covering more than one establishment, or if the product is being shipped from an establishment without veterinary coverage, then the veterinarian may not be able to send the signed certificate, verifying completion of inspection, in a timely manner. In these cases, if the veterinarian notifies plant management that product may be shipped, then the product may be moved from the establishment even without a signed certificate.

This rule permits the shipper, shipper's agent or the vessel's agent to provide to Customs a statement under the shipper's or agent's letterhead signed by the shipper briefly describing the shipment of the product, in those instances where the export certificate is not available at departure time. This description would include the number of boxes covered, number of pounds covered, type of product, and the number of the export certificate that covers the shipment of the product. For example, the following statement would be acceptable: "The *600* boxes, *36,000* pounds of *Beef Tenderloins* in the shipment are covered by *USDA Export Certificate No. MPA 52983.*" The export certificate number is readily available to the shipper because the outside of each container is required to be stamped with the number of the export certificate covering it before the shipment leaves the establishment. Customs will then clear the vessel for departure on the basis of the statement. The duplicate of the signed export certificate will be delivered to Customs by the shipper, shipper's agent, or vessel's agent within four business days of the vessel's departure. The four-day time frame is consistent with Customs' regulations that allow a Complete Cargo Declaration (manifest) or shipper's export declarations to be filed within four business days after clearance.

This rule is expected to impact positively on all shippers and exporters, and on FSIS and the Customs Service, as it provides an alternative to an unnecessarily restrictive regulatory requirement that is inconsistent with Customs' procedures and is currently causing enforcement problems for Customs and vessel delays for shippers transporting meat products as part of or all of their cargo. Since the product has been inspected and certified for export (the export stamp provides this assurance), unavoidable delay in the delivery of the certificate to Customs should not delay a vessel's departure.

Discussion of Comments

FSIS received five comments in response to the proposed rule: one from an industry member; one from a shipping association, one from a steamship operator's association; one from an export company; and one from a government agency, United States Customs Service. All of the commenters supported the intent of the proposed change. Most commenters simply stated their concurrence, and noted that adoption of the proposal would reduce delays in clearing vessels carrying meat products without weakening current regulatory controls and would be consistent with the regulations and procedures used by the United States Customs Service.

The Customs Service recommended a few substantive changes and asked for procedural clarification on certain aspects of the proposal. The following are the substantive issues raised by the Customs Service and FSIS' response to each:

1. *Comment.* The proposed language to amend § 322.2 can be taken to imply that a vessel is not to be cleared unless and until the letterhead statement is presented to Customs. If this is meant to be the case, Customs recommends that language to that effect also be inserted in § 322.2 or § 322.4.

Response. The language proposed for § 322.2 states in part ". . . In the interim period, the vessel will be cleared by Customs on the basis of a statement, under the shipper's or agent's letterhead . . . ." To avoid any questions as to the intent of the amendment, FSIS is adding a sentence to the regulation which clarifies that no vessel with cargo subject to certification is to be cleared by Customs unless either the duplicate of the certificate or the letterhead statement has been presented to Customs.

2. *Comment.* Customs suggests that FSIS specify the delay period as four (4) business days to conform to the Customs' law and regulations.

Response. FSIS intended that this delay period be consistent with Customs' regulations. The final rule states that the delay period is four (4) business days.

FSIS is also deleting a gender-specific reference that was inadvertently included in the proposed rule.

After careful consideration of the comments received on the proposed rule, FSIS is adopting the proposal as published, with the modifications discussed above.

Final Rule

List of Subjects in 9 CFR Part 322

Meat inspection; Exports.

1. The authority citation for Part 322 is revised to read as follows:

Authority: 34 Stat. 1260, 79 Stat. 903, as amended, 81 Stat. 584, 84 Stat. 91, 438; 21 U.S.C. 71 *et seq.*, 601 *et seq.*

2. Paragraph (e) of § 322.2 is revised to read as follows:

§ 322.2 Export certificates; instructions concerning issuance.

* * * * *

(e) The duplicate of the certificate shall be delivered to the shipper and shall be delivered by the shipper to the agent of the railroad or other carrier which transports the consignment from the United States otherwise than by water, or to the chief officer of the vessel on which the export shipment is made, or to the vessel's agent and shall be used only by such carrier and only for the purpose of effecting the transportation of the consignment certified. The chief officer of the vessel or the vessel's agent, shipper or shipper's agent shall file such duplicate with the Customs officer within four (4) business days of the clearance of the vessel at the time of filing the complete manifest. In the interim period, the vessel will be cleared by Customs on the basis of a statement, under the shipper's or agent's letterhead, containing the number of boxes, the number of pounds, the product name and the USDA export certificate number that covers the shipment of the product. No clearance shall be given to a vessel carrying meat products unless either the duplicate of the certificate or the prescribed statement referencing the certificate has been presented to Customs.

* * * * *

Done at Washington, DC, on September 3, 1986.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 86-20113 Filed 9-5-86; 8:45 am]

BILLING CODE 3410-DM-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 20, 25, and 602

[T.D. 8095]

Estate and Gift Taxes; Qualified Disclaimers of Property

Correction

In FR Doc. 86-17606 beginning on page 28365 in the issue of Thursday, August 7, 1986, and corrected on August 29, 1986, at 51 FR 30857, make the following corrections:

§ 25.2518-2 [Corrected]

1. On page 28373, second column, in § 25.2518-2(d)(4), Example (2), fifth line, "declined" should read "decided";

§ 25.2518-3 [Corrected]

2. On page 28377, second column, in § 25.2518-3(d), Example (15), second line below the equation, "$25,00," should read "$25,000,".

BILLING CODE 1505-01-M

DEPARTMENT OF JUSTICE

Office of the Attorney General

28 CFR Part 0

[Order No. 1150-86]

Redelegation of Authority; Federal and Penal Correctional Institutions

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: The Attorney General is authorized to appoint all necessary officers and employees to control and manage Federal penal (including detention) and correctional institutions under the provisions of 18 U.S.C. 4001(b)(1) and 28 U.S.C. 510. Pursuant to 28 CFR 0.96, the Attorney General has authorized the Director of the Bureau of Prisons to exercise any of the authority, functions, or duties imposed by law on the Attorney General relating to the commitment, control or treatment of persons charged with or convicted of offenses against the United States. Similarly, under the provisions of 8 U.S.C. 1103 and 28 U.S.C. 510, the Attorney General is authorized to appoint such employees of the Immigration and Naturalization Service as he deems necessary, and to delegate to them or to any officer or employee of the Department of Justice any of the duties and powers vested in him regarding the enforcement of the Immigration Laws. The Attorney General has delegated to the Commissioner of the Immigration and Naturalization Service the authority to administer and enforce the Immigration and Naturalization Act and other related immigration laws. This Order allows the Director of the Bureau of Prisons to redelegate his authority to any employee of the Department of Justice. It also allows the Commissioner of the Immigration and Naturalization Service to redelegate his authority to any employee of the Immigration and Naturalization Service or to any employee of the United States.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Hank Jacob, Office of General Counsel, Bureau of Prisons, Room 770, 320 First Street, NW., Washington, DC 20534 (202/272-6874).

SUPPLEMENTARY INFORMATION: This Order allows the Director of the Bureau of Prisons to redelegate his various duties and responsibilities regarding the management of federal penal and correctional institutions and the custody and care of persons held therein to any employee of the Department of Justice. This redelegation allows greater flexibility in managing federal penal and correctional institutions. The Order also allows the Commissioner of the Immigration and Naturalization Service to redelegate his various duties and responsibilities of enforcing the immigration laws to any employee of the Immigration and Naturalization Service or to any employee of the United States.

This Order pertains to agency management and is therefore not subject to publication for notice and comment under 5 U.S.C. 553. It will not have a significant economic impact on a substantial number of small entities within the meaning of 5 U.S.C. 605. It is not a major rule within the meaning of Executive Order No. 12291.

List of Subjects in 28 CFR Part 0

Government employees, Organization and functions (government agencies).

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Accordingly, by virtue of the authority vested in me by 28 U.S.C. 509, 510 and 5 U.S.C. 301, Subparts Q and S of Part 0 of 28 CFR are amended to read as follows:

1. The authority citation for Part 0 of Chapter 1 of Title 28 of the Code of Federal Regulations is revised to read as follows and the authority citations which appear throughout Part 0 are removed:

Authority: 5 U.S.C. 301, 2303; 8 U.S.C. 1103; 15 U.S.C. 644(k); 18 U.S.C. 4201 *et seq.*, 6003(b); 21 U.S.C. 871, 881(d), 904; 22 U.S.C. 263a, 1621-1645o, 1622 note; 28 U.S.C. 509, 510, 515, 524, 542, 543, 552, 552a, 569; 31 U.S.C. 200(c); 50 U.S.C. app. 2001-2017p; Pub. L. No. 91-513, sec. 501; EO 11919; E.O. 11267; E.O. 11300.

2. In Subpart Q, § 0.97 is revised to read as follows:

§ 0.97 Redelegation of authority.

The Director of the Bureau of Prisons is authorized to redelegate to any of his subordinates any of the authority, functions or duties vested in him by this Subpart Q. The Director may make similar delegations to any other employee of any Bureau, Board, Office, or Division of the Department of Justice with the consent of the head of that Bureau, Board, Office, or Division, and after written notification to the Attorney General or designee. A redelegation of authority is limited to employees of the Department of Justice. Existing redelegations by the Director of the Bureau of Prisons shall continue in force and effect until modified or revoked.

3. In Subpart S, § 0.108 is revised to read as follows:

§ 0.108 Redelegation of authority.

The Commissioner of the Immigration and Naturalization Services may redelegate to any employee of the Service or the Department of Justice any of the powers, privileges, or duties conferred or imposed on the Commissioner by § 0.105. The Commissioner is authorized to confer or impose upon any employee of the United States, with the consent of the head of the Department or other independent establishment under whose jurisdiction the employee is serving, any of the powers, privileges, or duties conferred or imposed on the Commissioner by § 0.105. Existing redelegations by the Commissioner shall continue in force and effect until modified or revoked.

Dated: August 27, 1986.

Edwin Meese III,

Attorney General.

[FR Doc. 86-20115 Filed 9-5-86; 8:45 am]

BILLING CODE 4410-01-M

28 CFR Part 0

[Order No. 1149-86]

Authority To Compromise and Close Civil Claims and Responsibility for Judgments, Fines, Penalties, and Forfeitures

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This order increases from $2500 to $5000 the settlement authority delegated to the Director of the Bureau of Prisons, the Commissioner of Immigration and Naturalization Service, the Director of the United States Marshals Service, and the Administrator of the Drug Enforcement Administration. This order also redefines "gross amount of the original claim" for purposes of delegation of settlement authority in certain customs law penalty cases.

EFFECTIVE DATE: August 27, 1986.

FOR FURTHER INFORMATION CONTACT: Gregory Walden, Associate Deputy Attorney General, (202) 633-2268.

SUPPLEMENTARY INFORMATION: This order concerns internal Department management and is being published for the information of the general public.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies).

By virtue of the authority vested in me by 28 U.S.C. 509, 510, and 5 U.S.C. 301, Title 28 of the Code of Federal Regulations, Part 0, Subpart Y, is amended as follows:

1. The authority citation for Part 0 continues to read as follows:

Authority: 5 U.S.C. 301, 2303; 8 U.S.C. 1103, 1427(g); 15 U.S.C. 644(k); 18 U.S.C. 4201 *et seq.*, 6003(b); 21 U.S.C. 871, 881(d), 904; 22 U.S.C. 263a, 1621–1645o, 1622 note; 28 U.S.C. 509, 510, 515, 524, 542, 543, 552, 552a, 569; 31 U.S.C. 200(c); 50 U.S.C. App. 2001–2017p; Pub. L. No. 91–513, sec. 501; EO 11919; EO 11267; EO 11300.

2. Section 0.169 is amended by revising it to read as follows:

§ 0.169 Definition of "gross amount of the original claim".

The phrase "gross amount of the original claim," as used in this subpart Y and as applied to any civil claim brought under section 592 of the Tariff Act of 1930, as amended (see § 0.45(c)), shall mean the actual amount of lost customs duties involved. In nonrevenue loss cases brought under section 592 of the Tariff Act of 1930, as amended, the phrase "gross amount of the original claim" shall mean the amount demanded in the Customs Service's mitigation decision issued pursuant to 19 U.S.C. 1618, or, if no mitigation decision has been issued, the "gross amount of the original claim" shall mean twenty percent of the dutiable value of the merchandise.

§ 0.172 [Amended]

3. Section 0.172(a) is amended by removing the figure "2,500" and inserting in lieu thereof the figure "5,000."

Dated: August 27, 1986.

Edwin Meese III,

Attorney General.

[FR Doc. 86–20114 Filed 9–5–86; 8:45 am]

BILLING CODE 4410-01-M

---

28 CFR Part 0

[Order No. 1148–86]

Designation of the Postal Service Under the Protection of Children Against Sexual Exploitation Act

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: Section 2254(b) of title 18 of the United States Code allows the Attorney General to authorize or designate "officers, agents, or other persons" to enforce the civil forfeiture section of the Protection of Children Against Sexual Exploitation Act, as amended by the Child Protection Act of 1984, 18 U.S.C. 2251–2255 (hereinafter referred to as "the Act"). The legislative intent of this portion of section 2254(b) is to permit the efforts of one law enforcement agency to be supplemented by another law enforcement agency.

This order of designation to the Postal Service authorizes the Postal Service to conduct civil forfeitures under the Act. The Postal Service currently has jurisdiction to enforce the substantive offenses of the Act and may seek, through the judicial, process criminal forfeiture thereunder.

This order of designation requires the Postal Service to abide by all rules, regulations, and procedures of the Federal Bureau of Investigation as they relate to the Act.

EFFECTIVE DATE: August 22, 1986.

FOR FURTHER INFORMATION CONTACT: Brad Cates, Director, Asset Forfeiture Office, Criminal Division, United States Department of Justice, Washington, DC 20530; (202) 272–6420.

SUPPLEMENTARY INFORMATION: This order authorizes the Postal Service to perform specific duties of the Attorney General and is, therefore, a necessary act of internal management of the Department of Justice. The order is not a rule within the meaning of Executive Order 12291, section (1)(a). The order does not affect a substantial number of small business entities and is not, therefore, subject to the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies).

By virtue of the authority vested in me by 28 U.S.C. 509, 510 and 5 U.S.C. 301, Part 0 of title 28 of the Code Federal Regulations is amended as follows:

1. The authority citation of Part 0 is revised to read as follows:

Authority: 5 U.S.C. 301, 2303; 8 U.S.C. 1103, 1427(g); 15 U.S.C. 644(k); 18 U.S.C. 2254, 4201 *et seq.*, 6003(B); 21 U.S.C. 871, 881(d), 904; 22 U.S.C. 263a, 1621–1645o, 1622 note; 28 U.S.C. 509, 510, 515, 524, 542, 543, 552, 552a, 569; 31 U.S.C. 200(c); 50 U.S.C. App. 2001–2017p; Pub. L. No. 91–513, sec. 501; EO 11919; EO 11267; EO 11300.

2. Part 0 is amended by adding the following orders at the end of the Appendix to Subpart Y:

Attorney General Order No. 1147–86

By virtue of the authority vested in the Attorney General by 18 U.S.C. 2254, the Attorney General hereby designates the Postal Service with the authority to conduct civil forfeitures under Section 2254 of the Protection of Childern Against Sexual Exploitation Act, as amended by the Child Protection of 1984, 18 U.S.C. 2251–2255.

In utilizing the authority hereby granted, all rules, regulations, and procedures of the Federal Bureau of Investigation relating to the aforementioned Act must be followed, including the Federal Bureau of Investigation's Manual of Investigative Operations and Guidelines.

The authority hereby granted to enforce section 2254 of the Protection of Children Against Sexual Exploitation Act, as amended by the Child Protection Act of 1984, is subject to the direction of the Attorney General.

Dated: August 22, 1986.

Arnold I. Burns,

Acting Attorney General.

[FR Doc. 86–19870 Filed 9–5–86; 8:45 am]

BILLING CODE 4401-01-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 901

Approval of Permanent Program Amendments From the State of Alabama Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Final rule.

SUMMARY: The Director, OSMRE, is announcing the approval of program amendments submitted by Alabama to modify its approval permanent regulatory program (hereinafter referred to as the Alabama program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendments were submitted on May 20, 1986, and pertain to permitting requirements for coal processing plants and their support facilities, and related definitions.

After providing opportunity for public comment and conducting a thorough review of the program amendments, the Director, OSMRE, has determined that the amendments meet the requirements of SMCRA and the Federal regulations. Accordingly, the Director is approving the program amendments. The Federal rules at 30 CFR Part 901 codifying decisions concerning the Alabama program are being amended to implement this action.