

and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms.

Authority and Issuance

PARTS 270, 275, 290, 295 AND 296— [AMENDED]

Accordingly, the temporary regulation amending 27 CFR Parts 270, 275, 290, 295 and 296 which was published at 51 FR 28078-28092 is adopted as a final rule with the following changes:

Sec. A. The temporary regulations in 27 CFR Part 270 are amended as follows:

Paragraph 1. The authority citation for Part 270 continues to read as follows:

Authority: 5 U.S.C. 552(a), 26 U.S.C. 5701, 5703, 5704, 5705, 5711, 5712, 5713, 5721, 5722, 5723, 5741, 5751, 5753, 5761, 5762, 5763, 6109, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 7212, 7325, 7342, 7502, 7503, 7606, 7805, 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 2. Section 270.216 is revised to read as follows:

§ 270.216 Notice for smokeless tobacco.

(a) *Product designation.* Every package of chewing tobacco or snuff shall, before removal subject to tax, have adequately imprinted thereon, or on a label securely affixed thereto, the designation "chewing tobacco" or "snuff." As an alternative, packages of chewing tobacco may be designated "Tax Class C," and packages of snuff may be designated "Tax Class M".

(b) *Product weight.* Every package of chewing tobacco or snuff shall, before removal subject to tax, have adequately imprinted thereon, or on a label securely affixed thereto, a clear statement of the actual pounds and ounces of the product contained therein. As an alternative, the shipping cases containing packages of chewing tobacco or snuff may, before removal, have adequately imprinted thereon, or on a label securely affixed thereto, a clear statement, in pounds and ounces, of the total weight of the product, the tax class of the product, and the total number of the packages of product contained therein.

(Approved by the Office of Management and Budget under control number 1512-0488) (Sec. 202, Pub. L. 85-859, 72 Stat. 1422 (26 U.S.C. 5723))

Sec. B. The temporary regulations in 27 CFR Part 275 are amended as follows:

Paragraph 1. The authority citation for Part 275 continues to read as follows:

Authority: 5 U.S.C. 552(a), 26 U.S.C. 5701, 5703, 5704, 5705, 5708, 5722, 5723, 5741, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7652(a), 7805, 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 2. Section 275.72 is revised to read as follows:

§ 275.72 Notice for smokeless tobacco.

(a) *Product designation.* Every package of chewing tobacco or snuff shall, before removal subject to internal revenue tax, have adequately imprinted thereon, or on a label securely affixed thereto, the designation "chewing tobacco" or "snuff." As an alternative, packages of chewing tobacco may be designated "Tax Class C," and packages of snuff may be designated "Tax Class M."

(b) *Product weight.* Every package of chewing tobacco or snuff shall, before removal subject to internal revenue tax, have adequately imprinted thereon, or on a label securely affixed thereto, a clear statement of the actual pounds and ounces of the product contained therein. As an alternative, the shipping cases containing packages of chewing tobacco or snuff may, before removal, have adequately imprinted thereon, or on a label securely affixed thereto, a clear statement, in pounds and ounces, of the total weight of the product, the tax class of the product, and the total number of the packages of product contained therein.

(Approved by the Office of Management and Budget under control number 1512-0488) (Sec. 202, Pub. L. 85-859, 72 Stat. 1422 (26 U.S.C. 5723))

PART 295—[AMENDED]

Sec. C. The temporary regulations in 27 CFR Part 295 are amended as follows:

Paragraph 1. The authority citation for Part 295 continues to read as follows:

Authority: 26 U.S.C. 5703, 5704, 5705, 5723, 5741, 5751, 5762, 5763, 6313, 7212, 7342, 7606, 7805, 44 U.S.C. 3504(h).

Par. 2. Section 295.43 is revised to read as follows:

§ 295.43 Notice for smokeless tobacco.

(a) *Product designation.* Every package of chewing tobacco or snuff shall, before removal under this part, have adequately imprinted thereon, or on a label securely affixed thereto, the designation "chewing tobacco" or "snuff." As an alternative, packages of chewing tobacco may be designated "Tax Class C," and packages of snuff may be designated "Tax Class M."

(b) *Product weight.* Every package of chewing tobacco or snuff shall, before removal under this part, have adequately imprinted thereon, or on a label securely affixed thereto, a clear statement of the actual pounds and ounces of the product contained therein. As an alternative, the shipping cases containing packages of chewing tobacco or snuff may, before removal, have adequately imprinted thereon, or on a

label securely affixed thereto, a clear statement, in pounds and ounces, of the total weight of the product, the tax class of the product, and the total number of the packages of product contained therein.

(Approved by the Office of Management and Budget under control number 1512-0488) (Sec. 202, Pub. L. 85-859, 72 Stat. 1422 (26 U.S.C. 5723))

Signed: November 7, 1986.

Stephen E. Higgins,
Director.

Approved: November 24, 1986.

Francis A. Keating, II,
Assistant Secretary (Enforcement).
[FR Doc. 86-26935 Filed 11-28-86; 8:45 am]
BILLING CODE 4810-31-M

POSTAL SERVICE

39 CFR Part 111

Disposal of Books and Sound Recordings

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This final rule changes the procedures for the return of books and sound recordings found loose in the mail by providing a central location for the approval of requests for their return. It also requires requesters to designate the location where they will pick up their items or wish to have them returned.

DATES: Effective date: January 1, 1987. Publishers and distributors of books and sound recordings should submit their requests for the return of such books and sound recordings prior to February 1, 1987, in order to be included in the first central file of requesters effective March 1, 1987, when all prior files will become obsolete.

FOR FURTHER INFORMATION CONTACT: Francis E. Gardner (202) 268-5178.

SUPPLEMENTARY INFORMATION: On November 19, 1985, the Postal Service published for comment in the *Federal Register* (50 FR 47564) proposed changes to the Domestic Mail Manual altering the rule governing the return of books and sound recordings. Interested persons were invited to submit comments on the proposed changes by December 19, 1985.

Five commenters responded to our invitation. Although the commenters generally favored the proposed changes, all objected on the ground of undue hardship to the proposal that publishers and distributors be required to pick up their merchandise at a designated dead parcel branch, since some mailers would

have to travel great distances to the nearest branch. They suggested that pick up be permitted at the point of entry in the mail stream, such as a bulk mail center, post office, or detached mail unit. We have changed the regulation as requested.

Another commenter recommended that the name of an approved publisher or distributor be kept in the central file of requesters for five years, instead of two as proposed, on the ground that the industry is fairly stable and not likely to change. We agree with this comment and have changed the regulation.

A commenter said that distributors should be allowed twenty days from a scheduled release date, or twenty days after being notified by the Postal Service, to pick up their merchandise, instead of ten, as proposed. We considered this comment, discussed it with the Mailers Technical Advisory Committee, and have decided to increase the period to 15 days, which we believe should be adequate.

For the above reasons and after careful consideration of all the comments, the Postal Service hereby adopts the following amendments to the Domestic Mail Manual, which is incorporated by reference in the Code of Federal Regulations. See 39 CFR 111.1.

List of Subjects in 39 CFR Part 111

Postal Service.

1. The authority citation for Part 111 continues to read as follows:

Authority: 5 U.S.C. 552(a); 39 U.S.C. 401, 404, 407, 408, 3001-3011, 3201-3219, 3403-3406, 3621, 5001.

PART 159—UNDELIVERABLE MAIL

2. In 159.56, revise .564 to read as follows:

.56 Dead Parcel Branches

.564 Disposal of Books and Sound Recordings. Books and sound recordings will be disposed of by sale, except for those that may be withheld from sale for release to a publisher or distributor under the following conditions:

a. A publisher or distributor may request, in the manner set forth below, that books and sound recordings bearing a particular trade name, company name or other organizational identification, be released to the requester or to the requester's representative. The requirements for such a request are:

(1) The requester must apply in writing to the General Manager, Customer and Field Support Division, Office of Classification and Rates Administration, USPS Headquarters, Washington, DC 20260-5361.

(2) The request must include a statement that the requester is the publisher or distributor of the books and sound recordings bearing the listed trade name, company name or other organizational identification. More

than one trade name, company name or other organizational identification may be listed in the same request.

(3) The request must specify only one location where the books and sound recordings will be picked up. The specific pick-up facility may be changed at any time by submitting a written request to the General Manager, Customer and Field Support Division.

(4) After approval, a central file of requesters and the items specified for return will be maintained by the Customer and Field Support Division. All requesters will receive confirmation of their requests.

(5) An approval will remain in effect for five years or until cancelled in writing by either the requester or the Postal Service. (See 159.564i).

b. A book or sound recording will not be released to the requester even though it bears an applicable trade name, company name, or other organizational identification, if it does not appear to be new, or was involved in the settlement of a postal indemnity claim, or if it is known that the requester was not the mailer or addressee. Such books will be auctioned.

c. A request for release of books or sound recordings will not be granted whenever a written protest or a conflicting request from another party is presented to the General Manager, Customer and Field Support Division. Books and sound recordings involved in such a dispute will be sold at auction in the normal course of business, unless written notice from both parties advising of settlement of the dispute is received before the sale deadline (see 159.564i). Both parties to a dispute will be advised when a question over ownership occurs and when any settlement of the dispute is made.

d. Upon approval of a request by the General Manager, Customer and Field Support Division, facilities handling books and sound recordings will establish separations to the maximum extent practicable.

e. Release procedures at the point of customer mail entry (i.e., bulk mail center, post office or detached mail unit) are as follows:

(1) Books and sound recordings will be released to requesters or their authorized representatives at a time and in a manner mutually agreeable between the requester and the Postal Service consistent with the instructions in this section.

(2) Failure of requesters to pick up books and sound recordings within fifteen days of written notification or on a previously scheduled release date will result in return of the material to a dead parcel branch for auction and in the cancellation of the request.

f. If the designated release facility has a dead parcel branch, the release procedures are the same as above.

g. In order to pick up books and sound recordings at the designated facility, requesters or their representatives must present a letter from the requester authorizing the Postal Service to release such merchandise to the bearer. This letter of authorization must be executed in triplicate. Upon release the merchandise, all copies of

the letter of authorization will be receipted in bulk by the person accepting delivery. One copy will be given with the merchandise, one copy will be mailed directly to the requester and the original will be retained by the releasing facility for one year.

h. Books and sound recordings separated for return at a location other than a designated release facility will be made up in individual shipments to the return point in packages, sacks, hampers, or other types of containers. Packages will be as large as possible, subject to the weight and size limitations for fourth-class mail in DMN Part 750. Each package will be sent under a penalty label to the designated point of release (bulk mail center, post office or detached mail unit). Sacks are subject to the 70 pound weight limitation. Hampers or other containers may be used if adequate security against pilferage can be maintained. Where hampers or other containers are used, arrangements must be made through the Transportation Management Service Center associated with the sending facility for suitable containment, labeling, movement, and security.

i. When a request is cancelled (see 159.564e(2)), the requester will be notified in writing by the dead parcel office, with a copy to the General Manager, Customer and Field Support Division. A cancelled request may not be renewed until six months after the date of cancellation. At that time, a written application must be resubmitted, which will be treated as if it were a new request. Books and sound recordings on hand at the time of a cancellation will be included in the next auction.

A transmittal letter making these changes in the Domestic Mail Manual will be published and will be transmitted to subscribers automatically. Notice of issuance of the transmittal letter will be published in the Federal Register as provided in 39 CFR 111.3.

Fred Eggleston,

Assistant General Counsel, Legislative Division.

[FR Doc. 86-26897 Filed 11-28-86; 8:45 am]

BILLING CODE 7710-12-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 400, 405, 412, 421, 456, 460, 461, 462, 463, 466, 473, 476, and 478

[HSQ-122-F]

Removal of Obsolete Rules; Peer Review Organizations; Medicare Program

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Final rule.

SUMMARY: This document removes rules pertaining to Professional Standards Review Organizations (PSROs), which became obsolete as a result of amendments made to the Social Security Act (the Act) by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA). Those amendments established a new peer review program under which Utilization and Quality Control Peer Review Organizations (PROs) would assume responsibilities very similar to those previously carried out by PSROs.

Removal of the obsolete rules will preclude any possible confusion and make it unnecessary to include inoperative rules in future editions of HCFA's regulations (42 CFR Chapter IV).

EFFECTIVE DATE: These rules are effective December 1, 1986.

FOR FURTHER INFORMATION CONTACT: Mary Kay Terry, (301) 594-7909.

SUPPLEMENTARY INFORMATION: The Peer Review Improvement Act of 1982 (Title I, Subtitle C of TEFRA-Pub. L. 97-248) amended Part B of Title XI of the Act by establishing the Utilization and Quality Control Peer Review Organization (PRO) program. This program replaced the Professional Standards Review Organization (PSRO) program. The responsibilities that PROs have assumed are similar to those exercised by PSROs. PROs review health care services funded under Title XVIII of the Act (Medicare) to determine whether those services are reasonable, medically necessary, furnished in the appropriate setting, and of a quality that meets professionally recognized standards. Congress created the PRO program in order to redirect and simplify the peer review of services reimbursed by Medicare, and enhance the efficiency and cost effectiveness of that review.

In June of 1984, HCFA began awarding contracts to PROs. There are no longer any PSROs performing review functions in the Medicare program.

We have removed all portions of Subchapter D that dealt exclusively with PSROs, that is, Parts 460, 461, 463 and 478, Subpart B of Part 462, Subpart B of Part 466, Subpart A of Part 473, and Subpart A of Part 476. We have also amended Parts 462 and 466 by removing definitions of terms that are defined in Part 400 or are not used in the PRO regulations; made conforming changes in other definitions; removed § 405.1625-1 because it was based on statutory provisions applicable to PSROs that are not included in the current PRO provisions; conformed cross-references throughout 42 CFR Chapter IV and, in the conformed sections, corrected other

outdated cross-references. Part 474, which contained a Subpart B pertaining to PSROs, was removed by final regulations published on September 30, 1986 (51 FR 34786).

Waiver of Notice and Delayed Effective Date

These amendments remove rules that have become obsolete because the PRO program has replaced the PSRO program, and conform cross-references in others. These changes affect neither the Medicare beneficiaries nor those that provide Medicare services to them. Accordingly, we find that notice and opportunity for public comment and delayed effective date are unnecessary.

Regulatory Impact Statement

Since we are merely removing obsolete rules and adding nothing new, there will be no impact, and the requirements of Executive Order 12291, the Regulatory Flexibility Act, and the Paperwork Reduction Act do not apply.

List of Subjects

42 CFR Part 400

Grant programs-health, Health facilities, Health maintenance organizations (HMO), Medicaid, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 405

Administrative practice and procedure, Health facilities, Health professions, Kidney diseases, Laboratories, Medicare, Nursing homes, Reporting and recordkeeping requirements, Rural areas, X-rays.

42 CFR Part 412

Health facilities, Medicare.

42 CFR Part 421

Administrative practice and procedure, Health facilities, Health professions, Medicare, Reporting and recordkeeping requirements.

42 CFR Part 456

Administrative practice and procedure, Grant programs-health, Health facilities, Medicaid, Reporting and recordkeeping requirements.

42 CFR Part 460

Health care, Health professions, Peer Review Organizations, Professional Standards Review Organizations (PSRO).

42 CFR Part 461

Health care, Health professions, Professional Standards Review Organizations (PSRO).

42 CFR Part 462

Grant programs-health, Health care, Health professions, Peer review organizations.

42 CFR Part 463

Claims, Health care, Health professions, Professional Standards Review Organizations (PSRO).

42 CFR Part 466

Grant programs health, Health care, Health facilities, Health professions, Peer review organizations.

42 CFR Part 473

Administrative practice and procedure, Health care, Health professions, Peer review organizations.

42 CFR Part 476

Health care, Health professions, Health records, Peer review organizations, Penalties, Privacy.

42 CFR Part 478

Health care, Health professions, Professional Standards Review Organizations (PSRO).

42 CFR Chapter IV is amended as set forth below:

I. Removal of Obsolete Rules

A. Part 405, Subpart P is amended as set forth below:

PART 405—FEDERAL HEALTH INSURANCE FOR THE AGED AND DISABLED

Subpart P—Certification and Recertification; Claims and Benefit Payment Requirements; Check Replacement Procedures

1. The authority citation for Subpart P continues to read as follows:

Authority: Secs. 1102, 1814, 1835, 1871, and 1883 of the Social Security Act (42 U.S.C. 1302, 1395f, 1395h, 1395hh, and 1395tt).

§ 405.1625-1 [Removed]

2. Section 405.1625-1 is removed and the table of contents is amended to reflect this change.

PART 460—[RESERVED]

B. Part 460 is removed and reserved and the table of contents is amended to reflect this change.

PART 461—[RESERVED]

C. Part 461 is removed and reserved and the table of contents is amended to reflect this change.

D. Part 462 is amended as set forth below:

PART 462—PEER REVIEW ORGANIZATIONS

1. The authority citation for Part 462 is revised to read as follows:

Authority: Secs 1102, 1152, and 1153 of the Social Security Act (42 U.S.C. 1302, 1320c-1 and 1320-2).

2. Subpart A is amended as follows:

a. **§ 462.1 [Amended]**

The definitions of the following terms are removed: "Act", "Active practice", "Conditionally designated PSRO", "Fully designated PSRO", "Governing body", "HCFA", "Nonprofit", "PSRO", and "PSRO area".

b. In the definition of "Physician", the words "PSRO or" are removed wherever they appear.

Subpart B—[Reserved]

§§ 462.6-462.16 [Reserved]

3. Subpart B (§§ 462.6-462.16) is removed and reserved, and the table of contents is amended to reflect this change.

PART 463—[RESERVED]

E. Part 463 is removed and reserved and the table of contents is amended to reflect this change.

F. Part 466 is amended as set forth below:

PART 466—UTILIZATION AND QUALITY CONTROL REVIEW

1. The authority citation for Part 466 is revised to read as follows:

Authority: Secs. 1102, 1154, and 1871 of the Social Security Act (42 U.S.C. 1302, 1320c-3 and 1395hh).

§ 466.1 [Amended]

2. Section 466.1 is amended as follows:

a. The definitions of the following terms are removed: "Adverse determination", "Assigned length of stay", "Area", "Automatic certification", "Certified length of stay", "Concurrent quality assurance", "Concurrent review", "Delegated hospital", "Federal admission", "Federal program patient", "Hospital review committee", "Independent admitting privilege", "Length-of-stay norms", "Length-of-stay projection", "Medical care evaluation (MCE) study", "Nondelegated hospital" (which appears twice), "Procedure review", "PSRO", "PSRO representative", "PSRO review", and "State survey agency".

b. The following definition is added, in alphabetical order:
"Initial denial determination" means an initial negative decision by a PRO, regarding the medical necessity, quality, or appropriateness of health care

services furnished, or proposed to be furnished, to a patient.

c. In the definition of "Admission review", the words "a PSRO or" are removed.

d. In the definition of "Continued stay review", the words "PSRO or" are removed.

e. In the definition of "Regional norms, criteria, and standards", "PRO area" is substituted for "PSRO area".

f. In the definition of "Working day", the words "PSRO or" are removed.

Subpart B—[Reserved]

§§ 466.2-466.63 [Reserved]

g. Subpart B (§§ 466.2-466.63) is removed and reserved and the table of contents is amended to reflect that change.

F. Part 473 is amended as follows:

PART 473—RECONSIDERATIONS AND APPEALS

1. The authority citation for Part 473 is revised to read as follows:

Authority: Secs. 1102, 1154, 1155, 1866, 1871, and 1879 of the Social Security Act (42 U.S.C. 1302, 1320c-3, 1320c-4, 1395cc, 1395hh, and 1395pp).

Subpart A—[Reserved]

§§ 473.1-473.6 [Reserved]

2. Subpart A (§§ 473.1-473.6) is removed and reserved and the table of contents is amended to reflect this change.

G. Part 476 is amended as set forth below:

PART 476—ACQUISITION, PROTECTION, AND DISCLOSURE OF PRO INFORMATION

1. The authority citation for Part 476 is revised to read as follows:

Authority: Secs. 1102, 1154(a), 1156(a), and 1160 of the Social Security Act (42 U.S.C. 1302, 1320c-3(a), 1320c-5(a), and 1320c-9).

§§ 476.1-476.4 [Reserved]

2. Subpart A (§§ 476.1-476.4) is removed and reserved and the table of contents is amended to reflect this change.

PART 478—[REMOVED]

H. Part 478 is removed and the table of contents is amended to reflect that change.

II. Correction of Cross-References

References to PSROs are removed or changed to refer to PROs, as appropriate, and outdated references to the Act and to Subchapter D of this chapter are also corrected, as follows:

1. **§ 400.200 [Amended]**
§ 400.200 is amended by removing the definition for "PSROs."

2. **§ 405.160 [Amended]**
Paragraph (d), which pertains only to PSROs, is removed and reserved.

3. **§ 405.162 [Amended]**

In paragraph (b)—

a. The phrase "PSRO and" is removed from the paragraph heading.

b. The phrase "a Professional Standards Review Organization (PSRO) or" is removed from the first sentence.

c. Reference to "§ 405.472" is changed to "Part 412, Subpart C".

d. Reference to "Part 463" is changed to "Part 466".

e. Reference to "§ 463.17(a)" is changed to "§ 466.70(d)".

In paragraph (c)—

a. Reference to "§§ 405.470 through 405.477," is changed to "Part 412 of this chapter,".

b. Reference to "§ 405.475" is changed to "Part 412, Subpart F, of this chapter".

4. **§ 405.310-1 [Amended]**

In the section heading, "PSRO" is

changed to "PRO", and in the text—
a. "Professional Standards Review Organization (PSRO)" is changed to "PRO".

b. Reference to "Part 463" is changed to "Part 466".

c. Reference to "§§ 463.15 through 463.18" is changed to "Part 466, Subpart C".

5. **§ 405.704 [Amended]**

In paragraph (b)(11), the words "PSRO or" are removed.

6. **§ 405.1902 [Amended]**

In paragraph (c)—

• "Professional Standards Review Organization (PSRO)" is changed to "PRO" and reference "1861(k) and 1865 of the Act" is changed to read "and 1861(k) of the Act".

• Reference to "section 1155(a) of the Act" is changed to "section 1154 of the Act and Part 466 of this chapter".

• The last sentence is removed.

7. **§ 405.1913 [Amended]**

In paragraph (f)(9), "planning or conditional Professional Standards Review Organization (PSRO)" is changed to "PRO".

8. **§ 405.2100 [Amended]**

In paragraph (a), last sentence, "Professional Standards Review Organizations" is changed to "PROs".

9. **§ 405.2110 [Amended]**

In paragraph (b), "PSRO" is changed to "PRO".

10. **§ 405.2112 [Amended]**

In paragraphs (a)(7) and (b)(6) and (b)(8), "PSRO" is changed to "PRO".

11. **§ 405.2114 [Amended]**

In paragraph (b), "PSRO" is changed to "PRO" wherever it appears.

12. § 412.92 [Amended]

In paragraph (a)(2)(ii), the words "PSRO or" are removed.

13. § 421.100 [Amended]

In § 421.100(a)(3), "Professional Standards Review Organization (PSRO)" and "PSRO" are changed to "PRO", and "Part 463" is changed to "Part 466".

14. § 421.200 [Amended]

In § 421.200(a)(1)(iii), "Professional Standards Review Organization (PSRO)" and "PSRO" are changed to "PRO", and "Part 463", is changed to "Part 466".

15. § 456.2 [Amended]

In paragraph (b), "or" is inserted after paragraph (b)(1), paragraph (b)(2) is removed, and paragraph (b)(3) is redesignated as (b)(2).

16. § 456.144 [Amended]

Paragraph (c)(1) is changed from "PSROs" to "PROs".

17. § 456.244 [Amended]

Paragraph (c)(1) is changed from "PSROs" to "PROs".

18. § 456.344 [Amended]

Paragraph (c)(1) is changed from "PSROs" to "PROs".

19. § 456.650 [Amended]

In paragraph (c), "or" is inserted after paragraph (c)(1), paragraph (c)(2) is removed, and paragraph (c)(3) is redesignated as (c)(2).

20. § 456.654 [Amended]

In paragraph (a)(4), the words "or to a PSRO" and "or PSRO" are removed.

(Catalog of Federal Domestic Assistance Program No. 13.773—Medicare—Hospital Insurance.)

Dated: September 4, 1986.

William L. Roper,

Administrator, Health Care Financing Administration.

Approved: September 30, 1986.

Otis R. Bowen,

Secretary.

[FR Doc. 86-26763 Filed 11-28-86; 8:45 am]

BILLING CODE 4120-01-M

§ 64.6 List of Eligible Communities.

FEDERAL EMERGENCY
MANAGEMENT AGENCY

Federal Insurance Administration

44 CFR Part 64

[Docket No. FEMA 6738]

List of Communities Eligible for the
Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency.

ACTION: Final rule.

SUMMARY: This rule lists communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATE: The dates listed in the fourth column of the table.

ADDRESSEE: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the National Flood Insurance Program (NFIP) at: P.O. Box 457, Lanham, Maryland 20706. Phone: (800) 638-7418.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 646-2717, Federal Center Plaza, 500 C Street, SW., Room 416, Washington, DC 20472.

SUPPLEMENTARY INFORMATION: National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local floodplain management measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP,

subsidized flood insurance is now available for property in the community.

In addition, the Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard area shown on the map.

The Director finds that the delayed effective dates would be contrary to the public interest. The Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

The Catalog of Domestic Assistance Number for this program is 83.100 "Flood Insurance."

Pursuant to the provisions of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities. This rule provides routine legal notice stating the community's status in the NFIP and imposes no new requirements or regulations on participating communities.

List of Subjects in 44 CFR Part 64

Flood insurance—floodplains.

1. The authority citation for Part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et. seq., Reorganization Plan No. 3 of 1978, E.O. 12127.

2. Section 64.6 is amended by adding in alphabetical sequence new entries to the table.

In each entry, a complete chronology of effective dates appears for each listed community. The entry reads as follows:

State and county	Location	Community No.	Effective dates of authorization/cancellation of sale of flood insurance in community	Special flood hazard areas identified
Georgia: Heard	Centralhatchee, town of	130257A	Oct. 6, 1986, Emerg.	July 8, 1977.
Pennsylvania: Washington	West Pike Run, ¹ township of	422157A	Oct. 25, 1974, Emerg.; Sept. 1, 1986, Reg.; Sept. 1, 1986, Susp.; Oct. 6, 1986, Rein.	Dec. 6, 1974 and Sept. 1, 1986.
Michigan: Lake	Lake, township of	260691	Oct. 10, 1986, Emerg.	Do.
Illinois: Lake	Third Lake, village of	170392B	Dec. 26, 1975, Emerg.; Feb. 1, 1980, Reg.; Feb. 1, 1980, Susp.; Oct. 3, 1986, Rein.	Sept. 6, 1974, Mar. 19, 1976 and Feb. 1, 1980.
Pennsylvania:				
Beaver	South Beaver, ¹ township of	422329A	Dec. 11, 1975, Emerg.; Sept. 1, 1986, Reg.; Sept. 1, 1986, Susp.; Oct. 14, 1986, Rein.	Jan. 10, 1975 and Sept. 1, 1986.
Indiana:				
Brush Valley, ¹ township of		421710A	Mar. 23, 1977, Emerg.; Aug. 19, 1986, Reg.; Aug. 19, 1986, Susp.; Oct. 14, 1986, Rein.	Jan. 3, 1975 and Aug. 19, 1986.
Dauphin	Conewago, township of	422406A	Feb. 10, 1981, Emerg.; Apr. 30, 1986, Reg.; Apr. 30, 1986, Susp.; Oct. 14, 1986, Rein.	Dec. 27, 1974 and Apr. 30, 1986.