

Improvement Act of 1991, Pub. L. 102-242, 105 Stat. 2236, 2253, Congress adopted the prompt corrective action provisions codified in section 38 of the Federal Deposit Insurance Act, 12 U.S.C. 1831o, establishing a statutory structure for addressing insured depository institutions with declining capital. This statutory structure does not allow capital forbearance as contemplated in the Policy Statement.

For the above reasons, the Policy Statement is hereby rescinded.

By Order of the Board of Directors.

Dated at Washington, D.C., this 14th day of May, 1996.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

*Deputy Executive Secretary.*

[FR Doc. 96-12926 Filed 5-22-96; 8:45 am]

BILLING CODE 6714-01-P

## FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1105-DR]

### Montana; Amendment to Notice of a Major Disaster Declaration

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster for the State of Montana (FEMA-1105-DR), dated February 23, 1996, and related determinations.

**EFFECTIVE DATE:** May 7, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that the incident period for this disaster is closed effective February 29, 1996.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

Dennis H. Kwiatkowski,

*Deputy Associate Director, Response and Recovery Directorate.*

[FR Doc. 96-13038 Filed 5-22-96; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1112-DR]

### Illinois; Major Disaster and Related Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This is a notice of the Presidential declaration of a major

disaster for the State of Illinois (FEMA-1112-DR), dated May 6, 1996, and related determinations.

**EFFECTIVE DATE:** May 6, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that, in a letter dated May 6, 1996, the President declared a major disaster under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), as follows:

I have determined that the damage in certain areas of the State of Illinois, resulting from severe storms and flooding on April 28, 1996 and continuing, is of sufficient severity and magnitude to warrant a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ("the Stafford Act"). I, therefore, declare that such a major disaster exists in the State of Illinois.

In order to provide Federal assistance, you are hereby authorized to allocate from funds available for these purposes, such amounts as you find necessary for Federal disaster assistance and administrative expenses.

You are authorized to provide Individual Assistance, Public Assistance, and Hazard Mitigation in the designated areas. Consistent with the requirement that Federal assistance be supplemental, any Federal funds provided under the Stafford Act for Public Assistance or Hazard Mitigation will be limited to 75 percent of the total eligible costs.

The time period prescribed for the implementation of section 310(a), Priority to Certain Applications for Public Facility and Public Housing Assistance, 42 U.S.C. 5153, shall be for a period not to exceed six months after the date of this declaration.

Notice is hereby given that pursuant to the authority vested in the Director of the Federal Emergency Management Agency under Executive Order 12148, I hereby appoint Ron Sherman of the Federal Emergency Management Agency to act as the Federal Coordinating Officer for this declared disaster.

I do hereby determine the following areas of the State of Illinois to have been affected adversely by this declared major disaster:

Franklin and St. Clair Counties for Individual Assistance, Public Assistance, and Hazard Mitigation.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

James L. Witt,

*Director.*

[FR Doc. 96-13014 Filed 5-22-96; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1112-DR]

### Illinois; Amendment to Notice of a Major Disaster Declaration

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster for the State of Illinois, (FEMA-1112-DR), dated May 6, 1996, and related determinations.

**EFFECTIVE DATE:** May 10, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster for the State of Illinois, is hereby amended to include the following area among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 6, 1996:

Lawrence County for Individual Assistance.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

William C. Tidball,

*Associate Director, Response and Recovery Directorate.*

[FR Doc. 96-13015 Filed 5-22-96; 8:45 am]

BILLING CODE 6718-02-P

[FEMA-1112-DR]

### Illinois; Amendment to Notice of a Major Disaster Declaration

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Notice.

**SUMMARY:** This notice amends the notice of a major disaster for the State of Illinois, (FEMA-1112-DR), dated May 6, 1996, and related determinations.

**EFFECTIVE DATE:** May 9, 1996.

**FOR FURTHER INFORMATION CONTACT:** Pauline C. Campbell, Response and Recovery Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3606.

**SUPPLEMENTARY INFORMATION:** The notice of a major disaster for the State of Illinois, is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of May 6, 1996:

Madison and Monroe Counties for Individual Assistance, Public Assistance, and Hazard Mitigation.

(Catalog of Federal Domestic Assistance No. 83.516, Disaster Assistance)

William C. Tidball,

Associate Director, Response and Recovery Directorate.

[FR Doc. 96-13016 Filed 5-22-96; 8:45 am]

BILLING CODE 6718-02-P

## FEDERAL LABOR RELATIONS AUTHORITY

### Notice of Oral Argument and Opportunity To Submit Amicus Curiae Briefs

**AGENCY:** Federal Labor Relations Authority.

**ACTION:** Notice of oral argument and opportunity to submit briefs as amici curiae in a proceeding before the Federal Labor Relations Authority in which the Authority is required to interpret and apply 5 U.S.C. 7116(a) (1) and (3).

**SUMMARY:** The Federal Labor Relations Authority gives notice that it is scheduling oral argument and providing an opportunity, pursuant to 5 CFR 2429.9 and .26, for all interested persons to submit briefs as amici curiae on significant issues arising in a case pending before the Authority. The Authority is considering this case pursuant to its responsibilities under the Federal Service Labor-Management Relations Statute, 5 U.S.C. 7101-7135 (1994) and its regulations set forth at 5 CFR part 2423 (1996). The proceeding concerns the extent to which an agency is obligated to furnish facilities and services, under 5 U.S.C. 7116(a) (1) and (3), to a labor organization that is seeking to represent the agency's employees.

**ORAL ARGUMENT:** The Authority will hold oral argument at 10:00 a.m. on Wednesday, July 10, 1996, in the Second Floor Agenda Room, 607 14th Street, NW., Washington, D.C. 20424-0001. Only the parties to the case will be provided an opportunity to be heard at oral argument, and attendance at the oral argument will be limited because of space constraints. Persons interested in attending the oral argument should notify the Office of Case Control by 5 p.m. on Friday, July 5, 1996. Telephone: FTS or Commercial (202) 482-6540.

**BRIEFS:** Briefs submitted in response to this notice will be considered if received by mail or personal delivery in the Authority's Office of Case Control by 5 p.m. on Friday, June 28, 1996. Placing submissions in the mail by this deadline will not be sufficient. Extensions of time to submit briefs will not be granted.

**ADDRESSES:** Mail or deliver briefs to James H. Adams, Acting Director, Case Control Office, Federal Labor Relations Authority, 607 14th Street, NW., Suite 415, Washington, D.C. 20424-0001.

**FORMAT:** All briefs shall be captioned "Social Security Administration, Baltimore, Maryland, Case No. 3-CA-10859, Amicus Brief" and shall contain separate, numbered headings for each issue discussed. An original and four (4) copies of each brief must be submitted, with any enclosures, on 8½×11 inch paper. Briefs must include a signed and dated statement of service that complies with the Authority's regulations showing service of one copy of the brief on all counsel of record or other designated representatives. 5 CFR 2429.27 (a) and (c). The designated representatives are: Elaine Kaplan, National Treasury Employees Union, 901 E Street, NW., Washington, D.C. 20004; Laurence Evans, Office of the General Counsel, Federal Labor Relations Authority, 1525 22nd Street NW., Suite 400, Washington, D.C. 20037; Charles A. Hobbie, American Federation of Government Employees, AFL-CIO, 80 F Street, NW., Washington, D.C. 20001; and Ed Novak, Social Security Administration, West High Rise Building, Room G-I-10, 6401 Security Boulevard, Baltimore, MD 21235.

**FOR FURTHER INFORMATION CONTACT:** James H. Adams, Acting Director, Case Control Office, Federal Labor Relations Authority, 607 14th Street, NW., Suite 415, Washington, D.C. 20424-0001, Telephone: FTS or Commercial (202) 482-6540.

**SUPPLEMENTARY INFORMATION:** The case presenting the issues on which oral argument will be heard and amicus briefs are being solicited is before the Authority on remand from the United States Court of Appeals for the District of Columbia Circuit. The Authority's decision that was reviewed by the court is Social Security Administration, 45 FLRA 303 (1992). The court's decision is *NTEU v. FLRA*, 986 F.2d 537 (D.C. Cir. 1993). Copies of these decisions will be provided, upon request, by mail or facsimile. However, the following summary is offered.

Non-employee organizers of the National Treasury Employees Union (NTEU) sought a permit from the Social Security Administration (SSA) to distribute literature on the public sidewalks of SSA's headquarters complex at Woodlawn, Maryland. The headquarters complex, including the sidewalks, is the property of the General Services Administration (GSA) but, pursuant to a delegation of authority, is

managed by SSA. At the time of its permit request, NTEU had not filed a petition seeking to represent any of SSA's employees at the Woodlawn complex. SSA denied the request. NTEU alleged that, by the denial, SSA violated 5 U.S.C. 7116(a) (1) and (3).

The Authority determined that SSA, whose employees were exclusively represented by the American Federation of Government Employees, did not violate either 5 U.S.C. 7116(a)(3) or, in turn, 5 U.S.C. 7116(a)(1), when it denied NTEU's request for a permit. Instead, the Authority concluded that SSA would have violated 5 U.S.C. 7116(a)(3) if it had granted the permit.

The court found that the Authority's application of section 7116(a)(3) raised Constitutional concerns. Accordingly, the court remanded the case to the Authority to consider whether an alternative construction of the Statute can be fashioned that avoids the First Amendment implications raised by the Authority's original decision. In particular, the court directed the Authority to determine whether the sidewalks and other outside areas of SSA's Woodlawn complex constitute SSA's "facilities," within the meaning of section 7116(a)(3). Following the court's remand, the Authority remanded the case to the Regional Director for development of a sufficient record. Social Security Administration, 47 FLRA 1376 (1993), reconsideration denied, 48 FLRA 539 (1993).

In light of the court's order on remand, the Authority invites interested persons to address, *inter alia*, the following questions. Certain of the questions (1-3) are based specifically on the court's decision remanding the case. In view of the court's more general direction that the Statute be construed to avoid Constitutional concerns, question 4 examines whether and how the approach suggested by the court would apply to hypothetical cases varying certain facts presented in this case. Questions 5 and 6 concern alternative approaches to the one suggested by the court to resolve the issues present in this case. Questions 7 and 8 pose more general questions regarding the correct interpretation of section 7116(a)(3). The last question asks how resolution of the issues under section 7116(a)(3) affects whether SSA also violated section 7116(a)(1) of the Statute by interfering with rights of non-employee organizers to conduct organizing activity.

Interested persons are invited to respond to any or all of the following questions:

1. If the Authority were to conclude, as the court suggests, that SSA was not