

113.4 mg febantel, and Drontal Plus™ tablet for medium and large dogs containing 68 mg praziquantel, 68 mg pyrantel base (as pyrantel pamoate), and 340.2 mg febantel. The supplement provides for use of the tablet for removal and control of the cestode *E. multilocularis* in dogs in addition to the previously approved use for removal of other tapeworms (cestodes), hookworms, ascarids, and whipworms. Approval is based on data and information in previously approved NADA's 111-607 (Droncit injectable solution) and 111-798 (Droncit tablets). The supplement is approved as of March 28, 1996, and the regulations are amended in § 520.1872(c)(1)(ii) to reflect the approval. The basis of approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, 12420 Parklawn Dr., rm. 1-23, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(iii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(iii)), this supplemental approval does not qualify for marketing exclusivity because no new clinical or field investigations (other than bioequivalence studies), essential to the approval, were conducted or sponsored by the applicant.

The agency has determined under 21 CFR 25.24(d)(1)(i) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

List of Subjects in 21 CFR Part 520

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

#### **PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS**

1. The authority citation for 21 CFR part 520 continues to read as follows:

Authority: Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

#### **§ 520.1872 [Amended]**

2. Section 520.1872 *Praziquantel, pyrantel pamoate, and febantel tablets* is amended in paragraph (c)(1)(ii) by adding the phrase "and for the removal and control of tapeworm *Echinococcus multilocularis*" before the words "in dogs".

Dated: May 17, 1996.  
Stephen F. Sundlof,  
Director, Center for Veterinary Medicine.  
[FR Doc. 96-14893 Filed 6-11-96; 8:45 am]  
BILLING CODE 4160-01-F

### **DEPARTMENT OF STATE**

#### **Bureau of Consular Affairs**

#### **22 CFR Part 50**

[Public Notice 2383]

#### **Nationality Procedures**

**AGENCY:** Bureau of Consular Affairs, Department of State.

**ACTION:** Final rule.

**SUMMARY:** The Bureau of Consular Affairs is amending its regulations concerning Nationality Procedures. Obsolete sections containing references to statutes which have been repealed, or contain inaccurate information, will be deleted. Several sections are being added which address recently enacted laws. Current State Department policies regarding loss of citizenship/nationality are added. These amendments, as general statements of longstanding State Department policy, are published as final rules.

**EFFECTIVE DATE:** May 22, 1996.

**ADDRESSES:** Interested persons are invited to submit any questions to the Director of Policy Review and Interagency Liaison, Overseas Citizens Services, Bureau of Consular Affairs, Room 4811, U.S. Department of State, Washington, DC 20520; Fax: (202) 647-6201.

#### **FOR FURTHER INFORMATION CONTACT:**

Carmen A. DiPlacido, or Michael Meszaros, Overseas Citizens Services, Department of State, 202-647-3666 or 202-647-4994.

**SUPPLEMENTARY INFORMATION:** This proposed rule implements changes which have occurred in State Department policy regarding nationality procedures and as a result of recent amendments to the Immigration and Nationality Act (INA). (Pub. L. 103-416, 108 Stat. 4308, 10/25/94). It also removes obsolete provisions from subpart B and subpart C of part 50 Nationality Procedures.

#### **Loss of Nationality/Citizenship**

Section 349 of the Immigration and Nationality Act (8 U.S.C. 1481) states that U.S. nationals are subject to loss of nationality if they perform certain acts voluntarily and with the intention of relinquishing U.S. nationality. (Note that for purposes of determining loss of nationality the words citizenship and nationality are synonymous.) These potentially expatriating acts include: (1) Obtaining naturalization in a foreign state; (2) taking an oath, affirmation or other formal declaration to a foreign state or its political subdivisions; (3) entering or serving in the armed forces of a foreign state engaged in hostilities against the United States or serving as a commissioned or non-commissioned officer in the armed forces of a foreign state; (4) accepting employment with a foreign government if (a) one has the nationality of that foreign state or (b) a declaration of allegiance is required in accepting the position; (5) formally renouncing U.S. citizenship before a U.S. consular officer outside the United States; (6) formally renouncing U.S. citizenship within the United States (but only "in time of war"); and (7) conviction for an act of treason.

In 1990, the Bureau of Consular Affairs adopted an administrative presumption in determining whether or not a U.S. citizen has performed a potentially expatriating act with the intention of relinquishing U.S. nationality in three classes of loss of citizenship cases. Specifically, when a U.S. citizen obtains naturalization in a foreign state, subscribes to routine declarations of allegiance to a foreign state, or accepts non-policy level employment with a foreign state, the intent to retain U.S. nationality will be presumed. U.S. citizens who naturalize in a foreign country; take a routine oath of allegiance; or accept non-policy level employment with a foreign government need not, therefore, submit evidence of their intent to retain U.S. nationality. A person who affirmatively asserts to a consular officer after he or she has committed a potentially expatriating act that it was his or her intention to relinquish U.S. citizenship will, however, lose his or her U.S. citizenship. In all other loss of nationality cases, the consular officer will ascertain whether or not there is evidence of intent to relinquish U.S. nationality.

#### **Retroactive Application of the Administrative Presumption in Certain Loss of Nationality/Citizenship Cases**

Persons who previously were held to have lost citizenship are provided the

opportunity to regain their U.S. citizenship. Citizenship will be reinstated if, at the time the loss of nationality was determined, the person did not attest in writing that it was his/her intention to relinquish U.S. citizenship. The Department of State's Office of Overseas Citizens Services will administratively review all cases submitted to it, even cases which previously were before the Department of State's Board of Appellate Review (L/BAR). Claimants need not be represented by an attorney. Individual claims may be submitted to the following address: Department of State, Bureau of Consular Affairs, Office of Policy Review and Interagency Liaison, Overseas Citizens Services, 2201 C Street NW., Washington, DC 20520-4817.

#### Statutory Changes

**Section 324(d) INA:** Section 324 of the INA has been amended to allow former U.S. citizens who lost their nationality due to noncompliance with U.S. residency requirements under the 1940 Nationality Act or the 1952 Immigration and Nationality Act, to regain citizenship by taking a specific oath of allegiance. Section 324(d) applies to persons born between May 24, 1934 and December 24, 1952. Former U.S. citizens may take the oath of allegiance as provided in section 324(d) if they are not otherwise ineligible under section 313 INA for advocating totalitarian forms of government. Persons qualifying regain U.S. citizenship as of the date the oath is taken but not retroactively to the date upon which it was lost. Because this amendment does not restore citizenship, persons subject to section 324(d) will be unable to transmit citizenship to their children born during the period between loss and resumption of U.S. citizenship. Persons eligible to take advantage of this provision may do so before the officers of the Immigration and Naturalization Service (INS) or U.S. consular officers abroad. The amendments to section 324 became effective on March 1, 1995.

The Department supported this legislation because it eliminates the need to adjudicate the three complicated affirmative defenses of unawareness, impossibility of performance, and misinformation as defenses to failure to fulfill retention requirements. The Department notes that these affirmative defenses may still be relied upon for citizenship retention purposes.

**Section 340(d) INA:** Section 340(d) of the Immigration and Nationality Act has been repealed by section 104(b) of the Immigration and Nationality Technical

Corrections Act of 1994 (Pub. L. 103-416, 108 Stat. 4308, 10/25/94). Section 340(d) provided that any naturalized citizen who, within one year of naturalization, returned to his or her native country, or to any other foreign country, and took up permanent residence there, could have his or her certificate of naturalization revoked by a court.

**Section 350 INA:** Section 350 of the Immigration and Nationality Act was repealed by Section One of the Immigration and Nationality Technical Corrections Act of 1978 (Pub. L. 95-432, 92 Stat. 1046, 10/10/78). Section 350 had provided that any person born as a dual national who sought any benefit from any foreign country, lost U.S. citizenship if he or she was over the age of 21 and had resided in the country of his or her other nationality for 3 years. "Benefits" was defined broadly to include the use of a foreign passport, the holding of an identification card issued by a foreign state or the obtaining of a special license or scholarship available only to nationals of the foreign state. Persons who previously were held to have lost citizenship under Section 350 INA may have their citizenship reinstated if they can show that they did not intend to relinquish U.S. citizenship.

These regulations are not expected to have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act, 5 U.S.C. 605(b). In addition, they will not impose information collection requirements under the provisions of the Paperwork Reduction Act of 1980 44 U.S.C. Chapter 35. Nor do these final rules have federalism implications warranting the preparation of a Federalism Assessment in accordance with E.O. 12612. These final rules have been reviewed as required by E.O. 12778 and certified to be in compliance therewith. These rules are not exempt from review under E.O. 12866 but have been reviewed and found to be consistent with the objectives thereof. Pursuant to 5 U.S.C. Section 553(b)(A), these rules are general statements of previously implemented policy not subject to the general notice requirement of 5 U.S.C. Section 553(b).

#### List of Subjects in 22 CFR Part 50

##### Nationality Procedures.

For the reasons set out in the preamble, 22 CFR Part 50 is amended as follows:

## PART 50—[AMENDED]

### Subpart B—Retention and Resumption of Nationality

1. The authority citation for 22 CFR Part 50 continues to read as follows:

Authority: Sec. 4, 63 Stat. 111, as amended, secs. 104, 360, 66 Stat. 174, 273; 22 U.S.C. 2658, 8 U.S.C. 1104, 1503.

#### § 50.20 [Amended]

1A. Section 50.20(a) is removed; § 50.20(b) is redesignated as § 50.20(a).

\* \* \* \* \*

#### § 50.30 [Amended]

2. Section 50.30(d) is added to read as follows:

\* \* \* \* \*

(d) *Section 324(d)(1) of the Immigration and Nationality Act.* (1) A former citizen of the United States who did not retain U.S. citizenship by failure to fulfill residency requirements as set out in Section 201(g) of the 1940 Nationality Act or former 301(b) of the 1952 Immigration and Nationality Act, may regain his/her U.S. citizenship pursuant to Section 324(d) INA, by applying abroad at a diplomatic or consular post, or in the U.S. at any Immigration and Naturalization Service office in the form and manner prescribed by the Department of State and the Immigration and Naturalization Service (INS).

(2) The applicant shall submit documentary evidence to establish eligibility to take the oath of allegiance, which includes proof of birth abroad to a U.S. citizen parent between May 24, 1934 and December 24, 1952. If the diplomatic, consular, INS, or passport officer determines that the applicant is ineligible to regain citizenship under section 313 INA, the oath shall not be administered.

### Subpart C—Loss of Nationality

#### § 50.40 [Removed]

3. Section 50.40 is removed.

#### § 50.41 [Redesignated as § 50.40 and amended]

4. Section 50.41 is redesignated as § 50.40 and in redesignated § 50.40, paragraphs (a), (b), (c), and (d) are redesignated as paragraphs (c), (d), (b) and (e); paragraph (a) is added; and newly redesignated paragraph (b) is revised to read as follows:

(a) *Administrative presumption.* In adjudicating potentially expatriating acts pursuant to INA 349(a), the Department has adopted an administrative presumption regarding certain acts and the intent to commit them. U.S. evidence of intent to retain

U.S. nationality. In these three classes of cases, intent to retain U.S. citizenship will be presumed. A person who affirmatively asserts to a consular officer, after he or she has committed a potentially expatriating act, that it was his or her intent to relinquish U.S. citizenship will lose his or her U.S. citizenship. In other loss of nationality cases, the consular officer will ascertain whether or not there is evidence of intent to relinquish U.S. nationality.

(b) Whenever a person admits that he or she had the intent to relinquish citizenship by the voluntary and intentional performance of one of the acts specified in Section 349(a) of the Immigration and Nationality Act, and the person consents to the execution of an affidavit to that effect, the diplomatic or consular officer shall attach such affidavit to the certificate of loss of nationality.

\* \* \* \* \*

#### **§ 50.42 [Removed]**

5. Section 50.42 is removed.

6. Section 50.50 is amended by revising the first sentence to read as follows:

#### **§ 50.50 Renunciation of nationality.**

(a) A person desiring to renounce U.S. nationality under section 349(a)(5) of the Immigration and Nationality Act shall appear before a diplomatic or consular officer of the United States in the manner and form prescribed by the Department. \* \* \*

#### **§ 50.51 [Removed]**

7. Section 50.51 is removed.

#### **§ 50.52 [Redesignated as § 50.51]**

8. Section 50.52 is redesignated as § 50.51.

#### **§§ 50.20 and 50.40 [Amended]**

9. Sections 50.20(a), 50.20(a)(2), 50.40(b) and 50.40(d) are amended by removing the words "his" and "he" as applicable, and adding the words listed below:

Section	Add
50.20(a)(1) .....	"a".
50.20(a)(2) .....	"the person's".
50.40(d) .....	"the person".

Dated: April 30, 1996.

Mary A. Ryan,

Assistant Secretary for Consular Affairs.

[FR Doc. 96-13402 Filed 6-11-96; 8:45 am]

BILLING CODE 4710-06-M

## **DEPARTMENT OF THE TREASURY**

### **Internal Revenue Service**

#### **26 CFR Parts 26, 301, and 602**

[TD 8644]

RIN 1545-AJ11; 1545-AL75; 1545-AO89

#### **Generation-Skipping Transfer Tax; Correction**

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to final regulations [TD 8644] which were published in the Federal Register for Wednesday, December 27, 1995 (60 FR 66898). The final regulations relate to generation-skipping transfer tax.

**EFFECTIVE DATE:** December 27, 1995.

**FOR FURTHER INFORMATION CONTACT:** Jim Hogan (202) 622-3090 (not a toll-free number).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The final regulations that are subject to these corrections are under chapter 13 of the Internal Revenue Code.

##### **Need for Correction**

As published, the final regulations [TD 8644] contain errors that are in need of clarification.

##### **Correction of Publication**

Accordingly, the publication of final regulations which are the subject of FR Doc. 95-30873 is corrected as follows:

1. On page 66899, column 1, in the preamble under the paragraph heading "Uniform Statutory Rule Against Perpetuities", line 13, the language "alienation of a interest in property for a" is corrected to read "alienation of an interest in property for a".

2. On page 66902, column 1, in the preamble under the paragraph heading "Division of a Single Trust Into Separate Trusts", paragraph 3, line 3 from the bottom, the language "for under the original trusts. Thus, a" is corrected to read "for under the original trust. Thus, a".

#### **§ 26.2601-1 [Corrected]**

2a. On page 66907, column 2, § 26.2601-1, paragraph (b)(1)(v)(D), *Example 2*, eighth line from the bottom of the paragraph, the language, "of the first addition), \$200,000 (.2+)" is corrected to read "of the first addition), \$200,000 (.2×)".

3. On page 66907, column 2, § 26.2601-1, paragraph (b)(1)(v)(D),

*Example 4*, eighth line from the bottom of the column, the language "GGC, for life. Upon GGC's death the" is corrected to read "GGC, for life. Upon GGC's death, the".

4. On page 66907, column 3, § 26.2601-1, paragraph (b)(1)(v)(D), *Example 5*, line 3, the language "Assume the same facts as in *Example 3*," is corrected to read "Assume the same facts as in *Example 4*,".

5. On page 66909, column 2, § 26.2601-1, paragraphs (b)(3)(iii) introductory text, (b)(3)(iii)(A), (b)(3)(iii)(A)(1), (b)(3)(iii)(A)(2), (b)(3)(iii)(B), (b)(3)(iii)(C) are correctly designated (b)(3)(iii)(A) introductory text, (b)(3)(iii)(A)(1), (b)(3)(iii)(A)(1)(i), (b)(3)(iii)(A)(1)(ii), (b)(3)(iii)(A)(2), and (b)(3)(iii)(A)(3), respectively.

6. On page 66909, column 2, § 26.2601-1, newly designated paragraph (b)(3)(iii)(A)(3) is corrected and paragraph (b)(3)(iii)(B) is added to read as follows:

#### **§ 26.2601-1 Effective dates.**

\* \* \* \* \*

(b) \* \* \*  
(3) \* \* \*  
(iii) \* \* \*  
(A) \* \* \*

(3) Any judgement or decree relating to the decedent's incompetency that was made after October 22, 1986.

(B) Such items in paragraphs (b)(3)(iii)(A), (B), and (C) of this section will be considered relevant, but not determinative, in establishing the decedent's state of competency.

7. On page 66909, column 3, § 26.2601-1, paragraph (b)(4)(i), line 5, the language "rules in paragraph (b) (2) or (3) of this" is corrected to read "rules in paragraph (b) (1), (2) or (3) of this".

8. On page 66910, column 2, § 26.2601-1, paragraph (c), line 5 from the top of the column, the language "on or after [December 27, 1995]." is corrected to read "on or after December 27, 1995.".

#### **§ 26.2612-1 [Corrected]**

9. On page 66910, column 3, § 26.2612-1, paragraph (a)(2)(ii), lines 5 and 6, the language "the transferor would be assigned to a lower generation by reason of that" is corrected to read "the lineal descendant would be assigned to a higher generation by reason of that".

10. On page 66910, column 3, § 26.2612-1, paragraph (b)(1)(i), last 3 lines are corrected by removing the language "(i.e., a new transferor is determined with respect to the property)".