

extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given to interested parties and they were afforded the opportunity to file written data, views and arguments concerning these suspension actions. Two comments supporting and one comment opposing the action were received.

Therefore, good cause exists for making this order effective less than 30 days from the date of publication in the Federal Register.

List of Subjects in 7 CFR Parts 1002 and 1004

Milk marketing orders.

For the reasons set forth in the preamble, the following provisions in Title 7, parts 1002 and 1004 are amended as follows:

**PART 1002—MILK IN THE NEW YORK-NEW JERSEY MARKETING AREA**

1. The authority citation for 7 CFR part 1002 continues to read as follows:

Authority: 7 U.S.C. 601-674.

**§ 1002.14 [Suspended in part]**

2. In § 1002.14, paragraph (d) is suspended.

**PART 1004—MILK IN THE MIDDLE ATLANTIC MARKETING AREA**

3. The authority citation for 7 CFR part 1004 continues to read as follows:

Authority: 7 U.S.C. 601-674.

**§ 1004.92 [Suspended in part]**

4. In § 1004.92(c), the words "and who held such status in all or part of the 2 months of August and September and who otherwise was a producer only under this part for all of the remaining August through December period" is suspended.

Dated: May 2, 1996.

Michael V. Dunn,

*Assistant Secretary, Marketing and Regulatory Programs.*

[FR Doc. 96-11463 Filed 5-7-96; 8:45 am]

BILLING CODE 3410-02-P

**SECURITIES AND EXCHANGE COMMISSION**

**17 CFR Part 200**

[Release No. 34-37159]

**Delegation of Authority to Director of Division of Enforcement**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission is amending its rules to delegate authority to the Director of the Division of Enforcement to authorize staff to appear in federal bankruptcy court where the debtor is involved with the subject matter of a Commission investigation, and to take necessary action therein to preserve potential Commission claims. This amendment will expedite and enhance the effectiveness of the enforcement process by enabling staff to meet bankruptcy court deadlines that affect potential Commission claims and to preserve and protect such claims.

**EFFECTIVE DATE:** May 8, 1996.

**FOR FURTHER INFORMATION CONTACT:**

Judith R. Starr, Division Bankruptcy Counsel, Division of Enforcement, 202/942-4868.

**SUPPLEMENTARY INFORMATION:** The Securities and Exchange Commission today announced amendments to its rules governing delegation of authority to the Division of Enforcement ("Division").

The amendment to Rule 30-4<sup>1</sup> authorizes the Director of Division of Enforcement to approve staff appearances in federal bankruptcy court where the debtor is involved with the subject matter of a Commission investigation. This delegation will expedite and enhance the effectiveness of the enforcement process by enabling prompt action to protect and preserve potential claims. Notwithstanding this delegation of authority, in instances where contemplated action in a bankruptcy case raises any close or controversial issues, the Division may consult with the Commission before the action is filed in federal court.

The Commission finds, in accordance with Section 553(b)(3)(A) of the Administrative Procedure Act,<sup>2</sup> that this amendment relates solely to agency organization, procedure, or practice, and does not relate to a substantive rule. Accordingly, notice and opportunity for public comment are unnecessary, and publication of the amendment 30 days before its effective date is also unnecessary.

List of Subjects in 17 CFR Part 200

Administrative practice and procedure, Authority delegations (Government agencies).

Text of Amendment

For the reasons set out in the preamble, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

<sup>1</sup> 17 CFR 200.30-4.

<sup>2</sup> 5 U.S.C. 553(b)(3)(A).

**PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS**

1. The authority citation for Part 200 continues to read in part as follows:

Authority: 15 U.S.C. 77s, 78d-1, 78d-2, 78w, 78ll(d), 79t, 77sss, 80a-37, 80b-11, unless otherwise noted.

\* \* \* \* \*

2. Section 200.30-4 is amended by adding paragraph (a)(11) to read as follows:

**§ 200.30-4 Delegation of authority to Director of Division of Enforcement.**

\* \* \* \* \*

(a) \* \* \*

(11) To authorize staff to appear in federal bankruptcy court to preserve Commission claims in connection with investigations pursuant to section 19(b) of the Securities Act of 1933 (15 U.S.C. 77s(b)), section 21(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(b)), section 18(c) of the Public Utility Holding Company Act of 1935 (15 U.S.C. 79r(c)), section 42(b) of the Investment Company Act of 1940 (15 U.S.C. 80a-41(b)) and section 209(b) of the Investment Advisers Act of 1940 (15 U.S.C. 80b-9(b)).

\* \* \* \* \*

By the Commission.

Dated: May 2, 1996.

Margaret H. McFarland,  
*Deputy Secretary.*

[FR Doc. 96-11451 Filed 5-7-96; 8:45 am]

BILLING CODE 8010-01-P

**DEPARTMENT OF THE TREASURY**

**Bureau of Alcohol, Tobacco and Firearms**

**27 CFR Parts 1, 4, 7, 16, 19, 20, 21, 22, 24, 25, 53, 55, 71, 170, 178, 179, 194, 197, 200, 250, 251, 252, 270, 275, 285, 290, and 296**

[T.D. 372]

RIN 1512-AB47

**Technical Amendments**

**AGENCY:** Bureau of Alcohol, Tobacco and Firearms (ATF) Treasury.

**ACTION:** Final rule, Treasury decision.

**SUMMARY:** This Treasury decision makes technical amendments and conforming changes to chapter I of title 27 Code of Federal Regulations (CFR). All changes are to provide clarity and uniformity throughout title 27 Code of Federal Regulations.

**EFFECTIVE DATE:** May 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** Angela R. Shanks, Alcohol and Tobacco Programs Division, Wine, Beer, and Spirits Regulations Branch, 650 Massachusetts Avenue, NW., Washington, DC 20226, (202-927-8230).

**SUPPLEMENTARY INFORMATION:** The Bureau of Alcohol, Tobacco and Firearms administers regulations published in chapter I of title 27 Code of Federal Regulations. These regulations are updated April 1 of each year to incorporate new or revised regulations that were published by ATF in the Federal Register during the preceding year. Upon reviewing title 27 for the annual revision, ATF and the CFR Unit of the Office of the Federal Register identified several amendments and conforming changes that are needed to provide uniformity in chapter I of title 27, Code of Federal Regulations.

These amendments do not make any substantive changes and are only intended to improve the clarity of title 27 or relieve regulatory requirements.

#### Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1980, Public Law 96-511, 44 U.S.C. Chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule because there are no recordkeeping or reporting requirements.

#### Regulatory Flexibility Act

Because no notice of proposed rulemaking is required for this rule, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) does not apply.

#### Executive Order 12866

It has been determined that this rule is not a significant regulatory action because it will not, (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866.

#### Administrative Procedures Act

Because this final rule merely makes technical amendments and conforming

changes to improve the clarity of the regulations, it is unnecessary to issue this final rule with notice and public procedure under 5 U.S.C. 553(b). Similarly it is unnecessary to subject this final rule to the effective date limitation of 5 U.S.C. 553(d).

#### Drafting Information

The principal author of this document is Angela R. Shanks, Wine, Beer, and Spirits Regulations Branch, Bureau of Alcohol, Tobacco and Firearms.

#### List of Subjects

##### *27 CFR Part 1*

Administrative Practice and Procedure, Alcohol and Alcoholic Beverages, Authority Delegations, Imports, Warehouses.

##### *27 CFR Part 4*

Advertising, Beer, Consumer protection, Customs duties and inspection, Imports, Labeling, Packaging and containers.

##### *27 CFR Part 7*

Advertising, Alcohol and Alcoholic Beverages, Antitrust, Credit, Trade Practices.

##### *27 CFR Part 16*

Beer, Consumer protection, Customs duties and inspections, Health, Imports, Labeling, Liquors, Packaging and containers, Safety, Wine.

##### *27 CFR Part 19*

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Chemicals, Claims, Customs duties and inspections, Electronic funds transfers, Excise taxes, Exports, Gasohol, Imports, Labeling, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Research, Security measures, Spices and flavorings, Surety bonds, Transportation, U.S. Possession, Virgin Islands, Warehouses, Wine.

##### *27 CFR Part 20*

Administrative practice and procedure, Advertising, Alcohol and alcoholic beverages, Authority delegations (Government agencies), Chemicals, Claims, Cosmetics, Excise taxes.

##### *27 CFR Part 21*

Alcohol and alcoholic beverages, Authority delegations (Government agencies), Chemicals, Gasohol.

##### *27 CFR Part 22*

Administrative practice and procedure, Advertising, Alcohol and

alcoholic beverages, Authority delegations (Government agencies), Claims, Excise taxes, Reporting and recordkeeping requirements, Surety bonds.

##### *27 CFR Part 24*

Administrative practice and procedure, Authority delegation, Claims, Electronic funds transfers, Excise taxes, Exports, Food additives, Packaging and containers, Reporting and recordkeeping requirements, Research, Scientific equipment, Spices and flavorings, Surety bonds, Taxpaid wine bottling house, Transportation, Vinegar, Warehouses, Wine.

##### *27 CFR Part 25*

Administrative practice and procedure, Authority delegation, Beer, Claims, Electronic funds transfers, Excise taxes, Labeling, Packaging and containers, Reporting and recordkeeping requirements, Research, Surety bonds, Transportation.

##### *27 CFR Part 53*

Administrative practice and procedure, Arms and munitions, Authority delegation, Exports, Imports, Penalties, Reporting and recordkeeping requirements.

##### *27 CFR Part 55*

Administrative practice and procedure, Authority delegation, Customs duties and inspections, Explosives, Hazardous materials, Imports, Penalties, Reporting and recordkeeping requirements, Safety, Security measures, Seizures and forfeitures, Transportation, and Warehouses.

##### *27 CFR Part 71*

Administrative practice and procedure, Authority delegations, Freedom of Information, Privacy.

##### *27 CFR Part 170*

Alcohol and alcoholic beverages, Authority delegations, Claims, Customs duties and inspections, Disaster assistance, Excise taxes, Labeling, Liquors, Penalties, Reporting requirements, Surety bonds, Wine.

##### *27 CFR Part 178*

Administrative practice and procedure, Arms and munitions, Authority delegations, Customs duties and inspections, Exports, Imports, Military personnel, Penalties, Reporting requirements, Research, Seizures and forfeitures, Transportation.

##### *27 CFR Part 179*

Administrative practice and procedure, Arms and munitions,

Authority delegations, Claims, Customs duties and inspections, Excise taxes, Exports, Imports, Penalties, Reporting requirements, Seizures and forfeitures, Transportation, U.S. Possessions.

*27 CFR Part 194*

Alcohol and alcoholic beverages, Authority delegations, Beer, Claims, Excise taxes, Exports, Labeling, Liquors, Packaging and containers, Penalties, Reporting requirements, Wine.

*27 CFR Part 197*

Alcohol and alcoholic beverages, Authority delegations, Claims, Drugs, Excise taxes, Foods, Spices and flavorings, Surety bonds, Reporting requirements.

*27 CFR Part 200*

Administrative practice and procedure, Authority delegations.

*27 CFR Part 250*

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations (Government agencies), Beer, Claims, Customs duties and inspections, Drugs, Electronic funds transfers, Excise taxes, Foods, Liquors, Packaging and containers, Puerto Rico, Reporting and recordkeeping requirements, Spices and flavorings, Surety bonds.

*27 CFR Part 251*

Administrative practice and procedure, Alcohol and alcoholic beverages, Authority delegations, Beer, Customs duties and inspections, Excise taxes, Imports, Labeling, Liquors, Packaging and containers, Perfume, Reporting requirements, Transportation, Wine.

*27 CFR Part 252*

Aircraft, Alcohol and alcoholic beverages, Armed forces, Authority delegations, Beer, Claims, Excise taxes, Exports, Fishing vessels, Foreign trade zones, Liquors, Reporting and recordkeeping requirements, Surety bonds, Vessels, Warehouses, Wine.

*27 CFR Part 270*

Administrative practice and procedure, Authority delegations, Cigars and cigarettes, Claims, Electronic funds transfers, Excise taxes, Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds.

*27 CFR Part 275*

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Cigars and cigarettes, Electronic funds transfers,

Claims, Customs duties and inspections, Excise taxes, Imports, Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds, U.S. Possessions, Warehouses.

*27 CFR Part 285*

Administrative practice and procedure, Aircraft, Authority delegations, Cigarette papers and tubes, Cigars and cigarettes, Claims, Customs duties and inspections, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Penalties, Surety bonds, Vessels, Warehouses.

*27 CFR Part 290*

Administrative practice and procedure, Aircraft, Authority delegation, Cigarette papers and tubes, Claims, Customs duties and inspections, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Penalties, Surety bonds, Tobacco products, Vessels, Warehouses.

*27 CFR Part 296*

Cigarette papers and tubes, Cigars and cigarettes, Claims, Disaster assistance, Excise taxes, Penalties, Seizures and forfeitures, Surety bonds.

Authority and Issuance

Title 27, Code of Federal Regulations is amended as follows:

**PART 1—BASIC PERMIT REQUIREMENTS UNDER THE FEDERAL ALCOHOL ADMINISTRATION ACT**

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

Authority: 27 U.S.C. 203, 204.

Par. 2. In section 1.3, paragraph (b) is removed, paragraph (c) is redesignated as paragraph (b), and the redesignated paragraph (b) is revised to read as follows:

**§ 1.3 Forms prescribed.**

\* \* \* \* \*

(b) Requests for forms should be mailed to the ATF Distribution Center, 7943 Angus Court, Springfield, Virginia 22153.

**PART 4—LABELING AND ADVERTISING OF WINE**

Par. 3. The authority citation for part 4 continues to read as follows:

Authority: 27 U.S.C. 205, unless otherwise noted.

**§ 4.3 [Amended]**

Par. 4. In § 4.3, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**§ 4.21 [Amended]**

Par. 5. Section 4.21(g)(1) is amended by removing the phrase “paragraph (b)” and adding in its place the phrase “paragraph (g)(2)”.

**PART 5—LABELING AND ADVERTISING OF DISTILLED SPIRITS**

Par. 6. The authority citation for part 5 continues to read as follows:

Authority: 26 U.S.C. 5301, 7805, 27 U.S.C. 205.

**§ 5.3 [Amended]**

Par. 7. In § 5.3, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 7—LABELING AND ADVERTISING OF MALT BEVERAGES**

Par. 8. The authority citation for part 7 continues to read as follows:

Authority: 27 U.S.C. 205.

**§ 7.3 [Amended]**

Par. 9. In § 7.3, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 16—ALCOHOLIC BEVERAGE HEALTH WARNING STATEMENT**

Par. 10. The authority citation for part 16 continues to read as follows:

Authority: 27 U.S.C. 205, 215.

**§ 16.22 [Amended]**

Par. 11. Section 16.22(d) is removed.

**PART 18—PRODUCTION OF VOLATILE FRUIT-FLAVOR CONCENTRATE**

Par. 12. The authority citation for part 18 continues to read as follows:

Authority: 26 U.S.C. 5001, 5172, 5178, 5179, 5203, 5511, 5552, 6025, 7805; 44 U.S.C. 3504(h).

**§ 18.16 [Amended]**

Par. 13. In § 18.16, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 19—DISTILLED SPIRITS PLANTS**

Par. 14. The authority citation for part 19 continues to read as follows:

Authority: 19 U.S.C. 81c, 1311; 26 U.S.C. 5001, 5002, 5004–5006, 5008, 5010, 5041, 5061, 5062, 5066, 5081, 5101, 5111–5113, 5142, 5143, 5146, 5171–5173, 5175, 5176, 5178–5181, 5201–5204, 5206, 5207, 5211–5215, 5211–5223, 5231, 5232, 5235, 5236, 5241–5243, 5271, 5273, 5301, 5311–5313, 5362, 5370, 5373, 5501–5505, 5551–5555, 5559, 5561, 5562, 5601, 5612, 5682, 6001, 6065, 6109, 6302, 6311, 6676, 6806, 7011, 7510, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 15. In § 19.61, paragraph (b) is removed, paragraph (c) is redesignated as paragraph (b), and the redesignated paragraph (b) is revised to read as follows:

**§ 19.61 Forms prescribed.**

\* \* \* \* \*

(b) Requests for forms should be mailed to the ATF Distribution Center, 7943 Angus Court, Springfield, Virginia 22153.

Par. 16. Section 19.534 is revised to read as follows:

**§ 19.534 Withdrawals of spirits for use in production of nonbeverage wine and nonbeverage wine products.**

Spirits withdrawn without payment of tax may be removed, pursuant to the provisions of part 24 of this chapter, to a bonded wine cellar for use in the production of nonbeverage wine and nonbeverage wine products. (Sec. 455, Pub. L. 98-369, 98 Stat. 494 (26 U.S.C. 5214))

**§ 19.581 [Amended]**

Par. 17. Section 19.581(a) is amended by removing the phrase "part 240" and adding in its place the phrase "part 24".

**§ 19.592 [Amended]**

Par. 18. Section 19.592 is amended by removing the phrase "part 240" and adding in its place the phrase "part 24".

**PART 20—DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM**

Par. 18a. The authority citation for part 20 continues to read as follows:

Authority: 26 U.S.C. 5001, 5206, 5214, 5271-5275, 5311, 5552, 5555, 5607, 6065, 7805.

**§ 20.21 [Amended]**

Par. 19. In § 20.21, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 21—FORMULAS FOR DENATURED ALCOHOL AND RUM**

Par. 20. The authority citation for part 21 continues to read as follows:

Authority: 5 U.S.C. 522(a); 26 U.S.C. 5242, 7805.

**§ 21.2 [Amended]**

Par. 21. In § 21.2, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 22—DISTRIBUTION AND USE OF TAX-FREE ALCOHOL**

Par. 22. The authority citation for part 22 continues to read as follows:

Authority: 26 U.S.C. 5001, 5121, 5142, 5143, 5146, 5206, 5214, 5271-5276, 5311,

5552, 5555, 6056, 6061, 6065, 6109, 6151, 6806, 7011, 7805; 31 U.S.C. 9304, 9306.

**§ 22.21 [Amended]**

Par. 23. In § 22.21, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 24—WINE**

Par. 24. The authority citation for part 24 continues to read as follows:

Authority: 5 U.S.C. 552(a); 26 U.S.C. 5001, 5008, 5041, 5042, 5044, 5061, 5062, 5081, 5111-5113, 5121, 5122, 5142, 5143, 5173, 5206, 5214, 5215, 5351, 5353, 5354, 5356, 5357, 5361, 5362, 5364-5373, 5381-5388, 5391, 5392, 5511, 5551, 5552, 5661, 5662, 5684, 6065, 6091, 6109, 6301, 6302, 6311, 6651, 6676, 7011, 7302, 7342, 7502, 7503, 7606, 7805, 7851; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 24.20 [Amended]**

Par. 25. In § 24.20, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 25—BEER**

Par. 26. The authority citation for part 25 continues to read as follows:

Authority: 19 U.S.C. 81c; 26 U.S.C. 5002, 5051-5054, 5056, 5061, 5091, 5111, 5113, 5142, 5143, 5146, 5222, 5401-5403, 5411-5417, 5551, 5552, 5555, 5556, 5671, 5673, 5684, 6011, 6061, 6065, 6091, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6651, 6656, 6676, 6806, 7011, 7342, 7606, 7805; 31 U.S.C. 9301, 9303-9308.

**§ 25.3 [Amended]**

Par. 27. In § 25.3, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**§ 25.221 [Amended]**

Par. 28. Section 25.221(a) is amended by removing the phrase "beer determined" and adding in its place the phrase "been determined".

**PART 53—MANUFACTURERS EXCISE TAXES—FIREARMS AND AMMUNITION**

Par. 29. The authority citation for part 53 continues to read as follows:

Authority: 26 U.S.C. 4181, 4182, 4216-4219, 4221-4223, 4225, 6001, 6011, 6020, 6021, 6061, 6071, 6081, 6091, 6101-6104, 6109, 6151, 6155, 6161, 6301-6303, 6311, 6402, 6404, 6416.

**§ 53.21 [Amended]**

Par. 30. In § 53.21, paragraph (b) is removed and paragraphs (c) and (d) are redesignated as paragraphs (b) and (c) respectively.

**§ 53.103 [Amended]**

Par. 31. The title of § 53.103 is amended by removing the number

52.103 and adding in its place the number 53.103.

**§ 53.133 [Amended]**

Par. 32. Section 53.133(b) introductory text is amended by removing the word "producer" in the second sentence and adding in its place the word "purchaser".

**PART 55—COMMERCE IN EXPLOSIVES**

Par. 33. The authority citation for part 55 continues to read as follows:

Authority: 18 U.S.C. 847.

**§ 55.21 [Amended]**

Par. 34. In § 55.21, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 71—STATEMENT OF PROCEDURAL RULES**

Par. 35. The authority citation for part 71 continues to read as follows:

Authority: 5 U.S.C. 301, 552.

**§ 71.42 [Amended]**

Par. 36. In § 71.42, paragraph (c)(1) is removed and paragraph (c)(2) is redesignated as paragraph (c).

**PART 170—MISCELLANEOUS REGULATIONS RELATING TO LIQUOR**

Par. 37. The authority citation for Part 170 continues to read as follows:

Authority: 26 U.S.C. 5001, 5002, 5064, 5111, 5121, 5171, 5204, 5291, 5301, 5362, 7805; 31 U.S.C. 9304, 9306.

**Subparts B, D, and F [Removed and reserved]**

Par. 38. In Part 170, subparts B, D, and F are removed and reserved.

**PART 178—COMMERCE IN FIREARMS AND AMMUNITION**

Par. 39. The authority citation for part 178 continues to read as follows:

Authority: 5 U.S.C. 552(a); 18 U.S.C. 847, 921-930; 44 U.S.C. 3504(h).

**§ 178.21 [Amended]**

Par. 40. In § 178.21, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 179—MACHINE GUNS, DESTRUCTIVE DEVICES, AND CERTAIN OTHER FIREARMS**

Par. 41. The authority citation for part 179 continues to read as follows:

Authority: 26 U.S.C. 7805.

**§ 179.21 [Amended]**

Par. 42. In § 179.21, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 194—LIQUOR DEALERS**

Par. 43. The authority citation for part 194 continues to read as follows:

Authority: 26 U.S.C. 5001, 5002, 5111–5117, 5121–5124, 5143, 5145, 5146, 5206, 5207, 5301, 5352, 5555, 5613, 5681, 5691, 6001, 6011, 6061, 6065, 6071, 6091, 6109, 6151, 6311, 6314, 6402, 6511, 6601, 6621, 6651, 6657, 7011, 7805.

**§ 194.41 [Amended]**

Par. 44. In § 194.41, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 197—DRAWBACK ON DISTILLED SPIRITS USED IN MANUFACTURING NONBEVERAGE PRODUCTS**

Par. 45. The authority citation for part 197 continues to read as follows:

Authority: 26 U.S.C. 5010, 5131–5134, 5143, 5146, 5206, 5273, 6065, 6091, 6109, 6402, 6511, 6676, 7213, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

Par. 46. In § 197.2, paragraph (b) is removed, paragraph (c) is redesignated as paragraph (b), the redesignated paragraph (b) is revised to read as follows:

**§ 197.2 Forms prescribed.**

\* \* \* \* \*

(b) Requests for forms should be mailed to the ATF Distribution Center, 7943 Angus Court, Springfield, Virginia 22153.

**PART 200—RULES OF PRACTICE IN PERMIT PROCEEDINGS**

Par. 47. The authority citation for part 200 continues to read as follows:

Authority: 26 U.S.C. 7805; 27 U.S.C. 204.

Par. 48. In § 200.3, paragraph (b) is removed, paragraph (c) is redesignated as paragraph (b), and the redesignated paragraph (b) is revised to read as follows:

**§ 200.3 Forms prescribed.**

\* \* \* \* \*

(b) Requests for forms should be mailed to the ATF Distribution Center, 7943 Angus Court, Springfield, Virginia 22153.

**PART 250—LIQUOR AND ARTICLES FROM PUERTO RICO AND THE VIRGIN ISLANDS**

Par. 49. The authority citation for part 250 continues to read as follows:

Authority: 19 U.S.C. 81c; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5061, 5081, 5111, 5112, 5114, 5121, 5122, 5124, 5131–5134, 5141, 5146, 5207, 5232, 5271, 5276, 5301, 5314, 5555, 6001, 6301, 6302, 6804, 7101, 7102, 7651, 7652, 7805; 27 U.S.C. 9301, 9303, 9304, 9306.

**§ 250.2 [Amended]**

Par. 50. In § 250.2, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 251—IMPORTATION OF DISTILLED SPIRITS, WINES, AND BEER**

Par. 51. The authority citation for part 251 continues to read as follows:

Authority: 5 U.S.C. 552(a); 19 U.S.C. 81c, 1202; 26 U.S.C. 5001, 5007, 5008, 5010, 5041, 5051, 5054, 5061, 5111, 5112, 5114, 5121, 5122, 5124, 5201, 5205, 5207, 5232, 5273, 5301, 5313, 5555, 6302, 7805.

**§ 251.2 [Amended]**

Par. 52. In § 251.2, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 252—EXPORTATION OF LIQUORS**

Par. 53. The authority citation for part 252 is revised to read as follows:

Authority: 5 U.S.C. 552(a); 19 U.S.C. 81c, 1202; 26 U.S.C. 5001, 5007, 5008, 5041, 5051, 5054, 5061, 5111, 5112, 5114, 5121, 5122, 5124, 5201, 5205, 5207, 5232, 5273, 5301, 5313, 5555, 6302, 7805; 27 U.S.C. 203, 205; 44 U.S.C. 3504(h).

**§ 252.2 [Amended]**

Par. 54. In § 252.2, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**§ 252.216 [Amended]**

Par. 55. Section 252.216 is amended by removing the phrase “parts 24 or part 231” and adding in its place the phrase “part 24”.

**PART 270—MANUFACTURE OF TOBACCO PRODUCTS**

Par. 56. The authority citation for part 270 continues to read as follows:

Authority: 26 U.S.C. 5142, 5143, 5146, 5701, 5703–5705, 5711–5713, 5721–5723, 5731, 5741, 5751, 5753, 5761–5763, 6061, 6065, 6109, 6151, 6301, 6302, 6311, 6313, 6402, 6404, 6423, 6676, 6806, 7011, 7212, 7325, 7342, 7502, 7503, 7606, 7805; 31 U.S.C. 9301, 9303, 9404, 9306.

**§ 270.41 [Amended]**

Par. 57. In § 270.41, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 275—IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

Par. 58. The authority citation for part 275 continues to read as follows:

Authority: 26 U.S.C. 5701, 5703, 5704, 5705, 5708, 5722, 5723, 5741, 5761, 5762, 5763, 6301, 6302, 6313, 6404, 7101, 7212, 7342, 7606, 7652, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 275.21 [Amended]**

Par. 59. In § 275.21, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 285—MANUFACTURE OF CIGARETTE PAPERS AND TUBES**

Par. 60. The authority citation for part 285 continues to read as follows:

Authority: 26 U.S.C. 5142, 5143, 5146, 5701, 5703–5705, 5711, 5721–5723, 5731, 5741, 5751, 5753, 5761–5763, 6061, 6065, 6109, 6302, 6402, 6404, 6676, 6806, 7011, 7212, 7325, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 285.2 [Amended]**

Par. 61. In § 285.2, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 290—EXPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES, WITHOUT PAYMENT OF TAX, OR WITH DRAWBACK OF TAX**

Par. 62. The authority citation for part 290 continues to read as follows:

Authority: 26 U.S.C. 5142, 5143, 5146, 5701, 5703–5705, 5711–5713, 5721–5723, 5731, 5741, 5751, 6061, 6065, 6151, 6402, 6404, 6806, 7011, 7212, 7342, 7606, 7805; 31 U.S.C. 9301, 9303, 9304, 9306.

**§ 290.2 [Amended]**

Par. 63. In § 290.2, paragraph (b) is removed and paragraph (c) is redesignated as paragraph (b).

**PART 296—MISCELLANEOUS REGULATIONS RELATING TO TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES**

Par. 64. The authority citation for part 296 continues to read as follows:

Authority: 18 U.S.C. 2341–2346; 26 U.S.C. 5708, 5751, 5761–5763, 6001, 6601, 6621, 6622, 7212, 7342, 7602, 7606, 7805; 44 U.S.C. 3504(h); 49 U.S.C. 782.

**Subpart H [Removed and reserved]**

Par. 65. In part 296, subpart H is removed and reserved.

Dated: March 25, 1996.

Bradley A. Buckles,

Acting Director.

Approved: April 8, 1996.

John P. Simpson,

Deputy Assistant Secretary (Regulatory, Tariff and Trade Enforcement).

[FR Doc. 96-11375 Filed 5-07-96; 8:45 am]

BILLING CODE 4810-31-P

## DEPARTMENT OF AGRICULTURE

### Forest Service

#### 36 CFR Part 292

RIN 0596-AB39

#### Smith River National Recreation Area

AGENCY: Forest Service, USDA.

ACTION: Final rule; change of effective date.

**SUMMARY:** The Forest Service is giving notice of a change in the effective date of the Smith River National Recreation Area final rule. The Smith River final rule was published in the Federal Register on April 3, 1996, (61 FR 14621) and became effective on that date. However, at the time of submission, the Forest Service was unaware of the new statutory requirements concerning Congressional review of regulations. Public Law 104-121, Subtitle E, Section 251, "Congressional Review" requires the agency to submit a report and a copy of a final regulation to each House of Congress and to the General Accounting Office (GAO), when the rule is published in the Federal Register. The effective date of a published rule must be later than the publication date in order to allow time for Congressional review. A report and a copy of the rule were submitted to Congress and the GAO on May 3, 1996.

**EFFECTIVE DATE:** The new effective date for this rule is May 23, 1996.

**FOR FURTHER INFORMATION CONTACT:** Sam Hotchkiss, Minerals and Geology Management Staff, Forest Service, USDA, (202) 205-1535.

**SUPPLEMENTARY INFORMATION:** This final rule (36 CFR Part 292) implements Section 8(d) of the Smith River National Recreation Area Act of 1990 and sets forth the procedures by which the Forest Service will regulate mineral operations on National Forest System lands within the Smith River National Recreation Area. This rule supplements existing Forest Service regulations and is intended to ensure that mineral operations are conducted in a manner consistent with the purposes for which

the Smith River National Recreation Area was established.

Dated: May 3, 1996.

David G. Unger,

Associate Chief.

[FR Doc. 96-11471 Filed 5-7-96; 8:45 am]

BILLING CODE 3410-11-M

## DEPARTMENT OF VETERANS AFFAIRS

### 38 CFR Part 3

RIN 2900-AH83

#### Adjudication Regulations; Miscellaneous

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

**SUMMARY:** This document amends adjudication regulations by updating various cross-references and authority citations and by making other nonsubstantive changes.

**EFFECTIVE DATE:** This amendment is effective May 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** Paul Trowbridge, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW, Washington, DC 20420, telephone (202) 273-7210.

**SUPPLEMENTARY INFORMATION:** 38 CFR 3.23(d)(5) concerns annual income for improved pension surviving spouses. The authority citation for 38 CFR 3.23(d)(5) is shown incorrectly as "38 U.S.C. 1541 (c), (h)". The authority citation is corrected to read "38 U.S.C. 1541 (c), (g)".

38 CFR 3.24(c)(1) states that in certain situations pension shall be paid to a child in the custody of a person legally responsible for the child's support at an annual rate equal to the difference between the rate for a surviving spouse and one child, and "the sum of the annual income of such person." This paragraph is based on 38 U.S.C. 1542 which states that the child's rate is reduced by the child's income or, if the child is residing with a person legally responsible for the child's support, by "the sum of the annual income of such child and such person." 38 CFR 3.24(c)(1) is amended to restore the words "the annual income of such child and" before "the annual income of such person". These words appear in the Federal Register of September 16, 1987, but were omitted from the July 1, 1988, Federal Register codification of 38 CFR and all subsequent versions. This change will conform the regulation to 38 U.S.C. 1542.

The most recent change to 38 CFR 3.25 appeared in the Federal Register of September 16, 1987. The version of 38 CFR 3.25(c)(2) in the Federal Register of September 16, 1987, contained the following statement: ". . . no payment of DIC to a parent under this paragraph may be less than \$5 monthly. Each time there is a rate increase under 38 U.S.C. 3112, the amount of the reduction under this paragraph shall be recomputed to provide, as nearly as possible, for an equitable distribution of the rate increase." However, the July 1, 1988, codified version of 38 CFR 3.25(c)(2) omitted the following words: "may be less than \$5 monthly. Each time there is a rate increase under 38 U.S.C. 3112, the amount of the reduction under this paragraph". This change restores the words that were inadvertently omitted from 38 CFR 3.25(c)(2).

38 CFR 3.250(d) concerning remarriage of a parent receiving Dependency and Indemnity Compensation (DIC) contains an incorrect reference to "38 U.S.C. 102(a)(2)". The reference is corrected to read "38 U.S.C. 102(b)(1)".

38 CFR 3.252(a), which concerns annual income limitations in old-law pension cases, contains an incorrect reference to "§ 3.26(b)". 38 CFR 3.252(a) is changed to show the correct reference for old-law pension, which is 38 CFR 3.26(c).

In 1991 § 14(d)(8)(b) of Public Law 102-54 eliminated subsection (e) from 38 U.S.C. 6103. The language that was previously in subsection (e) was included under subsection (b). The authority citation for 38 CFR 3.458(f)(2) is changed from "38 U.S.C. 6103(e)" to "38 U.S.C. 6103(b)".

38 CFR 3.100(a), 38 CFR 3.321(b)(1), 38 CFR 3.460(b), 38 CFR 3.461(b)(1), and 38 CFR 3.559(c) are amended to show the current title of the chief officer of the Veterans Benefits Administration. Previously the Under Secretary for Benefits was called the "Chief Benefits Director."

A regulatory change published in the Federal Register of June 24, 1985, moved effective date rules for Dependency and Indemnity Compensation (DIC) from 38 CFR 3.400(c)(3) to 38 CFR 3.400(c)(4). 38 CFR 3.702 on DIC is amended to reflect that change in two references to 38 CFR 3.400.

We are amending 38 CFR 3.852 on institutional awards to add authority citations for paragraphs (a), (c), (d), and (e).

In 1991, § 14(d)(8)(b) of Public Law 102-54 eliminated paragraph (e) from 38 U.S.C. 6103. The authority citation for 38 CFR 3.901(c) is changed from "38