§ 148.73 Baggage on carriers operated by the Department of Defense.

(a) *Declaration.* All persons, including crewmembers, entering the United States on carriers operated by or for the Department of Defense shall execute written baggage declarations.

* * * * *

(R.S. 251, as amended, section 498, 46 Stat. 728, as amended, section 624, 46 Stat. 759 (19 U.S.C. 66, 1498, 1624))

[FR Doc. 83-27826 Filed 10-14-83; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 211, 700, and 800

[Docket Nos. 82N-0330 and 82N-0332]

Tamper-Resistant Packaging Requirements; Interim Stay of Retail Level Effective Date; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; interim stay of effective date; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting a document that announced an interim stay of the retail level effective date of its tamper-resistant packaging requirements for certain over-the-counter human drugs, cosmetics, and contact lens solutions and tablets. That document inadvertently stated that the interim stay applies only to the requirement that products "shipped" prior to the initial effective dates (February 7, 1983 and May 5, 1983) that are held for sale on or after February 6, 1984, be packaged in tamper-resistant packaging; the document should have stated that the products subject to the initial stay are those that were "packaged" prior to the interim effective dates. The initial effective dates applied to the packaging, not to the shipping, of affected products. This document corrects that error.

EFFECTIVE DATE: September 16, 1983.

FOR FURTHER INFORMATION CONTACT: Paul O. Fehnel, Jr., National Center for Drugs and Biologics (HFN-7), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-6490.

SUPPLEMENTARY INFORMATION: In FR Doc. 83-25295 appearing at page 41578 in the issue for Friday, September 16, 1983, the following correction is made on page 41578: In the third column, second full paragraph, the second line, the word "shipped" is corrected to read "packaged".

Dated: October 7, 1983.

Joseph P. Hile,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-28095 Filed 10-12-83; 3:22 pm]

BILLING CODE 4160-01-M

21 CFR Part 520

Oral Dosage Form New Animal Drugs Not Subject To Certification; Diethylcarbamazine Citrate Capsules

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Happy Jack, Inc., providing for safe and effective use of diethylcarbamazine citrate capsules for prevention of heartworm disease in dogs.

EFFECTIVE DATE: October 17, 1983.

FOR FURTHER INFORMATION CONTACT: Bob G. Griffith, Bureau of Veterinary Medicine (HFV-112), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-3430.

SUPPLEMENTARY INFORMATION: Happy Jack, Inc., Snow Hill, NC 28580, filed NADA 125-137 providing for use of 12.5-, 200-, and 400-milligram diethylcarbamazine citrate capsules for prevention of heartworm disease (*Dirofilaria immitis)* in dogs. The NADA is approved and the regulations are amended to reflect the approval. The basis of this approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The Bureau of Veterinary Medicine has determined pursuant to 21 CFR 25.24(d)(1)(i) (proposed December 11, 1979; 44 FR 71742) that this action is of a type that does not individually or cumulatively have a significant impact on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

List of Subjects in 21 CFR Part 520

Animal drugs, Oral use.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Veterinary Medicine (21 CFR 5.83), Part 520 is amended in § 520.622d by redesignating paragraphs (a), (b), (c), (c)(1) and (c)(2) as paragraphs (a)(1), (2), (3), (3)(i) and (3)(ii) and by adding a new paragraph (b) to read as follows:

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

§ 520.622d Diethylcarbamazine citrate capsules.

* * * * *

(b)(1) *Specifications.* Each capsule contains either 12.5, 50, 200, or 400 milligrams of diethylcarbamazine citrate.

(2) *Sponsor.* See 023851 in § 510.600(c) of this chapter.

(3) *Conditions of use*—(i) *Amount/indications for use.* 3 milligrams per pound of body weight daily for prevention of heartworm disease *(Dirofilaria immitis)* in dogs.

(ii) *Limitations.* For oral administration only. Do not treat dogs with established heartworm infections until they have been converted to a negative status by the use of adulticidal and microfilaricidal drugs. Inadvertent administration to heartworm infected dogs may cause adverse reactions due to pulmonary occlusion or shock. For prevention of heartworm disease in heartworm-endemic areas, administration of the drug should begin 1 month before and continue 2 months after the mosquito season. Dogs receiving prophylactic therapy should be examined every 6 months for the presence of microfilariae. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. October 17, 1983.

(Sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i)))

Dated: October 6, 1983.

Lester M. Crawford,

Director, Bureau of Veterinary Medicine.

[FR Doc. 83-28096 Filed 10-14-83; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 26

[Docket No. R-80-863]

Proceedings Before a Hearing Officer

Correction

In FR Doc. 83-25911 beginning on page 43302, in the issue of Friday, September 23, 1983, make the following correction:

On page 43305, second column, § 26.4 (b)(1), "purpose and consent" should read "purpose and content".

BILLING CODE 1505-01-M

Office of the Secretary

Office of Assistant Secretary for Housing—Federal Housing Commissioner

Office of Assistant Secretary for Community Planning and Development

24 CFR Parts 26, 201, 215, 221, 236, 570, 882, 888, and 890

[Docket No. N-83-1292]

Revised Effective Dates

AGENCY: Office of the Secretary; Office of the Assistant Secretary for Housing—Federal Housing Commissioner; and Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice of revised effective dates.

SUMMARY: The Department of Housing and Urban Development Act requires HUD to wait thirty calendar days of continuous session of Congress before it makes a published rule effective. The Department computed each effective date for the seven rules listed below based on the published schedule of Congress, and announced the date at the time of publication of each of these final rules. Because Congress has recessed earlier than scheduled for the Columbus Day holiday, the Department must revise its previously published effective dates. This document announces these new dates.

DATES: See the individual amendments below.

FOR FURTHER INFORMATION CONTACT: Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10276, 451 Seventh Street, SW., Washington, D.C. 20410. Telephone: (202) 755-7055. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Section 7(o)(3) of the Department of Housing and Urban Act (42 U.S.C. 3535(o)) requires HUD to delay effectiveness of a published rule until thirty days of continuous session of Congress has elapsed. HUD computes the effective date for a particular rule by counting thirty session days of Congress (which excludes recesses for holidays) from the day after the date of publication of the final rule. This method relies on the published schedule of Congress. This year, Congress decided to begin its Columbus Day recess earlier than the published schedule. For this reason, HUD must delay the effective date of several rules until thirty continuous session days of Congress have elapsed.

PART 24—[AMENDED]

Accordingly, the Department amends 24 CFR as follows:

Subtitle A—Office of the Secretary.

1. In FR Doc. 83-25911, 24 CFR Part 26: Proceedings Before a Hearing Officer [Docket No. R-80-863], beginning on page 43302, in the issue of Friday, September 23, 1983, the **EFFECTIVE DATES** section on page 43303 is revised to read as follows:

EFFECTIVE DATE: November 2, 1983.

Chapter II—Office of Assistant Secretary for Housing—Federal Housing Commissioner.

PART 201—[AMENDED]

2. In FR Doc. 83-25998, 24 CFR Part 201: Property Improvement Loans; Increased Loan Limits [Docket No. R-83-1046], beginning on page 43309, in the issue of Friday, September 23, 1983, the **EFFECTIVE DATES** section on page 43309 is revised to read as follows:

EFFECTIVE DATE: November 2, 1983.

PARTS 215, 221, AND 236—[AMENDED]

3. In FR Doc. 83-25999, 24 CFR Parts 215, 221, and 236: Prohibited Lease Terms [Docket No. R-83-989], beginning on page 43310, in the issue of Friday, September 23, 1983, the **EFFECTIVE DATES** section on page 43310 is revised to read as follows:

EFFECTIVE DATE: November 2, 1983.

Chapter V—Office of Assistant Secretary for Community Planning and Development.

PART 570—[AMENDED]

4. In FR Doc. 83-25749, 24 CFR Part 570: Community Development Block Grants [Docket No. R-83-1005], beginning on page 43538, in the issue of Friday, September 23, 1983, the **EFFECTIVE DATE** section on page 43538 is revised to read as follows:

EFFECTIVE DATE: November 2, 1983.

Chapter VIII—Low Income Housing—Office of Assistant Secretary for Housing—Federal Housing Commissioner.

PARTS 882 AND 888—[AMENDED]

5. In FR Doc. 83-25802, 24 CFR Parts 882 and 888: Section 8 Housing Assistance Payments Program Fair Market Rent Schedules—Existing Housing and Moderate Rehabilitation [Docket No. R-83-1029], beginning on page 43578, in the issue of Friday, September 23, 1983, the **EFFECTIVE DATE** section on page 43578 is revised to read as follows:

EFFECTIVE DATE: November 2, 1983. Retroactive to March 29, 1983 for purposes of calculating the Public Housing Agency earned administrative fee.

PART 888—[AMENDED]

6. In FR Doc. 83-26000, 24 CFR Part 888: Section 8—Fair Market Rents for New Construction and Substantial Rehabilitation [Docket No. R-83-1074], beginning on page 43314, in the issue of Friday, September 23, 1983, the **EFFECTIVE DATE** section on page 43314 is revised to read as follows:

EFFECTIVE DATE: November 2, 1983.

PART 890—[AMENDED]

7. In FR Doc. 83-25636, 24 CFR 890: Annual Contributions for Operating Subsidy—Performance Funding System [Docket No. R-83-1113], beginning on page 42810, in the issue of Tuesday, September 20, 1983, the **EFFECTIVE DATES** section on page 42810 is revised to read as follows:

DATES: Effective Date: October 31, 1983. Comment Due Date: November 21, 1983.

Authority: Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)).

Dated: October 11, 1983.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 83-28162 Filed 10-14-83; 8:45 am]

BILLING CODE 4210-27-M

Office of the Secretary

24 CFR Part 841

[Docket No. R-83-1016]

Public Housing Development, Revision of Requirements

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule.

SUMMARY: This final rule prohibits Public Housing Agencies (PHAs) from transferring existing PHA-owned, city, county or State-assisted projects to the public housing program under the U.S. Housing Act of 1937, except with the prior written approval of the Assistant Secretary for Public and Indian Housing. The same prohibition applies to projects funded pursuant to Program Reservations issued before October 1, 1980. In addition, as the result of public comment, the rule, is being expanded to preclude the disposition of any properties secured by an FHA-insured or HUD-held mortgage or owned by HUD to a PHA for use in the Federal public housing program, except with the prior written approval of the Assistant Secretary for Public and Indian Housing. The rule is intended to control the extent of transfers to the 1937 Act's jurisdiction by requiring prior written HUD approval of any such transfer.

EFFECTIVE DATE: Upon expiration of the first period of 30 calendar days of continuous session of Congress after publication, but not before further notice of the effective date is published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Raymond W. Hamilton, Director, Public Housing Development Division, Office of Public Housing, Office of the Deputy Assistant Secretary for Public and Indian Housing, Room 4232, Department of Housing and Urban Development, Washington, D.C. 20410 (202) 426–0938. This is not a toll-free number.

SUPPLEMENTARY INFORMATION:

Background

On February 23, 1983 the Department published in the **Federal Register** (48 FR 7585) a Notice of Proposed Rulemaking to amend a portion of 24 CFR Part 841, Public Housing Development, to prohibit the future transfer of PHA-owned, city, county or State-assisted projects to the Federal public housing program under the U.S. Housing Act of 1937, without prior written HUD approval. These transfers have been permitted in order to make operating subsidies and modernization funding under the 1937 Act available to the projects involved. The proposed rule was designed to control the extent of the transfers, since they do not further the goal of providing additional low-income housing units, but instead only provide additional subsidy for projects developed and funded under State law. The proposed rule also applied to approximately 10,000 "pipeline" units on which HUD suspended processing before receipt of proposed approvals.

Interested parties were invited to submit comments until April 25, 1983. Comments were received from six entities, including four comments from public housing agencies, one from a housing association and one from the State of Connecticut. The comments are summarized below, together with HUD's response to them.

Discussion of Comments

1. Some commenters opposed the proposed rule, indicating that State law provides insufficient operating subsidies to enable PHAs properly to operate and maintain projects developed under State law. They pointed out that, as the result of inadequate operating subsidies, many such projects are in serious disrepair and in need of rehabilitation. It was also suggested that the rule fails to recognize that the preservation and retention of such units, however produced, in the PHA's inventory of low-income housing equally contributes, but at less cost, to the Department's goal of providing low-income housing.

The Department considered these points in drafting the proposed rule, but concluded that the funds provided by the United States Congress for the public housing program should generally be used only for the development of low-income housing. While the Department agrees that the preservation of the existing stock of low-income housing is an important goal, it does not agree that the transfer to the Federal government of responsibility for projects developed under State law contributes to meeting the goal of providing *additional* low-income housing. In addition, it is the policy of this Administration to maintain local responsibility for such programs to the maximum extent practicable.

2. One commenter suggested that by requiring prior Assistant Secretary approval the proposed rule would result in an administrative "bottleneck" and would diminish HUD's ability to respond to local needs by centralizing decision making authority at HUD Headquarters rather than leaving it at the Field Office level. The Department disagrees that the administrative process is in any way encumbered. HUD believes that the review process will be handled expeditiously, particularly under the Department's recently implemented Field Office and Headquarters reorganizations.

3. Several commenters stated that the practice of transferring HUD-held properties to PHAs for use in the Federal public housing program argued in favor of continuing transfers of PHA-owned, city, county or state-assisted properties. It should be noted that HUD Headquarters issued policy instructions to its Field Offices on July 15, 1982 concerning the issue of acquisition under the public housing program. In addition to reaffirming HUD policy disfavoring the transfer of existing PHA-owned, city, county or State-assisted projects, the instructions require Headquarters approval for the sale to a PHA of any properties secured by an FHA-insured or HUD-held mortgage, or owned by HUD. Field Offices may request authorization to sell these properties when exceptional circumstances prevent disposition to a private owner. This position is consistent with the Administration's policy of maintaining private housing in the private market and generally restricting the use of public housing funds for increasing the supply of low-income housing. In order to make this position clear, the final rule is being expanded to reflect this policy.

Other Matters

Since the issuance of the proposed rule, responsibility for Public and Indian Housing Programs has been transferred to a new Assistant Secretary—the Assistant Secretary for Public and Indian Housing by a delegation of authority signed by the Secretary on September 7, 1983, published in the **Federal Register** on September 13, 1983 (48 FR 41097). The final rule has been adjusted to reflect these changes.

This rule does not constitute a "major rule", as that term is defined in Section 1(b) of Executive Order 12291 on Federal Regulations issued by the President on February 17, 1981. Analysis of the proposed rule indicates that it does not: (1) Have an annual effect on the economy of $100 million or more; (2) cause a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or (3) have a significant adverse effect 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.

A Finding of No Significant Impact with respect to the environment has been made in accordance with HUD regulations in 24 CFR Part 50 which implement Section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332. The Finding of No Significant Impact is available for public inspection during regular business hours in the Office of the Rules Docket Clerk, Room 10276, Department of Housing and

Urban Development, 451 7th Street, SW., Washington, D.C. 20410.

Pursuant to the provisions of 5 U.S.C. 205(b) (the Regulatory Flexibility Act), the Undersigned hereby certifies that this rule does not have a significant economic impact on a substantial number of small entities. Since these requirements will not result in a change to the existing status of locally assisted projects, the economic impact on PHAs will not be significant.

This rule is listed at 48 FR 18073 as item H–33–82 in the Department's Semiannual Agenda of Regulations published on April 25, 1983, pursuant to Executive Order 12291 and the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance number is 14.146, Low-Income Housing-Assistance Program.

List of Subjects in 24 CFR Part 841

Loan programs, Housing and community development, Public housing, Prototype costs, Cooperation agreements, Turnkey, Conventional.

Accordingly, 24 CFR Part 841 is amended to read as follows:

1. By revising § 841.206 to read as follows:

§ 841.206 Eligible Properties.

(a) *Properties assisted under the Act.* Proposals involving properties already assisted under the Act, or which received assistance within one year of the date the application or proposal is submitted to the Field Office, may not be approved without the prior written approval of the Assistant Secretary for Public and Indian Housing.

(b) *Local or State Properties.* Proposals (including, for purposes of this paragraph only, Development Programs pursuant to Program Reservations issued before October 1, 1980) for the transfer of existing PHA-owned, city, county or State-assisted projects to the Federal public housing program under the U.S. Housing Act of 1937 may not be approved, except with the prior written approval of the Assistant Secretary for Public and Indian Housing.

(c) *Properties secured by an FHA-insured or HUD-held mortgage or owned by HUD.* Proposals (including, for the purpose of this paragraph only, Development Programs pursuant to Program Reservations issued before October 1, 1980) involving the acquisition, with or without rehabilitation, of properties secured by an FHA-insured or HUD-held mortgage, or owned by HUD, may not be approved except with the prior written approval of the Assistant Secretary for Public and Indian Housing, and subject to other applicable statutory and regulatory provisions.

Authority: Section 7(d), Department of HUD Act (42 U.S.C. 3535(d)); U.S. Housing Act of 1937 (42 U.S.C. 1437)).

Dated: October 7, 1983.

Samuel R. Pierce, Jr.,

Secretary.

[FR Doc. 83-28161 Filed 10-14-83; 8:45 am]

BILLING CODE 4210-32-M

DEPARTMENT OF THE TREASURY

Office of Revenue Sharing

31 CFR Part 51

Fiscal Assistance to State and Local Governments; Discrimination on the Basis of Handicap

AGENCY: Office of Revenue Sharing, Treasury.

ACTION: Final rule.

SUMMARY: Pursuant to order of the Court in *Paralyzed Veterans of America et al.* v. *Smith et al.*, this rule makes final the interim regulation implementing the incorporation of Section 504 of the Rehabilitation Act of 1983 into 31 U.S.C. 6701 through 6724 the "Revenue Sharing Act." Section 504 prohibits discrimination on the basis of handicapped status in programs of Federal financial assistance. Except for section 51.55(b)(1)(ix), the provisions of the interm regulation that were previously deferred now take effect.

EFFECTIVE DATE: October 17, 1983.

FOR FURTHER INFORMATION CONTACT:

Richard S. Isen, Chief Counsel, Office of Revenue Sharing.

or

Jacqueline L. Jackson, Attorney-Advisor Office of Revenue Sharing, Treasury Department, Washington, D.C. 20226, (202) 634–5182, TTY (202) 566–2673.

Taped copies of section 51.55 are available upon request.

SUPPLEMENTARY INFORMATION:

Background

On October 10, 1976, the State and Local Fiscal Assistance Amendments of 1976 (Pub. L. 94–488) were enacted, making extensive revisions to the nondiscrimination requirements applicable to the Revenue Sharing Program. Specifically, the Revenue Sharing Act (31 U.S.C. 6716) was amended to incorporate the prohibition against discrimination on the basis of handicap as provided in Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794). Interim regulations implementing the nondiscrimination provisions of the Amendments were published on April 6, 1977 (42 FR 18362). Until August of 1981, Section 504 was enforced by the Office of Revenue Sharing (hereinafter referred to as the "ORS") pursuant to the general prohibitions contained in § 51.52 of the then interim regulations (31 CFR 51.52).

On April 14, 1978, the ORS published proposed regulations to fully implement Section 504 of the Rehabilitation Act of 1973, as amended (43 FR 15735). An additional proposed rule was published on December 31, 1979 (44 FR 77356) together with proposed age discrimination regulations, to implement the Age Discrimination Act of 1975, and technical revisions of other provisions of Subpart E.

On January 5, 1981, the ORS published (46 FR 1120) a final handicapped discrimination regulation, implementing Section 504 of the Rehabilitation Act of 1973, as amended, for purposes of the Revenue Sharing Program. The regulation was due to take effect on February 4, 1981. On January 29, 1981, the President issued a memorandum entitled "Postponement of Pending Regulations," which in part required the deferral for 60 days of the effective date of any final regulation pending at the date of the memorandum. Pursuant to that memorandum, the ORS published a notice in the **Federal Register** on February 5, 1981 (46 FR 10908), deferring the effective date of the regulation until March 30, 1981, to permit reconsideration by the new Administration.

On February 19, 1981, the President issued Executive Order 12291, entitled "Federal Regulations" (46 FR 12193). The Executive Order required Federal agencies to defer the effective dates of final regulations to permit reconsideration and to prepare a regulatory impact analysis.

The ORS published a notice in the **Federal Register**, on March 31, 1981 (46 FR 19468), that the regulation would be further delayed for a period of 60 days. A companion notice was published in the **Federal Register** on April 3, 1981 (46 FR 20230) requesting public comment on whether to issue the regulation in interim form pending reconsideration. Comment was also requested on whether to delete § 51.55(b)(1)(ix) of th regulation which prohibits discrimination by recipient governments in the exercise of their zoning authority. The ORS received 142 comments during the comment period. On June 1, 1981, the ORS published a notice in the **Federal Register** (46 FR 29261) further delaying the effective date of the regulation until June 16, 1981, to provide additional time for review of the comments. The

decision was made to continue to defer the regulation indefinitely pending completion of the review of the HEW Guidelines by the Department of Justice and the Vice President's Taskforce on Regulatory Relief, pursuant to Executive Orders 12250 and 12291. (The HEW Guidelines are coordination guidelines issued by the Department of Health, Education and Welfare in 1978 and transferred to the Department of Justice by Executive Order 12250, 28 CFR 41.)

As a result of the case, *Paralyzed Veterans of America et al.* v. *Smith, et al.*, U.S. District Court, Central District of California, No. 79–1979 WPG, the regulation was issued in interim form on August 14, 1981 (46 FR 41047). Certain provisions of the regulations issued on January 5, 1981 were continued to be deferred.

The following provisions of the regulation issued on January 5, 1981 were continued to be deferred indefinitely when the regulation was put into interim effect on August 14, 1981:

§ 51.55(b)(1)(ix)—Prohibition against discrimination in exercise of zoning authority
§ 51.55(c)—Self-evaluation requirement
§ 51.55(d)—Designation of responsible employee and adoption of grievance procedures
§ 51.55(e)—Notice
§ 51.55(f)—Administrative requirements for small recipient governments
§ 51.55(k)(4)—Time periods for achieving accessibility
§ 51.55(k)(5)—Transition plan
§ 51.55(k)(6)—Notice

Except for the zoning provision, these provisions are primarily administrative and procedural. The effect of the deferral was to postpone the time periods by which recipient governments must have reviewed their programs, activities, practices and facilities and taken corrective action concerning any deficiencies which may have had discriminatory effects upon handicapped individuals. These provisions were deferred indefinitely because of the possibility that the HEW Guidelines, which mandate the inclusion of the provisions listed above (other than the zoning provision), would be substantially revised and the administrative provisions no longer required.

Section 51.55 was republished September 30, 1981 (46 FR 48034), as a part of the complete republication of all Revenue Sharing regulations contained in 31 CFR Part 51. The deferred provisions were deleted.

The Revenue Sharing handicapped discrimination regulation must now be issued in complete and final form because of the Judge's ruling in the case *Paralyzed Veterans of America et al.* v. *Smith et al.*, referenced above. On August 8, 1983, a partial summary judgment was granted against the Federal Government and an order was entered that required the ORS to issue a notice that the final regulation published by ORS on January 5, 1981 (with the exception of the zoning Provision) constitutes the final regulation implementing Section 504 of the Rehabilitation Act of 1973, as amended. The basis for the ruling was the Court's opinion that the April 3rd request for comments on delaying indefinitely the effective date of the handicapped discrimination regulation did not have sufficient specificity to support the deferral of specific provisions of the regulation. This final rule implements the Judge's order. The Judge found, however, that the specific request for comments on the disposition of the zoning provision was correct and did not include that provision in his order. The provisions described above (with the exception of the zoning provisions) will now take effect immediately. The effective date of the zoning provision continues to be deferred for further review.

Additional impetus for the issuance of this regulation in final form is that in March of 1983, the Vice President's Task Force ended its efforts to revise the HEW Guidelines without making revisions. Accordingly, it will not be necessary to make any major revisions to the regulation published on January 5, 1981. The current interim regulation is now issued as a final rule with the provisions previously deferred put into effect.

It should be noted that the administrative provisions have been in effect for some time in the Section 504 regulations of numerous Federal agencies, particularly HHS and the Department of Education with whom the ORS shares recipients. Accordingly, many Revenue Sharing recipients may already have conducted self-evaluations, prepared transition plans, designated responsible employees and established grievance procedures and notified the public of their efforts to comply with Section 504. Any such requirements complied with pursuant to other agency Section 504 regulations may be used to satisfy the Revenue Sharing requirements.

Executive Orders 12291

This regulation has been reviewed and approved by the Office of Management and Budget pursuant to Executive Order 12291, "Federal Regulations." This regulation was originally determined to be major, and retains the designation despite the fact that it is now issued pursuant to the court order in *Paralyzed Veterans of America et al.* v. *Smith et al.* However, the regulation is merely a reinstatement of the regulation issued on January 5, 1981 and has not been revised since issuance in interim form on August 14, 1981. At that time a modified regulatory analysis was prepared and approved by OMB, a copy of which is available upon request. The analysis prepared at that time is unaffected by the issuance of the deferred provisions.

Executive Order 12250 and 12067

This regulation has been reviewed and approved by the Civil Rights Division of the Department of Justice pursuant to Executive Order 12250 and Equal Employment Opportunity Commission pursuant to Executive Order 12067 in their capacities as lead agencies concerning Section 504 and employment discrimination respectively. This final regulation has not been amended since the completion of those reviews.

Regulatory Flexibility Act of 1980

The regulation is not expected to have a substantial economic impact on a significant number of small entities. A Regulatory Flexibility Analysis, pursuant to the Regulatory Flexibility Act of 1980 will, therefore, not be prepared.

Need for Immediate Guidance

Because this regulation is issued to implement the Court Order in *Paralyzed Veterans of America et al.* v. *Smith et al.*, there is good cause for making it effective immediately.

Accordingly, the Director invokes the effective date limitation exception of 5 U.S.C. 553(d)(3).

List of Subjects in 31 CFR Part 51

Accounting, Administrative practice and procedure, Civil rights, Handicapped, Aged, Indians, Revenue sharing, Reporting and recordkeeping requirements.

Authority

This final regulation is issued under the authority of 31 U.S.C. 6701 through 6724 and Treasury Department Order No. 224, dated January 26, 1973 (38 FR 3342) as amended by Treasury Department Order No. 103–1 dated March 18, 1982, and Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. 794).

PART 51—[AMENDED]

In consideration of the foregoing 31 CFR Part 51, § 51.55 is issued in final form and amended by the addition of the following formerly deferred provisions: (paragraphs (c), (d), (e), (f) and (k) (4)–(6)).

Dated: October 13, 1983.

Michael F. Hill,

Director Office of Revenue Sharing.

§ 51.55 Discrimination on the basis of handicap.

* * * * *

(c) *Self-evaluation.* (1) A recipient government shall, within one year of the effective date of this section, with the assistance of interested individuals, including handicapped individuals and organizations representing them:

(i) Evaluate its current policies and practices and their effects which do not meet the requirements of this section;

(ii) Modify any policies and practices that do not meet the requirements of this section, and take appropriate remedial steps to eliminate the effects of any discrimination that resulted from adherence to these discriminatory policies and practices, except as otherwise provided where structural changes may be required pursuant to paragraph (k) of this section.

(2) Self-evaluations already prepared (or under preparation) to comply with the Section 504 requirements imposed by other Federal departments or agencies, may be used as part of the self-evaluation required pursuant to this section.

(3) The self-evaluation may include but is not limited to an examination of: A recipient government's policies and practices concerning employment decisions; the extent to which its programs and activities are readily accessible to and usable by the handicapped; whether its policies and practices concerning the delivery of aids, benefits and services to beneficiaries are free from discriminatory effects on the handicapped; and, whether it is engaging in contractual arrangements which have the effect of subjecting handicapped persons to discrimination.

(4) A recipient government, which government receives $25,000 or more entitlement funds in each entitlement period, shall, for at least three years following completion of the evaluation required under paragraph (c)(1) of this section, maintain on file, make available for public inspection, and provide to the Director upon request (i) a list of the interested individuals consulted, (ii) a description of policies and practices examined and problems identified, and (iii) a description of modifications made and remedial steps taken.

(d) *Designation of responsible employee and adoption of grievance procedures.* (1) A recipient government, which government receives $25,000 or more entitlement funds in each entitlement period, shall designate at least one person to coordinate its efforts to comply with this section. Where designation of such a person has already been made to comply with the Section 504 requirements of other Federal departments or agencies, that person may also be used to comply with the requirements of this section.

(2) A recipient government, which government receives $25,000 or more entitlement funds for one or more entitlement periods, shall adopt a grievance procedure that incorporates appropriate due process standards and that provides for the prompt and equitable resolution of complaints alleging any action prohibited by this section. Such procedures need not be established with respect to complaints from applicants for employment or from applicants for admission to post-secondary educational institutions. Existing grievance procedures may be used to meet the requirements of this section.

(e) *Notice.* (1) A recipient government, which government receives $25,000 or more entitlement funds in each entitlement period, shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient government, that it does not discriminate on the basis of handicapped status in violation of this section. The notification shall state, where appropriate, that the recipient government does not discriminate on the basis of handicapped status in admission or access to, or treatment or employment in, its programs and activities. The notification shall also include an identification of the responsible employee designated pursuant to § 51.55(d). A recipient government shall make the initial notification required by this paragraph within 90 days of the effective date of this section. Methods of initial and continuing notification shall ensure that the information is communicated to the visually or hearing impaired. Such methods may include the use of public service radio and television announcements, and telecommunications devices, the posting of notices, the publication of notices in newspapers and magazines, the placement of notices in recipient governments' publications, and the distribution of memoranda or other written and taped communications.

(2) Whenever a recipient government publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, or the general public, it shall include in those materials or publications a statement that it is the policy of the recipient government not to discriminate against the handicapped in employment or the provisions of services. A recipient government may meet the requirements of this paragraph either by including appropriate inserts in existing materials and publications or by revising and reprinting the materials and publications.

(f) *Administrative requirements of small recipient governments.* The Director may require any recipient government, which government receives less than $25,000 in entitlement funds in each entitlement period, to comply with the provisions of § 51.55(c), (d) and (e), in whole or in part, when the Director finds that such requirements are appropriate to remedy a violation of provisions of this section.

* * * * *

(k) * * *

(4) *Time periods—(i) Nonstructural changes for accessibility.* Where a recipient government has determined that certain nonstructural changes are necessary to make its programs and activities readily accessible to and usable by the handicapped, after evaluating its policies and practices during the self-evaluation required pursuant to paragraph (c) of this section, these changes shall be made, with other modifications determined to be needed, within the one year period for completion of the self-evaluation.

(ii) *Structural changes for accessibility.* Except as otherwise provided in paragraph (k)(4) (iii) of this section, where a recipient government has determined that structural changes in facilities are necessary to make its programs and activities readily accessible to and usable by the handicapped, after evaluating its policies and practices during the self-evaluation required pursuant to paragraph (c) of this section, those changes shall be made as soon as possible but not later than three years from the effective date of this section.

(iii) *Transportation systems.* Transportation systems shall be made accessible to qualified handicapped individuals as provided in paragraph (k)(1) of this section in the same manner and within the time periods prescribed in regulations issued by the Department of Transportation (49 CFR Part 27, Subpart E).

(5) *Transition plan.* In the event that structural changes to facilities are necessary to comply with the requirements of paragraph (k)(1) of this section, a recipient government shall develop, within one year of the effective date of this section, a transition plan setting forth the steps necessary to complete such changes within the time periods in paragraph (k)(4) of this section. The plan shall be prepared as part of the self-evaluation required under § 51.55(c) and developed with the assistance of interested individuals, including handicapped individuals or organizations representing handicapped individuals. Transition plans already prepared (or under preparation) to comply with Section 504 requirements imposed by other Federal agencies, may be used as part of the transition plan required pursuant to this section. A recipient government which government receives $25,000 or more in entitlement funds shall make a copy of the transition plan available for public inspection for a period of three years and furnish it to the Director upon request. The plan shall, at a minimum:

(i) Identify physical obstacles in the recipient government's facilities that limit the accessibility of its program or activity to handicapped individuals;

(ii) Describe in detail the methods that will be used to make the facilities accessible;

(iii) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period for the transition is longer than one year, identify steps that will be taken during each year of the transition period; and

(iv) Indicate the person responsible for implementation of the plan.

(6) *Notice.* The recipient government shall adopt and implement procedures to require that interested individuals, including individuals with impaired vision or hearing, can obtain information as to the existence and location of particular services, activities, and facilities that are accessible to and usable by handicapped individuals.

[FR Doc. 83-28286 Filed 10-14-83; 8:45 am]

BILLING CODE 4810-28-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 157

[CGD 76-088b]

Tank Vessels Carrying Oil in Bulk; Cargo Monitors

Correction

In FR Doc. 83-27263 beginning on page 45718 in the issue of Thursday, October 6, 1983, make the following corrections:

§157.37 [Amended]

1. On page 45721, column one, amendatory language designated as "11.", line one, insert "§ 157.37" after "of".

§157.43 [Amended]

2. On the same page, column two, § 157.43(a), line four, "and" should read "an".

BILLING CODE 1505-01-M

VETERANS ADMINISTRATION

38 CFR Part 1

Licensing of Government Owned Inventions

AGENCY: Veterans Administration.

ACTION: Final rule.

SUMMARY: The Veterans Administration hereby amends the VA regulation governing the licensing of government-owned inventions to (1) give notice that the licensing of selected VA inventions will be handled by the National Technical Information Service (NTIS); (2) reflect the change of name from Department of Health, Education, and Welfare to Department of Health and Human Services; and (3) provide administrative appellate procedures for persons dissatisfied with decisions concerning the licensing of inventions in VA custody, as required by 41 CFR 101-4.105.

EFFECTIVE DATE: September 26, 1983.

FOR FURTHER INFORMATION CONTACT: Chauncey W. Durden III, Office of the General Counsel (024L), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 389-2638.

SUPPLEMENTARY INFORMATION: (1) By agreement dated April 26, 1979, the Department of Commerce, NTIS, handles the negotiation and execution of licenses in those VA inventions which the VA refers to the NTIS and which the NTIS accepts. 38 CFR 1.666 does not reflect this.

(2) The present § 1.666 refers to the Department of Health, Education, and Welfare, which name was changed to the Department of Health and Human Services when education functions, not relevant here, were transferred to the new Department of Education.

(3) Recent changes in the patent laws specifically authorize the Administrator of General Services to promulgate regulations governing the licensing of Federally-owned inventions. 35 U.S.C. 208. Pursuant to this, GSA promulgated 41 CFR Part 101-4 (FPMR Amdt. A-34) which, among other things, requires each Federal agency to prescribe procedures for appeals by unsuccessful applicants for licenses in inventions controlled by that agency, licensees whose licenses have been modified or terminated, and persons who have unsuccessfully objected to proposals to award exclusive or partially exclusive licenses. 41 CFR 101-4.105. This change to 38 CFR 1.666 is intended to provide for such appeal procedures.

The Administrator has determined that this amended regulation is not a major rule as that term is defined by Executive Order 12291. The annual effect on the economy will be less than $100 million. It will not result in any major increases in costs or prices. It will have no 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.

The Administrator has certified that this amended regulation will not have a significant impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612. This regulation is exempt under 5 U.S.C. 605(b) from the initial and final regulatory flexibility analyses requirements of 5 U.S.C. 603 and 604. This certification is based on the expectation, based on past experience, that very few licenses will be requested on any VA inventions other than those referred to NTIS, which will be governed by Department of Commerce regulations, and the fact that 41 CFR Part 101-4 (FPMR Amdt. A-34), which mandates these appellate procedures, provides for a preference for small business and nonprofit organizations. Accordingly, this regulation will have no significant impact on small entities, i.e., small businesses, small private and nonprofit organization, and small governmental jurisdictions. These amendments were published as a proposed rule at 48 FR 15272, April 8, 1983. No comments were received.

List of Subjects in 38 CFR Part 1

Administrative practice and procedures, Government contracts, Government property, Inventions and patents.

There is no catalog of Federal Domestic Assistance number.

Approved: September 26, 1983.

By direction of the Administrator:

Everett Alvarez, Jr.,

Deputy Administrator.

PART 1—[AMENDED]

In 38 Part 1, General, § 1.666 is revised to read as follows:

§ 1.666 Licensing of government-owned inventions.

The licensing of government-owned inventions under VA control and custody will be conducted pursuant to the regulations on the licensing of government-owned inventions promulgated by the General Services Administration in FPMR 101–4.1, as revised. By mutual agreement, the National Technical Information Service of the Department of Commerce will administer the licensing of selected inventions in VA control and custody. Control and custody will be transferred to the Department of Commerce before a license is issued. By mutual agreement, the Department of Health and Human Service will administer the licensing of VA inventions not administered by the National Technical Information Service. Any person (a) whose application for a license in an invention under VA control and custody has been denied; (b) whose license in such an invention has been modified or terminated, in whole or in part; or (c) who timely filed a written objection in response to a proposal to grant an exclusive or partially exclusive license in an invention under VA control or custody, may, if damaged, appeal any decision or determination concerning the grant, denial, interpretation, modification, or termination of a license to the Administrator of Veterans Affairs. Such appeal shall be in writing and shall set forth with specificity the basis of the appeal. Such appeal shall be postmarked not later than 60 days after the action being appealed. Upon request of the appellant, such appeal may be considered by one to three persons appointed on a case-by-case basis by the Administrator of Veterans Affairs. Such a request will be granted only if it accompanies the written appeal. Appellant may appear and be represented by counsel before such a panel, which will sit in Washington, D.C. If the appeal challenges a decision to grant an exclusive or partially exclusive license in an invention under VA control or custody, the licensee shall be furnished a copy of the appeal, shall be given the opportunity to respond in writing, may appear and be represented by counsel at any hearing requested by appellant, and may request a hearing if appellant has not, under the same terms and conditions, at which the appellant may also appear and be represented by counsel. (41 CFR 101–4.105; 35 U.S.C. 208)

[FR Doc. 83–28175 Filed 10–14–83; 8:45 am]

BILLING CODE 8320–01–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[EPA Docket No. AW600DE; OA-FRL 2452–5]

Approval and Promulgation of Implementation Plans; 1982 Ozone State Implementation Plan for the State of Delaware

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA today approves the 1982 State Implementation Plan (SIP) revision for the State of Delaware. This SIP revision provides for attainment of the primary National Ambient Air Quality Standard (NAAQS) for Ozone as required under Part D of the Clean Air Act Amendments of 1977. The SIP revision meets all requirements of the Clean Air Act and EPA policy.

EFFECTIVE DATE: November 16, 1983.

ADDRESSES: Copies of the revision and accompanying documents are available during normal business hours at the following offices:

U.S. Environmental Protection Agency, Region III, Air Management Branch, Curtis Building, Second Floor, Sixth and Walnut Streets, Philadelphia, PA 19106, ATTN: Daniel Ryan

Delaware Dept. of Natural Resources, & Environmental Control, Air Resources Section, 89 Kings Highway, P.O. Box 1401, Dover, DE 19901, ATTN: Robert R. French

Copy of the State submission is available at the following:

Public Information Reference Unit, Room 2922, EPA Library, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, D.C. 20460

The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408

FOR FURTHER INFORMATION CONTACT: Daniel Ryan, U.S. EPA Region III, 6th & Walnut Streets, Philadelphia, PA 19106. Telephone # 215/597–8555.

SUPPLEMENTARY INFORMATION:

I. Requirements for States to Submit SIPs

The Clean Air Act Amendments of 1977 added a new Part D to Title I of the Act. Under this Part, the States has to revise their SIPs for all nonattainment areas and submit the revision to EPA by January 1, 1979 (Sections 171–178 of the Clean Air Act; Section 129(c) (uncodified) of Pub. L. 95–95). The revised plan had to provide for attainment of National Ambient Air Quality Standards (NAAQS) by December 31, 1982, except in the cases of Ozone or Carbon Monoxide, where an extension of the deadline up to December 31, 1987 was possible if States could demonstrate that they could not meet the December 31, 1982 deadline. States which requested and were granted deadline extensions were required to submit a second SIP revision by July 1, 1982, which provided for attainment of the appropriate standards by the new deadline.

II. Delaware Submittals

Delaware has only one NAAQS nonattainment area, New Castle County, which is an Ozone nonattainment area. Delaware submitted an initial SIP revision for New Castle County in May 1979; this submittal included a request that EPA extend the Ozone attainment date for this area until December 31, 1987. EPA approved this request and conditionally approved the initial plan revision on March 6, 1980 (45 FR 14551). EPA gave final approval to the initial plan revision on March 11, 1982 (47 FR 10535) after the conditions had been fulfilled.

Delaware submitted a second SIP revision for New Castle County on July 6, 1982. This SIP includes the State's final plan for bringing the County into attainment with the Ozone NAAQS. EPA reviewed Delaware's submittal and preliminarily determined that it met Clean Air Act and EPA policy requirements. Accordingly, EPA proposed approval of the SIP revision. The proposal notice was published at 48 FR 5093 on February 3, 1983.

III. Description of Ozone SIP

The SIP revision provides for attainment of the Ozone standard in New Castle County through reductions in volatile organic compound (VOC) emissions; VOCs are known to be one of the principal precursors of Ozone

formation. The VOC emission reductions will result from stationary sources of VOCs installing emission controls, from the Federal Motor Vehicle Emission Controls Program, from implementation of an automobile inspection and maintenance (I/M) program, and from transportation control measures.

The SIP demonstrates that the Ozone standard will be achieved by December 31, 1987. The SIP includes air quality modeling which shows that VOC emissions must be reduced by at least 44% or more for the Ozone standard to be attained. The emission inventories show that VOC emissions will be reduced by slightly more than 44% by the December 31, 1987 deadline.

The SIP's current and scheduled control measures provide for reasonable further progress (RFP) towards attainment. The State's offset regulations will prevent RFP from being jeopardized by unexpected growth in VOC emissions.

EPA discussed Delaware's SIP revision at greater length in the proposed rulemaking notice published on February 3, 1983 (48 FR 5093). Those wishing additional information regarding the revision should consult that notice.

IV. Response to Comments

New York State submitted comments regarding EPA's proposed actions on 1982 Ozone SIPs for fifteen states, including Delaware. Also, NRDC submitted comments on all of the 1982 submittals that EPA proposed to approve. These were the only comments submitted on the Delaware SIP. EPA's responses to these comments are contained in the docket for this SIP action (EPA docket No. AW600DE) and is available for public inspection.

V. Plan Review

EPA has determined that Delaware's SIP submittal meets the requirements of Section 110 and Part D of the Clean Air Act. EPA made this determination using the criteria published in the **Federal Register** on January 22, 1981 (46 FR 7182)* EPA's review is documented in a technical support document which is available at the offices listed under "Addresses" above.

VI. Rulemaking Action

EPA approves Delaware's 1982 SIP revision for attainment of the Ozone standard. EPA is amending 40 CFR Part 52 as shown below to indicate the incorporation into the Delaware SIP of this SIP revision.

VII. General

Under Section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by (insert date 60 days from the date of publication). This action may not be challenged later in proceedings to enforce its requirements (See 307(b)(2)).

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

VIII. List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

IX. Authority

(42 U.S.C. 7401–7642)

Dated: October 11, 1983.

William D. Ruckelshaus,

Administrator.

Note.—Incorporation by reference of the State Implementation Plan for the State of Delaware was approved by the Director of the **Federal Register** on July 1, 1980.

PART 52—[AMENDED]

Part 52 of Title 40, Code of Federal Regulations, is amended as follows:

Subpart I—Delaware

1. In § 52.420, *Identification of Plan,* paragraph (c)(31) is added to read as follows:

§ 52.420 Identification of plan.

* * * * *

(c) The plan revisions listed below were submitted on the dates specified. * * *

(31) Plan Revision providing for attainment of the Ozone standard submitted by *John E. Wilson, III* to EPA on July 6, 1982.

[FR Doc. 83-28152 Filed 10-14-83; 8:45 am]

BILLING CODE 6560-50-M

DEPARTMENT OF ENERGY

41 CFR Parts 9-1 and 9-7

Procurement of Property or Services

AGENCY: Energy Department.

ACTION: Final rule: technical amendment.

SUMMARY: Executive Order 10936, dated April 26, 1961, 26 FR 3555, required executive agencies to submit a report to the Attorney General whenever they received identical bids in connection with the procurement of property or services exceeding $10,000. More recently, Executive Order 12430, dated July 6, 1983, 48 FR 31371, revoked the earlier order so as to eliminate an agency reporting requirement which had proven ineffective and which consumed resources that could be employed in a more effective manner to prevent antitrust violations. Subpart 9–1.16 of the DOE–PR's implemented Executive Order 10936 by deleting reporting responsibility under that Order to the Heads of Procurement Activities. Since no further reporting of identical bids is required, that section is repealed.

EFFECTIVE DATE: This amendment will be effective on October 17, 1983.

ADDRESS: Comments, if any, should be addressed to the Department of Energy, Procurement Policy Branch, MA–421.1, Forrestal Building, Washington, D.C. 20585.

FOR FURTHER INFORMATION CONTACT: Richard B. Langston, Procurement Policy Branch, Department of Energy (202) 252–8188.

List of Subjects in 41 CFR Parts 9–1 and 9–7

Government procurement, Reporting and recordkeeping requirements.

Issued in Washington, D.C., on October 6, 1983.

Berton J. Roth,

Director, Procurement and Assistance, Management Directorate.

PART 9–1 [AMENDED]

1. Subpart 9–1.16, entitled "Reports of Identical Bids," is no longer needed because it delegated authority to issue reports required by Executive Order 10936, which was repealed by Executive Order 12430 on July 6, 1983. The subpart is accordingly removed and reserved:

Subpart 9–1.16—[Reserved]

PART 9–7—[AMENDED]

2. Sections 9–7.403–50 through 9–7.403–55 are redesignated 9–7.403–70 through 9–7.403–75.

(Sec. 644 of the Department of Energy Organization Act, Pub. L. 95–91, 91 Stat. 599 (42 U.S.C. 7254))

[FR Doc. 83-27733 Filed 10-14-83; 8:45 am]

BILLING CODE 6450-01-M

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* These criteria supplement the "General Preamble" for SIP revisions for nonattainment areas. The "General Preamble" appeared in the **Federal Register** on April 4, 1979 (44 FR 20372).