

Authority: Department of Energy Organization Act, 42 U.S.C. 7101 *et seq.*; Natural Gas Policy Act of 1978, 15 U.S.C. 3301-3432; Administrative Procedure Act, 5 U.S.C. 553.

2. Section 271.703 is amended by adding paragraph (d)(36)(vi) to read as follows:

§ 271.703 Tight Formations.

(d) *Designated tight formations.* * * *
(36) *Travis Peak Formation in Texas.* FM79-76 (Texas-9). * * *

(vi) *Toolan (Travis Peak) Field.*
(A) *Delineation of formation.* The designated portion of the Travis Peak Formation consists of all or part of the surveys located in the Toolan Field, in portions of Nacogdoches and Rusk Counties, Texas, specifically the area encompassed by a 2.5 mile radius around Hill International Production Company's E. J. Edwards, *et al.*, No. 1 well, located approximately one mile southwest of the town of Garrison, Texas, Francis Kellett Survey, Abstract 329.

(B) *Depth.* These Travis Peak sands are found in the interval $\pm 7,100$ feet subsea to $\pm 9,200$ feet subsea, or from the base of the Pettit to the top of the Cotton Valley intervals.

[FR Doc. 85-8803 Filed 4-11-85; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF STATE

22 CFR Part 2

[Departmental Regulation 108.841]

Duration of Protection for United States Representative to the United Nations

AGENCY: Office of the Under Secretary for Management, Department of State.

ACTION: Final rule.

SUMMARY: The Department of State, by this regulation, authorizes security officers designated under 22 CFR 2.1 to provide protection to the departing United States Representative to the United Nations. The purpose of the regulation is to clarify the continuity of protection for that officer.

The regulation limits authorization to a maximum of 30 days.

A successor to the United States Representative has been designated and the incumbent's resignation is effective at the end of April 1, 1985. This presents an immediate emergency situation to which this regulation responds, making it impracticable to follow the procedures of Executive Order 12291 (46 FR 34263)

(exemption 8(a)(1)). Similarly, on the basis of the present emergency, the Department finds that notice and public procedure on this regulation are impracticable and contrary to the public interest. Because of the importance of the protection of the departing Representative of the United States to the United Nations to the conduct of foreign relations, the Department also finds that this regulation involves a foreign affairs function of the United States.

DATE: This regulation is effective April 1, 1985.

ADDRESS: Send written comments to: The Assistant Legal Adviser for Management, Department of State, Washington, D.C. 20520.

FOR FURTHER INFORMATION CONTACT: K.E. Malmberg, Assistant Legal Adviser for Management, (202) 632-2350.

SUPPLEMENTARY INFORMATION: As required by 22 U.S.C. 2666, this regulation has been transmitted, prior to its effective date, to the Speaker of the House of Representatives and the Chairman of the Senate Foreign Relations Committee.

List of Subjects in 22 CFR Part 2

Foreign officials, Security measures.

Accordingly, 22 CFR 2.1 is amended by adding at the end thereof the new paragraph (c) set forth below:

PART 2—[AMENDED]

§ 2.1 [Amended]

(c) When the Under Secretary of State for Management determines that it is necessary, persons designated under paragraph (a) of this section shall be authorized to provide protection to a departing United States Representative to the United Nations. In providing such protection, they are authorized to exercise the authorities described in paragraphs (1) and (2) of paragraph (a) of this section. Such protection shall be for the period or periods determined necessary by the Under Secretary of State for Management, except that the period of protection under this paragraph shall in no event exceed 30 calendar days from the date of termination of that individual's incumbency as United States Representative to the United Nations.

Dated: April 1, 1985.

Ronald I. Spiers,

Under Secretary for Management.

[FR Doc. 85-8803 Filed 4-11-85; 8:45 am]

BILLING CODE 4710-10-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Parts 203 and 204

[Docket No. R-85-965; FR-1415]

Withdrawal of Final Rule for the TMAP Program

Correction

In FR Doc. 85-7356 appearing on page 12527 in the issue of Friday, March 29, 1985, make the following correction: In the second column, in the SUPPLEMENTARY INFORMATION in the fourteenth line, "1984" should read "1985".

BILLING CODE 1505-01-M

NAVAJO AND HOPI INDIAN RELOCATION COMMISSION

25 CFR Part 700

Commission Operations and Relocation Procedures; Notice of Final Date for Voluntary Relocation Application

AGENCY: Navajo and Hopi Indian Relocation Commission.

ACTION: Final rule.

SUMMARY: This notice establishes final rules regarding Notice of Final Date for Voluntary Relocation Application. This action is necessary to respond to the Fiscal Year 1985 Interior Appropriations Bill, Pub. L. 98-473, which contains language establishing July 7, 1985, as a deadline for receipt of applications for voluntary relocation.

EFFECTIVE DATE: May 13, 1985.

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

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

SUPPLEMENTARY INFORMATION: The Fiscal Year 1985 Interior Appropriations Bill, Pub. L. 98-473, contains language establishing July 7, 1985 as a deadline for receipt of applications for voluntary relocation. The Conference Report also contained the following explanatory language:

Language is included in the bill to establish July 7, 1985 as deadline for receipt of

applications for voluntary relocation instead of June 30, 1985 as proposed by the Senate.

The managers agree that benefits for voluntary relocation shall be available only to those households or individuals who have filed an application with the Commission on or prior to July 7, 1985.

With respect to "involuntary relocatees", the managers believe that it is the responsibility of the Commission to notify those individuals eligible for relocation of the change in the date for applications. After July 7, 1985, those people who have not applied cannot be considered uninformed and therefore are "involuntary relocatees" if they have not made the effort to apply for relocation with the Commission.

In order to implement these provisions, the Commission has adopted regulations which provide for notice to applicants, filing of applications, and defining involuntary relocation.

Comment was received from the Navajo Tribe regarding the use of the term "involuntary relocatee." The Tribe stated that the term was offensive and labeled people as lawbreakers. The Navajo-Hopi Legal Services Program also commented on this term stating that the use of the term may constitute a violation of the U.S. Constitution. The Commission has removed the term "involuntary relocatee" from the Final Rule.

The proposed rule suggested the removal of § 700.139, Referral for Action. Comment was received that the section remain in the Final Rule. This comment has been incorporated into the Final Rule thus, § 700.139 will remain in the regulations. Regarding § 700.139, the option to exercise the referral for action may be taken at a date which shall be five years after the date of approval of the Report and Plan by the Congress. This is consistent with Pub. L. 93-531 and the Report and Plan.

Finally, the date July 8, 1985 (Monday) is established as the final date that applications can be received rather than July 7, 1985 which is a Sunday.

The principal author of this proposed rulemaking is E. Susan Crystal, Attorney-at-Law, of the Navajo and Hopi Indian Relocation Commission.

List of Subjects in 25 CFR Part 700

Administrative practice and procedure, Conflicts of interests, Freedom of Information, Grant program-Indians, Indian-claims, Privacy, Real property acquisition, Relocation Assistance.

Authority: 25 U.S.C. 640d, Pub. L. 93-531, 25 U.S.C. 640d-14, Pub. L. 96-305.

PART 700—[AMENDED]

Accordingly, the Commission amends Subpart C, by revising § 700.137, and

adding § 700.138, *Persons who have not applied for voluntary relocation by July 8, 1985 as follows.* (Section 700.139 remains unchanged.):

§ 700.137 Notice of final date for voluntary relocation application.

(a) *General.* Persons identified by the Commission as potentially subject to relocation who have not applied for relocation assistance shall be contacted by the Commission as soon as practicable following the final publication of this rule and informed of the deadline for application for voluntary relocation benefits.

(b) In order to be considered for voluntary relocation assistance benefits, an applicant must have filed a completed application form with the Commission by close of business on July 8, 1985.

§ 700.138 Persons who have not applied for voluntary relocation by July 8, 1985.

(a) Pursuant to 25 U.S.C. 640d-14(d)(3), heads of households who do not make timely arrangements for relocation by filing an application by July 8, 1985, shall be provided a replacement home by the Commission. To be eligible for benefits (Housing and Moving Expenses), such persons must be domiciled on July 8, 1985, on land partitioned to a tribe of which they are not members; and they must also otherwise meet all other current eligibility criteria.

(b) The Commission shall utilize amounts payable with respect to such households pursuant to 25 U.S.C. 640d-14(b)(2) and 25 U.S.C. 640d-14(a) for the construction or acquisition of a home and related facilities for such households.

(c) Persons identified by the Commission as potentially subject to relocation who have not applied for relocation assistance by July 8, 1985, shall be contacted by the Commission as soon as practicable. At such time, the Commission shall—(1) request that the head of household choose an available area for relocation, and contract with the Commission for relocation; and (2) offer the relocatee suitable housing; and (3) offer to purchase from the head of household the habitations and improvements; and (4) offer provisions for the head of household and his family to be moved (e.g., moving expense, etc.).

Ralph A. Watkins, Jr.,

Chairman, Navajo-Hopi Relocation Commission.

[FR Doc. 85-8785 Filed 4-11-85; 8:45 am]

BILLING CODE 7580-01-M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 47 and 178

[T.D. ATF-202]

Importation of Firearms and Other Miscellaneous Amendments Relating to Firearms and Ammunition

AGENCY: The Bureau of Alcohol, Tobacco and Firearms (ATF), Department of the Treasury.

ACTION: Final rule (Treasury decision).

SUMMARY: This final rule implements a provision of the Trade and Tariff Act of 1984 pertaining to the importation of certain firearms classified as curios or relics. It also removes from the regulations, or redesignates, the penalty, seizure, and forfeiture provisions in Subpart J of 27 CFR Part 178 relative to firearms and ammunition.

DATE: This final rule is effective on April 12, 1985.

FOR FURTHER INFORMATION CONTACT: Daniel E. Crowley, ATF Specialist, Firearms and Explosives Operations Branch, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226 (202-566-7591).

SUPPLEMENTARY INFORMATION: This final rule implements § 233 of the Trade and Tariff Act of 1984 (Pub. L. 98-573, 98 Stat. 2991). This section of the Act amended § 925 of Chapter 44 of Title 18, United States Code (18 U.S.C. Chapter 44), by adding a new paragraph (e). Under this paragraph, the importation by a licensed importer of all rifles and shotguns listed by the Director as curios or relics, and all handguns listed by the Director as curios or relics that are generally recognized as particularly suitable for or readily adaptable to sporting purposes, is allowed notwithstanding any other provision of Title 18.

Under the amendment, a licensed importer may import rifles, shotguns, or handguns listed as curios or relics notwithstanding the 18 U.S.C. 925(d)(3) prohibition on importation of surplus military firearms. However, the importation of curio or relic handguns is subject to the same sporting purposes criterion specified in 18 U.S.C. 925(d)(3). Therefore, non-sporting handguns, including surplus military non-sporting handguns, remain nonimportable.

The amendment, however, does not in any way affect other U.S.C. titles containing provisions concerning the importation of firearms. For example,

the provisions in Title 22 relative to the importation of arms, ammunition, and implements of war under section 38 of the Arms Export Control Act (Pub. L. 92-239, as amended, 90 Stat. 744, 22 U.S.C. 2778) continue to be operative with respect to the importation of firearms listed as curios or relics. This is also true for the provisions in Title 26 relating to the importation of firearms within the purview of Chapter 53 of the Internal Revenue Code of 1954 (26 U.S.C. Chapter 53), i.e., National Firearms Act weapons.

The final rule also revises the regulations in Subpart J of Part 178 of Title 27, Code of Federal Regulations (27 CFR Part 178, Subpart J). The regulations in 27 CFR Part 178 implement the provisions of Chapter 44 of Title 18, U.S.C. Subpart J of that part contains the penalty, seizure, and forfeiture provisions pertaining to firearms and ammunition. The penalty provisions in this subpart are simply restatements of statutes concerning certain crimes and punishments. Moreover, because of their nature, no regulatory action is required for the implementation of these statutes. Since these provisions are adequately covered in the law, there is no need to restate them in Subpart J. Furthermore, the major purpose of the regulations in 27 CFR Part 178 is to provide procedural and substantive requirements relative to the operations of persons licensed to engage in the firearms and ammunition business. The restating of criminal statutes, however, does not further this purpose.

The following summarizes the more substantive changes made to the regulations by this final rule.

A. Importation of Firearms

To effectuate the amendment to the law enacted by § 233 of the Trade and Tariff Act, the regulations in 27 CFR Part 178 are amended by adding § 178.118. This section allows a licensed importer to bring in all rifles and shotguns classified by the Director as curios or relics, and all handguns classified by the Director as curios or relics that are determined to be generally recognized as particularly suitable for or readily adaptable to sporting purposes, including surplus military firearms. Moreover, it is provided that the firearms must be imported in accordance with the applicable importation provisions of 27 CFR Part 178 and the importation provisions of 27 CFR Part 47. Furthermore, curios or relics which fall within the definition of "firearm" under 26 U.S.C. 5845(a) are required to also meet the importation provisions of 27 CFR Part 179 before they may be imported.

As discussed, the regulations in 27 CFR Part 47 concern the importation of arms, ammunition, and implements of war, and implement § 38 of the Arms Export Control Act. Except for shotguns with barrels 18 inches or more in length, all importations of firearms are subject to the import controls of 27 CFR Part 47. ATF reviewed these regulations for their impact on the importation of curio or relic firearms and concluded that certain provisions in 27 CFR Part 47 that hindered the importation of such firearms (e.g. § 47.52) could be amended consistent with Section 38 of the Arms Export Control Act.

In carrying out the import functions of § 38 of the Arms Export Control Act, ATF is directed by section 1(1)(2) of Executive Order 11958 (42 FR 4311) to consult with the Department of State. After consultation with the Department of State, and with their concurrence, the provisions of 27 CFR Part 47 have been revised. This revision in no way diminishes the foreign policy and national security requirements implemented by these regulations. The following summarizes why and how these regulations are amended.

1. Under § 47.52, the importation of an article on the Import List proscribed in § 47.21 is prohibited if the article originates in certain countries or areas. In administering this section, an article that was manufactured in, or has recently been in, a proscribed country or area, was considered to have originated in that country or area.

ATF recognized that this position could preclude the importation of many firearms listed as curios or relics. After evaluating the issue, it was concluded that curio or relic firearms manufactured in a proscribed country or area prior to the country or area becoming proscribed need not be considered as having originated in a proscribed country or area. This conclusion was also made for curio or relic firearms manufactured in a non-proscribed country or area which have been in a proscribed country or area. To avoid giving a proscribed country or area an advantage, it was further determined that the curio or relic firearms must have been stored in a non-proscribed country or area for the five year period immediately prior to importation. Section 47.52 is revised by adding paragraphs (d) and (e) to reflect this position.

Under paragraph (d), an application for a permit to import articles (firearms) that were manufactured in, or have been in, a country or area proscribed under § 47.52 may be approved where the articles are covered by Category I(a) of the Import List (other than those subject

to 27 CFR Part 179), are importable as curios or relics under 27 CFR 178.118, and meet certain specified criteria. The articles must have been manufactured in a proscribed country or area prior to the date the country or area became proscribed or must have been manufactured in a non-proscribed country or area. The articles must also have been stored in a non-proscribed country or area for the five year period immediately prior to importation. However, regardless of where they have been stored, curio or relic firearms manufactured in a country or area after the country or area became proscribed may not be imported. Moreover, this paragraph does not apply to curio or relic firearms subject to the provisions of 27 CFR Part 179.

To import the firearms, the person applying for the permit is required by paragraph (e) to certify as to how the firearms meet the criteria specified in paragraph (d). The certification statement is required to be prepared in letter form, executed under the penalties of perjury, and submitted to the Director at the time application is made for the import permit. The certification statement must be accompanied by documentary information on the country or area of manufacture and on the country or area of storage for the five year period immediately prior to importation. Such information may consist of any document that the applicant believes substantiates the date and place of manufacture and the place of storage. The Director, however, reserves the right to determine whether the documentation is acceptable and to require additional documentation.

2. In connection with the above amendment, the term "executed under the penalties of perjury" is defined.

B. Miscellaneous Amendments Relating to Firearms

The penalty provisions in Subpart J of 27 CFR Part 178 pertaining to the criminal misuse of firearms and to the receipt, possession, or transportation of firearms by a felon or other proscribed person, or by an employee of any such person, are removed from the regulations. The remaining penalty provision and the seizure and forfeiture provision are transferred to other locations within 27 CFR Part 178, i.e., redesignated, and Subpart J is reserved. The penalty provision for a false statement or representation and the seizure and forfeiture provision are redesignated as § 178.128 and as § 178.149, respectively.

Administrative Procedure Act

This amendment made by this final rule concerning the importation of curio or relic firearms merely conforms the regulations in 27 CFR Part 178 to an amendment of law. Moreover, since they constitute rules of agency procedure and practice, the revisions made to Subpart J of 27 CFR Part 178 fall within a recognized exception to the rulemaking provisions of 5 U.S.C. 553. In addition, the amendments made to 27 CFR Part 47 are excepted from the rulemaking provisions of 5 U.S.C. 553 because these regulations involve a foreign affairs function of the United States. For these reasons, and in view of the fact that the amendment to the law was effective November 14, 1984, ATF has determined that it is impractical, unnecessary and contrary to the public interest to issue this rule with notice and public procedure under 5 U.S.C. 553(b) or subject to the effective date limitation of 5 U.S.C. 553(d).

Regulatory Flexibility Act

Because a notice of proposed rulemaking is not required for this rule under 5 U.S.C. 553(b), the provisions of the Regulatory Flexibility Act (Pub. L. 96-354, 94 Stat. 1165, 5 U.S.C. 601 et seq.) relating to the preparation of a regulatory flexibility analysis are not applicable to this final rule.

Executive Order 12291

This final rule is not a "major rule" within the meaning of section 1(b) of Executive Order 12291 on Federal Regulations issued February 17, 1981 (46 FR 13193). This rule is not major because it will not result in (a) an annual effect on the economy of \$100 million or more; (b) a major increase in costs or prices for consumers, individual industries, or Federal, State, or local government agencies, or geographic regions; or (c) 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. Accordingly, this rule is not subject to the requirement for a regulatory impact analysis.

In addition, the Office of Management and Budget (OMB) has granted ATF a waiver from the review procedures of the Executive Order. This final rule was reviewed by OMB in accordance with the terms and conditions of that waiver. Any comments from OMB to ATF and any ATF response to those comments are available for public inspection

during normal business hours at the: ATF Reading Room, Office of Public Affairs and Disclosure, Room 4407, Federal Office Building, 1200 Pennsylvania Avenue NW, Washington, DC.

Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by the Office of Management and Budget pursuant to 3507 of the Paperwork Reduction Act of 1980 (OMB Control No. 1512-0017).

Right To Petition for Amendment of the Rule

Under 5 U.S.C. 553(e), any interested person may petition for the amendment of a rule. A petition must set forth the section or sections of the regulations involved and provide reasons for the requested action. Since it is particularly helpful in evaluating whether additional rulemaking is needed, the factual basis supporting the requested action should be provided in the petition. Any petition received will be carefully evaluated and, if further action is found to be appropriate, rulemaking proceedings will be initiated. After evaluation, ATF will notify the petitioner of the action taken or to be taken on the petition. The address for submitting a petition is: Director, Bureau of Alcohol, Tobacco and Firearms, P.O. Box 189, Washington, DC 20044, (ATTN: C:FF, T.D. AFT-202).

The following list of Federal Register Thesaurus of Indexing Terms apply to this final rule:

List of Subjects

27 CFR Part 47

Administrative practice and procedure, Arms control, Arms and munitions, Authority delegations, Chemicals, Customs duties and inspection, Imports, Penalties, Reporting requirements, Scientific equipment, and seizures and forfeitures.

27 CFR Part 178

Administrative practice and procedure, Arms and munitions, Authority delegations, Customs duties and inspection, Exports, Imports, Military personnel, Penalties, Reporting requirements, Research, Seizures and forfeitures, and Transportation.

Drafting Information

The principal author of this rule is J. R. Whitley, ATF Tax Specialist, Compliance Operations, Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226 (202-566-7531).

Authority

Accordingly, under the authority contained in 22 U.S.C. 2778 (90 Stat. 744) and 18 U.S.C. 926 (82 Stat. 234), the Director amends Title 27, Code of Federal Regulations.

PART 47—IMPORTATION OF ARMS, AMMUNITION AND IMPLEMENTS OF WAR

Section A. Part 27 is amended as follows:

§ 47.11 [Amended]

Paragraph 1. Section 47.11 is amended by adding the definition "Executed under the penalties of perjury", reading as follows:

Executed under the penalties of perjury. Signed with the prescribed declaration under the penalties of perjury as provided on or with respect to the application, form, or other document or, where no form of declaration is prescribed, with the declaration: "I declare under the penalties of perjury that this — (insert type of document such as statement, certificate, application, or other document), including the documents submitted in support thereof, has been examined by me and, to best of my knowledge and belief, is true, correct, and complete."

Par. 2. Section 47.52 is amended by adding paragraphs (d) and (e) to read as follows:

§ 47.52 Import restrictions applicable to certain countries.

(d) Applications for permits to import articles that were manufactured in, or have been in, a country or area proscribed under this section may be approved where the articles are covered by Category I(a) of the Import List (other than those subject to the provisions of 27 CFR Part 179), are importable as curios or relics under the provisions of 27 CFR 178.118, and meet the following criteria:

(1) The articles were manufactured in a proscribed country or area prior to the date, as established by the Department of State, the country or area became proscribed, or, were manufactured in a non-proscribed country or area; and

(2) The articles have been stored for the five year period immediately prior to importation in a non-proscribed country or area.

(e) Applicants desiring to import

articles claimed to meet the criteria specified in paragraph (d) of this section shall explain, and certify to, how the firearms meet the criteria. The certification statement will be prepared in letter form, executed under the penalties of perjury, and submitted to the Director at the time application is made for an import permit. The certification statement must be accompanied by documentary information on the country or area of original manufacture and on the country or area of storage for the five year period immediately prior to importation. Such information may, for example, include a verifiable statement in the English language of a government official or any other person having knowledge of the date and place of manufacture and/or the place of storage; a warehouse receipt or other document which provides the required history of storage; and any other document that the applicant believes substantiates the place and date of manufacture and the place of storage. The Director, however, reserves the right to determine whether documentation is acceptable. Applicants shall, when required by the Director, furnish additional documentation as may be necessary to determine whether an import permit application should be approved.

Section B. Part 178 is amended as follows:

PART 178—COMMERCE IN FIREARMS AND AMMUNITION

Paragraph 1. The table of sections is amended as follows:

178.118 Importation of certain firearms classified as curios or relics.

178.128 False statement or representation.

Subpart I—Exemptions, Seizures, and Forfeitures

178.149 Seizures and forfeitures.

Subpart J—[Reserved]

Par. 2. Section 178.118 is added reading as follows:

§ 178.118 Importation of certain firearms classified as curios or relics.

Notwithstanding any other provision of this part, a licensed importer may import all rifles and shotguns classified by the Director as curios or relics, and all handguns classified by the Director as curios or relics that are determined to be generally recognized as particularly

suitable for or readily adaptable to sporting purposes. The importation of such curio or relic firearms must be in accordance with the applicable importation provisions of this part and the importation provisions of 27 CFR Part 47. Curios or relics which fall within the definition of "firearm" under 26 U.S.C. 5845(a) must also meet the importation provisions of 27 CFR Part 179 before they may be imported.

Par. 3. Section 178.128 is added reading as follows:

§ 178.128 False statement or representation.

Any person who knowingly makes any false statement or representation with respect to any information required by the provisions of the Act or this part to be kept in the records of a person engaged in the firearms or ammunition business, or in applying for any license, exemption, or relief from disability, under the provisions of the Act, shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

Par. 4. Subpart I is amended by revising the heading for the subpart and by adding § 178.149 to read as follows:

Subpart I—Exemptions, Seizures, and Forfeitures

§ 178.149 Seizure and forfeiture.

Any firearm or ammunition involved in, or used or intended to be used in, any violation of the provisions of the Act or of this part, or in violation of any other criminal law of the United States, shall be subject to seizure and forfeiture. The provisions of Title 26, U.S.C., relating to the seizure, forfeiture, and disposition of firearms, as defined in section 5845(a) of that title, shall, so far as applicable, extend to seizures and forfeitures under the provisions of the Act.

§§ 178.161—178.166 (Subpart J) [Removed and reserved]

Par. 5. Subpart J is removed and reserved.

Signed: February 8, 1985.

Stephen E. Higgins,
Director.

Approved March 27, 1985.

John M. Walker, Jr.,
Assistant Secretary (Enforcement and Operations).

[FR Doc. 85-8947 Filed 4-11-85; 8:45 am]

BILLING CODE 4810-31-M

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 78

[DoD Directive 1332.xx]

Voluntary State Tax Withholding From Retired Pay; Correction

AGENCY: Defense.

ACTION: Interim rule; correction.

SUMMARY: This document corrects an interim rule that appeared on page 12249 in the *Federal Register* on Thursday, March 28, 1985 (50 FR 12249). This action is necessary to include a new "§ 78.5" and renumber the presently printed "§ 78.5."

FOR FURTHER INFORMATION CONTACT: Mr. James Jaskinski, telephone 202-697-0536.

List of Subjects in 32 CFR Part 78

Military personnel, Intergovernmental relations.

Accordingly, the following corrections are made to the proposed new Part 78 as follows:

PART 78—[AMENDED]

1. The authority citation for 32 Part 78 remains unchanged to read:

Authority: 10 U.S.C. 1045.

2. Change the heading "§ 78.5" in column three on page 12250 to read "§ 78.6"

3. Add a new "§ 78.5" to read as follows:

§ 78.5 Responsibilities.

(a) The *Assistant Secretary of Defense (Comptroller)* shall establish policy and procedures, provide guidance, coordinate changes with the Uniformed Services, sign and administer the agreements with States, and monitor the implementation of this part.

(b) The *Secretaries of the Military Departments* and the *Heads of the Other Uniformed Services* shall implement this part.

Patricia H. Means,
OSD Federal Register Liaison Officer,
Department of Defense.

April 9, 1985.

[FR Doc. 85-8791 Filed 4-11-85; 8:45 am]

BILLING CODE 3810-01-M