

Section 177.2550 *Reverse osmosis membranes*.

Section 177.2600 *Rubber articles intended for repeated use*.

Section 177.2800 *Textiles and textile fibers*.

**D. Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers**

Section 178.1005 *Hydrogen peroxide solution*.

Section 178.3120 *Animal glue*.

Section 178.3570 *Lubricants with incidental food contact*.

Section 178.3850 *Reinforced wax*.

**VI. Regulations Reinvented for Clarity**

The agency has noted that some of its food additive regulations could be rewritten to provide clearer guidance.

**A. Food Additives Permitted for Direct Addition to Food for Human Consumption**

The labeling directions in § 172.725 *Gibberellic acid and its potassium salt* could be rewritten for clarity.

Section 172.177 *Sodium nitrite used in processing smoked chub* could be revised to achieve greater consistency with 21 CFR 172.175.

**B. Secondary Direct Food Additives Permitted in Food for Human Consumption**

Section 173.357 *Materials used as fixing agents in the immobilization of enzyme preparations* could be revised to give a clearer statement of components that may be safely used.

Section 173.395 *Trifluoromethane sulfonic acid* could be revised for clarity.

**C. Indirect Food Additives: General**

Section 174.5 *General provisions applicable to indirect food additives* could be revised to achieve greater clarity in paragraph (d)(l) and in the restrictions placed on GRAS substances authorized for use in this part.

**D. Indirect Food Additives: Polymers**

In § 177.1560 *Polyarylsulfone resins*, the agency could add a definition for "normal baking temperature."

In § 177.2490 *Polyphenylene sulfide resins*, the agency could add a definition for "normal baking and frying temperature."

**E. Direct Food Substances Affirmed as Generally Recognized as Safe**

In §§ 184.1257 *Clove and its derivatives* and 184.1259 *Cocoa butter substitute primarily from palm oil*, the description of the additives could be simplified.

Section 184.1287 *Enzyme-modified fats* does not contain general

requirements for enzyme preparations. FDA could reinvent this section to be consistent with the agency's general enzyme provisions.

In § 184.1333 *Gum ghatti*, the agency could eliminate the specifications under paragraph (b) and incorporate by reference the specifications in the Food Chemicals Codex.

In § 184.1408 *Licorice and licorice derivatives* could be revised to achieve greater clarity and the regulation could state that methods of analysis are available from CFSAN.

The description of the additives in § 184.1685 *Rennet (animal-derived) and chymosin preparation (fermentation-derived)* could be simplified.

**VII. Request for Comments**

Interested persons may, on or before, September 10, 1996, submit to the Dockets Management Branch (address above) written comments regarding this notice. 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. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: June 6, 1996.

William B. Schultz,

Deputy Commissioner for Policy

[FR Doc. 96-14889 Filed 6-7-96; 3:02 pm]

BILLING CODE 4160-01-F

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 26**

[PS-22-96]

RIN 1545-AU26

**Generation-Skipping Transfer Tax**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This document contains proposed regulations relating to the final generation-skipping transfer (GST) tax regulations under chapter 13 of the Internal Revenue Code (Code). This document proposes a change to the final regulations and is necessary to provide guidance to taxpayers so that they may comply with chapter 13 of the Code.

**DATES:** Written comments and requests for a public hearing must be received by September 10, 1996.

**ADDRESSES:** Send submissions to: CC:DOM:CORP:R (PS-22-96), room

5228, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. In the alternative, submissions may be hand delivered between the hours of 8 a.m. and 5 p.m. to: CC:DOM:CORP:R (PS-22-96), Courier's Desk, Internal Revenue Service, 1111 Constitution NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:**

Concerning the proposed regulation, James F. Hogan, (202) 622-3090 (not a toll-free number); concerning submissions, Christina Vasquez, (202) 622-7180, (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 24, 1992, the IRS published a notice of proposed rulemaking in the Federal Register (57 FR 61356) containing proposed regulations under sections 2611, 2612, 2613, 2632, 2641, 2642, 2652, 2653, 2654, and 2663. On December 27, 1995, the IRS published final regulations in the Federal Register (60 FR 66898) under sections 2611, 2612, 2613, 2632, 2641, 2642, 2652, 2653, 2654, and 2663. This proposed regulation will delete § 26.2652-1(a)(4) and two related examples.

**Explanation of Provision**

Section 2652(a)(1) provides generally, that the term *transferor* means—(A) in the case of any property subject to the tax imposed by chapter 11, the decedent, and (B) in the case of any property subject to the tax imposed by chapter 12, the donor. An individual is treated as transferring any property with respect to which the individual is the transferor. Under § 26.2652-1(a)(2), a transfer is subject to Federal gift tax if a gift tax is imposed under section 2501(a) and is subject to Federal estate tax if the value of the property is includable in the decedent's gross estate determined under section 2031 or section 2103. Under § 26.2652-1(a)(4), the exercise of a power of appointment that is not a general power of appointment is also treated as a transfer subject to Federal estate or gift tax by the holder of the power if the power is exercised in a manner that may postpone or suspend the vesting, absolute ownership, or power of alienation of an interest in property for a period, measured from the date of the creation of the trust, extending beyond any specified life in being at the date of creation of the trust plus a period of 21 years plus, if necessary, a reasonable period of gestation.

The purpose of the rule in § 26.2652-1(a)(4) was to apply the GST tax when

it may not otherwise have applied. It was never intended to (nor could it) prevent the application of the tax pursuant to the statutory provisions that apply based on the original taxable transfer. To eliminate any uncertainty concerning the proper application of the GST tax, the regulations under section 2652(a) will be clarified by eliminating § 26.2652-1(a)(4) and *Example 9* and *Example 10* in § 26.2652-1(a)(6) from the final regulations.

#### Proposed Effective Date

These amendments apply to transfers to trusts on or after June 12, 1996.

#### Special Analysis

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in EO 12866. Therefore, a regulatory assessment 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 preceding these regulations was submitted to the Small Business Administration for comment on its impact on small business.

#### Comments and Requests for a Public Hearing

Before this proposed regulation is adopted as a final regulation, consideration will be given to any written comments (a signed original and eight (8) copies) that are submitted timely to the IRS. All comments will be available for public inspection and copying. A public hearing may be scheduled if requested in writing by a person that timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place for the hearing will be published in the Federal Register.

#### Drafting Information

The principal author of this proposed regulation is James F. Hogan, Office of the Chief Counsel, IRS. Other personnel from the IRS and Treasury Department participated in its development.

#### List of Subjects in 26 CFR Part 26

Estate taxes, Reporting and recordkeeping requirements.

#### Adoption of Amendments to the Regulations

Accordingly, 26 CFR part 26 is proposed to be amended as follows:

### **PART 26—GENERATION-SKIPPING TRANSFER TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1986**

Paragraph 1. The authority citation for part 26 continues to read, in part, as follows:

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

Par. 2. Section 26.2652-1 is amended as follows:

#### **§ 26.2652-1 [Amended]**

1. Paragraph (a)(4) is removed and paragraphs (a)(5) and (a)(6) are redesignated as paragraphs (a)(4) and (a)(5), respectively.

2. In newly designated paragraph (a)(5), *Examples 9* and *10* are removed and *Example 11* is redesignated as *Example 9*.

Margaret Milner Richardson,  
*Commissioner of Internal Revenue.*

[FR Doc. 96-13858 Filed 6-11-96; 8:45 am]

BILLING CODE 4830-01-U

### **DEPARTMENT OF JUSTICE**

#### **28 CFR Part 74**

#### **Redress Provisions for Persons of Japanese Ancestry: Guidelines Under *Ishida v. United States***

**AGENCY:** Department of Justice.

**ACTION:** Notice of extension of deadline for public comment.

**SUMMARY:** On April 22, 1996, the Department of Justice published in the Federal Register (61 FR 17667) a proposed rule to amend the Department's regulation governing redress provisions for persons of Japanese ancestry. This change will amend the standards of the Civil Liberties Act of 1988 to make eligible for payments of \$20,000 those persons who were born after their parents "voluntarily" evacuated from the prohibited military zones of the West Coast of the United States as a result of military proclamations issued pursuant to Executive Order 9066. This change will also make eligible for redress those persons who were born outside the prohibited military zones in the United States after their parents were released from internment camps during the defined war period and whose parents had resided in the prohibited military zones on the West Coast immediately prior to their internment.

The period for accepting comments was published as ending on June 6, 1996. Due to a clerical mistake, however, the period for accepting

comments should end on June 20, 1996, upon the expiration of the standard sixty day comment period. Due to this mistake and requests from interested parties to have the full sixty day period in which to submit comments, the comment period is extended through June 20, 1996.

**DATES:** The comment period is extended to June 20, 1996.

**ADDRESSES:** Written comments may be mailed to the Office of Redress Administration, P.O. Box 66260, Washington, D.C. 20035-6260.

**FOR FURTHER INFORMATION CONTACT:** Tink D. Cooper or Emlei M. Kuboyama, Office of Redress Administration, Civil Rights Division, U.S. Department of Justice, P.O. Box 66260, Washington, D.C. 20035-6260; (202) 219-6900 (voice) or (202) 219-4710 (TDD). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** The proposed rule published in the Federal Register on April 22, 1996, would amend the regulation of the Department of Justice governing redress provisions for persons of Japanese ancestry. A number of persons have asserted claims for redress based on their parents' evacuation or internment by the United States Government prior to their birth and their subsequent inability to legally return to their parents' original place of residence in the prohibited military zones on the West Coast. Based on section 108 of the Civil Liberties Act of 1988, Public Law No. 100-383 (codified at 50 U.S.C. app 1989 *et seq.*, as amended) and 28 CFR 74.4, the Civil Rights Division found these persons ineligible for redress. Approximately 1,000 persons who were born after their parents "voluntarily" evacuated from the prohibited military zones or after their parents were released from internment camps claimed compensation under the Act. Most of these claimants were born prior to midnight on January 2, 1945, the effective date of Proclamation Number 21, which rescinded the prohibited military zones on the West Coast and lifted the general exclusion restrictions on persons of Japanese ancestry. However, the United States Court of Appeals for the Federal Circuit determined that the Civil Rights Division's policy of denying such claims was inconsistent with the terms of the Act. *Ishida v. U.S.*, No. 94-5151 (Fed. Cir., July 6, 1995). In order to conform to the court decision, the Civil Rights Division proposed this revision to the regulation.