

Certification Division, Federal Aviation Administration, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803; telephone (617) 273-7330.

**SUPPLEMENTARY INFORMATION:** This amendment amends Amendment 39-3345, AD 78-24-01, which requires an initial and repetitive inspections of the engine control box mounting bolts on Rolls-Royce DART engines series 506, 510, 511, 514, 525, 526, 527, 528, 529, 530, 532, 542, and variants. After issuing Amendment 39-3345, the FAA has determined that the reasons for issuing AD 77-20-05 are also applicable to the DART Mk.530 model engine which has recently been issued an FAA type certificate. Therefore, the FAA amending Amendment 39-3345 by extending applicability of the AD to also include the Mk.530. Since a situation exists that requires the immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable, and good cause exists for making this amendment effective in less than 30 days.

#### Request for Comments on the Rule

Although this action, which involves requirements affecting immediate flight safety, is in the form of a final rule and thus was not preceded by notice and public comment, comments are not invited on the rule. When the comment period ends, the FAA will use the comments submitted together with other available information to review the regulation. Public comments are helpful in evaluating the effects of the rule and in determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the rule.

#### List of Subjects in 14 CFR Part 39

Engines, Propellers, Aircraft, and Aviation safety.

#### Adoption of the Amendment

#### PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, § 39.13 of Part 39 of the Federal Aviation Regulations (14 CFR 39.13) is amended by amending Amendment 39-3345, AD 78-24-01, as follows:

(1) Revise the applicability statement to read:

**Rolls-Royce Ltd.:** Applies to Rolls-Royce DART engines and all variants of those engines listed below which have Rolls-Royce DART Modification 1525 incorporated (covered in Rolls-Royce DART Service Bulletin Da 72-351), as

installed on, but not necessarily limited to the airplanes listed below.

| DART Engine        | Airplane   |
|--------------------|--|
| 506, 510, 525, 530 | Vickers Viscount Model 744, 7450, 810.   |
| 511, 514, 526, 532 | Fairchild F-27 and FH-227 series and Fokker F-27 series.   |
| 526                | Armstrong Whitworth AW-650 series 1.   |
| 527                | Handley Page Herald Type 300.  |
| 529                | Grumman G-159 and Fairchild F-27 and FH-227 series.  |
| 532                | Hawker Siddeley 748 series 2.  |
| 542                | General Dynamics Model 240 with STC No. SA1054WE installed (or Model 600), General Dynamics Model 340/440 with STC No. SA1096WE installed (or Model 640), and Nihon YS-11 and YS-11A series. |

(2) Revise the compliance statement to read:

Compliance is required as indicated, unless already accomplished:

1. Compliance for all affected DART engines except the Mk.530 is based on an effective date of December 11, 1978.
2. Compliance for the DART Mk.530 engines is based on an effective date of May 12, 1983.

This amends AD 78-24-01, Amendment 39-3345, which was made effective December 11, 1978.

This amendment becomes effective May 12, 1983.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958, as amended, 49 U.S.C. 1354(a), 1421, and 1423; sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)); (14 CFR 11.89))

**Note.**—The FAA has determined that this regulation is an emergency regulation that is not major under Section 8 of Executive Order 12291 because it affects only 16 engines at an approximate unit cost of \$75. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979). If this action is subsequently determined to involve a significant regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket (otherwise, an evaluation is not required). A copy of it when filed, may be obtained by contacting the person identified under the caption "FOR FURTHER INFORMATION CONTACT."

Issued in Burlington, Massachusetts, on April 18, 1983.

**Robert E. Whittington,**  
Director, New England Region.

[FR Doc. 83-11175 Filed 4-27-83; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 6a

[T.D. 7890]

### Income Tax; Temporary Income Tax Regulations Under Title XI of the Omnibus Reconciliation Act of 1980; Foreign Investment in United States Real Property

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Temporary regulations.

**SUMMARY:** This document provides amendments to the temporary regulations under sections 897 and 6039C of the Internal Revenue Code of 1954, relating to foreign investment in U.S. real property, published in the *Federal Register* on September 21, 1982, (47 FR 41532). These temporary regulations are necessary to provide the public with immediate guidance with respect to the requirements of sections 897 and 6039C.

**EFFECTIVE DATE:** The amendments are effective as of April 28, 1983.

**FOR FURTHER INFORMATION CONTACT:** Robert E. Culbertson, Jr. of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224. Attention: CC:LR:T (202-566-3289), not a toll-free call.

#### SUPPLEMENTARY INFORMATION:

##### Background

This document contains amendments to the Temporary Income Tax Regulations under Title XI of the Omnibus Reconciliation Act of 1980 (26 CFR Part 6a) under sections 897 and 6039C of the Internal Revenue Code of 1954, as added by sections 1122 and 1123 of the Foreign Investment in Real Property Tax Act of 1980 (94 Stat. 2682), and as amended by section 831 of the Economic Recovery Tax Act of 1981 (Pub. L. No. 97-34; 95 Stat. 172). The amendments are issued under the authority contained in sections 897 (94 Stat. 2683; 26 U.S.C. 897), 6039C (94 Stat. 2687; 26 U.S.C. 6039C), and 7805 (68A Stat. 917; 26 U.S.C. 7805), all of the Internal Revenue Code of 1954.

##### Discussion

Temporary and proposed regulations pertaining to the substantive and reporting provisions of sections 897 and 6039C were published in the *Federal Register* on September 21, 1982. A public hearing on those regulations was held

on February 3, 1983. The Internal Revenue Service intends to issue final regulations under section 897 shortly after the date of publication of this document. Thereafter, the Service expects to revise the regulations under section 6039C and to provide detailed guidance respecting security agreements in lieu of reporting.

The final regulations may contain modifications of some of the rules contained in the temporary and proposed regulations, in response to the written and oral comments presented to the Service. Rather than requiring immediate compliance with provisions which may be changed, the Service is postponing all deadlines related to elections and information reporting imposed by the temporary regulations until after the issuance of final regulations. Therefore, these amendments to the temporary regulations postpone the date by which certain foreign corporations must decide whether to elect treatment as a domestic corporation under sections 897 (i) and (k). The final regulations will establish a period for making these elections that allows foreign corporations sufficient time to consider the advisability of making such elections. Similarly, these amendments to the temporary regulations postpone all reporting-related deadlines under section 6039C, including the deadline for applying for a security agreement in lieu of reporting. The final regulations will establish dates that allow taxpayers sufficient time to determine whether to file information returns or apply for security agreements, and to assemble the necessary information. The postponement of these deadlines by the amendments to the temporary regulations does not affect the obligation to file an income tax return if one is required and to pay any liability arising under the operation of section 897 and temporary regulations §§ 6a.987-1 through 6a.987-4.

#### Need for Temporary Regulations

The temporary regulations require that section 897 (i) and (k) elections and security agreement applications be made by March 21, 1983. While the Service has announced its intention to extend the time for taking these actions in IR-83-50, the deadlines must be formally postponed by amending the temporary regulations. Furthermore, under the temporary regulations the information returns required by section 6039C are due on June 21, 1983. Because of the possibility that amendments to the regulations will affect the reporting obligations, it is necessary that the filing date be postponed until the amendments are issued. Because of the immediate

need for these changes, the Internal Revenue Service has found it to be impractical to issue these regulations with notice and public comment procedures as outlined under subsection (b) of section 553 of Title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that section.

#### Drafting Information

The principal author of these amendments to the temporary regulations is Robert E. Culbertson, Jr., of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing these regulations both on matters of substance and style.

#### Regulatory Flexibility Act and Executive Order 12291

No notice of proposed rulemaking is required by 5 U.S.C. 553(b) for temporary regulations. Accordingly, the Regulatory Flexibility Act does not apply and no Regulatory Flexibility Analysis is required for this rule. The Commissioner of Internal Revenue has determined that these temporary regulations are not subject to Executive Order 12291.

#### List of Subjects in 26 CFR Part 6a

Bonds, Income taxes, Mortgages, Veterans, Foreign investments in United States real property interests.

#### Adoption of Amendments to the Temporary Regulations

Accordingly, 26 CFR Part 6a is amended as follows:

##### § 6a.897-3 [Amended]

Paragraph 1. Section 6a.897-3 is amended by removing paragraph (f)(2), by redesignating paragraph (f)(3) as paragraph (f)(2), and by revising the first sentence of paragraph (f)(1) to read as follows: "A foreign corporation in existence on or after June 19, 1980, may make an election under section 897(i) only if the election is made by the date established by final regulations."

##### § 6a.6039C-1 [Amended]

Par. 2. Section 6a.6039C-1 is amended by revising the first sentence of paragraph (c) to read as follows: "The information returns required by section 6039C must be filed no later than May 15 of the calendar year following the calendar year covered by the return, except that information returns for

calendar years 1980, 1981, and 1982 must be filed no later than the date established by final regulations."

##### § 6a.6039C-2 [Amended]

Par. 3. Section 6a.6039C-2 is amended by revising the third sentence of paragraph (d) to read as follows: "The notification by the corporation required by this paragraph (d) must be made by January 31 of the year following the year for which the return must be filed, except that the notification must be made by the date established by final regulations for calendar years 1980, 1981, and 1982."

##### § 6a.6039C-3 [Amended]

Par. 4. Section 6a.6039C-3 is amended by revising the third sentence of paragraph (h) to read as follows: "The statement must be furnished no later than January 31 of the calendar year following the calendar year for which a statement is required, except that it must be furnished by the date established by final regulations for calendar years 1980, 1981, and 1982."

Par. 5. Section 6a.6039C-5 is amended by revising the last sentence of paragraph (e)(1) and the first sentence of paragraph (h) to read as set forth below.

##### § 6a.6039C-5 Furnishing of security instead of filing information return.

(e) Appraised fair market value of U.S. real property interests.—(1) In general. \* \* \* With respect to security in lieu of filing 1980, 1981, and 1982 returns, the appraised fair market value of U.S. real property interests shall be determined no later than the date established by final regulations.

(h) Application for security agreement. Applications to the Director for a security agreement or for a renewal thereof must be made within 30 days of the close of the calendar year for which a security agreement is desired, or by the date established by final regulations for calendar years 1980, 1981, and 1982. \* \* \*

This Treasury decision is issued under the authority contained in sections 897, 6039C, and 7805 of the Internal Revenue Code of 1954 (94 Stat. 2683, 26 U.S.C. 897; 94 Stat. 2687, 26 U.S.C. 6039C; 68A Stat. 917, 26 U.S.C. 7805).

Roscoe L. Egger, Jr.,  
Commissioner of Internal Revenue.

Approved: April 25, 1983.

John E. Chapoton,  
Assistant Secretary of the Treasury.

[FR Doc. 83-11401 Filed 4-27-83; 8:45am]

BILLING CODE 4830-01-M

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION****29 CFR Part 1601****Procedural Regulations**

**AGENCY:** Equal Employment Opportunity Commission.

**ACTION:** Final rule.

**SUMMARY:** On January 25, 1983, the Equal Employment Opportunity Commission approved a reorganization of its Field Offices in order to more efficiently administer and enforce statutes prohibiting employment discrimination. Among other changes pursuant to this reorganization, the Commission has decided to permit the discretionary redelegation by District Directors to Area Directors of signatory authority for Letters of Determination and Conciliation Agreements. This document amends the Commission's regulations to reflect these changes.

**DATE:** This final rule is effective April 28, 1983.

**FOR FURTHER INFORMATION CONTACT:** Office of the Legal Counsel, Legal Services, Gary L. Janus ((202) 634-6690).

**SUPPLEMENTARY INFORMATION:****List of Subjects in 29 CFR Part 1601**

Administrative practice and procedure, Equal employment opportunity, Intergovernmental relations.

For the Commission.

Clarence Thomas,

Chairman, Equal Employment Opportunity Commission.

**PART 1601—PROCEDURAL REGULATIONS**

1. Section 1601.19(g) is revised to read as follows:

**§ 1601.19 Dismissal: Procedure and authority.**

(g) The Commission hereby delegates authority to District Directors; the Program Director, Office of Program Operations or upon delegation, the Director of Systemic Programs, Office of Program Operations or the Directors, Regional Programs, Office of Program Operations, as appropriate, to dismiss charges, as limited by § 1601.21(d). The Commission hereby delegates authority to Area Directors to dismiss charges pursuant to paragraphs (a), (c) and (d) of this section, as limited by § 1601.21(d). District Directors may redelegate authority to Area Directors to dismiss charges pursuant to paragraph (b) of this section, as limited by § 1601.21(d). The

authority of the Commission to reconsider decisions and determinations as set forth in § 1601.21 (b) and (d) shall be applicable to this section.

2. Section 1601.21(d) is revised to read as follows:

**§ 1601.21 Reasonable cause determination: Procedure and authority.**

(d) The Commission hereby delegates to District Directors or upon delegation, Area Directors; the Program Director, Office of Program Operations or upon delegation, the Director of Systemic Programs, Office of Program Operations or the Directors, Regional Programs, Office of Program Operations the authority, in those cases in which previously issued Commission Decisions serve as precedent for the determination and in those cases in which the Commission's Guidelines provide a statement of policy which serves as authority for the determination, upon completion of an investigation, to dismiss a charge, make a determination, issue a Letter of Determination and serve a copy thereof upon the parties. Such determination is final when the Letter of Determination is issued. However, the Program Director, Office of Program Operations or upon delegation, the Director of Systemic Programs, Office of Program Operations or the Directors, Regional Programs, Office of Program Operations; each District Director; and each Area Director, for determinations issued by his or her office, may on his or her own initiative reconsider determinations, *Except that such directors may not reconsider determinations of reasonable cause previously issued against a government, governmental entity or political subdivision after a failure of conciliation as set forth in § 1601.25.*

3. Section 1601.24(b) is revised to read as follows:

**§ 1601.24 Conciliation: Procedure and authority.**

(b) District Directors; the Program Director, Office of Program Operations; or the Directors, Regional Programs, Office of Program Operations; or their designees, are hereby delegated authority to enter into informal conciliation efforts. District Directors or upon delegation, Area Directors; the Program Director, Office of Program Operations; the Director of Systemic Programs, Office of Program Operations; or the Directors, Regional Programs, Office of Program Operations are hereby delegated the authority to negotiate and sign conciliation agreements. When a

suit brought by the Commission is in litigation, the General Counsel is hereby delegated the authority to negotiate and sign conciliation agreements where, pursuant to section 706(f)(1) of Title VII, a court has stayed proceedings in the case pending further efforts of the Commission to obtain voluntary compliance.

4. Section 1601.28(a)(3) is revised to read as follows:

**§ 1601.28 Notice of right to sue: Procedure and authority.**

(a) \* \* \*

(3) Issuance of a notice of right to sue shall terminate further proceeding of any charge not a Commissioner charge unless the District Director; Area Director; Program Director, Office of Program Operations or upon delegation, the Director of Systemic Programs, Office of Program Operations or the Directors, Regional Programs, Office of Program Operations; or the General Counsel, determines at that time or at a later time that it would effectuate the purpose of Title VII to further process the charge. Issuance of a notice of right to sue shall not terminate the processing of a Commissioner charge.

(Authority: Sec. 713(a), Title 7 of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-12(a)).

[FR Doc. 83-11128 Filed 4-27-83; 8:45 am]  
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**DEPARTMENT OF DEFENSE****Office of the Secretary****32 CFR Part 378**

[DOD Directive 5148.11]

**Assistant to the Secretary of Defense (Intelligence Oversight)**

**AGENCY:** Office of the Secretary, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Secretary of Defense has abolished the position of Inspector General for Intelligence and has assigned the responsibilities and functions to the Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD(IO)) and has delegated specific authorities. This rule (DOD Directive 5148.11) serves as the instrument that authorizes the ATSD(IO) to carry out his charter.

**EFFECTIVE DATE:** This rule was approved and signed by the Deputy Secretary of

Defense on December 1, 1982, and is effective as of that date.

**FOR FURTHER INFORMATION CONTACT:** Mr. Howard Becker, Directorate for Organizational and Management Planning, Office of the Deputy Assistant Secretary of Defense (Administration), Washington, D.C. 20301, telephone 202-695-4281.

**SUPPLEMENTARY INFORMATION:** This information is submitted in compliance with the requirements of section 552(a)(1) of Title 5, United States Code, and 1 CFR 305.76.

#### List of Subjects in 32 CFR Part 378

Organization and functions (government agencies), Intelligence activities.

Accordingly, 32 CFR is amended by adding a new Part 378, reading as follows:

#### **PART 378—ASSISTANT TO THE SECRETARY OF DEFENSE (INTELLIGENCE OVERSIGHT)**

Sec.

- 378.1 Purpose.
- 378.2 Applicability.
- 378.3 Definitions.
- 378.4 Responsibilities and functions.
- 378.5 Authorities.
- 378.6 Administration.

Authority: 10 U.S.C. 133(d).

##### **§ 378.1 Purpose.**

This Part replaces DOD Directive 5100.82, which established the position of Inspector General for Intelligence in the Office of the Secretary of Defense under the authority of Title 10, U.S.C. 133(d). That official hereafter shall carry the title of Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD(IO)), with responsibilities, functions, and authorities as provided herein.

##### **§ 378.2 Applicability.**

This Part applies to the Office of the Secretary of Defense, the Military Departments, the Organization of the Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies (hereafter referred to as "DOD Components").

##### **§ 378.3 Definitions.**

Terms applicable to this Part are defined in E.O. 12333, DOD Directive 5240.1, and DOD 5240.1-R.

##### **§ 378.4 Responsibilities and functions.**

Under the direction, authority, and control of the Secretary of Defense, the ATSD(IO) shall be responsible for the independent oversight of all intelligence activities in the Department of Defense. In this capacity, the ATSD(IO) shall ensure that all intelligence activities are

conducted in compliance with federal law and other laws as appropriate; Executive Orders and Presidential directives; and DOD policy directives. The term "propriety" hereinafter relates to the standards for intelligence activities promulgated in the documents cited above. In the execution of this responsibility, the ATSD(IO) shall perform the following functions:

(a) Review, in consultation with the General Counsel, DOD, all allegations that raise questions of legality or propriety of intelligence activities in the Department of Defense.

(b) Conduct investigations of intelligence activities that raise questions of legality or propriety.

(c) Conduct vigorous and independent inspections of DOD Components that engage in intelligence activities for the purpose of verifying that personnel are familiar and in compliance with E.O. 12333 and its DOD implementing documents.

(d) Monitor investigations and inspections by DOD Components related to intelligence activities, evaluate the findings, and, if appropriate, submit recommendations for corrective action to the Deputy Secretary of Defense.

(e) In consultation with the General Counsel, DOD, report at least quarterly to the Deputy Secretary of Defense and the President's Intelligence Oversight Board, established under E.O. 12334:

(1) Any significant oversight activities undertaken; and

(2) Any DOD intelligence activities of questionable legality or propriety, the investigative action thereon, an evaluation of completed investigations, and the action taken on completed investigations.

(f) Participate as a member of the Defense Counterintelligence Board (DOD Directive 5240.2).

(g) Coordinate, as appropriate, with the DOD Inspector General (DOD IG) on matters relating to the DOD IG's area of responsibility in accordance with Pub. L. 95-452.

(h) Perform such other functions as the Secretary of Defense may assign.

##### **§ 378.5 Authorities.**

In the exercise and performance of assigned responsibilities and functions described in § 378.4 of this Part, the ATSD(IO), or designee, is hereby delegated authority to:

(a) Deal directly with the head of the element inspected or investigated, conduct interviews, take depositions, and examine records, as required.

(b) Have complete and unrestricted access to any and all available intelligence-related information,

regardless of classification or compartmentation, from all DOD Components and personnel, as required. This includes specifically the authority (1) to require an Inspector General or other cognizant investigative official of a DOD Component to report allegations of improprieties or illegalities of intelligence activities by or within a DOD Component and (2) to obtain information on the status, proceedings, and findings or to obtain copies of reports of investigations or inspections of such allegations.

(c) Obtain such temporary assistance as may be required from other DOD Components, including personnel, facilities, and other services, for the conduct of inspections or investigations. Requests for personnel augmentation shall be made in accordance with established procedures.

(d) Communicate directly with the Secretaries of the Military Departments, the Chairman of the Joint Chiefs of Staff, the Directors of the Defense Agencies, the Inspectors General, or other investigative officials having cognizance over DOD Components, and the Commanders of the Unified and Specified Commands, after notifying the Joint Chiefs of Staff.

(e) Communicate directly with the President's Intelligence Oversight Board, the Director of Central Intelligence, and all other government agencies participating in interdepartmental programs for which the ATSD(IO) has been assigned primary cognizance.

##### **§ 378.6 Administration.**

The ATSD(IO) shall report directly to the Deputy Secretary of Defense.

Dated: April 21, 1983.

**M. S. Healy,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

[FR Doc. 83-11276 Filed 4-27-83; 8:45 am]

BILLING CODE 3810-01-M

## **DEPARTMENT OF TRANSPORTATION**

### **Coast Guard**

#### **33 CFR Part 117**

[CGD3 82-018]

#### **Drawbridge Operation Regulations; Mantua Creek, New Jersey**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** At the request of New Jersey Department of Transportation, the Coast Guard is changing the regulations governing the State Highway 44 Bridge