period End	04/19/85	
Final Action	08/30/85	
Final Action Effective	10/01/85	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0740**

RIN: 3067-AA57

11. PROCEDURES FOR FLOOD INSURANCE MAP CHANGES

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 60; 44 CFR 65; 44 CFR 70

Abstract: Certain procedures for map changes need to be clarified and set forth as rules. These procedures are for revising maps under 44 CFR 65 and 44 CFR 70 and for permitting communities to revise regulatory floodways. Among changes are requirements that FEMA costs to modify maps be reimbursed by the one who requests review.

Timetable:

Action	Date	FR Cite
Final Action	08/27/84	
NPRM	10/01/84	
NPRM Comment Period Begin	10/01/84	
Final Action Effective	10/01/84	
NPRM Comment Period End	12/01/84	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 287-0740**

RIN: 3067-AA58

12. FLOOD INSURANCE PROGRAM ARRANGEMENTS WITH INSURANCE INDUSTRY

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 61; 44 CFR 62

Abstract: Involvements of private industry will enable program to be carried out under highest insurance standards in use in private sector, benefit the policyholders with better service, the taxpayers with cost containment efficiencies in use in private sector. NFIP will also broaden its marketing base, thereby capturing more premium and improving its underwriting base via greater spread of the risk. Negligible costs are compensated for by increased marketing at no cost to government. Procedures will be provided for this involvement, known as the Write-Your-Own (WYO) program. These procedures will include the standard WYO arrangement, to be published, along with effective date, premium collection and premium refund rules conforming to the customary business practices of WYO companies in their other similar lines of property insurance business (e.g., homeowners); and other insurance business rules, as needed, to conform the provision of flood insurance coverage by WYO companies with their customary business practices.

Timetable:

Action	Date	FR Cite
NPRM	12/14/84	
NPRM Comment Period Begin	12/14/84	
NPRM Comment Period End	02/15/85	
Final Action	04/26/85	
Final Action Effective	06/01/85	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0740

RIN: 3067-AA60

13. ● CLAIMS

Legal Authority: 31 USC 952

CFR Citation: 44 CFR 311

Abstract: Modifications will be made in Part C "Claims Collection" to deal with waiver of interest, forgiveness of debt, employer offset.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: George W. Watson, Associate General Counsel, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0376

RIN: 3067-AA61

14. ● FLOOD INSURANCE POLICY COVERAGE CHANGES

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 61

Abstract: As a result of a continuing reappraisal of the National Flood Insurance Program, coverage changes will bring the insurance contract more in line with property insurance policies in the private sector, make the program more responsive to victims of catastrophe flood loss and promote fiscal soundness. Benefits are as described; no cost implications. Alternative is to do nothing to change coverage.

Timetable:

Action	Date	FR Cite
NPRM	02/18/85	
NPRM Comment Period Begin	02/18/85	
NPRM Comment Period End	04/19/85	
Final Action	08/30/85	
Final Action Effective	10/01/85	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0740

RIN: 3067-AA62

15. ● CRITERIA FOR RECOGNITION OF FLOOD PROTECTION STRUCTURES ON FLOOD INSURANCE MAPS

Priority: Undetermined

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 65

Abstract: The regulation will establish criteria defining when FEMA will credit flood protection structures with reducing the size of the Special Flood Hazard Area shown, or to be shown, on FEMA flood maps. The criteria will include design, operation and maintenance standards and requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/01/85	
NPRM Comment Period Begin	10/01/85	
NPRM Comment Period End	12/31/85	
Final Action	04/01/86	
Final Action Effective	06/01/86	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0740

RIN: 3067-AA63

16. ● DUPLICATION OF BENEFITS

Legal Authority: 42 USC 5155; 42 USC 5201

CFR Citation: 44 CFR 205.10

Abstract: This regulation will address the prevention of and remedies for duplication of benefits between disaster assistance programs under the Disaster Relief Act and other available assistance (insurance, other legislative authorities).

Timetable:

Action	Date	FR Cite
NPRM	12/15/84	
NPRM Comment Period Begin	12/15/84	
NPRM Comment Period End	02/15/85	
Final Action	04/15/85	
Final Action Effective	06/15/85	

Small Entity: Not Applicable

Agency Contact: Agnes C. Mravcak, Federal Emergency Management Agency, Room 710, 500 C Street, SW, Washington, DC 20472, 202 287-0555

RIN: 3067-AA65

17. ● RADIOLOGICAL PROTECTION PROGRAM

Priority: Undetermined

Legal Authority: 50 USC App 2253 Sec 201 Federal Civil Defense Act of 1950; Reorganization Plan #3 of 1978 (3 CFR 1979, Comp. p. 329); EO 12148

CFR Citation: 44 CFR Chapter I, Subchapter E

Abstract: Review 44 CFR and PL 81-920 Federal Civil Defense Act of 1950, as amended, to determine if a part is needed in 44 CFR pertaining to the development and implementation of a radiological protection program at Federal, State, and local levels of government. The Radiological Protection Program provides for the protection of the citizens and property from the radiological hazards including nuclear attack and technological threats, that are a potential threat to the jurisdiction. Radiation threat of nuclear attack is unique. No alternative to this program is being considered. Funding for this program is provided by FEMA. The major benefit of this program is to provide all levels of government the capability to respond and survive a nuclear attack or peacetime radiological incident.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	
Determination of need to develop Regulation will be initiated in FY 85	00/00/00	

Small Entity: Not Applicable

Additional Information: If needed, regulatory development of this program will be initiated in FY 85 for possible issuance in FY 86.

Government Levels Affected: Local, State, Federal

Agency Contact: George C. Meyer, Sr. Health Physicist, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3838

RIN: 3067-AA67

18. ● POPULATION PROTECTION PLANNING PROGRAM

Priority: Undetermined

Legal Authority: 50 USC App. 2253 Sec 201, Federal Civil Defense Act of 1950; Reorganization Plan No. 3 of 1978 (3 CFR 1979 Comp. 329); EO 12148

CFR Citation: 44 CFR 313

Abstract: The Population Protection Planning Program is designed to insure the protection of people and property from hazards each jurisdiction is likely to face. It directly supports the Integrated Emergency Management System (IEMS) and provides for the development, exercise and maintenance of a single emergency operations plan detailing tasks and procedures for coping with natural disasters, technological hazards and nuclear attack with specific procedures on sheltering and evacuation. No alternative to this program is being considered. Funding for this program is provided by FEMA. The major benefit of this program is to provide State and local jurisdictions the capability to respond and recover from a disaster, accident or incident.

Timetable:

Action	Date	FR Cite
The regulatory development of this program will be initiated in FY85 for Regulation issuance FY86	00/00/00	

Small Entity: Not Applicable

Government Levels Affected: Local, State, Federal

Agency Contact: John E. Bokel, Chief, Planning Development Branch, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3835

RIN: 3067-AA68

19. ● UNIFORM RELOCATION ASSISTANCE

Legal Authority: 42 USC 4601 et seq

CFR Citation: 44 CFR 25

Abstract: FEMA will participate as one of the signatory agencies which will issue uniform policies and procedures implementing the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	

Small Entity: No

Agency Contact: John L. Scheibel, Associate General Counsel, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-0387

RIN: 3067-AA69

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) Existing Regulations Under Review

20. PRESERVATION OF THE MOBILIZATION BASE THROUGH THE PLACEMENT OF PROCUREMENT AND FACILITIES IN LABOR SURPLUS AREAS

Legal Authority: EO 10480; EO 12148

CFR Citation: 44 CFR 331

Abstract: This part sets policy and makes assignments with respect to award of contracts, etc. in labor surplus areas for purposes of preserving the mobilization base.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA32

21. POLICY GUIDANCE AND DELEGATION OF AUTHORITIES FOR USE OF PRIORITIES AND ALLOCATIONS TO MAXIMIZE DOMESTIC ENERGY SUPPLIES

Legal Authority: 50 USC 2061 et seq; PL 94-163, Sec 104

CFR Citation: 44 CFR 330

Abstract: This regulation establishes policy guidance on determination and use of priorities and allocations for materials and equipment to maximize domestic energy supplies pursuant to section 101(c) of the Defense Production Act.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA33

22. USE OF PRIORITIES AND ALLOCATION AUTHORITY FOR FEDERAL SUPPLY CLASSIFICATION (FSC) COMMON USE ITEMS (DMO-12)

Legal Authority: 50 USC App 2061 et seq; EO 10480

CFR Citation: 44 CFR 329

Abstract: This part provides policy guidance concerning the use of priorities and allocations authority in Title I of Defense Production Act for the procurement of common use items in the Federal Supply Classification.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	04/15/86	

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA34

23. GENERAL POLICIES FOR STRATEGIC AND CRITICAL MATERIALS STOCKPILING (DMO-11)

Legal Authority: 50 USC 98 et seq

CFR Citation: 44 CFR 328

Abstract: This part sets forth policies for the administration of strategic and critical materials stockpiling under the Strategic and Critical Materials Stock Piling Act.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA35

24. POLICY ON USE OF GOVERNMENT-OWNED INDUSTRIAL PLANT EQUIPMENT BY PRIVATE INDUSTRY (DMO-10A)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 327

Abstract: This part establishes policy on use by private industry of Government-owned industrial plant equipment to maintain a reserve of such equipment for emergency preparedness.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA36

25. POLICY GUIDANCE FOR A NATIONAL EMERGENCY BLOOD PROGRAM

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 326

Abstract: This regulation prescribes objectives, policies and responsibilities of the National Emergency Blood Program.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA37

26. EMERGENCY HEALTH AND MEDICAL OCCUPATIONS

Legal Authority: 50 USC App 2061; EO 11490

CFR Citation: 44 CFR 325

Abstract: This regulation lists emergency health and medical occupations in support of functions under Executive Order Assigning Emergency Preparedness Functions.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	04/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA38

27. NATIONAL SECURITY POLICY GOVERNING SCIENTIFIC AND ENGINEERING MANPOWER (DMO-5)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 324

Abstract: This part provides policy on the training and utilization of the scientific and engineering workforce as it affects national security.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	04/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA43

28. GUIDANCE ON PRIORITY USE OF RESOURCES IN IMMEDIATE POST ATTACK PERIOD (DMO-4)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 323

Abstract: This regulation states policy on use of resources in a post attack period and provides general guidance for Federal, State and local governments on activities to be accorded priority in use of resources, and lists items essential to national survival.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	04/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA44

29. DEFENSE PRODUCTION PRIORITIES AND ALLOCATIONS AUTHORITY

Legal Authority: 50 USC App 2061 et seq; EO 10480

CFR Citation: 44 CFR 322

Abstract: This regulation establishes policy guidance and delegates authority with respect to priorities and allocation functions in the Defense Production Act.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

FEMA

Existing Regulations Under Review

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA45

30. MAINTENANCE OF THE MOBILIZATION BASE

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 321

Abstract: This regulation deals with policies concerning the mobilization base for Department of Defense, Department of Energy, and Maritime Administration and includes procedures relating to selection and maintenance of the base.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	02/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA46

31. DISPERSION AND PROTECTIVE CONSTRUCTION: POLICY, CRITERIA RESPONSIBILITIES (DMO-1)

Legal Authority: 50 USC 404; 50 USC App 2061 et seq; EO 12148

CFR Citation: 44 CFR 320

Abstract: This regulation establishes policy and criteria to encourage dispersal of facilities important to the national security and that these be located so as to reduce the risk of damage in event of attack.

Timetable:

Action	Date	FR Cite
Begin Review	08/15/85	
End Review	07/15/86	

Small Entity: No

Agency Contact: Paul Krueger, Assistant Associate Director, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3916

RIN: 3067-AA47

32. CONTRIBUTIONS FOR CIVIL DEFENSE EQUIPMENT

Legal Authority: 50 USC App 2281(i)

CFR Citation: 44 CFR 301

Abstract: This regulation prescribes procedures and sets terms and conditions under which FEMA provides financial assistance to States and local governments for civil defense equipment, including emergency operations centers.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	06/00/85	

Small Entity: No

Agency Contact: Joseph Mealy, Chief, Emergency Management System Support, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3886

RIN: 3067-AA48

33. ● INDIVIDUAL AND FAMILY GRANT PROGRAM

Legal Authority: 42 USC 5178; 42 USC 5201

CFR Citation: 44 CFR 205. 54

Abstract: The proposed revisions will address the problems of timeliness of grant assistance, introduce methods for speeding up the administrative processes used by FEMA and the States, and hopefully result in a more efficiently administrative program.

Timetable:

Action	Date	FR Cite
Begin Review	08/01/84	
End Review	10/01/84	
NPRM	12/01/84	
NPRM Comment Period Begin	12/01/84	
NPRM Comment Period End	02/01/85	
Final Action	05/15/85	
Final Action Effective	07/15/85	

Small Entity: Not Applicable

Agency Contact: Agnes C. Mravcak, Federal Emergency Management Agency, Room 710, 500 C Street, SW, Washington, DC 20472, 202 287-0555

RIN: 3067-AA64

34. ● CIVIL DEFENSE: STATE AND LOCAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAMS (EMA)

Legal Authority: 50 USC App. 2253 Sec. 401 Federal Civil Defense Act of 1950; Reorganization Plan No. 3 of 1978, 3 CFR 1979 Comp., p. 329; EO 12148

CFR Citation: 44 CFR 302, (Revision)

Abstract: 44 CFR 302 may be revised to change the allocation formula and program documentation requirements.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Joan C. McDonald, Chief, Emergency Management Systems Dev., Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 287-3850

RIN: 3067-AA66

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Completed Actions

COMPLETED RULEMAKINGS

35. FINANCIAL ASSISTANCE, GRANTS AND COOPERATIVE AGREEMENTS

CFR Citation: 44 CFR 13

Completed:

Reason	Date	FR Cite
Withdrawn	08/10/84	

Small Entity: No

Agency Contact: Arthur E. Curry 202 287-0630

RIN: 3067-AA01

FEMA

Completed Actions

36. RULES AND REGULATIONS GOVERNING SPECIAL FACILITY BUILDINGS AND GROUNDS

CFR Citation: 44 CFR 15

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20498
Final Action Effective	05/15/84	49 FR 21712

Small Entity: No

Agency Contact: George W. Watson 202 287-0376

RIN: 3067-AA22

37. FLOODPLAIN MANAGEMENT AND PROTECTION OF WETLANDS

CFR Citation: 44 CFR 9.5; 44 CFR 9.6; 44 CFR 9.11; 44 CFR 9.13

Completed:

Reason	Date	FR Cite
Final Action	09/10/84	49 FR 35580
Final Action Effective	10/10/84	

Small Entity: No

Agency Contact: John L. Scheibel 202 287-0387

RIN: 3067-AA30

38. INFORMATION SECURITY PROGRAM

CFR Citation: 44 CFR 8

Completed:

Reason	Date	FR Cite
Final Action	06/14/84	49 FR 24518
Final Action Effective	07/16/84	

Small Entity: No

Agency Contact: Arlan L. Kinney 202 287-0700

RIN: 3067-AA31

39. ADVISORY COMMITTEES

CFR Citation: 42 CFR 12

Completed:

Reason	Date	FR Cite
Withdrawn	08/01/84	

Small Entity: No

Agency Contact: Wesley Moore 202 287-3875

RIN: 3067-AA49

40. FLOOD INSURANCE POLICY COVERAGE CHANGES

CFR Citation: 44 CFR 61

Completed:

Reason	Date	FR Cite
Final Action	08/24/84	49 FR 33654
Final Action Effective	10/01/84	

Small Entity: Undetermined

Agency Contact: Donald L Collins 202 287-0740

RIN: 3067-AA59

[FR Doc. 84-24272 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXII

Federal Mediation and Conciliation Service

Semiannual Regulatory Agenda

FMCS

FEDERAL MEDIATION AND CONCILIATION SERVICE

29 CFR Ch. XII

Unified Agenda of Federal Regulations

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Semiannual agenda required by the Regulatory Flexibility Act of 1980.

SUMMARY: The Federal Mediation and Conciliation Service is redrafting one regulation subject to the Regulatory Flexibility Act during the six month period from October 1984 to April 1985. That regulation is Arbitration Policy and Practice.

FOR FURTHER INFORMATION CONTACT: Daniel P. Dozier, Legal Counsel, 2100 K Street, N.W., Washington, D.C. 20427, (202) 653-5305.

DATED: August 24, 1984.

Kay McMurray,

Director.

BILLING CODE 6732-01-T

FEDERAL MEDIATION AND CONCILIATION SERVICE (FMCS) — Existing Regulations Under Review

REVIEW OF EXISTING ARBITRATION REGULATION

Legal Authority: 29 USC 172; 5 USC 552; 29 USC 173

CFR Citation: 29 CFR 1404

Abstract: The Federal Mediation and Conciliation Service is in the process of redrafting its existing Arbitration Services regulation at 29 CFR Part 1404. The Service will have completed its initial draft by March 1985. A proposed rule will be published then and public comments solicited.

Timetable:

Action	Date	FR Cite
Decision to rewrite Rules or not	09/00/84	

Small Entity: No

Agency Contact: Daniel P. Dozier, Associate General Counsel, Federal Mediation and Conciliation Service, 2100 K Street NW, Washington, DC 20427, 202 653-5305

RIN: 3076-AA01

[FR Doc. 84-24273 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXIII

General Services Administration

Semiannual Regulatory Agenda

GSA

GENERAL SERVICES ADMINISTRATION

41 CFR Chs. 1, 101, 105, and 201

48 CFR Chs. 1 and 5

Unified Agenda of Federal Regulations

AGENCY: General Services Administration.

ACTION: Semiannual agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those actions that were completed since April 1984. This agenda was developed under the guidelines in OMB Bulletin No. 84-16, dated June 5, 1984. GSA's purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: William W. Hiebert, Acting Chief, Directives and Reports Management Branch (202) 535-7647.

SUPPLEMENTARY INFORMATION: GSA has two priority regulations designated by the Presidential Task Force on Regulatory Relief and three regulations that will have an effect on small businesses or other entities. These regulations are listed under the category of current and projected rulemakings. None of the regulations listed are considered major under Executive Order 12291, Federal Regulations.

William A. Clinkscales,

Associate Administrator for Policy and Management Systems.

BILLING CODE 6820-34-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Utilization of Personal Property	3090-AA45
2	Management of Buildings and Grounds	3090-AA69
3	Vending Facility Program for Blind Persons	3090-AA70
4	Supply Sources and Related Programs	3090-AA89
5	General Services Administration Acquisition Regulation (GSAR)- Parts 536 and 552	3090-AB38
6	General Services Administration Acquisition Regulation (GSAR)- Small Business Technical Advisors	3090-AB39
7	General Services Administration Acquisition Regulation (GSAR) FAC-84-1	3090-AB41
8	General Services Administration Acquisition Regulation (GSAR)- Rules of GSA Board of Contract Appeals	3090-AB42
9	Protests Against Award	3090-AB46
10	General Services Administration Acquisition Regulation (GSAR) Method of Payment	3090-AB56
11	General Services Administration Acquisition Regulation (GSAR) Miller Act	3090-AB57
12	Revision of U.S. Government Bill of Lading Standard Forms	3090-AA04
13	Selective Service System National Emergency Travel Warrant and Department of Defense Reservist/Retiree Military Emergency Travel Warrant	3090-AA05
14	Interest Assessment on Overcharges (Receivables)	3090-AA74
15	Unused Ticket Refund Procedures	3090-AA91
16	Revision of U.S. Government Transportation Request, Standard Form 1169	3090-AB11
17	Administrative Offset and Interest Assessment on Delinquent Refunds for Totally Unused Tickets	3090-AB12
18	Change In Forms Sequence; SF 1103 Set, U.S. Government Bill of Lading	3090-AB15
19	Federal Property Management Regulations; Revises the Reporting Requirements for Real Property	3090-AB31
20	Eliminate Requirement to Certify Substitute Document	3090-AB32
21	Amend Terms and Conditions Section of Standard Form 1103, U.S. Government Bill of Lading-Original	3090-AB33
22	Cancel Standard Form 1172, Certificate in Lieu of Lost U.S. Government Transportation Request	3090-AB34
23	Collection of Claims Owed the United States	3090-AB45
24	Use of Travel Agencies for Official Travel	3090-AB65
25	Revision of Standard Form 1170 and General Services Administration Form 7958	3090-AB68
26	Revision of Public Voucher for Transportation Charges, Standard Form 1113	3090-AB69
27	Conveyance for Historic Monument Purposes	3090-AA35
28	National Defense Stockpile Disposal Regulations	3090-AA40
29	Addition of Concurrent 30-Day Federal Agency and Public Use Screening Requirement	3090-AA77
30	Negotiated Sales to Public Agencies	3090-AB09
31	Disposals to Public Agencies	3090-AB55
32	Donation of Personal Property	3090-AA23
33	Donation of Abandoned and Forfeited Personal Property	3090-AA24
34	Abandonment or Destruction of Personal Property	3090-AA28
35	Acquisition and Use of Excess Personal Property	3090-AA30
36	Transportation and Traffic Management	3090-AA73
37	Waiver from Use of GSA Supply Sources	3090-AA95
38	FPMR Temporary Regulation G - Appearance Reconditioning of Motor Vehicles	3090-AA99
39	Motor Equipment Management	3090-AB00
40	FPMR Temporary Regulation G- Use of Gasohol in Federal Motor Vehicles	3090-AB01
41	Interagency Fleet Management Systems	3090-AB02
42	Travel and Transportation Expense Payment System using Contractor-issued Charge Cards and Travelers Checks	3090-AB27
43	Supplement 11 to Federal Travel Regulations (FTR)	3090-AB30
44	Changes to Federal Travel Regulations (FTR)	3090-AB47

GSA

Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
45	Use of Contract Airline Service Between Selected City-pairs	3090-AB48
46	Utilization and Donation of Foreign Gifts and Decorations	3090-AB62
47	Use of Carrier Contractors for Express Small Package Transportation	3090-AB63
48	Exemption of ADP Procurement Authority based on the Defense Authorization Act of 1982 - Project 82.23T	3090-AA16
49	Forms Management Responsibilities - Project 82.38P	3090-AA17
50	Obsolescence, Exchange/Sale and Reuse of Federal ADP Equip. Project 82.05/82.06A	3090-AA19
51	Revision of Acquisition and Management Provisions Regarding the Changing Telecommunications Marketplace, Including the Detariffing of Customer Premises Telecommunications Equipment ETC	3090-AB08
52	Interagency Reports Management Program - Project 84.14A	3090-AB53
53	Standard and Optional Forms - Project 84.56A	3090-AB54
54	Agency Planning - Project 84.32T	3090-AB58
55	Revisions to FIRMR Subpart 201-36.13, Implementation of Federal Information Processing and Federal Telecommunications Standards in Solicitation Documents - Project 84.51T	3090-AB59
56	Triennial Review of Agency Administration and Operation of Information Management Activities - Project 84.33T	3090-AB60
57	FIRMR Revisions to Implement the "Competition in Contracting Act of 1984" - Project 84.64T	3090-AB61
58	FIRMR Implementation of the ADP Dispute Resolution Section of the Competition in Contracting Act of 1984 - Project 84.63T	3090-AB64
59	Federal Advisory Committee Management	3090-AA62
60	Disposition of Federal Records	3090-AA63
61	Public Use of the National Archives Building	3090-AA83
62	Care and Handling of Magnetic Storage Media	3090-AB04
63	Annual Summary of Records Holdings	3090-AB25
64	Management of Electronic Records	3090-AB36
65	Revision of Fee Schedule	3090-AB49
66	Records Disposition	3090-AB51
67	Preservation and Protection and Access to the Presidential Historical Materials of the Nixon Administration	3090-AB52
68	Nondiscrimination in Federal Financial Assistance Programs	3090-AA00
69	*Assignment and Utilization of Space	3090-AA67
70	Federal Employee Parking	3090-AA68
71	*Work Space Management Reforms	3090-AB50

*Indicates priority regulation.

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
72	Utilization, Donation, Sale, Abandonment or Destruction of Hazardous Materials	3090-AA42
73	Contracts with the Small Business Administration (SBA) for ADP Requirements - Project 82-17T	3090-AA13
74	Benchmarking in the Selection of Automatic Data Processing, Project 82-33T	3090-AA90
75	Adequate and Proper Documentation	3090-AB03

Completed Actions

Sequence Number	Title	Regulation Identifier Number
76	General Services Administration Acquisition Regulation (GSAR)	3090-AB26
77	Cancel Standard Form 1131, U.S. Government Transit Bill of Lading	3090-AB13
78	Furnish Additional Information for Refunds on Ticket Exchanges	3090-AB35
79	The Department of the Interior Use of Standard Form 118 and Appropriate Schedules to Notify GSA of Reversions of Title	3090-AA47
80	Transfer of Excess Real Property	3090-AA78
81	Negotiated Sales for Public Use	3090-AA79
82	Appearance Reconditioning of Civil Agency Vehicles, Prior to Sale	3090-AA27
83	Suspension of Direct Transfer Authority for Office Furniture and Equipment	3090-AA33
84	New Part 101-24--Personal Property Management	3090-AA48
85	Supplement 9 to the Federal Travel Regulations (FTR)	3090-AB20
86	Use of Travel Agents and Travel Management Centers (TMC's) by Federal Executive Agencies	3090-AB28

GSA

Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
87	Supplement 10 to Federal Travel Regulations (FTR)	3090-AB29
88	Procurement and Contracting for Telecommunications--Project 79.50A	3090-AA14
89	Federal Information Resources Management Regulation (FIRMR)	3090-AA15
90	Implementation for Agency Use of Federal Information Processing Standards and Federal Standards for Telecommunications - Project 83.38A	3090-AB07
91	Fees	3090-AA85
92	Research Room Rules	3090-AA86
93	Disposition of records and micrographics	3090-AB05
94	*Uniform Federal Accessibility Standard	3090-AA65
95	GSAR, Acquisition Circular AC-84-2	3090-AB40
96	GSAR, Acquisition Circular AC-84-3	3090-AB43
97	GSAR, Acquisition Circular AC-84-4	3090-AB44
98	GSAR Acquisition Circular AC-84-1	3090-AB66
99	General Services Administration Acquisition Regulation (GSAR), Part 553, Forms	3090-AB67

*Indicates priority regulation.

GENERAL SERVICES ADMINISTRATION (GSA) — Current and Projected Rulemakings

ACQUISITION POLICY

1. UTILIZATION OF PERSONAL PROPERTY

Legal Authority: 40 USC 483(a)

CFR Citation: 41 CFR 101-43

Abstract: Defines nonappropriated fund property as nonreportable and introduces other miscellaneous changes.

Timetable:

Action	Date	FR Cite
Final Action	04/30/85	

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, **202 566-1177**

RIN: 3090-AA45

2. MANAGEMENT OF BUILDINGS AND GROUNDS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-20

Abstract: GSA proposes to amend its regulations regarding the standard level of protective services provided to building occupants to provide a more definitive description of these services in keeping with current program emphases.

Timetable:

Action	Date	FR Cite
Final Action Effective	04/30/85	

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, **202 566-1177**

RIN: 3090-AA69

3. VENDING FACILITY PROGRAM FOR BLIND PERSONS

Legal Authority: PL 93-516

CFR Citation: 41 CFR 101-20.2

Abstract: Update the subpart to reflect the priorities and newly authorized provisions granted licensed blind vendors in GSA-controlled buildings by the Randolph-Sheppard Act Amendments of 1974 (Pub. L. 93-516). Some specific provisions to be revised are the threshold criteria, site selection, notification procedure, sale of State lottery tickets, change of title from Department of Health, Education, and Welfare to read "Department of Education," inclusion of agency policy regarding renovation of existing facilities, emphasis on assignment of vending machines to State licensing agencies (SLA), permits, operation of cafeterias by blind vendors, and reports. The continued implementation of the Randolph-Sheppard Act in GSA-controlled buildings will not be of any significant increase in cost to the agency. The benefits, however, are significant. While the provision of essential services to Government employees are expanded and improved, the primary goal of the act, to provide remunerative employment for blind persons, is enhanced.

Timetable:

Action	Date	FR Cite
Final Action	04/30/85	

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, **202 566-1177**

RIN: 3090-AA70

4. SUPPLY SOURCES AND RELATED PROGRAMS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-26

Abstract: Part 101-26 prescribes policies and procedures that govern the procurement of personal property and nonpersonal services by Federal agencies from or through GSA supply sources. A number of executive agencies have indicated that the current policies and procedures in this part need to be revised to clarify the

content, eliminate duplication, and remove obstacles to satisfying requirements for these types of items. Representatives from the major executive agencies are currently developing a revised draft of this part that will be designed to more adequately meet their needs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/31/83	
Final Action	04/30/85	

Small Entity: No

Agency Contact: Emily Karam, Director of Regulatory Review, General Services Administration, Office of Acquisition Policy (V), Washington, DC 20405, 202 566-1177

RIN: 3090-AA89

---

5. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR)- PARTS 536 AND 552

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 536; 48 CFR 552

Abstract: An Acquisition Circular will be issued to temporarily amend Parts 536 and 552 of the GSAR to provide expanded coverage on the basis of award for construction contracts.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash, DC 20405, 202 523-4754

RIN: 3090-AB38

---

6. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR)- SMALL BUSINESS TECHNICAL ADVISORS

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 519

Abstract: The GSAR will be amended to delete mandatory annual review requirements of class set aside determinations and to reflect the function of the GSA Small Business Technical Advisors.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash, DC 20405, 202 523-4754

RIN: 3090-AB39

---

7. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) FAC-84-1

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 504

Abstract: The GSAR will be amended to permanently incorporate the contents of Acquisition Circular FAC-84-1 on contract distribution and make miscellaneous changes in GSA's uniform procurement instrument identification system.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc. of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB41

---

8. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR)- RULES OF GSA BOARD OF CONTRACT APPEALS

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 533

Abstract: The GSAR will be amended to incorporate the Rules of the GSA Board of Contract Appeals in their entirety as signed by the Acting Administrator on June 1, 1984.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB42

---

9. ● PROTESTS AGAINST AWARD

Legal Authority: PL 98-369, Sec 2713; PL 98-369, Sec 2741

CFR Citation: 41 CFR 514.407 to 514.408

Abstract: The regulations are being revised to reflect the changes in bid protest procedures contained in the Competition in Contracting Act of 1984. The changes will reflect new and modified procedures issued by the Comptroller General, the Federal Acquisition Regulations and the General Services Board of Contract Appeals.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	

Small Entity: Yes

Agency Contact: John S. Miller, III, Assistant General Counsel, General Law (LG), General Services Administration, Office of General Counsel, General Law Division, 18th & F Sts., NW, Washington, DC 20405, 202 566-1460

RIN: 3090-AB46

---

10. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) METHOD OF PAYMENT

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 532; 48 CFR 552

Abstract: An Acquisition Circular will be issued to temporarily amend the GSAR to prescribe a Method of Payment clause for inclusion in GSA

contracts used by other agencies, and to make related changes.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB56

11. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) MILLER ACT

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 528; 48 CFR 533; 48 CFR 549

Abstract: The GSAR will be amended to implement the FAR by specifying the requirements to be followed when recovering administrative costs incurred by the Government as a result of a default on the part of the contractor; to implement Pub. L. 98-269, which amended the Miller Act by transferring the responsibility for furnishing certified copies of Miller Act payment bonds from the Comptroller General to the Federal agency that awarded the bonded contract; and to revise the requirement that a contract file contain supporting documentation for calculating administrative costs.

Timetable:

Action	Date	FR Cite
Final Action	08/00/84	
Final Action Effective	08/00/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB57

OFFICE OF THE COMPTROLLER

12. REVISION OF U.S. GOVERNMENT BILL OF LADING STANDARD FORMS

Legal Authority: 40 USC 486(c); 31 USC 3726

CFR Citation: 41 CFR 101-41

Abstract: This amendment prescribes the use of revised SF 1103, U.S. Government Bill of Lading (GBL); SF 1109, U.S. GBL Continuation Sheet, and SF 1131, U.S. Government Transit Bill of Lading. These revisions will make these transportation documents more efficient and more responsive to data information systems. To accomplish the provisions of this directive, there will be an outlay of resources by GSA to print the forms but this expenditure will be offset by income derived from purchases of these forms by other Federal agencies. The amendment will have no impact on the public.

Timetable:

Action	Date	FR Cite
NPRM	08/24/81	46 FR 42686
NPRM Comment Period Begin	08/24/81	46 FR 42686
NPRM Comment Period End	10/08/81	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Louis Rosengarten, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3012

RIN: 3090-AA04

13. SELECTIVE SERVICE SYSTEM NATIONAL EMERGENCY TRAVEL WARRANT AND DEPARTMENT OF DEFENSE RESERVIST/RETIREE MILITARY EMERGENCY TRAVEL WARRANT

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This regulation provides for the procurement of passenger transportation services and billing and payment for such services in connection with the Selective Service System National Emergency Travel Warrant and the DOD Reservist/Retiree Military Emergency Travel Warrant systems. During periods of national emergency the Selective Service System (SSS) and the Department of Defense (DOD) will use travel warrants to obtain transportation for registrants who are ordered to report for induction into military service and for selected military reservists and retirees who are ordered to active duty with the armed forces of the U.S. SSS and DOD will issue travel warrants transmitted by Western Union Mailgrams authorizing issuance of tickets to selected individuals for travel to designated places of induction or mobilization. Implementation of the travel warrant programs will provide simple and efficient systems to procure transportation and pay for services furnished, and will impose no additional burdens on the Government or the public since the warrants will be used instead of GTR's.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: James F. Fitzgerald, Chief, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3018

RIN: 3090-AA05

14. INTEREST ASSESSMENT ON OVERCHARGES (RECEIVABLES)

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This proposed rule will enable GSA to assess interest on overcharges issued to transportation carriers for freight and passenger services furnished for the account of the U.S. It will enhance debt collection procedures and compensate the Government for loss of funds resulting from carrier overbillings.

Timetable:

Action	Date	FR Cite
NPRM	05/12/83	48 FR 21351
NPRM Comment Period Begin	05/12/83	48 FR 21351
NPRM Comment Period End	07/11/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AA74

15. UNUSED TICKET REFUND PROCEDURES

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This regulation revises procedures for collecting carrier refunds of unused tickets. It provides for carriers to refund to the Government the value of expired unused tickets for which no SF 1170's have been received. Carriers will be reimbursed if, after an initial ticket refund to GSA, a ticket is subsequently used for transportation or a second refund is made using an SF 1170. These revised procedures will permit the recovery of outstanding monies that might otherwise remain unrefunded to the Government or unpaid to carriers for extended periods of time.

Timetable:

Action	Date	FR Cite
NPRM	02/02/82	47 FR 4707
NPRM Comment Period Begin	02/02/82	47 FR 4707
Extension of Comment Period	03/16/82	47 FR 11296
NPRM Comment Period End	04/02/82	
Final Action	12/00/84	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AA91

16. REVISION OF U.S. GOVERNMENT TRANSPORTATION REQUEST, STANDARD FORM 1169

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule revises the U.S. Government Transportation Request, SF 1169, to incorporate a reference to 41 CFR 101-41 as part of the contract of carriage. This change will avoid potential legal problems in connection with the use of the GTR.

Timetable:

Action	Date	FR Cite
NPRM	04/10/84	49 FR 14147
Final Action	10/00/84	

Small Entity: No

Agency Contact: James F. Fitzgerald, Chief, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3014

RIN: 3090-AB11

17. ADMINISTRATIVE OFFSET AND INTEREST ASSESSMENT ON DELINQUENT REFUNDS FOR TOTALLY UNUSED TICKETS

Legal Authority: 31 USC 3701 to 3711; 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule will enable Government agencies to collect by administrative offset when carriers fail to make refunds for totally unused passenger tickets in accordance with 41 CFR 101-41.210. It will also permit agencies to assess interest and penalties on delinquent refunds due the Government for totally unused tickets. It will further improve the efficiency of Government-wide efforts to collect debts owed the U.S. as prescribed by applicable Federal regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/24/83	48 FR 23283
NPRM Comment Period Begin	05/24/83	48 FR 23283
Extension of Comment Period (end 08/11/83)	07/12/83	48 FR 31890
NPRM Comment Period End	07/25/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims, Branch (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB12

18. CHANGE IN FORMS SEQUENCE; SF 1103 SET, U.S. GOVERNMENT BILL OF LADING

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule proposes to change the sequence of the Standard Form 1103, set U.S. Government Bill of Lading, by positioning one copy of SF 1103-A, Memorandum Copy, as the third form in the set and the remaining SF 1103-A's to be positioned following the SF 1103-B. The purpose of this change is to provide a clearer copy for those agencies that transfer this document to microfilm and to provide a more legible copy for fiscal or administrative use.

Timetable:

Action	Date	FR Cite
NPRM	04/22/83	48 FR 17360
NPRM Comment Period Begin	04/22/83	48 FR 17360
NPRM Comment Period End	05/23/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures, and Claims Branch (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB15

19. FEDERAL PROPERTY MANAGEMENT REGULATIONS; REVISES THE REPORTING REQUIREMENTS FOR REAL PROPERTY

Legal Authority: EO 12411

CFR Citation: 41 CFR 101-3

Abstract: This regulation revises FPMR 101-3 with changes and additions to the data elements currently collected as part of the World-Wide Real Property Inventory System. It also displays the revised forms to be used when supplying this information. These changes are necessary to monitor government-wide space reduction initiatives mandated by Executive Order 12411 - Government Work Space Management Reforms and Temporary Regulation D-70-Work Space Management Plans.

The General Services Administration has determined this is not a major rule for the purposes of Executive Order

12291 of February 17, 1981, because it is not likely to result in an annual effect on the economy of $100 million or more; a major increase in costs to consumers or others; or significant adverse effects. Therefore, a Regulatory Impact Analysis has not been prepared. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for, and the consequence of this rule; has determined that the potential benefits to society from this rule outweigh the potential (cont)

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: costs and has maximized the net benefits.

Agency Contact: Jerome Jackson, Chief, General Services Administration, Reports and Cash Management Branch (BCPR), Washington, DC 20405, 202 566-1260

RIN: 3090-AB31

20. ELIMINATE REQUIREMENT TO CERTIFY SUBSTITUTE DOCUMENT

Legal Authority: 40 USC 486(c); 31 USC 3726

CFR Citation: 41 CFR 101-41

Abstract: This proposed amendment will permit the use of an uncertified substitute document when the original GBL, SF 1103, is lost or destroyed. By eliminating the certification requirement, carriers can submit vouchers with uncertified substitute documents directly to finance offices for payment enabling carriers to be paid faster. Electronic recordkeeping within paying offices will eliminate the possibility of duplicate payments. This change in administrative procedure will result in reduced document handling costs for both industry and Government.

Timetable:

Action	Date	FR Cite
NPRM	03/05/84	49 FR 8051
Final Action	12/00/84	

Small Entity: No

Agency Contact: Louis Rosengarten, Transportation Specialist, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3012

RIN: 3090-AB32

21. AMEND TERMS AND CONDITIONS SECTION OF STANDARD FORM 1103, U.S. GOVERNMENT BILL OF LADING-ORIGINAL

Legal Authority: 40 USC 486(c); 31 USC 3726

CFR Citation: 41 CFR 101-41

Abstract: This proposed amendment will add a provision to the "Terms and Conditions" section of SF 1103, U.S. GBL-Original, advising users that interest will be assessed on overcharges issued by GSA's Office of Transportation Audits. Due to the passage of a law that permits the Government to collect interest on debts owed to the U.S., steps are being taken to include such a provision in the FPMR's. This provision added to the GBL will serve as a notice to carriers of the Government's intent.

Timetable:

Action	Date	FR Cite
NPRM	04/10/84	49 FR 14147
Final Action	10/00/84	

Small Entity: No

Agency Contact: Louis Rosengarten, Transportation Specialist, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3012

RIN: 3090-AB33

22. CANCEL STANDARD FORM 1172, CERTIFICATE IN LIEU OF LOST U.S. GOVERNMENT TRANSPORTATION REQUEST

Legal Authority: 40 USC 486(c); 31 USC 3726

CFR Citation: 41 CFR 101-41

Abstract: This proposed amendment cancels SF 1172, Certificate in Lieu of Lost U.S. GTR and provides alternative procedures for billing when a carrier loses or misplaces a GTR. Substitute procedures prescribe that a carrier will make certification on the face of the SF 1113 transportation voucher billing document and attach copies of pertinent ticket coupons with the related GTR number visible on the face of the coupons. Cancellation of the SF 1172 will eliminate the need for the Government and the carrier industry to print and stock the form. Further economies will result because the carrier will no longer have to prepare and process the certificate.

Timetable:

Action	Date	FR Cite
NPRM	05/30/84	49 FR 22503
Final Action	12/00/84	

Small Entity: No

Agency Contact: James F. Fitzgerald, Chief, General Services Administration, Regulations and Procedures Section (BWCPR), Washington, DC 20405, 202 786-3014

RIN: 3090-AB34

23. ● COLLECTION OF CLAIMS OWED THE UNITED STATES

Legal Authority: PL 97-365, Sec 10

CFR Citation: 41 CFR 105-55, (New)

Abstract: The regulations will implement the Debt Collection Act of 1982 within the General Services Administration. The regulations are required by Section 10 of the Act and by means of these regulations GSA will be better equipped to pursue claims owed to the Government arising out of GSA activities. Although the benefit will be improved claims collections, there is no way to precisely quantify the costs or benefits at this time.

Timetable:

Action	Date	FR Cite
NPRM	07/26/84	49 FR 30080
NPRM Comment Period Begin	07/26/84	49 FR 30080
NPRM Comment Period End	08/27/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: David C. Fisher, Jr., Chief Counsel - Administration, General Services Administration, Office of General Counsel, General Law Division, 18th & F Sts., NW, Washington, DC 20405, 202 566-1460

RIN: 3090-AB45

24. ● USE OF TRAVEL AGENCIES FOR OFFICIAL TRAVEL

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule will provide guidance concerning the use of travel agents to secure official Government travel which was formerly prohibited by General Accounting Office Regulations. GAO has removed its regulatory restriction (49 FR 17721). This action may result in greater private sector participation in handling Federal travel arrangements.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: James F. Fitzgerald, Chief, General Services Administration, Regulations and Procedures Section, (BWCP/R), Washington, DC 20405, 202 786-3018

RIN: 3090-AB65

25. ● REVISION OF STANDARD FORM 1170 AND GENERAL SERVICES ADMINISTRATION FORM 7958

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule revises the Standard Form 1170, Redemption of Unused Tickets, and General Services Administration Form 7958, Certificate of Indebtedness, by incorporating wording prescribed by the Debt Collection Act of 1982. This will improve Government-wide effort in collecting debts due the United States.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, General Services Administration, Regulations, Procedures and Review Branch, (BWCP), Washington, DC 20405, 202 786-3014

RIN: 3090-AB68

26. ● REVISION OF PUBLIC VOUCHER FOR TRANSPORTATION CHARGES, STANDARD FORM 1113

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Abstract: This rule revises Public Voucher for Transportation Charges, Standard Form 1113, to eliminate various information blocks because certain agency fiscal control numbers are no longer required. This change will reduce the amount of time agencies spend in processing these documents.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: Theodore N. Rose, Transportation Specialist, General Services Administration, Review and Assistance Section (BWCP/A), Washington, DC 20405, 202 786-3016

RIN: 3090-AB69

FEDERAL PROPERTY RESOURCES SERVICE

27. CONVEYANCE FOR HISTORIC MONUMENT PURPOSES

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.308-3(a)(3); 41 CFR 101-47.308-2(e)

Abstract: These regulations are being amended to prevent the possibility of windfall profits to the grantee, sublessor, or developer when surplus real property is conveyed for historic monument purposes with revenue producing activities.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: James H. Pitts, Director, General Services Administration, Special Programs Division (DRP), Washington, DC 20405, 202 535-7067

RIN: 3090-AA35

28. NATIONAL DEFENSE STOCKPILE DISPOSAL REGULATIONS

Legal Authority: 50 USC 98 et seq Strat. & Crit. Materials Stock Piling Act; EO 12155

CFR Citation: 41 CFR 101-14.4

Abstract: These regulations indicate the procedures for disposing of strategic and critical materials that are excess to National Defense Stockpile needs and have been authorized for disposal by Congress, pursuant to the Stock Piling Act of 1979 50 USC 98 et seq. These regulations will be responsive to public sector, intergovernment and intragovernment comments reflecting on the lack of published regulations governing GSA's stockpile disposal policies and procedures.

Timetable:

Action	Date	FR Cite
Final Action	09/30/85	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1983

Government Levels Affected: Federal

Agency Contact: Kent N. Knowles, Assistant Commissioner, General Services Administration, Office of Stockpile Transactions (DS), Washington, DC 20405, 202 535-7132

RIN: 3090-AA40

29. ADDITION OF CONCURRENT 30-DAY FEDERAL AGENCY AND PUBLIC USE SCREENING REQUIREMENT

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.203-5(b)

Abstract: In the past, screening of surplus Federal properties with the Federal agencies that sponsor public benefit uses occurred at the same time as screening with local public bodies for such uses and subsequent to the screening of property at the excess stage for direct use by Federal agencies. Addition of section 101-47.203-5(b) will provide for concurrent screening of properties for direct use by Federal agencies and for public benefit uses sponsored by Federal agencies. This change will expedite the disposal process by eliminating screening in cases where no potential for public benefit use is indicated by sponsoring Federal agencies.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: James H. Pitts, Director, General Services Administration, Special Programs Division, Washington, DC 20405, 202 535-7067

RIN: 3090-AA77

30. NEGOTIATED SALES TO PUBLIC AGENCIES

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.304-9

Abstract: In order to eliminate the possibility of windfall profits and establish uniformity of the terms and conditions in all such negotiated sales of real property, GSA proposes to include a requirement for an excess profits clause in all negotiated sales to public bodies. The excess profits clause will run with the land for a period of three years.

Timetable:

Action	Date	FR Cite
NPRM	07/12/84	
NPRM Comment Period Begin	07/12/84	49 FR 28420
NPRM Comment Period End	08/13/84	
Final Action	04/00/85	

Small Entity: No

Agency Contact: James H. Pitts, Director, General Services Administration, Special Programs Division (DRP), Washington, DC 20405, 202 535-7067

RIN: 3090-AB09

31. ● DISPOSALS TO PUBLIC AGENCIES

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-47.303-2; 41 CFR 101-47.303-2(b)(1)(2)(3) and (4); 41 CFR 101-47.303-2(d); 41 CFR 101-47.303-2(e) and (e)(1); 41 CFR 101-47.303-2(b); 41 CFR 101-47.303-2(g); 41 CFR 101-47.4906; 41 CFR 101-47.4906-2

Abstract: Executive Order 12372 superseded OMB Circular A-95 and established new procedures for intergovernmental consultation on certain Federal programs and activities. The E.O. places certain requirements on GSA to notify and respond to state review process comments or recommendations concerning real property disposals to public agencies.

Timetable:

Action	Date	FR Cite
Final Action	12/09/84	

Small Entity: No

Agency Contact: James H. Pitts, Director, Special Programs Division (DRP), General Services Administration, 18th & F Sts., NW, Washington, DC 20405, 202 535-7067

RIN: 3090-AB55

FEDERAL SUPPLY AND SERVICES

32. DONATION OF PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-44.000; 41 CFR 101-44.001; 41 CFR 101-44.105; 41 CFR 101-44.106; 41 CFR 101-44.108; 41 CFR 101-44.112; 41 CFR 101-44.118; 41 CFR 101-44.120; 41 CFR 101-44.200; 41 CFR 101-44.204; 41 CFR 101-44.205; 41 CFR 101-44.207; 41 CFR 101-44.208; 41 CFR 101-44.4701; 41 CFR 101-44.4901-123; ...

Abstract: This rule updates GSA's policies and procedures concerning the Federal surplus personal property donation program. It would: (1) prescribe new and revised definitions; (2) implement Title IX of the Education Amendments of 1972; (3) change procedures for donating aircraft, drugs, biologicals, and reagents; (4) clarify cannibalization procedures; (5) add additional terms to the State agency distribution documents; (6) clarify that conditional title, not unrestricted title, passes to a donee at the time it takes possession of the property; (7) prohibit reimbursement to State agencies for certain sales expenses; (8) change reporting requirements; (9) establish an informal appeals procedure; and (10) revise eligibility criteria for educational activities. This amendment is necessary to comply with the provisions of Title IX of the Education Amendments of 1972, section 502(a) of Public Law 94-241, and the Congressional Reports Elimination Act of 1980 (Public Law 96-470). Its intent is to increase the efficiency and effectiveness of the donation program. There should be no significant costs to the public as a result of this regulatory action. It has been determined that potential benefits to (cont)

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: society from this rule will outweigh the potential costs.

Agency Contact: George W. Kinney, Director, General Services Administration, Donation Division (FMD), Washington, DC 20406, 703 557-1234

RIN: 3090-AA23

33. DONATION OF ABANDONED AND FORFEITED PERSONAL PROPERTY

Legal Authority: 26 USC 5688(a)

CFR Citation: 41 CFR 101-48.2

Abstract: This rule would emphasize that all forfeited distilled spirits, wine, or malt beverages donated to eleemosynary institutions are to be used only by their inpatients for medicinal purposes. Allegations of misuse of these donated spirits have created a need for this regulation. There should be no significant costs to the public as a result of this rule. It has been determined that potential benefits to society from this rule will outweigh potential costs.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: George W. Kinney, Director, General Services Administration, Donation Division (FMD), Washington, DC 20406, 703 557-1234

RIN: 3090-AA24

34. ABANDONMENT OR DESTRUCTION OF PERSONAL PROPERTY

Legal Authority: 40 USC 483(h)

CFR Citation: 41 CFR 101-45.9, (Revision)

Abstract: This revision clarifies procedures for agencies' use in the abandonment and destruction of property.

Timetable:

Action	Date	FR Cite
Final Action	01/31/85	

Small Entity: No

Additional Information: The revision to Subchapter H of the Federal Property Management Regulations by the Interagency Subcommittee on Regulatory Review includes the subject revision to abandonment or destruction of personal property. The General Services Administration's Proponent of this amendment to subchapter H is the Office of Acquisition Policy (V).

Agency Contact: John Hansley, Property Marketing Specialist, General Services Administration, Office of Federal Supply and Services, Sales Division (FMS), Washington, DC 20406, 703 557-0814

RIN: 3090-AA28

35. ACQUISITION AND USE OF EXCESS PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43

Abstract: A number of miscellaneous changes will be made to clarify procedures for the acquisition and use of excess personal property by federal agencies and other authorized recipients.

Timetable:

Action	Date	FR Cite
Final Action	11/01/84	

Small Entity: No

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-0807

RIN: 3090-AA30

36. TRANSPORTATION AND TRAFFIC MANAGEMENT

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40, Amendment G

Abstract: The revision to 41 CFR 101-40 will update policy and procedures that apply to the management of transportation matters affecting the Federal civilian executive agencies.

Timetable:

Action	Date	FR Cite
NPRM	08/23/84	
NPRM Comment Period Begin	08/23/84	
NPRM Comment Period End	09/05/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: John B. Millington, Chief, General Services Administration, Travel&Transportation Regulations Div (FTA), Office of Federal Supply and Services, Washington, DC 20406, 703 557-1256

RIN: 3090-AA73

37. WAIVER FROM USE OF GSA SUPPLY SOURCES

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-26.100-2; 41 CFR 101-26.102-1(a); 41 CFR 101-26.301(b); 41 CFR 101-26.401-3; 41 CFR 101-26.501(b); 41 CFR 101-26.505-3

Abstract: The Office of Federal Supply and Services (FSS) has submitted legislation to Congress to effect "Full Cost Pricing" and its companion "Industrial Funding." This legislation will permit FSS, for the first time, to charge customers for the purchase price of commodities and all direct and indirect costs associated with providing the goods or services. The legislation also makes FSS the mandatory source of supplies and services for items under its control. This proposed FPMR Temporary Regulation will establish parameters for agencies that consider it necessary to obtain a product from a non-GSA supply source. A request for waiver shall be based on either of two criteria: (1) Unforeseen urgency does not permit the application of the normal GSA supply source processing time or (2) a fully suitable product is available from a non-contract source at a lower total cost to the Government. This temporary regulation is intended to stimulate competition within the Federal community and force FSS to maintain price competitiveness, thereby achieving overall greater savings to the Government.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Additional Information: In process as part of the Interagency Review package.

Agency Contact: Robert Renner, Director, Regulations Management Division, General Services Administration, Regulations Management Division (FEY), Office of Management, Washington, DC 20406, 703 557-7990

RIN: 3090-AA95

38. FPMR TEMPORARY REGULATION G - APPEARANCE RECONDITIONING OF MOTOR VEHICLES

Legal Authority: 40 USC 491; 40 USC 486(c)

CFR Citation: 41 CFR 101-38

Abstract: This regulation prescribes agency requirements and guidelines with respect to appearance reconditioning of passenger carrying motor vehicles and light trucks prior to sale.

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Lowell A. Stockdale, Supervisory Traffic Management Specialist, General Services Administration, Motor Vehicle Regulations Branch (FTA), Office of Federal Supply and Services, Washington, DC 20406, 703 557-1256

RIN: 3090-AA99

39. MOTOR EQUIPMENT MANAGEMENT

Legal Authority: 40 USC 491; 40 USC 486(c)

CFR Citation: 41 CFR 101-38

Abstract: The revision to 41 CFR 101-38 updates policy and procedures that apply to the management of the Federal Motor Vehicle Fleet affecting the Federal executive agencies and incorporates certain paragraphs from 101-25, 101-26, and 101-39 that apply to the Federal fleet.

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Lowell A. Stockdale, Supervisory Traffic Management Specialist, General Services Administration, Motor Vehicle Regulations Branch (FTA), Office of Federal Supply and Services, Washington, DC 20406, 703 557-1256

RIN: 3090-AB00

40. FPMR TEMPORARY REGULATION G- USE OF GASOHOL IN FEDERAL MOTOR VEHICLES

Legal Authority: 40 USC 491; 40 USC 486(c)

CFR Citation: 41 CFR 101-38

Abstract: This regulation establishes policy and procedures governing the purchase and use of gasohol by executive agencies which own or lease motor vehicles and also provides information to assist agencies in converting their vehicle fleet from the use of unleaded gasoline to gasohol.

Timetable:

Action	Date	FR Cite
Final Action	06/30/85	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Lowell A. Stockdale, Supervisory Traffic Management Specialist, General Services Administration, Motor Vehicle Regulations Branch (FTA), Office of Federal Supply and Services, Washington, DC 20406, **703 557-1256**

RIN: 3090-AB01

41. INTERAGENCY FLEET MANAGEMENT SYSTEMS

Legal Authority: 40 USC 491; 40 USC 486(c)

CFR Citation: 41 CFR 101-39

Abstract: The revision to 41 CFR 101-39 updates policy and procedures that apply to the operation and management of Interagency Fleet Management Systems.

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	

Small Entity: No

Agency Contact: Lowell A. Stockdale, Supervisory Traffic Management Specialist, General Services Administration, Motor Vehicle Regulations Branch (FTA), Office of Federal Supply and Services, Washington, DC 20406, **703 557-1256**

RIN: 3090-AB02

42. TRAVEL AND TRANSPORTATION EXPENSE PAYMENT SYSTEM USING CONTRACTOR-ISSUED CHARGE CARDS AND TRAVELERS CHECKS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40,(FPMR) Temporary Regulation A-

Abstract: This regulation prescribes policies and procedures for a travel and transportation expense payment system which provides for the use of General Services Administration Contractor-issued charge cards and travelers checks by Federal agencies and their travelers for the purchase of passenger transportation services and payment to commercial facilities for subsistence (lodging, meals, etc.) and miscellaneous travel and transportation expenses during official travel.

Timetable:

Action	Date	FR Cite
Final Action	09/15/84	

Small Entity: No

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel and Transportation Regulations Div., Washington, DC 20406, **703 557-1256**

RIN: 3090-AB27

43. SUPPLEMENT 11 TO FEDERAL TRAVEL REGULATIONS (FTR)

Legal Authority: 40 USC 486(c); 5 USC 5724c; EO 12466

CFR Citation: 41 CFR 101-7

Abstract: Supplement 11 to the FTR implements guidelines under which agencies may enter into contracts for relocation services for transferred employees. This is a new authority resulting from Public Law 98-151 enacted November 14, 1983. The following provisions which were previously scheduled to be included in Supplement 11 are now scheduled to be issued separately in later Supplements to the FTR: 1. Relocation income tax allowance to reimburse transferred employees for the additional Federal, State and City income tax incurred as a result of relocation expense reimbursements; authorized by Public Law 98-151, November 4, 1983; 5 USC 5724b EO 12466. 2. Implementation of those provisions of OMB Circular A-126 concerning use of Government Aircraft for official travel. 5 USC 5707, EO12609.

Timetable:

Action	Date	FR Cite
Final Action	11/14/83	
Interim Final Rule	09/30/84	

Small Entity: No

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, **703 557-1253**

RIN: 3090-AB30

44. ● CHANGES TO FEDERAL TRAVEL REGULATIONS (FTR)

Legal Authority: 40 USC 486(c); 5 USC 5724a(a) (4) (B) (iii); EO 14609

CFR Citation: 41 CFR 101-7

Abstract: This change to the FTR implements an increase in the dollar amounts for maximum reimbursements of the expenses incurred by a transferred employee for the sale and purchase of a residence. Annual adjustment required by Public Law 98-151. FTR Change transmitted by GSA Bulletin FPMR A-40, Supplement (Tentative 12).

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Travel & Transportation Regulations Division, Washington, DC 20406, **703 557-1253**

RIN: 3090-AB47

45. ● USE OF CONTRACT AIRLINE SERVICE BETWEEN SELECTED CITY-PAIRS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40, (FPMR) Temp. Reg. A-22

Abstract: Supplement 3 is issued to incorporate the provisions of the new airline city-pair contracts effective October 1, 1984.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel&Transportation Regulations Div (FTA), Washington, DC 20406, 703 557-1256

RIN: 3090-AB48

46. ● UTILIZATION AND DONATION OF FOREIGN GIFTS AND DECORATIONS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-49

Abstract: This rule updates GSA's policies and procedures concerning the utilization and donation of foreign gifts and decorations. Current regulations are highly restrictive regarding transfer of gifts and decorations for Federal utilization and the use of such items for donation purposes. This regulation would revise transfer and donation restrictions in order to promote maximum utilization of gifts and decorations by Federal agencies and eligible donees. There should be no significant costs to the public as a result of this regulatory action. It has been determined that the potential benefits to society from this rule will outweigh the potential costs.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: No

Agency Contact: George W. Kinney, Director, General Services Administration, Donation Division (FMD), Washington, DC 20406, 703 557-1234

RIN: 3090-AB62

47. ● USE OF CARRIER CONTRACTORS FOR EXPRESS SMALL PACKAGE TRANSPORTATION

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-40, (FPMR) Temp. Reg. A-23

Abstract: Supplement 1 is issued to incorporate the new express small package contract effective October 1, 1984.

Timetable:

Action	Date	FR Cite
Final Action	10/01/84	

Small Entity: No

Agency Contact: John B. Millington, Supervisory Traffic Management Specialist, General Services Administration, Travel&Transportation Regulations Div (FTA), Washington, DC 20406, 703 557-1256

RIN: 3090-AB63

OFFICE OF INFORMATION RESOURCES MANAGEMENT

48. EXEMPTION OF ADP PROCUREMENT AUTHORITY BASED ON THE DEFENSE AUTHORIZATION ACT OF 1982 - PROJECT 82.23T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-4.11; 41 CFR 201-4.12

Abstract: This directive will address Department of Defense exemptions to GSA Government-wide ADP regulations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: The FIRMR at section 201-1. 102-3 paragraph (a) states the Department of Defense exclusion, see 49 FR 20998, May 17, 1984.

Agency Contact: Roger W. Walker, Chief, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA16

49. FORMS MANAGEMENT RESPONSIBILITIES - PROJECT 82.38P

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-11

Abstract: This proposed FPMR amendment requires agency actions that will contribute to an effective forms management program. Effective forms management programs can substantially reduce costs, minimize public burden, improve procedures, and streamline necessary agency systems. This regulation also updates reorganization that created the Office of Information Resources Management.

Timetable:

Action	Date	FR Cite
Final Action	10/31/84	

Small Entity: No

Additional Information: PROGRAM CONTACT: Matthew Marmor (KLSD), (202) 535-7462.

Comments were reconciled in Spring 1984. The final regulation is in the GSA signature process.

Agency Contact: David R. Mullins, Procurement Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA17

50. OBSOLESCENCE, EXCHANGE/SALE AND REUSE OF FEDERAL ADP EQUIP. PROJECT 82.05/82.06A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-4; 41 CFR 201-35; 41 CFR 201-36

Abstract: This project will update and revise ADP reutilization management procedures. The intent is to reduce obsolescent ADP equipment in the Government inventory and reduce paperwork through interagency sharing and reutilization. Exchange/sale procedure for contracting activities will be added. A single FIRMR temporary regulation will be issued.

Timetable:

Action	Date	FR Cite
Proposal for Agency comment	03/22/82	
Final Action	09/01/84	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA19

51. REVISION OF ACQUISITION AND MANAGEMENT PROVISIONS REGARDING THE CHANGING TELECOMMUNICATIONS MARKETPLACE, INCLUDING THE DETARIFFING OF CUSTOMER PREMISES TELECOMMUNICATIONS EQUIPMENT ETC

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-37

Abstract: This project revises FIRMR Provisions (previously in FPR Temporary Regulation 51 and FPMR Part 101-37) relating to Federal Telecommunications acquisition and management. It will include changes brought about by the Federal Communications Commission Computer II inquiry and the divestiture of AT&T.

Timetable:

Action	Date	FR Cite
Final Action	12/31/84	

Small Entity: No

Additional Information: This project encompasses changes previously being developed under RIN 3090-AA14 (project 79.50A).

TITLE CONT: (CPE-Proj. 84.06A).

Agency Contact: John F. Stewart, Supervisory Communications Specialist, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0834

RIN: 3090-AB08

52. ● INTERAGENCY REPORTS MANAGEMENT PROGRAM - PROJECT 84.14A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-11

Abstract: This project revises the records management regulations to reflect the transfer of the Interagency Reports Management Program from the National Archives and Records Service to GSA's Office of Information Resources Management, and to comply with the provisions of Title 5 CFR 1320 that replaced OMB Circular A-40.

Timetable:

Action	Date	FR Cite
NPRM	08/06/84	49 FR 31302
NPRM Comment Period Begin	08/06/84	
NPRM Comment Period End	09/05/84	

Small Entity: No

Agency Contact: David R. Mullins, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc. of Info. Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB53

53. ● STANDARD AND OPTIONAL FORMS - PROJECT 84.56A

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-11

Abstract: This project updates and clarifies procedures for both the approval and cancellation of Standard and Optional Forms. It also sets forth agencies' responsibilities to develop, promulgate, sponsor, and manage Government-wide forms through the Standard and Optional Forms Program.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	09/15/84	
NPRM	09/00/84	
NPRM Comment Period End	10/31/84	

Small Entity: No

Agency Contact: David R. Mullins, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc. of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB54

54. ● AGENCY PLANNING - PROJECT 84.32T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-16; 41 CFR 201-17

Abstract: Federal agency information resources managers must do a better job of planning. This proposed FIRMR temporary regulation will provide more comprehensive guidance to Federal agencies on the subject of planning and how to do it effectively. The regulation shall also define and obtain from the agencies additional data elements (not provided in current planning documents) that are essential to improving information resources management and agency planning.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB58

55. ● REVISIONS TO FIRMR SUBPART 201-36.13, IMPLEMENTATION OF FEDERAL INFORMATION PROCESSING AND FEDERAL TELECOMMUNICATIONS STANDARDS IN SOLICITATION DOCUMENTS - PROJECT 84.51T

Legal Authority: 40 USC 486 (c)

CFR Citation: 41 CFR 201-36

Abstract: This project updates FIRMR Subpart 201-36.13 to explain the procedures for obtaining waivers from mandatory telecommunications standards and to reflect a change in the name of the Federal Compiler Testing Center to the Federal Software Testing Center.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Mary Anderson, Computer Specialist, General Services Administration, Policy Branch, (KMPP), Ofc of Information Resources Mgnmt, Washington, DC 20405, 202 566-0194

RIN: 3090-AB59

56. ● TRIENNIAL REVIEW OF AGENCY ADMINISTRATION AND OPERATION OF INFORMATION MANAGEMENT ACTIVITIES - PROJECT 84.33T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-19

Abstract: This proposed FIRMR temporary regulation will establish the Federal Information Resources Management (IRM) Review Program. It will prescribe the policies and procedures that Federal agencies and the General Services Administration will follow in carrying out the review responsibilities of the Paperwork Reduction Act (44 U.S.C. 3513). The review program's purpose is to ensure that Federal agencies are carrying out their information management activities in an efficient, effective, and economical manner.

Timetable:

Action	Date	FR Cite
NPRM	08/27/84	49 FR 33906
NPRM Comment Period Begin	08/27/84	
NPRM Comment Period End	10/00/84	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB60

57. ● FIRMR REVISIONS TO IMPLEMENT THE "COMPETITION IN CONTRACTING ACT OF 1984" - PROJECT 84.64T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-4

Abstract: This project will revise existing FIRMR provisions to conform to the requirements of Public Law 98-369, the "Competition in Contracting Act of 1984."

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: This project does not include the ADP resolution section of Public Law 98-369. That section is being implemented in a separate project (84.63T).

Agency Contact: William R. Loy, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB61

58. ● FIRMR IMPLEMENTATION OF THE ADP DISPUTE RESOLUTION SECTION OF THE COMPETITION IN CONTRACTING ACT OF 1984 - PROJECT 84.63T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-4

Abstract: This project will add coverage to the FIRMR to address the ADP resolution section of Public Law 98-369, the Competition in Contracting Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: William R. Loy, Procurement Analyst, General Services Administration, Policy Branch, (KMPP), Ofc of Info Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AB64

NATIONAL ARCHIVES AND RECORDS SERVICE

59. FEDERAL ADVISORY COMMITTEE MANAGEMENT

Legal Authority: 40 USC 486(c); 5 USC App I

CFR Citation: 41 CFR 101-6.10; 41 CFR 101-11.12

Abstract: This regulation provides administrative and interpretive guidelines and management controls for Federal agencies concerning the implementation of the Federal Advisory Committee Act (FACA), as amended. It fulfills GSA's responsibilities under FACA and Executive Order 12024 and replaces OMB Circular A-63.

Timetable:

Action	Date	FR Cite
ANPRM	11/22/79	44 FR 66852
Previous NPRM	08/21/80	45 FR 55769
Interim Final Rule	04/28/83	48 FR 19324
Final Action	00/00/00	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Director, General Services Administration, Program Analysis and Improvement Division, (NAA), Washington, DC 20408, 202 523-3214

RIN: 3090-AA62

60. DISPOSITION OF FEDERAL RECORDS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-11.4

Abstract: The National Archives and Records Service is undertaking a review of its records appraisal and disposition policies and procedures. As part of this review, existing regulations on records disposition (41 CFR 101-11.4) will be evaluated for possible changes. Further rulemaking actions, such as NPRM, are dependent on the result of the review.

Timetable:

Action	Date	FR Cite
End Review	08/22/84	
Final Action	09/30/84	
Final Action Effective	09/30/84	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Director, General Services Administration, Program Analysis and Improvement Division, (NAA), Washington, DC 20408, 202 523-3214

RIN: 3090-AA63

61. PUBLIC USE OF THE NATIONAL ARCHIVES BUILDING

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 105-61.304

Abstract: Existing regulations on public use of the National Archives Building do not cover all areas of the building to which the public has access. This rule will revise procedures under which outside organizations may request the use of National Archives Building public areas for lectures, meetings and other activities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Director, General Services Administration, Program Analysis and Improvement Division, (NAA), Washington, DC 20408, 202 523-3214

RIN: 3090-AA83

62. CARE AND HANDLING OF MAGNETIC STORAGE MEDIA

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-36

Abstract: This temporary regulation updates FIRMR 201-36-12 to revise requirements for the care and handling of magnetic computer tape and to add procedures for agencies to follow on the care and handling of flexible disk cartridges used in a variety of microcomputers and word processors. The revised FIRMR 201-36-12 reflects the latest scientific research on the proper handling and storage of this fragile medium.

Timetable:

Action	Date	FR Cite
Final Action	10/01/84	
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: Linda N. Brown, Acting Assistant Archivist, General Services Administration, Office of Federal Records Centers (NC), Washington, DC 20408, 202 724-1614

RIN: 3090-AB04

63. ANNUAL SUMMARY OF RECORDS HOLDINGS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-11.102-7

Abstract: The Annual Summary of Records Holdings Report is being eliminated; Federal agencies will no longer be required to submit the report to the National Archives and Records Service. A new regulation will reflect this change.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/84	
End Review	07/00/84	
Final Action	01/01/85	
Final Action Effective	01/01/85.	

Small Entity: No

Agency Contact: Linda K. Schrier, Director, Center Operations Division, General Services Administration, Office of Federal Records Centers, (NC), Washington, DC 20408, 202 724-1614

RIN: 3090-AB25

64. MANAGEMENT OF ELECTRONIC RECORDS

Legal Authority: 44 USC 2103; 44 USC 2901 to 2910; 44 USC 3101; 44 USC 3303; 40 USC 486(c)

CFR Citation: 41 CFR 101-11; 41 CFR 101-36

Abstract: GSA is responsible for providing a wide range of records management standards, procedures, and guidelines and fulfills this mission by issuing Federal Property Management regulations, bulletins, and handbooks. Since few of these directly address the management of electronic records, several agencies have requested standards and guidelines in this area. As a result, GSA is studying the information management issues surrounding the Federal government's increasing dependence on electronic records. An interagency task group will explore these problems and based upon its findings, will propose specific solutions to the problems of electronic recordkeeping.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
NPRM Comment Period Begin	12/00/84	
NPRM Comment Period End	02/00/85	
Final Action	09/00/85	
Final Action Effective	09/00/85	

Small Entity: No

Agency Contact: Patricia Aronsson, Director, Documentation Standards Staff, General Services Administration, Office of Federal Records Centers, (NC), Washington, DC 20408, 202 724-1598

RIN: 3090-AB36

65. ● REVISION OF FEE SCHEDULE

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 105-61.52

Abstract: This regulation makes minor revisions in the schedule of fees charged by the National Archives and Records Service for the reproduction of archival records, donated historical materials, and records filed with the Office of the Federal Register. This regulation corrects an address for obtaining information about materials sold by the National Audiovisual Center, clarifies the terms under which "rush" service is available, and deletes specific fees for color photographic negatives.

Timetable:

Action	Date	FR Cite
Final Action	11/01/84	
Final Action Effective	11/01/84	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Director, General Services Administration, Program Analysis and Improvement Division, (NAA), Washington, DC 20408, 202 523-3214

RIN: 3090-AB49

66. ● RECORDS DISPOSITION

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-11.406-9(b)

Abstract: This regulation will clarify the term, "Federal employee." 41 CFR 101-11.406-9(b) currently states that a Federal employee must witness the disposal of restricted records by a wastepaper contractor. The new regulation will define who is a Federal employee for this purpose.

Timetable:

Action	Date	FR Cite
Final Action	09/01/85	
Final Action Effective	09/01/85	

Small Entity: No

Agency Contact: Linda N. Brown, Deputy Assistant Archivist, General Services Administration, Office of Federal Records Centers, (NC), Washington, DC 20408, 202 724-1614

RIN: 3090-AB51

67. ● PRESERVATION AND PROTECTION AND ACCESS TO THE PRESIDENTIAL HISTORICAL MATERIALS OF THE NIXON ADMINISTRATION

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 105-63

Abstract: This rule provides procedures for preserving and protecting the Presidential historical materials of the Nixon Administration and for providing access to these materials. The Administrator of General Services is required by law to issue these regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/01/85	
NPRM Comment Period Begin	01/01/85	
NPRM Comment Period End	03/01/85	

Small Entity: No

Agency Contact: Gary L. Brooks, Chief Counsel, General Services Administration, General Law Division, (LG), Washington, DC 20405, 202 566-1460

RIN: 3090-AB52

OFFICE OF ORGANIZATION AND PERSONNEL

68. NONDISCRIMINATION IN FEDERAL FINANCIAL ASSISTANCE PROGRAMS

Legal Authority: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972, as amended; Sec 606 of the Fed Property & Admin Service Act of 1949; Age Discrimination Act of 1975, as amended

CFR Citation: 41 CFR 101-8

Abstract: The General Services Administration proposes this regulation to implement all of the above cited Federal laws. These statutes prohibit discrimination, in whole or in part, so that no person in the United States shall on the grounds of race, color, national origin, handicap, sex, or age be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal assistance from the General Services Administration. In addition, the objectives of the regulation are to streamline certain administrative procedural requirements by consolidating prohibitions of discrimination into one regulation and to make requirements clear and convenient for applicants and recipients to comply with, as well as making the regulation manageable for GSA to administer. This approach permits us to retain the substance of the prohibitions against discrimination, while reducing the cost of implementing and enforcing separate regulations for each of the four distinct laws for preventing discrimination.

Timetable:

Action	Date	FR Cite
NPRM	07/02/84	
NPRM Comment Period Begin	07/02/84	
NPRM Comment Period End	08/06/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Thomas E. Henderson, EEO Specialist, General Services Administration, Office of Civil Rights, Washington, DC 20405, **202 566-1368**

RIN: 3090-AA00

PUBLIC BUILDINGS SERVICE

69. ASSIGNMENT AND UTILIZATION OF SPACE

Priority: Agency Determination

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-17

Abstract: This regulation provides revised procedures concerning the assignment and utilization of space in Federal facilities under the custody and control of GSA. It supersedes provisions in 41 CFR 101-17. The intent of the rule is to simplify and streamline GSA's space management regulations.

Timetable:

Action	Date	FR Cite
Temporary Regulation D-68	03/08/83	48 FR 9822
Final Action	01/00/85	
Extend D-68 expiration date	05/15/85	

Small Entity: No

Additional Information: This regulation will be combined with work space management reforms which has a projected issuance date of October 1, 1984.

Agency Contact: John Quigley, Director, General Services Administration, Assignment and Utilization Division (PRM), Washington, DC 20405, **202 566-1875**

RIN: 3090-AA67

70. FEDERAL EMPLOYEE PARKING

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-20

Abstract: This regulation will revise procedures for the assignment of parking spaces at federally controlled facilities.

Timetable:

Action	Date	FR Cite
Temporary Regulation D-69	04/15/83	48 FR 16272
Extend D-69 expiration date	02/01/84	49 FR 9724
Final Action	03/31/85	

Small Entity: No

Agency Contact: John Quigley, Director, General Services Administration, Assignment and Utilization Division (PRM), Washington, DC 20405, **202 566-1875**

RIN: 3090-AA68

71. ● WORK SPACE MANAGEMENT REFORMS

Priority: Agency Determination

Legal Authority: 40 USC 486(c); EO 12411 48 FR 13391; 63 STAT 377; 40 USC 285; 40 USC 304c; 40 USC 601 et seq; 86 STAT 674; 40 USC 490, Note; 90 STAT 2505; 42 USC 4201 to 4244; 40 USC 531 to 535; 42 USC 3601; EO 12348

CFR Citation: 41 CFR 101-16; 41 CFR 101-17

Abstract: This regulation provides procedures for the development and maintenance of planning information and reporting systems to ensure the efficient utilization of Federal work space and related furnishings. It implements E.O. 12411 and merges FPMR Temporary Regulation D-68, which pertained to space assignment and Utilization of GSA-Controlled Space, with FPMR Temporary Regulation D-70, which pertained to all Federal work space.

The regulation vests major responsibility for the achievement of efficient utilization of space with the Heads of Agencies. GSA's major roles include receiving the streamlined and simplified space inventory reports and establishing objectives for work space use for each agency.

Through the achievement of more efficient work space utilization the administrative costs of the Federal Government will be reduced.

Timetable:

Action	Date	FR Cite
ANPRM	10/00/84	

Small Entity: No

Additional Information: This regulation will merge completed rulemaking 3090-AB24, work space management plans (FPMR Temporary Regulation D-70, Supp. 1) and current rulemaking 3090-AA67, assignment and utilization of space.

Government Levels Affected: Federal

Agency Contact: John Quigley, Director, Assignment & Utilization Division, General Services Administration, Assignment and Utilization Division (PRM), Washington, DC 20405, 202 566-1875

RIN: 3090-AB50

GENERAL SERVICES ADMINISTRATION (GSA)

Existing Regulations Under Review

FEDERAL SUPPLY AND SERVICES

72. UTILIZATION, DONATION, SALE, ABANDONMENT OR DESTRUCTION OF HAZARDOUS MATERIALS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43; 41 CFR 101-44; 41 CFR 101-45; 41 CFR 101-46; 41 CFR 101-48; 41 CFR 101-49

Abstract: Revisions and additions to existing rules are proposed to establish a separate regulatory section concerning the utilization, donation, sale, abandonment or destruction of hazardous materials.

Timetable:

Action	Date	FR Cite
End Review	12/01/84	

Small Entity: No

Additional Information: Proposals are to be circulated among Federal agencies on an information basis before rulemaking consideration.

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Utilization Division (FMU), Washington, DC 20406, 703 557-0807

RIN: 3090-AA42

OFFICE OF INFORMATION RESOURCES MANAGEMENT

73. CONTRACTS WITH THE SMALL BUSINESS ADMINISTRATION (SBA) FOR ADP REQUIREMENTS - PROJECT 82-17T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-4.11; 41 CFR 201-4.12

Abstract: This proposed FIRMR amendment changes sections 201-4.1103-5 and 201-4. 1206-8 regarding contracts with the SBA for ADP requirements in accordance with Section 8(a) of the Small Business Act (15 USC 637(a)). This change responds to GAO report AFMD 82-9, October 16, 1981.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: OMB directed that the need for this regulation be re-examined. OMB was advised our review still indicates a present need for this regulation.

Agency Contact: William R. Loy, Procurement Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA13

74. BENCHMARKING IN THE SELECTION OF AUTOMATIC DATA PROCESSING, PROJECT 82-33T

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 201-4.11; 41 CFR 201-35.2

Abstract: Benchmarks are costly and difficult to use in the ADP acquisition selection process. A project is underway to develop guidance and criteria for the use of benchmarks. The objective is to raise the threshold for benchmark use and to develop provisions for use in evaluation both below and above the new threshold. GSA arranged for FEDSIM to make a technical study of benchmarking and to recommend alternatives. The FEDSIM study was completed in May, 84. GSA plans to issue a FIRMR temporary regulation by December, 1984.

Timetable:

Action	Date	FR Cite
End Review	10/00/84	
Proposal for Agency comment	12/00/84	

Small Entity: No

Agency Contact: William R. Loy, Procurement Analyst, General Services Administration, Policy Branch (KMPP), Office of Information Resources Management, Washington, DC 20405, 202 566-0194

RIN: 3090-AA90

NATIONAL ARCHIVES AND RECORDS SERVICE

75. ADEQUATE AND PROPER DOCUMENTATION

Legal Authority: 44 USC 3101; 44 USC 2901 to 2909; 40 USC 486(c)

CFR Citation: 41 CFR 101-11.202

Abstract: The head of each Federal agency is required to make and preserve records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the agency. The introduction of modern technology into Federal records systems presents problems in meeting this requirement because of the erasable storage media and complex storage formats. The Administrator of General Services is required to provide guidance and standards to agencies and has delegated the responsibility to the Archivist of the United States. Thus the National Archives and Records Service is reviewing the regulations regarding proper and adequate documentation to determine if they are sufficient to insure proper retention and retrievability of the information until its authorized disposition under an approved records control schedule. If this review determines agencies need different or new guidance, consideration is being given to providing such information through the FPMR Bulletin Structure.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/83	
End Review	09/00/85	

Small Entity: No

Agency Contact: Patricia Aronsson, Director, Documentation Standards Staff, General Services Administration, Office of Federal Records Centers (NC), Washington, DC 20408, 202 724-1598

RIN: 3090-AB03

GENERAL SERVICES ADMINISTRATION (GSA) — Completed Actions

COMPLETED RULEMAKINGS

76. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR)

Priority: Undetermined

CFR Citation: 48 CFR 5

Completed:

Reason	Date	FR Cite
Final Action	03/09/84	49 FR 10792
Final Action Effective	04/01/84	49 FR 10792

Small Entity: Undetermined

Agency Contact: Ida Ustad 202 523-4754

RIN: 3090-AB26

77. CANCEL STANDARD FORM 1131, U.S. GOVERNMENT TRANSIT BILL OF LADING

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date	FR Cite
Final Action 41 CFR 101-41	04/10/84	49 FR 14105

Small Entity: No

Agency Contact: Louis Rosengarten 202 786-3014

RIN: 3090-AB13

78. FURNISH ADDITIONAL INFORMATION FOR REFUNDS ON TICKET EXCHANGES

CFR Citation: 41 CFR 101-41

Completed:

Reason	Date	FR Cite
Final Action	05/30/84	49 FR 22476

Small Entity: No

Agency Contact: Louis Rosengarten 202 786-3012

RIN: 3090-AB35

79. THE DEPARTMENT OF THE INTERIOR USE OF STANDARD FORM 118 AND APPROPRIATE SCHEDULES TO NOTIFY GSA OF REVERSIONS OF TITLE

CFR Citation: 41 CFR 101-47.308-3; 41 CFR 101-47.308-7

Completed:

Reason	Date	FR Cite
Withdrawn	08/08/84	

Small Entity: No

Agency Contact: James H. Pitts 202 535-7067

RIN: 3090-AA47

80. TRANSFER OF EXCESS REAL PROPERTY

CFR Citation: 41 CFR 101-47.203-7

Completed:

Reason	Date	FR Cite
Final Action	07/19/84	49 FR 29221

Small Entity: No

Agency Contact: James H. Pitts 202 535-7067

RIN: 3090-AA78

81. NEGOTIATED SALES FOR PUBLIC USE

CFR Citation: 41 CFR 101-47.302-1; 41 CFR 101-47.303-2

Completed:

Reason	Date	FR Cite
Withdrawn	08/08/84	

Small Entity: No

Agency Contact: James H. Pitts 202 535-7067

RIN: 3090-AA79

82. APPEARANCE RECONDITIONING OF CIVIL AGENCY VEHICLES, PRIOR TO SALE

CFR Citation: 41 CFR 101-38

Completed:

Reason	Date	FR Cite
This proj merged with RIN 3090-AA99	08/27/84	

Small Entity: No

Agency Contact: Lowell A. Stockdale 703 557-1256

RIN: 3090-AA27

83. SUSPENSION OF DIRECT TRANSFER AUTHORITY FOR OFFICE FURNITURE AND EQUIPMENT

CFR Citation: 41 CFR 101-43.315

Completed:

Reason	Date	FR Cite
Withdrawn Unfavorable reponse received during Comment Period	06/01/84	

Small Entity: No

Agency Contact: Mr. Stanley M. Duda 703 557-0807

RIN: 3090-AA33

84. NEW PART 101-24--PERSONAL PROPERTY MANAGEMENT

CFR Citation: 41 CFR 101-24, (New)

Completed:

Reason	Date	FR Cite
Withdrawn	07/30/84	

Small Entity: No

Agency Contact: Robert A. Renner 703 557-7990

RIN: 3090-AA48

85. SUPPLEMENT 9 TO THE FEDERAL TRAVEL REGULATIONS (FTR)

CFR Citation: 41 CFR 101-7

Completed:

Reason	Date	FR Cite
Final Action	05/14/84	49 FR 20372
Final Action Effective	06/01/84	

Small Entity: No

Agency Contact: Audrey Rish 703 557-1253

RIN: 3090-AB20

86. USE OF TRAVEL AGENTS AND TRAVEL MANAGEMENT CENTERS (TMC'S) BY FEDERAL EXECUTIVE AGENCIES

CFR Citation: 41 CFR 101-40,(FPMR) Temporary Regulation A-

Completed:

Reason	Date	FR Cite
Final Action	04/25/84	49 FR 22085

Small Entity: No

Agency Contact: John B. Millington 703 557-1256

RIN: 3090-AB28

87. SUPPLEMENT 10 TO FEDERAL TRAVEL REGULATIONS (FTR)

CFR Citation: 41 CFR 101-7

Completed:

Reason	Date	FR Cite
Final Action Effective retroactive to enactment date of PL 98-151	04/09/84	49 FR 13920
Final Action Effective	11/14/83	

Small Entity: No

Agency Contact: Audrey E. Rish 703 557-1253

RIN: 3090-AB29

88. PROCUREMENT AND CONTRACTING FOR TELECOMMUNICATIONS--PROJECT 79.50A

CFR Citation: 41 CFR 1-4.13

Completed:

Reason	Date	FR Cite
Withdrawn - Incorporated into RIN 3090-AB08	04/00/84	

Small Entity: No

Agency Contact: John F. Stewart 202 566-0194

RIN: 3090-AA14

89. FEDERAL INFORMATION RESOURCES MANAGEMENT REGULATION (FIRMR)

CFR Citation: 48 CFR 1; 48 CFR 39; 41 CFR 1-4.11; 41 CFR 1-4.12; 41 CFR 101-35; 41 CFR 101-36; 41 CFR 101-37; 41 CFR 201-4.11; 41 CFR 201-4.12; 41 CFR 201-4.13; 41 CFR 201-35; 41 CFR 201-36; 41 CFR 201-37

Completed:

Reason	Date	FR Cite
Final Action	05/17/84	49 FR 20994
Final Action Effective	04/01/84	49 FR 20994

Small Entity: No

Agency Contact: Roger W. Walker 202 566-0194

RIN: 3090-AA15

90. IMPLEMENTATION FOR AGENCY USE OF FEDERAL INFORMATION PROCESSING STANDARDS AND FEDERAL STANDARDS FOR TELECOMMUNICATIONS - PROJECT 83.38A

CFR Citation: 41 CFR 201-36.13

Completed:

Reason	Date	FR Cite
Final Action	06/15/84	49 FR 24726
Final Action Effective	08/08/84	49 FR 24726

Small Entity: No

Agency Contact: Phillip R. Patton 202 566-0194

RIN: 3090-AB07

91. FEES

CFR Citation: 41 CFR 105-61.52

Completed:

Reason	Date	FR Cite
Final Action	03/15/84	49 FR 9725
Final Action Effective	04/01/84	

Small Entity: No

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3090-AA85

92. RESEARCH ROOM RULES

CFR Citation: 41 CFR 105-61.001; 41 CFR 105-61.101; 41 CFR 105-61.102

Completed:

Reason	Date	FR Cite
Final Action	08/22/84	49 FR 33253

Small Entity: No

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3090-AA86

93. DISPOSITION OF RECORDS AND MICROGRAPHICS

CFR Citation: 41 CFR 101-11.404-1; 41 CFR 101-11.406-7; 41 CFR 101-11.410-8; 41 CFR 101-11.502; 41 CFR 101-11.506-1

Completed:

Reason	Date	FR Cite
Final Action	02/21/84	49 FR 6370
Final Action Effective	02/21/84	

Small Entity: No

Agency Contact: Linda N. Brown 202 724-1614

RIN: 3090-AB05

94. UNIFORM FEDERAL ACCESSIBILITY STANDARD

Priority: Task Force

CFR Citation: 41 CFR 101-19

Completed:

Reason	Date	FR Cite
Final Action	07/31/84	49 FR 31532
Final Action Effective	08/07/84	

Small Entity: No

Agency Contact: John R. Weber 202 566-1673

RIN: 3090-AA65

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

95. ● GSAR, ACQUISITION CIRCULAR AC-84-2

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 522

Abstract: Acquisition Circular AC-84-2 to the GSAR temporarily implements and supplements the guidance contained in FAC 84-1, April, 1984, of the FAR concerning DOL's Service Contract Act Regulations. The Circular highlights the significant changes in the

DOL regulations and amends GSAR Subpart 522.10 and Section 552.222 consistent with the revised DOL regulations and FAC 84-1.

Timetable:

Action	Date	FR Cite
Final Action	06/14/84	49 FR 25872
Final Action Effective	06/14/84	49 FR 25872

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB40

96. ● GSAR, ACQUISITION CIRCULAR AC-84-3

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 513

Abstract: Acquisition Circular AC-84-3 temporarily amends Section 513.204 of the GSAR to eliminate any possible confusion regarding purchases under Blanket Purchase Agreements.

Timetable:

Action	Date	FR Cite
Final Action	07/30/84	49 FR 32204
Final Action Effective	07/30/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquistion, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB43

97. ● GSAR, ACQUISITION CIRCULAR AC-84-4

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 509; 48 CFR 532; 48 CFR 552

Abstract: Acquisition Circular AC-84-4 temporarily amends the GSAR to revise the prescriptive language for use of the clause at 552.209-73, Product Removal from Qualified Products List, and the clause at 552.232-71, Availability of Funds. The Circular also revises the text of the contract clause at 552.232-77, Availability of Funds; 552.242-70, Status Report of Orders and Shipments; 552.246-72 Responsibility for Suppliers--Rejected Supplies; and 552.246-73, Source Inspection.

Timetable:

Action	Date	FR Cite
Final Action	08/14/84	49 FR 32360
Final Action Effective	08/14/84	

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc. of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB44

98. ● GSAR ACQUISITION CIRCULAR AC-84-1

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 504

Abstract: Acquisition Circular AC-84-1 to the GSAR temporarily implements and supplements FAR Subpart 4.2, Contract Distribution, by amending the GSAR to add Subpart 504.2 regarding Contract Distribution.

Timetable:

Action	Date	FR Cite
Final Action	05/25/84	49 FR 22094
Final Action Effective	05/25/84	49 FR 22094

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition Policy, Ofc of GSA Acquisition, Policy & Regulations (VP), Wash., DC 20405, 202 523-4754

RIN: 3090-AB66

99. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR), PART 553, FORMS

Priority: Undetermined

Legal Authority: 40 USC 486(c) (Sec 205(c), 63 Stat. 390)

CFR Citation: 48 CFR 553

Abstract: This rule amends Part 553 of the GSAR to illustrate various new and revised GSA Forms used in connection with the acquisition process.

Timetable:

Action	Date	FR Cite
Final Action	06/13/84	49 FR 26071
Final Action Effective	06/13/84	49 FR 26071

Small Entity: Not Applicable

Agency Contact: Ida Ustad, Senior Procurement Analyst, General Services Administration, Office of Acquisition, Ofc of GSA Acquisition, Policy & Regulations (VP) Wash, DC 20405, 202 523-4754

RIN: 3090-AB67

[FR Doc. 84-24967 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXIV

United States International Development Cooperation Agency/Agency for International Development

Semiannual Regulatory Agenda

IDCA

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

22 CFR Ch. II

Federal Regulations; Agency Regulatory Agenda; Semiannual Summary

AGENCY: Agency for International Development, IDCA.

ACTION: Agency Regulations Agenda.

SUMMARY: The Agency for International Development (A.I.D.) is publishing this Agenda as required by section 5(a) of Executive Order 12291, Federal Regulation (46 FR 13193, February 19, 1981) and by the Regulatory Flexibility Act (Pub. L. 96-354, September 30, 1980). This Agenda reports the status of those regulations currently under review and gives A.I.D.'s plan for the issuance of proposed regulations during the next twelve months. It is expected that the information provided in this agenda will enable the public to be more aware of, and more effectively participate in A.I.D.'s rulemaking process.

FOR FURTHER INFORMATION CONTACT:

General: For further information on the Agenda or the Review list, in general, contact: Mr. Fred D. Allen, Office of Information Resources Management, Agency for International Development, Washington, D.C. 20523, Telephone (202) 632-3378.

Specific: For further information about any particular item on the Agenda, contact the individual listed as the contact for that item.

Regulatory Flexibility Act (RFA)

The Agency does not have any rulemaking activity that falls within the requirements of RFA and does not anticipate any during the next reporting period.

R. T. Rollis, Jr.,

Assistant to the Administrator for Management.

BILLING CODE 6116-01-T

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY/AGENCY FOR INTERNATIONAL DEVELOPMENT (IDCA) — Current and Projected Rulemakings

NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITTING FROM FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 20 USC 1681 to 1683; 20 USC 1686

CFR Citation: 22 CFR 219, (New)

Abstract: This regulation will address the problem of discrimination on the basis of sex in education programs and activities receiving or benefitting from financial assistance from the Agency for International Development. The regulation is intended to implement title IX of the Education Amendments of 1972, as amended. The regulation provides procedures for 1) assuring that such discrimination does not occur and 2) effecting compliance. The Agency is not considering any alternatives for addressing the problem. There will be some minor costs in administering the regulation; there are potential benefits to individuals who might otherwise be discriminated against.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Nancy D. Frame, Assistant General Counsel, United States International Development Cooperation Agency/Agency for International Development, Office of the General Counsel, A.I.D., Washington, DC 20523, 202 632-8218

RIN: 0412-AA04

DONATION OF DAIRY PRODUCTS TO ASSIST NEEDY PERSONS OVERSEAS (416 PROGRAM)

Priority: Agency Determination

Legal Authority: 7 USC 1431; PL 97-253, Sec 110

CFR Citation: 22 CFR 210, (New)

Abstract: This regulation sets forth provisions of the Agency for International Development (A.I.D.), acting as an Agent for the USDA/Commodity Credit Corporation (CCC), to carry out part of the responsibilities for selecting, approving, administering and implementing the Section 416 program of the Agricultural Act of 1949, as amended. This program will assist needy persons overseas and reduce surplus stocks of dairy products in CCC inventory. The donation of commodities under this new authority will be coordinated with, but not replace, assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, Pub. L. 83-480. The Agency is not considering any alternatives for addressing the problem. There are some minor costs in administering the regulation. The potential benefits will go to needy persons overseas.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/24/84	49 FR 22024
Final Action	00/00/00	

Small Entity: No

Agency Contact: Jessie C. Vogler, Program Officer, United States International Development Cooperation Agency/Agency for International Development, Office of Food for Peace, Bureau for Food, for Peace and Voluntary Assistance, Washington, DC 20523, 703 235-9193

RIN: 0412-AA05

UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY/AGENCY FOR INTERNATIONAL DEVELOPMENT (IDCA)

Existing Regulations Under Review

NON-DISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT, -- EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Legal Authority: 22 USC 2402

CFR Citation: 22 CFR 209

Abstract: The regulation will address the problem of discrimination on the basis of race, color, or national origin in any program or activity receiving assistance from the Agency for International Development. The regulation provides that no person in the United States on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance from AID. The regulation provides procedures for 1) assuring that such discrimination does not occur and 2) effecting compliance. The Agency is not considering any alternatives for addressing the problem. There will be some minor costs in administering the regulation; there are potential benefits to individuals who might otherwise be discriminated against.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Nancy Frame, United States International Development Cooperation Agency/Agency for International Development, Office of the General Counsel, Washington, DC 20523, **202 632-8218**

RIN: 0412-AA01

PUBLIC INFORMATION

Legal Authority: PL 89-487; 5 USC 552

CFR Citation: 22 CFR 212

Abstract: The regulation is being reviewed within the Agency to determine whether a modification is necessary. Further action will be determined by congressional determination on the future requirements of the Act.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Mr. Rhea Johnson, United States International Development Cooperation Agency/Agency for International Development, Bureau for External Affairs, Washington, DC 20523, **202 632-9614**

RIN: 0412-AA02

REGULATION FOR IMPLEMENTATION OF PRIVACY ACT OF 1974

Legal Authority: PL 93-579; 5 USC 552a

CFR Citation: 22 CFR 215

Abstract: The regulation is in the clearance process within the Agency and will be published for public comment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Mr. Rhea Johnson, United States International Development Cooperation Agency/Agency for International Development, Bureau for External Affairs, Washington, DC 20523, **202 632-9614**

RIN: 0412-AA03

TRANSFER OF FOOD COMMODITIES FOR USE IN DISASTER RELIEF AND ECONOMIC DEVELOPMENT AND OTHER ASSISTANCE

Legal Authority: 7 USC 1705; 7 USC 1721 to 1723; 7 USC 1693

CFR Citation: 22 CFR 211

Abstract: This regulation prescribes the terms and conditions governing the transfer of agricultural commodities to foreign governments, U.S. voluntary agencies, or intergovernmental organizations. The regulation is being reviewed to assess its current procedures and requirements with an intent to improve its effectiveness and efficiency. There will be internal administrative and operational costs. There are potential benefits to aid-receiving countries.

Timetable:

Action	Date	FR Cite
Begin Review	12/15/83	
End Review	00/00/00	

Small Entity: No

Agency Contact: Jessie C. Vogler, Program Officer, United States International Development Cooperation Agency/Agency for International Development, Office of Food For Peace, Bureau For Food, For Peace and Voluntary Assistance, Washington, DC 20523, **703 235-9193**

RIN: 0412-AA06

● **PER DIEM PAYMENTS TO AND ON BEHALF OF PARTICIPANTS IN NONMILITARY ECONOMIC DEVELOPMENT TRAINING PROGRAMS**

Legal Authority: 22 USC 2396

CFR Citation: 22 CFR 205

Abstract: This regulation prescribes the terms and conditions governing the payments to and on behalf of participants in nonmilitary economic development training programs.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Brenda Colwell, United States International Development Cooperation Agency/Agency for International Development, Office of Participant Training Bureau for, Science and Technology, Washington, DC 20523, **703 235-1962**

RIN: 0412-AA07

[FR Doc. 84-24274 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXV

Merit Systems Protection Board

Semiannual Regulatory Agenda

MSPB

MERIT SYSTEMS PROTECTION BOARD

5 CFR Ch. II

Regulatory Agenda

AGENCY: Merit Systems Protection Board.

ACTION: Semiannual agenda of regulations.

SUMMARY: The following Merit Systems Protection Board regulations are scheduled for review or development from October 1984 through October 1985. This agenda carries out the MSPB's responsibilities to publish a semiannual agenda under E.O. 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. Chapter 6).

Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: Richard Redenius, Managing Director, (202) 653-6842.

Merit Systems Protection Board.

DATED: August 21, 1984.

Herbert E. Ellingwood,

Chairman.

BILLING CODE 7400-01-T

MERIT SYSTEMS PROTECTION BOARD (MSPB) — Current and Projected Rulemakings

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS CONDUCTED BY THE MERIT SYSTEMS PROTECTION BOARD

Legal Authority: 29 USC 791

CFR Citation: 5 CFR 1207.1 to 1207.99, (New)

Abstract: To effectuate Section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, amending Section 504 of P.L. 95-602.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: John H. Taylor, Director, Office of Equal Employment, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, **202 653-6180**

RIN: 3124-AA01

MERIT SYSTEMS PROTECTION BOARD (MSPB) — Existing Regulations Under Review

HEARING PROCEDURES FOR APPELLATE CASES

Legal Authority: 5 USC 1205(g)

CFR Citation: 5 CFR 1201.11 to 1201.118

Abstract: Periodic Review of appellate procedures to improve operating efficiency and effectiveness.

Timetable:

Action	Date	FR Cite
Begin Review	02/22/84	5 FR 1201
End Review	10/30/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Paul D. Mahoney, Assistant Managing Director for Management, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, **202 653-8900**

RIN: 3124-AA00

[FR Doc. 84-24275 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXVI

National Aeronautics and Space Administration

Semiannual Regulatory Agenda

NASA

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Ch. V

Regulatory Agenda

AGENCY: National Aeronautics and Space Administration.

ACTION: Regulatory agenda.

SUMMARY: This regulatory agenda describes the proposed regulations being considered for development or amendment by NASA, the need and legal basis for the actions being considered, the name and telephone number of a knowledgeable official, whether a regulatory analysis is required, and the status of regulations previously reported.

ADDRESS: Director, Logistics Management and Information Programs Division (Code NI), Office of Management, NASA Headquarters, Washington, D.C. 20546.

FOR FURTHER INFORMATION CONTACT: Margaret M. Herring, 202/453-2922.

SUPPLEMENTARY INFORMATION: OMB Bulletin No. 84-16, "Unified Agenda of Federal Regulations," Executive Order 12291, "Federal Regulation," and NASA Management Instruction 1410.10E, "Federal Register: Delegation of Authority and Requirements for Publication of NASA Documents," require that a regulatory agenda of proposed regulations under development and review be published in the **Federal Register** each October and April.

L. W. Vogel,

Director, Logistics Management and Information Programs Division.

BILLING CODE 7510-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Space Transportation System; Insurance and Indemnification of NASA Space Vehicle Users	2700-AA00
2	Space Transportation System; Reimbursement for Spacelab Services	2700-AA01
3	Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance	2700-AA02
4	Patent Waiver Regulations	2700-AA10
5	Space Transportation System; Payload Specialists	2700-AA12
6	General Provisions Regarding Flight of Reimbursable Payloads Aboard the Space Shuttle	2700-AA14
7	Space Transportation System; Nonscientific Payloads	2700-AA19
8	Monetary Claims (General); Collection of Civil Claims (Debt Collection Act)	2700-AA22
9	Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by NASA	2700-AA24

Completed Actions

Sequence Number	Title	Regulation Identifier Number
10	Equal Access to Justice Act in Agency Proceedings	2700-AA04
11	Space Transportation System; Duty-free Entry of Space Articles	2700-AA11
12	Reimbursement for Shuttle Services Provided to Civil U.S. Government Users and Foreign Users Who Have Made Substantial Investment in the STS Program	2700-AA13
13	Space Transportation System; Mementos Aboard Space Shuttle Flights	2700-AA18
14	Tracking and Data Relay Satellite System (TDRSS); Use and Reimbursement Policy for Non-U.S. Government Users	2700-AA21
15	Space Transportation System; Space Flight Participants	2700-AA23
16	Space Transportation System; Reimbursement Policy	2700-AA25

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) — Current and Projected Rulemakings

1. SPACE TRANSPORTATION SYSTEM; INSURANCE AND INDEMNIFICATION OF NASA SPACE VEHICLE USERS

Legal Authority: PL 96-48

CFR Citation: 14 CFR 1214, Subpart 13

Abstract: Describes the policy on when users of the Space Transportation System must obtain financial protection against third-party claims and the conditions under which NASA will provide insurance or indemnification of users. Comments on the proposed rule were received from several individuals.

Timetable:

Action	Date	FR Cite
NPRM	11/10/80	45 FR 74499

Next Action Undetermined

Small Entity: No

Agency Contact: Robert J. Wojtal, National Aeronautics and Space Administration, Office of General Counsel, Code GK, Washington, DC 20546, 202 453-2446

RIN: 2700-AA00

2. SPACE TRANSPORTATION SYSTEM; REIMBURSEMENT FOR SPACELAB SERVICES

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 8

Abstract: Describes the policy for Spacelab services provided by NASA to users during the Second Phase of STS operations.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: Stanley R. Nichols, National Aeronautics and Space Administration, NASA Headquarters, Customer Services Division, Code MC, Washington, DC 20546, **202 453-2205**

RIN: 2700-AA01

3. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975 as amended

CFR Citation: 14 CFR 1252, Subpart 1

Abstract: Sets forth NASA's policies to implement the procedures under the Age Discrimination Act of 1975.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 45 CFR 90 also applies.

Agency Contact: Richard N. Wolf, National Aeronautics and Space Administration, Office of General Counsel, Code GK, Washington, DC 20546, **202 453-2445**

RIN: 2700-AA02

4. PATENT WAIVER REGULATIONS

Legal Authority: 42 USC 2457 et seq

CFR Citation: 14 CFR 1245, Subpart 1

Abstract: To adopt Presidential Memorandum on Government Patent Policy of 02/18/83.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/83	48 FR 22132
NPRM	02/00/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Robert F. Kempf, Asst. Gen. Counsel for Patent Matters, National Aeronautics and Space Administration, Code GP, NASA Headquarters, Washington, DC 20546, **202 453-2424**

RIN: 2700-AA10

5. SPACE TRANSPORTATION SYSTEM; PAYLOAD SPECIALISTS

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 3

Abstract: Revises NASA's policy on Payload Specialists aboard STS flights to provide an opportunity to major payload reimbursable customers to select and utilize their own payload specialists.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: Stanley R. Nichols, National Aeronautics and Space Administration, Customer Services Division, Code MC, NASA Headquarters, Washington, DC 20546, **202 453-2205**

RIN: 2700-AA12

6. GENERAL PROVISIONS REGARDING FLIGHT OF REIMBURSABLE PAYLOADS ABOARD THE SPACE SHUTTLE

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 1

Abstract: Sets forth the general provisions regarding flight of reimbursable payloads aboard the NASA Space Shuttle. Incorporates pricing principles for the Second Phase of STS operations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: RIN = 2700-AA13 merged with RIN = 2700-AA14.

Agency Contact: Stanley R. Nichols, National Aeronautics and Space Administration, Customer Services Division, Code MC, NASA Headquarters, Washington, DC 20546, **202 453-2205**

RIN: 2700-AA14

7. SPACE TRANSPORTATION SYSTEM; NONSCIENTIFIC PAYLOADS

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214

Abstract: Sets forth the policy on the services provided by NASA for the launch of nonscientific payloads aboard the Space Shuttle.

Timetable:

Action	Date	FR Cite
NPRM	05/07/84	49 FR 19313
NPRM Comment Period Begin	05/07/84	49 FR 19313
NPRM Comment Period End	06/06/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Russell Ritchie, Office of External Relations, Code L, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-8306**

RIN: 2700-AA19

8. MONETARY CLAIMS (GENERAL); COLLECTION OF CIVIL CLAIMS (DEBT COLLECTION ACT)

Legal Authority: 42 USC 2473(c); 5 USC 5514; 31 USC 591

CFR Citation: 14 CFR 1261

Abstract: Implements claims aspects of Debt Collection Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: No

Agency Contact: Sara Najjar, National Aeronautics and Space Administration, Office of General Counsel, Code GS, NASA Headquarters, Washington, DC 20546, **202 453-2432**

RIN: 2700-AA22

9. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY NASA

Legal Authority: 29 USC 94

CFR Citation: 14 CFR 1251

Abstract: Implements agency's policy and procedures for implementing Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap in programs or activities conducted by Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Roger D. Hamby, National Aeronautics and Space Administration, Office of General Counsel, Code GG, NASA Headquarters, Washington, DC 20546, 202 453-2465

RIN: 2700-AA24

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) Completed Actions

COMPLETED RULEMAKINGS

10. EQUAL ACCESS TO JUSTICE ACT IN AGENCY PROCEEDINGS

CFR Citation: 14 CFR 1262

Completed:

Reason	Date	FR Cite
Final Action	05/08/84	49 FR 19441

Small Entity: No

Agency Contact: Sara Najjar 202 453-2432

RIN: 2700-AA04

11. SPACE TRANSPORTATION SYSTEM; DUTY-FREE ENTRY OF SPACE ARTICLES

CFR Citation: 14 CFR 1214

Completed:

Reason	Date	FR Cite
Final Action	03/07/84	49 FR 8426

Small Entity: No

Agency Contact: Robert J. Wojtal 202 453-2446

RIN: 2700-AA11

12. REIMBURSEMENT FOR SHUTTLE SERVICES PROVIDED TO CIVIL U.S. GOVERNMENT USERS AND FOREIGN USERS WHO HAVE MADE SUBSTANTIAL INVESTMENT IN THE STS PROGRAM

CFR Citation: 14 CFR 1214, Subpart 2

Completed:

Reason	Date	FR Cite
Merged with RIN 2700-AA14	08/27/84	

Small Entity: No

Agency Contact: Stanley R. Nichols 202 453-2205

RIN: 2700-AA13

13. SPACE TRANSPORTATION SYSTEM; MEMENTOS ABOARD SPACE SHUTTLE FLIGHTS

CFR Citation: 14 CFR 1214

Completed:

Reason	Date	FR Cite
Final Action	04/30/84	49 FR 18286

Small Entity: No

Agency Contact: Nathaniel B. Cohen 202 453-8335

RIN: 2700-AA18

14. TRACKING AND DATA RELAY SATELLITE SYSTEM (TDRSS); USE AND REIMBURSEMENT POLICY FOR NON-U.S. GOVERNMENT USERS

CFR Citation: 14 CFR 1215

Completed:

Reason	Date	FR Cite
Final Action	03/22/84	49 FR 10659

Small Entity: No

Agency Contact: Robert O. Aller 202 453-2019

RIN: 2700-AA21

15. SPACE TRANSPORTATION SYSTEM; SPACE FLIGHT PARTICIPANTS

CFR Citation: 14 CFR 1214

Completed:

Reason	Date	FR Cite
Final Action	04/25/84	49 FR 17736

Small Entity: No

Agency Contact: Alan M. Ladwig 202 453-1139

RIN: 2700-AA23

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

16. ● SPACE TRANSPORTATION SYSTEM; REIMBURSEMENT POLICY

Legal Authority: PL 85-568, Sec 203; 72 Stat 429, as amended; 42 USC 2473

CFR Citation: 14 CFR 1214

Abstract: Sets forth the NASA policy requiring customers to provide an earnest money payment for each payload scheduled.

Timetable:

Action	Date	FR Cite
Final Action	04/25/84	49 FR 17736

Small Entity: No

Agency Contact: Robert L. Haltermann, Office of Space Flight, National Aeronautics and Space Administration, MCP, Nasa Headquarters, Washington, DC 20546, 202 453-2206

RIN: 2700-AA25

[FR Doc. 84-24966 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXVII

National Capital Planning Commission

Semiannual Regulatory Agenda

NCPC

NATIONAL CAPITAL PLANNING COMMISSION

1 CFR Part 457

Semiannual Regulatory Agenda

AGENCY: National Capital Planning Commission.

ACTION: Semiannual Regulatory Agenda.

SUMMARY: Pursuant to Executive Order 12291 and the Regulatory Flexibility Act, the Commission is publishing its regulatory agenda.

FOR FURTHER INFORMATION CONTACT: Daniel H. Shear, General Counsel, National Capital Planning Commission, 1325 G Street, N.W., Washington, D.C. 20576, (202) 724-0170.

Kathleen K. McKay,

Assistant General Counsel.

BILLING CODE 7520-01-T

NATIONAL CAPITAL PLANNING COMMISSION (NCPC) — Current and Projected Rulemakings

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN THE NATIONAL CAPITAL PLANNING COMMISSION PROGRAMS

Legal Authority: 20 USC 794 Sec. 504 of the Rehabilitation Act of 1973, as amend

CFR Citation: 1 CFR 47

Abstract: These regulations are designed to implement section 504 of the Rehabilitation Act of 1973, as amended, which requires each Executive agency to promulgate such regulations. The regulations are patterned on prototype regulations provided by the Department of Justice, under Executive Order 12280 (45 F.R. 72995, 3 CFR, 1980 Comp., p. 298)

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Agency Contact: Kathleen K. McKay, Assistant General Counsel, National Capital Planning Commission, 1325 G Street, NW, Washington, DC 20576, 202 724-0170

RIN: 3125–AA02

[FR Doc. 84-24276 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXVIII

National Endowment for the Humanities

Semiannual Regulatory Agenda

NEH

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

45 CFR Ch. XI

Semiannual Agenda of Regulations

AGENCY: National Endowment for the Humanities.

ACTION: Publication of the Semiannual Agenda of Regulations.

SUMMARY: Pursuant to the Regulatory Flexibility Act, Pub. L. 96-354, and Executive Order 12291, "Federal Regulations," dated February 17, 1981 the National Endowment for the Humanities is required to publish in April and October of each year an agenda of proposed regulations that the Endowment has issued or expects to issue and current rules that are under agency review.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen J. McCleary, Acting General Counsel, National Endowment for the Humanities, 1100 Pennsylvania Avenue, N.W., Washington, D.C. 20506, or call (202) 786-0322.

William J. Bennett,

Chairman.

BILLING CODE 7536-01-T

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH) — Current and Projected Rulemakings

NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM NEH

Legal Authority: 42 USC 6101 et seq Age Discrimination Act of 1975

CFR Citation: 45 CFR 1172

Abstract: This regulation will prohibit discrimination on the basis of age in programs or activities receiving financial assistance from the National Endowment for the Humanities.

Timetable:

Action	Date	FR Cite
NPRM	10/04/79	44 FR 57130
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Carol M. Gordon, Director, National Endowment for the Humanities, Office of Equal Opportunity, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0410

RIN: 3136-AA00

NONDISCRIMINATION ON THE BASIS OF SEX

Legal Authority: 20 USC 1681 et seq Title IX of the Education Amendments of 1972

CFR Citation: 45 CFR 1171

Abstract: This regulation will prohibit discrimination on the basis of sex under any education program or activity receiving financial assistance from the National Endowment for the Humanities. The final regulation is being drafted and will need approval by the Department of Justice and the Office of Management and Budget before it can be published.

Timetable:

Action	Date	FR Cite
NPRM	06/20/80	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Carol M. Gordon, Director, National Endowment for the Humanities, Office of Equal Opportunity, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0410

RIN: 3136-AA01

STATEMENT FOR THE GUIDANCE OF THE PUBLIC - ORGANIZATION, PROCEDURES AND AVAILABILITY OF INFORMATION

Legal Authority: 5 USC 552(a)(4)(A) Freedom of Information Act

CFR Citation: 45 CFR 1100

Abstract: The revised regulation will clarify the fees charged for document search and duplication. Information on the organization will be updated.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mr. Stephen J. McCleary, Deputy General Counsel, National Endowment for the Humanities, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0322

RIN: 3136-AA03

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH) — Existing Regulations Under Review

NONDISCRIMINATION ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN WITHIN NEH FUNDED PROGRAMS

Legal Authority: 42 USC 2000d et seq Title VI of the Civil Rights Act of 1964; EO 12250

CFR Citation: 45 CFR 1175; 45 CFR 1110

Abstract: The regulation will be applicable only to National Endowment for the Humanities grantees. Modifications will be made in procedures and definitions. The draft notice of proposed rulemaking is currently under review within the Endowment. It will be published after completion of that review and review by the Department of Justice, and the Office of Management and Budget.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 28 CFR 42 subpart F and Section 50.3 also apply.

Agency Contact: Ms. Carol M. Gordon, Director, Office of Equal Opportunity, National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0410

RIN: 3136-AA02

[FR Doc. 84-24277 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXIX

National Science Foundation

Semiannual Regulatory Agenda

NSF

NATIONAL SCIENCE FOUNDATION

41 CFR Ch. 25

45 CFR Ch. VI

48 CFR Ch. 25

Federal Regulation; Semiannual Regulations Agenda

AGENCY: National Science Foundation.

ACTION: Publication of semiannual regulations agenda.

SUMMARY: The National Science Foundation (NSF) publishes its semiannual agenda of regulations under development or review as required by Executive Order 12291, Federal Regulation (46 FR 13193, February 17, 1981). This agenda has been prepared in accordance with OMB Bulletin No. 84-16, Unified Agenda of Federal Regulations.

FOR FURTHER INFORMATION CONTACT: For additional information regarding any particular regulatory action contained in the agenda, contact the individual identified as the contact person in the agenda. Comments or inquiries of a general nature about the agenda should be directed to John Chester, Office of the General Counsel, National Science Foundation, Washington, D.C. 20550, (202) 357-9447.

August 27, 1984.

Charles H. Herz,

General Counsel.

BILLING CODE 7555-01-T

NATIONAL SCIENCE FOUNDATION (NSF) — Current and Projected Rulemakings

AGE DISCRIMINATION REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 6101 et seq The Age Discrimination Act of 1975; Section 11 of the NSF Act

CFR Citation: 45 CFR 605, (Proposed)

Abstract: NSF's proposed regulations were published on October 4, 1979 and final publication was delayed pending clearance from HHS. On July 13, 1984 HHS cleared these regulations for publication with minor changes.

Timetable:

Action	Date	FR Cite
NPRM	10/04/79	45 FR 617
NPRM Comment Period Begin	10/04/79	
NPRM Comment Period End	12/03/79	
Final Action	09/00/84	
Final Action Effective	10/00/84	

Small Entity: No

Agency Contact: Dimas M. Chavez, National Science Foundation, Office of Equal Opportunity, Washington, DC 20550, **202 357-9819**

RIN: 3145-AA00

CIVIL RIGHTS - TITLE VI REGULATIONS

Legal Authority: Section 11 of the NSF Act; Title VI of the Civil Rights Act of 1964

CFR Citation: 45 CFR 611

Abstract: These regulations prohibit discrimination on the basis of race, color, or national origin in all NSF-assisted programs.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Dimas M. Chavez, National Science Foundation, Office of Equal Opportunity, Washington, DC 20550, **202 357-9819**

RIN: 3145-AA01

NATIONAL SCIENCE FOUNDATION ACQUISITION REGULATIONS

Priority: Agency Determination

Legal Authority: 42 USC 1870(a)

CFR Citation: 48 CFR Chapter 25

Abstract: The National Science Foundation Acquisition Regulations implement and supplement the Federal Acquisition Regulations and supersede the current NSF Procurement Regulations (41 CFR Chapter 25).

Timetable:

Action	Date	FR Cite
NPRM	03/29/84	
NPRM Comment Period Begin	03/29/84	49 FR 9757
NPRM Comment Period End	05/31/84	
Final Action	10/01/84	
Final Action Effective	10/01/84	

Small Entity: No

Agency Contact: William S. Kirby, Head, Policy Office, Division of Grants & Co, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, **202 357-7880**

RIN: 3145-AA04

● ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN NATIONAL SCIENCE FOUNDATION

Priority: Agency Determination

Legal Authority: 29 USC 794; PL 95-602, Sec 504

CFR Citation: 45 CFR 606, (New); 45 CFR 86

Abstract: This regulation provides for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap, as it applies to programs or activities conducted by the National Science Foundation. Potential costs are not known. Any benefits derived will be to ensure that the handicapped will not be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the National Science Foundation.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/84	
ANPRM Comment Period Begin	09/00/84	
ANPRM Comment Period End	11/00/84	

Small Entity: No

Agency Contact: Dimas M. Chavez, Acting Director, OEO, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, **202 357-9819**

RIN: 3145-AA05

● EFFECTUATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1982 (SEX DISCRIMINATION)

Legal Authority: 20 USC 1681; PL 93-568, Sec 901 to 902; PL 93-380, Sec 844

CFR Citation: 45 CFR 620, (New)

Abstract: This regulation is to effectuate Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in connection with education programs and activities receiving Federal financial assistance from the National Science Foundation. Costs, if any, should be nominal since most NSF recipients are also covered by HHS regulations. Potential benefits are to ensure that any educational program or activity receiving financial assistance from NSF does not, on the basis of sex (1) exclude any person from participation in, (2) deny any person the benefits of, or subject any such person to discrimination under that program or activity.

Timetable:

Action	Date	FR Cite
Clearance with EEOC and Justice under Executive Order 12250	10/00/84	
ANPRM	12/00/84	
ANPRM Comment Period Begin	12/00/84	
ANPRM Comment Period End	02/00/85	

Small Entity: No

Agency Contact: Dimas M. Chavez, Acting Director, OEO, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-9819

RIN: 3145-AA06

[FR Doc. 84-24449 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXX

Office of Management and Budget

Semiannual Regulatory Agenda

OMB

OFFICE OF MANAGEMENT AND BUDGET

5 CFR Ch. III

Federal Regulations; OMB Directives Included in the Semiannual Agenda of Upcoming Activities

AGENCY: Office of Management and Budget.

ACTION: Publication of Semiannual Agenda.

SUMMARY: The Office of Management and Budget (OMB) is publishing its semiannual agenda of upcoming activities on OMB Circulars and Office of Federal Procurement Policy Letters (OFPP Policy Letters). This action is in accordance with OMB's internal procedures for implementing Executive Order No. 12291. OMB directives are issued under authority derived from several sources including: Subtitles I, II, and V of Title 31, United States Code, Executive Order No. 11541, and other specific authority as cited. The agenda includes actions on issuances which are not regulations, but which are of public interest.

OMB Circulars and OFPP Policy Letters are directives that communicate significant government-wide policy of a continuing nature. For purposes of this agenda, we have included Circulars and Policy Letters which are designed to implement, interpret, or prescribe law or policy, or describe the procedure or practice requirements of an agency. Excluded are directives that outline procedures to be followed in connection with the President's budget and legislative programs, and directives that affect only the internal functions, management, or personnel of Federal agencies.

OMB, in coordination with agency Assistant Secretaries for Management, is currently conducting a review of all OMB Circulars presently in effect, as part of the Reform 88 initiative. That review is being conducted in addition to the specific actions listed in this agenda. As additional actions result from that review, they will be included in future agendas.

FOR FURTHER INFORMATION CONTACT: See agency person listed for each entry in the agenda, c/o Office of Management and Budget, Washington, DC 20503. On the overall agenda, contact Candice C. Bryant at the above address.

Candice C. Bryant,

Deputy Associate Director for Administration.

BILLING CODE 3110-01-T

OFFICE OF MANAGEMENT AND BUDGET (OMB) — Current and Projected Rulemakings

OFFICE OF MANAGEMENT AND BUDGET'S DIRECTIVES SYSTEM TO EXECUTIVE DEPARTMENTS AND AGENCIES (CIRCULAR NO. A-1)

Legal Authority: See preamble

CFR Citation: Not applicable

Abstract: OMB Circular A-1, last revised in August 1952, describes the OMB directives system used to convey policy, provide guidance, and communicate instruction to executive departments and agencies.

Timetable:

Action	Date	FR Cite
Final Circular to be issued	10/00/84	

Small Entity: No

Agency Contact: Candice C. Bryant, Deputy Assoc. Dir. for Administration, Office of Management and Budget, Washington, D.C. 20503, 202 395-7250

RIN: 0348-AA33

GOVERNMENT PUBLICATIONS (CIRCULAR A-3)

Legal Authority: 44 USC 1108; See preamble

CFR Citation: Not applicable

Abstract: The Circular, last revised in 1972, describes the policies and procedures for the reporting and approval of Government periodicals. This revision clarifies policy guidelines and definitions, and simplifies the periodical clearance process by establishing a regular reporting requirement on an annual basis. In the final draft revision now being prepared, the scope of the Circular may be broadened to include categories of publications other than periodicals.

Timetable:

Action	Date	FR Cite
Draft for formal Agency Comment	12/01/84	

Small Entity: No

Agency Contact: Kathleen Sedlak, Task Force Coordinator, Office of Management and Budget, Management Improvement Division, Washington, D.C. 20503, 202 395-6903

RIN: 0348-AA42

WRITING AND ADMINISTERING PERFORMANCE WORK STATEMENTS (PART II OF SUPPLEMENT TO CIRCULAR NO. A-76)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: This document describes a systematic means for developing Performance Work Statements and Quality Assurance Surveillance plans for Government management of commercial activities. It also includes procedures for contracting personnel who develop, review, award, and administer service contracts.

Timetable:

Action	Date	FR Cite
Draft for Public Comment	10/15/84	
Final Action	12/30/84	

Small Entity: Yes

Agency Contact: David L. Muzio, Dep. Assoc. Adm. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6810

RIN: 0348-AA34

FEDERAL ACQUISITION REGULATORY SYSTEM: OTHER PROCUREMENT RULES AND REGULATIONS (OFPP POLICY LETTER 80-5)

Legal Authority: PL 93-400; See preamble

CFR Citation: 48 CFR Chapter 1

Abstract: This Policy Letter established the Federal Acquisition Regulation System including some details regarding its implementation and the organization

for its maintenance. During the five years of the FAR development, some of these details have changed. The Policy Letter will be amended to reflect these changes.

Timetable:

Action	Date	FR Cite
Proposed Policy Letter Changes published	07/06/84	49 FR 27863
Final Letter scheduled to be issued	10/00/84	

Small Entity: Yes

Agency Contact: William J. Maraist, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3300

RIN: 0348-AA19

OFFICE OF MANAGEMENT AND BUDGET (OMB) — Existing Regulations Under Review

POLICIES ON CONSTRUCTION OF FAMILY HOUSING (CIRCULAR NO. A-18)

Legal Authority: Budget and Accounting Act of 1921; See preamble

CFR Citation: Not applicable

Abstract: OMB Circular A-18, last revised in August 1967, sets forth policies for budgeting, planning, and undertaking the construction of federally-owned housing (exclusive of military barracks) for Federal personnel and for employees of Government contractors. Housing standards, concepts of living space requirements, the housing market and economic factors bearing on it have changed significantly since the Circular was last issued; and updating and revision are appropriate.

Timetable:

Action	Date	FR Cite
End Review	06/01/85	

Small Entity: No

Agency Contact: Charles W. Clark, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6803

RIN: 0348-AA08

FEDERAL GOVERNMENT USER CHARGES POLICY (CIRCULAR NO. A-25)

Legal Authority: Budget and Accounting Act of 1921; PL 93-344; See preamble

CFR Citation: Not applicable

Abstract: General policies for Federal agencies on administering user charges and formulating legislative proposals regarding user charges are set forth in OMB Circular No. A-25. This Circular is under review. It is expected that modifications will be considered reflecting current policies, enacted legislation, and court decisions.

Timetable:

Action	Date	FR Cite
Preliminary Review	03/00/85	

Small Entity: Yes

Agency Contact: Ellen Balis, Financial Analyst, Office of Management and Budget, Fiscal Analysis Branch, Budget Review Division, Washington, D.C. 20503, 202 395-4574

RIN: 0348-AA41

MANAGEMENT AND OPERATION CONTRACTS (CIRCULAR NO. A-49)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: This Circular was published in 1967, and is currently being examined to determine whether it is still necessary. Draft FAR regulations have been issued which may eliminate the need for the Circular.

Timetable:

Action	Date	FR Cite
End Review	12/01/84	

Small Entity: Yes

Agency Contact: David L. Muzio, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6810

RIN: 0348-AA10

● PLANNING AND CONDUCT OF THE UNITED STATES PROGRAM IN ANTARCTICA (CIRCULAR NO. A-51)

Legal Authority: See preamble

CFR Citation: Not applicable

Abstract: More than a decade has passed since this Circular was last updated. Since that time major reviews of the U.S. Antarctic policies and program have resulted in Presidential directives that now have superseded A-51.

Timetable:

Action	Date	FR Cite
End Review	07/30/85	

Small Entity: No

Agency Contact: Norine Noonan, Program Analyst, Office of Management and Budget, Energy and Science Division, Washington, D.C. 20503, 202 395-3534

RIN: 0348-AA46

● PERFORMANCE OF COMMERCIAL ACTIVITIES (CIRCULAR NO. A-76)

Legal Authority: Budget and Accounting Act of 1921; PL 93-244; See preamble

CFR Citation: Not applicable

Abstract: OMB Circular No. A-76, last revised in August 1983, sets forth the policy of acquiring commercial products and services from the private sector, and provides guidance on the development of performance work statements and on comparing the cost of Government performance with contractor performance. This Circular is under review to determine whether it adequately stresses the underlying objective of improved productivity.

Timetable:

Action	Date	FR Cite
Begin Review	09/15/84	

Small Entity: Yes

Agency Contact: David L. Muzio, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-6810

RIN: 0348-AA45

UNIFORM REQUIREMENTS FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENTS (CIRCULAR NO. A-102)

Legal Authority: 31 USC 65 et seq; 42 USC 4212 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Abstract: The purpose of the review is to develop changes to administrative policies which will further reduce the regulatory burden on state and local governments.

Timetable:

Action	Date	FR Cite
Advance Notice of Policy Review	06/18/84	49 FR 24958
Notice of Proposed Policy	12/31/84	

Small Entity: No

Agency Contact: Barbara F. Young, Grants Management Project Director, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, **202 395-3053**

RIN: 0348-AA11

MAJOR SYSTEM ACQUISITIONS (CIRCULAR NO. A-109)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: Some agencies report difficulty working under the Circular. A review, in light of experience gained, is warranted with a goal of revision and simplification while maintaining the current general policy thrust of A-109.

Timetable:

Action	Date	FR Cite
End Review	12/31/84	

Small Entity: Yes

Agency Contact: Richard J. Keegan, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-3254**

RIN: 0348-AA12

UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS AND OTHER NONPROFIT ORGANIZATIONS (CIRCULAR NO. A-110)

Legal Authority: 31 USC 65 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Abstract: The review will develop proposed changes to the Circular needed to call for "single audit" of universities by auditors they choose as an alternative to detailed Federal auditing.

Timetable:

Action	Date	FR Cite
Preliminary Review	09/30/84	

Small Entity: No

Agency Contact: John Lordan, Deputy Assoc. Dir.for Financial Management, Office of Management and Budget, Financial ManagementDivision, Washington, DC 20503, **202 395-6823**

RIN: 0348-AA05

MANAGEMENT OF FEDERAL AUDIOVISUAL ACTIVITIES (CIRCULAR NO. A-114)

Legal Authority: Budget and Accounting Act of 1921; See preamble

CFR Citation: Not applicable

Abstract: Circular A-114 was issued in April 1978. The Circular prescribes policies and procedures for improving the management of Federal audiovisual activities. Since the issuance of the Circular, several recommendations have been received (including two Comptroller General's decisions) regarding the need to revise the Circular, particularly Attachment E thereto, "Contracts for Motion Picture Productions." It is OMB's intent to review the Circular in response to the various recommendations and agencies' operating experiences.

Timetable:

Action	Date	FR Cite
End Review	03/01/85	

Small Entity: Yes

Agency Contact: Charles W. Clark, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-6803**

RIN: 0348-AA13

FEDERAL INFORMATION RESOURCES MANAGEMENT POLICIES

Legal Authority: PL 96-511; PL 89-306; PL 93-579; EO 11893; EO 12046; See preamble

CFR Citation: Not applicable

Abstract: In accordance with statutory requirements, the Office of Management and Budget has issued a number of policies regarding the management of Federal information resources such as computers and personal records. The enactment of the Paperwork Reduction Act, P.L. 96-511, requires that the policies be brought up-to-date, integrated and made uniform. The Assistant Secretaries for Management group made a similar recommendation. The objective of this initiative is to develop a government-wide policy structure that will provide positive incentives for the efficient and effective management of Federal information resources.

Timetable:

Action	Date	FR Cite
Notice soliciting comments published	09/12/83	48 FR 40964
Proposed Policy to be published for comment	11/00/84	

Small Entity: No

Agency Contact: Timothy Sprehe, Office of Management and Budget, Information Policy Branch, Office of Information and Regulatory Affairs, Washington, D.C. 20503, **202 395-4814**

RIN: 0348-AA31

STATISTICAL POLICY DIRECTIVES

Legal Authority: 31 USC 1104 Budget & Accounting Procedures Act 1950 (Sec 103); PL 96-511 Paperwork Reduction Act of 1980; See preamble

CFR Citation: Not applicable

Abstract: General policies for the gathering, compiling, analyzing, publishing, and dissemination of statistical information for any purpose

by the various agencies in the Executive Branch of the Federal Government were last codified by the Commerce Department in 1978. Specific Directives were subsequently amended in 1980, 1981, and 1982 as provided in Executive Orders 10253, 12013, and 12318. All directives are under review. Affected agencies will be consulted on particular directives as provided in E.O. 10253.

Timetable:

Action	Date	FR Cite
Proposed Revisions for public comment	03/00/85	

Small Entity: Yes

Agency Contact: Dorothy Tella, Chief Statistician, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503, **202 395-3093**

RIN: 0348-AA43

BOARD OF CONTRACT APPEALS - POSITION ALLOCATION PURSUANT TO PUBLIC LAW 95-563 (OFPP POLICY LETTER 79-2, SUPPLEMENT NO. 1)

Legal Authority: 41 USC 601 et seq; See preamble

CFR Citation: Not applicable

Abstract: The Contract Disputes Act provides for establishment of Boards of Contract Appeals (BCAs) in the various executive agencies; initial allocation of positions was made by the Administrator, OFPP, based on workload studies of existing BCAs. The Act provides for update of workload studies every three years; update of the Policy Letter appears necessary, due to update of workload studies.

Timetable:

Action	Date	FR Cite
End Review	03/00/85	
Draft Policy Letter for Comment	04/00/85	

Small Entity: No

Agency Contact: Patricia A. Szervo, Assoc. Admin. for Procurement Law and Legis., Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-3501**

RIN: 0348-AA16

POLICY PERTAINING TO THE ACQUISITION OF COMMERCIAL PRODUCTS

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: The proposed letter will promulgate policies necessary to ensure that agencies purchase commercial products whenever such products adequately satisfy the Government's essential needs.

Timetable:

Action	Date	FR Cite
Publish Draft Policy Letter for comment	06/01/85	

Small Entity: Yes

Agency Contact: Charles W. Clark, Deputy Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-6803**

RIN: 0348-AA39

OFFICE OF MANAGEMENT AND BUDGET (OMB) — Completed Actions

COMPLETED RULEMAKINGS

POLICY GOVERNING CHARGES FOR RENTAL QUARTERS AND RELATED FACILITIES (CIRCULAR NO. A-45)

Legal Authority: 5 USC 5911; See preamble

CFR Citation: Not applicable

Abstract: Nearly twenty years have elapsed since this Circular was issued. It requires updating and simplification. Some of the major issues to be addressed were (1) calculation of unusual transportation costs, and (2) the definition of an established community. Among the principal benefits to be sought are more equitable rental rates for government quarters and simplified guidelines for determining rates.

Timetable:

Action	Date	FR Cite
Draft Circular for Comment	08/08/83	48 FR 36032
Final Action	04/06/84	49 FR 13777

Small Entity: No

Agency Contact: David F. Baker, Assoc. Admin. for Management Controls, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-7207**

RIN: 0348-AA09

FEDERAL CREDIT POLICY (CIRCULAR NO. A-70)

Legal Authority: Budget and Accounting Act of 1921; PL 93-944; See preamble

CFR Citation: Not applicable

Abstract: OMB Circular No. A-70 provides guidance to Federal agencies in reviewing or proposing credit program legislation, Congressional and other proposals on credit, and credit program policies and procedures. The A-70 guidelines apply to both existing and proposed credit programs. Among other requirements, A-70 requires agencies to provide an explicit statement of the subsidies they make available to borrowers, to specify the minimum direct loan interest rates or loan guarantee fees to be charged by reference to benchmark interest rates or loan guarantee fees in the private market, and to encourage meaningful participation by the private sector in financing guaranteed loans.

Timetable:

Action	Date	FR Cite
Final Action	08/24/84	

Small Entity: Yes

Agency Contact: Rodney Bent, Financial Economist, Office of Management and Budget, Fiscal Analysis Branch, Budget Review Division, Washington, D.C. 20503, 202 395-3672

RIN: 0348-AA40

COST PRINCIPALS FOR NONPROFIT ORGANIZATIONS - LOBBYING AND RELATED ACTIVITIES (CIRCULAR NO. A-122)

Legal Authority: See preamble

CFR Citation: Not applicable

Abstract: The purpose of this revision is to establish a government-wide set of cost principles regarding lobbying and related activities that will provide clear guidelines for grantees where none now exist, and protect grantees against excessive paperwork requirements. It is designed to ensure that federally-appropriated funds are not used by contractors or grantees for such activities and to assure compliance with a myriad of statutory provisions mandating that no federal funds be used for lobbying purposes. The intent is not to discourage or in any way penalize organizations for lobbying efforts with their own funds, but to ensure that the federal government does not subsidize such activities.

Parallel revisions were published for defense and civilian contractors by the Department of Defense and the General Services Administration.

Timetable:

Action	Date	FR Cite
Proposed Revision published	11/03/83	
Revised Circular published	04/27/84	49 FR 18260

Small Entity: Yes

Agency Contact: John J. Lordan, Dep. Assoc. Dir. for Financial Management, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, 202 395-6823

RIN: 0348-AA06

PATENTS - SMALL BUSINESS FIRMS AND NONPROFIT ORGANIZATIONS (CIRCULAR NO. A-124)

Legal Authority: PL 96-517; See preamble

CFR Citation: Not applicable

Abstract: This Circular implements P.L. 96-517 which establishes uniform patent policy for universities, nonprofits, and small business with respect to inventions made under Government funding arrangements. The President's February 18, 1983 statement on Government Patent Policy extended, to the extent permitted by law, the policy in P.L. 96-517 to large business. An amendment to Circular No. A-124 was considered to implement the President's memorandum. On March 26, 1984, Part 27 of the Federal Acquisition Regulation implemented the President's memorandum. A policy letter is, therefore, not necessary.

Timetable:

Action	Date	FR Cite
Proposed Amendment for Comment	06/08/83	48 FR 26556
Final Action	03/30/84	49 FR 12974

Small Entity: Yes

Agency Contact: William J. Maraist, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3300

RIN: 0348-AA14

PROMPT PAYMENT (CIRCULAR NO. A-125)

Legal Authority: PL 97-177, Prompt Payment Act; See preamble

CFR Citation: Not applicable

Abstract: The purpose of the revision is to clarify the applicability of the Circular to progress payments, advance payments, and other forms of contract financing.

Timetable:

Action	Date	FR Cite
Proposed Revision published	09/08/83	48 FR 40582
Revision published	07/10/84	49 FR 28140

Small Entity: Yes

Agency Contact: Marvin E. Saunders, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, 202 395-3993

RIN: 0348-AA36

FEDERAL PROCUREMENT POLICY ON SUBCONTRACTING UNDER FEDERAL CONTRACTS (PROPOSED MODIFICATION TO OFPP POLICY LETTER)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: The proposed modification to Policy Letter 80-2, April 29, 1980, would authorize departments and agencies, under appropriate circumstances, to relieve a prime contractor of the responsibility under the existing policy letter of reviewing and approving a subcontractor's plan.

Public comment on the proposed modification was requested and received by the Office of Federal Procurement Policy. Subsequently, prime contractors which had requested the modification withdrew their request. We have concluded that a policy letter is not required.

Timetable:

Action	Date	FR Cite
Final Action	07/01/84	

Small Entity: Yes

Agency Contact: Owen Birnbaum, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3254

RIN: 0348-AA17

FEDERALLY FUNDED RESEARCH & DEVELOPMENT CENTERS (FFRDCS) (OFPP POLICY LETTER 84-1)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: This Policy Letter sets forth guidelines to establish, use, review, and end the sponsorship of FFRDCs. It requires a thorough assessment of existing alternative sources before establishing an FFRDC or expanding the scope of an existing FFRDC's sponsoring agreement. A sponsoring agreement will clearly delineate the purpose of the FFRDC and describe the scope of effort to be performed by the FFRDC. It also describes the role the FFRDC has in accomplishing the agency's mission. Tasks assigned to the FFRDC must be within the scope of this sponsoring agreement.

OMB

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action	04/11/84	49 FR 14462

Small Entity: Yes

Agency Contact: Richard J. Keegan, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-3254**

RIN: 0348-AA37

CONTROLLING PAPERWORK BURDENS ON THE PUBLIC, DELEGATION OF REVIEW AND APPROVAL AUTHORITY TO THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Legal Authority: 44 USC 35; See preamble

CFR Citation: 5 CFR 1320.9(d); 5 CFR 1320, Appendix A (New)

Abstract: This amendment to 5 CFR 1320, "Controlling Paperwork Burdens on the Public," will grant to the Board of Governors of the Federal Reserve System (Board) delegation of OMB's Paperwork Reduction Act authority. This will allow the Board to approve and assign OMB control numbers to their collection of information requests and requirements.

Timetable:

Action	Date	FR Cite
NPRM	03/28/84	49 FR 12180
NPRM Comment Period Begin	03/28/84	
NPRM Comment Period End	04/27/84	
Final Action	05/16/84	49 FR 20792
Final Action Effective	06/15/84	

Small Entity: No

Agency Contact: Arnold Strasser, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503, **202 395-6880**

RIN: 0348-AA44

COMPLETED REVIEWS

POLICIES FOR ESTABLISHING THE PROFIT OR FEE PRENEGOTIATION OBJECTIVE (OFPP POLICY LETTER 80-7)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Abstract: OFPP Policy Letter 80-7, dated December 15, 1980, established a facilities capital cost-of-money cost principle for contracts with commercial organizations and uniform policies for establishing the profit or fee portion of the Government prenegotiation objective. Agencies were required to develop a structured approach for determining the profit or fee portion of the Government prenegotiation objective in acquisitions requiring cost analysis. The structured approach adopted by the agency had to permit tailoring of profit or fee on an individual contract to fit the particular circumstances of that contract. Sunset review was established as January 1, 1984. With the issuance of the Federal Acquisition Regulation on April 1, 1984, our review concluded that the policy letter was no longer needed and it is, therefore, cancelled.

Timetable:

Action	Date	FR Cite
End Review	06/00/84	

Small Entity: Yes

Agency Contact: Joseph Zimmer, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-6803**

RIN: 0348-AA35

[FR Doc. 84-25523 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22 1984

Part XXXI

Office of Personnel Management

Semiannual Regulatory Agenda

OPM

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Personnel Management.

ACTION: Semiannual agenda of regulations.

SUMMARY: The following Office of Personnel Management regulations are scheduled for review or development from October 1, 1984 through September 30, 1985. This agenda carries out OPM's responsibilities to publish a semiannual agenda under E.O. 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the **Federal Register** does not impose a binding obligation on the Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: JoAnn G. Blackler, Issuance System Manager, Office of Executive and Personnel Policy, (202) 254-5966.

U.S. Office of Personnel Management.

Donald J. Devine,

Director.

BILLING CODE 6325-01-T

OFFICE OF PERSONNEL MANAGEMENT (OPM) — Current and Projected Rulemakings

ORGANIZATION OF THE GOVERNMENT FOR PERSONNEL MANAGEMENT; PERSONNEL MANAGEMENT IN AGENCIES

Legal Authority: 5 USC 1104; 5 USC 1302; 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 230; 5 CFR 250

Abstract: Deletes Part 230 and transfers its regulations to Part 250, to maintain parallel structure with 5 U.S.C. Combines material formerly in Part 230 with regulations now found in Part 250 to present all regulations on agencies' authorities for personnel management in a single part of the Code of Federal Regulations. Changes improve the technical integrity of the CFR by eliminating redundancies and improving the efficiency of OPM's regulations. No change in the coverage or substance of affected regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/20/83	48 FR 22728
Final Action	09/30/84	

Small Entity: No

Agency Contact: **Walter Townsend,** Personnel Management Specialist, Office of Personnel Management, Policy Coordination Division, Office of Planning and Evaluation, 1900 E St., NW, Washington, DC 20415, **202 254-5134**

RIN: 3206-AA66

PERSONNEL RECORDS AND FILES; AVAILABILITY OF OFFICIAL INFORMATION; EMPLOYMENT (GENERAL); CLASSIFICATION UNDER THE GENERAL SCHEDULE; PREVAILING RATE SYSTEMS; GRADE & PAY ETC

Legal Authority: PL 89-554 Freedom of Information Act of 1966

CFR Citation: 5 CFR 293; 5 CFR 294; 5 CFR 300; 5 CFR 511; 5 CFR 532; 5 CFR 536; 5 CFR 736

Abstract: Agencies are required to publish regulations describing how to obtain information from them. Recent case law, internal agency reorganizations, and the passage of the Civil Service Reform Act require a number of changes in the OPM regulations to bring them up-to-date. In addition, the regulations on obtaining access to specific types of records are being moved to those portions of the regulations dealing with those records.

Timetable:

Action	Date	FR Cite
NPRM	10/19/82	47 FR 46513
Final Action	09/28/84	

Small Entity: No

Agency Contact: **William C. Duffy,** Chief, Office of Personnel Management, Information Systems Plans & Policies Branch, Room 6410, 1900 E St., NW, Washington, DC 20415, **202 632-7714**

RIN: 3206-AA04

PERSONNEL RECORDS

Legal Authority: 5 USC 552a; 5 USC 4305; 5 USC 4314; EO 12107 (December 28, 1978); 5 USC 1103; 5 USC 1104; 5 USC 1302; 3 CFR 1954 to 1958 Comp; 5 CFR 7.2; EO 9830; 3 CFR 1943 to 1948 Comp

CFR Citation: 5 CFR 293

Abstract: Requires agencies to send a transferring employee's performance rating to his or her "gaining" agency along with the Official Personnel Folder.

Timetable:

Action	Date	FR Cite
NPRM	10/25/83	48 FR 49492

Next Action Undetermined

Small Entity: No

Agency Contact: **Allen B. Levan,** Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, **202 632-5653**

RIN: 3206-AB27

AVAILABILITY OF OFFICIAL INFORMATION

Legal Authority: PL 89-554 Freedom of Information Act of 1966

CFR Citation: 5 CFR 294

Abstract: Agencies are required to publish fee schedules of charges for information under the Freedom of Information Act. We plan to review our fee schedule and update it to more accurately reflect the current costs of providing the information.

Timetable:

Action	Date	FR Cite
NPRM	10/19/82	47 FR 46516
Final Action	01/31/85	

Small Entity: No

Agency Contact: William C. Duffy, Chief, Office of Personnel Management, Information Systems Plans & Policies Branch, Room 6410, 1900 E St., NW, Washington, DC 20415, 202 632-7714

RIN: 3206-AA05

PROTECTION OF PRIVACY AND PERSONNEL RECORDS

Legal Authority: 5 USC 552a

CFR Citation: 5 CFR 297

Abstract: The Privacy Act (5 U.S.C. 552a) requires agencies to issue regulations to implement the Act. OPM's regulations also require that agencies follow OPM's rule for those records maintained by them that are under OPM's control. These regulations have remained unchanged since 1979 and, as OPM intends to issue FPM guidance on matters currently inappropriate for issuance in the regulations, need revision both to reflect any changes resulting from case law or in OPM policy and to remove material that is more appropriate for FPM issuance.

Timetable:

Action	Date	FR Cite
NPRM	03/31/85	

Small Entity: No

Agency Contact: William H. Lynch, Information Specialist, Office of Personnel Management, Office of Workforce Information, Compliance and Investigations Group, 1900 E St., NW, Washington, DC 20415, 202 254-9790

RIN: 3206-AA70

EMPLOYMENT (GENERAL)

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 300

Abstract: Revision of Part 300 and FPM Chapter 300 to revise outdated material and provide guidance on the use of assessment procedures.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Tom Glennon, (202) 632-6817 (on matters not related to assessment procedures).

Agency Contact: Helen Christrup, Assistant Director for Staffing Policy, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-5440

RIN: 3206-AB05

● EMPLOYMENT (GENERAL); EMPLOYMENT PRACTICES

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 3304

CFR Citation: 5 CFR 300

Abstract: Revision of appeal provisions regarding employment practices of the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: James S. Green, Assistant General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Washington, DC 20415, 202 632-5524

RIN: 3206-AB41

OVERSEAS EMPLOYMENT

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 301

Abstract: Deletes prohibition on agency use of overseas limited appointments in certain circumstances.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Ed McHugh, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA71

VETERANS READJUSTMENT APPOINTMENTS

Priority: Agency Determination

Legal Authority: 38 USC 2014

CFR Citation: 5 CFR 307

Abstract: Extends the Veterans Readjustment Appointment (VRA) Program through September 30, 1987 and makes certain improvements upon the current program.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Additional Information: Subject to enactment of amendments.

Agency Contact: Don A. Smith, Chief, Evaluation Division, Office of Personnel Management, Office of Affirmative Employment Programs, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-7082

RIN: 3206-AB26

PROBATIONARY PERIOD FOR MANAGERS AND SUPERVISORS

Legal Authority: 5 USC 3321

CFR Citation: 5 CFR 315, Subpart I

Abstract: Clarify the return rights of employees who are downgraded to supervisory positions and fail to satisfactorily complete the probationary period.

Timetable:

Action	Date	FR Cite
NPRM	11/30/82	47 FR 53875
Final Action	09/00/84	

Small Entity: No

Agency Contact: Ellen Russell, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA07

TEMPORARY AND TERM EMPLOYMENT

Priority: Agency Determination

Legal Authority: 38 USC 2014

CFR Citation: 5 CFR 316

Abstract: Extends the temporary and term authorities for veterans readjustment appointment eligibles through September 30, 1987 and makes certain improvements upon the current program.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Additional Information: Subject to enactment of amendments.

Agency Contact: Don A. Smith, Chief, Evaluation Division, Office of Personnel Management, Office of Affirmative Employment Programs, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-7082

RIN: 3206-AB25

APPOINTMENT, REASSIGNMENT, TRANSFER, AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE

Legal Authority: 5 USC 3392; 5 USC 3393; 5 USC 3394; 5 USC 3397

CFR Citation: 5 CFR 317

Abstract: Proposed regulations to govern appointment actions in the SES, including establishment of qualifications standards, agency recruitment and selection procedures for career appointments, operations of OPM Qualifications Review Boards, and completion of the one-year probationary period for career appointees. Regulations are intended to set forth basic staffing requirements to assure compliance with merit system provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	06/00/85	

Small Entity: No

Agency Contact: Bede Bender, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Workforce Effectiveness & Development Group, 1900 E St., NW, Rm. 6R48, Wash., DC 20415, 202 632-5446

RIN: 3206-AA09

APPOINTMENT, REASSIGNMENT, TRANSFER, AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE

Legal Authority: 5 USC 3392; 5 USC 3397

CFR Citation: 5 CFR 317

Abstract: Addition of a new subpart to implement 5 U.S.C. 3392(c) regarding the right of SES career appointees to retain certain SES provisions while serving under a Presidential appointment made by and with the advice and consent of the Senate. Regulations are needed to ensure uniformity in the implementation of the law.

Timetable:

Action	Date	FR Cite
NPRM	07/02/83	48 FR 31862
Final Action	10/00/84	

Small Entity: No

Agency Contact: Loretta Terando, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Workforce Effectiveness & Development Group, 1900 E St. NW, Rm. 6R48, Wash., DC 20415, 202 632-4695

RIN: 3206-AA10

APPOINTMENT, REASSIGNMENT, TRANSFER AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE (SES CAREER APPOINTMENT BY REINSTATEMENT)

Legal Authority: 5 USC 3593; 5 USC 3595

CFR Citation: 5 CFR 317, Subpart G

Abstract: Final regulations on reinstatement to an SES career appointment following (a) voluntary separation from SES, or (b) separation from a Presidential appointment of a former SES career appointee. These reinstatements are authorized by law. The regulations set the procedures for implementing the law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/05/80	45 FR 80468
Final Action	10/00/84	

Small Entity: No

Agency Contact: Douglas Yriart, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Room 6R48, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-4625

RIN: 3206-AA11

PROMOTION AND INTERNAL PLACEMENT

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 335

Abstract: Proposed regulations and FPM instructions to revise the Federal Merit Promotion Program to strengthen management rights, and clarify important concepts.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Raleigh M. Neville, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA90

QUALIFICATIONS REQUIREMENTS (MEDICAL)

Legal Authority: 5 USC 3301; 5 USC 3304; 5 USC 3312

CFR Citation: 5 CFR 339, Subpart B

Abstract: Proposed regulations and FPM instructions to clarify procedures for establishing physical requirements for jobs and for documenting and processing disabilities.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Nancy Kingsbury, Acting Chief, Office of Personnel Management, Medical Policy and Programs Division, Staffing Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6013

RIN: 3206-AA91

REEMPLOYMENT RIGHTS FOR SES PERSONNEL

Legal Authority: 5 USC 3131; 5 USC 3301

CFR Citation: 5 CFR 352

Abstract: This regulation would extend reemployment rights under this part to SES personnel. The regulation is needed to correct an oversight which has resulted in the exclusion of SESers from coverage.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: John Schultz, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA18

REEMPLOYMENT RIGHTS AFTER SERVICE WITH THE PANAMA CANAL COMMISSION

Legal Authority: PL 96-70, Sec 1203(c)

CFR Citation: 5 CFR 352

Abstract: Addition of a new subpart on reemployment rights for Federal employees who accept assignment with the Panama Canal Commission. The regulations are to implement section 1203 of Pub. L. 96-70 and will cover conditions under which employees are assigned to the Commission and returned to their former agency.

Timetable:

Action	Date	FR Cite
NPRM	01/08/82	47 FR 956
Final Action	11/00/84	

Small Entity: No

Agency Contact: Leota Shelkey, Personnel Staffing Specialist, Office of Personnel Management, Policy Analysis Division, Staffing Group, 1900 E St., NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA19

REMOVAL, REINSTATEMENT AND GUARANTEED PLACEMENT IN THE SENIOR EXECUTIVE SERVICE

Legal Authority: 5 USC 1302; 5 USC 3596

CFR Citation: 5 CFR 359

Abstract: Final regulations on (1) the removal of SES career appointees during probation or for less than fully successful executive performance, (2) the removal of other than career appointees, (3) placement rights in other personnel systems of certain SES career appointees. These actions are authorized by law. The regulations establish procedures for implementing the law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/31/79	44 FR 44815
Final Action	10/00/84	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Workforce Effectiveness & Development Group, 1900 E St., NW, Rm. 6R48, Wash., DC 20415, 202 632-4625

RIN: 3206-AA21

REMOVAL, REINSTATEMENT AND GUARANTEED PLACEMENT IN THE SENIOR EXECUTIVE SERVICE

Legal Authority: 5 USC 3595; 5 USC 3596

CFR Citation: 5 CFR 359

Abstract: Proposed regulations to add a new subpart to implement Pub. L. 97-35, August 13, 1981, as amended by Pub. L. 97-346, October 15, 1982, which added provisions to Title 5 to govern SES reduction- in-force actions affecting career executives. Regulations are needed to cover certain areas not in the law, such as notification to employees and retention of records, and to implement the provisions in the law dealing with OPM's responsibility to help place career executives identified for reduction-in-force.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Hugh Strehle, Chief, Executive Personnel Programs Division, Office of Personnel Management, Office of Executive Personnel, Workforce Effectiveness & Development Group, 1900 E St., NW, Rm. 6R48, Wash., DC 20415, 202 632-4625

RIN: 3206-AA23

TRAINING

Legal Authority: 5 USC 4118

CFR Citation: 5 CFR 410

Abstract: Revision of regulations on determining the source of training to reflect revision by Office of Management and Budget of Circular No. A-76 "Performance of Commercial Activities."

Timetable:

Action	Date	FR Cite
Final Action	09/30/84	

Small Entity: No

Agency Contact: Frank Masterson, Chief Training Policy Division, Office of Personnel Management, Office of Training, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 653-6171

RIN: 3206-AB23

● PERFORMANCE APPRAISAL

Legal Authority: 5 USC 4302(a)

CFR Citation: 5 CFR 430

Abstract: To establish a performance appraisal system for performance management and recognition system.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Allen B. Levan, Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-5653

RIN: 3206-AB31

REDUCTION IN GRADE AND REMOVAL BASED ON UNACCEPTABLE PERFORMANCE

Legal Authority: 5 USC 4303; 5 USC 4305

CFR Citation: 5 CFR 432

Abstract: Proposed regulations to clarify certain aspects of existing regulations pertaining to procedures to follow in removing or reducing in grade employees whose performance is unacceptable.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Tim Dirks, Chief, Office of Personnel Management, Appellate Policies Division, 1900 E Street, NW, Washington, DC 20415, 202 254-5517

RIN: 3206-AB21

● PAY RATES AND SYSTEMS (GENERAL)

Legal Authority: 5 USC 5303; EO 11721

CFR Citation: 5 CFR 530

Abstract: Revision of outdated text; clarification of pay fixing procedures when special salary rates are initially established or further adjusted.

Timetable:

Action	Date	FR Cite
NPRM	06/30/85	

Small Entity: No

Agency Contact: Richard J. Carney, Chief, Allowances and Special Pay Rates, Office of Personnel Management, 1900 E St., NW, Washington, DC 20415, 202 632-7858

RIN: 3206-AB32

PAY UNDER THE GENERAL SCHEDULE

Legal Authority: 5 USC 5305(q); 5 USC 5334(a); 5 USC 5338; EO 11721

CFR Citation: 5 CFR 531, Subpart B

Abstract: Proposed regulations to revise rules for determining an employee's rate of basic pay upon reemployment, transfer, reassignment, promotion, change in type of appointment, and the annual General Schedule pay adjustment. Proposed regulations also may include certain corresponding revisions in 5 CFR Parts 530 and 536.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Jan B. Karicher, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AA32

PAY UNDER OTHER SYSTEMS (PAY UNDER THE SES)

Legal Authority: 5 USC 5385

CFR Citation: 5 CFR 534, Subpart D

Abstract: Final regulations on the payment of performance awards to career appointees in the Senior Executive Service.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/16/83	48 FR 52025
Final Action	10/00/84	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Workforce Effectiveness & Development Group, 1900 E St., NW, Rm. 6R48, Wash., DC 20415, 202 632-4625

RIN: 3206-AB20

● PAY UNDER OTHER SYSTEMS (PAY UNDER THE SENIOR EXECUTIVE SERVICE)

Legal Authority: 5 USC 5383; 5 USC 5385

CFR Citation: 5 CFR 534

Abstract: Proposed regulations on setting individual basic pay under the SES. Regulations are needed to clarify the intent and application of 5 USC 5383(a) on changes in SES pay rates.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Diana McClelland, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Room 6R48, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-4695

RIN: 3206-AB29

MERIT PAY SYSTEM

Legal Authority: 5 USC 5401; 5 USC 5402; 5 USC 5403; 5 USC 5404; 5 USC 5405

CFR Citation: 5 CFR 540

Abstract: Allow OPM to authorize an alternative effective date for merit pay increases other than at the same time as the automatic merit pay adjustment.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/23/83	48 FR 43285
Final Action	01/01/85	

Small Entity: No

Agency Contact: Allen B. Levan, Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington DC 20415, 202 632-5653

RIN: 3206-AB19

● PERFORMANCE MANAGEMENT AND RECOGNITION SYSTEM

Legal Authority: 5 USC 5401 to 5409

CFR Citation: 5 CFR 540

Abstract: Regulations to establish a performance management and recognition system to recognize and reward quality performance by supervisors and management officials.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Allen B. Levan, Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-5653

RIN: 3206-AB30

MERIT PAY SYSTEM

Legal Authority: 5 USC Chapter 43; 5 USC Chapter 54

CFR Citation: 5 CFR 540.102; 5 CFR 540.106(a); 5 CFR 540.106(d); 5 CFR 540.108(b)(3); 5 CFR 540.110(a)(3); 5 CFR 540.110(d)

Abstract: Add the terms "total performance pay" and "total pay pool",

which combine merit pay increases and merit pay cash awards.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/25/83	48 FR 49472
Final Action	01/00/85	

Small Entity: No

Agency Contact: Allen B. Levan, Chief, Policy and Operations Division, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-5653

RIN: 3206-AB18

PAY ADMINISTRATION, ADJUSTMENT OF WORK SCHEDULES FOR RELIGIOUS OBSERVANCES

Legal Authority: 5 USC 5550a

CFR Citation: 5 CFR 550, Subpart J

Abstract: The regulations would provide for agency control of work schedule adjustments for religious observances and would cover conditions that constitute a basis for denying an employee's request due to interference with the agency's mission.

Timetable:

Action	Date	FR Cite
NPRM	10/24/83	48 FR 49023
Final Action	10/00/84	

Small Entity: No

Agency Contact: Dwight W. Brown, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AA38

PAY ADMINISTRATION UNDER THE FLSA

Legal Authority: 29 USC 204(f)

CFR Citation: 5 CFR 551

Abstract: Proposed regulations to include the revised overtime standards for employees engaged in fire protection activities and law enforcement activities.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Dwight Brown, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AB16

PAY ADMINISTRATION UNDER THE FLSA: COMPLIANCE

Legal Authority: 29 USC 204F; 5 USC 1103(a)(5)

CFR Citation: 5 CFR 551, Subpart F

Abstract: Proposed new regulation to implement the FLSA Compliance Program and simplify the FLSA claims handling process.

Timetable:

Action	Date	FR Cite
NPRM	12/01/84	

Small Entity: No

Agency Contact: Mario Caviglia, Personnel Management Specialist, Office of Personnel Management, Compliance and Investigations Group, Agency Compliance and Evaluation, 1900 E St., NW, Washington, DC 20415, 202 632-5691

RIN: 3206-AA40

● DEDUCTIONS FROM CIVILIAN PAY FOR INCREASES IN UNIFORMED SERVICE RETIRED OR RETAINER PAY

Legal Authority: PL 98-369

CFR Citation: 5 CFR 553

Abstract: Regulations implement new public law which repeals provisions calling for deductions from civilian pay to offset increases in uniformed service retirement or retainer pay.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Bobby G. Williams, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20145, 202 632-4634

RIN: 3206-AB33

● PROCESSING GARNISHMENT ORDERS FOR CHILD SUPPORT AND/OR ALIMONY

Legal Authority: 42 USC 659; 42 USC 661 to 662; 15 USC 1673; EO 12105

CFR Citation: 5 CFR 581

Abstract: Update in response to ongoing suggestions and corrections, especially changes to Appendix A which lists designated agents.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Murray Meeker, Attorney, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Room 5H30, Washington, DC 20415, 202 632-4518

RIN: 3206-AB42

● ALLOWANCES AND DIFFERENTIALS

Priority: Agency Determination

Legal Authority: 5 USC 5941; EO 10000

CFR Citation: 5 CFR 591

Abstract: Addition to regulation of allowance rate determination methodology.

Timetable:

Action	Date	FR Cite
NPRM	12/21/84	

Small Entity: No

Agency Contact: Richard J. Carney, Chief, Allowances and Special Rates Division, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-7858

RIN: 3206-AB34

ABSENCE AND LEAVE

Legal Authority: 5 USC 6301 et seq

CFR Citation: 5 CFR 630

Abstract: Revision of sick and annual leave regulations for clarification and

elimination of discrepancies in application. Changes are expected to effect cost savings by clarifying entitlement to use leave.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Betty Roth, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-9677

RIN: 3206-AA44

VOLUNTARY PERSONNEL ACTIONS IN THE INTEREST OF THE EMPLOYEE

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 7301; EO 10577; EO 11222

CFR Citation: 5 CFR 715

Abstract: Proposed regulation covering voluntary personnel actions and other actions initiated by the employee. This regulation would update obsolete material in present regulation and incorporate into regulation all requirements now found in FPM chapter material.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Tim Dirks, Chief, Office of Personnel Management, Appellate Policies Division, Office of Agency and Labor Mgmt Relations, 1900 E St., NW, Washington, DC 20415, 202 254-5200

RIN: 3206-AA45

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY-CONDUCTED PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 5 CFR 723

Abstract: Proposed regulations to implement the amended Section 504 of the Rehabilitation Act of 1973, as amended. The proposal is to join with other agencies in adopting the regulations prepared by the Department of Justice.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	
Final Action	12/31/84	

Small Entity: No

Additional Information: TDD: John Gimperling (202) 632-6232

Agency Contact: Walter L. Townsend, Personnel Management Specialist, Office of Personnel Management, Office of Planning and Evaluation, 1900 E Street, NW, Washington, DC 20415, 202 254-5134

RIN: 3206-AB06

POLITICAL ACTIVITY OF FEDERAL EMPLOYEES

Legal Authority: 5 USC 1308; 5 USC 3301; 5 USC 3302; 5 USC 7301; 5 USC 7324; 5 USC 7325; 42 USC 2729; EO 10577 3 CFR, 1954-1958 Comp. p. 218

CFR Citation: 5 CFR 733

Abstract: Final regulation expanding the definition of "employee" (Sec 733.101).

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: JoAnn Chabot, Attorney, Office of Personnel Management, Office of the General Counsel, 1900 E St., NW, Room 5H22, Washington, DC 20415, 202 632-5421

RIN: 3206-AA47

EXECUTIVE PERSONNEL FINANCIAL DISCLOSURE REQUIREMENTS

Priority: Agency Determination

Legal Authority: 5 USC App 207(a); PL 95-521

CFR Citation: 5 CFR 734

Abstract: Proposed new regulation to supersede portions of 5 CFR Part 735 dealing with confidential financial disclosure for grades below GS-16.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Gary Davis/David Reich, Staff Attorneys, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AA93

EXECUTIVE PERSONNEL FINANCIAL DISCLOSURE REQUIREMENTS

Priority: Agency Determination

Legal Authority: PL 98-150; PL 95-521; 5 USC App 202

CFR Citation: 5 CFR 734; 5 CFR 735; 5 CFR 737

Abstract: Regulations to implement 1983 Amendments to Title II of the Ethics in Government Act of 1978 and to clarify certain technical aspects of the rules relating to public financial disclosure reports.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/21/84	49 FR 33115
Final Action	01/00/85	

Small Entity: No

Agency Contact: Norman Smith/David Reich, Staff Attorneys, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AB14

POST EMPLOYMENT CONFLICT OF INTEREST

Legal Authority: 18 USC 207; PL 95-521

CFR Citation: 5 CFR 737

Abstract: Proposed technical and conforming regulations to clarify the post employment rules.

Timetable:

Action	Date	FR Cite
NPRM	04/15/85	

Small Entity: No

Agency Contact: Gary Davis/Jane Ley, Staff Attorneys, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AB12

POST EMPLOYMENT CONFLICT OF INTEREST; DESIGNATION OF CERTAIN POSITIONS AND AGENCIES

Legal Authority: 18 USC 207(b)(1)(c); PL 95-521

CFR Citation: 5 CFR 737

Abstract: Final regulation to meet the requirement to designate annually senior employees who are subject to the conflict-of-interest provisions of the Ethics in Government Act.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Agency Contact: Gary Davis/Bob Flynn, Staff Attorney/Management Analyst, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AB13

ADVERSE ACTIONS (REGULATORY REQUIREMENTS FOR TAKING ADVERSE ACTIONS UNDER THE SENIOR EXECUTIVE SERVICE)

Legal Authority: 5 USC 7543

CFR Citation: 5 CFR 752, Subpart F

Abstract: Final regulations on (1) suspensions for more than 14 days and (2) removal from the civil service of SES career appointees. These actions were authorized by Pub. L. 95-454 (Oct. 13, 1978), which was amended by Pub. L. 97-35 (Aug. 13, 1981). The regulations establish procedures for implementing the law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/31/79	44 FR 44818
Final Action	10/00/84	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Workforce Effectiveness & Development Group, 1900 E St., NW, Rm. 6R48, Wash., DC 20415, 202 632-4625

RIN: 3206-AA50

ALCOHOLISM AND DRUG ABUSE PROGRAMS

Legal Authority: PL 91-616; PL 92-255

CFR Citation: 5 CFR 792

Abstract: This rule is to implement and clarify the legislative requirements for alcoholism and drug abuse programs and services for Federal civilian employees as contained in the FPM. It establishes OPM and agency responsibilities in providing prevention, treatment, and rehabilitative services to Federal civilian employees with alcohol or drug problems.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/09/84	49 FR 27921
Final Action	11/00/84	

Small Entity: No

Agency Contact: Ruby H. Giddings, Chief, Employee Health Services Branch, Office of Personnel Management, Office of Performance Management, Workforce Effectiveness & Development Group, 1900 E St., NW, Washington, DC 20415, 202 632-5558

RIN: 3206-AB11

RETIREMENT; GOVERNMENT CLAIMS FOR RECOVERY OF INDEBTEDNESS

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831

Abstract: Final regulations prescribing procedures for submission of agency claims for recovery of an indebtedness against benefits due from the Civil Service Retirement System. Regulations are required as part of resolution of Rhinehart v. Seneca, et al.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: LEGAL AUTHORITY: 4 CFR Sec. 101.1 et seq. also applies.

Agency Contact: Patricia Rochester, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E St., NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AA52

LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS

Legal Authority: PL 93-350; 5 USC 8336(c)

CFR Citation: 5 CFR 831

Abstract: Proposed revision to current regulations to aid in the administration of the program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Jane Lohr, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AB09

● RETIREMENT

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831.2101

Abstract: Regulations to evaluate comments on the interim military service deposit regulations published May 16, 1984, and to incorporate changes made by Public Laws 98-94 and 98-369.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/16/84	49 FR 20631
Final Action	10/00/84	

Small Entity: No

Agency Contact: Eugene R. Littleford, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, 202 632-4634

RIN: 3206-AB35

RETIREMENT

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831.1301

Abstract: Proposed regulations to revise debt collection regulations for the collection of overpayments of annuity to conform with the Debt Collection Act of 1982 (Pub. L. 97-365).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Eugene R. Littleford, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Compensation Group, 1900 E Street, NW, Washington, DC 20415, **202 632-4634**

RIN: 3206-AA94

● LIFE INSURANCE AND OPTIONAL INSURANCE

Legal Authority: 5 USC 8716

CFR Citation: 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873

Abstract: Regulations to extend the period of time during which an employee (or family member covered under the family optional insurance) may convert his or her group life insurance to an individual policy.

Timetable:

Action	Date	FR Cite
NPRM	09/04/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Agatha Gray, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, **202 632-9677**

RIN: 3206-AB36

● FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890.105

Abstract: Regulations to improve processing of disputed claims in the Federal Employees Health Benefits Program.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, **202 632-4634**

RIN: 3206-AB37

● FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Abstract: Regulation to make the effective date of belated open season enrollments and changes in enrollments retroactive when filed late due to cause beyond the control of the individual.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Barbara Meyers, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, 1900 E Street, NW, Washington, DC 20415, **202 632-9677**

RIN: 3206-AB38

● FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Abstract: Regulations to change time periods for new Comprehensive Medical Plans to apply for participation in, and submit benefit and rate proposals for, the FEHBP. Also describes circumstances under which certain enrollees may change plans when a seriously impaired relationship exists between the enrollee and the plan.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Kenneth A. Lease, Chief, Program Planning & Evaluation Div., Office of Personnel Management, Office of Insurance Programs, P.O. Box 436, Washington, DC 20415, **202 254-5094**

RIN: 3206-AB39

PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS) SUBPART A - MOTOR VEHICLE OPERATORS

Priority: Agency Determination

Legal Authority: 40 USC 471; 5 USC 1104

CFR Citation: 5 CFR 930, Subpart A

Abstract: Final regulations to permit Federal agencies to develop and use alternative procedures in the review and authorization of civilian employees to operate Government owned or leased motor vehicles. These changes would allow increased flexibility and ease the administrative burden and cost for Federal agencies without jeopardizing the safety of this program.

Timetable:

Action	Date	FR Cite
NPRM	04/16/84	49 FR 14956
Final Action	09/30/84	

Small Entity: No

Agency Contact: Van K. Yee, Personnel Staffing Specialist, Office of Personnel Management, Staffing Group, 1900 E St., NW, Washington, DC 20415, **202 632-6030**

RIN: 3206-AA59

● FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

Legal Authority: 40 USC 486; 5 USC 8913

CFR Citation: 41 CFR 16

Abstract: Regulations to change time periods for new Comprehensive Medical Plans to apply for participation in, and submit benefit and rate proposals for, the FEHBP.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Kenneth A. Lease, Chief, Program Planning & Evaluation Div., Office of Personnel Management, Office of Insurance Programs, P.O. Box 436, Washington, DC 20044, **202 254-5094**

RIN: 3206-AB40

FEDERAL EMPLOYEES HEALTH BENEFITS ACQUISITION REGULATIONS (FEHBAR)

Legal Authority: 40 USC 486(c); 5 USC 8913

CFR Citation: 48 CFR 16

Abstract: Proposed regulations to apply the Federal Acquisition Regulations (FAR) to the FEHB program.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Jim Vitol Sr., Staff Associate, Office of Personnel Management, Office of Insurance Programs, 1900 E Street, NW, Washington, DC 20415, 202 632-4670

RIN: 3206-AB07

OPM PROCUREMENT REGULATIONS

Legal Authority: 48 CFR Chapter 1

CFR Citation: 48 CFR 17

Abstract: Agencies are required to publish implementing and supplementing regulations to the Federal Acquisition Regulations (FAR). The FAR were effective April 1, 1984.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	04/00/85	

Small Entity: Undetermined

Agency Contact: Robert Lawshe, Chief, Acquisition Branch, Office of Personnel Management, Acquisition Branch, Room 1466, 1900 E Street, NW, Washington, DC 20415, 202 254-8492

RIN: 3206-AB28

OFFICE OF PERSONNEL MANAGEMENT (OPM) — Completed Actions

COMPLETED RULEMAKINGS

OTHER THAN FULL-TIME CAREER EMPLOYMENT

CFR Citation: 5 CFR 340

Completed:

Reason	Date	FR Cite
Final Action	04/25/84	49 FR 17722
Final Action Effective	05/25/84	

Small Entity: No

Agency Contact: Ellen Russell 202 632-6817

RIN: 3206-AA15

REDUCTION IN FORCE: IDENTIFICATION OF EMPLOYEES FOR TRANSFER OF FUNCTION

CFR Citation: 5 CFR 351

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/84	

Small Entity: No

Agency Contact: Tom Glennon 202 632-6817

RIN: 3206-AA16

REEMPLOYMENT RIGHTS

CFR Citation: 5 CFR 352

Completed:

Reason	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: Tracy Spencer 202 632-6000

RIN: 3206-AA20

PERFORMANCE APPRAISAL

CFR Citation: 5 CFR 430.207(d)

Completed:

Reason	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: Allen B. Levan 202 632-5653

RIN: 3206-AB22

PAY ADMINISTRATION (GENERAL)

CFR Citation: 5 CFR 550

Completed:

Reason	Date	FR Cite
Final Action	07/03/84	49 FR 27470
Final Action Effective	08/02/84	

Small Entity: No

Agency Contact: Patricia Rochester 202 632-4634

RIN: 3206-AA72

SEVERANCE PAY

CFR Citation: 5 CFR 550, Subpart G

Completed:

Reason	Date	FR Cite
Withdrawn	07/27/84	

Small Entity: No

Agency Contact: Jan Karicher 202 632-9677

RIN: 3206-AA37

ABSENCE AND LEAVE

CFR Citation: 5 CFR 630, Subpart B

Completed:

Reason	Date	FR Cite
Withdrawn	07/27/84	

Small Entity: No

Agency Contact: June Goodell 202 632-4634

RIN: 3206-AA73

FEDERAL EQUAL OPPORTUNITY RECRUITMENT PROGRAM

Priority: Agency Determination

CFR Citation: 5 CFR 720

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/84	

Small Entity: No

Agency Contact: William H. Lynch 202 632-5433

RIN: 3206-AB15

PERSONNEL SECURITY AND RELATED PROGRAMS

CFR Citation: 5 CFR 732

Completed:

Reason	Date	FR Cite
Withdrawn	07/27/84	

Small Entity: No

Agency Contact: Robert Hubbard 202 254-6844

RIN: 3206-AA75

INVESTIGATIONS

CFR Citation: 5 CFR 736

Completed:

Reason	Date	FR Cite
Withdrawn	07/27/84	

Small Entity: No

Agency Contact: Robert Herrmann 202 632-6152

RIN: 3206-AA76

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

CFR Citation: 5 CFR 890.203

Completed:

Reason	Date	FR Cite
Withdrawn	07/27/84	

Small Entity: No

Agency Contact: Mary Ann Mercer 202 632-4634

RIN: 3206-AB08

COMPLETED REVIEWS REEMPLOYMENT PRIORITY LIST

CFR Citation: 5 CFR 351; 5 CFR 330

Completed:

Reason	Date	FR Cite
Withdrawn	08/31/84	

Small Entity: No

Agency Contact: Leota Shelkey 202 632-6817

RIN: 3206-AB24

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

● SOLICITATION OF FEDERAL CIVILIAN AND UNIFORMED SERVICE PERSONNEL FOR CONTRIBUTIONS TO PRIVATE VOLUNTARY ORGANIZATIONS

Legal Authority: EO 12353; EO 12404

CFR Citation: 5 CFR 950

Abstract: Provide a system for administering the annual charitable solicitation campaigns conducted by Federal personnel in their Government workplaces and set forth ground rules under which charitable organizations may receive contributions from Federal personnel through the Combined Federal Campaign.

Timetable:

Action	Date	FR Cite
NPRM	04/13/84	49 FR 14752
Final Action	08/16/84	49 FR 32735
Final Action Effective	09/17/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Ronald E. Brooks, Assistant for Regional Operations to the Deputy Director, as to general information on the Combined Federal Campaign.

Agency Contact: Joseph A. Morris, General Counsel, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-4632

RIN: 3206-AB44

● FEDERAL EXECUTIVE BOARDS

Legal Authority: Memorandum of the Pres. for Heads of Dpts. & Agencies (11/10/61)

CFR Citation: 5 CFR 960

Abstract: Final regulations for the organization and functions of Federal Executive Boards.

Timetable:

Action	Date	FR Cite
NPRM	03/04/83	48 FR 9278
Final Action	08/29/84	49 FR 34193
Final Action Effective	09/28/84	

Small Entity: No

Agency Contact: Ronald E. Brooks, Assistant for Regional Operations, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-5544

RIN: 3206-AB43

[FR Doc. 84-24969 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXXII

Panama Canal Commission

Semiannual Regulatory Agenda

PANAMA

PANAMA CANAL COMMISSION

35 CFR Ch. I

Unified Agenda of Federal Regulations

AGENCY: Panama Canal Commission.

ACTION: Publication of semiannual agenda of regulations.

SUMMARY: The purpose of this agenda is to report the proposed rulemaking activities of the Panama Canal Commission. This information will allow the public to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: For information about a particular regulatory project, contact the person listed in the subheading "Agency Contact" for that project. For general information, contact Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Pennsylvania Building, 425 13th Street, N.W., Washington, D.C. 20004, (202) 724-0104; or John L. Haines, Jr., Esquire, General Counsel, Panama Canal Commission, APO Miami 34011.

SUPPLEMENTARY INFORMATION: Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* require that executive agencies publish in the **Federal Register** a semiannual notice of regulations which are under development or review or for which action has been completed. The Panama Canal Commission agenda contains certain regulations which are limited in public impact, but they are included to increase public awareness of Commission activities and to allow for increased public participation in the agency's regulatory review and development process. This agenda was prepared under the guidelines established by OMB Bulletin No. 84-16.

DATED: August 17, 1984.

Michael Rhode, Jr.,

Secretary, Panama Canal Commission.

BILLING CODE 3640-04-T

PANAMA CANAL COMMISSION (PANAMA)

Current and Projected Rulemakings

CLASSIFIED INFORMATION

Legal Authority: EO 12356

CFR Citation: 35 CFR 60

Abstract: Revision of the regulation will bring agency into compliance with E.O. 12356 which mandated changes concerning the maintenance, classification, downgrading, declassification, and disposition of official information requiring protection against unauthorized disclosure in the interest of the national security.

Timetable:

Action	Date	FR Cite
NPRM	01/01/85	
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: AGENCY CONTACT TELEPHONE NUMBER: 52-7757, in Balboa Heights, Republic of Panama.

Agency Contact: Thomas C. Duty, Chief, Administrative Services Division, Panama Canal Commission, APO Miami, 34011, 202 724-0104

RIN: 3207-AA01

DANGEROUS CARGO

Legal Authority: 22 USC 3811 Panama Canal Act of 1979

CFR Citation: 35 CFR 113, (Revision); 35 CFR 101, (Revision); 35 CFR 103, (Revision); 35 CFR 123, (Revision); 35 CFR 107, (Revision)

Abstract: Many of the International Maritime Conventions concerning hazardous cargoes, tank ships, gas carriers, training and other maritime matters have been adopted by the United States and other maritime nations using the Panama Canal. New hazardous cargoes are being added to the trade. The existing regulations should be revised. Revisions would substitute the provisions of certain international conventions. Using international standards would improve safety through ease of compliance and enforcement.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	

Small Entity: No

Additional Information: The thrust of the revision is toward dangerous cargoes, 35 CFR 113. The Arrival Requirements, 35 CFR 101, General Provisions, 35 CFR 103, Manning of Vessels, 35 CFR 107, and Radio Communications, 35 CFR 123, are related and require revision for compatibility.

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Penn Building, 425 13th Street, NW, Washington, DC 20004, 202 724-0104

RIN: 3207-AA07

● COLLECTION BY SALARY OFFSET FROM FEDERAL EMPLOYEES INDEBTED TO THE UNITED STATES

Priority: Agency Determination

Legal Authority: 5 USC 5514; PL 97-365 Debt Collection Act 1982, 96 Stat.1751, Oct. 25, 1982

CFR Citation: 35 CFR 256, (New)

Abstract: The Debt Collection Act of 1982 authorizes the Federal Government to collect debts owed to it by its own current and retired military and civilian employees through the use of a salary offset. The Act requires each Federal agency to promulgate regulations to effect this collection. This regulation contains the requisite safeguards, including the right to a hearing, to insure that employees are protected from unwarranted seizure of their property.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	
NPRM Comment Period Begin	12/01/84	
NPRM Comment Period End	01/01/85	

Small Entity: No

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Penn. Building, 425 13th Street, NW, Washington, DC 20004, 202 724-0104

RIN: 3207-AA09

PANAMA CANAL COMMISSION (PANAMA)

Existing Regulations Under Review

RULES FOR MEASUREMENT OF VESSELS

Legal Authority: 22 USC 3791 Panama Canal Act of 1979

CFR Citation: 35 CFR 135

Abstract: In July 1982 forty-eight nations, representing more than eighty percent of world shipping, began implementing a new, uniform method for tonnage determination in accordance with the International Convention on Tonnage Measurement of Ships, 1969. The present Panama Canal measurement system is based upon the old national tonnage measurement systems. To continue the present Panama Canal System may require that new ships be measured twice, once under the new system and again under the now out-dated national system. No timetable for rulemaking has been established. This proposal is still under study by the Panama Canal Commission. The Commission is in the process of evaluating comments received from Canal users which will assist in determining whether the present system should be changed.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, Suite 312, Penn Building, 425 13th Street NW, Washington, DC 20004, 202 724-0104

RIN: 3207-AA03

ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PANAMA CANAL COMMISSION PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: Not yet determined

Abstract: These regulations are designed to implement Section 504 of the Rehabilitation Act of 1974, as amended. The prototype regulation provided by the Department of Justice under Executive Order 12250 is being modified to accommodate the special circumstances of the agency. The regulation will be published after it has been reviewed by the Department of Justice and the Equal Employment Opportunity Commission, as required by Executive Order 12250 and 12067 respectively.

Timetable:

Action	Date	FR Cite
NPRM	11/01/84	
End Review	11/01/84	

Small Entity: No

Agency Contact: John L. Haines, Jr., General Counsel, Panama Canal Commission, Office of General Counsel, APO Miami, Florida 34011, 202 724-0104

RIN: 3207-AA08

[FR Doc. 84-24278 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXXIII

Pennsylvania Avenue Development Corporation

Semiannual Regulatory Agenda

PADC

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

36 CFR Ch. IX

Unified Agenda of Federal Regulations

AGENCY: Pennsylvania Avenue Development Corporation.

ACTION: Unified Agenda of Federal Regulations.

SUMMARY: This document sets forth the Pennsylvania Avenue Development Corporation's regulatory agenda issued under Executive Order 12291 and the Regulatory Flexibility Act. The Agenda lists regulations currently under rulemaking review that PADC expects to have as a final rule during the next twelve months.

FOR FURTHER INFORMATION CONTACT: Ms. Janet Bruner, Attorney, Office of the General Counsel, Pennsylvania Avenue Development Corporation, 425 13th Street, N.W., Washington, D.C. 20004; (202) 566-1078.

DATED: August 23, 1984.

M. J. Brodie,

Executive Director.

BILLING CODE 7630-01-T

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC) — Existing Regulations Under Review

POLICY AND PROCEDURES TO FACILITATE SUCCESSFUL RELOCATION OF BUSINESS AND RESIDENTS WITHIN PENNSYLVANIA AVENUE DEVELOPMENT AREA (SUBPART C)

Priority: Agency Determination

Legal Authority: 40 USC 875 Pennsylvania Avenue Dev Corporation Act of 1972

CFR Citation: 36 CFR 908

Abstract: Supplements existing relocation regulations by providing additional relocation assistance as required by the PADC plan. No definite timetable.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/13/83	48 FR 55458
End Review	12/00/84	

Small Entity: No

Agency Contact: Mr. Jerry Smedley, Director of Real Estate, Pennsylvania Avenue Development Corporation, 425 13th Street, NW, Washington, DC 20004, 202 523-3726

RIN: 3208-AA00

[FR Doc. 84-24450 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXXIV

Pension Benefit Guaranty Corporation

Semiannual Regulatory Agenda

PBGC

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Ch. XXVI

Agenda of Regulations Under Development

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Agenda of regulations.

SUMMARY: This document sets forth the Pension Benefit Guaranty Corporation's regulatory agenda issued under Executive Order 12291 and the Regulatory Flexibility Act. The agenda lists regulations that are currently under development or that PBGC expects to have under development during the next twelve months and regulations that are currently under review for possible amendment. The effect of this agenda is to advise the public of PBGC's current and future regulatory activities.

ADDRESS: Corporate Policy and Regulations Department (611), Pension Benefit Guaranty Corporation, 2020 K Street, N.W., Washington, D.C. 20006.

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact Renae R. Hubbard, Special Counsel, Corporate Policy and Regulations Department, 202-254-6476. For information about a specific regulation project listed on the agenda, contact the person designated in the agenda for that regulation.

SUPPLEMENTARY INFORMATION: Under the President's Order on Federal Regulation, Executive Order 12291, 46 FR 13193, (the "Executive Order"), each agency is required to publish in April and October an agenda of regulations currently or soon to be under development. The Executive Order requires that the agenda also include those currently effective regulations that are being reviewed by the agency pursuant to the Executive Order. The Regulatory Flexibility Act, 5 U.S.C. 601, Pub. L. 96-354, 94 Stat. 1164, has a similar agenda requirement. Under that law, the agenda must list any regulation that is likely to have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has issued guidelines (OMB Bulletin No. 84-16) prescribing the form and content of the regulatory agenda. Under those guidelines, the agenda must list all regulatory activities being conducted or reviewed in the next twelve months and provide certain specified information on each regulation. All the items on this agenda are current or projected rulemakings. Two items, the rule on guaranteed benefits and the rule on limitation on guaranteed benefits, are existing regulations that PBGC has under review pursuant to the Executive Order.

The guidelines also require that "priority regulations" be identified. Priority regulations are those designated for priority development and review by the agency head or those that are "major rules" under the Executive Order. PBGC has determined that all the regulations listed in this agenda are necessary to the effective implementation of the insurance program and, therefore, each is considered a "priority regulation."

Finally, the guidelines require a description of the potential costs and benefits of each regulation. The regulations listed on the agenda fall into three general categories. Some lessen statutory requirements, thereby lowering costs to the public and minimizing burden on plans and plan sponsors. Others simply implement statutory requirements and, although costs may be imposed because of these statutory requirements, the public is benefited by clear and unambiguous rules which lessen the probability of disputes, litigation and public confusion. Others of the regulations in the agenda reallocate costs necessarily imposed by the statute so that, although certain contributing employers may experience greater costs, others will experience an equivalent reduction in costs resulting in a net effect of zero. Where applicable, additional costs and benefits are stated separately in the item relating to the particular regulation.

Unless otherwise indicated, all citations in the agenda are to sections of the Employee Retirement Income Security Act of 1974, Pub. L. No. 93-406, 88 Stat. 829, as amended by the Multiemployer Pension Plan Amendments Act of 1980 ("the Multiemployer Act"), Pub. L. No. 96-364, 94 Stat. 1208 ("ERISA"), 29 U.S.C. 1001 *et seq.* (1982).

C. C. Tharp,

Executive Director, Pension Benefit Guaranty Corporation.

BILLING CODE 7708-01-T

PENSION BENEFIT GUARANTY CORPORATION (PBGC) — Current and Projected Rulemakings

ARBITRATION OF DISPUTES IN MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1321(a)(2) ERISA

CFR Citation: 29 CFR 2641

Abstract: Section 4221 of ERISA provides that any dispute between an employer and the sponsor of a multiemployer plan regarding the determination of the employer's withdrawal liability to the plan shall be resolved through arbitration. Section 4221(a)(2) of ERISA provides that an arbitration proceeding under this section shall be conducted in accordance with fair and equitable procedures prescribed by the PBGC. The regulation will set forth those procedures. This regulation is needed to provide the rules of procedure under which an arbitration proceeding will be conducted. PBGC expects that the rule will minimize costs on plan sponsors and contributing employers because it provides a clear set of rules designed to clarify the Act's provisions and the responsibilities of the respective parties.

Timetable:

Action	Date	FR Cite
NPRM	07/07/83	48 FR 31251
NPRM Comment Period Begin	07/07/83	
NPRM Comment Period End	09/06/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Mrs. Renae Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St, NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA05

POWERS AND DUTIES OF PLAN SPONSORS OF PLANS TERMINATED BY MASS WITHDRAWAL: NOTICES OF BENEFIT REDUCTIONS AND SUSPENSIONS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(2) ERISA; 29 USC 1441(c) ERISA; 29 USC 1441(d) ERISA

CFR Citation: 29 CFR 2675

Abstract: Section 4281 of ERISA contains rules relating to the administration and payment of benefits under multiemployer plans that have terminated by mass withdrawal. Under certain circumstances, the plan sponsor is required to amend the plan to eliminate benefits not eligible for PBGC's guarantee under Section 4022A. In addition, if the terminated plan becomes insolvent, the sponsor is required to suspend payment of any benefits that are in excess of those guaranteed under Section 4022A. The PBGC is authorized to modify the statutory duties of the plan sponsor, including the duty to provide participants and beneficiaries with notice of benefit reductions, and is required to prescribe rules that ensure that plan participants and beneficiaries receive adequate notice of the benefit suspensions. This regulation will prescribe the requirements for these two notices, and will also modify the statutory rules concerning when a plan sponsor must make determinations of plan solvency. This regulation will benefit multiemployer plans by reducing the number of notices that would otherwise be required under ERISA, thus reducing plan costs. In addition, the regulation will (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/13/83	48 FR 27092
NPRM Comment Period Begin	06/13/83	
NPRM Comment Period End	08/12/83	
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: benefit plan participants and beneficiaries by requiring that they receive timely and informative notices of benefit reductions and suspensions. These benefits cannot be quantified. While providing the notices required by the regulation will obviously entail a cost to plans, the aggregate cost will be low: PBGC estimates that fewer than 10 plans per year will terminate by mass withdrawal, and only a very few of those will ever be required to reduce or suspend benefits.

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St. NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA07

NOTICE OF INSOLVENCY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1426(e) ERISA

CFR Citation: 29 CFR 2674

Abstract: Section 4245(e) of ERISA requires the plan sponsor of a multiemployer plan, upon determining that the plan may become insolvent, to give notice of that fact to the PBGC, contributing employers, affected employee organizations and plan participants. In addition, the plan sponsor must inform those parties of the plan's resource benefit level for the insolvency year. Section 4245(e)(4) of ERISA requires that the notices be given in accordance with regulations prescribed by the PBGC. This regulation will establish the procedures for issuing and the contents of the insolvency notices. The early notice of potential plan insolvency to the collective bargaining parties will enable the parties, if they so choose, to negotiate additional contributions in order to avoid insolvency and the consequent benefit suspensions. This is of benefit to plan participants and beneficiaries, although it is not possible to quantify that benefit.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA09

SUPPLEMENTAL GUARANTEE PROGRAM

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1322a(g)(2) ERISA

CFR Citation: 29 CFR 2690 to 2699

Abstract: Section 4022A(g)(2) of ERISA requires PBGC to issue regulations establishing a supplemental program to guarantee benefits under multiemployer plans that would otherwise be guaranteed but for the limitations in section 4022A(c) of ERISA. Participation by plans in this supplemental program is optional. ERISA requires that the supplemental guarantee program be entirely self-supporting. The information PBGC has indicates there is very little public interest in this program. Therefore, PBGC has determined that the program is financially unfeasible, and accordingly this project is being deferred indefinitely.

Timetable:

Action	Date	FR Cite
NPRM	02/01/83	48 FR 4632
NPRM Comment Period Begin	02/01/83	
NPRM Comment Period End	04/04/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA12

RULES DEFINING THE "BUILDING AND CONSTRUCTION INDUSTRY"

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1383(b) ERISA

CFR Citation: 29 CFR 2646

Abstract: Section 4203(b) of ERISA contains special withdrawal rules applicable to the building and construction industry. ERISA does not, however, contain a definition of the

term "building and construction industry"; nor does it define two other terms critical to the special rules, "primarily" and "substantially." This regulation would provide those definitions. Because there are conflicting views among the public as to the need for this regulation, and because of the difficulty in developing appropriate definitions of these terms, PBGC issued an advance notice of proposed rulemaking on this matter. PBGC is still studying the question of whether to proceed with a regulation.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/82	47 FR 42588
ANPRM Comment Period Begin	09/28/82	
ANPRM Comment Period End	11/29/82	
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA13

REDUCTION OR WAIVER OF COMPLETE WITHDRAWAL LIABILITY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1387(a) ERISA

CFR Citation: 29 CFR 2647

Abstract: Section 4207(a) of ERISA requires the PBGC to establish rules for reducing or waiving the liability of an employer who has completely withdrawn from a multiemployer plan and subsequently resumes covered operations or renews the obligation to contribute under the plan. This regulation will prescribe the circumstances under which an employer's liability will be reduced or waived and the rules for computing the employer's liability for a complete or partial withdrawal after it has reentered the plan. This regulation will benefit multiemployer plans by encouraging some employers who have withdrawn from these plans to renew their participation in the plans. By the same token these employers will benefit by having some or all of their withdrawal liability waived. While the plans will incur the cost of foregoing collection of some of the withdrawal liability owed them, the assumption underlying this statutory provision is that these costs will be offset by the contributions employers will make to the plans after their reentry. PBGC is unable to quantify these benefits and costs, because it cannot predict the number of employers who will avail themselves of this rule.

Timetable:

Action	Date	FR Cite
NPRM	03/05/84	49 FR 8036
NPRM Comment Period Begin	03/05/84	49 FR 8036
NPRM Comment Period End	05/04/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Mr. Steven Rothenberg, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA14

TRANSFERS OF LIABILITIES TO SINGLE-EMPLOYER PLANS: WAIVER OF MULTIEMPLOYER PLAN'S CONTINGENT LIABILITY

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1412(c) ERISA

CFR Citation: 29 CFR 2679

Abstract: Under section 4232(c), a multiemployer plan that transfers liabilities to a single-employer plan is contingently liable to PBGC, up to the amounts specified in section 4232(c), if the single-employer plan terminates within five years after the transfer. PBGC is authorized, however, to waive the contingent liability if it determines that its interests and the interests of plan participants and beneficiaries are adequately protected. This regulation will provide procedures for applying to PBGC for a waiver and standards under which waivers will be granted. Because of the small number of waiver requests received to date, PBGC has determined that this project is not a high priority, and that limited staff resources can be better applied to other projects. Accordingly, this regulation is deferred for the time being.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA15

REDETERMINATION OF WITHDRAWAL LIABILITY UPON MASS WITHDRAWAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(13) ERISA; 29 USC 1389(c) ERISA; 29 USC 1389(d) ERISA; 29 USC 1399(c)(1)(D) ERISA

CFR Citation: 29 CFR 2648

Abstract: The rules for determining an employer's withdrawal liability do not necessarily allocate a plan's total unfunded vested benefits because of the rules reducing or eliminating withdrawal liability, such as the de minimis rule. Therefore, if all or substantially all the employers in a plan withdraw, there may be large unallocated amounts that would constitute a potential claim on the insurance system. In order to avoid this result, section 4219(c)(1)(D) requires the determination or redetermination of withdrawal liability, in order to fully allocate a plan's unfunded vested benefits, upon either the termination of the plan through the withdrawal of every employer, or the withdrawal of substantially all the employers pursuant to an agreement or arrangement to withdraw. This regulation will set forth rules implementing this requirement. This regulation primarily benefits the multiemployer insurance program and the plans that are required to pay premiums under it, by insuring that in the event of a mass withdrawal (or the withdrawal of substantially all the employers pursuant to an agreement to withdraw), the liability for all unfunded vested benefits is allocated to the (cont)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: withdrawing employers. In

addition, in the case of the withdrawal of substantially all employers, the rule will benefit the employers remaining in the plan by preventing them from being left with more than their fair share of the plan's unfunded vested benefits.

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA16

VALUATION OF PLAN ASSETS AND PLAN BENEFITS FOLLOWING MASS WITHDRAWAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1441(b) ERISA

CFR Citation: 29 CFR 2676

Abstract: A plan that has terminated by mass withdrawal is required under section 4281(b) of ERISA to perform an annual valuation of the plan's nonforfeitable benefits and assets (including outstanding claims for withdrawal liability). This valuation is to be done in accordance with PBGC regulations. In addition, when a plan experiences a mass withdrawal, section 4219(c)(1)(D) requires the plan sponsor to allocate fully the plan's unfunded vested benefits to all withdrawing employers. In order to do this allocation, the plan sponsor must first value the plan's benefits and assets. This regulation will prescribe the rules for these valuations. The regulation on valuing outstanding claims for withdrawal liability listed on previous PBGC agendas (RIN 1212-AA17) has been merged into this regulation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Ms. Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA18

RULES UNDER SECTIONS 4041A AND 4281 FOR PLANS TERMINATED BY MASS WITHDRAWAL

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1341a ERISA; 29 USC 1441(d) ERISA

CFR Citation: 29 CFR 2675

Abstract: Section 4041A of ERISA provides rules with respect to the termination of multiemployer plans and the payment of benefits under those plans. Under section 4041A(f)(2), PBGC is authorized to prescribe rules for the administration of those plans that are appropriate to protect the interests of plan participants and beneficiaries or to prevent unreasonable loss to the insurance system. Under section 4281(b), the plan sponsor of a plan that has terminated by mass withdrawal is required annually to determine the value of the plan's nonforfeitable benefits and assets. If the value of the benefits exceeds the value of the assets, the sponsor must amend the plan to eliminate benefits not eligible for PBGC's guarantee under section 4022A(b), to the extent necessary to insure that the plan assets are sufficient to pay all nonforfeitable benefits. This determination of sufficiency is to be made in accordance with rules prescribed by PBGC. This regulation would establish the rules for administering plans that have terminated by mass withdrawal, including the rules for determining sufficiency in the circumstances described above. The primary purpose (cont)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: and benefit of this regulation will be to establish rules that encourage the efficient administration of these plans. By thus helping to preserve plan assets, these rules will, in the first instance, benefit plan participants and beneficiaries and secondarily, the multiemployer insurance system and premium payers. PBGC lacks adequate data to be able to quantify these benefits.

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA19

TRANSFERS FROM MULTIEMPLOYER PLANS TO SINGLE-EMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3); 29 USC 1412; 29 USC 1414

CFR Citation: 29 CFR 2679

Abstract: Sections 4232 and 4234 of ERISA prescribe rules governing the transfer of liabilities and assets from a multiemployer plan to a single-employer plan and prohibit certain transfers unless approved by PBGC. The regulation will establish procedures for requesting and criteria for PBGC approval of transfers which require approval and guidelines for satisfying the statutory requirements pertaining to other transfers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mr. J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA20

ALLOCATING UNFUNDED VESTED BENEFITS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3); 29 USC 1391(c)

CFR Citation: 29 CFR 2642

Abstract: On January 19, 1981, PBGC issued an interim regulation dealing with alternative methods for allocating unfunded vested benefits in multiemployer pension plans. PBGC now plans to re-promulgate that regulation in order to correct ambiguities that have arisen under it, to conform the procedures contained in it to other PBGC regulations, and to reduce the information reporting requirements in the regulation. The regulation will impose no new costs on

the public and may reduce costs for plans adopting certain alternative allocation rules by reducing the reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA21

REDUCTION OR WAIVER OF PARTIAL WITHDRAWAL LIABILITY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1388(e) (3)

CFR Citation: 29 CFR 2649

Abstract: Section 4208(e)(3) of ERISA requires PBGC to issue a procedural regulation under which a multiemployer plan may adopt rules for the reduction or elimination of partial withdrawal liability. This regulation will allow plans to ease the statutory partial withdrawal liability rules where, for example, the rules are harmful to the plan because they discourage an employer from increasing its participation under the plan, or where the statutory rules create administrative burdens which outweigh the protections afforded by the rules.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA22

LIMITATIONS ON WITHDRAWAL LIABILITY FOR SALES AND EMPLOYER LIQUIDATIONS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1405

CFR Citation: 29 CFR 2650

Abstract: Section 4225 of ERISA limits the amount of unfunded vested benefits under a multiemployer plan that can be allocated to an employer in the event that the employer (1) sells all or substantially all of its assets, or (2) is insolvent and undergoing liquidation or dissolution. The regulation will provide guidance on the application of the limits, including their application in the case of withdrawals from more than one plan.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulation Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA23

APPROVAL OF PLAN AMENDMENTS UNDER SECTION 4220

Priority: Agency Determination

Legal Authority: 29 USC 1302(b) (3); 29 USC 1400

CFR Citation: 29 CFR 2677

Abstract: Under section 4220, certain amendments that multiemployer plans are authorized by ERISA to adopt and which are adopted after April 29, 1983, are effective only if PBGC approves the amendment or fails to disapprove the amendment within 90 days after being notified of it. This regulation will prescribe the procedures for requesting PBGC approval of these plan amendments.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: J. Ronald Goldstein, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA24

NOTICE OF INTENT TO TERMINATE FOR NON-MULTIEMPLOYER PENSION PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341

CFR Citation: 29 CFR 2616

Abstract: Section 4041(a) of ERISA requires that a plan administrator file with the PBGC a notice that the plan is to be terminated. This rule would amend PBGC's regulation on Notice of Intent to Terminate for Single-Employer Plans, 29 CFR Part 2616, to provide that a notice or action document shall be deemed filed on the date on which it is received by the PBGC. The current regulation provides that a document is generally deemed filed on the date of the U.S. Postal Service postmark. Confusion has resulted because of the widespread use of private postage meters and the fact that the date on which a document is placed in a mailbox may not correspond with the U.S. Postal Service postmark. This amendment also would clarify the procedures for filing a notice of intent to terminate when a plan administrator chooses to use an alternative procedure for demonstrating sufficiency under PBGC's regulation on Determination of Plan Sufficiency and Termination of Sufficient Plans, 29 CFR Part 2617. This amendment, which will minimize confusion over the correct date and manner of filing, will be issued in conjunction with the amendment to 29 CFR Part 2617.

Timetable:

Action	Date	FR Cite
Final Action	10/00/84	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulation Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA00

RULES FOR VALUING GROUP INSURANCE CONTRACTS (AMENDMENT TO THE VALUATION OF PLAN ASSETS REGULATION)

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1341 ERISA; 29 USC 1344 ERISA; 29 USC 1362(b)(1) ERISA

CFR Citation: 29 CFR 2620

Abstract: This amendment to the existing PBGC regulation on valuing plan assets, 29 CFR Part 2620, will set forth rules for valuing group insurance contracts as plan assets. This regulation applies to single-employer plans. This rule is necessary to provide uniform standards for plan administrators and employers to use in valuing insurance contracts. The rule will enable plans which are funded through insurance contracts to have clear guidance on how this asset should be treated in the plan termination context, and alleviate time-consuming costly delays due to uncertainty on how this commonly used plan funding vehicle should be valued.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA01

BENEFIT REDUCTIONS IN TERMINATED SINGLE-EMPLOYER PENSION PLANS AND RECOUPMENT OF BENEFIT OVERPAYMENTS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1322 ERISA; 29 USC 1341 ERISA; 29 USC 1342 ERISA; 29 USC 1344 ERISA; 29 USC 1361 ERISA

CFR Citation: 29 CFR 2623

Abstract: The PBGC is preparing a final regulation to set forth rules designed: (a) to reduce benefit overpayments made to plan participants after the date of plan termination by requiring plan administrators to reduce benefit payments to the estimated level of Title IV benefits payable; (b) to define the circumstances under which the PBGC will recover overpayments from plan participants; and (c) to describe the method(s) by which the PBGC will recover overpayments. The regulation applies only to single-employer plans. This regulation is needed to establish rules and procedures for the prompt reduction of benefits after the date of plan termination in order to minimize overpayments to participants and to establish a formal procedure for PBGC recovery of overpayments to participants. This regulation will provide guidance to plan administrators and participants and minimize costs to the insurance system. No new costs will be added to plan sponsors because PBGC presently requests plan administrators to cut back benefits after termination to estimated guaranteed benefits. The effect of the rule in this respect will be simply to provide clear (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/31/83	48 FR 50111
NPRM Comment Period Begin	10/31/83	48 FR 50111
NPRM Comment Period End	12/30/83	
Final Action	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: guidance as to the method and form of the cutback. The rule will greatly minimize losses to the insurance system because it will be far more likely that the overpayments in benefits will be small and will be capable of complete recoupment during the participant's lifetime.

Agency Contact: Mrs. Renae Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA02

DETERMINATION OF PLAN SUFFICIENCY AND TERMINATION OF SUFFICIENT PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344

CFR Citation: 29 CFR 2617

Abstract: On January 28, 1981, PBGC issued a final rule on Determination of Plan Sufficiency and Termination of Sufficient Plans, requiring administrators of plans that are not "clearly insufficient" to follow a specified procedure for demonstrating whether the plan is sufficient. Pursuant to this procedure, the plan administrator must, inter alia, value the plan's assets and liabilities as of a proposed distribution date and submit the valuation data to the PBGC. In light of its experience in processing plans under this regulation, the PBGC has concluded that for some plans the data submission requirement is unnecessary. Accordingly, PBGC now plans to amend that regulation to set forth, as an alternative method for demonstrating sufficiency, the submission of an enrolled actuary's statement certifying that the value of plan assets determined in accordance with the regulation does or does not, whichever is applicable, equal or exceed the value of plan benefits determined in accordance with the regulation. This amendment sets forth a simplified optional procedure for demonstrating sufficiency and may reduce costs for (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: terminating plans.

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA25

VALUATION OF PLAN BENEFITS IN NON-MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344; 29 USC 1362

CFR Citation: 29 CFR 2619

Abstract: This rule would amend PBGC's regulation on Valuation of Plan Benefits in Non-Multiemployer Plans, 29 CFR Part 2619. That regulation sets forth the rules for valuing benefits in terminating plans that are covered by the insurance program under ERISA, which valuation is needed to determine if plan assets are sufficient to provide for plan benefits and to properly allocate assets to those benefits. After review of this regulation pursuant to Executive Order 12291, the PBGC is amending the rules for valuing benefits payable as lump sums upon termination. The effect of this amendment is to prescribe the range of interest rates that may be used to value lump sums that are paid in lieu of

annuities. The amendment, in the form of an interim final rule, is needed to protect recipients of lump sum distributions from loss of benefit value resulting from the use of inappropriate interest rates to compute the lump sum amounts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/84	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA26

● PAYMENT OF PREMIUMS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1306; 29 USC 1307

CFR Citation: 29 CFR 2610

Abstract: Section 4007 of ERISA provides that premiums under Title IV are payable at the time, and on an estimated, advance, or other basis, as determined by PBGC. This rule would amend PBGC's regulation on Payment of Premiums, 29 CFR Part 2610, to accelerate collection of PBGC premium revenue from plans with 500 or more participants. The amendment would change the premium due date for such plans to the last day of the second month following the close of the plan year. This amendment is needed to bring PBGC practice in line with the collection practices of other governmental programs and typical insurance industry practice.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	
Interim Final Rule	01/00/85	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA29

PENSION BENEFIT GUARANTY CORPORATION (PBGC) — Existing Regulations Under Review

● LIMITATION ON GUARANTEED BENEFITS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1322; 29 USC 1322B

CFR Citation: 29 CFR 2621

Abstract: On May 23, 1984, the PBGC announced that it, along with the Treasury Department and the Department of Labor, had adopted implementation guidelines for processing defined benefit pension plan terminations involving asset reversions to the plan sponsor. The guidelines provide that the PBGC will, by regulation, clarify the status of a successor plan under the phase-in rules of section 4022 of ERISA. Accordingly, the PBGC has initiated a review of its regulations on Guaranteed Benefits, 29 CFR Part 2613, and Limitation on Guaranteed Benefits, 29 CFR Part 2621, in order to determine what amendments may be needed to properly define "successor plan" and clarify its status and the guaranteeability of benefits provided for in a successor plan.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA27

● GUARANTEED BENEFITS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1322

CFR Citation: 29 CFR 2613

Abstract: On May 23, 1984, the PBGC announced that it, along with the Treasury Department and the Department of Labor, had adopted implementation guidelines for processing defined benefit pension plan terminations involving asset reversions to the plan sponsor. The guidelines provide that the PBGC will, by regulation, clarify the status of a successor plan under the phase-in rules of section 4022 of ERISA. Accordingly, the PBGC has initiated a review of its regulations on Guaranteed Benefits, 29 CFR Part 2613, and Limitation on Guaranteed Benefits, 29 CFR Part 2621, in order to determine what amendments may be needed to properly define "successor plan" and clarify its status and the guaranteeability of benefits provided for in a successor plan.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA28

PENSION BENEFIT GUARANTY CORPORATION (PBGC) — Completed Actions

COMPLETED RULEMAKINGS

NOTICE AND COLLECTION OF WITHDRAWAL LIABILITY

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1399(c) ERISA

CFR Citation: 29 CFR 2644

Abstract: Section 4219(c)(6) of ERISA provides that the interest rate charged by a multiemployer plan in the event of delinquency or default in the payment of withdrawal liability shall be based on prevailing market rates for comparable obligations, in accordance with PBGC regulations. This regulation will implement that section by establishing the interest rate to be used. In addition, PBGC is considering giving plans authority to establish their own rates, consistent with section 4219(c)(6).

Timetable:

Action	Date	FR Cite
NPRM	02/14/83	48 FR 6559
NPRM Comment Period Begin	02/14/83	
NPRM Comment Period End	04/15/83	
Final Action	05/31/84	49 FR 22642
Final Action Effective	07/02/84	49 FR 22643

Small Entity: No

Agency Contact: Mr. James M. Graham, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA06

VARIANCES FOR SALES OF ASSETS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1384(c) ERISA

CFR Citation: 29 CFR 2643

Abstract: Section 4204 of ERISA provides that the sale of assets by an employer who contributes to a multiemployer plan, which would normally constitute a withdrawal from the plan, will not be considered a withdrawal if certain requirements are met. This regulation will provide exemptions or variances from the purchaser's bond/escrow requirement and the sales-contract requirement of section 4204 (a)(l)(B) and (C) of ERISA under certain conditions. This regulation will assist employers who engage in sales of assets to structure those transactions so as to avoid any immediate liability for the seller's withdrawal from a multiemployer plan. Further, by waiving the requirement that the purchaser post a bond or establish an escrow account, the regulation frees up funds that the purchaser may use for other purposes. In 22 cases decided so far in which the PBGC has granted individual exemptions from this requirement, the total amount of the bonds/escrows waived is approximately $11.4 million.

Timetable:

Action	Date	FR Cite
NPRM	02/14/83	48 FR 6555
NPRM Comment Period Begin	02/14/83	
NPRM Comment Period End	04/15/83	
Final Action	05/31/84	49 FR 22635
Final Action Effective	07/02/84	49 FR 22635

Small Entity: No

Agency Contact: Mr. James M. Graham, Attorney, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-4862

RIN: 1212-AA08

REPORTING AND NOTIFICATION REQUIREMENTS FOR REPORTABLE EVENTS

Priority: Agency Determination

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1343 ERISA; 29 USC 1365 ERISA

CFR Citation: 29 CFR 2615

Abstract: Section 4043 of ERISA sets forth several types of events with respect to which plan administrators must notify the PBGC and authorizes the PBGC to waive the thirty-day notification requirements for any of those events. The Multiemployer Act amended section 4065 of ERISA to authorize PBGC to waive the requirement that a list of reportable events be included in the Annual Report filed with the PBGC. In addition, the Multiemployer Act established separate reporting and notification requirements for multiemployer plans. Accordingly, the PBGC is amending its reportable events regulation, 29 CFR Part 2615, which modifies certain of the statutory requirements, to further delete unnecessary reporting requirements for both single-employer and multiemployer plans. The regulation will reduce the reporting and notification requirements to which plan administrators are subject.

Timetable:

Action	Date	FR Cite
NPRM	08/17/83	48 FR 37230
NPRM Comment Period Begin	08/17/83	
NPRM Comment Period End	10/17/83	
Final Action	05/30/84	49 FR 22472
Final Action Effective	06/29/84	49 FR 22473

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Department, (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA04

COMPLETED REVIEWS

VALUATION OF PLAN BENEFITS IN NON-MULTIEMPLOYER PLANS

Priority: Agency Determination

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344; 29 USC 1362

CFR Citation: 29 CFR 2619

Abstract: On January 28, 1981, the Pension Benefit Guaranty Corporation published in the Federal Register a final regulation on Valuation of Plan Benefits in Non-Multiemployer Plans. The regulation sets forth the rules for valuing benefits in terminating plans that are covered by the insurance program under ERISA, which valuation is needed to determine if plan assets are sufficient to provide for plan benefits and to properly allocate assets to those benefits. Pursuant to Executive Order 12291, the PBGC has initiated a review of this regulation in accordance with the purposes of the Executive Order.

Timetable:

Action	Date	FR Cite
End Review	05/01/84	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Corporate Policy and Regulations Dept. (611), 2020 K St., NW, Washington, DC 20006, 202 254-6476

RIN: 1212-AA26

[FR Doc. 84-24279 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XXXV

Railroad Retirement Board

Semiannual Regulatory Agenda

RRB

RAILROAD RETIREMENT BOARD

20 CFR Ch. II

Semiannual Agenda of Regulations Under Development or Review

AGENCY: Railroad Retirement Board.

ACTION: Agenda of regulations under development or review.

SUMMARY: This agenda contains lists of regulations that the Board is developing or proposes to develop in the next twelve months and regulations that are scheduled to be reviewed in that period.

ADDRESS: 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Steven A. Bartholow, Deputy General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611, (312) 751-4935 (FTS 387-4935).

SUPPLEMENTARY INFORMATION: Regulations that are routine in nature or pertain solely to internal agency management have not been included in the agenda. Current regulations that are proposed to be modified based on a completed review of the regulations are listed in the agenda as regulations under development.

DATED: August 27, 1984.
By Authority of the Board.
For the Board.

Beatrice Ezerski,

Secretary to the Board.

BILLING CODE 7905-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Part 220 Disability Determinations	3220-AA01
2	Primary Insurance Amount Determinations	3220-AA02
3	Computing the Employee and Spouse Annuity	3220-AA03
4	Definition and Creditability of Service	3220-AA04
5	Military Service	3220-AA05
6	Definition and Creditability of Compensation	3220-AA06
7	Reports and Information to be Filed by Employers	3220-AA07
8	Regulations Under the Regional Rail Reorganization Act of 1973	3220-AA09
9	Disclosure of Business Information	3220-AA10
10	Initial Determinations Under the Railroad Unemployment Insurance Act and Reviews of and Appeals from Such Determinations	3220-AA11
11	Annuity Beginning And Ending Dates	3220-AA13
12	Evidence Required For Payment	3220-AA14
13	Eligibility For An Annuity	3220-AA15
14	Application For Annuity Or Lump Sum	3220-AA16
15	Computing Supplemental Annuities	3220-AA17
16	Lump-Sum Payments	3220-AA18
17	Payments Pursuant To Court Decree Or Property Settlement	3220-AA19
18	Employers' Contributions And Contribution Reports	3220-AA20

Completed Actions

Sequence Number	Title	Regulation Identifier Number
19	Adjustment of Annuities When Revenues Are Not Sufficient to Pay Full Tier I and Tier II Benefit Components	3220-AA00

RAILROAD RETIREMENT BOARD (RRB)

Current and Projected Rulemakings

1. PART 220 DISABILITY DETERMINATIONS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 220

Abstract: The Board's regulations with respect to disability determinations have not been updated for several years and they are, in certain respects, obsolete. When revised, this regulation should ease the administration of disability benefits and result in greater consistency in disability determinations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4818

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush Street, Chicago, IL 60611, 312 751-4818

RIN: 3220-AA01

2. PRIMARY INSURANCE AMOUNT DETERMINATIONS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 225

Abstract: The computation of benefits under the Railroad Retirement Act of 1974 is quite complex and is not easily understood by beneficiaries. This proposed regulation would explain primary insurance amount determinations in a manner that will enable claimants and beneficiaries to more easily understand this phase of benefit computations.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	48 FR 40390
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4818

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush Street, Chicago, IL 60611, 312 751-4818

RIN: 3220-AA02

3. COMPUTING THE EMPLOYEE AND SPOUSE ANNUITY

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 226

Abstract: The Board's regulations on the computation of employee and spouse annuities must be updated to conform to the Railroad Retirement Act of 1974 and to amendments to the Act made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Additional Information: FTS 387-4818

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush Street, Chicago, IL 60611, 312 751-4818

RIN: 3220-AA03

4. DEFINITION AND CREDITABILITY OF SERVICE

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 210

Abstract: The Board's regulations on creditability of service have not been revised recently and a review of the regulations revealed that revisions are necessary to conform to amendments to the Act and to clarify the regulations in several respects.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4876

Agency Contact: George Traynere, Director, Bureau of Compensation and Certif., Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4876

RIN: 3220-AA04

5. MILITARY SERVICE

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 212

Abstract: The Board's regulations on military service have not been revised recently and it was determined based on a review of the current regulations that revisions would be advisable to clarify and simplify the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4876

Agency Contact: George Traynere, Director, Bureau of Compensation and Certif., Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4876

RIN: 3220-AA05

6. DEFINITION AND CREDITABILITY OF COMPENSATION

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 211

Abstract: The Board's regulations on creditability of compensation have not been revised recently and it was determined based on a review of the current regulations that revisions would be advisable to clarify and simplify the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4876

Agency Contact: George Traynere, Director, Bureau of Compensation and Certif., Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4876

RIN: 3220-AA06

7. REPORTS AND INFORMATION TO BE FILED BY EMPLOYERS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 209

Abstract: The Board's regulations on reports and information to be filed by employers have not been revised recently and it was determined based on a review of the current regulations that revisions would be advisable to clarify and simplify the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4876

Agency Contact: George Traynere, Director, Bureau of Compensation and Certif., Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4876

RIN: 3220-AA07

8. REGULATIONS UNDER THE REGIONAL RAIL REORGANIZATION ACT OF 1973

Legal Authority: 45 USC 362(l); 45 USC 797; PL 97-102

CFR Citation: 20 CFR 390

Abstract: Pursuant to the Northeast Rail Service Act of 1981, appropriations statutes authorized by that Act, and the benefit schedules prescribed by the Secretary of Labor, the Board has certain duties, responsibilities, and powers to administer programs under Title VII of the Regional Rail Reorganization Act of 1973. Regulations are necessary to establish procedures to be followed in making claims under these programs and to establish procedures for resolving disputes and appeals.

Timetable:

Action	Date	FR Cite
NPRM	12/19/83	48 FR 56065
NPRM Comment Period End	01/18/84	48 FR 56065
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4810

Agency Contact: Walter Witkovich, Chief of Adjudication, Railroad Retirement Board, Bur of Unemployment and Sickness Insurance, 844 Rush Street, Chicago, IL 60611, 312 751-4810

RIN: 3220-AA09

9. DISCLOSURE OF BUSINESS INFORMATION

Legal Authority: 5 USC 552

CFR Citation: 20 CFR 200.3

Abstract: The Department of Justice recently directed Federal agencies to establish procedures, preferably as regulations, to cover requests under the Freedom of Information Act for business information provided by private business concerns. A regulation is under development to comply with this directive.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4935

Agency Contact: Steven A. Bartholow, Deputy General Counsel, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4935

RIN: 3220-AA10

10. INITIAL DETERMINATIONS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND REVIEWS OF AND APPEALS FROM SUCH DETERMINATIONS

Legal Authority: 45 USC 355(b); 45 USC 362(l)

CFR Citation: 20 CFR 320

Abstract: The Board's regulation setting forth the procedures to be followed in rendering initial decisions and in requesting and handling reconsiderations and appeals from these decisions has been reviewed and a proposal to make certain revisions in this regulation is being developed. The proposed regulation would conform the procedures more closely to those applicable under the Railroad Retirement Act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: FTS 387-4810

Agency Contact: Walter Witkovich, Chief of Adjudication, Railroad Retirement Board, Bur of Unemployment and Sickness Insurance, 844 Rush Street, Chicago, IL 60611, 312 751-4810

RIN: 3220-AA11

11. ANNUITY BEGINNING AND ENDING DATES

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 218

Abstract: Part 218 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1973.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, Illinois 60611, 312 751-4818

RIN: 3220-AA13

12. EVIDENCE REQUIRED FOR PAYMENT

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 219

Abstract: Part 219 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Reconciliation Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, Illinois 60611, 312 751-4818

RIN: 3220-AA14

13. ELIGIBILITY FOR AN ANNUITY

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 216

Abstract: Part 216 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, Illinois 60611, 312 751-4818

RIN: 3220-AA15

14. APPLICATION FOR ANNUITY OR LUMP SUM

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 217

Abstract: Part 217 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Not Applicable

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, Illinois 60611, 312 751-4818

RIN: 3220-AA16

15. COMPUTING SUPPLEMENTAL ANNUITIES

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 227

Abstract: Part 227 is being developed to describe how supplemental annuities as

provided by the Railroad Retirement Act of 1974 are computed.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	48 FR 40390
Final Action	12/00/84	

Small Entity: Not Applicable

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, Illinois 60611, 312 751-4818

RIN: 3220-AA17

16. LUMP-SUM PAYMENTS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 234

Abstract: Part 234 is being revised to incorporate changes required by amendments to the Railroad Retirement Act and to simplify and clarify the language of that Part.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Not Applicable

Agency Contact: Lynn Harvey, Program Analyst, Railroad Retirement Board, Bureau of Retirement Claims, 844 Rush St., Chicago, Illinois 60611, 312 751-4818

RIN: 3220-AA18

17. PAYMENTS PURSUANT TO COURT DECREE OR PROPERTY SETTLEMENT

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 295

Abstract: Section 419 of Public Law 98-76 amended section 14 of the Railroad Retirement Act of 1974 to make certain portions of annuities subject to division in connection with court decrees of divorce, annulment or legal separation. Part 295 will implement this amendment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: FTS 387-4941

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Agency Contact: Karl T. Blank, General Attorney, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4941

RIN: 3220-AA19

18. EMPLOYERS' CONTRIBUTIONS AND CONTRIBUTION REPORTS

Legal Authority: 45 USC 358(g); 45 USC 362(l)

CFR Citation: 20 CFR 345

Abstract: The Board's regulations currently provide for the payment of contributions by employers as required under the Railroad Unemployment Insurance Act by the end of the second month after the quarter for which the contributions are payable or in the case of very small employers by the end of the second month following the close of the year for which contributions are payable. The Board is considering an amendment to this schedule which would conform the deposit schedule more closely to that for other taxes, accelerating the payments by one month.

Timetable:

Action	Date	FR Cite
NPRM	07/27/84	49 FR 30207
NPRM Comment Period Begin	07/27/84	49 FR 30207
NPRM Comment Period End	09/25/84	
Final Action	12/00/84	

Small Entity: Not Applicable

Additional Information: FTS 387-4590

Affected Sectors: 40 RAILROAD TRANSPORTATION

Government Levels Affected: Federal

Agency Contact: William Oczkowski, Director of Fiscal and Planning Operations, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4590

RIN: 3220-AA20

RAILROAD RETIREMENT BOARD (RRB) — Completed Actions

COMPLETED RULEMAKINGS

19. ADJUSTMENT OF ANNUITIES WHEN REVENUES ARE NOT SUFFICIENT TO PAY FULL TIER I AND TIER II BENEFIT COMPONENTS

CFR Citation: 20 CFR 299

Completed:

Reason	Date	FR Cite
Withdrawn	02/21/84	49 FR 6383

Small Entity: Not Applicable

Agency Contact: Steven A. Bartholow 312 751-4935

RIN: 3220-AA00

[FR Doc. 84-24280 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXXVI

Selective Service System

Semiannual Regulatory Agenda

SSS

SELECTIVE SERVICE SYSTEM

32 CFR Ch. XVI

Regulatory Agenda

AGENCY: Selective Service System.

ACTION: Regulatory Agenda.

SUMMARY: The purpose of this agenda is to report the proposed rulemaking activities of the Selective Service System that might affect the processing of registrants under the Military Selective Service Act (50 U.S.C. App. 451 *et seq.*). This information will allow the public to participate in the System's decision-making at an early stage.

FOR FURTHER INFORMATION CONTACT: Henry N. Williams, General Counsel, Selective Service System, Washington, D.C. 20435, telephone (202) 724-1167.

SUPPLEMENTARY INFORMATION: The agenda is published in accord with the requirements of E.O. 12291. Selective Service Regulations appear in 32 CFR Chapter XVI.

DATED: August 17, 1984.

Thomas K. Turnage,

Director of Selective Service.

BILLING CODE 8015-01-T

The agenda follows.

SELECTIVE SERVICE SYSTEM (SSS) — Current and Projected Rulemakings

SELECTIVE SERVICE REGULATIONS; DEFERMENT OR EXEMPTION FROM MILITARY SERVICE

Legal Authority: 50 USC App. 451 et seq Military Selective Service Act; EO 11623

CFR Citation: 32 CFR Chapter XVI

Abstract: Various sections in 32 CFR Chapter XVI will be revised to increase clarity or expression and make them consistent with 32 CFR Part 1656 which was added at 48 FR 16675 (April 19, 1983). 32 CFR Parts 1662 and 1665 were published as final rules at 47 FR 7223 (February 18, 1982). The remainder of 32 CFR Chapter XVI (except 32 CFR Part 1660 which appears in 32 CFR Part 1660 (July 1, 1981)) was published as final rules at 47 FR 4640 (February 1, 1982).

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
NPRM Comment Period Begin	12/00/84	

Small Entity: No

Agency Contact: Henry N. Williams, General Counsel, Selective Service System, 1023 31st Street, NW, Washington, DC 20435, 202 724-1167

RIN: 3240-AA01

[FR Doc. 84-24281 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXXVII

Small Business Administration

Semiannual Regulatory Agenda

SBA

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Improving Government Regulations; Semiannual Agenda

AGENCY: Small Business Administration.

ACTION: Publication of the semiannual agenda of regulations under review or development by the Small Business Administration.

SUMMARY: This is SBA's 11th semiannual agenda of regulations. Although not a regulatory Agency, SBA has attempted to draft agendas that met both the criteria and the spirit of the regulatory review process. This agenda is published pursuant to Executive Order 12291 and the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, Pub. L. 96-354, effective January 1, 1981.

FOR FURTHER INFORMATION CONTACT: For further information on agenda items, the public is encouraged to contact the individual Agency official listed for the particular item.

For information concerning SBA overall Regulatory Review and Development Program or general semiannual agenda questions, contact Martin D. Teckler, Deputy General Counsel, Small Business Administration, 1441 L Street, N.W., Washington, D.C. 20416, 202/653-6642.

SUPPLEMENTARY INFORMATION: The SBA agenda will contain many regulations which are limited in public impact, but they are included to increase public knowledge of all SBA regulatory activities and allow for increased public participation in the review and development process.

Public comments on SBA's previous agendas have been general, and all were positive. None were directed at specific contents, nor were any changes suggested or recommended.

The agenda format has three parts. Part I, Current and Projected Rulemakings, includes rulemaking currently underway and scheduled to be completed shortly. Part II, Existing Regulations Under Review, includes existing regulations being reviewed within the Agency to determine whether to propose modifications through rulemaking. Part III, Completed Actions, includes regulations completed or withdrawn, and reviews completed since the preceding agenda.

Publication of this agenda does not impose any binding obligation on SBA with regard to any specific item in the agenda. Additional regulatory action not listed on the agenda is not precluded.

DATED: August 31, 1984.

James C. Sanders,

Administrator.

BILLING CODE 8025-01-T

SMALL BUSINESS ADMINISTRATION (SBA) — Current and Projected Rulemakings

ELIGIBILITY REQUIREMENTS FOR CERTIFICATE OF COMPETENCY APPLICANTS

Legal Authority: 15 USC 637(b)(7)

CFR Citation: 13 CFR 125.5

Abstract: Revision of the conditions under which SBA will provide a certificate of competency relative to a small concern's ability to perform a government contract.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/12/82	47 FR 34972
NPRM	02/00/85	

Small Entity: No

Agency Contact: Robert J. Moffitt, Director, Small Business Administration, Office of Industrial Assistance, 1441 L Street, NW, Washington, DC 20416, **202 653-7035**

RIN: 3245-AA03

MINORITY SMALL BUSINESS AND CAPITAL OWNERSHIP DEVELOPMENT

Priority: Agency Determination, Major

Legal Authority: 15 USC 637(a)

CFR Citation: 13 CFR 124

Abstract: These regulations would completely revise eligibility and program management for the SBA's Minority Enterprise Program.

Timetable:

Action	Date	FR Cite
NPRM	12/22/83	48 FR 56686
NPRM Comment Period Begin	12/22/83	
Comment Period extended to 3/21/84	02/17/84	49 FR 6103
NPRM Comment Period End	02/21/84	
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Robert H. Saldivar, Acting Associate Administrator, Small Business Administration, 1441 L Street, NW, Room 317, Washington, DC 20416, **202 653-6407**

RIN: 3245-AA12

ACCOUNTING STANDARDS AND FINANCIAL REPORTING REQUIREMENTS FOR SMALL BUSINESS INVESTMENT COMPANIES

Priority: Undetermined

Legal Authority: 15 USC 687

CFR Citation: 13 CFR 107

Abstract: Replace appendices to regulations concerning accounting standards for SBIC's to include treatment of Limited Partnership SBIC's.

Timetable:

Action	Date	FR Cite
ANPRM	02/10/84	49 FR 5230
ANPRM Comment Period Begin	02/10/84	
Comment Period extended 30 days	03/28/84	49 FR 11843
ANPRM Comment Period End	04/10/84	
Comment Period extended 30 days	05/29/84	49 FR 22337
NPRM	11/00/84	

Small Entity: Yes

Agency Contact: Thomas C. Bresnan, Staff Accountant, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6389**

RIN: 3245-AA18

REVISION OF SURETY BOND GUARANTEE REGULATIONS

Priority: Undetermined

Legal Authority: 15 USC 694(a)

CFR Citation: 15 CFR 115

Abstract: General revision of surety bond guarantee regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Yes

Agency Contact: Edwin T. Holloway, Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, 202 653-6632

RIN: 3245-AA20

CIVIL RIGHTS COMPLIANCE: DISCRIMINATION ON THE BASIS OF HANDICAP

Legal Authority: 42 USC 2000d-1

CFR Citation: 13 CFR 136

Abstract: Prohibition of discrimination in SBA programs on the basis of handicap.

Timetable:

Action	Date	FR Cite
NPRM	07/02/84	49 FR 27164
NPRM Comment Period Begin	07/02/84	
NPRM Comment Period End	10/30/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: George H. Robinson, Director, Small Business Administration, Office of EEO&C, 1441 L Street, NW, Washington, DC 20416, 202 653-6050

RIN: 3245-AA21

SIZE STANDARD - SALVAGE TIMBER SALES

Priority: Undetermined

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Size standard for special salvage timber sale by Bureau of Land Management's new program.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA22

SIZE PROTESTS FOR SUBCONTRACTORS

Priority: Undetermined

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Procedures for Size Protests for subcontractors.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: Donald P. Young, Associate Administrator, Small Business Administration, Office of Procurement & Technical Assistance, 1441 L Street, NW, Washington, DC 20416, 202 653-6635

RIN: 3245-AA25

PREFERRED LENDER PROGRAM

Priority: Undetermined

Legal Authority: 15 USC 634(b)(7)

CFR Citation: 13 CFR 120.300

Abstract: Implementation of Preferred Lender Program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Yes

Agency Contact: Edwin T. Holloway, Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, 202 653-6632

RIN: 3245-AA28

AMENDMENTS TO INDUSTRIAL SIZE STANDARDS

Priority: Undetermined

Legal Authority: 15 USC 632(a); 15 USC 634(b)

CFR Citation: 13 CFR 121

Abstract: Size Standard for Dredging.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Yes

Agency Contact: Andrew Canellas, Director, Small Business Administration, Office of Size Standards, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA29

CIVIL RIGHTS COMPLIANCE: DISCRIMINATION ON THE BASIS OF HANDICAP

Legal Authority: 42 USC 2000d-1

CFR Citation: 13 CFR 112

Abstract: Prohibition of discrimination in SBA programs on the basis of handicap.

Timetable:

Action	Date	FR Cite
NPRM	02/09/84	
NPRM Comment Period Begin	02/09/84	
NPRM Comment Period End	03/12/84	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Adeline Sanchez, Chief, Small Business Administration, Office of EEO&C, 1441 L Street, NW, Washington, DC 20416, 202 653-6050

RIN: 3245-AA31

MISCELLANEOUS REVISIONS TO SMALL BUSINESS INVESTMENT COMPANY REGULATIONS

Priority: Undetermined

Legal Authority: 15 USC 661; 15 USC 634(b)

CFR Citation: 13 CFR 107

Abstract: Technical and other amendments to SBIC regulations, including user fee; definition of socially or economically disadvantaged business.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Yes

Agency Contact: Edwin T. Holloway, Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, **202 653-6632**

RIN: 3245-AA33

DISASTER ASSISTANCE

Priority: Undetermined

Legal Authority: 15 USC 636(b); 15 USC 636(c); 15 USC 636(f); 15 USC 634(b)(6)

CFR Citation: 13 CFR 123

Abstract: Entire revision of 13 CFR Part 123 - Physical Disaster and Economic Injury Loans - due to passage of Pub. L. 98-270.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/13/84	49 FR 32310
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: Bernard Kulik, Deputy Associate Administrator, Small Business Administration, Office of Disaster Assistance, 1441 L Street, NW, Washington, DC 20416, **202 653-6879**

RIN: 3245-AA34

AMENDMENTS TO SEC. 503 PROGRAM REGULATIONS

Priority: Undetermined

Legal Authority: 15 USC 697

CFR Citation: 13 CFR 108.503

Abstract: Various revisions in sec. 503 program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Yes

Agency Contact: Wayne Foren, Director, Small Business Administration, Office of Economic Development, 1441 L Street, NW, Washington, DC 20416, **202 653-6632**

RIN: 3245-AA35

BUSINESS LOAN POLICY REGULATIONS

Legal Authority: 15 USC 634(b); 15 USC 636

CFR Citation: 13 CFR 120.5

Abstract: Increase capitalization requirements for Subsection (b) Lenders.

Timetable:

Action	Date	FR Cite
NPRM	12/16/83	
NPRM Comment Period Begin	12/16/83	
NPRM Comment Period End	02/14/84	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Frank A. Nicholas, Director, Office of Business Loans, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6696**

RIN: 3245-AA37

● SIZE STANDARDS

Priority: Undetermined

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Revision of substantive rules governing compliance with small business size standards.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Ofice of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6373**

RIN: 3245-AA40

● SIZE STANDARD FOR FINANCIAL INSTITUTIONS

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Size standard applicable to financial institutions -- needed to implement Notice of Policy found at 49 FR 13091 (April 2, 1984).

Timetable:

Action	Date	FR Cite
NPRM	04/02/84	49 FR 13052
NPRM Comment Period Begin	04/02/84	
NPRM Comment Period End	06/01/84	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 **653-6373**

RIN: 3245-AA41

● SMALL BUSINESS INVESTMENT COMPANIES

Legal Authority: 15 USC 683(b); 15 USC 687(c)

CFR Citation: 13 CFR 107

Abstract: Provides for the imposition of a one-time user fee on Small Business Investment Companies whose debentures are purchased or guaranteed by SBA.

Timetable:

Action	Date	FR Cite
NPRM	04/13/84	49 FR 14764
NPRM Comment Period Begin	04/13/84	
Amendment adds information required under Paperwork Reduction Act	05/07/84	49 FR 19309
NPRM Comment Period End	06/12/84	
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Robert G. Lineberry, Deputy Associate Administrator/Investment, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6848**

RIN: 3245-AA42

● BUSINESS LOANS; SALES OF THE GUARANTEED PORTION

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 120

Abstract: Requirement that all secondary market sales be evidenced by SBA Form 1086, Secondary Participation Guaranty and Certification Agreement, and prescription of proper execution of such form.

Timetable:

Action	Date	FR Cite
NPRM	07/02/84	49 FR 27162
NPRM Comment Period Begin	07/02/84	
NPRM Comment Period End	08/31/84	
Final Action	02/00/85	

Small Entity: Yes

Agency Contact: James B. Ramsey, Director of Secondary Market Activities, Small Business Administration, New York Regional Office, 26 Federal Plaza 31st Floor, New York, New York 10278, **212 264-5877**

RIN: 3245-AA44

● MANAGEMENT ASSISTANCE

Legal Authority: 15 USC 634(b); 15 USC 637(b)(1)

CFR Citation: 13 CFR 129

Abstract: Authorization of professional and trade associations as identified volunteer programs under section 8(b)(1)(B) of the Small Business Act, 15 USC 637(b)(1)(B).

Timetable:

Action	Date	FR Cite
NPRM	08/09/84	49 FR 31899
NPRM Comment Period Begin	08/09/84	
NPRM Comment Period End	09/24/84	
Final Action	02/00/85	

Small Entity: Yes

Agency Contact: Barbara Jackson, Program Manager, Office of MA, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6287**

RIN: 3245-AA45

● DISASTER LOANS; ECONOMIC INJURY

Legal Authority: 15 USC 634; 15 USC 636

CFR Citation: 13 CFR 123

Abstract: Loans to small businesses located in an area of economic dislocation that is the result of the drastic fluctuation in the currency of a country contiguous to the United States.

Timetable:

Action	Date	FR Cite
NPRM	08/14/84	49 FR 32530
NPRM Comment Period Begin	08/14/84	
NPRM Comment Period End	08/29/84	
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Bernard Kulik, Deputy Associate Administrator, Small Business Administration, 1441 L Street, NW, Disaster Assistance Division, Washington, DC 20416, **202 653-6879**

RIN: 3245-AA46

● INVESTIGATIONS: SMALL BUSINESS ACT

Priority: Undetermined

Legal Authority: 15 USC 634(b)(11); 5 USC Ap 1

CFR Citation: 13 CFR 101.8

Abstract: Revision of regulation governing investigations conducted under the Small Business Act.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Erin McDonnell, Counsel to the Inspector General, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6370**

RIN: 3245-AA47

● INVESTIGATIONS; SMALL BUSINESS INVESTMENT COMPANIES

Priority: Undetermined

Legal Authority: 15 USC 687b(a); 5 USC Ap 1

CFR Citation: 13 CFR 110

Abstract: Revision of regulation governing investigations conducted under section 310(a) of the Small Business Investment Act of 1958.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Undetermined

Agency Contact: Erin McDonnell, Counsel to the Inspector General, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6370**

RIN: 3245-AA48

● SMALL BUSINESS DEVELOPMENT CENTERS

Priority: Undetermined

Legal Authority: 15 USC 634(b)(6); 15 USC 637(b)(1)

CFR Citation: 13 CFR 129

Abstract: Policies and procedures governing the Small Business Development Center program.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: Johnnie Albertson, Deputy Associate Administrator for MA, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6768**

RIN: 3245-AA51

● DISCLOSURE OF INFORMATION

Legal Authority: 15 USC 634

CFR Citation: 13 CFR 102

Abstract: Revision of Disclosure of Information Regulations: disclosure of commercial debts to credit agencies.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: Yes

Agency Contact: Nicholas Kalcounos, Director, Freedom of Information/Priv. Acts, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6460**

RIN: 3245-AA52

● DISASTER LOANS

Priority: Undetermined

Legal Authority: 15 USC 634(b)(6); 15 USC 636(b)(3)

CFR Citation: 13 CFR 123

Abstract: Rules concerning loans made for substantial economic injury caused by, or as a consequence of, action of the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	08/21/84	49 FR 33198
NPRM Comment Period Begin	08/21/84	
NPRM Comment Period End	09/20/84	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Bernard Kulik, Deputy Associate Administrator, Small Business Administration, Disaster Assistance, 1441 L Street, NW, Washington, DC 20416, **202 653-6879**

RIN: 3245-AA53

● COASTAL BARRIER RESOURCES

Legal Authority: 15 USC 634(b)(6); 16 USC 3501 et seq

CFR Citation: 13 CFR 116

Abstract: Describes application of Coastal Barrier Resources Act of 1982 to SBA financial assistance programs.

Timetable:

Action	Date	FR Cite
NPRM	08/24/84	49 FR 33692
NPRM Comment Period Begin	08/24/84	
NPRM Comment Period End	09/24/84	
Final Action	11/00/84	

Small Entity: Undetermined

Agency Contact: Edward J. Myerson, Deputy Associate Administrator/F&I, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6470**

RIN: 3245-AA54

● SMALL BUSINESS SIZE STANDARDS; DEFINITION OF SMALL BUSINESS

Legal Authority: 15 USC 631 et seq

CFR Citation: 13 CFR 121

Abstract: Establishment of five new size standards, one each for business and secretarial schools, vocational schools, job training services, child care services and telephone communication.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/09/84	49 FR 27924
Public Comment Period Begin for Interim Final Rule	07/09/84	49 FR 27924
Public Comment Period End for Interim Final Rule	09/07/84	49 FR 27924
NPRM	12/00/84	

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6373**

RIN: 3245-AA55

● SMALL BUSINESS SIZE STANDARDS

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121.5

Abstract: Delays the implementation of the nonmanufacturer rule as it applies to Government procurement requirements from the Defense Fuel Supply Center for certain refined petroleum products.

Timetable:

Action	Date	FR Cite
Temporary Emergency Rule takes effect	06/29/84	49 FR 27925
Temporary Emergency Rule ends	12/31/84	

Small Entity: Yes

Agency Contact: Charlie L. Dean, Chief Counsel for Special Programs, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6699**

RIN: 3245-AA56

● SMALL BUSINESS ADMINISTRATION SUPPLEMENT TO FEDERAL ACQUISITION REGULATION

Priority: Undetermined

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 48 CFR 2219

Abstract: Supplement to Federal Acquisition Regulation specifically relating to contracting with the Small Business Administration.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: Yes

Agency Contact: W. W. Bears, Director, Office of External Awards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-7309**

RIN: 3245-AA57

SMALL BUSINESS ADMINISTRATION (SBA) — Existing Regulations Under Review

R&D POOL INCLUSION IN DEFENSE PRODUCTION POOL

Priority: Undetermined

Legal Authority: 15 USC 637(d); 15 USC 644

CFR Citation: 13 CFR 125.7

Abstract: Expansion of Defense Production Pool regulations to include R&D and other pooling requirements.

Timetable:

Action	Date	FR Cite
Begin Review	06/00/84	
End Review	12/00/84	

Small Entity: Yes

Agency Contact: Richard Shane, Acting Associate Administrator, Small Business Administration, Office of Innovation, Research & Technology, 1441 L Street, NW, Washington, DC 20416, **202 653-7875**

RIN: 3245-AA24

COOPERATIVE PROGRAMS WITH EXPORT-IMPORT BANK

Legal Authority: 15 USC 636(a)

CFR Citation: 13 CFR 107

Abstract: Extension of SBA lending authority for export loans.

Timetable:

Action	Date	FR Cite
Begin Review	04/01/84	
End Review	10/00/84	

Small Entity: Yes

SBA

Existing Regulations Under Review

Agency Contact: Edwin T. Holloway, Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, **202 653-6632**

RIN: 3245-AA32

● SMALL BUSINESS SIZE STANDARD: ENGINEERING SERVICES

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Revising small business size standard for the engineering services industry.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/84	
End Review	12/01/84	
NPRM	02/00/85	

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6373**

RIN: 3245-AA49

● SIZE STANDARD FOR MARINE ENGINEERING AND NAVAL ARCHITECTURE

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Revising small business size standard for the marine engineering and naval architecture industry.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/84	
End Review	12/01/84	
NPRM	02/00/85	

Small Entity: Yes

Agency Contact: Andrew A. Canellas, Director, Office of Size Standards, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6373**

RIN: 3245-AA50

SMALL BUSINESS ADMINISTRATION (SBA)

Completed Actions

COMPLETED RULEMAKINGS

BUSINESS LOAN POLICY

Legal Authority: 15 USC 636(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 120; 13 CFR 122

Abstract: Business Loan Policy. Miscellaneous revisions based on changes in authorizing legislation.

Timetable:

Action	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: Edwin T. Holloway, Assoc. Admin. for Finance and Investment, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6632**

RIN: 3245-AA07

VARIABLE RATE LOAN REGULATION

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 120.3

Abstract: Regulation governs terms and conditions of interest rates for SBA loans.

Timetable:

Action	Date	FR Cite
NPRM	08/16/83	48 FR 37044
NPRM Comment Period Begin	08/16/83	48 FR 37044
NPRM Comment Period End	10/17/83	
Final Action	04/27/84	49 FR 18083
Final Action Effective	04/27/84	
Correction	06/18/84	49 FR 24879
Correction	07/10/84	49 FR 28044

Small Entity: Yes

Agency Contact: James Hammersley, Financial Analyst, Small Business Administration, 1441 L Street, NW, Room 800, Washington, DC 20416, **202 653-6268**

RIN: 3245-AA16

PROCUREMENT ASSISTANCE - DEBARMENT AND SUSPENSION PROCEDURES

Legal Authority: 15 USC 634(b); FPR Temp. Reg. 65 (47 FR 43692)

CFR Citation: 48 CFR 2209

Abstract: Procedural rules governing debarment and suspension of business concerns and individuals from participating in direct SBA procurement or acquisition contracts.

Timetable:

Action	Date	FR Cite
NPRM	01/19/84	49 FR 2257
NPRM Comment Period Begin	01/19/84	
NPRM Comment Period End	03/19/84	
Final Action	07/17/84	49 FR 28847
Final Action Effective	08/16/84	

Small Entity: Yes

Agency Contact: Donald P. Young, Associate Administrator, Small Business Administration, Office of Procurement & Technical Assistance, 1441 L Street, NW, Room 600, Washington, DC 20416, **202 653-6635**

RIN: 3245-AA19

SIZE STANDARD FOR GOVERNMENT OWNED TIMBER SALES

Priority: Undetermined

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Abstract: Log disposal provision of Government owned timber sales size standard.

Timetable:

Action	Date	FR Cite
Merged with RIN 3245-AA22	08/27/84	

Small Entity: Yes

Agency Contact: Donald P. Young, Associate Administrator, Small Business Administration, Office of Procurement & Technical Assistance, 1441 L Street, NW, Washington DC 20416, **202 653-6635**

RIN: 3245-AA23

DEBT COLLECTION

Legal Authority: PL 97-365; 15 USC 634(b)

CFR Citation: 13 CFR 140

SBA

Completed Actions

Abstract: Rules governing the collection of debts owed to SBA and to the United States.

Timetable:

Action	Date	FR Cite
NPRM	01/25/84	49 FR 3090
NPRM Comment Period Begin	01/25/84	
NPRM Comment Period End	02/24/84	
Final Action	07/02/84	49 FR 27138
Final Action Effective	08/01/84	
Correction	10/00/84	

Small Entity: Yes

Agency Contact: Martin D. Teckler, Deputy General Counsel, Small Business Administration, 1441 L Street, NW, Room 700, Washington, DC 20416, **202 653-6797**

RIN: 3245-AA27

REVISIONS TO FINANCIAL ASSISTANCE REGULATIONS

Priority: Undetermined

Legal Authority: 15 USC 634(b); 15 USC 636

CFR Citation: 13 CFR 122.401

Abstract: Revisions. . ."Exception to rule that applicants for Export Revolving Line of Credit must have been in operation for at least 12 mos."

Timetable:

Action	Date	FR Cite
NPRM	04/27/84	49 FR 18120
NPRM Comment Period Begin	04/27/84	
NPRM Comment Period End	05/29/84	
Final Action	08/17/84	49 FR 32845
Final Action Effective	08/17/84	

Small Entity: Yes

Agency Contact: Edwin T. Holloway, Associate Administrator, Small Business Administration, Office of Finance and Investment, 1441 L Street, NW, Washington, DC 20416, **202 653-6632**

RIN: 3245-AA30

PARTICIPATION OF SHELTERED WORKSHOPS & REHABILITATION CENTERS IN SMALL BUSINESS SET-ASIDE PROGRAM

Priority: Undetermined

Legal Authority: See abstract

CFR Citation: 13 CFR 125

Abstract: Upon passage of S. 1323 & H.R. 3020, inclusion of sheltered workshops and rehabilitation facilities to participate in the small business set-aside program.

Timetable:

Action	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: Yes

Agency Contact: Donald P. Young, Associate Administrator, Small Business Administration, Office of Procurement & Technical Assistance, 1441 L Street, NW, Washington, DC 20416, **202 653-6635**

RIN: 3245-AA36

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

● DISCLOSURE OF INFORMATION AND PRIVACY ACT OF 1974

Legal Authority: 15 USC 634(b)(6); 5 USC 552a(j)

CFR Citation: 13 CFR 102.34

Abstract: Exempts a system of records from compliance with certain provisions of the Privacy Act.

Timetable:

Action	Date	FR Cite
NPRM	04/24/84	49 FR 17516
NPRM Comment Period Begin	04/24/84	
NPRM Comment Period End	05/24/84	
Final Action	07/25/84	49 FR 29944
Final Action Effective	07/25/84	
Correction	08/08/84	49 FR 31660

Small Entity: Yes

Agency Contact: Erin McDonnell, Counsel to the Inspector General, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, **202 653-6370**

RIN: 3245-AA39

● PROCEDURES FOR THE OFFICE OF HEARINGS AND APPEALS FOR DECIDING CASES OTHER THAN SIZE APPEALS

Legal Authority: 15 USC 634(b)(7)

CFR Citation: 13 CFR 103; 13 CFR 104; 13 CFR 105; 13 CFR 108; 13 CFR 109; 13 CFR 110; 13 CFR 112; 13 CFR 113; 13 CFR 115; 13 CFR 120; 13 CFR 122; 13 CFR 124; 13 CFR 132; 13 CFR 134

Abstract: Procedural rules for processing and deciding all cases within the jurisdiction of the Office of Hearings and Appeals other than appeals from size determinations and product or service classifications.

Timetable:

Action	Date	FR Cite
NPRM	05/08/84	49 FR 19503
NPRM Comment Period Begin	05/08/84	
NPRM Comment Period End	06/07/84	
Final Action	08/24/84	49 FR 33626
Final Action Effective	08/24/84	

Small Entity: Yes

Agency Contact: Roger H. Jones, Assistant Administrator, Small Business Administration, Office of Hearings and Appeals, 1441 L Street, NW, Washington, DC 20416, **202 653-6805**

RIN: 3245-AA43

[FR Doc. 84-24451 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XXXVIII

Tennessee Valley Authority

Semiannual Regulatory Agenda

TVA

TENNESSEE VALLEY AUTHORITY

18 CFR Ch. XIII

Regulatory Agenda

AGENCY: Tennessee Valley Authority.

ACTION: Regulatory Agenda.

SUMMARY: As a nonregulatory agency, TVA originates very few regulations and thus does not ordinarily have agenda items to announce. However, TVA has completed one regulation amendment and currently has one regulation under development and is therefore publishing a regulatory agenda in voluntary compliance with Executive Order No. 12291.

FOR FURTHER INFORMATION CONTACT: For further information on either regulation, please contact the person listed for that regulation.

W. F. Willis,

General Manager.

BILLING CODE 8120-01-T

TENNESSEE VALLEY AUTHORITY (TVA) — Current and Projected Rulemakings

● PROTECTION OF ARCHAEOLOGICAL RESOURCES

Legal Authority: 16 USC 470aa to 470ll

CFR Citation: 18 CFR 1312

Abstract: The planned regulations will implement provisions of the Archaeological Resources Protection Act of 1979 by providing protection of archaeological resources on public lands in TVA custody and control. TVA will seek to protect such resources through permits authorizing excavation or removal of resources, through civil penalties for unauthorized excavation or removal through preservation of archaeological resource collections and data, and through assuring confidentiality of information about resources when disclosure would threaten the resources. The planned regulations will supplement existing uniform regulations by assigning specific responsibilities within TVA.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Maxwell D. Ramsey, Program Manager, Cultural Resources, Tennessee Valley Authority, 241 Natural Resources Building, Norris, Tennessee 37828, **615 632-6450**

RIN: 3316-AA02

TENNESSEE VALLEY AUTHORITY (TVA) — Completed Actions

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

● NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF TVA; EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Legal Authority: 16 USC 831 to 831dd TVA Act of 1933, as amended; 42 USC 2000d-1

CFR Citation: 18 CFR 1302

Abstract: This final rule amends TVA's regulations at 18 CFR 1302, implementing Title VI of the Civil Rights Act of 1964, as to programs which receive financial assistance from TVA. The amendments adopt Department of Justice and Office of Management and Budget suggestions which clarify and improve the regulation. Other revisions remove unnecessary gender-specific language. The addition of "program or activity" language in various parts of the regulation is intended to conform to the language of Title VI.

Timetable:

Action	Date	FR Cite
Final Action	05/15/84	49 FR 20480
Final Action Effective	06/14/84	49 FR 20480

Small Entity: No

Agency Contact: William L. Osteen, Jr., Associate General Counsel, Tennessee Valley Authority, 400 West Summit Hill Drive, Knoxville, Tennessee, **615 632-4142**

RIN: 3316-AA03

[FR Doc. 84-24288 Filed 10-19-84; 8:45am]

Federal Register

Monday
October 22, 1984

Part XXXIX

Veterans Administration

Semiannual Regulatory Agenda

VA

VETERANS ADMINISTRATION

38 CFR Ch. I

Agenda of Federal Regulations

AGENCY: Veterans Administration.

ACTION: Publication of Agenda of Regulations.

SUMMARY: This agenda announces the regulations that the Veterans Administration will have under review, development or revision during the 12 month period from October 1984 to October 1985. The purpose in publishing this Agency's regulatory development activities is to allow all interested persons the opportunity to participate in the rulemaking process.

ADDRESSES: Interested persons are invited to comment on the regulations listed in the agenda by contacting the individual agency contact listed for each regulation, or by writing to: Paperwork Management and Regulations Service (731), Veterans Administration, 810 Vermont Avenue, NW, Washington, D.C. 20420.

FOR FURTHER INFORMATION CONTACT: Celia Fasone, (202) 389-2340.

SUPPLEMENTARY INFORMATION: Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (Pub. L. 96-354) require that executive agencies publish in the Federal Register in April and October of each year, an agenda of regulations under development and review.

The Veterans Administration has no regulations considered major under the terms of E.O. 12291; however all of this agency's proposed rules and current rules under review, except those considered to be internal agency policy management or routine regulations, have been listed in accordance with section 5.(a) of the executive order. This agenda incorporates those categories of information required pursuant to 5 U.S.C. 602(a) and 610(c) (Regulatory Flexibility Act).

The Veterans Administration has found that all rules listed in this agenda, if promulgated, will not have a significant economic impact on a substantial number of small entities as they are defined in 5 U.S.C. 601 - 612.

This agenda has been prepared in accordance with OMB Bulletin 84-16.

DATED: August 21, 1984.

By direction of the Administrator.

Dominick Onorato,

Associate Deputy Administrator for Information Resources Management.

BILLING CODE 8320-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Outreach Program, Fee Contract Program	2900-AA00
2	Eligibility for Hospital, Domiciliary, or Nursing Home Care of Persons Discharged or Released from Active Military, Naval or Air Service	2900-AA12
3	Medical Records Disclosure	2900-AA22
4	Domiciliary Income Limitation	2900-AA26
5	Considerations Applicable in Determining Eligibility for Domiciliary Care	2900-AB07
6	Definitions	2900-AB19
7	Extensions to Community Nursing Home Care	2900-AB21
8	Definition - Domiciliary Care	2900-AB24
9	Medical Services	2900-AB30
10	Standards of Nursing Home Care for State Veterans Homes	2900-AB31
11	Community Residential Care	2900-AB32
12	Veterans Education; Educational Assistance Test Program	2900-AA01
13	Vocational Rehabilitation Amendments	2900-AA47
14	Vocational Rehabilitation Amendments	2900-AA48
15	Vocational Rehabilitation Amendments	2900-AA49
16	Vocational Rehabilitation Amendments	2900-AA50
17	Veterans Education; Certifications of Enrollment	2900-AA58
18	Veterans Education; Special Restorative Training and Specialized Vocational Training	2900-AA74
19	Disqualification of Lenders	2900-AA89
20	Veterans Education; Change of Program	2900-AA91
21	Social Security Numbers in Veterans Benefits Matters	2900-AA95
22	Occupancy Requirements	2900-AA96
23	Certain Manufactured Housing Loans	2900-AA99
24	Charging of Interest on Loan Guaranty Indebtedness	2900-AB00
25	Veterans Education; Accreditation of Medical Residencies	2900-AB01
26	Veterans' Group Life Insurance	2900-AB04
27	National Service Life Insurance - Dividends	2900-AB05
28	Payment of Proceeds	2900-AB06
29	Veterans Education; Foreign Medical Schools	2900-AB09
30	Premium Rates; Collection of any Indebtedness; Premium Waiver	2900-AB14
31	Dependents' Educational Assistance; Entitlement	2900-AB16
32	Categories of Administrative Separation	2900-AB20
33	Veterans Education; Accreditation Level	2900-AB23
34	Veterans Education; School Reimbursement	2900-AB25

VA

Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
35	Incarcerated Veterans; Commencing Dates of Subsistence Allowance; Reduction or Termination Dates of Subsistence Allowance	2900-AB26
36	Acquisition of Property	2900-AB34
37	Extension of Default Reporting Requirement	2900-AB35
38	Increase Loan Fee for Housing Loans	2900-AB36
39	Dependents' Education; Elimination of Processing Time	2900-AB37
40	Dependents' Education: Eligibility for Special Restorative Training	2900-AB38
41	Veterans Education; Eligibility	2900-AB39
42	Veterans Education; Satisfactory Progress	2900-AB40
43	Veterans Education; Programs of Education at More Than One School	2900-AB41
44	Veterans Education; Course Substitution	2900-AB42
45	Veterans Education; VEAP Eligibility	2900-AB43
46	Veterans Education; Cancellation of Unnecessary Regulations	2900-AB44
47	Dependency of Parents - Compensation	2900-AB45
48	Effective Dates of Pension Awards	2900-AB46
49	Appeals Regulations and Rules of Practice	2900-AB29
50	Waiver of Overpayments Waiver - Third Persons Standards for Claims Collections	2900-AB33
51	Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance	2900-AA21
52	Enforcement of Nondiscrimination on the Basis of Handicap in VA Programs	2900-AA87
53	Recognition of Organizations, Representatives, Agents and Attorneys	2900-AA38
54	Revision of Fees for Copies of VA Records	2900-AB18
55	Effect of General Counsel Opinions	2900-AB22
56	Inventions by Employees of Veterans Administration as Coinventors under Funding Agreements	2900-AB47
57	Disinterments from National Cemeteries	2900-AB10
58	Environmental Effects of VA Actions	2900-AB17
59	Investigation	2900-AB28

Completed Actions

Sequence Number	Title	Regulation Identifier Number
60	Consumer-Patient Radiation Health and Safety	2900-AA17
61	Informed Consent	2900-AA25
62	Nondiscrimination in the Admission of Alcohol and Drug Abusers to Veterans Administration Health Care Facilities	2900-AA76
63	Limitation on Payment for Emergency Hospital Care and Medical Services not Previously Authorized	2900-AA85
64	Hospital Care & Medical Services in Noncontiguous States	2900-AB27
65	Veterans Education; Implementation of the Budget Reconciliation Act of 1981	2900-AA53
66	Veterans Education; SAA Contracts	2900-AA57
67	Veterans Education; Monthly Certifications of Attendance	2900-AA59
68	Veterans Education; Educational Assistance Adjustments	2900-AA72
69	Manufactured Housing Loans; Computation of Guaranty Claims	2900-AA78
70	Special Allowance Payable Under Section 156 of Public Law 97-377	2900-AA92
71	Computation of Guaranties or Insurance Credits	2900-AA97
72	Supplementary Administrative Action	2900-AA98
73	Veterans Education; Central Office Education and Training Review Panel	2900-AB02
74	Veterans Education; Additional Period of Eligibility	2900-AB03
75	Veterans Education; Change of Program	2900-AB11
76	Clothing Allowance	2900-AB12
77	Monetary Allowance in Lieu of a Government-Furnished Headstone or Marker	2900-AB13
78	Emergency Veterans' Job Training Program	2900-AB15
79	Delegation of Authority	2900-AA36
80	Procedure Where Violation of Penal Statutes is Involved	2900-AA37

DEPARTMENT OF MEDICINE AND SURGERY

1. OUTREACH PROGRAM, FEE CONTRACT PROGRAM

Legal Authority: PL 96-22; PL 97-72; PL 98-160

CFR Citation: Not yet determined

Abstract: Provides for fee contract provision of readjustment counseling for veterans of the Vietnam Era.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Edward J. Lord, Asst. Director, Administration & Development, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-3303**

RIN: 2900-AA00

2. ELIGIBILITY FOR HOSPITAL, DOMICILIARY, OR NURSING HOME CARE OF PERSONS DISCHARGED OR RELEASED FROM ACTIVE MILITARY, NAVAL OR AIR SERVICE

Legal Authority: PL 97-37

CFR Citation: 38 CFR 17.47(d); 38 CFR 17.47(e)

Abstract: Excludes nonservice-connected ex-POW's from the requirement to sign the oath of inability to pay for medical care.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Jerome Hanes, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2337**

RIN: 2900-AA12

3. MEDICAL RECORDS DISCLOSURE

Legal Authority: PL 93-282

CFR Citation: 38 CFR 1.514

Abstract: Permits medical records disclosure to treating physicians with verified oral consent from the veteran.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Harold Ramsey, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2589**

RIN: 2900-AA22

4. DOMICILIARY INCOME LIMITATION

Legal Authority: PL 96-330

CFR Citation: 38 CFR 17.48(b)(1)

Abstract: To change the current income level of $415 per month by increasing the income limitation to an appropriate level taking into consideration the present Consumer Price Index.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Karen O. Walters, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2337**

RIN: 2900-AA26

5. CONSIDERATIONS APPLICABLE IN DETERMINING ELIGIBILITY FOR DOMICILIARY CARE

Legal Authority: 38 USC 610(b); 38 USC 601(7)

CFR Citation: 38 CFR 17.48(c)(1)

Abstract: The existing regulation now defines the domiciliary program as the provision of a home with medical services as needed to veterans who have a chronic disability and who are unable to earn a living. The proposed change would clarify the mission of the domiciliary program as an integral part of the provision of health care services by the VA by refocusing the definition from the provision of housing to the provision of continuing medical and rehabilitative services at a less intensive level than that provided in a hospital or nursing home, but at a higher level than that available in a residential setting.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Karen O. Walters, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2337**

RIN: 2900-AB07

6. DEFINITIONS

Legal Authority: 38 USC 601(6)(A)(1)

CFR Citation: 38 CFR 17.30(m)

Abstract: The definition of "medical services" is being revised to include preventive health care.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Jerome J. Hanes, Medical Administration Specialist, Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2337**

RIN: 2900-AB19

7. EXTENSIONS TO COMMUNITY NURSING HOME CARE

Legal Authority: 38 USC 620

CFR Citation: 38 CFR 17.51a

Abstract: Existing regulations that permit an extension to an approved 6-month period of Community Nursing Home Care at VA expense are not definitive enough regarding the circumstances of an unusual nature which provide the impetus for granting such extensions. The proposed change will correct that deficiency.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Stuart E. Mount, Medical Administration Specialist, Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2851**

RIN: 2900-AB21

8. DEFINITION - DOMICILIARY CARE

Legal Authority: 38 USC 610(b); 38 USC 601(7)

CFR Citation: 38 CFR 17.30(n)

Abstract: The existing regulation now defines the domiciliary program as the provision of a home with medical services as needed to veterans who have a chronic disability and who are unable to earn a living. The proposed change would clarify the mission of the domiciliary program as an integral part of the provision of health care services by the VA by refocusing the definition from the provision of housing to the provision of continuing medical and rehabilitative services at a less intensive level than that provided in a hospital or nursing home, but at a higher level than that available in a residential setting.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Karen O. Walters, Medical Administration Specialist, Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2337

RIN: 2900-AB24

9. ● MEDICAL SERVICES

Legal Authority: 38 USC 610(a)

CFR Citation: 38 CFR 17.48(b)

Abstract: Medical regulations are being amended to provide continuing treatment eligibility for certain persons disabled as a result of VA treatment [38 USC 351].

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	11/00/84	
Final Action	02/00/85	
Final Action Effective	02/00/85	

Small Entity: No

Agency Contact: Gene Lambert, Medical Administration Specialist, Veterans Administration, Department of Medicine and Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2337

RIN: 2900-AB30

10. ● STANDARDS OF NURSING HOME CARE FOR STATE VETERANS HOMES

Legal Authority: 38 USC 642(a)

CFR Citation: 38 CFR 17.165d

Abstract: The existing regulation now only refers to standards of care prescribed by the Administrator for State Veterans Homes. The proposed change will incorporate the nursing home standards of care into the VA Regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: F. Brent Baker, Assistant State Home Program Coordinator, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3679

RIN: 2900-AB31

11. ● COMMUNITY RESIDENTIAL CARE

Legal Authority: 38 USC 630

CFR Citation: 38 CFR Not yet determined

Abstract: These regulations will clarify the legal status of the Community Residential Care program, setting standards and criteria for health and safety, facility resources, guidelines for costs of care, conditions under which the agency may cease referrals to non-complying facilities.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: J. R. Kelly, Chief, Community Care Programs, Veterans Administration, Department of Medicine and Surgery, Washington, DC 20420, 202 389-3692

RIN: 2900-AB32

DEPARTMENT OF VETERANS BENEFITS

12. VETERANS EDUCATION; EDUCATIONAL ASSISTANCE TEST PROGRAM

Legal Authority: PL 96-342

CFR Citation: 38 CFR 21.5700 to 21.5900

Abstract: VA and DoD have negotiated an agreement which requires VA to administer payments for the Educational Assistance Test Program. These regulations will implement this program. There are no alternatives. There must be regulations to permit proper administration of the program. The costs of the program arise from the law, not the regulations.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: June Schaeffer, Asst Dir for Policy & Program Administration, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AA01

13. VOCATIONAL REHABILITATION AMENDMENTS

Legal Authority: 38 USC 1500 et seq

CFR Citation: 38 CFR 21.50 to 21.98

Abstract: Comprehensive evaluation of the veteran's situation as the basis for determining eligibility and entitlement to rehabilitation services. Conditions which must be met in each case before the veteran is eligible for and entitled to rehabilitation services. Content of the individual written rehabilitation plan. Limitations on duration of rehabilitation services. Establishes a multi-disciplinary group to assist seriously disabled veterans. Cost benefits are not estimated on a quantitative basis.

Timetable:

Action	Date	FR Cite
NPRM	09/15/82	47 FR 40650
NPRM Comment Period Begin	09/15/82	
NPRM Comment Period End	10/15/82	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Dr. Karen Boies, Asst.Dir., Policy & Program Development, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2886**

RIN: 2900-AA47

14. VOCATIONAL REHABILITATION AMENDMENTS

Legal Authority: 38 USC 1500 et seq

CFR Citation: 38 CFR 21.100 to 21.102; 38 CFR 21.120 to 21.134; 38 CFR 21.140 to 21.156; 38 CFR 21.160 to 21.162; 38 CFR 21.210 to 21.224; 38 CFR 21.240 to 21.242; 38 CFR 21.250 to 21.258; 38 CFR 21.380 to 21.406; 38 CFR 21.420; 38 CFR 21.430

Abstract: Types of services which may be provided and conditions under which services may be authorized including educational and vocational training services, special vocational rehabilitation services, employment services, medical services, independent living services and supplies. Authorizes establishment of qualification for personnel engaged in providing services under this program and research and staff development activities. Establishes the Veterans Advisory Committee on Rehabilitation. Cost benefits have not been estimated on a quantitative basis.

Timetable:

Action	Date	FR Cite
NPRM	10/03/83	48 FR 45123
NPRM Comment Period Begin	10/03/83	
NPRM Comment Period End	12/02/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Dr. Karen Boies, Asst. Dir., Policy & Program Development, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2886**

RIN: 2900-AA48

15. VOCATIONAL REHABILITATION AMENDMENTS

Legal Authority: 38 USC 1500 et seq

CFR Citation: 38 CFR 21.180 to 21.198; 38 CFR 21.280 to 21.284; 38 CFR 21.290 to 21.299; 38 CFR 21.360 to 21.362; 38 CFR 21.370 to 21.376; 38 CFR 21.410 to 21.414

Abstract: Establish a system of case statuses to monitor progress and evaluate outcomes. Establish criteria for approving courses of study at facilities used under chapter 31. Establish criteria for determining satisfactory conduct and cooperation. Establish criteria for entrance or reentrance into a rehabilitation program. Cost benefits are not estimated on a quantitative basis.

Timetable:

Action	Date	FR Cite
NPRM	09/15/83	48 FR 41438
NPRM Comment Period Begin	09/15/83	
NPRM Comment Period End	11/14/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Dr. Karen Boies, Asst. Dir., Policy & Program Development, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2886**

RIN: 2900-AA49

16. VOCATIONAL REHABILITATION AMENDMENTS

Legal Authority: 31 USC 1500 et seq

CFR Citation: 38 CFR 21.260 to 21.276; 38 CFR 21.310 to 21.314; 38 CFR 21.320 to 21.334; 38 CFR 21.340 to 21.350

Abstract: Assessment of the rate of pursuit of a rehabilitation program as a basis for payment of monthly allowances and the amount of entitlement used. Conditions under which a monthly allowance may be paid to the veteran and payment may be made to facilities for tuition and other charges. Conditions under which leaves of absence may be authorized. Cost benefits are not estimated on a quantitative basis.

Timetable:

Action	Date	FR Cite
NPRM	05/10/83	48 FR 20939
NPRM Comment Period Begin	05/10/83	
NPRM Comment Period End	07/06/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Dr. Karen Boies, Asst. Dir., Policy & Program Development, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2886**

RIN: 2900-AA50

17. VETERANS EDUCATION; CERTIFICATIONS OF ENROLLMENT

Legal Authority: PL 96-466

CFR Citation: 38 CFR 21.4137; 38 CFR 21.4203; 38 CFR 21.4204

Abstract: Limits certifications of enrollment to one term, quarter or semester at a time. This will prevent overpayments which the VA is making because of late reports of reductions or terminations in training.

Timetable:

Action	Date	FR Cite
NPRM	06/30/83	48 FR 30151
NPRM Comment Period Begin	06/30/83	
NPRM Comment Period End	08/01/83	
Final Action	00/00/00	

Small Entity: No

Agency Contact: June Schaeffer, Ass't Dir for Policy & Prog Administration, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AA58

18. VETERANS EDUCATION; SPECIAL RESTORATIVE TRAINING AND SPECIALIZED VOCATIONAL TRAINING

Legal Authority: 38 USC 1736; 38 USC 1740; 38 USC 1741; 38 USC 1743

CFR Citation: 38 CFR 21.3300; 38 CFR 21.3301; 38 CFR 21.3303; 38 CFR 21.3304; 38 CFR 21.3306; 38 CFR 21.3307; 38 CFR 21.3331; 38 CFR 21.4105; 38 CFR 21.4232; 38 CFR 21.4276

Abstract: Replaces Vocational Rehabilitation Boards with Vocational Rehabilitational Panels. The Panel's role is to provide consultation and technical assistance in evaluating and developing rehabilitation plans for seriously handicapped dependents. The regulations will streamline the decisions being made regarding eligible children in special restorative training and regarding eligible dependents in specialized vocational training. The

alternative would be to leave the regulations unchanged. This would result in separate boards making decisions concerning veterans and dependents. The costs and benefits of this change have not been estimated yet.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1400
NPRM Comment Period Begin	01/11/84	
NPRM Comment Period End	02/10/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir. for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Ave. NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AA74

19. DISQUALIFICATION OF LENDERS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4216; 38 CFR 36.4331

Abstract: Present regulations authorize the suspension of lenders and their principals and officers for practices detrimental to the best interests of veterans or the Government. In some cases, however, individual employees of lenders are found to have committed fraud or engaged in other improprieties. The amendment would authorize suspension of these employees from further participation in the Loan Guaranty Program.

Timetable:

Action	Date	FR Cite
NPRM	04/05/84	49 FR 13553
NPRM Comment Period Begin	04/05/84	
NPRM Comment Period End	05/04/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-3042**

RIN: 2900-AA89

20. VETERANS EDUCATION; CHANGE OF PROGRAM

Legal Authority: 38 USC 1641

CFR Citation: 38 CFR 21.5232

Abstract: This is a technical change designed to correct erroneous cross-references.

Timetable:

Action	Date	FR Cite
NPRM	04/09/84	49 FR 13892
NPRM Comment Period Begin	04/09/84	
NPRM Comment Period End	05/09/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Ave. NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AA91

21. SOCIAL SECURITY NUMBERS IN VETERANS BENEFITS MATTERS

Legal Authority: 38 USC 210(c); PL 97-365, Sec 4

CFR Citation: 38 CFR 1.575

Abstract: Authorizes the collection of a veteran's social security number and subsequent disclosure to the Internal Revenue Service as a condition of receiving a VA Guaranteed Home Loan or other extension of credit. This amendment is required by section 4 of Public Law 97-365, the Debt Collection Act of 1982, in order that Federal credit assistance decisions can be made with full knowledge of whether or not the applicant is a delinquent taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-3042**

RIN: 2900-AA95

22. OCCUPANCY REQUIREMENTS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1)

CFR Citation: 38 CFR 36.4306

Abstract: Present regulations require that, for a home improvement loan or refinancing loan for the purpose of making improvements, the veteran must certify that he or she presently occupies the home. In the case of substantial rehabilitation, the home may not be available for occupancy until the repairs or improvements are completed. The amendment would authorize the veteran in these cases to certify that he or she intends to occupy the property upon completion of the rehabilitation.

Timetable:

Action	Date	FR Cite
NPRM	04/19/84	49 FR 15573
NPRM Comment Period Begin	04/19/84	
NPRM Comment Period End	05/21/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-3042**

RIN: 2900-AA96

23. CERTAIN MANUFACTURED HOUSING LOANS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4300, Series

Abstract: Present regulations permit only loans for conventionally built homes to be under the authority of 38 U.S.C. 1810, loans for manufactured homes are currently guaranteed under separate regulations and under authority of 38 U.S.C. 1819. Guaranty under section 1810 provides more favorable terms for the loan, including a lower interest rate and a longer loan period. Pending legislation would permit certain manufactured homes, those treated as real estate under state law, to be guaranteed under section 1810. The regulation would implement the new legislation.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-3042**

RIN: 2900-AA99

24. CHARGING OF INTEREST ON LOAN GUARANTY INDEBTEDNESS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g); PL 97-365, Sec 11

CFR Citation: 38 CFR 36.4285(d); 38 CFR 36.4323(e)

Abstract: Authorizes the charging of interest on Loan Guaranty Indebtedness at a rate to be prescribed from time to time by the Secretary of the Treasury. This amendment is mandated by section 11 of Public Law 97-365, the Debt Collection Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	07/17/84	49 FR 28887
NPRM Comment Period Begin	07/17/84	
NPRM Comment Period End	08/09/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-3668**

RIN: 2900-AB00

25. VETERANS EDUCATION; ACCREDITATION OF MEDICAL RESIDENCIES

Legal Authority: 38 USC 1788(b)

CFR Citation: 38 CFR 21.4265

Abstract: Takes into account the fact that the Accreditation Council for Graduate Medical Education of the American Medical Association is the appropriate accrediting body for medical residencies.

Timetable:

Action	Date	FR Cite
NPRM	03/30/84	49 FR 12718
NPRM Comment Period Begin	03/30/84	
NPRM Comment Period End	04/30/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AB01

26. VETERANS' GROUP LIFE INSURANCE

Legal Authority: 38 USC 777(a)

CFR Citation: 38 CFR 9.36

Abstract: Under existing law, no person may carry a combined amount of Servicemen's Group Life Insurance and Veterans' Group Life Insurance in excess of $35,000 at any one time. Despite this provision, a significant number of insureds are paying premiums for both SGLI and VGLI in excess of the coverage allowed. The regulation will state that the Office of Servicemen's Group Life Insurance will be responsible only for the return of premiums paid in excess of the maximum allowable amount of coverage. There is no cost to the Government.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24149
NPRM Comment Period Begin	06/12/84	
NPRM Comment Period End	07/11/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Robert W. Carey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, **215 951-5360**

RIN: 2900-AB04

27. NATIONAL SERVICE LIFE INSURANCE - DIVIDENDS

Legal Authority: 38 USC 707(c)

CFR Citation: 38 CFR 8.26

Abstract: Effective July 1, 1972, a new dividend option was authorized for National Service Life Insurance, under which a NSLI policyholder may request that dividends on his or her participating policy be used to purchase additional paid-up insurance. The regulation change will update the existing regulation to reflect that paid-up addition dividend option is available.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24149
NPRM Comment Period Begin	06/12/84	
NPRM Comment Period End	07/11/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Robert W. Carey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, **215 951-5360**

RIN: 2900-AB05

28. PAYMENT OF PROCEEDS

Legal Authority: 38 USC 770(c)

CFR Citation: 38 CFR 9.18(d)

Abstract: Under prior law, when a Servicemen's Group Life Insurance or Veterans' Group Life Insurance claim was not filed within four years of the insured's death, the proceeds would escheat to the SGLI revolving fund. The law was amended to ensure that no claims are denied because of a failure to file within the four year period. There is no cost to the Government and beneficiaries will benefit by not being deprived of the proceeds.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24149
NPRM Comment Period Begin	06/12/84	
NPRM Comment Period End	07/11/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Robert W. Carey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, **215 951-5360**

RIN: 2900-AB06

29. VETERANS EDUCATION; FOREIGN MEDICAL SCHOOLS

Legal Authority: 38 USC 1676

CFR Citation: 38 CFR 21.4260

Abstract: Provides additional criteria a foreign medical school must meet before a veteran's enrollment in the school's courses may be approved. The Veterans Administration is considering whether to require a foreign medical school to meet all or some of the criteria it must meet in order to participate in the Guaranteed Student Loan Program.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AB09

30. PREMIUM RATES; COLLECTION OF ANY INDEBTEDNESS; PREMIUM WAIVER

Legal Authority: 38 USC 706

CFR Citation: 38 CFR 8.3; 38 CFR 8.85; 38 CFR 8.113

Abstract: Under existing regulations, the premiums paid by National Service Life Insurance term policyholders increase every five years when the policies are renewed. Since term premiums become very high at the older renewal ages, this can result in financial hardship or discontinuance of coverage due to inability to meet the premium increases. Among regulatory alternatives under consideration is a change that will cap (or freeze) NSLI "V" term premiums at the age 70 renewal rate, thereby eliminating further premium increases for those older policyholders who wish to retain their term policies as permanent insurance protection. Since funding for this proposal is provided from NSLI Trust Fund assets, which consist of policyholder premiums and Trust Fund investment earnings, there is no cost to the Government.

Timetable:

Action	Date	FR Cite
NPRM	07/25/84	49 FR 29972
NPRM Comment Period Begin	07/25/84	
NPRM Comment Period End	08/24/84	
Final Action	08/00/84	

Small Entity: No

Agency Contact: Robert W. Carey, Assistant Director for Insurance, Veterans Administration, VA Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, **215 951-5360**

RIN: 2900-AB14

31. DEPENDENTS' EDUCATIONAL ASSISTANCE; ENTITLEMENT

Legal Authority: 38 USC 1661; 38 USC 1677(b); 38 USC 1682(e); 38 USC 1691; 38 USC 1711(a); 38 USC 1712; 38 USC 1733; 38 USC 1786(a); 38 USC 1787

CFR Citation: 38 CFR 21.3044; 38 CFR 21.3045

Abstract: These regulations address an eligible person's entitlement to dependents' educational assistance. They will be rewritten to make them easier to use. There will be no policy changes in this proposal.

Timetable:

Action	Date	FR Cite
NPRM	06/28/84	49 FR 26609
NPRM Comment Period Begin	06/28/84	
NPRM Comment Period End	07/27/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AB16

32. CATEGORIES OF ADMINISTRATIVE SEPARATION

Legal Authority: 38 USC 210

CFR Citation: 38 CFR 3.12

Abstract: Provides a method for determining veteran status for VA benefit purposes when a person receives an uncharacterized administrative separation from service.

Timetable:

Action	Date	FR Cite
NPRM	07/11/84	49 FR 28267
NPRM Comment Period Begin	07/11/84	
NPRM Comment Period End	08/10/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Veterans Administration Central Office, 810 Vermont Avenue NW, Washington, DC 20420, **202 389-3005**

RIN: 2900-AB20

33. VETERANS EDUCATION; ACCREDITATION LEVEL

Legal Authority: 38 USC 1788

CFR Citation: 38 CFR 21.4272; 38 CFR 21.4273

Abstract: The regulations governing measurement of courses have assumed that when a college is accredited by a regional accrediting association, the accreditation extends to all the college's courses. This is not always the case. Consequently, when regulation users attempt to apply these regulations, they become confused. This proposal will rewrite the regulations to take into account the fact that some regional accrediting associations accredit colleges at various degree levels (associate degree, bachelor's degree, etc.).

Timetable:

Action	Date	FR Cite
NPRM	05/24/84	49 FR 21949
NPRM Comment Period Begin	05/24/84	
NPRM Comment Period End	06/25/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Director for Policy and Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, **202 389-2092**

RIN: 2900-AB23

34. VETERANS EDUCATION; SCHOOL REIMBURSEMENT

Legal Authority: 38 USC 1785

CFR Citation: 38 CFR 21.4009

Abstract: Educational institutions may be held liable under certain circumstances for overpayments of educational assistance allowance made to veterans and eligible persons. If an educational institution pays an amount for which it has been held liable and the money later is collected from veterans and eligible persons, the

money is refunded to the educational institution. This will provide that any money recovered from veterans and eligible persons that is applied toward marshal fees, court costs, administrative costs of collection, and interest will not be considered when determining if the educational institution is due a refund.

Timetable:

Action	Date	FR Cite
NPRM	01/31/84	49 FR 3883
NPRM Comment Period Begin	01/31/84	
NPRM Comment Period End	03/01/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Director for Policy & Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB25

35. INCARCERATED VETERANS; COMMENCING DATES OF SUBSISTENCE ALLOWANCE; REDUCTION OR TERMINATION DATES OF SUBSISTENCE ALLOWANCE

Legal Authority: 38 USC 1508; 38 USC 1780; 38 USC 3012

CFR Citation: 38 CFR 21.276; 38 CFR 21.322; 38 CFR 21.324

Abstract: The regulations implement provisions of 1508 & 1780 which change the condition under which payment of subsistence allowance may be made to an incarcerated veteran pursuing a program of vocational rehabilitation under chapter 31, title 38, U.S. Code. The regulations implementing provisions of 3012 implement provisions establishing new dates for terminating payment of additional amounts of subsistence allowance for dependents of veterans in vocational rehabilitation programs under chapter 31. Issuance of regulations is required. There are no significant cost increases or savings as a result of these changes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Dr. Karen Boies, Asst. Dir., Policy & Program Development, Veterans Administration, Dept of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2886

RIN: 2900-AB26

36. ● ACQUISITION OF PROPERTY

Priority: Undetermined

Legal Authority: 38 USC 210(c); 38 USC 1816(a); PL 98-369, Sec 2512

CFR Citation: 38 CFR 36.4320; 38 CFR 36.4319(f); 38 CFR 36.4321(a); 38 CFR 36.4300

Abstract: There are currently no specific regulatory requirements as to when the VA may or may not accept conveyance of a property on which the VA-guaranteed loan securing it has been foreclosed. Pursuant to PL 98-369 the changed regulation will provide formulas and specifically define when the VA may acquire a property. The changed regulations will also clarify establishment of a cut off date for claim computation in cases in which liquidation of a loan is unduly delayed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3668

RIN: 2900-AB34

37. ● EXTENSION OF DEFAULT REPORTING REQUIREMENT

Legal Authority: 38 USC 210(c); 38 USC 1816(a)

CFR Citation: 38 CFR 36.4600(c)(1)

Abstract: Present regulations require that lenders holding loans sold by the Veterans Administration must furnish the VA with a notice of default within 30 days after a loan has become two full installments in default. The regulatory change will require lenders to report such a default within 60 days instead of thirty. This change will provide lenders additional time to service loans and result in less defaults being reported which are subsequently cured.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3668

RIN: 2900-AB35

38. ● INCREASE LOAN FEE FOR HOUSING LOANS

Legal Authority: 38 USC 210(c); 38 USC 1824; 38 USC 1829; PL 98-369, Sec 2511

CFR Citation: 38 CFR 36.4232; 38 CFR 36.4254; 38 CFR 36.4312; 38 CFR 36.4504

Abstract: Present regulations require collection of a funding fee of one-half of 1 percent of the loan amount of VA-guaranteed or direct loans which are closed between October 1, 1982 and September 30, 1985. Pursuant to PL 98-369 the changed regulations will require collection of a 1 percent funding fee on VA-guaranteed or direct loans closed between August 17, 1984 and September 30, 1987. Veterans receiving VA compensation or those who would receive it but for the receipt of military retired pay and surviving spouses of veterans who died from a service-connected disability continue to be exempt from payment of the loan fee.

Timetable:

Action	Date	FR Cite
Final Action	03/00/85	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3042

RIN: 2900-AB36

39. ● DEPENDENTS' EDUCATION; ELIMINATION OF PROCESSING TIME

Legal Authority: 38 USC 3003(a)

CFR Citation: 38 CFR 21.3032

Abstract: This regulation will be amended to eliminate a statement that the time the VA takes to process a claim can be considered when determining how long a person will remain eligible to receive dependents' educational assistance. The law no

longer allows the VA to consider processing time.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, 202 389-2092

RIN: 2900-AB37

40. ● DEPENDENTS' EDUCATION: ELIGIBILITY FOR SPECIAL RESTORATIVE TRAINING

Legal Authority: 38 USC 1743(b)

CFR Citation: 38 CFR 21.3330; 38 CFR 21.3332

Abstract: These regulations will be amended to make clear that only eligible children may receive special restorative training as provided by law. The language currently used has caused confusion as to what people may be eligible for these benefits.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, 202 389-2092

RIN: 2900-AB38

41. ● VETERANS EDUCATION; ELIGIBILITY

Legal Authority: PL 98-223

CFR Citation: 38 CFR 21.1022; 38 CFR 21.1040; 38 CFR 21.3022; 38 CFR 21.4020; 38 CFR 21.4022

Abstract: These regulations implement those provisions of the Veterans' Compensation and Program Improvements Amendments of 1984 which affect people eligible to receive benefits under the dependents' educational assistance program or the G.I. Bill. The regulations deal with situations when someone is eligible for educational assistance under more than one of the programs administered by the VA

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass'st Dir. for Policy & Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB39

42. ● VETERANS EDUCATION; SATISFACTORY PROGRESS

Legal Authority: 38 USC 1674

CFR Citation: 38 CFR 21.4203

Abstract: The VA wishes to amend the regulation dealing with reports of a veteran's or eligible person's unsatisfactory progress in their training under the G.I. Bill. The amended regulation will make clear that only the school's regularly prescribed standards of progress will be used in determining if a veteran's or eligible person's progress is unsatisfactory.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB40

43. ● VETERANS EDUCATION; PROGRAMS OF EDUCATION AT MORE THAN ONE SCHOOL

Legal Authority: 38 USC 1652

CFR Citation: 38 CFR 21.4252

Abstract: The VA wishes to amend this regulation to recognize that the first portion of the subjects or courses in a baccalaureate program beyond those necessary for an associate degree may be given at a private as well as a public 2-year college. The amendment will also address the fact that the remainder of these programs may be offered at private as well as a public 4-year college or university.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Director for Policy & Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB41

44. ● VETERANS EDUCATION; COURSE SUBSTITUTION

Legal Authority: 38 USC 1772

CFR Citation: 38 CFR 21.4131; 38 CFR 21.4132

Abstract: The VA wishes to amend these regulations to set a limit upon how far back in the past a State Approving Agency can set the effective date for the approval of a course. This will eliminate excessively long delays in approving courses. The VA is considering a one year time limit.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: No

Agency Contact: June C. Schaeffer, Ass't Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, 202 389-2092

RIN: 2900-AB42

45. ● VETERANS EDUCATION; VEAP ELIGIBILITY

Legal Authority: PL 98-223

CFR Citation: 38 CFR 21.5022; 38 CFR 21.5040; 38 CFR 21.5058; 38 CFR 21.5060

Abstract: These regulations implement those provisions of the Veterans' Compensation and Program Improvements Amendments of 1984 which affect the Post-Vietnam Era Veterans' Educational Assistance Program (VEAP). The most far-reaching provision permits those veterans who are eligible for both VEAP and the G.I. Bill to elect which one they will receive benefits under.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy & Program Admin, Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-2092

RIN: 2900-AB43

46. ● VETERANS EDUCATION; CANCELLATION OF UNNECESSARY REGULATIONS

Legal Authority: 38 USC 1780(d)

CFR Citation: 38 CFR 21.4136; 38 CFR 21.4137; 38 CFR 21.4235; 38 CFR 21.4237

Abstract: The VA wishes to cancel several paragraphs in some sections dealing with the G.I. Bill. These paragraphs are redundant. The agency wishes to amend a paragraph dealing with advance payment so that it is in agreement with other paragraphs on the same subject.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: June C. Schaeffer, Asst. Dir. for Policy and Program Admin., Veterans Administration, Department of Veterans Benefits, Washington, DC 20420, 202 389-2092

RIN: 2900-AB44

47. ● DEPENDENCY OF PARENTS - COMPENSATION

Legal Authority: 38 USC 210

CFR Citation: 38 CFR 3.250

Abstract: Increases the monthly income levels for conclusive dependency of a parent to conform with changes in the Consumer Price Index.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Central Office, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-3005

RIN: 2900-AB45

48. ● EFFECTIVE DATES OF PENSION AWARDS

Legal Authority: PL 98-369

CFR Citation: 38 CFR 3.400

Abstract: Limits the effective date of a disability or death pension award to date of receipt of claim unless certain specific conditions are satisfied.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Central Office, 810 Vermont Avenue NW, Washington, DC 20420, 202 389-3005

RIN: 2900-AB46

BOARD OF VETERANS APPEALS

49. APPEALS REGULATIONS AND RULES OF PRACTICE

Legal Authority: PL 97-377, Sec 156 Quayle Amendment; EO 12436; 38 USC 4002; 38 USC 4004(c)

CFR Citation: 38 CFR 19.2; 38 CFR 19.157; 38 CFR 19.176; 38 CFR 19.179

Abstract: Revises the examples of the Board of Veterans Appeals' appellate jurisdiction to include claims for certain Social Security benefits under PL 97-377, Sec 156. Adds a new subsection to the Board of Veterans Appeals Rules of Practice No. 57 to reflect the Board's traditional practice of allowing an "informal hearing" by accepting written argument from some appellants' representatives. Retitles and adds a new subsection to the Board of Veterans Appeals Rules of Practice No. 76 to reflect the Board's traditional practice of requesting, in some cases, legal opinions from the General Counsel of the Veterans Administration. Retitles Board of Veterans Appeals Rules of Practice No. 79 to reflect that an appellant's representative will be given a copy of any General Counsel opinion obtained, and will be given 60 days to respond.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Mr. Jan Donsbach, Special (Legal) Assistant, Veterans Administration, Board of Veterans Appeals, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2978

RIN: 2900-AB29

OFFICE OF BUDGET AND FINANCE

50. ● WAIVER OF OVERPAYMENTS WAIVER - THIRD PERSONS STANDARDS FOR CLAIMS COLLECTIONS

Legal Authority: 38 USC 3102; PL 97-365

CFR Citation: 38 CFR 1.962; 38 CFR 1.963(c); 38 CFR 1.900 to 1.954

Abstract: 38 CFR 1.962 will be revised by redefining the term "overpayment" to exclude those payments received by third parties who are neither payees nor beneficiaries. Section 1.963(c) will be deleted because benefit payments received by third parties, who are neither payees nor beneficiaries will no longer be considered for waiver. The revision to these two sections is done under 38 U.S.C. 3102. Sections 1.900 to 1.954 will be revised to comply with Pub. L. 97-365, which amended the Federal Claims Collection Act of 1966 and the Federal Claims Standards (4 CFR 101.1 to 101.5).

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Peter T. Mulhern, Special Asst. for Fiscal Systems, Veterans Administration, Office of Budget and Finance, Washington, DC 20420, 202 389-3405

RIN: 2900-AB33

EQUAL OPPORTUNITY STAFF

51. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 42 USC 6101 et seq

CFR Citation: 38 CFR 18

Abstract: To establish standards for determining what age discrimination is and procedures for enforcing the Age

Discrimination Act of 1975, according to the government-wide age discrimination regulations at 45 CFR Part 90. There are no alternatives to issuing these regulations. Beneficiaries, potential beneficiaries and the general public will benefit from assisted programs which are provided free from prohibited discrimination based on age.

Timetable:

Action	Date	FR Cite
NPRM	11/18/83	48 FR 52485
NPRM Comment Period Begin	11/18/83	
NPRM Comment Period End	12/19/83	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Ana M. del Toro, Equal Opportunity Specialist, Veterans Administration, Office of Equal Opportunity, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2150

RIN: 2900-AA21

52. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN VA PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 38 CFR 15

Abstract: Provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, as it applies to programs or activities conducted by the VA. Section 504 prohibits discrimination on the basis of handicap. There is no other alternative to the issuance of this regulation since it implements a legislative mandate. Qualified handicapped individuals will be assured of equal participation in programs or activities conducted by the VA.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Ana M. del Toro, Equal Opportunity Specialist, Veterans Administration, Office Of Equal Opportunity, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2150

RIN: 2900-AA87

OFFICE OF THE GENERAL COUNSEL

53. RECOGNITION OF ORGANIZATIONS, REPRESENTATIVES, AGENTS AND ATTORNEYS

Legal Authority: 38 USC 210(c)(1); 38 USC 3402; 38 USC 3404

CFR Citation: 38 CFR 14.664; 38 CFR 14.627 to 14.637

Abstract: Includes definitions; requirements for recognition of organizations by the VA; requirements for recognition of representatives, agents and attorneys; powers of attorney; use of paralegals, law clerks and law students; requirements for space and office facilities.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Andrew J. Mullen, Deputy Assistant General Counsel, Veterans Administration, Office of the General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2440

RIN: 2900-AA38

54. REVISION OF FEES FOR COPIES OF VA RECORDS

Legal Authority: 38 USC 3302; 5 USC 552(a)(4)(A); 5 USC 552a(f)(5)

CFR Citation: 38 CFR 1.526; 38 CFR 1.555; 38 CFR 1.577(f)

Abstract: Revises VA fee schedules currently in effect for the Privacy Act, the Freedom of Information Act, and 38 U.S.C. Sec 3301 to remove inconsistencies and establish a comprehensive uniform fee schedule. The alternative would be to leave the regulations unchanged. This would result in continued confusion in their application and loss of revenue to the Government since an increase in the fees is contemplated. There is no increased cost to the Government due to these changes.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Neal C. Lawson, Assistant General Counsel, Veterans Administration, Office of General Counsel, 810 Vermont Ave, NW, Washington, DC 20420, 202 389-3294

RIN: 2900-AB18

55. EFFECT OF GENERAL COUNSEL OPINIONS

Legal Authority: 38 USC 210(c)(1); 38 USC 4004(c)

CFR Citation: 38 CFR 14.507

Abstract: Clarifies the effect of General Counsel opinions with respect to binding and precedential legal interpretations. No alternatives are being considered. The change will assist VA personnel in understanding the effect of General Counsel opinions. It will benefit the public by enhancing the accessibility of General Counsel opinions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/85	

Small Entity: No

Agency Contact: Andrew J. Mullen, Deputy Assistant General Counsel, Veterans Administration, Office of the General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2440

RIN: 2900-AB22

56. ● INVENTIONS BY EMPLOYEES OF VETERANS ADMINISTRATION AS COINVENTORS UNDER FUNDING AGREEMENTS

Legal Authority: 35 USC 200 to 207

CFR Citation: 38 CFR 1.670 to 1.680

Abstract: Under affiliation agreements between VA Medical Centers and local Colleges or Universities, VA employees and University employees are sometimes coinventors. Universities have requested VA to assign its interest in any such inventions to the University. Pub. L. No. 96-517 authorizes the VA to so assign its interest in certain circumstances, provided the invention was made under a funding agreement between the agency and the coinventing entity. These regulations will set forth the procedure and criteria for determination of patent right ownership in these situations. No costs will be imposed on the public. The public will benefit from consolidation of

patent rights on one entity because this facilitates licensing and marketing of the invention, and thereby makes the invention available for public use.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Diana M. Bloss, Deputy Assistant General Counsel (024B), Veterans Administration, Office of General Counsel, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3651

RIN: 2900-AB47

DEPARTMENT OF MEMORIAL AFFAIRS

57. DISINTERMENTS FROM NATIONAL CEMETERIES

Legal Authority: 38 USC 1000

CFR Citation: 38 CFR 1.621(d)

Abstract: 38 CFR 1.621(d) currently states that disinterment of the remains of the dependent of a veteran which were interred in a national cemetery, based on an agreement by the veteran to be buried in the same or adjoining grave, may be authorized by the Chief Memorial Affairs Director. It has been determined that eligibility for burial of a dependent in a national cemetery is not contingent on the interment of the veteran in the same or any other national cemetery. Therefore, paragraph (d) no longer applies and is being removed from VA regulations. Paragraph (e) will be relettered as (d).

Timetable:

Action	Date	FR Cite
NPRM	03/29/84	49 FR 12283
NPRM Comment Period Begin	03/29/84	
NPRM Comment Period End	04/30/84	
Final Action	08/00/84	

Small Entity: Not Applicable

Agency Contact: Sonja McCombs, Management Analyst, Veterans Administration, Department of Memorial Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2987

RIN: 2900-AB10

OFFICE OF CONSTRUCTION

58. ENVIRONMENTAL EFFECTS OF VA ACTIONS

Legal Authority: 42 USC 4231 et seq; EO 11514; EO 11991; 16 USC 470 et seq; 16 USC 469a et seq; EO 11593

CFR Citation: 38 CFR 26

Abstract: To implement provisions of National Environmental Policy Act of 1969 and EO 11514, as amended by EO 11991, and to provide policy and procedures for VA officials regarding environmental considerations when authorizing any VA action that affects the environment in the United States. The regulation will also address issues covered by the Archeological Resources Protection Act of 1979 and historic preservation legislation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/85	

Small Entity: Undetermined

Agency Contact: Jon Baer, Chief, Environmental Planning Division, Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-3316

RIN: 2900-AB17

OFFICE OF THE INSPECTOR GENERAL

59. INVESTIGATION

Legal Authority: 5 USC Appendix Inspector General Act of 1978

CFR Citation: 38 CFR 1.450 to 1.455

Abstract: This revision publishes for the information of all concerned, the duties, responsibilities and authority of the Inspector General. No alternatives are being considered. There will be no additional costs as a result of this change.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Mr. Renald P. Morani, Assistant Inspector General, Veterans Administration, Office of Inspector General, 810 Vermont Avenue, NW, Washington, DC 20420, 202 389-2915

RIN: 2900-AB28

VETERANS ADMINISTRATION (VA) — Completed Actions

COMPLETED RULEMAKINGS

60. CONSUMER-PATIENT RADIATION HEALTH AND SAFETY

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
No action anticipated in next 12 months	08/27/84	

Small Entity: No

Agency Contact: James Smith, M.D. 202 389-3195

RIN: 2900-AA17

61. INFORMED CONSENT

CFR Citation: 38 CFR 17.34

Completed:

Reason	Date	FR Cite
Final Action	03/12/84	49 FR 9171
Final Action Effective	03/09/84	

Small Entity: No

Agency Contact: Monica Wilkins 202 389-2179

RIN: 2900-AA25

62. NONDISCRIMINATION IN THE ADMISSION OF ALCOHOL AND DRUG ABUSERS TO VETERANS ADMINISTRATION HEALTH CARE FACILITIES

CFR Citation: 38 CFR 17.48

Completed:

Reason	Date	FR Cite
Final Action	06/27/84	49 FR 26226
Final Action Effective	06/27/84	

Small Entity: Not Applicable

Agency Contact: Jerome J. Hanes 202 389-2337

RIN: 2900-AA76

63. LIMITATION ON PAYMENT FOR EMERGENCY HOSPITAL CARE AND MEDICAL SERVICES NOT PREVIOUSLY AUTHORIZED

CFR Citation: 38 CFR 17.80a

Completed:

Reason	Date	FR Cite
Final Action	04/19/84	49 FR 15548
Final Action Effective	03/28/84	

Small Entity: No

Agency Contact: Gene M. Lambert 202 389-2143

RIN: 2900-AA85

64. HOSPITAL CARE & MEDICAL SERVICES IN NONCONTIGUOUS STATES

CFR Citation: 38 CFR 17.50b(e)

Completed:

Reason	Date	FR Cite
Final Action	03/21/84	49 FR 10542
Final Action Effective	03/14/84	

Small Entity: No

Agency Contact: Gene M. Lambert 202 389-2337

RIN: 2900-AB27

65. VETERANS EDUCATION; IMPLEMENTATION OF THE BUDGET RECONCILIATION ACT OF 1981

CFR Citation: 38 CFR 21.4136; 38 CFR 21.4137; 38 CFR 21.4232; 38 CFR 21.4503; 38 CFR 21.4252

Completed:

Reason	Date	FR Cite
Final Action	03/07/84	49 FR 8438
Final Action Effective	02/17/84	

Small Entity: No

Agency Contact: June Schaeffer 202 389-2092

RIN: 2900-AA53

66. VETERANS EDUCATION; SAA CONTRACTS

CFR Citation: 38 CFR 21.4154

Completed:

Reason	Date	FR Cite
Final Action	06/27/84	49 FR 26226
Final Action Effective	06/12/84	

Small Entity: No

Agency Contact: June Schaeffer 202 389-2092

RIN: 2900-AA57

67. VETERANS EDUCATION; MONTHLY CERTIFICATIONS OF ATTENDANCE

CFR Citation: 38 CFR 21.4203; 38 CFR 21.4204; 38 CFR 21.4205

Completed:

Reason	Date	FR Cite
Final Action	03/06/84	49 FR 8607
Final Action Effective	08/01/84	

Small Entity: No

Agency Contact: June Schaeffer 202 389-2092

RIN: 2900-AA59

68. VETERANS EDUCATION; EDUCATIONAL ASSISTANCE ADJUSTMENTS

CFR Citation: 38 CFR 21.4131; 38 CFR 21.4133; 38 CFR 21.4134; 38 CFR 21.4135; 38 CFR 21.4136; 38 CFR 21.4137; 38 CFR 21.4140; 38 CFR 21.4202; 38 CFR 21.4207

Completed:

Reason	Date	FR Cite
Final Action	02/10/84	49 FR 5112
Final Action Effective	10/14/82	

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AA72

69. MANUFACTURED HOUSING LOANS; COMPUTATION OF GUARANTY CLAIMS

CFR Citation: 38 CFR 36.4283; 38 CFR 36.4284; 38 CFR 36.4253

Completed:

Reason	Date	FR Cite
Final Action	05/25/84	49 FR 22080
Final Action Effective	05/08/84	

Small Entity: No

Agency Contact: Raymond L. Brodie 202 389-3668

RIN: 2900-AA78

70. SPECIAL ALLOWANCE PAYABLE UNDER SECTION 156 OF PUBLIC LAW 97-377

CFR Citation: 38 CFR 3.812

Completed:

Reason	Date	FR Cite
Final Action	05/23/84	49 FR 21708
Final Action Effective	01/01/83	

Small Entity: No

Agency Contact: Robert M. White 202 389-3005

RIN: 2900-AA92

71. COMPUTATION OF GUARANTIES OR INSURANCE CREDITS

CFR Citation: 38 CFR 36.4302(h)(3)

Completed:

Reason	Date	FR Cite
Final Action	07/11/84	49 FR 28242
Final Action Effective	03/02/84	

Small Entity: No

Agency Contact: George D. Moerman 202 389-3042

RIN: 2900-AA97

72. SUPPLEMENTARY ADMINISTRATIVE ACTION

CFR Citation: 38 CFR 36.4220; 38 CFR 36.4335

Completed:

Reason	Date	FR Cite
Final Action	04/04/84	49 FR 13350
Final Action Effective	03/20/84	

Small Entity: No

Agency Contact: George D. Moerman 202 389-3042

RIN: 2900-AA98

73. VETERANS EDUCATION; CENTRAL OFFICE EDUCATION AND TRAINING REVIEW PANEL

CFR Citation: 38 CFR 21.4208

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20492
Final Action Effective	04/24/84	

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB02

74. VETERANS EDUCATION; ADDITIONAL PERIOD OF ELIGIBILITY

CFR Citation: 38 CFR 21.1044

Completed:

Reason	Date	FR Cite
Final Action	03/07/84	49 FR 8437
Final Action Effective	02/17/84	

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB03

75. VETERANS EDUCATION; CHANGE OF PROGRAM

CFR Citation: 38 CFR 21.5232

Completed:

Reason	Date	FR Cite
Merged with RIN 2900-AA91	08/27/84	

Small Entity: No

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB11

76. CLOTHING ALLOWANCE

CFR Citation: 38 CFR 3.810

Completed:

Reason	Date	FR Cite
Final Action	07/11/84	49 FR 28242
Final Action Effective	05/12/83	

Small Entity: No

Agency Contact: Robert M. White 202 389-3005

RIN: 2900-AB12

77. MONETARY ALLOWANCE IN LIEU OF A GOVERNMENT-FURNISHED HEADSTONE OR MARKER

CFR Citation: 38 CFR 3.1612

Completed:

Reason	Date	FR Cite
Final Action	05/09/84	49 FR 19653
Final Action Effective	10/01/83	

Small Entity: No

Agency Contact: Robert M. White 202 389-3005

RIN: 2900-AB13

78. EMERGENCY VETERANS' JOB TRAINING PROGRAM

CFR Citation: 38 CFR 21.1044; 38 CFR 21.4025; 38 CFR 21.4131; 38 CFR 21.4135; 38 CFR 21.4230; 38 CFR 21.4600; 38 CFR 21.4602; 38 CFR 21.4610; 38 CFR 21.4612; 38 CFR 21.4620; 38 CFR 21.4622; 38 CFR 21.4624; 38 CFR 21.4630; 38 CFR 21.4632; 38 CFR 21.4634; ...

Completed:

Reason	Date	FR Cite
Final Action	07/18/84	49 FR 29058
Final Action Effective	10/01/83	

Small Entity: Yes

Agency Contact: June C. Schaeffer 202 389-2092

RIN: 2900-AB15

79. DELEGATION OF AUTHORITY

CFR Citation: 38 CFR 2.6

Completed:

Reason	Date	FR Cite
Final Action	08/01/84	49 FR 30691
Final Action Effective	08/31/84	

Small Entity: No

Agency Contact: Audley Hendricks 202 389-5030

RIN: 2900-AA36

80. PROCEDURE WHERE VIOLATION OF PENAL STATUTES IS INVOLVED

CFR Citation: 38 CFR 14.560

Completed:

Reason	Date	FR Cite
No action anticipated in next 12 months	08/27/84	

Small Entity: No

Agency Contact: Audley Hendricks 202 389-5030

RIN: 2900-AA37

[FR Doc. 84-24282 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XL

Civil Aeronautics Board

Semiannual Regulatory Agenda

CAB

CIVIL AERONAUTICS BOARD

14 CFR Ch. II

Unified Agenda of Federal Regulations

AGENCY: Civil Aeronautics Board.

ACTION: Publication of Unified Agenda of Federal Regulations.

SUMMARY: As part of its implementation of the Regulatory Flexibility Act, Pub. L. 96-354, and in accordance with the policy announced in OMB Bulletin 84-16, the CAB publishes its part of the semiannual Unified Agenda of Federal Regulations.

DATES: Adopted: September 18, 1984.

ADDRESSES: Copies of the rulemaking documents listed in this agenda can be obtained from the Distribution Section, Civil Aeronautics Board, Washington, D.C. 20428; (202) 673-5432. Each document should be identified by the designation appearing in parentheses after the **Federal Register** citation.

FOR FURTHER INFORMATION CONTACT: About a specific rulemaking action listed in this agenda--the contact person listed below. About this agenda--Joanne Petrie, Office of the General Counsel, Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428; 202-673-5442.

SUPPLEMENTARY INFORMATION: The Board is publishing this descriptive list of its rulemakings in the Unified Agenda of Federal Regulations in accordance with the Regulatory Flexibility Act, Pub. L. 96-354, and the policy announced in Bulletin 84-16, issued by the Office of Management and Budget (OMB) on June 22, 1984. This is the last agenda that will be published by the Civil Aeronautics Board because the Board will sunset on December 31, 1984, under the Airline Deregulation Act of 1978. The Board's previous agenda appears at 49 FR 16552, April 19, 1984.

The agenda is divided into two categories, Current and Projected Rulemakings, and Completed Actions, in compliance with the Regulatory Information Service model of OMB. The Board is keeping its internal designation codes in the title so that items can be easily traced back to previous agendas.

For each rulemaking action listed in this agenda, the following information is set out: title, legal authority, CFR citation, abstract, timetable, effect on small entities, additional information, agency contact, and regulatory information number (RIN). For each proceeding in which a notice of proposed rulemaking has been issued, an estimated final action date is listed. The address for all contact persons is Civil Aeronautics Board, 1825 Connecticut Avenue, N.W., Washington, D.C. 20428.

The only rules that the Regulatory Flexibility Act requires an agency to include in its agenda are those that are "likely to have a significant economic impact on a substantial number of small entities." This agenda is more inclusive, listing all significant Board rulemaking activity. Items appearing to meet the statutory criterion of the Act are noted.

The Board has only found one of the rulemakings included in this agenda (D39. *Computer reservations systems*) to be "major" within the meaning of E.O. 12291. In addition, each rulemaking undergoes an analysis of benefits, costs, and alternatives, in a degree of detail and formality that is commensurate with the importance of the rule. The Board also retains the discretion to prepare a formal Regulatory Impact Analysis on any rulemaking.

Statements in the action schedule column that a notice or advance notice of proposed rulemaking is in preparation indicate that the staff is preparing a draft for Board action. They do not imply that the proposal will necessarily be issued, that the Board has endorsed the substance of the proposal, or that the petition (if any) prompting the rulemaking activity will necessarily be granted. The dates noted for final action are estimates only, and so do not bind the Board or indicate that a final rule will necessarily be adopted. In addition, since many of the Board's functions are being transferred to other Federal agencies when the Board sunsets, we do not know what items they will consider important and their scheduling plans.

Although this agenda is intended to list all significant Board regulations that are under development or review, it is not a complete guide to all significant rulemaking activity for the 6 months until publication of the next agenda. First, new rulemaking actions may arise and be completed between now and then. Second, we may have inadvertently omitted one or more items. Any such omission shall not preclude the Board from taking action on the item, and is not a ground for judicial review of the rule.

Abbreviations Used in This Agenda

"Act" means the Federal Aviation Act of 1958, as amended, 49 U.S.C. 1301 *et seq.*, including amendments made by the Airline Deregulation Act and the International Air Transportation Competition Act, Pub. L. 96-192, 94 Stat. 35.

"Deregulation Act" means the Airline Deregulation Act of 1978, Pub. L. 95-504, 92 Stat. 1705.

"CFR" means Code of Federal Regulations.

"FR" means **Federal Register**.

"ANPRM" means advance notice of proposed rulemaking.

"NPRM" means notice of proposed rulemaking.

"SNPRM" means supplementary notice of proposed rulemaking.

Office abbreviations:

BCAA--Bureau of Carrier Accounts and Audits

BDA--Bureau of Domestic Aviation

BIA--Bureau of International Aviation

OC--Office of Comptroller

OCCCA--Office of Congressional, Community and Consumer Affairs

OEA--Office of Economic Analysis

OGC--Office of the General Counsel

ER-, EDR-, SPR-, SPDR-, and similar designations appearing in parentheses are the Board's internal designations for final rules and proposed rules. Using these designations, interested persons can obtain copies of documents from the Distribution Section at the address listed above. The Distribution Section will also establish and maintain a list of persons wishing to receive copies of future agendas.

Accordingly, the Civil Aeronautics Board publishes the attached Unified Agenda of Significant Regulations.

By the Civil Aeronautics Board.

Phyllis T. Kaylor,

Secretary.

BILLING CODE 6320-01-T

CAB

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	A1. Essential air service subsidy guidelines	3024-AA00
2	A3. Obligation of carriers to provide adequate service at eligible points	3024-AA02
3	A7. Guidelines for allocating costs for Section 419 hold-in cases	3024-AB02
4	A8. Essential air service subsidy for the Freely Associated States	3024-AB09
5	B2. Elimination of mandatory joint fares	3024-AA07
6	B10. Hawaiian joint fares	3024-AA12
7	B14. Time and mileage guides	3024-AA16
8	B16. Joint tariff filing by foreign air freight forwarders	3024-AA73
9	B17. Currency-related adjustments for international cargo rates	3024-AB10
10	B18. Policy statement on Standard Foreign Fare Level	3024-AB12
11	C7. Direct carrier responsibility for returning stranded charter passengers	3024-AA18
12	C10. Liberalization of charter rules	3024-AA19
13	D1. Nondiscrimination on the basis of handicap by airlines	3024-AA21
14	D2. Consumer protections for members of scheduled-service tour groups	3024-AA22
15	D5. Zones for mail rates	3024-AA24
16	D8. Age discrimination	3024-AA25
17	D9. Policy statement on preemption	3024-AA26
18	D26. Insurance for on-demand air taxi operators and Canadian air taxis	3024-AA31
19	D31. Group contractor exemptions	3024-AA34
20	D35. International certificate duration	3024-AA38
21	D37. Direct flights	3024-AA83
22	D38. Charter price advertising	3024-AA87
23	D40. Implementation of statute requiring interest on subsidy claims	3024-AA90
24	D42. Diversion of flights within a metropolitan area	3024-AA92
25	D43. Nondiscrimination on the basis of handicap by the Board	3024-AB03
26	D44. Simplified exemption procedures	3024-AB04
27	D45. Simplified countersign notices	3024-AB11
28	D47. Sharing of single carrier designator codes	3024-AB14
29	D48. Disclosure of CRS-generated data, display criteria and loading formats	3024-AB15
30	D49. Employment discrimination against handicapped persons by air carriers	3024-AB16
31	D50. Nine point connection rule	3024-AB17
32	D52. Consumer protection for default by scheduled air carriers	3024-AB25
33	221-5. Filing requirements for international cargo tariffs	3024-AB05
34	221-6. Baggage liability notices in international air transportation	3024-AB06
35	221-7. Placement of international baggage liability notices	3024-AB18
36	223-1. Modification or withdrawal of exemption to foreign air carriers to carry travel agents or other travel promoters free or at reduced rates	3024-AA42
37	234-1. On-time arrival standards	3024-AA44
38	241-3. Alignment of Uniform System of Accounts and Reports with generally accepted accounting principles	3024-AA46
39	241-4. Revise definition of revenue and nonrevenue passengers	3024-AA47
40	241-5. Reduce reporting requirements of the Uniform System of Accounts and Reports	3024-AA48
41	241-6. Change the applicability of Form 41	3024-AA49
42	241-7. Reduce service segment data reports	3024-AA50
43	241-9. Streamline Passenger Origin-Destination Survey reporting	3024-AA77
44	241-10. Confidentiality of the Form 41 Report	3024-AB19
45	245-1. Exemptions from reporting stock ownership	3024-AA52
46	246-1. Revision of stock ownership reports by affiliates of air carriers	3024-AA53
47	249-1. Require specific categories of records and retention periods for commuter air carriers receiving subsidy	3024-AA88
48	250-7. Reconsideration of the 1-hour exemption for denied boarding compensation	3024-AA86
49	250-8. Denied boarding compensation for change in class of service	3024-AB20
50	250-9. Payment of denied boarding compensation by vouchers	3024-AB21
51	252-1. Smoking aboard aircraft; notice to passengers	3024-AA82
52	293-1. Alaskan subcontract agreements	3024-AA59
53	298-3. Revising the definition of commuter air carrier	3024-AA61
54	298-8. Amend applicability of Part 298 and revise reporting on CAB Form 298-C	3024-AA62
55	302-1. Requests for confidential treatment of materials filed with the Board	3024-AA63
56	323-1. Service terminations in foreign markets	3024-AA65
57	370-1. Employee responsibilities and conduct	3024-AA66
58	372-1. Overseas military personnel charter tariffs	3024-AA71
59	375-1. Navigation of foreign civil aircraft	3024-AA67
60	377-1. Effect of expiration of a bilateral on foreign air carrier authority	3024-AA72
61	379-1. Nondiscrimination in Federally-assisted programs of the Board	3024-AA68
62	399-3. Unfair and deceptive practices by ticket agents	3024-AA76
63	399-4. Removal of policy statement on standard conditions in foreign air carrier permits	3024-AA97

CAB

Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
64	399-5. Interline agreements	3024-AB07

Completed Actions

Sequence Number	Title	Regulation Identifier Number
65	[A2.] Essential air service subsidy procedures	3024-AA01
66	[B4.] Extension of fare flexibility to Micronesia	3024-AA08
67	[B7.] Standard foreign fare level methodology	3024-AA10
68	[D20.] Simplified notice requirements for 401 certificate proceedings under Subpart Q	3024-AA29
69	[D21.] Subpart Q refinements	3024-AA30
70	[D36.] Pre-certification ticket sales	3024-AA39
71	*[D39.] Computer reservations systems	3024-AA89
72	[211-1.] Application procedures and service requirements for permits and certificates	3024-AA40
73	[241-8.] Simplify Passenger Origin-Destination Survey data reporting	3024-AA51
74	[252-2.] Smoking aboard aircraft	3024-AA95
75	[C12.] Payment to direct air carriers for charter transportation	3024-AB22
76	[D51.] Exemption from unjust discrimination prohibition	3024-AB23
77	[389-1.] Offset procedures for filing fees	3024-AB24
78	[D46.] Display of joint operation in carrier-owned computer reservation systems	3024-AB13

*Indicates priority regulation.

CIVIL AERONAUTICS BOARD (CAB) — Current and Projected Rulemakings

SMALL COMMUNITY AIR SERVICE PROGRAM

1. A1. ESSENTIAL AIR SERVICE SUBSIDY GUIDELINES

Legal Authority: 49 USC 1389

CFR Citation: 14 CFR 271, (Proposed)

Abstract: The Board provides subsidy to airlines to ensure that small communities receive essential air service at a level determined in accordance with 14 CFR Part 398. This rule would implement section 419(d) of the Act, which directs the Board to establish guidelines for computing the fair and reasonable amount of compensation necessary to guarantee that level of service.

Timetable:

Action	Date	FR Cite
NPRM (EDR-415, Docket 39041)	12/18/80	45 FR 83254
NPRM Comment Period End	02/17/81	
Final Action	11/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Kip Tourtellot, OGC, (202) 673-5205.

Agency Contact: John R. Hokanson, BDA, Civil Aeronautics Board, 202 673-5368

RIN: 3024-AA00

2. A3. OBLIGATION OF CARRIERS TO PROVIDE ADEQUATE SERVICE AT ELIGIBLE POINTS

Legal Authority: 49 USC 1374; 49 USC 1389

CFR Citation: 14 CFR 398

Abstract: The Board has set essential air service levels under section 419 of the Act for eligible points (small communities). Some of these points are being served by air carriers that are not providing the required level of service. This rule would establish a new policy under which the Board would rely on the "adequate service" provision of section 404(a) of the Act as authority to order these carriers to provide adequate (i.e., essential) service at points they now serve.

Timetable:

Action	Date	FR Cite
NPRM (PSDR-68, Docket 38807)	10/10/80	45 FR 67357
NPRM Comment Period End	12/09/80	
Termination of Rulemaking in preparation	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA02

3. A7. GUIDELINES FOR ALLOCATING COSTS FOR SECTION 419 HOLD-IN CASES

Legal Authority: 49 USC 1324; 49 USC 1377; 49 USC 1389

CFR Citation: 14 CFR 324

Abstract: The Board is considering expanding Part 324 to include a description of the costing methodologies used in hold-in cases. It is also considering including a description of the types of situations where the

various methodologies would be appropriate.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Wayne Watkins, BDA, Civil Aeronautics Board, 202 673-5365

RIN: 3024-AB02

4. A8. ESSENTIAL AIR SERVICE SUBSIDY FOR THE FREELY ASSOCIATED STATES

Legal Authority: 49 USC 1324; 49 USC 1502; Compact of Free Association

CFR Citation: 14 CFR 211, (Proposed); 14 CFR 271, (Proposed)

Abstract: The proposed Compact of Free Association and related Article IX of the Federal Programs and Services Agreement make provision for payment of subsidy, if necessary, to maintain essential air transportation to the Federated States of Micronesia and the Marshall Islands when they acquire their new status. The Compact and Agreement also permit the Board under certain conditions to pay subsidy to Freely Associated States air carriers and to authorize these carriers to carry local air traffic between Guam, the Commonwealth of the Northern Mariana Islands, and Honolulu, Hawaii. This rule would establish the requirements and procedures for implementing these provisions.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Peter Schwarzkopf, OGC, Civil Aeronautics Board, 202 673-5928

RIN: 3024-AB09

FARES, RATES AND TARIFFS

5. B2. ELIMINATION OF MANDATORY JOINT FARES

Legal Authority: 49 USC 1374; 49 USC 1484; 49 USC 1601

CFR Citation: 14 CFR 399

Abstract: The mandatory joint fare requirements established in the Domestic Passenger Fare Investigation ended on January 1, 1983, with the end of the Board's jurisdiction over domestic passenger fares. The Board issued a proposal on its own initiative and in response to a petition filed by American Airlines to change the joint fare requirements in 1 of 3 ways. The Board considered eliminating the system in some or all markets, or making interlining mandatory upon request. The rulemaking will be terminated because the Board no longer has authority to regulate this area.

Timetable:

Action	Date	FR Cite
NPRM (PSDR-70, Docket 38585)	06/03/81	46 FR 29719
NPRM Comment Period End	07/31/81	
Reply Comment Period End	09/03/81	
Termination of Rulemaking in preparation	00/00/00	

Small Entity: Yes

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA07

6. B10. HAWAIIAN JOINT FARES

Legal Authority: 49 USC 1374; 49 USC 1484; 49 USC 1601

CFR Citation: 14 CFR 399

Abstract: The Board proposed to require certain airlines to provide interline service in Hawaii until the end of 1982, to aid in the transition to domestic fare deregulation. This rulemaking is being terminated because the Board no longer has authority to regulate fares in domestic air transportation.

Timetable:

Action	Date	FR Cite
Supplemental NPRM (PSDR-75A, Docket 38585)	05/03/82	47 FR 18913
NPRM Comment Period End	06/24/82	
Termination of Rulemaking in preparation	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Lawrence Myers, OGC (202) 673-5205.

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA12

7. B14. TIME AND MILEAGE GUIDES

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221

Abstract: The Board currently prohibits fares or rates based upon units of time. This rule would remove these restrictions.

Timetable:

Action	Date	FR Cite
NPRM (EDR-448, Docket 41034)	10/27/82	47 FR 47599
NPRM Comment Period End	12/13/82	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA16

8. B16. JOINT TARIFF FILING BY FOREIGN AIR FREIGHT FORWARDERS

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1378; 49 USC 1379; 49 USC 1386

CFR Citation: 14 CFR 296; 14 CFR 221

Abstract: This rule would permit indirect cargo air carriers to participate in joint tariffs filed by direct air carriers and direct foreign air carriers for the foreign air transportation of cargo. This exemption would require that advance notice be given to the shipper that the shipment will be interlined, and that the shipment is not otherwise consolidated for rating purposes.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Craig Weller, OGC (202) 673-5442.

Agency Contact: Lawrence Myers, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AA73

9. B17. CURRENCY-RELATED ADJUSTMENTS FOR INTERNATIONAL CARGO RATES

Legal Authority: 49 USC 1324; 49 USC 1371 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1384; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399

Abstract: TWA petitioned the Board to establish an expanded policy of international cargo rate flexibility by which carriers would file for expedited effectiveness certain increased cargo rates on inbound traffic to the United States. The rate changes involved would be currency-related adjustments that carriers file in response to foreign government orders. TWA stated that this change is needed so that airlines are not exposed to penalties for failing to comply with foreign government directives. In addition, it argued that protracted Board review of these filings has a severe impact on airline revenues because an airline cannot change its tariffs to reflect currency devaluations.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 41786		
Board Action	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB10

10. ● B18. POLICY STATEMENT ON STANDARD FOREIGN FARE LEVEL

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1375; 49 USC 1377; 49 USC 1378; 49 USC 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; ...

CFR Citation: 14 CFR 399

Abstract: The Board proposes to adopt a policy statement that would combine the Board's policies on SFFL in a single comprehensive statement.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 49 USC 1502, 49 USC 1504

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB12

CHARTERS

11. C7. DIRECT CARRIER RESPONSIBILITY FOR RETURNING STRANDED CHARTER PASSENGERS

Legal Authority: 49 USC 1324; 49 USC 1371

CFR Citation: 14 CFR 207; 14 CFR 208

Abstract: This rule would make direct air carriers responsible for returning charter passengers stranded by strikes or other interruptions of their services by eliminating the force majeure clause from charter contracts. More recently, however, the Board has issued a comprehensive proposal (item C10 in this agenda) to revise and simplify air charter rules. The Board's final action in this proceeding will be consistent with that in item C10.

Timetable:

Action	Date	FR Cite
NPRM (EDR-405, Docket 37169)	07/11/80	45 FR 46812
NPRM Comment Period End	09/25/80	
Reply Comment Period End	10/10/80	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA18

12. C10. LIBERALIZATION OF CHARTER RULES

Legal Authority: 49 USC 1324; 49 USC 1371

CFR Citation: 14 CFR 207; 14 CFR 208; 14 CFR 212; 14 CFR 298; 14 CFR 380

Abstract: The Board is proposing new charter rules for direct and indirect air carriers. The proposed rules retain the financial protections of existing rules for direct air carriers while eliminating rules restricting the types of groups (such as "affinity" or "single-entity") to whom charters may be sold. The proposal would also retain a security instrument and depository system for indirect air carriers, along with contract rules for public protection. The proposal also highlights depository bank and travel agent responsibilities in handling passenger funds. The proposal replaces one made earlier.

Timetable:

Action	Date	FR Cite
NPRM (EDR-439/SPDR-86, Docket 40336)	02/19/82	47 FR 7443
NPRM Comment Period End	04/20/82	
Reply Comment Period End	05/10/82	
NPRM (EDR-456/SPDR-88, Docket 40336)	04/12/83	48 FR 15639
NPRM Comment Period End	06/13/83	
Reply Comment Period End	06/28/83	
Final Action	11/00/84	

Small Entity: Yes

Additional Information: ADDITIONAL AGENCY CONTACT: Craig Weller, OGC (202) 673-5442

Agency Contact: Patricia T. Szrom, BDA, Civil Aeronautics Board, 202 673-5088

RIN: 3024-AA19

MISCELLANEOUS

13. D1. NONDISCRIMINATION ON THE BASIS OF HANDICAP BY AIRLINES

Legal Authority: 29 USC 794

CFR Citation: 14 CFR 382

Abstract: The final rule prohibits unlawful discrimination against handicapped air travelers and implements section 504 of the Rehabilitation Act of 1973. The Board is now considering whether to include provisions regulating carrier employment practices. An NPRM was adopted by the Board on May 31, 1984. It has been sent to DOJ and EEOC for approval as required by the Rehabilitation Act.

Timetable:

Action	Date	FR Cite
NPRM (SPDR-70, Docket 34030)	06/06/79	44 FR 32401
NPRM Comment Period End	09/04/79	
Final Rule (SPR-189)	06/16/82	47 FR 25936
Final Rule (SPR-191)	11/18/82	47 FR 51857
NPRM adopted by Board	05/31/84	

Action	Date	FR Cite
Supplemental NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA21

14. D2. CONSUMER PROTECTIONS FOR MEMBERS OF SCHEDULED-SERVICE TOUR GROUPS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1374; 49 USC 1381; 49 USC 1386

Abstract: The Board is considering whether consumer protection rules are needed for scheduled-service tours.

Timetable:

Action	Date	FR Cite
ANPRM (SPDR-71, Docket 34997)	07/25/79	44 FR 43481
ANPRM Comment Period End	10/23/79	
Reply Comment Period End	11/22/79	
Termination of Rulemaking in preparation	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA22

15. D5. ZONES FOR MAIL RATES

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1376

CFR Citation: 14 CFR 233, (Proposed)

Abstract: This rule would end the Board's current practice of prescribing fixed rates for the transportation of mail by air, and in its place establish zones for each category of mail. Each zone would be defined by maximum and minimum rates prescribed by the Board, and airlines would be free to contract with the Postal Service for the carriage of mail at any price within the zone.

Timetable:

Action	Date	FR Cite
NPRM (EDR-387/PDR-68, Docket 36497)	09/07/79	44 FR 52246
Supplemental NPRM (EDR-387C/PDR-68C)	12/18/80	45 FR 83510
Comment Period End	02/17/81	
NPRM Comment Period End	07/17/81	

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Lawrence Myers, OGC (202) 673-5205.

Agency Contact: Barry Molar, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AA24

16. D8. AGE DISCRIMINATION

Legal Authority: 42 USC 6102

CFR Citation: 14 CFR 376, (Proposed)

Abstract: This rule will prohibit discrimination against air travelers on the basis of age and implement the Age Discrimination Act of 1975. A final rule was adopted by the Board on April 10, 1980, and was forwarded to the Secretary of HHS for approval, as required by the Age Discrimination Act. The rule was approved by HHS on July 13, 1984, with changes.

Timetable:

Action	Date	FR Cite
NPRM (SPDR-74, Docket 36639)	09/26/79	44 FR 55383
Final Rule adopted by the Board	04/10/80	
HHS approves Final Rule with changes	07/13/84	
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA25

17. D9. POLICY STATEMENT ON PREEMPTION

Legal Authority: 49 USC 1305

CFR Citation: 14 CFR 399

Abstract: This rule will set out final Board policies for regulation of the rates, routes, and services of airlines that have interstate authority. The Board has concluded that under section 105 of the Act it, not the States, is responsible for economic regulation (or deregulation, as the case may be) of all the routes, rates, or services of any airline holding either (i) a certificate of public convenience and necessity to provide interstate air transportation, or (ii) an exemption under section 416 of the Act from the requirement for such a certificate.

Timetable:

Action	Date	FR Cite
Interim Rule (PS-83, Docket 34684)	02/15/79	44 FR 9948
Request for comments on Interim Rule (PSDR-56, Docket 34684)	02/15/79	44 FR 9953
Comment Period End	04/16/79	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: Lawrence Myers, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AA26

18. D26. INSURANCE FOR ON-DEMAND AIR TAXI OPERATORS AND CANADIAN AIR TAXIS

Legal Authority: PL 95-504; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 205; 14 CFR 298

Abstract: This rule would set the minimum per-person aircraft accident liability insurance limits for U.S. and Canadian on-demand air taxi operators at $150,000, instead of at $300,000 as it is for other air carriers. The NPRM further includes alternative proposals to set the per-person limit at $75,000 or $100,000 or to eliminate all minimum amounts, requiring a public notice instead. Other rules for insurance coverage for these carriers would be as in 14 CFR Part 205, including the prohibition on safety-related exclusions.

Timetable:

Action	Date	FR Cite
NPRM (EDR-395, Docket 37531)	02/04/80	45 FR 7566
NPRM (EDR-395B, Docket 37531)	10/27/81	46 FR 52585
NPRM Comment Period End	12/28/81	
Reply Comment Period End	01/18/82	

Action	Date	FR Cite
NPRM (EDR-395C, Docket 37531)	03/10/83	48 FR 10073
Comment Period End	05/17/83	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA31

19. D31. GROUP CONTRACTOR EXEMPTIONS

Legal Authority: 49 USC 1371; 49 USC 1386

Abstract: This rule would codify the Board's treatment of group contractors. A group contractor, like a charter operator, is an indirect air carrier that purchases air transportation from a direct air carrier and sells it to passengers as a principal rather than as an agent. Unlike charter operators, however, a group contractor is backed up financially by the direct carrier so that a passenger may look to the direct carrier for transportation or refund if the group contractor defaults. Group contracts are currently governed by the Board Order 81-7-109, July 31, 1981, as modified by Order 82-3-132, March 24, 1982. They are sometimes referred to as "contract bulk fare operators."

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Richard Dyson, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA34

20. D35. INTERNATIONAL CERTIFICATE DURATION

Legal Authority: 49 USC 1371

CFR Citation: 14 CFR 399

Abstract: This rule would set Board policy to award temporary experimental certificates for foreign air transportation for U.S. air carriers. The Board is considering options such as term certificates of 5 years with or without a presumption of renewal, or indefinite certificates with a mechanism to "bump" the incumbent.

Timetable:

Action	Date	FR Cite
ANPRM (PSDR-78, Docket 40823)	07/27/82	47 FR 32442
NPRM (PSDR-78A)	09/24/82	47 FR 42122
ANPRM Comment Period End	09/27/82	
Reply Comment Period End	10/12/82	
NPRM Comment Period End	11/27/82	
Reply Comment Period End	12/14/82	

Next Action Undetermined

Small Entity: No

Agency Contact: Donald H. Horn, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AA38

21. D37. DIRECT FLIGHTS

Legal Authority: 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: Donald L. Pevsner petitioned the Board to institute a rulemaking proceeding to ban use of the term "direct flight" because it is deceptive, and to declare use of the term to be a prima facie violation of section 411 of the Act.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 41217		
Petition under consideration	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA83

22. D38. CHARTER PRICE ADVERTISING

Legal Authority: 49 USC 1381

CFR Citation: 14 CFR 380

Abstract: The Board has proposed to ban the practice of stating taxes and service charges separately from the total price.

Timetable:

Action	Date	FR Cite
NPRM (SPDR-90/PSDR-82, Docket 41184)	11/04/83	48 FR 5090
NPRM Comment Period End	01/03/84	
Reply Comment Period End	01/18/84	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA87

23. D40. IMPLEMENTATION OF STATUTE REQUIRING INTEREST ON SUBSIDY CLAIMS

Legal Authority: 49 USC 1324; 49 USC 1359; 49 USC 1376; 49 USC 1386; PL 97-369

CFR Citation: 14 CFR 326, (Proposed)

Abstract: Under section 322 of the FY 1983 Transportation Appropriations Act, interest may be paid on certain "hold-in" subsidy claims by certificated air carriers under sections 419 and 406 of the Act. This rule would set procedures for Board payment of that interest.

Timetable:

Action	Date	FR Cite
NPRM (PDR-87, Docket 41855)	12/21/83	48 FR 56599
NPRM Comment Period End	02/21/84	
Reply Comment Period End	03/02/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Kip Tourtellot, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AA90

24. D42. DIVERSION OF FLIGHTS WITHIN A METROPOLITAN AREA

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1375; 49 USC 1377 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504; ...

CFR Citation: 14 CFR 253; 14 CFR 399

Abstract: The Board proposed to amend its rules requiring notice of contract terms for domestic travel to require that actual notice be given passengers of terms absolving carriers

from any responsibility to transport a passenger to the destination named on the ticket, or to reimburse the passenger for expenses in reaching the airport noted on the ticket when a flight is diverted to another airport in the same metropolitan area. Alternatively, the Board proposed to declare it to be an unfair and deceptive practice to divert a passenger without arranging and paying for alternate transportation to the destination airport named on the passenger's ticket.

Timetable:

Action	Date	FR Cite
NPRM (EDR-468/PSDR-81, Docket 41683)	09/23/83	48 FR 43343
NPRM Comment Period End	11/07/83	
Reply Comment Period End	11/28/83	
Final Action	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: PL 96-354; 5 USC 601.

Agency Contact: Dayton Lehman, OCCCA, Civil Aeronautics Board, 202 673-5191

RIN: 3024-AA92

---

25. D43. NONDISCRIMINATION ON THE BASIS OF HANDICAP BY THE BOARD

Legal Authority: 29 USC 794; 49 USC 1324

CFR Citation: 14 CFR 383, (Proposed)

Abstract: The Board already has rules that prohibit discrimination against the handicapped by air carriers. The Board is now developing rules to prohibit such discrimination by the Board itself.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB03

---

26. D44. SIMPLIFIED EXEMPTION PROCEDURES

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1386

CFR Citation: 14 CFR 302; 14 CFR 389; 14 CFR 399

Abstract: The Board is proposing to update its rules applicable to exemption procedures to conform the rules to the changes brought about by the Airline Deregulation Act and the International Air Transportation Competition Act of 1979, and to modernize the evidentiary and service requirements.

Timetable:

Action	Date	FR Cite
NPRM adopted	09/18/84	
Comments due	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Nancy Trowbridge, BIA (202) 673-5134.

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB04

---

27. D45. SIMPLIFIED COUNTERSIGN NOTICES

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221; 14 CFR 250

Abstract: The American Association of Airport Executives, the Airport Operators Council International and the Air Transport Association of America petitioned the Board to simplify its countersign requirements. Presently, the Board requires airlines to display four different consumer protection notices on their ticket counters. The petitioners alleged that the current notices are hard to read and, therefore, do not provide much notice to passengers. They proposed replacing the four notices with one simplified countersign.

Timetable:

Action	Date	FR Cite
NPRM (EDR-474, Docket 41971)	08/01/84	49 FR 30742
NPRM Comment Period End	09/17/84	
Reply Comment Period End	10/02/84	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB11

---

28. ● D47. SHARING OF SINGLE CARRIER DESIGNATOR CODES

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: The Board is considering adopting a policy statement that the Board will regard as an unfair and deceptive practice and an unfair method of competition for two or more carriers to share a single carrier designator code without giving reasonable notice to consumers of the identity of carriers actually providing service under the shared code and the nature of the relationship between carriers involved.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Bob Young, OGC, Civil Aeronautics Board, 202 673-6060

RIN: 3024-AB14

---

29. ● D48. DISCLOSURE OF CRS-GENERATED DATA, DISPLAY CRITERIA AND LOADING FORMATS

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1374; 49 USC 1381; 49 USC 1389; 49 USC 1502

CFR Citation: 14 CFR 255

Abstract: The Board is proposing to amend its rules to forbid release of computer-generated sales data on any U.S. air carrier to foreign carriers without the consent of the U.S. carrier. In addition, the Board is proposing to adopt rules that would require airline CRS vendors to disclose current display and edit criteria and weights, connect points, and data base update procedures and formats to all interested persons.

Timetable:

Action	Date	FR Cite
NPRM (EDR-476)	09/10/84	49 FR 35507

Small Entity: No

Agency Contact: Paul Smith, BDA, Civil Aeronautics Board, 202 673-5450

RIN: 3024-AB15

30. ● D49. EMPLOYMENT DISCRIMINATION AGAINST HANDICAPPED PERSONS BY AIR CARRIERS

Legal Authority: 29 USC 794; 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1376; 49 USC 1377; 49 USC 1386; 49 USC 1389; EO 12250 45 FR 72995

CFR Citation: 14 CFR 382

Abstract: The Board is considering new rules prohibiting unlawful discrimination against otherwise qualified handicapped persons who are employed by, or are seeking employment from, airlines. This proposed rule is required by the Rehabilitation Act of 1973.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB16

31. ● D50. NINE POINT CONNECTION RULE

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1374; 49 USC 1381; 49 USC 1389; 49 USC 1502

CFR Citation: 14 CFR 255

Abstract: The CAB proposes to adopt rules that would require airline-owned computer reservations systems to maintain the capacity to display connecting flights over a minimum of nine connect points in city-pair markets. This action is a result of the Board's ongoing effort to eliminate unfair practices in the computerized reservations system industry.

Timetable:

Action	Date	FR Cite
ANPRM (EDR-471, Docket 41686)	03/27/84	49 FR 11643
ANPRM Comment Period End	04/26/84	
Reply Comment Period End	05/11/84	
NPRM (EDR-475)	08/07/84	49 FR 31436
NPRM Comment Period End	08/22/84	
Reply Comment Period End	09/03/84	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: Bob Young, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB17

32. ● D52. CONSUMER PROTECTION FOR DEFAULT BY SCHEDULED AIR CARRIERS

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1381

Abstract: Transamerica petitioned the Board to investigate ways to protect consumers against service defaults by scheduled air carriers in domestic, overseas, and foreign air transportation. Transamerica suggested that the Board condition the award of operating authority to perform direct carrier scheduled service on air carriers developing a default protection plan. For foreign air travel, it suggested that the obligation be limited to outbound flights. The petitioner alleged prompt Board action is necessary in order to ensure continued public confidence in scheduled air service and to protect passengers from unnecessary financial hardship.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 42368		
Board action	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB25

33. 221-5. FILING REQUIREMENTS FOR INTERNATIONAL CARGO TARIFFS

Legal Authority: 49 USC 1301; 49 USC 1324; 49 USC 1371 to 1374

CFR Citation: 14 CFR 221

Abstract: The Board is considering shortening the filing requirements from 60 to 30 days for international cargo tariffs that are within the Standard Foreign Rate Level. This rule would encourage pricing flexibility and standardize the tariff-filing requirements for cargo rates and passenger fares that are within the zone.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB05

34. 221-6. BAGGAGE LIABILITY NOTICES IN INTERNATIONAL AIR TRANSPORTATION

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1373; 49 USC 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221

Abstract: Mr. Howard Boros petitioned the Board to amend the baggage liability notices provided to passengers in foreign air travel. He alleged the current notice, which states that air carriers are not liable for fragile and perishable items is false and misleading. He proposed that the disclaimer of liability be eliminated.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 41690	00/00/00	

Small Entity: No

Agency Contact: Peter B. Schwarzkopf, OGC, Civil Aeronautics Board, 202 673-5928

RIN: 3024-AB06

35. ● 221-7. PLACEMENT OF INTERNATIONAL BAGGAGE LIABILITY NOTICES

Legal Authority: 49 USC 1324; 49 USC 1372

CFR Citation: 14 CFR 221

Abstract: USAir petitioned the Board to clarify, interpret or amend its rules concerning placement of the notice of limitations of baggage liability in international air transportation. The current rule states that the notice must be provided "on" the ticket. USAir asked that airlines be allowed to provide the notice "on" or "with" the ticket to permit use of automated ticketing and boarding passes.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 42329		
Petition under consideration	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB18

36. 223-1. MODIFICATION OR WITHDRAWAL OF EXEMPTION TO FOREIGN AIR CARRIERS TO CARRY TRAVEL AGENTS OR OTHER TRAVEL PROMOTERS FREE OR AT REDUCED RATES

Legal Authority: 49 USC 1324; 49 USC 1373; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 223

Abstract: This rule would allow the Board to modify or terminate exemptions granted to foreign air carriers to carry travel agents or other travel promoters free or at reduced rates at any time without hearing, as the public interest may require.

Timetable:

Action	Date	FR Cite
NPRM (EDR-428, Docket 39794)	07/15/81	46 FR 36714
NPRM Comment Period End	08/07/81	
Supplemental NPRM (EDR-428A)	08/13/81	46 FR 40896
NPRM Comment Period End	08/21/81	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Jeffrey Gaynes, BIA, Civil Aeronautics Board, 202 673-5154

RIN: 3024-AA42

37. 234-1. ON-TIME ARRIVAL STANDARDS

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1375; 49 USC 1381

CFR Citation: 14 CFR 234

Abstract: The Board proposed to amend its rules to include a policy statement that unrealistic scheduling will be considered an unfair or deceptive practice or an unfair method of competition under Section 411 of the Act. The requirement that certificated air carriers report their scheduled arrival performance, which has been waived temporarily, would also be eliminated because it is unnecessary.

Timetable:

Action	Date	FR Cite
NPRM (EDR-301, Docket 27891)	07/29/76	41 FR 31568
NPRM Comment Period End	09/13/76	
NPRM (EDR-301B/PSDR-79)	06/29/83	48 FR 29879
Comment Period End	08/29/83	
Reply Comment Period End	09/13/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA44

38. 241-3. ALIGNMENT OF UNIFORM SYSTEM OF ACCOUNTS AND REPORTS WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377

CFR Citation: 14 CFR 241

Abstract: As part of the continuing effort to align the Board's accounting rules with generally accepted accounting principles, certain sections of the Uniform System of Accounts and Reports need to be deleted or amended. These changes would provide relief from the present requirements for most carriers.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Richard Minick, BCAA, Civil Aeronautics Board, 202 673-5112

RIN: 3024-AA46

39. 241-4. REVISE DEFINITION OF REVENUE AND NONREVENUE PASSENGERS

Legal Authority: 49 USC 1324; 49 USC 1373

CFR Citation: 14 CFR 241

Abstract: The present definition of revenue and nonrevenue passengers for reporting purposes is stated in terms of the exemptions for free and reduced-rate transportation in sections 403(b) of the Act. These definitions have become outmoded in the process of fare deregulation. The Board is considering several options for revising these definitions.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Richard Dyson, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA47

40. 241-5. REDUCE REPORTING REQUIREMENTS OF THE UNIFORM SYSTEM OF ACCOUNTS AND REPORTS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This rule would eliminate from the Uniform System of Accounts and Reports (USAR) 16 financial and statistical schedules, 4 yearly summarization schedules and 9 accounting policy standards. In addition, it would simplify the reporting on some of the remaining schedules.

Timetable:

Action	Date	FR Cite
NPRM (EDR-472, Docket 42114)	05/02/84	49 FR 18509
NPRM Comment Period End	07/05/84	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AA48

41. 241-6. CHANGE THE APPLICABILITY OF FORM 41

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This rule would require only those certificated carriers operating large aircraft (more than 60 seats or more than 18,000 pounds of payload) to file the Form 41 report. Carriers operating other than large aircraft would report under Part 298.

Timetable:

Action	Date	FR Cite
NPRM (EDR-465/ODR-26, Docket 41607)	08/12/83	48 FR 36601
NPRM Comment Period End	10/10/83	
Reply Comment Period End	10/31/83	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AA49

42. 241-7. REDUCE SERVICE SEGMENT DATA REPORTS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This rule would standardize service segment data reporting. Presently, larger carriers file very detailed service segment data in ADP format while smaller carriers file a condensed version on a hardcopy report. This rule would standardize domestic service segment data at the condensed level.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AA50

43. 241-9. STREAMLINE PASSENGER ORIGIN-DESTINATION SURVEY REPORTING

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1382

CFR Citation: 14 CFR 241

Abstract: This rule would standardize reporting instructions for old (pre-deregulation) and new carriers, limit interline reporting to large carriers (over $75 million in operating revenues), and seek suggestions on ways to further reduce and simplify the survey systems' reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AA77

44. ● 241-10. CONFIDENTIALITY OF THE FORM 41 REPORT

Legal Authority: 49 USC 1324; 49 USC 1373

CFR Citation: 14 CFR 241

Abstract: This rule would consider whether some components of individual carriers' Form 41 "Report of Financial and Operating Statistics for Certificated Air Carriers" should be kept confidential and for how long.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AB19

45. 245-1. EXEMPTIONS FROM REPORTING STOCK OWNERSHIP

Legal Authority: 49 USC 1377; 49 USC 1386

CFR Citation: 14 CFR 245

Abstract: The Board is considering whether to change its rules to exempt owners of more than five percent of any class of capital stock or capital of an airline from the filing of reports required by section 407(c) of the Act. The filing of these reports has been waived under delegated authority pending the outcome of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Donald H. Horn, OGC (202) 673-5205

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA52

46. 246-1. REVISION OF STOCK OWNERSHIP REPORTS BY AFFILIATES OF AIR CARRIERS

Legal Authority: 49 USC 1377; 49 USC 1386

CFR Citation: 14 CFR 246

Abstract: The Board is considering changing a reporting requirement that affiliates of an airline disclose information on their major stockholders in order to improve the ability to monitor foreign citizen ownership of U.S. air carriers.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Donald H. Horn, OGC (202) 673-5205

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA53

47. 249-1. REQUIRE SPECIFIC CATEGORIES OF RECORDS AND RETENTION PERIODS FOR COMMUTER AIR CARRIERS RECEIVING SUBSIDY

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 249

Abstract: This rule would require commuter air carriers receiving subsidy to retain certain records in support of their claims for subsidy; modify or eliminate several of the records prescribed for retention by certificated carriers; and clarify one of the records prescribed for retention by public charter operators and overseas military personnel charter operators. In addition, the proposal would transfer the record retention requirements contained in Part 374a to Part 249.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: Yes

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AA88

48. 250-7. RECONSIDERATION OF THE 1-HOUR EXEMPTION FOR DENIED BOARDING COMPENSATION

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 250

Abstract: The Aviation Consumer Action Project (ACAP) petitioned the Board to modify the 1-hour exemption to the oversales rule, which provides that carriers need not pay denied boarding compensation to passengers who are accommodated on alternative flights that are scheduled to arrive within 1-hour of the scheduled arrival time of the original flight. ACAP argued that this change will increase overbooking, undermine volunteer solicitation, and result in no compensation to passengers who are injured.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 39932		
Petition under consideration	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA86

49. ● 250-8. DENIED BOARDING COMPENSATION FOR CHANGE IN CLASS OF SERVICE

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 250

Abstract: Mr. Sam A. Gallo petitioned the Board to amend the oversales rule to provide compensation to passengers who are involuntarily changed from one class of service to a lower class.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 42135		
Petition under consideration	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB20

50. ● 250-9. PAYMENT OF DENIED BOARDING COMPENSATION BY VOUCHERS

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 250

Abstract: People Express petitioned the Board to clarify, interpret or amend its oversales rule to allow air carriers to give involuntarily bumped passengers vouchers instead of checks. These vouchers could be used for transportation or mailed in to the airline for a refund. People Express argued that such a change would benefit consumers because it would give them the option to choose a cash refund or free or reduced-rate air transportation without having to make a decision on the spot.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 42246		
Petition under consideration	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB21

51. 252-1. SMOKING ABOARD AIRCRAFT; NOTICE TO PASSENGERS

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 252; 14 CFR 253

Abstract: This rule would inform passengers of their right to a seat in non-smoking section of an aircraft by one of two proposed alternatives. The first would require airlines to include a prescribed notice on or with their tickets. The second would include smoking in the list of subjects incorporated by reference in the contract of carriage, which would inform passengers that additional information may be obtained from the place of ticketing.

Timetable:

Action	Date	FR Cite
NPRM (EDR-449, Docket 41009)	11/19/82	47 FR 52190
NPRM Comment Period End	12/20/82	
Final Action	12/00/84	

Small Entity: Yes

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA82

52. 293-1. ALASKAN SUBCONTRACT AGREEMENTS

Legal Authority: 49 USC 1386; 49 USC 1389

CFR Citation: 14 CFR 293

Abstract: Part 293 applies to subcontract agreements involving the operation of scheduled air services by air taxi operators over Alaskan bush routes of a certificated air carrier. The Board is considering whether to revoke this rule and replace it with different filing requirements.

Timetable:

Action	Date	FR Cite
NPRM (EDR-431/PDR-76, Docket 39990)	09/21/81	46 FR 46592
NPRM Comment Period End	11/20/81	
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Richard Dyson, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA59

53. 298-3. REVISING THE DEFINITION OF COMMUTER AIR CARRIER

Legal Authority: 49 USC 1324; 49 USC 1386

CFR Citation: 14 CFR 298

Abstract: This rule would clarify the status and obligations of an air taxi that enters into a subcontract with a commuter to operate some of that commuter's scheduled routes.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: Yes

Agency Contact: Richard Dyson, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA61

54. 298-8. AMEND APPLICABILITY OF PART 298 AND REVISE REPORTING ON CAB FORM 298-C

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 298

Abstract: This rule would extend the applicability of Form 298-C reporting to certificated air carriers operating small aircraft (60 or fewer seats or 18,000 pounds or less payload), eliminate mail and cargo data from the reporting requirements for all but intra-Alaskan carriers, require all carriers to file four financial data elements, require small certificated carriers to file direct operating expenses by aircraft type and indirect expense in total, and require small certificated carriers to file nonscheduled passenger enplanements by airport.

Timetable:

Action	Date	FR Cite
NPRM (EDR-465/ODR-26, Docket 41607)	08/12/83	48 FR 36601
NPRM Comment Period End	10/10/83	
Reply Comment Period End	10/31/83	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, 202 673-6042

RIN: 3024-AA62

55. 302-1. REQUESTS FOR CONFIDENTIAL TREATMENT OF MATERIALS FILED WITH THE BOARD

Legal Authority: 49 USC 1324; 49 USC 1482

CFR Citation: 14 CFR 302

Abstract: This rule would revise the procedures governing requests for confidential treatment of material filed with the Board to clarify the relation between those procedures and the Freedom of Information Act.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA63

56. 323-1. SERVICE TERMINATIONS IN FOREIGN MARKETS

Legal Authority: 49 USC 1324; 49 USC 1377

CFR Citation: 14 CFR 323

Abstract: The Board eliminated all advance notice requirements for terminations of service in foreign air transportation. This has created problems in some limited designation markets where the incumbent carrier has terminated service without informing the Board. The Board is proposing to require carriers to report to the Board if they are terminating foreign air service so that the Board would have time to find a replacement, if necessary.

Timetable:

Action	Date	FR Cite
NPRM (PDR-80, Docket 40903)	08/20/82	47 FR 36433
NPRM Comment Period End	10/19/82	
Final Action	11/00/84	

Small Entity: No

Agency Contact: Gwynneth Jones, OGC, Civil Aeronautics Board, 202 673-6011

RIN: 3024-AA65

57. 370-1. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: PL 95-521

CFR Citation: 14 CFR 370; 14 CFR 300

Abstract: The Board is preparing revisions of its ethics rules to reflect experience since the last revision and to conform to the Ethics in Government Act, Pub. L. 95-521.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Kenneth Caplan, OGC, Civil Aeronautics Board, 202 673-6060

RIN: 3024-AA66

58. 372-1. OVERSEAS MILITARY PERSONNEL CHARTER TARIFFS

Legal Authority: 49 USC 1373; 49 USC 1386

CFR Citation: 14 CFR 372

Abstract: The reference to tariffs in the rule governing Overseas Military Personnel Charters (OMPC) has become obsolete, at least with respect to domestic air transportation. The Board is considering whether to eliminate the tariff requirement for all OMPC's and replace it with consumer protection requirements similar to those in its Public Charter rule in Part 380.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA71

59. 375-1. NAVIGATION OF FOREIGN CIVIL AIRCRAFT

Legal Authority: 49 USC 1324; 49 USC 1372; 49 USC 1508

CFR Citation: 14 CFR 375

Abstract: The Board is reviewing its regulations governing the navigation of foreign civil aircraft within the United States. The review will focus on simplifying and clarifying the procedures to be followed in obtaining operating authority.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Joanne Petrie, OGC (202) 673-5442.

Agency Contact: George Wellington, BIA, Civil Aeronautics Board, 202 673-5878

RIN: 3024-AA67

60. 377-1. EFFECT OF EXPIRATION OF A BILATERAL ON FOREIGN AIR CARRIER AUTHORITY

Legal Authority: 49 USC 1159b; 49 USC 1324; 49 USC 1372; 49 USC 1386; 49 USC 1481; 49 USC 1502; 5 USC 558; 5 USC 559

CFR Citation: 14 CFR 377

Abstract: In the past, the Board has held that a foreign air carrier's permit or exemption authority continues after the underlying bilateral Service Agreement expired, by virtue of section 558(c) of the Administrative Procedure Act. This rule would reverse that policy in order to ensure equal competitive opportunities for U.S. carriers.

Timetable:

Action	Date	FR Cite
NPRM (SPDR-89 and SPDR-89A, Docket 41497)	06/03/83	48 FR 24923
NPRM Comment Period End	08/02/83	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Kip Tourtellot, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AA72

61. 379-1. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE BOARD

Legal Authority: 42 USC 2000d-1

CFR Citation: 14 CFR 379

Abstract: The Board is reviewing its rules that implement Title VI of the Civil Rights Act of 1964, in response to suggestions from the Department of Justice. An NPRM was approved by the Board on June 15, 1982, and was forwarded to the Justice Department for review in accordance with Executive Order 12250.

Timetable:

Action	Date	FR Cite
NPRM approved by Board	06/15/82	
Justice Department reviewing NPRM	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA68

62. 399-3. UNFAIR AND DECEPTIVE PRACTICES BY TICKET AGENTS

Legal Authority: 49 USC 1378; 49 USC 1381

CFR Citation: 14 CFR 399

Abstract: Board enforcement policies currently make reference to tariffs. The Board is considering whether to limit these provisions to foreign air transportation or to eliminate them entirely.

Timetable:

Action	Date	FR Cite
NPRM in preparation	00/00/00	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA76

63. 399-4. REMOVAL OF POLICY STATEMENT ON STANDARD CONDITIONS IN FOREIGN AIR CARRIER PERMITS

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1386; 49 USC 1373; 49 USC 1374; 49 USC 1375; 49 USC 1376; 49 USC 1377; 49 USC 1378; 49 USC 1379; 49 USC 1381; ...

CFR Citation: 14 CFR 399

Abstract: The Board has standard conditions that it places on permits given to foreign air carriers. Some, but not all of those conditions are listed in the Board's statements of general policy. This rule would eliminate the statement of policy. It would not change the standard conditions.

Timetable:

Action	Date	FR Cite
NPRM (PSDR-80, Docket 41597)	08/03/83	48 FR 35119
NPRM Comment Period End	10/03/83	
Reply Comment Period End	10/18/83	
Final Action	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 49 USC 1382, 49 USC 1481, 49 USC 1482, 49 USC 1502, 49 USC 1504

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA97

64. 399-5. INTERLINE AGREEMENTS

Legal Authority: 49 USC 1324; 49 USC 1371 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1384; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504

CFR Citation: 14 CFR 399

Abstract: Republic Airlines petitioned the Board for emergency rulemaking and other relief concerning changes in carrier interline practices. It stated that a number of major carriers have withdrawn from the current multilateral interline traffic agreement and henceforth will maintain interline arrangements only pursuant to bilateral agreements that are terminable monthly without notice. It alleged that failure to notify passengers that interlining may cease abruptly and without notice could constitute an unfair or deceptive practice within the meaning of section 411. In addition, it argued that the right to terminate interline agreements without notice could be used for anticompetitive purposes. Republic asked the Board to adopt interim rules requiring notice to passengers and to institute a rulemaking proceeding to determine whether these no-notice bilateral interline agreements are an unfair method of competition. The Board denied the request for emergency rules and is considering whether to begin a rulemaking proceeding.

Timetable:

Action	Date	FR Cite
Order 83-12-3 Denial of Emergency Action		
Petition filed in Docket 41825		
Petition under consideration	00/00/00	

Small Entity: No

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB07

CIVIL AERONAUTICS BOARD (CAB) Completed Actions

COMPLETED RULEMAKINGS

65. [A2.] ESSENTIAL AIR SERVICE SUBSIDY PROCEDURES

Legal Authority: 49 USC 1389

CFR Citation: 14 CFR 327, (Proposed)

Abstract: The Board pays a subsidy to airlines for providing essential air service to small communities. This rule would have established when the rate conference with the airline was held, what happened at the end of the airline's rate term and other procedural

matters involved in setting subsidy rates. After consideration, the Board determined that a rulemaking on this subject was unnecessary.

Timetable:

Action	Date	FR Cite
Rulemaking terminated	09/14/84	

Small Entity: Yes

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA01

66. [B4.] EXTENSION OF FARE FLEXIBILITY TO MICRONESIA

Legal Authority: 49 USC 1302; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 399

Abstract: In response to a petition filed by Air Micronesia and Continental Air Lines, the Board proposed to extend upward flexibility of 30 percent above the standard industry fare level (SIFL), and unlimited downward flexibility for passenger fares in and to Micronesia and American Samoa. The rulemaking was terminated because the Board no longer has authority to regulate this area.

Timetable:

Action	Date	FR Cite
Rulemaking terminated (PSDR-71A)	08/15/84	49 FR 32599

Small Entity: Yes

Agency Contact: Peter Schwarzkopf, OGC, Civil Aeronautics Board, 202 673-5928

RIN: 3024-AA08

67. [B7.] STANDARD FOREIGN FARE LEVEL METHODOLOGY

Legal Authority: 49 USC 1302; 49 USC 1372; 49 USC 1373; 49 USC 1376; 49 USC 1377; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 399

Abstract: This notice solicited comments on the Board's current methodology employed in adjusting the standard foreign fare level (SFFL) for airlines' cost changes, and, additionally, which SFFL adjustments should be utilized for transborder operations.

Timetable:

Action	Date	FR Cite
ANPRM (PSDR-72, Docket 39635)	06/01/81	46 FR 29285
ANPRM Comment Period End	07/10/81	
Reply Comment Period End	07/30/81	
Rulemaking Terminated	09/18/84	

Small Entity: No

Agency Contact: Julien Schrenk, BDA, Civil Aeronautics Board, 202 673-5298

RIN: 3024-AA10

68. [D20.] SIMPLIFIED NOTICE REQUIREMENTS FOR 401 CERTIFICATE PROCEEDINGS UNDER SUBPART Q

Legal Authority: 49 USC 1301; 49 USC 1323; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1376; 49 USC 1382; 49 USC 1471; 49 USC 1481; 49 USC 1482; 49 USC 1485

CFR Citation: 14 CFR 211; 14 CFR 302

Abstract: This rule provides that applicants for certificates of public convenience and necessity, or for modifications of such certificates, may serve a simplified notice of the application on specified persons, instead of the present requirement that applicants serve complete copies of their applications.

Timetable:

Action	Date	FR Cite
Final Action (ER-1386/PR-264)	08/23/84	49 FR 33437

Small Entity: Yes

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA29

69. [D21.] SUBPART Q REFINEMENTS

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1481

CFR Citation: 14 CFR 302

Abstract: This rulemaking would have corrected omissions and inconsistencies in the existing procedures for granting certificates and foreign air carrier permits. These corrections will be made in the final rule adopted for item D20 (RIN: 3024-AA29).

Timetable:

Action	Date	FR Cite
Rulemaking terminated	09/14/84	

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA30

70. [D36.] PRE-CERTIFICATION TICKET SALES

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1373; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 201

Abstract: This rule prohibits sales or advertising of air transportation by applicants for new or amended certificates of public convenience and necessity until the application is approved but allows advertising and accepting reservations after that time. Actual sales are prohibited until the certificate is effective or the Board issues a notice authorizing sales.

Timetable:

Action	Date	FR Cite
Final Action (ER-1376)	03/16/84	49 FR 9861

Small Entity: No

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AA39

71. [D39.] COMPUTER RESERVATIONS SYSTEMS

Priority: Major

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1374; 49 USC 1381; 49 USC 1389; 49 USC 1502

CFR Citation: 14 CFR 255

Abstract: The CAB adopted rules that deal with competitive abuses and consumer injury resulting from the practices of airlines that provide computer reservations systems to travel agents. The rule prohibits specific practices, including discrimination in price and other terms of access for information distribution services; tying access to information distribution services to the purchase of other services or goods; ordering the display of information in computer reservations systems on the basis of carrier identity; and including provisions in agreements

with travel agents that impede agent access to objective service information. The rules also require the dissemination of certain computer-generated information.

Timetable:

Action	Date	FR Cite
ANPRM (EDR-466, Docket 41686)	09/14/83	48 FR 41171
ANPRM Comment Period Extended (EDR-466A)	10/17/83	48 FR 47003
ANPRM Comment Period End	11/17/83	
EDR-466B	11/29/83	48 FR 53717
Reply Comment Period End	12/02/83	
EDR-466C	03/27/84	49 FR 11644
Final Action (ER-1385)	08/15/84	49 FR 32540

Small Entity: Yes

Agency Contact: Bob Young, OGC, Civil Aeronautics Board, **202 673-6011**

RIN: 3024-AA89

72. [211-1.] APPLICATION PROCEDURES AND SERVICE REQUIREMENTS FOR PERMITS AND CERTIFICATES

Legal Authority: 49 USC 1301; 49 USC 1323; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1376; 49 USC 1382; 49 USC 1471; 49 USC 1481; 49 USC 1482; 49 USC 1485

CFR Citation: 14 CFR 211; 14 CFR 302

Abstract: The Board is proposing to revise its requirements and procedures for applications for foreign air carrier permits. The revision would reduce the information submitted in the applications and the number of persons on whom the application must be served. Service requirements would also be reduced for U.S. air carrier certificate applications. The proposed changes would simplify the processing of these applications for both the Board and carrier applicants.

Timetable:

Action	Date	FR Cite
Final Action (ER-1386, PR-264)	08/23/84	49 FR 33437

Small Entity: Yes

Agency Contact: Craig Weller, OGC, Civil Aeronautics Board, **202 673-5442**

RIN: 3024-AA40

73. [241-8.] SIMPLIFY PASSENGER ORIGIN-DESTINATION SURVEY DATA REPORTING

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Abstract: This rule would permit air carriers to reduce the number of fare-basis codes reported from 15 to 6. In addition, the rule proposes to extend the applicability of the survey through sunset.

Timetable:

Action	Date	FR Cite
Final Action (ER-1379)	04/11/84	49 FR 14298

Small Entity: No

Agency Contact: Jack Calloway, OC, Civil Aeronautics Board, **202 673-6042**

RIN: 3024-AA51

74. [252-2.] SMOKING ABOARD AIRCRAFT

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1377; 49 USC 1386

CFR Citation: 14 CFR 252

Abstract: The Board adopted a final rule that bans smoking on small aircraft and bans cigar and pipe smoking on all flights. The Board has retained the current rules that required fully functioning ventilation systems and discouraged airlines from sandwiching nonsmokers between two smoking sections. The Board decided not to ban smoking on short flights or require special protection for passengers especially sensitive to smoke.

Timetable:

Action	Date	FR Cite
Final Action (ER-1383)	06/20/84	49 FR 25408

Small Entity: Yes

Agency Contact: Joanne Petrie, OGC, Civil Aeronautics Board, **202 673-5442**

RIN: 3024-AA95

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

75. ● [C12.] PAYMENT TO DIRECT AIR CARRIERS FOR CHARTER TRANSPORTATION

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1386

CFR Citation: 14 CFR 207; 14 CFR 208; 14 CFR 212; 14 CFR 214; 14 CFR 380

Abstract: This interpretation concerns the Board's rules regarding payment to direct air carriers for charter transportation, and the carriers' corresponding obligation to provide return transportation where it has been paid for. Those rules state that the direct air carrier must be paid in full for the charter transportation (for both legs, if a round-trip charter) prior to the commencement of transportation. The rules are intended to ensure that individual passengers receive the transportation paid for, and therefore require the direct air carrier to provide such return transportation to round-trip charter passengers.

Timetable:

Action	Date	FR Cite
Interpretation (ER-1387/SPR-194)	08/23/84	49 FR 33436

Small Entity: No

Agency Contact: Dayton Lehman, OCCCA, Civil Aeronautics Board, **202 673-5191**

RIN: 3024-AB22

76. ● [D51.] EXEMPTION FROM UNJUST DISCRIMINATION PROHIBITION

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1378; 49 USC 1379; 49 USC 1386; 49 USC 1388

CFR Citation: 14 CFR 291; 14 CFR 296; 14 CFR 297

Abstract: The CAB exempted air carriers providing interstate cargo transportation within Alaska and within Hawaii from the statutory prohibition against unjust discrimination in air service. In addition, the rules exempted indirect cargo air carriers and foreign indirect air carriers in their domestic service from the same provision. The rules made the treatment of all carriers and shippers consistent.

Timetable:

Action	Date	FR Cite
NPRM (EDR-469, Docket 41797)	12/06/83	48 FR 54647
NPRM Comment Period End	01/20/84	
Reply Comment Period Closed	02/06/84	
Final Action (ER-1380, 1381, and 1382)	06/20/84	49 FR 25225

Small Entity: No

Agency Contact: Lawrence Myers, OGC, Civil Aeronautics Board, 202 673-5205

RIN: 3024-AB23

77. ● [389-1.] OFFSET PROCEDURES FOR FILING FEES

Legal Authority: 31 USC 483a; 49 USC 1324; 49 USC 1502

CFR Citation: 14 CFR 389

Abstract: The CAB eliminated the offset procedures in its refund mechanism for past filing fees overpaid by the airlines. The Court of Appeals (D.C. Cir.) ruled that the offset procedure in the CAB rules that was based on cumulative fees paid in each calendar year, was invalid. The rule eliminated that procedure, thus replacing it with one based only on the individual fee paid.

Timetable:

Action	Date	FR Cite
Final Action (OR-216)	08/15/84	49 FR 32564

Small Entity: No

Agency Contact: Richard Dyson, OGC, Civil Aeronautics Board, 202 673-5442

RIN: 3024-AB24

78. ● [D46.] DISPLAY OF JOINT OPERATION IN CARRIER-OWNED COMPUTER RESERVATION SYSTEMS

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1374; 49 USC 1381; 49 USC 1382; 49 USC 1389; 49 USC 1502

CFR Citation: 14 CFR 256

Abstract: The Board adopted an emergency rule that prevents airlines owning computer reservations systems from denying access to their systems to carriers who coordinate their services under the same airline designator code. The rule also prohibits display discrimination against carriers who conduct such operations. The rule is intended to ensure that systems owners do not use their control of CRS's to limit the ways in which other carriers compete in marketing their services. The Board's action responded to petitions by several carriers.

Timetable:

Action	Date	FR Cite
NPRM (EDR-470, Docket 41686)	03/13/84	49 FR 9430
NPRM Comment Period End	03/22/84	
Final Action (ER-1377)	03/30/84	49 FR 12675

Small Entity: Yes

Agency Contact: Bob Young, OGC, Civil Aeronautics Board, 202 673-6060

RIN: 3024-AB13

[FR Doc. 84-25334 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22 1984

Part XLI

Commodity Futures Trading Commission

Semiannual Regulatory Agenda

CFTC

COMMODITY FUTURES TRADING COMMISSION

17 CFR Ch. I

Regulatory Flexibility Agenda

AGENCY: Commodity Futures Trading Commission.

ACTION: Publication of regulatory flexibility agenda.

SUMMARY: The Commodity Futures Trading Commission, in accordance with the requirements of the Regulatory Flexibility Act, is publishing a semiannual agenda of significant rules which the Commission expects to propose or promulgate over the next year.

ADDRESS: Comments should be sent to: Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581, Attention: Secretariat.

FOR FURTHER INFORMATION CONTACT: Harold L. Hardman, Esquire, Office of the General Counsel, Commodity Futures Trading Commission, 2033 K Street, N.W., Washington, D.C. 20581 (202) 254-9880.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* ("RFA"), sets forth a number of requirements for agency rulemaking. Among other things, the RFA requires that:

(a) During the months of October and April of each year, each agency shall publish in the **Federal Register** a regulatory flexibility agenda which shall contain:

(1) A brief description of the subject area of any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities;

(2) A summary of the nature of any such rule under consideration for each subject area listed in the agenda pursuant to paragraph (1), the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and

(3) The name and telephone number of an agency official knowledgeable concerning the items listed in paragraph (1).

5 U.S.C. 602(a). Accordingly, the Commission has prepared an agenda of significant rules which it presently expects may be considered during the course of the next year.[1] The agenda lists all significant rules which may be considered by the Commission within the next year, irrespective of their potential impact on small entities.[2]

The Commission's agenda represents its best estimate at this time of significant rules which will be considered sometime over the next twelve months. In this regard, section 602(d) of the RFA, 5 U.S.C. 602(d), provides: "Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a regulatory flexibility agenda, or requires an agency to consider or act on any matter listed in such agenda." In addition to publishing the regulatory flexibility agenda, the Commission also makes available to the public, on a monthly basis, a calendar listing rules that the Commission intends to consider that month.

The Commission is publishing its October 1984 Regulatory Flexibility Agenda as part of the October 1984 Unified Agenda of Federal Regulations. The Unified Agenda of Federal Regulations is coordinated by the Office of Management and Budget pursuant to Executive Order 12291. While participation by executive agencies in that Agenda is mandatory, independent agencies, such as the Commission, participate in the Unified Agenda on a voluntary basis.

The Commission's October 1984 Regulatory Flexibility Agenda[3] is set forth below.

Issued in Washington, D.C., on August 30, 1984, by the Commission.

JEAN A. WEBB,

Deputy Secretary of the Commission.

BILLING CODE 6351-01-T

[1] Other than the Commission rules currently under review in conjunction with the Commission's pending and anticipated rulemakings as discussed above, the Commission does not intend to conduct any reviews of its existing regulations during the next year. In this regard, pursuant to the plan established by the Commission pursuant to section 610 of the RFA, 5 U.S.C. 610, for a ten year periodic review of its rules, the Commission will commence review of its rules in November, 1985. 46 FR 29952 (June 4, 1981). We note that the Commission is devoting significant resources to several studies mandated by Congress in the Futures Trading Act of 1982. *See* The Futures Trading Act of 1982, Pub. L. No. 97-444, 205(4) (trading activities of large hedgers in cattle, hog and pork belly markets), 236(a) (effects on economy of trading futures markets by persons possessing material nonpublic information), and 237 (regulatory experience of National Futures Association), 96 Stat. 2300, 2324-25, and 2325-26 (1983). Some of these studies could result in suggestions for the issuance or revision of Commission rules.

[2] The Commission has published its definitions of small entity to be used by the Commission in connection with rulemaking proceedings. 47 FR 18618 (Apr. 30, 1982). Pursuant to those definitions, the Commission is not required to list many of the agenda items contained in this regulatory flexibility agenda. *See* 5 U.S.C. 602(a)(1). Moreover, the Commission has previously certified, pursuant to section 605 of the RFA, 5 U.S.C. 605, that certain items contained in this agenda will not have a significant economic impact on a substantial number of small entities. Accordingly, listing of an item in this regulatory flexibility agenda should not, in any event, be taken as a determination that a rule, when proposed or promulgated, will in fact require a regulatory flexibility analysis. However, the Commission hopes that the publication of an agenda which includes significant rules, regardless of their potential impact on small entities, may serve the public generally by providing an early and meaningful opportunity to participate in and comment on the formulation of new or revised regulations.

[3] In addition to the items discussed in the agenda, the Commission has issued an advance notice of proposed rulemaking and requested public comment on the adequacy of existing contract market rules and practices designed to prevent actual or apparent conflicts of interest from improperly influencing market or other actions taken by various governing bodies of designated contract markets. 47 FR 31703 (July 22, 1982). The Commission is reviewing the public comments received.

CFTC

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Regulations Permitting the Grant, Offer and Sale of Options on Physical Commodities (Dealer Options)	3038-AA03
2	Regulation of Leverage Transactions	3038-AA04
3	Large Trader Reporting to Exchanges	3038-AA09
4	Minimum Financial and Related Reporting Requirements for Futures Commission Merchants	3038-AA10
5	Authorization to Perform Portions of the Commission's Registration Functions	3038-AA13
6	Risk Disclosure by Futures Commission Merchants to Customers	3038-AA15
7	Service Fees	3038-AA18
8	Speculative Position Limits	3038-AA24
9	Exemption for Certain Entities from Regulation as a Commodity Pool Operator	3038-AA30
10	Regulations Governing the Offer and Sale of Foreign Futures Contracts in the United States	3038-AA33
11	Commodity Options; Margins	3038-AA34
12	Exemption From Speculative Position Limits For Certain Spread Positions	3038-AA35
13	Contract Market Enforcement of Floor Broker Registration Requirements	3038-AA36

Completed Actions

Sequence Number	Title	Regulation Identifier Number
14	Proposed Expansion of Commodity Option Pilot Program	3038-AA37

COMMODITY FUTURES TRADING COMMISSION (CFTC) — Current and Projected Rulemakings

1. REGULATIONS PERMITTING THE GRANT, OFFER AND SALE OF OPTIONS ON PHYSICAL COMMODITIES (DEALER OPTIONS)

Legal Authority: 7 USC 6c(b) Commodity Exchange Act, Sec 4c(b); 7 USC 6c(d) Commodity Exchange Act, Sec 4c(d); 7 USC 12a(5) Commodity Exchange Act, Sec 8a(5)

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 32

Abstract: Congress has directed the Commission to issue regulations permitting grantors and futures commission merchants to grant, offer and sell so-called "dealer options" on certain physical commodities subject to certain conditions specified by statute and such other uniform and reasonable requirements as the Commission may prescribe. At present, the only persons who may lawfully grant dealer options are United States domiciles who, on May 1, 1978, were in the business of granting options on a physical commodity and in the business of buying, selling, producing or otherwise using that commodity. The Commission has reproposed rules, principally concerning registration of dealer option grantors, requirements for the segregation of customer funds, disclosure to customers and prospective customers, and minimum financial requirements. The Commission intends to re-evaluate the proposed rules in light of regulatory changes that have occurred since 1980 and expects to decide whether to adopt or repropose these rules in 1984.

Timetable:

Action	Date	FR Cite
NPRM	12/20/78	43 FR 59396
NPRM	04/27/81	46 FR 23469
Final Action	12/00/84	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA03

2. REGULATION OF LEVERAGE TRANSACTIONS

Legal Authority: 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 23 Commodity Exchange Act, Sec 19; 7 USC 16a Futures Training Act of 1978, Sec 26; Futures Trading Act of 1982, Sec 237

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 4; 17 CFR 31; 17 CFR 145; 17 CFR 147; 17 CFR 190

Abstract: On January 16, 1984, the Commission adopted interim final rules which establish a comprehensive regulatory scheme applicable to certain leverage transactions. 49 FR 5498 (Feb. 13, 1984). The regulations, among other things, impose registration, financial, segregation, disclosure and recordkeeping requirements upon persons engaged in the business of offering and selling to the public leverage contracts for the delivery of certain commodities. Commission rules 31.1 and 31.2, which impose temporary moratoria on the entry of new persons or firms into the leverage business, remain in effect. Subsequently, the Commission solicited public comment concerning whether and how the interim rules could be amended to encompass the marketing of certain short sales of leverage transactions to the public. The Commission has determined to make such amendments to the interim rules. Certain of these amendments, which are technical in

nature, will be published in final form without further notice and comment procedures. Other more substantive amendments will be published in proposed form for public comment. Under rules recently adopted, a leverage transaction merchant and its (cont)

Timetable:

Action	Date	FR Cite
NPRM Marketing of Short Sales	03/08/84	49 FR 8624
Final Action Marketing of Short Sales	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: sales persons are required to be registered with the Commission and each leverage commodity upon which a leverage contract is to be offered or sold also is required to be registered with the Commission. On June 19, 1984, the Commission adopted a $3,500 fee for each application filed with the Commission for registration of a leverage commodity. On May 10, 1984, the Commission adopted an annual fee of $8,000 for its audits of leverage transaction merchants which are not members of a self-regulatory organization which has adopted rules approved by the Commission providing for the auditing of such firms by the organization. See 49 FR 25834; 49 FR 20644.

Agency Contact: David R. Merrill, Assistant General Counsel, Commodity Futures Trading Commission, Office of the General Counsel, 2033 K Street, NW, Washington, DC 20581, **202 254-9880**

RIN: 3038-AA04

3. LARGE TRADER REPORTING TO EXCHANGES

Legal Authority: 7 USC 6g Commodity Exchange Act, Sec 4g; 7 USC 6i Commodity Exchange Act, Sec 4i; 7 USC 7(d) Commodity Exchange Act, Sec 5(d); 7 USC 12a(5) Commodity Exchange Act, Sec 8a(5)

CFR Citation: 17 CFR 15; 17 CFR 16; 17 CFR 17; 17 CFR 18; 17 CFR 21

Abstract: The Commission has proposed a rule which would require exchanges to collect, process and forward to the Commission, in machine readable form, information which the Commission currently collects from futures commission merchants and foreign brokers on series '01 reports and form 102. The rule is intended to enhance effective market surveillance programs by the exchanges and to alleviate, to some extent, the duplicative reporting burden currently imposed on some exchange member firms.

Timetable:

Action	Date	FR Cite
NPRM	08/27/80	45 FR 57141
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Lamont L. Reese, Commodity Futures Trading Commission, Division of Economic Analysis, 2033 K Street, NW, Washington, DC 20581, **202 254-3310**

RIN: 3038-AA09

4. MINIMUM FINANCIAL AND RELATED REPORTING REQUIREMENTS FOR FUTURES COMMISSION MERCHANTS

Legal Authority: 7 USC 6d Commodity Exchange Act, Sec 4d; 7 USC 6f Commodity Exchange Act, Sec 4f; 7 USC 12a Commodity Exchange Act, Sec 8a

CFR Citation: 17 CFR 1.17

Abstract: The Commission has proposed amendments to certain of its minimum financial and related reporting requirements for futures commission merchants ("FCMs"), as well as the basic financial reporting form for FCMs, Form 1-FR. One proposed amendment would alter the minimum dollar amount of adjusted net capital which must be maintained by FCMs. The Commission has also proposed a further amendment to the minimum financial regulations regarding the treatment of undermargined accounts. In addition, the Commission has proposed one specific capital charge relating to concentration of positions, and has invited further comment to assist it in the development of further appropriate minimum financial regulations concerning concentration of positions.

Timetable:

Action	Date	FR Cite
NPRM	06/25/80	45 FR 42633
NPRM	12/01/80	45 FR 79498
Final Action	02/00/85	

Small Entity: Not Applicable

Agency Contact: Paul Bjarnason, Chief Accountant, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, **202 254-8955**

RIN: 3038-AA10

5. AUTHORIZATION TO PERFORM PORTIONS OF THE COMMISSION'S REGISTRATION FUNCTIONS

Legal Authority: 7 USC 12a(10) Commodity Exchange Act, Sec 8a(10); 7 USC 21o Commodity Exchange Act, Sec 17o

CFR Citation: Not yet determined

Abstract: The Futures Trading Act of 1982 permits the Commission to authorize any person to perform any portion of the Commission's registration function. In addition, that Act specifically permits the Commission to require a registered futures association to perform any portion of the Commission's registration function. The Commission by order has authorized the National Futures Association ("NFA") to process applications by, and grant registration to, introducing brokers and the associated persons of introducing brokers. The Commission also recently authorized NFA to perform certain functions relating to the issuance of temporary licenses to applicants for registration as associated persons. Over the next year, the Commission will consider authorizing NFA to perform other of the Commission's registration functions.

Timetable:

Action	Date	FR Cite
Other Action expected during 1984	10/00/84	

Small Entity: Undetermined

Additional Information: In connection with the timetable, the Commission notes that, in the Futures Trading Act of 1982, Congress directed registered futures associations, subject to Commission oversight, to establish training standards and proficiency examinations for persons involved in the solicitation of commodity futures transactions, the supervisors of such persons, and all persons for which it has registration responsibilities, as well as a program to audit and enforce compliance with such standards. Accordingly, the Commission has deferred temporarily its rulemaking

proceeding regarding proficiency examinations for applicants for registration as associated persons (see 46 FR 20679 (Apr. 1, 1981)) pending the expected assumption of this responsibility by the National Futures Association, a futures association registered with the Commission.

TIMETABLE CONTINUED: Orders issued, 48 FR 15940 (Apr. 13, 1983), 48 FR 35158 (Aug. 3, 1983), 48 FR 51809 (Nov. 14, 1983) and 49 FR 8226 (Mar. 5, 1984).

Agency Contact: Linda Kurjan, Special Counsel, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW., Washington, DC 20581, 202 254-8955

RIN: 3038-AA13

6. RISK DISCLOSURE BY FUTURES COMMISSION MERCHANTS TO CUSTOMERS

Legal Authority: 7 USC 2 Commodity Exchange Act, Sec 2a(1); 7 USC 6b Commodity Exchange Act, Sec 4b; 7 USC 6d Commodity Exchange Act, Sec 4d; 7 USC 6f Commodity Exchange Act, Sec 4f; 7 USC 12a Commodity Exchange Act, Sec 8a

CFR Citation: 17 CFR 1.55(d)

Abstract: The Commission has proposed an amendment to rule 1.55 that would make explicit the existing fiduciary obligations of a futures commission merchant ("FCM") to its customers. As such, it would confirm that the prescribed risk disclosures, set forth in the regulation, are not the exclusive disclosures required from an FCM to its existing and prospective futures customers and that the FCM is still obliged to disclose all material information to its customers even if the information is not specifically required by the rule.

Timetable:

Action	Date	FR Cite
NPRM	11/23/82	47 FR 52723
NPRM Comment Period Begin	11/23/82	
NPRM Comment Period End	01/24/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Kevin M. Foley, Chief Counsel, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA15

7. SERVICE FEES

Legal Authority: 7 USC 4a(j) Commodity Exchange Act, Sec 2(a)(11); 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 21(d) Commodity Exchange Act, Sec 17(d); 7 USC 16a Futures Trading Act of 1978, Sec 26, as amended; Futures Trading Act of 1982, Sec 237; Independent Offices Appropriations Act PL 97-258

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 5; 17 CFR 12; 17 CFR 31; 17 CFR 145; 17 CFR 146; 17 CFR 147

Abstract: Section 26 of the Commodity Exchange Act, as recently amended by Congress, confirms the Commission's authority to establish a schedule of fees for services rendered and activities performed by the Commission in conjunction with its administration and enforcement of the Act. In amending Section 26, Congress specifically intended the Commission to establish a schedule of fees for (1) audits of firms which are not members of contract markets or a registered futures association; (2) rule enforcement reviews and financial reviews of contract markets and registered futures associations; (3) initial and renewal registrations; (4) contract market designations; (5) reparations fees; (6) Commission publications; (7) Freedom of Information Act requests; and (8) transcripts of Commission meetings. The Commission has completed or initiated several rulemakings to implement Congress' intent regarding service fees. Rules concerning fees for registration and fees for applications for contract market designation were finalized last August. 48 FR 38214 (Aug. 23, 1983); 48 FR 34732 (Aug. 1, 1983). Rules concerning fees for requests for Commission records, reports (cont)

Timetable:

Action	Date	FR Cite
NPRM rule enforcement reviews of boards of trade	06/01/84	49 FR 22827
(Future) Final Action foregoing proposed service fees	10/01/84	

Small Entity: No

Additional Information: ABSTRACT CONT: and transcripts were completed in October. 48 FR 46010 (Oct. 11, 1983). Filing fees for reparation complaints were adopted by the Commission in February. 49 FR 6602 (Feb. 22, 1984). Rules concerning fees for audits of leverage transaction merchants and fees for applications filed with the Commission for registration of a leverage commodity were adopted in May and June 1984, respectively. 49 FR 20644 (May 16, 1984); 49 FR 25834 (Jun. 25, 1984). The Commission proposed fees for rule enforcement reviews of boards of trade on June 1, 1984. The comment period on that proposal was extended on July 6, 1984. 49 FR 27775. Final action is expected in this matter in the near future.

Agency Contact: Molly G. Bayley, Executive Director, Commodity Futures Trading Commission, 2033 K Street, NW, Washington, DC 20581, 202 254-7556

RIN: 3038-AA18

8. SPECULATIVE POSITION LIMITS

Legal Authority: 7 USC 6a Commodity Exchange Act, Sec 4a

CFR Citation: 17 CFR 1; 17 CFR 150

Abstract: Section 4a of the Commodity Exchange Act was recently amended by Section 205 of the Futures Trading Act of 1982 to provide that it is a violation of the Commodity Exchange Act for any person to violate any bylaw, rule, regulation, or resolution of any contract market which fixes speculative position limits. Rules relating to Commission set speculative position limits will be considered in light of these amendments to the Act. In addition, the Futures Trading Act of 1982 amended Section 4a of the Act, 7 U.S.C. Sec. 6a (1982), to give the Commission additional authority with respect to speculative position limits.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SMALL BUSINESSES CONT: The Commission has previously determined that designated contract markets, registered futures commission merchants and commodity pool operators, and large

traders are not "small entities" for purposes of the Regulatory Flexibility Act, 5 U.S.C. Sec. 601, et seq. See 47 FR 18618 (Apr. 30, 1982). See also note 2 supra. In light of the Commission's definitions of small entity, it is not anticipated that rules which primarily will impact those entities will have a significant economic impact on a substantial number of small entities. See 5 U.S.C. Sec. 605(b).

Agency Contact: Paul M. Architzel, Chief Counsel, Commodity Futures Trading Commission, Division of Economic Analysis, 2033 K Street, NW, Washington, DC 20581, 202 254-6990

RIN: 3038-AA24

9. EXEMPTION FOR CERTAIN ENTITIES FROM REGULATION AS A COMMODITY POOL OPERATOR

Legal Authority: 7 USC 2 Commodity Exchange Act, Sec 2(a)(1); 7 USC 6k Commodity Exchange Act, Sec 4k; 7 USC 6l Commodity Exchange Act, Sec 4l; 7 USC 6m Commodity Exchange Act, Sec 4m; 7 USC 6n Commodity Exchange Act, Sec 4n; 7 USC 6o Commodity Exchange Act, Sec 4o; 7 USC 12a Commodity Exchange Act, Sec 8a; 7 USC 18 Commodity Exchange Act, Sec 14

CFR Citation: 17 CFR 3; 17 CFR 4

Abstract: In connection with the Commission's recent reauthorization, the Senate Committee on Agriculture, Nutrition and Forestry recommended that the Commission should generally exempt certain otherwise regulated entities, that met certain criteria, from regulation as a commodity pool operator ("CPO") unless these entities have other attributes or features that would warrant their regulation as a CPO. These entities include an entity regulated under the Investment Company Act of 1940, an insurance company, a bank or trust company acting in its fiduciary capacity and subject to regulation by any state or the United States, and a defined benefit plan that is subject to the Employee Retirement Income Security Act of 1974 and is insured by the Pension Benefit Guaranty Corporation. See S. Rep. No. 97-384, 97th Cong., 2d Sess. 80 (1980). The Commission has proposed a rule that, if adopted, generally would implement this Congressional recommendation.

Timetable:

Action	Date	FR Cite
NPRM	02/08/84	49 FR 4778
Final Action	12/00/84	

Small Entity: No

Agency Contact: Barbara Stern, Special Counsel for Commodity Pool Operators, Commodity Futures Trading Commission, and Commodity Trading Advisors, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA30

10. REGULATIONS GOVERNING THE OFFER AND SALE OF FOREIGN FUTURES CONTRACTS IN THE UNITED STATES

Legal Authority: 7 USC 6(b) Commodity Exchange Act, Sec 4(b)

CFR Citation: Not yet determined

Abstract: Section 4(b) of the Commodity Exchange Act, as amended by the Futures Trading Act of 1982, authorizes the Commission to adopt rules and regulations proscribing fraud in the offer and sale of foreign futures contracts in the United States and requiring minimum financial standards, the keeping of books and records, the safeguarding of customer funds and the registration with the Commission of any person located in the United States who engages in the offer and sale of such contracts. The Commission has published an advance notice of proposed rulemaking to assist in determining the need for a more formal regulatory program to implement the provisions of Section 4(b) of the Act.

Timetable:

Action	Date	FR Cite
ANPRM	07/25/84	49 FR 29963

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, Division of Trading and Markets, Washington, DC 20581, 202 254-8955

RIN: 3038-AA33

11. COMMODITY OPTIONS; MARGINS

Legal Authority: 7 USC 6c Commodity Exchange Act, Sec 4c; 7 USC 6d Commodity Exchange Act, Sec 4d; 7 USC 6f Commodity Exchange Act, Sec 4f; 7 USC 7 Commodity Exchange Act, Sec 5; 7 USC 7a Commodity Exchange Act, Sec 5a; 7 USC 12a(5) Commodity Exchange Act, Sec 8a(5)

CFR Citation: 17 CFR 1; 17 CFR 33

Abstract: The Commission is proposing to amend Commission regulation 33.4(a)(2), which currently provides that a contract market applying for designation to trade commodity option contracts must require full payment of option premiums by all purchasers of commodity options, and receipt of the premiums by the contract market's clearing organization. Under the proposed rule amendment, a contract market could choose instead to adopt rules permitting its members to make a deposit with respect to the option premium, subject to certain proposed requirements. In addition, the Commission is proposing to amend regulations 1.3, 1.12 and 1.17 to reflect in its minimum financial requirements for futures commission merchants the margin treatment which may be accorded option positions under proposed amendments to regulation 33.4(a)(2).

Timetable:

Action	Date	FR Cite
ANPRM	03/15/83	48 FR 10857
Rule-related Notice	10/31/83	48 FR 50073
NPRM	03/09/84	49 FR 8937
Final Action	12/00/84	

Small Entity: Undetermined

Additional Information: SMALL BUSINESSES CONT: The Commission has previously determined that designated contract markets, registered futures commission merchants and commodity pool operators, and large traders are not "small entities" for purposes of the Regulatory Flexibility Act, 5 USC 601, et seq. See 47 FR 18618 (Apr. 30, 1982). See also note 2, supra. In light of the Commission's definitions of small entity, it is not anticipated that rules which primarily will impact those entities will have a significant economic impact on a substantial number of small entities. See 5 USC 605(b).

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, Division of Trading and Markets, Washington, DC 20581, 202 254-8955

RIN: 3038-AA34

12. ● EXEMPTION FROM SPECULATIVE POSITION LIMITS FOR CERTAIN SPREAD POSITIONS

Legal Authority: 7 USC 6a Commodity Exchange Act Sec 4a; 7 USC 6c(b)Commodity Exchange Act Sec 4c(b); 7 USC 6c(c) Commodity Exchange Act Sec 4c(c); 7 USC 12a Commodity Exchange Act Sec 8a

CFR Citation: 17 CFR 150

Abstract: The Commission is proposing amendments to certain of the previously adopted federal speculative position limits. These Commission-set speculative limits are for domestic agricultural commodities. The proposed amendments will provide for a limited exemption from the federal speculative limits for positions spread between options on a futures contract and the underlying futures contract pursuant to Commission-approved exchange rules.

Timetable:

Action	Date	FR Cite
NPRM	07/11/84	49 FR 28253
Final Action	10/01/84	

Small Entity: Undetermined

Agency Contact: Paul Architzel, Chief Counsel, Commodity Futures Trading Commission, Division of Economic Analysis, 2033 K Street NW, Washington, DC 20581, 202 254-6990

RIN: 3038-AA35

13. ● CONTRACT MARKET ENFORCEMENT OF FLOOR BROKER REGISTRATION REQUIREMENTS

Legal Authority: 7 USC 6c Commodity Exchange Act 4c; 7 USC 6e Commodity Exchange Act 4e; 7 USC 6f Commodity Exchange Act 4f; 7 USC 7 Commodity Exchange Act 5; 7 USC 12a Commodity Exchange Act 8a; 7 USC 7a Commodity Exchange Act 5a

CFR Citation: 17 CFR 1.62

Abstract: Persons acting as floor brokers on a contract market are required to register as such with the Commission pursuant to section 4e of the Act. However, the Commission has found numerous instances in which persons apparently have acted as floor brokers without being registered as such. The Commission believes that contract markets can, as part of their own membership registration procedures and without significant additional burden, affirmatively assist the Commission to ensure that their members who engage in brokerage are registered with the Commission. The Commission thus is proposing to require that each contract market adopt a rule which provides that before a person may execute orders for others on the floor of that contract market, the person must be registered with the Commission as a floor broker.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31442
Final Action	00/00/00	

Small Entity: No

Agency Contact: Lawrence Dolins, Attorney, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA36

COMMODITY FUTURES TRADING COMMISSION (CFTC) Completed Actions

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

14. ● PROPOSED EXPANSION OF COMMODITY OPTION PILOT PROGRAM

Legal Authority: 7 USC 6c Commodity Exchange Act Sec 4c; 7 USC 12a Commodity Exchange Act Sec 8a; 7 USC 15 Commodity Exchange Act Sec 19

CFR Citation: 17 CFR 33.4

Abstract: The Commission recently has amended the regulations governing its pilot program for the trading of commodity options on domestic boards of trade. The Commission's regulations previously had permitted domestic boards of trade to be designated as contract markets for two options on futures contracts, two options on physical commodities or one option on a futures contract and one option on a physical commodity for all commodities other than those domestic agricultural commodities specifically enumerated in Section 2a (1)(A) of the Act. The new amendments modify the pilot program's numerical limitations with respect to options which do not involve domestic agricultural commodities to permit qualifying boards of trade to be designated for up to five such option contracts of which no more than two contracts could involve an option on a physical commodity. Options on futures contracts involving domestic agricultural commodities remain subject to existing restrictions. The rule amendment will become effective upon the expiration of 30 calendar days of continuous session of Congress after the transmittal of the amendment, and related materials to the House Committee on Agriculture (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/21/84	49 FR 25483
Final Action	08/24/84	49 FR 33641

Small Entity: No

Additional Information: ABSTRACT CONT: and the Senate Committee on Agriculture, Nutrition, and Forestry, pursuant to Section 4c(c) of the Act, but not before further notice of the effective date is published in the Federal Register.

Agency Contact: Kenneth M. Rosenzweig, Associate Director, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA37

[FR Doc. 84-24452 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XLII

Consumer Product Safety Commission

Semiannual Regulatory Agenda

CPSC

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Regulatory Flexibility Act; Semiannual Regulatory Flexibility and Unified Agendas

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of regulatory flexibility and unified agendas.

SUMMARY: The Regulatory Flexibility Act (RFA) requires each Federal agency to publish twice each year a regulatory flexibility agenda listing for a 12-month period rules expected to be proposed or promulgated which may have a significant economic impact on a substantial number of small entities. In this document, the Commission publishes its eighth semiannual regulatory flexibility agenda.

Additionally, although not required to do so, the Commission has elected to comply voluntarily with those provisions of Executive Order 12291 which require executive agencies to publish an agenda of regulatory actions under development or review during the succeeding 12 months by the agency and which further provide that such an agenda may be incorporated with an agency's regulatory flexibility agenda published in accordance with the RFA.

DATE: The Commission welcomes comments from small entities, including small businesses, small organizations, and small governmental units, upon each subject area of the agenda. Written comments concerning the agenda should be received in the Office of the Secretary by December 20, 1984.

ADDRESS: Comments on the regulatory flexibility agenda should be sent to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (301) 492-6800, and should be titled "Regulatory Flexibility Agenda."

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact: Iris R. Liskey, Office of Program Management, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (301) 492-6554. All inquiries from the press and broadcast media should be directed to Lou Brott, Office of Public Affairs, Consumer Product Safety Commission, Washington, D.C. 20207, telephone (202) 634-7780. For further information regarding a particular item on the agenda, consult the individual listed in the column headed "Contact" for that particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the Act (5 U.S.C. 602) requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of any rule expected to be proposed or promulgated which may have a "significant economic impact" on a "substantial number" of small entities. The agency must also provide a summary of the objectives and legal basis for each agenda item and a schedule for acting on each item, as well as the name and address of the agency official knowledgeable about the items listed. Further, agencies are required to provide notice of their agendas to small entities and solicit their comments by direct notification or by inclusion in publications likely to be obtained by such entities.

In addition, President Reagan's Executive Order 12291 requires executive agencies to publish, twice each year, a regulatory agenda of proposed regulations under development or review and further states that such an agenda may be incorporated with an agenda published under the RFA. While the Commission, as an independent regulatory agency, is not required to follow Executive Order 12291, the Commission is complying voluntarily with those provisions concerning publication of a regulatory agenda.

The eighth semiannual regulatory flexibility agenda, published below, lists for a 12-month period anticipated regulatory activities under development or review. These include all such activities, not only those which may have a significant economic impact on a substantial number of small entities.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates, subject to revision, for the development or completion of each activity; and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda. All agency contacts have the same address: Consumer Product Safety Commission, Washington, D.C. 20207.

In response to the publication of the seventh semiannual regulatory flexibility agenda, the Commission received two comments.

A comment from the Wool Bureau, Inc. expressed support for efforts by the Commission to reduce requirements for testing and recordkeeping contained in flammability standards without diminishing the level of protection afforded to the public. This organization states that it has submitted written comments concerning two proceedings for amendment of regulations implementing the flammability standards for clothing textiles and vinyl plastic film, and those comments reflect its current position on the proposed amendments. This organization also confirms that a letter sent to the Commission on November 17, 1983, states its current position with respect to a voluntary program of the Upholstered Furniture Action Council to improve resistance to cigarette ignition of upholstered furniture.

A comment submitted on behalf of a manufacturer of toy plastic caps urged amendment of regulations implementing the Federal Hazardous Substances Act and codified at 16 CFR 1550.47 and 14500.86(a)(6) to permit a sound level as great as 158 decibels without any additional restriction. The regulations which are the subject of this comment are being reviewed by the staff to determine if any provisions should be modified or eliminated.

DATED: September 10, 1984.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

BILLING CODE 6355-01-T

CPSC

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	*Consumer product safety standard for "chain saws and their component and replacement parts"	3041-AA00
2	*Upholstered furniture cigarette flammability standard	3041-AA01
3	Petition CP 82-6. Petition to initiate a mandatory standard to limit the formaldehyde that could be released from pressed wood products made with urea-formaldehyde resins	3041-AA03
4	Amendments to clothing textile standard apparel revision	3041-AA04
5	Flammability classification regulations	3041-AA05
6	Clothing textiles and vinyl plastic film flammability standards amendment	3041-AA06
7	Asbestos in selected consumer products	3041-AA11
8	*Hazardous substances labeling requirements	3041-AA15
9	Petition AP 83-1. Petition to require labeling of constrained-spring twist-on connectors with aluminum wire	3041-AA21
10	Requirements for the special packaging of household substances; advance notice of proposed rulemaking and notice of opportunity for oral presentations	3041-AA22
11	Petition AP 83-2. Petition to require a labeling rule for crimp type electrical connectors	3041-AA26
12	Petition CP 83-1. Petition to establish standards for recuperative gas furnaces to address corrosion of the furnace and its venting system	3041-AA27
13	Petition HP 83-1. Petition to halt the sale of and ban the use of potassium dichromate products in residential humidifiers	3041-AA31
14	Exemptions of cyclically administered oral contraceptives from special packaging requirements under the Poison Prevention Packaging Act	3041-AA37
15	Petition CP 83-2. Petition to establish standards for swimming pool covers	3041-AA38
16	Petition HP 84-1. Petition to request amendment to the regulations on electrical toys to exempt electronic video games	3041-AA41
17	Exemption of certain conjugated estrogens and progestins from special packaging requirements under the Poison Prevention Packaging Act	3041-AA44
18	Petition PP 84-1. Petition to require special packaging for liquid household bleach products	3041-AA45
19	Petition CP 84-1. Petition to require hand guards on lawn mower blades when they are shipped for consumer use	3041-AA46
20	Proposed Amendment of Rules Governing Commission Involvement in Voluntary Standards Activities	3041-AA48

*Indicates priority regulation.

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
21	Rule review	3041-AA19
22	Rule review	3041-AA20
23	Rule review	3041-AA24
24	Rule review	3041-AA25
25	Exemption from classification as a banned toy or other banned article for use by children -- caps (paper or plastic)	3041-AA35

Completed Actions

Sequence Number	Title	Regulation Identifier Number
26	Applications SH 82-1 Through 39; SH 83-1 Through 5 and SH 84-1 Through 2 Requesting an Exemption of State/Local Regulations From Preemption by 16 CFR Part 1212	3041-AA12
27	Mattress flammability standard	3041-AA16
28	Petition CP 79-1. Petition to ban consumer dye products containing benzidine	3041-AA17
29	Safety standard requiring oxygen depletion safety shutoff systems (ODS) for unvented gas-fired space heaters; proposed revocation	3041-AA23
30	Petition FP 83-1. Petition to require that all welt cord manufactured for use in upholstered furniture must be heat conducting	3041-AA28
31	Petition HP 82-1. Petition to declare volatile nitrites banned hazardous substances	3041-AA32
32	Self-pressurized consumer products containing chlorofluorocarbons -- submission of performance and technical data to the Commission	3041-AA33
33	Exemption for unlabeled containers	3041-AA34
34	Child-resistant packaging requirement for over-the-counter drug products containing diphenhydramine base	3041-AA36

CPSC

Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
35	Petition CP 83-3. Petition to issue a standard to require a removable label on all toilets and toilet seats to prevent accidental drowning of young children	3041-AA40
36	Petition CP 83-4. Petition to request exemption from the foot probe requirement of the safety standard for walk-behind power mowers	3041-AA43
37	Revocation of Definition of Strong Sensitizer From FHSA Rules	3041-AA47

CONSUMER PRODUCT SAFETY COMMISSION (CPSC) — Current and Projected Rulemakings

1. CONSUMER PRODUCT SAFETY STANDARD FOR "CHAIN SAWS AND THEIR COMPONENT AND REPLACEMENT PARTS"

Priority: Major

Legal Authority: 15 USC 2058(a) CPSA

CFR Citation: 16 CFR Chapter II

Abstract: The Commission staff has continued working with industry to develop a voluntary standard which addresses chain saw kickback injuries. The Commission staff's effort has led to several significant changes in the original kickback amendment submitted to the American National Standards Institute (ANSI) by the Chain Saw Manufacturers Association (CSMA). When efforts in 1979 and 1980 to develop a voluntary chain saw standard were deemed unsuccessful, the Commission decided that a mandatory standard was needed to reduce kickback injuries. On May 11, 1981, the Commission published a Notice of Proceeding to develop a safety standard. Subsequently, under amended statutory authority, the Commission issued an Advance Notice of Proposed Rulemaking (ANPR) on May 5, 1982. Before, and since, the Notice of Proceeding, the Chain Saw Manufacturers Association has worked on a voluntary standard to address chain saw kickback. While the ANPR commences a proceeding to develop a mandatory standard, the Commission could support a voluntary standard if it finds that the standard could adequately address chain saw kickback injuries.

Timetable:

Action	Date	FR Cite
ANPRM	05/05/82	47 FR 19369
ANPRM Comment Period Begin	05/05/82	47 FR 19369
ANPRM Comment Period End	07/06/82	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Carl W. Blechschmidt, Program Manager, Powered Equipment Hazards, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA00

2. UPHOLSTERED FURNITURE CIGARETTE FLAMMABILITY STANDARD

Priority: Major

Legal Authority: 15 USC 1193 FFA; 15 USC 1194 FFA

CFR Citation: 16 CFR 1633

Abstract: On August 15, 1984, the staff briefed the Commission on results of testing by the Commission's laboratory to evaluate resistance to cigarette ignition of upholstered furniture from current production. The samples tested by the Commission's laboratory were made in conformance with recently adopted changes to the Voluntary Action Program of the Upholstered Furniture Action Council for production of furniture with improved resistance to cigarette ignition. The staff reported that measurable improvements had been made to ignition resistance of upholstered furniture. The staff also discussed areas in which further improvements may be possible, and urged the Commission to continue cooperative efforts with the industry for development of the voluntary program. Industry representatives also discussed results of other testing of upholstered furniture performed by a commercial laboratory for upholstered manufacturers. In October 1981, the Commission voted to defer mandatory regulatory action on upholstered furniture in order to work with manufacturers participating in the Voluntary Action Program of the Upholstered Furniture Action Council (UFAC). (cont)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Yes

Additional Information: ABSTRACT CONT: This program may eliminate the need for a mandatory standard.

Affected Sectors: 25 FURNITURE AND FIXTURES

Agency Contact: James Hoebel, Program Manager, Fire and Thermal Burn, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA01

3. PETITION CP 82-6. PETITION TO INITIATE A MANDATORY STANDARD TO LIMIT THE FORMALDEHYDE THAT COULD BE RELEASED FROM PRESSED WOOD PRODUCTS MADE WITH UREA-FORMALDEHYDE RESINS

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 2051 Consumer Product Safety Act; 15 USC 2058 Consumer Product Safety Act

CFR Citation: Not yet determined

Abstract: During FY 1983, the Commission's work in this project focused on developing information on consumer exposure to formaldehyde from pressed wood products in conventional homes, as well as developing improved formaldehyde measurement methods that could be used by manufacturers for quality control purposes. In correspondence received August 19, 1982, the Consumer Federation of America (CFA) petitioned the Commission to institute a mandatory product safety standard to limit the amount of formaldehyde that could be released from pressed wood products made with urea-formaldehyde resin. Work on this petition has been included within the Commission's ongoing priority project on pressed wood products. A staff briefing package on the status of this project and recommendations pertaining to the CFA petition will be forwarded to the Commission in FY 1985 for their consideration.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: James Hoebel, Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA03

4. AMENDMENTS TO CLOTHING TEXTILE STANDARD APPAREL REVISION

Legal Authority: 15 USC 1194 FFA

CFR Citation: 16 CFR 1610.37; 16 CFR 1610.38

Abstract: On December 14, 1983, the Commission published an announcement to reopen the comment period on proposed amendments to regulations implementing the standard for the Flammability of Clothing Textiles (16 CFR 1610) to ensure that all interested parties, including consumers, consumer groups, small businesses, etc. have an opportunity to comment. On August 12, 1982, the original notice was published soliciting comments. The notice proposed that persons or firms subject to the standard, a) be permitted to devise and implement reasonable and representative tests to support guaranties, b) be exempt from further testing requirements to support guaranties for fabrics made entirely from acrylic, modacrylic, nylon, olefin and polyester fibers, and c) the record retention period of tests supporting guaranties be reduced from three years to one year. These amendments would reduce industry's testing and recordkeeping costs while maintaining the level of protection the standard affords consumers.

Timetable:

Action	Date	FR Cite
NPRM	08/12/82	47 FR 3006
NPRM Comment Period Begin	08/12/82	47 FR 3006
NPRM Comment Period End	10/12/82	
Public Comment Period reopened	12/14/83	48 FR 55578

Next Action Undetermined

Small Entity: No

Agency Contact: James Hoebel, Program Manager, Fire and Thermal Burn, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA04

5. FLAMMABILITY CLASSIFICATION REGULATIONS

Legal Authority: 15 USC 1261(l) FHSA; 15 USC 1269(a) FHSA

CFR Citation: 16 CFR 1500.3(b)(10); 16 CFR 1500.3(c)(6); 16 CFR 1500.43

Abstract: On April 26, 1984, the Commission published in the Federal Register a proposal to amend its regulations for classifying extremely flammable, flammable and combustible hazardous substances which release ignitible vapors. These flammability classifications are used for regulatory purposes, including hazard labeling. The amendments change the definition of these classifications and specify a different test method for determining the classification of these substances. If issued on a final basis, the changes would bring the Commission's procedures into general conformity with the practices of other federal agencies and voluntary standards setting organizations.

Timetable:

Action	Date	FR Cite
NPRM	04/26/84	49 FR 17956
NPRM Comment Period Begin	04/26/84	49 FR 17956
NPRM Comment Period End	08/24/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, 301 492-6980

RIN: 3041-AA05

6. CLOTHING TEXTILES AND VINYL PLASTIC FILM FLAMMABILITY STANDARDS AMENDMENT

Legal Authority: 15 USC 1193 FFA; 15 USC 1194 FFA

CFR Citation: 16 CFR 1610; 16 CFR 1611

Abstract: Clarifying amendments were proposed in 1981 to resolve questions which have arisen about interpretation of the standards and their applicability to various products, including multilayer fabrics with an outer layer of film or coated fabric, such as those used for disposable diapers. On Feb. 24, 1982, the Commission published a final amendment to the regulation to exempt plastic film used as the outer layer of a disposable diaper from any requirement for separate testing if a full thickness of the assembled article passes the test in the applicable standard. A notice to extend the period for receipt of written comments on all remaining issues was published at the same time.

Timetable:

Action	Date	FR Cite
NPRM	02/24/82	47 FR 01836
NPRM Comment Period Begin	02/24/82	47 FR 01836
NPRM Comment Period End	05/25/82	

Next Action Undetermined

Small Entity: No

Affected Sectors: 22 TEXTILE MILL PRODUCTS; 23 APPAREL AND OTHER FINISHED PRODUCTS MADE FROM FABRICS AND SIMILAR MATERIALS; 26 PAPER AND ALLIED PRODUCTS

Agency Contact: James Hoebel, Program Manager, Fire and Thermal Burn, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA06

7. ASBESTOS IN SELECTED CONSUMER PRODUCTS

Legal Authority: 15 USC 1261 et seq FHSA; 15 USC 2058 CPSA; 15 USC 2080(b) CPSA

CFR Citation: Not yet determined

Abstract: Hazard information shows that asbestos presents a risk of cancer and respiratory disease. During FY 1985, the Commission will decide whether additional regulatory activity, including an ANPRM, may be appropriate. In July 1983, the Commission received the report of the Chronic Hazard Advisory Panel (CHAP) on Asbestos. The CHAP was convened in January 1983, based on a Commission decision of March 1982. The Commission is continuing to test selected consumer products for release of asbestos fibers and is a charter member in the Federal Asbestos Task Force.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/79	44 FR 60057
Notice of availability of CHAP report	05/25/83	48 FR 23473

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Sandra Eberle, Program Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA11

8. HAZARDOUS SUBSTANCES LABELING REQUIREMENTS

Priority: Major

Legal Authority: 15 USC 1269(a) FHSA

CFR Citation: 16 CFR 1500.121

Abstract: This rule, if issued on a final basis, would revise the Commission's regulations for the prominence, placement, and conspicuousness of cautionary statements required by the Federal Hazardous Substances Act to be placed on labels of hazardous substances intended or packaged in a form suitable for household use.

Timetable:

Action	Date	FR Cite
NPRM	12/13/78	43 FR 58195
NPRM Comment Period Begin	12/13/78	43 FR 58195
NPRM Comment Period End	02/02/79	

Next Action Undetermined

Small Entity: Yes

Agency Contact: Charles M. Jacobson, Compliance Officer, Consumer Product Safety Commission, Compliance & Administrative Litigation, Washington, DC 20207, 301 492-6400

RIN: 3041-AA15

9. PETITION AP 83-1. PETITION TO REQUIRE LABELING OF CONSTRAINED-SPRING TWIST-ON CONNECTORS WITH ALUMINUM WIRE

Legal Authority: 15 USC 2076(e) CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated December 1, 1982, Dr. Jesse Aronstein petitioned the Commission to issue a regulation that would require the labeling of electrical wiring connectors of the constrained-spring twist-on type as to hazardous performance when connected to aluminum wiring. If the Commission grants the petition, it will begin a rulemaking proceeding to issue the rule requested by the petition.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Carl W. Blechschmidt, Program Manager, Electrical Hazards, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301-492-6554

RIN: 3041-AA21

10. REQUIREMENTS FOR THE SPECIAL PACKAGING OF HOUSEHOLD SUBSTANCES; ADVANCE NOTICE OF PROPOSED RULEMAKING AND NOTICE OF OPPORTUNITY FOR ORAL PRESENTATIONS

Legal Authority: 15 USC 1472 PPPA; 15 USC 1473 PPPA

CFR Citation: 16 CFR 1700.20

Abstract: On January 19, 1983 the Commission published an Advanced Notice of Proposed Rulemaking soliciting comments on ways to amend the existing child resistant packaging requirements to improve the effectiveness and efficiency of these requirements.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/83	48 FR 2389
ANPRM Comment Period Begin	01/19/83	48 FR 2389
ANPRM Comment Period End	03/21/83	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA22

11. PETITION AP 83-2. PETITION TO REQUIRE A LABELING RULE FOR CRIMP TYPE ELECTRICAL CONNECTORS

Legal Authority: 15 USC 2076(e) CPSA; 5 USC 553(e) APA

CFR Citation: Not yet determined

Abstract: In correspondence dated May 1, 1983, Dr. Jesse Aronstein petitioned the Commission to issue a regulation that would require the labeling of electrical wiring connectors of the hand-tool crimp type delineating the applications for which the manufacturer considers the connectors to be suitable and would provide a warning regarding possible hazardous consequences if used in non-rated applications. If the Commission grants the petition, it will initiate a rulemaking proceeding to issue the rule requested by the petition.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Carl W. Blechschmidt, Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA26

12. PETITION CP 83-1. PETITION TO ESTABLISH STANDARDS FOR RECUPERATIVE GAS FURNACES TO ADDRESS CORROSION OF THE FURNACE AND ITS VENTING SYSTEM

Legal Authority: 5 USC 553(e) APA; 15 USC 2056 CPSA; 15 USC 2058 CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated April 7, 1983, the City of Cincinnati (Ohio), Department of Buildings and Inspections petitioned the Commission to establish safety standards to address the risk of injury associated with combustion products, possibly including carbon monoxide entering the living space of homes where recuperative gas furnaces are installed. If the Commission grants the petition, it will begin a rulemaking proceeding to issue the standard requested by the petition.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Stanley Morrow, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA27

13. PETITION HP 83-1. PETITION TO HALT THE SALE OF AND BAN THE USE OF POTASSIUM DICHROMATE PRODUCTS IN RESIDENTIAL HUMIDIFIERS

Legal Authority: 15 USC 1261 FHSA; 15 USC 2058 CPSA

CFR Citation: Not yet determined

Abstract: In correspondence received April 26, 1983, from Public Citizen Health Group, the Commission was petitioned to initiate rulemaking to ban the use and sale of potassium dichromate products for use in residential humidifiers. If the Commission grants the petition, it will begin a rulemaking proceeding to issue the standard requested by the petition.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Senior Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA31

14. EXEMPTIONS OF CYCLICALLY ADMINISTERED ORAL CONTRACEPTIVES FROM SPECIAL PACKAGING REQUIREMENTS UNDER THE POISON PREVENTION PACKAGING ACT

Legal Authority: 15 USC 1472 PPPA

CFR Citation: 16 CFR 1700.14

Abstract: On April 9, 1984, the Commission reproposed a rule, originally proposed in 1974, to exempt cyclically administered oral contraceptives from special packaging requirements under the Poison Prevention Packaging Act. The reproposal will seek public comments on information generated since 1974, which indicates that oral contraceptives do not present a risk of serious illness or serious injury if accidentally ingested by young children. This regulation, if issued in final form, will permit manufacturers to continue to market certain packages of oral contraceptives in non-child-resistant packaging.

Timetable:

Action	Date	FR Cite
NPRM	04/09/84	49 FR 13888
NPRM Comment Period Begin	04/09/84	49 FR 13888
NPRM Comment Period End	06/08/84	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Senior Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA37

15. PETITION CP 83-2. PETITION TO ESTABLISH STANDARDS FOR SWIMMING POOL COVERS

Legal Authority: 15 USC 2056 CPSA; 15 USC 2058 CPSA

CFR Citation: Not yet determined

Abstract: In correspondence dated May 23, 1983 and July 22, 1983, Dr. Arnold Stockton petitioned the Commission to develop a standard for swimming pool covers to address the hazards to persons, especially children, who might fall on the cover. If the Commission grants the petition, it will begin a rulemaking proceeding to address this risk.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Stanley Morrow, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA38

16. PETITION HP 84-1. PETITION TO REQUEST AMENDMENT TO THE REGULATIONS ON ELECTRICAL TOYS TO EXEMPT ELECTRONIC VIDEO GAMES

Legal Authority: 15 USC 1261 FHSA; 15 USC 1262 FHSA

CFR Citation: 15 CFR 1505

Abstract: In correspondence dated December 21, 1983, the Consumer Electronic Group of the Electronic Industries Association petitioned the Commission to request an amendment to the regulation on electrical toys that would exempt electronic video games from coverage. If the Commission grants the petition it will proceed to develop an exemption to the standard.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Elaine A. Tyrrell, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA41

17. EXEMPTION OF CERTAIN CONJUGATED ESTROGENS AND PROGESTINS FROM SPECIAL PACKAGING REQUIREMENTS UNDER THE POISON PREVENTION PACKAGING ACT

Legal Authority: 15 USC 1471; 15 USC 1472; 15 USC 1474

CFR Citation: 16 CFR 1700.14

Abstract: On May 23, 1984, the Commission proposed an exemption of certain conjugated estrogens and progestins from special packaging requirements under the Poison Prevention Packaging Act. This regulation, if issued in final form, would permit manufacturers to market limited quantities of conjugated estrogens and progestins in non-child-resistant packaging.

Timetable:

Action	Date	FR Cite
NPRM	05/23/84	49 FR 21765
NPRM Comment Period Begin	05/23/84	49 FR 21765
NPRM Comment Period End	07/23/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Virginia A. White, Senior Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA44

18. ● PETITION PP 84-1. PETITION TO REQUIRE SPECIAL PACKAGING FOR LIQUID HOUSEHOLD BLEACH PRODUCTS

Legal Authority: 15 USC 1472 PPPA; 15 USC 1473 PPPA

CFR Citation: 16 CFR 1700.14

Abstract: In correspondence dated March 8, 1984, Ms. Christine F. Atkins petitioned the Commission to initiate rulemaking to require child-resistant packaging on household liquid bleach products. If the petition is granted, the Commission will begin rulemaking proceedings to issue the special packaging requested by the petition.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Virginia A. White, Senior Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, 301 492-6957

RIN: 3041-AA45

19. ● PETITION CP 84-1. PETITION TO REQUIRE HAND GUARDS ON LAWN MOWER BLADES WHEN THEY ARE SHIPPED FOR CONSUMER USE

Legal Authority: 15 USC 2056 CPSA; 15 USC 2058 CPSA

CFR Citation: 15 CFR 1205

Abstract: In correspondence dated March 8, 1984, Mr. Todd Kent Campbell petitioned the Commission to initiate rulemaking to require hand guards on lawn mower blades when they are shipped for consumer use. If the petition is granted, the Commission will begin a rulemaking proceeding to require hand guards for mower blades.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Stanley Morrow, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA46

20. ● PROPOSED AMENDMENT OF RULES GOVERNING COMMISSION INVOLVEMENT IN VOLUNTARY STANDARDS ACTIVITIES

Legal Authority: 15 USC 2051 CPSA

CFR Citation: 16 CFR 1032

Abstract: On June 19, 1984, the Commission published a proposed amendment of rules governing Commission involvement in voluntary standards activities. Under the proposal, the Commission could select for recognition a limited number of voluntary standards that were developed with significant CPSC staff involvement. Possible Commission efforts regarding such standards might include public statements encouraging industry to adopt and use them, as well as information and education statements directed at consumers. The major purposes of such recognition would be to enhance consumer selection of safer consumer products and encourage industry to adhere to effective voluntary standards.

Timetable:

Action	Date	FR Cite
NPRM	06/19/84	49 FR 25005
NPRM Comment Period Begin	06/19/84	49 FR 25005
NPRM Comment Period End	08/20/84	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Douglas L. Noble, Program Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, 301 492-6554

RIN: 3041-AA48

CONSUMER PRODUCT SAFETY COMMISSION (CPSC) — Existing Regulations Under Review

21. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 5 USC 2051 et seq CPSA

CFR Citation: 16 CFR 1009; 16 CFR 1019; 16 CFR 1115; 16 CFR 1201; 16 CFR 1202; 16 CFR 1205; 16 CFR 1207; 16 CFR 1209; 16 CFR 1212; 16 CFR 1301; 16 CFR 1302; 16 CFR 1303; 16 CFR 1304; 16 CFR 1305; 16 CFR 1401; ...

Abstract: On October 28, 1983, the Commission published a Federal Register notice listing seventeen (17) rules and standards (issued under the Consumer Product Safety Act), soliciting comments on these rules which it will review pursuant to the requirements of the Regulatory Flexibility Act. The Commission will review these rules to determine if they should be revoked, amended, or continued in effect without change.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	10/28/82	47 FR 48884
Public Comment Period Ends	12/27/82	

Next Action Undetermined

Small Entity: Yes

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA19

22. RULE REVIEW

Legal Authority: 5 USC 610 RFA; 15 USC 1193 FFA; 15 USC 1194 FFA; 15 USC 2079 CPSA

CFR Citation: 16 CFR 1602; 16 CFR 1604; 16 CFR 1605; 16 CFR 1607; 16 CFR 1608; 16 CFR 1610; 16 CFR 1611; 16 CFR 1615; 16 CFR 1616; 16 CFR 1630; 16 CFR 1631; 16 CFR 1632

Abstract: On February 2, 1984, the Commission published a Federal Register Notice listing twelve (12) rules and standards issued under the Flammable Fabrics Act, and soliciting comments on those rules. The Commission will review these rules under the provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without changes.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	02/02/84	49 FR 4103
Public Comment Period Ends	04/02/84	49 FR 4103

Next Action Undetermined

Small Entity: Yes

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA20

23. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1471 PPPA

CFR Citation: 16 CFR 1700; 16 CFR 1701; 16 CFR 1702; 16 CFR 1704

Abstract: The Commission plans to publish a Federal Register Notice listing four (4) rules and standards issued under the Poison Prevention Packaging Act, and soliciting comments on those rules. The Commission will review these rules under the provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without changes.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	10/15/84	
Public Comment Period Ends	12/15/84	

Small Entity: Yes

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA24

24. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1261 FHSA

CFR Citation: 16 CFR 1500; 16 CFR 1501; 16 CFR 1505; 16 CFR 1507; 16 CFR 1508; 16 CFR 1509; 16 CFR 1510; 16 CFR 1511; 16 CFR 1512

Abstract: On February 22, 1984, the Commission published a Federal Register Notice listing nine (9) rules and standards issued under the Federal Hazardous Substances Act, soliciting comments on those rules. The Commission will review these rules under provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without changes.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	02/22/84	49 FR 6504
Public Comment Period Ends	04/23/84	49 FR 6504

Next Action Undetermined

Small Entity: Yes

Agency Contact: Allen Brauninger, Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA25

25. EXEMPTION FROM CLASSIFICATION AS A BANNED TOY OR OTHER BANNED ARTICLE FOR USE BY CHILDREN -- CAPS (PAPER OR PLASTIC)

Legal Authority: 15 USC 1261(f)1(D); 15 USC 1262(e)(1); 15 USC 2079(a); 15 USC 1261(q)(1)(a); 15 USC 1261(s)

CFR Citation: 16 CFR 1500.18(a)(5); 16 CFR 1500.86(a)(6)

Abstract: For more than ten years a regulation has existed under the Federal Hazardous Substances Act that was an "interim" regulation. Caps producing sound levels in the range of 138-158 decibels have been banned, but are exempt from the ban if they are properly labeled and if firms producing them report to the Commission on programs to reduce the sound levels. The Commission will be considering whether to revoke the exemption and thus ban the caps or to expand the exemption to allow their marketing without any restrictions. Any action will be based on as-yet-undetermined analyses of the various costs and benefits associated with these two approaches or any other approaches that the Commission might pursue.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Linda Glatz, Project Manager, Consumer Product Safety Commission, Office of Program Management, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA35

CONSUMER PRODUCT SAFETY COMMISSION (CPSC) — Completed Actions

COMPLETED RULEMAKINGS

26. APPLICATIONS SH 82-1 THROUGH 39; SH 83-1 THROUGH 5 AND SH 84-1 THROUGH 2 REQUESTING AN EXEMPTION OF STATE/LOCAL REGULATIONS FROM PREEMPTION BY 16 CFR PART 1212

CFR Citation: 16 CFR 1212

Completed:

Reason	Date	FR Cite
Commission Decision	08/14/84	

Small Entity: Undetermined

Agency Contact: James Hoebel 301 492-6554

RIN: 3041-AA12

27. MATTRESS FLAMMABILITY STANDARD

CFR Citation: 16 CFR 1632

Completed:

Reason	Date	FR Cite
Commission Decision	08/14/84	

Small Entity: Yes

Agency Contact: James Hoebel 301 492-6554

RIN: 3041-AA16

28. PETITION CP 79-1. PETITION TO BAN CONSUMER DYE PRODUCTS CONTAINING BENZIDINE

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Petition Denied	04/20/84	

Small Entity: Undetermined

Agency Contact: William Menza 301 492-6957

RIN: 3041-AA17

29. SAFETY STANDARD REQUIRING OXYGEN DEPLETION SAFETY SHUTOFF SYSTEMS (ODS) FOR UNVENTED GAS-FIRED SPACE HEATERS; PROPOSED REVOCATION

CFR Citation: 16 CFR 1212

Completed:

Reason	Date	FR Cite
Commission Decision	08/14/84	

Small Entity: No

Agency Contact: James Hoebel 301 492-6554

RIN: 3041-AA23

30. PETITION FP 83-1. PETITION TO REQUIRE THAT ALL WELT CORD MANUFACTURED FOR USE IN UPHOLSTERED FURNITURE MUST BE HEAT CONDUCTING

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Petition Denied	03/21/84	

Small Entity: Undetermined

Agency Contact: James Hoebel 301 492-6554

RIN: 3041-AA28

31. PETITION HP 82-1. PETITION TO DECLARE VOLATILE NITRITES BANNED HAZARDOUS SUBSTANCES

CFR Citation: 16 CFR 1500.17

Completed:

Reason	Date	FR Cite
Petition Denied	05/17/84	

Small Entity: Undetermined

Agency Contact: Sandra Eberle 301 492-6957

RIN: 3041-AA32

32. SELF-PRESSURIZED CONSUMER PRODUCTS CONTAINING CHLOROFLUOROCARBONS -- SUBMISSION OF PERFORMANCE AND TECHNICAL DATA TO THE COMMISSION

CFR Citation: 16 CFR 1401.4

Completed:

Reason	Date	FR Cite
Final Action	07/16/84	49 FR 28693
Final Action Effective	07/16/84	49 FR 28693

Small Entity: Undetermined

Agency Contact: Harleigh Ewell 301 492-6980

RIN: 3041-AA33

33. EXEMPTION FOR UNLABELED CONTAINERS

CFR Citation: 16 CFR 1500.84

Completed:

Reason	Date	FR Cite
Final Action	08/15/84	49 FR 32564
Final Action Effective	09/14/84	49 FR 32564

Small Entity: No

Agency Contact: Charles Jacobson 301 492-6400

RIN: 3041-AA34

34. CHILD-RESISTANT PACKAGING REQUIREMENT FOR OVER-THE-COUNTER DRUG PRODUCTS CONTAINING DIPHENHYDRAMINE BASE

CFR Citation: 16 CFR 1700.14(a)

Completed:

Reason	Date	FR Cite
Final Action	08/15/84	49 FR 32565
Final Action Effective	02/11/85	49 FR 32565

Small Entity: Undetermined

Agency Contact: Virginia White 301 492-6957

RIN: 3041-AA36

35. PETITION CP 83-3. PETITION TO ISSUE A STANDARD TO REQUIRE A REMOVABLE LABEL ON ALL TOILETS AND TOILET SEATS TO PREVENT ACCIDENTAL DROWNING OF YOUNG CHILDREN

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Commission denied Petition	09/11/84	

Small Entity: Undetermined

Agency Contact: Stanley Morrow 301 492-6554

RIN: 3041-AA40

36. PETITION CP 83-4, PETITION TO REQUEST EXEMPTION FROM THE FOOT PROBE REQUIREMENT OF THE SAFETY STANDARD FOR WALK-BEHIND POWER MOWERS

CFR Citation: 15 CFR 1205

Completed:

Reason	Date	FR Cite
Withdrawn	04/18/84	

Small Entity: Undetermined

Agency Contact: Carl W. Blechschmidt 301 492-6554

RIN: 3041-AA43

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

37. ● REVOCATION OF DEFINITION OF STRONG SENSITIZER FROM FHSA RULES

Legal Authority: 15 USC 1261 FHSA; 15 USC 1269 FHSA

CFR Citation: 15 CFR 1500.3(c)(5)

Abstract: On May 30, 1984, the Commission revoked the regulatory definition of "strong sensitizer" after determining that this definition is incorrect, in part, and too narrow in scope to account for all current theories regarding the mechanisms of sensitization. For further regulatory proceedings, the Commission will rely on the broader, statutory definition which is appropriate for all substances currently regulated as strong sensitizers, and is adequate for any further regulatory determination that a substance is a strong sensitizer.

Timetable:

Action	Date	FR Cite
NPRM	12/22/83	48 FR 56602
NPRM Comment Period Begin	12/22/83	48 FR 56602
NPRM Comment Period End	02/02/84	
Final Action	05/30/84	49 FR 22464
Final Action Effective	06/29/84	49 FR 22464

Small Entity: No

Agency Contact: Virginia A. White, Senior Project Manager, Consumer Product Safety Commission, Directorate for Health Sciences, Washington, DC 20207, **301 492-6957**

RIN: 3041-AA47

[FR Doc. 84-25335 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XLIII

Farm Credit Administration

Semiannual Regulatory Agenda

FCA

FARM CREDIT ADMINISTRATION

12 CFR Ch. VI

Unified Agenda of Federal Regulations

AGENCY: Farm Credit Administration.

ACTION: Department Unified Agenda of Regulations and Review List.

SUMMARY: The Farm Credit Administration, as an independent regulatory agency in voluntary compliance with Executive Order 12291, sets forth the following agenda of regulations which it will have under development and review during the period of October 1984 through April 1985.

FOR FURTHER INFORMATION CONTACT: Dorothy J. Acosta, Associate General Counsel, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4020).

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*), contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small entities. Farm Credit Administration ("FCA") regulations which apply to Farm Credit System banks and associations do not and will not have a substantial impact on small entities. None of the entities regulated by the FCA fall within the definition of small entities in the Regulatory Flexibility Act. While many associations through which banks lend are smaller in size than their banks, they are not independently operated, as they are closely supervised by the banks, which must approve most of their operating policies. The associations rely exclusively on their supervising banks for their source of funds. Furthermore, the associations do not compete with each other since, as with their supervising banks, each serves only a particular geographic area.

While FCA is an independent Agency exempt from Executive Order 12291, we believe that participating in this joint publication will further the public interest by including FCA in a single source of information concerning current and projected rulemaking and reviews of existing regulations.

Donald E. Wilkinson,

Governor.

BILLING CODE 6705-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Farm Credit Administration	3052-AA00
2	Senior Deputy Governor, Deputy Governors and General Counsel	3052-AA01
3	Other administrative units	3052-AA02
4	Farm credit districts and institutions	3052-AA03
5	Part 601 - Employee responsibilities and conduct	3052-AA04
6	Part 602 - Releasing information	3052-AA05
7	Part 602 - Releasing information	3052-AA06
8	Part 603 - Privacy Act Regulations	3052-AA07
9	Part 604 - Meetings of the Federal Farm Credit Board	3052-AA08
10	Limitation on special assignments	3052-AA09
11	Liquidation of associations	3052-AA10
12	Cooperative eligibility	3052-AA11
13	Part 614 - Loan Policies and Operations	3052-AA12
14	Loans outside of bank's territory - banks for cooperatives	3052-AA13
15	Interest rate programs	3052-AA22
16	Methods of financing	3052-AA36
17	Obligations eligible for discount or purchase	3052-AA37
18	Part 615 - Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations	3052-AA38
19	Part 611-Subpart G--Amendments to Association Charters and Mergers and Consolidations	3052-AA43
20	Part 612-Subpart B--Standards of Conduct for Directors, Officers, and Employees	3052-AA44
21	Part 602-Subpart C--Testimony and Production of Documents in Legal Proceedings Not Involving the Farm Credit Administration	3052-AA45

Completed Actions

Sequence Number	Title	Regulation Identifier Number
22	District board policies	3052-AA39
23	Information Security	3052-AA42

FARM CREDIT ADMINISTRATION (FCA) — Current and Projected Rulemakings

1. FARM CREDIT ADMINISTRATION

Legal Authority: PL 92-181; PL 96-592; 12 USC 1141(b)

CFR Citation: 12 CFR 600.1

Abstract: Technical amendment - change of address for Farm Credit Administration.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA00

2. SENIOR DEPUTY GOVERNOR, DEPUTY GOVERNORS AND GENERAL COUNSEL

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211; 12 USC 2252(16)

CFR Citation: 12 CFR 600.4

Abstract: Technical amendment - correct various titles and reference incorporation of Fiscal Agency.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA01

3. OTHER ADMINISTRATIVE UNITS

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 600.5

Abstract: Technical amendment - to reflect current organizational divisions and sections.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA02

4. FARM CREDIT DISTRICTS AND INSTITUTIONS

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 600.10

Abstract: Technical amendment - to correct address of various district banks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA03

5. PART 601 - EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 601.101; 12 CFR 601.126; 12 CFR 601.127; 12 CFR 601.140; 12 CFR 601.176

Abstract: Technical amendments - to correct division and agency name changes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA04

6. PART 602 - RELEASING INFORMATION

Legal Authority: PL 92-181; 12 USC 2246; 12 USC 2252(16)

CFR Citation: 12 CFR 602.200 to 602.245; 12 CFR 614.4015; 12 CFR 617.7080; 12 CFR 618.8300 to 618.8350

Abstract: Clarify existing policies and procedures with respect to the release of information and/or documents obtained in or resulting from the conduct of official business by employees of the Farm Credit Administration and the Farm Credit System.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA05

7. PART 602 - RELEASING

INFORMATION

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 602.260; 12 CFR 602.261

Abstract: Technical amendments to correct division and agency name changes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA06

---

8. PART 603 - PRIVACY ACT REGULATIONS

Legal Authority: PL 92-181; 12 USC 2252(16)

CFR Citation: 12 CFR 603.300; 12 CFR 603.310; 12 CFR 603.340

Abstract: Technical amendments - to indicate agency, division and address changes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean,VA 22102-5090, **703 883-4020**

RIN: 3052-AA07

---

9. PART 604 - MEETINGS OF THE FEDERAL FARM CREDIT BOARD

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 604.300; 12 CFR 604.305; 12 CFR 604.310; 12 CFR 604.315; 12 CFR 604.320; 12 CFR 604.325; 12 CFR 604.330; 12 CFR 604.335; 12 CFR 604.340

Abstract: Technical amendments - renumber entire Part to coincide with numbering system used on other Parts. Sections 604.325 and 604.340 will reflect agency, division and address changes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA08

---

10. LIMITATION ON SPECIAL ASSIGNMENTS

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211

CFR Citation: 12 CFR 611.1031

Abstract: Technical amendment - to indicate incorporation of Fiscal Agency.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA09

---

11. LIQUIDATION OF ASSOCIATIONS

Legal Authority: PL 92-181; 12 USC 2183(b)

CFR Citation: 12 CFR 611.1130

Abstract: The Farm Credit Administration will, on a priority basis, expand its existing regulation dealing with involuntary liquidation. Present regulations provide general authority for the Governor to declare an association insolvent and place it in the hands of a receiver or conservator under such terms as the Governor may prescribe on a case-by-case basis. The new regulations will address such topics as: who may act as receiver; the powers and duties of a receiver; the standards for the exercise of the Farm Credit Administration's discretion; procedural questions; jurisdictional questions and priority of claimants against the associations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA10

---

12. COOPERATIVE ELIGIBILITY

Legal Authority: PL 92-181; 12 USC 2129

CFR Citation: 12 CFR 613.3110

Abstract: Amend eligibility standards for cooperatives, and reference services of cooperatives.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K.

Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA11

13. PART 614 - LOAN POLICIES AND OPERATIONS

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211

CFR Citation: 12 CFR 614.4510; 12 CFR 614.4710; 12 CFR 614.4900

Abstract: Technical amendments - to indicate Fiscal Agency incorporation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA12

14. LOANS OUTSIDE OF BANK'S TERRITORY - BANKS FOR COOPERATIVES

Legal Authority: PL 92-181; PL 96-592; 12 USC 2128

CFR Citation: 12 CFR 614.4080

Abstract: Amend international trade financing regulations to eliminate statutory conflict and address the issue of which bank will finance particular international transactions.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA13

15. INTEREST RATE PROGRAMS

Legal Authority: PL 92-181; PL 96-592; 12 USC 2015; 12 USC 2075; 12 USC 2096(b); 12 USC 2205

CFR Citation: 12 CFR 614.4321

Abstract: Allow Farm Credit System banks or production credit associations to establish differential interest rates based on costs reasonably associated with particular segments of their loan portfolios.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA22

16. METHODS OF FINANCING

Legal Authority: PL 92-181; PL 96-592; 12 USC 2075

CFR Citation: 12 CFR 614.4600

Abstract: Loan qualification to be qualified as to eligibility requirements.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA36

17. OBLIGATIONS ELIGIBLE FOR DISCOUNT OR PURCHASE

Legal Authority: PL 92-181; PL 96-592; 12 USC 2075

CFR Citation: 12 CFR 614.4610

Abstract: Loan participations to be qualified as to eligibility requirements.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA37

18. PART 615 - FUNDING AND FISCAL AFFAIRS, LOAN POLICIES AND OPERATIONS, AND FUNDING OPERATIONS

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211

CFR Citation: 12 CFR 615.5010; 12 CFR 615.5103; 12 CFR 615.5105

Abstract: Technical amendments - to indicate Fiscal Agency incorporation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Mary K. Mathews, Assistant Director, Administrative Division, Office of Administration, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 (703-883-4116)

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA38

19. ● PART 611-SUBPART G--AMENDMENTS TO ASSOCIATION CHARTERS AND MERGERS AND CONSOLIDATIONS

Legal Authority: 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 611.1120; 12 CFR 611.1121; 12 CFR 611.1123; 12 CFR 611.1124

Abstract: These amendments are intended to set forth the procedures applicable to various charter amendments and to make the merger and consolidation process operate more efficiently and to ensure that voting stockholders are adequately informed regarding the issues affecting the association.

Timetable:

Action	Date	FR Cite
NPRM	07/20/84	49 FR 29404
NPRM Comment Period Begin	07/20/84	
NPRM Comment Period End	09/19/84	

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA43

20. ● PART 612-SUBPART B--STANDARDS OF CONDUCT FOR DIRECTORS, OFFICERS, AND EMPLOYEES

Legal Authority: 12 USC 2243; 12 USC 2246; 12 USC 2252(16); PL 92-181

CFR Citation: 12 CFR 612.2130; 12 CFR 612.2150; 12 CFR 612.2200; 12 CFR 612.2220; 12 CFR 612.2230; 12 CFR 612.2240; 12 CFR 612.2250; 12 CFR 612.2260

Abstract: These regulations govern the standards of conduct of agents of the Farm Credit System institutions. The regulations contain standards to guide the conduct of System agents and delineate prohibitive practices.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA44

21. ● PART 602-SUBPART C--TESTIMONY AND PRODUCTION OF DOCUMENTS IN LEGAL PROCEEDINGS NOT INVOLVING THE FARM CREDIT ADMINISTRATION

Legal Authority: 12 USC 2243; 12 USC 2246; 12 USC 2252(16); 5 USC 301; PL 92-181; PL 89-554, Sec 301

CFR Citation: 12 CFR 602.280; 12 CFR 602.281; 12 CFR 602.282; 12 CFR 602.283; 12 CFR 602.284; 12 CFR 602.285; 12 CFR 602.286; 12 CFR 602.287; 12 CFR 602.288; 12 CFR 602.289

Abstract: These regulations prescribe the policies and procedures to be followed with respect to testimony concerning official documents of the FCA in legal proceedings not involving the FCA. The regulations are intended to serve as a statement of policy and procedure and as a guideline for FCA employees and outside persons on the appropriate course to follow in these matters.

Timetable:

Action	Date	FR Cite
NPRM	08/06/84	49 FR 31293
NPRM Comment Period Begin	08/06/84	49 FR 31293
NPRM Comment Period End	09/05/84	

Small Entity: No

Agency Contact: Dorothy J. Acosta, Associate General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, 703 883-4020

RIN: 3052-AA45

FARM CREDIT ADMINISTRATION (FCA) Completed Actions

COMPLETED RULEMAKINGS

22. DISTRICT BOARD POLICIES

CFR Citation: 12 CFR 618.8000; 12 CFR 618.8010; 12 CFR 618.8020

Completed:

Reason	Date	FR Cite
Final Action	06/05/84	49 FR 23159

Small Entity: No

Agency Contact: Dorothy J. Acosta 703 883-4020

RIN: 3052-AA39

23. INFORMATION SECURITY

CFR Citation: 12 CFR 605.500; 12 CFR 605.501; 12 CFR 605.502

Completed:

Reason	Date	FR Cite
Final Action	03/19/84	49 FR 9859
Final Action Effective	03/19/84	

Small Entity: Not Applicable

Agency Contact: Dorothy J. Acosta 703 883-4020

RIN: 3052-AA42

[FR Doc. 84-24283 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XLIV

Federal Communications Commission

Semiannual Regulatory Agenda

FCC

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

Unified Agenda of Federal Regulations

AGENCY: Federal Communications Commission.

ACTION: Publication of the Unified Agenda of Federal Regulations.

SUMMARY: The Commission publishes the Unified Agenda of Federal Regulations to provide the public with adequate notice of all major and other significant proceedings under development or review. The agenda also provides the CFR Citations and Legal Authorities which govern these proceedings. This is in accordance with Executive Order 12291 and OMB Bulletin No. 84-16. In addition, the agenda, in compliance with the Regulatory Flexibility Act of 1980 (Pub. L. 96-354) includes notations on the applicability of the Regulatory Flexibility Act to each item. The Unified Agenda will be published in the **Federal Register** in April and October of each year.

DATE: This information is current as of October 1984.

ADDRESS: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Claudette Pride, Management Planning and Program Evaluation Office, (202) 632-3906.

SUPPLEMENTARY INFORMATION:

Unified Agenda of all major and other significant proceedings

The Commission encourages public participation in the FCC rule making process. To help keep the public informed of significant rule making proceedings, the Commission has prepared an agenda of important proceedings now in progress. OMB will publish the Unified Agenda in the **Federal Register** in April and October of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

A docket number - is assigned to a proceeding if the Commission has issued either a Notice of Proposed Rule Making or a Notice of Inquiry in regard to the matter under consideration. Since January 1, 1978, the Commission has used docket numbers which consist of the last two digits of the calendar year in which the docket was established plus a sequential number which begins at 1 with the first docket initiated during a calendar year (e.g. Docket 80-1 or Docket 83-1). The abbreviation for the responsible Bureau usually precedes the docket number, as in "Docket 79-164." When a docket number consists of only five digits (e.g. Docket 29622), this indicates that the docket was established before January 1, 1978.

Notice of Inquiry (NOI) - issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

Notice of Proposed Rule Making (NPRM) - issued by the Commission when it is proposing a specific change to the FCC Rules and Regulations. Before any changes are actually made, interested parties may submit written comments on the proposals.

Memorandum Opinion and Order (MO&O) - issued by the Commission to deny a petition for rule making, conclude an inquiry, modify a decision, or deny a petition for reconsideration of a decision.

Rule Making (RM) number - assigned to a proceeding after the appropriate Bureau/Office has reviewed a petition for rule making, but before the Commission has taken action on the petition.

Report & Order (R&O) - issued by the Commission to state a new or amended rule or state that the FCC Rules will not be changed.

William J. Tricarico,

Secretary, Federal Communications Commission.

BILLING CODE 6712-01-T

COMMON CARRIER BUREAU—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	*Tariff General: AT&T Private Line Structure and Volume Discount Practices	3060-AA91
2	*Competitive Carrier Rulemaking	3060-AA92
3	Overseas Communications Services	3060-AA93
4	*Comsat Structure	3060-AA94
5	Direct Access to INTELSAT Space Segment	3060-AA96
6	*Rate of Return - AT&T's Earnings	3060-AA97
7	Mobile Services: Amendment of Part 22	3060-AB00
8	Procedures for Implementing the Detariffing of CPE and Enhanced Services	3060-AB05
9	Computer II Implementation - Follow-up on Implementation of CPE Capitalization Plan Approved in Order Adopted Nov. 4, 1982	3060-AB06
10	*Revision of the Uniform System of Accounts and Financial Reporting Requirements for Telephone Companies, Parts 31, 33, 42 and 43	3060-AB15
11	*Gen. Docket 80-113	3060-AB23
12	*Access Charges: Average Schedule Carriers	3060-AC12
13	*Carrier Interconnection: To Implement Access Charges & the Modified AT&T Antitrust Consent Decree	3060-AC15
14	*USOA: USOA Revision	3060-AC16
15	Cellular: Filing Procedures for Applications; Cellular Telecommunications Service - Cleanup of Miscellaneous Pending Petitions	3060-AC20
16	*Embedded CPE: Deregulation of Embedded CPE Owned by the Bell System	3060-AC22

FCC

COMMON CARRIER BUREAU—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
17	Cellular: Elimination of the Separate Frequency Allocation	3060-AC23
18	*Embedded CPE: Detariffing CPE Owned by Independent Telcos	3060-AC25
19	*USOA: Amend Part 31 to Provide New Accounts for Access Charges	3060-AC26
20	*Embedded CPE: Detariffing CPE Owned by Record Carriers	3060-AC27
21	*Embedded CPE: Provision of CPE Used in National Security Systems	3060-AC28
22	*Embedded CPE: Detariffing CPE Used in Mobile Telephone Service	3060-AC29
23	*Embedded CPE: Amend Part 31 to Prescribe Accounting for Nonregulated Operations	3060-AC31
24	Computer II: IBM Request for Declaratory Ruling re: Southern Bell LADT	3060-AC32
25	Computer II: Petition for Severance and Recon (NWB & AT&T) Customer Information Disclosure Order	3060-AC33
26	*Carrier Interconnection: USITA Joint Planning Agreement (NTIA) (Associated with cc78-72 ph3)	3060-AC35
27	*Computer II: ATTIS as a Reseller Providing Basic Services	3060-AC36
28	USOA: Proposal to Amend USOA to Conform with Generally Accepted Accounting Principles	3060-AC37
29	*USOA: Notice to Amend USOA to Account for Cost of Removal and Salvage as Current Period Costs	3060-AC39
30	Air-ground: Amend Table of Allocations to Add Austin (RM 4504)	3060-AC42
31	Computer II: Compliance Oversight - Ameritech re: cc83-115, Separate CPE	3060-AC44
32	Computer II: Compliance Oversight - South Western Bell re: cc83-115, Separate CPE	3060-AC45
33	Computer II: Compliance Oversight - Bell Atlantic re: cc83-115, Separate CPE	3060-AC46
34	Computer II: Compliance Oversight - Bell South re: cc83-115, Separate CPE	3060-AC47
35	Depreciation Rates: Annual Update of Rates for Telephone Companies Not Scheduled for Full Review in 1984	3060-AC48
36	Depreciation Rates: Represcription of Rates for Fourteen Domestic Telephone Companies	3060-AC49
37	Intnl Earth Stations: Ownership Policy	3060-AC50
38	Computer II: Compliance Oversight - Nynex re: cc83-115, Separate CPE	3060-AC51
39	Computer II: Compliance Oversight - U.S. West, re: cc83-115, Separate CPE	3060-AC52
40	Computer II: Compliance Oversight - Pacific Telesis re: cc83-115, Separate CPE	3060-AC53
41	Planning for Overseas Communications Facilities through 1995	3060-AC54
42	*Intnl Satellites--(Comsat): Equitable Access to INTELSAT Space Segment by International Service carriers	3060-AC55
43	*Access Charges: AT&T Emergency Petition	3060-AC81
44	*Access Charges: Reconsideration Proceedings	3060-AC82
45	*MDS: Technical Standards for Multipoint Distribution Service	3060-AC83
46	Intnl Planning: North Atlantic Communications Facilities Planning for 1985 to 1995 Period	3060-AC84
47	Computer II - Implementation: Staff Audit Report	3060-AC90

*Indicates priority regulation.

COMMON CARRIER BUREAU—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
48	*Review of Part 41	3060-AB18
49	*Review of Part 42	3060-AB19
50	Computer II: Reconsideration of CBI/SNET Order	3060-AC30

*Indicates priority regulation.

COMMON CARRIER BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
51	*Earth Station Ownership Policy - (Satcom Petition - RM #644)	3060-AA95
52	Jurisdictional Separations: Amend Part 67	3060-AA99
53	Mobile Services: Channel Loading and Sufficiency of Need Showing in DPLMRS - Regulatory Policies and Procedures for DPLMRS	3060-AC10
54	*Cellular: Cellular Lottery Rulemaking	3060-AC21
55	Competitive Carrier: Long-run Regulation of AT&T	3060-AC24
56	Mobile Services--Paging: 900 MHz One-way Paging - Allocate Spectrum & Set Rules	3060-AC56
57	Admin: Revision of Delegated Authority	3060-AC85

*Indicates priority regulation.

FCC

FIELD OPERATIONS BUREAU—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
58	Age and Experience Requirements for Radiotelegraph First Class Operator License (RM-2687/RM-3785)	3060-AA01

FIELD OPERATIONS BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
59	*Requirements for Licensed Operators in Various Radio Services	3060-AA00

*Indicates priority regulation.

MASS MEDIA BUREAU—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
60	*Authorize Teletext Use by TV Stations	3060-AA27
61	ITFS: Processing Procedures	3060-AA37
62	*Aeronautical Interference	3060-AA42
63	*Network/Cable Cross-Ownership	3060-AA45
64	*Alaska Petition: Protection Standards for AM	3060-AB49
65	*Radio Deregulation: 2nd R&O: Reconsideration	3060-AB50
66	*Canadian/Mexican Clear Channels	3060-AB59
67	Comparative Preferences Within Metropolitan Areas	3060-AB61
68	*Remote Control: AM, FM, and TV	3060-AB63
69	Technical Operation, Monitoring and Measurement of Audio Systems	3060-AB98
70	RF Power Meters	3060-AB99
71	*Channel 6/FM Interference	3060-AC01
72	*Seller-Creditor Financing	3060-AC05
73	*LPTV Processing Procedures	3060-AC09
74	*FM Allotments: Implementation of 80-90 Omnibus	3060-AC17
75	*ACSB for Auxiliary Services	3060-AC18
76	*FM: Maximum Power Limitation	3060-AC74
77	*Proofs of Performance: Deregulation	3060-AC75
78	*Section 73.37: Artificial Acceptance Criteria	3060-AC76
79	*Vertical Blanking Interval: Deregulation	3060-AC77
80	*First Come, First Served	3060-AC78

*Indicates priority regulation.

MASS MEDIA BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
81	Dual City Identification: Reconsideration	3060-AA38
82	*Repeal of Network Syndication and Financial Interest Rules	3060-AB26
83	*TV Deregulation: Commercial TV Programming	3060-AB27
84	AM: Hours of Operation/Daytimers: Reconsideration	3060-AB29
85	*Permit Use of TV Subcarriers for TV Stereo	3060-AB48
86	*VHF Drop-ins	3060-AB51
87	*FM: Increase Commercial Assignments: Reconsideration	3060-AB52
88	*Region 2 AM Agreement: Mexican/Canadian Rules	3060-AB53
89	*Multiple Ownership: Attribution	3060-AB55
90	*Repeal of Personal Attack and Political Editorial Rules	3060-AB56
91	*ITFS: Instructional Television Fixed Service	3060-AB58
92	Amend Antenna Input Power Rule	3060-AB64
93	AM Expanded Uses	3060-AB65

FCC

MASS MEDIA BUREAU—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
94	*Deletion of Regional Concentration of Control Rules	3060-AB66
95	*AM: Nighttime Power Limitations	3060-AB67
96	*Noncommercial STV Operation	3060-AB69
97	TV: Aural Power-Visual Power	3060-AB71
98	Geller Petition: Cable TV Program Exclusivity	3060-AC00
99	*CATV Subscriber Rate Inquiry/Preemption	3060-AC02
100	*Radio Deregulation	3060-AC03
101	*Noncommercial Deregulation: Radio and TV	3060-AC04
102	Business District Coverage	3060-AC06
103	Callsign Assignment Procedures: Reconsideration	3060-AC07
104	*FM License Upgrade: Class A to Class B/C	3060-AC08
105	*Major/Minor Changes: FM, TV and Translators	3060-AC11
106	Radio Marti: Reconsideration	3060-AC13
107	*Regional Concentration	3060-AC14
108	Channel 69: Reconsideration	3060-AC19
109	*TV Stereo: Multichannel Sound	3060-AC79
110	*TV Stereo Must-Carry: Multichannel Sound	3060-AC80

*Indicates priority regulation.

OFFICE OF GENERAL COUNSEL—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
111	Policy Regarding Character Qualifications in Broadcast Licensing	3060-AB09
112	In the Matter of Formulation of Policies Relating to the Broadcast Renewal Applicant, Stemming from the Comparative Hearing Process	3060-AB10
113	Amending Environmental Rules in Response to New Rules Issued by the Council on Environmental Quality (C.E.Q.)	3060-AB30
114	Repeal of Modification of the Personal Attack and Political Editorial Rules, Sec 73.1920 & Sec 73.1930 of the Commission's Rules	3060-AB44
115	*Fairness Doctrine	3060-AB57
116	*Selection From Among Certain Competing Applications Using Random Selection or Lotteries Instead of Comparative Hearings	3060-AC58
117	*Provision of Preferences to Female Applicants When Selection From Among Certain Competing Applicants for Mass Media Licenses Involves Random Selection or Lotteries	3060-AC60
118	Further Policy Statement on Comparative Broadcast Hearings	3060-AC61
119	Commission's Policy Regarding the Development of the UHF Television Service	3060-AC62
120	Amendment of Part 1 of the Commission's Rules to Implement Section 504 of the Rehabilitation Act of 1973, As Amended, 29 U.S.C. Section 794	3060-AC86
121	Policy Regarding Interim Authority to Operate Broadcast Facilities	3060-AC87

*Indicates priority regulation.

OFFICE OF GENERAL COUNSEL—Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
122	*Multiple Ownership of AM, FM and Television Broadcast Stations	3060-AC57

*Indicates priority regulation.

FCC

OFFICE OF GENERAL COUNSEL—Completed Actions

Sequence Number	Title	Regulation Identifier Number
123	*In the Matter of Enforcement of Prohibitions Against the Use of Common Carriers for the Transmission of Obscene Materials	3060-AC59

*Indicates priority regulation.

PRIVATE RADIO BUREAU—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
124	*DSC in Marine Services and Direct Dial in VHF Services	3060-AA24
125	*Compulsory Ship Inspection Cycle	3060-AA25
126	*New Personal Radio Service at 900 MHz	3060-AA55
127	*Interconnection in the Private Land Mobile Radio Services in the Frequency Bands Below 800 MHz	3060-AB74
128	*Private Microwave Carrier Systems	3060-AB77
129	*Frequency Coordination in the Private Land Mobile Radio Services	3060-AB78
130	*Great Lakes EPIRB's	3060-AB82
131	*Permissible Communications in the Private Land Mobile Radio Services	3060-AB84
132	*Radioprinter (RTTY) Communications Service for Small Commercial Vessels	3060-AB85
133	Introduction of Narrowband Technologies into the Private Land Mobile Radio Services	3060-AB86
134	*Interconnection with the Public Switched Telephone Network (PSTN) in the Private Land Mobile Radio Service Bands Below 800 MHz	3060-AB87
135	Study of Marine HF Bands	3060-AB88
136	Future Public Safety Telecommunications Requirements	3060-AB89
137	*Early Allocation of 18 and 24 MHz, 24 and 900 MHz, and 10 MHz Codification	3060-AB92
138	*Amendments to the Safety of Life at Sea	3060-AC70
139	Delete Requirements for Restricted Permits for Domestic Voyages	3060-AC71
140	Ship Radar Reliability - Sperry Letter	3060-AC72
141	*Combine Parts 81 and 83 into Single Part 80 for Maritime Services and Alaska Fixed Stations	3060-AC73

*Indicates priority regulation.

PRIVATE RADIO BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
142	*Multiple-shared Unicoms at Controlled Airports	3060-AB38
143	*Northern California Trunking	3060-AB76
144	Petition for Reconsideration of the "Columbia Pictures" MO&O of 5/26/83	3060-AB80
145	Interconnection above 800 MHz with the Public Switched Telephone Network (PSTN) - Petitions for Reconsideration of MO&O	3060-AB81
146	*Alaska-Public Fixed Rules	3060-AB83
147	*VEC/VE Reimbursement	3060-AB90
148	Amateur Volunteer Examiners Petitions for Reconsideration	3060-AB94
149	Power Measurement in the Amateur Radio Service	3060-AC69

*Indicates priority regulation.

OFFICE OF SCIENCE AND TECHNOLOGY—Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
150	*Air-ground Radiotelephone Service (Airfone, Inc.)	3060-AA49
151	*Air-ground Radiotelephone Service (ARINC)	3060-AA50
152	*L.A. Sheriff's Petition	3060-AA57
153	U.S.C.G. Request to Use 161.7 and 161.75 MHz	3060-AA59
154	*HF Broadcasting WARC (1984)	3060-AA78

FCC

OFFICE OF SCIENCE AND TECHNOLOGY—Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
155	*Space Services WARC (1985)	3060-AA79
156	Re-examination of Technical Regulations	3060-AA82
157	*Offshore Radio Telephone Co. RM3910, RM3924	3060-AB42
158	*GEOSTAR Corp. Petition for Radiodetermination Satellite	3060-AB79
159	*Amendment of Part 15 to Permit Operation of Field Disturbance Sensors in the Band 40.66 to 40.70 MHz	3060-AC64
160	*Implementation of Technical Requirements from 1979 WARC	3060-AC65
161	*Amendment of Part 15 to Provide an Additional Exemption for Large Computer System	3060-AC68
162	*Update Administrative Rules in Part 18	3060-AC89

*Indicates priority regulation.

OFFICE OF SCIENCE AND TECHNOLOGY—Completed Actions

Sequence Number	Title	Regulation Identifier Number
163	*NPRM - Amendment of Part 5 of the Commission's Rules to Diminish Restrictions on the Licensing and Use of Stations in the Experimental Radio Service (Other than Broadcast)	3060-AA51
164	*18 GHz Reallocation	3060-AA52
165	*Utilization Policy for Fixed Service at 17-40 GHz	3060-AA60
166	*Allocation for Aural Broadcast STL's	3060-AA71
167	*Sanyo Petition	3060-AB39
168	*6 MHz Allocation for Government/Non-Government Fixed Service	3060-AB41
169	*Creation of an Additional Personal Radio Service	3060-AB43
170	*Reconsideration of Test Procedures for Computing Devices	3060-AC66
171	*Request for Changes to New Rules For a TV Interface Device	3060-AC67

*Indicates priority regulation.

FEDERAL COMMUNICATIONS COMMISSION (FCC)—COMMON CARRIER BUREAU

Current and Projected Rulemakings

1. TARIFF GENERAL: AT&T PRIVATE LINE STRUCTURE AND VOLUME DISCOUNT PRACTICES

Priority: Agency Determination

Legal Authority: 47 USC 151 et seq

CFR Citation: Not applicable

Abstract: This order will adopt 5 guidelines for private line rate structures and explain the necessary justifications for volume discounts.

Timetable:

Action	Date	FR Cite
R&O	00/00/00	

Small Entity: No

Additional Information: Docket Number cc79-246.

Agency Contact: W. Lavey, Federal Communications Commission, **202 632-6910**

RIN: 3060-AA91

2. COMPETITIVE CARRIER RULEMAKING

Priority: Agency Determination

Abstract: Five petitions for recon received. Next order will consider further deregulation.

Timetable:

Action	Date	FR Cite
Agenda meeting	10/19/83	
NPRM	03/00/84	
R&O	09/30/84	

Small Entity: No

Agency Contact: W. Lavey, Federal Communications Commission, **202 632-6910**

RIN: 3060-AA92

3. OVERSEAS COMMUNICATIONS SERVICES

Legal Authority: 1934 Act, Sec 4(i); 1934 Act, Sec 4(j); 1934 Act, Sec 201; 1934 Act, Sec 202; 1934 Act, Sec 204; 1934 Act, Sec 205; 1934 Act, Sec 214; 1934 Act, Sec 403; APA, Sec 553(b)

Abstract: Item eliminates voice/record dichotomy in the provision of international services.

Timetable:

Action	Date	FR Cite
R&O	00/00/00	

Small Entity: No

Additional Information: Docket Number - 80-632.

ADDITIONAL AGENCY CONTACT PHONE: (202) 632-7265.

Agency Contact: Stuart Chiron, Federal Communications Commission, **202 632-3214**

RIN: 3060-AA93

4. COMSAT STRUCTURE

Priority: Agency Determination

Legal Authority: 1934 Act, Sec 4(i); 1934 Act, Sec 201 to 205; 1934 Act, Sec 214; 1934 Act, Sec 215; 1934 Act, Sec 218; 1934 Act, Sec 220; 1934 Act, Sec 303; 1934 Act, Sec 309; 1934 Act, Sec 403; Satellite Act, Sec 102(c); Satellite Act, Sec 201(c); Satellite Act, Sec 401; APA, Sec 553(b)

Abstract: Comsat required to modify accounting system for reporting R&D and for allocating common costs; to make certain Intelsat and Inmarsat information available to the public; and to provide 90 day notice for any structural separation or any ventures which will require additional financing. Comsat reported to FCC on extent these changes instituted.

Timetable:

Action	Date	FR Cite
MO&O	12/00/84	

Small Entity: Yes

Additional Information: Docket - 80-634.

Agency Contact: Joel Pearlman, Federal Communications Commission, 202 632-4047

RIN: 3060-AA94

5. DIRECT ACCESS TO INTELSAT SPACE SEGMENT

Legal Authority: Communications Act of 1934, as amended, Sec 4(i); Communications Act of 1934, as amended, Sec 4(j); Communications Act of 1934, as amended, Sec 403

Abstract: An inquiry into direct access to INTELSAT's space segment for U.S.I.S.C.'s.

Timetable:

Action	Date	FR Cite
NOI adopted	08/05/82	
NOI released	08/20/82	
Extended NOI Comment Period	08/31/83	
NPRM	10/00/83	
R&O	12/00/84	

Small Entity: No

Additional Information: CC Docket - 82-548.

Agency Contact: G. Dechabert, Federal Communications Commission, 202 632-4047

RIN: 3060-AA96

6. RATE OF RETURN - AT&T'S EARNINGS

Priority: Agency Determination

Abstract: Interstate & foreign earnings.

Timetable:

Action	Date	FR Cite
Order	09/00/84	
MO&O	00/00/00	

Small Entity: No

Additional Information: Docket Number cc79-187.

Agency Contact: C. Pabo, Federal Communications Commission, 202 632-9342

RIN: 3060-AA97

7. MOBILE SERVICES: AMENDMENT OF PART 22

Legal Authority: 1934 Comm Act 1; 1934 Comm Act 4i

CFR Citation: 47 CFR 22

Abstract: Reconsideration of rules adopted in R&O amending Part 22.

Timetable:

Action	Date	FR Cite
R&O	09/22/83	
MO&O	00/00/00	

Small Entity: Yes

Agency Contact: C. Borkowski, Federal Communications Commission, 202 632-6450

RIN: 3060-AB00

8. PROCEDURES FOR IMPLEMENTING THE DETARIFFING OF CPE AND ENHANCED SERVICES

Legal Authority: 47 USC 4(i); 47 USC 4(j); 47 USC 201 to 205; 47 USC 403; 47 USC 404; 47 USC 410

CFR Citation: 47 CFR 64.702; 47 CFR 31

Abstract: In its Second Computer Inquiry (CC Docket 20828) the Commission ordered the detariffing of customer premises equipment and enhanced services. This proceeding addresses the procedures to be followed in fully implementing this decision. An NPRM is being prepared to institute the accounting necessary for nondominant carriers once CPE II goes into effect.

Timetable:

Action	Date	FR Cite
NOI (89 FCC 2d 694) (1981)	12/17/81	
NPRM before Commission	10/00/82	
Final Order before Commission	01/00/83	
NPRM	06/21/83	
NPRM Comment Period Begin	08/01/83	
NPRM Comment Period End	08/22/83	
Final Action	10/31/83	
1st R&O	12/15/83	
Reconsideration pending	00/00/00	

Small Entity: No

Additional Information: CC Docket - 81-893. ADDITIONAL AGENCY CONTACT: On accounting matters, Gerald P. Vaughan, Chief Accounting and Audits Division, 2000 L Street NW, Suite 812, Washington, DC (202) 634-1861.

Agency Contact: John Cimko, Attorney - Adviser (PU), Federal Communications Commission, 202 632-9342

RIN: 3060-AB05

9. COMPUTER II IMPLEMENTATION - FOLLOW-UP ON IMPLEMENTATION OF CPE CAPITALIZATION PLAN APPROVED IN ORDER ADOPTED NOV. 4, 1982

Legal Authority: 47 USC 4(i); 47 USC 4(j); Comm. Act of 1934

CFR Citation: 47 CFR 64.702

Abstract: Commission considers whether to approve AT&T's identification and treatment of expenses incurred for the preparation of its unregulated offer of customer premises equipment and whether to approve AT&T's plans for assuring that its offer of unregulated CPE is properly separated from its regulated offerings.

Timetable:

Action	Date	FR Cite
MO&O	00/00/00	

Small Entity: No

Agency Contact: P. Froyd, Federal Communications Commission, 202 632-4890

RIN: 3060-AB06

10. REVISION OF THE UNIFORM SYSTEM OF ACCOUNTS AND FINANCIAL REPORTING REQUIREMENTS FOR TELEPHONE COMPANIES, PARTS 31, 33, 42 AND 43

Priority: Agency Determination

Legal Authority: 47 USC 154; 47 USC 219; 47 USC 220

CFR Citation: 47 CFR 31; 47 CFR 33; 47 CFR 42

Abstract: The Commission is proposing to revise its Uniform System of Accounts on a financial accounting basis to provide more detailed and relevant data for separations and costing purposes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/81	
NPRM	03/00/85	

Small Entity: No

Additional Information: CC Docket - 78-196.

Agency Contact: Gerald P. Vaughan, Chief, Accounting & Audits Division, Federal Communications Commission, 202 634-1861

RIN: 3060-AB15

11. GEN. DOCKET 80-113

Priority: Agency Determination

Legal Authority: 47 USC 303; 47 USC 403

CFR Citation: 47 CFR 21

Abstract: Technical changes to MDS rules.

Timetable:

Action	Date	FR Cite
NPRM	03/19/80	
Proceeding expanded	04/20/82	
1st R&O	12/31/83	
1st R&O extended to	12/00/84	

Small Entity: Yes

Agency Contact: Kevin Kelley, Federal Communications Commission, 202 634-1817

RIN: 3060-AB23

12. ACCESS CHARGES: AVERAGE SCHEDULE CARRIERS

Priority: Agency Determination

Abstract: On 12/6/83 the National Exchange Carriers Association sought a 2-year waiver of the FCC's prohibition against the simultaneous use of individual cost data for "c" and "special services" functions with average schedule cost data for "A" & "B" functions.

Timetable:

Action	Date	FR Cite
MO&O	12/00/84	

Small Entity: No

Additional Information: Docket Number cc78-72 pl.

Agency Contact: R. Preece, Federal Communications Commission, 202 632-9342

RIN: 3060-AC12

13. CARRIER INTERCONNECTION: TO IMPLEMENT ACCESS CHARGES & THE MODIFIED AT&T ANTITRUST CONSENT DECREE

Priority: Agency Determination

Legal Authority: 47 USC 201 to 205; 47 USC 211; 47 USC 218

CFR Citation: 47 CFR 00

Abstract: Proceeding considering complementary action to the MFJ and to access charges, to promote competition by 1) imposing equal access requirements on carriers not bound by the MFJ; 2) ensure that competitive interconnection is available in access tariffs; 3) promote limited joint planning among carriers.

Timetable:

Action	Date	FR Cite
R&O	12/31/84	

Small Entity: No

Agency Contact: R. Dujack, Federal Communications Commission, 202 632-9342

RIN: 3060-AC15

14. USOA: USOA REVISION

Priority: Agency Determination

Legal Authority: 47 USC 154; 47 USC 219; 47 USC 220

CFR Citation: 47 CFR 31; 47 CFR 33; 47 CFR 42

Abstract: FCC is proposing to revise USOA on a financial accounting basis to provide more detailed & relevant data for separations & costing purposes.

Timetable:

Action	Date	FR Cite
R&O	12/31/84	

Small Entity: Yes

Agency Contact: S. Duffy, Federal Communications Commission, 202 634-1861

RIN: 3060-AC16

15. CELLULAR: FILING PROCEDURES FOR APPLICATIONS; CELLULAR TELECOMMUNICATIONS SERVICE - CLEANUP OF MISCELLANEOUS PENDING PETITIONS

Legal Authority: 1934 Comm Act 1; 1934 Comm Act 4(i); 1934 Comm Act 303

CFR Citation: 47 CFR 22

Abstract: Commission is considering outstanding petition for rulemaking in this docket. Relates to cellular application filing and processing procedures which are being dealt with in Cellular Lottery Rulemaking.

Timetable:

Action	Date	FR Cite
MO&O	12/00/84	

Small Entity: No

Agency Contact: L. Krevor, Federal Communications Commission, 202 623-6450

RIN: 3060-AC20

16. EMBEDDED CPE: DEREGULATION OF EMBEDDED CPE OWNED BY THE BELL SYSTEM

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 4(j); 47 USC 201 to 205; 47 USC 403

CFR Citation: 47 CFR 31; 47 CFR 64.702

Abstract: Establishment of rules and procedures for transferring embedded CPE to AT&T Information Systems, and for leasing and selling embedded CPE during a transition period.

Timetable:

Action	Date	FR Cite
NPRM	12/15/83	
R&O	12/15/83	
Summary R&O	12/15/83	
Recon R&O	06/30/84	
NOI	00/00/00	

Small Entity: No

Additional Information: Docket Number cc81-893.

Agency Contact: J. Cimko, Federal Communications Commission, **202 632-9342**

RIN: 3060-AC22

17. CELLULAR: ELIMINATION OF THE SEPARATE FREQUENCY ALLOCATION

Legal Authority: 1934 Comm Act 1; 1934 Comm Act 4(i); 1934 Comm Act 4(j)

CFR Citation: 47 CFR 22

Abstract: Considers elimination of the separate allocation of frequencies to wireline and non-wireline common carriers in the Public Mobile svcs.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: Yes

Agency Contact: C. Borkowski, Federal Communications Commission, **202 632-6450**

RIN: 3060-AC23

18. EMBEDDED CPE: DETARIFFING CPE OWNED BY INDEPENDENT TELCOS

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 4(j); 47 USC 201 to 205

CFR Citation: 47 CFR 00

Abstract: Deregulation of embedded CPE owned by the Independent telephone cos.; establishment of guidelines for state deregulation programs.

Timetable:

Action	Date	FR Cite
MO&O	09/30/84	

Small Entity: No

Agency Contact: R. Crellin, Federal Communications Commission, **202 632-9342**

RIN: 3060-AC25

19. USOA: AMEND PART 31 TO PROVIDE NEW ACCOUNTS FOR ACCESS CHARGES

Priority: Agency Determination

Legal Authority: 47 USC 220

CFR Citation: 47 CFR 31

Abstract: FCC has proposed to amend Part 31 to add new accounts for revenues and expenses rated to access charges.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: No

Agency Contact: M. Wilson, Federal Communications Commission, **202 634-1965**

RIN: 3060-AC26

20. EMBEDDED CPE: DETARIFFING CPE OWNED BY RECORD CARRIERS

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 4(j); 47 USC 201 to 205

CFR Citation: 47 CFR 00

Abstract: Considers deregulation of embedded CPE owned by Western Union and the international record carriers; establishment of separate accounting requirements for maintenance of embedded base.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: No

Agency Contact: J. Cimko, Federal Communications Commission, **202 632-9342**

RIN: 3060-AC27

21. EMBEDDED CPE: PROVISION OF CPE USED IN NATIONAL SECURITY SYSTEMS

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 4(j); 47 USC 201 to 205; 47 USC 403

CFR Citation: 47 CFR 00

Abstract: Considers deregulation of embedded CPE owned by the Bell System and used in connection with specified national security and emergency preparedness systems and circuits utilized by the Federal Government.

Timetable:

Action	Date	FR Cite
R&O	12/00/84	

Small Entity: No

Agency Contact: J. Cimko, Federal Communications Commission, **202 632-9342**

RIN: 3060-AC28

22. EMBEDDED CPE: DETARIFFING CPE USED IN MOBILE TELEPHONE SERVICE

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 4(j); 47 USC 201 to 205; 47 USC 403

CFR Citation: 47 CFR 00

Abstract: Establishment of guidelines for detariffing embedded CPE used in mobile telephone service (other than cellular service, which has been handled in a separate proceeding).

Timetable:

Action	Date	FR Cite
R&O	12/00/84	

Small Entity: No

Agency Contact: J. Cimko, Federal Communications Commission, **202 632-9342**

RIN: 3060-AC29

23. EMBEDDED CPE: AMEND PART 31 TO PRESCRIBE ACCOUNTING FOR NONREGULATED OPERATIONS

Priority: Agency Determination

Legal Authority: 47 USC 220

CFR Citation: 47 CFR 31

Abstract: FCC proposed to amend Part 31 to require separate books of account for nonregulated operations.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: No

Agency Contact: S. Steckler, Federal Communications Commission, **202 634-1861**

RIN: 3060-AC31

24. COMPUTER II: IBM REQUEST FOR DECLARATORY RULING RE: SOUTHERN BELL LADT

CFR Citation: 47 CFR 64.702

Abstract: Whether Bell South's LADT service is an enhanced service.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: G. Vogt, Federal Communications Commission, 202 632-4887

RIN: 3060-AC32

25. COMPUTER II: PETITION FOR SEVERANCE AND RECON (NWB & AT&T) CUSTOMER INFORMATION DISCLOSURE ORDER

CFR Citation: 47 CFR 64.702

Abstract: Disclosure of customer proprietary information in Iowa.

Timetable:

Action	Date	FR Cite
M&O	12/00/84	

Small Entity: No

Agency Contact: G. Vogt, Federal Communications Commission, 202 632-4887

RIN: 3060-AC33

26. CARRIER INTERCONNECTION: USITA JOINT PLANNING AGREEMENT (NTIA) (ASSOCIATED WITH CC78-72 PH3)

Priority: Agency Determination

Legal Authority: 47 USC 201 to 205

Abstract: Merged with proj 82-258.

Timetable:

Action	Date	FR Cite
R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number pet 3781.

Agency Contact: M. Slomin, Federal Communications Commission, 202 632-9342

RIN: 3060-AC35

27. COMPUTER II: ATTIS AS A RESELLER PROVIDING BASIC SERVICES

Priority: Agency Determination

Abstract: NPRM proposed to authorize ATTIS to provide basic services via resale on a limited or unlimited basis.

Timetable:

Action	Date	FR Cite
R&O	12/31/84	

Small Entity: No

Agency Contact: W. Lavey, Federal Communications Commission, 202 632-6910

RIN: 3060-AC36

28. USOA: PROPOSAL TO AMEND USOA TO CONFORM WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

Legal Authority: 47 USC 220

CFR Citation: 47 CFR 31

Abstract: FCC is considering the proposal to amend its prescribed accounting system to adopt generally accepted accounting principles where possible.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: S. Duffy, Federal Communications Commission, 202 634-1861

RIN: 3060-AC37

29. USOA: NOTICE TO AMEND USOA TO ACCOUNT FOR COST OF REMOVAL AND SALVAGE AS CURRENT PERIOD COSTS

Priority: Agency Determination

Legal Authority: 47 USC 220

CFR Citation: 47 CFR 31

Abstract: FCC is considering a proposal to amend the USOA to account for cost of removal and salvage as current period costs.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: S. Steckler, Federal Communications Commission, 202 634-1861

RIN: 3060-AC39

30. AIR-GROUND: AMEND TABLE OF ALLOCATIONS TO ADD AUSTIN (RM 4504)

Legal Authority: 1934 Comm Act 1; 1934 Comm Act 4(i); 1934 Comm Act 4(j)

CFR Citation: 47 CFR 22.521

Abstract: Considers the amendment of air-to-ground table of frequencies to add Channel 11 at Austin, TX.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Yes

Agency Contact: M. Brown, Federal Communications Commission, 202 632-6450

RIN: 3060-AC42

31. COMPUTER II: COMPLIANCE OVERSIGHT - AMERITECH RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: P. Nagle, Federal Communications Commission, 202 632-4887

RIN: 3060-AC44

32. COMPUTER II: COMPLIANCE OVERSIGHT - SOUTH WESTERN BELL RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: J. Cantu, Federal Communications Commission, 202 632-4887

RIN: 3060-AC45

33. COMPUTER II: COMPLIANCE OVERSIGHT - BELL ATLANTIC RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: G. Vogt, Federal Communications Commission, 202 632-4887

RIN: 3060-AC46

34. COMPUTER II: COMPLIANCE OVERSIGHT - BELL SOUTH RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: G. Vogt, Federal Communications Commission, 202 632-4887

RIN: 3060-AC47

35. DEPRECIATION RATES: ANNUAL UPDATE OF RATES FOR TELEPHONE COMPANIES NOT SCHEDULED FOR FULL REVIEW IN 1984

Legal Authority: 47 USC 220

Abstract: Annual update of depreciation rates for companies not scheduled for a full review in 1984.

Timetable:

Action	Date	FR Cite
R&O	12/31/84	

Small Entity: No

Agency Contact: K. Moran, Federal Communications Commission, 202 634-1861

RIN: 3060-AC48

36. DEPRECIATION RATES: REPRESCRIPTION OF RATES FOR FOURTEEN DOMESTIC TELEPHONE COMPANIES

Legal Authority: 47 USC 220

Abstract: Annual represcription of depreciation rates for fourteen telcos.

Timetable:

Action	Date	FR Cite
R&O	12/31/84	

Small Entity: No

Agency Contact: K. Moran, Federal Communications Commission, 202 634-1861

RIN: 3060-AC49

37. INTNL EARTH STATIONS: OWNERSHIP POLICY

Abstract: Looking into present ownership scheme to determine if a more flexible earth station ownership arrangement would better serve the public interest.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: J. Pearlman, Federal Communications Commission, 202 632-4047

RIN: 3060-AC50

38. COMPUTER II: COMPLIANCE OVERSIGHT - NYNEX RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: C. Gold, Federal Communications Commission, 202 632-4887

RIN: 3060-AC51

39. COMPUTER II: COMPLIANCE OVERSIGHT - U.S. WEST, RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: P. Nagle, Federal Communications Commission, 202 632-4887

RIN: 3060-AC52

40. COMPUTER II: COMPLIANCE OVERSIGHT - PACIFIC TELESIS RE: CC83-115, SEPARATE CPE

CFR Citation: 47 CFR 64.702

Abstract: Compliance of divested BOCs with Computer II structural separation conditions.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: J. Cantu, Federal Communications Commission, 202 632-4887

RIN: 3060-AC53

41. PLANNING FOR OVERSEAS COMMUNICATIONS FACILITIES THROUGH 1995

Abstract: North Atlantic Region.

Timetable:

Action	Date	FR Cite
R&O issued in 1979		
NPRM	00/00/00	

Small Entity: No

Additional Information: Docket Number 18875.

Agency Contact: R. Gosse, Federal Communications Commission, 202 632-4047

RIN: 3060-AC54

42. INTNL SATELLITES--(COMSAT): EQUITABLE ACCESS TO INTELSAT SPACE SEGMENT BY INTERNATIONAL SERVICE CARRIERS

Priority: Agency Determination

Abstract: Direct access to INTELSAT.

Timetable:

Action	Date	FR Cite
Terminated; Decision appealed to Courts	00/00/00	

Small Entity: No

Additional Information: Docket Number cc82-548.

Agency Contact: G. Dechabert, Federal Communications Commission, 202 632-4047

RIN: 3060-AC55

43. ● ACCESS CHARGES: AT&T EMERGENCY PETITION

Priority: Agency Determination

CFR Citation: 47 CFR 00

Abstract: Request Commission take remedial action for drop that may occur as result of access charges.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: Docket Number cc78-72 pl.

Agency Contact: K. Nilsson, Federal Communications Commission, 202 632-6363

RIN: 3060-AC81

44. ● ACCESS CHARGES: RECONSIDERATION PROCEEDINGS

Priority: Agency Determination

CFR Citation: 47 CFR 00

Abstract: On 12/6/83 the National Exchange Carriers Assoc. sought a 2-year waiver of the FCC's prohibition against the simultaneous use of individual cost data for "c" and "special services" functions with avg schedule cost data for "A" & "B" functions.

Timetable:

Action	Date	FR Cite
MO&O	12/00/84	

Small Entity: No

Additional Information: Docket Number cc78-72 pl.

Agency Contact: R. Preece, Federal Communications Commission, 202 632-9342

RIN: 3060-AC82

45. ● MDS: TECHNICAL STANDARDS FOR MULTIPOINT DISTRIBUTION SERVICE

Priority: Agency Determination

CFR Citation: 47 CFR 00

Abstract: This rulemaking will adopt new technical rules for the MDS incl. a definition of co-channel and adjacent channel interference and will also define a protected service area for all MDS stations.

Timetable:

Action	Date	FR Cite
R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number gn80-113.

Agency Contact: K. Kelley, Federal Communications Commission, 202 634-1860

RIN: 3060-AC83

46. ● INTNL PLANNING: NORTH ATLANTIC COMMUNICATIONS FACILITIES PLANNING FOR 1985 TO 1995 PERIOD

Abstract: Policy Commission should follow for distribution of circuits among North Atlantic facilities during 1985-1995 period.

Timetable:

Action	Date	FR Cite
3rd NOI	11/02/84	
NPRM	06/00/85	

Small Entity: No

Agency Contact: R. Gosse, Federal Communications Commission, 202 632-4047

RIN: 3060-AC84

47. ● COMPUTER II - IMPLEMENTATION: STAFF AUDIT REPORT

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 64.702

Abstract: Capitalization plans of Bell Region operating companies.

Timetable:

Action	Date	FR Cite
R&O	00/00/00	

Small Entity: No

Additional Information: Docket Number proj 82-105.

Agency Contact: P. Nagle, Federal Communications Commission, 202 632-4887

RIN: 3060-AC90

FEDERAL COMMUNICATIONS COMMISSION (FCC)—COMMON CARRIER BUREAU

Existing Regulations Under Review

48. REVIEW OF PART 41

Priority: Agency Determination

Legal Authority: 47 USC 220

CFR Citation: 47 CFR 41

Abstract: A review is being made to determine if recordkeeping and reporting requirements can be modified and reduced.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Gerald P. Vaughan, Chief, Accounting & Audits Division, Federal Communications Commission, 202 634-1861

RIN: 3060-AB18

49. REVIEW OF PART 42

Priority: Agency Determination

Legal Authority: 47 USC 154; 47 USC 220

CFR Citation: 47 CFR 42

Abstract: A review is being made to determine if record retention requirements can be reduced.

FCC—CCB

Existing Regulations Under Review

Timetable:

Action	Date	FR Cite
NPRM	11/00/83	
NOI	09/00/84	
End Review	00/00/00	

Small Entity: No

Agency Contact: Gerald P. Vaughan, Chief, Accounting & Audits Division, Federal Communications Commission, 202 634-1861

RIN: 3060-AB19

50. COMPUTER II: RECONSIDERATION OF CBI/SNET ORDER

CFR Citation: 47 CFR 64.702

Abstract: Whether Computer II's structural separation conditions should be applied to CBI/SNET.

Timetable:

Action	Date	FR Cite
MO&O	12/31/84	

Small Entity: No

Agency Contact: C. Gold, Federal Communications Commission, 202 632-4887

RIN: 3060-AC30

FEDERAL COMMUNICATIONS COMMISSION (FCC)—COMMON CARRIER BUREAU

Completed Actions

COMPLETED RULEMAKINGS

51. EARTH STATION OWNERSHIP POLICY - (SATCOM PETITION - RM #644)

Priority: Agency Determination

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
Terminated - replaced by cc82-540.	08/27/84	

Small Entity: No

Agency Contact: J. Pearlman 202 632-4047

RIN: 3060-AA95

52. JURISDICTIONAL SEPARATIONS: AMEND PART 67

CFR Citation: 47 CFR 67

Completed:

Reason	Date	FR Cite
R&O	12/02/83	

Small Entity: Yes

Agency Contact: C. Pabo 202 632-9342

RIN: 3060-AA99

53. MOBILE SERVICES: CHANNEL LOADING AND SUFFICIENCY OF NEED SHOWING IN DPLMRS - REGULATORY POLICIES AND PROCEDURES FOR DPLMRS

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
R&O	07/31/84	

Small Entity: No

Agency Contact: K. Cameron 202 632-6450

RIN: 3060-AC10

54. CELLULAR: CELLULAR LOTTERY RULEMAKING

Priority: Agency Determination

CFR Citation: 47 CFR 22

Completed:

Reason	Date	FR Cite
R&O	03/01/84	

Small Entity: Yes

Agency Contact: S. Weiss 202 632-6450

RIN: 3060-AC21

55. COMPETITIVE CARRIER: LONG-RUN REGULATION OF AT&T

Completed:

Reason	Date	FR Cite
NOI	10/12/83	

Small Entity: No

Agency Contact: W. Lavey 202 632-6910

RIN: 3060-AC24

56. MOBILE SERVICES--PAGING: 900 MHZ ONE-WAY PAGING - ALLOCATE SPECTRUM & SET RULES

CFR Citation: 47 CFR 22

Completed:

Reason	Date	FR Cite
R&O	02/17/84	

Small Entity: Yes

Agency Contact: S. Weiss 202 632-6450

RIN: 3060-AC56

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

57. ● ADMIN: REVISION OF DELEGATED AUTHORITY

Legal Authority: 47 USC 155(c)

CFR Citation: 47 CFR 0.4; 47 CFR 0.125; 47 CFR 0.291

Abstract: FCC rules amended to change CCB's delegated authority and to eliminate two unnecessary standing committees of the FCC.

Timetable:

Action	Date	FR Cite
MO&O	01/27/84	

Small Entity: No

Agency Contact: M. Slomin, Federal Communications Commission, 202 632-6910

RIN: 3060-AC85

[FR Doc. 84-24970 Filed 10-19-84; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION (FCC)—FIELD OPERATIONS BUREAU

Current and Projected Rulemakings

58. AGE AND EXPERIENCE REQUIREMENTS FOR RADIOTELEGRAPH FIRST CLASS OPERATOR LICENSE (RM-2687/RM-3785)

Legal Authority: 47 USC 303(r) Communications Act of 1934, as amended; 47 USC 154(i) Communications Act of 1934, as amended

CFR Citation: 47 CFR 13.12

Abstract: Requests elimination of age and experience requirements for Radiotelegraph First Class Operator License as being in the public interest. Adoption would result in increased administrative costs to agency in processing greater number of licenses.

Timetable:

Action	Date	FR Cite
Petition Pending	12/00/84	

Small Entity: No

Additional Information: RM-2687/RM-3785.

Agency Contact: L. R. Clance, Attorney Advisor, Federal Communications Commission, 1919 M Street, N.W., Room 734, Washington, D.C. 20554, 202 632-7591

RIN: 3060-AA01

FEDERAL COMMUNICATIONS COMMISSION (FCC)—FIELD OPERATIONS BUREAU

Completed Actions

COMPLETED RULEMAKINGS

59. REQUIREMENTS FOR LICENSED OPERATORS IN VARIOUS RADIO SERVICES

Priority: Agency Determination

CFR Citation: 47 CFR 13; 47 CFR 21; 47 CFR 23; 47 CFR 73; 47 CFR 74; 47 CFR 78; 47 CFR 81; 47 CFR 83; 47 CFR 87; 47 CFR 90; 47 CFR 94; 47 CFR 95

Completed:

Reason	Date	FR Cite
R&O Modifying or deleting certain rules.	05/16/84	49 FR 20658

Small Entity: Yes

Agency Contact: (Part 13) L. R. Clance 202 632-7591

RIN: 3060-AA00

[FR Doc. 84-24970 Filed 10-19-84; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION (FCC)—MASS MEDIA BUREAU

Current and Projected Rulemakings

60. AUTHORIZE TELETEXT USE BY TV STATIONS

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 73; 47 CFR 76

Abstract: Authorize use of teletext by TV stations. Reconsideration requested.

Timetable:

Action	Date	FR Cite
R&O	03/31/83	
MO&O	09/30/84	

Small Entity: Yes

Additional Information: BC Docket - 81-741.

Agency Contact: Alan Stillwell, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-6302

RIN: 3060-AA27

61. ITFS: PROCESSING PROCEDURES

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 74.934

Abstract: FNPRM addresses matters arising from Commission's decision to permit leasing of excess channel capacity for non-ITFS purposes. These include: permissible ITFS service; eligibility requirements for licenses; procedures for processing ITFS applications and selecting among competing applicants; & interference protection standards.

Timetable:

Action	Date	FR Cite
FNPRM	07/26/84	
R&O	00/00/00	

Small Entity: Yes

Additional Information: Docket Number mm-83-523(a).

Agency Contact: Jerry Thomas, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-9356

RIN: 3060-AA37

62. AERONAUTICAL INTERFERENCE

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 76.605

Abstract: R&O to address whether to amend 76.605 relating to rules to protect aeronautical communications and navigation radio services from cable radiation interference.

Timetable:

Action	Date	FR Cite
NPRM	03/12/80	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number 21006.

Agency Contact: Freda Thyden, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7792

RIN: 3060-AA42

63. NETWORK/CABLE CROSS-OWNERSHIP

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 76.501

Abstract: R&O to address whether the FCC should eliminate restrictions on television network-cable system cross-ownership found in Sec. 76.501.

Timetable:

Action	Date	FR Cite
NPRM	07/15/82	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number bc-82-434.

Agency Contact: Marcia Glauberman, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-6302

RIN: 3060-AA45

64. ALASKA PETITION: PROTECTION STANDARDS FOR AM

Priority: Agency Determination

Legal Authority: 47 USC 154

CFR Citation: 47 CFR 73

Abstract: R&O exploring issue of enhanced interference protection for Alaskan AM stations which operate on U.S. Class I-A or I-B clear channels.

See RM-4327 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	07/28/83	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number mm-83-807.

Agency Contact: Jonathan David, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7792

RIN: 3060-AB49

65. RADIO DEREGULATION: 2ND R&O: RECONSIDERATION

Priority: Agency Determination

Legal Authority: 47 USC 154(i)

CFR Citation: 47 CFR 73

Abstract: R&O re radio deregulation as to whether the Commission should adhere to the original decision eliminating program log keeping and requiring maintenance of an issues/programs list or require licensees to keep a more comprehensive record of issue responsive programming in addition to issues/programs list. Reconsideration requested.

Timetable:

Action	Date	FR Cite
FNPRM	06/29/83	
2nd R&O	03/01/84	
MO&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number bc-79-219(a).

Agency Contact: Robert Ratcliffe, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7792

RIN: 3060-AB50

66. CANADIAN/MEXICAN CLEAR CHANNELS

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73

Abstract: R&O to consider whether to amend rules in order to establish technical and eligibility criteria for new unlimited-time AM stations on Canadian, Mexican and Bahamian Class I-A clear channels.

See mmb-20 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	03/15/84	
R&O	12/31/84	

Small Entity: Yes

Additional Information: Docket Number mb-84-281.

Agency Contact: Joel Rosenberg, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-6530

RIN: 3060-AB59

67. COMPARATIVE PREFERENCES WITHIN METROPOLITAN AREAS

Legal Authority: 47 USC 154

CFR Citation: 47 CFR 00

Abstract: Proposal to eliminate comparative preference obtained in specifying a suburban community as city of license. (Sec. 307(b)).

See mmb-18.

Timetable:

Action	Date	FR Cite
NPRM	04/15/83	
R&O	09/30/85	

Small Entity: Yes

Additional Information: Docket Number mm-83-403.

Agency Contact: Mark Lipp, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-6530

RIN: 3060-AB61

68. REMOTE CONTROL: AM, FM, AND TV

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73

Abstract: R&O to address whether to amend remote control rules for broadcast stations.

See also RM-3046 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	02/03/84	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number mm-84-110.

Agency Contact: John Reiser, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AB63

69. TECHNICAL OPERATION, MONITORING AND MEASUREMENT OF AUDIO SYSTEMS

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73

Abstract: Institute inquiry re technical operation, monitoring and measurement of audio systems of AM and FM broadcast stations.

To be handled with RM-1709.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Yes

Additional Information: Docket Number RM-2894.

Agency Contact: John Reiser, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AB98

70. RF POWER METERS

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73.51

Abstract: Directional Electronics requests that FCC amend Sec. 73.51 re determination of antenna input power for AM stations.

See RM-3799 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	07/26/84	
R&O	06/30/85	

Small Entity: Yes

Additional Information: Docket Number mm-84-751.

Agency Contact: Hank Van Deursen, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AB99

71. CHANNEL 6/FM INTERFERENCE

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 00

Abstract: The Commission will consider whether to establish Table of Assignments for educational FM stations and noncommercial FM/TV channel 6 interference.

See also RM-1301.

Timetable:

Action	Date	FR Cite
NPRM	05/13/82	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number 20735.

Agency Contact: Peter Winters, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AC01

72. SELLER-CREDITOR FINANCING

Priority: Agency Determination

Legal Authority: 47 USC 154

CFR Citation: 47 CFR 00

Abstract: Issue Policy Statement as a result of the recommendations of the Advisory Committee on financing for minorities. Also, NPRM exploring further protection to seller-creditor against minority purchaser's possible default.

See also mmb-05 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	11/15/82	
Policy Statement	12/01/82	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number gen-82-797.

Agency Contact: Marcia Alterman, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7792

RIN: 3060-AC05

73. LPTV PROCESSING PROCEDURES

Priority: Agency Determination

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73; 47 CFR 74

Abstract: R&O evaluates expediting the LPTV application process by replacing existing cut-off lists with windows for filing applications and by eliminating the filing of financial information on certifications. Also addresses processing priorities/preferences for TV Translators.

See also mmb-29 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	12/14/83	
R&O	09/30/84	

Small Entity: No

Additional Information: Docket Number mm-83-1350.

Agency Contact: Larry A. Miller, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-3894

RIN: 3060-AC09

74. FM ALLOTMENTS: IMPLEMENTATION OF 80-90 OMNIBUS

Priority: Agency Determination

Legal Authority: 47 USC 154

CFR Citation: 47 CFR 73

Abstract: The Commission will consider the assignment of 684 new FM channels nationwide. These assignments will be based upon the new technical rules adopted in Docket bc-80-90.

See also RM-3245 and RM-3367; mmb-24 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	03/01/84	
R&O	12/31/84	

Small Entity: No

Additional Information: Docket Number mm-84-231.

Agency Contact: Mark Lipp, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-6530

RIN: 3060-AC17

75. ACSB FOR AUXILIARY SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 74.462

Abstract: The Commission will consider a proposal to optimize use of the radio spectrum available for remote pickup broadcast use.

See mmb-52 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	03/23/84	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number mm-84-280.

Agency Contact: Hank Van Deursen, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AC18

76. ● FM: MAXIMUM POWER LIMITATION

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73.211(b)

Abstract: The Commission will consider whether to amend Sec. 73.211(b) to adopt uniform maximum

power limitations for all Class C FM stations (commercial and noncommercial).

Consider with Docket 20735.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number RM-1301.

Agency Contact: Peter Winters, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 632-9660**

RIN: 3060-AC74

77. ● PROOFS OF PERFORMANCE: DEREGULATION

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73

Abstract: The Commission will consider whether to amend Part 73 re aural equipment performance measurement.

Consider with OST docket.

See also RM-2894.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number RM-1709.

Agency Contact: John Reiser, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 632-9660**

RIN: 3060-AC75

78. ● SECTION 73.37: ARTIFICIAL ACCEPTANCE CRITERIA

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 73.37

Abstract: The Commission will consider whether to amend Sec. 73.37 to eliminate artificial acceptance criteria for AM broadcast stations.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Yes

Additional Information: Docket Number RM-3683.

Agency Contact: Jonathan David, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 632-7792**

RIN: 3060-AC76

79. ● VERTICAL BLANKING INTERVAL: DEREGULATION

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73

Abstract: The Commission will consider a proposal re vertical blanking interval for non-teletext service.

Rulemaking done by OGC.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	
R&O	09/30/84	

Small Entity: Yes

Additional Information: Docket Number mm-84-168.

Agency Contact: Alan Stillwell, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 632-6302**

RIN: 3060-AC77

80. ● FIRST COME, FIRST SERVED

Priority: Agency Determination

Legal Authority: 47 USC 00

CFR Citation: 47 CFR 73

Abstract: R&O will be considered proposing new procedures of processing FM and TV broadcast applications. NPRM suggested alternative cut-off procedures by using filing "windows" for vacant TV and FM channels in the table of allotments and first come-first serve procedures for processing applications for channel assignments.

See mmb-58 (NPRM).

Timetable:

Action	Date	FR Cite
NPRM	07/26/84	
R&O	03/31/85	

Small Entity: No

Additional Information: Docket Number mm-84-750.

Agency Contact: Robert Ratcliffe, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 632-7792**

RIN: 3060-AC78

FEDERAL COMMUNICATIONS COMMISSION (FCC)—MASS MEDIA BUREAU

Completed Actions

COMPLETED RULEMAKINGS

81. DUAL CITY IDENTIFICATION: RECONSIDERATION

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
MO&O	07/12/84	

Small Entity: No

Agency Contact: Andrew Rhodes 202 632-7792

RIN: 3060-AA38

82. REPEAL OF NETWORK SYNDICATION AND FINANCIAL INTEREST RULES

Priority: Agency Determination

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/27/84	

Small Entity: Yes

Agency Contact: William Johnson 202 632-6460

RIN: 3060-AB26

FCC—MMB

Completed Actions

83. TV DEREGULATION: COMMERCIAL TV PROGRAMMING

Priority: Agency Determination

CFR Citation: 47 CFR 73.3526

Completed:

Reason	Date	FR Cite
R&O	06/27/84	

Small Entity: Yes

Agency Contact: David Donovan 202 632-7792

RIN: 3060-AB27

84. AM: HOURS OF OPERATION/DAYTIMERS: RECONSIDERATION

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
MO&O	04/11/84	

Small Entity: Yes

Agency Contact: Jonathan David 202 632-7792

RIN: 3060-AB29

85. PERMIT USE OF TV SUBCARRIERS FOR TV STEREO

Priority: Agency Determination

CFR Citation: 47 CFR 73.665; 47 CFR 73.667

Completed:

Reason	Date	FR Cite
R&O	03/29/84	

Small Entity: Yes

Agency Contact: Jim McNally 202 632-9660

RIN: 3060-AB48

86. VHF DROP-INS

Priority: Agency Determination

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/27/84	

Small Entity: Yes

Agency Contact: Bill Hassinger 202 632-6460

RIN: 3060-AB51

87. FM: INCREASE COMMERCIAL ASSIGNMENTS: RECONSIDERATION

Priority: Agency Determination

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
MO&O	03/01/84	

Small Entity: Yes

Agency Contact: John Karousos 202 632-9660

RIN: 3060-AB52

88. REGION 2 AM AGREEMENT: MEXICAN/CANADIAN RULES

Priority: Agency Determination

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
FNPRM	07/26/84	

Small Entity: Yes

Agency Contact: Jonathan David 202 632-5414

RIN: 3060-AB53

89. MULTIPLE OWNERSHIP: ATTRIBUTION

Priority: Agency Determination

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
R&O	03/29/84	

Small Entity: Yes

Agency Contact: Bruce Romano 202 632-7792

RIN: 3060-AB55

90. REPEAL OF PERSONAL ATTACK AND POLITICAL EDITORIAL RULES

Priority: Agency Determination

CFR Citation: 47 CFR 64

Completed:

Reason	Date	FR Cite
Merged with RIN 3060-AB57	08/27/84	

Small Entity: Yes

Agency Contact: Sue Steiman 202 632-6990

RIN: 3060-AB56

91. ITFS: INSTRUCTIONAL TELEVISION FIXED SERVICE

Priority: Agency Determination

CFR Citation: 47 CFR 74

Completed:

Reason	Date	FR Cite
R&O	07/26/84	

Small Entity: Yes

Agency Contact: Brian Fontes 202 632-6302

RIN: 3060-AB58

92. AMEND ANTENNA INPUT POWER RULE

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
Merged with RIN 3060-AB99	08/27/84	

Small Entity: Yes

Agency Contact: Katie Hosford 202 632-9660

RIN: 3060-AB64

93. AM EXPANDED USES

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
R&O	06/27/84	

Small Entity: Yes

Agency Contact: Scott Roberts 202 632-6302

RIN: 3060-AB65

94. DELETION OF REGIONAL CONCENTRATION OF CONTROL RULES

Priority: Agency Determination

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
Merged with RIN 3060-AC14	08/27/84	

Small Entity: Yes

Agency Contact: Robert Ratcliffe 202 632-7792

RIN: 3060-AB66

95. AM: NIGHTTIME POWER LIMITATIONS

Priority: Agency Determination

CFR Citation: 47 CFR 73.21; 47 CFR 73.27; 47 CFR 73.182

Completed:

Reason	Date	FR Cite
R&O	03/15/84	

Small Entity: Yes

Agency Contact: Fred Schottland 202 632-5414

RIN: 3060-AB67

96. NONCOMMERCIAL STV OPERATION

Priority: Agency Determination

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
R&O	03/29/84	

Small Entity: Yes

Agency Contact: John Kamp 202 632-6460

RIN: 3060-AB69

97. TV: AURAL POWER-VISUAL POWER

CFR Citation: 47 CFR 73.682

Completed:

Reason	Date	FR Cite
R&O	04/19/84	

Small Entity: Yes

Agency Contact: Bernard Gordon 202 632-9660

RIN: 3060-AB71

98. GELLER PETITION: CABLE TV PROGRAM EXCLUSIVITY

CFR Citation: 47 CFR 76

Completed:

Reason	Date	FR Cite
MO&O	07/01/84	

Small Entity: Yes

Agency Contact: Marcia Glauberman 202 632-6302

RIN: 3060-AC00

99. CATV SUBSCRIBER RATE INQUIRY/PREEMPTION

Priority: Agency Determination

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
Withdrawn from Agenda	08/27/84	

Small Entity: Yes

Agency Contact: Bruce Franca/Bill Johnson 202 632-6302

RIN: 3060-AC02

100. RADIO DEREGULATION

Priority: Agency Determination

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
Merged with RIN 3060-AB50	08/27/84	

Small Entity: Yes

Agency Contact: Robert Ratcliffe 202 632-7792

RIN: 3060-AC03

101. NONCOMMERCIAL DEREGULATION: RADIO AND TV

Priority: Agency Determination

CFR Citation: 47 CFR 00; 47 CFR 73

Completed:

Reason	Date	FR Cite
R&O	06/27/84	

Small Entity: Yes

Agency Contact: Lane Moten 202 632-7792

RIN: 3060-AC04

102. BUSINESS DISTRICT COVERAGE

CFR Citation: 47 CFR 73.24(j)

Completed:

Reason	Date	FR Cite
R&O	05/24/84	

Small Entity: Yes

Agency Contact: Scott Roberts 202 632-6302

RIN: 3060-AC06

103. CALLSIGN ASSIGNMENT PROCEDURES: RECONSIDERATION

CFR Citation: 47 CFR 73.3550

Completed:

Reason	Date	FR Cite
MO&O	06/27/84	

Small Entity: Yes

Agency Contact: Robert Hayne 202 632-6485

RIN: 3060-AC07

104. FM LICENSE UPGRADE: CLASS A TO CLASS B/C

Priority: Agency Determination

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
R&O	07/26/84	

Small Entity: Yes

Agency Contact: Joel Rosenberg 202 634-6530

RIN: 3060-AC08

105. MAJOR/MINOR CHANGES: FM, TV AND TRANSLATORS

Priority: Agency Determination

CFR Citation: 47 CFR 73.3572; 47 CFR 73.3573

Completed:

Reason	Date	FR Cite
R&O	06/27/84	

Small Entity: Yes

Agency Contact: Robert Hayne 202 632-6485

RIN: 3060-AC11

106. RADIO MARTI: RECONSIDERATION

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
MO&O	08/01/84	

Small Entity: Yes

Agency Contact: Louis Stephens 202 632-7792

RIN: 3060-AC13

107. REGIONAL CONCENTRATION

Priority: Agency Determination

CFR Citation: 47 CFR 73

FCC—MMB

Completed Actions

Completed:

Reason	Date	FR Cite
R&O	04/11/84	

Small Entity: Yes

Agency Contact: Andrew J. Rhodes 202 632-7792

RIN: 3060-AC14

108. CHANNEL 69: RECONSIDERATION

CFR Citation: 47 CFR 00

Completed:

Reason	Date	FR Cite
MO&O	02/03/84	

Small Entity: No

Agency Contact: Mark Berlin 202 632-6357

RIN: 3060-AC19

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

109. ● TV STEREO: MULTICHANNEL SOUND

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 73.665; 47 CFR 73.667

Abstract: R&O to address whether to permit TV broadcast licensees to transmit multiplex aural sub-carriers for a wide range of broadcast and non-broadcast uses such as stereo programming, paging services, electronic mail, etc.

Timetable:

Action	Date	FR Cite
NPRM	06/28/83	
R&O	03/29/84	

Small Entity: Yes

Additional Information: Docket Number 21323.

Agency Contact: Ralph Haller, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AC79

110. ● TV STEREO MUST-CARRY: MULTICHANNEL SOUND

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 73.665; 47 CFR 73.667

Abstract: The Commission will consider a FNPRM re "must carry" as it relates to TV stereo.

See Docket Number 21323.

Timetable:

Action	Date	FR Cite
NPRM	06/28/83	
R&O	03/29/84	
FNPRM	07/26/84	

Small Entity: Yes

Additional Information: Docket Number 21323 (b).

Agency Contact: Bruce Franca, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-6302

RIN: 3060-AC80

[FR Doc. 84-24970 Filed 10-19-84; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF GENERAL COUNSEL

Current and Projected Rulemakings

111. POLICY REGARDING CHARACTER QUALIFICATIONS IN BROADCAST LICENSING

Legal Authority: 47 USC 154(i); 47 USC 308(b); 47 USC 319(a); 47 USC 403; Communications Act of 1934, secs 4(i), 308(b), 319(a), & 403

CFR Citation: 47 CFR 73.4280

Abstract: Formulation of a comprehensive policy statement establishing a detailed and systematic treatment of the character qualifications of broadcast applicants will provide guidance to broadcast licensees and the public and enhance the fairness and efficiency of the licensing process. This action should not impose any additional costs on broadcast applicants or the Commission. Conversely, broadcast applicants, the public, and the Commission should benefit from the formulation and adoption of a clear policy position consistent with the Communications Act of 1934, as amended, on the issue of character.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	08/06/81	46 FR 47243
ANPRM	08/13/81	46 FR 40899
ANPRM Comment Period End	10/23/81	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Undetermined

Additional Information: GEN Docket - 81-500.

Agency Contact: Roger Holberg, Attorney, Legislative Affairs, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6405

RIN: 3060-AB09

112. IN THE MATTER OF FORMULATION OF POLICIES RELATING TO THE BROADCAST RENEWAL APPLICANT, STEMMING FROM THE COMPARATIVE HEARING PROCESS

Legal Authority: 47 USC 154(i); 47 USC 308(b); 47 USC 319(a); 47 USC 403

CFR Citation: 47 CFR 1

Abstract: The notice seeks comment on a number of issues, including whether it is feasible to adopt more specific standards for determining when a renewal applicant's programming record is meritorious, so as to outweigh disadvantages an incumbent may face under diversification and other traditional comparative criteria. Amended comparative renewal criteria and standards may have the net effect of saving applicant's and the Commission's time and resources in the renewal process.

Timetable:

Action	Date	FR Cite
NPRM	11/09/81	46 FR 55279
NPRM Comment Period Begin	11/09/81	46 FR 55279
NPRM Comment Period End	01/18/82	
Further NPRM	10/15/82	47 FR 46117
MO&O	00/00/00	

Small Entity: Undetermined

Additional Information: GEN Docket - 81-499.

Agency Contact: Roger Holberg, Attorney, Legislative Affairs, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6405

RIN: 3060-AB10

113. AMENDING ENVIRONMENTAL RULES IN RESPONSE TO NEW RULES ISSUED BY THE COUNCIL ON ENVIRONMENTAL QUALITY (C.E.Q.)

Priority: Undetermined

Legal Authority: 47 USC 303(r); 47 USC 154(i)

CFR Citation: 47 CFR 1, Subpart I

Abstract: The Commission's existing environmental rules are being revised to comply with guidelines issued by the Council for Environmental Quality (C.E.Q.).

Timetable:

Action	Date	FR Cite
NPRM	07/03/79	44 FR 38913
NPRM Comment Period Begin	07/03/79	
NPRM Comment Period End	08/02/79	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: GEN Docket - 79-163.

Agency Contact: Holly Berland, Staff Attorney, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6990

RIN: 3060-AB30

114. REPEAL OF MODIFICATION OF THE PERSONAL ATTACK AND POLITICAL EDITORIAL RULES, SEC 73.1920 & SEC 73.1930 OF THE COMMISSION'S RULES

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 73.1920; 47 CFR 73.1930

Abstract: A proceeding designed to re-examine the personal attack and political editorial rules. These rules give specific individuals or groups the right to use a broadcaster's facilities to respond to matters broadcast.

Timetable:

Action	Date	FR Cite
NPRM	06/22/83	48 FR 28295
NPRM Comment Period Begin	06/22/83	
NPRM Comment Period End	09/16/83	
MO&O	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Agency Contact: Holly Berland, Steve Bailey, Staff Attorneys, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6990

RIN: 3060-AB44

115. FAIRNESS DOCTRINE

Priority: Agency Determination

Legal Authority: 47 USC 4(i); 47 USC 403

CFR Citation: 47 CFR 73.1910

Abstract: Commission initiates an inquiry into general fairness doctrine obligations applicable to broadcast licensees to reassess its continued vitality in light of new developments and changes in the mass media marketplace, recent developments in First Amendment jurisprudence and communications law in general to determine whether modification or repeal would be appropriate by the agency if so empowered or, if not so empowered, by Congress.

Timetable:

Action	Date	FR Cite
ANPRM	05/08/84	49 FR 20327
ANPRM Comment Period Begin	05/08/84	
ANPRM Comment Period End	10/08/84	

Small Entity: Undetermined

Additional Information: Agency proceeding can lead to issuance of notice of proposed rule making, submission of further legislative proposals to Congress, or final report recommending neither of the above actions.

Agency Contact: Stephen A. Bailey, Attorney-Advisor, Federal Communications Commission, Office of General Counsel, 1919 M St., N.W., Washington, D.C. 20554, 202 632-7112

RIN: 3060-AB57

116. SELECTION FROM AMONG CERTAIN COMPETING APPLICATIONS USING RANDOM SELECTION OR LOTTERIES INSTEAD OF COMPARATIVE HEARINGS

Priority: Agency Determination

Legal Authority: 47 USC 151; 47 USC 153; 47 USC 154(i); 47 USC 154(j); 47 USC 303; 47 USC 309; 47 USC 403

CFR Citation: 47 CFR 1.65; 47 CFR 1.227; 47 CFR 1.918; 47 CFR 1.953; 47 CFR 1.1601; 47 CFR 1.1602; 47 CFR 22.23; 47 CFR 22.28; 47 CFR 73.3521; 47 CFR 73.3522; 47 CFR 73.3564; 47 CFR 81.51; 47 CFR 87.48; 47 CFR 90.143; 47 CFR 94.37; ...

Abstract: A rulemaking designed to implement lotteries in lieu of comparative hearings in certain initial licensing proceedings.

Timetable:

Action	Date	FR Cite
NPRM	10/13/82	47 FR 45046
Final Action	06/13/83	48 FR 27182
Reconsideration Pending	00/00/00	

Small Entity: Yes

Agency Contact: Randy Thomas, Attorney, Legal Counsel Division, Federal Communications Commission, 1919 M St., N.W. Room 622, Washington, D.C. 20554, 202 632-6990

RIN: 3060-AC58

117. PROVISION OF PREFERENCES TO FEMALE APPLICANTS WHEN SELECTION FROM AMONG CERTAIN COMPETING APPLICANTS FOR MASS MEDIA LICENSES INVOLVES RANDOM SELECTION OR LOTTERIES

Priority: Agency Determination

Legal Authority: 47 USC 151; 47 USC 153; 47 USC 154(i); 47 USC 154(j); 47 USC 303; 47 USC 309(i); 47 USC 403; Communications Act of 1934, Secs 1,3,4(i)& (j),303,309(i) & 403

CFR Citation: 47 CFR 1.1621(b); 47 CFR 1.1622; 47 CFR 1.1623

Abstract: The FCC is considering inclusion of women as a group entitled to preferences when initial licensing in the mass media services is by lottery. The only service in which lotteries are currently used is low power television ("LPTV"). Such preference might be awarded either through inclusion of women in the "minority groups" currently entitled to the minority preference, or by creation of a special diversity preference for women. Approximately 11,000 applications for LPTV licenses are presently on file. Establishment of the preference would provide some advantage to small entities with majority female ownership seeking such licenses. Similarly, some small entities which are not majority-owned by women might be disadvantaged relative to female-controlled applicants.

Timetable:

Action	Date	FR Cite
NPRM	10/24/83	48 FR 49069
NPRM Comment Period Begin	10/24/83	48 FR 55006
Extension of Comment Period	12/08/83	48 FR 55006
NPRM Comment Period End	01/27/84	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Undetermined

Analysis: Draft RFA 10/24/83 (48 FR 49073)

Agency Contact: Tatsu Kondo, Attorney, Legal Counsel Division, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, **202 632-7020**

RIN: 3060-AC60

118. FURTHER POLICY STATEMENT ON COMPARATIVE BROADCAST HEARINGS

Legal Authority: 47 USC 154(i); 47 USC 154(j); 47 USC 303(r); 47 USC 309(g); 47 USC 309(i); 47 USC 403

CFR Citation: Not applicable

Abstract: The Commission proposes to adopt a simplified hearing process to select new broadcast licensees on an expedited and more rational basis. The present system has been frequently criticized as unduly time consuming and potentially arbitrary.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: David S. Senzel, Staff Attorney, Office of General Counsel, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, **202 632-7293**

RIN: 3060-AC61

119. COMMISSION'S POLICY REGARDING THE DEVELOPMENT OF THE UHF TELEVISION SERVICE

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: Not applicable

Abstract: A proceeding looking towards abolishment of the Commission's UHF impact policy. Under this policy, the Commission generally has determined that applications for new or additional VHF television service may not be in the public interest if they threaten adverse economic impact on a UHF television station. In light of the significant advances made by the UHF television service, the proceeding seeks to re-examine the current relevance and effectiveness of this policy.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Magalie Floyd, Attorney, Legal Counsel Division, Federal Communications Commission, 1919 M St., N.W. Rm. 622, Washington, D.C. 20554, **202 632-6990**

RIN: 3060-AC62

120. ● AMENDMENT OF PART 1 OF THE COMMISSION'S RULES TO IMPLEMENT SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED, 29 U.S.C. SECTION 794

Priority: Undetermined

Legal Authority: 29 USC 794; 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 1.1601 to 1.1699

Abstract: As originally enacted in 1974, Section 504 of the Rehabilitation Act prohibited discrimination on the basis of handicap in federally assisted programs. The Amendment of 1978 extended the nondiscrimination mandate of Section 504 to programs and activities conducted by federal agencies. Under Executive Order 12250, the Attorney General is authorized to coordinate the implementation. To assist agencies in developing rules to implement the 1978 Amendment, the Department of Justice drafted a prototype which our proposed rules follow to prohibit discrimination on the basis of handicap on FCC programs.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Sharon Kelley, Attorney-Advisor, Federal Communications Commission, 1919 M Street, Washington, D.C. 20554, **202 632-6990**

RIN: 3060-AC86

121. ● POLICY REGARDING INTERIM AUTHORITY TO OPERATE BROADCAST FACILITIES

Legal Authority: 47 USC 154; 47 USC 303(r)

CFR Citation: Not applicable

Abstract: When the Commission denies a license renewal application or a licensee wishes to discontinue operations, the available frequency is opened to competing applicants for regular authority. Pending the outcome of that comparative proceeding, the Commission usually invites applications for interim authority to operate on the frequency. The Commission is reviewing its policy concerning the authorization of interim operations for broadcast facilities. The Commission is exploring whether interim operations should be authorized every time a frequency becomes available, and several alternative methods for selecting interim operators among competing qualified applicants.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Magalie Floyd, Attorney, Federal Communications Commission, 1919 M St. N.W. Rm. 622, Washington, D.C. 20554, **202 632-6990**

RIN: 3060-AC87

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF GENERAL COUNSEL

Existing Regulations Under Review

122. MULTIPLE OWNERSHIP OF AM, FM AND TELEVISION BROADCAST STATIONS

Priority: Agency Determination

Legal Authority: 47 USC 151; 47 USC 153; 47 USC 154(i); 47 USC 154(j); 47 USC 303; 47 USC 313; 47 USC 403; Communications Act of 1934, Secs 1,3,4(i) & (j), 303, 313 & 403

CFR Citation: 47 CFR 73.35(b)(1); 47 CFR 73.240(a)(2); 47 CFR 73.636(a)(2)

Abstract: The Commission will reconsider its July, 1984 action which replaced the "Seven Station Rule" with a transitional limitation of 12 TV, 12 AM and 12 FM stations, with a sunsetting of the limitation in 1990 assuming that the broadcasting industry remains competitive. The change in the rule as to television was stayed prior to its effective date.

Timetable:

Action	Date	FR Cite
NPRM	10/25/83	48 FR 49438
NPRM Comment Period Begin	10/25/83	48 FR 55590
Correction to NPRM Correction of printing error	11/04/83	48 FR 50907
Extension of Comment Period	12/14/83	48 FR 55590
NPRM Comment Period End	02/21/84	
Final Action	07/26/84	49 FR 18377
Begin Review	09/10/84	
End Review	04/01/85	
Reconsideration Pending	00/00/00	

Small Entity: Undetermined

Analysis: Draft RFA 10/25/83 (48 FR 49452); Final RFA 06/00/84

Agency Contact: Trevor Potter, Assistant General Counsel, Federal Communications Commission, 1919 M St., N.W., Washington, D.C. 20554, 202 632-6990

RIN: 3060-AC57

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF GENERAL COUNSEL

Completed Actions

COMPLETED RULEMAKINGS

123. IN THE MATTER OF ENFORCEMENT OF PROHIBITIONS AGAINST THE USE OF COMMON CARRIERS FOR THE TRANSMISSION OF OBSCENE MATERIALS

Priority: Agency Determination

CFR Citation: 47 CFR 64.201

Completed:

Reason	Date	FR Cite
Final Action	07/19/84	49 FR 24996
Final Action Effective	07/19/84	49 FR 24996

Small Entity: Undetermined

Agency Contact: Sharon B. Kelly, Holly Berland 202 632-6990

RIN: 3060-AC59

[FR Doc. 84-24970 Filed 10-19-84; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION (FCC)—PRIVATE RADIO BUREAU

Current and Projected Rulemakings

124. DSC IN MARINE SERVICES AND DIRECT DIAL IN VHF SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: Provides initial guidelines for use of digital selective calling (DSC) in Marine services and provides direct-dial VHF communications between public coast and ship stations.

Timetable:

Action	Date	FR Cite
Reply comments closed on 12/27/83	05/26/83	48 FR 23673
FNPRM	12/00/84	

Small Entity: No

Additional Information: Docket Number pr 83-431.

Agency Contact: R. Mickley, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AA24

125. COMPULSORY SHIP INSPECTION CYCLE

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 83

Abstract: Analyzes entire compulsory ship inspection program for inspection frequency and issuance of certificates. Among other things, proposes to change cycles of inspection for Title III, Part III (small passenger) vessels.

Timetable:

Action	Date	FR Cite
R&O adopted 11/30/84	12/14/83	48 FR 55574
2nd R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number pr 83-428.

Agency Contact: N. Bagnato, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AA25

126. NEW PERSONAL RADIO SERVICE AT 900 MHZ

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 96

Abstract: Proposes establishment of an additional Private Radio Service to meet the unsatisfied need of the public for direct, affordable personal radio communications.

Timetable:

Action	Date	FR Cite
Reply comments closed on 09/06/83	03/23/83	48 FR 12228
R&O	09/00/85	

Small Entity: Yes

Additional Information: Docket Number gen 83-26.

Agency Contact: J. Borkowski, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-4964

RIN: 3060-AA55

127. INTERCONNECTION IN THE PRIVATE LAND MOBILE RADIO SERVICES IN THE FREQUENCY BANDS BELOW 800 MHZ

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: The FCC will consider a proposal to liberalize the rules governing interconnection of private land mobile radio systems operating in the bands below 800 MHz with the public switched telephone network.

Timetable:

Action	Date	FR Cite
NPRM adopted on 04/26/84	06/20/84	49 FR 25255
R&O	09/00/85	

Small Entity: Yes

Additional Information: Docket Number pr 84-414.

Agency Contact: Nia Chesham, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB74

128. PRIVATE MICROWAVE CARRIER SYSTEMS

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 94

Abstract: The FCC will consider a proposal to authorize private carrier systems in the Private Operational-Fixed Microwave Radio Service.

Timetable:

Action	Date	FR Cite
NPRM adopted on 4/27/83	06/03/83	48 FR 24950
R&O	03/00/85	

Small Entity: Yes

Additional Information: Docket Number pr 83-426.

Agency Contact: Fred Day/Joseph Levin, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB77

129. FREQUENCY COORDINATION IN THE PRIVATE LAND MOBILE RADIO SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: Inquiry regarding frequency coordinating committees and the need for new rules to govern frequency coordination and field study procedures in the Private Land Mobile Radio Services.

Timetable:

Action	Date	FR Cite
NOI adopted on 07/14/83	08/03/83	48 FR 35149
NPRM	12/00/84	

Small Entity: Yes

Additional Information: Docket Number pr 83-737.

Agency Contact: E. Thomson/H. Zeiler, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB78

130. GREAT LAKES EPIRB'S

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 83

Abstract: Amendment of Part 83 of the Rules to provide for Class D & E Emergency Position-Indicating Radiobeacons (EPIRB's) for survival craft of vessels operating in the Great Lakes.

Timetable:

Action	Date	FR Cite
NPRM adopted on 8/30 82	09/13/82	47 FR 40189
R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number gen 82-617.

Agency Contact: N. Bagnato, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AB82

131. PERMISSIBLE COMMUNICATIONS IN THE PRIVATE LAND MOBILE RADIO SERVICES

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: The FCC will consider a proposal to amend Part 90 of the Commission's Rules to relax the permissible communications requirements in the Private Land Mobile Radio Services.

Timetable:

Action	Date	FR Cite
NPRM adopted on 02/03/84	03/21/84	49 FR 10560
R&O	06/00/85	

Small Entity: Yes

Additional Information: Docket Number pr 84-109.

Agency Contact: Mary Beth Hess, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB84

132. RADIOPRINTER (RTTY) COMMUNICATIONS SERVICE FOR SMALL COMMERCIAL VESSELS

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: Proposes rules for the introduction and use in the Maritime Mobile Service of radioprinter (RTTY) communications by vessels of less than 1600 gross tons using frequencies in the shared marine bands.

Timetable:

Action	Date	FR Cite
NPRM adopted on 02/07/84	02/17/84	49 FR 6116
R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number pr 84-140.

Agency Contact: R. Mickley, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AB85

133. INTRODUCTION OF NARROWBAND TECHNOLOGIES INTO THE PRIVATE LAND MOBILE RADIO SERVICES

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: The FCC will consider a proposed amendment of Part 90 of the Commission's Rules to authorize the use of narrowband technologies for base and mobile communications in the Private Land Mobile Radio Services.

Timetable:

Action	Date	FR Cite
NPRM adopted on 03/15/84	05/04/84	49 FR 19074
R&O	06/00/85	

Small Entity: Yes

Additional Information: Docket Number pr 84-279.

Agency Contact: Keith Plourd/Herb Zeiler, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB86

134. INTERCONNECTION WITH THE PUBLIC SWITCHED TELEPHONE NETWORK (PSTN) IN THE PRIVATE LAND MOBILE RADIO SERVICE BANDS BELOW 800 MHZ

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: Interconnection of private land mobile radio systems with the public switched telephone network (PSTN)in the bands below 800 MHz.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	
R&O	12/00/84	

Small Entity: Yes

Additional Information: Docket Number interconnect.

Agency Contact: Nia Cresham/Joe Levin, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB87

135. STUDY OF MARINE HF BANDS

Legal Authority: 47 USC 154; 47 USC 403

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: A comprehensive review of all uses of the HF spectrum for maritime communications in preparation for the 1987 Mobile WARC. Uses include telegraphy, telephony, the Future Global Maritime Distress and Safety System (FGMDSS) and SELCALL.

Timetable:

Action	Date	FR Cite
NOI	06/25/84	
2nd NOI	00/00/00	

Small Entity: No

Additional Information: Docket Number Mar HF Bands.

Agency Contact: R. DeYoung, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AB88

136. FUTURE PUBLIC SAFETY TELECOMMUNICATIONS REQUIREMENTS

Legal Authority: PL 98-214

CFR Citation: 47 CFR 2; 47 CFR 90

Abstract: This study is preparatory to establishing a plan, required by PL 98-214, to ensure that the needs of public safety authorities are taken into account in spectrum allocations, including consideration of the need for a nationwide contiguous frequency allocation for public safety purposes.

Timetable:

Action	Date	FR Cite
NOI adopted on 03/01/84	03/15/84	49 FR 9754
Report on Comments	06/00/85	

Small Entity: No

Additional Information: Docket Number pr 84-232.

Agency Contact: J. Levin/M. B. Hess/T. Johnson, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AB89

137. EARLY ALLOCATION OF 18 AND 24 MHZ, 24 AND 900 MHZ, AND 10 MHZ CODIFICATION

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 97

Abstract: Petitions for rulemaking to amend the rules regarding the frequencies available for amateur radio operation in order to implement the Final Acts of the World Administrative Radio Conference (Geneva, 1979).

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket Number early alloc.

rm-4781, rm-4784.

Agency Contact: J. Borkowski, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-4964

RIN: 3060-AB92

138. ● AMENDMENTS TO THE SAFETY OF LIFE AT SEA

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 83

Abstract: Proposes to amend Part 83 of the Rules to implement the second set of amendments to the Safety of Life at Sea (SOLAS) Convention of 1974.

Timetable:

Action	Date	FR Cite
NPRM adopted on 07/30/84	08/08/84	49 FR 31736
R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number pr 84-759.

Agency Contact: R. McIntyre, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC70

139. ● DELETE REQUIREMENTS FOR RESTRICTED PERMITS FOR DOMESTIC VOYAGES

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83; 47 CFR 87

Abstract: Proposes to eliminate the requirement for Restricted Radiotelephone Operator Permit (RP) except where it is required by statute or treaty.

Timetable:

Action	Date	FR Cite
NPRM adopted on 07/30/84	08/08/84	49 FR 31734
R&O	12/00/84	

Small Entity: No

Additional Information: Docket Number pr 84-760.

Agency Contact: R. DeYoung, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC71

140. ● SHIP RADAR RELIABILITY - SPERRY LETTER

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: Petition to amend Part 83 of the Rules placing responsibility with manufacturers for certifying that ship radar equipment they produce is reliable.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Additional Information: Docket Number ShipRadarRel

rm-4779.

Agency Contact: W. Berges, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC72

141. ● COMBINE PARTS 81 AND 83 INTO SINGLE PART 80 FOR MARITIME SERVICES AND ALASKA FIXED STATIONS

Priority: Agency Determination

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 81; 47 CFR 83

Abstract: Proposes to amend the rules to consolidate Parts 81 and 83 into a new Part 80. Part 81 which deals with radio stations on land in the maritime service and Part 83 which deals with radio stations on ships in the maritime service have many similarities which lend themselves to consolidation.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Additional Information: Docket Number New Part 80.

Agency Contact: R. Mickley, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AC73

FEDERAL COMMUNICATIONS COMMISSION (FCC)—PRIVATE RADIO BUREAU

Completed Actions

COMPLETED RULEMAKINGS

142. MULTIPLE-SHARED UNICOMS AT CONTROLLED AIRPORTS

Priority: Agency Determination

CFR Citation: 47 CFR 87

Completed:

Reason	Date	FR Cite
R&O adopted 03/29/84	04/17/84	49 FR 15083

Small Entity: Yes

Agency Contact: R. McNamara 202 632-7175

RIN: 3060-AB38

143. NORTHERN CALIFORNIA TRUNKING

Priority: Agency Determination

CFR Citation: 47 CFR 90

Completed:

Reason	Date	FR Cite
R&O adopted 03/22/84	04/24/84	49 FR 17505

Small Entity: No

Agency Contact: M. Kennedy/H. Zeiler 202 634-2443

RIN: 3060-AB76

144. PETITION FOR RECONSIDERATION OF THE "COLUMBIA PICTURES" MO&O OF 5/26/83

CFR Citation: 47 CFR 94

Completed:

Reason	Date	FR Cite
MO&O adopted 05/21/84	06/12/84	49 FR 24135

Small Entity: No

Agency Contact: Fred Day/Sandy Donnell 202 634-2443

RIN: 3060-AB80

FCC—PRB

Completed Actions

145. INTERCONNECTION ABOVE 800 MHZ WITH THE PUBLIC SWITCHED TELEPHONE NETWORK (PSTN) - PETITIONS FOR RECONSIDERATION OF MO&O

CFR Citation: 47 CFR 90

Completed:

Reason	Date	FR Cite
MO&O adopted 04/26/84	06/26/84	49 FR 26066

Small Entity: No

Agency Contact: Nia Cresham/Joe Levin 202 634-2443

RIN: 3060-AB81

146. ALASKA-PUBLIC FIXED RULES

Priority: Agency Determination

CFR Citation: 47 CFR 81; 47 CFR 83; 47 CFR 87; 47 CFR 90

Completed:

Reason	Date	FR Cite
R&O adopted 07/30/84	08/13/84	49 FR 32194

Small Entity: No

Agency Contact: M. Cesaitis 202 632-7175

RIN: 3060-AB83

147. VEC/VE REIMBURSEMENT

Priority: Agency Determination

CFR Citation: 47 CFR 97

Completed:

Reason	Date	FR Cite
R&O adopted 07/12/84	07/31/84	49 FR 30472

Small Entity: No

Agency Contact: M. DePont 202 632-4964

RIN: 3060-AB90

148. AMATEUR VOLUNTEER EXAMINERS PETITIONS FOR RECONSIDERATION

CFR Citation: 47 CFR 97

Completed:

Reason	Date	FR Cite
MO&O adopted 07/12/84	07/30/84	49 FR 30310

Small Entity: No

Agency Contact: M.J. DePont 202 632-4964

RIN: 3060-AB94

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

149. ● POWER MEASUREMENT IN THE AMATEUR RADIO SERVICE

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 97

Abstract: Changes method of power measurement in the Amateur Radio Service because the old input power was inaccurate and hazardous to measure. An output power measurement was implemented in its place.

Timetable:

Action	Date	FR Cite
R&O	08/01/83	48 FR 34746

Small Entity: No

Additional Information: Docket Number pr 82-624.

Agency Contact: J. Borkowski, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 632-4964

RIN: 3060-AC69

[FR Doc. 84-24970 Filed 10-19-84; 8:45 am]

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF SCIENCE AND TECHNOLOGY

Current and Projected Rulemakings

150. AIR-GROUND RADIOTELEPHONE SERVICE (AIRFONE, INC.)

Priority: Agency Determination

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2.106

Abstract: NPRM proposes 4 MHz in the 900 MHz range for air-to-ground telephone service aboard commercial airlines.

Timetable:

Action	Date	FR Cite
FNPRM	06/12/84	
R&O	12/30/84	

Small Entity: Yes

Additional Information: RM-3524 (83-30).

Agency Contact: Mel Murray, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8168

RIN: 3060-AA49

151. AIR-GROUND RADIOTELEPHONE SERVICE (ARINC)

Priority: Agency Determination

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2.106

Abstract: NPRM proposes 4 MHz in the 900 MHz range for air-to-ground telephone service aboard commercial airlines.

Timetable:

Action	Date	FR Cite
FNPRM	06/12/84	
R&O	12/30/84	

Small Entity: Yes

Additional Information: RM-3885 (83-30).

Agency Contact: Mel Murray, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8168

RIN: 3060-AA50

152. L.A. SHERIFF'S PETITION

Priority: Agency Determination

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2.106

Abstract: Petition requests reallocation of UHF-TV Channels 14-20 to public safety services.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Additional Information: RM-3975.

Agency Contact: **Don Precure**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 653-8170**

RIN: 3060-AA57

153. U.S.C.G. REQUEST TO USE 161.7 AND 161.75 MHZ

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2.106

Abstract: USCG requests use of 161.7 MHz and 161.75 MHz to transmit printed navigational information to vessels, communicate by voice to foreign vessels, and use for search and rescue operations.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	
R&O	02/15/84	
Reconsideration Pending	03/15/84	
MO&O	09/30/84	

Small Entity: Yes

Agency Contact: **Sam Tropea**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 653-8167**

RIN: 3060-AA59

154. HF BROADCASTING WARC (1984)

Priority: Agency Determination

Legal Authority: 47 USC 411

CFR Citation: Not applicable

Abstract: Develop a world-wide high frequency (short-wave) broadcasting plan.

Timetable:

Action	Date	FR Cite
NOI	09/30/84	

Small Entity: No

Additional Information: Docket - 82-162.

Agency Contact: **Neal McNaughton**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 653-8102**

RIN: 3060-AA78

155. SPACE SERVICES WARC (1985)

Priority: Agency Determination

Legal Authority: 47 USC 411

CFR Citation: Not applicable

Abstract: This proceeding is in preparation for the ITU World Administrative Radio Conference on the Geostationary-Satellite Orbit and the Planning of the Space Services Utilizing It.

Timetable:

Action	Date	FR Cite
NOI	10/03/83	
Fourth NOI	04/30/84	
R&O	11/30/84	

Small Entity: No

Additional Information: Docket - 80-741.

Agency Contact: **A. Rutkowski**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 653-8102**

RIN: 3060-AA79

156. RE-EXAMINATION OF TECHNICAL REGULATIONS

Legal Authority: Communications Act of 1934, Sec 4(i)

CFR Citation: Not applicable

Abstract: Reach agreement with operating bureaus as to 1) which rules (of those proposed for deletion) should be deleted or modified and 2) which rules should be proposed for deletion or modification in further NPRMs.

Timetable:

Action	Date	FR Cite
NPRM	10/10/83	
R&O	09/00/84	

Small Entity: Yes

Additional Information: 83-114.

Agency Contact: **Mike Marcus**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 632-7040**

RIN: 3060-AA82

157. OFFSHORE RADIO TELEPHONE CO. RM3910, RM3924

Priority: Agency Determination

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2.106

Abstract: Offshore Radio Telephone Co. is requesting additional UHF-TV broadcasting spectrum for the offshore Radio Telecommunications Service along the Southern Louisiana and Texas Gulf Coast.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: Undetermined

Agency Contact: **Melvin Murray**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 653-8168**

RIN: 3060-AB42

158. GEOSTAR CORP. PETITION FOR RADIODETERMINATION SATELLITE

Priority: Agency Determination

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2.106

Abstract: Petition requests reallocation of spectrum in the 1610-1626 MHz, 2450-2500 MHz and 5000-5250 MHz band for a radiodetermination satellite service system.

Timetable:

Action	Date	FR Cite
NPRM	09/07/84	
R&O	04/00/85	

Small Entity: Undetermined

Agency Contact: **Mel Murray**, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, **202 653-8168**

RIN: 3060-AB79

159. AMENDMENT OF PART 15 TO PERMIT OPERATION OF FIELD DISTURBANCE SENSORS IN THE BAND 40.66 TO 40.70 MHZ

Priority: Major

Legal Authority: 4(1),302,303(a)303(r)

CFR Citation: 47 CFR 15

Abstract: In response to a petition (RM-4120) from Senstar, the Commission adopted a proposal in Dec. 1982 to amend Pt 15 to provide for the operation of a perimeter protection system to be used at prisons and other high risk facilities.

Timetable:

Action	Date	FR Cite
FNPRM	11/30/84	

Small Entity: No

Additional Information: 82-827.

Agency Contact: Art Wall, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC64

160. IMPLEMENTATION OF TECHNICAL REQUIREMENTS FROM 1979 WARC

Priority: Major

Legal Authority: Communications Act of 1934

CFR Citation: 47 CFR 00

Abstract: Notice proposed to change technical requirements in the rules due to changes in the Radio Regulations at the 79 WARC. A new system of emission designators was also adopted at the 79 WARC.

Timetable:

Action	Date	FR Cite
R&O	09/30/84	

Small Entity: No

Additional Information: 80-739

Agency Contact: Dan Yates, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-6288

RIN: 3060-AC65

161. AMENDMENT OF PART 15 TO PROVIDE AN ADDITIONAL EXEMPTION FOR LARGE COMPUTER SYSTEM

Priority: Major

Legal Authority: 4(i),302

CFR Citation: 47 CFR 15

Abstract: Petition for rulemaking filed by Electronic Associates Inc. to amend the rules to provide an exemption from for large computers manufactured in small quantities.

Timetable:

Action	Date	FR Cite
NPRM	06/30/84	
NPRM	08/21/84	
R&O	00/00/00	

Small Entity: No

Additional Information: RM-4246

Agency Contact: Art Wall, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC68

162. ● UPDATE ADMINISTRATIVE RULES IN PART 18

Priority: Major

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 18

Abstract: Proposal to revise the present administrative requirements of Pt 18 of the Rules governing ISM equipment is expected to delete a number of obsolete requirements of Pt. 18 and streamline administrative rules.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Undetermined

Additional Information: 20718

Agency Contact: Liliane Volcy, Electronics Engineer, Federal Communications Commission, 2025 M St., N.W., Washington, D.C. 20554, 202 653-8247

RIN: 3060-AC89

FEDERAL COMMUNICATIONS COMMISSION (FCC)—OFFICE OF SCIENCE AND TECHNOLOGY

Completed Actions

COMPLETED RULEMAKINGS

163. NPRM - AMENDMENT OF PART 5 OF THE COMMISSION'S RULES TO DIMINISH RESTRICTIONS ON THE LICENSING AND USE OF STATIONS IN THE EXPERIMENTAL RADIO SERVICE (OTHER THAN BROADCAST)

Priority: Agency Determination

CFR Citation: 47 CFR 5

Completed:

Reason	Date	FR Cite
MO&O	12/31/83	

Small Entity: Yes

Agency Contact: H. F. Wright 202 653-8137

RIN: 3060-AA51

164. 18 GHZ REALLOCATION

Priority: Agency Determination

CFR Citation: 47 CFR 2; 47 CFR 21; 47 CFR 74; 47 CFR 94

Completed:

Reason	Date	FR Cite
MO&O	06/30/84	

Small Entity: No

Agency Contact: Mel Murray 202 653-8168

RIN: 3060-AA52

165. UTILIZATION POLICY FOR FIXED SERVICE AT 17-40 GHZ

Priority: Agency Determination

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
MO&O	06/29/84	

Small Entity: No

Agency Contact: Donald Campbell 202 653-8177

RIN: 3060-AA60

166. ALLOCATION FOR AURAL BROADCAST STL'S

Priority: Agency Determination

CFR Citation: 47 CFR 2.106

Completed:

Reason	Date	FR Cite
R&O	06/12/84	

Small Entity: Yes

Agency Contact: Sam Tropea 202 653-8167

RIN: 3060-AA71

167. SANYO PETITION

Priority: Agency Determination

CFR Citation: 47 CFR 15.65

Completed:

Reason	Date	FR Cite
Order	03/30/84	

Small Entity: No

Agency Contact: Robert Unger 202 632-7067

RIN: 3060-AB39

168. 6 MHZ ALLOCATION FOR GOVERNMENT/NON-GOVERNMENT FIXED SERVICE

Priority: Agency Determination

CFR Citation: 47 CFR 2.106

Completed:

Reason	Date	FR Cite
R&O	06/12/84	

Small Entity: Undetermined

Agency Contact: Rodney Small 202 653-8169

RIN: 3060-AB41

169. CREATION OF AN ADDITIONAL PERSONAL RADIO SERVICE

Priority: Agency Determination

CFR Citation: 47 CFR 2.106

Completed:

Reason	Date	FR Cite
R&O	06/30/84	

Small Entity: Undetermined

Agency Contact: Rodney Small 202 653-8169

RIN: 3060-AB43

170. RECONSIDERATION OF TEST PROCEDURES FOR COMPUTING DEVICES

Priority: Major

CFR Citation: 47 CFR 15

Completed:

Reason	Date	FR Cite
Order	06/27/84	

Small Entity: No

Agency Contact: Julius Knapp 202 653-8247

RIN: 3060-AC66

171. REQUEST FOR CHANGES TO NEW RULES FOR A TV INTERFACE DEVICE

Priority: Major

CFR Citation: 47 CFR 15

Completed:

Reason	Date	FR Cite
MO&O	08/08/84	

Small Entity: No

Agency Contact: Art Wall 202 653-8247

RIN: 3060-AC67

[FR Doc. 84-24970 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22 1984

Part XLV

Federal Deposit Insurance Corporation

Semiannual Regulatory Agenda

FDIC

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Ch. III

Semiannual Agenda of Regulations

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Publication of Semiannual Agenda of Regulations.

SUMMARY: The Federal Deposit Insurance Corporation ("FDIC") is hereby publishing items for the October 1984 Regulatory Agenda. The agenda contains information about FDIC's current and projected rulemakings, existing regulations under review, and completed rulemakings.

FOR FURTHER INFORMATION CONTACT: Persons identified under regulations listed in the agenda. The address for all FDIC staff identified in the agenda is Federal Deposit Insurance Corporation, 550 17th Street, N.W., Washington, D.C. 20429.

SUPPLEMENTARY INFORMATION: Twice each year, the FDIC publishes an agenda of regulations to inform the public of its regulatory actions and to enhance public participation in the rulemaking process. Publication of the agenda is in accordance with both the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and the FDIC statement of policy entitled "Development and Review of FDIC Rules and Regulations" (44 FR 31007, May 30, 1979; 44 FR 32353, June 6, 1979; 44 FR 76858, December 28, 1979; 49 FR 7288, February 28, 1984).

FDIC amends its regulations under the general rulemaking authority prescribed in section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819) and under specific authority granted by the Act and other statutes.

The FDIC is voluntarily including its agenda in the "Unified Agenda of Federal Regulations." While the FDIC is an Independent Agency exempt from coverage by Executive Order 12291, it believes that its participation in this joint publication will further the public interest by including in a single source information concerning FDIC current and projected rulemaking and reviews of existing regulations. This agenda conforms to the standardized format of the "Unified Agenda."

Interested persons may petition the FDIC for the issuance, amendment or repeal of any regulation by submitting a written petition to the Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429. Petitioners should include complete and concise statements of their interest in the subject matter and reasons why the petitions should be granted.

DATED: August 28, 1984.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

BILLING CODE 6714-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	12 CFR 332 Credit Card Agreements and Check Guarantees	3064-AA01
2	12 CFR 337 Unsafe and Unsound Banking Practices; Securities Activities of Subsidiaries of Insured Nonmember Banks	3064-AA10
3	12 CFR 325 Capital Maintenance	3064-AA37
4	12 CFR 330 Clarification and Definition of Deposit Insurance Coverage	3064-AA47
5	12 CFR 303 Delegations of Authority, Rules of Practice and Procedures	3064-AA48
6	*12 CFR 330 Brokered Deposits, Limitations on Deposit Insurance	3064-AA26
7	*12 CFR 304 Reporting Requirements on Deposits Placed by Deposit Brokers and Financial Institutions	3064-AA49
8	12 CFR 303 Investments in Bank Service Corporations	3064-AA18
9	12 CFR 332 Activities of Insured Banks; Real Estate, Insurance Brokerage and Underwriting, Data Processing for Third Parties, and Travel Agency Activities	3064-AA29
10	12 CFR 329 Interest on Deposits	3064-AA32
11	12 CFR 352 Nondiscrimination On The Basis Of Handicap	3064-AA39
12	12 CFR 308 Rules of Practice and Procedures; Discovery In Administrative Proceedings	3064-AA42
13	12 CFR 335 Securities of Insured Nonmember Banks	3064-AA45
14	12 CFR 338 Fair Housing	3064-AA50

*Indicates priority regulation.

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
15	12 CFR 344 Securities Recordkeeping and Confirmations	3064-AA30
16	12 CFR 303 Applications, Requests, Submittals, Delegations of Authority, and Notices of Acquisition of Control	3064-AA51

FDIC

Completed Actions

Sequence Number	Title	Regulation Identifier Number
17	12 CFR 336 Employee Responsibilities and Conduct	3064-AA07
18	*12 CFR 338 Fair Housing	3064-AA35
19	12 CFR 348 Management Official Interlocks; Deleting All References to SMSA's and Substituting Therefor the New Classifications Adopted by OMB	3064-AA38
20	*12 CFR 351 International Operations; Accounting for International Loan Fees	3064-AA40
21	12 CFR 304 Penalties For Filing Inaccurate Reports	3064-AA41
22	*12 CFR 351 International Operations; International Loan Reserves	3064-AA44
23	12 CFR 309 Disclosure of Information	3064-AA52
24	12 CFR 303 Applications, Delegations of Authority; Branch, Main Office or Branch Relocation, and Remote Service Facility Applications	3064-AA53
25	12 CFR 303 Applications, Delegations of Authority; Merger Applications and Other Matters	3064-AA54

*Indicates priority regulation.

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) — Current and Projected Rulemakings

PROPOSALS OUTSTANDING

1. CREDIT CARD AGREEMENTS AND CHECK GUARANTEES

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1816 Federal Deposit Insurance Act

CFR Citation: 12 CFR 332; 12 CFR 337

Abstract: On June 12, 1981 the FDIC issued proposed amendments to its regulations which prohibit an insured nonmember bank from guaranteeing the obligations of third parties. These proposed amendments were withdrawn on March 30, 1984. The FDIC has subsequently issued revised proposed amendments. The amendments are in the form of an exemption and are designed to allow banks to do two things: (1) to issue check guaranty cards, and (2) to sponsor customers in credit card agreements with other banks. A number of banks have asked that the present restrictions exclude check guaranty cards and customer-sponsored credit card accounts. The proposed amendments would allow banks to enter into such undertakings as long as they meet certain criteria pertaining to safety and soundness. The language of the proposed amendments is broad enough to include arrangements that have similar characteristics but have been termed differently.

Timetable:

Action	Date	FR Cite
NPRM	06/12/81	46 FR 31018
NPRM Comment Period Begin	06/12/81	46 FR 31018
NPRM Comment Period End	08/11/81	
Withdrawn	03/30/84	49 FR 12707
Revised NPRM	08/24/84	49 FR 33690
Revised NPRM Comment Period Begin	08/24/84	49 FR 33690
Revised NPRM Comment Period End	10/23/84	
Final Action	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Fredric H. Karr, Attorney, Legal Division, (202) 389-4171.

Agency Contact: Roger A. Hood, Assistant General Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA01

2. UNSAFE AND UNSOUND BANKING PRACTICES; SECURITIES ACTIVITIES OF SUBSIDIARIES OF INSURED NONMEMBER BANKS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1816 Federal Deposit Insurance Act; 12 USC 1818(b) Federal Deposit Insurance Act; 12 USC 1828(j)(2) Federal Deposit Insurance Act; PL 97-320 Glass-Steagall Act

CFR Citation: 12 CFR 337

Abstract: The FDIC has determined that it is not unlawful under the Glass-Steagall Act for an insured nonmember bank to establish or acquire a bona fide subsidiary that engages in securities activities nor for an insured nonmember bank to become affiliated with a company engaged in securities activities. At the same time, however, the FDIC has found that some risk may be associated with those activities. In order to address that risk and to ensure the legality of insured nonmember bank indirect involvement in securities activities the FDIC has proposed to amend its regulations to (1) define bona fide subsidiary, (2) limit an insured nonmember bank's permissible direct and indirect investments in its securities subsidiary or subsidiaries, (3) require notice of intent to invest in a securities subsidiary, (4) limit the permissible securities activities of insured nonmember bank subsidiaries, and (5) place certain other restrictions on loans, extensions of credit, and other transactions between insured nonmember banks and their subsidiaries or affiliates that engage in securities activities. The proposed amendment is a continuation of a rulemaking (cont)

Timetable:

Action	Date	FR Cite
ANPRM	09/24/82	47 FR 42121
ANPRM Comment Period Begin	09/24/82	47 FR 42121
ANPRM Comment Period End	10/25/82	
NPRM	05/17/83	48 FR 22155
NPRM Comment Period Begin	05/17/83	48 FR 22155

Action	Date	FR Cite
NPRM Comment Period End	07/18/83	
Revised NPRM	05/01/84	49 FR 18497
Revised NPRM Comment Period Begin	05/01/84	49 FR 18497
Revised NPRM Comment Period End	05/31/84	
Final Action	10/00/84	
Final Action Effective	12/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: initiated by the FDIC on May 17, 1983 with the publication of a previous proposed amendment for public comment at 48 FR 22155.

Analysis: Draft RFA 05/01/84 (49 FR 18497)

Agency Contact: Pamela E.F. LeCren, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA10

3. CAPITAL MAINTENANCE

Legal Authority: 12 USC 1815 Federal Deposit Insurance Act; 12 USC 1816 Federal Deposit Insurance Act; 12 USC 1818 Federal Deposit Insurance Act; 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1828 Federal Deposit Insurance Act

CFR Citation: 12 CFR 325

Abstract: The FDIC is required by statute to evaluate the capital position of a bank before approving various bank applications. Also, it is necessary for FDIC to evaluate capital in determining the safety and soundness of banks it supervises and insures. A proposed rule has been issued by the FDIC that (a) defines capital, (b) establishes minimum standards for adequate capital, (c) establishes standards to determine when an insured bank is operating in an unsafe and unsound condition by reason of the amount of its capital, and (d) establishes procedures for issuing a Directive to require an insured state nonmember bank to achieve and maintain minimum capital.

Timetable:

Action	Date	FR Cite
NPRM	07/20/84	49 FR 29399
NPRM Comment Period Begin	07/20/84	49 FR 29399
NPRM Comment Period End	09/18/84	
Final Action	11/00/84	
Final Action Effective	12/00/84	

Small Entity: No

Agency Contact: Bill C. Houston, Examination Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4765

RIN: 3064-AA37

4. ● CLARIFICATION AND DEFINITION OF DEPOSIT INSURANCE COVERAGE

Legal Authority: 12 USC 1813; 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 1821; 12 USC 1822; 12 USC 3103; 12 USC 3104; 12 USC 3108

CFR Citation: 12 CFR 330; 12 CFR 346

Abstract: The FDIC is proposing changes to amend its International Banking Act regulations in regard to the asset pledge and asset maintenance requirements. The FDIC is also proposing to add a section to its regulation to address concentration of transfer risk. It is proposed that the asset pledge be modified in regard to the amount required and, correspondingly, in regard to the elimination of the allowance of credit for any other pledge-like transaction to a State or the Comptroller of the Currency. There would be no asset maintenance rule per se; rather, there would be a minimum capital equivalency ledger account evidencing funding of the branch by the parent bank. In regard to both the asset pledge and the capital equivalency ledger account, certificates of deposit would be included only if there is a valid waiver of offset agreement. The FDIC is also proposing to add regulatory limitations for concentrations of transfer risk to any one country by an insured branch. A change would also be made to indicate that deposits in the insured branch which are to the credit of an affiliated entity are not insured, and the definition of affiliate would be revised.

Timetable:

Action	Date	FR Cite
NPRM	05/16/84	49 FR 20714
NPRM Comment Period Begin	05/16/84	49 FR 20714
NPRM Comment Period End	07/02/84	
Final Action	10/00/84	
Final Action Effective	11/00/84	

Small Entity: No

Agency Contact: Hugh W. Conway, Review Examiner, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4345

RIN: 3064-AA47

5. ● DELEGATIONS OF AUTHORITY, RULES OF PRACTICE AND PROCEDURES

Legal Authority: 5 USC 504; 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1829; 12 USC 1972; 15 USC 78w; 15 USC 1607

CFR Citation: 12 CFR 303; 12 CFR 308

Abstract: The FDIC is proposing to amend its regulations concerning the procedures for remote service facility applications ("RSFs") requests for reconsideration of denied applications, petitions, or requests, and public comment on merger applications. The amendments would (1) permit establishment of additional RSFs and relocation of existing RSFs after notice to the appropriate FDIC regional director provided that the regional director does not object to the proposal, (2) expand the Director of the Division of Bank Supervision's and regional directors' delegated authority to act on additional RSF applications and RSF relocation applications, (3) specify the content of petitions for reconsideration, (4) specify who within the FDIC will reconsider denied applications, petitions, or requests, and (5) shorten the time period over which comments on merger applications may be filed from 45 days to 30 days.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/00/84	
NPRM	08/23/84	49 FR 33452
NPRM Comment Period Begin	08/23/84	49 FR 33452
NPRM Comment Period End	09/24/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: Carmen J. Sullivan, Assistant Director, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4545

RIN: 3064-AA48

6. BROKERED DEPOSITS, LIMITATIONS ON DEPOSIT INSURANCE

Priority: Agency Determination

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1813 Federal Deposit Insurance Act; 12 USC 1817 Federal Deposit Insurance Act; 12 USC 1821 Federal Deposit Insurance Act; 12 USC 1822 Federal Deposit Insurance Act

CFR Citation: 12 CFR 330

Abstract: On June 20, 1984, the United States District Court for the District of Columbia entered an Order declaring the Final Rule published by the FDIC at 49 FR 13003 (April 2, 1984) on limiting insurance coverage for brokered deposits to be unlawful, enjoining the Rule's implementation and directing that the Order be published. The FDIC published the Order, as directed by the Court, at 49 FR 27294 (July 3, 1984). The FDIC intends to pursue an appeal of the Court's decision.

Timetable:

Action	Date	FR Cite
ANPRM	11/01/83	48 FR 50339
ANPRM Comment Period Begin	11/01/83	48 FR 50339
ANPRM Comment Period End	11/28/83	
NPRM	01/23/84	49 FR 2787
NPRM Comment Period Begin	01/23/84	49 FR 2787
NPRM Comment Period End	03/08/84	
Final Action	04/02/84	49 FR 13003
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Joseph A. DiNuzzo, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA26

7. ● REPORTING REQUIREMENTS ON DEPOSITS PLACED BY DEPOSIT BROKERS AND FINANCIAL INSTITUTIONS

Priority: Agency Determination

Legal Authority: 12 USC 1817; 12 USC 1818; 12 USC 1819; 12 USC 1820

CFR Citation: 12 CFR 304

Abstract: The Federal Deposit Insurance Corporation ("FDIC") has adopted an interim final regulation requiring each FDIC-insured bank with combined brokered deposits and fully insured deposits of financial institutions in excess of either the bank's total capital and reserves or five percent of the bank's total deposits to report holdings of such deposits to the FDIC for every month in which such excess exists. The purpose of this regulation is to provide the FDIC with more frequent information on each FDIC-insured bank's involvement with brokered deposits and fully insured deposits of financial institutions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/84	49 FR 27487
Final Action	01/15/85	

Small Entity: No

Agency Contact: Robert F. Storch, Planning and Program Development Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4761

RIN: 3064-AA49

POTENTIAL ACTIONS

8. INVESTMENTS IN BANK SERVICE CORPORATIONS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; PL 97-320, Sec 709 Garn-St Germain Act

CFR Citation: 12 CFR 303; 12 CFR 304

Abstract: The Garn-St Germain Depository Institutions Act of 1982 empowers banks insured by the FDIC to invest in corporations that engage in "banking" activities. Banks that wish to take advantage of the authority conferred by the Garn-St Germain Depository Institutions Act of 1982 must first obtain the approval of their primary regulator.

The FDIC staff is developing a form for use by nonmember insured banks applying for the FDIC's permission to make investments of this kind.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jules Bernard, Senior Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA18

9. ACTIVITIES OF INSURED BANKS; REAL ESTATE, INSURANCE BROKERAGE AND UNDERWRITING, DATA PROCESSING FOR THIRD PARTIES, AND TRAVEL AGENCY ACTIVITIES

Legal Authority: 12 USC 1816 Federal Deposit Insurance Act; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 332; 12 CFR 333; 12 CFR 337

Abstract: The FDIC staff is evaluating public comments concerning whether there is a need to regulate the involvement of insured banks and bank affiliated companies in the following activities: real estate or insurance brokerage and underwriting; data processing for third parties; travel agency activities; and other financially related activities. The FDIC will propose rules only if it finds such activities pose safety and soundness problems, present conflicts of interest, or are inconsistent with the purposes of Federal deposit insurance.

Timetable:

Action	Date	FR Cite
ANPRM	09/12/83	48 FR 40900
ANPRM Comment Period Begin	09/12/83	48 FR 40900
ANPRM Comment Period End	11/14/83	
NPRM	10/00/84	

Small Entity: No

Agency Contact: Ken A. Quincy, Planning & Program Development Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4171

RIN: 3064-AA29

10. INTEREST ON DEPOSITS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1828 Federal Deposit Insurance Act; 12 USC 1832(a) Federal Deposit Insurance Act

CFR Citation: 12 CFR 329

Abstract: The Federal Deposit Insurance Corporation is developing revisions to Part 329 of its regulations. The purpose of the revisions is to conform Part 329 with the interest-rate regulations of the Depository Institutions Deregulation Committee, 12 C.F.R. Part 1204.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jules Bernard, Senior Attorney, Legal Division, (202) 389-4171.

Agency Contact: F. Douglas Birdzell, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA32

11. NONDISCRIMINATION ON THE BASIS OF HANDICAP

Legal Authority: 29 USC 504 Rehabilitation Act of 1973; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 352

Abstract: The FDIC is developing a regulation that forbids the FDIC, in administering its programs and activities, to discriminate on the basis of handicap against qualified handicapped persons. The regulation will require the FDIC to make reasonable accommodations to ensure that qualified handicapped individuals may participate in FDIC programs or activities. The regulation will address employment of, and communication with, qualified handicapped persons, as well as FDIC program accessibility. The regulation will apply only to the FDIC and not to insured nonmember banks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
Final Action	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Lisa M. Miller, Attorney, Legal Division, (202) 389-4151.

Agency Contact: Thomas W. Louden, Jr., Assistant to the Associate Director, Federal Deposit Insurance Corporation, Division of Accounting & Corporate Services, Washington, D C 20429, 202 389-4251

RIN: 3064-AA39

12. RULES OF PRACTICE AND PROCEDURES; DISCOVERY IN ADMINISTRATIVE PROCEEDINGS

Legal Authority: 5 USC 504 Administrative Procedure Act; 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1972 Tying Arrangements; 15 USC 78w Securities Exchange Act of 1934

CFR Citation: 12 CFR 308

Abstract: The FDIC is developing an amendment to Part 308 of its regulations to provide formal guidelines for the conduct of discovery in administrative hearings under section 8 and section 18 of the Federal Deposit Insurance Act (12 USC sections 1818 and 1828). In addition, FDIC is proposing certain changes in Part 308 to correct impediments to agency responsiveness and capability in adjudicative hearings.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: James L. Meador, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, 202 389-4171

RIN: 3064-AA42

13. SECURITIES OF INSURED NONMEMBER BANKS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 15 USC 781(i) Securities Exchange Act of 1934

CFR Citation: 12 CFR 335

Abstract: The Securities Exchange Act of 1934 requires the FDIC to issue regulations substantially similar to regulations of the Securities and Exchange Commission, or publish reasons for not doing so. The staff will likely propose such conforming amendments for public comment following rulemaking actions by the Commission.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	
Final Action	03/00/85	

Small Entity: No

Agency Contact: Patrick J. Moses, Supervisory Financial Analyst, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4651

RIN: 3064-AA45

14. ● FAIR HOUSING

Legal Authority: 12 USC 1817; 12 USC 1818; 12 USC 1819; 12 USC 1820; 15 USC 1691 et seq; 42 USC 3605; 42 USC 3608

CFR Citation: 12 CFR 338

Abstract: The FDIC is considering amending its Fair Housing regulation, 12 CFR 338, to revise the recordkeeping exemption threshold. The current threshold of $10,000,000 in total assets may be too low. A measure more closely related to home loan activity will be considered. Raising the threshold should improve the efficiency and effectiveness of consumer examiners through more productive use of examination time, and additionally, should reduce the recordkeeping burden on banks.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	
NPRM Comment Period Begin	10/00/84	
NPRM Comment Period End	12/00/84	
Final Action	03/00/85	
Final Action Effective	04/00/85	

Small Entity: No

Agency Contact: Rex J. Morthland, Director, Office of Consumer Programs, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4473

RIN: 3064-AA50

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) — Existing Regulations Under Review

POTENTIAL ACTIONS

15. SECURITIES RECORDKEEPING AND CONFIRMATIONS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1817 Federal Deposit Insurance Act; 12 USC 1818 Federal Deposit Insurance Act

CFR Citation: 12 CFR 344

Abstract: Part 344 of the FDIC's regulations requires insured State nonmember banks effecting securities transactions for customers to maintain chronological and account records of transactions and underlying order tickets reflecting specified information, provide customers with timely specified information, and establish written policies and procedures applicable to the securities activities performed for customers. The regulation serves to assure that customers are provided with adequate information about their securities transactions effected by the bank and that banks are maintaining adequate business records. It was issued through the Federal Financial Institutions Examination Council on an interagency basis in 1979. All three Federal bank regulatory agencies have almost identical regulations. After several years of experience with these regulations, some changes may be desirable. The three banking agencies, as a joint effort under the Examination Council, are reviewing these regulations to determine the specific changes to be proposed.

Timetable:

Action	Date	FR Cite
Begin Review	10/20/83	
End Review	00/00/00	

Small Entity: No

Agency Contact: John F. Harvey, Review Unit Chief, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4295

RIN: 3064-AA30

16. ● APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, AND NOTICES OF ACQUISITION OF CONTROL

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1829; 15 USC 1607

CFR Citation: 12 CFR 303

Abstract: The FDIC is reviewing the requirements of Part 303 of its regulations pertaining to bank application procedures to determine their appropriateness in a changing regulatory environment. The goal is to streamline the procedures to the extent possible under existing statutory requirements. Areas under consideration include applications for Federal deposit insurance for operating noninsured institutions and foreign entities, applications to exercise trust powers, applications to reduce or retire capital, and notices of acquisition of control pursuant to the Change in Bank Control Act of 1978.

Timetable:

Action	Date	FR Cite
Begin Review	04/20/84	
End Review	12/31/84	

Small Entity: No

Agency Contact: Carmen J. Sullivan, Assistant Director, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 389-4545

RIN: 3064-AA51

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) — Completed Actions

COMPLETED RULEMAKINGS

17. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; EO 11222

CFR Citation: 12 CFR 336

Abstract: The FDIC adopted as a final rule a revision to Part 336 of its rules and regulations which governs the standards of ethical and other conduct of FDIC employees. Significant changes include increasing the categories of employees subject to credit restrictions; easing existing restrictions on credit from affiliates of prohibited creditors; permitting assumptions of home mortgage loans from prohibited creditors; easing existing restrictions on ownership of bank securities; reporting of family member employment by insured banks; increasing the categories of employees reporting indebtedness; and reporting the acceptance of private sector employment upon resignation.

Timetable:

Action	Date	FR Cite
NPRM	11/08/83	48 FR 51317
NPRM Comment Period Begin	11/08/83	48 FR 51317
NPRM Comment Period End	01/08/84	
Final Action	05/14/84	49 FR 20269
Final Action Effective	05/14/84	49 FR 20269

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Emily F. Samaha, Deputy Ethics Counselor, (202) 389-4360.

Agency Contact: Hoyle L. Robinson, Executive Secretary and Ethics Counselor, Federal Deposit Insurance Corporation, Washington, DC 20429, 202 389-4425

RIN: 3064-AA07

18. FAIR HOUSING

Priority: Agency Determination

Legal Authority: 12 USC 1817 Federal Deposit Insurance Act; 12 USC 1818 Federal Deposit Insurance Act; 12 USC 1819 Federal Deposit Insurance Act; 12 USC 1820(b) Federal Deposit Insurance Act; 15 USC 1691 et seq Equal Credit Opportunity Act; 42 USC 3605 Fair Housing Act of 1968; 42 USC 3608 Fair Housing Act of 1968

CFR Citation: 12 CFR 338

Abstract: The FDIC amended section 338.4 of its regulations to eliminate the current requirement that insured State nonmember banks collect and record in a log-sheet certain data concerning home loan inquiries while retaining the requirement that information on all such applications be recorded and retained for 25 months. This amendment was made because log-sheet entries about inquiries have not been effective in identifying those banks needing special attention in the fair housing lending monitoring program. The amendment will bring about cost savings for both banks and regulatory authorities and possible improvements in the quality of

compliance examinations through the more efficient use of examiner time.

Timetable:

Action	Date	FR Cite
NPRM	02/14/84	49 FR 5623
NPRM Comment Period Begin	02/14/84	49 FR 5623
NPRM Comment Period End	04/16/84	
Final Action	09/12/84	49 FR 35758
Final Action Effective	10/12/84	

Small Entity: No

Agency Contact: Rex J. Morthland, Director, Office of Consumer Programs, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, **202 389-4473**

RIN: 3064-AA35

19. MANAGEMENT OFFICIAL INTERLOCKS; DELETING ALL REFERENCES TO SMSA'S AND SUBSTITUTING THEREFOR THE NEW CLASSIFICATIONS ADOPTED BY OMB

Legal Authority: 12 USC 3207 Depository Institutions Management Interlocks Act; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 348

Abstract: The Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board, and the National Credit Union Administration (collectively referred to as the "agencies") amended their respective regulations implementing the Depository Institution Management Interlocks Act which generally prohibit certain management official interlocks between unaffiliated depository institutions and depository holding companies depending upon their asset size and location. The amendments will conform the regulations to a change in the Depository Institution Management Interlocks Act which deleted all references to "Standard Metropolitan Statistical Areas" ("SMSAs") and substituted therefor the new classifications for metropolitan statistical areas adopted by the Office of Management and Budget.

Timetable:

Action	Date	FR Cite
Final Action	07/10/84	49 FR 28041
Final Action Effective	07/10/84	49 FR 28041

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Pamela E. F. LeCren, Senior Attorney, Legal Division, (202) 389-4171

Agency Contact: Fredric H. Karr, Attorney, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, **202 389-4171**

RIN: 3064-AA38

20. INTERNATIONAL OPERATIONS; ACCOUNTING FOR INTERNATIONAL LOAN FEES

Priority: Agency Determination

Legal Authority: PL 98-181, Sec 906 Int'l Lending Supervision Act of 1983; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 351

Abstract: This final rule establishes uniform requirements for the accounting for fees associated with the restructuring of international lending arrangements and nonrefundable fees charged by banking institutions in connection with other international loans. This rule implements one aspect of the joint program of the Federal banking agencies to strengthen the supervisory and regulatory framework relating to foreign lending by U.S. banking institutions incorporated in section 906 of the International Lending Supervision Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	02/13/84	49 FR 5594
NPRM Comment Period Begin	02/13/84	49 FR 5594
NPRM Comment Period End	03/09/84	
Final Action	03/29/84	49 FR 12192
Final Action Effective	03/29/84	49 FR 12192

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Peter M. Kravitz, Senior Attorney, Legal Division, (202) 389-4171.

Agency Contact: Robert F. Storch, Planning and Program Development Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, **202 389-4761**

RIN: 3064-AA40

21. PENALTIES FOR FILING INACCURATE REPORTS

Legal Authority: 12 USC 1817 Federal Deposit Insurance Act; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 304

Abstract: The combination of recent reductions in the frequency of bank examinations and the newly expanded powers of banks makes it necessary for the FDIC to place greater reliance on bank prepared reports in discharging regulatory and insurance responsibilities. However, the utility of a substantial number of bank prepared reports continues to be impaired as a result of errors contained therein. In order to reduce errors in the future, the staff will propose that money penalties be imposed on banks filing inaccurate information.

Timetable:

Action	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: William P. Carley, Planning and Program Development Specialist, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, 202 **389-4765**

RIN: 3064-AA41

22. INTERNATIONAL OPERATIONS; INTERNATIONAL LOAN RESERVES

Priority: Agency Determination

Legal Authority: PL 98-181, Sec 905(b) Int'l Lending Supervision Act of 1983; 12 USC 1819 Federal Deposit Insurance Act

CFR Citation: 12 CFR 351

Abstract: Section 905(b) requires the banking agencies to consider whether bank loan loss reserves are adequate in light of international loan reschedulings. This proposed rulemaking, which is under development, is designed to ensure uniformity among banks in setting up such reserves with the objective of promoting sufficiency of such reserves against possible losses in such assets.

Timetable:

Action	Date	FR Cite
Withdrawn	08/27/84	

Small Entity: No

Agency Contact: Peter M. Kravitz, Senior Attorney, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, **202 389-4171**

RIN: 3064-AA44

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

23. ● DISCLOSURE OF INFORMATION

Legal Authority: 5 USC 552; 12 USC 1819

CFR Citation: 12 CFR 309

Abstract: Section 309.4(e) of FDIC regulations ("Publicly available information") provides that certain FDIC bank reports are located in the Data Base Section, Management Information Services Branch, Division of Accounting and Corporate Services ("DACS"). Because of a recent reorganization in DACS, these materials have been transferred to another unit of DACS. Therefore, section 309.4(e) was amended accordingly.

Timetable:

Action	Date	FR Cite
Final Action	05/25/84	49 FR 22069
Final Action Effective	05/25/84	49 FR 22069

Small Entity: No

Agency Contact: Roger A. Hood, Assistant General Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429, **202 389-4171**

RIN: 3064-AA52

24. ● APPLICATIONS, DELEGATIONS OF AUTHORITY; BRANCH, MAIN OFFICE OR BRANCH RELOCATION, AND REMOTE SERVICE FACILITY APPLICATIONS

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1829; 15 USC 1607

CFR Citation: 12 CFR 303

Abstract: The FDIC has amended its regulation delegating authority to the Director of the Division of Bank Supervision ("Director") to act on certain branch, main office or branch relocation, and remote service facility applications as well as the regulation limiting the Director's subdelegation of that authority to FDIC's regional directors. The amendments, which expand the delegated authority of the Director and the regional directors to act on branch, main office or branch relocation, and remote service facility applications, are expected to reduce the time necessary to process such applications and thereby benefit insured nonmember banks.

Timetable:

Action	Date	FR Cite
Final Action	05/18/84	49 FR 21044
Final Action Effective	05/18/84	49 FR 21044

Small Entity: No

Agency Contact: Carmen J. Sullivan, Assistant Director, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, **202 389-4545**

RIN: 3064-AA53

25. ● APPLICATIONS, DELEGATIONS OF AUTHORITY; MERGER APPLICATIONS AND OTHER MATTERS

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1829; 15 USC 1607

CFR Citation: 12 CFR 303

Abstract: The FDIC has amended its regulation to expand the delegated authority of the Director of the Division of Bank Supervision ("Director") and, where confirmed in writing by the Director, the delegated authority of the appropriate regional director, to act on certain merger applications. The FDIC has also amended its regulation to (1) authorize the Board of Review to deny as well as approve applications made pursuant to section 19 of the Federal Deposit Insurance Act seeking approval of the FDIC for an individual who has been convicted of a criminal offense involving dishonesty or a breach of trust to serve as a director, officer, or employee of an insured bank and (2) authorize the Director and regional directors to approve, but not deny, any such section 19 applications. This set of amendments also delegates to the Board of Review the authority to approve or deny requests seeking exemptions from FDIC's regulation prohibiting certain management official interlocks. These amendments, which expand the delegated authority of the Board of Review, the Director, and the regional directors to act on the above applications and requests, are expected to reduce the time necessary to process such (cont)

Timetable:

Action	Date	FR Cite
Final Action	07/13/84	49 FR 28541
Final Action Effective	07/13/84	49 FR 28541

Small Entity: No

Additional Information: ABSTRACT CONT: applications and requests and thus benefit insured banks. Lastly, the FDIC has adopted an amendment that clarifies the language of the existing delegations to act on branch and relocation applications, and permit the Director's delegate or delegates to act on all applications the Director may act on pursuant to section 303.11(a).

Agency Contact: Carmen J. Sullivan, Assistant Director, Federal Deposit Insurance Corporation, Division of Bank Supervision, Washington, DC 20429, **202 389-4545**

RIN: 3064-AA54

[FR Doc. 84-24284 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XLVI

Federal Energy Regulatory Commission

Semiannual Regulatory Agenda

FERC

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Energy Regulatory Commission.

ACTION: Semiannual Regulatory Agenda.

SUMMARY: In response to Office of Management and Budget Bulletin No. 84-16, the Federal Energy Regulatory Commission voluntarily submits information about rulemakings under development. Of the 27 rulemakings listed, 16 are priorities, and 11 are completed actions.

DATES: The dates provided represent goals, not commitments, and may be revised due to shifts in workload, changes in priorities, or extensive public comments. See various dates listed for each specific rulemaking.

ADDRESS: Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Person listed for each specific rulemaking.

Kenneth F. Plumb,

Secretary.

BILLING CODE 6717-01-T

FEDERAL ENERGY REGULATORY COMMISSION (FERC) — Current and Projected Rulemakings

FEE RULEMAKING - GENERAL ACTIVITIES

Priority: Agency Determination

Legal Authority: Independent Offices Appropriations Act

CFR Citation: 18 CFR 1; 18 CFR 3; 18 CFR 375; 18 CFR 381; 18 CFR 385; 18 CFR 389

Abstract: Rulemaking would establish a fee structure for general services performed by the Commission for which the Commission is authorized to collect fees. Docket No. RM82-35.

Timetable:

Action	Date	FR Cite
NPRM	06/15/82	47 FR 27375
Final Action	09/30/84	

Small Entity: No

Agency Contact: Joseph Hartsoe, Federal Energy Regulatory Commission, 825 North Capitol St., NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA06

REVISION TO FERC RULES OF PRACTICE, PART 3, DISCOVERY

Priority: Agency Determination

Legal Authority: 16 USC 791 to 828c Federal Power Act; 15 USC 717 to 717w Natural Gas Act; 15 USC 3301 to 3432 Natural Gas Policy Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009; 16 USC 2601 to 2645 PURPA

CFR Citation: 18 CFR 1.23; 18 CFR 1.26

Abstract: This will establish a uniform set of rules governing discovery in FERC trial-type hearings. Docket No. RM83-41-000.

Timetable:

Action	Date	FR Cite
NPRM	07/26/84	49 FR 30519
NPRM Comment Period Begin	07/26/84	
NPRM Comment Period End	10/01/84	

Small Entity: No

Agency Contact: Frederic Chanania, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA13

ELIMINATION OF COMMODITY CHARGES FROM NATURAL GAS PIPELINE MINIMUM BILL PROVISIONS

Priority: Agency Determination

Legal Authority: 16 USC 717 to 717w Natural Gas Act

CFR Citation: 18 CFR 154

Abstract: Minimum bill provisions generally require a purchaser of natural gas from a pipeline to pay a certain amount based on an assumed level of utilization of its contractual volumes whether or not that level is achieved. In the context of the transition to natural gas decontrol and today's market conditions, minimum bill provisions may not currently serve a legitimate purpose and, in fact, may be exacerbating current market disorders. The planned NOPR would prohibit recovery by a pipeline seller of gas costs not actually incurred under minimum bill commodity provisions. Docket No. RM83-71.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	08/30/83	
NPRM Comment Period End	09/29/83	
Final Rule	06/01/84	49 FR 22778
Final Rule Effective	07/31/84	
NPRM	08/10/84	
Final Action	12/31/84	

Small Entity: No

Agency Contact: Jack O. Kendall, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA21

FIRST SALES OF PIPELINE PRODUCTION UNDER THE NGPA

Priority: Agency Determination

Legal Authority: 15 USC 3301 to 3432

CFR Citation: 18 CFR 270.203

Abstract: The regulation will replace a regulation concerning the maximum lawful price of a pipeline's own production that was vacated by the Supreme Court in P.S.C. of New York v. Mid-Louisiana Gas Co. There are two alternatives under consideration: should the first sale designation be made at the intracorporate transfer level or a downstream transfer point for natural gas sold by the pipeline. Docket No. RM83-72-000.

Timetable:

Action	Date	FR Cite
NPRM	01/03/84	49 FR 70
NPRM Comment Period Begin	01/03/84	49 FR 70

Action	Date	FR Cite
NPRM Comment Period End	03/05/84	
Final Rule	08/15/84	
Final Action	12/31/84	

Small Entity: No

Agency Contact: Michael A. Stosser, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA22

REVISION OF FERC RULES OF PRACTICE, SEPARATION OF FUNCTIONS AND EX PARTE RULES FOR TRIAL-TYPE PROCEEDINGS

Priority: Agency Determination

Legal Authority: 5 USC 557

CFR Citation: 18 CFR 385.2201; 18 CFR 385.2202

Abstract: Rule would establish uniform ex parte and separation of functions rules for all trial-type proceedings. Docket No. RM80-60-000.

Timetable:

Action	Date	FR Cite
NPRM	05/29/80	45 FR 36094
Final Action	12/31/84	

Small Entity: No

Agency Contact: Ellen Schall, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5737

RIN: 1902-AA31

APPLICATION FOR AUTHORITY TO HOLD INTERLOCKING POSITIONS REQUIRING APPROVAL UNDER SECTION 305(B) OF THE FEDERAL POWER ACT

Priority: Agency Determination

Legal Authority: 16 USC 792 to 828c

CFR Citation: 18 CFR 45, (Revision)

Abstract: The proposed rule would amend the procedure for application for authority to hold interlocking positions that require Commission approval under section 305(b) of the Federal Power Act. It would provide for a less burdensome procedure for acquiring Commission approval to hold positions with companies within a single electric utility holding company system registered under the Public Utility Holding Company Act of 1935. Docket No. RM83-63.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: Joseph H. Long, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA32

CALCULATION OF CASH WORKING CAPITAL ALLOWANCE FOR PUBLIC UTILITIES

Priority: Agency Determination

Legal Authority: 16 USC 79 to 828c

CFR Citation: 18 CFR 35

Abstract: Proposed rule would provide that a public utility that files electric rate schedules may include in rate base no cash working capital allowance, unless it is demonstrated that the payment of certain current operating expenses by that utility is not, on the average, closely timed with the receipt of revenues from ratepayers, producing a significant "lead" or "lag" in revenue collection in relation to the payment of expenses. The new section would prescribe the expense elements includable in cash working capital, the parameters of the presumption against a cash working capital allowance, and the nature of the studies that may be submitted in support of, or in opposition to, any request for a cash working capital allowance. Docket No. RM84-9.

Timetable:

Action	Date	FR Cite
NPRM	04/05/84	49 FR 14384
NPRM Comment Period Begin	04/11/84	
NPRM Comment Period End	07/05/84	
Final Action	12/31/84	

Small Entity: No

Agency Contact: Jack O. Kendall, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA33

APPLICATION FOR LICENSE, PERMIT AND EXEMPTION FROM LICENSING FOR WATER POWER PROJECTS

Priority: Agency Determination

Legal Authority: 16 USC 791(a) to 828(c)

CFR Citation: 18 CFR 4, (Revision)

Abstract: The proposed rule would amend regulations governing applications for license, preliminary permit and exemption from licensing for hydroelectric projects. Docket No. RM83-56.

Timetable:

Action	Date	FR Cite
NPRM	03/05/84	49 FR 8009
NPRM Comment Period Begin	03/05/84	
NPRM Comment Period End	05/14/84	
Final Action	12/31/84	

Small Entity: No

Agency Contact: Joseph H. Long, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA34

TEMPORARY EMERGENCY TRANSPORTATION, SALES AND DELIVERY OF NATURAL GAS

Priority: Agency Determination

Legal Authority: Natural Gas Act, Sec 7(c)

CFR Citation: 18 CFR 2; 18 CFR 157; 18 CFR 284

Abstract: The rule would update the Commission's regulations regarding emergency transportation, sales, and delivery of natural gas, and would eliminate unnecessary reporting requirements. Docket No. RM83-31.

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	
NPRM Comment Period Begin	09/15/84	
NPRM Comment Period End	11/15/84	

Small Entity: No

Agency Contact: Cathy Ciaglo, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA35

◎ REFUNDS RESULTING FROM BTU MEASUREMENT ADJUSTMENTS

Priority: Agency Determination

Legal Authority: Ingaa, 716 F.2d 1(D.C. Cir. 1983) cert. denied; 15 USC 717 to 717w 1982

CFR Citation: 18 CFR 154.38; 18 CFR 154.102

Abstract: The proposed rule will address the different methods for dealing with the overcharges by producers of natural gas resulting from Btu Adjustments. Docket No. RM84-6-000.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	01/26/84	49 FR 3198
Public Comment Period begins	02/27/84	
Interim Final Rule	05/07/84	49 FR 19293
Final Action	09/30/84	

Small Entity: No

Agency Contact: Joseph Hartsoe, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA38

● GENERIC DETERMINATION OF RATE OF RETURN ON COMMON EQUITY FOR PUBLIC UTILITIES

Priority: Agency Determination

Legal Authority: 16 USC 782 to 828c Federal Power Act; 42 USC 7101 to 7352 Dept. of Energy Organization Act

CFR Citation: 18 CFR 37

Abstract: The purpose of this proceeding is to determine an estimate of the average cost of common equity for the jurisdictional operations of public utilities for the year ending June 30, 1984 and a quarterly indexing procedure to establish benchmark rates of return on common equity for use in individual rate cases. Docket No. RM84-15-000.

Timetable:

Action	Date	FR Cite
NPRM	07/18/84	49 FR 29967
NPRM Comment Period Begin	07/18/84	49 FR 29967
NPRM Comment Period End	10/26/84	
Final Action	03/30/85	

Small Entity: No

Agency Contact: Arnold Meltz, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8153

RIN: 1902-AA39

● FEES APPLICABLE TO NATURAL GAS PIPELINE CERTIFICATES

Priority: Agency Determination

Legal Authority: 42 USC 7101 to 7352 Department of Energy Organization Act; 31 USC 483a Independent Offices Appropriations Act

CFR Citation: 18 CFR 2; 18 CFR 152; 18 CFR 154; 18 CFR 156; 18 CFR 157; 18 CFR 281; 18 CFR 284; 18 CFR 381

Abstract: The rule will establish a schedule of fees a pipeline must pay for Commission services relating to certificates of necessity and convenience under the Natural Gas Act. Docket No. RM82-31-000.

Timetable:

Action	Date	FR Cite
NPRM	09/10/82	47 FR 40634
Final Action	12/31/84	

Small Entity: No

Agency Contact: Albert Francese, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA40

● METHODOLOGY FOR SALES OF ELECTRIC POWER TO BONNEVILLE POWER ADMINISTRATION

Priority: Agency Determination

Legal Authority: 16 USC 839 to 839h Northwest Power Act

CFR Citation: 18 CFR 301

Abstract: This rule pertains to approving or disapproving Bonneville Power Administration's new methodology for determining the average system cost of a utility's resources. Docket No. RM84-16-000.

Timetable:

Action	Date	FR Cite
NPRM	06/12/84	49 FR 24146
NPRM Comment Period Begin	06/12/84	
NPRM Comment Period End	06/22/84	
Final Action	12/31/84	

Small Entity: No

Agency Contact: Janice Macpherson, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA41

● NGPA PRICING CHANGES ON JANUARY 1, 1985

Priority: Agency Determination

Legal Authority: 16 USC 3301 to 3342 Natural Gas Policy Act

CFR Citation: 18 CFR 271; 18 CFR 272; 18 CFR 273; 18 CFR 274

Abstract: This rulemaking would make both substantive and technical changes to the Commission's rules implementing the NGPA. These changes are necessitated by deregulation under section 121 of certain categories of gas and new ceiling prices under sections 103 and 105 on January 1, 1985. Docket No. RM84-14-000.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: Kenneth Malloy, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA42

● RETIREMENT UNITS OF NUCLEAR REACTOR PLANT EQUIPMENT

Priority: Agency Determination

Legal Authority: 16 USC 792 to 828c

CFR Citation: 18 CFR 35

Abstract: Proposed rule would establish list of retirement units for nuclear reactor plants for purposes of the Commission's Uniform Systems of Accounts. Docket No. RM83-39-000.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: No

Agency Contact: Jack O. Kendall, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA43

● REFUND OBLIGATIONS OF SELLERS AND PURCHASERS OF FIRST-SALE NATURAL GAS UNDER NGPA

Priority: Agency Determination

Legal Authority: 15 USC 717 to 717w; 15 USC 3331 to 3432

CFR Citation: 18 CFR 154; 18 CFR 270; 18 CFR 273

Abstract: Proposed rule and statement of policy pertain to the obligations and duties of sellers and purchasers to make diligent and prudent efforts to ensure the pass-through to gas consumers of amounts paid in excess of maximum lawful prices established pursuant to the Natural Gas Policy Act of 1978. Docket No. RM83-53-000.

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	
NPRM Comment Period Begin	08/27/84	
NPRM Comment Period End	10/27/84	

Small Entity: No

Agency Contact: Jack O. Kendall, Attorney, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-8033

RIN: 1902-AA44

FEDERAL ENERGY REGULATORY COMMISSION (FERC) — Completed Actions

COMPLETED RULEMAKINGS

GENERIC DETERMINATION OF RATE OF RETURN ON COMMON EQUITY FOR ELECTRIC UTILITIES

Priority: Agency Determination

CFR Citation: 18 CFR 37

Completed:

Reason	Date	FR Cite
Final Action	08/15/84	

Small Entity: No

Agency Contact: Arnold Meltz 202 357-8153

RIN: 1902-AA01

ANNUAL CHARGES FOR USE OF GOVERNMENT DAMS

Priority: Agency Determination

CFR Citation: 18 CFR 11.22

Completed:

Reason	Date	FR Cite
Final Action	08/15/84	

Small Entity: No

Agency Contact: Jan Macpherson 202 357-8033

RIN: 1902-AA16

SUBMISSION OF SETTLEMENT OFFER AND CONTESTED OFFERS OF SETTLEMENT

Priority: Agency Determination

CFR Citation: 18 CFR 385.602(h)

Completed:

Reason	Date	FR Cite
Proposal not approved by Commission	05/09/84	

Small Entity: No

Agency Contact: Cathy Ciaglo 202 357-8033

RIN: 1902-AA17

FILING REQUIREMENTS AND PROCEDURES FOR THE APPROVAL OF RATES OF FEDERAL POWER MARKETING AGENCIES

Priority: Agency Determination

CFR Citation: 18 CFR 300

Completed:

Reason	Date	FR Cite
Final Action	06/12/84	49 FR 25231

Small Entity: No

Agency Contact: Kenneth J Malloy 202 357-8033

RIN: 1902-AA19

REVISIONS TO THE FILING REQUIREMENTS FOR CHANGES IN A TARIFF, EXECUTED SERVICE AGREEMENT, OR PART THEREOF

Priority: Agency Determination

CFR Citation: 18 CFR 154

Completed:

Reason	Date	FR Cite
Final Action	06/18/84	48 FR 24880
Final Action Effective	10/11/84	

Small Entity: No

Agency Contact: Michael A Stosser 202 357-8033

RIN: 1902-AA24

APPLICATION FOR AUTHORITY TO HOLD INTERLOCKING POSITIONS REQUIRING APPROVAL UNDER SECTION 305(B) OF THE FEDERAL POWER ACT

Priority: Agency Determination

CFR Citation: 18 CFR 45.8(Revision)

Completed:

Reason	Date	FR Cite
Final Action	05/15/84	49 FR 20477

Small Entity: No

Agency Contact: Joseph H Long 202 357-8033

RIN: 1902-AA25

REVISIONS TO PUBLIC UTILITY AND NATURAL GAS COMPANY CLASSIFICATION CRITERIA, UNIFORM SYSTEMS OF ACCOUNTS (FORM NOS. 1, 1-F, 2, AND 2-A, AND RELATED REGULATIONS)

Priority: Agency Determination

CFR Citation: 18 CFR 34; 18 CFR 41; 18 CFR 101; 18 CFR 104; 18 CFR 116; 18 CFR 141; 18 CFR 154; 18 CFR 158; 18 CFR 159; 18 CFR 201; 18 CFR 204; 18 CFR 216; 18 CFR 260; 18 CFR 389

Completed:

Reason	Date	FR Cite
Final Action	08/14/84	49 FR 32496

Small Entity: No

Agency Contact: Joseph Hartsoe 202 357-8033

RIN: 1902-AA26

REVISIONS TO THE FERC RULES OF PRACTICE AND PROCEDURE, PART 385

Priority: Agency Determination

CFR Citation: 18 CFR 385

Completed:

Reason	Date	FR Cite
Final Action	05/23/84	49 FR 21701

Small Entity: No

Agency Contact: Elizabeth Withnell 202 357-8033

RIN: 1902-AA29

RULES OF PRACTICE AND PROCEDURE: RECONSIDERATION OF INITIAL DECISIONS

Priority: Agency Determination

CFR Citation: 18 CFR 385

Completed:

Reason	Date	FR Cite
Final Action Rehearing	08/15/84	49 FR 33869

Small Entity: No

Agency Contact: Frederic Chanania 202 357-8033

RIN: 1902-AA30

INTERIM PROCEDURES FOR SHORTAGES OF ENERGY AND CAPACITY UNDER SECTION 206 OF PURPA

Priority: Agency Determination

CFR Citation: 18 CFR 294

Completed:

Reason	Date	FR Cite
Final Action	07/18/84	

Small Entity: No

Agency Contact: Kenneth J. Malloy 202 357-8033

RIN: 1902-AA36

RULE REQUIRED UNDER SECTION 202 OF THE NATURAL GAS POLICY ACT OF 1978

Priority: Agency Determination

CFR Citation: 18 CFR 282

Completed:

Reason	Date	FR Cite
Final Action	03/15/84	49 FR 12207

Small Entity: No

Agency Contact: Barbara K. Christin 202 357-8033

RIN: 1902-AA37

[FR Doc. 84-24285 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XLVII

Federal Home Loan Bank Board

Semiannual Regulatory Agenda

FHLBB

FEDERAL HOME LOAN BANK BOARD

12 CFR Ch. V

[No. 84-489]

Unified Agenda of Federal Regulations

AGENCY: Federal Home Loan Bank Board.

ACTION: Publication of agenda.

SUMMARY: The Federal Home Loan Bank Board is participating in the interagency publication, by the Regulatory Information Service Center of the Office of Management and Budget, of information pertaining to certain of its outstanding regulatory proposals, to be included in the Unified Agenda of Federal Regulations.

ADDRESS: Information Services Section, Office of the Secretariat, Federal Home Loan Bank Board, 1700 G Street, N.W., Washington, D.C. 20552.

FOR FURTHER INFORMATION CONTACT: See persons listed below for specific proposals.

DATED: September 7, 1984.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistant Secretary.

BILLING CODE 6720-01-T

FEDERAL HOME LOAN BANK BOARD (FHLBB) — Current and Projected Rulemakings

MONITORING FAIR LENDING PRACTICES

Legal Authority: 12 USC 2901; 15 USC 1691; 42 USC 3601 to 3619; 42 USC 1981; EO 11063; 14 USC 1437; 12 USC 1725; 12 USC 1726; 12 USC 1730; 12 USC 1464; Reorg. Plan No. 3 of 1947

CFR Citation: 12 CFR 528.6

Abstract: The Board is proposing to amend its Loan Application Register and Data Submission Report currently required to be maintained by all institutions that are members of the Federal Home Loan Bank System, for the purposes of monitoring fair lending practices. The proposed amendments would provide for efficient monitoring pursuant to Title VIII of the Civil Rights Act of 1968, the Equal Credit Opportunity Act, and the Community Reinvestment Act, while reducing paperwork of regulated institutions.

Timetable:

Action	Date	FR Cite
Public Comment Period End date	06/08/82	

Next Action Undetermined

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: The proposal would benefit small associations by reducing paperwork and eliminating certain reporting requirements for those receiving a small number of loan applications.

Agency Contact: Peggy W. Spohn, Deputy Director, Federal Home Loan Bank Board, Office of Examinations and Supervision, 1700 G Street, NW, Washington, DC 20552, 202 377-6947

RIN: 3068-AA01

SECURITIES OFFERINGS

Legal Authority: 12 USC 1725; 12 USC 1726; 12 USC 1730; 12 USC 1464

CFR Citation: 12 CFR 563.7-4; 12 CFR 563.8; 12 CFR 563.8-1; 12 CFR 563.8-4; 12 CFR 563c.1; 12 CFR 563g, (Proposed new Part)

Abstract: The proposal is intended to establish uniform rules for securities offerings applicable to all institutions whose accounts are insured by, or who are applying for insurance from, the Federal Savings and Loan Insurance Corporation, and to relieve current restrictions on securities activities by such institutions at their offices. The current lack of uniform rules puts institutions in danger of inadvertently violating the disclosure-oriented antifraud provisions of the Securities Act of 1933 and the Securities Exchange Act of 1934, and the use of inadequate or misleading disclosures by individual institutions could have a significant adverse impact on the capability of other thrift institutions to raise capital and could result generally in illiquid and disorderly markets for the securities of insured institutions.

The alternatives under consideration are: (1) do nothing (no adoption of rules); (2) adopt unique disclosure rules for thrifts; or (3) adopt SEC-like rules (as proposed-public market recognition and comparability).

Costs/benefits have not been quantified; general (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/14/83	48 FR 10684
NPRM Comment Period Begin	03/14/83	
NPRM Comment Period End	05/09/83	

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: weighing of the industry cost of producing disclosure documents (and disclosing possibly unfavorable elements) vs. the cost of antifraud litigation, inability to raise capital, and FSLIC liability for institutions materially weakened by such adverse actions.

Agency Contact: John P. Harootunian, Attorney, Div of Securities & Corporate Anal, Federal Home Loan Bank Board, OGC, 1700 G Street, NW, Washington, DC 20552, 202 377-6415

RIN: 3068-AA04

[FR Doc. 84-24971 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part XLVIII

Federal Maritime Commission

Semiannual Regulatory Agenda

FMC

FEDERAL MARITIME COMMISSION

46 CFR Ch. IV

Unified Regulatory Agenda

AGENCY: Federal Maritime Commission.

ACTION: Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to section 5 of E.O. 12291 and the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) the Commission anticipates having under consideration during the period from October 1, 1984, to September 30, 1985, actions in the areas listed below.

FOR FURTHER INFORMATION CONTACT: For further information concerning Commission rulemaking procedures or the status of any matter listed below, contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, (202) 523-5725.

SUPPLEMENTARY INFORMATION: Section 602 of the Regulatory Flexibility Act (5 U.S.C. 602) requires the publication of an agenda of items for which regulatory agencies may propose or promulgate a rule which is likely to have a significant economic impact on a substantial number of small entities. Section 5 of Executive Order 12291 also requires executive agencies to publish a regulatory agenda; the Commission voluntarily complies with this section. The agendas include information on regulatory activities being conducted or reviewed during the succeeding 12 months by the Commission. The following is the Commission's Unified Regulatory Agenda. The agenda does not necessarily include petitions for rulemakings which are under staff review.

In addition, the Commission is publishing a compilation of the status of pending rulemaking proceedings and a listing of rules that have become final since the publication of the most recent regulatory agenda (April 1984). This list will be made available to the press and interested groups.

Francis C. Hurney,

Secretary.

BILLING CODE 6730-01-T

FEDERAL MARITIME COMMISSION (FMC) — Current and Projected Rulemakings

PUBLIC INFORMATION - FREEDOM OF INFORMATION ACT

Priority: Agency Determination

Legal Authority: 5 USC 552(b)(4); 46 USC 841(a)

CFR Citation: 46 CFR 503

Abstract: Amendments to current rules governing treatment of FOIA requests will provide for notification to filers of "business confidential" information to permit responses before a decision to release or not to release information requested under the Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5725

RIN: 3072-AA12

PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - CO-LOADING PRACTICES BY NVOCCS

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 820; 46 USC app 841(a); 46 USC app 843; 46 USC 844; 46 USC 845; 46 USC 845a; 46 USC 846

CFR Citation: 46 CFR 580

Abstract: Non-vessel operating carrier tariff regulations and filing requirements are being revised and updated.

Timetable:

Action	Date	FR Cite
NPRM	07/25/84	49 FR 29980
NPRM Comment Period Begin	07/25/84	49 FR 29980
NPRM Comment Period End	09/24/84	
Final Action	12/00/84	

Small Entity: No

Additional Information: Docket No. 84-27

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA29

FILING OF TARIFFS BY TERMINAL OPERATORS

Legal Authority: 46 USC 816; 46 USC 820; 46 USC 841(a); 46 USC app 1709; 46 USC app 1714; 46 USC app 1716

CFR Citation: 46 CFR 515

Abstract: This proposal will clarify and define terminal operator liability in tariffs filed under Commission General Order 15.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	09/14/83	48 FR 41199
Notice of Procedure	10/28/83	48 FR 49879
Notice of Oral Hearing	02/22/84	49 FR 6507
Final Action	10/00/84	

Small Entity: Not Applicable

Additional Information: Docket No. 83-38.

Affected Sectors: 446 Services Incidental to Water Transportation

Agency Contact: Hubert E. Bradford, Chief, Office of Domestic Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5856

RIN: 3072-AA30

RULES OF PRACTICE AND PROCEDURE; FINANCIAL REPORTS OF COMMON CARRIERS BY WATER IN THE DOMESTIC OFFSHORE TRADES; PUBLISHING, FILING AND POSTING OF TARIFFS IN DOMESTIC OFFSHORE COMMERCE

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 820; 46 USC app 841(a); 46 USC app 843; 46 USC app 844; 46 USC app 845a; 46 USC app 847

CFR Citation: 46 CFR 502; 46 CFR 550; 46 CFR 552

Abstract: This proposal would remove certain financial reporting requirements

affecting vessel operating common carriers serving the trades between the continental United States and Puerto Rico and the U.S. Virgin Islands and make other rule changes. The proposal is made in response to a petition filed by a major common carrier and is intended to alleviate the regulatory burden on carriers in the Puerto Rican trades. Commission General Orders 11, 16 and 38 would be affected.

Timetable:

Action	Date	FR Cite
NPRM	01/26/84	49 FR 3228
NPRM Comment Period Begin	01/26/84	
NPRM Comment Period End	04/25/84	
Final Action	10/00/84	

Small Entity: Not Applicable

Additional Information: Docket No. 84-2.

Affected Sectors: 442 Deep Sea Domestic Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA33

● FREE TIME AND DEMURRAGE; FILING OF TARIFFS BY TERMINAL OPERATORS; PROTECTION OF THE PUBLIC ON PASSENGER VESSELS; FILING OF TARIFFS BY TERMINAL BARGE OPERATORS; TRUCK DETENTION AT NEW YORK

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 817d; 46 USC app 817e; 46 USC app 820; 46 USC app 841(a); 46 USC app 844; 46 USC app 1707; 46 USC app 1709; 46 USC app 1714; 46 USC app 1716

CFR Citation: 46 CFR 515; 46 CFR 520; 46 CFR 525; 46 CFR 530; 46 CFR 540

Abstract: The rules are designed to put into place all the Commission's basic regulations for passenger vessel operators and terminal operations. The rules contain no substantive changes to existing regulations but implement the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/03/84	49 FR 18846
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 84-18

Affected Sectors: 445 Local Water Transportation; 446 Services Incidental to Water Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA37

● CERTIFICATION OF COMPANY POLICIES AND EFFORTS TO COMBAT REBATING IN THE FOREIGN COMMERCE OF THE UNITED STATES

Priority: Agency Determination

Legal Authority: 46 USC app 1701; 46 USC app 1702; 46 USC app 1707; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 582

Abstract: The Commission is modifying its rules on the filing of certifications of company practices to combat rebating in the foreign commerce of the United States to bring them into conformity with the Shipping Act of 1984. The modification expands the application of the annual certification requirement from vessel operating common carriers to all common carriers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/29/84	49 FR 22294
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 84-25

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA38

● PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES

Priority: Agency Determination

Legal Authority: 46 USC app 1703 to 1705; 46 USC app 1707 to 1709; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 580

Abstract: These new rules modify and add to definitions contained in the existing tariff filing rules, amend rules governing the filing of intermodal tariffs, delete references to dual rate contracts, make provision for time/volume and related contracts and implement the statutory exemptions to bring them into conformity with the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/84	49 FR 21713
Enlargement of Time to Comment	06/11/84	49 FR 24023
Interim Rule - Amendment	06/14/84	49 FR 24703
Interim Rule - Correction	06/27/84	49 FR 26231
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 84-24

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA39

● FILING OF TARIFFS AND DUAL RATE CONTRACT SYSTEMS IN THE FOREIGN COMMERCE OF THE UNITED STATES

Priority: Agency Determination

Legal Authority: 46 USC app 1703 to 1705; 46 USC app 1707 to 1709; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 580.16

Abstract: This rule implements the new legislation as it applies to loyalty (dual rate) contracts by removing regulations contained in 46 CFR 538 governing the

present use of such contracts and by amending the regulations contained in 46 CFR 536 governing the filing of tariffs by carriers and conferences of carriers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/84	49 FR 20817
Interim Rule - Response	06/14/84	49 FR 24696
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 84-23

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA40

● PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - SERVICE CONTRACTS AND TIME/VOLUME CONTRACTS

Priority: Agency Determination

Legal Authority: 46 USC app 1703 to 1705; 46 USC app 1707 to 1709; 46 USC app 1714 to 1716

CFR Citation: 46 CFR 580.7

Abstract: This rule governs the form and use of service contracts authorized by the Shipping Act of 1984 and time/volume and revenue contracts between shippers or shipper's associations and between ocean common carriers or conferences. A service contract is an agreement between a shipper and a carrier or conference wherein the shipper makes a commitment to provide a certain minimum amount of cargo over a fixed time period and the carrier commits to a certain rate or rate schedule and defined service level.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/03/84	49 FR 18849
Interim Rule - Amendment	06/14/84	49 FR 24701
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 84-21

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA41

● LICENSING OF OCEAN FREIGHT FORWARDERS

Priority: Agency Determination

Legal Authority: 46 USC app 1702; 46 USC app 1707; 46 USC app 1709; 46 USC app 1714; 46 USC app 1716; 46 USC app 1718

CFR Citation: 46 CFR 510

Abstract: This rulemaking amends the Commission's regulations pertaining to the ocean freight forwarding industry to comply with the requirements of the Shipping Act of 1984. Other amendments have been made relating to, among others, forwarder-shipper affiliation notice requirements, invoicing, certification requirements, accounting to principals, anti-rebate policy declarations, and Federal Register notice requirements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/03/84	49 FR 18839
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: This rulemaking is docketed as Docket No. 84-19. It supersedes the rulemaking proceeding in Docket No. 83-35, which was discontinued on 04/24/84. It incorporated the changes to the forwarder regulations under consideration in Docket No. 83-35 and contains the required amendments to the forwarder regulations necessitated by passage of the Shipping Act of 1984 (46 USC app. 1701).

Affected Sectors: 446 Services Incidental to Water Transportation

Agency Contact: Jeremiah D. Hospital, Chief, Office of Freight Forwarders, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5843

RIN: 3072-AA42

● INTERIM RULE WITH REQUEST FOR COMMENTS PERTAINING TO CERTAIN EXCLUSIVE AND NONEXCLUSIVE TRANSSHIPMENT ARRANGEMENTS

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1703 to 1706; 46 USC app 1716

CFR Citation: 46 CFR 572

Abstract: This interim rule with request for public comment would clarify the status of certain transshipment agreements where one party operates in the foreign commerce of the United States, and therefore is subject to the Shipping Act of 1984, and another party that operates in the United States domestic offshore trades and is still subject to the Shipping Act, 1916. The proposed rule would consider the domestic segment of such arrangements involving a through movement of cargo via transshipment in the foreign commerce of the United States to also be in the foreign commerce of the United States and therefore subject to the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Affected Sectors: 441 Deep Sea Foreign Transportation; 442 Deep Sea Domestic Transportation

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA43

● RULES GOVERNING AGREEMENTS BY OCEAN COMMON CARRIERS AND OTHER PERSONS SUBJECT TO THE SHIPPING ACT OF 1984

Priority: Agency Determination

Legal Authority: 5 USC 553; 46 USC app 1701 to 1710; 46 USC app 1712; 46 USC app 1714 to 1717

CFR Citation: 46 CFR 572

Abstract: These interim and final rules implement those sections of the Shipping Act of 1984 that govern agreements by or among ocean common carriers and other persons subject to the Act in the foreign commerce of the United States. The final rules will indicate the extent to which the authority conferred by agreements involving concerted activity needs to be express and specific, as to leave no doubt as to the activities being specifically authorized, including any limitations or restrictions upon such activities. Included in the rules are provisions that 1) define an "agreement", 2) set forth those types of agreements that are within the scope of the Act, 3) require parties to an agreement to file a copy of the agreement and other information, 4) establish procedures for Commission review and exemption and 5) for the filing of minutes and other reports.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/29/84	49 FR 22296
Interim Rule - Amendment	06/14/84	49 FR 24697
Interim Rule - Modification	06/14/84	49 FR 24521
Final Action	12/00/84	
Final Action Effective	12/00/84	

Small Entity: Undetermined

Additional Information: Docket No. 84-26

Affected Sectors: 441 Deep Sea Foreign Transportation; 446 Services Incidental to Water Transportation

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA44

FEDERAL MARITIME COMMISSION (FMC) — Existing Regulations Under Review

FILING OF AGREEMENTS BETWEEN COMMON CARRIERS OF FREIGHT BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES - CHARTER ARRANGEMENTS

Legal Authority: 46 USC app 1703 to 1706; 46 USC app 1716

CFR Citation: 46 CFR 560

Abstract: This interpretive ruling will define the types of charter arrangements that are subject to the Commission's approval requirements prior to any consideration of possible rulemaking to grant exemption under Commission General Order 24.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/84	
End Review	12/00/84	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: Edward F. Hawkins, Deputy Director, Bureau of Agreements, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA35

FEDERAL MARITIME COMMISSION (FMC) — Completed Actions

COMPLETED RULEMAKINGS

PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - PER CONTAINER RATE RULES

Legal Authority: 5 USC 533; 46 USC 817(b); 46 USC 821; 46 USC 941(a)

CFR Citation: 46 CFR 536

Abstract: This rule will prescribe the form and manner governing the establishment of per container/trailer rates in tariffs for common carriers and conferences in the U.S. foreign commerce to ensure the proper application of such rates. Decision pends further comments to petitions for reconsideration.

Timetable:

Action	Date	FR Cite
NPRM	08/28/81	46 FR 43474
Interim Final Rule	06/14/82	47 FR 25532
Grant of Petition for Reconsideration	10/14/82	47 FR 45833
Order of Discontinuance	04/27/84	49 FR 18138

Small Entity: Not Applicable

Additional Information: Docket No. 81-50.

Agency Contact: James A. Warner, Chief, Office of Foreign Tariffs, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5827

RIN: 3072-AA04

PUBLIC INFORMATION - EQUAL ACCESS TO JUSTICE

Priority: Agency Determination

Legal Authority: PL 96-41; 5 USC 504 et seq; 46 USC 841(a)

CFR Citation: 46 CFR 503

Abstract: The Equal Access to Justice Act provides for reimbursement to persons who have been subjected to investigatory processes and who subsequently prevail on the merits.

Timetable:

Action	Date	FR Cite
Withdrawn	06/00/84	

Small Entity: Undetermined

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5725

RIN: 3072-AA10

RULES OF PRACTICE AND PROCEDURE - SMALL CLAIMS

Legal Authority: 46 USC 821; 46 USC 841(a)

CFR Citation: 46 CFR 502

Abstract: Amendments to current rules governing small claims will provide for a raise in the limit for small claims & revised procedures for petitions for reconsideration & tariff notice of decisions.

Timetable:

Action	Date	FR Cite
NPRM	10/18/82	47 FR 46338
NPRM Comment Period Begin	10/18/82	
NPRM Comment Period End	12/17/82	
Final Action	03/08/84	49 FR 9901
Final Action Effective	03/16/84	49 FR 9901

Small Entity: Undetermined

Additional Information: Docket No. 82-48.

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5725

RIN: 3072-AA14

PUBLIC INFORMATION - PRIVACY ACT

Legal Authority: 5 USC 552(a); 46 USC 841(a)

CFR Citation: 46 CFR 503

Abstract: Amendments to current rules implementing the Privacy Act are updated to reflect current organization and procedures.

Timetable:

Action	Date	FR Cite
Final Action	04/11/84	49 FR 16994
Final Action Effective	06/18/84	49 FR 16994

Small Entity: No

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5725

RIN: 3072-AA15

EXEMPTION OF CERTAIN AGREEMENTS FROM THE REQUIREMENTS OF SECTION 15, SHIPPING ACT, 1916 - NONEXCLUSIVE TRANSHIPMENT AGREEMENTS

Legal Authority: 46 USC 814; 46 USC 833(a); 46 USC 841(a)

CFR Citation: 46 CFR 524

Abstract: The proposed rule would eliminate the need for the filing of nonexclusive transshipment agreements with the Commission. Exemption will benefit the shipping industry and Commission staff.

Timetable:

Action	Date	FR Cite
NPRM	10/04/83	48 FR 45270
NPRM Comment Period Begin	10/04/83	
NPRM Comment Period End	12/05/83	
Order of Discontinuance	04/27/84	49 FR 18137

Small Entity: Undetermined

Additional Information: Docket No. 83-43.

The Shipping Act of 1984 eliminated the filing requirement in question, therefore the proceeding was discontinued.

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C., 202 523-5787

RIN: 3072-AA18

EXEMPTION OF CERTAIN AGREEMENTS FROM THE REQUIREMENTS OF SECTION 15, SHIPPING ACT, 1916 - TERMINAL AGREEMENTS

Legal Authority: 46 USC 814; 46 USC 833(a); 46 USC 841(a)

CFR Citation: 46 CFR 524

Abstract: This proposed rule would exempt from the filing and approval requirements of section 15 of the Shipping Act, 1916, (a) certain agreements relating to the lease, license, assignment or other similar use of marine terminal real property; (b) agreements relating solely to the performance of traditional stevedoring services; (c) certain marine terminal agreements relating to the use of dock, berth, apron or pier space; other terminal facilities at other than tariff rates; and marine terminal services at other than tariff rates. The exemption will benefit the terminal industry.

Timetable:

Action	Date	FR Cite
Withdrawn	03/20/84	

Small Entity: Undetermined

Additional Information: The Shipping Act of 1984 eliminated the need for this proposed rule.

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA19

FILING OF AGREEMENTS BETWEEN COMMON CARRIERS OF FREIGHT BY WATER IN THE FOREIGN COMMERCE OF THE UNITED STATES - DEFINITION OF INTERMODAL AUTHORITY

Legal Authority: 46 USC 814; 46 USC 817; 46 USC 841(a)

CFR Citation: 46 CFR 522; 46 CFR 531; 46 CFR 536

Abstract: This proposed rule would define the term "intermodal authority" as it is used in various agreements to aid in a determination as to precisely where such authority begins and ends. The proposed rule will help clarify an ambiguous term.

Timetable:

Action	Date	FR Cite
Withdrawn	03/20/84	

Small Entity: Undetermined

Additional Information: The Shipping Act of 1984 eliminated the need for this proposed rule.

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA20

SELF-POLICING REQUIREMENTS FOR SECTION 15 AGREEMENTS

Legal Authority: 46 USC 814; 46 USC 833(a); 46 USC 841(a)

CFR Citation: 46 CFR 528

Abstract: The proposed rulemaking would amend existing regulations covered by General Order 7, self-policing requirements for Section 15 Agreements. The amendments are designed to improve self-policing reporting and various procedures utilized under the regulations.

FMC

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	12/09/83	48 FR 55144
NPRM Comment Period Begin	12/09/83	
Indefinite Stay of Proceeding	03/02/84	49 FR 7838
NPRM Comment Period End	03/08/84	
Order of Discontinuance	04/27/84	49 FR 18137

Small Entity: Undetermined

Additional Information: Docket No. 83-55.

The Shipping Act of 1984 eliminated the need for this proposed rule.

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA22

SHIPPERS' REQUESTS AND COMPLAINTS

Legal Authority: 46 USC 814; 46 USC 820; 46 USC 841(a)

CFR Citation: 46 CFR 527

Abstract: This proposed rule would eliminate the requirement that ratemaking groups operating under section 15 approval annually report detailed information on all shippers' requests and complaints received. As an alternative, the Commission may wish to consider a rule that would require the filing of a statistical summary of the detailed information currently being reported.

Timetable:

Action	Date	FR Cite
Withdrawn	03/20/84	

Small Entity: No

Additional Information: The Shipping Act of 1984 eliminated the need for this proposed rule.

Agency Contact: Joseph C. Polking, Director, Bureau of Agreements, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5787

RIN: 3072-AA23

LICENSING OF INDEPENDENT OCEAN FREIGHT FORWARDERS

Legal Authority: 46 USC 817; 46 USC 820; 46 USC 841(a); 46 USC 841(b)

CFR Citation: 46 CFR 510

Abstract: The proposed amendments allow for notice of forwarder/shipper affiliations; amend the current invoicing rules; delete approval requirement for sale/transfer of stock; clarify rules on forwarder arrangements with sales agents; modify procedures for accounting to clients for funds due; change the rules on anti-rebate certifications; revise requirements pertaining to cooperative working agreements; change rules on publication of revocation notices in the Federal Register; and modify rules concerning port-wide exemptions.

Timetable:

Action	Date	FR Cite
NPRM	08/26/83	48 FR 38856
NPRM Comment Period Begin	08/26/83	
NPRM Comment Period End	10/25/83	
Withdrawn	04/27/84	49 FR 18137

Small Entity: No

Additional Information:

Docket No. 83-35

This rulemaking has been expanded to include proposed changes to twelve sections of 46 CFR 510. There is no significant potential cost increase involved in the proposed changes. The benefits are a general reduction of regulations of the forwarding industry.

Agency Contact: Jeremiah D. Hospital, Chief, Office of Freight Forwarders, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5843

RIN: 3072-AA27

PUBLISHING, FILING AND POSTING OF TARIFFS IN DOMESTIC OFFSHORE COMMERCE; PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - BLANKET S P AUTHORITY

Legal Authority: 46 USC 813(a); 46 USC 814; 46 USC 815; 46 USC 816; 46 USC 817(b); 46 USC 817(c); 46 USC 820; 46 USC 841(a)

CFR Citation: 46 CFR 531; 46 CFR 536

Abstract: This proposal would incorporate blanket Special Permission authorities in Commission General Orders 13 and 38 concerned with the publishing and filing of tariffs by common carriers in the foreign and domestic offshore commerce of the U.S.

Timetable:

Action	Date	FR Cite
Withdrawn	04/00/84	

Small Entity: Not Applicable

Affected Sectors: 441 Deep Sea Foreign Transportation; 442 Deep Sea Domestic Transportation

Agency Contact: James A. Warner, Chief, Office of Foreign Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5827

RIN: 3072-AA31

PUBLISHING AND FILING TARIFFS BY COMMON CARRIERS IN THE FOREIGN COMMERCE OF THE UNITED STATES - INTERMODAL TARIFF FILING REVISIONS

Legal Authority: 46 USC 813(a); 46 USC 814; 46 USC 815; 46 USC 816; 46 USC 817(b); 46 USC 817(c); 46 USC 820; 46 USC 841(a)

CFR Citation: 46 CFR 536

Abstract: This proposal would (1) permit the filing of new or initial intermodal rates on less than the statutory 30 days notice; (2) eliminate the requirement for breaking out the port-to-port portion of intermodal rates; and (3) permit the filing of intermodal rates on a regional as well as point basis in the U.S. foreign commerce.

Timetable:

Action	Date	FR Cite
NPRM	03/01/84	49 FR 7609
NPRM Comment Period Begin	03/01/84	49 FR 7609
Order of Discontinuance	04/27/84	49 FR 18137
NPRM Comment Period End	04/30/84	

Small Entity: Not Applicable

Additional Information: Docket No. 84-3.

Affected Sectors: 441 Deep Sea Foreign Transportation

Agency Contact: James A. Warner, Chief, Office of Foreign Tariffs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5827

RIN: 3072-AA32

VARIOUS SHIPPING REGULATIONS

Priority: Agency Determination

Legal Authority: 46 USC 1701 to 1720

CFR Citation: 46 CFR 502; 46 CFR 503; 46 CFR 506; 46 CFR 510; 46 CFR 520; 46 CFR 521; 46 CFR 522; 46 CFR 523; 46 CFR 524; 46 CFR 528; 46 CFR 529; 46 CFR 536; 46 CFR 537; 46 CFR 538; 46 CFR 547; ...

Abstract: The Shipping Act of 1984 eliminated the need for this proposed rule.

Timetable:

Action	Date	FR Cite
Withdrawn	03/20/84	

Small Entity: Undetermined

Affected Sectors: 441 Deep Sea Foreign Transportation; 446 Services Incidental to Water Transportation

Agency Contact: Wm. Jarrel Smith, Jr., Director of Programs, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5704

RIN: 3072-AA34

RULES OF PRACTICE AND PROCEDURE - ENFORCING SUBPENAS AND DISCOVERY ORDERS

Legal Authority: 46 USC 27; 46 USC 29; 46 USC 43

CFR Citation: 46 CFR 502.136; 46 CFR 502.210

Abstract: The proposal will establish procedures for enforcing the Commission's subpena and discovery orders under Commission General Order 16.

Timetable:

Action	Date	FR Cite
Order of Investigation and Hearing	03/22/83	48 FR 11988
Final Action	06/29/84	49 FR 27753
Final Action Effective	08/06/84	49 FR 27753

Small Entity: No

Additional Information: Docket No. 83-16

Affected Sectors: 441 Deep Sea Foreign Transportation; 442 Deep Sea Domestic Transportation; 446 Services Incidental to Water Transportation

Agency Contact: Francis C. Hurney, Secretary, Federal Maritime Commission, 1100 L Street, N.W., Washington, D.C. 20573, 202 523-5725

RIN: 3072-AA36

COMPLETED REVIEWS

FILING OF TARIFFS BY TERMINAL OPERATORS

Legal Authority: 46 USC 816; 46 USC 820; 46 USC 841(a)

CFR Citation: 46 CFR 533

Abstract: The regulations governing the filing of terminal tariffs are being reviewed pursuant to section 610 of the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	09/14/83	48 FR 41199
Notice of Procedure	10/24/83	48 FR 49879
Notice of Oral Hearing	02/22/84	49 FR 6507
Withdrawn	04/00/84	

Small Entity: Not Applicable

Additional Information: Docket No. 83-38.

Agency Contact: Robert G. Drew, Director, Bureau of Tariffs, Federal Maritime Commission, 1100 L St., N.W., Washington, D.C. 20573, 202 523-5796

RIN: 3072-AA17

[FR Doc. 84-24286 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part XLIX

Federal Reserve System

Semiannual Regulatory Agenda

FRS

FEDERAL RESERVE SYSTEM

12 CFR CH. II

Semiannual Regulatory Flexibility Agenda

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Semiannual Agenda.

SUMMARY: The Board is issuing this Agenda under the Regulatory Flexibility Act and the Board's Statement of Policy Regarding Expanded Rulemaking Procedures. The Board anticipates having under consideration regulatory matters as indicated below during the period from October 1, 1984 through April 1, 1985. The next Semiannual Agenda will be published in April 1985.

DATE: Comments about the form or content of the Agenda may be submitted any time during the next six months.

ADDRESS: Comments should be addressed to William W. Wiles, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

FOR FURTHER INFORMATION CONTACT: A staff contact for each item is indicated with the regulatory description below.

SUPPLEMENTARY INFORMATION: The Board is publishing its October 1984 Agenda as part of the October 1984 Unified Agenda of Federal Regulations, which is coordinated by the Office of Management and Budget under Executive Order 12291. Participation by the Board in the Unified Agenda is on a voluntary basis.

The Board's Agenda is divided into three sections. The first, Current and Projected Rulemakings, reports on regulatory matters that have been proposed and are under Board consideration, and other regulatory matters (designated by a plus sign (+)) the Board may consider for public comment during the next six months. The second section, Existing Regulations Under Review, reports on any major regulatory reviews under the Board's Regulatory Improvement Project that are scheduled for the next 12 months. A third section, Completed Rulemaking, reports on regulatory matters the Board has completed or is not expected to consider further.

A dot (●) preceding an entry indicates a new matter that was not a part of the Board's previous Agenda, and which the Board has not completed.

Barbara R. Lowrey,

Associate Secretary of the Board.

BILLING CODE 6210-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Regulation: B - Equal Credit Opportunity (Docket Number: R-0473)	7100-AA28
2	Regulation: E - Electronic Fund Transfers (Docket Number: R-0502)	7100-AA34
3	+ Regulation: F - Securities of State Member Banks	7100-AA32
4	Regulation: J - Collection of Checks and Other Items and Wire Transfers of Funds (Docket Number: R-0357 and R-0522)	7100-AA43
5	Regulation: K - International Banking Operations (Docket Number: R-0498)	7100-AA35
6	Regulation: K - International Banking Operations (Docket Number: R-0520)	7100-AA44
7	Regulation: Q - Interest on Deposits (Docket Number: R-0514)	7100-AA36
8	+ Regulation: U - Credit by Banks For The Purpose of Purchasing or Carrying Margin Stocks (Docket Number: R-0510)	7100-AA38
9	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0511)	7100-AA17
10	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0491)	7100-AA40
11	+ Regulation: Y - Bank Holding Companies and Change in Bank Control	7100-AA26
12	+ Regulation: Y - Bank Holding Companies and Change in Bank Control	7100-AA41
13	Regulations: Y - Bank Holding Companies and Change in Bank Control; Regulation: H - "State Bank Membership"; and Rules of Practice for Hearings (Docket Number: R-0526)	7100-AA45
14	Regulation: Z - Truth in Lending (Docket Number: R-0501)	7100-AA37
15	+ Regulation: AA - Unfair or Deceptive Acts or Practices (Docket Number: R-0006)	7100-AA42
16	Regulation: Equal Employment Opportunity (Docket Number: R-0527)	7100-AA46
17	Proposals to Reduce Risk on Large Dollar Transfer Systems (Docket Number: R-0515)	7100-AA47

+ Indicates regulatory matter the Board may consider for public comment.

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
18	Regulatory Improvement Project	7100-AA14

FRS

Completed Actions

Sequence Number	Title	Regulation Identifier Number
19	Regulations: D - Reserve Requirements of Depository Institutions and Regulation Q - Interest on Deposits (Docket Number: R-0420)	7100-AA10
20	Regulations: G, T and U - "Securities Credit Transactions" (Docket Number: R-0512)	7100-AA39

FEDERAL RESERVE SYSTEM (FRS)

Current and Projected Rulemakings

1. REGULATION: B - EQUAL CREDIT OPPORTUNITY (DOCKET NUMBER: R-0473)

Legal Authority: 15 USC 1691b Equal Credit Opportunity Act

CFR Citation: 12 CFR 202

Abstract: In June 1983, the Board published notice of its intention to review Regulation B (48 FR 28285, June 21, 1983) as part of its Regulatory Improvement Project. (See Entry RIN 7100-AA14.) In its review of Regulation B the Board will focus on ways to update the regulation to carry out more effectively the provisions of the Equal Credit Opportunity Act, without diminishing the consumer protections contained in the Act and implementing regulation. The Board's notice asked commenters for information about any aspect of Regulation B that they believe should be examined. The Board also requested comment on several technical issues identified by the staff concerning the regulation's sample adverse action notice form, consideration of credit history information shared with a spouse, circumstances under which adverse action notices must be sent, reapplications for open-end credit, and treatment of authorized users of open-end credit.

The Board is reviewing the public comments that were received and is also conducting additional study of legal, economic, and other issues in this area. The Board expects within the (cont)

Timetable:

Action	Date	FR Cite
ANPRM	06/21/83	48 FR 28285
Propose specific revisions for comment by	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: next six months to publish for public comment specific proposed revisions to the regulation. The extent to which small lenders would be affected will depend largely on the nature of the revisions. However, revisions that result in reduced compliance burdens are expected to apply to all lenders equally, regardless of size.

Agency Contact: Lucy Griffin or John Wood, Senior Attorneys, Federal Reserve System, Division of Consumer and Community Affairs, **202 452-2412**

RIN: 7100-AA28

2. REGULATION: E - ELECTRONIC FUND TRANSFERS (DOCKET NUMBER: R-0502)

Legal Authority: 15 USC 1693b Electronic Fund Transfer Act

CFR Citation: 12 CFR 205

Abstract: In January 1984, the Board published for comment two proposed amendments to Regulation E (49 FR 2204, January 18, 1984). The first proposal would bring within the definition of an electronic fund transfer, and thus within the coverage of the Electronic Fund Transfer Act and the regulation, transfers resulting from point-of-sale debit card transactions that are processed electronically but do not involve an electronic terminal at the point of sale.

Action is needed to resolve this matter because of current uncertainty about coverage of these transfers, and inquiries have been received by the Board from financial institutions, state agencies, and others. The proposed action also takes into account the fact that an increasing number of debit cards are being used for point-of-sale transactions. The point-of-sale proposal, if adopted, will provide clarification and guidance to financial institutions in the treatment to be given these transfers, and would provide additional time in these cases for error resolution. The proposal would also provide clear protection for consumers in areas such as liability for (cont)

Timetable:

Action	Date	FR Cite
Board published for comment two proposed amendments to Regulation E	01/18/84	49 FR 2204
Further Board action by	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: unauthorized transfers and resolution of error allegations.

The second proposal would give financial institutions the option to disclose charges for electronic fund transfers -- on periodic statements -- either on a transaction-by-transaction basis, or as a total sum. The proposal is in response to requests from financial institutions for such flexibility.

These proposals would affect all financial institutions, as that term is defined in the Electronic Fund Transfer Act and Regulation E -- that is, any person that, directly or indirectly, holds a consumer asset account, such as a checking account, savings account, or money market fund account, and any person that issues an access device and agrees with a consumer to provide electronic fund transfer services.

The Board will review the public comments and consider further action within the next three months. The proposals are not expected to have a significant economic impact on a substantial number of small entities

because the compliance requirements are unlikely to be very burdensome.

Agency Contact: Gerald Hurst, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA34

3. + REGULATION: F - SECURITIES OF STATE MEMBER BANKS

Legal Authority: 15 USC 78(l) Securities Exchange Act of 1934

CFR Citation: 12 CFR 206

Abstract: The Board will consider issuing for comment a proposal to amend Regulation F to conform that regulation with a series of recent changes in the securities disclosure regulations of the Securities and Exchange Commission. Pursuant to section 12(i) of the Securities Exchange Act of 1934, the Board is required to periodically update its securities disclosure regulations to make them substantially identical to comparable regulations of the Securities and Exchange Commission or to publish reasons why they should not be so revised.

Adoption of the proposal is not expected to have a significant economic impact on a substantial number of small member banks, since only a few banks are subject to the Board's regulation and the revisions of the disclosure requirements are not likely to be severe.

Timetable:

Action	Date	FR Cite
Board will consider issuing for comment a proposal to amend Regulation F by	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: J. Virgil Mattingly, Associate General Counsel, Legal Division, (202) 452-3430.

Agency Contact: Walter McEwen, Attorney, Federal Reserve System, Legal Division, 202 452-3321

RIN: 7100-AA32

4. ● REGULATION: J - COLLECTION OF CHECKS AND OTHER ITEMS AND WIRE TRANSFERS OF FUNDS (DOCKET NUMBER: R-0357 AND R-0522)

Legal Authority: 12 USC 342 Federal Reserve Act; 12 USC 248(o) Federal Reserve Act; 12 USC 360 Federal Reserve Act; 12 USC 248(i) Federal Reserve Act

CFR Citation: 12 CFR 210

Abstract: In June 1984, the Board issued for public comment a proposal to improve the process by which checks are returned. Subpart A of Regulation J would be amended to require the paying bank to provide timely notice to the depository institution at which the check was originally deposited that the check is being returned unpaid (49 FR 26597, June 28, 1984). The Federal Reserve Banks would enhance the notification service they currently provide to assist paying banks in meeting this requirement, and also would make the service available to depository institutions for checks collected outside the Federal Reserve.

This proposal is a change in an earlier Board proposal issued in May 1981 and adopted in part by the Board in August 1981 (46 FR 42059, August 19, 1981). At that time the Board deferred action on three proposals: two have been incorporated in the new proposal and the other (an amendment incorporating provisions for collecting coupons and other securities similar to provisions regarding the payment and return of cash items) has been deferred pending further study. The Board has concluded that the new proposal should not have a significant economic impact (cont)

Timetable:

Action	Date	FR Cite
Board solicited comment on proposals to amend Subpart A	05/01/81	46 FR 24576
Board adopted one proposal and deferred action on others	08/19/81	46 FR 42059
Board requested comment on revised proposals	06/28/84	49 FR 26597
Further Board action by	12/30/84	

Small Entity: No

Additional Information: ABSTRACT CONT: upon a substantial number of small entities.

The Board will review the public comments and is expected to take further action within the next six months.

Agency Contact: Robert G. Ballen, Attorney, Federal Reserve System, Legal Division, 202 452-3265

RIN: 7100-AA43

5. REGULATION: K - INTERNATIONAL BANKING OPERATIONS (DOCKET NUMBER: R-0498)

Legal Authority: 12 USC 3901 et seq International Lending Supervision Act, 1983

CFR Citation: 12 CFR 211

Abstract: In February and March 1984, the Board adopted regulations implementing the International Lending Supervision Act of 1983 (Title IX, Pub. L. 98-181) with respect to maintenance of reserves against certain international assets, disclosure of information on international assets, and accounting rules for fees on certain international loans. In publishing these regulations the Board requested comment on whether and to what extent the Act should apply to U.S. branches, agencies, and commercial lending company subsidiaries of foreign banks. By action of February 13, 1984 (49 FR 5587, 5591), the Board left open the comment period on this issue in order to allow for further public comment.

If the Board determines to propose regulations affecting foreign banks under the Act, such regulations would not have a significant economic impact on a substantial number of small businesses since the rules would affect only international banks.

Timetable:

Action	Date	FR Cite
Board adopted regulations implementing the International Lending Supervision Act of 1983	02/13/84	49 FR 5591
Board adopted additional regulations	03/29/84	49 FR 12192
Board may propose further regulations by	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Kathleen O'Day, Senior Counsel, Legal Division, (202) 452-3786.

Agency Contact: Nancy P. Jacklin, Assistant General Counsel, Federal Reserve System, Legal Division, 202 452-3428

RIN: 7100-AA35

6. ● REGULATION: K - INTERNATIONAL BANKING OPERATIONS (DOCKET NUMBER: R-0520)

Legal Authority: 12 USC 601 to 604a; 12 USC 611 et seq; 12 USC 1841 et seq

CFR Citation: 12 CFR 211

Abstract: In June 1984, the Board proposed for comment revisions to its Regulation K governing the international operations of U.S. banking organizations (49 FR 26002, June 25, 1984). The review and proposed revision of the regulation were undertaken pursuant to a provision of the International Banking Act of 1978 which requires a review every five years of the rules governing Edge Corporations.

The proposed regulation presents several alternatives designed to enable Edge Corporations to provide a broader range of banking services than is currently permitted in order to improve the competitive position of Edge Corporations. This rule incorporates, with several modifications, a previous proposal that was published for comment in February 1979 (44 FR 10509, February 21, 1979). Other major provisions include an increase in the Edge Corporation lending limit; a change in the capitalization requirement to conform to the Board's Capital Adequacy Guidelines; relaxation of the limits on investments in other organizations; establishment of procedures governing a change in control of an Edge Corporation; and several (cont)

Timetable:

Action	Date	FR Cite
Proposal to improve competitive position of Edge Corporations	02/21/79	44 FR 10509
Earlier proposal included in revised Regulation K	06/25/84	49 FR 26002
Comment period extended until	10/12/84	49 FR 33895
Further Board action by	04/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: provisions governing U.S. operations of foreign banks.

It is not expected that the revisions would have a significant economic impact on a substantial number of small businesses. The Board will review the public comments and is expected to take further action within the next six months.

ADDITIONAL AGENCY CONTACT: James S. Keller, Manager, International Banking Applications, Division of Banking Supervision and Regulation, (202) 452-2523.

Agency Contact: Kathleen O'Day, Senior Counsel, Federal Reserve System, Legal Division, 202 452-3786

RIN: 7100-AA44

7. REGULATION: Q - INTEREST ON DEPOSITS (DOCKET NUMBER: R-0514)

Legal Authority: 12 USC 371b

CFR Citation: 12 CFR 217

Abstract: In March 1984, the Board proposed amendments to its rules concerning advertising interest on deposits to incorporate a policy statement concerning advertisements for split rate time deposits and for deposits used as Individual Retirement Account (IRA) investments (49 FR 11642, March 27, 1984). Under the proposal, in the case of a split rate account where a schedule of fixed rates to be paid is established in advance and the first rate to be paid is higher than subsequent rates, the Board would regard any advertisement of a rate as misleading unless the advertisement includes each rate to be paid in equal size type together with a conspicuous statement as to how long each rate will be in effect and a conspicuous statement of the average effective annual yield. In addition, advertisements should refer to IRAs as "tax deferred" and not as "tax exempt" or "tax free." The proposal would not adversely affect small businesses because no additional reporting or recordkeeping requirements are imposed.

The Board will review the public comments and is expected to take further action during the next six months.

Timetable:

Action	Date	FR Cite
Board proposed amendments	03/27/84	49 FR 11642
Next Board action by	04/00/85	

Small Entity: No

Agency Contact: Gilbert T. Schwartz, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3625

RIN: 7100-AA36

8. + REGULATION: U - CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS (DOCKET NUMBER: R-0510)

Legal Authority: 15 USC 78g Securities Exchange Act of 1934, as amended; 15 USC 78h Securities Exchange Act of 1934, as amended; 15 USC 78w Securities Exchange Act of 1934, as amended

CFR Citation: 12 CFR 221

Abstract: In 1984, the Board may review a proposal submitted on behalf of a banking institution calling for an amendment to Regulation U that would permit banks to extend credit for options transactions in the same manner that broker-dealers may do so under Regulation T (Credit by Brokers and Dealers). In particular, the petitioner has requested the Board to change, if necessary, what is perceived to be a regulatory disparity between the treatment of banks and broker-dealers with respect to the financing of options transactions.

It is not anticipated that this proposal would affect a significant portion of the overall lending activities of a substantial number of small firms.

Timetable:

Action	Date	FR Cite
Board may review a proposal to amend Regulation U by	12/00/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Robert Lord, Attorney; and Susan S. Meyers, Securities Regulation Analyst, Division of Banking Supervision and Regulation, (202) 452-2781.

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Division of Banking Supervision & Regulation, 202 452-2781

RIN: 7100-AA38

9. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0511)

Legal Authority: 12 USC 1843(c)(8) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: In March 1984, the Board proposed for public comment an amendment to Regulation Y that would list certain additional nonbanking activities as generally permissible for bank holding companies under section 4(c)(8) of the Bank Holding Company Act and that may be applied for under the procedures of that section (49 FR 9215, March 12, 1984.) The activities proposed to be included in Regulation Y for the first time include: 1. commodity trading advisory services; 2. check guaranty services; 3. consumer financial counseling; 4. armored car services; 5. tax planning and tax preparation; and 6. operating a credit agency and credit bureau.

Consumer financial counseling and check guaranty services have been permitted previously by Board order on individual applications.

In addition the Board has proposed to expand the activities of property appraisal and providing advice in connection with future commission merchant activities. These activities have been included previously in the list of permissible activities (cont)

Timetable:

Action	Date	FR Cite
Board requested comment	03/12/84	49 FR 9215
Further Board action	04/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: in Regulation Y, although in a more restricted manner.

The Board has proposed to define and clarify the insurance agency and underwriting activities generally permissible for bank holding companies so as to conform the regulation to Title VI of the Garn-St. Germain Depository Institutions Act, which was adopted in October 1982.

Adoption of the proposal would enable bank holding companies to engage in additional activities and would impose no additional burden on any bank holding company.

The Board will review the comments and is expected to take further action within the next six months.

Agency Contact: James Scott, Attorney, Federal Reserve System, Legal Division, 202 452-3779

RIN: 7100-AA17

10. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0491)

Legal Authority: 12 USC 1843(c)(8) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: In November 1983, the Board published for comment a proposal to eliminate the requirement in Regulation Y that bank holding companies engaging in credit life and credit accident and health insurance underwriting provide rate reductions or increased policy benefits in order to engage in this activity (48 FR 53125, November 25, 1983.) The Board took this action as a result of the suggestions of several commenters to the Board's recent revision of Regulation Y, who advocated elimination of the rate reduction requirement from the regulation. These commenters stated that in their view the requirement puts bank holding companies at a competitive disadvantage with respect to other providers of this service, and that they knew of no significant evidence that the performance of this activity has resulted in the adverse effects on the public considered by the Board in its 1972 decision approving this activity. It is expected that adoption of this proposal would lead to a relaxation of the regulatory burden on bank holding companies which engage in this activity.

The Board will review the public comments and is expected to take further action within the next six months.

Timetable:

Action	Date	FR Cite
Board requested comment	11/25/83	48 FR 53125
Further Board action by	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Michael J. O'Rourke, Attorney, Legal Division, (202) 452-3288.

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA40

11. + REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL

Legal Authority: 12 USC 1861 Bank Service Corporation Act

CFR Citation: 12 CFR 225

Abstract: The Board will consider issuing for public comment a proposal to amend Regulation Y by adding authority for member banks to invest individually or jointly in bank service corporations under an amendment to the Bank Service Corporation Act made by section 709 of the Garn-St Germain Depository Institutions Act of 1982.

Under the new law, banks may invest without any prior regulatory approval in corporations offering "back office" clerical service to other depository institutions. In addition, if they obtain the prior approval of the Board, member banks may invest in corporations that offer to any person services that the bank may offer under state or federal law or services that have been found by regulation to be permissible under section 4(c)(8) of the Bank Holding Company Act.

Adoption of regulations to implement the change would enable all banks, large and small, to engage in certain activities that previously were not available to them. It is not expected that adoption of this proposal would have a significant economic impact on a substantial number of small banks.

Timetable:

Action	Date	FR Cite
Board will consider issuing for comment a proposal to amend Regulation Y by	04/00/85	

Small Entity: No

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA26

12. + REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL

Legal Authority: 12 USC 1843 Bank Holding Company Act; 12 USC 1844(b) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: A provision of Regulation Y permits a state bank subsidiary of a bank holding company to engage through a nonbank subsidiary in any activity that is permissible under state law for the bank subsidiary itself, subject to the same limits as if the bank engages in the activity directly. (A similar rule applies to national bank subsidiaries regarding activities permissible for such banks under federal law.) The Board received comments on this provision in connection with its general request for comments in May 1983 regarding the proposed revision of Regulation Y. Some of the commenters challenged the Board's authority to issue this provision, although it has been part of Regulation Y since 1971. In taking final action on the revision of Regulation Y, the Board deferred consideration of the comments on this provision and allowed the existing rule to remain in effect in the interim (49 FR 794, January 5, 1984).

The Board plans to review this provision of the regulation in the near future. A determination to reverse the rule could have an adverse impact on many small banks that are subsidiaries of holding companies because they might be required to (cont)

Timetable:

Action	Date	FR Cite
Board requested comments	05/25/83	48 FR 23520
Board allows existing rule to remain in effect	01/05/84	49 FR 794
Board will review further by	04/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: restructure their nonbanking activities or to take other action.

Agency Contact: J. Virgil Mattingly, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA41

13. ● REGULATIONS: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL; REGULATION: H - "STATE BANK MEMBERSHIP"; AND RULES OF PRACTICE FOR HEARINGS (DOCKET NUMBER: R-0526)

Legal Authority: 12 USC 3907 International Lending Supervision Act of 1983; 12 USC 3903 International Lending Supervision Act of 1983; 12 USC 1844(b) Bank Holding Company Act; 12 USC 1818 Financial Institutions Supervisory Act of 1966; 12 USC 248 Federal Reserve Act; 12 USC 324 Federal Reserve Act; 12 USC 329 Federal Reserve Act

CFR Citation: 12 CFR 208, Appendix A; 12 CFR 225, Appendix A; 12 CFR 263

Abstract: In July 1984, the Board proposed for comment amended Capital Adequacy Guidelines for bank holding companies and State member banks as well as a regulation embodying procedures to enforce these Guidelines (49 FR 30317, July 30, 1984). This proposal is designed to implement the requirement in the International Lending Supervision Act of 1983 that the Board "cause banking institutions to achieve and maintain adequate capital." The proposal seeks to establish uniform minimum capital levels for all federally regulated banks (in conjunction with the Federal Deposit Insurance Corporation and the Comptroller of the Currency). The proposal would also raise the minimum capital requirements for larger regional and multinational state member banks and bank holding companies, and would establish a uniform minimum capital level for large and small banks and bank holding companies. The impact on small institutions would be a slight easing of minimum primary capital requirements.

The Board will review the comments and is expected to take further action within the next six months.

Timetable:

Action	Date	FR Cite
Board requested comment	07/30/84	49 FR 30317
Further Board action by	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Richard Spillenkothen, Assistant Director, Division of Banking Supervision and Regulation, (202) 452-2594.

Agency Contact: James E. Scott, Senior Attorney, Federal Reserve System, Legal Division, 202 452-3513

RIN: 7100-AA45

14. REGULATION: Z - TRUTH IN LENDING (DOCKET NUMBER: R-0501)

Legal Authority: 15 USC 1604, as amended Truth in Lending Act

CFR Citation: 12 CFR 226

Abstract: In January 1984, the Board published for comment a proposed amendment to Regulation Z, which would clarify that all credit cards issued for use in transactions that are generally exempt from Regulation Z are still subject to the Regulation Z provisions that prohibit the unsolicited issuance of credit cards and that limit the cardholder's liability for unauthorized use to a maximum of $50 (49 FR 2210, January 18, 1984). The regulation already makes clear that these two provisions apply to cards issued for obtaining business-purpose credit, a class of credit that is otherwise exempt from Regulation Z.

The proposal is in response to questions from both the public and private sectors about the applicability of these two credit card provisions to cards used for other types of generally exempt transactions. The Board is concerned that, unless the credit card provisions apply to these cards, consumers who use them will not have any federal protections restricting unsolicited issuance of such cards and limiting their liability for the authorized use of cards.

The vast majority of the credit cards that will be (cont)

Timetable:

Action	Date	FR Cite
Board requested comment	01/18/84	49 FR 2210
Further Board action by	04/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: affected by this amendment are telephone credit cards; therefore, the entities most affected will be in the telecommunications industry. However, cards issued for use with other types of exempt transactions (such as those issued for use with fixed credit lines over $25,000 that are not secured by real estate or a dwelling) would also be subject to the provisions on issuance and liability for unauthorized use. Because there are many small companies in the telecommunications industry, the Board specifically solicited comment on small companies or other potentially affected industries that currently have credit card programs, or that might develop them in the future.

If the amendment is adopted, the Board will also consider appropriate action to minimize initial compliance costs associated with the amendment.

The Board will review the comments and take further action during the next six months.

Agency Contact: Ruth R. Amberg, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA37

15. + REGULATION: AA - UNFAIR OR DECEPTIVE ACTS OR PRACTICES (DOCKET NUMBER: R-0006)

Legal Authority: 15 USC 57a Federal Trade Commission Act

CFR Citation: 12 CFR 227

Abstract: The Federal Trade Commission (FTC) Act requires that whenever the FTC enacts a rule covering unfair or deceptive acts or practices, the Federal Reserve Board must, within 60 days of the rule's effective date, promulgate a substantially similar rule governing banks. The Board may decline to issue such a rule only if the Board determines that such acts or practices of banks are not unfair or deceptive or that implementation of the rule with respect to banks would seriously conflict with essential monetary and payment systems policies of the Board.

In March 1984, the FTC published a trade regulations rule known as the Credit Practices Rule (49 FR 7740, March 1, 1984), which will prohibit certain provisions that sometimes appear in consumer credit contracts to aid in the collection of unpaid debts. It will also impose certain specific disclosure and contractual requirements on creditors. The rule will go into effect on March l, 1985 and will apply only to non-financial institution creditors.

When the FTC first published the proposed Credit Practices Rule in 1975, the Board published a substantially similar (cont)

Timetable:

Action	Date	FR Cite
Board published similar proposal		40 FR 19495
FTC proposed Credit Practices Rule		40 FR 16347
FTC adopted the Credit Practices Rule	03/01/84	49 FR 7740
Board to determine appropriate action by	04/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: proposal (40 FR 19495). The Board received public comments and made them available to the FTC. The final rule promulgated by the FTC covers only half as many practices as the 1975 proposals.

The Board is presently examining its responsibilities under the FTC Act and will be taking appropriate action in the future. To the extent the Board publishes a substantially similar regulation, some banks, including small banks, may have to change their practices and incur costs in redrafting forms and contracts.

Agency Contact: Steven Zeisel or Richard Garabedian, Staff Attorneys, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3867

RIN: 7100-AA42

16. ● REGULATION: EQUAL EMPLOYMENT OPPORTUNITY (DOCKET NUMBER: R-0527)

Legal Authority: 12 USC 248(l) Federal Reserve Act, Sec 11(l)

CFR Citation: 12 CFR 268

Abstract: In August 1984, the Board issued for public comment proposals to revise and expand its Equal Employment Opportunity regulation for the following purposes: (1.) to conform the regulation in so far as possible to existing regulations of the Equal Employment Opportunity Commission governing the substantive rights of employees and applicants for employment with Federal agencies; (2.) to designate clear responsibility for equal employment opportunity functions in light of changes in the Board's organizational structure; and (3.) to prohibit discrimination against the handicapped in programs and activities conducted by the Board.

It is not expected that this proposal would have a significant economic impact on a substantial number of small entities as it focuses primarily on Board personnel and management policies and practices.

The Board will review the public comments and is expected to take further action during the next six months.

Timetable:

Action	Date	FR Cite
Board requested comment	08/24/84	49 FR 33822
Further Board action by	04/00/85	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Stephen L. Siciliano, Senior Counsel, Legal Division, (202) 452-3920.

Agency Contact: Portia Thompson, EEO Programs Officer, Federal Reserve System, Office of Staff Director for Management, 202 452-3549

RIN: 7100-AA46

17. ● PROPOSALS TO REDUCE RISK ON LARGE DOLLAR TRANSFER SYSTEMS (DOCKET NUMBER: R-0515)

Legal Authority: 12 USC 221 et seq

Abstract: In April 1984, the Board requested public comment on several proposals to reduce risks on large-

dollar wire transfer systems (49 FR 13186, April 3, 1984). The Board took this action in response to its concern that developments that might arise in connection with such networks could destabilize financial markets and the economy. The proposals, if adopted, would likely apply only to financial institutions, although customers of such institutions may be affected indirectly. Because large-dollar funds transfer systems are typically used frequently only by the largest financial institutions, it is not anticipated that these proposals, if adopted, would have a significant economic impact on a substantial number of small entities.

The Board will review the public comments and is expected to take further action within the next six months.

Timetable:

Action	Date	FR Cite
Board requested comment	04/03/84	49 FR 13186
Board extended comment period until	10/29/84	49 FR 24595
Further Board action by	04/00/85	

Small Entity: No

Agency Contact: Edward C. Ettin, Deputy Director, Federal Reserve System, Division of Research and Statistics, **202 452-3368**

RIN: 7100-AA47

FEDERAL RESERVE SYSTEM (FRS) — Existing Regulations Under Review

18. REGULATORY IMPROVEMENT PROJECT

Legal Authority: 12 USC 3501 Financial Regulation Simplification Act of 1980

Abstract: The Board's Regulatory Improvement Project involves, among other things, a substantive, zero-based review of all Federal Reserve regulations that affect the public to determine: (1) the fundamental objectives of the regulation and the extent to which it is meeting current policy goals, (2) nonregulatory alternatives that would accomplish the objectives, (3) costs and benefits of the regulation, (4) unnecessary burdens imposed by the regulation, and (5) the clarity of the regulation. The Project also participates in the development of proposals listed in this agenda to ensure that the objectives of the Project are met.

Since publication of the last semiannual Agenda, a proposed revision of Regulation K ("International Banking Operations") has been issued for comment. (See Entry RIN 7100-AA44). In addition, Regulation B ("Equal Credit Opportunity") is being reviewed to determine whether to propose specific revisions for comment. (See Entry RIN 7100-AA28). It is expected that both of these reviews will be completed during the next twelve months. Consideration will be given to commencing within the next (cont)

Timetable:

Action	Date	FR Cite
ANPRM Regulation B	06/21/83	48 FR 28285
Revision of Regulation K proposed for comment	06/25/84	49 FR 26002
Revision of Equal Employment Opportunity Regulation proposed for comment	08/24/84	49 FR 33822
Proposed Revision of Regulation B may be issued for comment by	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: twelve months the zero-based review of the following regulations: H--"Membership of State Banking Institutions in the Federal Reserve System" (12 CFR 208); I--"Issue and Cancellation of Capital Stock of Federal Reserve Banks" (12 CFR 209); P--"Minimum Security Devices and Procedures for Federal Reserve Banks and State Member Banks" (12 CFR 216); and R--"Relations with Dealers in Securities under Section 32, Banking Act of 1933" (12 CFR 218). Consideration will also be given to beginning major reviews of the Board's "Rules of Procedure" (12 CFR 262) and the "Rules Regarding Availability of Information" (12 CFR 261), and to developing a simplified draft of the Board's "Equal Employment Opportunity" regulation (12 CFR 268).

Commenters are invited to submit any suggestions they may have for possible changes in this regulatory agenda for the next twelve months.

Agency Contact: Barbara R. Lowrey, Associate Secretary, Federal Reserve System, Office of the Secretary, **202 452-3742**

RIN: 7100-AA14

FEDERAL RESERVE SYSTEM (FRS) — Completed Actions

COMPLETED RULEMAKINGS

19. REGULATIONS: D - RESERVE REQUIREMENTS OF DEPOSITORY INSTITUTIONS AND REGULATION Q - INTEREST ON DEPOSITS (DOCKET NUMBER: R-0420)

Legal Authority: 12 USC 461(a) Federal Reserve Act, Sec 19(a)

CFR Citation: 12 CFR 204; 12 CFR 217

Abstract: In August 1982, the Board requested public comment on a proposal to amend Regulations D and Q to increase the maximum size limitation on business savings accounts at member banks to $250,000 (47 FR 38137, August 30, 1982). Currently, member banks are not permitted to accept savings deposits in excess of $150,000 per depositor from organizations operated for profit. The Board also invited comment on the possibility of eliminating this limitation completely. Small banks would benefit from either a liberalization or elimination of this limit because the change would allow these institutions to compete more effectively with thrift institutions, which currently are subject to no such limitation. Further, small businesses should be aided by the opportunity to

place larger cash balances in interest-bearing accounts.

In view of the availability of the Money Market Deposit Account category to businesses without limitation, it is not likely that this proposal will be adopted by the Board.

Timetable:

Action	Date	FR Cite
Board requested comment	08/30/82	47 FR 38137
Further Board action not expected	00/00/00	

Small Entity: No

Agency Contact: Gilbert T. Schwartz, Associate General Counsel, Federal Reserve System, Legal Division, 202 452-3625

RIN: 7100-AA10

---

20. REGULATIONS: G, T AND U - "SECURITIES CREDIT TRANSACTIONS" (DOCKET NUMBER: R-0512)

Legal Authority: 15 USC 78g Securities Exchange Act of 1934; 15 USC 78h Securities Exchange Act of 1934; 15 USC 78w Securities Exchange Act of 1934

CFR Citation: 12 CFR 207; 12 CFR 220; 12 CFR 221

Abstract: In March 1984, the Board proposed for public comment a change in the definition of "margin security" to include those stocks designated by the Securities and Exchange Commission as qualified for trading in the National Market System (49 FR 9741, March 15, 1984). These stocks would become marginable upon the publication of their designation by the Securities and Exchange Commission in the Federal Register. The Board would continue to publish its List of OTC Margin Stocks three times annually to reflect the marginability of other OTC securities.

The Board reviewed the public comments and in September 1984, adopted the proposal in substantially the form proposed. It is not expected that the proposal would have a significant impact on a substantial number of small firms. The proposal should be beneficial since it will expedite the determination of the eligibility of certain securities on which broker-dealers may extend credit.

Timetable:

Action	Date	FR Cite
Board proposed for comment change in definition of "margin security"	03/15/84	49 FR 9741
Board adopted the proposal	09/05/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Laura Homer, Securities Credit Officer; and Jamie Lenoci, Financial Analyst, Division of Banking Supervision and Regulation, (202) 452-2781.

Agency Contact: Robert S. Plotkin, Assistant Director, Federal Reserve System, Division of Banking Supervision & Regulation, 202 452-2781

RIN: 7100-AA39

[FR Doc. 84-27110 Filed 10-19-84; 8:45am]

federal register

Monday
October 22, 1984

Part L

Federal Trade Commission

Semiannual Regulatory Agenda

FTC

FEDERAL TRADE COMMISSION

16 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Trade Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following agenda of Commission proceedings is published in accordance with the Federal Trade Commission Improvements Act of 1980, Pub. L. 96-252 and the Regulatory Flexibility Act, Pub. L. 96-354. Each projected event reflects the FTC staff's assessment of events that it expects will occur in the listed proceedings during the coming year. No Commission determination on the need for or the substance of a trade regulation rule or any other procedural option should be inferred from the projected events included in this agenda.

Several agenda items concern proceedings that may affect a substantial number of small businesses as that term is used in the Regulatory Flexibility Act. Whether any such proceeding will result in a rule which is likely to have a significant economic impact on such entities depends upon final Commission determinations on the need for or on the substance of a trade regulation rule.

Except for notice of completed actions, the information in this agenda represents judgments of the FTC staff, based upon information now available. These views should not be regarded as a final staff position, nor should they be attributed to the Commission itself. The Commission will address the issues presented on the rulemaking record in the final consideration of each proceeding.

Agenda items include the projected timing of any future Commission action. In most instances the dates of future events are listed by month, not a specific day. Further details may be obtained from the agency contact responsible for a particular proceeding. Discovery of new information, changes in circumstances, or in the law may alter the information set forth in this agenda.

By direction of the Commission.

DATED: August 27, 1984.

Emily H. Rock,

Secretary.

BILLING CODE 6750-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Eyeglasses II	3084-AA03
2	Health Spas	3084-AA06
3	Hearing Aids	3084-AA07
4	Amendment to Trade Regulation Rule Concerning Preservation of Consumers Claims and Defenses ("Holder-in-Due Course Rule")	3084-AA08
5	Amendment to Labeling and Advertising of Home Insulation Rule	3084-AA09
6	Mobile Home Sales and Service	3084-AA10
7	Proprietary Vocational and Home Study Schools	3084-AA11
8	Protein Supplements	3084-AA12
9	Standards and Certification	3084-AA13
10	Used Motor Vehicles	3084-AA14
11	Amendments to Octane Posting and Certification Rule	3084-AA16

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
12	Pre-Sale Availability of Written Warranty Terms (Existing Regulation; Modifications under Consideration)	3084-AA15
13	Retail Food Store Advertising and Marketing Practices	3084-AA17
14	Cooling-Off Period for Door-to-Door Sales	3084-AA18
15	Mail Order Merchandise	3084-AA19
16	*Review of the Premerger Notification Rules and Report Form	3084-AA23
17	Games of Chance in the Food Retailing and Gasoline Industries Rule	3084-AA24
18	Franchising and Business Opportunities	3084-AA25
19	Rules for Using Energy Cost and Consumption Information Used in Labeling and Advertising of Consumer Appliances under the Energy Policy and Conservation Act	3084-AA26
20	Labeling and Advertising of Home Insulation Rule	3084-AA27

*Indicates priority regulation.

FTC

Completed Actions

Sequence Number	Title	Regulation Identifier Number
21	Antacid Advertising	3084-AA00
22	*Proposed Trade Regulation Rule Concerning Credit Practices	3084-AA02
23	Rules and Regulations Under the Wool Products Labeling Act of 1939	3084-AA20
24	Rules and Regulations Under Fur Products Labeling Act	3084-AA21
25	Rules and Regulations Under the Textile Fiber Products Identification Act	3084-AA22

*Indicates priority regulation.

FEDERAL TRADE COMMISSION (FTC) — Current and Projected Rulemakings

1. EYEGLASSES II

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 456, (Revision)

Abstract: The staff of the FTC's Bureau of Consumer Protection has identified several state and private restrictions on the delivery of eye care goods and services which may decrease consumer access to vision care services, increase the cost of those services, and impede the growth of alternative methods of organizing eye-care practices. The principal question the Commission is exploring is the impact of such restrictions on the price, quality and availability of vision care. The Commission's investigation has sought, through the development of empirical market research, to determine whether higher prices result from these restrictions and, if so, whether offsetting consumer benefits also result. The primary impact of a rule on small businesses could stem from the increased competition in the vision care industry which can be anticipated as a result of deregulatory effect of the rule. Rule provisions removing certain restraints on commercial ophthalmic practice could enhance competition by permitting small entities (i.e., optometrists and opticians) to engage in alternate modes of practice; or to expand, should they desire to do so. The affirmative requirements of a rule could impose additional (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/01/80	45 FR 79823
ANPRM Comment Period Begin	12/01/80	
ANPRM Comment Period End	02/02/81	
Commission consideration of appropriate action	10/00/84	
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: record-keeping, postage, and photocopying costs. The alternatives to an FTC trade regulation rule include: a formal complaint against a professional association or an ophthalmic board alleged to have engaged in illegal acts or practices; a voluntary guide defining unfair acts or practices; legislative recommendations to Congress or to the States; or the release of a public report setting forth the findings of the staff.

Government Levels Affected: Local, State

Agency Contact: Gary Hailey, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3452

RIN: 3084-AA03

2. HEALTH SPAS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 443, (New)

Abstract: The rule proposed at the outset of this proceeding would require that health spa membership contracts provide consumers with a right to cancel and receive a full refund during a three-day cooling-off period. If a seller's facilities are not yet fully operational, the consumer would have ten days to cancel after notice that the spa facilities are fully operational. After this period, the consumer would have a right to cancel by paying up to a 5 percent cancellation fee plus a pro-rated portion of the contract price. Other provisions of the proposed rule would prescribe the form of the cancellation notices, limit contracts to two years, and prohibit the receipt of more than 5 percent of the contract price from consumers if a spa is not fully operational and available for use at the time the contract is signed. All industry members would incur costs for printing new contracts in order to comply with the proposed rule. Membership cancellations attributable to the requirements of the proposed rule would adversely affect the cash flow of health spas. Consumers would benefit from the proposed rule's unlimited cancellation rights to the extent they are not currently (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/18/75	40 FR 34615
Presiding Officer's Report	04/00/79	
Staff Report	09/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: granted by the industry. Staff is currently preparing a staff report. Alternatives under consideration include (1) a rule that would prohibit certain business practices by industry members and would require full disclosures of all ramifications of a health spa membership purchase; (2) changes in the nature of the refund requirement; (3) changes in other provisions of the rule; (4) case by case

enforcement; and (5) consumer and business education. The proposed rule would have a significant economic impact on a substantial number of small entities by varying required contract terms and imposing monetary refund requirements where none presently exist.

Agency Contact: John Crowley, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3376

RIN: 3084-AA06

3. HEARING AIDS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 52 Federal Trade Commission Act; 15 USC 55 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 440, (New)

Abstract: The proposed regulation currently under consideration would afford hearing aid purchasers a right to cancel the transaction within 30 days of purchase subject only to specified cancellation charges. Staff has explored alternative rule proposals that would require hearing aid dispensers to disclose whether they offer a trial period or would contain specific advertising prohibitions. In addition, staff has explored case by case enforcement and other alternatives to a Commission rule. If a trial period is required, the costs of the rule would be the dispenser's loss on the returned aid and the administrative expense of complying with the rule. This loss would be mitigated, among other things, by a cancellation fee and by the opportunity to re-sell the used aid. The greatest impact would be felt by dealers who do not currently offer customers trial periods with the sale of a hearing aid, particularly dealers with a high percentage of dissatisfied customers. Many dealers now offer trials. For those dealers the rule would be expected to have little impact beyond the administrative cost of complying with the rule, or any mandated changes in cancellation fees or other charges associated (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/00/75	40 FR 26646
Presiding Officer's Report	08/00/77	
Original Staff Report	11/00/78	
Initial Commission consideration	10/00/79	
Commission consideration of appropriate action	01/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: with trials. The benefit would be to protect consumers from deceptive and unfair sales practices, and from the risk that a hearing aid will not significantly enhance hearing. The purposes of this rule would be to prevent deceptive and unfair sales practices in the sale of hearing aids and to give consumers contractual remedies against the risk that a hearing aid device will provide no significant benefit to the user. Since most hearing aids are sold by small businesses, the rule is expected to affect a large number of small businesses. Should some costs of implementing the rule be passed from dispensers to manufacturers of hearing aids (e.g., return of aids rejected by customer), there would be some impact on small manufacturers of aids as well.

Agency Contact: Paul J. Petruccelli, Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-1642

RIN: 3084-AA07

4. AMENDMENT TO TRADE REGULATION RULE CONCERNING PRESERVATION OF CONSUMERS CLAIMS AND DEFENSES ("HOLDER-IN-DUE COURSE RULE")

Priority: Undetermined

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 433

Abstract: The objective of the proposed amendment is to ensure that a purchaser's duty to pay is not separated from sellers' duty to perform when consumer sales are financed by third party creditors or purchase money lenders. The original rule requires sellers to ensure that credit contracts used in consumer installment sales and purchase money loans contain a provision that makes any holder of the contract subject to all legal claims and defenses related to the sale transaction which the buyer may have against the seller. The proposed amendment would extend to creditors the obligation to ensure that credit contracts contain the required provision. Benefits from the proposed amendments may include improvement in the retail market due to increased scrutiny by creditors of the sellers with whom they do business and availability to consumers of additional claims and defenses against creditors. Some creditors may have increased costs associated with screening contracts and monitoring the reputations of retailers with whom they deal. Alternatives considered by the Commission include: rejection of the amendment; postponement of decision pending additional information on (cont)

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendment	11/18/75	40 FR 53530
Rule & Statement of Basis & Purpose	11/18/75	40 FR 53506
Final Notice of Proposed Amendment	02/05/76	41 FR 5305
Guidelines on TRR	05/14/76	41 FR 20022
Statement of Enforcement Policy	08/16/76	41 FR 34594
Open End Consumer Credit Contracts	09/16/77	42 FR 46509
Presiding Officer's Report	02/16/78	43 FR 6810
Staff Report	11/24/78	43 FR 54950
Tentative Cmsn Approval and Request for Comment	11/15/79	44 FR 65771
Staff Recommendations to Commission	11/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: compliance with the original rule; adoption of the amendment extending the rule to creditors and also making additional technical amendments. The amendment would shift some compliance costs from small

businesses to creditors that control the contract form. Otherwise, because the existing rule already applies to retail sellers, the amendment should have no appreciable effect on other small businesses.

Agency Contact: Denis Maloney, Federal Trade Commission, Division of Credit Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 724-1094

RIN: 3084-AA08

5. AMENDMENT TO LABELING AND ADVERTISING OF HOME INSULATION RULE

Legal Authority: 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 460.10; 16 CFR 460.18; 16 CFR 460.19; 16 CFR 460, Appendix B

Abstract: The Commission's home insulation trade regulation rule became effective on September 29, 1980. Among other things, it requires advertisers to disclose specific additional information in advertisements or other promotional materials when they make energy savings claims about an insulation product or refer to the product's thickness, R-Value or price. The Commission temporarily stayed the effective date of those disclosure requirements as they applied to television ads pending completion of these amendment proceedings. The Commission has announced its intention to reopen the rulemaking proceeding to consider whether it should amend the rule's disclosure requirements insofar as they apply to television advertising. (ANPR, 46 FR 47236, Sept. 25, 1981.) The TV ad disclosure requirements in the rule benefit consumers by ensuring that they have an opportunity to understand and evaluate claims that may otherwise lead to misguided purchasing decisions. In many cases, the disclosures should benefit smaller manufacturers whose products often compare favorably on an R-Value basis with those manufactured by the dominant members of the industry. The major cost to industry members is the (cont)

Timetable:

Action	Date	FR Cite
Final Rule Published	08/29/79	44 FR 50218
Rule Promulgated	08/31/79	
Temp. stay of certain requirements	08/15/80	45 FR 54702
Rule effective except requirmt stay	09/29/80	
ANPRM	09/25/81	46 FR 47236
Lift test requirement stay	08/24/82	47 FR 36806
Commission consideration of TV disclosure requirements	11/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: time necessary to make the required disclosures. Possible alternatives to the disclosure requirements include: amended disclosures or disclosure language; shortened disclosures; no disclosures; and different requirements as to the manner in which required disclosures must be made.

Agency Contact: Kent Howerton, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-8934

RIN: 3084-AA09

6. MOBILE HOME SALES AND SERVICE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 47(a) Federal Trade Commission Act

CFR Citation: 16 CFR 441, (New)

Abstract: Almost all mobile homes are sold with a manufacturer's warranty but many buyers may not receive adequate and timely service under the warranty. The rule would address possibly inadequate performance of mobile home warranties through a number of possible remedies: setting specific service deadlines, prohibiting exclusion of set-up and transportation from warranty coverage, requiring written service agreements between warrantors and their service agents, and requiring maintenance of service records. Compliance costs estimated by staff will be approximately $145 per home for most firms affected, and could be less, depending on what provisions are actually adopted. An estimated 20% of buyers would benefit by saving about $242 for warranty repairs they would otherwise not get; another 15% of buyers would have service time cut by an estimated 4 months. The incidence of warranted defects could be reduced, increasing the useful life of homes. Buyers could also receive better financing terms due to lowering the incidence of defects that diminish resale value. Consumers might benefit from better information, if warranties accurately reflected what service is included (cont)

Timetable:

Action	Date	FR Cite
Previous NPRM	05/29/75	40 FR 23334
NPRM	05/23/77	42 FR 26398
Presiding Officer's Report	09/11/79	
Staff Report	08/13/80	
Staff Recommendation to Commission	03/00/85	

Small Entity: Yes

Additional Information: ABSTRACT CONT: in the purchase price of the home. The proposed rule will have an impact on 200 mobile home manufacturers and 12,000 mobile home dealers, most of which are small businesses. There are alternatives to rule provisions. Instead of specific time deadlines for warranty repairs, manufacturers and dealers could set their own deadlines as long as they are disclosed in their warranties; instead of requiring manufacturers to disseminate consumer questionnaires, to monitor effectiveness of factory and dealer warranty repairs, manufacturers could select their own monitoring devices; some responsibilities and duties of the manufacturers may not be needed (e.g., pre-occupancy inspection, set-up and transportation damage).

Agency Contact: Allen Hile, Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3357

RIN: 3084-AA10

7. PROPRIETARY VOCATIONAL AND HOME STUDY SCHOOLS

Priority: Undetermined

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 438, (New)

Abstract: In 1979, the Second Circuit Court of Appeals set aside the rule as originally issued by the Commission, citing problems with some of the remedies that the rule provided to purchasers of proprietary vocational training. The Staff has prepared recommendations as to how the Commission should respond to the Court's decision. Alternatives under consideration include a rule that would give schools the option of providing either a strict pro rata refund remedy or a track record disclosure, a rule requiring some refunds but not on a strict pro rata basis, and a rule with no refund requirements at all. Alternatives to rulemaking include case-by-case enforcement, and FTC intervention before other state and federal agencies having jurisdiction over vocational schools to prevent deceptive practices. The rule may benefit consumers by enabling them to avoid expenditures on inappropriate courses and increasing the effectiveness of the vocational school industry in training and placing people in productive jobs. The cooling-off track record disclosures and refund components of the rule variations under consideration would impose real social costs on schools covered (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/15/74	39 FR 29385
Previous Final Rule published	12/18/78	43 FR 60796
Rule set aside & remanded by Court	12/13/79	
New Staff Recommendation published	07/10/81	46 FR 35668
Staff Recommendations to Commission	12/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: including administrative costs associated with processing and collecting and disseminating information. Price increases may result from these costs as well as the possibility of paying out increased refunds. The rule should be most costly to schools that use unfair or deceptive practices to induce students to enroll in their courses. Schools that do not use these practices may not incur significant cost increases. The rule seeks to deter deceptive sales practices by requiring schools to provide material information to prospective students, and to provide students with contractual remedies which they can use to protect themselves when necessary. Most of the 6,000 schools that would be affected by the rule are small businesses.

Agency Contact: Walter Gross, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3826

RIN: 3084-AA11

8. PROTEIN SUPPLEMENTS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 52 Federal Trade Commission Act

CFR Citation: 16 CFR 454, (New)

Abstract: The proposed rule addresses the advertising and labeling of protein supplements in three ways. First, there are provisions designed to inform consumers of certain health hazards. Thus, for example, a labeling disclosure would be required warning against use for infants. Second, the rule would prohibit certain false or deceptive claims, such as the claim that use of a protein supplement can counteract or delay the signs of aging. Third, the rule would require a general disclosure in the advertising and labeling of these products that most Americans receive all the protein they need from the food they eat. Public comments on the staff and presiding officer's reports have been analyzed by the rulemaking staff and are now being considered by the Bureau of Consumer Protection. Alternatives under consideration include a rule omitting any of the three major kinds of requirements of the proposed rule, as well as a case-by-case approach to enforcement. Adoption of the proposed rule may benefit the public by reducing and deferring the incidence of hazardous, false or misleading representations concerning the composition, use and effects of protein supplements. The costs to the public of adoption (cont)

Timetable:

Action	Date	FR Cite
Previous NPRM	09/05/71	40 FR 41144
NPRM	03/10/76	41 FR 10232
Additions & Modifications to Notice	06/04/76	41 FR 22593
Presiding Officer's Report	06/15/78	
Staff Report	07/24/79	
Staff Recommendation to Commission	10/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: of the Rule would include cost of changing labels and costs attributable to advertising disclosures. Apart from the loss of business obtained through misleading representations, the staff believes the costs to business of adoption of the rule are likely to be small. Objectives: the proposed rule was developed to limit misrepresentations in advertising and labeling, to provide information that some of these products may be inappropriate or hazardous for certain uses (e.g., for infants), and to remedy misrepresentations about the need for dietary protein supplements to the typical consumer diet. Large firms make most sales of protein supplements. However, a sizeable number of small firms also produce such products, and would be subject to the rule.

Agency Contact: Harrison Sheppard, Federal Trade Commission, San Francisco Regional Office, 450 Golden Gate Avenue, San Francisco, CA 94102, 415 556-1270

RIN: 3084-AA12

9. STANDARDS AND CERTIFICATION

Priority: Undetermined

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 46(g) Federal Trade Commission Act

CFR Citation: 15 CFR 457, (New)

Abstract: Standards for products ranging from nuts and bolts to computers are set by trade associations, professional societies, testing laboratories, and other private sector groups. They are relied on by consumers, building code officials, government agencies, and others for regulatory and procurement purposes. These standards can provide significant benefits, such as lowering the cost of communications between buyers and sellers; improving the transfer of technology; encouraging efficiencies in design, production, and inventory; and

assuring the safety, fitness, energy efficiency, or other aspects of product performance. However, substantial injury to competition and consumers can occur if standards or certification actions block the use of superior or lower cost technology, inflate product prices, or deceive consumers about the quality or safety of a product. In the proceeding, the Commission is examining whether a rule, guide, or other enforcement action is needed to address these competitive and consumer injuries. The Commission is particularly interested in the impact on injurious practices of other events, such as promulgation of OMB Circular A-119 and recent court (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/07/78	43 FR 57269
Staff Report	04/11/83	48 FR 15484
Presiding Officer's Report	06/06/83	48 FR 25218
Post Record Comments Due	09/06/83	
Rebuttal Comments Due	10/21/83	
Staff Recommendations to Commission	10/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: actions. An alternative to a rule is a case-by-case approach to any standards-related problems. The rule might have a significant economic effect - both positive and negative - on small businesses. Many complaints about injurious standards and certification actions were filed by small businesses. The rule is aimed at alleviating these injuries. On the other hand, most of the standards and certification organizations that would be subject to the rule and subject to any compliance costs are small businesses.

Agency Contact: Eugene R. Curry, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-4555

RIN: 3084-AA13

10. USED MOTOR VEHICLES

Priority: Undetermined

Legal Authority: 15 USC 45; 15 USC 57(a); 15 USC 2309(b)

CFR Citation: 16 CFR 455, (New)

Abstract: On September 14, 1983, pursuant to a joint stipulation between the Commission and the petitioners for review, the Second Circuit remanded the rule to the Commission. (Miller Motor Car Corp. v. FTC, Nos. 81-4144 et al.) On July 10, 1984, the Commission tentatively adopted a rule that would require dealers to post a window form on used cars sold to consumers which discloses, in plain language, information concerning warranty coverage offered (if any), the meaning of an "As Is" sale (in which neither express warranties nor implied warranties are offered), and other important information. The form also informs consumers that oral promises are difficult to enforce and suggests that consumers ask about independent inspections. Alternatives that were considered included required inspections, voluntary inspections, and a requirement to disclose "known defects." The tentatively adopted rule was published for 30 days of technical comments and substantive comment on survey data that was included in the rulemaking record.

Timetable:

Action	Date	FR Cite
NPRM	01/06/76	41 FR 1089
Final Rule Published	08/14/81	46 FR 41328
Rule Promulgated	08/18/81	
Concurrent Resolution of Disapproval	05/26/82	
Second Circuit reinstated petitions to review Rule	07/26/83	
Commission set effective date for six months following court disposition of reinstated petitions	08/09/83	48 FR 36096
Rule Remanded to Commission	09/14/83	
Invitation for public comment on "known defects" portions of the Rule	12/16/83	48 FR 55874
Staff Recommendation to Commission	05/00/84	
Tentative Adoption	07/10/84	
Invitation for Comment	07/31/84	49 FR 30511
Final Commission Consideration	09/00/84	

Small Entity: Yes

Agency Contact: Lemuel W. Dowdy, Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3911

RIN: 3084-AA14

11. AMENDMENTS TO OCTANE POSTING AND CERTIFICATION RULE

Legal Authority: 15 USC 2801 et seq Petroleum Marketing Practices Act

CFR Citation: 16 CFR 306

Abstract: Title II of the Petroleum Marketing Practices Act ("PMPA", Pub. L. 95-297, June 19, 1978) required the Commission to promulgate a rule which establishes standard procedures for determining, certifying and posting, by means of a label on the fuel dispenser, the octane rating of automotive gasoline intended for sale to consumers. The Commission's rule was promulgated on March 30, 1979 and became effective on June 1, 1979. The rule is intended to enable consumers to buy a gasoline with an octane rating that is high enough to prevent inefficient and harmful "engine knock," and to avoid buying gasoline with an octane rating that is too high for their needs. Although compliance imposes costs on affected industry members, the rule's requirements parallel those in PMPA; therefore, the rule adds little, if any, additional cost. The rule requires refiners and importers to retain test records and distributors and retailers to retain octane certification records for one year, to facilitate tracing the source of inaccurate octane representations. While the Commission has attempted to minimize the burden on small business, the staff is considering (cont)

Timetable:

Action	Date	FR Cite
Previous Rule promulgated	03/30/79	44 FR 19160
Previous Rule effective	06/01/79	
Staff Recommendation to Commission	10/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: whether the recordkeeping requirements are unnecessary and whether sufficient incentives exist to retain the records voluntarily. The rule may have a significant economic impact on a substantial number of small entities. The rule's octane posting requirements apply to all 180,000 retail gasoline dealers, and its certification requirements apply to approximately 20,000 wholesalers and distributors.

Agency Contact: James Mills, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-3646

RIN: 3084-AA16

FEDERAL TRADE COMMISSION (FTC) — Existing Regulations Under Review

12. PRE-SALE AVAILABILITY OF WRITTEN WARRANTY TERMS (EXISTING REGULATION; MODIFICATIONS UNDER CONSIDERATION)

Legal Authority: 15 USC 2302(b)(1)(A) Magnuson-Moss Warranty--FTC Improvemts Act; 15 USC 2309(a) Magnuson-Moss Warranty--FTC Improvements Act

CFR Citation: 16 CFR 702

Abstract: The Magnuson-Moss Warranty Act (15 U.S.C. 2302(b)(1)(A)) requires that the Federal Trade Commission promulgate a rule to require that the terms of written warranties for consumer products be made available to consumers prior to purchase. The Rule modifications currently being considered are intended to achieve the Congressional objective more effectively by making the Rule requirements more flexible and thus lessening the costs and burdens of compliance while still ensuring consumers access to warranties prior to purchase. The current Pre-Sale Availability Rule requires that retailers of consumer products costing more than $15 make warranty texts available to consumers prior to purchase by placing the warranty text in one or a combination of four specified locations; (1) on the product, (2) in a binder, (3) on the package, or (4) on a sign. Manufacturers are required to provide materials sufficient for retailers to meet their obligations. The Rule modifications currently under consideration would reduce retailers' obligations. One modification would provide two options for making warranties available: (1) displaying the warranty text(s), and/or (2) displaying a (cont)

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	12/31/75	45 FR 60168
Begin Review	11/04/81	
Sup staff analysis to Commission	09/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: sign indicating the availability of warranty text(s) upon customer request. In addition, staff is considering raising the dollar threshold for coverage of the Rule and automatic adjustment of this threshold amount to reflect the inflation rate. Modifications to manufacturers' compliance options are also under consideration, including a requirement that manufacturers affix the warranty text to all warranted consumer products. Changes in the rule could produce benefits by reducing the total costs of compliance with the present rule for retailers and manufacturers or by more efficiently allocating compliance obligations between retailers and manufacturers. Costs may arise from reductions in the benefits of the present rule in making warranty information available to consumers. Two large scale surveys are being conducted to examine consumer experience with warranties and to measure the effect of the current Rule on manufacturers and retailers. These surveys will estimate the effect on small business of both the existing rule and the alternatives under consideration.

Agency Contact: Gary Laden, Federal Trade Commission, Division of Marketing Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 523-3909

RIN: 3084-AA15

13. RETAIL FOOD STORE ADVERTISING AND MARKETING PRACTICES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 424

Abstract: The Commission's Rule on Retail Food Store Advertising and Marketing Practices seeks to ensure that consumers receive the prices and goods offered in grocery stores' advertisements, and to enable the stores to compete fairly on the basis of price. Since the rule applies to all retail food stores, it may have had a significant effect on a substantial number of small grocery stores. The rule states that it is a violation of Section 5 of the Federal Trade Commission Act for grocery stores to advertise products at a particular price unless such products are in stock and conspicuously and readily available for sale at the advertised price during the effective period of the advertisement. The rule is intended to benefit consumers by ensuring that advertised items are available, that advertising-induced purchasing trips are not fruitless, and that store prices accurately reflect the prices appearing in the ads. The rule may cause costs to be incurred in maintaining sufficient inventory to meet anticipated demand, and costs associated with the monitoring of price changes, changing marked prices, and training of employees to comply with the rule. (cont)

Timetable:

Action	Date	FR Cite
Comment on Reg Flex Act Review	12/00/83	
ANPRM	10/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: Because more information is needed to assess the relative costs and benefits of the rule and whether or not the rule should be amended, staff will be recommending acquiring additional information by means of an advance notice of proposed rulemaking.

Agency Contact: Lewis Franke, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA17

14. COOLING-OFF PERIOD FOR DOOR-TO-DOOR SALES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 429

Abstract: The rule states that sellers of consumer goods or services with a purchase price of $25.00 or more who sell away from their place of business must furnish to the buyer certain information regarding the buyer's right to cancel sales within three business days and must give the buyer a full refund of any down payment upon the buyer's cancellation. The rule requires a seller to furnish the buyer with a complete receipt or copy of a contract, along with a notice informing the buyer of the right to cancel the transaction, to furnish the buyer with a completed Notice of Cancellation. The rule is intended to benefit consumers by permitting them to reflect on their purchase and the terms of any contract, to compare the purchase with offerings of other sellers, and to ascertain the accuracy of any representations made. The resulting costs to sellers include the costs associated with cancellation (processing cancelled orders, returning downpayments, retrieving delivered goods, and returning traded-in merchandise) and the additional cost of printing the required cancellation notices. Since the rule affects all door-to-door sellers, it may have a significant economic effect on a (cont)

Timetable:

Action	Date	FR Cite
Begin Review	03/00/83	
End Review	10/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: substantial number of small entities. To assess the possible impact of the rule on such small entities, the Commission is commencing a review of the rule in accordance with Section 610 of the Regulatory Flexibility Act.

Agency Contact: Lewis Franke, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA18

15. MAIL ORDER MERCHANDISE

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 435

Abstract: The Commission's rule concerning mail order merchandise was promulgated on October 22, 1975. The rule requires mail order sellers to possess a reasonable basis for any claims made concerning shipping date or, in the absence of any specifically stated date, to ship the ordered merchandise within thirty (30) days of receipt of an order. In the event of delays in shipment, the rule establishes notification procedures whereby buyers have the option either to agree to the delay or to cancel the order and receive a prompt refund. The Commission's rule is designed to address a number of significant consumer problems described on the record of the rulemaking proceeding, including failure to deliver ordered merchandise, unexplained delays in delivery, failure to make prompt (or any) refunds upon cancellation of an order, and inability to obtain responses to inquiries about pending orders. The rule enables consumers to obtain ordered merchandise within a reasonable time period or, if delays occur, to cancel the order and obtain a prompt refund, so that losses due to undelivered merchandise, delays, and inadequate or nonexistent refunds can be avoided. By subjecting sellers (cont)

Timetable:

Action	Date	FR Cite
Rule Promulgated	10/22/75	40 FR 49492
Initiation of Reg Flex Act Review	10/20/83	
ANPRM	12/00/84	
Final Report to Commission	12/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: who solicit orders they cannot fill within a reasonable time to the risk of cancellation, the rule may provide competitive benefits, since buyers may shift their business to more efficient merchants. Costs relating to the rule may include the cost of establishing a system for monitoring and recording orders, deliveries, delays, cancellations, consents to delays, and refunds; the costs of complying with the rule's notification requirements regarding delays (printing, postage, etc.); the cost of processing refunds; and additional inventory costs. Pursuant to Sec. 610 of the Regulatory Flexibility Act, the Commission is undertaking a review of this rule to determine whether the rule has had a significant economic impact on a substantial number of small entities and, if so, whether the rule should be amended to minimize any such impact. The rule applies to all members of the mail order industry, including small firms. In addition, the staff is considering whether the rule should be amended to cover orders placed by telephone or other electronic means.

Agency Contact: Raymond L. Rhine, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2863

RIN: 3084-AA19

16. REVIEW OF THE PREMERGER NOTIFICATION RULES AND REPORT FORM

Priority: Task Force

Legal Authority: 15 USC 18a Clayton Act

CFR Citation: 16 CFR 801; 16 CFR 802; 16 CFR 803; 16 CFR 803, Appendix

Abstract: The Premerger Notification Rules and the Antitrust Improvements Act Notification and Report Form were adopted pursuant to Section 7A of the Clayton Act. Section 7A requires firms of a certain size contemplating mergers or acquisitions of a specified size to file notification with the Federal Trade Commission (FTC) and the Department of Justice (DOJ) and to wait a designated period before consummating the transaction. It also requires the FTC, with the concurrence of the Assistant Attorney General for Antitrust, to promulgate rules requiring that notification be in a form and contain information necessary to enable the FTC and DOJ to determine whether the proposed acquisition may, if consummated, violate the antitrust laws. Review of these rules and the Form focuses on reducing the paperwork burden imposed on the business community. On July 29, 1981, the Commission proposed several changes in the current premerger rules (46 Fed. Reg. 38710). These proposed changes, with some modification, were adopted in July 1983. On July 2, 1982, the Commission requested comments on several approaches to reduce further the burden imposed by the premerger rules and the Form. The staff (cont)

Timetable:

Action	Date	FR Cite
NPRM Clarification/Burden Reduction	07/29/81	46 FR 38710
Begin Review	09/30/81	
Notice of Request for Comments	07/02/82	47 FR 29182
Final Action Clarification/Burden Reduction	07/29/83	48 FR 34427
Final Action Effective Clarification/Burden Reduction	08/29/83	
Staff Proposal to Commission - Review	10/00/84	

Small Entity: No

Additional Information: SMALL BUSINESSES CONT: The Premerger Notification Rules do not affect nonbusiness entities or small businesses. A firm must have sales or assets of at least $10 million to be subject to any reporting obligation. Moreover, any transaction is exempt under the rules if it is valued at less than $15 million and will not result in the acquiring person's holding 50% of the voting securities of a corporation with sales or assets of $25 million or more.

ABSTRACT CONT: plans to submit a proposal regarding this burden reduction initiative to the Commission in October, 1984.

Agency Contact: Roberta S. Baruch, Deputy Assistant Director for Evaluation, Federal Trade Commission, Premerger Notification Office, Bureau of Competition, Washington, DC 20580, 202 523-3894

RIN: 3084-AA23

17. GAMES OF CHANCE IN THE FOOD RETAILING AND GASOLINE INDUSTRIES RULE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 419.1

Abstract: The Commission's trade regulation rule concerning games of chance became effective on October 17, 1969. The rule establishes requirements for food and gasoline retailers in conducting and advertising games of chance by requiring disclosure of odds-of-winning and prize information in broadcast and print advertisements, as well as in point of sale information. During January, 1983, the Commission granted a temporary partial exemption to allow supermarkets and gas stations to advertise their games on radio and television without disclosing full information on prizes and odds-of-winning. In addition, the Commission also published an advance notice of proposed rulemaking on whether to make the broadcast exemption permanent. Finally, the Commission has proposed to reduce the recordkeeping requirements of the rule from three years to one year in keeping with the goals of the Paperwork Reduction Act, and requests public comment on other possible areas where amendments to the rule may be appropriate. The rule benefits consumers by allowing contestants to enter games of chance with full knowledge of all material information to enable equal competition for (cont)

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	08/19/69	34 FR 13302
ANPRM	01/04/83	48 FR 265
Temporary Partial Exemption	01/10/83	48 FR 1046
Submit Staff Analysis to Commission	10/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: prizes. The major costs to industry are the possible burdensomeness of the electronic media disclosure and recordkeeping provisions of the rule, both of which are currently being reconsidered. Possible alternatives include different disclosures, reduced disclosures, or no disclosures.

Agency Contact: John M. Mendenhall, Attorney, Federal Trade Commission, Cleveland Regional Office, Suite 500-Mall Building, 118 St. Clair Ave, Cleveland, Ohio 44114, 216 522-4207

RIN: 3084-AA24

18. FRANCHISING AND BUSINESS OPPORTUNITIES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 436

Abstract: The franchise trade regulation rule was adopted in response to evidence of deceptive and unfair practices in connection with the sale of the types of businesses covered by the rule. In some instances prospective franchisees lack a ready means of obtaining essential and reliable information about their proposed business investment. This lack of information reduces the ability of prospective franchisees either to make an informed investment decision or otherwise verify the representations of the business' salespersons. The rule attempts to deal with these problems by requiring franchisors and franchise brokers to furnish prospective franchisees with information about the franchisor, the franchise business and the terms of the franchise agreement. Franchisors and franchise brokers must furnish additional information if they have made any claim about actual or potential earnings, either to the prospective franchisee or in the media. All disclosures must be made (i) before any sale is made and (ii) by means of disclosure documents whose form and content are set forth in the rule. The rule requires disclosure of (cont)

Timetable:

Action	Date	FR Cite
Rule promulgated	12/21/78	43 FR 59614
Initiation of Reg Flex Act Review	03/00/84	
Consideration of Appropriate Action	05/00/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: certain information. It does not regulate the substantive terms of the franchisor-franchisee relationship. It does not require registration of the offering or the filing of any documents with the Federal Trade Commission in connection with the sale of franchises. In accordance with Section 610 of the Regulatory Flexibility Act, the Commission will review this rule to examine its impact on small entities and assess whether any modifications are needed.

Agency Contact: John M. Tifford, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2805

RIN: 3084-AA25

19. RULES FOR USING ENERGY COST AND CONSUMPTION INFORMATION USED IN LABELING AND ADVERTISING OF CONSUMER APPLIANCES UNDER THE ENERGY POLICY AND CONSERVATION ACT

Legal Authority: 42 USC 6294 National Energy Conservation Policy Act; PL 94-163 Energy Policy and Conservation Act, Sec 324, 1975

CFR Citation: 16 CFR 305

Abstract: The Energy Policy and Conservation Act (EPCA) required the Commission to consider labeling rules for the disclosure of energy information, based on standard test procedures prescribed by the Department of Energy, for at least 13 categories of major household appliances. The Commission adopted a labeling rule for seven appliance categories: (1) refrigerators and refrigerator- freezers; (2) freezers; (3) dishwashers; (4) clothes washers; (5) water heaters; (6) room air conditioners; and (7) furnaces. The Commission exempted five other categories of appliances. Following DOE's adoption of final test procedures for central air conditioners (and heat pumps), the Commission initiated a rulemaking to consider including these products. The Commission is also considering including two new types of furnaces in the rule's current coverage of furnaces.

The rule mandates that specific energy costs or efficiency information for covered products be disclosed in catalogs and on a label (fact sheets are required for furnaces). The label must include a highlighted energy cost or efficiency disclosure, a range indicating the highest and lowest energy costs or (cont)

Timetable:

Action	Date	FR Cite
NPRM (Air Conditioners)	08/11/80	45 FR 53340
NPRM (Furnaces)	07/24/81	46 FR 38105
Publication of Staff Reports	08/00/83	
Initiation of Reg Flex Act Review	08/00/84	
Final Rec. to Commission	10/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: efficiencies for all similar appliance models, and a chart that permits an individual to estimate how much it will cost to run the appliance each year based on local utility rates. The primary purpose of the rule is to permit consumers to compare the energy usage of competing appliances and to weigh that information along with other product features.

Since the Commission's rule implements the statutory directives in EPCA, most of the costs imposed on industry members may not be attributable to the rule. The rule applies mainly to manufacturers of household appliances, but does impose some burdens on distributors and retailers. Some of these entities may be small businesses pursuant to Section 610 of the Regulatory Flexibility Act; therefore, the Commission will initiate a review of the rule during FY 1984 to determine whether the rule has had a significant economic impact on a substantial number of small entities and, if so, whether the rule should be amended.

Agency Contact: James Mills, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, **202 376-3646**

RIN: 3084-AA26

20. LABELING AND ADVERTISING OF HOME INSULATION RULE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 460

Abstract: The Commission's home insulation trade regulation rule became effective on September 29, 1980. In summary, the major provisions of the rule: (1) prescribe standardized test methods for determining the R-values, or effectiveness, of home insulation materials; (2) mandate prepurchase point-of-sale disclosures of R-values and related information to consumers on labels and fact sheets; (3) require installers and new home sellers to disclose to consumers information about the insulation installed; (4) require disclosure of R-values or related information in advertisements which make specific claims about home insulation products; and (5) require substantiation and qualifying disclosures in advertisements which make energy savings claims about home insulation products. The rule is designed to enable consumers to evaluate and compare the thermal performance characteristics of these materials, and to ensure that promotional claims for home insulation products will be fair and nondeceptive. The disclosure requirements of the rule may benefit smaller manufacturers and other sellers, whose insulation products often compare favorably on an R-value basis with (cont)

Timetable:

Action	Date	FR Cite
Rule promulgated	08/29/79	44 FR 50218
Rule effective	09/29/80	45 FR 54704
Initiation of Reg Flex Act Review	05/25/84	49 FR 22104
Commission consideration of appropriate action	12/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: products produced by the dominant manufacturers in the industry. The resulting costs to covered sellers include the costs of conducting tests, preparing test reports, maintaining records, preparing labels and fact sheets, making disclosures in advertisements, and making disclosures in sales contracts or receipts given to consumers. Since the rule applies to all manufacturers, installers and other retail sellers of home insulation products, and to all retail new home and mobile home sellers, it may have a significant economic effect on a substantial number of small entities. To assess the possible impact of the rule on such small entities, the Commission is commencing a review of the rule in accordance with Section 610 of the Regulatory Flexibility Act.

Agency Contact: Kent C. Howerton, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, **202 376-8934**

RIN: 3084-AA27

COMPLETED RULEMAKINGS

21. ANTACID ADVERTISING

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 52 Federal Trade Commission Act; 15 USC 55 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 451, (New)

Abstract: On July 27, 1984, the Commission voted not to promulgate a rule that would have required certain warnings contained on the labeling of nonprescription antacids also to appear in the advertising for such products. The now-terminated proceeding explored and the Commission considered various alternatives, including no warnings, a general warning (which referred generally to the existence of risk and directed consumers to the label), various specific warnings (which specifically disclosed the existence of particular risk), and various combinations of general and specific warning. In deciding not to promulgate any rule, the Commission determined that the record evidence did not indicate that the potential benefits of any rule outweighed the potential cost.

Timetable:

Action	Date	FR Cite
NPRM	08/31/78	43 FR 38851
Presiding Officer's Report	11/00/79	
Final Report to the Commission	04/00/84	
Commission determination to terminate proceeding	07/27/84	

Small Entity: No

Agency Contact: Wallace S. Snyder, Associate Director, Federal Trade Commission, Division of Advertising Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 376-8617

RIN: 3084-AA00

22. PROPOSED TRADE REGULATION RULE CONCERNING CREDIT PRACTICES

Priority: Major

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 444, (New)

Abstract: The Commission has promulgated a rule that will restrict certain remedies used by lenders and retail installment sellers in consumer credit contracts. Remedies addressed by the rule include: confessions of judgment; waivers of state property exemption; wage assignments; blanket security interests in household goods; late charges; and cosignors. Benefits from the proposed rule may include: reducing excessively large late fees; prevention of invasion of privacy or injury to the employment relationship; and improving consumers' legal defenses. The cost to consumers of the rule may potentially take two forms: increases in the price of consumer credit (i.e., interest rates) and reduction in availability of credit to certain consumers. All of the alternatives that were considered along with an analysis of their costs and benefits, are set forth in the Regulatory Analysis and Statement of Basis and Purpose at 49 FR 7740 to 7790. A petition for review of this rule has been filed in the U.S. Court of Appeals for the District of Columbia Circuit. The effective date of the rule is March 1, 1985.

Timetable:

Action	Date	FR Cite
NPRM	04/11/75	40 FR 16347
Final Notice	06/24/77	42 FR 32259
Presiding Officer's Report	08/00/78	
Staff Report	08/00/80	
Final Action	03/01/84	49 FR 7740

Small Entity: Undetermined

Agency Contact: Christopher Wade Keller, Federal Trade Commission, Division of Credit Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 724-1580

RIN: 3084-AA02

COMPLETED REVIEWS

23. RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

Legal Authority: 15 USC 68b(d) Wool Products Labeling Act of 1939; 15 USC 68d Wool Products Labeling Act of 1939

CFR Citation: 16 CFR 300

Abstract: The Wool Products Labeling Act of 1939 was enacted on October 14, 1940; the Act and the Commission's accompanying regulations became effective on July 15, 1941. The Act requires all wool products to bear a label showing the percentage of wool, recycled wool, and non-wool fibers contained in the product and the name of the manufacturer or other distributor. The Act prohibits the misbranding of wool products and is administered by the Commission, whose regulations establish the manner and format in which the information required by the Act is to be disclosed. The Act and accompanying rules are designed to protect producers, manufacturers, distributors and consumers from the unrevealed presence of substitutes and mixtures of fibers in manufactured wool products. Consumers are able to make more informed decisions and to avoid unwanted or unnecessary items. Since each manufacturer must accurately label its product, competition based on content is enhanced. Since the Commission's rules primarily implement statutory directives, most of the costs imposed on affected industry members are not attributable to the rules. However, in accordance with its Plan for Periodic Review (cont)

Timetable:

Action	Date	FR Cite
Rules Promulgated	07/15/41	
Initiation of Reg Flex Act Review	10/20/83	48 FR 48682
Staff Recommendation to Commission	04/00/84	
End Review	05/14/84	49 FR 20304

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: of Commission Rules, 46 FR 35118, July 7, 1981, published pursuant to Sec 610 of the Regulatory Flexibility Act, the Commission will initiate a review of these rules during FY 1983 to determine whether the rules have had a significant economic impact on a substantial number of small entities and if so, whether the rules should be amended. An area for possible review is the simplification of the forms or requirements associated with the registered identification number and continuing guaranty filing provisions of the rules.

Agency Contact: Earl Johnson, Division of Enforcement, Federal Trade Commission, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA20

24. RULES AND REGULATIONS UNDER FUR PRODUCTS LABELING ACT

Legal Authority: 15 USC 69(e) Fur Products Labeling Act; 15 USC 69(f) Fur Products Labeling Act

CFR Citation: 16 CFR 301

Abstract: The Fur Products Labeling Act was enacted on August 8, 1951; the Act and the Commission's accompanying rules became effective on August 9, 1952. The Act and rules contain requirements for the labeling, invoicing, and advertising of fur products. The Act requires fur products to be labeled with the name of the animal which produced the fur; whether the furs are natural, dyed or otherwise artificially colored; and certain other characteristics of the fur product used. To ascertain compliance with the Act, fur products marketers must maintain records for each product sold. The Act prohibits the misbranding, false and deceptive invoicing, and false and deceptive advertising of fur products. It requires that animal names used conform to the Fur Products Name Guide established by the Commission, which is charged with administering the Act. The Act and accompanying rules are designed to protect producers and consumers against misbranding, false advertising, and false invoicing of furs and fur products. Consumers are able to make more informed purchasing decisions and to avoid unwanted or unnecessary items. Since each manufacturer must accurately label its products, competition based on (cont)

Timetable:

Action	Date	FR Cite
Previous Rule Promulgated	02/03/52	
Initiation of Reg Flex Act Review	10/20/83	48 FR 48682
Staff Recommendation to Commission	04/00/84	
End Review	05/14/84	49 FR 20304

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: content is enhanced. Since the Commission's rules primarily implement statutory directives, most of the costs imposed on affected industry members are not attributable to the rules. However, in accordance with its Plan for Periodic Review of Commission Rules, 46 FR 35118, July 7, 1981, published pursuant to Sec 610 of the Regulatory Flexibility Act, the Commission will initiate a review of these rules during FY 1983 to determine whether the rules have had a significant economic impact on a substantial number of small entities and, if so, whether the rules should be amended. Areas for possible review include simplification of the forms or requirements used in connection with the registered identification number and continuing guaranty filing provisions, modifications of recordkeeping requirements and adjustment of exemption standards.

Agency Contact: Earl Johnson, Division of Enforcement, Federal Trade Commission, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA21

25. RULES AND REGULATIONS UNDER THE TEXTILE FIBER PRODUCTS IDENTIFICATION ACT

Legal Authority: 15 USC 70e Textile Fiber Products Identification Act; 15 USC 70j Textile Fiber Products Identification Act

CFR Citation: 16 CFR 303

Abstract: The Textile Fiber Products Identification Act was enacted on September 1, 1958; the Act and the Commission's accompanying regulations became effective on March 3, 1960. The Act requires each household textile product to bear a label containing the percentage of each fiber contained in the product, the name of the manufacturer or distributor, and the country of origin if the product was manufactured principally in a foreign country. The Act prohibits misbranding and false advertising of the fiber content of textile products and requires that the appropriate generic name be used for all fibers. Generic names and definitions for manufactured fibers are established by the Commission, which is charged with administering the Act. The Act and accompanying rules are designed to protect producers and consumers from being deceived by misbranding and false advertising of the fiber content of textile products. Consumers may be able to make more informed decisions and to avoid unwanted or unnecessary items. Since each manufacturer must accurately label its product, competition based on content may be enhanced. Since the Commission's rules implement statutory (cont)

Timetable:

Action	Date	FR Cite
Initiation of Reg Flex Act Review	10/20/83	48 FR 48682
Staff Recommendation to Commission	04/00/84	
End Review	05/14/84	49 FR 20304

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: directives, most of the costs imposed on affected industry members may not be attributable to the Rules. The rules apply to textile fiber products manufacturers and certain other textile fiber products marketers some of which may be small businesses. Pursuant to Sec. 610 of the Regulatory Flexibility Act, the Commission will initiate a review of these rules during FY 1983 to determine whether the rules have had a significant economic impact on a substantial number of small entities and, if so, whether the rules should be amended. Among the areas which may be reviewed is possible simplification of the forms or requirements associated with the rule's voluntary filing provisions.

Agency Contact: Earl Johnson, Division of Enforcement, Federal Trade Commission, Bureau of Consumer Protection, Washington, DC 20580, 202 376-2891

RIN: 3084-AA22

[FR Doc. 84-24453 Filed 10-19-84; 8:45 am]

federal register

Monday
October 22, 1984

Part LI

Interstate Commerce Commission

Semiannual Regulatory Agenda

ICC

INTERSTATE COMMERCE COMMISSION

49 CFR Ch. X

[Ex Parte No. 420 (Sub-No. 7)]

Semiannual Regulatory Agenda

AGENCY: Interstate Commerce Commission.

ACTION: Notice of semiannual regulatory agenda to be part of a Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to OMB Bulletin No. 84-16, issued under section 6(b) of E.O. 12291 to implement the provisions of section 5 of the Executive Order concerning Regulatory Agendas, the Commission is publishing an agenda of (1) current and projected rulemakings, and (2) existing regulations being reviewed to determine whether to propose modifications through rulemaking. Listed below are the regulatory actions to be developed or reviewed during the next 12 months. Following each rule identified is a brief description of the rule including its purpose and legal basis.

FOR FURTHER INFORMATION CONTACT: A contact person is identified for each of the rules listed below.

SUPPLEMENTARY INFORMATION: Two lists of proceedings appear below. The first contains information about subject areas in which the Commission is currently conducting rulemaking proceedings or may institute such proceedings in the near future. The second contains information about existing regulations being reviewed to determine whether to propose modifications through rulemaking.

The agenda identifies regulations likely to have a significant economic impact on a substantial number of "small entities." Accordingly, this information will satisfy the requirements of section 602 of the Regulatory Flexibility Act, 5 U.S.C. 602.

Finally, this agenda will comprise part of a Unified Agenda of Federal Regulations compiled by the Office of Management and Budget which is to be published in a single issue of the Federal Register in October 1984. The purpose of the Unified Agenda is to provide the public with more comprehensive documentation of the Federal government's current regulatory plans, and to provide a systematic means of monitoring regulatory activity in each agency.

This notice is issued pursuant to 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: August 20, 1984.

By the Commission, Chairman Taylor, Vice Chairman Andre, Commissioners Sterrett and Gradison. Chairman Taylor was absent and did not participate.

Kathleen M. King,

Acting Secretary.

BILLING CODE 7035-01-T

INTERSTATE COMMERCE COMMISSION (ICC) — Current and Projected Rulemakings

RAILROAD CONSOLIDATION PROCEDURES - TRACKAGE RIGHTS EXEMPTION, EX PARTE NO. 282 (SUB-NO. 9)

Priority: Agency Determination

Legal Authority: 49 USC 10505; 49 USC 11343 to 11346; 5 USC 553

CFR Citation: 49 CFR 1180, (formerly 49 CFR 1111)

Abstract: We propose to exempt from regulation, as a class, trackage rights transactions under 49 U.S.C. 11343 that are: 1) based on written agreements; and 2) not sought as responsive applications to rail consolidation proceedings.

Timetable:

Action	Date	FR Cite
NPRM	09/15/82	47 FR 40668
NPRM Comment Period Begin	09/15/82	47 FR 40668
NPRM Comment Period End	10/15/82	
Pending Final Decision	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: $200; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1981

Government Levels Affected: Local, State, Federal

Analysis: Draft RFA 09/15/82 (47 FR 40668)

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, **202 275-7245**

RIN: 3120-AA09

ZONE OF REASONABLENESS FOR CAR HIRE CHARGES, EX PARTE NO. 334 (SUB-NO. 5)

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10706; 49 USC 10734; 49 USC 11122; 5 USC 553

CFR Citation: 49 CFR 1033; 49 CFR 1036

Abstract: The Commission is considering whether to increase carrier flexibility in establishing car hire charges.

Timetable:

Action	Date	FR Cite
NPRM	10/22/80	
NPRM Comment Period Begin	11/03/80	45 FR 73524
NPRM Comment Period End	12/22/80	
Presently under internal evaluation	00/00/00	

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, **202 275-7245**

RIN: 3120-AA13

SPECIAL TEMPORARY AUTHORITY PROCEDURES, EX PARTE NO. MC-64 (SUB-NO. 2A)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1131

Abstract: Proposal to add categories of emergency situations in which special temporary operating authority for motor carriers may be granted.

Timetable:

Action	Date	FR Cite
NPRM	06/05/80	45 FR 37912
NPRM Comment Period Begin	06/05/80	45 FR 46459
NPRM Comment Period End	08/11/80	

Action	Date	FR Cite
Draft under internal evaluation	00/00/00	

Small Entity: Not Applicable

Agency Contact: Jane Ewing, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7786

RIN: 3120-AA19

BRANCH LINE ACCOUNTING SYSTEM-RAILROADS

Legal Authority: 49 USC 10362(b)(7)

CFR Citation: 49 CFR 1201

Abstract: These rules establish a standardized system of accounting which will permit the collection and publication by railroads of information necessary to determine accurately the revenues attributable, avoidable costs, and service units of light density lines scheduled for abandonment under 49 CFR 1121 or 1125. This proceeding is a continuing matter, by statute, based upon the Regional Rail Reorganization Act of 1973, modified by the Railroad Revitalization & Regulatory Reform Act of 1976; therefore, completion dates are inappropriate.

Timetable:

Action	Date	FR Cite
NPRM	01/11/78	43 FR 1732
Continuing proceeding by statute	00/00/00	

Small Entity: Not Applicable

Agency Contact: James R. Wells, Transportation Industry Analyst, Interstate Commerce Commission, Section of Rail Services Planning, Washington, DC 20423, 202 275-0840

RIN: 3120-AA23

PETITION TO EXPAND PASSENGER MOTOR CARRIER SUPERHIGHWAY AND DEVIATION RULES EX PARTE NO. MC-65 (SUB-NO. 6)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1042

Abstract: Proposal to expand the amount by which a motor carrier of passengers may deviate from its certificated route in order to perform authorized service in an efficient and timely way.

Timetable:

Action	Date	FR Cite
NPRM	02/01/79	44 FR 6580

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: S. David Berger, Supervising Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7980

RIN: 3120-AA24

DORMANCY, DIVISION OF OPERATING RIGHTS, AND NEW COMPETITIVE SERVICE IN MOTOR CARRIER ACQUISITION CASES, EX PARTE NO. MC-155

Legal Authority: 49 USC 10926; 49 USC 11343; 49 USC 11344

CFR Citation: 49 CFR 1132; 49 CFR 1134

Abstract: New rules would propose to deal with the handling of sales of motor carrier operating rights involving dormant rights or rights which create additional competition by sale.

Timetable:

Action	Date	FR Cite
On hold pending action on Ex Parte 55 Sub 57	00/00/00	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $957,300; Base Year for Dollar Estimates: 1983

Government Levels Affected: Federal

Analysis: Draft RFA 01/20/83

Agency Contact: Warren Wood, Senior Attorney, Motor Section, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Room 2330, Washington, DC 20423, 202 275-7977

RIN: 3120-AA27

COSTING METHODOLOGIES FOR THE NORTHEAST CORRIDOR; COMMUTER SERVICE

Legal Authority: PL 97-35, Sec 1163(a) Northeast Rail Service Act of 1981

Abstract: These rules establish an appropriate costing methodology for compensating Amtrak for the use of its trackage in the Northeast Corridor and other areas by commuter rail passenger and freight services. It is based on an avoidable costing methodology concept. Amtrak is treated as the dominant user and the other users of its properties as the minority users; this is for purposes of assigning joint costs. This proceeding is a continuing matter under the Northeast Rail Services Act of 1981; as such, completion dates are not pertinent.

Timetable:

Action	Date	FR Cite
ANPRM	09/04/81	46 FR 44999
NPRM	01/25/82	47 FR 3418
NPRM Comment Period Begin	01/25/82	47 FR 3418
NPRM Comment Period End	03/01/82	
Continuing proceeding by statute	00/00/00	

Small Entity: No

Agency Contact: Stephen M. Grimm, Transportation Industry Analyst, Interstate Commerce Commission, Washington, DC 20423, 202 275-0839

RIN: 3120-AA31

REASONABLY EXPECTED COSTS

Legal Authority: 49 USC 10705a(b)(2) Staggers Rail Act of 1980

CFR Citation: 49 CFR 1129

Abstract: A railroad may impose a surcharge on traffic originating or terminating on certain light density lines. These surcharges may be applied without Commission interference unless the surcharge increases the carrier's share of joint-line revenues above 110 percent of variable cost plus 100 percent of the carrier's reasonably expected costs of continuing to operate the line itself; i.e., its on-branch costs. These rules establish the methodology for determining "reasonably expected costs." It will benefit the public by permitting shippers a mechanism to monitor and determine the appropriateness of a light density line surcharge. This proceeding is "open" pursuant to the Staggers Rail Act of 1980 and therefore, completion dates are not appropriate.

Timetable:

Action	Date	FR Cite
"Open" pursuant to statute	00/00/00	

Small Entity: No

Agency Contact: James Wells, Accountant, Interstate Commerce Commission, Washington, DC 20423, 202 275-0840

RIN: 3120-AA32

STANDARDS FOR DETERMINING RAIL SERVICE CONTINUATION

Legal Authority: 45 USC 715(d)(6) Regional Rail Reorganization Act of 1973; 49 USC 10362(b)(6) RR Revitalization & Reg. Reform Act of 1976

CFR Citation: 49 CFR 1125

Abstract: The standards define the terms "revenue attributable to the rail properties," the "avoidable costs of providing service," a "reasonable return on the value," and a "reasonable management fee." When a railroad receives Commission approval to abandon a portion of rail property because it is a burden on interstate commerce, a financially responsible person may offer an operating subsidy (i.e., a rail service continuation payment) to keep the rail line in operation. The standards establish a formula for calculating the estimated first year subsidy payment; the formula utilizes the terms defined above. This standard benefits the public by facilitating the continuation of essential freight service that would otherwise cease; it further provides a mechanism adequately compensating a carrier for the service provided. This proceeding is a continuing matter by statute based upon the Regional Rail Reorganization Act of 1973, modified by the Railroad Revitalization & Regulatory Reform Act of 1976; therefore, completion dates are inappropriate.

Timetable:

Action	Date	FR Cite
Continuing proceeding by statute	00/00/00	

Small Entity: Not Applicable

Agency Contact: James Wells, Accountant, Interstate Commerce Commission, Section of Rail Services Planning, Washington, DC 20423, 202 275-0840

RIN: 3120-AA33

STANDARDS FOR DETERMINING COMMUTER RAIL SERVICE CONTINUATION SUBSIDIES AND EMERGENCY OPERATING PAYMENTS

Legal Authority: 45 USC 715 Regional Rail Reorganization Act of 1973; 49 USC 10362(b)(5); PL 94-210 RR Revitalization & Reg. Reform Act of 1976

CFR Citation: 49 CFR 1127

Abstract: These standards establish a methodology by which a subsidy amount may be calculated. This subsidy would be offered by a financially responsible party (usually a state agency or commuter authority) to a railroad to fund the deficits incurred in providing rail passenger commuter service in the Northeast. These standards benefit the public by facilitating the continuation of essential rail passenger service and providing a mechanism for adequately compensating a carrier for the service provided. This proceeding is a continuing matter, by statute, based upon the Regional Rail Reorganization Act of 1973, modified by the Railroad Revitalization & Regulatory Reform Act of 1976; therefore, completion dates are inappropriate.

Timetable:

Action	Date	FR Cite
ANPRM	06/05/81	
Continuing proceeding by statute	00/00/00	

Small Entity: Not Applicable

Agency Contact: Stephen M. Grimm, Transportation Industry Analyst, Interstate Commerce Commission, Section of Rail Services Planning, Washington, DC 20423, 202 275-0839

RIN: 3120-AA34

INTERCHANGE POLICIES AT INTERNATIONAL BOUNDARY LINES, EX PARTE NO. MC-73 (SUB-NO. 1)

Legal Authority: 49 USC 10101; 49 USC 10321; 49 USC 11107; 5 USC 552; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1004; 49 CFR 1057

Abstract: Proposal to permit licensed motor carriers to interchange equipment at international boundary lines with licensed Mexican and Canadian carriers.

Timetable:

Action	Date	FR Cite
NPRM	06/23/81	46 FR 32460
NPRM Comment Period Begin	06/23/81	
NPRM Comment Period End	08/07/81	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Andrew L. Lyon, Principal Attorney, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7805

RIN: 3120-AA36

REVOCATION PROCEDURES FOR FAILURE TO FILE AND MAINTAIN INSURANCE (MOTOR CARRIERS), OR SURETY BONDS (MOTOR CARRIERS, BROKERS AND FREIGHT FORWARDERS), EX PARTE NO. MC-5 (SUB-NO.3)

Legal Authority: 49 USC 10925; 49 USC 10927

CFR Citation: 49 CFR 1043.7(f); 49 CFR 1084.8(g)

Abstract: Motor carriers, brokers and forwarders are required to file evidence of security for public protection in prescribed amounts. This proceeding involves improvement of the procedures by which revocation of certificates, licenses and permits is accomplished for failure to file or maintain the required security.

Timetable:

Action	Date	FR Cite
NPRM	12/13/82	47 FR 55980
NPRM Comment Period Begin	12/13/82	47 FR 55980
NPRM Comment Period End	01/13/83	
Final Action	11/01/84	
Final Action Effective	12/03/84	

Small Entity: No

Agency Contact: Margaret Ginyard, Transportation Industry Analyst, Interstate Commerce Commission, Office of Compliance & Consumer Assistance, Room 6328, Washington, DC 20423, 202 275-6749

RIN: 3120-AA39

REGULATIONS GOVERNING THE ADEQUACY OF INTERCITY MOTOR COMMON CARRIER PASSENGER SERVICE, EX PARTE NO. MC-95 (SUB-NO. 3)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1063

Abstract: Proposal to develop rules governing adequacy of service, equipment, and facilities on buses.

Timetable:

Action	Date	FR Cite
NPRM	09/06/79	44 FR 53092
NPRM Comment Period Begin	09/06/79	
NPRM Comment Period End	10/06/79	
Draft decision under internal evaluation	00/00/00	

Small Entity: Not Applicable

Agency Contact: James Brown, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7898

RIN: 3120-AA40

HANDLING OF C.O.D. SHIPMENTS, EX PARTE NO. MC-42

Priority: Agency Determination

Legal Authority: 49 USC 10101; 49 USC 10321; 49 USC 10762; 49 USC 11101; 5 USC 553

CFR Citation: 49 CFR 1052

Abstract: The Commission is considering whether to revise its existing regulations to authorize individual carriers to establish their own nondiscriminatory C.O.D. collection and remittance rules and to eliminate the requirement in existing recordkeeping.

Timetable:

Action	Date	FR Cite
NPRM	03/19/81	46 FR 17814
NPRM Comment Period Begin	03/20/81	
NPRM Comment Period End	05/04/81	
Draft decision under internal evaluation	00/00/00	

Small Entity: No

Agency Contact: Tom Barry, Attorney Advisor, Interstate Commerce Commission, Washington, DC 20423, 202 275-7540

RIN: 3120-AA42

COAL RATE GUIDELINES - NATIONWIDE, EX PARTE NO. 347 (SUB-NO. 1)

Priority: Agency Determination

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 10701a; 49 USC 10704; 49 USC 10709(a)

CFR Citation: Not yet determined

Abstract: The Commission is proposing a maximum rail rate policy applicable to captive coal traffic. Under the proposed "constrained market pricing" approach, rail carriers' pricing of market dominant coal traffic would be subject to four upward constraints. First, a coal shipper could not be charged more than the "stand-alone cost" of serving its traffic. Second, captive shippers would not be required to bear the cost of obvious management inefficiencies. Third, carriers which have adequate revenues, as we have defined them, would not be permitted to increase their rates on captive coal traffic. Finally, carriers would generally not be permitted to increase their rates on captive coal traffic by more than 15 percent in a single year (after allowing for inflation).

Timetable:

Action	Date	FR Cite
NPRM	11/18/80	45 FR 80370
NPRM Comment Period Begin	11/18/80	46 FR 2204
NPRM Comment Period End	04/17/81	
Comment End Extended to 05/11/81	04/17/81	46 FR 22497
Interim Final Rule	12/16/81	46 FR 62958
Additional comments requested	02/10/82	47 FR 6109
Decision reopening 12/16 decision	08/05/82	
NPRM	02/08/83	
Public Comment Period Begins	02/22/83	
Public Comment Period Ends	07/28/83	
Oral Hearing	10/04/84	
Final Action	12/00/84	

Small Entity: Undetermined

Agency Contact: Leslie J. Selzer, Assistant to the Director, Interstate Commerce Commission, Bureau of Accounts, Washington, DC 20423, 202 275-7627

RIN: 3120-AA52

STANDARDS FOR RAILROAD REVENUE ADEQUACY, EX PARTE NO. 393

Priority: Major

Legal Authority: 49 USC 10704(a)(2)

CFR Citation: Not yet determined

Abstract: To assist the Commission in determining whether railroads are revenue adequate as prescribed by the IC Act. A final decision in this proceeding was issued on 03/30/81. The present NPRM is to resolve several issues left outstanding in the earlier decision.

Timetable:

Action	Date	FR Cite
NPRM	11/26/80	
NPRM	02/28/83	
NPRM Comment Period Begins	03/01/83	
NPRM Comment Period Ends	04/15/83	
Comment Period Extended to	09/16/83	48 FR 29964
Comments due	09/23/83	48 FR 42876
Final Action	10/00/84	
Final Action Effective	10/00/84	

Small Entity: Undetermined

Agency Contact: Ward L. Ginn, Jr., Chief, Section of Financial Analysis, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Washington, DC 20423, 202 275-7488

RIN: 3120-AA61

ADOPTION OF UNIFORM RAIL COSTING SYSTEM FOR DETERMINING VARIABLE COST FOR JURISDICTIONAL THRESHOLD AND SURCHARGE PURPOSES (URCS), EX PARTE NO. 431

Priority: Major

Legal Authority: 49 USC 10705(a); 49 USC 10709

CFR Citation: Not yet determined

Abstract: Develops new cost methodology applicable to the rail industry as mandated in the 1976 4-R Act and the 1980 Staggers Rail Act.

Timetable:

Action	Date	FR Cite
NPRM	01/31/83	48 FR 4562
NPRM Comment Period Begin	01/31/83	48 FR 25290
NPRM Comment Period End	09/28/83	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: William T. Bono, Chief, Section of Cost Development, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Washington, DC 20423, 202 275-7354

RIN: 3120-AA63

MODIFY RULES GOVERNING TARIFF AMENDMENTS, EX PARTE NO. 435

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10762

CFR Citation: 49 CFR 1300; 49 CFR 1306; 49 CFR 1307; 49 CFR 1309; 49 CFR 1310

Abstract: The Commission proposes to relax present regulations which limit the size and number of amendments and supplements to effective tariffs.

Timetable:

Action	Date	FR Cite
NPRM	09/24/82	47 FR 52483
NPRM Comment Period Begin	09/24/82	47 FR 52483
NPRM Comment Period End	12/23/82	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Neil S. Llewellyn, Acting Director, Bureau of Traffic, Interstate Commerce Commission, 4318 ICC Building, Washington, DC 20423, 202 275-7348

RIN: 3120-AA65

CONSOLIDATION OF TARIFF PUBLISHING RULES, DOCKET NO. 37321

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10762

CFR Citation: 49 CFR 1300; 49 CFR 1303; 49 CFR 1304; 49 CFR 1305; 49 CFR 1306; 49 CFR 1307; 49 CFR 1308; 49 CFR 1309; 49 CFR 1310

Abstract: A complete review and revision of all the ICC tariff publishing regulations codified at 49 CFR 1300 - 1310 inclusive to simplify language, eliminate duplications, streamline procedures and generally improve the overall quality of the regulations and tariffs filed pursuant to them. Obsolete or unnecessary regulations will be deleted.

Timetable:

Action	Date	FR Cite
NPRM	07/07/83	48 FR 31265
NPRM Comment Period Begin	07/07/83	48 FR 31265
NPRM Comment Period End	10/04/83	
Final Action	10/00/84	

Small Entity: Yes

Agency Contact: Neil S. Llewellyn, Acting Director, Bureau of Traffic, Interstate Commerce Commission, 4318 ICC Building, Washington, DC 20423, 202 275-7348

RIN: 3120-AA66

AGRICULTURAL COOPERATIVE EXEMPTION

Legal Authority: 49 USC 10529

CFR Citation: 49 CFR 1047.21 to 1047.23

Abstract: The draft final rules would modify existing regulations to enhance the Commission's enforcement powers over cooperatives. Cooperatives would be required to compile simple reports and maintain certain records in one location. Non-resident cooperatives would have to make such reports and records available in the United States, and the Notice Form OCP 102 required to be filed with the Commission would expire one year from the filing date.

Timetable:

Action	Date	FR Cite
NPRM	06/10/81	49 FR 30668
NPRM Comment Period Begin	06/10/81	49 FR 30668
NPRM Comment Period End	07/27/81	
Final Action	07/00/85	
Final Action Effective	08/00/85	

Small Entity: Yes

Agency Contact: Patricia M Schulze, Transportation Industry Analyst, Interstate Commerce Commission, OCCA, Washington, DC 20423, 202 275-7841

RIN: 3120-AA74

SPECIAL INTERMODAL AUTHORITY, EX PARTE NO. 282 (SUB-NO. 7)

Legal Authority: 49 USC 11344(e)

CFR Citation: 49 CFR 1111.11

Abstract: The rules will implement a provision allowing special applications to provide the motor portion of a motor-rail movement as a substitute for impaired rail service.

Timetable:

Action	Date	FR Cite
NPRM	10/18/80	
NPRM Comment Period Begin	10/18/80	
Interim Final Rule	10/18/80	
NPRM Comment Period End	11/18/80	
Presently under internal evaluation	00/00/00	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AA82

REVISION OF ACCOUNTING AND REPORTING REQUIREMENTS FOR MOTOR CARRIERS OF PROPERTY, DOCKET NO. 38904

Priority: Agency Determination

Legal Authority: 49 USC 11142

CFR Citation: 49 CFR 1207; 49 CFR 1249

Abstract: This rule would eliminate all the Commission's accounting and reporting rules for Class I and II common and contract motor carriers of property.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Bryan Brown, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, D.C. 20423, 202 275-7448

RIN: 3120-AA84

REVISION TO ACCOUNTING RULES FOR CLASS I AND CLASS II COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY, DOCKET NO. 38837

Priority: Agency Determination

Legal Authority: 5 USC 553; 49 USC 11142

CFR Citation: 49 CFR 1207

Abstract: The proposed rule would revise the regulations to: (1) make the uniform system of accounts a single-class system, generally based on the present requirements for Class II carriers; (2) eliminate recognition of gains on trade-ins of operating equipment; (3) eliminate the requirement for household goods carrier principals to obtain financial reports from their carrier agents; and (4) make miscellaneous technical changes to clarify the regulations.

Timetable:

Action	Date	FR Cite
NPRM	01/18/83	48 FR 2557
NPRM Comment Period Begin	01/20/83	48 FR 2557
NPRM Comment Period End	03/07/83	
Final Action	02/00/85	

Small Entity: No

Agency Contact: Bryan Brown, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, D.C. 20423, 202 275-7448

RIN: 3120-AA85

REVISION TO THE UNIFORM SYSTEM OF ACCOUNTS FOR RAILROADS

Priority: Agency Determination

Legal Authority: 49 USC 11166

CFR Citation: 49 CFR 1201

Abstract: The purpose of this regulation is to update the uniform system of accounts for railroads. This includes incorporating various suggestions from users and carriers and recommendations from Commission staff. It also addresses such areas as compliance with GAAP, clarity of presentation, and logic for level of detail in account classifications. Further, the operating expense account explanations will be revised for clarity.

Timetable:

Action	Date	FR Cite
NPRM	06/13/84	49 FR 24554
NPRM Comment Period Begin	06/13/84	49 FR 24554
NPRM Comment Period End	07/30/84	
Final Action	01/01/85	

Small Entity: No

Agency Contact: Bryan Brown, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, D.C. 20423, 202 275-7448

RIN: 3120-AA86

REVISION OF RAIL, MOTOR, WATER, AND FREIGHT FORWARDER CREDIT REGULATIONS, EX PARTE NOS. MC-1 AND 73 ET AL

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 10701; 49 USC 10702; 49 USC 10741; 49 USC 10743; 49 USC 10744

CFR Citation: 49 CFR 1051; 49 CFR 1320; 49 CFR 1321; 49 CFR 1322; 49 CFR 1323; 49 CFR 1324

Abstract: The Commission is examining the rules governing the extension of credit by regulated carriers.

Timetable:

Action	Date	FR Cite
NPRM	01/18/83	48 FR 2151
NPRM Comment Period Begin	01/18/83	
NPRM Comment Period End	04/18/83	
Pending Final Decision	00/00/00	

Small Entity: Undetermined

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AA94

PROCEDURES GOVERNING THE PROCESSING, INVESTIGATION, AND DISPOSITION OF OVERCHARGE, DUPLICATE PAYMENT, OR OVERCOLLECTION CLAIMS

Legal Authority: 49 USC 10741; 49 USC 10761(a)

CFR Citation: 49 CFR 1008

Abstract: This action is considering the modification of rules governing processing of overcharge, duplicate payment, and overcollection claims to lessen burdens on small shippers.

Timetable:

Action	Date	FR Cite
NPRM	07/08/85	
NPRM Comment Period Begin	07/08/85	
NPRM Comment Period End	08/07/85	

Small Entity: Yes

Agency Contact: Patricia M. Schulze, Transportation Industry Analyst, Interstate Commerce Commission, Office of Compliance and Consumer Assistance, Washington, D.C. 20423, 202 275-7841

RIN: 3120-AA95

ELECTRONIC FILING OF TARIFFS, EX PARTE NO. 444

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10762

CFR Citation: 49 CFR 1300; 49 CFR 1303; 49 CFR 1304; 49 CFR 1305; 49 CFR 1306; 49 CFR 1307; 49 CFR 1308; 49 CFR 1309; 49 CFR 1310

Abstract: Commission regulations require filing of tariffs in printed form. The Commission is considering establishing rules and procedures to permit carriers to file tariffs electronically. The advance notice of proposed rulemaking seeks comments from interested parties.

Timetable:

Action	Date	FR Cite
ANPRM	03/08/83	
ANPRM Comment Period Begin	03/08/83	48 FR 18861
ANPRM Comment Period End	06/22/83	
Presently under internal evaluation	00/00/00	

Small Entity: Undetermined

Agency Contact: Charles E. Langyher, III, Chief, Section of Tariffs, Interstate Commerce Commission, Bureau of Traffic, Washington, D.C. 20423, 202 275-7739

RIN: 3120-AA99

ACCEPTABLE FORMS OF REQUESTS FOR OPERATING AUTHORITY FOR MOTOR CARRIERS AND BROKERS OF PROPERTY, EX PARTE NO. MC-55 (SUB-NO. 43A)

Priority: Major

Legal Authority: 5 USC 553; 49 USC 10101; 49 USC 10321; 49 USC 10922; 49 USC 10923; 49 USC 10924; 49 USC 11102

CFR Citation: 49 CFR 1160

Abstract: To permit applications for any reasonably broad commodity description.

Timetable:

Action	Date	FR Cite
NPRM	08/08/83	
NPRM Comment Period Begin	08/08/83	
NPRM Comment Period End	09/26/83	
Comment Period ends 8/16/84 Draft Decision under consideration	00/00/00	
Notice of Proposed Supplemental Rulemaking served 7/2/84	00/00/00	

Small Entity: No

Agency Contact: Suzanne Higgins, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7181

RIN: 3120-AB05

RAIL GENERAL EXEMPTION AUTHORITY - MISCELLANEOUS PROCESSED AND MANUFACTURED COMMODITIES

Priority: Agency Determination

Legal Authority: 49 USC 10505

CFR Citation: 49 CFR 1039

Abstract: 49 USC 10505 requires that the Commission exempt from regulation the movement by rail of traffic for which it finds continued regulation no longer necessary to serve the Nation's transportation policy objectives and to protect shippers from abuse of market power by the railroads. In examining the transportation characteristics and markets of various commodities moving by rail, there appear to be many products for which sufficient competition exists among transportation alternatives so that regulation may no longer be necessary. Exemption of such commodities should provide increased rate and service flexibility for railroads to meet shippers' needs and to compete more effectively for the subject traffic. Anticipated benefits include lower rates and improved service, at a possible "cost" of increased price instability and competition to alternative transport firms.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: Undetermined

Agency Contact: Robert Lundy, Economist, Interstate Commerce Commission, Washington, DC 20423, 202 275-6853

RIN: 3120-AB08

EXEMPTION OF TRANSACTIONS UNDER 49 U.S.C. 11343, EX PARTE NO. 55 (SUB-NO. 57)

Legal Authority: 49 USC 10321; 49 USC 10926; 49 USC 11343(c); 5 USC 553

CFR Citation: 49 CFR 1002; 49 CFR 1181; 49 CFR 1182; 49 CFR 1183; 49 CFR 1186

Abstract: This rulemaking proposes to exempt, on a class basis, all motor property finance transactions subject to regulation under 49 U.S.C. 11343(a)(1)-(5). The rulemaking proposes to establish procedural rules for processing transactions subject to the class exemption. Included in the proposal are motor carrier mergers and consolidations, the acquisition of control of a carrier by another carrier, or the sale of motor carrier operating authority. The proposal, if adopted, will substantially reduce the administrative burden of filing an application for approval to consummate any of the transactions covered by 49 U.S.C. 11343(a)(1)-(5), and thus carriers will be encouraged to enter into transactions which lower their costs and improve their operating efficiency. No potential costs are anticipated. If adopted, the proposal will also enable small motor carriers of property to use the procedural rules established in the class exemption to obtain approval for transactions subject to 49 U.S.C. 10926, such as the acquisition of motor carrier operating authority by a noncarrier. Action on this proposal will affect Ex Parte No. 155 (RIN 3120-AA27).

Timetable:

Action	Date	FR Cite
NPRM	06/08/83	48 FR 26485
NPRM Comment Period Begin	06/08/83	48 FR 26485
NPRM Comment Period End	07/08/83	
Pending Final Decision	00/00/00	

Small Entity: Yes

Agency Contact: Warren C. Wood, Senior Attorney, Interstate Commerce Commission, Room 2330, 12th & Constitution Ave. NW, Washington, DC 20423, 202 275-7977

RIN: 3120-AB09

ELIMINATION OF PRESERVATION OF RECORDS RULES, DOCKET NO. 38849 (SUB-NO. 1)

Priority: Agency Determination

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 11145

CFR Citation: 49 CFR 1220

Abstract: This rule would eliminate the record preservation rules. These rules dictate the minimum length of time records must be preserved. The Commission believes the rules are no longer necessary and that their elimination will reduce costs and burdens substantially.

Timetable:

Action	Date	FR Cite
NPRM	01/26/84	49 FR 3493
NPRM Comment Period Begin	01/26/84	49 FR 3493
NPRM Comment Period End	03/12/84	
Final Action	11/00/84	

Small Entity: Yes

Agency Contact: Bryan Brown, Jr., Chief, Section of Accounting and Reporting, Interstate Commerce Commission, 12th & Constitution Avenue, N.W., Washington, DC 20423, 202 275-7448

RIN: 3120-AB10

ELIMINATION OF THIRTY DAY LEASING REQUIREMENT, EX PARTE NO. MC-43 (SUB-NO. 15)

Legal Authority: 5 USC 553

CFR Citation: 49 CFR 1057

Abstract: To eliminate the requirement that equipment be leased for a

minimum duration of 30 days when operated by its owner, and to eliminate the related recordkeeping requirement for the agricultural exemption.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	08/29/83	
ANPRM Comment Period End	10/29/83	
Presently under internal evaluation	00/00/00	

Small Entity: Yes

Agency Contact: Robert G. Rothstein, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7912

RIN: 3120-AB11

INVESTIGATION INTO PRACTICES OF MOTOR COMMON CARRIERS OF PROPERTY ON RESIDENTIAL AND REDELIVERED SHIPMENTS, EX PARTE NO. MC-97 (SUB-NO. 2)

Priority: Undetermined

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1310

Abstract: To repeal the rules that govern the assessment of charges on shipments to or from private residences and similar locations, and require prenotification before delivery to these locations.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	12/08/83	
ANPRM Comment Period End	01/23/84	
Presently under internal evaluation	00/00/00	

Small Entity: Undetermined

Agency Contact: Thomas Vining, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7426

RIN: 3120-AB12

WITHDRAWAL OF ANTITRUST IMMUNITY FOR COLLECTIVE RATEMAKING ON SMALL SHIPMENTS, EX PARTE NO. MC-172

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10706; 5 USC 553

Abstract: To withdraw antitrust immunity for collective ratemaking activities by motor carriers of property with respect to rates applicable to shipments under 1,000 pounds. Also to require conforming amendments to rate bureau agreements already approved by the Commission and to those agreements currently pending approval.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	10/06/83	
NPRM Comment Period Begin	10/06/83	
ANPRM Comment Period End	11/16/83	
NPRM Comment Period End	12/12/83	
Oral Argument Held	06/26/84	
Open Voting Conference Denying Petition	08/09/84	
Decision Denying Petition in preparation	10/00/84	

Small Entity: Undetermined

Agency Contact: Thomas T. Vining, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7813

RIN: 3120-AB13

ACQUISITION OF MOTOR CARRIERS BY RAILROADS, EX PARTE NO. 438

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 11343 to 11347; 5 USC 553

Abstract: The Commission is proposing to cease requiring rail carriers which are proposing to purchase existing motor carriers to show that "special circumstances" exist to justify the acquisition.

Timetable:

Action	Date	FR Cite
NPRM	08/17/83	48 FR 37539
NPRM Comment Period Begin	08/17/83	
NPRM Comment Period End	10/17/83	
Presently under internal evaluation	00/00/00	

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AB16

● **PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS (REVISION OF OPERATIONAL REGULATIONS)**

Legal Authority: 49 USC 11110

CFR Citation: 49 CFR 1056

Abstract: This proceeding involves a plenary review of the household goods regulations in which the Commission invites public comment and proposals which would minimize the regulatory burden on movers to the maximum extent consistent with the protection of individual shippers.

Timetable:

Action	Date	FR Cite
ANPRM	10/26/83	48 FR 49561
ANPRM Comment Period Begin	10/26/83	48 FR 49561
ANPRM Comment Period End	01/12/84	
NPRM	11/30/84	

Small Entity: Yes

Agency Contact: Particia M. Schulze, Transportation Industry Analyst, Interstate Commerce Commission, Room 5331, Washington, DC 20423, 202 275-7841

RIN: 3120-AB17

● **LEASE AND INTERCHANGE REGULATIONS (MASTER LEASES), EX PARTE NO. MC-43 (SUB-NO. 14)**

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 11107

CFR Citation: 49 CFR 1057

Abstract: (1) To allow the use by motor carriers engaged in trip leasing of a

"master" lease covering more than one unit of equipment so long as such lease complies with all of the provisions of the leasing rules; (2) to require that a copy of the master lease be carried in the equipment while it is in the possession of the lessee; and (3) to allow required receipts to be transmitted by mail, telegraph, or other similar means of communication.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	02/21/84	
ANPRM Comment Period End	04/09/84	
Draft Decision under consideration	00/00/00	

Small Entity: Undetermined

Agency Contact: Judy Ann Barnes, Attorney Advisor, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7962

RIN: 3120-AB18

● BOX CAR HIRE AND CAR SERVICE, EX PARTE NO. 346 (SUB-NO. 19)

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10505; 5 USC 553

CFR Citation: 49 CFR 1039

Abstract: This proceeding considers alternatives to present car-hire and car service rules affecting boxcars and to the proposals made in Ex Parte No. 346 (Sub-No. 8), Exemption From Regulation - Boxcar Traffic (48 FR 20412, May 6, 1983).

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	06/27/84	49 FR 26745
ANPRM	06/29/84	49 FR 26745
ANPRM Comment Period End	12/26/84	

Small Entity: Undetermined

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Room 5417, Washington, DC 20423, 202 275-7245

RIN: 3120-AB19

● POLICY ON RELEASE OF DATA FROM THE ICC WAYBILL SAMPLE

Priority: Undetermined

Legal Authority: 49 USC 10321; 49 USC 11144; 5 USC 552; 5 USC 553

CFR Citation: 49 CFR 1244.8

Abstract: The Commission, in recognition of the sensitivity of unaggregated waybill data and the potential for competitive harm to shippers and railroads, proposes to establish a policy for the release of waybill sample data. The policy will balance the need of the users of the data and assure that confidential carrier or shipper information is not disclosed. The policy will be added to 49 C.F.R. 1244 as Section 1244.8.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: James A Nash, Transportation Industry Analyst, Interstate Commerce Commission, Washington, DC 20423, 202 275-6864

RIN: 3120-AB20

INTERSTATE COMMERCE COMMISSION (ICC) — Existing Regulations Under Review

IMPROVEMENT OF TOFC/COFC REGULATION (RAILROAD AFFILIATED MOTOR CARRIERS AND OTHER MOTOR CARRIERS), EX PARTE NO. 230 (SUB-NO. 6)

Priority: Agency Determination

Legal Authority: 49 USC 10321(a); 49 USC 10505; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1039

Abstract: The Commission is considering whether to include truck service provided by railroad affiliated motor carriers and other motor carriers in the exemption from 49, Subchapter IV of the U.S. Code for rail and truck service provided by rail carriers as part of a continuous intermodal movement.

Timetable:

Action	Date	FR Cite
ANPRM	08/22/79	44 FR 49279
ANPRM Comment Period Begin	08/22/79	44 FR 49279
ANPRM Comment Period End	10/22/79	
NPRM	02/27/81	46 FR 14365
NPRM Comment Period Begin	02/27/81	46 FR 14365
NPRM Comment Period End	03/30/81	
Presently under internal evaluation	00/00/00	
End Review	00/00/00	

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AA47

PROCEDURES FOR REQUESTING RAIL VARIABLE COST AND REVENUES DETERMINATION FOR JOINT RATES SUBJECT TO SURCHARGE OR CANCELLATION, EX PARTE NO. 389

Priority: Agency Determination

Legal Authority: 49 USC 10321; 49 USC 10705a; 5 USC 553

CFR Citation: 49 CFR 1031A

Abstract: The Commission has proposed procedures for obtaining relevant revenue and variable cost data under 49 USC 10705a.

Timetable:

Action	Date	FR Cite
Previous NPRM	11/03/80	45 FR 72665
NPRM	03/30/81	46 FR 19238
NPRM Comment Period Begin	03/30/81	46 FR 19238
NPRM Comment Period End	04/29/81	

Action	Date	FR Cite
Presently under internal evaluation	00/00/00	
End Review	00/00/00	

Small Entity: No

Agency Contact: Louis E. Gitomer, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AA57

REVISION OF 49 CFR 1041, EX PARTE NO. 55 (SUB-NO. 51)

Legal Authority: 49 USC 10321; 5 USC 553

CFR Citation: 49 CFR 1041

Abstract: Revision to update, correct, and simplify the regulations governing interpretation of certificates and permits of motor carriers.

Timetable:

Action	Date	FR Cite
Begin Review	09/17/81	46 FR 13741
End Review	12/31/84	

Small Entity: Undetermined

Agency Contact: Andrew L. Lyon, Principal Attorney, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7805

RIN: 3120-AA72

CLARIFICATION OF CERTIFICATE OF REGISTRATION RULES, EX PARTE NO. 55 (SUB-NO. 50)

Legal Authority: 49 USC 10321; 49 USC 10931; 5 USC 553

CFR Citation: 49 CFR 1100.245

Abstract: Revision of rules governing the filing of applications for certificates of registration to clarify and simplify the rules without affecting their substance.

Timetable:

Action	Date	FR Cite
Begin Review	09/17/81	
End Review	11/30/84	

Small Entity: Undetermined

Agency Contact: Marie Simpson, Assistant to Principal Attorney, Interstate Commerce Commission, Motor Section, Washington, DC 20423, 202 275-7108

RIN: 3120-AA73

TRANSFERS OF OPERATING RIGHTS, EX PARTE NO. MC-111 (SUB-NO. 1)

Legal Authority: 49 USC 10101; 49 USC 10926; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1045.11; 49 CFR 1132; 49 CFR 1133; 49 CFR 1141; 49 CFR 1151

Abstract: When motor carriers, water carriers, brokers, and freight forwarders seek to transfer their operating rights, they must follow Commission procedures. Proposed regulations will seek to consolidate the various regulations, streamline them, and simplify the entire procedure.

Timetable:

Action	Date	FR Cite
NPRM	10/01/82	
NPRM Comment Period Begin	10/01/82	
NPRM Comment Period End	10/31/82	
End Review	00/00/00	

Small Entity: Yes

Agency Contact: Warren Wood, Senior Attorney, Motor Section, Interstate Commerce Commission, Room 2330, Washington, DC 20423, 202 275-7977

RIN: 3120-AA81

INTERSTATE COMMERCE COMMISSION (ICC) Completed Actions

COMPLETED RULEMAKINGS

CONTRACTS FOR PROTECTIVE SERVICES, EX PARTE NO. 137

Priority: Agency Determination

CFR Citation: 49 CFR 1032; 49 CFR 1039.17

Completed:

Reason	Date	FR Cite
Final Action	05/04/84	49 FR 19025
Final Action Effective	08/02/84	

Small Entity: No

Agency Contact: Louis E Gitomer 202 275-7245

RIN: 3120-AA45

RATES FOR A NAMED SHIPPER OR RECEIVER, EX PARTE NO. MC-158

Priority: Agency Determination

CFR Citation: 49 CFR 1310

Completed:

Reason	Date	FR Cite
Final Action	03/02/84	49 FR 7832
Final Action Effective	04/02/84	

Small Entity: No

Agency Contact: Louis E. Gitomer 202 275-7245

RIN: 3120-AA46

RULES GOVERNING PUBLICATION OF EXCEPTIONS RATINGS HIGHER THAN CLASSIFICATION RATINGS, NO. 36135

Priority: Agency Determination

CFR Citation: 49 CFR 1310.7(r)

Completed:

Reason	Date	FR Cite
Final Action	04/09/84	49 FR 13881
Final Action Effective	05/09/84	

Small Entity: No

Agency Contact: Louis E. Gitomer 202 275-7245

RIN: 3120-AA59

SHORT NOTICE EFFECTIVENESS FOR INDEPENDENTLY FILED MOTOR CARRIER AND FREIGHT FORWARDER RATES, EX PARTE NO. MC-170

CFR Citation: 49 CFR 1309; 49 CFR 1310

Completed:

Reason	Date	FR Cite
Final Action	05/23/84	49 FR 22095
Final Action Effective	06/23/84	

Small Entity: Undetermined

Agency Contact: Thomas Vining 202 275-7426

RIN: 3120-AB02

EXEMPTION OF OUT OF SERVICE LINES (DISCONTINUANCE OF SERVICE AND TRACKAGE RIGHTS), EX PARTE NO. 274 (SUB-NO. 8A)

Priority: Agency Determination

CFR Citation: 49 CFR 1152

Completed:

Reason	Date	FR Cite
Final Action	04/23/84	49 FR 17002
Final Action Effective	05/23/84	

Small Entity: Undetermined

Agency Contact: Louis E. Gitomer 202 275-7245

RIN: 3120-AB03

REMOVAL OF RESTRICTIONS FROM AUTHORITIES OF MOTOR CARRIERS OF PROPERTY, EX PARTE NO. MC-142 (SUB-NO. 1)

CFR Citation: 49 CFR 1165

Completed:

Reason	Date	FR Cite
Final Action	04/10/84	49 FR 15207
Final Action Effective	05/18/84	

Small Entity: Undetermined

Agency Contact: Robin Williams 202 275-7697

RIN: 3120-AB06

RAIL ABANDONMENTS - PUBLIC USE CONDITION, EX PARTE NO. 274 (SUB-NO. 12)

Priority: Agency Determination

CFR Citation: 49 CFR 1105; 49 CFR 1152

Completed:

Reason	Date	FR Cite
Final Action	04/17/84	49 FR 15086
Final Action Effective	05/18/84	

Small Entity: No

Agency Contact: Louis E. Gitomer 202 275-7245

RIN: 3120-AB14

EXEMPTION FROM REGULATION - POULTRY, MEAT AND DAIRY PRODUCTS, EX PARTE NO. 346 (SUB-NO. 18)

Priority: Agency Determination

CFR Citation: 49 CFR 1039

Completed:

Reason	Date	FR Cite
Final Action	06/29/84	49 FR 26745
Final Action Effective	07/29/84	

Small Entity: No

Agency Contact: Louis E. Gitomer 202 275-7245

RIN: 3120-AB15

COMPLETED REVIEWS

REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED IN CONNECTION WITH LICENSING AND RELATED ACTIVITIES

Priority: Agency Determination

CFR Citation: 49 CFR 1002

Completed:

Reason	Date	FR Cite
Final Action	05/01/84	49 FR 18940
Final Action Effective	07/02/84	

Small Entity: Yes

Agency Contact: Kathleen M. King 202 275-7429

RIN: 3120-AA90

[FR Doc. 84-24454 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part LII

National Credit Union Administration

Semiannual Regulatory Agenda

NCUA

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Ch. VII

Semiannual Agenda of Regulations

AGENCY: National Credit Union Administration (NCUA).

ACTION: Semiannual Agenda of Regulations.

SUMMARY: Pursuant to its ongoing policy of reviewing regulations, NCUA is publishing a list of current and projected rulemaking, reviews of existing regulations, and completed actions as of August 13, 1984. NCUA is also including this Agenda in the "Unified Agenda of Federal Regulations."

DATE: This information is current as of August 13, 1984.

ADDRESS: National Credit Union Administration, 1776 G Street, N.W., Washington, D.C. 20456.

FOR FURTHER INFORMATION CONTACT: On a particular regulation, contact the person named in the listing for that regulation at the above address.

SUPPLEMENTARY INFORMATION: The purpose of this Agenda is to enable the credit union community and the public to track regulatory development and review at NCUA and to enable interested parties to more effectively participate in that process. The Agenda is divided into three parts describing, respectively, (1) current rulemaking proceedings and regulatory reviews, (2) projected rulemaking and reviews and (3) actions completed since the last Agenda.

The Agenda is published pursuant to the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and NCUA's statement of policy concerning development and review of regulations (IRPS 81-4, 46 FR 2948).

NCUA will voluntarily include this Agenda in the Office of Management and Budget's next publication of its "Unified Agenda of Federal Regulations." The NCUA Board believes that participation in this joint publication will further the public interest by including NCUA in a single source of information concerning current and projected rulemaking and reviews of existing regulations.

Approved by the NCUA Board this 14th day of August, 1984.

Rosemary Brady,

Secretary of the NCUA Board.

BILLING CODE 7535-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Federal Credit Union Ownership of Fixed Assets	3133-AA06
2	Supervisory Committee Audit	3133-AA13
3	Corporate Central Federal Credit Unions	3133-AA18
4	Payout Priorities for Involuntary Liquidation of Federally Insured Credit Unions	3133-AA28
5	*Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the National Credit Union Administration	3133-AA29
6	Federal Credit Union Insurance and Group Purchasing Activities	3133-AA30
7	National Credit Union Share Insurance Fund	3133-AA43

*Indicates priority regulation.

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
8	Mergers of Credit Unions, Division of Assets, Liabilities, and Capital	3133-AA08
9	Requirements for Insurance	3133-AA09
10	Advertisement of Insured Status	3133-AA10
11	Reserves	3133-AA12
12	Nondiscrimination Requirements	3133-AA17
13	Fees Paid by Federal Credit Unions	3133-AA31
14	Description of Office, Disclosure of Official Records, Availability of Information, Promulgation of Regulations	3133-AA32
15	Establishment of a Cash Fund	3133-AA34
16	Operational Systems	3133-AA35
17	Refund of Interest	3133-AA36
18	Community Development Credit Union Program	3133-AA37
19	Rules of Board Procedure	3133-AA39
20	Rebate Procedures for Federally Insured Credit Unions	3133-AA40
21	Operational Procedures for Share Draft Programs; Federally Insured State Chartered Credit Unions	3133-AA42
22	Other Applications	3133-AA44

NCUA

Completed Actions

Sequence Number	Title	Regulation Identifier Number
23	Investments and Deposits	3133-AA03
24	Fidelity Bond and Insurance Coverage for Federal Credit Unions	3133-AA04
25	Federal Credit Union Loans to Members	3133-AA27
26	Management Official Interlocks	3133-AA33
27	National Credit Union Administration Information Collection Requirements Under the Paperwork Reduction Act: OMB Control Numbers	3133-AA38
28	*Loan Interest Rates	3133-AA41

*Indicates priority regulation.

NATIONAL CREDIT UNION ADMINISTRATION (NCUA) — Current and Projected Rulemakings

1. FEDERAL CREDIT UNION OWNERSHIP OF FIXED ASSETS

Legal Authority: 12 USC 1757(4); 12 USC 1766

CFR Citation: 12 CFR 701.36

Abstract: This regulation requires credit unions to do certain financial planning and reporting prior to investing more than 5 percent of its assets in fixed assets.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	01/00/84	49 FR 3087
NPRM Comment Period End	05/21/84	
NPRM will be presented to NCUA Board by	09/30/84	

Small Entity: No

Agency Contact: Harry E. Moore, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA06

2. SUPERVISORY COMMITTEE AUDIT

Legal Authority: 12 USC 1761d; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.12

Abstract: This regulation sets forth the responsibilities of the Supervisory Committee of Federal credit unions to make, or cause to be made, an annual audit. The review will cover issues related to the use of audits in conjunction with NCUA's examination responsibilities.

Timetable:

Action	Date	FR Cite
ANPRM	09/07/83	48 FR 41598
ANPRM Comment Period Begin	09/07/83	
ANPRM Comment Period End	12/15/83	
NPRM	04/26/84	49 FR 17951
NPRM Comment Period Begin	04/26/84	49 FR 17951
NPRM Comment Period End	07/18/84	
Final Rule to be presented to NCUA Board	11/30/84	

Small Entity: No

Agency Contact: Louis P. Acuna, Director, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA13

3. CORPORATE CENTRAL FEDERAL CREDIT UNIONS

Legal Authority: 12 USC 1761; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 704

Abstract: These regulations set forth operational requirements particular to corporate central Federal credit unions, including special reserve requirements, management requirements, and annual audit requirements. Passage of the Garn-St Germain Depository Institutions Act of 1982 requires updating of this rule. Corporate central issues, such as chartering guidelines, bylaws, and operational programs, have been reviewed independent of this rule.

Timetable:

Action	Date	FR Cite
ANPRM	09/07/83	
ANPRM Comment Period Begin	09/07/83	
ANPRM Comment Period End	12/15/83	
NPRM	04/26/84	49 FR 17953
NPRM Comment Period Begin	04/26/84	49 FR 29619
NPRM Comment Period End	08/31/84	
Final Rule to be presented to NCUA Board	10/31/84	

Small Entity: No

Agency Contact: Robert A. Duff, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA18

4. PAYOUT PRIORITIES FOR INVOLUNTARY LIQUIDATION OF FEDERALLY INSURED CREDIT UNIONS

Legal Authority: 12 USC 1766(a); 12 USC 1766(b); 12 USC 1787(a)(2); 12 USC 1787(d); 12 USC 1789(11)

CFR Citation: 12 CFR 744

Abstract: This regulation would implement a change in the manner in which NCUA currently makes payouts as the liquidating agent of federally insured credit unions.

Review of comments received indicate that further evaluation is necessary.

Timetable:

Action	Date	FR Cite
NPRM	11/00/83	48 FR 52588
NPRM Comment Period Begin	11/00/83	48 FR 52588
NPRM Comment Period End	01/20/84	
No present schedule for further Board action.	00/00/00	

Small Entity: No

Agency Contact: James J. Engel, Assistant General Counsel, National Credit Union Administration, 1776 G Street, N.W., Washington, DC 20456, 202 357-1030

RIN: 3133-AA28

5. ● ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE NATIONAL CREDIT UNION ADMINISTRATION

Priority: Agency Determination

Legal Authority: 12 USC 1766(a)

CFR Citation: 12 CFR 794

Abstract: The proposed rule is a uniform rule to be adopted by Federal agencies which provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended. The Act prohibits discrimination on the basis of handicap as it applies to programs or activities conducted by the NCUA.

Timetable:

Action	Date	FR Cite
NCUA Board approved a Proposed Rule	01/18/84	
Joint Publication expected	09/00/84	

Small Entity: No

Agency Contact: Benny R. Henson, Department of Administration, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1055

RIN: 3133-AA29

6. ● FEDERAL CREDIT UNION INSURANCE AND GROUP PURCHASING ACTIVITIES

Legal Authority: 12 USC 1757(15); 12 USC 1766(a)

CFR Citation: 12 CFR 721

Abstract: The proposed rule eliminates the reimbursement restrictions for the functions FCU's perform in connection with credit-related insurance.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30739
NPRM Comment Period Begin	08/01/84	49 FR 30739
NPRM Comment Period End	11/30/84	

Small Entity: No

Agency Contact: Robert Fenner, Director, Department of Legal Services, National Credit Union Administration, 1776 G Street, N.W., Washington, DC 20456, 202 357-1030

RIN: 3133-AA30

7. ● NATIONAL CREDIT UNION SHARE INSURANCE FUND

Legal Authority: 12 USC 1789(b)(2)

CFR Citation: 12 CFR 741; 12 CFR 746

Abstract: Recently enacted legislation provides for an increase in the capitalization of the National Credit Union Share Insurance Fund by the placing of a deposit in the Fund from each insured credit union in an amount equaling one percent of the credit union's insured shares. This rule will provide procedures to implement the capitalization.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30740
NPRM Comment Period Begin	08/01/84	49 FR 30740
NPRM Comment Period End	09/07/84	

Small Entity: No

Agency Contact: Charles Filson, Director, Office of Programs, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1132

RIN: 3133-AA43

NATIONAL CREDIT UNION ADMINISTRATION (NCUA) — Existing Regulations Under Review

8. MERGERS OF CREDIT UNIONS, DIVISION OF ASSETS, LIABILITIES, AND CAPITAL

Legal Authority: 12 USC 1766 to 1789

CFR Citation: 12 CFR 708; 12 CFR 709

Abstract: These regulations set forth procedural requirements for a credit union to merge with another credit union. The regulations also prescribe procedures to enable members of a Federal credit union who are in a separately identifiable group to undertake an equitable division of their assets, liabilities and capital and to charter a new Federal credit union. The regulations will be reviewed to determine whether mandatory requirements are necessary or whether the subject may be covered in a manual.

Timetable:

Action	Date	FR Cite
NPRM will be presented to NCUA Board	12/31/84	

Small Entity: No

Agency Contact: Wilmer A. Theard, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA08

9. REQUIREMENTS FOR INSURANCE

Legal Authority: 12 USC 1781 to 1790

CFR Citation: 12 CFR 741

Abstract: These regulations set forth criteria for determining the insurability of a credit union which makes application for insurance of its accounts pursuant to Title II of the Federal Credit Union Act. The review of this regulation will determine the need to update, revise and simplify these requirements.

Timetable:

Action	Date	FR Cite
End Review	12/31/84	

Small Entity: No

Agency Contact: Thomas C. Buckman, Director, Department of Insurance, National Credit Union Administration, Department of Insurance, 1776 G Street, NW, Washington, DC 20456, 202 357-1010

RIN: 3133-AA09

10. ADVERTISEMENT OF INSURED STATUS

Legal Authority: 12 USC 1785; 12 USC 1789

CFR Citation: 12 CFR 740

Abstract: These regulations prescribe requirements with regard to the official sign which insured credit unions must display and also pertain to requirements for advertising. The regulations will be reviewed to determine whether mandatory requirements are necessary and to update, simplify and revise, if necessary.

Timetable:

Action	Date	FR Cite
End Review	03/31/85	

Small Entity: No

Agency Contact: Thomas C. Buckman, Director, Department of Insurance, National Credit Union Administration, Department of Insurance, 1776 G Street, NW, Washington, DC 20456, 202 357-1010

RIN: 3133-AA10

11. RESERVES

Legal Authority: 12 USC 1762; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 702.1; 12 CFR 702.2

Abstract: These regulations set forth the requirements for the establishment and maintenance of a regular reserve (as provided by the Federal Credit Union Act) and set forth procedures for applications for approval to decrease reserves.

Timetable:

Action	Date	FR Cite
Staff Recommendation to NCUA Board by	12/31/84	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Robert M. Ferner, Deputy General Counsel, Department of Legal Services, (202) 357-1030

Agency Contact: Charles W. Filson, Director, Office of Programs, National Credit Union Administration, Office of Programs, 1776 G Street, NW, Washington, DC 20456, 202 357-1132

RIN: 3133-AA12

12. NONDISCRIMINATION REQUIREMENTS

Legal Authority: 12 USC 1757; 12 USC 1759; 12 USC 1766; 12 USC 1786; 12 USC 1789; 24 USC 3601 to 3610; 24 USC 1981; 15 USC 1601 et seq

CFR Citation: 12 CFR 701.31

Abstract: This regulation sets forth prohibitions against discrimination by Federal credit unions in making real estate related loans and appraisals. The regulation also sets forth guidelines for compliance with the Fair Housing Act and court decisions rendered thereunder. The regulation will be reviewed to simplify and revise as necessary.

Timetable:

Action	Date	FR Cite
End Review	12/31/84	

Small Entity: No

Agency Contact: Bryan Rachlin, Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA17

13. ● FEES PAID BY FEDERAL CREDIT UNIONS

Legal Authority: 12 USC 1755

CFR Citation: 12 CFR 701.6

Abstract: This regulation sets forth the basis for assessing operating fees paid by Federal credit unions to the National Credit Union Administration and the administrative procedures involved in payment of this fee.

Timetable:

Action	Date	FR Cite
Initial Review to be conducted by	09/30/84	

Small Entity: No

Agency Contact: Martin F. Kushner, National Credit Union Administration, Department of Supervision and Examination, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA31

14. ● DESCRIPTION OF OFFICE, DISCLOSURE OF OFFICIAL RECORDS, AVAILABILITY OF INFORMATION, PROMULGATION OF REGULATIONS

Legal Authority: 12 USC 1752a

CFR Citation: 12 CFR 720

Abstract: These regulations set forth the organizational format of the central and regional offices, information which may or may not be made available to the public and the procedures and costs for obtaining such information, procedures for the promulgation of agency rules and regulations, and National Security Information procedures.

Timetable:

Action	Date	FR Cite
End Review	06/30/85	

Small Entity: No

Agency Contact: Benny R. Henson, National Credit Union Administration, Department of Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1055

RIN: 3133-AA32

15. ● ESTABLISHMENT OF A CASH FUND

Legal Authority: 12 USC 1757(12)

CFR Citation: 12 CFR 701.10

Abstract: This rule provides the regulatory authority to cash checks and money orders. The review will determine the need to update, revise, and simplify.

Timetable:

Action	Date	FR Cite
Initial Review to be conducted by	10/31/84	

Small Entity: No

Agency Contact: Steven Bisker, Senior Attorney, Dept. of Legal Services, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA34

16. ● OPERATIONAL SYSTEMS

Legal Authority: 12 USC 1766

CFR Citation: 12 CFR 723

Abstract: This regulation allows credit unions, associations of credit unions, and other parties interested in credit union programs to submit pilot programs relating to electronic funds transfer through remote service units, loan programs, and other operational systems to the NCUA for evaluation and approval. The Agency designates a program as a pilot program if it will benefit all credit unions and the parties they serve.

Timetable:

Action	Date	FR Cite
End Review	02/28/85	

Small Entity: No

Agency Contact: Harry Moore, Department of Supervision and Examination, National Credit Union Administration, 1776 G Street, N.W., Washington, DC 20456, 202 357-1065

RIN: 3133-AA35

17. ● REFUND OF INTEREST

Legal Authority: 12 USC 1766(a); 12 USC 1761b(9)

CFR Citation: 12 CFR 701.24

Abstract: This rule provides the conditions and limitations on an FCU making interest payment refunds to members who paid interest on loans during a dividend period. The review will determine the need to update, revise and simplify the rule.

Timetable:

Action	Date	FR Cite
Initial Review to be conducted by	10/31/84	

Small Entity: No

Agency Contact: Hattie Ulan, Staff Attorney, Department of Legal Services, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA36

18. ● COMMUNITY DEVELOPMENT CREDIT UNION PROGRAM

Legal Authority: 12 USC 1754; 12 USC 1758; 12 USC 1759; 12 USC 1766(f); 42 USC 2981; 42 USC 2985(e)

CFR Citation: 12 CFR 705

Abstract: This rule implements a demonstration program called the Community Development Credit Union (CDCU) Program. The program provides for seed capital funds and technical assistance to strengthen a limited number of credit unions and thereby enable them to deliver improved services to, and to aid in the revitalization and the economic development of, their communities.

Timetable:

Action	Date	FR Cite
End Review	01/31/85	

Small Entity: No

Agency Contact: Wilmer A. Theard, Department of Supervision and Examination, National Credit Union Administration, 1776 G Street NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA37

19. ● RULES OF BOARD PROCEDURE

Legal Authority: 12 USC 1752a(d)

CFR Citation: 12 CFR 722

Abstract: This regulation sets forth the rules of procedure governing how the Board will conduct its business. The review will determine the need to update, revise and simplify.

Timetable:

Action	Date	FR Cite
Initial Review to be conducted by	09/28/84	

Small Entity: No

Agency Contact: Rosemary Brady, Secretary of the NCUA Board, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA39

20. ● REBATE PROCEDURES FOR FEDERALLY INSURED CREDIT UNIONS

Legal Authority: 12 USC 1786

CFR Citation: 12 CFR 746

Abstract: This regulation sets forth the requirements for the entitlement and rebate of share insurance premiums paid to the National Credit Union Share Insurance Fund by a federally insured credit union that is closed for liquidation, voluntarily or involuntarily.

Timetable:

Action	Date	FR Cite
End Review	06/30/85	

Small Entity: No

Agency Contact: Thomas C. Buckman, Director, Department of Insurance, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1010

RIN: 3133-AA40

21. ● OPERATIONAL PROCEDURES FOR SHARE DRAFT PROGRAMS; FEDERALLY INSURED STATE CHARTERED CREDIT UNIONS

Legal Authority: 12 USC 1766(a); 12 USC 1785(f)(1)

CFR Citation: 12 CFR 761

Abstract: The rule provides the regulatory authority for federally insured state credit unions to offer share draft accounts. The review will determine the need to update, revise and simplify.

Timetable:

Action	Date	FR Cite
Initial Review to be conducted by	10/31/84	

Small Entity: No

Agency Contact: Hattie Ulan, Staff Attorney, Department of Legal Services, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA42

22. ● OTHER APPLICATIONS

Legal Authority: 12 USC 1766(a)

CFR Citation: 12 CFR 701.5

Abstract: This rule specifies the manner in which applications, requests, or submittals to NCUA, not addressed in other sections of the regulations, shall be presented to the Agency. The review will determine the need to update, revise and simplify.

Timetable:

Action	Date	FR Cite
Initial Review to be conducted by	09/28/84	

Small Entity: No

Agency Contact: Steven Bisker, Senior Attorney, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA44

NATIONAL CREDIT UNION ADMINISTRATION (NCUA) — Completed Actions

COMPLETED RULEMAKINGS

23. INVESTMENTS AND DEPOSITS

Legal Authority: 12 USC 1757(7)(c); 12 USC 1757(7)(d); 12 USC 1757(8)

CFR Citation: 12 CFR 703

Abstract: Public comment is specifically requested on whether the NCUA Board should remove or modify any or all of the procedural restrictions presently in place governing the manner in which a Federal credit union may deposit or invest its funds.

Timetable:

Action	Date	FR Cite
ANPRM	07/14/82	47 FR 30497
NPRM	09/07/83	48 FR 43182
Final Action	03/30/84	49 FR 12668
Final Action Effective	05/21/84	49 FR 12668

Small Entity: No

Agency Contact: Robert M. Fenner, Deputy General Counsel, National Credit Union Administration, 1776 G Street NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA03

24. FIDELITY BOND AND INSURANCE COVERAGE FOR FEDERAL CREDIT UNIONS

Legal Authority: 12 USC 1761a; 12 USC 1761b; 12 USC 1766

CFR Citation: 12 CFR 701.20

Abstract: The rule removes the requirement that all officials and employees have faithful performance coverage. Such coverage is now required only of the financial officer. The final rule provides more discretion and flexibility to each FCU to determine the extent of their insurance coverage without jeopardizing their safety and soundness.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	48 FR 43182
Further Action	11/30/83	
Final Action	08/01/84	49 FR 30679
Final Action Effective	09/01/84	49 FR 30679

Small Entity: No

Agency Contact: Robert M. Fenner, Deputy General Counsel, National Credit Union Administration, Department of Legal Services, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA04

25. FEDERAL CREDIT UNION LOANS TO MEMBERS

Legal Authority: 12 USC 1757; 12 USC 1766(a); 12 USC 1789(a)(11)

CFR Citation: 12 CFR 701.21

Abstract: The final rule simplifies the previous rule. The rule interprets and implements the provisions of the FCU Act related to interest rates, maturities and other terms and conditions of FCU lending activities.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	11/18/83	48 FR 52457
NPRM	11/30/83	
NPRM Comment Period End	03/15/84	
Final Action	08/01/84	49 FR 30683
Final Action Effective	09/01/84	49 FR 30683

Small Entity: No

Agency Contact: Robert M. Fenner, Director, Dept of Legal Services, National Credit Union Administration, 1776 G St., NW, Washington, D.C. 20456, 202 357-1030

RIN: 3133-AA27

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

26. ● MANAGEMENT OFFICIAL INTERLOCKS

Legal Authority: 12 USC 3201 et seq

CFR Citation: 12 CFR 711

Abstract: The rule was amended to conform to a change in the Depository Institution Management Interlocks Act which deleted all references to "Standard Metropolitan Statistical Areas" and substituted therefore the new classifications for Metropolitan Statistical Areas adopted by the Office of Management and Budget.

Timetable:

Action	Date	FR Cite
Final Action	07/10/84	49 FR 28041

Small Entity: No

Agency Contact: Steven Bisker, Senior Attorney, Dept. of Legal Services, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA33

27. ● NATIONAL CREDIT UNION ADMINISTRATION INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

Legal Authority: 12 USC 1766

CFR Citation: 12 CFR 795

Abstract: The purpose of the rule is to notify the public of the control numbers assigned by OMB to paperwork requirements in NCUA regulations.

Timetable:

Action	Date	FR Cite
Final Action	03/19/84	49 FR 10084

Small Entity: No

Agency Contact: Hattie Ulan, Staff Attorney, Department of Legal Services, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA38

28. ● LOAN INTEREST RATES

Priority: Agency Determination

Legal Authority: 12 USC 1757(5)(A)(vi)

CFR Citation: 12 CFR 701.21(c)(7)

Abstract: The rule continues the 21 percent FCU loan interest rate ceiling through January 25, 1986. The rule was necessary because of recent increases in market interest rates and continued high costs of funds for FCU's.

Timetable:

Action	Date	FR Cite
Final Action	08/01/84	49 FR 30682

Small Entity: No

Agency Contact: Robert M. Fenner, Director, Department of Legal Services, National Credit Union Administration, 1776 G Street NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA41

[FR Doc. 84-24287 Filed 10-19-84; 8:45 am]

Federal Register

Monday
October 22, 1984

Part LIII

Nuclear Regulatory Commission

Semiannual Regulatory Agenda

NRC

NUCLEAR REGULATORY COMMISSION

10 CFR Ch. I

Regulatory Agenda

AGENCY: Nuclear Regulatory Commission.

ACTION: Semiannual publication of NRC Regulatory Agenda.

SUMMARY: The Nuclear Regulatory Commission (NRC) is publishing its semiannual Regulatory Agenda in accordance with Pub. L. 96-354, "the Regulatory Flexibility Act," and Executive Order 12291, "Executive Regulations." The Agenda is a compilation of all rules on which the NRC has recently completed action or has proposed, or is considering action. This issuance updates any action occurring on rules since publication of the last semiannual Agenda on April 19, 1984 (49 FR 16693).

ADDRESSES: Comments on any rule in the Agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. Comments may also be hand delivered to Room 1131, 1717 H Street, NW, Washington, DC between 8:15 a.m. and 5:15 p.m. Comments received on rules for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the Agenda.

The Agenda and any comments received on any rule listed in the Agenda are available for public inspection, and copying at a cost of seven cents per page, at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, NW, Washington, DC 20555. Single copies of the NRC Quarterly Agenda can be purchased from the NRC/GPO Sales Program, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, DC 20555 at a cost of $6.00 each or $16.00 for an annual subscription.

FOR FURTHER INFORMATION CONTACT: For further information concerning NRC rulemaking procedures or the status of any rule listed in this Agenda, contact John D. Philips, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone (301) 492-7086. Persons outside the Washington, DC metropolitan area may call toll-free: (800) 368-5642. For further information on the substantive content of any rule listed in the Agenda, contact the individual listed under the heading "Agency Contact" for that rule.

SUPPLEMENTARY INFORMATION: The NRC is publishing its semiannual Regulatory Agenda. Although publication of the Agenda is only required semiannually in April and October, the NRC has chosen to update and publish its Agenda each quarter. However, the information contained in this semiannual publication is updated to reflect any action which has occurred on rules since publication of the last NRC semiannual Agenda on April 19, 1984 (49 FR 16693).

Organization of the Agenda

Rules in this Agenda are divided into two main categories, *Action Completed Rules* and *Current and Projected Rulemakings.* Rules in the Action Completed category include all rules which have been finally promulgated or withdrawn since publication of the last semiannual Agenda.

Current and projected rulemakings are those rules currently under development. This category is subdivided into three sections. Section I includes all rules which have been published in the **Federal Register** as proposed rules. Section II includes all rules which have been published in the **Federal Register** as advance notices of proposed rulemaking. Section III includes all unpublished rules on which the NRC expects to take action.

Within each category and section, the rules are ordered from lowest to highest 10 CFR part, and when more than one rule appears under the same part, the rules are arranged within the part according to the date of most recent publication. If a rule contains changes to more than one 10 CFR part, the rule is listed under the lowest affected part.

The information in this Agenda has been updated through September 30, 1984. The date included under the heading "timetable," for next scheduled action is considered tentative and is not binding on the Commission or its staff. This Regulatory Agenda is intended to provide increased notice and opportunity for public participation in the NRC rulemaking process. The NRC may, however, consider or act on any rulemaking even if it is not included in the Regulatory Agenda.

The NRC Agenda lists 111 rulemaking actions. Of these, no rulemaking items are considered to be priority or major as defined in section 1(b) of Executive Order 12291. In the Action Completed category there are 14 completed actions. In the Current and Projected rulemaking category: Section I contains 38 proposed rulemakings; Section II contains 13 advance notices of proposed rulemakings; and Section III contains 46 unpublished rulemakings. Seven rules potentially will have a "significant economic impact on a substantial number of small entities" as defined in the Regulatory Flexibility Act.

Dated at Bethesda, Maryland this 6th day of September, 1984.

For the Nuclear Regulatory Commission.

J. M. Felton,

Director, Division of Rules and Records, Office of Administration.

BILLING CODE 7590-01-T

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	Procedures-Involving the Equal Access to Justice Act: Implementation	3150-AA01
2	Licensing and Regulatory Policy and Procedures for Environmental Protection; Alternative Site Reviews	3150-AA03
3	Possible Amendments to "Immediate Effectiveness" Rules	3150-AA04
4	Modifications to the NRC Hearing Process (Limited Interrogatories and Factual Basis for Contentions)	3150-AA05

NRC

Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
5	Commission Review Procedures for Power Reactor Construction Permits; Immediate Effectiveness Rule	3150-AA55
6	Hybrid Hearing Procedures for Expansions of Onsite Spent Fuel Storage Capacity at Civilian Nuclear Power Reactors	3150-AB19
7	Elimination of Review of Financial Qualifications of Electric Utilities in Operating License Reviews and Hearings for Nuclear Power Plants	3150-AB69
8	Exceptions to Notice and Comment Rulemaking Procedures	3150-AB41
9	Nondiscrimination on Basis of Age in Federally Assisted Commission Programs	3150-AA06
10	Production or Disclosure in Response to Subpoenas or Demands of Courts or Other Authorities	3150-AB63
11	Changes in Radiation Dose-Limiting Standards	3150-AA08
12	Authority for the Copying of Records and Retention Periods for Security Records	3150-AA63
13	Reports of Theft or Loss of Licensed Material	3150-AA64
14	Residual Contamination in Smelted Alloys	3150-AA10
15	Patient Dosage Measurement	3150-AA12
16	Implementation of the Convention on the Physical Protection of Nuclear Material	3150-AA92
17	Uranium Mill Tailings Regulations: Ground Water Protection and Other Issues	3150-AB56
18	General Design Criteria for Fuel Reprocessing Plants	3150-AA15
19	Interim Requirements Related to Hydrogen Control	3150-AA21
20	Technical Specifications for Nuclear Power Reactors	3150-AA22
21	Safeguards Requirements for Nonpower Reactor Facilities Possessing Formula Quantities of Strategic Special Nuclear Material	3150-AA30
22	Notice and Comment on, Procedures for State Consultation on, and Standards for Making Determinations about Whether License Amendments Involve No Significant Hazards Considerations	3150-AA61
23	Protection of Contractor Employees	3150-AB07
24	Requirements for Licensee Action Regarding the Disposition of Spent Fuel Upon Expiration of the Reactors' Operating License	3150-AB20
25	Environmental Qualification of Safety-Related Electrical Equipment	3150-AB40
26	Refinement of Emergency Planning Regulations	3150-AB48
27	Limiting The Use of Highly Enriched Uranium in Domestic Research and Test Reactors	3150-AB60
28	Fitness for Duty of Personnel with Access to Nuclear Power Plants	3150-AA27
29	Pressurized Thermal Shock	3150-AB05
30	Explanation to Table S-3 Uranium Fuel Cycle Environmental Data	3150-AA31
31	Criteria and Procedures for Determining the Adequacy of Available Spent Nuclear Fuel Storage Capacity	3150-AB22
32	Additional Technical Criteria for the Disposal of High-Level Radioactive Wastes in Geological Repositories Located in the Unsaturated Zone	3150-AB44
33	Material Control and Accounting Requirements for Facilities Possessing Formula Quantities of Strategic Special Nuclear Material	3150-AA50
34	Material Control and Accounting Requirements for Low Enriched Uranium Fuel Cycle Facilities	3150-AA93
35	Modification of Protection Requirements for Spent Fuel Shipments	3150-AA96
36	Searches of Individuals at Power Reactor Facilities (Part of Insider Package)	3150-AB17
37	Miscellaneous Amendments Concerning Physical Protection of Nuclear Power Plants (Part of Insider Rule Package)	3150-AA36
38	Export/Import of Nuclear Equipment and Material	3150-AB00
39	Regulatory Reform of the Rules of Practice and Rules for Licensing of Production and Utilization Facilities	3150-AB04
40	Rules of Practice for Domestic Licensing Proceedings: Role of NRC Staff in Adjudicatory Licensing Hearings	3150-AB42
41	Standards for Protection Against Radiation	3150-AA38
42	Accreditation of Personnel Dosimeter Processors	3150-AA39
43	Emergency Preparedness for Fuel Cycle and Other Radioactive Materials Licensees	3150-AA41
44	Decommissioning Criteria for Nuclear Facilities	3150-AA40
45	Certification of Industrial Radiographers	3150-AA43
46	Acceptance Criteria for Emergency Core Cooling Systems for Light-Water-Cooled Nuclear Power Plants	3150-AA44
47	Severe Accident Design Criteria	3150-AA45
48	Design and Other Changes in Nuclear Power Plant Facilities After Issuance of Construction Permit	3150-AA46
49	Mandatory Property Insurance for Decontamination of Nuclear Facilities	3150-AA47
50	Modification of the Policy and Regulatory Practice Governing the Siting of Nuclear Power Reactors	3150-AA49
51	Seismic and Geologic Siting Criteria for Nuclear Power Plants	3150-AA51
52	Revised Rules of Practice for Domestic Licensing Proceedings	3150-AB66
53	Jurisdiction of Adjudicatory Boards	3150-AA53
54	Separation of Functions and Ex Parte Communications in On-the-Record Adjudications	3150-AA00
55	Revision of Backfitting Process for Power Reactors	3150-AA59
56	Nondiscrimination on the Basis of Sex - Title IX of the Education Amendments of 1972, as Amended	3150-AB53
57	Nondiscrimination on the Basis of Handicap in Nuclear Regulatory Commission Programs	3150-AB54
58	Retention Periods for Records	3150-AB43
59	Lower Radiation Exposure Levels for Fertile Women	3150-AA07
60	Conforming Amendments to Prenotification, Quality Assurance, and Package Monitoring Requirements	3150-AB51
61	Residual Radioactive Contamination Limits for Decommissioning	3150-AB52

NRC

Current and Projected Rulemakings—Continued

Sequence Number	Title	Regulation Identifier Number
62	Performance Testing of Bioassay Labs	3150-AA67
63	Proposed Revisions to the Criteria and Procedures for the Reporting of Defects and Noncompliance	3150-AA68
64	Access to and Protection of National Security Information and Restricted Data	3150-AB67
65	Licensing of Sources and Devices	3150-AB34
66	Revision of Consumer Product Approval Criteria and Regulations	3150-AB37
67	Financial Responsibility of Materials Licensees for Cleanup After Accidental and Unexpected Releases	3150-AB58
68	Periodic and Systematic Reevaluation of Parts 30 and 32	3150-AA70
69	Radiation Surveys and In-House Inspection Systems in Radiography	3150-AB12
70	Human Uses of Byproduct Material	3150-AA73
71	Physician's Use of Radioactive Drug: Sulfur Colloid	3150-AB72
72	Licenses and Radiation Safety Requirements for Well-logging Operations	3150-AB35
73	Glass Enamel and Glass Enamel Frit Containing Small Amounts of Uranium	3150-AB49
74	Uranium Mill Tailings Regulations: Conforming NRC Requirements to EPA Standards	3150-AB50
75	Extension of Criminal Penalties	3150-AA80
76	Codes and Standards for Nuclear Power Plants (1983 Edition, Winter 1982 through Summer 1984 Addenda)	3150-AA83
77	Radon and Technetium Estimates for Table S-3	3150-AA87
78	General Design Criterion on Human Factors	3150-AB13
79	Station Blackout	3150-AB38
80	Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors	3150-AA86
81	Personnel Access Authorization Requirements for Nuclear Power Plants (Part of Insider Package)	3150-AA90
82	Training and Qualifications of Nuclear Power Plant Personnel and Operators' Licenses	3150-AA88
83	Communications Procedures Amendments	3150-AB61
84	Additional Scram System Requirement for Westinghouse Nuclear Power Plants	3150-AB29
85	Experience Requirements for Senior Operators at Nuclear Power Plants	3150-AB64
86	Extension of Construction Completion Date	3150-AB06
87	Update of Table S-4, Part 51	3150-AB36
88	Requirements for Senior Managers at Nuclear Power Plants	3150-AB31
89	Disposal of High-Level Radioactive Wastes in Geologic Repositories: Procedural Amendments	3150-AB47
90	Financial Responsibility Standards for Long Term Care for Low Level Waste Disposal Sites	3150-AB57
91	Material Status Reports	3150-AB26
92	Rule to Amend the Transportation Provisions Pertaining to the Shipment of Low Specific Activity (LSA) Material	3150-AB33
93	Independent Storage of Spent Fuel and High-Level Radioactive Waste	3150-AB70
94	Clarification of General Physical Protection Requirements	3150-AB45
95	Reporting Requirements for Safeguards Events	3150-AB46
96	Physical Protection Requirements for Independent Spent Fuel Storage Installations (ISFSIs)	3150-AB27
97	Criteria for an Extraordinary Nuclear Occurrence	3150-AB01

Completed Actions

Sequence Number	Title	Regulation Identifier Number
98	Regional Licensing Program; Further Implementation	3150-AB59
99	General Statement of Policy and Procedures for Enforcement Actions	3150-AB55
100	Source Material Transfer Reports and Tritium Inventory Reports	3150-AB24
101	Anticipated Transients Without Scram (ATWS)	3150-AA19
102	Fire Protection for Future Plants	3150-AA85
103	Frequency of Emergency Preparedness Exercises for State and Local Governments	3150-AB11
104	Financial Protection Requirements and Indemnity Agreements; Facility Form Policy	3150-AB02
105	Revision of License Fee Schedules	3150-AB03
106	Independent Storage of Spent Fuel and High-Level Radioactive Waste	3150-AB71
107	Abolition of the Position of Appeal Panel Vice Chairman	3150-AB62
108	Charges for the Production of Records	3150-AB74
109	Changes in Mailing Address for Submittals of Personnel Monitoring Reports	3150-AB68
110	Revised Access Authorization Fees for Licensee Personnel	3150-AB65
111	Application Consolidation to NRC Form 313; Application for Material License	3150-AB73

PROPOSED RULES

1. PROCEDURES INVOLVING THE EQUAL ACCESS TO JUSTICE ACT: IMPLEMENTATION

Legal Authority: 5 USC 504

CFR Citation: 10 CFR 1; 10 CFR 2

Abstract: The proposed rule provides new provisions intended to implement the Equal Access to Justice Act (EAJA). The provisions would provide for the payment of fees and expenses to certain eligible individuals and businesses that prevail in adjudications with the agency when the agency's position is determined not to have been substantially justified. The basis for these proposed regulations is a set of model rules issued by the Administrative Conference of the United States (ACUS) that have been modified to conform to NRC's established rules of practice. The proposed rule would further the EAJA's intent by insuring the development of government-wide "uniform" agency regulations and by providing NRC procedures and requirements for the filing and disposition of EAJA applications. A final draft rule was sent to the Commission in June 1982, but Commission action has been suspended pending a decision by the Comptroller General on the availability of funds to pay awards to intervenor parties. The decision from the Comptroller General has been rendered and is currently being analyzed.

Timetable:

Action	Date	FR Cite
NPRM	10/28/81	46 FR 53189
NPRM Comment Period Begin	10/28/81	46 FR 53189
NPRM Comment Period End	11/28/81	

Next Action Undetermined

Small Entity: No

Agency Contact: Beverly Segal, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-3224

RIN: 3150-AA01

2. LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION; ALTERNATIVE SITE REVIEWS

Legal Authority: 42 USC 2201; 42 USC 4332; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 50; 10 CFR 51

Abstract: The proposed rule would provide procedures and performance criteria for reviewing alternative sites for nuclear power plants under the National Environmental Policy Act of 1969 (NEPA). The proposal is intended to stabilize alternative site reviews of a license application by codification of the lessons learned in past and recent reviews of nuclear power plant sites into an environmentally sensitive rule. The proposed rule would focus on six major issues associated with alternative site selection: (1) information requirements, (2) timing, (3) region of interest, (4) selection of candidate sites, (5) comparison of the proposed site with alternative sites, and (6) reopening of the alternative site decision. The proposed rule would develop understandable, written NRC review and decision-making criteria that provide necessary protection of important environmental qualities while reasonably restricting the consideration of alternatives to permit a rational and timely decision concerning the sufficiency of the alternative site analysis. (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/09/80	45 FR 24168
NPRM Comment Period Begin	04/09/80	45 FR 24168
NPRM Comment Period End	06/09/80	
Indefinitely postponed	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: After considering the comments on the proposed rule, the Commission published a final rule on May 28, 1981 (46 FR 28630). That final rule addressed the sixth issue, reopening the alternative site question after a favorable decision at construction permit or early site review stages insofar as it relates to operating license proceedings. Finalization of other portions of the proposed rule has been deferred until completion of a comprehensive review of radionuclide source terms from reactor accidents.

Agency Contact: William R. Ott, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4615

RIN: 3150-AA03

3. POSSIBLE AMENDMENTS TO "IMMEDIATE EFFECTIVENESS" RULES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: The proposed rule indicates that the Commission is considering five alternative amendments to the "immediate effectiveness" rule for construction permit proceedings. Under the original "immediate effectiveness" rule (36 FR 828, January 19, 1971) construction of a nuclear power plant could begin on the basis of an initial decision by the Atomic Safety and Licensing Board (ASLB) even though that decision was subject to further review by the Commission. The Commission is concerned that the rule often prevented it from reviewing a case until construction was well underway and that this might have (1) allowed commitment of large sums of money to altering sites before a final decision was made on site-related issues and (2) promoted piecemeal review rather than promoting early resolution of all licensing issues to be considered. Present rules provide for limited review of ASLB decisions by the Atomic Safety and Licensing Appeal Board (ASLAB) and the Commission prior to issuance of construction permits. This proposed rule would help to determine whether NRC should return to the former "immediate effectiveness" rule or adopt one of the following alternatives:(1) require the ASLAB (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/22/80	45 FR 34279

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: to make a separate ruling on the question of effectiveness, or (2) require final ASLAB and Commission decisions on the merits of certain construction-related issues prior to authorizing issuances of the construction permit; (3) require final ASLAB and Commission decisions on the merits of all issues prior to authorizing issuances of the construction permit; and, return to the former "immediate effectiveness" rule, but relax the standards for obtaining a stay of the ASLAB decisions. The rule "Regulatory Reform of the Rules of Practice and Rules for Licensing of Production and Utilization Facilities"

proposed by the Regulatory Reform Task Force will determine which of the alternatives proposed in this rule will become effective.

Agency Contact: Beverly Segal, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-3224

RIN: 3150-AA04

4. MODIFICATIONS TO THE NRC HEARING PROCESS (LIMITED INTERROGATORIES AND FACTUAL BASIS FOR CONTENTIONS)

Legal Authority: 42 USC 2239

CFR Citation: 10 CFR 2

Abstract: The proposed rule would expedite conduct of NRC adjudicatory proceedings by requiring intervenors in formal NRC hearings to set forth the facts on which contentions are based and the sources or documents used to establish those facts and limit the number of interrogatories that a party may file in an NRC proceeding. The proposed rule would expedite the hearing process by, among other things, requiring intervenors to set forth at the outset the facts upon which their contention is based and the supporting documentation to give other parties early notice of intervenor's case so as to afford opportunity for early dismissal of contentions where there is no factual dispute. The content of this rule is being considered as part of the regulatory reform rulemaking package. The Commission decided in November 1983 to seek public comment on the package. The package proposals were published in the Federal Register on April 12, 1984.

Timetable:

Action	Date	FR Cite
NPRM	06/08/81	46 FR 30349
Regulatory Reform Rule	12/00/84	
Final Action	12/00/84	

Small Entity: No

Agency Contact: James Tourtellote, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 202 634-1465

RIN: 3150-AA05

5. COMMISSION REVIEW PROCEDURES FOR POWER REACTOR CONSTRUCTION PERMITS; IMMEDIATE EFFECTIVENESS RULE

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The proposed rule would amend the immediate effectiveness rule with regard to rules of practice for granting a power reactor construction permit to conform to those for granting an operating license. It (1) would retain the requirement that the Commission conduct a limited review of an Atomic Safety and Licensing Board's decision to grant a construction permit pending completion of administrative appeals and (2) would delete the requirement that an Atomic Safety and Licensing Appeal Board conduct a similar review. The proposed rule would not affect the separate Appeal Board and Commission appellate reviews of the merits of Licensing Board decisions. It would reduce somewhat the time required for administrative review of construction permit decisions while retaining direct Commission oversight prior to permit issuance.

The comment period closed November 24, 1982. Nine comments were received. Half of the comments favored the proposed rule while half opposed it. This proposed rule does not preclude further action on five alternatives for amending the "Immediate effectiveness" rule presented in an earlier notice on (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/25/82	47 FR 47260
NPRM Comment Period Begin	10/25/82	47 FR 47260
NPRM Comment Period End	11/24/82	

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: May 22, 1980 (45 FR 34279). The rule "Regulatory Reform of the Rules of Practice and Rules for Licensing of Production and Utilization Facilities" proposed by the Regulatory Reform Task Force will determine whether this proposed rule will become effective.

Agency Contact: Martin G. Malsch, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 202 634-1465

RIN: 3150-AA55

6. HYBRID HEARING PROCEDURES FOR EXPANSIONS OF ONSITE SPENT FUEL STORAGE CAPACITY AT CIVILIAN NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2201; 42 USC 2239

CFR Citation: 10 CFR 2; 10 CFR 72

Abstract: The proposed rule contains two options for implementing the hybrid hearing process in Section 134 of the Nuclear Waste Policy Act of 1982. That section sets forth a hybrid hearing process for certain contested proceedings on applications for a license or a license amendment to expand the spent nuclear fuel storage capacity at the site of a civilian nuclear power reactor. Either version of the proposed rule would provide for an oral argument in the early stage of the hearing process and would designate only genuine and substantial issues for resolution in an adjudicatory hearing. Option 1 would add a new Subpart K to Part 2. Subpart K would require the use of hybrid procedures in all proceedings to which section 134 applies. It would also change the initial stages of the existing hearing process by allowing a person whose interest is affected to participate as a party and to obtain discovery without the need to plead contentions. Option 2 would permit the use of hybrid procedures at the request of any party to the proceeding. It would be implemented by means of an alternative form of summary disposition under a new Sec. 2.749a. (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/05/83	48 FR 54499
NPRM Comment Period Begin	12/05/83	49 FR 414
NPRM Comment Period Extended to 02/20/84	01/04/84	49 FR 414
NPRM Comment Period End	02/20/84	
Final Action	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: In all other respects, the

existing Part 2 procedures would apply. The Commission is seeking comments on both proposals to aid in its choice of procedures for the final rule.

The hybrid hearing procedures are intended to simplify and expedite the licensing process for spent fuel storage facility expansions and transshipments. The proposed rule is needed to permit full realization of those statutory purposes. Because section 134 applies by its terms to applications filed after January 7, 1983, a final rule should be developed as soon as practicable. There are no alternatives to rulemaking that would meet the statutory objectives. The rule will simplify and expedite the hearing process resulting in less costly and shorter hearings for license applicants, intervenors, the NRC staff, and the Licensing Boards. Members of the public who seek to participate in NRC licensing proceedings will have an opportunity to request an oral argument but will be required to make a stronger showing of need in order to require that an adjudicatory hearing be held.

Agency Contact: Linda S. Gilbert, Nuclear Regulatory Commission, Office of Executive Legal Director, Washington, DC 20555, **301 492-7678**

RIN: 3150-AB19

7. ● ELIMINATION OF REVIEW OF FINANCIAL QUALIFICATIONS OF ELECTRIC UTILITIES IN OPERATING LICENSE REVIEWS AND HEARINGS FOR NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: In response to a remand by the U.S. Court of Appeals for the D.C. Circuit, the Nuclear Regulatory Commission (NRC) proposed a rule that would eliminate financial qualifications review and findings for electric utilities that are applying for operating licenses for utilization facilities if the utility is a regulated public utility or is authorized to set its own rates. This proposed rule would not affect financial qualification review of a medical utilization, research and development, or a testing facility. The NRC is seeking comment on an alternative proposal that would eliminate financial qualification reviews for all NRC license or permit applicants.

Timetable:

Action	Date	FR Cite
NPRM	04/02/84	49 FR 13044
NPRM Comment Period Begin	04/02/84	49 FR 24748
NPRM Comment Period End	06/28/84	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Carole F. Kagan, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-1493**

RIN: 3150-AB69

8. EXCEPTIONS TO NOTICE AND COMMENT RULEMAKING PROCEDURES

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: This proposed rule would amend the Commission's rules of practice by revising NRC procedures contained in Sections 2.804 and 2.805 to clarify the Commission's use of the exceptions to notice and comment rulemaking contained in the Administrative Procedure Act (5 U.S.C. 553(b)). Exception to notice and comment rulemaking may be applied (1) to interpretive rules, general statements of policy, or rules of agency organization, procedure, or practice (5 U.S.C. 553(b)(A)) or (2) when the agency for good cause finds that notice and comment are impracticable, unnecessary, or contrary to the public interest (5 U.S.C. 553(b)(B)). This clarification is necessary in light of the U.S. Court of Appeals for the District of Columbia decision in Union of Concerned Scientists v. Nuclear Regulatory Commission, No. 82-2000 (D.C. Cir. June 30, 1983) which vacated a Commission rulemaking on the Environmental Qualification of electrical equipment. The court held that by making the rule immediately effective, instead of providing for notice and comment, the NRC had among other things, violated 10 CFR 2.804 of the Commission regulations which the Court read as a requirement for notice and comment in all (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/02/84	49 FR 13043
NPRM Comment Period Begin	04/02/84	49 FR 13043
NPRM Comment Period End	05/02/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: Commission rulemakings. The proposed rule will provide explicitly for Commission discretion to invoke, in appropriate situation the APA exceptions to notice and comment rulemakings cited above. There are no satisfactory alternatives to this proposed clarification. It will have little or no impact on the public or the regulated industry because it merely clarifies existing Commission practice. Development and promulgation of the rule will involve approximately 640 hours of NRC staff time, at $60 per hour for a total of $38,400.

Agency Contact: Francis X. Cameron, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, **301 492-8689**

RIN: 3150-AB41

9. NONDISCRIMINATION ON BASIS OF AGE IN FEDERALLY ASSISTED COMMISSION PROGRAMS

Legal Authority: 42 USC 6101

CFR Citation: 10 CFR 4

Abstract: The proposed rule would implement the provisions of the Age Discrimination Act of 1975, as amended. The proposed amendment makes it unlawful for any recipient of Federal financial assistance to discriminate on the basis of age in programs or activities receiving Federal financial assistance from the NRC. The Act also contains certain exceptions that permit, under limited circumstances, continued use of age distinctions or factors other than age that may have a disproportionate effect on the basis of age. The Act applies to persons of all ages. The proposed rule is necessary to comply with the Age Discrimination Act of 1975, which directs that all Federal agencies empowered to provide Federal financial assistance issue rules, regulations, and directives consistent with standards and procedures established by the Secretary of Health and Human

Services (HHS). NRC's proposed and final regulations have been modeled after those HHS guidelines as published in 45 CFR 90. (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/21/81	46 FR 46582

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: On November 23, 1981, a copy of the draft final regulations was transmitted to the Office of the General Counsel of the Civil Rights Division, HHS, for review to comply with the requirement that final agency regulations not be published until the Secretary of HHS approved them. Next action cannot be scheduled until the regulation is approved by the Secretary of HHS, as required by law.

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Agency Contact: Hudson B. Ragan, Nuclear Regulatory Commission, Office of Executive Legal Director, Washington, DC 20555, **301 492-8252**

RIN: 3150-AA06

10. † PRODUCTION OR DISCLOSURE IN RESPONSE TO SUBPOENAS OR DEMANDS OF COURTS OR OTHER AUTHORITIES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 9

Abstract: The proposed rule would add Subpart D to 10 CFR Part 9 to prescribe procedures with respect to the production of documents or disclosure of information in response to subpoenas or demands of courts or other judicial or quasi-judicial authorities in state and Federal proceedings. The proposed rule would clarify the procedures to be followed by Commission employees in responding to demands for testimony, information, or documents and would ensure that the responsibility for determining the response to the demands is placed on the appropriate Commission official.

Timetable:

Action	Date	FR Cite
NPRM	07/10/84	49 FR 28012
NPRM Comment Period Begin	07/10/84	49 FR 28012
NPRM Comment Period End	08/09/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Richard L. Black, Nuclear Regulatory Commission, Office of General Counsel, Washington, DC 20555, **202 634-1493**

RIN: 3150-AB63

11. CHANGES IN RADIATION DOSE-LIMITING STANDARDS

Legal Authority: 42 USC 2111; 42 USC 2201

CFR Citation: 10 CFR 19; 10 CFR 20

Abstract: The proposed rule was published because of the desire of the Commission to reduce the risks of occupational radiation doses in Commission-licensed activities, the Commission's continuing systematic assessment of exposure patterns, and new recommendations of the International Commission on Radiological Protection for controlling radiation dose. In preparing the proposed rule, the Commission has also taken into account recently published interpretations of epidemiological data and associated recommendations for lower dose standards as well as petitions for rulemaking to lower dose standards, PRM-20-6 and PRM-20-6A. The proposed rule would eliminate the accumulated dose averaging formula and the associated Form NRC-4, Exposure History, and impose annual dose-limiting standards while retaining quarterly standards. In addition to the imposition of annual dose-limiting standards, the proposed rule contains provisions that would express, in terms of new annual standards, the standard for dose to minors, the requirement for control of total dose to all workers, including transient and moonlighting workers. (cont)

Timetable:

Action	Date	FR Cite
Previous NPRM	02/20/79	44 FR 10388
NPRM	10/01/84	

Small Entity: No

Additional Information: ABSTRACT CONT: The changes contained in the proposed rule are intended to benefit workers by increasing radiation protection for them and to encourage some NRC licensees to take further action to reduce occupational radiation doses. The content of this rule will be incorporated into the comprehensive revision of Part 20 to be issued as a proposed rule in October 1984.

Agency Contact: Walter S. Cool, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4579**

RIN: 3150-AA08

12. AUTHORITY FOR THE COPYING OF RECORDS AND RETENTION PERIODS FOR SECURITY RECORDS

Legal Authority: 42 USC 2073; 42 USC 2207

CFR Citation: 10 CFR 19; 10 CFR 21; 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 70; 10 CFR 71; 10 CFR 73; 10 CFR 110

Abstract: The proposed rule would define more clearly the authority of an NRC inspector to copy and take away a licensee record that is needed for inspection and enforcement activities. It also would specify the period that a licensee physical security record must be maintained and codify guidelines for record retention periods. Because this action is only a clarification of an existing authority, and any copies to be made will be made at Commission expense, the impact is expected to be minimal. For that portion of the rule which codifies licensee practice for retention of physical security records, retention periods have been reduced in some instances, resulting in a savings of approximately $11,000 per year to the licensee.

Timetable:

Action	Date	FR Cite
NPRM	11/22/82	47 FR 52452
NPRM Comment Period Begin	11/22/82	47 FR 52452
NPRM Comment Period End	01/21/83	

Next Action Undetermined

Small Entity: No

Agency Contact: Sandra Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7680**

RIN: 3150-AA63

13. REPORTS OF THEFT OR LOSS OF LICENSED MATERIAL

Legal Authority: 42 USC 2073

CFR Citation: 10 CFR 20

Abstract: The proposed rule would remove a discretionary clause that requires each NRC licensee to report a loss or theft of licensed material only when it appears to the licensee that the loss or theft would pose a substantial hazard to persons in an unrestricted area. The proposed rule would provide increased radiological safety to the public by requiring that all losses or thefts of licensed material be reported to the NRC if the loss exceeds the minimum quantity specified in the regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/09/83	48 FR 20721
NPRM Comment Period Begin	05/09/83	
NPRM Comment Period End	06/23/83	
Final Action	03/00/85	

Small Entity: No

Agency Contact: **Don R. Hopkins,** Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7878**

RIN: 3150-AA64

14. RESIDUAL CONTAMINATION IN SMELTED ALLOYS

Legal Authority: 42 USC 2021; 42 USC 2073; 42 USC 2077; 42 USC 2111; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 32; 10 CFR 70; 10 CFR 150

Abstract: The proposed rule would exempt from licensing and regulatory requirements technetium-99 and low-enriched uranium as residual contamination in any smelted alloy. The proposed rule would remove the Commission's present specific licensing requirement that has the effect of inhibiting trade in and recycling of metal scrap contaminated with small amounts of these radioactive materials. This requirement also prevents recycling by the secondary metals industry of smelted alloys containing these two radioactive materials. The NRC issued the proposed rule in response to a Department of Energy request. The rulemaking is currently being held in abeyance while an environmental statement evaluating the proposed recycle is being prepared.

Timetable:

Action	Date	FR Cite
NPRM	10/27/80	45 FR 70874
NPRM Comment Period Begin	10/27/80	45 FR 70874
NPRM Comment Period End	12/11/80	
Environmental Impact Statement	04/30/84	

Next Action Undetermined

Small Entity: No

Analysis: Draft Environmental Statement 10/27/80 (45 FR 20874)

Agency Contact: **D. R. Hopkins,** Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7878**

RIN: 3150-AA10

15. PATIENT DOSAGE MEASUREMENT

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: In order to ensure the safe use of radiopharmaceuticals, the proposed rule would require that the activity of each radiopharmaceutical dosage be measured before it is administered to a patient. This is not an urgent rulemaking action because the measurements are currently required by a condition included in each medical license. The only way to impose a requirement on all medical licensees is by license condition or regulation; therefore, no alternative action was considered. The proposed rule will require licensees to measure each dosage and make a record of each measurement. Because the requirement is currently imposed by license condition, there will be no cost savings or additional burden; the industry and NRC will benefit by having a clear, concise requirement in the regulation. The proposed rule is being incorporated into a proposed revision of 10 CFR Part 35, "Human Uses of Byproduct Material". NRC resources and scheduling are noted there.

Timetable:

Action	Date	FR Cite
Next Action - Forward Proposed Rule to Director, NMSS		
NPRM	09/01/81	46 FR 43840
NPRM Comment Period Begin	09/01/81	46 FR 43840
NPRM Comment Period End	11/30/81	

Next Action Undetermined

Small Entity: No

Public Compliance Cost: Initial Cost: $690,000; Yearly Recurring Cost: $690,000; Base Year for Dollar Estimates: 1981

Analysis: Preliminary RIA 09/00/81

Agency Contact: **Norman L. McElroy,** Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4108**

RIN: 3150-AA12

16. IMPLEMENTATION OF THE CONVENTION ON THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40; 10 CFR 70; 10 CFR 73; 10 CFR 110

Abstract: The NRC is amending its regulations in order to implement the provisions of the Convention on the Physical Protection of Nuclear Material. Since NRC is responding to implementing legislation enacted by Congress and signed by the President, no alternatives were considered. The proposed amendments would require (1) the physical protection of transient shipments of special nuclear material of moderate and low strategic significance and irradiated reactor fuel, (2) advance notification to NRC concerning the export of Convention-defined nuclear materials, and (3) advance notification and assurance of protection to NRC concerning the importation of Convention- defined nuclear materials from countries that are not parties to the Convention, and (4) advance notification and assurance of protection concerning transient shipments of Convention-defined nuclear material shipped between countries that are not party to the Convention. The adoption of the proposed amendments would result in improved security for Convention-defined nuclear material during international transport. (cont)

Timetable:

Action	Date	FR Cite
NPRM	07/14/83	48 FR 32182
NPRM Comment Period Begin	07/14/83	48 FR 32182
NPRM Comment Period End	10/13/83	
Final Rule to EDO	08/00/84	
Final Rule to Commission	09/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: Compliance with the new regulations is expected to cost licensees about $230,000 annually. Public comments have been received and analyzed. A final rule is being drafted.

Public Compliance Cost: Yearly Recurring Cost: $230,000; Base Year for Dollar Estimates: 1983

Agency Contact: Carl Sawyer, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, **301 427-4186**

RIN: 3150-AA92

17. URANIUM MILL TAILINGS REGULATIONS: GROUND WATER PROTECTION AND OTHER ISSUES

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 7901 Note

CFR Citation: 10 CFR 40

Abstract: The advance notice of proposed rulemaking seeks comment on NRC's tentative approach to making further amendments to its uranium mill tailings regulations. The contemplated rulemaking proceeding is intended to incorporate groundwater provisions and other requirements established by the Environmental Protection Agency for similar hazardous wastes into NRC regulations. This action is necessary to make NRC regulations consistent with EPA standards as required by the Uranium Mill Tailings Radiation Control Act. No alternatives to this action need to be considered. Comments on the ANPRM will help define the nature and scope of the action. EPA has estimated that compliance with their groundwater standards and with the stability, radon release, and other requirements recently promulgated will cost the industry from about $310 million to $540 million for all tailings generated by the year 2000. The range depends on the eventual cost of groundwater protection for future tailings. The EPA regulations are binding on NRC licensees in the interim. NRC resources and schedules are still being developed.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/84	

Small Entity: No

Agency Contact: Kitty S. Dragonette, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, D.C. 20555, **301 427-4300**

RIN: 3150-AB56

18. GENERAL DESIGN CRITERIA FOR FUEL REPROCESSING PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 50

Abstract: The proposed rule would establish general criteria for designing fuel reprocessing plants in order to provide reasonable assurance that fuel reprocessing plants can be operated without undue risk to the health and safety of the public. The general criteria contain the minimum requirements that an applicant must use in the selection of principal design criteria for a fuel reprocessing plant. The principal criteria would establish design, fabrication, construction, testing, and performance requirements for structures, systems, and components important to the safety of the facility. This proposed rule was indefinitely deferred in 1975 by action of the Commission. The staff is planning to issue a notice of withdrawal for this proposed rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/18/74	39 FR 26293

Next Action Undetermined

Small Entity: No

Agency Contact: Charles W. Nilsen, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7910**

RIN: 3150-AA15

19. INTERIM REQUIREMENTS RELATED TO HYDROGEN CONTROL

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2152; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 2236; 42 USC 2239; 42 USC 2273; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The final rule requires improved Hydrogen control systems for boiling water reactors (BWRs) with Mark III type containments and for pressurized water reactors (PWRs) with ice condenser type containments. Additionally, those of the above reactors which don't rely on an inerted atmosphere for hydrogen control would be required to show that certain important safety systems must be able to function during and following hydrogen burning.

Timetable:

Action	Date	FR Cite
NPRM	12/23/81	46 FR 62281
NPRM Comment Period Begin	02/25/82	47 FR 08203
NPRM Comment Period End	04/08/82	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Morton R. Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7616**

RIN: 3150-AA21

20. TECHNICAL SPECIFICATIONS FOR NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: The proposed rule would amend current regulations pertaining to technical specifications for nuclear power reactors. Specifically, the proposed rule would (1) establish a standard for deciding which items derived from the safety analysis report must be incorporated into technical specifications, (2) modify the definitions of categories of technical specifications to focus more directly on reactor operations, (3) define a new category of requirements that would be of lesser immediate significance to safety than technical specifications, and (4) establish appropriate conditions that must be met by licensees to make changes to the requirements in the new category without prior NRC approval.

The changes are needed because of disagreement among parties to proceedings as to what items should be included in technical specifications, and concern that the substantial growth in the volume of technical specifications may be diverting the attention of licensees from matters most important to the safe operation of the plant. The proposed rule would improve the safety of nuclear power plant operation by reducing the volume of technical specifications, place (cont)

Timetable:

Action	Date	FR Cite
ANPRM	07/08/80	45 FR 45916
ANPRM Comment Period Begin	07/08/80	45 FR 45916
ANPRM Comment Period End	09/08/80	
NPRM	03/30/82	47 FR 13369
NPRM Comment Period Begin	03/30/82	47 FR 13369
NPRM Comment Period End	06/01/82	

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: more emphasis on those specifications of high safety significance, and provide more efficient use of NRC and licensee resources. The NRC staff has estimated that each of the affected 21 licensees should utilize the proposed method for changing supplemental specifications approximately twice a year. The total additional yearly burden to resubmit a revoked change for all 21 affected licensees would be approximately 101 staff hours.

Agency Contact: Cecil O. Thomas, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-7130

RIN: 3150-AA22

21. SAFEGUARDS REQUIREMENTS FOR NONPOWER REACTOR FACILITIES POSSESSING FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL

Legal Authority: 42 USC 2071; 42 USC 2073; 42 USC 2133; 42 USC 2134; 42 USC 2152; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2239; 42 USC 2273; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50; 10 CFR 70; 10 CFR 73

Abstract: When the Commission approved the set of final physical protection requirements for fuel cycle facilities possessing formula quantities (five formula kilograms or more) of strategic special nuclear material (SSNM), they exempted nonpower reactors from these requirements, and, instead specified a set of interim requirements. At that time the staff was directed to develop a set of permanent physical protection requirements for this class of nonpower reactors. This rulemaking is needed to replace the current interim regulations and establish permanent physical security requirements for nonpower reactor licensees who possess a nonexempt formula quantity of SSNM, to provide protection against insiders and to arrange for a response by local law enforcement or other agencies in time to prevent a theft of a formula quantity. The staff is using a performance-oriented regulatory approach which would give affected licensees flexibility in designing cost-effective measures for implementing the requirements of the final rule by allowing licensees to take advantage of existing facility design features. Not more than three facilities are expected to have to implement these (cont)

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/28/79	44 FR 68199
Previous NPRM	09/18/81	46 FR 46333
NPRM	07/27/83	
NPRM Comment Period Begin	07/27/83	48 FR 34056
Proposed Rule limited to Part 73	07/27/83	48 FR 34056
NPRM Comment Period End	11/28/83	

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: requirements at an estimated cost increase of $1,100 to $5,100 for improvements and $300 to $7,900 for annual operating costs per facility. Public comments on the new NPRM have been received and analyzed. Further action has been deferred pending resolution of other related issues.

Public Compliance Cost: Initial Cost: $12,000; Yearly Recurring Cost: $21,000; Base Year for Dollar Estimates: 1983

Agency Contact: Carl J. Withee, Nuclear Regulatory Commission, Office of Nuclear Materials Safety, and Safeguards, Washington, DC 20555, 301 427-4768

RIN: 3150-AA30

22. NOTICE AND COMMENT ON, PROCEDURES FOR STATE CONSULTATION ON, AND STANDARDS FOR MAKING DETERMINATIONS ABOUT WHETHER LICENSE AMENDMENTS INVOLVE NO SIGNIFICANT HAZARDS CONSIDERATIONS

Legal Authority: 42 USC 2201; PL 97-415

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: Two interim final rules implement PL 97-415 specifying criteria for notice and public comment on, procedures for State consultation on, and standards for making determinations about whether amendments to operating licenses for certain facilities involve no significant hazards considerations. In addition, the rules specify procedures for consultation on these determinations with the State in which the facility of the licensee requesting the amendment is located. The rules permit the Commission to act expeditiously if circumstances surrounding a request for amendment require a prompt response and to issue an amendment before holding any required hearing, unless a significant hazards consideration is involved. The interim final rules were published on April 6, 1983 (48 FR 14868). A final rule will be issued by December 31, 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/06/83	48 FR 14876
Final Action	12/00/84	

Small Entity: No

Agency Contact: Thomas F. Dorian, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, 301 492-8690

RIN: 3150-AA61

23. PROTECTION OF CONTRACTOR EMPLOYEES

Legal Authority: 42 USC 2236; 42 USC 2282; 42 USC 5851

CFR Citation: 10 CFR 50

Abstract: The proposed rule would require 10 CFR Part 50 licensees, permittees, and applicants to ensure that procurement documents they issue or modify, specify that contractors and subcontractors post a notice to employees related to employee protection. The required notice would contain information notifying employees that an employer is prohibited from discriminating against an employee engaging in protected activities and that an employee may seek a remedy for prohibited discrimination by filing a complaint with the Department of Labor. The proposed amendment would affect licensees, permittees, applicants, and their contractors and subcontractors who are contractually responsible for construction of basic components or production and utilization facilities.

Timetable:

Action	Date	FR Cite
NPRM	07/06/83	48 FR 31050
NPRM Comment Period Begin	07/06/83	48 FR 31050
NPRM Comment Period End	09/06/83	
Interim Final Rule	03/31/84	
Final Action	01/00/85	

Small Entity: No

Agency Contact: Anthony J. DiPalo, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7613**

RIN: 3150-AB07

24. REQUIREMENTS FOR LICENSEE ACTION REGARDING THE DISPOSITION OF SPENT FUEL UPON EXPIRATION OF THE REACTORS' OPERATING LICENSE

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5842; 42 USC 4332; 42 USC 4334; 42 USC 4335

CFR Citation: 10 CFR 50; 10 CFR 51

Abstract: The proposed amendment to Part 50 would provide procedures to be followed by nuclear reactor operating licensees to ensure the continued safe management of spent fuel beyond the expiration date of the reactor operating license. It would require licensees to submit plans concerning how spent fuel at these sites will be managed to NRC for review and approval five years before their operating licenses expire. The proposed amendment to Part 51 addresses the environmental aspects of extended spent fuel storage past the expiration date of reactor operating licenses; licensing for storage at the reactor site; or storage at an independent spent fuel storage installation.

Timetable:

Action	Date	FR Cite
NPRM	10/25/79	44 FR 61372
NPRM	05/20/83	48 FR 50746
NPRM Comment Period Begin	05/20/83	48 FR 50746
NPRM Comment Period End	12/06/83	

Next Action Undetermined

Small Entity: No

Agency Contact: Dennis Rathbun or Clyde Jupiter, Nuclear Regulatory Commission, Office of Policy Evaluation, Washington, DC 20555, **301 634-3295**

RIN: 3150-AB20

25. ENVIRONMENTAL QUALIFICATION OF SAFETY-RELATED ELECTRICAL EQUIPMENT

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 50

Abstract: The proposed rule, to be published in response to a ruling by the Court of Appeals for the District of Columbia Circuit, would delete from NRC regulations a June 30, 1982, deadline for environmental qualification of safety-related electrical equipment imposed upon certain nuclear power plant licensees by previous Commission order. The Commission seeks to obtain public comment on the issue of whether, as a generic matter, the justifications for continued operation now on file are adequate to support deletion of the June 30, 1982, deadline for the affected nuclear power plants.

Timetable:

Action	Date	FR Cite
NPRM	03/07/84	48 FR 8445
NPRM Comment Period Begin	03/07/84	48 FR 8445
NPRM Comment Period End	08/13/84	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: William Shields, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, **301 492-8693**

RIN: 3150-AB40

26. REFINEMENT OF EMERGENCY PLANNING REGULATIONS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would amend the Commission's emergency planning regulations to reflect experience gained since 1980 and reorganize the emergency planning requirements for clarity. Research studies on reactor risk and practical emergency planning experience have led to a refined portrayal of reactor risks and consequences. The proposed rule would require a graduated emergency response capability to reflect a more realistic program for dealing with radiological emergencies at nuclear power plants.

Timetable:

Action	Date	FR Cite
NPRM	01/00/85	

Small Entity: Undetermined

Agency Contact: Michael Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7615**

RIN: 3150-AB48

27. LIMITING THE USE OF HIGHLY ENRICHED URANIUM IN DOMESTIC RESEARCH AND TEST REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would require that non-power reactors use only low-enriched uranium fuel (LEU), with certain exceptions. The proposed rule is intended to reduce the traffic in high-enriched uranium fuel (HEU) and thereby reduce the potential for theft or diversion. The majority of licensees affected by the proposed rule would be

universities operating research and training reactors.

Timetable:

Action	Date	FR Cite
NPRM	07/06/84	49 FR 27769
NPRM Comment Period Begin	08/06/84	
NPRM Comment Period End	11/02/84	

Small Entity: Not Applicable

Agency Contact: William R. Lahs, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7874

RIN: 3150-AB60

28. FITNESS FOR DUTY OF PERSONNEL WITH ACCESS TO NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2236; 42 USC 2237

CFR Citation: 10 CFR 50

Abstract: The proposed rule would require licensees to establish and implement controls to provide reasonable assurance that persons with unescorted and escorted access to vital areas of nuclear power plants are fit for duty. The Commission initiated the rule in response to concern by members of the public that nuclear power plant personnel, like airline pilots, should not be permitted to perform activities that could degrade the public health and safety while unfit for duty as a result of actions such as the consumption of alcoholic beverages. The result of the proposed rule would be the further protection of the public health and safety by requiring persons with unescorted or escorted access to vital areas of nuclear power plants to be fit for duty.

Timetable:

Action	Date	FR Cite
NPRM	08/05/82	47 FR 33980
NPRM Comment Period Begin	08/05/82	47 FR 33980
NPRM Comment Period End	10/04/82	
Final Action	09/00/84	

Small Entity: No

Agency Contact: Thomas Ryan, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7656

RIN: 3150-AA27

29. PRESSURIZED THERMAL SHOCK

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would codify the NRC staff's recommended near-term actions for protection against pressurized thermal shock (PTS) events. Specifically, the provisions of the proposed rule would establish screening criteria for axial and circumferential welds; require licensees with operating plants to submit data concerning their reactor vessels to the NRC staff for review; require certain licensees to submit an analysis and schedule for implementation of flux-reduction programs; and require certain licensees with operating pressurized water reactors (PWRs) to submit a PTS safety analysis to the NRC staff for review. The issue of pressurized thermal shock arises because in PWRs, transients and accidents can occur that result in severe overcooling (thermal shock) of the reactor pressure vessel concurrent with, or followed by, repressurization. In these PTS events, rapid cooling of the reactor vessel internal surface results in thermal stress with a maximum tensile stress at the inside surface of the vessel. The provisions of the proposed rule would apply only to PWRs. The major considered alternative to the proposed rule was taking no action.(cont)

Timetable:

Action	Date	FR Cite
NPRM	02/07/84	48 FR 4498
NPRM Comment Period Begin	02/07/84	48 FR 4498
NPRM Comment Period End	05/07/84	
Final Action	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: With the possible exception of a few plants where large flux reduction options may be initiated in the near future, the only significant costs will be future analysis costs for those few plants that are expected to approach the screening RT-NDT limit. A value-impact analysis will be prepared for those plants after receipt of the plant specific analysis and the resulting determination of the particular corrective regulatory action necessary and expedient for the plant. It is anticipated that the value of such identified corrective actions will be large in comparison to the relatively low cost of performing the analyses necessary to identify those actions, and therefore the presently proposed rule is justified.

Agency Contact: Roy H. Woods, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-4714

RIN: 3150-AB05

30. EXPLANATION TO TABLE S-3 URANIUM FUEL CYCLE ENVIRONMENTAL DATA

Legal Authority: 42 USC 2011; 42 USC 4321

CFR Citation: 10 CFR 51

Abstract: The proposed rule provides a narrative explanation of the numerical values established in Table S-3, "Table of Uranium Fuel Cycle Environmental Data," that appears in the Commission's environmental protection regulations. The proposed rule describes the basis for the values contained in Table S-3, the significance of the uranium fuel cycle data in the table, and the conditions governing the use of the table. The narrative explanation also addresses important fuel cycle impacts (e.g., environmental dose commitments, health effects, socioeconomic impacts) and the cumulative impacts of the nuclear fuel cycle for the whole nuclear power industry so that it may be possible to consider these impacts generically rather than repeatedly in individual licensing proceedings. The proposed rule was published for public review and comment in 1981 (46 FR 15154, March 4, 1981) but the final rulemaking was deferred pending the outcome of a suit (Natural Resources Defense Council, et al. v. NRC, No. 74-1486) in the U.S. Court of Appeals. The U.S. Court of Appeals (D.C. Circuit) decision on April 27,1982 invalidated the entire Table S-3 rule. The Supreme Court reversed this decision (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/04/81	46 FR 15154
NPRM Comment Period Begin	03/04/81	46 FR 15154
NPRM Comment Period End	05/04/81	
Court invalidates Table S-3 rule	04/27/82	

Action	Date	FR Cite
Petition for Rehearing Denied	06/30/82	
Appeal to Supreme Court filed	09/27/82	
Supreme Court reverses the 04/27/82 court decision	06/06/83	
Final Action	09/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: on June 6, 1983, and the proposed rule to provide a narrative explanation for Table S-3 is being revised to reflect new developments and the passage of time while the rulemaking was deferred.

Agency Contact: Glenn A. Terry, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, **301 427-4211**

RIN: 3150-AA31

31. CRITERIA AND PROCEDURES FOR DETERMINING THE ADEQUACY OF AVAILABLE SPENT NUCLEAR FUEL STORAGE CAPACITY

Legal Authority: 42 USC 2011; 42 USC 2092; 42 USC 2201; 42 USC 4332; 42 USC 5801; 42 USC 5841; 42 USC 5847; 42 USC 10152; 42 USC 10155

CFR Citation: 10 CFR 53

Abstract: The proposed rule would implement procedures and criteria that the NRC would use to determine whether a person owning and operating a civilian nuclear power plant would be able to store the spent nuclear fuel generated at the plant. This determination is necessary before the Secretary of the Department of Energy may enter into a contractual arrangement with the owner of the plant to provide interim Federal storage for limited amounts of spent fuel that the owner is unable to store. The proposed rule is necessary to meet NRC responsibilities under the Nuclear Waste Policy Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	04/29/83	48 FR 19382
NPRM Comment Period Begin	04/29/83	48 FR 19382
NPRM Comment Period End	06/28/83	
Final Action	10/00/84	

Small Entity: No

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7878**

RIN: 3150-AB22

32. ADDITIONAL TECHNICAL CRITERIA FOR THE DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGICAL REPOSITORIES LOCATED IN THE UNSATURATED ZONE

Legal Authority: 42 USC 2201; 42 USC 5842; 42 USC 10141

CFR Citation: 10 CFR 60

Abstract: The Nuclear Regulatory Commission (NRC) is considering amending its rules on the disposal of high-level radioactive wastes (HLW) in geologic repositories so that the technical criteria for geologic disposal in the saturated zone may be equally applicable to disposal within the unsaturated zone. The amendments are being proposed in response to public comments on the proposed technical criteria for geologic disposal in the saturated zone. Final technical criteria adopted by the Commission for disposal of HLW in the saturated zone were published in the Federal Register on June 21, 1983 (48 FR 28194).

Timetable:

Action	Date	FR Cite
NPRM	02/16/84	49 FR 5934
NPRM Comment Period Begin	02/16/84	49 FR 5934
NPRM Comment Period End	04/16/84	
Interim Final Rule	12/00/84	

Small Entity: No

Agency Contact: Dr. Colleen Ostrowski, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4343**

RIN: 3150-AB44

33. MATERIAL CONTROL AND ACCOUNTING REQUIREMENTS FOR FACILITIES POSSESSING FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 70

Abstract: The proposed rulemaking would replace existing material control and accounting (MC&A) requirements for fuel cycle facilities, including reprocessing plants, that are authorized to possess and use formula quantities of strategic special nuclear material (SSNM). It would establish a performance-oriented regulation that emphasizes timely detection of formula quantity SSNM losses and provides for more conclusive resolution of discrepancies than is currently achievable. Experience with existing regulations has demonstrated weaknesses in the area of alarm resolution principally because of a lack of timely detection of anomalies and poor loss localization capabilities. The rulemaking would alleviate these liabilities by requiring tests on a more timely basis on small plant subdivisions. An alternative to rulemaking would be to implement the concepts through license amendments for the four involved licensees; however, such an action would be inconsistent with the Administrative Procedures Act and the direction provided in NRC's Policy and Program Guidance document. The protection of the public health and safety will be enhanced through earlier detection and more prompt resolution of (cont)

Timetable:

Action	Date	FR Cite
ANPRM	11/18/81	46 FR 45144
ANPRM Comment Period Begin	11/18/81	46 FR 56625
ANPRM Comment Period End	02/09/82	
NPRM	02/02/84	49 FR 4091
NPRM Comment Period Begin	02/02/84	49 FR 4091
NPRM Comment Period End	09/05/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: anomalies potentially indicative of an SSNM loss. The initial cost to the industry will be offset by the reduction

or elimination of unnecessary requirements with the principal one being a reduction in the frequency of physical inventories. The cost to NRC to complete this rulemaking is estimated to be four staff years which includes time for the review of the plans submitted in response to the rule.

Public Compliance Cost: Initial Cost: $2,300,000; Yearly Recurring Cost: -$800,000

Agency Contact: C. W. Emeigh, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, **301 427-4769**

RIN: 3150-AA50

34. MATERIAL CONTROL AND ACCOUNTING REQUIREMENTS FOR LOW ENRICHED URANIUM FUEL CYCLE FACILITIES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 70

Abstract: Under currently applicable regulations, material control and accounting (MC&A) requirements for low enriched uranium (LEU) and strategic special nuclear material (SSNM) differ very little. However, both NRC-sponsored and independent studies have concluded that safeguards risks associated with LEU are far less significant than risks associated with SSNM. Current requirements do not sufficiently reflect this fact. The objective of this rule is to eliminate unnecessarily burdensome regulatory requirements. Because of the generic application of this action, it should be accomplished through rulemaking rather than through individual license conditions. This rulemaking action will establish more cost effective MC&A requirements for LEU and reduce these requirements to a level commensurate with the material's low safeguards significance.

Although MC&A requirements for LEU will be reduced by this rulemaking, the public will not be affected since the new requirements provide appropriate protection for the public health and safety consistent with the low strategic significance of the material. The total estimated savings for the industry is

Timetable:

Action	Date	FR Cite
NPRM	12/14/82	47 FR 55951
NPRM Comment Period Begin	12/14/82	47 FR 55951
NPRM Comment Period End	02/14/83	
Final Action	11/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: of $3.2M per year with an additional potential gain of $725,000 resulting from additional operating time from the elimination of one inventory per year. Since the rule is in the latter stages of development, the bulk of NRC resources yet to be expended will be approximately 0.5 staff year for review of the fundamental nuclear material control plans submitted in response to the new requirements.

Agency Contact: Carl J. Withee, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4768**

RIN: 3150-AA93

35. MODIFICATION OF PROTECTION REQUIREMENTS FOR SPENT FUEL SHIPMENTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The rule would moderate the present interim requirements for the protection of shipments of irradiated reactor fuel cooled for 150 days or more. Recent research shows that the quantity of radioactive material that would be released as a result of successful sabotage is much smaller than was supposed at the time that the interim rule was issued. The alternatives considered were: (1) let the current interim requirements continue in force; (2) moderate the current requirements; and (3) eliminate all interim requirements. The alternative of moderating the requirements was selected. The moderated requirements would provide for (1) shipments to be accompanied by an unarmed escort, who may be driver or carrier employee and may have other duties, (2) on-board communications, and (3) immobilization capability for trucked shipments. Present interim requirements will continue to be effective for shipments of irradiated reactor fuel cooled less than 150 days. The benefit of the proposed rule would be the elimination of unnecessarily strict requirements which presently apply to spent fuel shipments. (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/08/84	49 FR 23867
NPRM Comment Period Begin	06/08/84	
NPRM Comment Period End	09/10/84	
Final Rule to Commission	02/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: It is estimated that the modified requirements will result in a savings to licensees of about $20,000 to $30,000 annually, assuming the present rate of 135 shipments annually. Adoption of the proposed amendments would free about 1.5 NRC staff-years annually for other assignments and would reduce NRC travel cost by about $8,000 annually. A proposed rule has been published for public comment.

Agency Contact: Carl B. Sawyer, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, **301 427-4186**

RIN: 3150-AA96

36. SEARCHES OF INDIVIDUALS AT POWER REACTOR FACILITIES (PART OF INSIDER PACKAGE)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The proposed rule would revise the search requirements for individuals entering the protected area of nuclear power plants. Under the proposed requirements, all persons would be subject to equipment searches for firearms, explosives and incendiary devices. Physical searches would be required only when search equipment is not working properly or when the licensee suspects that an individual is attempting to carry into the plant prohibited devices or material. Random searches were considered as an alternative, but were deemed to be possibly disruptive. Since licensees already possess the necessary equipment, this rule will affect only licensee procedures at negligible additional cost.

Since requirements for searches have been in effect for some time, and modifications to those requirements are needed, alternatives to this rulemaking such as revised guidance would be inappropriate in that they would not carry the force of a regulation. (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	
NPRM Comment Period Begin	08/15/84	
NPRM Comment Period End	11/15/84	
Final Action	06/00/85	

Small Entity: No

Additional Information:

The impact on NRC operations will occur in the area of licensing review of amended licensee security plans. Initial cost to the NRC is estimated to be $46.1K and estimated annual cost in subsequent years is $5.8K.

Agency Contact: Tom R. Allen, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4010

RIN: 3150-AB17

37. MISCELLANEOUS AMENDMENTS CONCERNING PHYSICAL PROTECTION OF NUCLEAR POWER PLANTS (PART OF INSIDER RULE PACKAGE)

Legal Authority: 42 USC 2101; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The proposed rule would require in Nuclear Power Plants (1) the designation of vital areas (to allow vital islands), (2) access controls to vital islands, (3) the protection of certain physical security equipment, (4) revised requirements for key and lock controls, and (5) revised searches of hand-carried items at protected area entry points. The requirements will clarify policy in these areas and reduce unnecessary burden on the industry while maintaining plant protection. This rule is a revision of the proposed rule entitled "Access Controls to Nuclear Power Plant Vital Areas." Initial development of a final rule produced significant changes, particularly the criteria for personnel access controls to vital areas, resulting in the need to publish a revised proposed rule. This proposed rule and the other components of the insider rule package were reviewed by the NRC Safety/Safeguards Review Committee which considered a number of alternative approaches to vital island configurations and provided recommendations that are reflected in the proposed rule. (cont.)

Timetable:

Action	Date	FR Cite
Previous NPRM	03/12/80	45 FR 15937
NPRM	08/15/84	
NPRM Comment Period Begin	08/15/84	
NPRM Comment Period End	11/15/84	
Final Action	06/00/85	

Small Entity: No

Additional Information:

Since requirements for protecting vital areas have been in effect for some time, and modifications to those requirements are needed, alternatives to this rulemaking such as revised guidance would be inappropriate in that they would not carry the force of a regulation.

Costs for these improvements are estimated at $850K per site.

The impact on NRC operations will occur in the area of licensing review of amended licensee security plans and Inspection and Enforcement staff support time. Initial cost to the NRC is estimated to be $299.5K and estimated annual cost in subsequent years is $37.4K.

Agency Contact: Tom R. Allen, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4910

RIN: 3150-AA36

38. EXPORT/IMPORT OF NUCLEAR EQUIPMENT AND MATERIAL

Legal Authority: 42 USC 2073; 42 USC 2074; 42 USC 2077; 42 USC 2092; 42 USC 2094; 42 USC 2111; 42 USC 2112; 42 USC 2139; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 110

Abstract: The proposed rule would simplify licensing requirements for the export of nuclear equipment and material that does not have significance from a nuclear proliferation perspective by expanding or establishing general licenses for nuclear reactor components, gram quantities of special nuclear material, and certain kinds of source or byproduct material. The general licenses would ease current licensing restrictions by removing the requirement to obtain a specific export or import license for certain material and equipment. The proposed general licenses include a policy of facilitating nuclear cooperation with countries sharing U.S. non-proliferation goals. The proposed rule would increase international commerce and reduce the regulatory burden on the public and the NRC without increasing the risk to public health and safety or the common defense and security. The proposed rule would reduce NRC's minor case licensing workload by about 75%. The information collection burden would be reduced approximately 35% annually for licensees affected by this proposed rule. An estimated 212 hours annually associated with the filing of export license applications and other (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/01/84	49 FR 7572
NPRM Comment Period Begin	03/01/84	49 FR 7572
NPRM Comment Period End	04/17/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: information collection requirements would be saved (12,730). Preparing and publishing this rule will cost NRC approximately 450 hours of staff time $60 per hour for an estimated total of $27,000.

Agency Contact: Marvin R. Peterson, Nuclear Regulatory Commission, Office of International Programs, Washington, DC 20555, 301 492-4599

RIN: 3150-AB00

ADVANCE NOTICES OF PROPOSED RULEMAKING

39. REGULATORY REFORM OF THE RULES OF PRACTICE AND RULES FOR LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 2; 10 CFR 50

Abstract: This proposed rule would amend thirty-three sections of two parts affecting the hearing process associated

with the issuance of licenses. In the screening process, the most significant changes would (1) establish a screening Atomic Safety and Licensing Board (ASLB) to act as a clearing house for all requests for hearings, petitions for leave to intervene, and proposed contentions, (2) require a participant in a hearing to show that he or she has an interest to protect in the proceeding, and (3) require evidence of a factual dispute for a contention to be admitted. During the conduct of hearings, the most significant changes would (1) not hear discovery requests requiring the staff to support positions other than its own, (2) permit the ASLB to decide the case on the basis of written material, (3) permit the ASLB to appoint a panel of technical experts if needed, (4) allow presiding officers to raise issues on their own motion (sua sponte) only in unusual cases, (5) allow summary disposition motions to be filed at any stage of the proceeding, (6) allow the Commission to designate a hearing examiner in lieu of a three-member ASLB, and (7) require the filing of cross examination plans. During the (cont)

Timetable:

Action	Date	FR Cite
ANPRM	04/12/84	49 FR 14698
ANPRM Comment Period Begin	04/12/84	49 FR 14689
ANPRM Comment Period End	06/11/84	

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: decision-making process, the most significant changes would (1) remove the ASLB as an independent appeal board but place it organizationally directly under the Commission to review, as before, ASLB decisions, and give its recommendations to the Commission, (2) allow any generic issue resolved in an initial licensing proceeding to be codified, allowing a 45 day comment period, (3) allow an intervenor to participate in discussing only those items he or she introduced, and (4) reinstate the immediate effectiveness of an ASLB decision on an operating license, construction permit, or work authorization.

The proposals, submitted by the Commission's Regulatory Reform Task Force, represent suggestions for improving the reactor licensing process. The Commission is seeking public comment on the proposals before deciding whether it should consider adopting any or all of them. Although they are in the form of proposed rules, the proposals may change in light of the comments received. It is not possible to state how the various issues presented will be addressed through rulemaking.

Agency Contact: James R. Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 301 492-7678

RIN: 3150-AB04

40. RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS: ROLE OF NRC STAFF IN ADJUDICATORY LICENSING HEARINGS

Legal Authority: 42 USC 2201; 42 USC 2231

CFR Citation: 10 CFR 2

Abstract: The Commission is considering amending its Rules of Practice concerning what role the NRC staff should have in adjudicatory licensing hearings to most effectively contribute to the protection of the public health and safety. This notice invites public comments and suggestions on four options and related questions, briefly described below. Option 1 would limit staff participation in contested initial licensing proceedings to only those controverted factual issues it disagrees with on a technical basis or rationale. This option is similar to the proposal of a Part 2 unpublished rule (3150-AB08), "Participation of the NRC Staff in Initial Licensing Proceedings," published in NRC's October-December 1983 agenda. Option 2 would require the NRC staff to supply the Commission and the Licensing Board with its views and analyses on every substantive issue raised in an initial licensing proceeding but would prohibit the staff's participation in any procedural matter. Option 3 would retain status quo, i.e., the NRC staff would participate as full party on all issues. Option 4 would expand public involvement in the prehearing stage of initial licensing proceedings, and (cont)

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Extended to 01/03/84		48 FR 54243
ANPRM	11/02/83	48 FR 50550
ANPRM Comment Period Begin	11/02/83	48 FR 50550
ANPRM Comment Period End	12/02/84	

Small Entity: No

Additional Information: ABSTRACT CONT: this option could be used in conjunction with any of the first three options. The staff would subsequently address each substantive issue raised in the Safety Evaluation Report.

The ANPR seeks to address what role is appropriate for the NRC staff in adjudicatory licensing proceedings, taking into account such factors as the staff's obligation to protect the public health and safety, the effective use of staff resources, and public perception of the staff's role. It is one of the reforms suggested by the Commission's Regulatory Reform Task Force, which the Commission has indicated should receive expedited treatment. Alternatives to rulemaking could include a policy statement or no action, depending on the option chosen. The possible means of addressing this issue through rulemaking are discussed above. The effects of the rulemaking, including benefits and costs, will depend on the option chosen. NRC resources needed for this rulemaking are estimated at 500 staff hours.

Agency Contact: James R. Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, 301 492-7678

RIN: 3150-AB42

41. STANDARDS FOR PROTECTION AGAINST RADIATION

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2095; 42 USC 2111; 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2273; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 20

Abstract: The advance notice of proposed rulemaking seeks comments on a proposal to completely revise NRC's standards for protection against radiation (Part 20). This regulation

applies to all NRC licensees and establishes standards for protection against radiation hazards under licenses issued by the NRC. Incorporated into the Part 20 revision is a proposed rule previously published under the title "Procedures for Picking Up, Receiving, and Opening Packages," which will broaden the requirements for monitoring packages used to transport radioactive material and thus provide increased radiological protection for transportation workers and the general public. The proposed revision reflects a comprehensive and systematic review of Part 20 and incorporates current standards for radiation protection into the revised regulation.

Timetable:

Action	Date	FR Cite
ANPRM	03/20/80	45 FR 18023
ANPRM Comment Period Begin	03/20/80	45 FR 18023
ANPRM Comment Period End	06/18/80	
NPRM	10/01/84	

Small Entity: Yes

Agency Contact: Robert E. Baker, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4570**

RIN: 3150-AA38

42. ACCREDITATION OF PERSONNEL DOSIMETER PROCESSORS

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2095; 42 USC 2111; 42 USC 2134; 42 USC 2201; 42 USC 2273; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 20

Abstract: The notice of proposed rulemaking seeks comment on a proposal to add amendments to 10 CFR Part 20 that would improve the accuracy and consistency of reported occupational radiation dose measurement by requiring proficiency tests of dosimetry processors who perform dosimetry for NRC licensees. The proposed amendments would require NRC licensees to have personnel dosimeters (devices carried or worn by each radiation worker to measure radiation exposure received during work) processed by a dosimetry service that is accredited by NBS/NVLAP. The Commission considered five alternatives for establishing a regulatory program intended to improve personnel dosimetry processing. These alternatives included: no change in current requirements; requiring licensees to participate in performance testing without specifying a testing laboratory; requiring licensees to participate in performance testing conducted by an NRC-specified testing laboratory; a request from Congress for the authority for NRC to license personnel dosimetry processors directly; and requiring licensees to obtain dosimetry services from an NRC-operated or contracted dosimetry service. (cont)

Timetable:

Action	Date	FR Cite
ANPRM	03/28/80	45 FR 20493
ANPRM	05/12/80	45 FR 31118
Comment Period Begin		
ANPRM Comment Period End	06/27/80	
NPRM	01/10/84	49 FR 1205
NPRM Comment Period Begin	01/10/84	49 FR 1205
NPRM Comment Period End	03/12/84	

Next Action Undetermined

Small Entity: Yes

Additional Information: ABSTRACT CONT: An evaluation of estimated annual costs to the dosimetry processing industry resulting from an NRC rule requiring licensees to utilize dosimetry processors accredited under an NBS/NVLAP program was projected to be about $717,000. This would result in an estimated net annual increase in the cost of providing monitoring for each worker per year of $0.51, a 2.1% annual increase. The major benefit of the proposed rule would be increased accuracy and reliability of dose measurement to workers in licensed installations. Other benefits include continued assurance of personnel dosimeter processor competence with minimal NRC staff and resource allocation; formulation of a program that can easily be utilized by other agencies; value to the industrial licensee through legal credibility of a nationally-recognized accreditation program; and value to the worker through more accurate assignment of dose. The staff is currently analyzing the comments received on the NPRM.

Agency Contact: Don Nellis, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4588**

RIN: 3150-AA39

43. EMERGENCY PREPAREDNESS FOR FUEL CYCLE AND OTHER RADIOACTIVE MATERIALS LICENSEES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70; 10 CFR 72

Abstract: The advance notice of proposed rulemaking sought comments on a proposal that would increase emergency preparedness requirements for fuel cycle and other radioactive materials licensees with the potential for accidents involving radioactive materials that might involve exposures to the public in excess of EPA's protective action guides. The issues being considered in this rulemaking include--(1) Whether increased emergency preparedness is needed for various types of facilities; (2) Whether State and local plans are necessary; and (3) Whether FEMA should review emergency preparedness requirements.

Timetable:

Action	Date	FR Cite
ANPRM	06/03/81	46 FR 29712
ANPRM Comment Period Begin	06/03/81	46 FR 29712
ANPRM Comment Period End	08/03/81	
NPRM	02/00/85	

Small Entity: Yes

Analysis: Preliminary RIA 06/00/81

Agency Contact: Stephen A. McGuire, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7695**

RIN: 3150-AA41

44. DECOMMISSIONING CRITERIA FOR NUCLEAR FACILITIES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 51; 10 CFR 70; 10 CFR 72

Abstract: The advance notice of proposed rulemaking sought comment on a proposal to develop a more explicit policy for decommissioning

nuclear facilities. The proposal would provide more specific guidance on decommissioning criteria for production and utilization facility licensees and byproduct, source, and special nuclear material licenses. This action is intended to protect public health and safety and to provide the applicant or licensee with appropriate regulatory guidance for implementing and accomplishing nuclear facility decommissioning. Although it is planned to provide additional guidance through regulatory guides, it is necessary to amend the regulations in order to achieve appropriate assurances of funds for decommissioning. The major cost impact of the proposed rule would involve proper planning at all stages of nuclear facility operation. Proper planning includes providing for (1) financial assurance that funding will be available for decommissioning, (2) maintenance of records that could affect decommissioning, and (3) careful planning of procedures at the time of decommissioning. For the (cont)

Timetable:

Action	Date	FR Cite
ANPRM	03/13/78	43 FR 10370
NPRM	12/00/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: roughly 1500 non-reactor facilities affected by financial assurance requirements, it is estimated that the major impact will result in an overall expenditure of 85 man-years ($6.4 million) spread over 5 years.

For the approximately 80 operating reactors plus 75 research and test reactors, it is estimated that the major impact will result in an overall expenditure of 8.5 man-years ($638,000) spread over 3 years. These expenditures will ensure that adequate measures have been taken to protect the health and safety of occupational workers, the public, and the environment within the confines of optimum cost benefit consideration.

Analysis: Draft Environmental Statement 02/10/81 (46 FR 11666)

Agency Contact: Keith G. Steyer/Catherine Mattsen, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7910**

RIN: 3150-AA40

45. CERTIFICATION OF INDUSTRIAL RADIOGRAPHERS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 34

Abstract: The advance notice of proposed rulemaking would require all individuals who use byproduct material in the conduct of industrial radiography to be certified by a third party. Radiography licensees account for over 60 percent of the reported overexposures greater than five rems to the whole body. NRC regulations permit industrial radiographers to perform radiography independently. The NRC grants radiography licensees the authority to train and designate individuals competent to act as radiographers. The advance notice of proposed rulemaking seeks comment on a proposal that would enable NRC to verify the effectiveness of this training, thereby assuring that all radiographers possess adequate training and experience to operate radiographic equipment safely.

Timetable:

Action	Date	FR Cite
ANPRM	05/04/82	47 FR 19152
ANPRM Comment Period Begin	05/04/82	47 FR 19152
ANPRM Comment Period End	09/03/82	
Staff to withdraw Rule pending reexamination of problem	12/01/84	
Final Action	12/01/84	

Small Entity: Undetermined

Agency Contact: Bernard Singer, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4236**

RIN: 3150-AA43

46. ACCEPTANCE CRITERIA FOR EMERGENCY CORE COOLING SYSTEMS FOR LIGHT-WATER-COOLED NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 50

Abstract: The advance notice of proposed rulemaking seeks comment on several questions concerning the acceptance criteria for Emergency Core Cooling Systems (ECCS) in light-water-cooled nuclear power plants. Specifically, some of the questions to be commented on are (1) under what circumstances should corrections to ECCS models be used during licensing reviews without necessitating complete reanalysis of a given plant or an entire group of plants; (2) what would be the impact of the proposed procedure-oriented and certain specific technical rule changes; and (3) how should safety margins be quantified. The Commission is considering changing certain technical and nontechnical requirements within the existing ECCS rule. The technical changes would include consideration of new research information. The nontechnical changes would be procedure-oriented and would, among other things, allow for corrections to be made to vendor ECCS analysis codes during the construction review and during construction of the plant. (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/06/78	43 FR 57157
ANPRM Comment Period Begin	12/06/78	43 FR 57157
ANPRM Comment Period End	02/05/79	
NPRM	12/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: The changes would provide improvements to the ECCS rule which would eliminate previous difficulties encountered in applying the rule and improve licensing evaluation in the light of present knowledge, while preserving a level of conservatism consistent with that knowledge.

Agency Contact: Morton R. Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7616**

RIN: 3150-AA44

47. SEVERE ACCIDENT DESIGN CRITERIA

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: The advance notice of proposed rulemaking was published to provide the nuclear industry and the public an opportunity to submit advice

and recommendations to the Commission on what should be the content of a regulation requiring improvements to cope with degraded core cooling and with accidents not covered adequately by traditional design envelopes. The rulemaking proceeding will address the objectives of such a regulation, the design and operational improvements being considered, the effect on other safety considerations, and the costs of the design improvements compared to expected benefits. It is the Commission's intent to determine what changes, if any, in reactor plant designs and safety analysis are needed to take into account reactor accidents beyond those considered in the current design basis accident approach. Accidents under consideration include a range of loss-of-core-cooling, core damage, and core-melt events, both inside and outside historical design envelopes.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/80	45 FR 65474
ANPRM Comment Period Begin	10/02/80	45 FR 65474
ANPRM Comment Period End	12/31/80	
Policy Statement Comment Per. Beg	04/13/83	48 FR 16014
Policy Statement Comment Per. Ends	07/09/83	48 FR 16014

Next Action Undetermined

Small Entity: No

Agency Contact: Morton R. Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7616**

RIN: 3150-AA45

48. DESIGN AND OTHER CHANGES IN NUCLEAR POWER PLANT FACILITIES AFTER ISSUANCE OF CONSTRUCTION PERMIT

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: The advance notice of proposed rulemaking was published to seek comments on a proposal that would make the procedure for facility licensing more predictable by (1) defining more clearly the limitations on what changes a construction permit holder may make to a facility during construction and (2) controlling the ways a construction permit holder implements NRC criteria. The proposal is intended to improve the present licensing process and to develop specific descriptions of essential facility features to which a construction permit holder is bound.Existing and proposed improvements in the NRC's regulations and licensing procedures for nuclear power plants in the post-construction permit stage combined with cancellations and indefinite postponements of nuclear power plants have eliminated the need to continue this specific rulemaking proceeding.

Timetable:

Action	Date	FR Cite
ANPRM	12/11/80	45 FR 81602
ANPRM Comment Period Begin	12/11/80	45 FR 81602
ANPRM Comment Period End	02/09/81	
Final Action	11/00/84	

Small Entity: No

Agency Contact: James J. Henry, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7614**

RIN: 3150-AA46

49. MANDATORY PROPERTY INSURANCE FOR DECONTAMINATION OF NUCLEAR FACILITIES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: An advance notice of proposed rulemaking requested comments on the Long Report (NUREG-0891) entitled "Nuclear Property Insurance: Status and Outlook," in order to determine the adequacy of the NRC's property insurance requirements. This report, prepared by Dr. John D. Long, Professor of Insurance at Indiana University, was written as an outgrowth of the Three Mile Island-2 accident after it became apparent that nuclear utilities may need more property insurance than has previously been required. Based on comments responding to the advance notice, the staff prepared SECY-82-211, which forwarded a final rule entitled "Changes in Property Insurance Requirements for NRC Licensed Nuclear Power Plants" for the Commission's approval. The Commission did not accept certain recommendations made by the staff in the SECY paper, but instead directed the staff to increase the amount of insurance required and to evaluate the legal issues of Federal preemption of state prohibitions against utilities buying certain types of insurance and of a decontamination priority. A newly written proposed rule was submitted to the Commission July 28, 1984.

Timetable:

Action	Date	FR Cite
ANPRM	06/24/82	47 FR 27371
ANPRM Comment Period Begin	06/24/82	47 FR 27371
ANPRM Comment Period End	09/22/82	
Revised Rule submitted to the Commission	07/28/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Robert S. Wood, Nuclear Regulatory Commission, Office of State Programs, Washington, DC 20555, **301 492-9885**

RIN: 3150-AA47

50. MODIFICATION OF THE POLICY AND REGULATORY PRACTICE GOVERNING THE SITING OF NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 5842

CFR Citation: 10 CFR 50; 10 CFR 51; 10 CFR 100

Abstract: The advance notice of proposed rulemaking was published to seek comment on a proposal that would replace the existing reactor site criteria applicable to the licensing of nuclear power reactors with demographic and other siting criteria. The proposed rule would establish siting requirements that are independent of design differences between nuclear power plants. The proposed rule is intended to reflect the experience gained by the Commission since the original regulations on siting were published on April 12, 1962 (27 FR 3509). The proposed rule would ensure that Commission practices on nuclear power reactor siting afford sufficient protection to the public health and

safety. The ANPRM also sought public comment on seven of the nine recommendations contained in NUREG-0625, "Report of the Siting Policy Task Force." Development of this rule has been deferred pending a two-year-evaluation program of NRC safety goals and a comprehensive reassessment of the new radioactive source term.

Timetable:

Action	Date	FR Cite
ANPRM	07/29/80	45 FR 50350
NPRM	03/00/86	

Small Entity: No

Agency Contact: William R. Ott, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4615**

RIN: 3150-AA49

51. SEISMIC AND GEOLOGIC SITING CRITERIA FOR NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 5842

CFR Citation: 10 CFR 100

Abstract: The advance notice of proposed rulemaking was published to solicit public comment on the need for a reassessment of the Commission's criteria for the siting of nuclear power plants. The Commission determined that this action was necessary as a result of experience gained with application of current criteria and the rapid advancement in the state of the art of earth sciences. The NRC staff was particularly interested in finding out about problems that have arisen in the application of existing siting criteria. The public was invited to state the nature of the problems encountered and describe them in detail. The public was also asked to submit proposed corrective actions. Two petitions for rulemaking filed with the Commission, PRM-50-20 and PRM-100-2 will be addressed as part of this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/78	43 FR 2729
NPRM	12/00/87	

Small Entity: No

Agency Contact: Leon L. Beratan, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4370**

RIN: 3150-AA51

UNPUBLISHED RULES

52. ● REVISED RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841; 5 USC 552

CFR Citation: 10 CFR 0; 10 CFR 1; 10 CFR 2; 10 CFR 9; 10 CFR 50

Abstract: The Nuclear Regulatory Commission is proposing an amendment that would revise its procedural rules governing the conduct of all adjudicatory proceedings, with the exception of export licensing proceedings. The proposed rule would comprehensively restate current practice, retitle the hearing office, and revise and reorganize the Commission's procedural rules. The changes set out in this proposed rule are intended to enable the Commission to render decisions in a more timely fashion and reduce the burden and expense to the parties participating in the proceedings.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: B. Paul Cotter, Jr., Nuclear Regulatory Commission, Atomic Safety and Licensing Board Panel, Washington, DC 20555, **301 492-7787**

RIN: 3150-AB66

53. JURISDICTION OF ADJUDICATORY BOARDS

Legal Authority: 42 USC 2201; 42 USC 2241

CFR Citation: 10 CFR 1; 10 CFR 2

Abstract: The final rule would amend the Statement of Organization and Rules of Practice to make explicit the jurisdiction of NRC's adjudicatory boards in certain ancillary licensing matters which may arise in the course of an operating license proceeding for a nuclear power reactor. The amendments clarify the board's authority to decide issues related to a license application for the receipt of cold fuel at a reactor site prior to issuance of an operating license.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Agency Contact: William M. Shields, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, **301 492-8693**

RIN: 3150-AA53

54. SEPARATION OF FUNCTIONS AND EX PARTE COMMUNICATIONS IN ON-THE-RECORD ADJUDICATIONS

Legal Authority: 5 USC 554; 5 USC 557

CFR Citation: 10 CFR 2

Abstract: The proposed rule would amend the Commission's rules of practice regarding the separation of functions and ex-parte communications in on-the-record adjudications. The proposed rule would allow the Commission greater flexibility in communicating with its staff by relaxing the restrictions on Commission-staff communications in initial licensing cases. The proposal would permit Commissioners to consult with staff members who were not personally involved in the proceeding and who did not consult privately with interested persons outside the agency. The proposed rule is intended to provide the Commission with better access to the expertise of its staff. It would replace the two options suggested by the Regulatory Reform Task Force. It would also supersede a prior proposed rule entitled "Ex Parte Communications and Separation of Adjudicatory and Non-Adjudicatory Functions" published in the Federal Register on March 7, 1979 (44 FR 12428). This issue is one that the Commission has indicated should receive high priority. NRC resources needed for this rulemaking are estimated at 500 staff hours.

Timetable:

Action	Date	FR Cite
Previous NPRM	03/07/79	44 FR 12428
Next Action Undetermined		

Small Entity: No

Agency Contact: James R. Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, D.C. 20555, **301 492-7678**

RIN: 3150-AA00

55. REVISION OF BACKFITTING PROCESS FOR POWER REACTORS

Legal Authority: 42 USC 2021; 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2239; 42 USC 4332; 42 USC 4334; 42 USC 4335; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The ANPRM seeks public comment on a number of broad policy questions regarding the establishment of specific procedures for the long term management of the Commission's process for the imposition of new regulatory requirements for power reactors. This process, commonly referred to as "backfitting", includes both plant-specific and generic changes that are proposed for one or more classes of power reactors. The Commission intends, as the outcome of the proceeding, to replace its existing regulation (10 CFR 50.109) with a new rule.

Timetable:

Action	Date	FR Cite
ANPRM	09/28/83	48 FR 44217
ANPRM Comment Period End	10/28/83	
A summary of the public comments has been sent to the Commission	03/00/84	

Next Action Undetermined

Small Entity: No

Agency Contact: James Tourtellotte, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, **301 492-8693**

RIN: 3150-AA59

56. NONDISCRIMINATION ON THE BASIS OF SEX - TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED

Legal Authority: 42 USC 2201; 42 USC 5841; 20 USC 1681; 20 USC 1682; 20 USC 1683; 20 USC 1685; 20 USC 1686

CFR Citation: 10 CFR 4

Abstract: The proposed rule would implement the provisions of Title IX of the Education Amendments of 1972, as amended, that prohibit discrimination on the basis of sex in programs and activities receiving Federal financial assistance from the Nuclear Regulatory Commission. The proposed rule sets out the requirements necessary to comply with the legislation and the procedures to be followed by appropriate officials within the NRC in enforcing the requirements. The requirements of the proposed rule would apply to each recipient of Federal financial assistance from the NRC.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Analysis: Regulatory Analysis 02/00/84

Agency Contact: Edward E. Tucker, Nuclear Regulatory Commission, Office of Small and Disadvantaged, Business Utilization/Civil Rights, **301 492-7697**

RIN: 3150-AB53

57. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN NUCLEAR REGULATORY COMMISSION PROGRAMS

Legal Authority: 42 USC 2021; 42 USC 2201; 42 USC 5841; 29 USC 794; 29 USC 706

CFR Citation: 10 CFR 4

Abstract: The proposed rule would provide for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap, in programs or activities conducted by the Nuclear Regulatory Commission. The proposed rule would make it unlawful for the NRC to discriminate, on the basis of handicap, in employment or the conduct of its activities. The proposed rule would place the same obligations on the NRC that are placed on the recipients of Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Edward E. Tucker, Nuclear Regulatory Commission, Office of Small and Disadvantaged, Business Utilization/Civil Rights, Washington, DC 20555, **301 492-7697**

RIN: 3150-AB54

58. RETENTION PERIODS FOR RECORDS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 4; 10 CFR 11; 10 CFR 21; 10 CFR 25; 10 CFR 30; 10 CFR 31; 10 CFR 32; 10 CFR 34; 10 CFR 35; 10 CFR 40; 10 CFR 50; 10 CFR 60; 10 CFR 61; 10 CFR 70; 10 CFR 71; ...

Abstract: This proposed rule would establish a specific retention period for certain NRC-required records. It would also provide a uniform standard acceptable to the NRC for the condition of a record throughout a specified retention period. Further, the rule would establish throughout NRC regulations, with some exceptions, uniform retention periods of two years, five years, ten years, and the life of a license. This rule would bring NRC regulations into compliance with the Office of Management and Budget's (OMB) regulation (5 CFR 1320.6) that requires a specified retention period for each required record. It also implements NRC's 1982 commitment to OMB to establish a record retention period of determinable length for each required record. Amending twenty parts of NRC regulations to specify clearly what records to retain, how long to retain them, and the condition of a record useful for NRC inspection, will be mutually beneficial to applicants and licensees and to the NRC. Recordkeeping labor for NRC's approximately 6,700 licensees who would be affected by the rule can be divided into four functions: (1) preparing the report, (2) storing the report, (3) maintaining the report (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: files, and (4) retrieving the report information. The principal savings to the licensee, dispersed over the period licensed, would be in physical storage space and associated storage equipment and materials. The burden of recordkeeping would be

reduced approximately 10 percent annually for these licensees by the proposed rule. An estimated 466,323 hours associated with recordkeeping or $28,000,000 annually would be saved. Preparing and publishing this rule would cost NRC approximately 500 hours of staff time at $60 per hour for an estimated total of $30,000.

Agency Contact: Brenda Jo. Shelton, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, **301 492-8585**

RIN: 3150-AB43

59. LOWER RADIATION EXPOSURE LEVELS FOR FERTILE WOMEN

Legal Authority: 42 USC 2111; 42 USC 2201

CFR Citation: 10 CFR 19; 10 CFR 20

Abstract: The proposed rule would incorporate the intent of the recommendation of the National Council on Radiation Protection and Measurements (NCRP) in Report No. 39 that the radiation exposure to an embryo or fetus be minimized. It would help provide assurance that radiation exposures of fertile women and fetuses will be kept well within the numerical dose limits recommended by the NCRP without undue restriction on activities involving radiation and radioactive material. The proposed rule would amend NRC regulations to require licensees to instruct workers regarding health protection problems associated with exposure to radiation and radioactive materials by providing information about biological risks to embryos and fetuses. The proposed rule would also contain a Commission statement that licensees should make particular efforts to keep the radiation exposure of an embryo or fetus to the very lowest practicable level during the entire gestation period as recommended by the NCRP. The issue will be dealt with in the comprehensive revision of Part 20 to be issued as a proposed rule in October 1984.

Timetable:

Action	Date	FR Cite
Previous NPRM	01/03/75	40 FR 799
NPRM	10/01/84	

Small Entity: No

Agency Contact: Walter Cool, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4579**

RIN: 3150-AA07

60. CONFORMING AMENDMENTS TO PRENOTIFICATION, QUALITY ASSURANCE, AND PACKAGE MONITORING REQUIREMENTS

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42 USC 2233; 42 USC 2273; 42 USC 5842

CFR Citation: 10 CFR 20; 10 CFR 71

Abstract: The proposed amendments would revise the requirement for advance notification of waste shipments to provide a more uniform level of hazard at which the report is required. The proposed level of hazard is expected to conform to the level at which the Department of Transportation imposes motor vehicle routing requirements. The proposed amendments would also clarify which of the general licenses in 10 CFR Part 71 require quality assurance programs. The proposed amendments would also adjust the limits for package monitoring on receipt in 10 CFR 20.205 to conform to the new A1/A2 system of Part 71.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7878**

RIN: 3150-AB51

61. RESIDUAL RADIOACTIVE CONTAMINATION LIMITS FOR DECOMMISSIONING

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20; 10 CFR 30; 10 CFR 40; 10 CFR 70

Abstract: The proposed rule would establish residual radioactive contamination limits that must be met before buildings, structures, equipment, materials, and lands may be released for use on an unrestricted basis. Licensed facilities with residual levels of radioactive contamination below these limits would be eligible for unrestricted release and termination of the license. The proposed amendments are necessary to provide licensees with quantitative criteria to use in the decommissioning and cleanup of buildings, structures, equipment, materials, and lands used in NRC licensed activities. The proposed rule is intended to ensure that buildings, structures, equipment, materials, and lands used in NRC licensed activities will be decommissioned and decontaminated in a manner that protects public health.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Agency Contact: Don R. Harmon, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4566**

RIN: 3150-AB52

62. PERFORMANCE TESTING OF BIOASSAY LABS

Legal Authority: 42 USC 5841

CFR Citation: 10 CFR 20

Abstract: The proposed rule would require licensees, who provide bioassay services for individuals to assess internal radiation exposure, to use accredited laboratories after an accreditation program is established. The proposed rule would reduce unacceptable errors in measurements that have been revealed by programs designed to check the accuracy of laboratories that analyze materials for radioactivity. Thus, the accuracy and reliability of determinations of internal radiation exposure or intakes of radioactive material would be improved. An expert, primarily industry-based, committee of the Health Physics Society has written a draft standard. The draft standard has been revised to take into account early comments that the NRC solicited and received from industry. The NRC, in cooperation with the DOE, has established a performance testing study to test the standard, to provide the information necessary to complete the standard, and to design and set up an accreditation program. Results of Phase 1 of the study, involving tests of laboratory accuracy for measuring radioactivity in human excretion samples, have shown that ways must

be found for more uniform quality (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: control of analytical methods, or that some criteria of the standard may be more restrictive than appropriate for these kinds of analyses. The majority of persons in the affected industry still appear to favor a rule requiring accreditation (with testing) of laboratories providing radiobioassay services to NRC licensees. However, comments on the proposed rule, as well as further information to be obtained from the NRC-DOE study, will be used to determine the most cost-effective and reasonable manner for improving the measurements needed to determine internal radiation exposures.

Agency Contact: Allen Brodsky, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4394**

RIN: 3150-AA67

63. PROPOSED REVISIONS TO THE CRITERIA AND PROCEDURES FOR THE REPORTING OF DEFECTS AND NONCOMPLIANCE

Legal Authority: 42 USC 2201; 42 USC 2282; 42 USC 5841; 42 USC 5846

CFR Citation: 10 CFR 21; 10 CFR 50

Abstract: This proposed rule would amend Part 21 and Sec. 50.55(e) of Part 50, both of which require the reporting of safety defects by licensees. This effort was prompted by TMI Action Plan Task II,J. 4 and has as its main objectives: (1) elimination of duplicate reporting among all requirements, (2) consistent reporting among all reporting requirements, (3) establishment of uniform and clear definitions for defects which need to be reported, (4) establishment of uniform time limits within which a defect must be reported and evaluated and, (5) establishment of a uniform format for reporting of defects. Approximately 300 and 5000 reports are issued annually under Part 21 and Sec. 50.55(e) respectively. The reports identify plant specific safety concerns and potential generic safety concerns for further NRC followup. These reports form the basis for numerous NRC bulletins and information notices. This proposed rulemaking will reduce the potential for duplicate reporting and evaluation that now exists and will establish a more coherent regulatory framework that is expected to reduce industry and NRC burden in this area without sacrificing safety effectiveness. Alternatives to this (cont)

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: approach varied from establishment of a single rule for all reporting to maintaining a Status Quo for defect reporting. All alternatives were rejected since they would not result in any substantial improvement to the present regulatory framework. Current costs of reporting under Part 21 and 50.55(e) are estimated at $5,000,000 annually for industry and $2,600,000 annually for NRC evaluations. It is anticipated that industry reporting burden with the proposed rulemaking will be reduced by 219,750 hours or $2,570,000 while NRC burden should be reduced by 79,800 hours or $876,000. Additional burden to industry and NRC, while minimal, is anticipated in the areas of adherence to time schedules and enforcement, respectively.

Agency Contact: John Zudans, Nuclear Regulatory Commission, Office of Inspection and Enforcement, Washington, DC 20555, **301 492-8030**

RIN: 3150-AA68

64. ● ACCESS TO AND PROTECTION OF NATIONAL SECURITY INFORMATION AND RESTRICTED DATA

Legal Authority: 42 USC 2165; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 25; 10 CFR 95

Abstract: The proposed rule would incorporate a recently approved exception to the personnel security background investigation requirement for access to Communications Security (COMSEC) information, provide additional instruction for the processing of access authorization applications for immigrant aliens, and adopt a more flexible stance regarding the suspension of facility security approval for situations not directly endangering the common defense and security. These amendments are necessary to incorporate experience gained under the current regulations and implement an exception to current policy recently approved by the National Communications Security Committee.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Richard A. Dopp, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, **301 427-4549**

RIN: 3150-AB67

65. LICENSING OF SOURCES AND DEVICES

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2071; 42 USC 2092

CFR Citation: 10 CFR 30; 10 CFR 32; 10 CFR 40; 10 CFR 70

Abstract: The proposed rule would require manufacturers or distributors of sealed sources or devices containing sealed sources to obtain a license from the NRC prior to the initial transfer of the sealed sources or devices to specific licensees. The rule would also require manufacturers or distributors of sealed sources or devices to provide the NRC with information on such products relating to design, manufacture, testing, operation, safety and hazards as a condition for obtaining a license.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: Yes

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7878**

RIN: 3150-AB34

66. REVISION OF CONSUMER PRODUCT APPROVAL CRITERIA AND REGULATIONS

Legal Authority: 42 USC 2093; 42 USC 2111; 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40

Abstract: The Nuclear Regulatory Commission is currently reevaluating the policy, criteria, and regulations that govern the use of radioactive material in consumer products. This action was

taken in order to determine whether a proposed rule was needed to: (1) codify the NRC policy on consumer product approval criteria; (2) review and revise regulations in Part 30 providing exemptions for consumer products; (3) review, revise, and reorganize regulations in Part 40 providing exemptions for consumer products. The NRC has decided to terminate this rulemaking effort because (1) the consumer product approval criteria, although not codified, has been used satisfactorily for nearly 20 years, and (2) consumer product regulations appear, in most cases, to be adequate. However, the need for a proposed rule in this area will be re-considered after one year.

Timetable:

Action	Date	FR Cite
Final Action	12/00/84	

Small Entity: No

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7902**

RIN: 3150-AB37

67. FINANCIAL RESPONSIBILITY OF MATERIALS LICENSEES FOR CLEANUP AFTER ACCIDENTAL AND UNEXPECTED RELEASES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 61; 10 CFR 70; 10 CFR 72

Abstract: The advance notice of proposed rulemaking (ANPRM) seeks comments on the advisability of having NRC require a mechanism to assure financial capability on the part of certain NRC materials licensees (e.g., fuel fabricators and users of sealed radiation sources) to undertake prompt cleanup of accidental releases or contamination, both on and off site. The cited regulations do not address this responsibility. Estimates for cleanup costs in the recent past have ranged up to $2 million for a single event. To date, cleanup has been conducted by the state or Federal government, but frequently public monies are used only after lengthy delays. Use of an alternative, i.e., the 1980 Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), is effectively blocked by EPA policy. CERCLA provides funds for cleanup if the owner or operator is unable to do so and if the release is not covered by "Price-Anderson" provisions, which address liability and do not provide funds for cleanup per se. EPA maintains that NRC has full authority to require cleanup of accidental releases by licensees; thus, CERCLA public funds should not be used for this purpose. (cont)

Timetable:

Action	Date	FR Cite
ANPRM to States in 09/00/84		
ANPRM	09/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: Costs to licensees of the possible different financial assurance mechanisms are based on proprietary information. Staff is inviting comments in response to the ANPRM to address costs aspects, as well as scope of coverage and availability of alternative mechanisms.

Agency Contact: Mary Jo Seeman, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4647**

RIN: 3150-AB58

68. PERIODIC AND SYSTEMATIC REEVALUATION OF PARTS 30 AND 32

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 5846

CFR Citation: 10 CFR 30; 10 CFR 32

Abstract: The proposed rule would be an editorial revision of the regulations governing the domestic licensing of byproduct material and the exemptions from domestic licensing requirements. The proposed rule would reflect the application of good regulatory drafting practices. The proposed rule would simplify and clarify the format of the present regulations so that persons subject to byproduct material regulations can conveniently use and understand them. From the time of publication of the criteria for the periodic and systematic review of regulations in 10 CFR Chapter I on January 23, 1981 (46 FR 7388), through the present time, the NRC has amended or proposed to amend 10 CFR Parts 30 and 32 to such an extent that the NRC has met the objective of this Agenda entry, i.e., a comprehensive review of the regulations in 10 CFR Parts 30 and 32. Accordingly, there is no longer a need to continue this specific rulemaking proceeding.

Timetable:

Action	Date	FR Cite
Final Action	09/00/84	

Small Entity: No

Agency Contact: James J. Henry, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7614**

RIN: 3150-AA70

69. RADIATION SURVEYS AND IN-HOUSE INSPECTION SYSTEMS IN RADIOGRAPHY

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5841

CFR Citation: 10 CFR 34

Abstract: The proposed rule would require that the in-house inspection description in a radiography license application specify a method for inspecting each radiographer and radiographer's assistant's knowledge of applicable regulations, license conditions, and performance of established procedures at intervals not exceeding three months. This action is intended to further ensure that radiographic operations are conducted safely.

The cost of performing the inspection is estimated to be $432,960 per year for the entire industry. There is no impact on the NRC staff. The proposed rule would also require a licensee to perform and record a radiation survey of a radiographic exposure device made when storing the device after use instead of recording the results of the radiation survey made after the last exposure. This action, which is taken in response to petition for rulemaking (PRM-34-3) is intended to provide an acceptable procedure for assuring that the sealed source has been properly stored within the device.

Alternatives to rulemaking were considered including preparation of guidance recommending a time-of-storage survey or

Timetable:

Action	Date	FR Cite
Petition for Rulemaking (PRM-34-3)	11/23/82	47 FR 52722
NPRM	09/00/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: license condition. These approaches would not have a regulatory basis and also would not be adaptable by agreement states. Requiring an additional radiation survey at the time of storage provides additional assurance that accidental exposures will not occur to members of the public as well as workers. The cost of this survey requirement to the entire industry is estimated to be $541,200 annually. There are no additional recordkeeping costs. Impact on NRC staff is negligible since inspectors will review the time-of-storage survey record rather than the last use survey record. NRC staff time for processing this rule to final publication is estimated to be 0.4 staff-years.

Agency Contact: Donald O. Nellis, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4588

RIN: 3150-AB12

70. HUMAN USES OF BYPRODUCT MATERIAL

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 35

Abstract: The proposed rule would revise Part 35 to modify the process for licensing and regulating the medical use of radioactive byproduct material. Requirements that apply to medical licensees are scattered in the regulations, license conditions, the individual licensee's application, and licensing branch policy statements. The purpose of the proposed rule is to codify all requirements that apply to one or more medical user groups listed in the regulation. Although not urgent, the staff believes that the proposed rule will result in a clearer understanding of NRC requirements for all medical licensees. The only way to impose requirements on all licensees is by license condition or regulation; therefore no alternative action was considered. The essential elements of the current requirements have been codified in the proposed regulations. Because most of the requirements contained in this proposed regulation are currently imposed by regulation or license condition, there will be no significant cost savings or additional burden; the industry and NRC will benefit by having a clear, concise, complete regulation. (cont)

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	

Small Entity: Yes

Additional Information: The NRC will use about 0.3 staff-year to complete the proposed revision and forward it to the Commissioners for their consideration in the fall.

Analysis: Preliminary RIA 03/00/83

Agency Contact: Norman L. McElroy, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4108

RIN: 3150-AA73

71. ● PHYSICIAN'S USE OF RADIOACTIVE DRUG: SULFUR COLLOID

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5841

CFR Citation: 10 CFR 035

Abstract: The proposed rule would provide an exception to the NRC's requirement that a physician follow FDA approved labeling for (1) chemical and physical form, (2) route of administration, and (3) dosage range when using an FDA approved drug for a non-approved procedure. The proposed rule would allow a physician to use technetium-99m labeled "sulfur colloid" for gastroesophageal imaging without regard to the restrictions concerning FDA labeling.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Vandy L. Miller, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4232

RIN: 3150-AB72

72. LICENSES AND RADIATION SAFETY REQUIREMENTS FOR WELL-LOGGING OPERATIONS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 39

Abstract: The proposed rule would establish specific radiation safety requirements applicable to licensees who perform operations such as well-logging, mineral-logging, radioactive markers, and subsurface use of radioactive materials in tracer studies. The proposed rule is necessary because current NRC regulations address these operations in a general way without providing the specific guidance necessary to ensure that these operations are performed safely. As an alternative to the status quo, the proposed rule would adopt the requirements in the Suggested State Regulations for Control of Radiation Part W as new NRC regulations. The potential costs for industry to implement these requirements would be about $1,000,000/yr. However, because most of the requirement is already imposed by license conditions, the net increase in cost would be about $80,000 per year for the industry or about $500 per licensee. The proposed rule would establish a consistent, comprehensive set of requirements that would minimize the effort required to obtain reciprocity (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: for NRC licensees to operate in Agreement States or vice versa. The proposed rule would require about one professional staff-year effort by NRC.

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7902

RIN: 3150-AB35

73. GLASS ENAMEL AND GLASS ENAMEL FRIT CONTAINING SMALL AMOUNTS OF URANIUM

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 40

Abstract: The Nuclear Regulatory Commission is proposing an amendment that would remove provisions of its regulations that exempt the possession and use of glass enamel and glass enamel frit containing uranium from the licensing requirements applicable to source material. These materials are used as a glaze to produce brightly colored surfaces on consumer products such as cloisonne jewelry. The proposed amendment is necessary to prevent the unnecessary exposure to radiation that might be received by artists who use the materials or by consumers who use products containing the materials. The proposed rule would accomplish this by prohibiting the future domestic manufacture or importation of glass enamel and glass enamel frit containing small amounts of uranium unless specifically approved by the NRC. (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/30/84	49 FR 18308
NPRM Comment Period Begin	04/30/84	49 FR 18308
NPRM Comment Period End	06/29/84	
Final Action	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: On July 25, 1983 (48 FR 33697), the Nuclear Regulatory Commission suspended a portion of its regulations that provide an exemption from the licensing requirements applicable to the possession and use of source material. The suspended exemption covers glass enamel and glass enamel frit containing small amounts of source material. The suspension remains in effect until June 30, 1985 or until the completion of this rulemaking proceeding, whichever comes first.

Agency Contact: Anthony N. Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7902**

RIN: 3150-AB49

74. URANIUM MILL TAILINGS REGULATIONS: CONFORMING NRC REQUIREMENTS TO EPA STANDARDS

Legal Authority: 42 USC 2014; 42 USC 2092; 42 USC 2093; 42 USC 2094; 42 USC 2095; 42 USC 2111; 42 USC 2113; 42 USC 2114; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2282; 42 USC 2021; 42 USC 5841

CFR Citation: 10 CFR 40

Abstract: The proposed rule would revise the Nuclear Regulatory Commission's regulations governing the disposal of uranium mill tailings to conform them to regulations recently published by the Environmental Protection Agency that set standards for protecting the environment from these wastes. The proposed rule would remove inconsistencies between NRC and EPA requirements and incorporate in NRC regulations the stability, radon release, and other provisions of the EPA standard not related to groundwater. This action is necessary to comply with provisions of the Uranium Mill Tailings Radiation Control Act and the NRC Authorization Act for FY 1983; therefore no alternatives to this action need to be considered. EPA has estimated that compliance with their recently published regulations would cost the uranium milling industry from about $310 million to $540 million to dispose of all existing tailings and tailings to be generated by the year 2000. This includes the costs of the groundwater protection provisions which are to be addressed in future NRC rule changes. The EPA regulations are binding on NRC licensees in the interim. The final rule should be in place within 6 months after (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: publication of the proposed rule and require only nominal (less than 0.2 FTE) NRC staff resources.

Agency Contact: Kitty S. Dragonette, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4300**

RIN: 3150-AB50

75. EXTENSION OF CRIMINAL PENALTIES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: The proposed rule, in accordance with the provisions of the NRC Authorization Act for Fiscal Year 1980, would extend the application of the criminal penalties provision of the Atomic Energy Act (AEA) of 1954, as amended, to any individual director, officer, or employee of a firm constructing or supplying the components of a nuclear power plant who knowingly and willfully violates any NRC regulation, order, or license condition during construction of a nuclear power plant. Section 223(b) of the AEA essentially directs the Commission to establish a limit for potential unplanned off-site releases of radioactive material which would trigger consideration of possible criminal penalties. As directed in Section 223(b)(3), the proposed rule establishes, in its definition of a "basic component," the limits for potential unplanned releases of radioactive material that could trigger application of criminal penalties.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Colleen Ostrowski, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4580**

RIN: 3150-AA80

76. CODES AND STANDARDS FOR NUCLEAR POWER PLANTS (1983 EDITION, WINTER 1982 THROUGH SUMMER 1984 ADDENDA)

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2239; 42 USC 2282; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule would incorporate by reference the Winter 1982 Addenda, 1983 Edition, Summer 1983 Addenda, Winter 1983 Addenda, and the Summer 1984 Addenda of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel Code. The ASME Code sets standards for the construction of nuclear power plant components and specifies requirements for inservice inspection of those components. The ASME code requirements for nuclear power plants are set forth in Section III for construction permit holders and Section XI for operating plants. The proposed rule would include the most

recent changes made to the ASME Boiler and Pressure Vessel Code and permit the use of improved methods for construction and inservice inspection of nuclear power plants. Incorporating by reference the latest edition and addenda of the ASME Code will establish the NRC staff position on these Code rules on a generic basis, thereby minimizing the need for case-by-case evaluations and reducing the time and effort required for applicant/licensee submittal preparations and staff license reviews.

Timetable:

Action	Date	FR Cite
NPRM	11/19/84	

Small Entity: No

Agency Contact: Gilbert C. Millman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7860**

RIN: 3150-AA83

77. RADON AND TECHNETIUM ESTIMATES FOR TABLE S-3

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 50; 10 CFR 51

Abstract: In a Federal Register notice published on April 14, 1979 (43 FR 15613) the Commission deleted the radon-222 value from Table S-3 because it was recognized to be underestimated. Table S-3 had not shown a separate estimate for technetium-99, but included it in the category of "Other Fission Products. Pending rulemaking action to provide new estimates for radon-222 and technetium-99 in Table S-3, the environmental effects of these radionuclides are subject to litigation in individual nuclear power plant licensing proceedings. The purpose of the proposed rule would be to deal with this question generically for all nuclear power plants, thus saving the time and cost of repetitive consideration of the effects of radon-222 and technetium-99 in individual nuclear power plant licensing proceedings. The only alternative to generic treatment of the environmental impacts of Rn-222 and Tc-99 is to continue to allow these environmental impacts to be brought into litigation in individual licensing cases. By the proposed rulemaking action, new estimates for the environmental releases of RN-222 and Tc-99 will be added to Table S-3. (cont)

Timetable:

Action	Date	FR Cite
U.S. (D.C. Circuit Court) Invalidates Table S-3	04/27/82	
NRC Appeal to Supreme Court Filed	09/27/82	
Supreme Court Reverses Decision	06/06/83	
EPA's New Standards Promulgated	10/01/83	
Revise NRC's Milling Regulations	09/30/84	
New Emissions Estimate for Table S3	12/31/84	

Small Entity: No

Additional Information: and the narrative explanation of Table S-3 will be modified accordingly. This will complete Table S-3 and will remove all environmental impacts of the uranium fuel cycle from further consideration and litigation in individual nuclear power plant licensing cases.

This rulemaking action will not impose additional work or requirements on the public, the industry, license applicants, or the Commission staff. It will reduce the time required and the effort needed to complete nuclear power plant licensing proceedings. NRC resources to develop the rulemaking are estimated to be 0.5 FTE scientific staff, with no contractual support.

Estimates of technetium-99 releases and their environmental impacts have been given in individual nuclear power plant licensing proceedings and upheld by the hearing boards.

Agency Contact: William E. Thompson, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, **301 427-9024**

RIN: 3150-AA87

78. GENERAL DESIGN CRITERION ON HUMAN FACTORS

Legal Authority: 42 USC 2201; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule would establish a new general design criterion on human factors considerations. The specific factors to be addressed include operability, surveillance, maintainability, and human engineering criteria. The revised human factors criterion is necessary because post-TMI reviews and operating experience indicate that the human factors discipline is rarely applied when needed at the design and construction stage. Alternatives to the proposed criterion are described in the Regulatory Analysis and include: (1) continuation of the current ad hoc requirements; (2) modification to specific existing criteria in 10 CFR Part 50, Appendix A; and (3) delaying action until the development of an industry standard and preparing a regulatory guide to document the NRC position.

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Agency Contact: James P. Jenkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7657**

RIN: 3150-AB13

79. STATION BLACKOUT

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: NRC is proposing to amend its regulations to require light water nuclear power plants to be capable of withstanding a total loss of alternating current (AC) electrical power to the essential and nonessential switchgear buses called Station Blackout for a specified duration. A proposed regulatory guide, to be issued at the same time as the proposed rule, would provide guidance on how to determine the duration.

The proposed requirements were developed in response to information generated by the Commission's study of Unresolved Safety Issue A-44, Station Blackout. The proposed rule is intended to provide further assurance that a loss of both off-site and emergency on-site electric AC power systems will not adversely affect the public health and safety.

A regulatory analysis has been prepared for the proposed rule. The estimated public risk reduction is 530,000 person-rem over 25 years; the

estimated total cost for industry to comply with the proposed rule is $150 million; and the overall value-impact ratio is about 3,900 person-rem per million dollars. (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT: The alternatives to this proposed rulemaking are to take no action or to provide only guidance for plants to be able to cope with a station blackout period. The former alternative would not yield any deduction in public risk from station blackout events. Since there is presently no requirement for nuclear power plants to be able to cope with a total loss of AC power, the guidance in the later alternative would not have any basis in existing regulations. The proposed rule is the recommended alternative based, in part, on the favorable value-impact ratio.

Resources and scheduling requirements to complete development and promulgation of the proposed rule are estimated to be approximately 2.5 professional staff years over the next 18 months.

Agency Contact: Alan Rubin, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, **301 492-8303**

RIN: 3150-AB38

80. PRIMARY REACTOR CONTAINMENT LEAKAGE TESTING FOR WATER-COOLED POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed revised rule would update and revise the 1973 criteria for preoperational and periodic pressure testing for leakage of primary and secondary containment boundaries of water-cooled power reactors. Problems have developed in application and interpretation of the existing rule. These result from changes in testing technology, test criteria, and a relevant national standard that needs to be recognized. It is proposed to revise the rule as noted to make it current and improve its usefulness. The benefits anticipated include elimination of inconsistencies and obsolete requirements, and the addition of greater usefulness and a higher confidence in the leak-tight integrity of containment system boundaries under post-loss of coolant accident conditions. The majority of the effort needed by NRC to issue the rule has already been expended. Still remaining are resolution of issues peripheral to, but important to, the rule, presentation of the proposed rule for public comment and integration of appropriate public comments.

Timetable:

Action	Date	FR Cite
NPRM	02/00/85	

Small Entity: No

Agency Contact: Gunter Arndt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7860**

RIN: 3150-AA86

81. PERSONNEL ACCESS AUTHORIZATION REQUIREMENTS FOR NUCLEAR POWER PLANTS (PART OF INSIDER PACKAGE)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50; 10 CFR 73

Abstract: The proposed rule would require nuclear power plant licensees and applicants to establish an access authorization program for individuals requiring unescorted access to the protected and vital areas of nuclear power plants. On March 17, 1977, the NRC published in the Federal Register (42 FR 14880) a proposed rule that would establish an unescorted access authorization program for individuals who have access to or control over special nuclear material (SNM) at both nuclear reactors and fuel cycle facilities. Written comments were invited and received. On December 28, 1977, the NRC published a notice of public hearing (42 FR 64703) on the proposed rulemaking. Subsequently, the NRC established a Hearing Board to gather additional testimony. As a result of information gathered at the public hearing and its own examination of the proposed access authorization program, the Hearing Board recommended publication of a final rule, based on the 1977 proposed rulemaking, for fuel cycle facilities and transportation licensees only. (The final rule was published on November 21, 1980; 45 FR 76968.) The Hearing Board further recommended that a new access authorization program be (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30726
NPRM Comment Period Begin	08/01/84	49 FR 30726
NPRM Comment Period End	12/07/84	

Small Entity: No

Additional Information: ABSTRACT CONT: established for and administered by nuclear power plant licensees. The proposed rule will provide for this program and will include personnel screening to determine the suitability of an employee to be permitted unescorted access to either protected or vital areas of nuclear power plants. The staff briefed the Commission on the proposed rulemaking on October 4, 1983. As a result, the staff was directed by the Commission to investigate alternatives to the various access authorization program elements. It is expected that the staff will provide the revised rule package to the Commission by March 15, 1983. The screening program would cost each individual applicant and licensee approximately $155,000 initially and $300,000 per year thereafter.

Agency Contact: Kristina Z. Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7687**

RIN: 3150-AA90

82. TRAINING AND QUALIFICATIONS OF NUCLEAR POWER PLANT PERSONNEL AND OPERATORS' LICENSES

Legal Authority: 42 USC 2137; 42 USC 2201; 42 USC 5841; 42 USC 10226

CFR Citation: 10 CFR 50; 10 CFR 55

Abstract: The Nuclear Regulatory Commission is proposing to amend its regulations to (1) require each holder of and each applicant for a license to operate a commercial nuclear power plant to establish and use a systems approach in developing training programs and establishing qualifications requirements for civilian nuclear power plant operators, supervisors, technicians, and,

appropriate, operating personnel; (2) clarify the regulations for the issuance of licenses to operators and senior operators; (3) revise the requirements and scope of written examinations and operating tests for operators and senior operators; (4) codify procedures for the administration of requalification examinations; and (5) describe the form and content for operator license applications. The proposed rule is necessary to meet NRC responsibilities under Section 306 of the Nuclear Waste Policy Act of 1982. A regulatory analysis was performed which shows a public risk reduction of 268,000 person-rem at a cost of $240.4 million dollars resulting in a value/impact ratio of 1,100 person-rem/$million. The major alternative considered was guidance rather than (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	
Final Action	11/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: regulation. The total safety impact would have been lower if this alternative were chosen. Coordinated industry objections to the rulemaking were the subject of a Commission meeting on April 9, 1984. Industry's proposal was for an NRC policy rather than a rule. Staff is going forward with a proposed rule for Commission consideration, because a Policy Statement would not be enforceable. However, in view of industry objections, staff will propose inclusion in the rule of the INPO Accreditation Program as the major means of fulfilling the rule requirements. Resources and scheduling requirements to complete development and promulgation of the proposed rule are estimated to be approximately 1.5 professional staff years over the next 18 months.

Agency Contact: Julius Persensky, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, 301 492-4892

RIN: 3150-AA88

83. COMMUNICATIONS PROCEDURES AMENDMENTS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50

Abstract: This proposed rule would amend the regulations which establish the procedures for submitting correspondence, reports, applications, or other written communications pertaining to the domestic licensing of production and utilization facilities.

The proposed amendments are expected to resolve confusion regarding submittal procedures and improve the communication process with the affected applicants and licensees.

The proposed amendments would (1) simplify the procedures for making Part 50 submittals to the NRC; (2) facilitate the timely dissemination of Part 50 submittals to NRC staff; (3) reduce postage and copying costs for applicants and licensees by requiring fewer copies of submittals; (4) establish a central NRC receipt point for Part 50 submittals; (5) include the NRC Resident Inspectors in the formal communications; and (6) supersede all outdated submittal directions contained in other sources of submittal guidance, such as Regulatory Guide 10.1 (Revision 4) and NRR Generic Letter 82-14. Although these documents addressed the problem, they did not entirely resolve the confusion. Moreover, subsequent changes in the (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: organizational structure of NRC were not reflected in the guidance documents.

The current regulations also cause unnecessary delays in the dissemination of information to NRC staff. For example, any document submitted to an NRC Regional Office will not usually be disseminated to NRC Headquarters staff until two weeks later.

These problems can be resolved only by amending 10 CFR Part 50, since the current regulations are the source of the problems. The proposed rule is expected to reduce postage and copying costs for licensees and applicants subject to 10 CFR Part 50. An annual savings of $140,000 is estimated. In addition, the NRC is expected to realize a small savings in postage costs. Preparing and publishing this rule would cost NRC approximately 320 hours of staff time at $60 per hour for a total of $19,200.

Agency Contact: Michael D. Collins, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, 301 492-4955

RIN: 3150-AB61

84. ADDITIONAL SCRAM SYSTEM REQUIREMENT FOR WESTINGHOUSE NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule would require an improvement in the design of light-water-cooled nuclear power plants manufactured by Westinghouse. A specific provision contained in the proposed rule requires the installation of a diverse scram system from sensor output to interruption of power to the control rods. The NRC staff estimates that the proposed scram system would cost all affected licensees and CP holders combined a total of $50 million. The benefit of the proposed action is that the diverse scram system would reduce the likelihood of an accident if the existing reactor protection system fails to shut down the reactor following an anticipated transient. The regulatory analysis for this is contained in SECY-83-293. One alternative to adoption of the proposed rule would be to accept the risk of ATWS after the modifications required by the recently issued final rule (40 FR 26086) are implemented. Another alternative would be to adopt a reliability assurance program as recommended in the preamble of the ATWS final rule. (See 3150-AA19).

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Analysis: Preliminary RIA 08/00/83

Agency Contact: David W. Pyatt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7631

RIN: 3150-AB29

85. ● EXPERIENCE REQUIREMENTS FOR SENIOR OPERATORS AT NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5843; 42 USC 10152; 42 USC 10155; 42 USC 10226

CFR Citation: 10 CFR 50

Abstract: The NRC is proposing to amend its regulations to require (1) that all applicants for a senior operator's license have been licensed as an operator for at least one year, including 250 hours at the controls of an operating commercial nuclear power plant; and (2) that each shift have at least one senior operator who has served as a licensed senior operator at an operating commercial nuclear power plant for one year. The amendment would promote the protection of the health and safety of the public by improving the capability of the plant staff to detect and respond to unanticipated occurrences under the direction of experienced senior members of the licensed operating crew. The lack of operating experience of members of the shift crew has been found to be a problem at new plants. The proposed rule will ensure consistent and minimum levels of operating experience for all senior licensed operators who are responsible for directing the activities of other members of the shift crew. Implementation of the proposed rule would be required two years after publication of the final rule.

A regulatory analysis is being prepared to compare (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	
Final Action	10/00/85	

Small Entity: No

Additional Information: ABSTRACT CONT: several alternatives to the proposed rule. Alternatives to be evaluated as part of the regulatory analysis include (1) the base case, i.e., current experience requirements for senior licensed operators as specified in the H.R. Denton letter to all licensees of March 28, 1980; (2) the proposed amendment to 10 CFR 50; (3) NRC endorsement of an industry proposal on operating crew experience and qualifications presented to the Commission on February 24, 1984; and (4) revisions to Regulatory Guide 1.8, "Personnel Qualification and Training for Nuclear Power Plants." Resources and scheduling requirements to complete development and promulgation of the proposed rule are estimated to be approximately 1.2 professional staff years over the next 18 months.

Agency Contact: Jennifer Koontz, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, **301 492-8682**

RIN: 3150-AB64

86. EXTENSION OF CONSTRUCTION COMPLETION DATE

Legal Authority: 42 USC 2235

CFR Citation: 10 CFR 50

Abstract: The proposed rule would clarify the provision of Section 50.55(b) which describes both the procedure for renewal of a construction permit for a nuclear power plant following its expiration (a showing of "good cause") and the circumstances under which the Commission will consider granting a request for an extension of a construction completion date. The proposed rule would also address two essentially identical petitions for rulemaking filed with the Commission by the State of Illinois (PRM-50-25) and the Porter County Chapter of the Izaak Walton League of America, et al. The petitioners requested that Section 50.55(b) be amended or rescinded, and that the Commission promulgate a regulation which would not limit a "good cause" showing to the reasons why construction was not completed before the latest completion date specified in the construction permit.

Timetable:

Action	Date	FR Cite
NPRM	12/00/84	

Small Entity: No

Agency Contact: Linda S. Gilbert, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, **301 492-7678**

RIN: 3150-AB06

87. UPDATE OF TABLE S-4, PART 51

Legal Authority: 42 USC 2201; 42 USC 4332

CFR Citation: 10 CFR 51

Abstract: Table S-4 helps provide a means for meeting the NEPA requirements for an environmental assessment at the construction permit stage of a new reactor. The technical basis for this table, WASH-1238, was published in 1972. A revised and updated version of WASH-1238 (NUREG/CR-2325) that includes current transportation data and impacts was published in December 1983. In addition, staff calculations are available on the impacts of the higher burnups and increased enrichments currently in use in many reactors. The proposed rule would amend Table S-4 to include the impacts from these two studies and ensure that the table reflects the current environmental impacts. Prior to developing this rule, an Environmental Impact Assessment will be developed to satisfy the requirements of the National Environmental Policy Act of 1969.

Timetable:

Action	Date	FR Cite
NPRM	03/00/85	

Small Entity: No

Agency Contact: William R. Lahs, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7874**

RIN: 3150-AB36

88. REQUIREMENTS FOR SENIOR MANAGERS AT NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 5843; 42 USC 10152; 42 USC 10155; 42 USC 10226

CFR Citation: 10 CFR 50

Abstract: NRC is proposing to amend its regulations to require that licensees of nuclear power plants have on each shift a senior manager responsible for integrated management of shift operations who holds a bachelor's degree in engineering or a related physical science from an accredited institution, has five years nuclear power operating experience, and holds a senior operator's license. A schedule for implementation of this requirement would have to be submitted within six months of the effective date of the rule. The objective of the new senior manager position is to increase on-shift management involvement for all aspects of plant operations (e.g., maintenance, health physics, chemistry, operation, security). The amendment would promote the protection of the

health and safety of the public by (1) increasing management involvement in actual operations and (2) improving the plant operating staff's capabilities to detect an abnormal condition or an unanticipated occurrence and promptly and appropriately respond.

The proposed rulemaking was prepared in response to the Commission's direction to expedite resolution of the (cont)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT: degree on shift issue, and it is further addressed in TMI Action Plan Item I.A.2.6. and Human Factors Program Plan Item 1.2.

A regulatory analysis has been prepared which compares four alternatives to the existing base case. These are: (1) the proposed rule, eliminate the STA and implement a requirement for a senior manager in charge of integrated shift operations; (2) a degreed shift supervisor, eliminate the STA and implement a requirement for the shift supervisor to hold a bachelor's degree in engineering or a related science or the equivalent; (3) a shift engineer, replace the STA with a shift engineer position; and (4) no degree, eliminate the STA.

Agency Contact: Clare Goodman, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, **301 492-4894**

RIN: 3150-AB31

89. DISPOSAL OF HIGH-LEVEL RADIOACTIVE WASTES IN GEOLOGIC REPOSITORIES: PROCEDURAL AMENDMENTS

Legal Authority: 42 USC 2071; 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 5842; 42 USC 5846; 42 USC 2021a; 42 USC 5851; 42 USC 4332; 42 USC 10141; 42 USC 2273; 42 USC 2201(o)

CFR Citation: 10 CFR 60

Abstract: The proposed rule would revise procedures regarding NRC reviews of license applications for disposal of high-level radioactive wastes in geologic repositories. The procedures are being revised principally to conform to the provisions of the Nuclear Waste Policy Act of 1982. Specifically, the proposed rule would clarify that NRC begins its review in this licensing process after DOE provides NRC a site characterization plan and that usual rules of practice apply to licensing of these repositories. It would also provide that the NRC may publish a notice of receipt of a site characterization plan and a notice inviting comments on its analysis of a plan.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Enrico F. Conti, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4616**

RIN: 3150-AB47

90. FINANCIAL RESPONSIBILITY STANDARDS FOR LONG TERM CARE FOR LOW LEVEL WASTE DISPOSAL SITES

Legal Authority: 42 USC 10171

CFR Citation: 10 CFR 61

Abstract: The proposed rule would provide standards that would ensure that each licensee responsible for the disposal of low-level radioactive waste possess an adequate bond, surety, or other financial arrangement to permit completion of all requirements established by the Commission for decontamination, decommissioning, and site closure. Section 151 of the Nuclear Waste Policy Act authorizes the NRC to develop standards for financial arrangements for low-level radioactive waste site closure. Comments on the ANPRM will help define the nature and scope of the action. NRC resource scheduling is being developed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/85	

Small Entity: No

Agency Contact: Mary Jo Seeman, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4647**

RIN: 3150-AB57

91. MATERIAL STATUS REPORTS

Legal Authority: 42 USC 5841

CFR Citation: 10 CFR 70

Abstract: The NRC is amending its regulations in section 70.53 to require additional information, pertaining to inventory difference (ID) and limit of error in inventory difference (LEID) figures, to be included in the semiannual Material Status Reports. Licensees who will be affected by the proposed regulations are those who are authorized to possess at any one time special nuclear material (SNM) in a quantity exceeding one effective kilogram and operation of a nuclear reactor. In the past, this information has been sent voluntarily in narrative form to the Regional Offices as an attachment to the Material Status Reports. In conjunction with this rulemaking, the form that is used for the Material Status Reports is being updated to allow for the inclusion of the required additional information.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: No

Agency Contact: Sandra Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, **301 443-7680**

RIN: 3150-AB26

92. RULE TO AMEND THE TRANSPORTATION PROVISIONS PERTAINING TO THE SHIPMENT OF LOW SPECIFIC ACTIVITY (LSA) MATERIAL

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42 USC 2233; 42 USC 2273; 42 USC 5842

CFR Citation: 10 CFR 71

Abstract: The proposed amended rule would define two classes of LSA materials with specified shipping or packaging requirements. The two classes represent a consolidation of five classes of LSA materials and solid contamination objects (SCO) proposed in draft 1984 regulations of the International Atomic Energy Agency (IAEA). In addition, the proposed rule provides special consideration for the inherent safety associated with the shipment of solid, nonflammable objects which are not dispersible in water. A new requirement of the amended rule would impose a dose rate limit on LSA materials. This requirement, which is philosophically

consistent with the proposed IAEA regulations, is considered necessary to keep current and future LSA shipments within the envelope of safety originally conceived for such materials. This proposed rule would be responsive to PRM-71-1, PRM-71-2 and PRM-71-4.

Timetable:

Action	Date	FR Cite
NPRM	06/00/85	

Small Entity: No

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7878

RIN: 3150-AB33

93. ● INDEPENDENT STORAGE OF SPENT FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

Legal Authority: 42 USC 2021; 42 USC 2071; 42 USC 2073; 42 USC 2077; 42 USC 2093; 42 USC 2095; 42 USC 2099; 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 2236; 42 USC 2237; 42 USC 2282

CFR Citation: 10 CFR 2; 10 CFR 19; 10 CFR 20; 10 CFR 21; 10 CFR 51; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 75; 10 CFR 150

Abstract: The proposed rule will revise existing regulations to cover specific licensing requirements for the storage of spent nuclear fuel and high-level radioactive waste in a monitored retrievable storage installation (MRS). This revision is intended to ensure that the Commission has in place the appropriate regulations to fulfill the requirements contained in the Nuclear Waste Policy Act of 1982 concerning the licensing of facilities which could be part of the MRS program.

Timetable:

Action	Date	FR Cite
NPRM	11/00/84	

Small Entity: No

Agency Contact: Dennis W. Reisenweaver, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 443-7910

RIN: 3150-AB70

94. CLARIFICATION OF GENERAL PHYSICAL PROTECTION REQUIREMENTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: The general physical protection requirement for fixed sites (Sec. 73.40(a)) is being amended to clarify that the threat of either radiological sabotage or theft, or both, must be treated in a licensee's physical security plan in accordance with the more detailed requirements of other sections of 10 CFR Part 73 which apply to specific classes of licensees or specific types of material. This action is being taken because an Atomic Safety and Licensing Board, in a recent ruling, has made an interpretation of the general requirement which differs from the interpretation currently being applied. This action will clarify the Commission's policy regarding the rule's intent and will codify present application of the general physical protection requirement. No economic impact on a licensee will result from this action.

Timetable:

Action	Date	FR Cite
NPRM	09/00/84	

Small Entity: No

Agency Contact: Carl J. Withee, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4040

RIN: 3150-AB45

95. REPORTING REQUIREMENTS FOR SAFEGUARDS EVENTS

Legal Authority: 42 USC 2201; 42 USC 5842

CFR Citation: 10 CFR 73

Abstract: The proposed rule would amend reporting requirements of section 73.71 for reports of unaccounted for shipments, suspected thefts, unlawful diversion, and other safeguards events. The staff has found the present requirements confusing to licensees and, therefore, difficult for licensees to properly implement. These difficulties have contributed to safeguards event reports that lack uniformity and contain insufficient data for NRC analysis purposes. Safeguards event reporting requirements are necessary to permit timely response by the NRC to safeguards incidents and to identify possible generic deficiencies in safeguards systems. Until the requirements for reporting are clarified and simplified, the problems identified above will continue to exist. This is considered to be a matter of moderate urgency. An alternative to rulemaking is issuance of additional or revised guidance on the present requirement. However, such guidance would lack regulatory authority. Since the problems have arisen over the abstract nature of the present requirement, it appears the best solution is to correct the source of the problem by amending the existing rule. The proposed amendments (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/84	

Small Entity: No

Additional Information: ABSTRACT CONT: redefine, in clearer terms, the events to be reported and classify certain of these events into different reporting categories. The current 24 hour telephonic notification is deleted. All events would be either telephonically reported within one hour or logged in licensee records to be submitted to the NRC quarterly. Concurrent with the rule revision, a revised regulatory guide is being developed which provides a format for reporting to the NRC and gives examples of what types of events should be reported and under what category.

The public would benefit from the proposed rule because of the NRC's improved capability to assess safeguards adequacy at subject facilities. Cost impacts to the public are expected to be negligible. Benefits to licensees will be clearer, simpler regulations, a reduction in telephonic report-making, and use of standardized report formats. However, due to an increase in detail to reports, it is estimated that a net cost increase to industry of $495,000 will be incurred on an annual basis.

Agency Contact: Priscilla A. Dwyer, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4773

RIN: 3150-AB46

96. PHYSICAL PROTECTION REQUIREMENTS FOR INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS (ISFSIS)

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 73

Abstract: Requirements for the physical protection of spent nuclear fuel at independent storage sites are currently contained in 10 CFR 73.50. Those requirements were originally developed for a broad range of materials and facilities, and were not developed specifically for independent spent fuel storage installations. (ISFSIs). Preliminary studies, some of which are related to transportation and require extrapolations to fixed installations, indicate that some of the current requirements for ISFSIs may not be at the appropriate level. If ongoing assessments confirm that existing regulations should be changed to be more commensurate with the consequences of a sabotage attack, a proposed performance-oriented rule would be developed to allow licensees the flexibility of using the most cost-effective measures available to meet the regulatory requirements. The necessity and urgency of addressing this issue is because licensing the first ISFSI is scheduled to be completed in 1984 or 1985. An alternative to rulemaking is to continue use of the existing regulations, issuing exemptions and adding license conditions as necessary. (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: No

Additional Information: ABSTRACT CONT: In accordance with NRC Policy and Planning Guidance, rulemaking is to be utilized when numerous licensees are affected. As work on resolution of the technical issues continues, analyses regarding the effects of the rule on the public, industry and NRC will be developed. It will take about one year to publish a final rule after the Commission approves the proposed rule for publication. The estimated resources needed from now until a final rule is prepared are approximately 1-1/2 staff years.

Agency Contact: Frank Davis, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4765

RIN: 3150-AB27

97. CRITERIA FOR AN EXTRAORDINARY NUCLEAR OCCURRENCE

Legal Authority: 42 USC 2201; 42 USC 2210; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 140

Abstract: The proposed rule would revise the criteria the Commission currently follows in determining an extraordinary nuclear occurrence (ENO), in order to overcome the problems that were encountered following the Three Mile Island (TMI) accident when the present criteria were applied. The proposed criteria would focus on items that can be readily counted or estimated within a relatively short time following an accident (i.e., substantial release of radioactive material or radiation offsite and substantial exposure levels). The revised criteria will provide for speedy satisfaction of legitimate claims in the event of an ENO.

Timetable:

Action	Date	FR Cite
NPRM	09/01/84	

Small Entity: No

Agency Contact: Harold Peterson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 427-4578

RIN: 3150-AB01

NUCLEAR REGULATORY COMMISSION (NRC) Completed Actions

COMPLETED RULEMAKINGS

98. REGIONAL LICENSING PROGRAM; FURTHER IMPLEMENTATION

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70

Abstract: The final rule provides information concerning the further implementation of NRC's decentralized licensing program as the program applies to byproduct, source, and special nuclear material licensees. The final rule broadens the scope of the program in all regions to include the following additional types of material licensees: teletherapy, well-logging, industrial radiography, irradiators, nuclear pharmacies, medical product distribution, measuring systems, nuclear laundries, waste disposal service, general license distributions, and other smaller categories of nuclear materials licenses. The final rule is necessary to inform current and prospective NRC licensees of current NRC practices and procedures.

Timetable:

Action	Date	FR Cite
Final Action Effective	04/02/84	49 FR 19630
Final Action	05/09/84	49 FR 19630

Small Entity: Not Applicable

Agency Contact: Vandy L. Miller, Nuclear Regulatory Commission, Office of Nuclear Material Safety, and Safeguards, Washington, DC 20555, 301 427-4002

RIN: 3150-AB59

99. GENERAL STATEMENT OF POLICY AND PROCEDURES FOR ENFORCEMENT ACTIONS

Legal Authority: 42 USC 2014; 42 USC 2111; 42 USC 2114; 42 USC 2167; 42 USC 2273; 42 USC 2282; 42 USC 2901

CFR Citation: 10 CFR 2

Abstract: This final rule, which amends Appendix C to 10 CFR Part 2, provides minor revisions to NRC's enforcement policy based upon its experience to date in implementing the policy. The policy statement is intended to inform licensees and the public of the bases for taking various enforcement actions.

Timetable:

Action	Date	FR Cite
Final Action	03/08/84	49 FR 8583

Small Entity: No

Agency Contact: Jane A. Axelrad, Nuclear Regulatory Commission, Office of Inspection and Enforcement, Washington, DC 20555, **301 492-4909**

RIN: 3150-AB55

100. SOURCE MATERIAL TRANSFER REPORTS AND TRITIUM INVENTORY REPORTS

Legal Authority: 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 150

Abstract: The NRC is amending its requirements to lower the reportable quantity of source material transfers from 1,000 kilograms or more to 1 kg or more. It is necessary to lower the reportable quantity to fulfill the obligations of the US/IAEA Agreement, the US/Canadian and US/Australian Bilateral Agreements, and reporting of imports and exports as recommended in an IAEA Consultants Group meeting. This change will remove any existing inconsistency between the regulations and the reporting instructions. The NRC is also deleting the requirement that licensees submit reports concerning tritium inventories. The NRC has determined that the holdings of tritium in the U.S. are not sufficient to justify continued reporting of tritium inventories. The NRC does not believe that alternatives to these amendments are satisfactory. The NRC estimates that the total additional cost to all affected licensees will be $42,000. There will be no added costs to NRC.

Timetable:

Action	Date	FR Cite
NPRM	11/29/83	48 FR 53714
NPRM Comment Period Begin	11/29/83	
NPRM Comment Period End	01/30/84	
Final Action	06/15/84	49 FR 24705
Final Action Effective	07/16/84	49 FR 24705

Small Entity: No

Agency Contact: June P. Robertson, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 427-4004**

RIN: 3150-AB24

101. ANTICIPATED TRANSIENTS WITHOUT SCRAM (ATWS)

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The final rule presents two of three alternative regulatory programs designed to reduce the risk posed by accidents involving anticipated transients without scram (ATWS) events under consideration by the Commission. The third alternative is set out in a petition for rulemaking filed by twenty utilities (Electric Utilities Petition, PRM-50-29, published November 4, 1980; 45 FR 73080, and a supplement to the petition published February 3, 1981; 46 FR 10501). An ATWS event occurs when a nuclear reactor's shut down ("scram") system fails to function following a fault (transient event) in the reactor's normal heat dissipation function. A possible outcome of some ATWS accident sequences is the development of a mismatch between the power generated in the reactor and the controlled dissipation of that power. This power mismatch can threaten the integrity of the barriers that confine the fission products. A core meltdown accident, in some cases accompanied by a failure of containment and a very large release of radioactivity, is a possible outcome of some ATWS accident scenarios. (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/24/81	46 FR 57521
NPRM Comment Period Begin	11/24/81	46 FR 57521
NPRM Comment Period End	04/23/82	
Final Action	06/26/84	49 FR 26036
Final Action Effective	06/26/84	

Small Entity: No

Additional Information: ABSTRACT CONT: Thus, the Commission has determined that the consequences of some postulated ATWS accidents are unacceptable and has developed a final rule to address this important issue. Simultaneously, a proposed modification of the final rule applicable to plants with Westinghouse reactors would be published for comment. The Commission believes that the likelihood of severe consequences arising from an ATWS event during the two to four year period required to implement the rule is acceptably small. The implementation schedule contained in the rule balances the need for careful analysis and plant modifications with the desire to carry out the objectives of the rule as soon as possible. The NRC staff estimates that the final rule requirements will cost all affected licensees a combined total of $500 million. The benefit of the final rule is that the required systems will help prevent the occurrence of ATWS events and, given the occurrence of an ATWS, the consequences will be mitigated. The Commission approved the final rule on June 1, 1984.

Agency Contact: David Pyatt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7631**

RIN: 3150-AA19

102. FIRE PROTECTION FOR FUTURE PLANTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The final rule provides more comprehensive fire requirements for future nuclear power plants by consolidating the NRC fire protection guidelines and requirements for nuclear power plants into one enforceable document. The present requirements for fire protection at nuclear power plants are limited in that these requirements apply only to plants licensed prior to January 1, 1979. At the time when these effective regulations were approved, the Commission directed the staff to proceed with development of a comprehensive rule for plants licensed in the future. The Commission has approved a staff recommendation that preparation of the proposed comprehensive fire protection rule for new nuclear power plants be postponed until June 1984. This postponement will allow the staff to concentrate on processing the many Appendix R exemption requests. The results of relevant research and the exemption request resolution decisions will then be available to assure proper technical bases for the rule. The staff issued a report in July 1983 to the Commission which contained results of research completed to date and the status of exemption request reviews. Also, a second report making (cont)

Timetable:

Action	Date	FR Cite
Staff issued Report to Commission	07/05/83	
(SECY-83-269) (SECY-84-024)	01/23/84	
Final Action	03/26/84	

Small Entity: No

Additional Information: ABSTRACT CONT: specific recommendations regarding future rulemaking was sent to the Commission in January 1984.

In a memorandum dated March 26, 1984, the Commission accepted the Staff's recommendation that development of a proposed rule be terminated and that future plants be licensed using existing Standard Review Plan criteria.

Agency Contact: David P. Notley, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7946**

RIN: 3150-AA85

103. FREQUENCY OF EMERGENCY PREPAREDNESS EXERCISES FOR STATE AND LOCAL GOVERNMENTS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2239; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The final rule relaxes the frequency of State and local government participation in annual emergency preparedness exercises. The NRC staff has developed this rule to provide flexibility in the conduct of emergency preparedness exercises as a result of information gathered through past experience. The rule change retains the presently required annual exercise that licensees must conduct. However, the rule requires State and local government participation in emergency preparedness exercises every two years with a provision for remedial exercises to assure adequate correction of deficiencies. The NRC staff estimates that State and local governments would save approximately $200,000 for each exercise held in which they do not participate.

Timetable:

Action	Date	FR Cite
NPRM	07/21/83	48 FR 33307
NPRM Comment Period Begin	07/21/83	48 FR 33307
NPRM Comment Period End	09/19/83	
Final Action	07/06/84	49 FR 27733
Final Action Effective	08/06/84	

Small Entity: No

Agency Contact: Michael T. Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7615**

RIN: 3150-AB11

104. FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS; FACILITY FORM POLICY

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 140

Abstract: The final rule indicates that the text of the Facility Form policy, including any codified amendatory endorsement or change to the policy, is an example of a contract that has been "accepted" as evidence of financial protection but that other variations on the text would be considered by the Commission. This action is intended to remove the misimpression that the Commission requires its nuclear power reactor licensees to maintain financial protection containing the exact language presented in the text of the Facility Form policy. The final rule also contains two amendatory endorsements that modify certain definitions in the Facility Form policy, a standard secondary master policy form which is published for codification and which certain licensees are maintaining as secondary financial protection, and minor amendments conforming Part 140 to Pub. L. 94-197 and the Atomic Energy Act of 1954, as amended.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	03/04/83	48 FR 09284
NPRM Comment Period End	04/04/83	
NPRM	10/19/83	48 FR 48474
Final Action	03/26/84	49 FR 11146

Small Entity: No

Agency Contact: Ira Dinitz, Nuclear Regulatory Commission, Office of State Programs, Washington, DC 20555, **301 492-9884**

RIN: 3150-AB02

105. REVISION OF LICENSE FEE SCHEDULES

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 483

CFR Citation: 10 CFR 170

Abstract: The final rule amends the regulations to permit the NRC to charge fees for the actual cost incurred by the NRC for inspections and for review of applications, permits, licenses, amendments, renewals, and special projects, including topical and other reports. The revised schedule re-establishes a ceiling on maximum fees for most activities. The new fee schedule affects the licensing and inspection of nuclear power plants, other production or utilization facilities, vendors of nuclear power steam supply systems and materials, facilities engaged in uranium and plutonium fuel fabrication, uranium milling, leaching and refining operations, source material ore-buying and ion exchange activities, burial of radioactive waste, spent fuel cask and packaging approvals, and other users of critical quantities of special nuclear materials. It incorporates the proposed new Category 11.F schedule of fees for materials licenses published in the Federal Register as a proposed rule on March 31, 1980 (45 FR 20899).

Timetable:

Action	Date	FR Cite
NPRM	11/22/82	47 FR 52454
NPRM Comment Period Begin	11/22/82	47 FR 52454
NPRM Comment Period End	01/18/83	
NPRM Comment Period Extended	02/08/83	48 FR 03624
Final Action	05/21/84	49 FR 21293
Final Action Effective	06/18/84	

Small Entity: Yes

Agency Contact: William O. Miller, Nuclear Regulatory Commission, Office of Administration, Washington, DC 20555, **301 492-7225**

RIN: 3150-AB03

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

106. ● INDEPENDENT STORAGE OF SPENT FUEL AND HIGH-LEVEL RADIOACTIVE WASTE

Legal Authority: 42 USC 2021; 42 USC 2071; 42 USC 2073; 42 USC 2077; 42 USC 2093; 42 USC 2095; 42 USC 2099; 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 2236; 42 USC 2237; 42 USC 2282

CFR Citation: 10 CFR 2; 10 CFR 19; 10 CFR 20; 10 CFR 21; 10 CFR 51; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 75; 10 CFR 150

Abstract: The proposed would revise existing regulations to cover specific licensing requirements for the storage of spent nuclear fuel and high-level radioactive waste in a monitored retrievable storage installation (MRS) This revision is intended to ensure that the Commission has in place the appropriate regulations to fulfill the requirements contained in the Nuclear Waste Policy Act of 1982 concerning the licensing of facilities which could be part of the MRS program.

Timetable:

Action	Date	FR Cite
Withdrawn This rule duplicates AB70	09/01/84	
NPRM	11/00/84	

Small Entity: No

Agency Contact: Dennis W. Reisenweaver, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, D.C. 20555, **301 443-7910**

RIN: 3150-AB71

107. ● ABOLITION OF THE POSITION OF APPEAL PANEL VICE CHAIRMAN

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 2

Abstract: The Nuclear Regulatory Commission amended its regulations to abolish the position of permanent Vice Chairman of the Atomic Safety and Licensing Appeal Panel. The amendments authorize the most senior available full-time Appeal Panel member to perform certain functions previously performed by the Vice Chairman and to act for an Appeal Board on procedural matters in specified circumstances. These amendments will expedite assignment of appeal board members and certain procedural actions in the absence of certain Panel and Board members. This amendment alters agency procedures but will not affect NRC licensees or other parties to NRC proceedings.

Timetable:

Action	Date	FR Cite
Final Action	06/12/84	49 FR 24110
Final Action Effective	06/12/84	49 FR 24110

Small Entity: No

Agency Contact: Linda S. Gilbert, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, **301 492-7678**

RIN: 3150-AB62

108. ● CHARGES FOR THE PRODUCTION OF RECORDS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 9

Abstract: The Nuclear Regulatory Commission is amending its regulations by revising the charges for copying records publicly available at the NRC Public Document Room in Washington, DC. The amendments are necessary in order to reflect the changes in copying charges resulting from the Commission's award of a contract for the copying of records. In addition, the amendments would provide for any future change in copying charges to become immediately effective for the interim period pending completion of the Commission's rulemaking to establish the new charge.

Timetable:

Action	Date	FR Cite
NPRM	06/21/84	49 FR 25482
NPRM Comment Period Begin	06/21/84	49 FR 25482
NPRM Comment Period End	07/06/84	
Final Action	07/31/84	49 FR 30457
Final Action Effective	07/31/84	49 FR 30457

Small Entity: No

Agency Contact: Francis X. Cameron, Nuclear Regulatory Commission, Office of the Executive Legal Director, Washington, DC 20555, **301 492-8689**

RIN: 3150-AB74

109. ● CHANGES IN MAILING ADDRESS FOR SUBMITTALS OF PERSONNEL MONITORING REPORTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20

Abstract: The Commission amended its regulations that affect NRC licensees who are required to submit periodic personnel monitoring reports. The amendments reflect the transfer of the occupational radiation exposure data collection function to a different NRC office, thus requiring a change in the mailing address.

Timetable:

Action	Date	FR Cite
Final Action	06/14/84	49 FR 24513
Final Action Effective	06/14/84	49 FR 24513

Small Entity: No

Agency Contact: Barbara Brooks, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 427-4577**

RIN: 3150-AB68

110. † REVISED ACCESS AUTHORIZATION FEES FOR LICENSEE PERSONNEL

Legal Authority: 42 USC 2165; 42 USC 2201; 42 USC 5841; 31 USC 9701

CFR Citation: 10 CFR 25

Abstract: The final rule revises the fees charged to licensee personnel and others for access authorizations requested under 10 CFR Part 25. The revised fees reflect the costs of the current access authorization investigation charged to the NRC by the Office of Personnel Management plus a part of NRC's overhead associated with the processing of access authorization requests. This action is necessary to allow NRC to comply with OPM's recently modified fee schedule.

Timetable:

Action	Date	FR Cite
Final Action	08/13/84	49 FR 32171
Final Action Effective	08/13/84	

Small Entity: No

Agency Contact: Richard A.Dopp, Nuclear Regulatory Commission, Office of Administration, Washington DC 20555, **301 427-4549**

RIN: 3150-AB65

111. ● APPLICATION CONSOLIDATION TO NRC FORM 313; APPLICATION FOR MATERIAL LICENSE

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 33; 10 CFR 34; 10 CFR 35; 10 CFR 40

Abstract: The NRC is amending its regulations concerning the domestic licensing of source and byproduct material to provide for consolidation of five application forms into one simplified form for applications for material licenses. The consolidation simplifies the regional review process and provides an improved format for automatic data entry of information submitted.

Timetable:

Action	Date	FR Cite
Final Action	07/09/84	49 FR 27923
Final Action Effective	07/09/84	49 FR 27923

Small Entity: No

Agency Contact: Bernard Singer, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, 301 427-4236

RIN: 3150-AB73

[FR Doc. 84-24972 Filed 10-19-84; 8:45 am]

Monday
October 22, 1984

Part LIV

Securities and Exchange Commission

Semiannual Regulatory Agenda

SEC

SECURITIES AND EXCHANGE COMMISSION

17 CFR Ch. II

[Release No. 33-6547, 34-21287, 35-23410, 39-922, IC-14126 and IA-928; File No. S7-30-84]

Regulatory Flexibility Agenda and Rules Scheduled for Review

AGENCY: Securities and Exchange Commission.

ACTION: Publication of Regulatory Flexibility Agenda and rules scheduled for review.

SUMMARY: The Securities and Exchange Commission is today publishing an agenda of its open and anticipated rulemaking actions, pursuant to Chapter Six of the Administrative Procedure Act and Office of Management and Budget Bulletin 84-16. The agenda is intended to provide advance notice of rulemaking actions which may have a significant economic impact on a substantial number of small entities. The Commission is also publishing a list of rule reviews anticipated to be completed during the next twelve months. The Commission is seeking public comment on particular open or anticipated rulemaking actions identified in Part I of the agenda and on the identified rules scheduled for review.

DATE: Comments are due by December 31, 1984.

ADDRESSES: Persons wishing to submit written views should file three copies with Shirley E. Hollis, Acting Secretary, Securities and Exchange Commission, 450 5th Street, N.W., Room 6184, Stop 6-9, Washington, D.C. 20549. All submissions should refer to File No. S7-30-84, and will be available for public inspection at the Commission's Public Reference Room, Room 1026, at the same address.

FOR FURTHER INFORMATION CONTACT: Joseph A. Meiburger, Jr., Directorate of Economic and Policy Analysis, Securities and Exchange Commission, 450 5th Street, N.W., Room 7169, Stop 7-6, Washington, D.C. 20549 (202-272-7110). Additional names of persons to contact are identified with each entry.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act ("RFA") (Pub. L. No. 96-354, 94 Stat. 1164 (September 19, 1980)) requires each federal agency during April and October of each year to publish in the **Federal Register** a regulatory flexibility agenda identifying rules which the agency expects to propose, adopt or review which are likely to have a significant economic impact on a substantial number of small entities (the "significant impact criterion").[1] Part I of this agenda contains 47 entries for all open and anticipated rulemaking actions which may meet this criterion.

The RFA also requires the review of existing rules.[2] The Commission published in June 1981 a plan for the periodic review of all rules issued by the agency which may meet the significant impact criterion.[3] The plan provides for the review of all such rules in effect on January 1, 1981 within ten years of that date and for the review of such rules adopted thereafter within ten years of their adoption as final rules. The RFA further requires publication each year of a list of those rules which are to be reviewed during the succeeding twelve months.[4] Part II of the agenda contains 4 of these entries. Since the scope of the Commission's review of its rules extends beyond the requirements of the RFA, some rules listed in this part of the agenda may not be required to be reviewed. The Commission is identifying them here in order to inform the public of its intention to review them. Part III of the agenda identifies the 32 rulemaking actions and rule reviews which have been completed since the last RFA release was approved by the Commission on February 29, 1984.[5] The agenda relies on the definitions of the term "small entity" for purposes of the RFA which were adopted by the Commission for the various categories of regulated entities.[6]

The statute specifically provides that the publication of this regulatory flexibility agenda does not preclude the Commission from considering or acting on any matter not included therein, nor is the Commission required to consider or act on any matter which is included therein.[7] Furthermore, the inclusion of a rule in the Commission's regulatory flexibility agenda reflects only the staff's preliminary judgment that the rule, if promulgated, may have a significant economic impact on a substantial number of small entities. This preliminary judgment may be changed upon further development and analysis.

The Commission is incorporating a list of the agenda entries as a part of this release. The documents themselves (standardized data entry forms and computer printout pages) will be available in the Commission's public reference room (File S7-30-84, as noted above) and the text of these documents will be published in the **Federal Register** as part of the Unified Agenda on or before October 31, 1984, pursuant to the requirements of section 602(a) of the RFA as noted above. This listing follows.

The Commission invites public comment on its agenda of rulemaking actions and on the rules scheduled for review in 1984.

By the Commission.

September 5, 1984.

Shirley E. Hollis,

Acting Secretary.

BILLING CODE 8010-01-T

[1] 5 U.S.C. 602(a).

[2] 5 U.S.C. 610(a).

[3] Securities Act Release No. 6362 (June 24, 1981) (46 FR 33287).

[4] 5 U.S.C. 610(c).

[5] Securities Act Release No. 6515 (February 29, 1984) (49 FR 16726).

[6] Securities Act Release No. 6380 (January 28, 1982) (47 FR 5215).

[7] 5 U.S.C. 602(d).

SEC

Current and Projected Rulemakings

Sequence Number	Title	Regulation Identifier Number
1	17 CFR 239.14, (New) Proposed Form S-4 and Other Rules	3235-AA01
2	17 CFR Not yet determined Allocation of Expenses and Related Disclosure in Financial Statements of Subsidiaries, Divisions or Lesser Business Components of Another Entity	3235-AB17
3	17 CFR 210.1-02(v)(3) Rescission of Obsolete Rules and Technical Revisions and Corrections	3235-AA74
4	17 CFR 210.5-02 Proposals Regarding Industry Segment and Other Interim Financial Reporting Matters, Management's Discussion and Analysis, and Off Balance Sheet Financing Disclosures	3235-AB15
5	17 CFR 210.9-03(7)(e) Financial Statement Disclosure by Bank Holding Companies About Loans to Related Parties	3235-AB45
6	17 CFR 210.5-04 Proposed Rules and Guide for Disclosures Concerning Reserves for Unpaid Losses and Loss Adjustment Expenses for Property-Casualty Underwriters	3235-AA75
7	00 CFR Not yet determined Small Issuer Periodic Reports	3235-AA91
8	00 CFR Not yet determined Consents to Service	3235-AA56
9	17 CFR 230.100 to 230.180 General Rules under the Securities Act of 1933--The "100 Series"-- Rules 100 through 180 (excluding Rules 137, 138 and 139)	3235-AA52
10	17 CFR 230.137 Rule 137, 138, & 139 - Definition of "Offer for Sale" and "Offer to Sell" in Sections 2(10) and 5(c) in Relation to Certain Publications	3235-AB10
11	17 CFR 239.35 Proposed Form F-5 and Other Rules Relating to Disclosure in Connection with Business Combinations Involving Foreign Companies	3235-AB59
12	17 CFR 240.14a-1 to 240.14a-12 Regulation 14A -- Rules Relating to Proxy Contests	3235-AA03
13	17 CFR 240.14a-1 to 240.14a-12 Regulation 14A -- Solicitation of Proxies	3235-AA23
14	17 CFR 240.14c-1 to 240.14c-7 Regulation 14C -- Distribution of Information Pursuant to Section 14(c)	3235-AA24
15	17 CFR 240.16a-1 to 240.16a-11 Reports of Directors, Officers and Principal Stockholders	3235-AB14
16	17 CFR 260 Trust Indenture Act Rules	3235-AB43
17	17 CFR 229.401(f) Directors, Executive Officers, Promoters, and Control Persons	3235-AB50
18	*17 CFR 230.499 Temporary Rules and Forms for the Pilot Electronic Disclosure System	3235-AA77
19	17 CFR 240.3a4-1 Rule 3a4-1 -- Associated Persons of an Issuer Deemed to be Brokers	3235-AB53
20	17 CFR 240.3a12-9 Rule 3a12-9	3235-AB51
21	17 CFR 240.3b-9 Proposed Rule 3b-9: Applicability of Broker-Dealer Registration to Banks	3235-AB49
22	17 CFR 240.11A-1 Proposed Rule 11A-1-- Customer Order Exposure	3235-AA39
23	17 CFR 240.15c2-11 Securities Exchange Act Rule 15c2-11--Initiation or Resumption of Quotations Without Specified Information	3235-AA48
24	17 CFR 240.11Aa2-1 Rule 11Aa2-1 -- Designation of National Market System Securities	3235-AB52
25	17 CFR 240.17Ad-2(e) Rule 17Ad-2(e)	3235-AB13
26	17 CFR 240.17Ad-5 Rule 17Ad-5 -- Response to Inquiries	3235-AB12
27	00 CFR Not yet determined Exemption for Custody of Investment Company Assets Outside the United States	3235-AB48
28	00 CFR Not yet determined Mutual Fund Governance	3235-AA44
29	00 CFR Not yet determined Utilizing private entities in investment company examinations and imposing examination fees	3235-AA42
30	17 CFR 210.3-05 Registration of Investment Company Securities Issued in Business Combination Transactions	3235-AB42
31	17 CFR 230.180 Amendment to Rule 180 -- Exemption from Registration of Certain Interests and Participations in Certain H.R. 10 Plans	3235-AA08
32	17 CFR 239.14 Prospectus Simplification Amendments to Form N-2	3235-AB40
33	17 CFR 239.16 Simplification of Registration Statements Filed by Unit Investment Trusts	3235-AA47
34	17 CFR 240.14a-1 to 240.14a-102 Revision of Investment Company Proxy Rules	3235-AA69
35	17 CFR 270.2a-5 Amendment of Rule 2a-5 -- Certain Persons Not Deemed Interested Persons	3235-AA11
36	17 CFR 270.10b-1 Rule 2a-8 -- Definition of Regular Broker or Dealer	3235-AB39
37	00 CFR Not yet determined Proposed Rule 2a-41 (formerly designated Rule 2a-9) under the Investment Company Act	3235-AB38
38	17 CFR 270.3a-4 Proposed Rule 3a-4 -- Individualized Investment Management Services	3235-AA12
39	17 CFR 270.6c-1 Amendments to Rule 6c-1 (to be renumbered Rule 3a3-l) -- Exemption for Subsidiaries Organized to Finance the Operations of Domestic or Foreign Companies	3235-AA13
40	17 CFR 270.11a-3 Proposed Rules 11a-3 and 11a-4 Under the Investment Company Act	3235-AA14
41	17 CFR 270.17g-1 Proposed Amendment to Rule 17g-1 Under the Investment Company Act	3235-AA16
42	17 CFR 270.17j-1 Rule 17j-1 under the Investment Company Act of 1940	3235-AA68
43	17 CFR 270.22c-1 Pricing of Redeemable Securities for Distribution, Redemption and Repurchase	3235-AB58
44	17 CFR 270.22d-6 Proposed Rule 22d-6 Under the Investment Company Act	3235-AA17
45	17 CFR 240.13a-1 Amendments to Rules 30a-1 and 30a-2 under the Investment Company Act of 1940 and to Form N-SAR, Annual Report of Management Investment Company	3235-AB18
46	17 CFR 275.204-2 Rule 204-2 Under Investment Advisers Act of 1940 ("Adviser's Act") -- Books and Records to be Maintained by Investment Advisers	3235-AA18

*Indicates priority regulation.

SEC

Existing Regulations Under Review

Sequence Number	Title	Regulation Identifier Number
47	*17 CFR Not yet determined Registration of Partnership Interests	3235-AB47
48	17 CFR 240.14d-1 to 240.14d-101 Proposed Tender Offer Rule Amendments	3235-AA50
49	17 CFR 240.3a12-5 Rule 3a12-5 -- Exemption of Certain Investment Contract Securities from Sections 7(c) and 11(d)(1)	3235-AB56
50	17 CFR 240.12d1-3 Securities Exchange Act Rule 3b-1 -- Definition of "Listing"	3235-AB55
51	17 CFR 240.11d1-1 Rule 11d1-1 -- Exemption of Certain Securities from Section 11(d)(1)	3235-AB54
52	17 CFR 240.15c2-4 Rule 15c2-4 -- Transmission or Maintenance of Payments Received in Connection with Underwritings	3235-AB57

*Indicates priority regulation.

Completed Actions

Sequence Number	Title	Regulation Identifier Number
53	17 CFR 240.17Ad-5 Rule 17Ad-5 -- Written Inquiries and Requests	3235-AB26
54	17 CFR 270.12d3-1 Amendment to Rule 12d-1 under the Investment Company Act	3235-AB37
55	17 CFR 210.4-10(i)(3)(iii) Recognition of Gain or Loss on Transfers of Oil and Gas Producing Properties Under Full Cost Method of Accounting	3235-AB07
56	17 CFR 230.145 Rule 145 -- Proposed Form F-4 and other rules and forms relating to disclosure in connection with business combinations involving foreign companies	3235-AB06
57	17 CFR 230.134 Communications Not Deemed A Prospectus	3235-AB46
58	17 CFR 230.148 Rule 148 - Persons Not Deemed to be Underwriters of Securities Issued or Sold in Connection with Bankruptcy Proceedings	3235-AA90
59	17 CFR 230.406 Rule 406 -- Non-disclosure of Information Filed with the Commission	3235-AB05
60	17 CFR 240.12h-3 Rule 12h-3, Proposed Suspension of Periodic Reporting Obligations	3235-AA71
61	17 CFR 240.24b-2 Rule 24b-2 -- Non-Disclosure of Information Filed with the Commission and with any Exchange	3235-AB03
62	17 CFR 240.15b9-1 Rule 15b9-1 "Exemption for Certain Exchange Members"	3235-AB16
63	17 CFR 240.17a-2 Rule 17a-2 -- Recordkeeping Requirements Relating to Stabilizing Activities	3235-AB23
64	17 CFR 240.17Ad-1 Rule 17Ad-1 -- Definitions	3235-AB21
65	17 CFR 240.17Ad-3 Rule 17Ad-3 -- Limitations on Expansion	3235-AB19
66	17 CFR 240.17Ad-4 Rule 17Ad-4 -- Applicability of Sections 240.17Ad-2, 17Ad-3, and 17Ad-6	3235-AB27
67	17 CFR 240.17Ad-6 Rule 17Ad-6 -- Recordkeeping	3235-AB25
68	17 CFR 240.17Ad-7 Rule 17Ad-7--Record Retention	3235-AB24
69	17 CFR 249.1200 Form X-17F-1A--Report for Missing, Lost, Stolen or Counterfeit Securities	3235-AB28
70	17 CFR 230.485 Revised Procedures for Processing Post-Effective Amendments Filed by Registered Investment Companies	3235-AB41
71	17 CFR 230.601 to 230.610(a) Regulation E Exemption for Securities of Small Business Investment Companies	3235-AA09
72	17 CFR 270.31a-1 Rule 31a-1, Records to be Maintained by Registered Investment Companies	3235-AB32
73	17 CFR 270.31a-2. Rule 31a-2 -- Records to be Preserved by Registered Investment Companies, Certain Majority-Owned Subsidiaries Thereof, and Other Persons Having Transactions with Registered Investment Companies	3235-AB29
74	17 CFR 270.31a-3 Rule 31a-3. Records Prepared or Maintained by Other Than Person Required to Maintain and Preserve Them	3235-AB31
75	17 CFR 270.45a-1 Rule 45a-1, Confidential Treatment of Names and Addresses of Dealers of Registered Investment Company Securities	3235-AB30
76	17 CFR 275.205-3 Proposed Rule 205-3 Under the Investment Advisers Act of 1940	3235-AA65
77	17 CFR 256a 17 CFR Part 257--Preservation and Destruction of Records of Registered Public Utility Holding Companies and of Mutual and Subsidiary Service Companies	3235-AA92
78	17 CFR 240.17a-19 Rule 17a-19 and Form X-17A-19: Reports by Securities Exchanges and Registered National Securities Associations of Changes in Membership Status of Any of Their Members	3235-AB22
79	17 CFR 240.17Ad-2 Rule 17Ad-2 -- Turnaround, Processing and Forwarding of Items	3235-AB20
80	17 CFR 270.2a-1 Rule 2a-1 Under the Investment Company Act of 1940--Valuation of Portfolio Securities in Special Cases	3235-AB36
81	17 CFR 270.2a-2 Rule 2a-2. Effect of Eliminations Upon Valuation of Portfolio Securities	3235-AB35
82	17 CFR 270.2a-4 Rule 2a-4 Under the Investment Company Act of 1940 -- Definition of "Current Net Asset Value" for Use In Computing Periodically the Current Price of a Redeemable Security	3235-AB34
83	17 CFR 270.2a-6 Rule 2a-6. Certain Transactions Not Deemed Assignments	3235-AB33
84	17 CFR 240.12h-3 Rule 12h-3 and Form 15 under the Securities Exchange Act of 1934	3235-AB60

1. PROPOSED FORM S-4 AND OTHER RULES

Priority: Undetermined

Legal Authority: 15 USC 77f Securities Act; 15 USC 77g Securities Act; 15 USC 77j Securities Act; 15 USC 77s(a) Securities Act; 15 USC 78l Exchange Act; 15 USC 78m Exchange Act; 15 USC 78n Exchange Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 239.14, (New)

Abstract: As part of its review of proxy rules, regulations, and schedules, the Commission intends to revise the disclosure requirements under the federal securities laws relating to mergers, acquisitions, and other business combinations, focusing primarily on Form S-14 (17 CFR 239.23). Form S-14 is used for the registration of securities in business combination transactions under Rule 145 (17 CFR 230.145). The Commission has found that in many cases the sheer volume of disclosure in connection with mergers, acquisitions and other business combinations tends to be confusing to security holders and burdensome for registrants to prepare. The Commission intends to revise the existing disclosure requirements of Form S-14 to provide streamlined, comprehensible disclosure to shareholders and to reduce compliance burdens on issuers consistent with the protection of investors. In developing proposals in this area and considering alternative approaches to the problem of reducing burdens while ensuring that sufficient information is available to security holders, the Commission will attempt to apply the techniques used in its integrated disclosure system, such as incorporation (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/30/84	
NPRM Comment Period Begin	05/18/84	49 FR 20833
NPRM Comment Period End	08/17/84	
Final Action	11/28/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: by reference and multiple document delivery. The proposed revisions are expected to benefit both issuers and investors and are not expected to result in significant additional burdens. A review of the rules and forms will be included in any rulemaking actions. In connection with this initiative, the Commission will propose to amend rules governing exchange offers pursuant to certain recommendations made by the Commission's Advisory Committee on Tender Offers.

Agency Contact: Patricia B. Magee, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA01

2. ALLOCATION OF EXPENSES AND RELATED DISCLOSURE IN FINANCIAL STATEMENTS OF SUBSIDIARIES, DIVISIONS OR LESSER BUSINESS COMPONENTS OF ANOTHER ENTITY

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77a(25); 15 USC 77a(26); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o(d); 15 USC 78w(a)

CFR Citation: 17 CFR Not yet determined

Abstract: The staff is considering whether to recommend that the Commission propose rules regarding the allocation of expenses and related disclosure in financial statements of subsidiaries, divisions or lesser business components of another entity.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Robert Lavery, Staff Accountant, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB17

3. RESCISSION OF OBSOLETE RULES AND TECHNICAL REVISIONS AND CORRECTIONS

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o(d); 15 USC 78w; 15 USC 79e; 15 USC 79n; 15 USC 79t; 15 USC 80a-8; 15 USC 80a-30; 15 USC 80a-37(a)

CFR Citation: 17 CFR 210.1-02(v)(3); 17 CFR 210.3-15(a); 17 CFR 210.4-08(j); 17 CFR 210.4-08(k); 17 CFR 210.4-08(l); 17 CFR 210.4-10(k)(7) and (8); 17 CFR 210.5A-01 to 5A-03; 17 CFR 210.8-01 to 8-03

Abstract: The Commission may consider whether to propose the rescission of various obsolete rules, such as Articles 5A and 8 and related rules of Regulation S-X, and the amendment of other rules to make technical revisions and corrections or update the rules to reflect current financial reporting experience. These rules will be reviewed concurrently with any rulemaking action.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Dorothy Walker, Professional Accounting Fellow, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AA74

4. PROPOSALS REGARDING INDUSTRY SEGMENT AND OTHER INTERIM FINANCIAL REPORTING MATTERS, MANAGEMENT'S DISCUSSION AND ANALYSIS, AND OFF BALANCE SHEET FINANCING DISCLOSURES

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25) and (26); 15 USC 78l; 15 USC 78m; 15 USC 78o(d); 15 USC 78w(a); 15 USC 79e(b); 15 USC 79n; 15 USC 79t(a); 15 USC 80a-8; 15 USC 80-29

CFR Citation: 17 CFR 210.5-02; 17 CFR 210.10-01; 17 CFR 210.11-02; 17 CFR 229.303

Abstract: The Commission proposed amendments to require (1) presentation of certain industry segment information for interim periods; (2) a discussion of reportable segments in management's discussion and analysis; and (3) modifications of other miscellaneous interim reporting requirements. The release also provides advance notice of possible future rulemaking regarding (1) additional segment reporting disclosures and (2) uniform disclosure of off balance sheet financing arrangements. The proposals are designed to enhance analysis of financial information. They may entail some new recordkeeping but any such costs have not been determined. The Commission's interim reporting rules will be reviewed as a part of this action.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	49 FR 6737
NPRM Comment Period Begin	02/15/84	
NPRM Comment Period End	05/15/84	
Final Action	10/15/84	

Small Entity: Undetermined

Additional Information: This entry replaces the following three entries from the October 1983 agenda. RIN 3235-AA53 -- Off Balance Sheet Obligations. RIN 3235-AA54 -- Segment Information. RIN 3235-AA55 -- Quarterly Financial Reporting.

Agency Contact: John W. Albert, Assistant Chief Accountant, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB15

5. FINANCIAL STATEMENT DISCLOSURE BY BANK HOLDING COMPANIES ABOUT LOANS TO RELATED PARTIES

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77a(25); 15 USC 77a(26); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o(d); 15 USC 78w(a)

CFR Citation: 17 CFR 210.9-03(7)(e)

Abstract: The staff is considering whether to recommend that the Commission propose amendments to its rules in Article 9 of Regulations S-X requiring disclosure by bank holding companies about loans to related parties. Assertions have been made that accumulation of the required information may be unreasonably costly.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Michael McLaughlin, Professional Accounting Fellow, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB45

6. PROPOSED RULES AND GUIDE FOR DISCLOSURES CONCERNING RESERVES FOR UNPAID LOSSES AND LOSS ADJUSTMENT EXPENSES FOR PROPERTY-CASUALTY UNDERWRITERS

Priority: Undetermined

Legal Authority: 15 USC 77h; 15 USC 77aa(25) to 77aa(26); 15 USC 78l; 15 USC 78o(9); 15 USC 78w(a)

CFR Citation: 17 CFR 210.5-04; 17 CFR 210.7-05; 17 CFR 210.12-18; 17 CFR 210.12-19; 17 CFR 229.60; 17 CFR 231

Abstract: The Commission has authorized proposal of rule amendments and a guide to require disclosures concerning the underwriting and loss reserving experience of property - casualty underwriters. The proposal rules and guide are intended to generate disclosure to assist investors in understanding and evaluating companies' reserving practices and the effect on reported income of adjustments to reserves established in prior periods and in comparing those practices and adjustments among entities. The proposed requirements would not necessitate any new recordkeeping nor would they call for different skills and prepare the disclosures.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	49 FR 6911
NPRM Comment Period Begin	02/15/84	
NPRM Comment Period End	05/31/84	
Final Action	10/15/84	

Small Entity: Undetermined

Agency Contact: Jeremiah Harrington, Staff Accountant, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, NW, Washington DC 20549, 202 272-2130

RIN: 3235-AA75

7. SMALL ISSUER PERIODIC REPORTS

Legal Authority: 15 USC 77s(a)

CFR Citation: Not yet determined

Abstract: The Securities Exchange Act of 1934 (the "Exchange Act") imposes periodic reporting requirements on companies subject to Sections 13(a) and 15(d) of the Exchange Act. Because these reporting requirements may not be entirely appropriate for companies of all sizes, the Commission plans to review the Exchange Act reporting system as it pertains to small businesses, with a view toward relieving certain small businesses from some of the requirements therein. The Commission has not yet determined the alternatives available or the costs of revising these requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/31/85	

Small Entity: Undetermined

Agency Contact: Steve Holtzman, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2644

RIN: 3235-AA91

8. ● CONSENTS TO SERVICE

Priority: Undetermined

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77k; 15 USC 77s(a); 15 USC 78l; 15 USC 78m; 15 USC 78o(d); 15 USC 78w(a); 15 USC 80a-7(d); 15 USC 80a-8; 15 USC 80a-29; 15 USC 80a-37(a)

CFR Citation: Not yet determined

Abstract: Foreign private issuers that voluntarily enter the U.S. capital markets are generally required to file disclosure documents with the Commission. Comments have been solicited on the general concept of requiring such issuers and certain related persons to consent to service for civil suits, administrative proceedings and investigations relating to such disclosure documents. Alternatives being considered are requiring an agent in the U.S. and minimum lines of credit.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Agency Contact: Martin Meyrowitz, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-3250

RIN: 3235-AA56

9. GENERAL RULES UNDER THE SECURITIES ACT OF 1933--THE "100 SERIES"-- RULES 100 THROUGH 180 (EXCLUDING RULES 137, 138 AND 139)

Priority: Undetermined

Legal Authority: 15 USC 77s Securities Act

CFR Citation: 17 CFR 230.100 to 230.180

Abstract: The Commission is conducting a "sunset" review of the thirty-nine rules contained in the "100 series" of general rules under the Securities Act. Generally, these rules define key terms used in the Securities Act. The object of this review is to eliminate any inconsistencies, to delete unnecessary, outmoded or duplicative rules and to update and revise the remaining provisions. This project is in addition to the separate project to review Rules 137, 138 and 139.

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	

Small Entity: Undetermined

Additional Information: CFR cite excludes 17 CFR 230.137, .138 and .139.

Agency Contact: Thomas E. Sweeney, Jr., Attorney, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA52

10. RULE 137, 138, & 139 - DEFINITION OF "OFFER FOR SALE" AND "OFFER TO SELL" IN SECTIONS 2(10) AND 5(C) IN RELATION TO CERTAIN PUBLICATIONS

Legal Authority: 15 USC 77(f); 15 USC 77(g); 15 USC 77(s)(a)

CFR Citation: 17 CFR 230.137; 17 CFR 230.138; 17 CFR 230.139

Abstract: Rules 137, 138 and 139 provide safe harbor guidance under Section 5 of the Securities Act of 1933 for determining the circumstances in which broker-dealers may publish or disseminate research reports regarding an issuer in registration. Pursuant to its sunset review of the "100" series of rules, the Commission has proposed to revise substantially Rule 139 in order to update the Rule's requirements in accordance with the Commission's Integrated Disclosure System. Although the Commission has proposed no revisions of Rules 137 and 138, public comment will be solicited as to whether revisions of those rules are also appropriate, and if so, in what respect. A review of Rule 139 was completed on August 17, 1984.

Timetable:

Action	Date	FR Cite
NPRM	10/05/83	48 FR 46805
NPRM Comment Period Begin	10/05/83	48 FR 46805
NPRM Comment Period End	12/15/83	
Final Action	09/20/84	

Small Entity: Undetermined

Agency Contact: Patricia B. Magee, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AB10

11. ● PROPOSED FORM F-5 AND OTHER RULES RELATING TO DISCLOSURE IN CONNECTION WITH BUSINESS COMBINATIONS INVOLVING FOREIGN COMPANIES

Priority: Undetermined

Legal Authority: 15 USC 77e; 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78l; 15 USC 78m; 15 USC 78w

CFR Citation: 17 CFR 239.35; 17 CFR 240.12g; 17 CFR 240.12g3-2(d)(2); 17 CFR 240.15c2-8; 17 CFR 240.15d-3; 17 CFR 240.15d-5

Abstract: The Commission intends to develop special forms and rules for the disclosure requirements for mergers, acquisitions, and business combinations involving foreign issuers. The Commission intends to simplify and streamline the current requirements and to codify administrative practice. The Commission also intends to encourage the registration of these transactions to allow U.S. shareholders to fully participate. Frequently they are now excluded. Consideration also will be given to amending the various successor issuer rules to provide an exemption for certain foreign issuers.

Timetable:

Action	Date	FR Cite
NPRM	10/01/84	

Small Entity: Undetermined

Agency Contact: Martin Meyrowitz, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-3250

RIN: 3235-AB59

12. REGULATION 14A -- RULES RELATING TO PROXY CONTESTS

Priority: Undetermined

Legal Authority: 15 USC 78n(a) Exchange Act

CFR Citation: 17 CFR 240.14a-1 to 240.14a-12; 17 CFR 240.14a-101; 17 CFR 240.14a-102

Abstract: As part of its proxy review program, the Commission intends to review the rules governing proxy contests, which are contained in Regulation 14A, promulgated under Section 14(a) of the Exchange Act. Regulation 14A regulates the solicitation of proxies in regard to securities registered under Section 12 of the Exchange Act. In general, Regulation 14A specifies the information required to be disclosed to security holders to enable them to make informed decisions concerning authorization of proxies. This review focuses only on regulations concerning proxy contests. Rules 14a-3 through 14a-10 prescribe certain filing, dissemination and disclosure requirements with respect to all proxy solicitations, including proxy contests. Rule 14a-11 prescribes special requirements relating only to contested elections of directors. The number of proxy contests has risen in recent years and the rules relating to them have not been reexamined in some time. The Commission's goal in this review is to make sure that the rules pertaining to proxy contests still operate effectively in addressing this dynamic area, thus benefiting shareholders and issuers.

Timetable:

Action	Date	FR Cite
NPRM	01/31/85	

Small Entity: Undetermined

Agency Contact: Thomas E. Sweeney, Jr., Attorney, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA03

13. REGULATION 14A -- SOLICITATION OF PROXIES

Priority: Undetermined

Legal Authority: 15 USC 78n(a) Exchange Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 240.14a-1 to 240.14a-12; 17 CFR 240.14a-101; 17 CFR 240.14a-102

Abstract: Regulation 14A specifies the information required to be disclosed to security holders to enable them to make informed decisions concerning authorization of proxies. Regulation 14A consists of twelve rules and Schedules 14A and 14B. These provisions contain requirements regarding disclosures in, and dissemination and filing of, proxy solicitations with respect to a security registered pursuant to Section 12 of the Exchange Act, opposition solicitations with respect to the election of directors and annual reports to security holders accompanying or preceding a proxy solicitation with respect to a security registered pursuant to Section 12 of the Exchange Act. This regulation is being reviewed in conjunction with the Commission's examination of its proxy rules and will encompass any provisions not specifically covered in other related proxy review projects. The review will attempt to identify ineffective or outmoded rules and, as appropriate, rescind or replace such rules with alternatives designed to maximize shareholder protection while minimizing burdens on registrants.

Timetable:

Action	Date	FR Cite
NPRM	09/19/84	

Small Entity: Undetermined

Agency Contact: Betsy Callicott Goodell, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA23

14. REGULATION 14C -- DISTRIBUTION OF INFORMATION PURSUANT TO SECTION 14(C)

Priority: Undetermined

Legal Authority: 15 USC 78n(a) Exchange Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 240.14c-1 to 240.14c-7; 17 CFR 240.14c-101

Abstract: Regulation 14C consists of seven rules and Schedule 14C, which contain requirements as to the dissemination, content and filing of information statements in connection with annual or other meetings of holders of securities registered pursuant to Section 12 of the Exchange Act and annual reports to security holders accompanying or preceding such information statements. The Rules are intended to enable security holders to make informed voting decisions in any matters to be acted upon at annual or other meetings in those situations where proxies are not being solicited. This regulation is being reviewed in conjunction with the Commission's examination of its proxy rules. The review will attempt to identify ineffective or outmoded rules and, as appropriate, rescind or replace such rules with alternatives designed to maximize shareholder protection while minimizing burdens on issuers. The review also will update rules where necessary to accord with changes in state law.

Timetable:

Action	Date	FR Cite
NPRM	09/19/84	

Small Entity: Undetermined

Agency Contact: Betsy Callicott Goodell, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA24

15. REPORTS OF DIRECTORS, OFFICERS AND PRINCIPAL STOCKHOLDERS

Legal Authority: 15 USC 78m(d); 15 USC 78p(a); 15 USC 78p(b); 15 USC 78p(c); 15 USC 78p(e); 15 USC 78w(a)

CFR Citation: 17 CFR 240.16a-1 to 240.16a-11; 17 CFR 240.16b-1 to 240.16b-11; 17 CFR 240.16c-1 to 240.16c-3; 17 CFR 240.16e-1; 17 CFR 240.13d-3; 17 CFR 240.14d-1; 17 CFR 229.403; 17 CFR 249.103; 17 CFR 249.104

Abstract: The Commission will review the existing rules and reporting forms intended to implement the provisions of Section 16 of the Securities Exchange Act. Section 16 seeks to deter misuse of inside information by imposing certain periodic and transactional reporting requirements on the officers, directors and principal beneficial shareholders of companies registered under that Act as well as certain limitations on equity transactions by those persons. Over the years the Commission has adopted a number of rules and forms to clarify the applicability of Section 16's requirements to particular circumstances. The Commission will examine their current suitability in light of the purposes of the statute. The Commission also will examine the concept of beneficial ownership for purposes of Sections 13, 14 and 16 of the Securities Exchange Act. Section 13 provides notice of possible changes in control of a registrant by imposing certain reporting requirements on persons acquiring beneficial ownership of 5% or more of a registrant's equity securities. Section 14, which regulates the proxy solicitation process, contains a (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/30/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT:requirement calling for disclosure of the extent of beneficial ownership by certain persons. In 1978, the Commission, after a series of public hearings, adopted a definition of beneficial ownership for purposes of Section 13 and Section 14. That standard was not applied to Section 16 in view of its distinct purpose. This has resulted in some confusion as well as reporting and interpretive difficulties. The Commission will review the area to determine whether a single

comprehensive definition can be adopted. The Commission believes that these actions will result in savings to persons subject to these provisions with no reduction in investor protection. This initiative is a consolidation of five projects that were previously listed separately in the October 1983 agenda.

Agency Contact: Elliot M. Pinta, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW (Stop 2-10), Washington, DC 20549, 202 272-2589

RIN: 3235-AB14

16. TRUST INDENTURE ACT RULES

Legal Authority: 15 USC 77s

CFR Citation: 17 CFR 260

Abstract: The Trust Indenture Act and the rules promulgated thereunder are being examined comprehensively in order to update their requirements in light of current commercial and business practices. The Commission is considering both rule changes and proposed amendments to the Act itself. The primary areas of the Commission's focus are the qualifications for eligibility of, the duties imposed on and the procedures for qualification of indenture trustees.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Undetermined

Agency Contact: William Morley, Chief Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2573

RIN: 3235-AB43

17. DIRECTORS, EXECUTIVE OFFICERS, PROMOTERS, AND CONTROL PERSONS

Legal Authority: 15 USC 77f to 77h; 15 USC 77j; 15 USC 77s(a)

CFR Citation: 17 CFR 229.401(f); 17 CFR 229.401(g)

Abstract: Item 401 of Regulation S-K specifies information regarding the background of officers and directors to be disclosed in registration statements and periodic reports. The project proposed (i) adding commodities proceedings to the legal proceedings required to be disclosed with respect to directors and executive officers and (ii) requiring new registrants to disclose the same legal proceedings involving promoters and control persons that they must disclose with respect to directors and executive officers.

Timetable:

Action	Date	FR Cite
NPRM	03/31/84	
NPRM Comment Period Begin	03/31/84	49 FR 19156
NPRM Comment Period End	05/09/84	
Final Action	08/09/84	
Final Action Effective	12/31/84	

Small Entity: Yes

Agency Contact: Betsy Callicott Goodell, Attorney-Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AB50

18. TEMPORARY RULES AND FORMS FOR THE PILOT ELECTRONIC DISCLOSURE SYSTEM

Priority: Agency Determination

Legal Authority: 15 USC 77s Securities Act; 15 USC 78w(a) Exchange Act

CFR Citation: 17 CFR 230.499; 17 CFR 239.62; 17 CFR 239.63; 17 CFR 239.64; 17 CFR 240.12b-37; 17 CFR 249.444; 17 CFR 249.445; 17 CFR 249.446; 17 CFR 260.0-12; 17 CFR 269.5; 17 CFR 269.6; 17 CFR 269.7

Abstract: In connection with its study of the application of computer technology to the Commission's rules and regulations, with a view toward determining how the Commission may best use technological advances to benefit registrants, investors and others who contribute to or make use of information required to be disclosed under the various securities laws and the rules and regulations thereunder, the Commission considered necessary rule changes concerning the Edgar Pilot. These rule changes facilitate transition from a paper-based information and disclosure system to a computer-based electronic system. The Commission is conducting the Edgar pilot program to test electronic receipt, dissemination and review processes on a limited basis. In connection with the pilot program, the Commission adopted temporary rules to permit registrants to file registration statements and periodic reports electronically.

Timetable:

Action	Date	FR Cite
NPRM	05/30/84	
Interim Final Rule	06/27/84	49 FR 28044

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Leslie Murphy, Attorney Advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA77

19. ● RULE 3A4-1 -- ASSOCIATED PERSONS OF AN ISSUER DEEMED TO BE BROKERS

Priority: Undetermined

Legal Authority: 15 USC 240.3a4-1

CFR Citation: 17 CFR 240.3a4-1

Abstract: The proposed rule would provide a non-exclusive safe harbor from liability under the broker-dealer provisions of the Securities Exchange Act of 1934 to associated persons of an issuer who participate in sales of the issuer's securities and who meet the conditions of the rule. Over the years, the question of whether a issuer's employees who participate in sales of the issuer's securities must register as brokers has generated numerous requests for interpretive advice. Rule 3a4-1 would codify past positions and provide guidance to future issuers. As an alternative, the staff could continue to provide advice on a case by case basis. Rule 3a4-1 is designed to strike a balance between the compelling need of issuers, particularly small issuers, to raise inexpensive capital and the Commission's statutory responsibility to protect investors. The rule should reduce the number of interpretive requests received by the staff with a corresponding reduction in costs to issuers of requesting such advice.

Timetable:

Action	Date	FR Cite
NPRM	05/09/84	49 FR 20512
NPRM Comment Period Begin	05/15/84	49 FR 20512
NPRM Comment Period End	06/29/84	

Next Action Undetermined

Small Entity: Undetermined

Analysis: Draft RFA 05/09/84 (49 FR 20512)

Agency Contact: Susan J. Walters, Branch Chief, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB53

20. ● RULE 3A12-9

Priority: Undetermined

Legal Authority: 15 USC 78c(a)(12); 15 USC 78g; 15 USC 78k

CFR Citation: 17 CFR 240.3a12-9

Abstract: Proposed Rule 3a12-9 would provide an exemption from Sections 7(c) and 11(d)(1) of the Exchange Act for public offerings of direct participation interests with installment payment features. This rule is being proposed, in part, as a response to a proposal made by the National Association of Securities Dealers and has the concurrence of the staff of the Federal Reserve Board. If adopted, the rule would enhance investor protection by encouraging registration of interests in direct participation programs that are sold on an installment basis and by requiring that these programs become subject to and remain in compliance with the reporting requirements of Section 12(g) of the Exchange Act until the total purchase price of the program security is discharged.

Timetable:

Action	Date	FR Cite
NPRM	09/15/84	

Small Entity: Undetermined

Agency Contact: Kathryn V. Natale, Attorney-Adviser, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB51

21. PROPOSED RULE 3B-9: APPLICABILITY OF BROKER-DEALER REGISTRATION TO BANKS

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c; 15 USC 78o; 15 USC 78w(a)

CFR Citation: 17 CFR 240.3b-9

Abstract: Under proposed Rule 3b-9, a bank could not rely on the exclusion for banks in Sections 3(a)(4) and 3(a)(5) of the Securities Exchange Act of 1934 when it: (i) publicly solicits brokerage business; (ii) receives transaction related compensation for providing brokerage services for trust, managing agency accounts or other accounts to which the bank provides investment advice; or (iii) deals in or underwrites (on either a firm commitment or best efforts basis) securities other than exempted or municipal securities.

Timetable:

Action	Date	FR Cite
NPRM	11/15/83	48 FR 51930
NPRM Comment Period Begin	11/15/83	48 FR 51930
NPRM Comment Period End	02/15/84	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Mary Chamberlin, Chief Counsel, Division of Market Regulation, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB49

22. PROPOSED RULE 11A-1--CUSTOMER ORDER EXPOSURE

Priority: Undetermined

Legal Authority: 15 USC 78b Exchange Act; 15 USC 78c Exchange Act; 15 USC 78f Exchange Act; 15 USC 78i Exchange Act; 15 USC 78j Exchange Act; 15 USC 78k Exchange Act; 15 USC 78k-1 Exchange Act; 15 USC 78o Exchange Act; 15 USC 78o-3 Exchange Act; 15 USC 78q Exchange Act; 15 USC 78w Exchange Act

CFR Citation: 17 CFR 240.11A-1

Abstract: In conhection with the partial removal of exchange off-board trading restrictions through Rule 19c-3, the Commission has proposed a revised rule, Rule 11A-1, to address order exposure concerns. Proposed Rule 11A-1 would require exchange and over-the-counter market makers in Rule 19c-3 securities, prior to executing an order as principal, to hold the order out for 30 seconds, thereby allowing other market makers to compete for that order. Alternatively, the proposed rule would permit the market maker to compete for orders by maintaining competitive quotations in the National Association of Securities Dealers' Computer Assisted Execution System or the Cincinnati Stock Exchange's National Securities Trading System, and routing orders to those systems. The proposed rule also contains a number of specific exceptions to order exposure requirements. The Commission will consider public comment on the impact of the proposed rule on small broker-dealers in connection with its final rulemaking.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	12/23/82	
NPRM	12/30/82	47 FR 58287
NPRM Comment Period End	03/01/83	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: The Commission deferred adopting the Rule on an indefinite basis on July 28, 1983.

Agency Contact: Andrew E. Feldman, Staff Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2388

RIN: 3235-AA39

23. SECURITIES EXCHANGE ACT RULE 15C2-11--INITIATION OR RESUMPTION OF QUOTATIONS WITHOUT SPECIFIED INFORMATION

Priority: Undetermined

Legal Authority: 15 USC 78c Exchange Act; 15 USC 78j Exchange Act; 15 USC 78o Exchange Act; 15 USC 78q Exchange Act; 15 USC 78w Exchange Act

CFR Citation: 17 CFR 240.15c2-11

Abstract: Rule 15c2-11 regulates the publication and submission of over-the-counter quotations by brokers and dealers. For several reasons, the Rule, as currently drafted and administered, does not ensure that brokers and dealers will be precluded from furnishing arbitrary quotations for certain over-the-counter securities in a variety of situations. Accordingly, the Commission has solicited public comment concerning several amendments to the Rule and is reviewing compliance practices respecting certain of the Rule's provisions. Publication of the proposed amendments will also provide an opportunity for a public review of Rule 15c2-11 to determine whether it achieves its objectives at a reasonable

cost. In that connection, the Commission has solicited comment on whether there is any continuing need for the Rule and whether the Commission should rescind it rather than adopt the proposed amendments.

Timetable:

Action	Date	FR Cite
NPRM SEC Release No. 34-19673	04/13/83	48 FR 17111
NPRM	04/14/83	
NPRM Comment Period Begin	04/14/83	
NPRM Comment Period End	06/14/83	
Final Action	10/31/84	

Small Entity: Undetermined

Agency Contact: Nancy J. Burke, Branch Chief, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AA48

24. ● RULE 11AA2-1 -- DESIGNATION OF NATIONAL MARKET SYSTEM SECURITIES

Priority: Undetermined

Legal Authority: 15 USC 78b; 15 USC 78c; 15 USC 78f; 15 USC 78i; 15 USC 78j; 15 USC 78k; 15 USC 78k-1; 15 USC 78o; 15 USC 78o-3; 15 USC 78q; 15 USC 78u

CFR Citation: 17 CFR 240.11Aa2-1

Abstract: Rule 11Aa2-1 ("Rule") under the Securities Exchange Act of 1934 ("Act") governs the designation of Securities qualified for trading in a national market system ("NMS"). The Commission has proposed amending the rule to make an additional 1300 over-the-counter ("OTC") securities eligible for NMS designation. If adopted, this amendment would increase the number of NMS Securities is that transactions in such securities are reported in a real-time system in accordance with the Commission's last sale reporting rule, Rule 11Aa3-1, and that quotations for such securities are firm as to the quoted price and size in accordance with the Commission's firm quotation rule, Rule 11Aa1-1.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	07/16/84	49 FR 19317
NPRM Comment Period End	08/30/84	

Small Entity: Undetermined

Agency Contact: Andrew E. Feldman, Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2388

RIN: 3235-AB52

25. RULE 17AD-2(E)

Priority: Undetermined

Legal Authority: 15 USC 78q-1(d) Exchange Act

CFR Citation: 17 CFR 240.17Ad-2(e)

Abstract: The proposed amendment to Rule 17Ad-2(e) would establish a minimum performance standard for the turnaround of certificates by certain transfer agents that qualify as small entities under the Regulatory Flexibility Act and that are exempt from certain Commission rules respecting the turnaround of certificates presented for transfer of record ownership. The proposed rule amendment is designed to reduce delays experienced by securityholders in obtaining transfer of ownership and thereby eliminate costs associated with those delays. The proposed amendment will be evaluated in light of the relative costs and benefits to the public and affected transfer agents.

Timetable:

Action	Date	FR Cite
NPRM	06/10/83	48 FR 28109
NPRM Comment Period Begin	06/10/83	48 FR 28109
NPRM Comment Period End	09/01/83	
Final Action	04/15/84	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jonathan Kallman, Branch Chief, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2775

RIN: 3235-AB13

26. RULE 17AD-5 -- RESPONSE TO INQUIRIES

Priority: Undetermined

Legal Authority: 15 USC 78q-1(d) Exchange Act

CFR Citation: 17 CFR 240.17Ad-5

Abstract: The proposed amendment to Rule 17Ad-5 would require registered transfer agents to respond to securityholder inquiries respecting dividend and interest claims within five business days of receipt. The registered transfer agent would not be required, however, to pay those claims within the time frame set forth in the proposed amendment. This amendment is designed to accelerate the time frame within which dividend claims are researched and settled. The proposed amendment will be evaluated in light of the relative costs and benefits to the public and the transfer agent industry.

Timetable:

Action	Date	FR Cite
NPRM	06/10/83	48 FR 28109
NPRM Comment Period Begin	06/10/83	48 FR 28109
NPRM Comment Period End	09/01/83	
Reproposed Amendments	09/30/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman, Branch Chief, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549, 202 272-2775

RIN: 3235-AB12

27. EXEMPTION FOR CUSTODY OF INVESTMENT COMPANY ASSETS OUTSIDE THE UNITED STATES

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a)

CFR Citation: Not yet determined

Abstract: The Commission has issued a release soliciting public comment on a revision of proposed rule 17f-5 which would permit a U.S. registered management investment company to maintain the company's foreign securities, cash and cash equivalents with eligible foreign custodians under certain conditions. The rule would further permit a Canadian management investment company that is registered under the Act pursuant to the conditions of Rule 7d-1 to maintain its foreign securities, cash and cash equivalents with overseas branches of qualified U.S. banks under certain conditions. This revised proposal is based upon comments received on rule 17f-5 initially proposed in Investment Company Act Release No. 12354 (April 5, 1982) 47 FR 16341, April 16, 1982 as well as the Commission's rethinking of certain issues raised by the original proposal. Such a rule would obviate the need for investment companies to file

applications for exemptive relief from Section 17(f) of the Act.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	04/05/82	47 FR 16341
NPRM Comment Period End	06/07/82	
NPRM Revised Rule Proposal	01/17/84	49 FR 2904
Final Action	04/06/84	
NPRM	09/30/84	47 FR 16341

Small Entity: Undetermined

Agency Contact: Brion R. Thompson, Attorney, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-3042

RIN: 3235-AB48

28. MUTUAL FUND GOVERNANCE

Priority: Undetermined

Legal Authority: 15 USC 80a-16(c); 15 USC 80a-35; 15 USC 80a-6(c)

CFR Citation: Not yet determined

Abstract: On December 10, 1982, the Commission issued an advance concept release (Investment Company Act Release No. 12888, (47 FR 56509)) soliciting public comment on whether the Commission should propose rules or recommend legislation which would provide for an alternative form of mutual fund governance. Specifically, this release requests comment on whether mutual funds should be exempted from shareholder voting and/or director requirements under the Investment Company Act of 1940 (the "Act") and, if so, whether conditions could be fashioned which would adequately insure against loss of investor protection. Although such changes might be effected through rulemaking, the Commission has indicated that, in its preliminary judgment, changes of this magnitude should be effected through legislative rather than administrative action. Since the costs and benefits of providing for an alternative scheme of mutual fund governance cannot be estimated at the present time, the release solicits specific comment on the costs and benefits which would result from such changes. Extension of comment period until April 18, 1983 was announced in Investment Company Act Release No. 13012 (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/10/82	47 FR 56509
Ext'n of Comment Period to 4/18/83	02/07/83	48 FR 6354
ANPRM Comment Period End	04/18/83	48 FR 6354

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: (February 7, 1983) 48 FR 6354.

Agency Contact: Brion R. Thompson, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3042

RIN: 3235-AA44

29. UTILIZING PRIVATE ENTITIES IN INVESTMENT COMPANY EXAMINATIONS AND IMPOSING EXAMINATION FEES

Priority: Undetermined

Legal Authority: 15 USC 80a-30; 15 USC 80a-31; 15 USC 80a-37

CFR Citation: Not yet determined

Abstract: The Commission is considering the concept of utilizing private entities in investment company examinations and imposing inspection fees, in order to supplement the Commission's investment company examination program. In light of the dramatic growth which has occurred in the investment company industry in recent years and the budgetary constraints under which the Commission operates, the Commission is considering what alternatives may be available to ensure that investment company examinations continue to be conducted with sufficient regularity. On February 23, 1983, in an advance concept release, (Investment Company Act Release No. 13044, 48 FR 8485), the Commission requested comment on a number of alternatives: (1) authorization of the creation of one or more self-regulatory organizations to conduct routine periodic examinations of investment companies; (2) use of investment company independent auditors to conduct certain additional procedures as a substitute for similar procedures now performed by Commission examiners during examinations; (3) some combination of these alternatives; and (4) collection of fees from investment companies to cover (cont)

Timetable:

Action	Date	FR Cite
ANPRM	02/23/83	48 FR 8485
ANPRM Comment Period Begin	02/23/83	48 FR 8485
ANPRM Comment Period End	05/24/83	
NPRM	06/30/84	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: part or all of the cost of investment company examinations. It is not possible at this time to estimate the benefits and costs associated with the use of private entities in the examination program. In the advance concept release, the Commission specifically requested that commentators address these issues to the extent they are able to do so. The approximate cost to the Commission of conducting an investment company examination is $4,500.

Agency Contact: Mary S. Podesta, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2079

RIN: 3235-AA42

30. REGISTRATION OF INVESTMENT COMPANY SECURITIES ISSUED IN BUSINESS COMBINATION TRANSACTIONS

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78n; 15 USC 78w; 15 USC 80a-20; 15 USC 80a-37

CFR Citation: 17 CFR 210.3-05; 17 CFR 230; 17 CFR 240.14a-3; 17 CFR 240.14a-6; 17 CFR 239; 17 CFR 274

Abstract: Rule 145 under the Securities Act of 1933 states that certain mergers and business combination transactions involve an offer or sale of securities subject to separate registration under section 5 of the Act. Transactions subject to the rule must either be registered on Form S-14 or, in the case of open-end investment companies, the registrant may register on its usual form as long as the disclosure requirements

of Form S-14 are satisfied. The filing of the registration statement satisfies the requirement for filing a proxy statement and form a proxy or information statement and the transmittal of such material to security holders satisfies the requirements of the Securities Act for the furnishing of a prospectus. Included within Form S-14 is the companies prospectus used in offering the securities issued in the transaction. The disclosure required by Form S-14 results in prospectuses that are too long and complex, particularly with regard to business combination transactions that involve relatively small acquired companies. Moreover, the separate registration requirement does not permit (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	
Final Action	03/31/85	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: registrants to supply their current prospectus or other filed documents to satisfy any of the information requirements. Proposed Form N-14 would reduce and simplify the amount of information required in the prospectus and reduce the cost and burden on investment company registrants by permitting those companies to substitute documents currently on file with the Commission in place of certain information required to be contained in the prospectus. Since the action will apply to all management investment companies except small business investment companies and insurance company separate accounts it is expected to have a significant economic impact on a substantial number of small entities. However, the contemplated action is still in the developmental stage and has not been formally proposed by the Commission. Thus, the extent of the simplification of prospectuses actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are anticipated to be significant.

Agency Contact: Mary Margaret Hammond, Attorney, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-3192

RIN: 3235-AB42

31. AMENDMENT TO RULE 180 -- EXEMPTION FROM REGISTRATION OF CERTAIN INTERESTS AND PARTICIPATIONS IN CERTAIN H.R. 10 PLANS

Priority: Undetermined

Legal Authority: 15 USC 77c(a)(2); 15 USC 77s(a)

CFR Citation: 17 CFR 230.180

Abstract: Rule 180 provides an exemption from the registration requirements of the Securities Act for interests and participations issued in connection with certain qualified H.R. 10 plans. In order for interests in funding media issued to plans established by financially inexperienced employers to qualify for the rule's exemption, the rule, as adopted, requires those employers to obtain financial advice from an independent expert prior to adopting the H.R. 10 plan. Among other things, the Commission is considering proposing an amendment to Rule 180 that would codify a present "no-action" position regarding the situation where a financially unsophisticated employer has already established a plan for its employees without obtaining advice from an independent expert, and intends either to change the funding medium or add another funding medium to the choices already available to employees. The issuer of the funding medium in such a case would be in compliance with the rule if the issuer has reasonable grounds to believe and, after having made reasonable inquiry, does believe, that an independent financial expert reviewed the funding medium prior to the investment of the (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: plan's assets in that funding medium. The type of amendment being considered would impose no additional compliance cost, and would increase the flexibility of existing plans and the number of investment choices available to participating employees.

Agency Contact: Brion R. Thompson, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3042

RIN: 3235-AA08

32. PROSPECTUS SIMPLIFICATION AMENDMENTS TO FORM N-2

Legal Authority: 15 USC 80a-8 Investment Company; 15 USC 77g Securities Act; 15 USC 77j Securities Act

CFR Citation: 17 CFR 239.14; 17 CFR 274.11a-1

Abstract: Form N-2 is the registration statement form under the Investment Company Act of 1940 and the Securities Act of 1933 for closed-end management investment companies other than small business investment companies and companies which issue periodic payment plan certificates or which are sponsors or depositors of companies issuing such certificates. Included within the registration statement are the companies' prospectuses used in offering their securities to the public. The Commission believes a simplified prospectus is necessary because current prospectuses have become too cumbersome for the average investor to understand and because current requirements result in the disclosure of much information that is not necessarily material to an investment decision. Simplification will, therefore, make disclosure easier for investors to understand and reduce the costs and burdens of of preparing and distributing prospectuses. Accordingly, the Commission is proposing a new form N-2A that most likely would be structured as a three-part form, one part of which would be a new simplified prospectus. There does not currently exist (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: a basis upon which to quantify the reduced costs and burdens of such action on those registrants affected. The contemplated amendments are still in the developmental stage and have not yet been formally proposed by the Commission. Thus, the extent of the simplification of investment companies' prospectuses actually proposed and the

attendant reductions in costs and burdens are as yet largely unknown, but are expected to reduce the cost of registration for both the industry and government.

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AB40

33. SIMPLIFICATION OF REGISTRATION STATEMENTS FILED BY UNIT INVESTMENT TRUSTS

Priority: Undetermined

Legal Authority: 15 USC 80a-8; 15 USC 77g; 15 USC 77j

CFR Citation: 17 CFR 239.16; 17 CFR 274.12

Abstract: Forms S-6 and N-8b-2 are the registration statement forms under the Securities Act of 1933 and the Investment Company Act of 1940, respectively, for unit investment trusts. Included within Form S-6 is the trust's prospectus used in offering securities to the public. A substantial amount of the information required by Form N-8b-2 is also required by Form S-6. Consequently, one goal of the Commission with regard to simplification of registration statements for unit investment trusts is the integration of the disclosure requirements of Forms S-6 and N-8b-2. The Commission also believes that current prospectuses for unit investment trusts have become too cumbersome for the average investor to understand and that current disclosure requirements result in the dissemination of much information that is not necessarily material to an investment decision. Simplification of prospectus requirements for unit investment trusts will, therefore, make disclosure easier for investors to understand and reduce the costs and burdens on those registrants affected. Since the action will apply to all unit investment trust registrants it is expected to have a significant economic impact on a (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	

Small Entity: Yes

Additional Information: ABSTRACT CONT: substantial number of small entities. However, the contemplated amendments are still in the developmental stage and have not been formally proposed by the Commission. Thus, the extent of the simplification of unit investment trust prospectuses actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are anticipated to be significant.

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AA47

34. REVISION OF INVESTMENT COMPANY PROXY RULES

Priority: Undetermined

Legal Authority: 15 USC 78n; 15 USC 78w; 15 USC 80a-20; 15 USC 80a-37

CFR Citation: 17 CFR 240.14a-1 to 240.14a-102; 17 CFR 240.14b-1; 17 CFR 240.14c-1 to 240.14c-101; 17 CFR 270.20a-1; 17 CFR 270.20a-2; 17 CFR 270.20a-3

Abstract: Absent an exception, every solicitation of a proxy, authorization or consent in respect of any security with respect to which a registered investment company is the issuer, is subject to rules adopted pursuant to the Securities Exchange Act of 1934 and the Investment Company Act of 1940 concerning solicitations of proxies. Solicitations to which the rules apply may not commence unless each person solicited is furnished or has previously been furnished with a proxy statement containing specified information prepared in accordance with certain rules and the material has been filed with the Commission. The existing proxy rules were adopted in piecemeal fashion and have been the subject of frequent changes. This has led to certain duplicative and, in certain cases, complex requirements. To the extent that a proxy statement contains repetitive material or is overly complicated and difficult to read, it may not effectively perform its intended function of communicating meaningful information to security holders in order that they may make informed voting decisions. In order to update the proxy regulations and, in doing so, improve the (cont)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: readability of proxy statements and eliminate unnecessary disclosure costs, the Commission has commenced a comprehensive review of the proxy regulations as they relate to investment companies. There does not currently exist a basis upon which to quantify the reduced costs and burdens of such action on those registrants affected. Since the action will apply to all registered investment companies soliciting proxies, unless the solicitation is excepted, the Action is expected to have a significant impact on a substantial number of small entities. However, the contemplated revisions are still in the developmental stage and have not yet been formally proposed by the Commission. Thus, the extent of the revision actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are anticipated to be significant.

Agency Contact: Stephen C. Beach, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AA69

35. AMENDMENT OF RULE 2A-5 -- CERTAIN PERSONS NOT DEEMED INTERESTED PERSONS

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c) Investment Company Act; 15 USC 80a-37(a) Investment Company Act

CFR Citation: 17 CFR 270.2a-5

Abstract: The Commission is considering whether to propose an amendment to Rule 2a-5 under the Investment Company Act. Rule 2a-5 presently affords a narrow exemption from that part of Section 2(a)(19) of the Act which defines as an interested person of another person any broker or dealer registered under the Exchange Act or any affiliated person of such a broker or dealer. The Commission will consider rulemaking that would broaden that exemption while still providing protection to investors. This would benefit regulated investment

companies by increasing the pool from which directors may be chosen without contravention of, inter alia, Section 10(a) of the Act which governs the composition of investment companies' boards of directors. The conditions set forth in the proposed rule will be those that the Commission believes necessary to protect investors and implement the policies of the Act. While compliance with these conditions involves some costs, those costs will be outweighed by the benefits to companies in no longer having to file applications for exemption in this area.

Timetable:

Action	Date	FR Cite
NPRM	05/02/84	49 FR 19519
NPRM Comment Period Begin	05/02/84	
NPRM Comment Period End	07/02/84	
Final Action	09/30/84	

Small Entity: Undetermined

Agency Contact: Brian M. Kaplowitz, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3024

RIN: 3235-AA11

36. RULE 2A-8 -- DEFINITION OF REGULAR BROKER OR DEALER

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.10b-1

Abstract: Rule will define the term regular broker or dealer as used in Section 10(b) of the Act, and in Form N-1R.

Timetable:

Action	Date	FR Cite
NPRM	05/02/84	49 FR 19519
Final Action	09/30/84	

Small Entity: No

Agency Contact: Brian M. Kaplowitz, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3024

RIN: 3235-AB39

37. PROPOSED RULE 2A-41 (FORMERLY DESIGNATED RULE 2A-9) UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

Legal Authority: 15 USC 80a-6c; 15 USC 80a-37

CFR Citation: Not yet determined

Abstract: The Commission is considering whether to propose a rule that would permit investment companies to acquire standby commitments solely for the purpose of facilitating portfolio liquidity and to value such commitments in a fashion consistent with their limited purpose. Such a rule would obviate the need for investment companies to file applications for exemptive relief from sections 2(a)(41) and 12(d)(3) of the Investment Company Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Elizabeth Norsworthy, Attorney, Securities and Exchange Commission, 450 5th Street NW (Stop 5-2), Washington, DC 20549, 202 272-2048

RIN: 3235-AB38

38. PROPOSED RULE 3A-4 -- INDIVIDUALIZED INVESTMENT MANAGEMENT SERVICES

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a); Investment Company Act, Sec 6(c); Investment Company Act, Sec 38(a)

CFR Citation: 17 CFR 270.3a-4

Abstract: In Investment Company Act Release No. 11391 (October 10, 1980) (45 FR 69479) the Commission proposed for public comment Rule 3a-4, which would deem investment management services providing their clients with individualized treatment not to be investment companies for purposes of the Act. The rule provides a "safe harbor" for any investment manager providing its clients with treatment based on the needs and goals of each client. Under such circumstances, regulation of investment management services under the Act appears unnecessary. The proposed rule was intended to clarify the Commission's position on the question of "mini-accounts" by providing a safe harbor for certain investment management services and thereby provide some certainty to the public. The Commission does not expect any final action taken on the proposal to significantly affect the cost of providing investment management services. The public comment letters on the proposal have been reviewed and alternatives for final action are being formulated.

Timetable:

Action	Date	FR Cite
NPRM Comment Period Begin	10/10/80	45 FR 69479
NPRM	10/21/80	45 FR 69479
NPRM Comment Period End	01/31/81	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: NPRM is Release No. IC-11391 (10/10/80)

Agency Contact: William C. Gibbs, Esq., Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2147

RIN: 3235-AA12

39. AMENDMENTS TO RULE 6C-1 (TO BE RENUMBERED RULE 3A3-L) -- EXEMPTION FOR SUBSIDIARIES ORGANIZED TO FINANCE THE OPERATIONS OF DOMESTIC OR FOREIGN COMPANIES

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a); Investment Company Act, Sec 6(c); Investment Company Act, Sec 38(a)

CFR Citation: 17 CFR 270.6c-1; 17 CFR 270.3a3-1

Abstract: In Investment Company Act Release No. IC-12679 (September 22, 1982) the Commission proposed for public comment a comprehensive revision of Rule 6c-1 under the Act. The recommended amendments would greatly expand Rule 6c-1 to exempt from all provisions of the Act certain finance subsidiaries of United States and foreign private issuers. An exemptive rule is the least burdensome method available to accomplish the proposed amendment's objectives. An unconditional exemption, however, would be inconsistent with the public interest standard set forth in Section 6(c) of the Act and therefore the Commission has proposed certain

conditions it believes are necessary and appropriate to fulfill the statutory requirements. The proposed rule would reduce the compliance burden faced by covered finance subsidiaries by obviating the need for them to file exemptive applications. The application procedure, of course, would still be available notwithstanding the rule's existence.

Timetable:

Action	Date	FR Cite
NPRM	09/22/82	47 FR 42578
NPRM Comment Period Begin	09/22/82	47 FR 42578
NPRM Comment Period End	11/05/82	
Final Action	09/30/84	

Small Entity: Undetermined

Additional Information: NPRM is Release No. IC-12679 (09/22/82)

Agency Contact: William C. Gibbs, Esq., Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2147

RIN: 3235-AA13

40. PROPOSED RULES 11A-3 AND 11A-4 UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-11(a); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.11a-3; 17 CFR 270.11a-4

Abstract: The Commission is considering whether to propose a Rule 11a-3 and a Rule 11a-4 which would exempt certain persons from the requirements of Section 11(a) of the Investment Company Act. That section generally prohibits any registered open-end investment company and the principal underwriter of its shares from making an offer to a shareholder to exchange his security for another security on any basis other than the net asset values of the securities to be exchanged without approval of the Commission. Section 11(c) extends the prohibitions of Section 11(a) to offers of the securities of unit investment trusts. The Commission has issued numerous orders permitting open-end management companies and the principal underwriter(s) of their shares to make exchange offers on the basis of the relative net asset value of the securities being exchanged plus a sales load equal to the difference between the sales load which would otherwise be charged on the securities to be acquired and on the securities to be exchanged. The Commission has also issued orders permitting unit investment trusts and their sponsors to make offers of exchange based on the relative net asset (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/30/84	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: value of the respective securities plus a fixed fee to cover expenses. The proposed rules would codify such orders (Rule 11a-3 for management companies; Rule 11a-4 for unit investment trusts) thereby eliminating the cost for small companies of preparing applications seeking the orders. Thus, the proposed rules would have a beneficial economic impact on such companies. The proposed rules would contain several conditions to assure the protection of investors. Any such conditions would be included in the rule in order to adequately protect investors against the abuses addressed by Section 11.

Agency Contact: Brion Thompson, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3042

RIN: 3235-AA14

41. PROPOSED AMENDMENT TO RULE 17G-1 UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-17(g); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.17g-1

Abstract: The Commission is considering whether to adopt an amendment to Rule 17g-1 under the Investment Company Act. The amendment was proposed for public comment in Investment Company Act Release No. 11193 (June 2, 1980) (45 FR 38407). Rule 17g-1 requires every registered investment company to provide and maintain a bond against larceny and embezzlement covering officers and employees of the company. In some circumstances, the officers and employees of a company's depositor, trustee, investment adviser or other manager and various affiliates of such persons, because they have access to the company's assets, function as officers and employees of the investment company. The proposed amendment to the rule would clarify the scope of the rule by explicitly requiring the bonding of such persons. The principal cost associated with this rule would be the cost of a bond. That cost would vary according to the persons required to be bonded by the rule. In this regard, before adopting any amendment to the rule, the Commission will carefully consider what persons should be bonded to protect investors adequately, weighing the benefits of the protection against the cost of a bond.

Timetable:

Action	Date	FR Cite
NPRM	06/02/80	45 FR 38407
NPRM Comment Period Begin	06/02/80	45 FR 38407
NPRM Comment Period End	07/18/80	
Final Action	12/31/84	

Small Entity: Undetermined

Agency Contact: William C. Gibbs, Esq., Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2147

RIN: 3235-AA16

42. RULE 17J-1 UNDER THE INVESTMENT COMPANY ACT OF 1940

Priority: Undetermined

Legal Authority: 15 USC 80a-17(j); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.17j-1

Abstract: Rule 17j-1 requires every access person of a registered investment company, or of an investment adviser of or principal underwriter for the investment company to report to the investment company certain of his securities transactions. The Commission is considering whether to propose an amendment to this rule which would reduce the reporting requirement for investment company directors who are interested persons with respect to the investment company by reason of their

affiliation with a registered broker-dealer. Members of the industry have characterized these reporting requirements as unnecessarily burdensome in some instances. Any such rule amendment would have the effect of lessening the reporting requirements currently imposed by the rule. As a result, the staff believes that the costs, which should be insignificant, of complying with any amendment would be significantly less than the benefits it would provide. The staff is concurrently reviewing similar reporting requirements for investment advisers under Rule 204-2(a)(12) and (13) under the Investment Advisers Act, in order to (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: harmonize the provisions of Rule 17j-1 and Rule 204-2 to the extent possible.

Agency Contact: **Brion Thompson**, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-3042

RIN: 3235-AA68

43. ● PRICING OF REDEEMABLE SECURITIES FOR DISTRIBUTION, REDEMPTION AND REPURCHASE

Priority: Undetermined

Legal Authority: 15 USC 80a-22c; 15 USC 37(a)

CFR Citation: 17 CFR 270.22c-1

Abstract: Investment companies whose portfolio securities trade on days which are not customary US business days must price their securities if there is significant trading in the portfolio and investor orders are received. This means that an investment company with foreign investments may have to incur added costs in the administration of its fund. These costs and the benefits they represent are now under study in order to determine if an easing of the requirements would result in a significant loss of access by investors to the fund.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: **Jay B. Gould**, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW, Washington, DC 20549, 202 272-2107

RIN: 3235-AB58

44. PROPOSED RULE 22D-6 UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.22d-6

Abstract: The Commission is considering whether to adopt rule 22d-6 under the Investment Company Act, which was proposed for public comment in Release IC-13183 (April 22, 1983), and for which the public comment period was extended to September 30 in Release IC-13412 (July 29, 1983). The proposed rule would exempt investment companies ("funds") and other related entities from Section 22(d) of the Act, which requires that fund shares be sold only at a current public offering price described in the prospectus, and it would permit variations, including negotiation, in the sales loads on investment company shares. If adopted, existing rules 22d-1 through 22d-5 would be rescinded. In recent years, a large number of applications have been filed to permit the types of variations that would be permitted by the proposed rule, and the rule would eliminate the cost of such applications. This would benefit small companies since the cost of an application is probably more burdensome for a small company than a large company. The proposed rule's provision that would permit retail negotiation of sales loads may foster greater competition in the sale of fund shares, and this may impact small companies. (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/22/83	48 FR 19887
NPRM Comment Period Begin	04/22/83	48 FR 19887
NPRM Comment Period End	09/30/83	

Next Action Undetermined

Small Entity: Yes

Additional Information: However, the nature and degree of such impact are impossible to determine since any negotiation under the proposed rule is optional with a fund, and since the market for investment company shares is influenced by many other factors such as changes in the economy, interest rates, investor attitudes, and investor information. While alternatives other than the proposed rule were considered, the rule as proposed was deemed by the Commission to be appropriate in the public interest and consistent with the protection of investors.

Agency Contact: **Elizabeth M. Knoblock, Esq.**, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3036

RIN: 3235-AA17

45. AMENDMENTS TO RULES 30A-1 AND 30A-2 UNDER THE INVESTMENT COMPANY ACT OF 1940 AND TO FORM N-SAR, ANNUAL REPORT OF MANAGEMENT INVESTMENT COMPANY

Priority: Undetermined

Legal Authority: 15 USC 80a-29; 15 USC 80a-37; 15 USC 78m; 15 USC 78o; 15 USC 78w

CFR Citation: 17 CFR 240.13a-1; 17 CFR 240.15d-1; 17 CFR 270.30a-1; 17 CFR 270.30a-2; 17 CFR 274.101; 17 CFR 274.102

Abstract: Rule 30a-1 under the Investment Company Act of 1940 currently requires that every registered investment company file an annual report with the Commission. Rule 30a-2 prescribes various forms for such reports. The Commission will consider requiring semi-annual reports pursuant to Section 30(b) of the Investment Company Act, in lieu of the annual reports now required. Forms adopted for this purpose would be considerably shorter and easier for investment companies to complete than any forms they replace and would benefit the Commission's inspection and data collection functions. No quantitative analysis of the costs and benefits is presently available.

Timetable:

Action	Date	FR Cite
NPRM	08/02/84	48 FR 32370
NPRM Comment Period Begin	08/02/84	
NPRM Comment Period End	10/01/84	

Small Entity: Yes

Agency Contact: Gene A. Gohlke, Chief Financial Analyst, Securities and Exchange Commission, 450 5th St., NW (Stop 5-2), Washington, DC 20549, 202 272-2024

RIN: 3235-AB18

46. RULE 204-2 UNDER INVESTMENT ADVISERS ACT OF 1940 ("ADVISER'S ACT") -- BOOKS AND RECORDS TO BE MAINTAINED BY INVESTMENT ADVISERS

Priority: Undetermined

Legal Authority: 15 USC 80b-4 Advisers Act; 15 USC 80b-11 Advisers Act

CFR Citation: 17 CFR 275.204-2

Abstract: The rule requires a registered investment adviser to make and keep true, accurate, and current certain books and records relating to its investment advisory business. Such records enable the Commission's examination personnel to review the investment adviser's activities to determine whether they are fulfilling their responsibilities to their clients and complying with the relevant provisions of the Federal securities laws and the rules thereunder. Inasmuch as most investment advisers, as a matter of sound business practice, are likely to maintain books and records substantially similar to those required by the rule, the incremental costs of compliance are minimal. In Advisers Act Release No. 899, February 15, 1984 the Commission proposed to amend the rule to permit advisers to retain required records on microfilm immediately. The existing rule requires that hard copies of records be maintained for two years before microfilm records are substituted. The release also asked comment on whether the Commission should amend the rule to permit advisers to store records in computers, rather than on hard copy or microfilm, and if so, under what conditions.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	49 FR 6746
NPRM Comment Period Begin	02/15/84	
NPRM Comment Period End	04/16/84	
Final Action	12/31/84	

Small Entity: Undetermined

Agency Contact: Mary S. Podesta, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2079

RIN: 3235-AA18

SECURITIES AND EXCHANGE COMMISSION (SEC) — Existing Regulations Under Review

47. REGISTRATION OF PARTNERSHIP INTERESTS

Priority: Agency Determination

Legal Authority: 15 USC 77g; 15 USC 77j; 15 USC 77s(a)

CFR Citation: 17 CFR Not yet determined

Abstract: There are not currently any forms or disclosure requirements specially tailored for an offering of partnership interests. Thus, they currently must be registered on forms which have been designed for use by corporations. Special disclosure requirements have been developed as a matter of administrative practice. These requirements differ depending upon the type of partnership interest involved. The project will involve development of uniform disclosure requirements for all varieties of partnership offerings, with a focus on those characteristics common to all or most limited partnerships, such as tax implications. It also will involve codification of informal practices and streamlining of registration to the extent appropriate. These efforts are expected to facilitate the preparation of registration statements concerning such interests and to improve the disclosure provided to investors.

Timetable:

Action	Date	FR Cite
NPRM	10/10/84	
NPRM Comment Period Begin	10/10/84	
NPRM Comment Period End	01/10/85	
Final Action	03/31/85	
Final Action Effective	04/30/85	

Small Entity: Yes

Agency Contact: Leslie Murphy, Attorney-advisor, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AB47

48. PROPOSED TENDER OFFER RULE AMENDMENTS

Priority: Undetermined

Legal Authority: 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78c(b); 15 USC 78n(d); 15 USC 78n(e); 15 USC 78w(a)

CFR Citation: 17 CFR 240.14d-1 to 240.14d-101; 17 CFR 240.14e-1 to 240.14e-3

Abstract: The Advisory Committee on Tender Offers conducted an extensive examination of the tender offer process and other techniques for acquiring control of public companies. It recommended to the Commission legislative and regulatory changes necessary or appropriate to the current regulatory scheme. On July 8, 1983, the Committee submitted to the Commission its Report of Recommendations. Among other things, the Committee made recommendations with respect to the economic implications of tender offers and other acquisition techniques, the need for, nature and objectives of such activities and appropriate statutory and regulation modifications. The Commission intends to promulgate proposed regulatory changes related to the recommendations of the Committee.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period Begin	06/29/84	49 FR 26751
ANPRM Comment Period End	09/26/84	
NPRM	12/30/84	

Small Entity: Undetermined

SEC

Existing Regulations Under Review

Agency Contact: Thomas E. Sweeney, Jr., Attorney, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AA50

---

49. ● RULE 3A12-5 -- EXEMPTION OF CERTAIN INVESTMENT CONTRACT SECURITIES FROM SECTIONS 7(C) AND 11(D)(1)

Priority: Undetermined

Legal Authority: 15 USC 78c(a)(12); 15 USC 78g(c); 15 USC 78k(d)(1); 15 USC 78w(a)

CFR Citation: 17 CFR 240.3a12-5

Abstract: The Rule exempts certain investment contract securities involving the direct ownership of specified residential real property offered by broker-dealers from Sections 7(c) and 11(d)(1) of the Securities Exchange Act of 1934, subject to certain conditions. The rule is premised, in part, upon the lack of a secondary trading market for certain investment contract securities, and the Commission's conclusion that permitting extensions of credit pursuant to the terms of the exemption is in the public interest and for the protection of investors. The rule is limited to investment contracts consisting of a direct ownership interest in certain residential real property. In addition, the rule requires that credit be extended by a lender unaffiliated with the issuer or the broker-dealer offering these securities. The staff has just initiated its review of this regulation and will consider alternatives and potential costs and benefits.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	

Small Entity: Undetermined

Agency Contact: Colleen Curran Harvey, Deputy Chief Counsel, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB56

---

50. ● SECURITIES EXCHANGE ACT RULE 3B-1 -- DEFINITION OF "LISTING"

Priority: Undetermined

Legal Authority: 15 USC 78c(b); 15 USC 78w(a)

CFR Citation: 17 CFR 240.12d1-3; 17 CFR 240.12d1-4; 17 CFR 240.12d1-5; 17 CFR 240.12d2-1; 17 CFR 240.12d2-2; 17 CFR 240.12f-1; 17 CFR 240.12f-2; 17 CFR 240.12f-3; 17 CFR 240.12f-4; 17 CFR 240.12f-6; 17 CFR 240.12g-2

Abstract: The regulation defines for purposes of the Securities Exchange Act of 1934 ("Act") and the rules and regulations thereunder the term "listed" security, a term that is used in Section 12(d), 12(e), 12(f), and other provisions of the Act and the rules and regulations thereunder. The regulation was adopted in 1934, and no alternatives are now being considered. The regulation simply defines a term not otherwise defined by the Act or the rules and regulations thereunder, and accordingly the regulation has no measurable costs or benefits.

Timetable:

Action	Date	FR Cite
Begin Review	08/03/84	
End Review	08/28/84	

Small Entity: No

Agency Contact: Richard Chase, Assistant Director, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2866

RIN: 3235-AB55

---

51. ● RULE 11D1-1 -- EXEMPTION OF CERTAIN SECURITIES FROM SECTION 11(D)(1)

Priority: Undetermined

Legal Authority: 15 USC 78c(a)(12); 15 USC 78k(d)(1); 15 USC 78w(a)

CFR Citation: 17 CFR 240.11d1-1

Abstract: The rule exempts certain securities form the prohibition in Section 11(d)(1) of the Securities Exchange Act of 1934 relating to the extension of credit on new issues. It addresses the problem that some shares of a given class of stock may be subject to the prohibition in Section 11(d)(1) while other shares are not. The rule does not remove the prohibition against extensions of credit in connection with sales of "new" shares effected by a broker-dealer during the distribution of the "new issue". The staff has just initiated its review of this regulation and will consider alternatives and potential costs and benefits.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	
End Review	04/01/85	

Small Entity: Undetermined

Agency Contact: Colleen Curran Harvey, Deputy Chief Counsel, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, 202 272-2848

RIN: 3235-AB54

---

52. ● RULE 15C2-4 -- TRANSMISSION OR MAINTENANCE OF PAYMENTS RECEIVED IN CONNECTION WITH UNDERWRITINGS

Priority: Undetermined

Legal Authority: 15 USC 78o; 15 USC 78w

CFR Citation: 17 CFR 240.15c2-4

Abstract: Rule 15c2-4 applies to best-efforts distribution of securities that are conducted on any basis where payment will not be made to the issuer until some further event or contingency occurs. It requires a broker-dealer participant either promptly to deposit investor's funds into a separate bank account, or promptly to transmit such funds to a bank escrow agent, pending the occurrence of the contingency. The purpose of the rule is to insulate offering proceeds from unlawful activities by, or the financial reverses of, the broker-dealer, pending the occurrence of the contingency. Amendments to the rule are being considered that would resolve ambiguities and to codify interpretive positions taken by the staff since the rule's adoption in 1962. An interpretive release is being considered as an alternative. Neither action would increase the costs of complying with the rule since either action would simply clarify, not change, the application of the rule. The benefits of either action would be eliminating confusion and ambiguity, more clearly defining a broker-dealer's responsibilities under the rule, and greater uniformity in industry practice.

Timetable:

Action	Date	FR Cite
NPRM	09/30/84	
Final Action	06/30/85	

Small Entity: Undetermined

SEC

Existing Regulations Under Review

Agency Contact: Nancy J. Burke, Branch Chief, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, NW, Washington, DC 20549, **202 272-2848**

RIN: 3235-AB57

SECURITIES AND EXCHANGE COMMISSION (SEC)

Completed Actions

COMPLETED RULEMAKINGS

53. RULE 17AD-5 -- WRITTEN INQUIRIES AND REQUESTS

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-5

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB26

54. AMENDMENT TO RULE 12D-1 UNDER THE INVESTMENT COMPANY ACT

Priority: Undetermined

CFR Citation: 17 CFR 270.12d3-1; 17 CFR 270.2a-3; 17 CFR 274.11A; 17 CFR 274.11a-1; 17 CFR 274.5; 17 CFR 274.12; 17 CFR 274.14

Completed:

Reason	Date	FR Cite
Final Action	07/13/84	49 FR 29362
Final Action Effective	08/20/84	49 FR 29362

Small Entity: Yes

Agency Contact: Jeffrey S. Puretz 202 272-2048

RIN: 3235-AB37

55. RECOGNITION OF GAIN OR LOSS ON TRANSFERS OF OIL AND GAS PRODUCING PROPERTIES UNDER FULL COST METHOD OF ACCOUNTING

Priority: Undetermined

CFR Citation: 17 CFR 210.4-10(i)(3)(iii); 17 CFR 210.4-10(i)(6)(iii); 17 CFR 210.4-10(i)(7)(ii)

Completed:

Reason	Date	FR Cite
Final Action	04/25/84	49 FR 18470

Small Entity: Undetermined

Agency Contact: John W. Albert 202 272-2130

RIN: 3235-AB07

56. RULE 145 -- PROPOSED FORM F-4 AND OTHER RULES AND FORMS RELATING TO DISCLOSURE IN CONNECTION WITH BUSINESS COMBINATIONS INVOLVING FOREIGN COMPANIES

CFR Citation: 17 CFR 230.145; 17 CFR 230.174; 17 CFR 239.34, (New); 17 CFR 239.35, (New)

Completed:

Reason	Date	FR Cite
Withdrawn	02/29/84	

Small Entity: Undetermined

Agency Contact: Martin Meyrowitz 202 272-3250

RIN: 3235-AB06

57. COMMUNICATIONS NOT DEEMED A PROSPECTUS

Priority: Undetermined

CFR Citation: 17 CFR 230.134

Completed:

Reason	Date	FR Cite
Adopted	03/28/84	49 FR 12687

Small Entity: Undetermined

Agency Contact: William Morley 202 272-2573

RIN: 3235-AB46

58. RULE 148 - PERSONS NOT DEEMED TO BE UNDERWRITERS OF SECURITIES ISSUED OR SOLD IN CONNECTION WITH BANKRUPTCY PROCEEDINGS

CFR Citation: 17 CFR 230.148

Completed:

Reason	Date	FR Cite
Withdrawn	02/29/84	

Small Entity: Undetermined

Agency Contact: Ann M. Glickman 202 272-2573

RIN: 3235-AA90

59. RULE 406 -- NON-DISCLOSURE OF INFORMATION FILED WITH THE COMMISSION

CFR Citation: 17 CFR 230.406

Completed:

Reason	Date	FR Cite
Final Action	03/23/84	49 FR 13336

Small Entity: Undetermined

Agency Contact: William E. Morley 202 272-2573

RIN: 3235-AB05

60. RULE 12H-3, PROPOSED SUSPENSION OF PERIODIC REPORTING OBLIGATIONS

Priority: Undetermined

CFR Citation: 17 CFR 240.12h-3

Completed:

Reason	Date	FR Cite
Final Action	03/27/84	49 FR 12688

Small Entity: Undetermined

Agency Contact: William E. Toomey 202 272-2573

RIN: 3235-AA71

61. RULE 24B-2 -- NON-DISCLOSURE OF INFORMATION FILED WITH THE COMMISSION AND WITH ANY EXCHANGE

CFR Citation: 17 CFR 240.24b-2; 17 CFR 201.26

Completed:

Reason	Date	FR Cite
Withdrawn	04/15/84	

Small Entity: Undetermined

Agency Contact: Joseph G. Connolly, Jr. 202 272-3097

RIN: 3235-AB03

SEC

Completed Actions

62. RULE 15B9-1 "EXEMPTION FOR CERTAIN EXCHANGE MEMBERS"

Priority: Undetermined

CFR Citation: 17 CFR 240.15b9-1

Completed:

Reason	Date	FR Cite
End Review	07/24/84	

Small Entity: Undetermined

Agency Contact: Sheila Barry 202 272-2410

RIN: 3235-AB16

63. RULE 17A-2 -- RECORDKEEPING REQUIREMENTS RELATING TO STABILIZING ACTIVITIES

Priority: Undetermined

CFR Citation: 17 CFR 240.17a-2

Completed:

Reason	Date	FR Cite
End Review	07/26/84	

Small Entity: No

Agency Contact: Kenneth B. Orenbach 202 272-7391

RIN: 3235-AB23

64. RULE 17AD-1 -- DEFINITIONS

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-1

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB21

65. RULE 17AD-3 -- LIMITATIONS ON EXPANSION

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-3

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB19

66. RULE 17AD-4 -- APPLICABILITY OF SECTIONS 240.17AD-2, 17AD-3, AND 17AD-6

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-4

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB27

67. RULE 17AD-6 -- RECORDKEEPING

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-6

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB25

68. RULE 17AD-7--RECORD RETENTION

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-7

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB24

69. FORM X-17F-1A--REPORT FOR MISSING, LOST, STOLEN OR COUNTERFEIT SECURITIES

Priority: Undetermined

CFR Citation: 17 CFR 249.1200

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB28

70. REVISED PROCEDURES FOR PROCESSING POST-EFFECTIVE AMENDMENTS FILED BY REGISTERED INVESTMENT COMPANIES

CFR Citation: 17 CFR 230.485; 17 CFR 230.486

Completed:

Reason	Date	FR Cite
Final Action	05/14/84	49 FR 20279
Final Action Effective	06/13/84	

Small Entity: Yes

Agency Contact: Larry L. Greene 202 272-7320

RIN: 3235-AB41

71. REGULATION E EXEMPTION FOR SECURITIES OF SMALL BUSINESS INVESTMENT COMPANIES

Priority: Undetermined

CFR Citation: 17 CFR 230.601 to 230.610(a)

Completed:

Reason	Date	FR Cite
Final Action	08/31/84	

Small Entity: Yes

Agency Contact: Stephen C. Beach 202 272-3040

RIN: 3235-AA09

72. RULE 31A-1, RECORDS TO BE MAINTAINED BY REGISTERED INVESTMENT COMPANIES

CFR Citation: 17 CFR 270.31a-1

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: Yes

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB32

73. RULE 31A-2 -- RECORDS TO BE PRESERVED BY REGISTERED INVESTMENT COMPANIES, CERTAIN MAJORITY-OWNED SUBSIDIARIES THEREOF, AND OTHER PERSONS HAVING TRANSACTIONS WITH REGISTERED INVESTMENT COMPANIES

Priority: Undetermined

CFR Citation: 17 CFR 270.31a-2.

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: No

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB29

74. RULE 31A-3. RECORDS PREPARED OR MAINTAINED BY OTHER THAN PERSON REQUIRED TO MAINTAIN AND PRESERVE THEM

Priority: Undetermined

CFR Citation: 17 CFR 270.31a-3

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: No

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB31

75. RULE 45A-1, CONFIDENTIAL TREATMENT OF NAMES AND ADDRESSES OF DEALERS OF REGISTERED INVESTMENT COMPANY SECURITIES

Priority: Undetermined

CFR Citation: 17 CFR 270.45a-1

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: Undetermined

Agency Contact: Carolyn A. Uberman 202 272-2795

RIN: 3235-AB30

76. PROPOSED RULE 205-3 UNDER THE INVESTMENT ADVISERS ACT OF 1940

Priority: Undetermined

CFR Citation: 17 CFR 275.205-3

Completed:

Reason	Date	FR Cite
Withdrawn	05/02/84	49 FR 19524

Small Entity: Undetermined

Agency Contact: Mary S. Podesta 202 272-2039

RIN: 3235-AA65

77. 17 CFR PART 257--PRESERVATION AND DESTRUCTION OF RECORDS OF REGISTERED PUBLIC UTILITY HOLDING COMPANIES AND OF MUTUAL AND SUBSIDIARY SERVICE COMPANIES

Priority: Undetermined

CFR Citation: 17 CFR 256a; 17 CFR 257

Completed:

Reason	Date	FR Cite
Final Action	07/03/84	49 FR 27307

Small Entity: No

Agency Contact: Michael L. Haase 202 272-7648

RIN: 3235-AA92

COMPLETED REVIEWS

78. RULE 17A-19 AND FORM X-17A-19: REPORTS BY SECURITIES EXCHANGES AND REGISTERED NATIONAL SECURITIES ASSOCIATIONS OF CHANGES IN MEMBERSHIP STATUS OF ANY OF THEIR MEMBERS

Priority: Undetermined

CFR Citation: 17 CFR 240.17a-19; 17 CFR 249.635

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Not Applicable

Agency Contact: James G. Moody 202 272-7475

RIN: 3235-AB22

79. RULE 17AD-2 -- TURNAROUND, PROCESSING AND FORWARDING OF ITEMS

Priority: Undetermined

CFR Citation: 17 CFR 240.17Ad-2

Completed:

Reason	Date	FR Cite
End Review	07/31/84	

Small Entity: Undetermined

Agency Contact: Jonathan Kallman 202 272-2775

RIN: 3235-AB20

80. RULE 2A-1 UNDER THE INVESTMENT COMPANY ACT OF 1940--VALUATION OF PORTFOLIO SECURITIES IN SPECIAL CASES

Priority: Undetermined

CFR Citation: 17 CFR 270.2a-1

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: Undetermined

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB36

81. RULE 2A-2. EFFECT OF ELIMINATIONS UPON VALUATION OF PORTFOLIO SECURITIES

Priority: Undetermined

CFR Citation: 17 CFR 270.2a-2

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: No

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB35

82. RULE 2A-4 UNDER THE INVESTMENT COMPANY ACT OF 1940 -- DEFINITION OF "CURRENT NET ASSET VALUE" FOR USE IN COMPUTING PERIODICALLY THE CURRENT PRICE OF A REDEEMABLE SECURITY

CFR Citation: 17 CFR 270.2a-4

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: Undetermined

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB34

83. RULE 2A-6. CERTAIN TRANSACTIONS NOT DEEMED ASSIGNMENTS

Priority: Undetermined

CFR Citation: 17 CFR 270.2a-6

Completed:

Reason	Date	FR Cite
End Review	08/08/84	

Small Entity: Undetermined

Agency Contact: Carolyn A. Uberman 202 272-2799

RIN: 3235-AB33

ACTIONS THAT STARTED AND ENDED BETWEEN ISSUES OF THE UNIFIED AGENDA

84. ● RULE 12H-3 AND FORM 15 UNDER THE SECURITIES EXCHANGE ACT OF 1934

CFR Citation: 17 CFR 240.12h-3

Timetable:

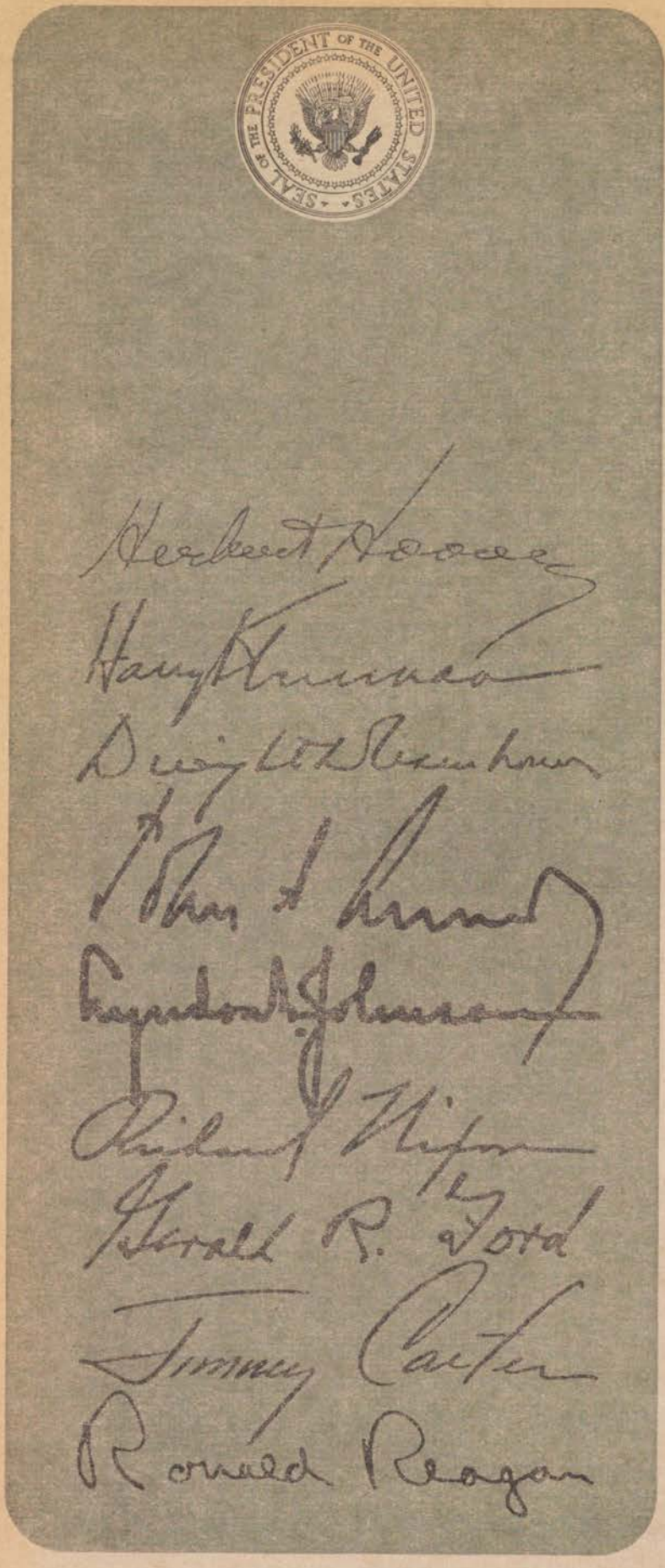
Action	Date	FR Cite
Final Action	03/30/84	
Begin Review	03/30/84	49 FR 12688
End Review	08/09/84	

Small Entity: Undetermined

Agency Contact: William Toomey, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2573

RIN: 3235-AB60

[FR Doc. 84-24973 Filed 10-19-84; 8:45 am]



Public Papers of the Presidents of the United States

Annual volumes containing the public messages and statements, news conferences, and other selected papers released by the White House.

Volumes for the following years are now available:

Herbert Hoover

1929	$19.00
1930	$19.00
1931	$20.00
1932–33	$24.00
Proclamations & Executive Orders-March 4, 1929 to March 4, 1933 2 Volume set	$32.00

Harry Truman

1945	$18.00
1946	$17.00
1947	$17.00
1948	$22.00
1949	$18.00
1950	$19.00
1951	$20.00
1952–53	$24.00

Dwight D. Eisenhower

1953	$20.00
1954	$23.00
1955	$20.00
1956	$23.00
1957	$20.00
1958	$20.00
1959	$21.00
1960–61	$23.00

John Kennedy

1961	$20.00
1962	$21.00
1963	$21.00

Lyndon B. Johnson

1963–64 (Book I)	$21.00
1963–64 (Book II)	$21.00
1965 (Book I)	$18.00
1965 (Book II)	$18.00
1966 (Book I)	$19.00
1966 (Book II)	$20.00
1967 (Book I)	$19.00
1967 (Book II)	$18.00
1968–69 (Book I)	$20.00
1968–69 (Book II)	$19.00

Richard Nixon

1969	$23.00
1970	$24.00
1971	$25.00
1972	$24.00
1973	$22.00
1974	$18.00

Gerald R. Ford

1974	$19.00
1975 (Book I)	$22.00
1975 (Book II)	$22.00
1976–77 (Book I)	$23.00
1976–77 (Book II)	$22.00
1976–77 (Book III)	$22.00

Jimmy Carter

1977 (Book I)	$23.00
1977 (Book II)	$22.00
1978 (Book I)	$24.00
1978 (Book II)	$25.00
1979 (Book I)	$24.00
1979 (Book II)	$24.00
1980–81 (Book I)	$21.00
1980–81 (Book II)	$22.00
1980–81 (Book III)	$24.00

Ronald Reagan

1981	$25.00
1982 (Book I)	$19.00
1982 (Book II)	$25.00

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402