

Manual: "CHECK STARTER
DISENGAGEMENT AT APPROXIMATELY
32% N₂. IF STARTER HAS NOT
DISENGAGED BY 45% N₂, PLACE THRUST
LEVER IN CUTOFF POSITION AND
REMOVE ALL ELECTRICAL POWER." This
may be accomplished by including a copy of
this AD in the airplane flight manual.

C. Within the next 200 hours time-in-
service after the effective date of this AD,
replace the airplane starter relay in
accordance with Mitsubishi Service Bulletin
SB 74-001, dated April 25, 1986 (for Model
MU-300 airplanes), or SB 74-002, dated April
25, 1986 (for Model MU-300-10 airplanes), or
later FAA-approved revisions.

D. Special flight may be issued in
accordance with FAR 21.197 and 21.199 to
operate airplanes to a base for the
accomplishment of the modifications required
by this AD.

E. An alternate means of compliance which
provides an acceptable level of safety may be
used when approved by the Manager,
Airplane Certification Branch, FAA,
Southwest Region.

This amendment becomes effective on
June 2, 1986.

Issued in Seattle, Washington, on May 8,
1986.

David E. Jones,

Acting Director, Northwest Mountain Region.

[FR Doc. 86-10893 Filed 5-14-86; 8:45 am]

BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release No. 34-23115; File No. S7-41-85]

Amendment Relating to the Options Disclosure Document

Correction

In FR Doc. 86-8967 beginning on page
14980 in the issue of Tuesday, April 22,
1986, make the following correction:

On page 14982, in the third column, in
2(c), the amendatory language should
read: "Adding a new paragraph (c)(5) to
read as follows:"

BILLING CODE 1505-01-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 53

[T.D. 8084]

Excise Taxes; Second Tier Excise Taxes

Correction

In FR Doc. 86-9954 beginning on page
16300 in the issue of Friday, May 2, 1986,
make the following correction: On page

16304, in § 53.4963-1(e)(3)(iv), in the
third line, "4904" should read "4940".

BILLING CODE 1505-01-M

NATIONAL LABOR RELATIONS BOARD

29 CFR Part 102

Procedural Rules Amendments

AGENCY: National Labor Relations
Board.

ACTION: Final rules.

SUMMARY: On 25 July 1985, Congress
passed Pub. L. 99-80, 99 Stat. 183,
amending and reauthorizing the Equal
Access to Justice Act, retroactive to 1
October 1984. On 5 August 1985, the
President signed the legislation and the
amended Equal Access to Justice Act
became law. The rules of the National
Labor Relations Board have not been
changed since initially established in
October 1981. These revisions change
the rules as they are affected by the 1985
amendments to the Equal Access to
Justice Act and, in one instance,
conform language in the rules to the
statutory language.

EFFECTIVE DATE: May 15, 1986.

FOR FURTHER INFORMATION CONTACT:

John C. Truesdale, Executive Secretary,
1717 Pennsylvania Avenue, NW., Room
701, Washington, D.C. 20570, Telephone:
(202) 254-9430.

SUPPLEMENTARY INFORMATION: Pursuant
to its authority under section 6 of the
National Labor Relations Act, as
amended (29 U.S.C. 156), and in
accordance with the requirements of
section 504(c)(1) of the Equal Access to
Justice Act (5 U.S.C. 504(c)(1)), the
National Labor Relations Board is
revising its rules implementing the Equal
Access to Justice Act governing the
award of fees and other expenses to
eligible parties who prevail in litigation
before the Agency. In 1985, the Equal
Access to Justice Act was amended with
the changes in the Act made applicable
to any case commenced after 1 October
1984. The amendments require a
revision of the Board's rules to increase
the net worth eligibility limits and to
add small local governmental units as
parties eligible for an award.

As stated in the rulemaking notice (51
FR 9467), in promulgating these rules,
consideration was given to the model
prepared by the Administrative
Conference of the United States (50 FR
46250) when appropriate. The
Administrative Conference also
submitted comments to the Board's
proposed rules. These comments were

directed, in large part, to additions and
modifications in the rules that were not
included in the Board's proposed
changes. These comments were fully
considered in the determination to
publish the rules unchanged from their
proposed form.

The revisions to the rules will be
effective immediately upon publication.
The remaining provisions of the Board's
rules regarding the administrative
award of fees and expenses under the
Equal Access to Justice Act remain
unchanged.

Section 102.143(c) of the Board's rules
presently provides that applicants who
are eligible to receive awards include
individuals with net worth of no more
than \$1 million, and the sole owner of an
unincorporated business, a partnership,
a corporation, an association, or a
public or private organization with a net
worth of not more than \$5 million and
not more than 500 employees. This
section is revised to substitute the new
net worth limitations of \$2 million and
\$7 million for \$1 million and \$5 million,
respectively. In addition, this section of
the rules is revised to provide that a
"unit of local government" is a party
eligible to receive an award.

Section 102.144(a) is revised to include
the statutory language "substantially
justified" to evaluate the position of the
General Counsel in place of the phrase
"reasonable in law and fact." To avoid
any confusion or misunderstanding, the
statutory language has been used in
place of the phrase presently in the rule.

Section 102.147(b) is revised to require
that an application for an award include
a statement that net worth does not
exceed \$2 million for an individual and
\$7 million for all other applicants,
reflecting the higher net worth figures in
the amended Act.

List of Subjects in 29 CFR Part 102

Administrative practice and
procedure, Equal access to justice.

PART 102—RULES AND REGULATIONS, SERIES 8, AS AMENDED

Accordingly, 29 CFR Part 102 is
amended as follows:

1. The authority citation for 29 CFR
Part 102 is amended by adding the
following citation:

Authority: * * * Sections 102.143(c),
102.144(a), and 102.147(b) also issued under
section 504(c)(1) of the Equal Access to
Justice Act, as amended (5 U.S.C. 504(c)(1)).

2. Section 102.143 is amended by
revising paragraph (c) to read as
follows:

§ 102.143 "Adversary adjudication" defined; entitlement to award; eligibility for award.

* * *

(c) Applicants eligible to receive an award are as follows:

(1) An individual with a net worth of not more than \$2 million;

(2) The sole owner of an unincorporated business who has a net worth of not more than \$7 million, including both personal and business interests, and not more than 500 employees;

(3) A charitable or other tax-exempt organization described in section 501(c)(3) of the Internal Revenue Code (26 U.S.C. 501(c)(3)) with not more than 500 employees;

(4) A cooperative association as defined in section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a)) with not more than 500 employees; and

(5) Any other partnership, corporation, association, unit of local government, or public or private organization with a net worth of not more than \$7 million and not more than 500 employees.

* * *

3. Section 102.144 is amended by revising paragraph (a) to read as follows:

§ 102.144 Standards for awards.

(a) An eligible applicant may receive an award for fees and expenses incurred in connection with an adversary adjudication or in connection with a significant and discrete substantive portion of that proceeding, unless the position of the General Counsel over which the applicant has prevailed was substantially justified. The burden of proof that an award should not be made to an eligible applicant is on the General Counsel, who may avoid an award by showing that the General Counsel's position in the proceeding was substantially justified.

* * *

4. Section 102.147 is amended by revising paragraph (b) to read as follows:

§ 102.147 Contents of application; net worth exhibit; documentation of fees and expenses.

(b) The application shall include a statement that the applicant's net worth does not exceed \$2 million (if an individual) or \$7 million (for all other applicants, including their affiliates). However, an applicant may omit this statement if:

* * *

Dated: Washington, DC, May 9, 1986.
By direction of the Board.

National Labor Relations Board.

John C. Truesdale,

Executive Secretary.

[FR Doc. 86-10912 Filed 5-14-86; 8:45 am]

BILLING CODE 7545-01-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2676

Valuation of Plan Assets and Plan Benefits Following Mass Withdrawal; Interest Rates

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This is an amendment to the Pension Benefit Guaranty Corporation's regulation on Valuation of Plan Assets and Plan Benefits Following Mass Withdrawal, which was published on March 25, 1986 (at 51 FR 10322). Section 2676.15(c) of the regulation contains a table setting forth, for each calendar month ending after the effective date of the regulation, a series of interest rates to be used in valuing benefits and certain assets as of valuation dates that occur within that calendar month. This amendment adds a series of interest rates to that table and republishes the table in full.

EFFECTIVE DATE: June 1, 1986.

FOR FURTHER INFORMATION CONTACT: Deborah Murphy, Attorney, Corporate Policy and Regulations Department (35100), Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington DC 20006; 202-956-5050 (202-956-5059 for TTY and TDD). (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: The Pension Benefit Guaranty Corporation's regulation on Valuation of Plan Assets and Plan Benefits Following Mass Withdrawal establishes rules for valuing assets and benefits of multiemployer plans under sections 4219(c)(1)(D) and 4281(b) of the Employee Retirement Income Security Act of 1974. Section 2676.15 of the regulation prescribes an interest assumption to be used in performing these valuations. Paragraph (c) of that section contains a table setting forth, for each calendar month ending after the effective date of the regulation, a series of interest rates to be used in any valuation performed as of a valuation date within the calendar month.

This amendment to the regulation adds the next monthly rate series to the table in § 2676.15(c). This rate series is for the month of June 1986 and applies to valuation dates occurring within that

month. The PBGC intends to publish a new entry in the table each month, whether or not the new entry contains rates different from those prescribed for the preceding month. The PBGC expects to publish each month's rates on or about the fifteenth of the preceding month.

Due to a printing error, the table entry for May 1986, as published at 52 FR 16022 (April 30, 1986), was headed "April 1986." A correction of the error has been published, but to avoid confusion, this amendment republishes the table in full.

The PBGC finds that notice of and public comment on this amendment would be impracticable and contrary to the public interest, and that there is good cause for making this amendment effective immediately. These findings are based on the need to have the interest rates in this amendment reflect market conditions that are as nearly current as possible and the need to issue the interest rates promptly so that they are available to the public before the beginning of the period to which they apply. (See 5 U.S.C. 553(b) and (d).) Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply (5 U.S.C. 601(2)).

The PBGC has also determined that this amendment is not a "major rule" within the meaning of Executive Order 12291 because it will not have an annual effect on the economy of \$100 million or more; or create a major increase in costs or prices for consumers, individual industries, or geographic regions; or have significant adverse effects on competition, employment, investment, or innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 29 CFR Part 2676

Employee benefit plans, Pensions.

In consideration of the foregoing, Part 2676 of Subchapter H of Chapter XXVI of Title 29, Code of Federal Regulations, is amended as follows:

PART 2676—VALUATION OF PLAN ASSETS AND PLAN BENEFITS FOLLOWING MASS WITHDRAWAL

1. The authority citation for Part 2676 continues to read as follows:

Authority: Secs. 4002(b)(3), 4219 (c)(1)(D), and 4281(b), Pub. L. 93-406, as amended by sections 403(1) and 104(2) (respectively), Pub. L. 96-364, 94 Stat. 1302, 1237-1238, and 1261 (1980) (29 U.S.C. 1302(b)(3), 1399(c)(1)(D), and 1441(b)(1)).

2. In § 2676.15, paragraph (c) is revised to read as follows:

§ 2676.15 Interest

(c) *Interest rates.*

For valuation dates occurring in the month—	The values of k_i are—														
	k_1	k_2	k_3	k_4	k_5	k_6	k_7	k_8	k_9	k_{10}	k_{11}	k_{12}	k_{13}	k_{14}	k_{15}
April 1986.....	.09875	.095	.09	.085	.08	.07375	.07375	.07375	.07375	.07375	.0675	.0675	.0675	.0675	.06
May 1986.....	.09625	.0925	.0875	.0825	.0775	.07125	.07125	.07125	.07125	.07125	.065	.065	.065	.065	.06
June 1986.....	.09625	.0925	.0875	.0825	.0775	.07125	.07125	.07125	.07125	.07125	.065	.065	.065	.065	.06

Issued at Washington, DC, on this 8th day of May, 1986.

Kathleen P. Utgoff,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 86-10789 Filed 5-14-86; 8:45 am]

BILLING CODE 7708-01-M

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Part 1153

Authorities and Delegations

AGENCY: Architectural and Transportation Barriers Compliance Board (ATBCB).

ACTION: Final rule: Authorities and delegations.

SUMMARY: The Architectural and Transportation Barriers Compliance Board at its September 11, 1985 meeting adopted amendments to its Authorities and Delegations, which set forth the duties and responsibilities of the ATBCB, its officers and committees. The amendments were adopted to effect changes from the previous authorities and delegations and are being published so that all affected persons will be fully informed about the responsibilities and authorities of ATBCB officials.

EFFECTIVE DATE: September 11, 1985.

FOR FURTHER INFORMATION CONTACT:

Ms. Laurinda Steele, Office of Administration and Management, Architectural and Transportation Barriers Compliance Board, 330 C Street, SW, Washington, D.C. 20202, Phone (202) 245-1801 voice or TDD. Copies of this notice are also available on tape for visually impaired persons.

SUPPLEMENTARY INFORMATION: Pursuant to section 502 of the Rehabilitation Act of 1973, Pub. L. 93-112, 87 Stat. 391, as amended, the Architectural and Transportation Barriers Compliance Board (ATBCB or Board) adopted Authorities and Delegations on July 12, 1983. The Authorities and Delegations were published at 48 FR 53074 (1983) and codified at 36 CFR Part 1153. The ATBCB adopted amendments to the Authorities and Delegations on

September 11, 1985. The reasons for the amendments were to achieve a better balance of authority among the Board, officers, staff, and committees.

List of Subjects in 36 CFR Part 1153

Authority delegations, Archives and records, Consultants, Equal employment opportunity, Freedom of information, Government procurement, Handicapped, Organization and functions.

For the reasons stated in the preamble, 36 CFR Part 1153 is revised to read as follows:

PART 1153—AUTHORITIES AND DELEGATIONS

Sec.

- 1153.1 The Board.
- 1153.2 Chairperson.
- 1153.3 Vice Chairperson.
- 1153.4 Executive Director.
- 1153.5 General Counsel.
- 1153.6 Committees of the Board.
- 1153.7 Chief Procurement Officer.
- 1153.8 Equal employment opportunity.
- 1153.9 Freedom of Information Officer.
- 1153.10 Delegations records.

Authority: 29 U.S.C. 792, Pub. L. 93-112, as amended by Pub. L. 95-602.

§ 1153.1 The Board.

The Board is the governing body of the agency. The composition of the Board and its functions are established by section 502 of the Rehabilitation Act of 1973. The Board has the following duties and responsibilities, including:

(a) To carry out its responsibilities under section 502 of the Rehabilitation Act of 1973, as amended. In carrying out these responsibilities, the Board may hold public hearings throughout the country.

(b) To establish policies and issue regulations in accordance with its statutory mandate.

(c) To resolve issues that are within its jurisdiction.

(d) To determine and adopt a contracting and procurement policy for the agency. In carrying out this responsibility, the Board will enter into contracts only in accordance with its contracting and procurement policy, published in the *Federal Register*.

(e)(1) To effect the prompt and efficient disposition of all matters within

its jurisdiction. In carrying out this responsibility, the Board in accordance with Article VI of its Statement of Organization and Procedures:

(i) By majority vote delegate to the Executive Committee authority to implement its decisions.

(ii) By two-thirds vote delegate to the Executive Committee any other of its authorities, to the extent permitted by law.

(iii) To the extent permitted by law, delegate other duties to its officers, committees, or staff by a vote of two-thirds of the membership of the Board at the time the vote is taken.

(2) A separate delegation is necessary for each action the Board desires the Executive Committee to implement. Unless so permitted in the original delegation, an officer, committee, or staff person shall not redelegate authority.

(f) To make to Congress, at the end of each fiscal year, an annual report of the Board's activities during that fiscal year. The annual report shall include such material as it is required by law to include and such other material as the Board may decide.

(g) To make to the President and Congress such other reports as it is required by law to make, and such recommendations as it considers necessary or desirable to eliminate environmental barriers confronting handicapped individuals.

(h) To allocate funds appropriated by the Congress for such activities as conducting investigations and surveys, initiating public hearings, collecting data on past and current studies, and providing stenographic or other services, as necessary, appropriate, and in accordance with law.

(i) To determine the jurisdiction of each standing committee of the Board.

§ 1153.2 Chairperson.

The Chairperson represents the Board as the head of the agency, whenever an applicable Federal statute or regulation imposes a duty or grants a right or authority to the head of the agency. The Chairperson or his or her designee has the following duties and responsibilities: