technical descriptions of transactions which might not be readily understood by law enforcement authorities unfamiliar with credit union operations.

Distribution: If made by credit union

1. Retain one copy in the credit union files.
2. Send one copy to the NCUA regional office for your credit union.
3. Send one copy to the nearest office of the FBI.
4. Send one copy to the nearest office of the U.S. Attorney.
5. Send one copy to the nearest office of the Secret Service if credit card or ATM fraud is involved.

Distribution: If made by Examiners

1. Retain one copy in the credit union field file.
2. Send four copies to the NCUA Regional Office.
3. Send one copy to the nearest office of the Secret Service if credit card or ATM fraud is involved.

Distribution: If made by NCUA Regional Office

1. Retain one copy in regional office under name of the credit union.
2. Send one copy to Director, Office of Examination and Insurance, NCUA, Washington, DC 20456.
3. Send one copy to the nearest office of the FBI.
4. Send one copy to U.S. Attorney. If also a criminal violation of state law, consider sending the referral to the appropriate state prosecuting authority.
5. Send one copy to the nearest office of the Secret Service if credit card or ATM fraud is involved.

Distribution: If made by State Examiners

1. Follow the instructions of your State supervisor concerning the distribution of this form.

Distribution: If made by State Supervisors

1. Follow instructions 3, 4, 5, and 6 above.

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BILLING CODE 7535-01-M

FEDERAL TRADE COMMISSION

16 CFR Parts 0, 1, 2, 3, 4 and 5

Miscellaneous Revisions and Corrections

AGENCY: Federal Trade Commission.

ACTION: Final Rules.

SUMMARY: The Federal Trade Commission (FTC) is amending its Rules of Practice to reflect changes in law and organizational and operational changes, to make various corrections in spelling, grammar, punctuation, and style, and to make other technical corrections and revisions to conform the rules to current agency practice.

EFFECTIVE DATE: These amendments are effective December 31, 1985.

FOR FURTHER INFORMATION CONTACT: Jerome A. Tintle, 202-523-3521; Marc Winerman, 202-523-3865; or Alex Tang, 202-523-3786; Attorneys, Office of the General Counsel, Federal Trade Commission, 6th Street & Pennsylvania Avenue, NW., Washington, DC 20580.

SUPPLEMENTARY INFORMATION: The provisions of *PART 0—Organization* are amended to reflect the following changes in organization and operational assignments: (1) The abolishment of the Office of Policy Planning; (2) the transfer of the congressional liaison function from the Office of the General Counsel to the Office of the Chairman; (3) the transfer of the advisory opinion function from the Office of General Counsel to the Bureaus of Competition and Consumer Protection; (4) the transfer of the information and publishing function from the Deputy Executive Director for Management to the Deputy Executive Director for Planning and Information; (5) the termination of the quarterly financial reporting program within the Bureau of Economics; and (6) changes and corrections to the addresses of certain regional offices.

The provisions of *Part 1—General Procedures* are amended as follows: (1) § 1.7 is amended to clarify which rulemaking procedures are governed by the provisions of Subpart B and which are governed by the provisions of Subpart C; (2) the text of § 1.13 is amended to reinstate § 1.13(c)(3)(ii), which first appeared at 40 FR 33966, 33967 (August 13, 1975) as former § 1.13(c)(2)(ii) but was not carried forward in the recent CFR volume; (3) the heading of § 1.9 is amended to make clear that the provisions of § 1.9 apply to petitions to commence trade regulation rule proceedings rather than to the commencement of such proceedings; (4) § 1.10 is amended to make clear that advance notice of proposed rulemaking is not issued before the Commission determines whether to commence a rulemaking proceeding under § 1.9, but rather that such notice precedes the notice of proposed rulemaking issued under § 1.11; (5) § 1.18 is amended to reinstate material appearing at 45 FR 78626, 78628 (Nov. 26, 1980) that was not reproduced in the current CFR volume; and (6) the authority citation for Subpart I is corrected.

The provisions of *Part 2—Nonadjudicative Procedures* are amended as follows: (1) To reflect the abolishment of the position of Director of Federal-State and Consumer Relations and the quarterly financial reporting program mentioned above in the explanation of Part 1 amendments; (2) to eliminate the provision in § 2.12 regarding Congressional review of Commission rulemaking, in accordance with the decision in *Consumers Union of U.S., Inc.* v. *FTC*, 691 F.2d 575 (D.C. Cir. 1982), *aff'd sub nom. Process Gas Consumers Group* v. *Consumer Energy Council of America*, 463 U.S. 1216 (1983), and the expiration of the Congressional review provision of the FTC Improvements Act of 1980, *see* 15 U.S.C. § 57a-1 and note; and (3) to reflect the existing practice of placing consent agreements under § 2.32 on the public record only after they are accept by the Commission.

The provisions of *Part 3—Rules of Practice for Adjudicative Proceedings* are amended to reflect the change in the previous title of "hearing examiners" to "Administrative Law Judges". In addition, Subpart I of this part has been amended to reflect the extension and amendment of the Equal Acess to Justice Act pursuant to Pub. L. No. 99-80, 99 Stat. 183 (August 5, 1985), as follows: (1) By incorporating into § 3.81(a) the new statutory standard for determining whether an agency's position is "substantially justified"; (2) by amending § 3.81(b) to reflect the revised time period for when the Act applies; (3) by amending §§ 3.81(d)(2)(i), (ii) and (v) to reflect the revised limits on the net worth of a "party" under the Act; and (4) by removing from § 3.83(j) the former statutory restrictions on the source of funds for award payments under the Act. In addition, the parenthetical citation in § 3.81(d)(2)(iii) has been corrected.

The provisions of *Part 4—Miscellaneous Rules* are amended as follows: (1) section 4.7(e) is made consistent with § 3.55 by changing the word "rehearing" to "reconsideration"; and (2) § 4.11(b) is amended to reflect current agency practice whereby submitters of materials marked confidential or within the scope of § 4.10(a)(9) may receive notice from staff other than the General Counsel when the materials are requested by Congress.

The provisions of *Part 5—Standards of Conduct* are amended in Subpart D to reflect the creation of Associate Director positions in the Bureau of Consumer Protection and changes in the titles of various Directors responsible to the Deputy Executive Director for Management and the Deputy Executive Director for Planning and Information.

In addition, various grammatical and stylistic changes *(e.g.,* punctuation, spelling, gender references) have been made throughout Parts 0-5.

Since the amendments relate solely to rules of agency practice, they are not subject to the notice and comment

requirements of the Administrative Procedure Act. 5 U.S.C. 553(a)(2). For the same reason, the requirements of the Regulatory Flexibility Act do not apply. 5 U.S.C. 601(2).

List of Subjects

16 CFR Part 0

Organization and functions (government agencies).

16 CFR Part 1

Administrative practice and procedure, Advisory opinions, Rulemaking, Trade Regulation Rules.

16 CFR Part 2

Administrative practice and procedure, Claims, Equal access to justice.

16 CFR Part 3

Administrative practice and procedure, Investigations.

16 CFR Part 4

Administrative practice and procedure, Freedom of Information Act, Privacy Act, Sunshine Act.

16 CFR Part 5

Administrative practice and procedure, Conflicts of interest.

Accordingly, the Federal Trade Commission amends Title 16, Chapter 1, Subchapter A, the Code of Federal Regulations as follows:

PART 0—ORGANIZATION

1. The authority for Part 0 continues to read as follows:

Authority: Section 6(g); 38 Stat. 721 (15 U.S.C. 46); 80 Stat. 383, as amended (5 U.S.C. 552).

2. Section 0.8 is revised to read as follows:

§ 0.8 The Chairman.

The Chairman of the Commission is designated by the President, and, subject to the general policies of the Commission, is the executive and administrative head of the agency. He presides at meetings of and hearings before the Commission and participates with other Commissioners in all Commission decisions. Attached to the Office of the Chairman, and reporting directly to him, and through him to the Commission, are the following staff units: (a) The Office of Public Affairs, which furnishes information concerning Commission activities to news media and the public; and (b) the Office of Congressional Relations, which coordinates all liaison activities with Congress.

§ 0.9 [Amended]

3. Section 0.9 is amended by removing the words "Office of Policy Planning".

§ 0.10 [Amended]

4. Section 0.10(b) is amended by inserting the word "and" before the words "initiates and develops long-range plans" and by removing the semicolon after the words "accomplish its mission" and inserting in its place a period and removing the remainder of the sentence.

5. Section 0.10(c) is amended by removing the phrase "and coordinates the Commission's information processing systems." and inserting in its place the following:

* * * * *

* * * coordinates the Commission's information processing systems; and is responsible for the publication of all Commission actions which must appear in the **Federal Register** and for the publication of *Federal Trade Commission Decisions* and *Court Decisions—Federal Trade Commission.*

§ 0.11 [Amended]

6. Section 0.11 is amended by removing from the first sentence the words "adviser. He" and inserting in their place the words "adviser, who"; by removing the phrase "assists businessmen in obtaining advice from the Commission as to the legal propriety of proposed courses of action in particular situations under the statutes which it administers,"; and by changing the comma after "restraints" to a period and removing the remainder of the sentence.

§ 0.13 [Reserved]

7. Section 0.13 is removed and the heading is revised to read "§ 0.13 [Reserved]".

§ 0.16 [Amended]

8. Section 0.16 is amended by removing from the first sentence the words "This bureau" and inserting in their place the words "The bureau".

§ 0.18 [Amended]

9. Section 0.18 is amended by removing from the first sentence the words "This bureau" and inserting in their place the words "The bureau", and by removing the last sentence of the section.

§ 0.19 [Amended]

10. Section 0.19(b)(4) is amended by removing "Saint Clair Avenue," and inserting in its place "Saint Clair Avenue N.E.,"; § 0.19(b)(5) is amended by removing the phrase "Suite 2665, 2001 Bryan Street, Dallas, TX 75201." and inserting in its place "8303 Elmbrook Drive, Dallas, TX 75247."; and § 0.19(b)(8) is amended by removing "10007" and inserting in its place "10278".

PART 1—GENERAL PROCEDURES

11. The authority for Part 1 continues to read as follows:

Authority: Sec. 6, 38 Stat. 721 (15 U.S.C. 46(g), unless otherwise noted.

* * * * *

Subpart B—Rules and Rulemaking Under Section 18(a)(1)(B) of the FTC Act

§ 1.7 [Amended]

12. Section 1.7 is amended by revising the last sentence to read as follows:

* * * All other rulemaking proceedings shall be governed by the rules in Subpart C, except as otherwise required by law or as otherwise specified in this chapter.

13. The heading for § 1.9 is revised to read as follows:

§ 1.9 Petitions to commence trade regulation rule proceedings.

§ 1.10 [Amended]

14. Section 1.10(a) is amended by removing the word "initiation" and inserting in its place the word "commencement".

15. Section 1.11(b)(4) is revised to read as follows:

§ 1.11 Commencement of a rulemaking proceeding.

* * * * *

(b) * * *

(4) the information required by the Regulatory Flexibility Act at 5 U.S.C. 603.

§ 1.12 [Amended]

16. Section 1.12 is amended by removing from the first sentence the words "**Federal Register**, and to" and inserting in their place the words "**Federal Register** and, to".

17. Section 1.13(c)(3)(ii) is reinstated by adding, after § 1.13(c)(3)(i), the following:

§ 1.13 Rulemaking proceeding.

* * * * *

(c) * * *

(3) * * *

(ii) *Review without certification by the presiding officer.* Within ten (10) days after publication of the final notice, any interested person may petition the Commission for addition, modification or deletion of a designated issue, accompanied by a filing not to exceed fifteen (15) pages. Additional submissions on the issue by other

interested persons, not to exceed fifteen (15) pages, may be made within twenty (20) days of the publication of the final notice. The Commission may thereupon, in its discretion, permit the appeal. Commission review, if permitted, will be based on the petition and any additional submissions, without oral argument or further briefs, unless otherwise ordered by the Commission. A petition hereunder shall not stay the rulemaking proceeding unless the presiding officer or the Commission shall so order. All petitions filed under this paragraph shall be a part of the rulemaking record. Notice of the filing of any such petition may be obtained from the Office of the Secretary of the Commission. In the event any designated issue is added or substantially modified by the Commission, interested persons shall be given a further opportunity to identify their interests with respect to those issues.

* * * * *

§ 1.13 [Amended]

18. Section 1.13(d)(1)(i) is amended by removing the comma immediately after the word "fact".

19. The heading of § 1.13(d)(2) is amended by removing the designation "*§ 1.31(d)*" and inserting in its place "*§ 1.13(d)(5)*".

20. Section 1.13(d)(5)(i)(A) is amended by removing the comma immediately after the word "specific".

21. Section 1.13(d)(5)(ii) is amended by removing the words "Such groups" and inserting in their place the words "Any such group".

§ 1.14 [Amended]

22. Section 1.14(a)(1)(iv) is amended by removing the word "State" and inserting in its place the word "state".

23. Section 1.14(a)(2)(vi) is revised to read as follows:

(a) * * *

(2) * * *

(vi) The information required by the Regulatory Flexibility Act at 5 U.S.C. 604.

* * * * *

24. Section 1.14(d) is removed.

§ 1.18 [Amended]

25. Section 1.18(a) is corrected by removing the words "verbatim transcripts of oral presentations to the Commission" and inserting in their place the words "verbatim transcripts or summaries of oral presentations to the Commission", and by removing the words "if any" and inserting in their place the words "any communications placed on the rulemaking record pursuant to § 1.18(c)".

§ 1.19 [Amended]

26. Section 1.19 is amended by removing the phrase ", as amended by Pub. L. 93-637,".

Subpart C—Rules and Rulemaking

27. The heading for Subpart C is revised to read "**Subpart C—Rules Promulgated Under Authority Other Than Section 18(a)(1)(B) of the FTC Act**".

28. Section 1.21 is revised to read as follows:

§ 1.21 Scope of the rules in this subpart.

This subpart sets forth procedures for the promulgation of rules under authority other than section 18(a)(1)(B) of the FTC Act except as otherwise required by law or otherwise specified in the rules of this chapter. This subpart does not apply to the promulgation of industry guides, general statements of policy, rules of agency organization, procedure, or practice, or rules governed by Subpart B of this part.

29. Section 1.26(c) is amended by adding to the end of the first sentence the phrase ", unless otherwise expressly required by law."

Subpart D—Administration of the Wool Products Labeling Act of 1939, Fur Products Labeling Act, and Textile Fiber Products Identification Act

§ 1.32 [Amended]

30. Section 1.32 is amended by removing from the last sentence the words "the Division of Energy and Product Information" and inserting in their place the words "the Enforcement Division of the Bureau of Consumer Protection".

Subpart I—Procedures for Implementation of the National Environmental Policy Act of 1969

31. The authority for Subpart I of this part is revised to read as follows:

Authority: 15 U.S.C. 46(g), 42 U.S.C. 4321 *et seq.*

§ 1.81 [Amended]

32. Section 1.81 is amended by removing from the heading the word "Incorporation" and inserting in its place the word "incorporation"; by removing from the first sentence the parenthetical citation "(42 U.S.C. 4371 *et seq.*)" and inserting in its place the parenthetical citation "(42 U.S.C. 4321 *et seq.*)"; by inserting in the second sentence immediately after the words "Executive Order 11514 (March 5, 1970, as amended by Executive Order 11991, May 24, 1977)" the words ", and the Environmental Quality Improvement Act of 1980, as amended (42 U.S.C. 4371 *et seq.*)"; and by removing from the same sentence the parenthetical citation "(43 FR 55978-56007)" and inserting in its place the parenthetical citation "(40 C.F.R. 1500-1508)".

PART 2—NONADJUDICATIVE PROCEDURES

33. The authority for Part 2 continues to read as follows:

Authority: Sec. 6, 38 Stat. 721; 15 U.S.C. 46, unless otherwise noted.

Subpart A—Inquiries; Investigations; Compulsory Process

§ 2.1 [Amended]

34. Section 2.1 is amended by inserting the word "and" after the words "Bureau of Consumer Protection", and by removing the phrase ", and the Director of Federal-State and Consumer Relations,".

35. Section 2.9(b)(1) is revised to read as follows:

§ 2.9 Rights of witnesses in investigations.

* * * * *

(b) * * *

(1) Counsel for a witness may advise the witness, in confidence and upon the initiative of either counsel or the witness, with respect to any question asked of the witness. If the witness refuses to answer a question, then counsel may briefly state on the record if he has advised the witness not to answer the question and the legal grounds for such refusal.

* * * * *

36. Section 2.9(b)(6) is amended by removing the citation "§ 4.1(d)" and inserting in its place the citation "§ 4.1(e)".

§ 2.10 [Amended]

37. Section 2.10 is amended by removing from the final sentence the words "and depose" and inserting in their place the words "and be deposed".

§ 2.12 [Amended]

38. Section 2.12(b) is removed, and §§ 2.12 (c), (d), (e) and (f) are redesignated §§ 2.12 (b), (c), (d) and (e), respectively.

§ 2.13 [Amended]

39. Section 2.13(b)(2) is removed and §§ 2.13(b)(3), (4), and (5) are redesignated §§ 2.13(b)(2), (3), and (4), respectively.

§ 2.14 [Amended]

40. Section 2.14(c) is amended by adding the word "and" after "Bureau of Consumer Protection" and by removing

the phrase, "and the Director of Federal-State Consumer Relations,".

§ 2.16 [Amended]

41. Section 2.16(b) is amended by removing from the first sentence the words "Executive director" and inserting in their place the words "Executive Director".

Subpart C—Consent Order Procedure

§ 2.32 [Amended]

42. Section 2.32 is amended by removing from the third sentence the words "and that the Commission will place the order" and inserting in their place the words "and, if the agreement is accepted, that the Commission will place the order".

Subpart D—Reports of Compliance

43. Section 2.41(c) is amended by revising the third sentence to read:

§ 2.41 [Amended]

* * * * *

(c) * * * An order of the Commission to cease and desist becomes final on the date and under the conditions provided in the Federal Trade Commission Act and the Clayton Act. * * *

* * * * *

Subpart E—Requests to Reopen

§ 2.51 [Amended]

44. Section 2.51(a) is amended by inserting a comma after the word "final".

45. Section 2.51(b) is amended by inserting a comma after the word "part".

PART 3—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS

46. The authority for Part 3 continues to read as follows:

Authority: Sec. 6, 38 Stat. 721 (15 U.S.C. 46), unless otherwise noted.

§§ 3.1—3.83 [Amended]

47. Sections 3.1 through 3.83 are amended by capitalizing the words "Administrative Law Judge", "Judges" and "Judge's" wherever the initial letters of these words appear in lower case.

Subpart B—Pleadings

48. Section 3.11(c) is revised to read as follows:

§ 3.11 Commencement of proceedings.

* * * * *

(c) *Motion for more definite statement.* Where the respondent makes a reasonable showing that it cannot frame a responsive answer based on the allegations contained in the complaint, the respondent may move for a more definite statement of the charges against it before filing an answer. Such a motion shall be filed within ten (10) days after service of the complaint and shall point out the defects complained of and the details desired.

§ 3.12 [Amended]

49. Section 3.12(a) is amended by removing the words "hearing examiner" and inserting in their place the words "Administrative Law Judge".

50. Section 3.12(c) is amended by removing the word "his" and inserting in its place the words "the respondent's".

Subpart C—Prehearing Procedures; Motions; Interlocutory Appeals; Summary Decisions

§ 3.23 [Amended]

51. Section 3.23 is amended by inserting in paragraph (a)(1) the word ", that" immediately after the word "*Provided*".

52. Section 3.23(a)(3) is amended in the sentence that begins, "The application for review should specify * * *", by inserting a semicolon between the words "relies" and "and".

53. Section 3.23(b) is amended in the sentence that begins, "except as hereinbefore provided * * *", by removing the word "hereinbefore" and by inserting a comma immediately after the word "section".

54. Section 3.23(c) is amended by removing the word "examiner" and inserting in its place the word "Judge".

§ 3.24 [Amended]

55. Section 3.24(a)(1) is amended by removing from the first sentence the word "his" and inserting in its place the words "the party's".

56. Section 3.24(a)(2) is amended by removing from the third sentence the word "interrogators" and inserting in its place the word "interrogatories".

57. Section 3.24(a)(4) is amended by inserting in the first sentence a comma immediately after the word "cannot".

§ 3.25 [Amended]

58. Section 3.25(f) is amended by removing from the second sentence the comma immediately following the word "thereby"; by removing from the fourth sentence the word "for" and inserting in its place the word "For"; and by removing from the fifth sentence the words "other party" and inserting in their place the word "parties".

Subpart D—Discovery; Compulsory Process

§ 3.31 [Amended]

59. Section 3.31(b)(2) is amended by removing the word "Act" and inserting in its place the word "act".

60. Section 3.31(b)(3) is amended by removing from the first sentence the words "including his attorney" and inserting in their place the words "including the party's attorney", and by removing from the same sentence the words "preparation of his case and that he is unable" and inserting in their place the words "preparation of its case and that the party is unable".

61. Section 3.31(e) is amended by removing the heading "*Rulings on applications for compulsory process.*" and inserting in its place the heading "*Rulings on applications for compulsory process.*" and by removing from the first sentence the words "if so mad ," and inserting in their place the words "if so made,".

62. Section 3.32(b) is amended by revising the fourth, fifth and sixth sentences to read as follows:

§ 3.32 Admissions.

* * * * *

(b) * * * A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify its answer or deny only a part of the matter of which an admission is requested, the party shall specify so much of it as is true and qualify or deny the remainder. An answering party may not give lack of information or knowledge as a reason for failure to admit or deny unless the party states that it has made reasonable inquiry and that the information known to or readily obtainable by the party is insufficient to enable it to admit or deny. A party who considers that a matter of which an admission has been requested presents a genuine issue for trial may not, on that ground alone, object to the request; the party may deny the matter or set fourth reasons why the party cannot admit or deny it. * * *

§ 3.37 [Amended]

63. Section 3.37(a) is amended by removing from the first sentence the word "his" and inserting in its place the words "the party's".

§ 3.38 [Amended]

64. Section 3.38(a) is amended by removing from the second sentence the word "his" and inserting in its place the word "its".

65. Section 3.38(b) is amended by removing from the first sentence the

semicolon after the word "admissions" and inserting in its place a comma.

66. Section 3.38(c) is amended by removing from the final sentence the word "subpena" and inserting in its place the word "subpoena".

§ 3.39 [Amended]

67. Section 3.39(b) is amended by removing the words "hearing examiner" and inserting in their place the words "Administrative Law Judge".

Subpart E—Hearings

§ 3.42 [Amended]

68. Section 3.42(a) is amended by removing the words "hearing examiner" and inserting in their place the words "Administrative Law Judge".

69. Section 3.42(b) is amended by removing the words "Director of Administrative Law Judges or" and inserting in their place the words "Chief Administrative Law Judge or,".

Subpart I—Recovery of Awards Under the Equal Access to Justice Act in Commission Proceedings

70. In Section 3.81 paragraphs (a) and (b) are revised to read as follows:

§ 3.81 General Provisions

(a) *Purpose of these rules.* The Equal Access to Justice Act, 5 U.S.C. 504 (called "the Act" in this subpart), provides for the award of attorney fees and other expenses to eligible individuals and entities who are parties to adjudicative proceedings under Part 3 of this title. An eligible party may receive an award when it prevails in the adjudicative proceeding, unless the Commission's position in the proceeding was substantially justified or special circumstances make an award unjust. Whether or not the position of the agency was substantially justified shall be determined on the basis of the administrative record as a whole that is made in the adversary proceeding for which fees and other expenses are sought. The rules in this subpart describe the parties eligible for awards, how to apply for awards, and the procedures and standards that the Commission will use to make them.

(b) *When the Act applies.* The Act applies to any adjudicative proceeding pending before the Commission at any time after October 1, 1981. This includes proceedings begun before October 1, 1981, if final Commission action has not been taken before that date.

* * * * *

71. Section 3.81(d)(2)(i) is amended by changing "$1 million" to read "$2 million".

72. Section 3.81(d)(2)(ii) is amended by changing "$5 million" to read "$7 million".

73. Section 3.81(d)(2)(iii) is amended by removing the parenthetical citation "(25 U.S.C. 501(c)(3))" and inserting in its place the parenthetical citation "(26 U.S.C. 501(c)(3))".

74. Section 3.81(d)(2)(v) is revised as follows:

* * * * *

(d) * * *

(2) * * *

(v) Any other partnership, corporation, association, unit of local government, or organization with a net worth of not more than $7 million and not more than 500 employees.

§ 3.83 [Amended]

75. Section 3.83(j) is amended by removing from the second sentence the words "Subject to the funding provisions of the Act, the" and inserting in their place the word "The".

PART 4—MISCELLANEOUS RULES

76. The authority for Part 4 continues to read as follows:

Authority: Sec. 6, 38 Stat. 721; 15 U.S.C. 46, unless otherwise noted.

§§ 4.1 and 4.3 [Amended]

77. The following sections of Part 4 are amended by capitalizing the term "Administrative Law Judge": §§ 4.1(d) and 4.3(a).

§ 4.7 [Amended]

78. Section 4.7(e) is amended by removing from the first sentence the word "rehearing" and inserting in its place the word "reconsideration".

§ 4.8 [Amended]

79. Section 4.8(c)(1) is amended by removing from the second sentence the words "primarily to the public" and inserting in their place the words "primarily the public".

§ 4.11 [Amended]

80. Section 4.11(a)(2)(i)(A) is amended by removing from the first sentence the word "Appeal" and inserting in its place the word "appeal".

81. Section 4.11(a)(2)(iii)(B) is amended by changing the word "soley" throughout to read "solely".

82. Section 4.11(b) is amended by removing from the first sentence the words "subcommittees shall be referred to the General Counsel" and inserting in their place the words "subcommittees for nonpublic records shall be referred to the General Counsel"; and by removing from the second sentence the words "the General Counsel will notify the submitter" and inserting in their place the words "notice will be given to the submitter".

§ 4.14 [Amended]

83. Section 4.14(b) is amended by removing the words ", duly appointed and confirmed,".

PART 5—STANDARDS OF CONDUCT

84. The authority for Part 5 continues to read as follows:

Authority: E.O. 11222 of May 8, 1985, 30 FR 6469; 3 CFR 1965 Supp., 5 CFR 735.104.

Subpart A—General Provisions

§ 5.6 [Amended]

85. Section 5.6(b) is amended by removing from the first sentence the words "the bureau director of office head" and inserting in their place the words "the bureau director or office head".

§ 5.12 [Amended]

86. Section 5.12(f) is amended by removing the word "Comisioner" and inserting in its place the word "Commissioner".

Subpart B—Ethical and Other Conduct and Responsibilities of Employees

§ 5.11 [Amended]

87. Section 5.11(a)(1) is amended by removing the word "contractural" and inserting in its place the word "contractual".

§ 5.14 [Amended]

88. Section 5.14 is amended by removing from the first sentence the word "thr" and inserting in its place the word "the"; by removing from the same sentence the word "organizaion" and inserting in its place the word "organization"; and by removing from the second sentence the word "Convition" and inserting in its place the word "Conviction".

§ 5.19 [Amended]

89. Section 5.19(b) is amended by removing the word "stature" and inserting in its place the word "statute".

Subpart D—Financial Disclosures

90. Section 5.32(e)(1) is revised to read as follows:

§ 5.32 Statements of employment and financial interest under Executive Order 11222.

* * * * *

(e) * * *

(1) Assistant Directors and Associate Directors:

* * * * *

91. Section 5.32(f)(1) is revised to read:

* * * * *

(f) * * *

(1) The Director of the Division of Procurement and General Services:

* * * * *

92. Section 5.32(f)(4) is removed.

93. Section 5.32(g)(1) is revised to read:

* * * * *

(g) * * *

(1) The Director of the Division of Automated Systems:

* * * * *

94. Section 5.32(g)(3) is revised to read:

* * * * *

(g) * * *

(3) The Director of the Division of Information Services.

* * * * *

Dated: December 23, 1985.

By direction of the Commission.

Benjamin I. Berman,

Acting Secretary.

[FR Doc 85-30738 Filed 12-30-85; 8:45 am]

BILLING CODE 6750-01-M

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Parts 1615 and 1616

Standards for the Flammability of Children's Sleepwear: Sizes 0 Through 6X (FF 3-71) and 7 Through 14 (FF 5-74); Technical Amendments

AGENCY: Consumer Product Safety Commission.

ACTION: Amendment of final rules.

SUMMARY: The Commission is amending two footnotes in its children's sleepwear flammability regulations because the ordering numbers for copies of referenced voluntary standards have changed.

EFFECTIVE DATE: December 31, 1985.

FOR FURTHER INFORMATION CONTACT: Stephen E. Joyce, Division of Administrative Litigation, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 492-6626.

SUPPLEMENTARY INFORMATION: In the Federal Register of December 30, 1975, the Consumer Product Safety Commission published final regulations on the flammability of children's sleepwear in sizes 0-6X and 7-14 (16 CFR Parts 1615 and 1616; 40 FR 59903 and 59917). These regulations contain definitions that refer to certain voluntary product standards, and two separate footnotes currently state that copies of three such standards are available from the National Technical Information Service (16 CFR 1615.1(b) and 1616.2(b)). This is still correct, as is the address of NTIS, but new ordering numbers must be used to obtain the standards. Therefore, the Commission is amending the two footnotes to provide those numbers. The Commission finds for good cause that opportunity for public comment and a delayed effective date are unnecessary because the amendment merely provides information and has no substantive impact on anyone.

List of Subjects in 16 CFR Parts 1615 and 1616

Clothing, Consumer protection, Infants and children, Labeling, Reporting and recordkeeping requirements, Textiles.

PARTS 1615 AND 1616—[AMENDED]

Accordingly, the Commission amends Parts 1615 and 1616 of Title 16, Chapter II, Subchapter D as follows:

1. The authority citation for Subpart A of Parts 1615 and 1616 continues to read as follows:

Authority: Sec. 4, 67 Stat. 112, as amended, 81 Stat. 569-70; 15 U.S.C. 1193.

2. The footnote to § 1615.1(b) is revised to read:

[1] "Copies are available from the National Technical Information Service, 5285 Port Royal Street, Springfield, VA 22151, and should be ordered as CS 15150.

3. The footnote to § 161.2(b) is revised to read:

[1] "Copies are available from the National Technical Information Service, 5285 Port Royal Street, Springfield, VA 22151. The ordering number for PS 54-72 (CS 153-48), on girls' apparel sizing, is COM 73-50603; the ordering number for PS 36-70 (CS 155-50), on boys' apparel sizing, is PB 86125648.

Dated: December 24, 1985.

Sheldon D. Butts,

Acting Secretary, Consumer Product Safety Commission.

[FR Doc. 85-30855 Filed 12-30-85; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission

18 CFR Part 282

[Docket No. RM79-14]

Incremental Pricing Regulations Implementing the Incremental Pricing Provision of the Natural Gas Policy Act of 1978

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Order prescribing incremental pricing thresholds.

SUMMARY: The Director of the Office of Pipeline and Producer Regulation is issuing the incremental pricing acquisition cost thresholds prescribed by Title II of the Natural Gas Policy Act and 18 CFR 282.304. The Act requires the Commission to compute and publish the threshold prices before the beginning of each month for which the figures apply. Any cost of natural gas above the applicable threshold is considered to be an incremental gas cost subject to incremental pricing surcharging.

EFFECTIVE DATE: January 1, 1986.

FOR FURTHER INFORMATION CONTACT: Kenneth A. Williams, Federal Energy Regulatory Commission, 825 N. Capitol Street, NE., Washington, DC 20426, (202) 357-8500.

SUPPLEMENTARY INFORMATION:

Order of the Director, OPPR

Issued December 24, 1985.

Section 203 of the NGPA requires that the Commission compute and make available incremental pricing acquisition cost threshold prices prescribed in Title II before the beginning of any month for which such figures apply.

Pursuant to that mandate and pursuant to § 375.307(l) of the Commission's regulations, delegating the publication of such prices to the Director of the Office of Pipeline and Producer Regulation, the incremental pricing acquisition cost threshold prices for the month of January 1986 is issued by the publication of a price table for the applicable month. The incremental pricing acquisition cost threshold prices for months prior to January 1986 are found in the tables in § 282.304.

List of Subjects in 18 CFR Part 282

Natural gas.

Kenneth A. Williams,

Director, Office of Pipeline and Producer Regulation.