institution for which the FDIC has been appointed conservator shall be subject to the prohibition on the acceptance, renewal or rollover of brokered deposits contained in this § 337.6 or section 29 of the Federal Deposit Insurance Act for 90 days after the date on which the institution was placed in conservatorship. During this 90-day period, the institution shall, nevertheless, be subject to the restriction on the payment of interest contained in paragraph (b)(2)(ii) of the section. After such 90-day period, the institution may not accept, renew or roll over any brokered deposit.

(h) *Deposit brokers.* (1) A deposit broker shall not solicit or place any deposit with an insured depository institution unless it has provided the FDIC with written notice that it is acting as a deposit broker. The notice may be in letter form and shall describe generally the history, nature and volume of its deposit brokerage operations, including the sources and placement of such funds. The notice should be submitted to the Federal Deposit Insurance Corporation, Office of Compliance and Special Activities, Division of Supervision, Washington, DC 20429. The notice shall be effective upon receipt.

(2) A deposit broker shall maintain sufficient records of the volume of brokered deposits placed with any insured depository institution over the preceding 12 months and the volume outstanding currently, including the maturities, rates and costs associated with such deposits.

(3) The FDIC Executive Director, Supervison and Resolutions, the Director, Division of Supervision, or any of their designees may request, from time to time, quarterly written reports from any deposit broker regarding the volume of brokered deposits placed with a specified insured depository institution and the maturities, rates and costs associated with such deposits.

(4) When a deposit broker ceases to act as such, it shall notify the FDIC in writing at the address indicated in paragraph (h)(1) of this section that it is no longer acting as a deposit broker.

By order of the Board of Directors.

Dated at Washington, DC this 29th day of May, 1992.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 92-13186 Filed 6-4-92; 8:45 am]

BILLING CODE 6714-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 4

[T.D. 92-52]

Clearance Requirements for Certain U.S. Vessels

AGENCY: U.S. Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This document makes a conforming amendment to the Customs Regulations to reflect certain statutory changes that were made relating to the requirements for U.S. vessels seeking clearance for certain voyages.

EFFECTIVE DATE: June 5, 1992.

FOR FURTHER INFORMATION CONTACT: Larry Burton, Carrier Rulings Branch, 202-566-5706.

SUPPLEMENTARY INFORMATION:

Background

Customs is responsible for the clearance of vessels bound for foreign ports. Before clearing vessels, Customs is charged with ensuring that they meet statutory and Coast Guard requirements regarding the employment and disembarkation of seamen.

Section 4.69, Customs Regulations (19 CFR 4.69), now provides that no vessel of the U.S. bound for a foreign port outside the British North American possessions, the West Indies and Mexico shall be granted final clearance until the shipping articles of the vessel executed before a shipping commissioner on Coast Guard Form 705, 705-A, or 705-B are presented to Customs. Section 4.69 also provides that no vessel bound for a foreign port shall be granted clearance until Customs is satisfied that there has been full compliance with the pertinent requirements of 46 U.S.C. 599 and 672 and the Coast Guard regulations issued thereunder relating to allotments of wages, the language test and the crew.

Section 4.69 no longer accurately reflects the statutory scheme set forth in the shipping laws. The statutory references in the current § 4.69 relating to allotments of wages to the crew and language comprehension and rating of the crew, 46 U.S.C. 599 and 672, respectively, are no longer in effect. Public Law 98-89 (97 Stat. 600-604 and 600-605) repealed both 46 U.S.C. 599 and 672. Provisions concerning the language comprehension and rating of the crew are now found in 46 U.S.C. 8702(b). Under that provision, a vessel described in the statute may depart from a U.S. port only if at least 75 percent of the crew in each department on board is able to understand any order spoken by the officers and, with certain limited exceptions, 65 percent of the deck crew are rated at least as able seamen. Section 8702, unlike its predecessor provision, does not provide for denial of clearance by Customs to a violative vessel; it provides for a monetary penalty for violation of the provision. Provisions relating to advances and allotments of seamen wages are now found in 46 U.S.C. 10314 and 10315 relating to shipping agreements, rather than 46 U.S.C. 599; clearance can still be denied if shipping agreements do not comply with these provisions.

In addition to these changes in the statutory scheme, 46 U.S.C. 10302, which was also enacted by Public Law 98-89, now generally requires, through 46 U.S.C. 10301, that shipping articles agreements are necessary for U.S. vessels that are of at least 75 gross tons on a voyage between a port of the U.S. on the Atlantic Ocean and a port of the U.S. on the Pacific Ocean as well as for U.S. vessels on a voyage between a port in the U.S. and a port in a foreign country other than Canada, Mexico or the West Indies.

Section 4.69, Customs Regulations, as presently worded, also does not accurately reflect the Coast Guard Regulations. The Coast Guard Regulations concerning the shipping articles form (46 CFR 14.05-1) specifically states that any shipping articles form other than Form CG-705A that complies with statutory requirements may be utilized.

In order to conform the Customs Regulations to the current statutory scheme and the Coast Guard Regulations, this document amends § 4.69, Customs Regulations (19 CFR 4.69).

Inapplicability of Public Notice and Delayed Effective Date

Inasmuch as these amendments merely conform the Customs Regulations to existing law and practice, pursuant to 5 U.S.C. 553(a)(2) and (b)(3)(B), notice and public procedure are unnecessary, and pursuant to 5 U.S.C. 553(a)(2) and (d)(3), a delayed effective date is not required.

Executive Order 12291

Because this document relates to agency management, it is not subject to Executive Order 12291.

Regulatory Flexibility Act

Because of notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply.

Drafting Information

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

List of Subjects in 19 CFR Part 4

Customs duties and inspection, Cargo vessels, Maritime carriers, Vessels.

Amendment to the Regulations

Part 4 of the Customs Regulations (19 CFR part 4) is amended as set forth below:

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. The general authority for part 4 continues to read as follows and the specific authority for § 4.69 is added:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1624; 46 U.S.C. App. 3.

* * * * *

Section 4.69 also issued under 46 U.S.C. 10301, 10302, 10314, and 10315.

* * * * *

2. Section 4.69 is revised to read as follows:

§ 4.69 Shipping articles.

No vessel of the U.S. on a voyage between a U.S. port and a foreign port (except a port in Canada, Mexico, or the West Indies), or if of at least 75 gross tons, on a voyage between a U.S. port on the Atlantic Ocean and a U.S. port on the Pacific Ocean, shall be granted clearance before presentation, to the appropriate Customs officer, of the shipping articles agreements, including any seaman's allotment agreement, required by 46 U.S.C. chapter 103, in the form provided for in 46 CFR 14.05–1.

Editorial Note: This document was received at the Office of the Federal Register on June 1, 1992.

Carol Hallett,
Commissioner of Customs.

Approved: January 22, 1992.

Peter K. Nunez,
Assistant Secretary of the Treasury.

[FR Doc. 92–13129 Filed 6–4–92; 8:45 am]

BILLING CODE 4820-02-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 404

[Regulation No. 4]

RIN 0960–None Assigned

Federal Old-Age, Survivors and Disability Insurance Determining Disability and Blindness; Extension of Expiration Date for Cardiovascular System Listing

AGENCY: Social Security Administration, HHS.

ACTION: Final rule.

SUMMARY: We are extending the date on which part A of the cardiovascular system listings found in appendix 1 of part 404, subpart P, will no longer be effective from June 6, 1992, to January 5, 1993. We have made no revisions in the medical criteria in the cardiovascular listings; they remain the same as they now appear in the Code of Federal Regulations. We are presently considering comments we received on a proposed rule to update the medical criteria contained in Part A and Part B of the listings. When we have completed our review, and revised criteria will be published as final regulations.

EFFECTIVE DATE: This final rule will be effective June 5, 1992.

FOR FURTHER INFORMATION CONTACT: Irving Darrow, Esq., Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 966–0512.

SUPPLEMENTARY INFORMATION: On December 6, 1985, a revised Listing of Impairments in appendix 1 to subpart P of part 404 was published in the **Federal Register** (50 FR 50068). The Listing of Impairments describes, for each of the 13 major body systems, impairments that are considered severe enough to preclude a person from engaging in any gainful activity (Part A), or in the case of a child under the age of 18, impairments that are severe enough to prevent the child from functioning independently, appropriately, and effectively in an age-appropriate manner (Part B). The Listing of Impairments is used for evaluating disability and blindness under the Social Security disability program and the supplemental security income program.

When the revised Listing of Impairments was published in 1985, we indicated that disability evaluation and treatment and program experience would require that the listing be periodically reviewed and updated. Accordingly, expiration dates were established ranging from 4 to 8 years for each of the specific body systems. A date of December 6, 1989, was established for the cardiovascular system listings in Part A to no longer be effective. A date of December 6, 1993, was established for Part B of the listings to no longer be effective.

The potential program impact of the changes to update the listings required careful analysis and consideration within the Agency. As our study and analysis continued, it became evident that we would be unable to publish a proposed and then a final regulation containing revised criteria for Part A of the cardiovascular listings by December 6, 1989. We published in the **Federal Register** of December 5, 1989 (54 FR 50233), a final regulation extending the current cardiovascular listings for a period of 18 months through June 5, 1991. The cardiovascular listings were again extended an additional 12 months through June 5, 1992, by final regulation published in the **Federal Register** on June 6, 1991 (56 FR 26030).

Proposed revisions to the medical criteria contained in Parts A and B of the cardiovascular system listings were published in the **Federal Register** on July 9, 1991 (56 FR 31266), with provisions for a 60-day comment period. Because the issues raised by the comments have required careful consideration, we find that we will not have sufficient time to publish a final regulation in the **Federal Register** by June 6, 1992. We have, therefore, decided to extend the date on which the current cardiovascular system listings in Part A will no longer be effective for an additional 7 months—from June 6, 1992, to January 5, 1993.

Regulatory Procedures

The Department, even when not required by statute, as a matter of policy, generally follows the Administrative Procedure Act notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The Administrative Procedure Act provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that, under 5 U.S.C. 553(b)(B), good cause exists for waiver of notice of proposed rulemaking and public comment procedures on this rule because it only extends the expiration date of Part A of the cardiovascular listings and makes no substantive changes to these listings. The current regulations expressly provide that the listings may be extended by the Secretary, as well as revised and promulgated again.

Because we are not making any revisions to the current listings, use of public comment procedures is not contemplated by the existing regulations and is unnecessary under the Administrative Procedure Act. After our review of comments submitted with respect to the proposed revisions to the existing criteria, a final regulation will be published.

Executive Order 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 because this regulation does not meet any of the threshold criteria for a major rule. Therefore, a regulatory impact analysis is not required.

Regulatory Flexibility Act

We certify that this regulation will not have a significant economic impact on a substantial number of small entities because it only affects disability claimants under titles II and XVI of the Act.

Paperwork Reduction Act

This regulation imposes no reporting or recordkeeping requirements necessitating clearance by the Office of Management and Budget.

(Catalog of Federal Domestic Assistance Program No. 93.802, Social Security Disability Insurance; No. 93.807, Supplemental Security Income Program)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-Age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social Security.

Dated: April 14, 1992.

Gwendolyn S. King,

Commissioner of Social Security.

Approved: May 21, 1992.

Louis W. Sullivan,

Secretary of Health and Human Services.

For the reasons set forth in the preamble, part 404, title 20 of the Code of Federal Regulations is amended as set forth below.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950–)

1. The authority citation for subpart P of part 404 continues to read as follows:

Authority: Secs. 202, 205(a), (b), and (d)–(h), 216(i), 221(a) and (i), 222(c), 223, 225, and 1102 of the Social Security Act; 42 U.S.C. 402, 405(a), (b) and (d)–(h), 416(i), 421(a) and (i), 422(c), 423, 425, and 1302.

Appendix 1 to Subpart P—[Amended]

2. Appendix 1 to Subpart P is amended by revising the fourth paragraph of the introductory text to read as follows:

Appendix 1 to Subpart P—Listing of Impairments

* * * * *

The cardiovascular system (4.00) will no longer be effective on January 5, 1993.

* * * * *

[FR Doc. 92–13279 Filed 6–4–92; 8:45 am]

BILLING CODE 4190-29-M

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20 CFR Part 404

RIN 0960–None Assigned

Federal Old-Age, Survivors and Disability Insurance; Determining Disability and Blindness; Extension of Expiration Date for Musculoskeletal System Listings

AGENCY: Social Security Administration, HHS.

ACTION: Final rule.

SUMMARY: We are extending the date on which Part A of the musculoskeletal system listings found in appendix 1 of part 404, subpart P, will no longer be effective from June 6, 1992, to December 6, 1993. We have made no revisions in the medical criteria in the musculoskeletal listings; they remain the same as they now appear in the Code of Federal Regulations. We are presently considering revisions to update the medical criteria contained in the listings, and any revised criteria will be published as proposed rules when we have completed our review. Under this final rule extending the expiration date of the musculoskeletal system listings, we will continue to use the existing criteria until any revised criteria are published as final rules.

EFFECTIVE DATE: This final rule will be effective June 5, 1992.

FOR FURTHER INFORMATION CONTACT: Irving Darrow, Esq., Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 966–0512.

SUPPLEMENTARY INFORMATION: On December 6, 1985, a revised Listing of Impairments in appendix 1 to subpart P of part 404 was published in the **Federal Register** (50 FR 50068). The Listing of Impairments describes, for each of the 13 major body systems, impairments that are considered severe enough to prevent an adult from performing any gainful activity (part A), or in the case of a child under the age of 18, impairments which are severe enough to prevent the child from functioning independently, appropriately, and effectively in an age-appropriate manner (part B). The Listing of Impairments is used for evaluating disability and blindness under the Social Security disability program and the supplemental security income program.

When the revised Listing of Impairments was published in 1985, we indicated that disability evaluation and treatment and program experience would require that the listing be periodically reviewed and updated. Accordingly, expiration dates were established ranging from 4 to 8 years for each of the specific body systems. A date of December 6, 1990, was established for the musculoskeletal system listings in part A to no longer be effective. A date of December 6, 1993, was established for part B of the listings to no longer be effective.

The potential program impact of the changes to update the listings required careful analysis and consideration within the Agency. As our study and analysis continued, it became evident that we would be unable to publish a proposed and then a final regulation containing revised criteria for part A of the musculoskeletal system listings by December 6, 1990. We, therefore, published in the **Federal Register** of December 12, 1990 (55 FR 51100), a final regulation extending the current musculoskeletal system listings for a period of 18 months through June 5, 1992.

Before proposing revisions to the current musculoskeletal listings, we must consider and resolve a variety of medical issues affecting both adults and children. We also want to give special attention to ensuring consistency between the proposed adult and childhood listings, while also recognizing the particular considerations appropriate to children. Because of the complexity of these medical and technical tasks, we find that we will not have sufficient time to publish a notice of proposed rulemaking setting out any proposed revisions to the current listings that may be necessary and then publish a final regulation in the **Federal Register** by June 6, 1992. We have, therefore, decided to extend the date on which the current musculoskeletal system listings in part A will no longer be effective for an additional period of 18 months—from June 6, 1992, to December 6, 1993.

Regulatory Procedures

The Department, even when not required by statute, as a matter of policy, generally follows the Administrative Procedure Act notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The Administrative Procedure Act provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that, under 5 U.S.C. 553(b)(B), good cause exists for waiver of notice of proposed rulemaking and public comment procedures on this rule because it only extends the expiration date of Part A of the musculoskeletal system listings and makes no substantive changes to these listings. The current regulations expressly provide that the listings may be extended by the Secretary, as well as revised and promulgated again. Because we are not making any revisions to the current listings, use of public comment procedures is not contemplated by the existing regulations and is unnecessary under the Administrative Procedure Act. After our review of the existing musculoskeletal system listings is completed, any proposed revisions to the existing criteria will be published for public comment.

Executive Order 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 because this regulation does not meet any of the threshold criteria for a major rule. Therefore, a regulatory impact analysis is not required.

Regulatory Flexibility Act

We certify that this regulation will not have a significant economic impact on a substantial number of small entities because it only affects disability claimants under titles II and XVI of the Act.

Paperwork Reduction Act

This regulation imposes no reporting or recordkeeping requirements necessitating clearance by the Office of Management and Budget.

(Catalog of Federal Domestic Assistance Program No. 93.802, Social Security Disability Insurance; No. 93.807, Supplemental Security Income Program)

List of Subjects in 20 CFR Part 404

Administrative practice and procedure, Blind, Disability benefits, Old-Age, Survivors and Disability Insurance, Reporting and recordkeeping requirements, Social Security.

Dated: April 14, 1992.

Gwendolyn S. King,

Commissioner of Social Security.

Approved: May 21, 1992.

Louis W. Sullivan,

Secretary of Health and Human Services.

For the reasons set forth in the preamble, part 404 of title 20 of the Code of Federal Regulations is amended as set forth below.

PART 404—FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950-)

1. The authority citation for subpart P of part 404 continues to read as follows:

Authority: Secs. 202, 205 (a), (b), and (d)–(h), 216(i), 221 (a) and (i), 222(c), 223, 225, and 1102 of the Social Security Act; 42 U.S.C. 402, 405 (a), (b) and (d)–(h), 416(i), 421 (a) and (i), 422(c), 423, 425, and 1302.

Appendix 1 to Subpart P—[Amended]

2. Appendix 1 to subpart P is amended by revising the second paragraph of the introductory text to read as follows:

Appendix 1 to Subpart P—Listing of Impairments

* * * * *

The musculoskeletal system (1.00) will no longer be effective on December 6, 1993.

* * * * *

[FR Doc. 92-13281 Filed 6-4-92; 8:45 am]

BILLING CODE 4190-29-M

Food and Drug Administration

21 CFR Part 176

[Docket No. 87F-0239]

Indirect Food Additives: Paper and Paperboard Components

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the food additive regulations to provide for the safe use of a polyamide-epichlorohydrin resin prepared by reacting *N*-methyl-bis (3-aminopropyl) amine with oxalic acid and urea to form a basic polyamide and further reacting the polyamide with epichlorohydrin. The polyamide-epichlorohydrin resin will be used to impart wet strength to paper and paperboard in contract with aqueous and fatty foods. This action is in response to a petition filed by Hercules, Inc.

DATES: Effective June 5, 1992; written objections and requests for a hearing by July 6, 1992.

ADDRESSES: Written objections may be sent to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Marvin D. Mack, Center for Food Safety and Applied Nutrition (HFF-335), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 205-254-9511.

SUPPLEMENTARY INFORMATION: In a notice published in the Federal Register of August 17, 1987 (52 FR 30740), FDA announced that a food additive petition (FAP 7B3986) had been filed by Hercules, Inc., Hercules Plaza, Wilmington, DE 19894, proposing that Section 176.170 *Components of Paper and Paperboard in Contact With Aqueous and Fatty Foods* (21 CFR 176.170) be amended to provide for the safe use of polyamide-epichlorohydrin water-soluble thermosetting resins prepared by reacting *N*-methyl-bis (3-aminopropyl) amine with oxalic acid and urea or dimethylglutarate to form a basic polyamide and further reacting the polyamide with epichlorohydrin. The polyamide-epichlorohydrin resins will be used to impart wet strength to paper and paperboard in contact with aqueous and fatty foods.

Since publication of the filing notice, the petitioner has withdrawn a request to list the proposed use of the polyamide-epichlorohydrin resin prepared by reacting *N*-methyl-bis (3-aminopropyl) amine with dimethylglutarate to form a basic polyamide and further reacting the polyamide with epichlorohydrin.

FDA, in the evaluation of the safety of the additive, reviewed the safety of the additive, the starting materials used to manufacture the additive, and manufacturing impurities that may be present in the additive. Although the additive itself has not been found to cause cancer, it has been found to contain minute amounts of epichlorohydrin as an impurity from its production. This chemical has been shown to cause cancer in test animals. Residual amounts of reactants, such as epichlorohydrin, are commonly found as contaminants in chemical products, including food additives.

I. Determination of Safety

Under section 409(c)(3)(A) of the Federal Food, Drug, and Cosmetic Act (the act) (21 U.S.C. 348(c)(3)(A)), the so-