

IV. Certification Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), 5 U.S.C. 601-612, requires agencies to prepare certain statements, descriptions, and analyses of rules that will have "a significant economic impact on a substantial number of small entities." The Commission is not required to make such analyses if a rule will not have such an impact.

Most pipelines and distribution companies may not fall within the RFA's definition of small entity.²⁰ Most large industrial users of natural gas, on the other hand, may fall within the small entity definition. The economic impact and the record retention burden on all these types of entities remains unchanged from what it is at present because the rule revokes regulations that never became effective. In addition, the new regulations being promulgated have no additional economic impact and do not impose any record retention burden. Therefore, pursuant to section 605(b) of the RFA, the Commission certifies that this rule will not have "a significant economic impact on a substantial number of small entities."

V. Effective Date

For the reasons discussed above, the Order No. 80 regulations must not become effective. Since the stay of those regulations is due to expire at 11:59 p.m. e.s.t. on April 11, 1984, this final rule, which revokes the Order No. 80 regulations, must be effective by April 12, 1984. Therefore, in accordance with section 553(d) of the Administrative Procedure Act, 5 U.S.C. 553, the Commission finds good cause to waive the requirement for publication thirty days before the effective date and make the final rule effective April 12, 1984.

List of Subjects in 18 CFR Part 282

Intergovernmental Relations, Natural Gas, Reporting and recordkeeping requirements, Uniform System of Accounts.

In consideration of the foregoing, the Commission amends § 282.102 of Part 282, Title 18, code of Federal Regulations, as set forth below, effective April 12, 1984.

²⁰ 5 U.S.C. 601(3) citing to section 3 of the Small Business Act, 15 U.S.C. 632 (Supp. IV 1980). Section 3 of the Small Business Act defines "small business concern" as a business which is independently owned and operated and which is not dominant in its field of operation. See also SBA's Small Business Size Standards, 13 CFR Part 121 (1982).

By the Commission.
Kenneth F. Plumb,
Secretary.

PART 282—[AMENDED]

1. The authority citation for Part 282 reads as follows:

Authority: Natural Gas Policy Act of 1978, Pub. L. 95-621, 92 Stat. 3350, 15 U.S.C. 3301-3432 (Supp. V 1981).

2. Section 282.102(a) is amended by designating the text as paragraph (1) and adding new paragraph (a)(2) to read as follows:

§ 282.102 Applicability and effective date.

(a) Uses

(1) * * *

(2) Pursuant to section 202(b) of the NGPA, the requirements of the rule under section 201 shall apply, as of May 9, 1980, only to the use of natural gas by industrial boiler fuel facilities, and not to any other category of industrial facilities.

3. The Commission revokes the regulations promulgated in Order No. 80 published at 45 FR 31622, May 13, 1980.

[FR Doc. 84-7552 Filed 3-28-84; 8:45 am]

BILLING CODE 6717-01-M

18 CFR Part 282

[Docket No. RM79-14]

Natural Gas Policy Act; Publication of Incremental Pricing Acquisition Cost Thresholds

AGENCY: Federal Energy Regulatory Commission.

ACTION: Order prescribing incremental pricing thresholds.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation is issuing the incremental pricing acquisition cost thresholds prescribed by Title II of the Natural Gas Policy Act and 18 CFR 282.304. The Act requires the Commission to compute and publish the threshold prices before the beginning of each month for which the figures apply. Any cost of natural gas above the applicable threshold is considered to be an incremental gas cost subject to incremental pricing surcharging.

EFFECTIVE DATE: April 1, 1984.

FOR FURTHER INFORMATION CONTACT: Kenneth A. Williams, Federal Energy Regulatory Commission, 825 N. Capitol Street, N.E., Washington, D.C. 20426, (202) 357-8500.

SUPPLEMENTARY INFORMATION:

Issued: March 26, 1984.

Section 203 of the NGPA requires that the Commission compute and make available incremental pricing acquisition cost threshold prices prescribed in Title II before the beginning of any month for which such figures apply.

Pursuant to that mandate and pursuant to § 375.307(1) of the Commission's regulations, delegating the publication of such prices to the Director of the Office of Pipeline and Producer Regulation, the incremental pricing acquisition cost threshold prices for the month of April 1984 is issued by the publication of a price table for the applicable month. The incremental pricing acquisition cost threshold prices for months prior to January 1984 are found in the tables in § 282.304.

List of Subjects in 18 CFR Part 282

Natural gas.
Kenneth A. Williams,
Director, Office of Pipeline and Producer Regulation.

TABLE 1.—INCREMENTAL PRICING ACQUISITION COST THRESHOLD PRICES

	Calendar year 1984			
	January	February	March	April
Incremental Pricing Threshold.....	\$2.283	\$2.291	\$2.299	\$2.307
NGPA Section 102 Threshold.....	3.586	3.609	3.632	3.656
NGPA Section 109 Threshold.....	2.359	2.367	2.375	2.383
130% of No. 2 Fuel Oil in New York City Threshold.....	7.730	7.570	7.570	8.550

[FR Doc. 84-8476 Filed 3-28-84; 8:45 am]

BILLING CODE 6717-01-M

UNITED STATES INFORMATION AGENCY

22 CFR Part 504

Organization

AGENCY: United States Information Agency.

ACTION: Final rule.

SUMMARY: The United States Information Agency on a yearly basis updates Part 504 outlining the organizational changes and office moves which have occurred during the past year.

EFFECTIVE DATE: March 29, 1984.

FOR FURTHER INFORMATION CONTACT: Ms. Dina Andrews, Management Plans and Analysis Staff, Bureau of Management, Room 818, 301 4th Street

SW., Washington, D.C. 20547, (AC) 202-485-8676.

SUPPLEMENTARY INFORMATION:

List of Subjects in 22 CFR Part 504

Organization and functions
(Government agencies).

E.O. 12291 Federal Regulations

USIA has determined that this is not a major rule for the purposes of E.O. 12291, Federal Regulation, because it will not result in:

- (1) An annual effect on the economy of \$100 million or more;
- (2) A major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or
- (3) 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.

Date: March 22, 1984.

Charles Z. Wick,

Director, United States Information Agency.

Part 504 of Title 22 of the Code of Federal Regulations is revised to read as follows:

PART 504—ORGANIZATION

Sec.

504.1 Introduction.

504.2 Description of central and field organization established places at which, officers from whom, and methods whereby the public may obtain information.

Appendix I—USIA Office Locations in Washington, D.C. Area

Appendix II—USIA Office Locations Outside the Washington, D.C. Area

Authority: Sec. 4, 63 Stat. 111, as amended, sec. 501, 65 Stat. 290; 22 U.S.C. 2658, 31 U.S.C. 483a, 5 U.S.C. 301, 552, E.O. 10477, as amended, 18 FR 4540, 3 CFR 1949-1953 Comp., page 958, E.O. 10501, 18 FR 7049, 3 CFR 1949-1953 Comp., page 979. Reorganization Plan No. 2 of 1977, Pub. L. 97-241, 96 Stat. 291, Pub. L. 98-111.

§ 504.1 Introduction.

It is the policy of the United States Information Agency that information about its operations, organization, procedures, and records be freely available to the public in accordance with the provisions of Pub. L. 89-487, the "Public Information Act of 1966", referred to hereinafter as "The Act", which amended the "Public Information" section of the Administrative Procedure Act (5 U.S.C. 552).

§ 504.2 Description of central and field organization, established places at which, officers from whom, and methods whereby the public may obtain information.

(a) The United States Information Agency, redesignated by Section 303(a) of the United States Information Agency Authorization Act, Fiscal Years 1982 and 1983 (Pub. L. 97-241, Stat. 291), was formerly the International Communication Agency.

(b) The United States International Communication Agency was established as an independent Agency of the Executive Branch of the Government by Reorganization Plan No. 2 of 1977. The Director of the Agency is responsible for reporting to the President and the Secretary of State, as well as advising the National Security Council, on international, informational, educational, and cultural matters. The scope of the Director's advice includes assessments of the impact of actual and proposed U.S. foreign policy decisions on public opinion abroad.

(c) Reorganization Plan No. 2 transferred to the new Agency overseas information functions previously lodged in the U.S. Information Agency and the educational and cultural affairs functions of the Department of State. The Reorganization Plan abolished the U.S. Advisory Commission on Information and the U.S. Advisory Commission on International Educational and Cultural Affairs and established the U.S. Advisory Commission on International Communication, Cultural, and Educational Affairs whose name was subsequently changed to the United States Advisory Commission on Public Diplomacy by Section 604 of the Department of State Authorization Act, Fiscal Years 1980-1981 (93 Stat. 390, August 15, 1979).

(d) The United States Information Agency has responsibility for the conduct of international information, education, and cultural activities, including exchange programs to build bridges of mutual understanding between Americans and the other peoples of the world. The United States Information Agency engages in a wide variety of communication activities—from academic and cultural exchanges to press, radio, and television programs—to accomplish its goals of strengthening foreign understanding of American society and support United States policies. The United States Information Agency operates field posts in 126 foreign countries.

(e) Agency operations are organized along both functional and geographical lines and directed by the Executive Policy group composed of the Director,

Deputy Director, four Bureau Associate Directors, the General Counsel, Director of the Office of Public Liaison, Director of the Television and Film Service, the five Area Office Directors, and the Comptroller of the Agency.

(1) The four Bureaus are: Broadcasting (B), Programs (P), Educational and Cultural Affairs (E), and Management (M).

(i) The Bureau for Broadcasting is the global radio network of the United States Information Agency which seeks to promote understanding abroad of the United States, its people, culture, and policies. The Bureau of Broadcasting operates the Voice of America (VOA). VOA conducts its operations in accordance with the VOA Charter, which states:

(A) VOA will serve as a consistently reliable and authoritative source of news. VOA news will be accurate, objective, and comprehensive.

(B) VOA will represent America, not any single segment of American society, and will therefore present a balanced and comprehensive projection of significant American thought and institutions.

(C) VOA will present the policies of the United States clearly and effectively, and will also present responsible discussion and opinion of these policies. VOA produces and broadcasts radio programs in English and 41 foreign languages, and operates broadcasting and relay facilities to transmit these programs. The Voice of America's Radio Marti Program, established by PL 98-111, seeks to provide news commentary and other information about events in Cuba and elsewhere to promote the cause of freedom in Cuba.

(ii) The Bureau of Programs is comprised of two small specialized staffs, three foreign press centers, and four major offices and services, all reporting directly to the Associate Director. The Policy and Guidance Staff provides both fast daily and in-depth background guidance for operating elements of the Agency on those U.S. foreign policy issues which are susceptible to public diplomacy and on those domestic concerns which are relevant to the conduct of it. This staff also reviews program proposals of the Agency's overseas posts and Washington elements to assure that they are consistent with agreed-upon policy and that resources are allocated in accordance with priorities, and represents USIA in interagency meetings on public affairs issues, evaluates the extent to which media products reflect the Agency's subject priorities, and develops options and policy

recommendations. The International Communication Policy Staff develops options and policy recommendations over the entire range of international communication policy issues for the Director of USIA and for the consideration of the U.S. Government as a whole. Foreign Press Centers in Washington, New York, and Los Angeles provide facilitative services to foreign journalists working in those cities. The Office of Program Coordination and Development coordinates the design and implementation of all Agency support for major communication projects proposed by the Agency's overseas posts or undertaken by it in response to worldwide and regional priorities set by the Director, recruits American participants for those projects, and develops a systematic aggregation of essential resource materials to guide the acquisition and production of media support for them. This Office also is responsible for the development and coordination of the Agency's arts initiative undertaken through an agreement with the National Endowments, including recruitment and scheduling of all fine arts exhibitions and performing artists and groups for overseas programming. The Office of Research combines the functions of research on foreign public opinion and communication environment, analysis of foreign media reaction, and the Agency library. The two media services—Exhibits, and Press and Publications—are responsible for the acquisition and production of a variety of media products for use or adaptation by USIA's overseas posts. These include exhibits in various formats, a daily wireless bulletin to all posts, magazines, pamphlets, reprints, photographs, and picture stories. The media services also operate printing plants at two overseas locations.

(iii) Four major offices constitute the Bureau of Educational and Cultural Affairs. The Office of Cultural Centers and Resources provides policy direction, program support, and professional guidance and materials to USIA libraries, American and Binational Centers overseas; promotes the distribution of American books in English and in translation; operates a donated books program; and supports English teaching programs abroad. The Office of Private Sector Programs is responsible for developing cooperative projects with private sector institutions to support, complement and enhance the goals and objectives of the United States Information Agency. These projects are designed to promote a

better understanding of the United States abroad by means of educational and cultural exchange between Americans and citizens of other nations. The Office of Private Sector Programs may provide selective assistance, encouragement, and grant support to nonprofit activities of U.S. organizations and institutions that satisfy this purpose, with special emphasis on international educational and cultural exchanges. The Office of International Visitors is responsible for planning, implementing, monitoring, and evaluating all International Visitor (both grantee and voluntary) programs; for managing the Agency's four reception centers; for serving as the Agency's liaison with public and private organizations involved in the International Visitor Program; and for arranging programs in the U.S. for UN Fellows and foreign government trainees. The Office of Academic Programs is responsible for organizing and assisting academic exchanges between the United States and other countries; facilitating the establishment and maintenance of close ties between the American academic community and those abroad; encouraging and supporting learning; and providing staff support to the Board of Foreign Scholarships. The Office maintains liaison with a wide range of non-government institutions to encourage and support private exchange programs and foster institutional linkages across national boundaries; and coordinates international information, educational, cultural, and exchange programs conducted by other departments and agencies of the U.S. Government.

(iv) The Bureau of Management is comprised of a management analysis staff and six major offices reporting to the Associate Director. These offices are responsible for planning, organizing, directing and controlling the Agency's administrative and management operations. These offices provide support services in the areas of administration, personnel and training, budget and fiscal operations, systems technology, security, equal employment opportunity, and contracts.

(v) The Office of Public Liaison (PL), directs and carries out activities designed to discharge the Agency's obligation to provide information about USIA policies, mission and programs to the American people and the communications media. It publishes news releases, fact sheets and pamphlets; provides Agency speakers in response to invitations from organizations and institutions in the U.S.; and holds seminars and workshops

with academic, business, professional and public interest institutions and groups. It is responsible for the publication of the Agency's internal newsletter. The Office is responsible for conducting tours of the Agency exhibit at the VOA headquarters.

(vi) The Office of the General Counsel and Congressional Liaison (GC). The General Counsel and legal staff advise all elements of the Agency on the interpretation of all laws, regulations, and Executive Orders that authorize the Agency's program or relate to the Agency's activities. The Office assists in the drafting of proposed legislation, Executive Orders, regulations, contracts, leases, and other legal documents, and participates in the negotiation of international agreements. The Office represents the Agency in hearings arising from disputes on contracts, equal employment opportunity, grievances, labor disputes, and licensing. The Office provides support to trial counsel in cases tried before domestic and foreign courts. The Office secures the necessary rights clearances for the Agency's activities, exercises in full authority vested in the Director by law relating to Exchange Visitor Program designation, visa waiver review, and authorized periods of duration of stays, and advises on matters relating to ethical conduct and conflict of interest of Agency employees. On congressional matters it maintains contact with Members and their staffs and serves as Agency coordinator of hearings on substantive legislation and of Agency programming of Members and staff.

(vii) The Office of Inspector General provides policy direction for and conducts, supervises, and coordinates audits and investigations relating to Agency programs and operations; evaluates whether the Agency has standards adequate to measure program results; evaluates whether programs are effective and are managed with economy and efficiency; and recommends policies and procedures to promote economy and efficiency in such programs and operations. The Office receives, reviews, and coordinates investigations of evidence, allegations, and complaints from employees and applicants concerning waste of resources, fraud, abuse of authority, mismanagement, violations of laws or regulations, or a substantial and specific danger to public health and safety; and reports regularly the results to the Director.

(viii) The Office of Inspections reviews and assesses the effectiveness of Agency programs overseas in support of Agency objectives and the

effectiveness of domestic operations in support of overseas programs.

(ix) The Television and Film Service is responsible for planning, organizing and directing the Agency's television and film activities. The areas of responsibility encompass planning, acquiring, or facilitating production of films for direct projection or telecast by video tape and satellite to audiences overseas; facilitative assistance to visiting foreign television and film producers; assistance to foreign broadcasters in the production and foreign telecast of cooperative television programs; and coordination with other U.S. and foreign government agencies on the dissemination of information overseas through motion pictures and television.

(x) The heads of the five geographic areas are the Agency's principal advisers on all programs within countries in their respective areas. They help to formulate Agency policies and represent the Director in interagency working groups. The Area Directors (Africa; Europe; East Asia and Pacific; American Republics; and North Africa, Near East, and South Asia) are responsible for the coordination and management of public diplomacy programs for the countries in their geographic areas. They supply a knowledge of the field programs and requirements to the Agency's policy and planning processes. They arranged with media services to provide media products to their areas. They consult with appropriate area and country officers in the Department of State and other foreign affairs agencies on operational matters of mutual concern.

(xi) The agency maintains 205 posts abroad in 126 countries. These posts are under the supervision of the U.S. Chiefs of Mission, and with the guidance of the Director and the appropriate Area Office Director, conduct information, educational exchange and cultural programs on behalf of the U.S. Government. Each overseas office is headed by a Public Affairs Officer who is a member of the "Country Team" under the Chief of the U.S. Diplomatic Mission. A list of overseas offices is maintained by the Management Plans and Analysis Staff, Washington, D.C. 20547.

Appendix I—United States Information Agency Office Locations in Washington, D.C. Area

- (1) Agency elements located at 301 4th Street SW., Washington, D.C. 20547—
Office of the Director
Office of Public Liaison
Office of the General Counsel and Congressional Liaison
Office of Inspector General

Office of Inspections

Bureau of Programs—

- Policy Guidance Staff
- International Communications Staff
- Office of Program Coordination and Development
- Office of Research
- Exhibits Service
- Press and Publications Service

Bureau of Educational and Cultural Affairs

- Office of Cultural Centers and Resources
- Office of Private Sector Programs
- Office of International Visitors
- Office of Academic Programs

Bureau of Management

- Management Plans and Analysis Staff
- Office of Administration and Technology
- Office of the Comptroller
- Office of Equal Employment Opportunity
- Office of Personnel
- Office of Security
- Office of African Affairs
- Office of American Republics Affairs
- Office of East Asian and Pacific Affairs
- Office of European Affairs
- Office of North African, Near Eastern, and South Asian Affairs

(2) Other Agency Elements and addresses:

- (a) United States Information Agency, Health and Human Services Building, 330 Independence Avenue SW., Washington, D.C. 20547; Bureau of Broadcasting
- (b) United States Information Agency, 400 6th Street, SW., Washington, D.C. 20547, Bureau of Broadcasting—Radio Marti Program
- (c) United States Information Agency, Patrick Henry Building, 601 D Street NW., Washington, D.C. 20547, Television and Film Service
- (d) United States Information Agency, Bureau of Programs—Foreign Press Center, National Press Building, 529 14th Street NW., Washington, D.C. 20547
- (e) United States Information Agency, 1717 H Street NW., Washington, D.C. 20547, Bureau of Management—Office of Contracts

Appendix II—United States Information Agency Office Locations Outside the Washington, D.C. Area

Television and Film Service—

- (a) New York Office, Room 30-100, 26 Federal Plaza, New York, N.Y. 10278
 - (b) Los Angeles Office, 1100 Wilshire Boulevard, Los Angeles, Calif. 90024
- United States Information Agency, Bureau of Broadcasting—
- (a) Relay Stations—
 - (1) Bethany Relay Station, P.O. Box 227, Mason, Ohio 45040
 - (2) Delano Relay Station, Route 1, Box 1350, Delano, Calif. 93215
 - (3) Dixon Relay Station, Route 2, Box 739, Dixon, Calif. 95620
 - (4) Marathon Relay Station, P.O. Box 726, Marathon, Fla. 33050
 - (5) Edward R. Murrow Transmitting Station, P.O. Box 1826, Greenville, N.C. 27834
 - (b) News Bureaus—
 - (1) Midwest News Bureau, Room 3376, Federal Building, 230 South Dearborn Street, Chicago, Ill. 60604

- (2) Southeast News Bureau, Room 1518, Federal Office Building, 51 S.W. First Avenue, Miami, Fla. 33130
 - (3) West Coast News Bureau, Room 8107, Federal Building, 11000 Wilshire Boulevard, Los Angeles, Calif. 90020
 - (4) New York News Bureau, Room 30-100, Fisk Building, 26 Federal Plaza, New York, N.Y. 10278
- Bureau of Programs—
- (a) Foreign Press Centers
 - (1) Federal Building, 1100 Wilshire Blvd., Suite C-200, Los Angeles, Calif. 90024
 - (2) 18 E. 50th Street, 11th Floor, New York, N.Y. 10022
 - (b) Senior Advisor for Public Affairs, U.S. Mission to the United Nations, 799 United Nations Plaza, New York, N.Y. 10017
- Bureau of Management—
- Administrative Services Division, New York Services Branch, 830 Third Avenue, Brooklyn, N.Y. 11232
- Bureau of Educational and Cultural Affairs—
- Reception Centers
- (a) Honolulu—P.O. Box 50186, Honolulu, Hawaii 96850
 - (b) Miami—Room 1304, Federal Office Building, 51 S.W. First Avenue, Miami, Fla. 33130
 - (c) New Orleans—Suit 1130, International Trade Mart, 2 Canal Street, New Orleans, La. 70130
 - (d) New York—Third Floor, 1414 Avenue of the Americas, New York, N.Y. 10019.

[FR Doc. 84-8368 Filed 3-28-84; 8:45 am]

BILLING CODE 8230-01-M

22 CFR Part 515

Payments to and on Behalf of Participants in the International Educational and Cultural Exchange Program

AGENCY: United States Information Agency.

ACTION: Final rule.

SUMMARY: Part 515 is amended by removing paragraph § 515.3(h), Designated City Supplement (Interim Rule), which is no longer used. This paragraph has been superseded by increased uniform per diem rates for U.S. cities.

EFFECTIVE DATE: March 29, 1984.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Gaudian, Deputy Executive Officer, Bureau of Educational and Cultural Affairs, U.S. Information Agency, Washington, D.C. 20547, (202) 485-2949.

SUPPLEMENTARY INFORMATION:

List of Subjects in 22 CFR Part 515

Cultural exchange programs.

E.O. 12291 Federal Regulations

USIA has determined that this is not a major rule for the purposes of E.O.

12291, Federal Regulation, because it will not result in:

- (1) An annual effect on the economy of \$100 million or more;
- (2) A major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies, or geographic regions; or
- (3) 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.

Authority: Sec. 4, 63 Stat. 111, as amended, 75 Stat. 527-538; 22 U.S.C. 2658, 2451 note; Reorg. Plan No. 2 of 1977; E.O. 12048 of Mar. 27, 1978.

§ 515.3 [Amended]

Part 515 is amended by removing paragraph (h) from section 515.3.

Dated: March 22, 1984.

Charles Z. Wick,

Director, U.S. Information Agency.

[FR Doc. 84-8369 Filed 3-28-84; 8:45 am]

BILLING CODE 8230-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Part 51

[Docket No. R-84-709; FR-935]

Environmental Criteria and Standards; Siting of HUD-Assisted Projects Near Hazardous Operations Handling Petroleum Products or Chemicals of an Explosive or Flammable Nature; Correction

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule; correction and technical amendment.

SUMMARY: The purpose of this document is to indicate the correct placement of Appendices to a final rule published on February 10, 1984 (49 FR 5100), as corrected on March 20, 1984 (49 FR 10253), that provided standards for the safe siting of HUD-assisted projects near hazardous operations that handle petroleum products or chemicals of an explosive or flammable nature.

EFFECTIVE DATE: The effective date for the technical amendment appearing in item 2 of this document is March 29, 1984.

FOR FURTHER INFORMATION CONTACT: James-L. Christopoulos, Office of

Environmental and Energy, Telephone number, (202) 755-7225. (This is not a toll-free number).

Accordingly, the following corrections are being made to 24 CFR Part 51:

1. In the March 20, 1984 issue of the *Federal Register*, in FR Doc. 84-7325, on page 10253, column two, item three corrected a February 10, 1984 final rule of the Department. The correction reinstated an Appendix which had been erroneously removed. The correction should have stated also that it was revising the title of the Appendix to read as follows:

Appendix I to Subpart B—Definition of Acoustical Quantities

2. In 24 CFR 51.103 (a) and (b), the term "Appendix" is changed to read "Appendix I to this Subpart" wherever it appears.

3. In the February 10, 1984 issue of the *Federal Register*, in FR Doc. 84-3516, on page 5105, column two, item three, (1) correct the amendatory language to read as follows: "3. Appendix I to Subpart C and Appendix II to Subpart C are added to read as follows:"; and (2) correct the titles of the two Appendices to read as follows:

Appendix I to Subpart C—Specific Hazardous Substances

Appendix II to Subpart C—Development of Standards; Calculation Methods

4. In the February 10, 1984 issue of the *Federal Register*, in FR Doc. 84-3516, page 5103, column three, correct the table of contents entry for § 51.207 to read as follows:

51.207 Amendments to Appendix I to this subpart.

5. In the February 10, 1984 issue of the *Federal Register*, in FR Doc. 84-3516, page 5105, column one, in § 51.207, (1) correct the section heading to read: § 51.207 *Amendments to Appendix I to this Subpart*; and (2) correct the term "Appendix I" wherever it appears to read "Appendix I to this Subpart."

Authority: Sec. 2, Housing Act of 1949 (42 U.S.C. 1441); Sec. 7(d), Department of Housing and Urban Development Act (42 U.S.C. 3535(d)); Sec. 2, Housing and Urban Development Act of 1969 (42 U.S.C. 1441(a)).

Dated: March 23, 1984.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 84-8419 Filed 3-28-84; 8:45 am]

BILLING CODE 4210-32-M

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Parts 205, 207, 213, 221, 232, and 244

[Docket No. R-84-1065; FR-1559]

Mortgage and Loan Insurance Programs Under the National Housing Act—Creation of Inferior Liens To Secure Governmental Loans

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

ACTION: Final rule.

SUMMARY: The Secretary is adopting as final an interim rule that amended certain of HUD's multifamily and related mortgage insurance regulations to facilitate the use of grants or loans by Federal, State, and local governmental agencies or instrumentalities in connection with the development of projects with FHA mortgage insurance. The rule permits liens inferior to the insured mortgage where needed to secure the Federal, State, or local loan. The rule also provides that, where the proceeds of such a loan or grant are to be used as "front money" to assure completion of the project and the payment of expenses incident to its construction, "front money" deposit requirements for these purposes may be satisfied by a letter of credit or an agreement among the relevant parties rather than by cash, and insured mortgage proceeds may be advanced to cover these expenses before full disbursement of the loan or grant proceeds.

EFFECTIVE DATE: May 10, 1984.

FOR FURTHER INFORMATION CONTACT: Linda Cheatham, Director, Multifamily Technical Support Division, Office of Multifamily Housing Development, Room 6138, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410. Telephone number (202) 426-7113. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: On August 4, 1983 the Department published an interim rule in the *Federal Register* (48 FR 35389), amending the then-existing regulations at 24 CFR Chapter II, Subchapter B, governing certain multifamily and nonresidential mortgage insurance programs under the National Housing Act.

As explained more fully in the interim rule, and briefly summarized here, the amendments are designed to facilitate the use of grants and loans by Federal,

State, and local governmental agencies or instrumentalities in connection with the development of projects whose mortgages are insured under those authorities. The rule also permits liens inferior to the lien of the insured mortgage if they are given in favor of the Federal, State, or local governmental agency under circumstances approved by HUD. Additionally, the rule relaxed the "front money" regulatory requirements in those cases where the money is provided by a grant or loan from a government instrumentality. Finally, the rule specified that the mortgagee of record could not be the issuer of a letter of credit used in connection with the insurance of advances for the programs covered by the rule without the prior written consent of the Commissioner.

The interim rule became effective on October 10, 1983, and provided for public comments to be received by October 3, 1983. The Department received only one comment, and this was from a HUD Field Office.

The comment recommended that the rule be withdrawn (and the old policy reinstated) or modified because of its potentially adverse effects on all parties if the proceeds of secondary financing are withheld to the end of a job. The comment argued that the requirement to post a letter of credit for ten percent of the secondary financing amount could be financially burdensome to the borrower; and, in some cases, may represent an insignificant amount in relation to the total cost of a project. The comment further questioned the fairness of having the borrower incur this additional cost because of the borrower's having little influence over the actions of the secondary lender. Finally, the comment contends that, written agreements aside, delays and cost overruns could result if the government agency fails to honor its obligation to provide the loan or grant funds.

The Department disagrees with the comment. The Field Office misapprehends the funding procedure contemplated by this rule. As the rule (along with the instructions to HUD's Field Offices) makes clear, the secondary financing will be advanced either before the disbursement of mortgage proceeds or concomitantly on a pro rata basis with the expenditure of mortgage funds. Mortgage proceeds will not be substantially drawn down before the disbursement of grant or loan funds. The provision for a letter of credit ensures that the general contractor is paid in a timely manner; it does not, in

the Department's view, create an undue financial burden on the mortgagor.

HUD recognizes that in the normal course of events, there exists the possibility of funding delays—a contingency the agreement was designed to ameliorate by its provision for a letter of credit or escrowed funds. Finally, the Department believes that the rule's cost effectiveness (interest expense is minimized by deferring the time that loan or grant funds—proceeds of government borrowing—are disbursed) outweighs the potential adverse effects cited in the comment.

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 Seventh Street SW., Washington, D.C. 20410.

This rule does not constitute a "major rule" as that term is defined in Section 1(b) of the Executive Order on Federal Regulation issued by the President on February 17, 1981. The rule 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.

Under the provisions of 5 U.S.C. 605(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. The rule is a cost-saving measure with little, if any, adverse impact on small entities.

This rule was listed as RIN 2502-AA30 (H-45-81; FR-1559), in the Department's Semiannual Agenda of Regulations published on October 17, 1983 (48 FR 47435) in accordance with Executive Order 12291 and the Regulatory Flexibility Act.

The Catalog of Federal Domestic Assistance Program Numbers are 14.112, 14.116, 14.125, 14.126, 14.127, 14.129, 14.134, 14.135, 14.137, 14.138, and 14.139.

List of Subjects

24 CFR Part 205

Community facilities, Land development.

24 CFR Part 207

Mortgage insurance, Manufactured homes.

24 CFR Part 213

Mortgage insurance, Cooperatives.

24 CFR Part 221

Condominiums, Low and moderate income housing, Mortgage insurance, Projects, Cooperatives.

24 CFR Part 232

Fire prevention, Health facilities, Loan programs-Health, Loan programs-Housing and community development, Mortgage insurance, Nursing homes, Intermediate care facilities.

24 CFR Part 244

Health facilities, Mortgage insurance.

Accordingly, the interim amendments to 24 CFR Parts 205, 207, 213, 221, 232, and 244, published on August 4, 1983 (48 FR 35389) are hereby adopted as final without change.

Authority: Section 211 of the National Housing Act (12 U.S.C. 1715b); Section 7(d) of the Department of HUD Act, 42 U.S.C. 3535(d).

Dated: March 21, 1984.

Shirley M. Wiseman,
General Deputy Assistant Secretary for Housing.

[FR Doc. 84-8490 Filed 3-28-84; 8:45 am]

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24 CFR Part 882

[Docket No. R-84-955; FR-1539]

Section 8 Housing Assistance Payments Program; Existing Housing

AGENCY: Office of Assistant Secretary for Housing—Federal Housing Commissioner, (HUD).

ACTION: Final rule.

SUMMARY: This rule amends the regulation for the Section 8 Existing Housing (finders-keepers) Program concerning: (1) Lease term and termination of tenancy; (2) selection of applicants for program participation; (3) determination of the number of bedrooms appropriate for a family; (4) review of certain PHA decisions affecting an applicant or participant; and (5) related regulatory changes. The purpose of this rule is to delineate certain notice and hearing requirements