General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 (202) 357-9118.

SUPPLEMENTARY INFORMATION:

Before Commissioners: Raymond J. O'Connor, Chairman; A. G. Sousa and Charles G. Stalon.

Final Rule

The Commission hereby amends § 271.703(d) of its regulations to include an additional area of the Smackover "C" Zone in the East Dykesville Field in Webster Parish, Louisiana, as a designated tight formation eligible for incentive pricing under 18 CFR 271.703. The amendment is based on a recommendation of the State of Louisiana Office of Conservation (Louisiana) submitted to the Commission on November 9, 1983. Notice of the proposal was published in the **Federal Register** on January 5, 1984 (49 FR 644). No comments were filed in response to the notice and no public hearing was requested.

Evidence submitted by Louisiana supports the assertion that the additional area of the Smackover "C" Zone in the East Dykesville Field in Webster Parish, Louisiana, meets the guidelines contained in § 271.703(c)(2) of the Commission's regulations. Accordingly, the Commission adopts Louisiana's recommendation.

This amendment shall become effective August 23, 1985.

List of Subjects in 18 CFR Part 271

Natural gas, Incentive price, Tight formations.

In consideration of the foregoing, Part 271 of Subchapter H, Chapter I, *Code of Federal Regulations*, is amended as set forth below.

By the Commission.

Kenneth F. Plumb,

Secretary.

PART 271—[AMENDED]

Section 271.703 is amended as follows:

1. The authority citation for Part 271 continues to read as follows:

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 Procedures Act, 5 U.S.C. 553.

2. Section 271.703 is amended by revising paragraph (d)(68) to read as follows:

§ 271.703 Tight formations.

* * * * *

(d) *Designated tight formations.*

* * * * *

(68) *Smackover C Zone in Louisiana.* RM79–76–221 (Louisiana 5 and 5 Addition).

(i) *Delineation of formation.* The Smackover C Zone is found within the East Dykesville Field in Clairborne and Webster Parishes, Louisiana, in the area of Township 22 North, Range 8 West, Sections 3–10, 15–18; Township 22 North, Range 9 West, Sections 1–18; Township 23 North, Range 8 West, Sections 30–34; and Township 23 North, Range 9 West, Sections 25–36.

(ii) *Depth.* The Smackover C Zone occurs between the measured depths of 11,290 feet and 11,340 feet on the induction electrical log of the Wheless Industries—Pelto Oil—Guy Lewis *et al.* No. 1 well and between 11,534 feet and 11,568 on the electric log of the Cities Service Oil and Gas Corporation—Hearn No. 1 well.

[FR Doc. 85–17908 Filed 7–26–85; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 5

Delegations of Authority and Organization; New Drug Applications and Biological Product Licenses

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the regulations for delegations of authority relating to new drug applications (NDA's) and petitions according to the NDA regulations. In addition, FDA is amending the regulations to redelegate authority to issue notices of opportunity for a hearing on proposals to deny issuance of or to revoke licenses for biological products and to issue certain notices of revocation of licenses.

EFFECTIVE DATE: July 29, 1985.

FOR FURTHER INFORMATION CONTACT: Melissa M. Moncavage, Office of Management and Operations (HFA–340), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4976.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of February 22, 1985 (50 FR 7452), FDA issued revised regulations for NDA submissions. Under the new regulations, new drug applications and abbreviated new drug applications for drugs listed in § 314.440(b) shall be submitted directly to the Office of Biologics Research and Review, Center for Drugs and Biologics (CDB). FDA is revising § 5.31 *Petitions under Part 10* (21 CFR 5.31) and § 5.80 *Approval of new drug applications and their supplements* (21 CFR 5.80) to clarify who has authority to act on related matters concerning drugs listed in § 314.440(b).

Because the new drug regulations were recently revised, FDA is also correcting the citations to the NDA regulations in § 5.82 *Issuance of notices relating to proposals to refuse approval or to withdraw approval of new drug applications and their supplements* (21 CFR 5.82).

Additionally, FDA is adding new § 5.67 *Issuance of notices of opportunity for a hearing on proposals for denial of approval of applications for licenses or revocation of licenses, and certain notices of revocation of licenses* to redelegate to the Director and Deputy Director, CDB, authority to issue notices of opportunity for a hearing under Part 12 on proposals to deny issuance of, or revoke, licenses for biological products issued by FDA under section 351 of the Public Health Service Act (42 U.S.C. 262). Authority has also been redelegated to the Director and Deputy Director, CDB, to issue notices of revocation of licenses when manufacturers have requested such revocation.

Further redelegation of the authority delegated is not authorized. Authority delegated to a position by title may be exercised by a person officially designated to serve in such position in an acting capacity or on a temporary basis.

List of Subjects in 21 CFR Part 5

Authority delegations (Government agencies), Organization and functions (Government agencies).

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 5 is amended as follows:

PART 5—DELEGATIONS OF AUTHORITY AND ORGANIZATION

1. The authority citation for 21 CFR Part 5 continues to read as follows:

Authority: Sec. 701(a), 52 Stat. 1055 (21 U.S.C. 371(a)); 21 CFR 5.10.

2. In § 5.31 by revising paragraph (f)(2) and adding new paragraph (f)(3), to read as follows:

§ 5.31 Petitions under Part 10.

* * * * *

(f) * * *

(2) The Director and Deputy Director, Office of Drug Standards, CDB, except

for those drug products listed in § 314.440(b), are authorized to issue responses to citizen petitions submitted under § 10.30 of this chapter seeking a determination of the suitability of an abbreviated new drug application for a drug product.

(3) The Director and Deputy Director, Office of Biologics Research and Review, CDB, for those drug products listed in § 314.440(b), are authorized to issue responses to citizens petitions submitted under § 10.30 of this chapter seeking a determination of the suitability of an abbreviated new drug application for a drug product.

3. By adding new § 5.67, to read as follows:

§ 5.67 Issuance of notices of opportunity for a hearing on proposals for denial of approval of applications for licenses or revocation of licenses and certain notices of revocation of licenses.

The Director and Deputy Director, Center for Drugs and Biologics, are authorized to issue:

(a) Notices of opportunity for a hearing on proposals to deny approval or filing of applications for establishment or product licenses under § 601.4(b) of this chapter.

(b) Notices of opportunity for a hearing on proposals to revoke establishment or product licenses under § 601.5(b) of this chapter.

(c) Notices of revocation, at the manufacturer's request, of establishment or product licenses under §§ 601.5(a) and 601.8 of this chapter.

4. In § 5.80 by revising the introductory text of paragraph (b) and by revising paragraphs (c) (1) and (2), to read as follows:

§ 5.80 Approval of new drug applications and their supplements.

* * * * *

(b) The following officials, for drugs under their jurisdiction, are authorized to perform all functions of the Commissioner of Food and Drugs with regard to approval of supplemental applications to approved new drug applications for drugs for human use that have been submitted under § 314.70 of this chapter and new drug applications for drug products that contain the identical active drug ingredient (e.g., the same salt of the same therapeutic moiety), or identical combination of active drug ingredients in the same dosage form and strength, of an approved drug product already marketed in the United States by another firm, and that has, in its labeling, at least some of the therapeutic uses already approved for the marketed product(s):

* * * * *

(c) The following officials are authorized to perform all of the functions of the Commissioner of Food and Drugs with regard to approval of abbreviated new drug applications and supplements thereto for drugs for human use and new drug applications for drugs with a 5C classification whose clinical safety and efficacy may be supported by appropriate literature citations in view of submission of data from original proprietary studies:

(1) For drugs submitted under §§ 314.50, 314.55, and 314.70 of this chapter, except for those drug products listed in § 314.440(b):

(i) The Director and Deputy Director, Office of Drug Standards, CDB.

(ii) The Director and Deputy Director, Division of Generic Drugs, Office of Drug Standards, CDB.

(2)(i) For drug products listed in § 314.440(b) and submitted under §§ 314.50, 314.55, and 314.70 of this chapter:

(ii) The Director and Deputy Director, Office of Biologics Research and Review, CDB.

* * * * *

5. By revising § 5.82, to read as follows:

§ 5.82 Issuance of notices relating to proposals to refuse approval or to withdraw approval of new drug applications and their supplements.

The Director and Deputy Director, Center for Drugs and Biologics, are authorized to issue notices of an opportunity for a hearing on proposals to refuse approval or to withdraw approval of new drug applications and abbreviated new drug applications and supplements thereto on drugs for human use that have been submitted under section 505 of the Federal Food, Drug, and Cosmetic Act and Subpart B of Part 314 of this chapter, and to issue notices refusing approval or withdrawing approval when opportunity for hearing has been waived.

Dated: July 22, 1985.

Mervin H. Shumate,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 85-17888 Filed 7-26-85; 8:45 am]

BILLING CODE 4160-01-M

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21 CFR Part 74

[Docket No. 84N-0083]

Color Additives; D&C Blue No. 6

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the color additive regulations by removing the provision that bars the migration of D&C Blue No. 6 from sutures to the surrounding tissues under conditions of use. FDA is taking this action because the restriction is not necessary to assure the safety or suitability of the use of D&C Blue No. 6 in sutures.

DATES: Effective August 29, 1985, except as to any provisions that may be stayed by the filing of proper objections; objections by August 28, 1985.

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

FOR FURTHER INFORMATION CONTACT: Blondell Anderson, Center for Food Safety and Applied Nutrition (HFF-334), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-472-5740.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of July 25, 1984 (49 FR 29970), FDA proposed that 21 CFR Part 74 be amended in § 74.3106 *D&C Blue No. 6* by removing paragraph (c)(3). That paragraph contains the provision that bars the migration of D&C Blue No. 6 from a suture to the surrounding tissues under conditions of use. FDA is taking this action because the restriction is not necessary to assure the safety or suitability of the use of D&C Blue No. 6 in sutures. Also, the restriction is ambiguous when referring to absorbable sutures.

In the proposed rule, FDA gave interested persons until September 24, 1984, to file comments. The agency did not receive any comments on the proposed rule. Therefore, FDA is publishing the final rule without change.

The agency has previously considered the environmental effects of this rule as announced in the proposed rule (July 25, 1984; 49 FR 29970). No new information or comments have been received that would affect the agency's previous determination that there is no significant impact on the human environment and that an environmental impact statement is not required.

In accordance with the Regulatory Flexibility Act, the agency previously considered the potential effects that this rule would have on small entities, including small businesses. In accordance with section 605(b) of the Regulatory Flexibility Act, the agency has determined that no significant impact on a substantial number of small

entities would derive from this action. FDA has not received any new information or comments that would alter its previous determination.

Any person who will be adversely affected by this regulation may at any time on or before August 28, 1985, file with the Dockets Management Branch (address above) written objections thereto. Objections shall show wherein the person filing will be adversely affected by the regulation, specify with particularity the provisions of the regulation deemed objectionable, and state the grounds for the objections. Objections shall be filed in accordance with the requirements of 21 CFR 71.30. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Three copies of all documents shall be filed and should be identified with the docket number found in brackets in the heading of this document. Any objections received in response to the regulation may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday. Notice of the filing of objections or lack thereof will be given by publication in the **Federal Register.**

List of Subjects in 21 CFR Part 74

Color additives, Cosmetics, Drugs, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 74 is amended as follows:

PART 74—LISTING OF COLOR ADDITIVES SUBJECT TO CERTIFICATION

1. The authority citation for 21 CFR Part 74 continues to read as follows:

Authority: Secs. 701, 706, 52 Stat. 1055–1056 as amended, 74 Stat. 399–407 as amended (21 U.S.C. 371, 376); 21 CFR 5.10.

§ 74.3106 [Amended]

2. In § 74.3106 *D&C Blue No. 6* by removing paragraph (c)(3).

Dated: July 22, 1985.

Mervin H. Shumate,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 85-17889 Filed 7-26-85; 8:45 am]

BILLING CODE 4160-01-M

21 CFR Part 808

[Docket No. 83P-0125]

Medical Devices; Application for Exemption From Federal Preemption of State and Local Hearing Aid Requirements

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is granting exemption from Federal preemption for certain of Hawaii's hearing aid device requirements and denying exemption for other of its requirements. This action responds to an application from the government of Hawaii.

EFFECTIVE DATE: August 28, 1985.

FOR FURTHER INFORMATION CONTACT: Les Weinstein, Center for Devices and Radiological Health (HFZ–84), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–4874.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of October 1, 1984 (49 FR 38646), FDA published a proposed rule responding to an application from Hawaii for exemption from Federal preemption of certain of Hawaii's hearing aid device requirements. Interested persons were given until November 30, 1984, to submit written comments on the proposal. In the same issue of that **Federal Register** (49 FR 38645), FDA issued a notice providing an opportunity for interested persons to request an oral hearing.

Although FDA received two written comments on the proposal, the agency did not receive any requests for an oral hearing.

As noted in the preamble to the October 1, 1984 proposal, the agency published a final rule in the **Federal Register** of October 10, 1980 (45 FR 67326), responding to applications from 18 other States and the District of Columbia for exemption from preemption of their hearing aid requirements. Some of the issues raised in that proceeding are similar to the issues raised in the comments received on this rule. The agency therefore refers interested persons to the preamble to the Octobr 10, 1980 final rule for a more detailed discussion of these issues, and incorporates that discussion by reference herein.

1. Both comments received on the October 1, 1984 proposal stated that the current Federal hearing aid device requirements are satisfactory and that exemptions from the current requirements should not be granted to Hawaii or to any other State. Both comments also stated that a uniform nationwide regulatory policy would be more effective and would better serve the needs of the hearing impaired than would various State policies.

FDA disagrees with these commments. The agency does not believe that the effectiveness of the Federal requirements will be compromised by granting exemptions from preemption of State and local hearing aid requirements. Furthermore, the agency does not believe that the needs of the hearing impaired will be compromised by granting States selected exemptions from preemption of State and local hearing aid requirements.

2. One comment specifically supported FDA's proposal to deny exemption from preemption of the provision in §14.1, subsection (a) of chapter 451A of the Hawaii Revised Statutes, requiring medical evaluation without providing for a waiver of that requirement by the user.

Although FDA believes that, before purchasing a hearing aid, all prospective hearing aid users should obtain a medical evaluation to ensure that the organic causes of hearing loss are diagnosed and treated properly, the agency believes that any informed adult who objects to medical evaluation for personal reasons should be permitted to waive the medical evaluation requirement. Therefore, FDA denies exemption from preemption of the Hawaii provision failing to permit waiver of the medical evaluation.

3. One comment objected to FDA's proposal to grant exemption from preemption of that portion of § 14.1, subsection (a) of chapter 451A of the Hawaii Revised Statutes which prohibits the sale of a hearing aid to a child under the age of 10 who does not have written authorization from an otorhinolaryngologist. The comment argued that requiring authorization from an otorhinolaryngologist would: (a) Create a burdensome and expensive impediment to the receipt of proper and timely hearing health care by certain minors residing in Hawaii, and (2) irrationally divide minors within the State into two distinct groups and subject them to different requirements in connection with the sale of a hearing aid.

FDA disagrees with the comment. As noted in the preamble to the October 10, 1980 final rule, FDA believes that hearing loss in children can be treated medically or surgically more often than in adults and that otorhinolaryngologists are more knowledgeable about such treatment than are other physicians. FDA continues to believe that the

possible benefit to children from such a requirement outweighs the possible burden and expense of locating an otorhinolaryngologist. FDA notes that the comment did not provide any data to substantiate its arguments not did it include any basis for FDA to change its belief that mandatory audiological evaluation of a minor will serve an important public health purpose (45 FR 67330).

4. One comment specifically supported FDA's proposal to deny exemption from preemption for the Hawaii provision requiring that medical authorization be signed within 90 days prior to the sale of a hearing aid.

Section 801.421 of FDA's regulation provides that the medical evaluation shall have taken place within the preceding 6 months. FDA concludes that the 3-month time limit specified in § 14.1, subsection (b) of chapter 451A of the Hawaii Revised Statutes should not be exempted from preemption for the reasons stated in the preamble to the proposed rule. See 49 FR 38647, October 1, 1984.

5. One comment objected to FDA's proposal to grant exemption from preemption for § 14.1, subsection (c) of chapter 451A of the Hawaii Revised Statutes, which requires hearing aid dispensers to keep the physician's written authorization on file for 5 years. The comment argued that this extended recordkeeping is unjustified.

FDA disagrees with the comment and is exempting subsection (c) from preemption. Hawaii's requirement is more stringent than the provisions in § 801.421(d) of FDA's regulations governing conditions for sale of hearing aid devices (21 CFR 801.421(d)). Section 801.421(d) requires dispensers to maintain copies of medical clearance statements for only 3 years. FDA concludes that the more stringent requirement will assist Hawaii in enforcing its statute.

Executive Order 12291

FDA has carefully reviewed the final rule under Executive Order 12291 and concludes that it does not meet any of the criteria of a major regulation. Therefore, a regulatory impact analysis is not required. The rule merely applies Part 808 of the regulations to an application from the government of Hawaii. The rule does not impose any new Federal requirements on any person. Similarly, no new requirements are established at the State level because the rule allows part of an existing Hawaiian regulation to remain in effect while preempting other parts of that regulation.

Regulatory Flexibility Act

FDA certifies that the final rule will not have a significant economic impact on a substantial number of small entities because it does not impose any new requirements on any person. Therefore, a regulatory flexibility anaylsis, as provided in the Regulatory Flexibility Act, is not required.

List of Subjects in 21 CFR Part 808

Exemption of specific State requirements, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Part 808 is amended as follows:

PART 808—EXEMPTIONS FROM FEDERAL PREEMPTION OF STATE AND LOCAL MEDICAL DEVICE REQUIREMENTS

1. The authority citation for Part 808 is revised to read as follows:

Authority: Secs. 521, 701, 52 Stat. 1055–1056 as amended, 90 Stat. 574 (21 U.S.C. 360k, 371); 21 CFR 5.10.

2. In Subpart C by adding new § 808.61, to read as follows:

§ 808.61 Hawaii.

(a) The following Hawaii medical device requirements are enforceable notwithstanding section 521 of the act, because the Food and Drug Administration has exempted them from preemption under section 521(b) of the act: Hawaii Revised Statutes, chapter 451A, § 14.1(a) with respect to medical examination of a child 10 years of age or under, and subsection (c).

(b) The following Hawaii medical device requirements are preempted by section 521(a) of the act, and the Food and Drug Administration has denied them exemption from preemption: Hawaii Revised Statues, chapter 451A, § 14.1(a) to the extent that it requires a written authorization by a physician and does not allow adults to waive this requirement for personal, as well as religious reasons, and subsection (b).

Dated: June 26, 1985.

Joseph P. Hile,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 85-17891 Filed 7-26-85; 8:45 am]

BILLING CODE 4160-01-M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1620

Investigations and Compliance Assistance

AGENCY: Equal Employment Opportunity Commission.

ACTION: Final Rule; amendment.

SUMMARY: The Equal Employment Opportunity Commission hereby amends 29 CFR 1620.19(c) to insert the words, "in confidence," following the phrase, ". . . persons giving information . . ." The purpose of the amendment is to make confidentiality policy under the Equal Pay Act (EPA) (29 U.S.C. 206(d)) consistent with the policy utilized by the Commission under Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e et seq.), and the Age Discrimination in Employment Act (29 U.S.C. 621, et seq). The amendment changes the Commission's confidentiality policy under the EPA from one where witnesses and complainants are *automatically* granted confidentiality to one where complainants and witnesses may *elect* to keep their identity and identifying details confidential.

EFFECTIVE DATE: July 29, 1985.

FOR FURTHER INFORMATION CONTACT: Frederick W. Ford, Staff Attorney, Office of Legal Counsel, Legal Services, EEOC, 2401 E Street, NW., Washington, D.C. 20507; telephone: (202) 634–6690.

SUPPLEMENTARY INFORMATION: At its meeting of June 4, 1985, the Commission voted to adopt a single consistent policy regarding the scope of confidentiality that the Commission will grant to charging parties, complainants, and witnesses during its investigation of charges and complaints filed under the three statutes that the Commission enforces, i.e., Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e et seq., The Age Discrimination in Employment Act (ADEA), 29 U.S.C. 621 et seq., and the Equal Pay Act (EPA), 29 U.S.C. 206(d). The new policy is to notify charging parties, complainants and third party witnesses under all three statutes that they will be granted confidentiality upon request and, where confidentiality is requested, to provide a statement explaining the precise scope of that confidentiality.

Until adoption of the new policy, the Commission had utilized a policy of "selective," or "elective," confidentiality for charging parties and witnesses under Title VII and the ADEA. *See* 29 CFR 1601.7(a) and 29 CFR 1626.4 and

1626.15(b). That is, the Commission would not disclose the identity or identifying details of persons providing information *in confidence* as to violations of the respective acts unless necessary in a court proceeding. Under Title VII and ADEA, the Commission provides confidentiality where it is requested or where it is necessary to secure information from a person. However, the Commission does not promise confidentiality automatically to all witnesses.

When the Commission published its Final Recordkeeping and Administrative Regulations under the Equal Pay Act, 29, CFR Part 1620 46 FR 4888 (January 19, 1981), following the transfer of EPA enforcement authority from the Department of Labor in 1979 [Reorganization Plan No. 1 of 1978, 43 FR 19807 (May 9, 1978) and E.O. 12144, 44 FR 37193 (June 26, 1979)], it adopted the confidentiality policy followed by the Department of Labor in equal pay cases. [See also, 44 FR 38671 (July 2, 1979)]. That policy *automatically* granted confidentiality to any person giving information on an EPA violation regardless of whether the person requested confidentiality or not. See 29 CFR 800.164.

The inconsistency between the EPA policy and the Title VII and ADEA policy has created difficulties for the Commission in investigating charges under the three statutes, especially in mixed cases containing charges under both the EPA and either Title VII or ADEA, resulting in confusion for both Commission investigators and witnesses regarding the application of confidential treatment. The amendment provides consistency between the three statutes by amending the EPA regulations to make clear that a charging party or witness' identity will be protected when that person gives information "in confidence," i.e., when the person requests confidentiality.

The Commission has determined that this document is not a significant rule and does not require a regulatory analysis under Executive Order 12291.

List of Subjects in 29 CFR Part 1620

Equal employment opportunity, Investigations, Penalities, Reporting and recordkeeping requirements, Sex discrimination, Wages.

Accordingly, § 1620.19(c) of Part 1620 of Title 29, Code of Federal Regulations is amended as set forth below.

Signed at Washington, D.C., this 12th day of July, 1985.

For the Commission.

Clarence Thomas,

Chairman, Equal Employment Opportunity Commission.

PART 1620—THE EQUAL PAY ACT

1. The authority citation for Part 1620 continues to read as follows:

Authority: Sec. 1–19, 52 Stat. 1060, as amended; Sec. 10, 61 Stat. 84; Pub. L. 88–38, 77 Stat. 56 [29 U.S.C. 201 et seq.]; sec. 1, Reorg. Plan. No. 1 of 1978, 43 FR 19807; Pub. L. 98–532; Executive Order No. 12144, 44 FR 37193.

2. 29 CFR Part 1620 is amended by revising § 1620.19(c) to read as follows:

§1620.19 Investigations and compliance assistance.

* * * * *

(c) The identity or identifying details of persons giving information in confidence as to violations of the Act shall not be disclosed unless necessary in a court proceeding.

[FR Doc. 85–17591 Filed 7–26–85; 8:45 am]

BILLING CODE 6570–06–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD3 85–28]

Special Local Regulations; Gateway Powerboat Regatta, Long Island Sound

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special Local Regulations are being adopted for the Gateway Powerboat Regatta. This powerboat race is sponsored by the Gateway Powerboat Association. The event will be held on August 3, 1985, on Long Island Sound, off Greenwich, Connecticut. This regulation is needed to provide for the safety of participants and spectators on navigable waters during this event.

EFFECTIVE DATES: This regulation becomes effective on August 3, 1985 from 11:00 a.m. to 2:30 p.m.

FOR FURTHER INFORMATION CONTACT: Mary J. Robinson, (212) 668–7974.

SUPPLEMENTARY INFORMATION: A Notice of Proposed Rule Making has not been published for this regulation and it is being made effective in less than 30 days from the date of publication. Following normal rulemaking procedures would have been impractical. The application to hold this event was not received until May 3, 1985. There was some concern that the State of Connecticut would not allow this event to be held. It was learned that the State law limiting noise levels is not applicable on Long Island Sound. There was not sufficient time remaining to publish proposed rules in advance of the event or to provide for a delayed effective date.

Drafting Information

The drafters of this regulation are LT D.R. Cilley, Project Officer, Third Coast Guard District Boating Safety Division, and Ms. MaryAnn Arisman, Project Attorney, Third Coast Guard District Legal Office.

Discussion of Regulations

The Gateway Powerboat Regatta is sponsored by the Gateway Powerboat Association of Greenwich, Connecticut. This powerboat race will be held on Long Island Sound in an area south of Greenwich, Connecticut. This event has been held for the past nine years and is consequently well known to boaters and residents in the area. This is the first year in which a special local regulation has been issued for this event. Approximately 40 powerboats ranging from 20 to 50 feet in length will race 6 laps around a 11 mile rectangular course at speeds between 75-110 miles per hour (mph). This National Power Boat Association (NPBA) sanctioned race will start at 12:00 noon. Race headquarters is located at the Showboat Inn in Greenwich Harbor. The race participants will transit to the race course area under Coast Guard escort at approximately 20 m.p.h. The race course area will be marked by sponsor provided patrol craft displaying orange day glow flags. Spectator vessels will be kept outside of the regulated area and a buffer zone will be maintained by the sponsor's 20+ patrol vessels. Coast Guard and local authority patrol vessels will also be on scene to help control this event. The Coast Guard will issue a safety voice broadcast to notify boaters of this event. The Coast Guard recommends that all vessels transiting the Sound use extreme caution and pass to the south of the regulated area. In order to provide for the safety of life and property on navigable waters, the Coast Guard will regulate the movement of vessels in this area during this event.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water).

Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended as follows: