announcement of such changes will be promptly provided.

Carole J. Dineen,

Fiscal Assistant Secretary.

[FR Doc. 83-31876 Filed 11-23-83; 4:04 pm]

BILLING CODE 4810-40-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

DEPARTMENT OF LABOR

Office of Pension and Welfare Benefit Programs

[Prohibited Transaction Exemption 83-162; Exemption Application Nos. D-3396 and D-3410]

Exemption From the Prohibitions for Certain Transactions Involving the Beneficial Corporation and Beneficial National Bank Located in Wilmington, Delaware

AGENCIES: Internal Revenue Service, Treasury; and Pension and Welfare Benefit Programs, Labor.

ACTION: Grant of individual exemption.

SUMMARY: This exemption exempts the investment of the assets of certain Keogh plans and individual retirement accounts (IRAs) which are maintained by employees and directors of the Beneficial Corporation (the Employer) in a thrift club (the Thrift Club) sponsored by the Employer and whose assets constitute loans to the Employer. The exemption affects the Thrift Club, the Employer, the participants of the Thrift Club, the Keogh Plans, the IRAs, and other persons participating in the transactions.

EFFECTIVE DATE: This exemption is effective January 1, 1979.

FOR FURTHER INFORMATION CONTACT: Mr. Stewart Copeland of the Internal Revenue Service (the Service), telephone (202) 566-6761, or Ms. Linda Hamilton of the Department of Labor (the Department), telephone (202) 523-8881. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: On June 28, 1983, notice was published in the **Federal Register** (48 FR 29779) of the pendency before the Service and the Department of a proposal to grant an exemption from the restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Employee Retirement Income Security Act of 1974 (the Act) and from the sanctions resulting from the application of section 4975 of the Internal Revenue Code of 1954 (the Code) by reason of section 4975(c)(1) (A) through (E) of the Code, for the above-described transactions. The notice set forth a summary of facts and representations contained in the application for exemption and referred interested persons to the application for a complete statement of the facts and representations. The application has been available for public inspection at the Service and the Department in Washington, D.C. The notice also invited interested persons to submit comments on the requested exemption to the Service and the Department. In addition, the notice stated that any interested person might submit a written request that a public hearing be held relating to this exemption. The applicant has represented that a copy of the notice was mailed to all interested persons on August 8, 1983. Since this notification occurred after the time period set forth in the notice of pendency, all interested persons were notified on August 25, 1983 that the comment period had been extended until September 8, 1983. No public comments and no requests for a hearing were received by the Service or the Department.

This application was filed with both the Department and the Service. The Act granted discretionary authority to the Secretaries of Labor and Treasury to issue administrative exemptions from the prohibited transactions provisions contained in Title I and Title II of the Act. In explaining these procedures, the Conference Report (H. R. Report No. 93-1280, 93rd Cong., 2d Sess. (1974) at p. 311) provides that the Secretary of Labor may refuse to grant an exemption if the transaction would constitute an abuse of the labor laws. Similarly, the Secretary of the Treasury may refuse to grant an exemption if the transaction would involve a tax abuse. Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue administrative exemptions under section 4975(c)(2) of the Code to the Secretary of Labor subject to certain narrow exceptions. Because the scope of the proposed exemption is limited to transactions involving IRAs and Keogh plans, the particular concern of the Service and the Department is to assure that the transactions of not conflict with the basic purpose for which such plans are established and afforded special tax benefits, that is, to provide retirement savings for participants and their beneficiaries. Accordingly, the Service and the Department have decided to jointly grant this exemption from the prohibited transactions restrictions of section 406(a) and 406(b) (1) and (2) of the Act and section 4975(c)(1) of the Code.

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions of the Act and the Code including any prohibited transaction provisions to which the exemption does not apply; nor does the exemption affect the requirement of section 408(a) of the Code that an IRA must operate for the exclusive benefit of the individual for whose benefit the IRA is maintained and his or her beneficiaries or the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) This exemption does not extend to transactions prohibited under section 406(b)(3) of the Act and section 4975(c)(1) (F) of the Code.

(3) This exemption is supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption or transitional rule is not dispositive of whether the transaction is, in fact, a prohibited transaction.

Exemption

In accordance with section 408(a) of the Act and section 4975(c)(2) of the Code and the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975) and Rev. Proc. 75-26, 1975-1 C.B. 722, and based upon the entire record, the Service and the Department make the following determinations:

(a) The exemption is administratively feasible;

(b) It is in the interests of the individuals for those benefit the IRA and Keogh plans are maintained; and

(c) It is protective of the rights of those individuals and their beneficiaries.

Accordingly, effective January 1, 1979, the restrictions of section 406(a) and 406 (b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the investment of the assets of IRAs in the Thrift Club as described in the notice of proposed exemption, so long as the terms of the transactions are no less favorable to the

IRAs than those obtainable in an arm's length transaction with an unrelated third party, and, effective January 1, 1979, the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the investment of the assets of Keogh plans as described in the notice of proposed exemption, so long as the terms of the transactions are no less favorable to the Keogh plans than those obtainable in an arm's length transaction with an unrelated third party.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application are true and complete, and that the application accurately describes all material terms of the transactions which are the subject of this exemption.

Signed at Washington, D.C., this 10th day of November, 1983.

Billy M. Hargett,

Director, Employee Plans Division, Internal Revenue Service, Department of the Treasury.

Alan D. Lebowitz,

Assistant Administrator for Fiduciary Standards, Pension and Welfare Benefit Programs, Labor-Management Services Administration, Department of Labor.

[FR Doc. 83-31705 Filed 11-25-83; 8:45 am]

BILLING CODE 4830-01-M

UNITED STATES INFORMATION AGENCY

Radio Engineering Advisory Committee; Meeting

The Radio Engineering Advisory Committee of the United States Information Agency will meet in Washington, D.C. on Wednesday, December 14, 1983, to discuss current operations and future plans of the Voice of America (VOA). The meeting will be held at the VOA Headquarters, 330 Independence Avenue, SW., Room 3348, beginning at 9:00 AM. Point of contact for the meeting is Terry Balazs, tel: 202-485-8048.

This meeting will include a report by Morton Smith, Special Assistant to the Director of VOA for Negotiations, on the status of site negotiations for VOA relay stations, reports by senior staff members for VOA Engineering on the progress being made on preliminary engineering for new projects, and a discussion led by Maurice J. Raffensperger, Director of Engineering and Technical Operations, on specific technical plans for the VOA enhancement and modernization program and recommendations for correcting deficiences.

This meeting will be closed to the public because there will be a discussion of issues relating to future site negotiations for Voice of America relay stations. This meeting will be closed because disclosure of the matters to be discussed is likely to divulge information that is: (A) Specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy; and (B) in fact is properly classified pursuant to such Executive Order (5 U.S.C. 552b(c)(1)).

Dated: November 16, 1983.

Charles Z. Wick,

Director.

[FR Doc. 83-31706 Filed 11-25-83; 8:45 am]

BILLING CODE 8230-01-M

Sunshine Act Meetings

Federal Register
Vol. 48, No. 229
Monday, November 28, 1983

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONTENTS

	Items
Federal Maritime Commission	1
Federal Reserve System	2–4
Legal Services Corporation	5
National Council on Educational Research	6
Postal Service	7, 8

1

FEDERAL MARITIME COMMISSION

TIME AND DATE: 9 a.m., November 30, 1983.

PLACE: Hearing Room One, 1100 L Street NW., Washington, D.C. 20573.

STATUS: Parts of the meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED: Portions open to the public:

1. Agreement No. 10424–7: Modification of the United States Atlantic & Gulf/Jamaica and Hispaniola Steamship Conference Agreement to provide for proportional ratemaking authority.
2. Agreement No. 2744–50: Modification of the Atlantic & Gulf/West Coast of South America Conference Agreement to add intermodal and miniland bridge authority.

Portions closed to the public:

1. Activities of Philippine Express Corp.
2. Pooling agreements in the United States and Brazilian and Argentine trades.
3. Docket No. 82–58: Action to Adjust or Meet Conditions Unfavorable to Shipping in the United States/Venezuela Trade—Review of status of proceeding.

CONTACT PERSON FOR MORE INFORMATION: Francis C. Hurney, Secretary (202) 523–5725.

[S–1654–83 Filed 11–22–83; 4:14 pm]
BILLING CODE 6730–01–M

2

FEDERAL RESERVE SYSTEM

TIME AND DATE: 2:30 p.m., Tuesday, November 22, 1983. The business of the Board required that this meeting be held with less than one week's advance notice to the public, and no earlier announcement of the meeting was practicable.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551

STATUS: Closed

MATTERS TO BE CONSIDERED:

1. Supervisory and regulatory matter.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204

Date: November 22, 1983.

James McAfee,

Associate Secretary of the Board.

[S–1657–83 Filed 11–22–83; 5:18 pm]
BILLING CODE 6210–01–M

3

FEDERAL RESERVE SYSTEM

TIME AND DATE: 10 a.m., Wednesday, November 30, 1983.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets NW., Washington, D.C. 20551.

STATUS: Open.

MATTERS TO BE CONSIDERED: *Summary Agenda:* Because of its routine nature, no substantive discussion of the following item is anticipated. This matter will be voted on without discussion unless a member of the Board requests that the item be moved to the discussion agenda:

1. Proposed amendment to Regulation D (Reserve Requirements of Depository Institutions) to index the low reserve tranche for transactions accounts and the reserve requirement exemption amount for 1984.

Discussion Agenda:

2. Review of public comments on amendments to the Board's Capital Adequacy Guidelines, adopted in June 1983.
3. Proposed definition of participations in bankers' acceptances for purposes of the exemption from the acceptance limits of the Bank Export Services Act. (Proposed earlier for public comment; Docket No. R–0474.)
4. Any items carried forward from a previously announced meeting.

Note.—This meeting will be recorded for the benefit of those unable to attend. Cassettes will be available for listening in the Board's Freedom of Information Office, and copies may be ordered for $5 per cassette by calling (202) 452–3684 or by writing to: Freedom of Information Office, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board, (202) 452–3204.

Dated: November 22, 1983.

James McAfee,

Associate Secretary of the Board.

[S–1655–83 Filed 11–22–83; 4:53 pm]
BILLING CODE 6210–01–M

4

FEDERAL RESERVE SYSTEM

TIME AND DATE: Approximately 11 a.m., Wednesday, November 30, 1983, following a recess at the conclusion of the open meeting.

PLACE: 20th Street and Constitution Avenue NW., Washington, D.C. 20551.

STATUS: Closed.

MATTERS TO BE DISCUSSED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board (202) 452–3204.

Dated: November 22, 1983.

James McAfee,

Associate Secretary of the Board.

[S–1656–83 Filed 11–22–83; 4:53 pm]
BILLING CODE 6201–01–M

5

LEGAL SERVICES CORPORATION

Board of Directors Meeting.

TIME AND DATE: It will commence at 9 a.m. and continue until all official business is completed; Monday, December 5, 1983.

PLACE: Doral Inn Hotel, Crystal Room, 541 Lexington Avenue, New York, New York 10022.

STATUS OF MEETING: Open (Portion of Meeting is to be closed to discuss personnel, personal, litigation, and investigatory matters under 45 CFR 1622.5 (a), (e), (f), and (h)).

MATTERS TO BE CONSIDERED:

1. Approval of Agenda;
2. Approval of Draft Minutes of November 7, 1983 Board Meeting;
3. Approval of Draft Minutes of November 21, 1983 Board Meeting;
4. Funding Formula Panel Discussion;
5. 1985 Budget Mark;
6. Public Comment Period (Maximum of two hours);
7. Needs Study Update.

CONTACT PERSON FOR MORE INFORMATION: LeaAnne Bernstein, Office of the President (202) 272–4040.

Dated: November 23, 1983.

Donald P. Bogard,

President.

[S–1658–83 Filed 11–23–83; 2:58 pm]

BILLING CODE 6820–35–M

6

NATIONAL COUNCIL ON EDUCATIONAL RESEARCH

TIME AND DATE: 7 p.m. to 11 p.m., November 13, 1983, and 8 a.m. to 7 p.m., November 14, 1983.

PLACE: November 13, 1983, Ramada Renaissance, 1143 New Hampshire Ave., N.W. Washington, D.C.; and November 14, 1983, National Council on Educational Research office, 2000 L St., N.W., Washington, D.C. 20036 (Suite 617B).

Note.—This notice corrects the Supplementary Information portion of the document (published November 8, 1983; 48 FR 51395) to read as set forth below.

STATUS FOR MEETING: The Search Committee, a subcommittee of N.C.E.R. will hold a closed meeting on November 13 and 14, 1983.

MATTERS TO BE DISCUSSED: Discussion of Internal Personnel; specifically, the selection of an Executive Director (interviewing and discussion of qualifications/resumes).

SUPPLEMENTARY INFORMATION: The N.C.E.R. Search Committee meeting will be closed. The agenda includes discussion of internal personnel matters; namely, selection of an Executive Director. The meeting will be closed on November 13 and 14, 1983 to review applications and to conduct interviews for the position of Executive Director of the Council. The meeting will be closed under the authority of Section 10(d) of the Federal Advisory Committee Act (Pub. L. 92–463; 5 U.S.C. Appendix 1) and under exemptions (2) and (6) of Section 552b(c) of the Government in the Sunshine Act (Pub. L. 94–409; 5 U.S.C. 552b(c) (2) and (6). Discussion of the applications will include consideration of the qualifications and fitness of the candidates and will touch upon matters which would constitute a serious invasion of privacy if conducted in open session.

CONTACT PERSON FOR MORE INFORMATION: Renee' Trent, N.C.E.R. Associate, N.C.E.R. 2000 L Street, N.W., Suite 617B, Washington, D.C. 20036; 202/254–7490.

Patricia Hines,

N.C.E.R. Associate, Authorizing Official.

[S–1659–83 Filed 11–23–83; 3:02 pm]

BILLING CODE 4000–01–M

7

POSTAL SERVICE

(Board of Governors)

The board of Governors of the United States Postal Service, pursuant to its Bylaws (39 CFR 7.5) and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice that it intends to hold meetings at 11 a.m. on Monday, December 5, 1983, in Washington, D.C., and at 8:30 a.m. on Tuesday, December 6, 1983, in the Benjamin Franklin Room, 11th floor, Postal Service Headquarters, 475 L'Enfant Plaza, SW, Washington, D.C. As indicated in the following paragraph, the December 5 meeting is closed to public observation. The December 6 meeting is closed to public observation. The December 6 meeting is open to the public. The Board expects to discuss the matters stated in the agenda which is set forth below. Requests for information about the meetings should be addressed to the Secretary of the Board, David F. Harris, at (202) 245–3734.

At its meeting on October 31, 1983, the board voted in accordance with the provisions of the Government in the Sunshine Act to close to public observation its meeting scheduled for December 5. (See 48 FR 51396, November 8, 1983.) The agenda items of the meeting to be closed concern 1) consideration of the Postal Rate Commission Recommended Decision on third-class bulk rates for nonprofit mail (Docket R80–1); 2) strategic planning in connection with collective bargaining and 3) consideration of a change in the delivery of expedited mail.

Agenda

Monday Session, December 5 (closed):

11:00 a.m.:

1. Consideration of Postal Rate Commission Recommended Decision of August 26, 1983, on Third-Class Bulk Rates for Nonprofit Mail. (Docket R80–1.)
2. Strategic Planning—Collective Bargaining.
3. Consideration of a Proposed New Approach to the Delivery of Expedited Mail.

Tuesday Session, December 6 (open):

8:30 a.m.:

1. Minutes of the Previous Meeting, October 31–November 1, 1983.
2. Remarks of the Postmaster General. (In keeping with its consistent practice, the Board's agenda provides this opportunity for the Postmaster General to inform the Members of miscellaneous current developments concerning the Postal Service. Nothing that requires a decision by the Board is brought up under this item.)
3. Officer Compensation. (The Board will consider approval of two officer compensation matters.)
4. Review of the Postal Service's Budget Program. (Mr. Coughlin, Senior Assistant Postmaster General, Finance Group, will present the Postal Service's budget for fiscal year 1985, as it is proposed for transmission to OMB and the Congress, for the approval of the Board.)
5. Report by the Audit Committee. (Mr. McKean, Chairman of the Audit Committee, will report on the audited financial statements for the Postal Service for fiscal year 1983.)
6. Review of the Comprehensive Statement. (Pub. L. 94–421 amended 39 U.S.C. 2401(g) to require the Postal Service to present a "Comprehensive Statement" to the Legislative and Appropriations Committees of the Congress having cognizance over postal matters. The Comprehensive Statement is to describe the plans and policies of the Postal Reorganization Act; postal operations generally; and financial summaries and projections. Mr. Horgan, Assistant Postmaster General, Government Relations Department, will present the proposed Comprehensive Statement for the Board's approval.)
7. Annual Report of the Postmaster General. (The Board will consider the Annual Report of the Postmaster General to the Board concerning the operations of the Postal Service, as required by 39 U.S.C. 2402. Upon approval thereof, or after making such changes as it considers appropriate, the Board is to transmit this record to the President and the Congress. Ms. Layton, Assistant Postmaster General, Public and Employee Communications Department, will present the proposed Annual Report for Fiscal Year 1983.)
8. Capital Investment Projects:
   a. Construction of a New General Mail Facility and Vehicle Maintenance Facility at Los Angeles, CA.
   b. Construction of a Building at the General Mail Facility at Merrifield, VA, for use as a Postal Service Research and Development Facility.

   (Mr. Chapp, Assistant Postmaster General, Engineering and Technical Support Department, will present the proposal for the Los Angeles General Mail Facility/Vehicle Maintenance Facility and Mr. Marable, Executive Director, Research and Development Laboratories, will present the proposal for the Research and Development Facility.)

9. Consideration of a Tentative Agenda for the January 9–10, 1984, Meetings of the Board in St. Louis, Missouri.

David F. Harris,

Secretary.

[S-1653-83 Filed 11-22-83; 4:13 pm]

BILLING CODE 7710-12-M

8

POSTAL SERVICE

BOARD OF GOVERNORS

There will be a meeting of the Audit Committee of the Board of Governors of the United States Postal Service at 9:30 a.m. on Monday, December 5, 1983, in the Benjamin Franklin Room, 11th floor, Postal Service Headquarters, 475 L'Enfant Plaza, S.W., Washington, D.C. The purpose of the meeting is to review the Fiscal Year 1983 Financial Report of the Postal Service. The meeting is open to the public. Requests for information should be addressed to the Secretary of the Board, David F. Harris at (202) 245–3734.

David F. Harris,

Secretary.

[S-1660-83 Filed 11-23-83; 3:40 pm]

BILLING CODE 7710-12-M

Federal Register

Monday
November 28, 1983

Part II

Department of the Interior

Fish and Wildlife Service

Endangered and Threatened Wildlife and Plants; Supplement to Review of Plant Taxa for Listing; Proposed Rule

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; Supplement to Review of Plant Taxa for Listing as Endangered or Threatened Species

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of review.

SUMMARY: The Service makes changes to the 1980 listings of those vascular plant taxa native to the United States that are being reviewed for possible addition to the list of Endangered and Threatened Plants under the Endangered Species Act of 1973, as amended (the Act). The changes primarily involve additions of taxa to and deletions of taxa from active consideration, changes in category for candidate taxa, and additions and deletions in their State distributions. The presence of the candidate taxa should be taken into account in environmental planning.

DATE: Comments are requested until further notice.

ADDRESSES: Interested persons or organizations should submit comments to the appropriate Regional Director(s) below or to: Director (OES), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments and materials relating to this notice are available for public inspection by appointment during usual business hours at the Service's Office of Endangered Species, Suite 500, 1000 North Glebe Road, Arlington, Virginia.

Information relating to particular taxa may be obtained from the Endangered Species Coordinator(s) in the appropriate Service Regional Office(s) listed below:

Region 1.—California, Hawaii, Idaho, Nevada, Oregon, Washington, and Pacific territories

Regional Director (ARD/FA), U.S. Fish and Wildlife Service, Suite 1692, Lloyd 500 Building, 500 NE Multnomah Street, Portland, Oregon 97232, Telephone: 503/231-6131 (FTS: 8/429-6131);

Region 2.—Arizona, New Mexico, Oklahoma, and Texas

Regional Director (ARD/AFF), U.S. Fish and Wildlife Service, P.O. Box 1306, Albuquerque, New Mexico 87103, Telephone: 505/766-3972 (FTS: 8/474-3972);

Region 3.—Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin

Regional Director (ARD/AFF), U.S. Fish and Wildlife Service, Federal Building, Fort Snelling, Twin Cities, Minnesota 55111, Telephone: 612/725-3276 (FTS: 8/725-3276);

Region 4.—Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Puerto Rico, and the Virgin Islands

Regional Director (ARD/FA), U.S. Fish and Wildlife Service, The Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, Georgia 30303, Telephone: 404/221-3583 (FTS: 8/242-3583);

Region 5.—Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia

Regional Director (ARD/FA), U.S. Fish and Wildlife Service, Suite 700, One Gateway Center, Newton Corner, Massachusetts 02158, Telephone: 617/965-5100 ext. 316 (FTS: 8/829-9316, 7, 8);

Region 6.—Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming

Regional Director (ARD/FA), U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225, Telephone: 303/234-2496 (FTS: 8/234-2496);

Region 7.—Alaska.

Regional Director (ARD/AFF), U.S. Fish and Wildlife Service, 1101 East Tudor Road, Anchorage, Alaska 99503, Telephone: 907/786-3435 (FTS: 8/907/786-3435).

FOR FURTHER INFORMATION CONTACT: Endangered Species Coordinator(s) in the appropriate Regional Office(s), or Mr. John L. Spinks, Jr., Chief, Office of Endangered Species, U.S. Fish and Wildlife Service, Washington, D.C. 20240, Telephone: 703/235-2771 (FTS: 8/235-2771).

SUPPLEMENTARY INFORMATION:

Background

The Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.)* requires determination of whether species of wildlife and plants are Endangered or Threatened, based on the best available scientific and commercial data. Recognizing a special need to focus on the conservation of Endangered and Threatened plants, which were first generally accorded the means for Federal protection therein, the 1973 Act directed the Secretary of the Smithsonian Institution to prepare a report on endangered and threatened plant species and recommend necessary conservation measures. The Smithsonian report, published as House Document No. 94-51, included a list of more than 3,000 native taxa. The Service published a notice on July 1, 1975 (40 FR 27823) in which it announced that this report had been accepted as a petition under the terms of the Act, and that the taxa named in the report and notice were being reviewed for possible inclusion in the list of Endangered and Threatened species.

A revision of the Smithsonian's report was published in 1978 as a book: E. S. Ayensu and R. A. DeFilipps, Endangered and Threatened Plants of the United States, Smithsonian Institution and World Wildlife Fund, Washington, D.C.; it also was accepted as a petition for the taxa newly included therein (48 FR 6752). The July 1975 notice was replaced on December 15, 1980, by the Service's publication in the **Federal Register** (45 FR 82479-82569) of a new comprehensive notice of review for native plants, which took into account the Smithsonian petitions and other accumulated information *(Endangered Species Technical Bulletin,* January 1981). A petition on one additional species *(Serianthes nelsonii)* has been accepted in the February 15, 1983, **Federal Register** (48 FR 6752); the plant is also included here.

Present Supplement

This first supplement to the 1980 notice (45 FR 82479) provides all necessary additions, deletions, and changes in status and State distributions of taxa that have come to the attention of the Service. Entries for taxa in the present supplement supersede entries for these taxa in the 1980 notice. (Information on entries for taxa still considered not vulnerable [i.e. in category 3] is not updated in this supplement.) The 1980 notice remains current for the taxa that are not included in this supplement because their entries are not changed, unless the taxa have been the subjects of proposed or final rules and thus are no longer simply candidates. For those taxa currently proposed as Endangered or Threatened species, see issues of the **Federal Register** and the *Endangered Species Technical Bulletin.* For taxa recently listed as Endangered or Threatened species, see those publications, and in particular a consolidated list in the July 27, 1983, issue of the **Federal Register** (48 FR 34181-34196) and at 50 CFR 17.12. The 1980 notice and this 1983 supplement together reflect the Service's current judgment of the possible vulnerability of all native vascular plant taxa (copies of each notice are available from the Service.) Taxa in the 1980

notice and in this supplement are grouped in several categories, as described below, in order to reflect the Service's present evaluation of their status.

Category 1 comprises taxa for which the Service currently has on file substantial information on biological vulnerability and threat(s) to support the appropriateness of proposing to list the taxa as Endangered or Threatened species. Presently, data are being gathered concerning any required Critical Habitat designations, and for many of the taxa, data concerning the precise boundaries for Critical Habitat designations. Development and publication of proposed rules on these taxa are anticipated, but because of the large number of such taxa, could take some years.

Also included in category 1 are taxa whose status in the recent past is known, but that may already have gone extinct. These plants may retain a high priority for addition to the list, subject to the confirmation of extant populations. Such possibly extinct taxa are indicated by an asterisk (*). Double asterisk (**) indicate taxa thought to be extinct in the wild, but known to be extant in cultivation.

Category 2 comprises taxa for which information now in possession of the Service indicates that proposing to list the taxa as Endangered or Threatened species is possibly appropriate, but for which substantial data on biological vulnerability and threat(s) are not currently known or on file to support proposed rules. Such taxa that are possibly extinct are again indicated by an asterisk (*). Further biological research and field study usually will be necessary to ascertain the status of the taxa in category 2, and some of the taxa are of uncertain taxonomic validity. It is likely that some of the taxa will not warrant listing, while some will be found to be in greater danger of extinction than some taxa in category 1. It is hoped that this notice will encourage the necessary research on vulnerability, taxonomy, and/or threats for these taxa. To organize and elaborate status information that may be submitted, contributors are encouraged to use the status report guidelines of Henifin *et al.*, pages 261–282 in L. E. Morse and M. S. Henifin, editors, Rare Plant Conservation, 1981, The New York Botanical Garden, Bronx, New York; copies of these guidelines are available from the Service.

Category 3 comprises taxa that are no longer being considered for listing as Threatened or Endangered species. Such taxa are included in one of three subcategories, depending on the reason(s) for removal from consideration.

3A. Taxa for which the Service has persuasive evidence of extinction. If rediscovered, however, such taxa might acquire high priority for listing. At this time, the best available information indicates that the taxa included in this subcategory, or the habitats from which they were known, are in fact extinct or destroyed, respectively.

3B. Names that, on the basis of current taxonomic understanding, usually as represented in published revisions and monographs, do not represent taxa meeting the Act's definition of "species." Such supposed taxa could be reevaluated in the future on the basis of subsequent research.

3C. Taxa that have proven to be more abundant or widespread than was previously believed and/or those that are not subject to any identifiable threat. Should further research or changes in land use indicate significant decline in any of these taxa, they may be reevaluated for possible inclusion in category 1 or 2.

The taxa in categories 1 and 2 of this notice or remaining unchanged in those categories in the 1980 notice (45 FR 82479) are candidates for possible addition to the List of Endangered and Threatened Plants, and therefore should receive consideration in environmental planning, such as in environmental impact analysis under the National Environmental Policy Act of 1969 (implemented at 40 CFR Parts 1500–1508).

The Service hereby requests that information on the vulnerable taxa named in this notice or the 1980 notice be submitted as soon as possible and on a continuing basis. Especially sought are data for our files—

(1) indicating that a taxon would more properly be assigned to a category other than the one in which it appears;

(2) nominating a taxon not included;

(3) recommending an area as Critical Habitat for a candidate taxon, or indicating that proposal of Critical Habitat would not be prudent for a taxon;

(4) documenting threats to any of the included taxa;

(5) informing the Service of the intensity and immediacy of threats to any of the taxa;

(6) pointing out taxonomic changes for any of the taxa;

(7) suggesting appropriate common names; or

(8) noting errors, such as any in the indicated historic distributions.

The Service intends to consider all information received in response to this notice, to amend the contents of categories 1, 2, and 3 to reflect current knowledge concerning affected plant taxa, and to indicate its intentions with regard to future listing actions (in accord with 50 CFR 424.15, as currently published and with the modifications proposed in the **Federal Register** (48 FR 36061) on August 8, 1983). Substantive changes may be announced by periodic supplemental or revised replacement notices in the **Federal Register.**

Relationship to Petition Requirements

All candidate plant taxa (which are those remaining in category 1 or 2 of the 1980 notice or in those categories in this supplementary notice) are treated as under petition, and these notices serve for the review of status required by Section 4(b)(3)(A) of the Act, as amended in 1982. The Service will soon respond separately in the **Federal Register** to the requirements of Section 4(b)(3)(B) of the Act for appropriate petitioned plants and animals.

Organization of Lists

The following lists are arranged alphabetically by names of genera and species. Synonyms have been provided when necessary to avoid confusion. In some cases, taxa have been included that have not yet been formally described in the scientific literature. Such taxa are usually identified by a name followed by "sp. (ssp., var.) nov. ined." Following the scientific name of each species (subspecies, variety) are a family designation and any common name. Known historical ranges are given on the right for all included taxa, usually indicated by abbreviations for States. Some taxa may no longer occur in some of the areas shown.

For each taxon, the assigned category of status appears on the lef.. Table I lists

the taxa in categories 1 and 2 (candidates), as defined above. Table II lists the taxa in category 3, indicating subcategories.

This notice was prepared by Dr. Bruce MacBryde in the Service's Office of Endangered Species in Washington (703/235–1975; FTS 8/235–1975), from evaluations by appropriate staff botanists or biologists in the Washington Office and in the Service's Endangered Species Program in Regional Offices and Field Stations. The Service gratefully acknowledges the computer assistance of Dr. Larry E. Morse, The Nature Conservancy, Arlington, Virginia, and Dr. John Nagy, Brookhaven National Laboratory, Upton, New York, in compiling the lists of taxa.

Dated: October 27, 1983.

G. Ray Arnett,

Assistant Secretary for Fish and Wildlife and Parks.

BILLING CODE 4310-55-M

[FR Doc. 83-31857 Filed 11-25-83; 8:45 am]

BILLING CODE 4310-55-C