

mandated to review the implementation and impact of U.S. immigration policy and report its findings to Congress. Interim reports, *U.S. Immigration Policy: Restoring Credibility, and U.S. Immigration Policy: Setting Priorities*, were issued on September 30, 1994 and August 25, 1995 respectively; the Commission's final report is due at the end of fiscal year 1997.

The public hearing participants will include the Commissioners, researchers, government officials, representatives of local organizations, and other experts. The public hearing will focus on the impact, adaption and integration of immigrants in the Houston community. Participants are asked to make recommendations to the Commission on how to improve the impacts and integration of immigrants and how any negative impacts may be mitigated.

Thursday, May 2, 1996

8:30 a.m.–12:00 p.m.—Public Hearing on the Effects of Immigration in the Houston Metropolitan Area HISD School Board Auditorium, Level 1 West, The Hattie Mae White Administrative Building, 3830 Richmond Avenue, Houston, TX.

FOR FURTHER INFORMATION CONTACT: Paul Donnelly (202) 776–8642.

Dated: April 18, 1996.

Susan Martin,

Executive Director.

[FR Doc. 96–10063 Filed 4–23–96; 8:45 am]

BILLING CODE 6820–97–M

DEPARTMENT OF DEFENSE

Office of the Secretary

Manual for Courts-Martial

AGENCY: Joint Service Committee on Military Justice (JSC).

ACTION: Revised notice of proposed amendments.

SUMMARY: The Department of Defense is considering recommending changes to the Manual for Courts-Martial, United States (1995 Edition). On 4 April 1996, the 1996 draft annual review, as required by the Manual for Courts-Martial and DoD Directive 5500.17, "Review of the Manual for Courts-Martial," January 23, 1985, was published in the Federal Register, 61 Fed. Reg. 15044–53 (1996). That publication inadvertently published some of the text out of order. This publication is intended to supplement that earlier publication and to extend the public comment period to 25 June 1996.

The full text of the effected sections follows:

R.C.M. 908(a) is amended to read as follows:

(a) *In general.* In a trial by a court-martial over which a military judge presides and in which a punitive discharge may be adjudged, the United States may appeal an order or ruling that terminates the proceedings with respect to a charge or specification, or excludes evidence that is substantial proof of a fact material in the proceedings, or directs the disclosure of classified information, or that imposes sanctions for nondisclosure of classified information. The United States may also appeal a refusal by the military judge to issue a protective order sought by the United States to prevent the disclosure of classified information or to enforce such an order that has previously been issued by the appropriate authority. However, the United States may not appeal an order or ruling that is, or amounts to, a finding of not guilty with respect to the charge or specification.

The analysis accompanying R.C.M. 908 is amended by inserting the following at the end thereof:

1996 Amendment: This change resulted from Congress' amendment to Article 621 in the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104–106 (1996). It permits interlocutory appeal of rulings disclosing classified information.

R.C.M. 909 is amended to read as follows:

(a) *In general.* No person may be brought to trial by court-martial if that person is presently suffering from a mental disease or defect rendering him or her mentally incompetent to the extent that he or she is unable to understand the nature of the proceedings against that person or to conduct or cooperate intelligently in the defense of the case.

(b) *Presumption of capacity.* A person is presumed to have the capacity to stand trial unless the contrary is established.

(c) *Determination before referral.* If an inquiry pursuant to R.C.M. 706 conducted before referral concludes that an accused is suffering from a mental disease or defect that renders him or her mentally incompetent to stand trial, and the general court-martial convening authority concurs with that conclusion, that accused shall be committed by the general court-martial convening authority to the custody of the U.S. Attorney General. If the general court-martial convening authority does not concur, that authority may refer the charges to trial.

(d) *Determination after referral.* After referral, the military judge may conduct a hearing to determine the mental capacity of the accused. If an inquiry pursuant to R.C.M. 706 conducted after referral but before trial concludes that an accused is suffering from a mental disease or defect that renders him or her mentally incompetent to stand trial, the military judge shall conduct a hearing to determine the mental capacity of the accused. Any such hearing shall be conducted in accordance with paragraph (e) of this rule.

(e) *Incompetency determination hearing.*

(1) *Nature of issue.* The mental capacity of the accused is an interlocutory question of fact.

(2) *Standard.* Trial may proceed unless it is established by a preponderance of the evidence that the accused is presently suffering from a mental disease or defect rendering him or her mentally incompetent to the extent that he or she is unable to understand the nature of the proceedings against the accused or to conduct or cooperate intelligently in the defense of the case. In making this determination, the military judge is not bound by the rules of evidence except with respect to privileges.

(3) If the military judge finds the accused is incompetent to stand trial, the judge shall report this finding to the general court-martial convening authority, who shall commit the accused to the custody of the Attorney General.

(f) *Hospitalization of the accused.* An accused who is found incompetent to stand trial under this rule shall be hospitalized by the Attorney General as provided in section 4241(d) of title 18, United States Code. If notified that the accused has recovered to such an extent that he or she is able to understand the nature of the proceedings and to conduct or cooperate intelligently in the defense of the case, then the general court-martial convening authority shall promptly take custody of the accused. If, at the end of the period of hospitalization, the accused's mental condition has not so improved, action shall be taken in accordance with section 4246 of title 18.

(g) *Excludable delay.* All periods of commitment shall be excluded as provided by R.C.M. 707(c). The 120-day time period under R.C.M. 707 shall begin anew on the date the general court-martial convening authority takes custody of the accused at the end of any period of commitment.

The discussion following R.C.M. 909(f) is amended by adding the following:

Under section 4241(d) of title 18, the initial period of hospitalization for an incompetent accused shall not exceed four months. However, in determining whether there is a substantial probability the accused will attain the capacity to permit the trial to proceed in the foreseeable future, the accused may be hospitalized for an additional reasonable period of time.

This additional period of time ends either when the accused's mental condition is improved so that trial may proceed, or when the pending charges against the accused are dismissed. If charges are dismissed solely due to the accused's mental condition, the accused is subject to hospitalization as provided in section 4241 of title 18.

The analysis accompanying R.C.M. 909 is amended by inserting the following at the end thereof:

1996 Amendment: The rule was changed to provide for the hospitalization of an incompetent accused after the enactment of Article 76b, UCMJ, in the National Defense Authorization Act for Fiscal Year 1996, Pub. L. No. 104-106 (1996).

ADDRESSES: Comments on the proposed changes should be sent to Maj. Paul Holden, Office of the Judge Advocate General, Criminal Law Division, 2200 Army Pentagon, Washington, D.C. 20310-2200.

DATES: Comments on the proposed changes must be received no later than 25 June 1996 for consideration by the Joint Service Committee on Military Justice.

FOR FURTHER INFORMATION CONTACT: LT J. Russell McFarlane, JAGC, UNSR, Executive Secretary, Joint Service Committee on Military Justice, Office of the Judge Advocate General, Criminal Law Division, Building 111, Washington Navy Yard, Washington, D.C. 20374-1111; (202) 433-5895.

Dated: April 18, 1996.

Patricia L. Toppings,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 96-9993 Filed 4-23-96; 8:45 am]

BILLING CODE 5000-04-M

Department of the Army

Corps of Engineers

Available Surplus Real Property at the Seivers Sandberg U.S. Army Reserve Center (Camp Pedricktown), Located at Pedricktown, Salem County, New Jersey

AGENCY: U.S. Army Corps of Engineers, New York District.

ACTION: Correction notice.

SUMMARY: This document contains a correction to a previous notice that was published Friday, April 5, 1996, (FR Vol. 60, No. 67, pages 15225-15226). In the referenced notice in the **SUPPLEMENTARY INFORMATION** section, an incorrect acreage was stated. The correct acreage that has been surplus is 46 acres.

FOR FURTHER INFORMATION CONTACT:

Randy Williams, Army Corps of Engineers, 26 Federal Plaza, Room 2007, New York, NY 10278-0090 (telephone 212-264-6122, fax 212-264-0230; or Mrs. Jean Johnson, Directorate of Public Works, ATTN: AFZT-EHP, Real Property Office, 5318 Delaware Avenue, Fort Dix, New Jersey 08640-5505 (telephone 609-562-3253)).

SUPPLEMENTARY INFORMATION: None.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 96-9989 Filed 4-23-96; 8:45 am]

BILLING CODE 3710-06-M

Availability of Non-Exclusive, Exclusive, or Partially Exclusive Licensing of U.S. Patent Application Concerning Protective Monoclonal Antibody Against Botulinum Neurotoxin Serotype F

AGENCY: U.S. Army Medical Research and Materiel Command, DOD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability of U.S. Patent Application SN 08/504,969, entitled "Protective Monoclonal Antibody Against Botulinum Neurotoxin Serotype F," and filed July 20, 1995, for licensing. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

ADDRESSES: Commander, U.S. Army Medical Research and Materiel Command, ATTN: Command Judge Advocate, Fort Detrick, Maryland 21702-5012.

FOR FURTHER INFORMATION CONTACT: Mr. John F. Moran, Patent Attorney, 301-619-7807 or telefax 301-619-7714.

SUPPLEMENTARY INFORMATION: This invention is related to the production and use of novel neutralizing monoclonal antibodies against botulinum neurotoxin serotype F (BNT/F) which are completely protective in vivo against BNT/F, and hybridomas which produce monoclonal antibodies against BNT/F. The invention is directed to the antibodies, to processes of preparing the antibodies, to

diagnostic, prophylactic, and therapeutic methods and compositions employing the antibodies, and to investigational, pharmaceutical, and other methods and compositions employing the antibodies.

Gregory D. Showalter,

Army Federal Register Liaison Officer.

[FR Doc. 96-9990 Filed 4-23-96; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF EDUCATION

Notice of Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Submission for OMB review; comment request.

SUMMARY: The Director, Information Resources Group, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before May 24, 1996.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Wendy Taylor, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street NW., Room 10235, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Patrick J. Sherrill, Department of Education, 600 Independence Avenue SW., Room 5624, Regional Office Building 3, Washington, DC 20202-4651.

FOR FURTHER INFORMATION CONTACT:

Patrick J. Sherrill (202) 708-8196.

Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m., Eastern time, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the