

England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA 01803-5299; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

(e) This amendment becomes effective on September 2, 1993.

Issued in Burlington, Massachusetts, on July 14, 1993.

Jack A. Sain,

Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 93-18390 Filed 8-2-93; 8:45 am]

BILLING CODE 4910-13-P

14 CFR Part 71

[Airspace Docket No. 93-ASO-3]

Designation of Class E Airspace, Boca Raton, FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes Class E airspace at Boca Raton, Florida. A Very High Frequency Omnidirectional Range/Distance Measuring Equipment (VOR/DME) Standard Instrument Approach Procedure (SIAP) has been developed to serve the Boca Raton Airport based on the Palm Beach VORTAC. Controlled airspace extending upward from 700 feet above the surface is needed to contain aircraft executing the approach. The area will be depicted on aeronautical charts to provide a reference for pilots operating in the area. **EFFECTIVE DATE:** 0901 UTC, November 11, 1993.

FOR FURTHER INFORMATION CONTACT: Armando Castro, Airspace Section, System Management Branch, Air Traffic Division, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 763-7646.

SUPPLEMENTARY INFORMATION:

History

On March 15, 1993, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a transition area at Boca Raton, Florida. (48 FR 29881). The proposal was to add controlled airspace extending upward from 700 feet above the surface to contain Instrument Flight Rules (IFR) operations in controlled airspace during portions of the terminal operation and while transiting between the en route and terminal environments. The operating status of the airport is changed to include IFR (51 FR 11455). Interested parties were invited to participate in this rulemaking

proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received.

Airspace Reclassification, which becomes effective September 16, 1993, will discontinue the use of the term "transition area" and replace it with the designation "Class E airspace" for airspace extending upward from 700 feet above the surface. Other than the change in terminology, this amendment is the same as that proposed in the notice. The coordinates for this airspace docket are based on North American Datum 83. Designation for Class E airspace extending upward from 700 feet or more above the surface of the earth are published in paragraph 6005 of FAA Order 7400.9A dated June 17, 1993, and effective September 16, 1993, which is incorporated by reference in 14 CFR 71.1 effective September 16, 1993 (58 F.R. 36298; July 6, 1993). The Class E airspace designation listed in this document will be published subsequently in the Order.

The Rule

This amendment to part 71 of the Federal Aviation Regulations establishes Class E airspace at Boca Raton, Florida, to provide controlled airspace extending upward from 700 feet above the surface for aircraft executing the VOR/DME-A SIAP into the Boca Raton Airport, at Boca Raton, Florida.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 in effect as of September 16, 1993, as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

2. The incorporation by reference in 14 CFR 71.1 in effect as of September 16, 1993, of the Federal Aviation Administration Order 7400.9A, Airspace Designation and Reporting Points, dated June 17, 1993, and effective September 16, 1993, is amended as follows:

Para. 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth

* * * * *

ASO FL E5 Boca Raton, FL [New]

Boca Raton Airport, FL
(lat. 26° 22'44" N., long. 80° 06'26" W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of Boca Raton Airport, excluding that portion that coincides with the Pompano Beach, FL, Class E airspace.

* * * * *

Issued in East Point, Georgia, on June 23, 1993.

Walter E. Denley,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 93-18454 Filed 8-2-93; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

[Regulations No. 16]

RIN 0960-AD55

Supplemental Security Income for the Aged, Blind and Disabled; Residence and Citizenship; Temporary Protected Status

AGENCY: Social Security Administration, HHS.

ACTION: Final rule.

SUMMARY: This final rule incorporates into the supplemental security income regulations a provision of the Immigration and Nationality Act (INA) concerning the ineligibility of certain aliens for federal assistance programs. Specifically, this regulation provides that an alien granted temporary protected status (TPS) by the Attorney General of the United States pursuant to section 244A of the INA will not be considered to be permanently residing

in the United States under color of law during that period for the purpose of eligibility for Supplemental Security Income (SSI) benefits.

EFFECTIVE DATE: August 3, 1993.

FOR FURTHER INFORMATION CONTACT:

Harry J. Short, Legal Assistant, 3-B-1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-6243.

SUPPLEMENTARY INFORMATION: The SSI program provides cash assistance to persons who are aged, blind, or disabled and whose income and resources are below specified amounts. A person may be eligible for SSI benefits if he or she meets all of the eligibility requirements of title XVI of the Social Security Act (the Act) and implementing regulations. Section 1614(a)(1)(B) of the Act provides that an aged, blind or disabled individual, for purposes of the application of title XVI, must be a resident of the United States, and either a citizen or an alien lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law.

Section 302 of the Immigration Act of 1990, Public Law 101-649, amended the INA on November 29, 1990, by adding a new section 244A entitled "Temporary Protected Status." TPS is an alien status which may be granted temporarily to qualified nationals of designated foreign states. Such designation of a foreign state is based on the existence of an ongoing armed conflict, natural disaster, or other extraordinary and temporary condition which prevents aliens who are nationals of such state from returning safely. Aliens granted TPS may not be deported during the period in which such status is in effect and may work throughout its duration. However, paragraph (f)(1) of section 244A provides that during a period in which an alien is granted TPS, he or she shall not be considered to be permanently residing in the United States under color of law. One effect of this amendment is that individuals will not be eligible for SSI benefits while in TPS, because they have not been admitted for permanent residence and cannot be considered to be permanently residing in the United States under color of law while in TPS.

This final regulation adds a new § 416.1619 to subpart P of our regulations to incorporate the provision of section 244A of the INA which states that aliens granted TPS are not considered to be permanently residing in the United States under color of law.

Regulatory Procedures

Justification for Final Rule

The Department, even when not required by statute, as a matter of policy, generally follows the Administrative Procedure Act (APA) notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The APA provides exceptions to its notice and 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 regulation, because such procedures are unnecessary in this case. This rule merely reflects, without exercise of discretion, section 244A(f)(1) of the INA, 8 U.S.C. 1254a(f)(1), as amended by section 302(a) of Public Law 101-649.

Executive Order No. 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 since the program and administrative impact of the legislation, which this regulation implements, is insignificant and the threshold criteria for a major rule are not otherwise met. Therefore, a regulatory impact analysis is not required.

Paperwork Reduction Act

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

Regulatory Flexibility Act

We certify that this final rule will not have a significant economic impact on a substantial number of small entities because it affects only individuals. Therefore, a regulatory flexibility analysis as provided in Public Law 96-354, the Regulatory Flexibility Act, is not required.

(Catalog of Federal Domestic Assistance Program No. 93.807—Supplemental Security Income)

List of Subjects in 20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Public assistance programs, Supplemental Security Income (SSI), Reporting and recordkeeping requirements.

Dated: April 30, 1993.

Louis D. Eneff,

Principal Deputy Commissioner of Social Security.

Approved: June 15, 1993.

Donna E. Shalala,

Secretary of Health and Human Services.

For the reasons set out in the preamble, part 416 of chapter III of title 20 of the Code of Federal Regulations is amended as follows:

1. The authority citation for subpart P of part 416 is revised to read as follows:

Authority: Secs. 1102, 1614(a)(1)(B) and (e), and 1631 of the Social Security Act; 42 U.S.C. 1302, 1382c(a)(1)(B) and (e), and 1383; sec. 502 of Pub. L. 94-241, 90 Stat. 268; sec. 302 of Pub. L. 101-649, 104 Stat. 4978.

2. A new § 416.1619 is added to read as follows:

§ 416.1619 When you cannot be considered permanently residing in the United States under color of law.

We will not consider you to be permanently residing in the United States under color of law and you are not eligible for SSI benefits during a period in which you have been granted temporary protected status by the Immigration and Naturalization Service under section 244A of the Immigration and Nationality Act.

[FR Doc. 93-18384 Filed 8-2-93; 8:45 am]
BILLING CODE 4190-29-P

Food and Drug Administration

21 CFR Part 73

[Docket No. 90C-0406]

Listing of Color Additives for Coloring Contact Lenses; 1,4-Bis [4-(2-Methacryloxyethyl) Phenylamino]Anthraquinone Copolymers; Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of May 6, 1993, of the final rule that appeared in the Federal Register of April 5, 1993 (58 FR 17506), that amended the color additive regulations to provide for the safe use of the colored reaction product formed by copolymerizing 1,4-bis[4-(2-methacryloxyethyl) phenylamino] anthraquinone (C.I. Reactive Blue 246) with hydroxyethyl methacrylate and N-vinyl pyrrolidone to form contact lenses.

DATES: Effective date confirmed: May 6, 1993.

FOR FURTHER INFORMATION CONTACT: Helen R. Thorsheim, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9511.

SUPPLEMENTARY INFORMATION: In the Federal Register of April 5, 1993 (58 FR 17506), FDA published a final rule that amended the color additive regulations in 21 CFR 73.3106 to provide for the safe use of the colored reaction product formed by copolymerizing 1,4-bis[4-(2-methacryloxyethyl)phenylamino]anthraquinone (C.I. Reactive Blue 246) with hydroxyethyl methacrylate and N-vinyl pyrrolidone to form contact lenses. FDA also amended the regulation to clearly identify the color additive as the reaction product of 1,4-bis[4-(2-methacryloxyethyl)phenylamino]anthraquinone copolymerized with other monomers.

FDA gave interested persons until May 5, 1993, to file written objections or requests for a hearing. No objections or requests for a hearing were received in response to the final rule. Therefore, FDA finds that the final rule that published in the Federal Register of April 5, 1993, should be confirmed.

List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sections 201, 401, 402, 403, 409, 501, 502, 505, 601, 602, 701, 721 (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the April 5, 1993, final rule. Accordingly, the amendments promulgated thereby became effective May 6, 1993.

Dated: July 28, 1993.

Michael R. Taylor,

Deputy Commissioner for Policy.

[FR Doc. 93-18471 Filed 8-2-93; 8:45 am]

BILLING CODE 4160-01-F

21 CFR Part 73

[Docket No. 89C-0480]

Listing of Color Additives for Coloring Contact Lenses; Vinyl Alcohol/Methyl Methacrylate-Dye Reaction Products; Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of May 6, 1993, for the final rule that amended the color additive regulations to provide for the safe use in coloring contact lenses of the reaction products formed by chemically bonding five reactive dyes, alone or in combination, to the vinyl alcohol/methyl methacrylate copolymeric lens material.

DATES: Effective date confirmed: May 6, 1993.

FOR FURTHER INFORMATION CONTACT: Mitchell Cheeseman, Center for Food Safety and Applied Nutrition (HFS-216), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9511.

SUPPLEMENTARY INFORMATION: In the Federal Register of April 5, 1993 (58 FR 17508), FDA amended 21 CFR 73.3127 of the color additive regulations to provide for the safe use in coloring contact lenses of the reaction product formed by chemically bonding the following reactive dyes, alone or in combination, to the vinyl alcohol/methyl methacrylate copolymeric lens material:

(1) C.I. Reactive Black 5 [2,7-naphthalenedisulfonic acid, 4-amino-5-hydroxy-3,6-bis((4-((2-sulfooxy)ethyl)sulfonyl)phenyl)azo)-, tetrasodium salt] (CAS Reg. No. 17095-24-8);

(2) C.I. Reactive Orange 78 [2-naphthalenesulfonic acid, 7-(acetylamino)-4-hydroxy-3-((4-((2-sulfooxy)ethyl)sulfonyl)phenyl)azo-] (CAS Reg. No. 68189-39-9);

(3) C.I. Reactive Yellow 15 [benzenesulfonic acid, 4-(4,5-dihydro-4-((2-methoxy-5-methyl-4-((2-sulfooxy)ethyl)sulfonyl)phenyl)azo)-3-methyl-5-oxo-1H-pyrazol-1-yl-] (CAS Reg. No. 60958-41-0);

(4) C.I. Reactive Blue No. 19 [2-anthracenesulfonic acid, 1-amino-9,10-dihydro-9,10-dioxo-4-((3-((2-sulfooxy)ethyl)sulfonyl)phenyl)amino)-, disodium salt] (CAS Reg. No. 2580-78-1); and

(5) C.I. Reactive Blue 21 [copper, (29H,31H-phthalocyaninato(2-)-N²⁹,N³⁰,N³¹,N³²)-, sulfo((4-((2-sulfooxy)ethyl)sulfonyl)phenyl)amino)sulfonyl derivatives] (CAS Reg. No. 73049-92-0).

FDA gave interested persons until May 5, 1993, to file written objections or requests for a hearing. No objections or requests for a hearing were received in response to the final rule. Therefore, FDA finds that the final rule that

published in the Federal Register of April 5, 1993, should be confirmed.

List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sections 201, 401, 402, 403, 409, 501, 502, 505, 601, 602, 701, 721 (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the April 5, 1993, final rule. Accordingly, the amendments promulgated thereby became effective May 6, 1993.

Dated: July 28, 1993.

Michael R. Taylor,

Deputy Commissioner for Policy.

[FR Doc. 93-18470 Filed 8-2-93; 8:45 am]

BILLING CODE 4160-01-F

21 CFR Part 74

[Docket No. 91C-0033]

Listing of Color Additives Subject to Certification; FD&C Blue No. 1; Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA) is confirming the effective date of May 6, 1993, for the final rule that amended the color additive regulations to provide for the safe use of manganese dioxide as an oxidizing agent in the manufacture of FD&C Blue No. 1.

DATES: Effective date confirmed: May 6, 1993.

FOR FURTHER INFORMATION CONTACT: Wes Long, Center for Food Safety and Applied Nutrition (HFS-217), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-254-9519.

SUPPLEMENTARY INFORMATION: In the Federal Register of April 5, 1993 (58 FR 17510), FDA amended 21 CFR 74.101 and 21 CFR 74.2101 of the color additive regulations to provide for the safe use of manganese dioxide as an oxidizing agent in the manufacture of FD&C Blue No. 1.

FDA gave interested persons until May 5, 1993, to file objections or requests for a hearing. No objections or requests for a hearing were received in response to the final rule. Therefore, FDA finds that the final rule that

published in the **Federal Register** of April 5, 1993, should be confirmed.

List of Subjects in 21 CFR Part 74

Color additives, Cosmetics, Drugs. Therefore, under the Federal Food, Drug, and Cosmetic Act (sections 201, 401, 402, 403, 409, 501, 502, 505, 601, 602, 701, 721 (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10), notice is given that no objections or requests for a hearing were filed in response to the April 5, 1993, final rule. Accordingly, the amendments promulgated thereby became effective May 6, 1993.

Dated: July 28, 1993.

Michael R. Taylor,

Deputy Commissioner for Policy.

[FR Doc. 93-18472 Filed 8-2-93; 8:45 am]

BILLING CODE 4160-01-F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3730, 3820, 3830, and 3850

[WO-660-4191-02-24-1A; Circular No. 2648]

RIN 1004-AC07

Rental Fees, Mining Claim Recordation, and Assessment Work

AGENCY: Bureau of Land Management, Interior.

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the final rule that was published Thursday, July 15, 1993 (58 FR 38186). The regulations promulgated by the rule related to the imposition of a \$100.00 annual rental fee on unpatented mining claims on Federal lands.

EFFECTIVE DATE: July 15, 1993.

FOR FURTHER INFORMATION CONTACT:

Roger Haskins (702) 785-6576, or Frank Bruno (202) 653-5182.

SUPPLEMENTARY INFORMATION:

Background

The final rule that is the subject of this correction implemented provisions of the Interior Department and Related Agencies Appropriations Act of 1993 (the Act) that requires an annual rental fee of \$100 for each mining claim and site located and held under the General Mining Law of 1872 for fiscal years 1993 and 1994. The final rule established the procedures for paying and

administering the required annual rental fee, put into regulation the statute's mandatory payment deadlines and its mandatory provisions that failure to pay the rental fee on time constitutes abandonment of the claim or site, amended the recording and assessment work regulations to conform to the requirements of the Act, and established procedures by which small miners may obtain an exemption.

Need for Correction

As published, the final rule at § 3833.1-6(a)(4)(ii) did not account for the fact that mining activities are carried out on National Forest System lands under Notices of Intent as well as under Plans of Operations. Section 3833.1-6(a)(5) of the proposed rule published March 5, 1993, allowed a small miner to claim an exemption from the requirement to pay the annual rental fee based on a Notice of Intent to conduct operations on National Forest System lands (58 FR 12885). The reference to such notice was inadvertently omitted as a result of the amendment of the proposed section and the redesignation of part of the text of proposed § 3833.1-6(a)(5) as § 3833.1-6(a)(4)(ii) in the final rule. This correction notice, by adding the phrase "Notice or a" in § 3833.1-6(a)(4)(ii), captures the original intent of the proposed rule. Moreover, it is consistent with the requirements of the Act, which allows small miners to claim exemption from the payment of the annual rental fee on the basis of notices as well as on plans of operations.

Correction of Publication

Accordingly, the publication on July 15, 1993, of the final rule on Rental Fees, Mining Claim Recordation, and Assessment Work is corrected as follows:

Section 3833.1-6 is corrected by revising paragraph (a)(4)(ii) to read as follows:

§ 3833.1-6 Rental fee exemption qualifications.

* * * * *

(a) * * *

(4) * * *

(ii) A Notice or a Plan of Operations issued under parts 9 and 228 of title 36 of the Code of Federal Regulations for National Park System lands and National Forest System lands respectively; or

* * * * *

Dated: July 28, 1993.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 93-18438 Filed 8-2-93; 8:45 am]

BILLING CODE 4310-04-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR PART 69

[CC Docket No. 91-213, FCC 93-366]

Transport Rate Structure and Pricing

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission adopted interim rules to govern the rate structure and pricing of the transport component of interstate switched access provided by local exchange carriers (LECs) to enable interexchange carriers (IXCs) to originate and terminate interstate traffic. We now reconsider and clarify certain issues on which guidance is needed before the LECs file their initial transport rates. Specifically, we address: (1) Application of the interim rate structure to certain configurations; (2) issues relating to the derivation of initial transport rates; and (3) clarification of implementation procedures. In addition, we are changing the date on which LECs are required to file tariff revisions incorporating the new transport rate structure and pricing rules from August 2, 1993 to September 1, 1993.

EFFECTIVE DATE: September 1, 1993.

FOR FURTHER INFORMATION CONTACT: David L. Sieradzki, Common Carrier Bureau, Policy & Program Planning Division, 202-632-1304.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's First Memorandum Opinion and Order on Reconsideration in CC Docket No. 91-213, adopted and released on July 21, 1993. This item reconsiders and clarifies matters addressed in Transport Rate Structure and Pricing, Report and Order CC Docket No. 91-213, 7 FCC Rcd 7006 (1992) (Transport Order or Order), 57 FR 54717 (Nov. 20, 1992).

The complete text of this First Memorandum Opinion and Order on Reconsideration is available for inspection and copying during normal business hours in the FCC Reference Center, 1919 M Street NW., room 230, Washington, DC 20554.

Synopsis of First Memorandum Opinion and Order on Reconsideration

I. Rate Structure

A. Intermediate Hubbing

1. Hubbing permits access customers to use the network efficiently and increases opportunities for interexchange competition. Permitting hubbing is in the public interest. Accordingly, we are revising the rules to