

PART 925—GRAPES GROWN IN A DESIGNATED AREA OF SOUTHEASTERN CALIFORNIA

1. The authority citation for 7 CFR Part 925 continues to read as follows:

Authority: Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

2. Section 925.304, introductory text, is revised as follows:

§ 925.304 California desert grape regulation 6.

During the period April 20 through August 15 each year, no person shall pack or repack any variety of grapes except Emperor, Almeria, Calmeria, and Ribier varieties on any Saturday, Sunday, Memorial Day, or the observed Independence Day holiday, unless approved in accordance with paragraph (e) of this section, nor handle any variety of grapes except Emperor, Calmeria, Almeria, and Ribier varieties, unless such grapes meet the requirements specified in this section: *Provided*, That for the 1987 season, July 6, 1987, shall be substituted for July 3, 1987, as the Independence Day packing holiday.

* * * * *
Dated: June 26, 1987.

William J. Doyle,
Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.
[FR Doc. 87-14952 Filed 6-30-87; 8:45 am]
BILLING CODE 3410-02-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Parts 10, 141, 148, 152 and 177
[T.D. 87-89]

Customs Regulations Amendments Regarding Valuation of Imported Merchandise

AGENCY: U.S. Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations relating to the valuation of imported merchandise. The Trade Agreements Act of 1979, provided a new system of customs valuation based on transaction value. However, the old system of valuation was to continue to apply to merchandise exported to the U.S. before the effective date of the new law. The new law became effective on or after July 1, 1980, for most goods exported to the U.S., and on or after July 1, 1981, for all goods. Implementing the new valuation system required that the Customs Regulations

be modified. Accordingly, T.D. 81-7 amended the regulations by adding new sections setting forth the new valuation system. However, T.D. 81-7 did not amend or delete certain sections explaining the old system so that reference could be made to them for entries which were made before the new valuation system became effective and were not yet liquidated pending the resolution of various legal issues. As the number of these entries has dwindled, Customs believes that it is now appropriate to amend the regulations to remove references to the old valuation system.

EFFECTIVE DATE: July 31, 1987.

FOR FURTHER INFORMATION CONTACT: Elena Giacometti Kennedy, Classification and Value Division, (202-566-2938).

SUPPLEMENTARY INFORMATION:

Background

Classification and valuation are the two most important factors affecting the amount of duty assessed on imported merchandise. Classification and valuation must be provided by commercial importers when an entry is filed. Customs officers at ports of entry review the classification and valuation submitted by commercial importers, as well as other required import information, to verify that the submissions are correct for the imported merchandise they describe.

Before July 1, 1980 (or July 1, 1981, in the case of certain rubber footwear), imported merchandise was valued pursuant to sections 402 and 402a, Tariff Act of 1930, as amended (19 U.S.C. 1401a, 1402). However, Title II of the Trade Agreements Act of 1979 (Pub. L. 96-39) (TAA), significantly changed the laws administered by Customs relating to the valuation of imported merchandise.

The TAA incorporated into U.S. law the trade agreements negotiated by the U.S. in the Tokyo Round of Multilateral Trade Negotiations. Title II of the TAA, "Customs Valuation", implements the Agreement on Implementation of Article VII of the General Agreement on Tariffs and Trade (the Agreement). A supplementary agreement on customs valuation which eliminated one of the tests under the Agreement and Title II was passed as Pub. L. 96-490 on December 2, 1980.

Subsequently, by T.D. 81-7, published in the *Federal Register* on January 12, 1981 (46 FR 2597), Customs issued regulations to administer the new statutory valuation system. These regulations are set forth in Subpart E, Part 152, §§ 152.100-152.108, Customs

Regulations (19 CFR 152.100-152.108). Pursuant to Presidential Proclamation 4768 (June 28, 1980), the effective date of these "new value" regulations for all merchandise, except certain rubber footwear, was July 1, 1980. The regulation became effective for the rubber footwear on July 1, 1981.

The TAA repealed 19 U.S.C. 1402 and amended 19 U.S.C. 1401a. However, the "old value law" was applicable to merchandise exported to the U.S. before the effective date. Accordingly, while T.D. 81-7 amended the regulations by adding new sections setting forth the new valuation system, it did not amend or delete certain sections explaining the old system so that reference could be made to them for entries made before the new valuation system became effective. Until recently, the number of entries made before the new valuation system became effective which were unliquidated pending the resolution of various legal issues was sufficient to maintain the old regulations. As the number of outstanding unliquidated entries made prior to the new law has dwindled, Customs believes that it is now appropriate to amend the value regulations to remove references to the old valuation system. It should be noted, however, that any unliquidated entries made prior to the new law which are still outstanding will still be valued according to the old system.

Discussion of Amendments

In this document Customs is amending sections of Parts 10, 141, 148, 152 and 177, Customs Regulations (19 CFR Parts 10, 141, 148, 152, and 177). Section 10.18 (19 CFR 10.18), is amended by stating that the full value of assembled articles imported under item 807.00, Tariff Schedules of the U.S. (TSUS) (19 U.S.C. 1202), is to be determined in accordance with 19 CFR 152.100 *et seq.*, the regulations detailing the new valuation law. Sections 10.19 and 10.20 (19 CFR 10.19, 10.20), are deleted as the concepts discussed in these sections relate to the old value law.

The TAA requires that the primary basis for valuing all imported merchandise is transaction value, *i.e.*, the price actually paid or payable for the goods. Accordingly, under the TAA in most instances, it is irrelevant that a purchaser of goods may have obtained them at retail or wholesale. In view of this, the references to retail sales in § 148.13(d) (1) and (2) (19 CFR 148(d) (1) and (2)), are deleted.

The statutory language covering many of the personal exemptions mentions in Part 148, Customs Regulations (19 CFR Part 148), refers to "Fair retail value" or

"fair market value" despite the new laws' definition of transaction value. Items 813.30, 183.31, 869.00, and 869.10, TSUS (19 U.S.C. 1202), use the above-mentioned terms. Because of this, references in Part 148 to these terms are not being changed. Further, because of the use of the language "fair retail value" and "fair market value", a definition of these terms is included in § 152.1(d), Customs Regulations (19 CFR 152.1(d)). Both terms are defined as the price actually paid or payable for all imported merchandise, or if not purchased, the value as otherwise ascertained under 19 CFR 152.100 *et seq.*

Other changes made by this document are removing the references to the repealed statute, 19 U.S.C. 1402 (section 402(a), Tariff Act of 1930, as amended), in § 141.88, § 148.24, § 148.101, § 152.1(c), § 152.23, and § 177.9, Customs Regulations (19 CFR 141.88, 148.24, 148.101, 152.1(c), 152.23 and 177.9); and deleting §§ 152.1(a), 152.1(b), 152.20 through 152.22, 152.24, Customs Regulations (19 CFR 152.1(a), 152.1(b), 152.20-152.22, 152.24), as well as Subpart D, Part 152, Customs Regulations (19 CFR Part 152 Subpart D), because they relate to the old law.

Inapplicability of Notice and Delayed Effective Date Requirements

All merchandise exported to the U.S. on or after July 1, 1981, has been subject to the statutory valuation system established by the TAA. Because these amendments merely implement this statutory change and neither impose any additional burdens on, or take away any existing rights or privileges from, the public, it has been determined that pursuant to 5 U.S.C. 553(b)(B), notice is not required. For the same reasons, Customs has determined that good cause exists for dispensing with a delayed effective date pursuant to 5 U.S.C. 553(d)(3).

Executive Order 12291

This amendment does not meet the criteria for a "major rule" as defined by section 1(b) of E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Regulatory Flexibility Act

It is certified that the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), are not applicable to these amendments because the rule will not have a significant economic impact on a substantial number of small entities. Any economic impact would be attributable to the actions of Congress and not Customs.

Paperwork Reduction Act

No new recordkeeping or data collection burdens are imposed upon the public as a result of this amendment. Accordingly, it is not subject to the Paperwork Reduction Act of 1980, Pub. L. 96-511.

Drafting Information

The principal author of this document was Harold M. Singer, Regulations Control Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects

19 CFR Part 10

Customs duties and inspection, Imports, Exports.

19 CFR Part 141

Customs duties and inspection, Explosives, Imports, Lawyers.

19 CFR Part 148

Customs duties and inspection, Imports.

19 CFR Part 152

Customs duties and inspection, Imports, Valuation.

19 CFR Part 177

Administrative practice and procedure, Customs duties and inspection, Imports.

Amendments to the Regulations

Parts 10, 141, 148, 152 and 177, Customs Regulations (19 CFR Parts 10, 141, 148, 152, 177), are amended as set forth below:

PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority for Part 10, Customs Regulations, continues to read as follows:

Authority: 19 U.S.C. 66, 1202, 1481, 1484, 1498, 1623, 1624.

All other statutory authority cited for various sections in Part 10 remain the same.

2. Section 10.18 is revised to read as follows:

§ 10.18 Valuation of assembled articles.

As in the case of the appraisement of any other import merchandise (see Subpart C of Part 152 of this chapter), the full value of assembled articles imported under item 807.00, Tariff Schedules of the United States (19 U.S.C. 1202), is determined in accordance with 19 CFR 152.100 *et seq.*

§§ 10.19 and 10.20 [Removed and Reserved]

3. Part 10 is further amended by removing §§ 10.19 and 10.20 and marking them "[Reserved]".

PART 141—ENTRY OF MERCHANDISE

1. The general authority for Part 141 continues to read as follows:

Authority: 19 U.S.C. 66, 1448, 1484, 1624.

All other statutory authority cited for various sections in Part 141 remain the same.

2. The heading and text of § 141.88 is revised to read as follows:

§ 141.88 Computed value.

When the district director determines that information as to computed value is necessary in the appraisement of any class or kind of merchandise, he shall so notify the importer, and thereafter invoices of such merchandise shall contain a verified statement by the manufacturer or producer of computed value as defined in § 402(e), Tariff Act of 1930, as amended by the Trade Agreements Act of 1979 (19 U.S.C. 1401a(e)).

PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

1. The general authority for Part 148 continues to read as follows:

Authority: 19 U.S.C. 66, 1498, 1624. The provisions of this part, except for Subpart C, are also issued under 19 U.S.C. 1202 (Gen. Headnote 11).

All other statutory authority cited for various sections in Part 148 remain the same.

2. Section 148.13(d) is revised to read as follows:

§ 148.13 Written declarations.

(d) *Value.* Opposite the description of each article required to be declared specifically in a written declaration, the passenger shall state either:

(1) The price actually paid for the article in the currency of purchase, or its equivalent in U.S. currency; or

(2) The fair retail value in the country of acquisition if the article was not acquired by purchase, in the currency of the country in which the article was acquired, or its equivalent in U.S. currency.

§ 148.24 [Amended]

3. Section 148.24 is amended by removing the words "or section 402a" and ", 1402:" in the first sentence of paragraph (a).

§ 148.101 [Amended]

4. Section 148.101 is amended by removing the words "or 402a" and ", 1402" in the text and by removing "or 402a" in the footnotes to Example 1 and Example 2.

PART 152—CLASSIFICATION AND APPRAISEMENT OF MERCHANDISE

1. The general authority for Part 152 continues to read as follows:

Authority: 19 U.S.C. 66, 1401a, 1500, 1502, 1624.

All other statutory authority cited for specific subparts of, and various sections in, Part 152 remain the same.

§ 152.1 [Amended]

2. Section 152.1 is amended by removing paragraphs (a) and (b) and marking them "[Reserved]", and by removing the words "and 402a" and "and 1402" in the first sentence of paragraph (c).

3. Section 152.1 is further amended by adding a new paragraph (d) to read as follows:

§ 152.1 Definitions.

(d) *Fair retail value.* "Fair retail value" or "fair market value" as used in Schedule 8, Tariff Schedules of the United States, and Part 148 of this chapter means the price actually paid or payable for all imported merchandise, or if not purchased, the value as otherwise ascertained under 19 CFR 152.100 *et seq.*

§ 152.20 through 152.22 and 152.24**[Removed and Reserved]**

4. Sections 152.20 through 152.22 and 152.24 are removed and marked "[Reserved]".

§ 152.23 [Amended]

5. Section 152.23 is amended by removing the words "402a," and ", 1402" in the first sentence.

Subpart D—[Removed and Reserved]

6. Part 152 is amended by removing the heading and text of Subpart D entitled "Subpart D—Benzenoid Chemicals and Products" (§§ 152.31–152.43) and marking it "[Reserved]".

PART 177—ADMINISTRATIVE RULINGS

1. The general authority for Part 177 continues to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 66, 1202 (General Headnote 11), 1624.

All other statutory authority cited for various sections in Part 177 remain the same.

§ 177.9 [Amended]

2. Section 177.9(b)(3) is amended by removing the words "or 402a" and ", 1402" in the first sentence.

William von Raab,
Commissioner of Customs.

Approved:
John P. Simpson,
Acting Assistant Secretary of the Treasury.
[FR Doc. 87-14948 Filed 6-30-87; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF JUSTICE**Drug Enforcement Administration****21 CFR Part 1316**

[A.G. Order No. 1198-87]

Administrative Functions, Practices, and Procedures; Technical Amendment

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This order revises 21 CFR 1316.75(b) to increase the cap on the bond from \$2,500 to \$5,000 to contest an administrative forfeiture. This is being done to reflect a recent amendment to the law.

EFFECTIVE DATE: June 18, 1987.

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: The Anti-Drug Abuse Act of 1986 amended 19 U.S.C. 1608 to raise the cap on the bond to be posted to contest administrative forfeiture actions from \$2,500 to \$5,000. Pub. L. 99-570, section 1862. The administrative forfeiture regulations of 21 CFR 1316.75(b), which refer to the Tariff Act (19 U.S.C. 1602, *et seq.*), must be amended to reflect this change in the cap on the bond.

It has been determined that this is an integral management matter not requiring consultation with the Office of Management and Budget under E.O. 12291. Moreover, this order will have no impact upon small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*

List of Subjects in 21 CFR Part 1316

Seizures, Forfeitures.

PART 1316—[AMENDED]

By virtue of the authority vested in me by 28 U.S.C. 509, 510 and 5 U.S.C. 301, Part 1316 of Title 21 of the Code of

Federal Regulations is amended as follows:

1. The authority citation for Subpart E of Part 1316 is revised to read as follows:

Authority: 21 U.S.C. 871(b), 881, 965, 19 U.S.C. 1606, 1607, 1608, 1610, 1613, 1618, 28 U.S.C. 509, 510.

§ 1316.75 [Amended]

2. Section 1316.75(b)(3) is amended by removing "\$2,500" and adding in its place, "\$5,000".

Dated: June 18, 1987.

Arnold I. Burns,
Acting Attorney General.
[FR Doc. 87-14862 Filed 6-30-87; 8:45 am]
BILLING CODE 4410-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**Office of the Assistant Secretary of Housing—Federal Housing Commissioner****24 CFR Part 888**

[Docket No. N-87-1590; FR-2161]

Section 8 Housing Assistance Payments Program; Fair Market Rents for New Construction and Substantial Rehabilitation—All Markets; Correction

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner.

ACTION: Final notice; correction.

SUMMARY: This document corrects a notice published on August 7, 1986 in the *Federal Register* announcing final, Fiscal Year 1986 Fair Market Rents for the Section 8 New Construction Program and the Section 8 Substantial Rehabilitation Program.

EFFECTIVE DATE: August 7, 1986.

FOR FURTHER INFORMATION CONTACT: Edward M. Winiarski, Chief Appraiser, Valuation Branch, Technical Support Division, Office of Insured Multifamily Housing Development, 451 Seventh Street SW., Washington, DC 20410-8000, telephone (202) 426-7624. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Department published final Fair Market Rents on August 7, 1986 (51 FR 28491). This document corrects the Fiscal Year 1986 Fair Market Rent schedule applicable to the San Juan, Puerto Rico market area permitting inclusion of additional rents for the 5+ -story elevator category. These rents were inadvertently omitted from the published schedule.

Accordingly, FR Doc. 86-17684, appearing in the August 7, 1986, issue of the Federal Register (51 FR 28491) is corrected by revising the final rents for the area listed below:

Dated: June 26, 1987.
 Grady J. Norris,
Assistant General Counsel for Regulations.

OFFICE CARIBBEAN OFFICE REGION II

Market area	Structure type	Number of bedrooms				
		0	1	2	3	4 or more
San Juan.....	Detached.....		em	511	572	628
	Semi-Detached/row.....	405	410	491	550	577
	Walkup.....	337	388	458	519	570
	Elevator-2-4 sty.....					
	Elevator 5+ sty.....	386	433	496	570	631

[FR Doc. 87-14973 Filed 6-30-87; 8:45 am]
 BILLING CODE 4210-27-M

DEPARTMENT OF JUSTICE
Office of the Attorney General
28 CFR Part 0

[Order No. 1203-87]

Delegation of Authority to the Drug Enforcement Administration

AGENCY: Department of Justice.
ACTION: Final rule.

SUMMARY: The Attorney General delegated to the Administrator of the Drug Enforcement Administration (DEA) all functions vested in him by the Comprehensive Drug Abuse Prevention and Control Act of 1970 (Pub. L. 91-513) in Order No. 520-73, July 10, 1973. Since that time the Comprehensive Drug Abuse Prevention and Control Act has been amended by Congress. While the Attorney General asserts that any functions granted to him pursuant to these amendments were properly delegated to the Administrator of DEA by the 1973 Order, this amendment will ensure that any functions vested in the Attorney General by statutory amendments to the Comprehensive Drug Abuse Prevention and Control Act of 1970 are delegated to the Administrator of the Drug Enforcement Administration unless otherwise specifically assigned or reserved by the Attorney General.

EFFECTIVE DATE: June 18, 1987.

FOR FURTHER INFORMATION CONTACT: Dennis F. Hoffman, Chief Counsel, Drug Enforcement Administration, 1405 I Street, NW., Washington, DC 20537, (202) 633-1276.

SUPPLEMENTARY INFORMATION:

List of Subjects in 28 CFR Part 0

Authority delegations (Government Agencies), Organization and Functions (Government Agencies).

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

By virtue of the authority vested in me by 5 U.S.C. 301, 21 U.S.C. 871, and 28 U.S.C. 509, 510 and 524, Part 0 of Chapter I, Title 28 Code of Federal Regulations 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. 2254, 4001, 4041, 4042, 4044, 4082, 4201 *et seq.*, 6003(b); 21 U.S.C. 871, 881(d), 904; 22 U.S.C. 263a, 1621-1645a, 1622 note; 28 U.S.C. 509, 510, 515, 524, 542, 543, 552, 552a, 569; 31 U.S.C. 1108; 50 U.S.C. App. 2001-2017p; Pub. L. No. 91-513, sec. 501; EO 11919; EO 11267; EO 11300.

2. Section 0.100 is amended by revising paragraph (b) as follows:

§ 0.100 General Functions.

* * * * *

(b) Functions vested in the Attorney General by the Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended. This will include functions which may be vested in the Attorney General in subsequent amendments to the Comprehensive Drug Abuse Prevention and Control Act of 1970, and not otherwise specifically assigned or reserved by him.

* * * * *

Dated: June 18, 1987.
 Arnold I. Burns,
Acting Attorney General.
 [FR Doc. 87-14861 Filed 6-30-87; 8:45 am]
 BILLING CODE 4410-09-M

28 CFR Part 0

[Order No. 1202-87]

Organization of the Department of Justice

AGENCY: Department of Justice.

ACTION: Final rule.

SUMMARY: This rule will amend 28 CFR Part 0 by adding a new paragraph to § 0.63 to reflect a delegation of authority to the Assistant Attorney General in charge of the Criminal Division.

EFFECTIVE DATE: June 18, 1987.

FOR FURTHER INFORMATION CONTACT: Ronald R. Roos, Trial Attorney, Criminal Division, Room 203, Federal Triangle Building, Department of Justice, Washington, DC, telephone number (202) 724-7041, which is not a toll free number.

SUPPLEMENTARY INFORMATION: Section 316(g) of the Immigration and Nationality Act confers on the Attorney General the authority, in conjunction with the Director of Central Intelligence and the Commissioner of Immigration, to expedite the naturalization of certain foreign intelligence sources who have made an extraordinary contribution to the national security of the United States. This rule will amend 28 CFR Part 0 by adding a new paragraph to § 0.63 to reflect a delegation of this authority to the Assistant Attorney General in charge of the Criminal Division.

This rule does not have an impact on small businesses, and therefore, is not subject to the Regulatory Flexibility Act, 5 U.S.C. 601-602. It is not a major rule for purposes of Executive Order No. 12291. Compliance with 5 U.S.C. 553 as to notice of proposed rule-making and delayed effective date is not necessary because this rule relates to agency organization and management.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies).

PART 0—[AMENDED]

By virtue of the authority vested in me by 28 U.S.C. 509, 510, 569, 5 U.S.C. 301, and 8 U.S.C. 1427(g), Part 0 of Title 28 of the Code of Federal Regulations is amended as follows:

1. The authority citation for 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. 4201, *et seq.*, 6003(b); 21 U.S.C. 871, 881(d), 904; 22