the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for Midwest Federal Savings and Loan Association, Nebraska City, Nebraska ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90-12362 Filed 5-29-90; 8:45 am]

BILLING CODE 6720-01-M

[LN-4/1]

North American Federal Savings Association; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(F) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for North American Federal Savings Association, San Antonio, Texas ("Association"), on May 18, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90-12363 Filed 5-29-90; 8:45 am]

BILLING CODE 6720-01-M

[LN-4/1]

United Savings Bank, S.L.A.; Appointment of Receiver

Notice is hereby given that, pursuant to the authority contained in section 5(d)(2)(A) of the Home Owners' Loan Act of 1933, as amended by section 301 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the Office of Thrift Supervision has duly appointed the Resolution Trust Corporation as sole Receiver for United Savings Bank, S.L.A., Paterson, New Jersey ("Savings Bank") on May 15, 1990.

Dated: May 23, 1990.

By the Office of Thrift Supervision.

Nadine Y. Washington,

Executive Secretary.

[FR Doc. 90-12364 Filed 5-29-90; 8:45 am]

BILLING CODE 6720-01-M

Sunshine Act Meetings

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1989

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of May 28, June 4, 11, and 18, 1990.

PLACE: Commissioners' Conference Room , 11555 Rockville Pike, Rockville, Maryland.

STATUS: Open and Closed.

MATTERS TO BE CONSIDERED:

Week of May 28

Thursday, May 31

11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of June 4—Tentative

Monday, June 4

9:00 a.m.
Briefing by ALWR Utility Steering Committee on Advanced Light Water Reactor Certification Issues (Public Meeting)

Friday, June 8

10:00 a.m.
Briefing on IIT Report of Vogtle Event (Public Meeting)
11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting)
2:00 p.m.
Discussion of Management-Organization and Internal Personnel Matters (Closed—Ex. 2, 6, & 7)

Week of June 11—Tentative

Thursday, June 14

2:00 p.m
Briefing on Accident Sequence Precursor Program (Public Meeting)

Friday, June 15

10:00 a.m.
Briefing on Staff Recommendations for Implementation of Severe Accident Policy for Externally Initiated Events (Public Meeting)
11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of June 18—Tentative

Wednesday, June 20

2:00 p.m.
Briefing on NUREG-1150 Peer Review Group Status (Public Meeting)

Thursday, June 21

2:30 p.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Note: Affirmation sessions are initially scheduled and announced to the public on a time-reserved basis. Supplementary notice is provided in accordance with the Sunshine Act as specific items are identified and added to the meeting agenda. If there is no specific subject listed for affirmation, this means that no item has as yet been identified as requiring any Commission vote on this date.

To Verify the Status of Meetings Call (Recording)—(301) 492-0292

CONTACT PERSON FOR MORE INFORMATION: William Hill (301) 492-1661.

Dated May 24, 1990.

William M. Hill, Jr.,
Office of the Secretary.

[FR Doc. 90-12634 Filed 5-25-90; 8:45 am]
BILLING CODE 7590-01-M

RESOLUTION TRUST CORPORATION

Notice of Agency Meeting

Pursuant to the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b), notice is hereby given that on Thursday, May 24, 1990, at 10:25 a.m., the Board of Directors of the Resolution Trust Corporation met in closed session to consider the following matters:

Matters relating to the resolution of certain failed thrift institutions.

Matters regarding the Corporation's administrative activities.

In calling the meeting, the Board determined, on motion of Director C. C. Hope, Jr. (Appointive), seconded by Director Robert L. Clarke (Comptroller of the Currency), concurred in by Chairman L. William Seidman and Director T. Timothy Ryan, Jr. (Director of the Office of Thrift Supervision), that Corporation business required its consideration of the matters on less than seven days notice to the public; that no earlier notice of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

The meeting was held in the RTC Auditorium located at 801-17th Street, NW., Washington, DC.

Dated: May 24, 1990.

Resolution Trust Corporation.
John M. Buckley, Jr.,
Executive Secretary.

[FR Doc. 90-12578 Filed 5-25-90; 10:41 am]
BILLING CODE 6714-01-M

Corrections

Federal Register
Vol. 55, No. 104
Wednesday, May 30, 1990

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 97

[PR Docket No. 88-139; FCC 89-180]

Reorganization and Deregulation of Part 97, Rules Governing the Amateur Radio Service

Correction

In rule document 89-14433 beginning on page 25857 in the issue of Tuesday, June 20, 1989, make the following correction:

§ 97.305 [Corrected]

On page 25869, in § 97.305, a portion of the table was incorrectly published. The table, beginning at "VHF", is correctly published below.

Wave-length band	Frequencies	Emission types authorized	Standards see § 97.307(f), paragraph:
* * *	* * *	* * *	* * *
VHF:			
6 m	50.1–51.0 MHz	MCW, phone, image, RTTY, data	(2), (5).
6 m	51.0–54.0 MHz	MCW, phone, image, RTTY, data, test	(2), (5), and (8).
2 m	144.1–148.0 MHz	MCW, phone, image, RTTY, data, test	(2), (5), and (8).
1.25 m	Entire band	MCW, phone, image, RTTY, data, test	(2), (5), and (8).
UHF:			
70 cm	Entire band	MCW, phone, image, RTTY, data, test	(6), (8).
33 cm	Entire band	MCW, phone, image, RTTY, data, test, pulse	(7), (8), and (12).
23 cm	Entire band	MCW, phone, image, RTTY, data, SS, test	(7), (8), and (12).
13 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
SHF:			
9 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
5 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
3 cm	Entire band	MCW, phone, image, RTTY, data, SS, test	(7), (8), and (12).
1.2 cm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
EHF:			
6 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
4 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
2.5 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
2 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
1 mm	Entire band	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).
—	Above 300 GHz	MCW, phone, image, RTTY, data, SS, test, pulse	(7), (8), and (12).

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 878

[Docket No. 88N-0244]

General and Plastic Surgery Devices; Effective Date of the Requirement for Premarket Approval of Silicone Gel-filled Breast Prosthesis

Correction

In proposed rule document 90-11471 beginning on page 20568, in the issue of Thursday, May 17, 1990, make the following correction:

On page 20568, in the first column, under **DATES**, the 2nd sentence should read "FDA intends that if a final rule is issued, based on this proposed rule, PMA's will be required to be submitted by (the date 90 days after the date of promulgation of that final rule, or December 31, 1990, whichever is later).".

BILLING CODE 1505-01-D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 448

[Docket No. 90N-0133]

Antibiotic Drugs; Cyclosporine Capsules

Correction

In rule document 90-11135 beginning on page 19872, in the issue of Monday, May 14, 1990 make the following correction:

§ 448.123b [Corrected]

In § 448.123b(b)(1)(ii), on page 19874, in the first line, after "where:" add

"A_u = Area of the cyclosporine peak in the chromatogram of the sample (at a retention time equal to that observed for the standard);".

BILLING CODE 1505-01-D

federal register

Wednesday
May 30, 1990

Part II

Department of Education

34 CFR Part 201

Chapter 1—Migrant Education Program; Final Regulations

DEPARTMENT OF EDUCATION

34 CFR Part 201

RIN 1810-AA48

Chapter 1—Migrant Education Program

AGENCY: Department of Education.

ACTION: Final regulations.

SUMMARY: The U.S. Secretary of Education amends the regulations implementing the chapter 1—Migrant Education Program, operated under subpart 1 of part D, chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended. The Secretary takes this action to correct several errors found in the published regulations for this program. These technical amendments will clarify any misunderstanding that may have resulted from the incorrect information.

EFFECTIVE DATES: These regulations take effect either 45 days after publication in the **Federal Register** or later if the Congress takes certain adjournments. If you want to know the effective date of these regulations, call or write the Department of Education contact person. A document announcing the effective date will be published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Marie P. Strahan, Office of Migrant Education, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW., room 2155, FOB #6, Washington, DC 20202-6135. Telephone: (202) 732-4637.

SUPPLEMENTARY INFORMATION: On October 23, 1989, final regulations for the chapter 1—Migrant Education Program were published in the **Federal Register** (54 FR 43219). Those regulations govern migrant education programs and projects administered and operated under subpart 1 of part D, chapter 1 of title I of the Elementary and Secondary Education Act of 1965, as amended.

Upon review of the published regulations, the Secretary has determined that they contain several errors. One concerns service priorities that govern preschool educational services available to children three years of age or older (§ 201.31(b)). Another concerns the use of national or State normed achievement tests in evaluating projects through comparison of project outcomes to those of an appropriate non-project comparison group (§ 201.54(b)). The third error concerns nomenclature. In several instances, provisions made applicable to an "LEA" (local educational agency) should have applied more broadly to any "operating agency," which encompasses both an LEA and any other subgrantee that operates a project under the chapter 1—Migrant Education Program. Finally, paragraph (a)(2)(i) of § 201.18 (Approval of a project application for a subgrant) incorrectly identifies the regulation governing maintenance of effort as § 201.40 rather than § 201.41, and paragraph (a) of § 201.32. (Annual needs assessment) incorrectly identifies the paragraph of that regulation that contains special rules for preschool projects as paragraph (c) rather than paragraph (e). Changes made in response to the first three of these errors are explained more fully in the following discussion.

Section 201.31(b) Section 201.31(b) currently contains language providing that if, in order to provide instructional services to preschool currently migratory children, it would be necessary to provide either day care services to currently migratory children under three years of age or preschool services to those who are three years of age or older and not enrolled in instructional programs, the operating agency may provide those services to these children as if they had a higher priority for services than do formerly migratory children. The language suggests that the Secretary distinguishes, at the preschool level, between educational services that are considered to be "instructional" activities and those that encompass a broader range of services, such as day care and child development activities, that might not be considered "instructional." The language also suggests, incorrectly, that the Secretary places a priority on providing formal instructional services in programs for preschool migratory children.

The current language in § 201.31(b) is inconsistent with the response the Secretary made to a public comment on § 201.11 (Documents an SEA must submit to receive a grant) of the proposed migrant education program regulations published on January 25, 1989. In that discussion, the Secretary stated that preschool "educational" services encompass child development and day care activities. See 54 FR 43234 (October 23, 1989). The Secretary did not intend to suggest through the parenthetical language in § 201.31(b) that these educational activities, such as child development or day care, are not "instructional." Moreover, Congress intended for migrant children three years of age or older who are not enrolled in regular school instructional programs to receive the benefits of migrant education preschool services. See H.R. Rep. 100-95, 100th Cong., 1st Sess., 37 (1987); S. Rep. 100-222, 100th Cong., 1st Sess., 21 (1987). However, section 1202(b) of the statute does not suggest that these preschool educational services need to constitute formal "instructional" activities.

To eliminate confusion about the scope of preschool educational services for migratory children, the Secretary has revised § 201.31(b), and the definition of "preschool children" in § 201.3, to eliminate the existing references to "instructional" preschool programs, and to permit programs that encompass any "educational" activities. The form and scope of an operating agency's preschool project will depend upon the results of the annual needs assessment (§ 201.32), rather than, as § 201.31(b) suggests, on whether those children need the benefits of an instructional activity.

Section 201.54(b) Section 201.54 concerns the use of non-project comparison groups in evaluating State and local migrant education projects. Paragraph (b) of that section requires that to fulfill the evaluation requirements of § 201.52 (b) and (c), SEAs and operating agencies, to the extent possible, must use appropriate forms and levels of national or State normed achievements tests. The Secretary believes that § 201.54(b) is confusing and unnecessary, and therefore has determined that the provisions should be deleted. Deletion of § 201.54(b) makes the remaining requirement in § 201.54, which defines an appropriate non-project comparison group, consistent with § 201.52(b) and (c), governing the evaluation information to be collected for both regular term and summer term projects.

Section 201.52 (b) and (c) provides that the evaluation design for all instructional projects must include objective measurements of the educational progress of project participants. Specifically, for the regular school year instructional project, § 201.52(b) states that those measures, if possible, should allow measurement against national or State normed achievement tests. If this is not possible, the SEA or operating agency may use other acceptable measures of educational progress as measured against an appropriate non-project comparison group. For summer school instructional projects, § 201.52(c) requires only that, to the extent possible, a means of comparing project outcomes to those of an appropriate non-project comparison group be used. Section 201.52(c) does not require the use of national or State normed achievement tests for summer school projects.

The Secretary does not believe that the requirement of § 201.54(b) is compatible with § 201.52 (b) and (c), which do not require the use of national

or State normed achievement tests where project evaluations are made using non-project comparison groups. While the Secretary re-emphasizes (see 54 FR 41249–50) the benefits that can be obtained by evaluating migrant education projects through testing of this kind, the Secretary does not insist, through regulations, that this occur.

Operating agencies. In the discussion of public comment on proposed § 201.10 (Eligibility of an SEA to participate as a grantee), the Secretary explained that because there was no need to distinguish between local educational agencies (LEAs) and other operating agencies in the subgrant process, appropriate portions of the regulations had been changed to make them apply to all operating agencies rather than merely to LEAs. This regulation corrects certain instances in which this change of nomenclature was not made. Remaining references solely to an LEA are to: (1) Responsibilities for maintenance of fiscal effort and (2) the prohibition in § 201.50 against considering payments under the Migrant Education Program in determining State aid, neither of which apply to a non-LEA operating agency.

Executive Order 12291

These regulations have been reviewed in accordance with Executive Order 12291. They are not classified as major because they do not meet the criteria for major regulations established in that order.

Intergovernmental Review

The program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR part 79. The objective of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism by relying on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

In accordance with the order, this document is intended to provide early notification of the Department's specific plans and actions for the program.

Waiver of Notice of Proposed Rulemaking

In accordance with section 431(b)(2)(A) of the General Education Provisions Act and the Administrative Procedure Act, 5 U.S.C. 553, the Secretary published in the **Federal Register** proposed regulations for the Chapter 1—Migrant Education Program on January 26, 1989 (54 FR 3924). The final regulations for 34 CFR part 201, published on October 23, 1989, resulted after a review of public comment.

All of the amendments to §§ 201.31 and 201.54 announced in these regulations are consistent with the Secretary's discussion of that public comment that was published in the **Federal Register** along with the final regulations for part 201, and merely correct inadvertent errors in these regulations. Further public comment could have no effect on these amendments. Therefore, the Secretary has determined that publication of a proposed regulation is unnecessary and contrary to the public interest under 5 U.S.C. 553(b)(B).

List of Subjects in 34 CFR Part 201

Evaluation, Local educational agencies, Migratory children, State educational agencies.

(Catalog of Federal Domestic Assistance Number: 84.011; Migrant Education Basic Formula Grant Program)

Dated: April 30, 1990.

Lauro F. Cavazos,

Secretary of Education.

The Secretary amends title 34 of the Code of Federal Regulations by revising part 201 as follows:

PART 201—CHAPTER 1—MIGRANT EDUCATION PROGRAM

1. The authority citation for part 201 continues to read as follows:

Authority: 20 U.S.C. 2781–2782, unless otherwise noted.

§ 201.2 [Amended]

2. In § 201.2, paragraph (a)(5) is amended by removing "LEAs" and adding, in its place, the words "operating agencies".

§ 201.3 [Amended]

3. In § 201.3, the definition of "Preschool children" in paragraph (b) is amended by removing the word "instructional" wherever it appears and adding, in its place, the word "educational".

§ 201.18 [Amended]

4. Section 201.18 is amended by removing "§ 201.40" in paragraph (a)(2)(i) and adding, in its place, "§ 201.41", and by removing "LEA" wherever it appears in paragraph (b) and adding, in its place, the words "operating agency".

§ 201.25 [Amended]

5. In § 201.25, paragraphs (b) and (c) are amended by removing "LEA" and adding, in its place, the words "operating agency".

6. In § 201.31, paragraph (b) is revised to read as follows:

§ 201.31 Service priorities.

* * * * *

(b) If, in order to provide migrant education services to preschool currently migratory children or migrant education instructional services to school-aged currently migratory children, it would be necessary to provide day care or similar services to currently migratory children aged two years of age or younger, and no funds—except Chapter 1—Migrant Education Program funds—are available for that purpose, an SEA or an operating agency may provide day care or similar services to those children as if they had a higher priority for services than do formerly migratory children.

* * * * *

§ 201.32 [Amended]

7. Section 201.32 is amended by removing "paragraph (c)" in paragraph (a), and adding, in its place, "paragraph (e)".

§ 201.43 [Amended]

8. In § 201.43, paragraph (b) is amended by removing "LEA" and adding, in its place, the words "operating agency".

§ 201.44 [Amended]

9. Section 201.44 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.45 [Amended]

10. Section 201.45 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.47 [Amended]

11. Section 201.47 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.49 [Amended]

12. In § 201.49, paragraph (a) is amended by removing "LEA" and adding, in its place, the words "operating agency".

§ 201.51 [Amended]

13. Section 201.51 is amended by removing "LEA" wherever it appears and adding, in its place, the words "operating agency".

§ 201.54 [Amended]

14. Section 201.54 is amended by removing paragraph (b) and by removing the paragraph designation "(a)".

[FR Doc. 90–12402 Filed 5–29–90; 8:45 am]

BILLING CODE 4000–01–M