Question 2: What is the staff's position if Company A acquired less than substantially all of the common stock of Company B or Company B had publicly held debt or preferred stock at the time Company B became wholly owned?

Interpretative Response: The staff recognizes that the existence of outstanding public debt, preferred stock or a significant minority interest in a subsidiary might impact the parent's ability to control the form of ownership. Although encouraging its use, the staff generally does not insist on the application of push down accounting in these circumstances.

[FR Doc. 83-30526 Filed 11-10-83; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 12

Administrative Practices and Procedures; Correction

AGENCY: Food and Drug Administration.

ACTION: Final rule; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting an error that appeared in the final rule that revised the administrative practices and procedures regulations to incorporate editorial changes to improve clarity and readability. This document corrects a printer's error that first occurred in the proposed revision and inadvertently was repeated in the final revision.

DATE: Effective as of May 14, 1979.

FOR FURTHER INFORMATION CONTACT: Agnes B. Black, Federal Register Writer's Office (HFC-11), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-2994.

SUPPLEMENTARY INFORMATION: In FR Doc. 79-11402 appearing at page 22318 in the **Federal Register** of Friday, April 13, 1979, the following correction is made on page 22345 in the center column: In § 12.89 *Participation of nonparties*, paragraph (d) is corrected by changing the phrase "would be adequately protected" to read "would not be adequately protected."

Dated: November 7, 1983.

William F. Randolph,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 83-30508 Filed 11-10-83; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 176

[Docket No. 83F-0043]

Indirect Food Additives: Paper and Paperboard Components

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of pentanoic acid, 4,4-bis[(*gamma-omega*-perfluoro-C_{8-20}-alkyl)thio] derivatives, compounds with diethanolamine, as an oil and water repellent for paper and paperboard. This action responds to a petition filed by the Ciba-Geigy Corp.

DATES: Effective November 14, 1983; objections by December 14, 1983.

ADDRESS: Written objections to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: John L. Herrman, Bureau of Foods (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5740.

SUPPLEMENTARY INFORMATION: In a notice published in the **Federal Register** of March 18, 1983 (48 FR 11513), FDA announced that a petition (FAP 3B3700) had been filed by Ciba-Geigy Corp., Ardsley, NY 10502, proposing that Part 176 (21 CFR Part 176) be amended to provide for the safe use of pentanoic acid, 4,4-bis[(*gamma-omega*-perfluoro-C_{8-20}-alkyl)thio] derivatives, compounds with diethanolamine, as an oil and water repellent for paper and paperboard.

FDA has evaluated data in the petition and other relevant material and concludes that the proposed use of the food additive is safe and that the regulations should be amended as set forth below.

In accordance with § 171.1(h) (21 CFR 171.1(h)), the petition and the documents that FDA considered and relied upon in reaching its decision to approve the petition are available for inspection at the Bureau of Foods (address above) by appointment with the information contact person listed above. As provided in 21 CFR 171.1(h)(2), the agency will delete from the documents any materials that are not available for public disclosure before making the documents available for inspection.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment, and therefore an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 176

Food additives, Food packaging, Paper and paperboard.

Therefore, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 72 Stat. 1784-1788 as amended (21 U.S.C. 321(s), 348)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Bureau of Foods (21 CFR 5.61), Part 176 is amended in § 176.170(a)(5) by alphabetically inserting a new item in the list of substances, to read as follows:

PART 176—INDIRECT FOOD ADDITIVES: PAPER AND PAPERBOARD COMPONENTS

§ 176.170 Components of paper and paperboard in contact with aqueous and fatty foods.

* * * * *

(a) * * *

(5) * * *

List of substances	Limitations
* * *	* * *
Pentanoic acid, 4,4-bis [(*gamma-omega*-perfluoro-C_{8-20}-alkyl)thio] derivatives, compounds with diethanolamine (CAS Reg. No. 71608-61-2).	For use only as an oil and water repellent and used at a level not to exceed 8 pounds per ton of the finished paper or paperboard when such paper or paperboard is used in contact with nonalcoholic foods under conditions of use E through H described in table 2 of paragraph (c) of this section.
* * *	* * *

* * * * *

Any person who will be adversely affected by the foregoing regulation may at any time on or before December 14, 1983 submit to the Dockets Management Branch (address above) written objections thereto and may make a written request for a public hearing on the stated objections. Each objection shall be separately numbered and each numbered objection shall specify with particularity the provision of the regulation to which objection is made. Each numbered objection on which a hearing is requested shall specifically so state; failure to request a hearing for any particular objection shall constitute a waiver of the right to a hearing on that objection. Each numbered objection for which a hearing is requested shall include a detailed description and analysis of the specific factual information intended to be presented in support of the objection in the event that

a hearing is held: failure to include such a description and analysis for any particular objection shall constitute a waiver of the right to a hearing on the objection. Three copies of all documents shall be submitted and shall be identified with the docket number found in brackets in the heading of this regulation. Received objections may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Effective date. This regulation shall become effective November 14, 1983.

(Secs. 201(s), 409, 72 Stat. 1784–1788 as amended (21 U.S.C. 321(s), 348))

Dated: October 26, 1983.

Taylor M. Quinn,

Acting Director, Bureau of Foods.

[FR Doc. 83-30507 Filed 11-10-83; 8:45 am]

BILLING CODE 4160-01-M

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

25 CFR Part 700

Commissions Operations and Relocation Procedures; Hopi Reservation Evictees

AGENCY: Navajo and Hopi Indian Relocation Commission.

ACTION: Final rule.

SUMMARY: This notice adopts final rules to implement 25 U.S.C. 640d–14, Pub. L. 96–305, the Navajo and Hopi Indian Relocation Amendments Act of 1980, to provide for the relocation of members of the Navajo Tribe who were evicted from the Hopi Indian Reservation as a consequence of the decision in the case of United States vs. Kabinto (456 F. 2d 1087 (1972)). This action is necessary because the Commission's existing regulations do not address the unique situation of those families who were evicted from the Hopi Indian Reservation. The intended effect of this action is to establish regulations which will provide certainty in the determination of which families are eligible to receive benefits and the nature of benefits they are to receive and to allow the Commission to move forward to provide benefits to those families impacted by the law.

EFFECTIVE DATE: December 14, 1983.

ADDRESS: Comments may be sent to Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, Arizona, 86002.

FOR FURTHER INFORMATION CONTACT: Paul M. Tessler, CFR Liaison Officer, Navajo and Hopi Indian Relocation Commission, P.O. Box KK, Flagstaff, AZ, 86002, Telephone (602) 779–2721.

SUPPLEMENTARY INFORMATION: The principal author of this final rulemaking is E. Susan Crystal, Attorney at Law, of the Navajo and Hopi Indian Relocation Commission.

The following is a section by section analysis of comments received.

Section 700.601 Definitions.

Comment regarding § 700.601(a) was received from the Navajo Tribe which objected to the use of the year 1972 as a cutoff date for establishing an applicant's status as head of household. The Navajo Tribe recommended that no date be used to define head of household but that eligibility be cut off on the date that benefits are provided. The Commission revised the definition to incorporate these comments. The final rule provides that an applicant must be a head of household as of the date of certification of eligibility for benefits. A cutoff date has been included which allows a one hundred twenty (120) day period for receipt of applications after the date of publication of this final rule.

Comment regarding § 700.601(d) was received from the Hopi Tribe indicating the need to define "equivalent assistance", and clarify the definition of Hopi reservation for purposes of this section. These comments were incorporated into the final rule.

Section 700.603 Eligibility.

Comments were received from the Navajo Tribe and the Hopi Tribe objecting to the use of "physical residence" as a requirement for determining eligibility. These comments were incorporated into the final rule which focuses on whether or not the applicant was evicted from the Hopi reservation as a consequence of the decision in U.S. v. Kabinto.

Section 700.605 Relocation Assistance.

Comments were received from the Hopi Tribe and the Navajo Tribe both pointing out that the proposed rule provided only for replacement housing and made no provision for other forms of relocation assistance. These comments were incorporated into the final rule.

Comment was received from the Hopi Tribe recommending that the amount of replacement housing benefits be correspondingly reduced by the amount of assistance already received from other federal agencies. This comment was not incorporated into the final rule.

Section 700.607 Dual Eligibility.

Comments were received from the Hopi Tribe and the Navajo Tribe recommending that evictees who move from the Hopi reservation to the Hopi partitioned lands receive preferential treatment under the general regulations. These comments were incorporated into the final rule.

Section 700.609 Appeals.

No comments were received regarding the proposed rule.

Section 700.611 Application deadline.

This section was added to provide a deadline for receipt of applications under this subpart. Applications must be received no later than one hundred twenty (120) days after publication of this final rule.

List of Subjects in 25 CFR Part 700

Administrative practice and procedure, Conflict of interests, Freedom of information, Grant program—Indians, Indian—claims, Privacy, Real property acquisition, Relocation assistance.

PART 700—[AMENDED]

Accordingly, the Commission is issuing, in final form, a new subpart to Part 700 of 25 CFR to read as follows:

Subpart P—Hopi Reservation Evictees

Sec.

700.601 Definitions.
700.603 Eligibility.
700.605 Relocation Assistance.
700.607 Dual Eligibility.
700.609 Appeals.
700.611 Application deadline.

Authority: Pub. L. 93–531, 88 Stat. 1712, as amended by Pub. L. 96–305, 94 Stat. 929 (25 U.S.C. 640d), unless otherwise noted.

Subpart P—Hopi Reservation Evictees

§ 700.601 Definitions.

(a) Hopi reservation evictees. Hopi reservation evictees are those members of the Navajo Tribe who were evicted from the Hopi Indian Reservation as a consequence of the decision in the case of *United States v. Kabinto* (456 F. 2d 1087) (1972).

(b) Head of household. (1) A household is group of two or more persons who live together at a specific location, who form a unit of permanent and domestic character.

(2) The head of household is the individual who speaks on behalf of the members of the household and who is determined by the Commission to represent the household.

(3) In order to be eligible for benefits under this section, an individual must be a head of household as of the date of certification for benefits.

(4) Those single individuals who actually maintain and support themselves as of the date of certification

for benefits shall be considered a head of household.

(c) Hopi reservation. For purposes of this subpart Hopi reservation shall mean the lands in Land Management District No. Six as defined in the September 28, 1962 Judgment in *Healing v. Jones* Civ. No. 579 PCT (d), Ariz., and shall not include the Hopi Partitioned Lands.

(d) Equivalent assistance from federal agencies. Housing provided for Hopi reservation evictees shall be considered equivalent assistance if it meets the Commission's standards for a decent, safe and sanitary dwelling under § 700.55 of these rules.

§ 700.603 Eligibility.

(a) Those heads of household who were members of the Navajo Tribe and were evicted from the Hopi reservation as a consequence of the decision in the *United States v. Kabinto* shall be eligible to receive relocation assistance on a preference basis.

(b) Proof of eviction shall be determined by one of the following criteria:

(1) Inclusion on the list of defendants in the case of *United States v. Kabinto* (456 F. 2d 1087) (1972);

(2) Inclusion on the lists prepared by the BIA dated May 10, 1979 and May 21, 1979 as a result of having provided services to those heads of household.

(3) Inclusion on a list prepared by the Navajo Tribe and submitted to the Commission on January 16, 1981;

(4) Inclusion on a list prepared by the Navajo Legal Aid Service dated April 29, 1970;

(5) Other evidence furnished by the applicant which is sufficient to prove their status as evictees from the Hopi reservation, as determined by the Commission.

§ 700.605 Relocation assistance.

(a) Each eligible head of household of Hopi reservation evictees shall be entitled to receive the following assistance:

(1) Relocation advisory services as provided in § 700.135 of this Part;

(2) Moving and search expenses, as provided in § 700.151 of this Part;

(3) Replacement housing payments as set forth below.

(b)(1) If the head of household owns no dwelling, the Commission will make funds available to the head of household as provided in these regulations for the acquisition of a replacement home in one of the following manners:

(i) Purchase of an existing home by the head of household,

(ii) Contracting by the head of household for the construction of a home,

(iii) Participation or purchase by the head of household in a mutual help housing or other home ownership project under the U.S. Housing Act of 1937 (50 Stat. 888, as amended; 42 U.S.C. 1401) or in any other federally assisted housing program.

(2) If the eligible head of household owns or is buying or building a home, the Commission will expend relocation benefits in one of the following manners:

(i) If the home is decent, safe and sanitary, but is encumbered by a mortgage, such mortgage existing as of the effective date of these regulations, the Commission may expend replacement housing benefits up to the maximum then existing replacement home benefit to accelerate to the maximum extent possible the achievement by that household of debt-free home ownership.

(ii) If the home is owned free and clear but does not meet Commission decent, safe and sanitary standards; or the home is neither owned free and clear, nor is decent, safe and sanitary, the Commission will, at its discretion either:

(A) Expend replacement home benefits for improvements to assure the home meets the Commission's decent, safe and sanitary standards, or

(B) Expend replacement home benefits for the acquisition of a replacement dwelling as if the eligible head of household or spouse did not own a home as in paragraph (b)(1) of this section.

(3) If the home is decent, safe and sanitary, and is owned free and clear, no replacement housing benefits will be paid.

(4) The amount of the replacement housing payment shall be calculated in accordance with § 700.183 of these rules except that no compensation will be paid for habitation and improvements.

(5) The determination of whether the head of household of Hopi reservation evictees currently occupies a decent, safe and sanitary dwelling shall be made in accordance with § 700.55 of these rules.

(C) If the head of household has received equivalent assistance from other federal agencies as defined in § 700.601(d), they shall not be entitled to additional assistance from the Commission.

§ 700.607 Dual eligibility.

Those individuals who moved from the Hopi reservation following eviction to the Hopi Partitioned Lands and who are eligible to receive benefits under the general regulations shall not receive benefits under this subpart but shall receive benefits under the general regulations on a preferential basis.

§ 700.609 Appeals.

Appeals of eligibility, hearings and administrative review (appeals) will be administered under Subpart L of this Part.

§ 700.611 Application deadline.

The deadline for receipt of applications for benefits under this subpart shall be 120 days following publication of these final rules.

Ralph Watkins,

Chairman, Navajo-Hopi Indian Relocation Commission.

[FR Doc. 83-30548 Filed 11-10-83; 8:45 am]

BILLING CODE 7550-01-M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1601

706 Agencies; Designations

AGENCY: Equal Employment Opportunity Commission.

ACTION: Final Rule: amendment.

SUMMARY: The Equal Employment Opportunity Commission amends its regulations on certified designated 706 agencies. Publication of this amendment effectuates the designation of the West Virginia Human Rights Commission, Philadelphia Commission on Human Relations, and Pennsylvania Human Relations Commission as certified 706 Agencies.

EFFECTIVE DATE: November 14, 1983.

FOR FURTHER INFORMATION CONTACT: Hollis Larkins, Equal Employment Opportunity Commission, Office of Program Operations, Special Services Staff, 2401 E Street NW., Washington, D.C. 20507, telephone 202/634-6806.

SUPPLEMENTARY INFORMATION: The Commission has determined that the West Virginia Human Rights Commission, Philadelphia Commission on Human Relations, and Pennsylvania Human Relations Commission meet the eligibility criteria for certification of a designated 706 agency as established in 29 CFR 1601.75(b). In accordance with 29 CFR 1601.75(c) the Commission hereby amends the list of certified designated 706 agencies to include the West Virginia Human Rights Commission, Philadelphia Commission on Human Relations, and Pennsylvania Human Relations Commission. Publication of this amendment to Section 1601.80 effectuates the designation of the following agencies as certified 706