agency and application coordination responsibilities under the Act if such an application were filed using fiscal agency procedures already in place in other contexts and on a case-by-case basis.

Initial Regulatory Flexibility Analysis

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires an agency to publish an initial regulatory flexibility analysis with any notice of proposed rulemaking. Two of the requirements of an initial regulatory flexibility analysis (5 U.S.C. 603(b) (1)–(2)), a description of the reasons why action by the agency is being considered and a statement of the objectives of, and legal basis for, the proposal, are contained in the supplementary material above. The proposal rule imposes no additional reporting or recordkeeping requirements and does not overlap with other federal rules. (5 U.S.C. 603(b) (4)–(5).)

Another requirement for the initial regulatory flexibility analysis is a description of and, where feasible, an estimate of the number of small entities to which the proposed rule will apply. (5 U.S.C. 603(b)(3).) The proposal will apply to all depository institutions regardless of size. The proposal seeks to eliminate an obsolete regulatory provision and does not impose any substantial economic burden on small entities.

By order of the Board of Governors of the Federal Reserve System, May 21, 1996.

William W. Wiles,

Secretary of the Board.

[FR Doc. 96–13225 Filed 5–24–96; 8:45 am]

BILLING CODE 6210–01–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 96–AGL–1]

Proposed Amendment of Class E Airspace; Rochester, MN

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking; withdrawal.

SUMMARY: This action withdraws the Notice of Proposed Rulemaking (NPRM) which amended the Class E airspace at Rochester, MN. The airspace, as published, was incomplete and will be reissued subsequently with the corrected airspace description.

DATES: May 28, 1996.

FOR FURTHER INFORMATION CONTACT: John A. Clayborn, Air Traffic Division, Operations Branch, AGL–530, Federal Aviation Administration, 2300 East Devon Avenue, Des Plaines, Illinois 60018, telephone (847) 294–7459.

SUPPLEMENTARY INFORMATION:

The Proposed Rule

On March 22, 1996, a Notice of Proposed Rulemaking was published in the Federal Register to amend the Class E airspace at Rochester, MN. This was necessary to accommodate the new Copter GPS 325 degrees approach procedure to St. Mary's Hospital Heliport, Rochester, MN (61 FR 11792). The airspace description, as published, was incomplete; therefore this NPRM is being withdrawn and will be reissued.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Withdrawal of Proposed Rule

Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 96–AGL–1, as published in the Federal Register on March 22, 1996 (61 FR 11792), is hereby withdrawn.

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 14 CFR 11.69.

Issued in Des Plaines, Illinois on May 1, 1996.

Maureen Woods,

Acting Manager, Air Traffic Division.

[FR Doc. 96–13254 Filed 5–24–96; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Chapter I

[Docket No. 96N–0002]

"Draft Document Concerning the Regulation of Placental/Umbilical Cord Blood Stem Cell Products Intended for Transplantation or Further Manufacture into Injectable Products;" Availability; Extension of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Availability of draft document; extension of comment period.

SUMMARY: The Food and Drug Administration (FDA) is extending to July 26, 1996, the comment period for the draft document entitled "Draft Document Concerning the Regulation of Placental/Umbilical Cord Blood Stem Cell Products Intended for Transplantation or Further Manufacture into Injectable Products," which appeared in the Federal Register of February 26, 1996 (61 FR 7087). The purpose of the draft document is to identify a draft regulatory approach that FDA believes is appropriate for the regulation of placental/umbilical cord blood stem cell products for transplantation. FDA published the draft document in response to numerous inquiries regarding the agency's regulatory approach to cord blood stem cell products and to provide an opportunity for interested persons to submit written comments on the draft document prior to fully implementing this approach. FDA is taking this action in response to requests to allow additional time for public comments.

DATES: Written comments by July 26, 1996.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1–23, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Sharon A. Carayiannis, Center for Biologics Evaluation and Research (HFM–630), Food and Drug Administration, 1401 Rockville Pike, Rockville, MD 20852–1448, 301–594–3074.

SUPPLEMENTARY INFORMATION: In the Federal Register of February 26, 1996 (61 FR 7087), FDA requested public comment from interested persons on the draft document which included discussions of the following: (1) The applicable legal authorities in the Federal Food, Drug, and Cosmetic Act and the Public Health Service Act; (2) FDA's approach to the regulation of human cord blood stem cells intended for transplantation; (3) FDA's approach to the regulation of cord blood stem cells as source material for further manufacture; and (4) FDA's approach to the regulation of ancillary products used for production of cord blood stem cells. Interested persons were given until April 26, 1996, to submit written comments on the draft document.

The agency received four letters from companies and research institutions involved in the collection and storage of cord blood requesting an extension of the comment period. The letters requested up to 90 additional days for comment on the basis that FDA's proposed regulatory approach would significantly alter the current cord blood collection and storage practices used by companies and research institutions. In addition, the requests cited the need for additional time to adequately review

and analyze the draft document so as to formulate and submit meaningful, substantive comments to the agency. In a letter of April 26, 1996, FDA responded by offering an additional 29 days for comment, while the agency considered the requests for a 90-day extension. After careful consideration, the agency has concluded that it is in the public interest to allow additional time for interested persons to submit comments. Accordingly, FDA is extending the original comment period by 90 days, to July 26, 1996.

Interested persons may, on or before July 26, 1996, submit written comments to the Dockets Management Branch (address above). Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. A copy of the draft document and received comments are available for public examination in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

Dated: May 23, 1996.

William K. Hubbard,

Associate Commissioner for Policy Coordination.

[FR Doc. 96–13304 Filed 5–22–96; 4:03 pm]

BILLING CODE 4160–01–F

ARMS CONTROL AND DISARMAMENT AGENCY

22 CFR Part 608

Service of Process; Production of Official Information; and Testimony of Agency Employees

AGENCY: Arms Control and Disarmament Agency.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule would establish or clarify policies, practices, responsibilities, and procedures for the service of legal process upon the United States Arms Control and Disarmament Agency (ACDA, the Agency), its officers, and employees, and the production of official ACDA information and the appearance of and testimony by ACDA employees as witnesses in connection with litigation. This rule is procedural in nature. Although not required to do so, ACDA is voluntarily publishing this proposed rule for public comment.

DATES: To be considered, comments must be delivered by mail or in person to the address, or faxed to the telephone number, listed below by 5 p.m. on Friday, June 28, 1996.

ADDRESSES: Comments should be directed to the Office of the General Counsel, United States Arms Control and Disarmament Agency, Room 5636, 320 21st Street, NW., Washington, DC 20451; FAX (202) 647–0024. Comments will be available for inspection between 8:15 a.m. and 5 p.m. at the same address.

FOR FURTHER INFORMATION CONTACT: Frederick Smith, Jr., United States Arms Control and Disarmament Agency, Room 5635, 320 21st Street, NW., Washington, DC 20451, telephone (202) 647–3596.

SUPPLEMENTARY INFORMATION:

General

This proposed rule is intended to clarify ACDA policies and practices regarding litigation-related matters such as service of process upon ACDA and ACDA employees and the production of official ACDA information in litigation. ACDA anticipates that the rule, which generally parallels similar rules which have been adopted by numerous other federal agencies, e.g., the Department of Defense (32 CFR part 97), the Department of Justice (28 CFR part 16, subpart B), the Nuclear Regulatory Commission (10 CFR part 9, subpart D), and the Department of State (22 CFR part 172), will eliminate or reduce current ambiguities regarding such matters for ACDA employees, as well as for private attorneys and judicial and quasi-judicial authorities. ACDA also expects that this rule will promote consistency in ACDA's assertions of privileges and objections, thereby reducing the potential for both inappropriate, potentially harmful disclosure of protected information and wasteful or inappropriate allocation of Agency resources. Although the proposed rule is largely self-explanatory, we describe the general scheme of the several subsections below for the readers' ease of reference.

Service of Process

Part 604.4(b) of 22 CFR establishes the Agency's Office of the General Counsel as the designated office for the presentation of administrative claims asserted under the Federal Tort Claims Act (and 22 CFR parts 602, 603, and 605 set forth procedures for administrative requests under the Freedom of Information Act, under the Privacy Act, and for declassification of national security information, respectively). However, until the present, the Agency has not had regulations establishing the Agency's General Counsel, or his/her delegate, as the sole Agency recipient for litigation-related demands, whether civil or criminal, for official Agency information, whether oral or documentary, or for other Agency action. The proposed rule also clarifies that ACDA is not an agent for service on behalf of its employees in respect of purely private legal disputes and explains that ACDA will counsel its employees not to use their official positions to evade judicial process.

Compliance With Requests or Demands for Official Information

Fundamentally, the compliance sections of the proposed rule (§ § 608.4–608.9) simply track, to a greater or lesser degree, similar regulations which have been adopted by other federal agencies (such as those referenced above), and which derive from the Supreme Court's decision in *United States ex rel. Touhy* v. *Ragen*, 340 U.S. 462 (1951). Thus, the principal thrust of the compliance provisions of the proposed rule is that Agency employees (including former employees) must obtain the approval of the Agency's General Counsel, or his/her delegate, prior to responding to any subpoenas or other litigation-related requests or demands for Agency information, whether classified or unclassified, that relate to the employee's official duties.

Significantly, § 608.5 requires the party who initiates a litigation-related request or demand for official ACDA information to provide a written statement providing specified information concerning the nature and scope of the demand.

Finally, the proposed rule describes factors, among others, that Agency officials shall take into consideration when considering litigation-related requests or demands and specifies that Agency employees may ordinarily not provide expert or official testimony on behalf of private parties.

Regulatory Flexibility Act Certification

It is hereby certified that the proposed rule will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required.

Executive Order 12866 Determination

ACDA has determined that the proposed rule is not a significant regulatory action within the meaning of section 3(f) of that Executive Order.

Paperwork Reduction Act Statement

The proposed rule is not subject to the provisions of the Paperwork Reduction Act because it does not contain any information collection requirements within the meaning of that Act.