is independent of the power supply to the main lighting system.

(b) There must be a caution light which illuminates in the cockpit when power is on in the airplane and the emergency lighting control device is not armed.

(c) The emergency lights must be operable manually from the flightcrew station and be provided with automatic activation. The cockpit control device must have an "on", "off", and "armed" position so that, when armed in the cockpit, the lights will operate by automatic activation. The emergency light must be armed or turned on during taxiing, takeoff, and landing. For automatic activation of the system, the sensor must—

(1) Activate when airplane's normal electrical power is lost, or

(2) Activate when subjected to a force of 5.0, +2, −0 g. and greater for a duration of 11, +5, −0 milliseconds and greater in the direction of the longitudinal axis of the airplane; must not be activated under conditions less severe; and, after activation, must remain activated when subsequently subjected to shock forces in any direction of up to 50 g and having durations up to 11, +5, −0 milliseconds; or

(3) Activate when subjected to alternate crash forces approved by the FAA; and

(4) Regardless of sensor type, must be capable of being reset by the flightcrew if activated by any occurrence other than a survivable crash.

(d) The energy supply to each emergency lighting unit must provide the required level of illumination for at least 10 minutes at the critical ambient condition after emergency landing.

(e) If rechargeable batteries are used as the energy supply for the emergency lighting system, the charging circuit must be designed to preclude inadvertent battery discharge into charging circuit faults. If the emergency lighting system does not include a charging circuit, then battery condition monitors are required.

(f) Components of the emergency lighting system, including batteries, wiring relays, lamps, and switches must be capable of normal operation after having been subjected to the inertia forces listed in § 23.561(b).

(g) The emergency lighting system must be designed so that a single probable failure, or probable system damage following a survivable crash, will not render the entire emergency lighting system inoperative. Single transverse vertical separation of the fuselage is considered a probable event during a survivable crash. The minimum emergency illumination, after a single probable failure, must be specified by the applicant and during an emergency evacuation demonstration, the maximum emergency illumination must be equal to or less than the specified level.

Issued in Kansas City, Missouri, on September 14, 1987.

Jerold M. Chavkin,

Acting Director, Central Region.

[FR Doc. 87-23249 Filed 10-7-87; 8:45 am]

BILLING CODE 4910-13-M

FEDERAL TRADE COMMISSION

16 CFR Part 13

[Docket No. C-3218]

Alleghany Corp.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order allows, among other things, a New York City title insurance company to acquire Safeco Title Insurance Co. by requiring respondent to divest two title plants to alleviate concerns that the acquisition could reduce competition in the production and sale of title information in Cook County, Ill. and Los Angeles County, Calif. Respondent is also required to continue to honor all Chicago Title and Trust Company and Safeco plant access contracts that expire pending divestiture.

DATE: Complaint and Order issued September 9, 1987.[1]

FOR FURTHER INFORMATION CONTACT: FTC/A-2308, Michael E. Antalics, Washington, DC 20580. (202) 326-2682.

SUPPLEMENTARY INFORMATION: On Tuesday, February 3, 1987, there was published in the **Federal Register**, 52 FR 3252, a proposed consent agreement with analysis In the Matter of Alleghany Corporation, for the purpose of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

Comments were filed and considered by the Commission. The Commission has ordered the issuance of the complaint in the form contemplated by the modified agreement, made its jurisdictional findings and entered its order to divest in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Acquiring Corporate Stock Or Assets: Section 13.5 Acquiring corporate stock or assets; S.13.5-20 Federal Trade Commission Act. Subpart—Combining Or Conspiring: S.13.470 To Restrain and monopolize trade. Subpart—Corrective Actions And/Or Requirements: S.13.533 Corrective actions and/or requirements; S.13.533-50 Maintain means of communication.

List of Subjects in 16 CFR Part 13

Title insurance, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 7, 38 Stat. 731, as amended; 15 U.S.C. 45, 18)

Emily H. Rock,

Secretary.

[FR Doc. 87-23316 Filed 10-7-87; 8:45 am]

BILLING CODE 6750-01-M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

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16 CFR Part 13

[Docket No. C-3217]

Puritan-Bennett Aero Systems Co.; Prohibited Trade Practices, and Affirmative Corrective Actions

AGENCY: Federal Trade Commission.

ACTION: Consent order.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent order prohibits, among other things, an El Segundo, California seller of fire and smoke protection masks from making deceptive advertising claims that any emergency escape mask or hood can absorb, remove or filter out any hazardous gas association with fire, or that any mask or hood can protect users from any fire hazards, unless the claim is substantiated and supported by a scientific test. Respondent is required to retain for three years all test reports or materials it uses as substantiation for claims and is also required to make specified disclosures on its packaging and in advertisements.

DATE: Complaint and Order issued August 25, 1987.[1]

FOR FURTHER INFORMATION CONTACT: FTC/S-4002, Joel Winston, Washington, DC 20580. (202) 326-3153.

SUPPLEMENTARY INFORMATION: On Wednesday, June 3, 1987, there was published in the Federal Register, 52 FR 20723, a proposed consent agreement with analysis In the Matter of Puritan-Bennett Aero Systems Company, for the purposes of soliciting public comment. Interested parties were given sixty (60) days in which to submit comments, suggestions or objections regarding the proposed form of order.

No comments having been received, the Commission has ordered the issuance of the complaint in the form contemplated by the agreement, made its jurisdictional findings and entered its order to cease and desist, as set forth in the proposed consent agreement, in disposition of this proceeding.

The prohibited trade practices and/or corrective actions, as codified under 16 CFR Part 13, are as follows: Subpart—Advertising Falsely Or Misleadingly: Section 13.10 Advertising falsely or misleadingly; S.13.170 Qualities or properties of product or service; S.13.170-40 Fire-extinguishing or fire-resistant; S.13.190 Results; S.13.195 Safety; S.13.205 Scientific or other relevant facts. Subpart—Corrective Actions And/Or Requirements; S.13.533 Corrective actions and/or requirements; S.13.533-10 Corrective advertising; S.13.533-20 Disclosures; S. 13.533-45 Maintain records; S.13.533-45(a) Advertising substantiation. Subpart—Misrepresenting Oneself And Goods—Goods: S.13.1590-20 Federal Trade Commission Act; S.13.1730 Results; S.13.1740 Scientific or other relevant facts. Subpart—Neglecting, Unfairly Or Deceptively, To Make Material Disclosure: S.13.1863 Limitations of product; S.13.1895 Scientific or other relevant facts.

List of Subjects in 16 CFR Part 13

Fire and smoke protection masks, Trade practices.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45)

Emily M. Rock,

Secretary.

[FR Doc. 87-23317 Filed 10-7-87; 8:45 am]

BILLING CODE 6750-01-M

[1] Copies of the Complaint and the Decision and Order are available from the Commission's Public Reference Branch, H-130, 6th Street and Pennsylvania Avenue, NW., Washington, DC 20580.

DELAWARE RIVER BASIN COMMISSION

18 CFR Part 401

Amendments to the Administrative Manual—Rules of Practice and Procedure

AGENCY: Delaware River Basin Commission.

ACTION: Final Rule.

SUMMARY: At its September 22, 1987 business meeting the Delaware River Basin Commission amended its Administrative Manual, *Rules of Practice and Procedure*, in relation to penalties and settlements in lieu of penalties. The amendment addresses notice to possible violators, records for decision-making, adjudicatory hearings, factors to be applied in assessing the amounts of penalties, enforcement, settlement by agreement in lieu of penalty and penalty suspension or modification.

EFFECTIVE DATE: September 22, 1987.

ADDRESS: Copies of the Commission's Administrative Manual, *Rules of Practice and Procedure*, are available from the Delaware River Basin Commission, P.O. Box 7360, West Trenton, New Jersey 08628.

FOR FURTHER INFORMATION CONTACT: Susan M. Weisman, Commission Secretary, Delaware River Basin Commission: Telephone (609) 883-9500.

SUPPLEMENTARY INFORMATION: The Commission held a public hearing on these amendments on August 5, 1987 as noticed in the June 30, 1987 and July 29, 1987 issues of the Federal Register (52 FR 24307 and 52 FR 28327). Based upon testimony received and further deliberation, the Commission has amended its Administrative Manual, *Rules of Practice and Procedure*.

List of Subjects in 18 CFR Part 401

Administrative practice and procedure, Environmental impact statements, Freedom of information, Water pollution control, Water resources.

The Commission's Administrative Manual, 18 CFR Subchapter A, Part 401, *Rules of Practice and Procedure* is amended as follows:

PART 401—[AMENDED]

1. The authority citation for Part 401 is revised to read as follows:

Authority: Delaware River Basin Compact (75 Stat. 688).

Subpart H (§§ 401.111—401.114) [Redesignated as Subpart I (§§ 401.121—401.124)]

2. Subpart H, consisting of §§ 401.111—401.114 is redesignated as Subpart I, §§ 401.121—401.124.

Subpart G (§§ 401.91—401.109) [Redesignated as Subpart H (§§ 401.101—401.119)]

3. Subpart G, consisting of §§ 401.91—401.109, is redesignated as Subpart H, §§ 401.101—401.119.

4. New Subpart G is added to read as follows:

Subpart G—Penalties and Settlements in Lieu of Penalties

Sec.

Subpart G—Penalties and Settlements in Lieu of Penalties

§ 401.91 Scope of subpart.

This subpart shall be applicable where the Commission shall have information indicating that a person has violated or attempted to violate any provision of the Commission's Compact or any of its rules, regulations or orders (hereafter referred to as possible violator). For the purposes of this Subpart, person shall include person, partnership, corporation, business association, governmental agency or authority.

§ 401.92 Notice to possible violators.

Upon direction of the Commission the Executive Director shall, and in all other instances, the Executive Director may require a possible violator to show cause before the Commission why a penalty should not be assessed in accordance with the provisions of these Rules and Section 14.17 of the Compact. The notice to the possible violator shall:

(a) Set forth the date on which the possible violator shall respond; and

(b) Set forth any information to be submitted or produced by the possible violator.

§ 401.93 The record for decision-making.

(a) *Written submission.* In addition to the information required by the Commission, any possible violator shall be entitled to submit in writing any other information that it desires to make available to the Commission before it shall act. The Executive Director may require documents to be certified or otherwise authenticated and statements to be verified. The Commission may also receive written submissions from any other persons as to whether a violation has occurred and the adverse consequences resulting from a violation of the Commission's Compact or its rules, regulations and orders.

(b) *Presentation to the Commission.* At the date set in the Notice, the possible violator shall have the opportunity to supplement its written presentation before the Commission by any oral statement it wishes to present and shall be prepared to respond to any questions from the Commission or its staff or to the statements submitted by persons affected by the possible violation.

§ 401.94 Adjudicatory hearings.

(a) An adjudicatory hearing, which may be in lieu of or in addition to proceedings pursuant to § 401.93 at which testimony may be presented and documents received shall not be scheduled unless:

(1) The Executive Director determines that a hearing is required to have an adequate record for the Commission; or

(2) The Commission directs that such a hearing be held.

(b) If an adjudicatory hearing is scheduled, the possible violator shall be given at least 14 days written notice of the hearing date unless waived by consent. Notice of such a hearing may be given to the general public and the press in the manner provided in Section 14.4(b) of the Compact but may be waived by the Executive Director.

(c) Except to the extent inconsistent with the provisions of this Subpart adjudicatory hearings shall be conducted in accordance with the provisions of §§ 491.83 through 401.88 (including § 401.86 *et seq.*).

§ 401.95 Assessment of a penalty.

The Executive Director may recommend to the Commission the amount of the penalty to be imposed. Such a recommendation shall be in writing and shall set forth the basis for the penalty amount proposed. Based upon the record submitted to the Commission, the Commission shall decide whether a violation has occurred that justifies the imposition of a penalty pursuant to § 14.17 of the Compact. If it is found that such a violation has occurred, the Commission shall determine the amount of the penalty to be paid.

§ 401.96 Factors to be applied in fixing penalty amount.

(a) Consideration shall be given to the following factors in deciding the amount of any penalty or any settlement in lieu of penalty:

(1) Previous violation, if any, of the Commission's Compact and regulations;

(2) Whether the violation was unintentional or willful and deliberate;

(3) Whether the violation caused adverse environmental consequences and the extent of any harm;

(4) The costs incurred by the Commission or any signatory party relating to the failure to comply with the Commission's Compact and regulations;

(5) The extent to which the violator has cooperated with the Commission in correcting the violation and remediating any adverse consequences or harm that resulted therefrom; and

(6) Whether the failure to comply with the Commission's Compact and regulations was economically beneficial to the violator.

(b) The Commission retains the right to waive any penalty or reduce the amount of the penalty should it determine that, after consideration of the factors in paragraph (a) of this section, extenuating circumstances justify such action.

§ 401.97 Enforcement of penalties.

Any penalty imposed by the Commission shall be paid within 30 days or such further time period as shall be fixed by the Commission. The Executive Director and Commission counsel are authorized to take such action as may be necessary to assure enforcement of this Subpart. If a proceeding before a court becomes necessary, the action of the Commission in determining a penalty amount shall constitute the penalty amount recommended by the Commission to be fixed by the court pursuant to § 14.17 of the Compact.

§ 401.98 Settlement by agreement in lieu of penalty.

A possible violator may request settlement of a penalty proceeding by agreement. If the Executive Director determines that settlement by agreement in lieu of a penalty is in the best interest of the Commission, he may submit to the Commission a proposed settlement agreement in lieu of a penalty. No settlement will be considered by the Commission unless the possible violator has indicated to the Commission acceptance of the terms of the agreement and the intention to comply with all requirements of the settlement agreement including payment of any settlement amount within the time period provided. If the Commission determines not to approve a settlement agreement, the Commission may proceed with a penalty action in accordance with this Subpart.

§ 401.99 Suspension or modification of penalty.

The Commission may postpone the imposition of a penalty or provide for reconsideration of the penalty amount imposed pending correction of the condition that gave rise to the violation or pending a satisfactory resolution of any adverse consequences that resulted from the violation.

(Delaware River Basin Compact, 75 Stat. 688)

Susan M. Weisman,

Secretary, September 28, 1987.

[FR Doc. 87-22893 Filed 10-7-87; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Parts 404 and 416

Application of Dependency Test to Adopted Great-Grandchildren and Demonstration Projects Under the Disability Insurance and Supplemental Security Income Programs

AGENCY: Social Security Administration, HHS.

ACTION: Final rules.

SUMMARY: The Social Security Administration (SSA) is amending its regulations to implement sections 12101 and 12104 of Pub. L. 99-272 (the Consolidated Omnibus Budget Reconciliation Act of 1985). Section 12101 of Pub. L. 99-272 extends the Secretary's waiver authority on demonstration projects in the title II disability insurance program which was originally provided for by section 505(a)(3) of the Social Security Disability Amendments of 1980 (Pub. L. 96-265). Section 12101 also effectively makes the waiver authority for title XVI demonstration projects permanent. Section 12104 of Pub. L. 99-272 amends section 202(d)(8)(D)(ii)(III) of the Social Security Act (the Act) to provide that great-grandchildren of a Social Security beneficiary or his or her spouse may be entitled to child's insurance benefits as grandchildren currently are, applying the dependency test for legally adopted children.

DATES: These regulations are effective October 8, 1987. The statutory change regarding great-grandchildren which