A Finding of Inapplicability respecting the National Environmental Policy Act of 1969, has been made in accordance with HUD procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Office of General Counsel, Room 5128 451 7th Street, SW., Washington, D.C. 20410.

PART 841, APPENDIX A [AMENDED]

Accordingly, the prototype per unit cost schedules issued under 24 CFR, Part 841, Appendix A, Prototype Cost Limits for Low-Income Housing are amended as follows:

At 44 FR 32547, revise the per unit cost schedules for detached and semi-detached, row, walk-up and elevator dwellings, as shown on the prototype per unit cost schedules, Region V, Marquette, Michigan.

(Sec. 7(d), Department of HUD Act, (42 U.S.C. 3535(d)); sec. 6(b) U.S. Housing Act of 1937, (42 U.S.C. 1437(d))).

Issued at Washington, D.C. on October 1, 1979.

Lawrence B. Simons,

Assistant Secretary for Housing, Federal Housing Commissioner.

[FR Doc. 79-31075 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

REGION V

	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
MARQUETTE							
Det. & Semi-Det.	19,500	23,600	28,950	34,500	41,650	46,450	48,550
Row Dwellings	18,500	22,400	27,500	32,800	39,550	44,100	46,100
Walk-Up	16,600	20,050	24,600	29,300	35,400	39,500	41,250
Elevator-Structure	28,000	32,750	41,200				

	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

	0 BR	1 BR	2 BR	3 BR	4 BR	5 BR	6 BR
Det. & Semi-Det.							
Row Dwellings							
Walk-Up							
Elevator-Structure							

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24 CFR Part 888

[Docket No. R-79-677]

Low Income Housing; Fair Market Rents for New Construction and Substantial Rehabilitation; Correction

AGENCY: Office of Assistant Secretary for Housing-Federal Housing Commissioner, HUD.

ACTION: Correction of final rule.

SUMMARY: The annual revision of Section 8 Fair Market Rents for new construction and substantial rehabilitation which was published on Friday, July 13, 1979 (FR Docket No. R-79-677) contained a note to Schedule A which is being corrected.

EFFECTIVE DATE: April 1, 1979.

FOR FURTHER INFORMATION CONTACT: Edward M. Winiarski, Supervisory Appraiser, Valuation Branch, Technical Support Division, Office of Multifamily Housing Development, 451 7th Street, SW., Washington, D.C. 20410, 202-755-5743. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The note to Part 888, Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies Program) in the final rule of July 13, 1979, did not express HUD's intent concerning Fair Market Rents for units designed for the elderly or handicapped. HUD is amending the note to permit the Fair Market Rents for all sizes of units designed for the handicapped to be computed by multiplying 1.05 by the published Fair Market Rent. The 1.05 adjustment for units designed for the elderly applies only to efficiency, 1- and 2-bedroom units.

Accordingly, the note to Schedule A of Part 888 is revised to read as follows:

Schedule A—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies Program)

These Fair Market Rents have been trended ahead to April 1, 1981, to allow time for processing and construction of proposed new construction and substantial rehabilitation Section 8 projects.

Note.—The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size units, not to exceed 2-bedrooms for the elderly, multiplied by 1.05 rounded to the nearest whole dollar, (2) congregate housing dwelling units are the same as for noncongregate units, and (3) single room occupancy dwelling units are those for 0-bedroom units of the same type.

Authority: Sec. 7(d) Department of HUD Act (42 U.S.C. 3535(d)).

Issued at Washington, D.C., October 1, 1979.

Lawrence B. Simons,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 79-31078 Filed 10-5-79; 8:45 am]

BILLING CODE 4210-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 7633]

Valuation Date for Pooled Income Funds and Applicability of Separate Share Rule to Successive Interests in Trusts; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final rule; correction.

SUMMARY: This document contains technical corrections to the Federal Register publication at 44 FR 42682 of the full text of the regulations which were the subject of Treasury Decision 7633, relating to certain valuation dates under section 642(c) of the Internal Revenue Code of 1954 and the application of the separate share rule of section 663(c) of the Code to successive interests in point of time.

EFFECTIVE DATES: The regulations dealing with pooled income funds are effective for transfers in trust made after July 31, 1969. The regulations involving separate shares apply in the case of taxable years ending after December 31, 1978.

FOR FURTHER INFORMATION CONTACT: Fred E. Grundeman of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attention: CC:LR:T, 202-566-3287 (not a toll-free call).

SUPPLEMENTARY INFORMATION

Background

On August 29, 1978, the Federal Register published a notice of proposed rulemaking (43 FR 38601) which proposed amendments to the Income Tax Regulations (26 CFR Part 1) under sections 642(c) and 663(c) of the Internal Revenue Code of 1954. On July 20, 1979, the Federal Register published Treasury Decision 7633 (FR Doc. 79-22432) at 44 FR 42681. The principal purposes of the amendments to the Income Tax Regulations made by the Treasury decision were to allow valuations under section 642(c) to be made, under certain circumstances, on the next preceding day if a trustee desires, and to limit the application of the separate share rule under section 663(c) to concurrent trust shares for taxable years ending after December 31, 1978.

Treasury Decision 7633 also deleted §§ 1.663(a), 1.663(b), and 1.663(c) of the regulations because those sections merely reproduced provisions of the Internal Revenue Code of 1954.

Need for Correction

As published, the full text of the regulations which were the subject of Treasury Decision 7633 inaccurately limits the application of the separate share rule found in § 1.663(c)-3(e) to taxable years ending before December 31, 1978, rather than to such years ending before January 1, 1979, and does not delete the three regulations sections that merely reproduce statutory material.

In addition, the omission of asterisks in the material printed in the third column on 44 FR 42682 might lead to the mistaken belief that certain portions of § 1.642(c)-5 and § 1.663(c)-3 have been deleted.

Drafting Information

The principal author of these corrections was Fred E. Grundeman of the Legislation and Regulations Division, Office of Chief Counsel, Internal Revenue Service.

Correction of Publication

Accordingly, the publication of the full text of the regulations which were the subject of FR Doc. 79-22432 (44 FR 42682) is corrected to read as follows:

Paragraph 1. Section 1.642(c)-5 is amended by revising paragraph (a)(5)(vi) to read as follows:

§ 1.642(c)-5 Definition of pooled income fund.

(a) * * *

(5) * * *

(vi) The term "determination date" means each day within the taxable year of a pooled income fund on which a valuation is made of the property in the fund. The property in the fund shall be valued on the first day of the taxable year of the fund and on at least 3 other days within the taxable year. The period between any two consecutive determination dates within the taxable year shall not be greater than 3 calendar months. In the case of a taxable year of less than 12 months, the property in the fund shall be valued on the first day of such taxable year and on such other days within such year as occur at successive intervals of no greater than 3 calendar months. Where a valuation date falls on a Saturday, Sunday, or

legal holiday (as defined in section 7503 and the regulations thereunder), the valuation may be made on either the next preceding day which is not a Saturday, Sunday, or legal holiday or the next succeeding day which is not a Saturday, Sunday or legal holiday, so long as the next such preceding day or next such succeeding day is consistently used where the valuation date falls on a Saturday, Sunday, or legal holiday.

* * * * *

Paragraph 2. Section 1.663(c)–3 is amended by revising paragraph (e) to read as follows:

§ 1.663(c)–3 Applicability of separate share rule.

* * * * *

(e) For taxable years ending before January 1, 1979, the separate share rule may also be applicable to successive interests in point of time, as for instance in the case of a trust providing for a life estate to A and a second life estate or outright remainder to B. In such a case, in the taxable year of a trust in which a beneficiary dies items of income and deduction properly allocable under trust accounting principles to the period before a beneficiary's death are attributed to one share, and those allocable to the period after the beneficiary's death are attributed to the other share. Separate share treatment is not available to a succeeding interest, however, with respect to distributions which would otherwise be deemed distributed in a taxable year of the earlier interest under the throwback provisions of subpart D (section 665 and following), Part I, subchapter J, chapter 1 of the Code. The application of this paragraph may be illustrated by the following example:

Example. A trust instrument directs that the income of a trust is to be paid to A for her life. After her death income may be distributed to B or accumulated. A dies on June 1, 1956. The trust keeps its books on the basis of the calendar year. The trust instrument permits invasions of corpus for the benefit of A and B, and an invasion of corpus was in fact made for A's benefit in 1956. In determining the distributable net income of the trust for the purpose of determining the amounts includible in A's income, income and deductions properly allocable to the period before A's death are treated as income and deductions of a separate share, and for that purpose no account is taken of income and deductions allocable to the period after A's death.

* * * * *

§§ 1.663(a), 1.663(b), and 1.663(c) [Deleted].

Paragraph 3. Sections 1.663(a), 1.663(b), and 1.663(c) are deleted.

Robert A. Bley,

Director, Legislation and Regulations Division.

[FR Doc. 79-31117 Filed 10-5-79; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF JUSTICE

Office of the Attorney General

28 CFR Part O

[Order No. 855-79]

Delegation to Deputy Attorney General of Power To Appoint Assistant U.S. Trustees and To Approve Appointment of Standing Trustees

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: Sections 582 and 587 of Title 28, U.S. Code, as added by section 224 of the Bankruptcy Reform Act of 1978, Pub. L. 95–598, 92 Stat. 2663, authorize the Attorney General to appoint one or more assistant United States trustees in any district when the public interest so requires, and to fix their compensation. Section 586 (b) and (e) of title 28, U.S. Code, as added by Section 224 of the Bankruptcy Reform Act of 1978, Pub. L. 95–598, 92 Stat. 2663, authorizes the Attorney General to approve the appointment by a United States trustee of one or more individuals to serve as standing trustee in cases arising under Chapter 13 of Title 11 and, after consultation with the United States trustee, to fix the compensation of such standing trustee as provided in 28 U.S.C. § 586(e). This order delegates these functions to the Deputy Attorney General.

EFFECTIVE DATE: October 1, 1979.

FOR FURTHER INFORMATION CONTACT: Richard L. Levine, Director of the Executive Office for United States Trustees, U.S. Department of Justice, Washington, D.C. 20530 (202–633–5122).

By virtue of the authority vested in me by 5 U.S.C. 301 and 28 U.S.C. 509 and 510, § 0.15 of Subpart C of Part O of Chapter I of Title 28, Code of Federal Regulations, is hereby amended by the addition of paragraph (b)(3) (iii) and (iv) as follows:

§ 0.15 Deputy Attorney General.

* * * * *

(b) the Deputy Attorney General shall advise and assist the Attorney General in formulating and implementing Department policies and programs and in providing overall supervision and direction of certain organizational units of the Department, as provided in this chapter, and shall:

* * * * *

(3) Exercise the power and authority vested in the Attorney General and in the Law Enforcement Assistance Administration to take final action in matters pertaining to:

(i) The employment, separation, and general administration of personnel in General Schedule grades GS–16 through GS–18, or the equivalent, and of attorneys regardless of grade or pay, in organizational units subject to his supervision or direction,

(ii) The appointment of Assistant U.S. Attorneys and other attorneys to assist U.S. Attorneys when the public interest so requires, and fixing their salaries,

(iii) The appointment of assistant United States trustees when the public interest so requires, and fixing their compensation, and

(iv) The approval of the appointment by a United States trustee of one or more individuals to serve as standing trustee in cases arising under Chapter 13 of Title 11, and after consultation with the United States trustee, fixing the compensation for such standing trustee as provided in 28 U.S.C. 586(e).

Dated: October 1, 1979.

Benjamin R. Civiletti,

Attorney General.

[FR Doc. 79-31136 Filed 10-5-79; 8:45 am]

BILLING CODE 4410-01-M

28 CFR Part 50

[Order No. 857-79]

Revision of Regulations Concerning Consent Judgments.

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This is an amendment of the regulations covering proposed consent judgment in antitrust cases. Section 50.1, Consent judgment policy, is revoked because it has been superseded by the Antitrust Procedures and Penalties Act, 15 U.S.C. 16. Section 50.13(c) is amended to substitute "Office of Operations" for "Judgments and Judgment Enforcement Section." The Assistant Attorney General, Antitrust Division, has assigned to the Office of Operations responsibility for reviewing and approving responses to written comments on proposed consent judgments received pursuant to the Antitrust Procedures and Penalties Act.

EFFECTIVE DATE: September 28, 1979.