From Cimarron, NM, via INT Cimarron 053° and Pueblo, CO, 176° radials; Pueblo; INT Pueblo 002° and Falcon, CO, 159° radials; to Falcon.

* * * * *

V–575 [Revised]

From Laramie, WY, INT Laramie 156° and Mile High, CO, 322° radials; to Mile High.

* * * * *

V–593 [Removed]

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Issued in Washington, DC on September 2, 1993.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 93–22164 Filed 9–9–93; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 2

[Docket No. RM93–16–001]

Revisions to the Regulations Governing Natural Gas Pipelines; Order No. 554

September 3, 1993.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Final rule; correction.

SUMMARY: The Commission is correcting its final rule published in the **Federal Register** on July 19, 1993, pertaining to the elimination of the requirement that natural gas pipeline companies file FERC Form No. 15, "Interstate Pipeline's Annual Report of Gas Supply," and FERC Form No. 16, "Report of Gas Supply and Requirements." The rule inadvertently amended a section of the Commission's regulations which had been removed effective May 1, 1992.

EFFECTIVE DATE: This correction is effective September 3, 1993.

FOR FURTHER INFORMATION CONTACT: Gordon Wagner, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, (202) 219–0122.

SUPPLEMENTARY INFORMATION: In addition to publishing the full text of this document in the **Federal Register**, the Commission also provides all interested persons an opportunity to inspect or copy the contents of this document during normal business hours in room 3104, 941 North Capitol Street NE., Washington, DC 20426.

The Commission Issuance Posting System (CIPS), an electronic bulletin board service, provides access to the texts of formal documents issued by the Commission. CIPS is available at no charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208–1397. To access CIPS, set your communications software to use 300, 1200, or 2400 bps, full duplex, no parity, 8 data bits, and 1 stop bit. CIPS can also be accessed at 9600 bps by dialing (202) 208–1781. The full text of this document will be available on CIPS for 30 days from the date of issuance. The complete text on diskette in WordPerfect format may also be purchased from the Commission's copy contractor, La Dorn Systems Corporation, also located in room 3104, 941 North Capitol Street NE., Washington, DC 20426.

On July 13, 1993, the Commission issued Order No. 554 (58 FR 38524, July 19, 1993; 64 FERC ¶ 61,059 (1993)), a final rule eliminating the requirement that natural gas pipeline companies file FERC Form No. 15, "Interstate Pipeline's Annual Report of Gas Supply," and FERC Form No. 16, "Report of Gas Supply and Requirements." Order No. 554 inadvertently revised 18 CFR 2.61, which had been removed from the Commission's regulations effective May 1, 1992. (57 FR 21891, May 26, 1992). Therefore, the final rule published in the **Federal Register** on July 19, 1993, is corrected as follows:

1. On page 38526, the paragraph entitled "C. Section 2.61" is removed and paragraphs "D, E, and F" are redesignated as "C, D, and E," respectively.

2. On page 38527, the heading "PART 2—GENERAL POLICY AND INTERPRETATIONS" and amendatory instructions 1 and 2 are removed; amendatory instructions 3 through 13 are redesignated as amendatory instructions 1 through 11.

Lois D. Cashell,

Secretary.

[FR Doc. 93–22072 Filed 9–9–93; 8:45 am]

BILLING CODE 6717–01–M

DEPARTMENT OF STATE

Bureau of Political-Military Affairs

22 CFR Part 121

[Public Notice 1858]

Amendments to the International Traffic in Arms Regulations (ITAR)

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: This final rule is the result of a notice of proposed rule-making published in the **Federal Register**, 57 FR 61589, dated December 28, 1992. It amends the regulations implementing section 38 of the Arms Export Control Act, which governs the export of defense articles and defense services. Specifically, this rule moves remote sensing satellites and some ground stations for controlling remote sensing satellites, as well as relevant components, parts, accessories, attachments and associated equipment and technical data and defense services into Category XV of the U.S. Munitions List (USML). Accordingly, it removes those commodities from Category VIII (h), (i), (j) and (k) and Category XI (c) and (e) of the USML where, until now, they had been controlled. (See the **Federal Register**, 57 FR 15227, dated April 27, 1992.)

This rule reduces the burden on exporters by consolidating all spacecraft to be controlled under the USML, as well as all specifically designed or modified components, parts, accessories, and attachments of such satellites, and their directly related technical data and defense services, into a single category of the USML. At the same time, this rule initiates the movement off the USML to the Department of Commerce's Commerce Control List (CCL) of some ground stations for remote sensing satellites as well as all components, parts, accessories, attachments and associated equipment of spacecraft which have not been specifically designed or modified to provide the characteristics of capabilities described in Category XV which cause a spacecraft to remain under the control of the USML. The Department of Commerce is publishing separately a final rule under the provisions of the Export Administration Act, as amended, to amend the relevant Export Commodity Control Number (ECCN) category to include the spacecraft components, parts, accessories, and attachments and associated equipment being moved as a result of this rule.

EFFECTIVE DATE: This rule is effective September 8, 1993.

FOR FURTHER INFORMATION CONTACT: Kenneth M. Peoples, Office of Defense Trade Controls, Department of State, telephone 703–875–6619, or fax 703–875–6647; or Thomas Oldenburg, Office of Strategic Technology Affairs, Department of State, telephone 202–647–2432, or fax 202–736–7336.

SUPPLEMENTARY INFORMATION: On November 16, 1990, the President signed Executive Order 12735 on Chemical and Biological Weapons Proliferation and directed various other export control measures. The measures directed by the President included removal from the USML of all items contained on the COCOM dual-use list unless significant U.S. national security interests would be jeopardized by such a move.

In implementing this directive, the Department created an interagency working group which reviewed the coverage of spacecraft and related components. Chaired by the Department of State, the Space Technical Working Group, (STWG) is comprised of representatives of the Departments of State, Commerce, Defense, and other executive agencies. The group was established to identify and recommend for removal from the USML commercial satellites and related articles covered by the COCOM Industrial List (IL) except where such movement would jeopardize U.S. national security interests. In pursuing this objective, the STWG has also sought to eliminate real or apparent overlaps between the U.S. Munitions List and the Commerce Control List. This rule derives from both objectives.

On September 5, 1991, the Department published in the **Federal Register** an advanced notice of proposed rule-making, establishing a new Category XV on the USML for spacecraft and related systems (56 FR 43894). A final rule formally creating Category XV for Spacecraft Systems and Associated Equipment was published in the **Federal Register** on April 27, 1992 (57 FR 15227).

The advanced notice of proposed rule-making which the Department published in the **Federal Register** on September 5, 1991, advised that a series of proposed rules would follow. Subsequent to the April 27, 1992, final rule, a final rule published on September 9, 1992 (57 FR 41077), identified military GPS receivers and moved them into the new Category XV. Another final rule, dated October 23, 1992, moved military satellites to Category XV and identified certain non-military communications satellites which have capabilities that justify keeping them on the USML in the interest of U.S. national security (57 FR 48315). That rule, along with a final rule published simultaneously by the Department of Commerce, moved all other complete commercial communications satellites to the export licensing control of the Department of Commerce. This final rule completes the internal movement within the USML to Category XV of all remaining satellites and the components, parts, accessories, and attachments and associated equipment specifically designed for those satellites, and all directly related technical data and defense services for those satellites. At the same time, in conjunction with a final rule being published simultaneously by the Department of Commerce, all generic satellite components, parts, accessories, attachments and associated equipment except where such equipment is specifically designed or modified to provide one or more of the characteristics or capabilities identified in Category XV of the USML as requiring control under the USML) are being moved from the USML to the CCL. In addition, under this final rule and the new Department of Commerce final rule referred to above, all passive ground stations for receipt of data from remote sensing satellites are being moved from the USML to the CCL; ground stations for remote sensing satellites which have USML encryption capability or uplink command capability will remain in Category XV of the USML.

The proposed rule published in the **Federal Register** on December 28, 1992, generated nine responses during the 30-day public comment period for the proposed rule. With a few exceptions, most of industry's comments focused upon language related to commercial communications satellites, which were published as a final rule on October 23, 1992. While the Department will consider those comments for possible future action, it does not intend to make any changes to the language regarding commercial communications satellites at this time.

One industry comment did touch upon the inclusion of certain radiation hardened integrated circuits (IC's) in the specific language of Category XV(e)(2). Heretofore, the USML controlled exports of a large proportion of radiation hardened IC's under the USML under Category XI; as a result of this final rule, all so-called "class 2" radiation hardened IC's previously controlled under the USML are being moved to the CCL. Those radiation hardened IC's which the Department has determined should continue to be controlled under the USML are specifically identified in the language of Category XV(e)(2).

Other comments mentioned the language of Category XV(e), which controls all components, parts, accessories, attachments and associated equipment which are specifically designed, modified or configured for the items in Category XV. Industry recognized that the language moves a significant quantity of such components, parts, etc., off the USML, but expressed concern that some such components (for example, traveling wave tube amplifiers) must receive minor adjustments which do not affect their capabilities or characteristics in order to be usable in a specific satellite. Such a situation would result in some satellite components being subject to the CCL when the satellite for which it is being exported is on the CCL, while virtually identical components would be controlled on the USML when the specific satellite for which it is being exported is on the USML. The Department understands industry's concern in this instance and does not intend such a result; however, it has been determined that the clarification in this paragraph will suffice to put such concerns to rest without having to make any additional changes in the actual text of Category XV(e)(1). The language of Category XV(e)(1) captures only those specific components, parts, etc., of a satellite or military GPS receiver which are specifically designed, modified or configured to provide one or more of the characteristics or capabilities specifically identified in Category XV. All other components, parts, accessories, attachments and associated equipment specifically designed for satellites but not providing such a capability or characteristic will henceforth be under the export licensing jurisdiction of the Department of Commerce, regardless of whether the satellite is on the USML or the CCL. However, this paragraph regarding Category XV of the USML must not be used to infer movement to the CCL of equipment controlled under other categories of the USML. For example, military telemetry equipment continues to be controlled under Category XI of the USML, even though a specific export transaction of such equipment may be intended for end-use in a passive remote sensing ground station; in this situation, the ground station would also be controlled under the USML because of the inclusion of the military telemetry equipment capture in Category XI.

In addition to comments received from the private sector, the Department received from other Federal agencies several detailed technical suggestions related to language in Category XV(b), which controls remote sensing satellites. The STWG has requested and was granted additional time to review the technical merits of those proposals. However, because of the advantages to industry and to the United States Government of the transfer of material from the USML to the CCL implicit in the language of the December 28, 1992, proposed rule, the Department has decided to enact the language of the December 28, 1992, proposed rule as a final rule and publish it in conjunction with a complementary final rule by the Department of Commerce. The STWG anticipates completing its review of the language of Category XV(b) on remote sensing satellites approximately 120 days following publication of this final rule. Any further changes (if any) to the language in the USML on remote sensing satellites will be made in a follow-on final rule at that time.

List of Subjects in 22 CFR Part 121

Arms and munitions, Exports.

Accordingly, for the reasons set forth above, title 22, chapter I, subchapter M (consisting of parts 120 through 130) of the Code of Federal Regulations is amended to read as set forth below:

PART 121—THE UNITED STATES MUNITIONS LIST

1. The authority citation for part 121 continues to read as follows:

Authority: Sec. 38, Arms Export Control Act, 90 Stat. 744 (22 U.S.C. 2778); E.O. 11958, 42 FR 4311; 22 U.S.C. 2658.

2. In § 121.1, Category XV is revised to read as follows:

§ 121.1 General. The United States Munitions List.

* * * * *

Category XV—Spacecraft Systems and Associated Equipment

* (a) Spacecraft and associated hardware, including ground support equipment, specifically designed or modified for military use.

(b) Remote sensing satellite systems as follows:

* (1) All Remote sensing satellites;

(2) Ground control stations for remote sensing satellites as follows:

(i) Ground control stations for telemetry, tracking and control of such satellites; or

(ii) Passive ground stations for remote sensing satellites having any of the following characteristics:

(A) Employing any of the cryptographic items controlled under Category XIII of this subchapter; or

(B) Employing any uplink command capability.

Note: For export licensing controls over any passive ground receive only stations for remote sensing satellites not having any of the above parameters nor any systems or major components controlled elsewhere under this subchapter, see the Commerce Control List.

(c) Communications satellites (excluding ground stations and their associated equipment and technical data not enumerated elsewhere in this § 121.1; for controls on such ground stations, see the Commerce Control List) with any of the following characteristics:

(1) Anti-jam capability. Antennas and/or antenna systems with ability to respond to incoming interference by adaptively reducing antenna gain in the direction of the interference.

(2) Antennas:

(i) With aperture (overall dimension of the radiating portions of the antenna) greater than 30 feet ; or

(ii) With sidelobes less than or equal to −35dB; or

(iii) Designed, modified, or configured to provide coverage area on the surface of the earth less than 200 nm in diameter, where "coverage area" is defined as that area on the surface of the earth that is illuminated by the main beam width of the antenna (which is the angular distance between half power points of the beam).

(3) Designed, modified or configured for intersatellite data relay links that do not involve a ground relay terminal ("cross-links").

(4) Spaceborne baseband processing equipment that uses any technique other than frequency translation which can be changed several times a day on a channel by channel basis among previously assigned fixed frequencies.

(5) Employing any of the cryptographic items controlled under Category XIII (b) of this subchapter.

(6) Employing radiation-hardened devices controlled elsewhere in this § 121.1 that are not "embedded" in the satellite in such a way as to deny physical access. (Here "embedded" means that the device either cannot feasibly be removed from the satellite or be used for other purposes.)

(7) Having propulsion systems which permit acceleration of the satellite on-orbit (i.e., after mission orbit injection) at rates greater than 0.1g.

(8) Having attitude control and determination systems designed to provide spacecraft pointing determination and control better than 0.02 degrees per axis.

(9) Having orbit transfer engines ("kick-motors") which remain permanently with the spacecraft and are capable of being restarted after achievement of mission orbit and providing acceleration greater than 1g. (Orbit transfer engines which are not designed, built, and shipped as an integral part of the satellite are controlled under Category IV of this subchapter.)

(d) Global Positioning System (GPS) receiving equipment specifically designed, modified or configured for military use; or GPS receiving equipment with any of the following characteristics:

(1) Designed for encryption or decryption (e.g., Y-Code) of GPS precise positioning service (PPS) signals;

(2) Designed for producing navigation results above 60,000 feet altitude and at 1,000 knots velocity or greater;

(3) Specifically designed or modified for use with a null steering antenna or including a null steering antenna designed to reduce or avoid jamming signals;

(4) Designed or modified for use with unmanned air vehicle systems capable of delivering at least a 500 kg payload to a range of at least 300 km.

(**Note:** GPS receivers designed or modified for use with military unmanned air vehicle systems with less capability are considered to be specifically designed, modified or configured for military use and therefore covered under this paragraph (d)(4).)

Any GPS equipment not meeting this definition is subject to the jurisdiction of the Department of Commerce (DOC). Manufacturers or exporters of equipment under DOC jurisdiction are advised that the U.S. Government does not assure the availability of the GPS P-Code for civil navigation. It is the policy of the Department of Defense (DOD) that GPS receivers using P-Code without clarification as to whether or not those receivers were designed or modified to use Y-Code will be presumed to be Y-Code capable and covered under this paragraph. The DOD policy further requires that a notice be attached to all P-Code receivers presented for export. The notice must state the following: "ADVISORY NOTICE: This receiver uses the GPS P-Code signal, which by U.S. policy, may be switched off without notice."

(e) Components, parts, accessories, attachments, and associated equipment (including ground support equipment) as follows:

(1) Specifically designed, modified or configured for the articles in paragraphs (a) through (d) of this category.

(2) Radiation hardened microelectronic circuits that are specifically designed or rated to meet or exceed all five of the following characteristics:

(**Note:** For export controls on all other radiation hardened microelectronic circuits not captured below, see the Commerce Control List.)

(i) A total dose of 5×10^{5} Rads (Si);

(ii) A dose rate upset of 5×10^{8} Rads (Si)/Sec.;

(iii) A neutron dose of 1×10^{14} N/cm^{2};

(iv) A single event upset of 1×10^{-7} or less error/bit/day; and

(v) Single event latch-up free and having a dose rate latch-up of 5×10^8 Rads(Si)/sec or greater.

(f) Technical data (as defined in § 120.21) and defense services (as defined in § 120.8) directly related to the defense articles enumerated in paragraphs (a) through (f) of this category. (See § 125.4 for exceptions.) Technical data directly related to the manufacture or production of any defense articles enumerated elsewhere in this category that are designated as Significant Military Equipment (SME) shall itself be designated SME. In addition, detailed design, development, production or manufacturing data for all spacecraft systems and specifically designed or modified components thereof, regardless of which U.S. Government agency has jurisdiction for export of the spacecraft. (See § 125.4 for exceptions.) This restriction does not include that level of technical data (including marketing data) necessary and reasonable for a purchaser to have assurance that a U.S.-built item intended to operate in space has been designed, manufactured and tested in conformance with specified contract requirements (e.g., operational performance, reliability, lifetime, product quality, or delivery expectations), as well as data necessary to evaluate in-orbit anomalies and to operate and maintain associated ground equipment.

* * * * *

Dated: July 19, 1993.

Lynn E. Davis,

Under Secretary of State for International Security Affairs.

[FR Doc. 93-21465 Filed 9-9-93; 8:45 am]

BILLING CODE 4710-25-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8489]

RIN 1545-AP53

Combat Zone Compensation of Members of the Armed Forces

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations.

SUMMARY: This document contains final regulations relating to whether compensation received for active service in the Armed Forces of the United States in a combat zone is excludable from the recipient's gross income. These regulations reflect various statutory changes enacted since the publication of prior regulations under section 112. These regulations provide guidance to personnel departments of the Armed Forces and help service members determine their income tax liability for compensation received for service in a combat zone.

EFFECTIVE DATE: These regulations are effective January 16, 1991.

FOR FURTHER INFORMATION CONTACT: Robert B. Goettlich at (202) 622-6040 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

On March 11, 1991, the Internal Revenue Service published in the **Federal Register** (56 FR 10211) proposed amendments to the Income Tax Regulations (26 CFR part 1) under section 112 of the Internal Revenue Code of 1986 (Code), which provides an exclusion from gross income for compensation paid to members of the Armed Forces of the United States for service in a combat zone (combat zone compensation exclusion). The amendments were proposed to reflect the statutory changes made by sections 2(a) and 6(b) of Public Law 93-597, 88 Stat. 1950, and section 3(b) of Public Law 94-569, 90 Stat. 2699 (both amending sections 112 and 2201 of the Code), and section 905 of Public Law 98-94, 97 Stat. 614, 636 (amending 37 U.S.C. 310). Many of those changes expanded the combat zone compensation exclusion by eliminating certain limits on its availability. In addition to those changes, amendments were proposed to make the regulations clearer and better organized.

Written comments were received from the public on the proposed regulations, but no public hearing was requested or held. After consideration of all of the written comments received, the proposed regulations under section 112 are adopted as modified by this Treasury decision.

Explanation of Provisions

Section 112 of the Code excludes from gross income certain compensation received by members of the Armed Forces of the United States for active duty in a "combat zone." This exclusion applies to compensation received for the period of active service in the combat zone. It also applies to compensation received for the period in which the service member is hospitalized as a result of wounds, disease, or injury incurred while serving in the combat zone.

An area in which the Armed Forces of the United States are engaging or have engaged in combat is a "combat zone" for purposes of section 112 only if the President of the United States designates the area as a combat zone by Executive Order. Under § 1.112-1(e) of these regulations, members of the Armed Forces who perform military service in an area outside a combat zone specified by Executive Order are also deemed to serve in the combat zone for purposes of the exclusion under section 112 if their service is in direct support of the military operations in the combat zone and qualifies them for special pay authorized under section 310 of title 37 of the United States Code (37 U.S.C. 310).

Before October 1, 1983, special pay under 37 U.S.C. 310 was referred to as "hostile fire pay" because it could be authorized only if service members were subject to hostile fire or explosion of hostile mines. Effective October 1, 1983, 37 U.S.C. 310 was amended to add 37 U.S.C. 310(a)(4), which provides that special pay can also be authorized for certain service members who are on duty in a foreign area in which they are subject to the threat of physical harm or imminent danger on the basis of civil insurrection, civil war, terrorism, or wartime conditions. The Department of Defense refers to special pay under 37 U.S.C. 310 (whether due to either hostile fire or imminent danger) as special pay for duty subject to hostile fire or imminent danger.

These regulations reflect the amendment of 37 U.S.C. 310 providing for imminent danger pay. Paragraphs (e) and (f) of § 1.112-1 of these regulations (formerly paragraphs (j) and (k) of § 1.112-1) clarify that special pay received under the imminent danger provision of 37 U.S.C. 310(a)(4) is treated in the same manner for purposes of section 112 as special pay received under the hostile fire provisions of 37 U.S.C. 310(a) (1) through (3). As a result, members of the Armed Forces who perform military service outside a combat zone are nevertheless deemed to serve in the combat zone during the period in which they perform service qualifying them for pay under any provision of 37 U.S.C. 310, including the imminent danger provision of 37 U.S.C. 310(a)(4), if the service is in direct support of military operations in the combat zone. These regulations provide an example illustrating this provision.

Prior to July 1, 1973, the combat zone compensation exclusion only applied to compensation received for service in a combat zone "during an induction period" (generally, any period during which individuals could be inducted into the Armed Forces for training and service). This limitation was removed from section 112 by section 2(a) of Public Law 93–597. These regulations reflect the elimination of the phrase "during an induction period" throughout § 1.112–1.

Summary of Significant Modifications

In general, these final regulations retain the structure of the proposed regulations. However, the final regulations reflect certain modifications to the proposed regulations in response to comments received from the public.

Some commentators suggested that the regulations provide examples of specific types of compensation that might be excluded under section 112. Consistent with positions announced in Revenue Ruling 71–343, 1971–2 C.B. 92, and Revenue Ruling 73–187, 1973–1 C.B. 51, new § 1.112–1(b)(5) provides six examples of combat zone compensation, illustrating that compensation other than military basic pay can be eligible for the exclusion. The examples also illustrate the principle that the time and place of entitlement to compensation, not the time and place of payment of the compensation, determine whether the compensation can be excluded from income under section 112. A statement of that principle and of the meaning of the term "entitlement" were also added to § 1.112–1(b)(4).

One commentator suggested that *Examples 1* and *2* in § 1.112–1(e)(2) clarify that the combat zone compensation exclusion is available for the month of May (a month during which the member in the examples actually served in the combat zone) as well as for June (a month in which the member served outside the combat zone but satisfied the conditions for deemed combat zone service). The examples have been so clarified.

One commentator suggested that the regulations could be interpreted to allow a member who remained a prisoner of war for three years after the termination of combatant activities in the combat zone and who was hospitalized upon release to exclude military compensation received for two years of hospitalization following release. The commentator requested that an example be added reflecting that interpretation. Section 112 expressly limits the combat zone compensation exclusion for hospitalization to the two-year period following termination of combatant activities in the zone. No exception to this limit is provided for hospitalization of former prisoners of war. Accordingly, the final regulations do not adopt the commentator's interpretation or provide an example supporting that interpretation.

Finally, § 1.112–1(a)(4) was included in the proposed regulations to clarify that the exclusion under section 112 applies only to combat zone compensation received from the Armed Forces of the United States, except as provided in section 112(d)(2) (which extends the exclusion to compensation of civilian employees of the Federal Government who are in missing status as a result of the Vietnam conflict). Payments by other employers (whether private enterprises or governmental entities) cannot be excluded from income under section 112. The final regulations retain this provision but, consistent with Revenue Ruling 69–353, 1969–1 C.B. 49, include a limited exception for combat zone compensation paid by an agency or instrumentality of the United States or by an international organization to active duty military personnel who are assigned to the agency or instrumentality or organization on official detail.

Special Analyses

It has been determined that these rules are not major rules as defined in Executive Order 12291. Therefore, a Regulatory Impact Analysis is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these regulations, and, therefore, a Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, the notice of proposed rulemaking for the regulations was submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Drafting Information

The principal author of these regulations is Robert B. Goettlich of the Office of the Associate Chief Counsel (Employee Benefits and Exempt Organizations), Internal Revenue Service. However, personnel from other offices of the Service and Treasury Department participated in their development.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 1 is amended as follows:

PART 1—INCOME TAXES

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

Authority: 26 U.S.C. 7805 * * *.

Par. 2. Section 1.112–1 is revised to read as follows:

§ 1.112–1 Combat zone compensation of members of the Armed Forces.

(a) *Combat zone compensation exclusion*—(1) *Amount excluded.* In addition to the exemptions and credits otherwise applicable, section 112 excludes from gross income the following compensation of members of the Armed Forces:

(i) *Enlisted personnel.* Compensation received for active service as a member below the grade of commissioned officer in the Armed Forces of the United States for any month during any part of which the member served in a combat zone or was hospitalized at any place as a result of wounds, disease, or injury incurred while serving in the combat zone.

(ii) *Commissioned officers.* Compensation not exceeding the monthly dollar limit received for active service as a commissioned officer in the Armed Forces of the United States for any month during any part of which the officer served in a combat zone or was hospitalized at any place as a result of wounds, disease, or injury incurred while serving in the combat zone. The monthly dollar limit is the monthly amount excludable from the officer's income under section 112(b) as amended. Beginning in 1966, the monthly dollar limit for periods of active service after 1965 became $500. As of September 10, 1993, the monthly dollar limit continues to be $500.

(2) *Time limits on exclusion during hospitalization.* Compensation received for service for any month of hospitalization that begins more than 2 years after the date specified by the President in an Executive Order as the date of the termination of combatant activities in the combat zone cannot be excluded under section 112. Furthermore, compensation received while hospitalized after January 1978 for wounds, disease, or injury incurred in the Vietnam combat zone designated by Executive Order 11216 cannot be excluded under section 112.

(3) *Special terms.* A commissioned warrant officer is not a *commissioned officer* under section 112(b) and is entitled to the exclusion allowed to enlisted personnel under section 112(a). *Compensation,* for the purpose of section 112, does not include pensions and retirement pay. *Armed Forces of the*

United States is defined (and members of the Armed Forces are described) in section 7701(a)(15).

(4) *Military compensation only.* Only compensation paid by the Armed Forces of the United States to members of the Armed Forces can be excluded under section 112, except for compensation paid by an agency or instrumentality of the United States or by an international organization to a member of the Armed Forces whose military active duty status continues during the member's assignment to the agency or instrumentality or organization on official detail. Compensation paid by other employers (whether private enterprises or governmental entities) to members of the Armed Forces cannot be excluded under section 112 even if the payment is made to supplement the member's military compensation or is labeled by the employer as compensation for active service in the Armed Forces of the United States. Compensation paid to civilian employees of the federal government, including civilian employees of the Armed Forces, cannot be excluded under section 112, except as provided in section 112(d)(2) (which extends the exclusion to compensation of civilian employees of the federal government in missing status due to the Vietnam conflict).

(b) *Service in combat zone*—(1) *Active service.* The exclusion under section 112 applies only if active service is performed in a combat zone. A member of the Armed Forces is in active service if the member is actually serving in the Armed Forces of the United States. Periods during which a member of the Armed Forces is absent from duty on account of sickness, wounds, leave, internment by the enemy, or other lawful cause are periods of active service. A member of the Armed Forces in active service in a combat zone who becomes a prisoner of war or missing in action in the combat zone is deemed, for the purpose of section 112, to continue in active service in the combat zone for the period for which the member is treated as a prisoner of war or as missing in action for military pay purposes.

(2) *Combat zone status.* Except as provided in paragraphs (e) and (f) of this section, service is performed in a combat zone only if it is performed in an area which the President of the United States has designated by Executive Order, for the purpose of section 112, as an area in which Armed Forces of the United States are or have been engaged in combat, and only if it is performed on or after the date designated by the President by Executive Order as the date of the commencing of combatant activities in that zone and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in that zone.

(3) *Partial month service.* If a member of the Armed Forces serves in a combat zone for any part of a month, the member is entitled to the exclusion for that month to the same extent as if the member has served in that zone for the entire month. If a member of the Armed Forces is hospitalized for a part of a month as a result of wounds, disease, or injury incurred while serving in that zone, the member is entitled to the exclusion for the entire month.

(4) *Payment time and place.* The time and place of payment are irrelevant in considering whether compensation is excludable under section 112; rather, the time and place of the entitlement to compensation determine whether the compensation is excludable under section 112. Thus, compensation can be excluded under section 112 whether or not it is received outside a combat zone, or while the recipient is hospitalized, or in a year different from that in which the service was rendered for which the compensation is paid, provided that the member's entitlement to the compensation fully accrued in a month during which the member served in the combat zone or was hospitalized as a result of wounds, disease, or injury incurred while serving in the combat zone. For this purpose, entitlement to compensation fully accrues upon the completion of all actions required of the member to receive the compensation. Compensation received by a member of the Armed Forces for services rendered while in active service can be excluded under section 112 even though payment is received subsequent to discharge or release from active service. Compensation credited to a deceased member's account for a period subsequent to the established date of the member's death and received by the member's estate can be excluded from the gross income of the estate under section 112 to the same extent that it would have been excluded from the gross income of the member had the member lived and received the compensation.

(5) *Examples of combat zone compensation.* The rules of this section are illustrated by the following examples:

Example 1. On January 5, outside of a combat zone, an enlisted member received basic pay for active duty services performed from the preceding December 1 through December 31. On December 4 (and no other date), the member performed services within a combat zone. The member may exclude from income the entire payment received on January 5, although the member served in the combat zone only one day during December, received the payment outside of the combat zone, and received the payment in a year other than the year in which the combat zone services were performed.

Example 2. From March through December, an enlisted member became entitled to 25 days of annual leave while serving in a combat zone. The member used all 25 days of leave in the following year. The member may exclude from income the compensation received for those 25 days, even if the member performs no services in the combat zone in the year the compensation is received.

Example 3. From March through December, a commissioned officer became entitled to 25 days of annual leave while serving in a combat zone. During that period the officer also received basic pay of $1,000 per month from which the officer excluded from income $500 per month (exhausting the monthly dollar limit under section 112 for that period). The officer used all 25 days of leave in the following year. The officer may not exclude from income any compensation received in the following year related to those 25 days of leave, since the officer had already excluded from income the maximum amount of combat zone compensation for the period in which the leave was earned.

Example 4. In November, while serving in a combat zone, an enlisted member competing for a cash award submitted an employee suggestion. After November, the member neither served in a combat zone nor was hospitalized for wounds incurred in the combat zone. In June of the following year, the member's suggestion was selected as the winner of the competition and the award was paid. The award can be excluded from income as combat zone compensation although granted and received outside of the combat zone, since the member completed the necessary action to win the award (submission of the suggestion) in a month during which the member served in the combat zone.

Example 5. In July, while serving in a combat zone, an enlisted member voluntarily reenlisted. After July, the member neither served in a combat zone nor was hospitalized for wounds incurred in the combat zone. In February of the following year, the member received a bonus as a result of the July reenlistment. The reenlistment bonus can be excluded from income as combat zone compensation although received outside of the combat zone, since the member completed the necessary action for entitlement to the reenlistment bonus in a month during which the member served in the combat zone.

Example 6. In July, while serving outside a combat zone, an enlisted member voluntarily reenlisted. In February of the following year, the member, while performing services in a combat zone, received a bonus as a result of the July reenlistment. The reenlistment bonus cannot be excluded from income as combat zone compensation although received while serving in the combat zone, since the member completed the necessary action for entitlement to the reenlistment bonus in a month during which the member had neither served in the combat zone nor was hospitalized for wounds incurred while serving in a combat zone.

(c) *Hospitalization*—(1) *Presumption of combat zone injury.* If an individual is hospitalized for wound, disease, or injury while serving in a combat zone, the wound, disease, or injury will be presumed to have been incurred while serving in a combat zone, unless the contrary clearly appears. In certain cases, however, a wound, disease, or injury may have been incurred while serving in a combat zone even though the individual was not hospitalized for it while so serving. In exceptional cases, a wound, disease, or injury will not have been incurred while serving in a combat zone even though the individual was hospitalized for it while so serving.

(2) *Length of hospitalization.* An individual is hospitalized only until the date the individual is discharged from the hospital.

(3) *Examples of combat zone injury.* The rules of this paragraph (c) are illustrated by the following examples:

Example 1. An individual is hospitalized for a disease in the combat zone where the individual has been serving for three weeks. The incubation period of the disease is two to four weeks. The disease is incurred while serving in the combat zone.

Example 2. The facts are the same as in *Example 1* except that the incubation period of the disease is one year. The disease is not incurred while serving in the combat zone.

Example 3. A member of the Air Force, stationed outside the combat zone, is shot while participating in aerial combat over the combat zone, but is not hospitalized until returning to the home base. The injury is incurred while serving in a combat zone.

Example 4. An individual is hospitalized for a disease three weeks after having departed from a combat zone. The incubation period of the disease is two to four weeks. The disease is incurred while serving in a combat zone.

(d) *Married members.* The exclusion under section 112 applies without regard to the marital status of the recipient of the compensation. If both spouses meet the requirements of the statute, then each spouse is entitled to the benefit of an exclusion. In the case of a husband and wife domiciled in a State recognized for Federal income tax purposes as a community property State, any exclusion from gross income under section 112 operates before apportionment of the gross income of the spouses under community property law. For example, a husband and wife are domiciled in a community property State and the member spouse is entitled, as a commissioned officer, to the benefit of the exclusion under section 112(b) of $500 for each month. The member receives $7,899 as compensation for active service for 3 months in a combat zone. Of that amount, $1,500 is excluded from gross income under section 112(b) and $6,399 is taken into account in determining the gross income of both spouses.

(e) *Service in area outside combat zone*—(1) *Combat zone treatment.* For purposes of section 112, a member of the Armed Forces who performs military service in an area outside the area designated by Executive Order as a combat zone is deemed to serve in that combat zone while the member's service is in direct support of military operations in that zone and qualifies the member for the special pay for duty subject to hostile fire or imminent danger authorized under section 310 of title 37 of the United States Code, as amended (37 U.S.C. 310) (hostile fire/imminent danger pay).

(2) *Examples of combat zone treatment.* The examples in this paragraph (e)(2) are based on the following circumstances: Certain areas, airspace, and adjacent waters are designated as a combat zone for purposes of section 112 as of May 1. Some members of the Armed Forces are stationed in the combat zone; others are stationed in two foreign countries outside the combat zone, named Nearby Country and Destination Country.

Example 1. B is a member of an Armed Forces ground unit stationed in the combat zone. On May 31, B's unit crosses into Nearby Country. B performs military service in Nearby Country in direct support of the military operations in the combat zone from June 1 through June 8 that qualifies B for hostile fire/imminent danger pay. B does not return to the combat zone during June. B is deemed to serve in the combat zone from June 1 through June 8. Accordingly, B is entitled to the exclusion under section 112 for June. Of course, B is also entitled to the exclusion for any month (May, in this example) in which B actually served in the combat zone.

Example 2. B is a member of an Armed Forces ground unit stationed in the combat zone. On May 31, B's unit crosses into Nearby Country. On June 1, B is wounded while performing military service in Nearby Country in direct support of the military operations in the combat zone that qualifies B for hostile fire/imminent danger pay. On June 2, B is transferred for treatment to a hospital in the United States. B is hospitalized from June through October for those wounds. B is deemed to have incurred the wounds while serving in the combat zone on June 1. Accordingly, B is entitled to the exclusion under section 112 for June through October. Of course, B is also entitled to the exclusion for any month (May, in this example) in which B actually served in the combat zone.

Example 3. B is stationed in Nearby Country for the entire month of June as a member of a ground crew servicing combat aircraft operating in the combat zone. B's service in Nearby Country during June does not qualify B for hostile fire/imminent danger pay. Accordingly, B is not deemed to serve in the combat zone during June and is not entitled to the exclusion under section 112 for that month.

Example 4. B is assigned to an air unit stationed in Nearby Country for the entire month of June. In June, members of air units of the Armed Forces stationed in Nearby Country fly combat and supply missions into and over Destination Country in direct support of military operations in the combat zone. B flies combat missions over Destination Country from Nearby Country from June 1 through June 8. B's service qualifies B for hostile fire/imminent danger pay. Accordingly, B is deemed to serve in the combat zone during June and is entitled to the exclusion under section 112. The result would be the same if B were to fly supply missions into Destination Country from Nearby Country in direct support of operations in the combat zone qualifying B for hostile fire/imminent danger pay.

Example 5. Assigned to an air unit stationed in Nearby Country, B was killed in June when B's plane crashed on returning to the airbase in Nearby Country. B was performing military service in direct support of the military operations in the combat zone at the time of B's death. B's service also qualified B for hostile fire/imminent danger pay. B is deemed to have died while serving in the combat zone or to have died as a result of wounds, disease, or injury incurred while serving in the combat zone for purposes of section 692(a) and section 692(b) (providing relief from certain income taxes for members of the Armed Forces dying in a combat zone or as a result of wounds, disease, or injury incurred while serving in a combat zone) and section 2201 (providing relief from certain estate taxes for members of the Armed Forces dying in a combat zone or by reason of combat-zone-incurred wounds). The result would be the same if B's mission had been a supply mission instead of a combat mission.

Example 6. In June, B was killed as a result of an off-duty automobile accident while leaving the airbase in Nearby Country shortly after returning from a mission over Destination Country. At the time of B's death, B was not performing military duty qualifying B for hostile fire/imminent danger pay. B is not deemed to have died while serving in the combat zone or to have died as the result of wounds, disease, or injury incurred while serving in the combat zone. Accordingly, B does not qualify for the benefits of section 692(a), section 692(b), or section 2201.

Example 7. B performs military service in Nearby Country from June 1 through June 8 in direct support of the military operations in the combat zone. Nearby Country is designated as an area in which members of the Armed Forces qualify for hostile fire/imminent danger pay due to imminent danger, even though members in Nearby Country are not subject to hostile fire. B is deemed to serve in the combat zone from June 1 through June 8. Accordingly, B is entitled to the exclusion under section 112 for June.

(f) *Nonqualifying presence in combat zone—(1) Inapplicability of exclusion.* The following members of the Armed Forces are not deemed to serve in a combat zone within the meaning of section 112(a)(1) or section 112(b)(1) or to be hospitalized as a result of wounds, disease, or injury incurred while serving in a combat zone within the meaning of section 112(a)(2) or section 112(b)(2)—

(i) Members present in a combat zone while on leave from a duty station located outside a combat zone;

(ii) Members who pass over or through a combat zone during the course of a trip between two points both of which lie outside a combat zone; or

(iii) Members present in a combat zone solely for their own personal convenience.

(2) *Exceptions for temporary duty or special pay.* Paragraph (f)(1) of this section does not apply to members of the Armed Forces who—

(i) Are assigned on official temporary duty to a combat zone (including official temporary duty to the airspace of a combat zone); or

(ii) Qualify for hostile fire/imminent danger pay.

(3) *Examples of nonqualifying presence and its exceptions.* The examples in this paragraph (f)(3) are based on the following circumstances: Certain areas, airspace, and adjacent waters are designated as a combat zone for purposes of section 112 as of May 1. Some members of the Armed Forces are stationed in the combat zone; others are stationed in two foreign countries outside the combat zone, named Nearby Country and Destination Country.

Example 1. B is a member of the Armed Forces assigned to a unit stationed in Nearby Country. On June 1, B voluntarily visits a city within the combat zone while on leave. B is not deemed to serve in a combat zone since B is present in a combat zone while on leave from a duty station located outside a combat zone.

Example 2. B is a member of the Armed Forces assigned to a unit stationed in Nearby Country. During June, B takes authorized leave and elects to spend the leave period by visiting a city in the combat zone. While on leave in the combat zone, B is subject to hostile fire qualifying B for hostile fire/imminent danger pay. Although B is present in the combat zone while on leave from a duty station outside the combat zone, B qualifies for the exclusion under section 112 because B qualifies for hostile fire/imminent danger pay while in the combat zone.

Example 3. B is a member of the Armed Forces assigned to a ground unit stationed in the combat zone. During June, B takes authorized leave and elects to spend the leave period in the combat zone. B is not on leave from a duty station located outside a combat zone, nor is B present in a combat zone solely for B's own personal convenience. Accordingly, B's combat zone tax benefits continue while B is on leave in the combat zone.

Example 4. B is assigned as a navigator to an air unit stationed in Nearby Country. On June 4, during the course of a flight between B's home base in Nearby Country and another base in Destination Country, the aircraft on which B serves as a navigator flies over the combat zone. B is not on official temporary duty to the airspace of the combat zone and does not qualify for hostile fire/imminent danger pay as a result of the flight. Accordingly, B is not deemed to serve in a combat zone since B passes over the combat zone during the course of a trip between two points both of which lie outside the combat zone without either being on official temporary duty to the combat zone or qualifying for hostile fire/imminent danger pay.

Example 5. B is a member of the Armed Forces assigned to a unit stationed in Nearby Country. B enters the combat zone on a 3-day pass. B is not on official temporary duty and does not qualify for hostile fire/imminent danger pay while present in the combat zone. Accordingly, B is not deemed to serve in a combat zone since B is present in the combat zone solely for B's own personal convenience.

Example 6. B, stationed in Nearby Country, is a military courier assigned on official temporary duty to deliver military pouches in the combat zone and in Destination Country. On June 1, B arrives in the combat zone from Nearby Country, and on June 2, B departs for Destination Country. Although B passes through the combat zone during the course of a trip between two points outside the combat zone, B is nevertheless deemed to serve in a combat zone while in the combat zone because B is assigned to the combat zone on official temporary duty.

Example 7. B is a member of an Armed Forces ground unit stationed in Nearby Country. On June 1, B took authorized leave and elected to spend the leave period by visiting a city in the combat zone. On June 2, while on leave in the combat zone, B was wounded by hostile fire qualifying B for hostile fire/imminent danger pay. On June 3, B was transferred for treatment to a hospital in the United States. B is hospitalized from June through October for those wounds. Although B was present in the combat zone while on leave from a duty station outside the combat zone, B is deemed to have incurred the wounds while serving in the combat zone on June 2, because B qualified for hostile fire/imminent danger pay while in the combat zone. Accordingly, B is entitled to the exclusion under section 112 for June through October.

Example 8. The facts are the same as in *Example 7* except that B dies on September 1 as a result of the wounds incurred in the combat zone. B is deemed to have died as a result of wounds, disease, or injury incurred while serving in the combat zone for purposes of section 692(a) and section 692(b) (providing relief from certain income taxes for members of the Armed Forces dying in a combat zone or as a result of wounds, disease, or injury incurred while serving in a combat zone) and section 2201 (providing relief from certain estate taxes for members of the Armed Forces dying in a combat zone or by reason of combat-zone-incurred wounds).

Michael P. Dolan,

Commissioner of Internal Revenue.

Approved: August 19, 1993.

Samuel Y. Sessions,

Acting Assistant Secretary of the Treasury.

[FR Doc. 93–22070 Filed 9–9–93; 8:45 am]

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Office of Foreign Assets Control

31 CFR Parts 500, 515, 550, 575, 580, and 585

Foreign Assets Control, Cuban Assets Control, Libyan Sanctions, Iraqi Sanctions, Haitian Transactions, and Federal Republic of Yugoslavia (Serbia and Montenegro) Sanctions Regulations

AGENCY: Office of Foreign Assets Control, Department of the Treasury.

ACTION: Final Rule; amendment.

SUMMARY: This rule amends the Foreign Assets Control Regulations, the Cuban Assets Control Regulations, the Libyan Sanctions Regulations, the Iraqi Sanctions Regulations, the Haitian Transactions Regulations, and the Federal Republic of Yugoslavia (Serbia and Montenegro) Sanctions Regulations (collectively, the "Regulations"), by standardizing and supplementing reporting requirements for U.S. financial institutions holding blocked accounts. Under the new requirements, a U.S. financial institution must provide written notification to the Office of Foreign Assets Control of any transfer into a blocked account within 10 days of the transfer. This rule also amends the Regulations by instituting standard registration and reporting requirements applicable to all persons holding blocked property, including the annual designation of a contact individual by each person holding blocked property.

EFFECTIVE DATE: September 10, 1993.

FOR FURTHER INFORMATION CONTACT: Dennis P. Wood, Chief of Compliance Programs, Tel.: 202/622–2490, Loren L. Dohm, Chief of Blocked Assets, Tel.: 202/622–2440, or William B. Hoffman, Chief Counsel, Tel.: 202/622–2410, Office of Foreign Assets Control, Department of the Treasury, Washington, DC 20220.

SUPPLEMENTARY INFORMATION: Currently, the notification requirements for U.S. financial institutions holding blocked accounts vary significantly from program to program, among the Foreign Assets Control Regulations, 31 CFR part 500, the Cuban Assets Control Regulations, 31 CFR part 515, the Libyan Sanctions Regulations, 31 CFR part 550, the Iraqi Sanctions Regulations, 31 CFR part 575, the Haitian Transactions Regulations, 31 CFR part 580, and the Federal Republic of Yugoslavia (Serbia and Montenegro) Sanctions Regulations, 31 CFR part 585. This rule amends the notification requirements to ensure that such requirements are consistent from program to program. Additionally, this rule institutes standardized reporting and registration requirements for persons holding blocked property and requires that holders of blocked property annually provide notice of an individual who is responsible for providing information required by the Office of Foreign Assets Control.

Because the Regulations involve a foreign affairs function, Executive Order 12291 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., does not apply.

The rule is being issued without prior notice and public procedure pursuant to the Administrative Procedure Act. For this reason, the collections of information contained in §§ 500.508, 500.603, 515.508, 515.603, 550.511, 550.603, 575.503, 575.606, 580.503, 580.603, 585.503, and 585.603 (collectively the "sections") are being submitted to the Office of Management and Budget ("OMB") under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 et seq.). Comments concerning the collection of information and the accuracy of estimated average annual burden, and suggestions for reducing this burden should be directed to OMB, Paperwork Reduction Project (1505–****), Washington, DC 20503, with copies to the Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Avenue, NW.—Annex, Washington, DC 20220. Any such comments should be submitted no later than November 9, 1993. Notice of OMB action on these requests will be published in the **Federal Register.**

The collections of information in the sections is required by the Office of Foreign Assets Control standardize reporting on blocked property. The likely respondents are individuals, business organizations, and financial institutions. Estimated total annual reporting burden for the sections: 900 hours.

The estimated annual burden per respondent varies from 15 minutes to three hours, depending on individual circumstances, with an estimated average of 2 hours.

Estimated number of respondents: 350.

Estimated annual frequency of response: 1 to 12.

List of Subjects in 31 CFR Parts 500, 515, 550, 575, 580, 585

Administrative practice and procedure, Banks, Blocking of assets, Cambodia, Cuba, Federal Republic of Yugoslavia (Serbia and Montenegro), Haiti, Iraq, North Korea, Reporting and recordkeeping requirements, Vietnam.

For the reasons set forth in the preamble, 31 CFR chapter V is amended as follows:

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

1. The authority citation for part 500 is revised to read as follows:

Authority: 50 U.S.C. App. 1–44; E.O. 9193, 3 CFR, 1938–1943, Comp., p. 1174; E.O. 9989, 3 CFR, 1943–1948, Comp., p. 748.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. Paragraph (f) of § 500.508 is revised to read as follows:

§ 500.508 Payments to blocked accounts in domestic banks.

* * * * *

(f) Banking institutions receiving instructions to execute payments or transfers under paragraph (a) of this section must provide written notification to the Office of Foreign Assets Control, Compliance Division, U.S. Treasury Department, 1500 Pennsylvania Avenue NW.—Annex, Washington DC 20220, within 10 business days from the value date of the payment or transfer. The notification shall include a photocopy of the payment or transfer instructions received, shall confirm that the payment or transfer has been deposited into a new or existing blocked account established in the name of the designated national pursuant to the requirements of this part and shall provide the account number, the name of the account, the location of the account, the name and address of the transferee banking institution, the date of the deposit, the amount of the payment transfer, the name and telephone number of a contact person at the transferee financial institution from whom compliance information may be obtained, and the name and telephone number of the person, registered with the Office of Foreign Assets Control pursuant to § 500.603, responsible for the administration of blocked assets at the transferee financial institution from whom records on blocked assets may be obtained.

Subpart F—Reports

3. Section 500.603 is added to Subpart F to read as follows:

§ 500.603 Registration of persons holding blocked property subject to § 500.201 or § 500.202.

(a) Any individual holding property subject to § 500.201 or § 500.202 must register his or her name, address, and telephone number with the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW.—Annex, Washington, DC 20220, by the later of October 12, 1993, or 10 days after the date such property is received or becomes subject to § 500.201 or § 500.202.

(b) Any person, other than an individual, holding property subject to § 500.201 or § 500.202, must register the name, title, address, and telephone number of the individual designated to be responsible for the administration of blocked assets, from whom the Office of Foreign Assets Control can obtain information and records. The registration shall be sent to the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW.—Annex, Washington, DC 20220, by the later of October 12, 1993, or, unless notification is being given pursuant to § 500.508, 10 days after the date such property is received and becomes subject to § 500.201 or § 500.202.

(c) Registrations with the Office of Foreign Assets Control pursuant to paragraphs (a) and (b) of this section must be renewed annually on or before July 1.

PART 515—CUBAN ASSETS CONTROL REGULATIONS

1. The authority citation for part 515 is revised to read as follows:

Authority: 50 U.S.C. App. 5; secs. 1701–1712, Pub. L. 102–484, 106 Stat. 2575 (22 U.S.C. 6001–6010); 22 U.S.C. 2370(a); Proc. 3447, 3 CFR, 1959–1963 Comp., p. 157; E.O. 9193, 3 CFR, 1938–1943 Comp., p. 1174; E.O. 9989, 3 CFR, 1943–1948 Comp., p. 748; E.O. 12854, 58 FR 36587, July 7, 1993.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. Paragraph (f) is added to § 515.508 to read as follows:

§ 515.508 Payments to blocked accounts in domestic banks.

* * * * *

(f) Banking institutions receiving instructions to execute payments or transfers under paragraph (a) of this section must provide written notification to the Office of Foreign Assets Control, Compliance Programs Division, U.S. Treasury Department, 1500 Pennsylvania Avenue NW—Annex, Washington DC 20220, within 10 business days from the value date of the payment or transfer. The notification shall include a photocopy of the payment or transfer instructions received, shall confirm that the payment or transfer has been deposited into a new or existing blocked account established in the name of the designated national pursuant to the requirements of this part and shall provide the account number, the name of the account, the location of the account, the name and address of the transferee banking institution, the date of the deposit, the amount of the payment transfer, the name and telephone number of a contact person at the transferee financial institution from whom compliance information may be obtained, and the name and telephone number of the person, registered with the Office of Foreign Assets Control pursuant to § 515.603, responsible for the administration of blocked assets at the transferee financial institution from whom records on blocked assets may be obtained.

Subpart F—Reports

3. Section 515.603 is added to subpart F to read as follows:

§ 515.603 Registration of persons holding blocked property subject to § 515.201 or § 515.202.

(a) Any individual holding property subject to § 515.201 or § 515.202 must register his or her name, address, and telephone number with the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or 10 days after the date such property is received or becomes subject to § 515.201 or § 515.202.

(b) Any person, other than an individual, holding property subject to § 515.201 or § 515.202, must register the name, title, address, and telephone number of the individual designated to be responsible for the administration of blocked assets, from whom the Office of Foreign Assets Control can obtain information and records. The registration shall be sent to the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or, unless notification is being given pursuant to § 515.508, 10 days after the date such property is received and becomes subject to § 515.201 or § 515.202.

(c) Registrations with the Office of Foreign Assets Control pursuant to paragraphs (a) and (b) of this section must be renewed annually on or before July 1.

PART 550—LIBYAN SANCTIONS REGULATIONS

1. The authority citation for part 550 is revised to read as follows:

Authority: 50 U.S.C. 1701–1706; 50 U.S.C. 1601–1651; 22 U.S.C. 287c; 49 U.S.C. App. 1514; 22 U.S.C. 2349aa–8 and 2349aa–9; 3 U.S.C. 301; E.O. 12543, 3 CFR, 1986 Comp., p. 181; E.O. 12544, 3 CFR, 1986 Comp., p. 183; E.O. 12801, 3 CFR, 1992 Comp., p. 294.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. Paragraph (g) of § 550.511 is revised to read as follows:

§ 550.511 Payments to blocked accounts in domestic banks.

* * * * *

(g) Banking institutions receiving instructions to execute payments or transfers under paragraph (a) of this section must provide written notification to the Office of Foreign Assets Control, Compliance Programs Division, U.S. Treasury Department, 1500 Pennsylvania Avenue NW—Annex, Washington DC 20220, within 10 business days from the value date of the payment or transfer. The notification shall include a photocopy of the payment or transfer instructions received, shall confirm that the payment or transfer has been deposited into a new or existing blocked account established in the name of the individual or entity of the Government of Libya pursuant to the requirements of this part and shall provide the account number, the name of the account, the location of the account, the name and address of the transferee banking institution, the date of the deposit, the amount of the payment transfer, the name and telephone number of a contact person at the transferee financial institution from whom compliance information may be obtained, and the name and telephone number of the person, registered with the Office of Foreign Assets Control pursuant to § 550.603, responsible for the administration of blocked assets at the transferee financial institution from whom records on blocked assets may be obtained.

Subpart F—Reports

3. Section 550.603 is added to subpart F to read as follows:

§ 550.603 Registration of persons holding blocked property subject to § 550.209.

(a) Any individual holding property subject to § 550.209 must register his or her name, address, and telephone number with the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993 or 10 days after the date such property is received or becomes subject to § 550.209.

(b) Any person, other than an individual, holding property subject to § 550.209, must register the name, title, address, and telephone number of the individual designated to be responsible for the administration of blocked assets, from whom the Office of Foreign Assets Control can obtain information and records. The registration shall be sent to the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993 or, unless notification is being given pursuant to § 550.511, 10 days after the date such property is received and becomes subject to § 550.209.

(c) Registrations with the Office of Foreign Assets Control, pursuant to paragraphs (a) and (b) of this section, must be renewed annually on or before July 1.

PART 575—IRAQI SANCTIONS REGULATIONS

1. The authority citation for part 575 is revised to read as follows:

Authority: 50 U.S.C. 1701–1706; 50 U.S.C. 1601–1651; 22 U.S.C. 287c; Pub. L. 101–513, 104 Stat. 2047–2055; 3 U.S.C. 301; E.O. 12722, 3 CFR, 1990 Comp., p. 294; E.O. 12724, 3 CFR, 1990 Comp., p. 297; E.O. 12817, 3 CFR, 1992 Comp., p. 317.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. Paragraph (h) of § 575.503 is revised to read as follows:

§ 575.503 Payments and transfers to blocked account in U.S. financial institutions.

* * * * *

(h) Banking institutions receiving instructions to execute payments or transfers under paragraph (a) of this section must provide written notification to the Office of Foreign Assets Control, Compliance Programs Division, U.S. Treasury Department, 1500 Pennsylvania Avenue NW—Annex, Washington DC 20220, within 10 business days from the value date of the payment or transfer. The notification shall include a photocopy of the payment or transfer instructions received, shall confirm that the payment or transfer has been deposited into a new or existing blocked account established in the name of the individual or entity of the Government of Iraq pursuant to the requirements of this part and shall provide the account number, the name of the account, the location of the account, the name and address of the transferee banking institution, the date of the deposit, the amount of the payment transfer, the name and telephone number of a contact person at the transferee financial institution from whom compliance information may be obtained, and the name and telephone number of the person, registered with the Office of Foreign Assets Control pursuant to § 575.606, responsible for the administration of blocked assets at the transferee financial institution from whom records on blocked assets may be obtained.

Subpart F—Reports

3. Section 575.606 is added to subpart F to read as follows:

§ 575.606 Registration of persons holding blocked property subject to § 575.201.

(a) Any individual holding property subject to § 575.201 must register his or her name, address, and telephone number with the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or 10 days after the date such property is received or becomes subject to § 575.201.

(b) Any person, other than an individual, holding property subject to § 575.201, must register the name, title, address, and telephone number of the individual designated to be responsible for the administration of blocked assets, from whom the Office of Foreign Assets Control can obtain information and records. The registration shall be sent to the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or, unless notification is being given pursuant to § 575.503, 10 days after the date such property is received and becomes subject to § 575.201.

(c) Registrations with the Office of Foreign Assets Control, pursuant to paragraphs (a) and (b) of this section, must be renewed annually on or before July 1.

PART 580—HAITIAN TRANSACTIONS REGULATIONS

1. The authority citation for part 580 is revised to read as follows:

Authority: 50 U.S.C. 1701–1706; 50 U.S.C. 1601–1651; 22 U.S.C. 287c; 3 U.S.C. 301; E.O. 12775, 3 CFR, 1991 Comp., p. 349; E.O. 12779, 3 CFR, 1991 Comp.; p. 367; E.O. 12853, 58 FR 35843–35444, July 2, 1993.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. Paragraph (h) of § 580.503 is revised to read as follows:

§ 580.503 Payments and transfers to blocked account in U.S. financial institutions.

* * * * *

(h) Banking institutions receiving instructions to execute payments or transfers under paragraph (a) of this section must provide written notification to the Office of Foreign Assets Control, Compliance Programs Division, U.S. Treasury Department, 1500 Pennsylvania Avenue NW—Annex, Washington DC 20220, within 10 business days from the value date of the payment or transfer. The notification shall include a photocopy of the payment or transfer instructions received, shall confirm that the payment or transfer has been deposited into a new or existing blocked account established in the name of the individual or entity of the Government of Haiti pursuant to the requirements of this part and shall provide the account number, the name of the account, the location of the account, the name and address of the transferee banking institution, the date of the deposit, the amount of the payment transfer, the name and telephone number of a contact person at the transferee financial institution from whom compliance information may be obtained, and the name and telephone number of the person, registered with the Office of Foreign Assets Control pursuant to § 580.603, responsible for the administration of blocked assets at the transferee financial institution from whom records on blocked assets may be obtained.

Subpart F—Reports

3. Section 580.603 is revised to read as follows:

§ 580.603 Registration of persons holding blocked property subject to § 580.201.

(a) Any individual holding property subject to § 580.201 must register his or her name, address, and telephone number with the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or 10 days after the date such property is received or becomes subject to § 580.201.

(b) Any person, other than an individual, holding property subject to § 580.201, must register the name, title, address, and telephone number of the individual designated under § 580.601(b) to be responsible for the administration of blocked assets, from whom the Office of Foreign Assets Control can obtain information and records. The registration shall be sent to the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or, unless notification is being given pursuant to § 580.503, 10 days after the date such property is received and becomes subject to § 580.201.

(c) Registrations with the Office of Foreign Assets Control, pursuant to paragraphs (a) and (b) of this section, must be renewed annually on or before July 1.

PART 585—FEDERAL REPUBLIC OF YUGOSLAVIA (SERBIA AND MONTENEGRO) SANCTIONS REGULATIONS

1. The authority citation for part 585 is revised to read as follows:

Authority: 50 U.S.C. 1701–1706; 50 U.S.C. 1601–1651; 22 U.S.C. 287c; 49 U.S.C. App. 1514; 3 U.S.C. 301; E.O. 12808, 3 CFR, 1992 Comp., p. 305; E.O. 12810, 3 CFR, 1992 Comp., p. 307; E.O. 12831, 58 FR 5253, January 21, 1993; E.O. 12846, 58 FR 25771, April 27, 1993.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

2. Paragraph (a) of § 585.503 is revised to read as follows:

§ 585.503 Payments and transfers to blocked account in U.S. financial institutions.

(a) Any payment of funds or transfer of credit or other fi iancial or economic resources or assets into a blocked account in a U.S. financial institution is authorized, provided that a transfer from a blocked account may only be made to another blocked account held in the same name on the books of the same U.S. financial institution. This authorization is subject to the condition that written notification from the U.S. financial institution receiving an authorized payment or transfer is furnished to the Compliance Programs Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, within 10 days from the value date of the payment or transfer. This notification shall confirm that the payment or transfer has been deposited in a blocked account pursuant to this section and § 585.203 and shall provide the account number, the name and address of the blocked person in whose name the account is held, the name and address of the transferee U.S. financial institution, the name and address of the transferor financial institution, the amount of the payment or transfer, the name and telephone number of a contact person at the transferee financial institution from whom compliance information may be obtained, and the name and telephone number of the person, registered with the Office of Foreign Assets Control pursuant to § 585.603, responsible for the administration of blocked assets at the transferee financial institution from whom records on blocked assets may be obtained.

* * * * *

Subpart F—Reports

3. Section 585.603 is revised to read as follows:

§ 585.603 Registration of persons holding blocked property subject to § 585.201.

(a) Any individual holding property subject to § 585.201 must register his or her name, address, and telephone number with the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or 10 days after the date such property is received or becomes subject to § 585.201.

(b) Any person, other than an individual, holding property subject to § 585.201, must register the name, title, address, and telephone number of the individual designated under § 585.601(b) to be responsible for the administration of blocked assets, from whom the Office of Foreign Assets Control can obtain information and records. The registration shall be sent to the Blocked Assets Division, Office of Foreign Assets Control, U.S. Treasury Department, 1500 Pennsylvania Ave., NW—Annex, Washington, DC 20220, by the later of October 12, 1993, or, unless notification is being given pursuant to § 585.503, 10 days after the date such property is received and becomes subject to § 585.201.

(c) Registrations with the Office of Foreign Assets Control, pursuant to paragraphs (a) and (b) of this section, must be renewed annually on or before July 1.

Dated: August 25, 1993.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: August 28, 1993.

Ronald K. Noble,

Assistant Secretary for Enforcement.

[FR Doc. 93–22105 Filed 9–7–93; 9:19 am]

BILLING CODE 4810–25–W

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Parts 712 and 716

[OPPTS–82040A; FRL–4637–1]

Preliminary Assessment Information and Health and Safety Data Reporting; Technical Amendment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; technical amendment.

SUMMARY: This notice makes certain modifications to a final rule published in the **Federal Register** of May 14, 1993: the Toxic Substances Control Act (TSCA) section 8(a) Preliminary Assessment Information Rule (PAIR) and the TSCA section 8(d) Health and Safety Data Reporting Rule.

EFFECTIVE DATE: This rule will become effective on October 12, 1993.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, TSCA Environmental Assistance Division (TS–799), Office of Pollution Prevention and Toxics, Environmental Protection Agency, 401 M St., SW., Rm. E–543, Washington, DC 20460, Telephone: (202) 554–1404, TDD: (202) 554–0551.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 14, 1993 (58 FR 28511), EPA issued a final rule which added chemicals to two model information-gathering rules: the Toxic Substances Control Act (TSCA) section 8(d) Preliminary Assessment Information Rule (PAIR) and the TSCA section 8(d) Health and Safety Data Reporting Rule. This document makes the following modifications to that rule: (1) Certain chemicals listed in § 716.120(d) under the category "Siloxanes" are exempt from reporting acute oral, dermal, and inhalation information as well as primary eye and dermal irritation information under the section 8(d) rule; (2) the reporting period for the chemicals listed under the category "Siloxanes" under § 712.30(x) is extended for 120 days from the effective date of this amendment (February 28, 1993) and for 180 days from the effective date of this amendment (April 29, 1994) under § 716.120(d); (3) the CAS number for non-end-blocked siloxanes listed under the siloxanes category in §§ 712.30(x) and 716.120(d) as 7013–67–8 is corrected to read 70131–67–8; (4) the chemicals, dimethicone (CAS No. 9006–65–9), polydimethylsiloxane (CAS No. 9016–00–6), and dimethylmethyltrifluoropropylsiloxane (CAS No. not available) are removed from the siloxane category in §§ 712.30(x) and 716.120(d); (5) the chemical, dimethylmethyl 3,3,3-trifluoropropyl (CAS No. 115361–68–7) is added to §§ 712.30(x) and 716.120(d) under the category siloxanes.

EPA is not requiring the reporting of acute oral, dermal, and inhalation toxicity studies, and primary eye and dermal irritation studies on certain of the listed siloxanes because the primary intended data user, the Food and Drug Administration (FDA), has expressed no need for the data at this time. See the regulatory text of this document for the specific siloxanes which are subjects of this "special exemption."

The extensions of the reporting periods for the chemicals listed under the category "Siloxanes" under §§ 712.30(x) and 716.120(d) are made in response to numerous requests received by EPA and to allow respondents to report per the other amendments contained herein. In addition, certain siloxane producers are in the process of creating a data base for siloxane health and safety data reporting which EPA, the ITC, and FDA believe will significantly aid data review; the extensions will facilitate the development of this data base. These extensions also apply to companies which have been previously granted extensions of the reporting periods.

Additionally, the 30th ITC report listed CAS numbers for dimethicone (9006–65–9) and polydimethylsiloxane (9016–00–6). These chemicals are already listed as dimethyl silicones and siloxanes and bear CAS number 63148–62–9. Therefore, EPA is removing dimethicone (CAS No. 9006–65–9) and polydimethylsiloxane (CAS No. 9016–99–6) from the PAIR and section 8(d) rules.

Finally, the 30th ITC report recommended testing for dimethylmethyltrifluoropropylsiloxane but did not list a CAS number. The ITC has indicated that it needs PAIR reports and section 8(d) studies for siloxanes and silicones, dimethyl 3,3,3-trifluoropropyl (CAS No. 115361–68–7), but not on dimethylmethyltrifluoropropylsiloxane. Therefore, this notice removes dimethylmethyltrifluoropropylsiloxane (no CAS number) from section 8 rules and adds dimethyl 3,3,3-trifluoropropyl (CAS No. 115361–68–7) to the rules.

I. Rulemaking Record

The following documents constitute the record for the rule (docket control number OPPTS–82040A). All of these documents are available to the public in the TSCA Nonconfidential Information Center (NCIC), also known as, TSCA Public Docket Office from 8 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday, excluding legal holidays. TSCA NCIC is located at EPA Headquarters, Rm. E–G102, 401 M St., SW., Washington, DC.

1. This final rule.

2. The economic analysis for the rule.

3. The Thirtieth Report of the ITC.

4. Letters requesting reporting extensions.

5. Internal Agency memorandum.

II. Regulatory Assessment Requirements

A. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a regulation is "major" and, therefore, subject to the requirement of a Regulatory Impact Analysis. This rule is not major because it will not result in an effect on the economy of $100 million or more, an increase in costs or prices, or any of the adverse effects described in the Executive Order.

This amendment was not submitted to the Office of Management and Budget (OMB) for review, because the automatic listing of substances recommended by the ITC is provided for in 40 CFR 712.30(c) and 716.105(b).

B. Paperwork Reduction Act

The information collection requirements contained in this rule have been approved by OMB under the provisions of the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 et seq. and have been assigned OMB control numbers 2070–0054 for PAIR reporting and 2070–0004 for TSCA section 8(d) reporting.

Public reporting burden for this collection of information is estimated to average 19 hours for PAIR per response and 60.72 hours for section 8(d), including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Chief, Information Policy Branch, PM–223, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC, 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked "Attention: Desk Officer for EPA."

List of Subjects in 40 CFR Parts 712 and 716

Chemicals, Environmental protection, Hazardous substances, Health and safety data, Recordkeeping and reporting requirements.

Dated: September 2, 1993.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

Therefore, 40 CFR parts 712 and 716 are amended to read as follows:

PART 712—[AMENDED]

1. In part 712:

a. The authority citation for part 712 continues to read as follows:

Authority: 15 U.S.C. 2607(a).

b. Section 712.30 is amended by revising the siloxanes category under paragraph (x) to read as follows:

§ 712.30 Chemical lists and reporting periods.

* * * * *

(x) * * *

CAS No.	Substance	Effective date	Reporting date
*	*	*	*
Siloxanes:			
107–46–0	Hexamethyldisiloxane	10/12/93	2/28/94
107–50–6	Tetradecamethylcycloheptasiloxane	10/12/93	2/28/94
107–51–7	Octamethyltrisiloxane	10/12/93	2/28/94
107–52–8	Tetradecamethylhexasiloxane	10/12/93	2/28/94
107–53–9	Tetracosamethylundecasiloxane	10/12/93	2/28/94
141–62–8	Decamethyltetrasiloxane	10/12/93	2/28/94
141–63–9	Dodecamethylpentasiloxane	10/12/93	2/28/94
540–97–6	Dodecamethylcyclohexasiloxane	10/12/93	2/28/94
541–01–5	Hexadecamethylheptasiloxane	10/12/93	2/28/94
541–02–6	Decamethylcyclopentasiloxane	10/12/93	2/28/94
541–05–9	Hexamethylcyclotrisiloxane	10/12/93	2/28/94
546–56–5	Octaphenylcyclotetrasiloxane	10/12/93	2/28/94
556–67–2	Octamethylcyclotetrasiloxane	10/12/93	2/28/94
556–68–3	Hexadecamethylcyclooctasiloxane	10/12/93	2/28/94
556–69–4	Octadecamethyloctasiloxane	10/12/93	2/28/94
556–70–7	Docosamethyldecasiloxane	10/12/93	2/28/94
556–71–8	Octadecamethylcyclononasiloxane	10/12/93	2/28/94
999–97–3	Hexamethyldisilazane	10/12/93	2/28/94
2370–88–9	Tetramethylcyclotetrasiloxane	10/12/93	2/28/94
2374–14–3	Trifluoropropylmethylcyclotrisiloxane	10/12/93	2/28/94
2471–08–1	Hexacosamethyldodecasiloxane	10/12/93	2/28/94

CAS No.	Substance	Effective date	Reporting date
2471–09–2	Octacosamethyltridecasiloxane	10/12/93	2/28/94
2471–10–5	Triacontamethyltetradecasiloxane	10/12/93	2/28/94
2471–11–6	Dotriacontamethylpentadecasiloxane	10/12/93	2/28/94
2554–06–5	Methylvinylcyclosiloxane	10/12/93	2/28/94
2627–95–4	Tetramethyldivinyldisiloxane	10/12/93	2/28/94
2652–13–3	Eicosamethylnonasiloxane	10/12/93	2/28/94
70131–67–8	Non-end-blocked siloxanes	10/12/93	2/28/94
9004–73–3	Methylpolysiloxane	10/12/93	2/28/94
9016–00–6	Polydimethylsiloxane	10/12/93	2/28/94
18766–38–6	Docosamethylcycloundecasiloxane	10/12/93	2/28/94
18772–36–6	Eicosamethylcyclodecasiloxane	10/12/93	2/28/94
18844–04–7	Hexatriacontamethylheptadecasiloxane	10/12/93	2/28/94
18919–94–3	Tetracosamethylcyclododecasiloxane	10/12/93	2/28/94
23523–12–8	Hexatriacontamethylcyclooctadecasiloxane	10/12/93	2/28/94
23523–14–0	Triacontamethylcyclopentadecasiloxane	10/12/93	2/28/94
23732–94–7	Hexacosamethylcyclotridecasiloxane	10/12/93	2/28/94
36938–50–8	Tetratriacontamethyl hexadecasiloxane	10/12/93	2/28/94
36938–52–0	Octatriacontamethyl octadecasiloxane	10/12/93	2/28/94
63148–62–9	Dimethyl silicones and siloxanes	10/12/93	2/28/94
67762–90–7	Dimethyl silicones and siloxane, reaction products with silica	10/12/93	2/28/94
67762–94–1	Dimethylmethylvinylsiloxane	10/12/93	2/28/94
68037–59–2	Dimethylhydropolylsiloxane	10/12/93	2/28/94
68037–74–1	Dimethylpolysiloxanes	10/12/93	2/28/94
68083–14–7	Dimethyldiphenylsiloxane	10/12/93	2/28/94
69430–24–6	Cyclopolydimethylsiloxane	10/12/93	2/28/94
115361–68–7	Dimethylmethyl 3,3,3-trifluoropropyl	10/12/93	2/28/94
not available	Tetracontamethylnonadecasiloxane	10/12/93	2/28/94
not available	Octacosamethylcyclotetradecasiloxane	10/12/93	2/28/94
not available	Dotetracontamethyleicosasiloxane	10/12/93	2/28/94
not available	Tetracontamethylcycloeicosasiloxane	10/12/93	2/28/94
not available	Octatriacontamethylcyclononadecasiloxane	10/12/93	2/28/94
not available	Tetratriacontamethylcycloheptadecasiloxane	10/12/93	2/28/94
not available	Dotriacontamethylcyclohexadecasiloxane	10/12/93	2/28/94
not available	Polymethyloctadecylsiloxane	10/12/93	2/28/94

* * * * * * *

PART 716—[AMENDED]

2. In part 716:

a. The authority citation for part 716 continues to read as follows:

Authority: 15 U.S.C. 2607(d).

b. Section 716.20 is amended by revising pargraph (b)(2) to read as follows:

§ 716.20 Studies not subject to the reporting requirements.

* * * * *

(b) * * *

(2) For the specified chemicals in § 716.120(d) under the category "Siloxanes," acute oral, dermal, and inhalation toxicity studies and primary eye and dermal irritation studies.

c. Section 716.120 is amended by revising the siloxanes category under paragraph (d) to read as follows:

§ 716.120 Substances and listed mixtures to which this subpart applies.

* * * * *

(d) * * *

Category	CAS No.	Special exemptions	Effective date	Sunset date
*	*	*	*	*
Siloxanes:				
Cyclopolydimethylsiloxane	69430–24–6		10/12/93	10/12/03
Decamethylcyclopentasiloxane	541–02–6		10/12/93	10/12/03
Decamethyltetrasiloxane	141–62–8		10/12/93	10/12/03
Dimethyldiphenylsiloxane	68083–14–7		10/12/93	10/12/03
Dimethylhydropolylsiloxane	68037–59–2		10/12/93	10/12/03
Dimethylmethyl 3,3,3-trifluoropropyl	115361–68–7		10/12/93	10/12/03
Dimethylmethylvinylsiloxane	67762–94–1		10/12/93	10/12/03
Dimethylpolysiloxanes	68037–74–1	§ 716.20(b)(2) applies	10/12/93	10/12/03
Dimethyl silicones and siloxanes	63148–62–9		10/12/93	10/12/03
Dimethyl silicones and siloxane, reaction products with silica	67762–90–7	§ 716.20(b)(2) applies	10/12/93	10/12/03
Docosamethylcycloundecasiloxane	18766–38–6	§ 716.20(b)(2) applies	10/12/93	10/12/03

Category	CAS No.	Special exemptions	Effective date	Sunset date
Docosamethyldecasiloxane	556–70–7	§ 716.20(b)(2) applies	10/12/93	10/12/03
Dodecamethylcyclohexasiloxane	540–97–6		10/12/93	10/12/03
Dodecamethylpentasiloxane	141–63–9		10/12/93	10/12/03
Dotetracontamethyleicosasiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Dotriacontamethylcyclohexadecasiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Dotriacontamethylpentadecasiloxane	2471–11–6	§ 716.20(b)(2) applies	10/12/93	10/12/03
Eicosamethylcyclodecasiloxane	18772–36–6	§ 716.20(b)(2) applies	10/12/93	10/12/03
Eicosamethylnonasiloxane	2652–13–3	§ 716.20(b)(2) applies	10/12/93	10/12/03
Hexacosamethylcyclotridecasiloxane	23732–94–7	§ 716.20(b)(2) applies	10/12/93	10/12/03
Hexacosamethyldodecasiloxane	2471–08–1	§ 716.20(b)(2) applies	10/12/93	10/12/03
Hexadecamethylcyclooctasiloxane	556–68–3	§ 716.20(b)(2) applies	10/12/93	10/12/03
Hexadecamethylheptasiloxane	541–01–5	§ 716.20(b)(2) applies	10/12/93	10/12/03
Hexamethylcyclotrisiloxane	541–05–9		10/12/93	10/12/03
Hexamethyldisilazane	999–97–3		10/12/93	10/12/03
Hexamethyldisiloxane	107–46–0		10/12/93	10/12/03
Hexatriacontamethylcyclooctadecasiloxane	23523–12–8	§ 716.20(b)(2) applies	10/12/93	10/12/03
Hexatriacontamethylheptadecasiloxane	18844–04–7	§ 716.20(b)(2) applies	10/12/93	10/12/03
Methylpolysiloxane	9004–73–3		10/12/93	10/12/03
Methylvinylcyclosiloxane	2554–06–5		10/12/93	10/12/03
Non-end-blocked siloxanes	70131–67–8	§ 716.20(b)(2) applies	10/12/93	10/12/03
Octacosamethylcyclotetradecasiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Octacosamethyltridecasiloxane	2471–09–2	§ 716.20(b)(2) applies	10/12/93	10/12/03
Octadecamethylcyclononasiloxane	556–71–8	§ 716.20(b)(2) applies	10/12/93	10/12/03
Octadecamethyloctasiloxane	556–69–4	§ 716.20(b)(2) applies	10/12/93	10/12/03
Octamethyltrisiloxane	107–51–7		10/12/93	10/12/03
Octaphenylcyclotetrasiloxane	546–56–5		10/12/93	10/12/03
Octatriacontamethylcyclononadecasiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Octatriacontamethyloctadecasiloxane	36938–52–0	§ 716.20(b)(2) applies	10/12/93	10/12/03
Polymethyloctadecylsiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetracontamethylcycloeicosasiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetracontamethylnonadecasiloxane	not available	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetracosamethylcyclododecasiloxane	18919–94–3	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetracosamethylundecasiloxane	107–53–9	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetradecamethylcycloheptasiloxane	107–50–6	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetradecamethylhexasiloxane	107–52–8	§ 716.20(b)(2) applies	10/12/93	10/12/03
Tetramethylcyclotetrasiloxane	2370–88–9		10/12/93	10/12/03
Tetramethyldivinyldisiloxane	2627–95–4		10/12/93	10/12/03
Tetratriacontamethylcycloheptadecasiloxane	not available		10/12/93	10/12/03
Tetratriacontamethylhexadecasiloxane	36938–50–8	§ 716.20(b)(2) applies	10/12/93	10/12/03
Triacontamethylcyclopentadecasiloxane	23523–14–0	§ 716.20(b)(2) applies	10/12/93	10/12/03
Triacontamethyltetradecasiloxane	2471–10–5	§ 716.20(b)(2) applies	10/12/93	10/12/03
Trifluoropropylmethylcyclotrisiloxane	2374–14–3		10/12/93	10/12/03

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Parts 171, 172, 173, 174, and 179

Statement of Enforcement Policy

AGENCY: Federal Railroad Administration (FRA), Transportation.

ACTION: Statement of enforcement policy.

SUMMARY: This notice reminds users of tank cars that new Federal requirements become effective on October 1, 1993, for materials poisonous by inhalation. FRA intends to take action to assure compliance with those requirements.

FOR FURTHER INFORMATION CONTACT: Edward W. Pritchard (Telephone (202–366–9178)) or James H. Rader (Telephone (202–366–9178)), Hazardous Materials Division, FRA, Washington, DC 20590; or Thomas A. Phemister (Telephone (202–366–0635)), Trial Attorney, Office of Chief Counsel, FRA, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: In its investigation of the July 26, 1993, release of oleum [1] at Richmond, California, the Federal Railroad Administration learned that some users of tank cars may not have taken appropriate measures to comply with the requirements that become mandatory on October 1, 1993. These regulations require use of upgraded tank cars to transport materials that are poisonous by inhalation (PIH).

The Hazardous Materials Regulations (HMR) were amended on December 21, 1990, with the publication of the final rule in Docket HM–181.[2] This comprehensive proceeding revised the HMR in many areas including new requirements for tank cars transporting

[1] This material, also known as fuming sulfuric acid, becomes poisonous by inhalation at concentrations greater than 30 percent free sulfur trioxide. In this incident, it was the sulfur trioxide fumes that escaped and combined with moisture in the air to form sulfuric acid mist particles that materialized as dense white clouds.

[2] Performance-Oriented Packaging Standards; Changes to Classification, Hazard Communication, Packaging and Handling Requirements Based on UN Standards and Agency Initiative; Docket HM–181, Final Rule, 55 FR 52402, December 21, 1990.