

## APPENDIX A TO SUBPART Q—HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY BOUNDARY COORDINATES—Continued

Points	Latitude (deg, min, sec)	Longitude (deg, min, sec)
200 .....	19,27,52	154,49,57
201 .....	19,27,15	154,50,25
202 .....	19,26,37	154,51,21
203 .....	19,23,48	154,55,11
204 .....	19,22,57	154,56,10
205 .....	19,21,23	154,57,50
206 .....	19,19,34	155,1,22

**Ports and Harbor Exclusions**

(Points mark outer boundary of harbors)

**Ala Wai Harbor (Oahu)**

1 .....	21,17,5	157,50,55
2 .....	21,17,2	157,50,34

**Hilo Bay (Big Island)**

1 .....	19,44,37	155,5,35
2 .....	19,44,44	155,4,40

**Honokohau Harbor (Big Island)**

1 .....	19,40,23	156,1,50
2 .....	19,40,11	156,1,56

**Kawaihae Harbor (Big Island)**

1 .....	20,2,25	155,50,12
2 .....	20,2,36	155,50,7

**Keauhou Bay (Big Island)**

1 .....	19,33,43	155,58,8
2 .....	19,34,2	155,58,9

**Kahului Harbor (Maui)**

1 .....	20,54,12	156,28,36
2 .....	20,54,13	156,28,28

**Lahaina Harbor (Maui)**

1 .....	20,52,29	156,40,54
2 .....	20,52,29	156,40,53

**Maalea Harbor (Maui)**

1 .....	20,47,36	156,30,49
2 .....	20,47,42	156,30,44

**Hale o Lono Harbor (Molokai)**

1 .....	21,5,15	157,15,8
2 .....	21,5,15	157,15,5

**Kaunakakai Harbor (Molokai)**

1 .....	21,5,25	157,1,46
2 .....	21,5,0	157,2,8
3 .....	21,4,49	157,1,51
4 .....	21,5,18	157,1,25

**Kaumalapau Harbor (Lanai)**

1 .....	20,47,12	156,59,41
2 .....	20,47,19	156,59,42

**Manele Harbor (Lanai)**

1 .....	20,44,46	156,53,24
2 .....	20,44,44	156,53,22

**Hanamaula Bay (Kauai)**

1 .....	21,59,49	159,20,6
2 .....	22,0,3	159,20,8

**Nawiliwili Harbor (Kauai)**

1 .....	21,57,3	159,21,3
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Points	Latitude (deg, min, sec)	Longitude (deg, min, sec)
2 .....	21,57,29	159,20,20

[FR Doc. 97-7811 Filed 3-27-97; 8:45 am]

BILLING CODE 3510-22-P

## DEPARTMENT OF THE TREASURY

## Internal Revenue Service

## 26 CFR Part 1

[TD 8711]

RIN 1545-AU82

## Intangibles Under Sections 1060 and 338; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to temporary regulations.

**SUMMARY:** This document contains a correction to final and temporary regulations (TD 8711) which were published in the **Federal Register** on Thursday, January 16, 1997 (62 FR 2267). The temporary regulations relate to the purchase price allocations in taxable asset acquisitions and deemed asset purchases.

EFFECTIVE DATE: February 14, 1997.

**FOR FURTHER INFORMATION CONTACT:** Brendan P. O'Hara, (202) 622-7530 (not a toll-free number).

## SUPPLEMENTARY INFORMATION:

## Background

The temporary regulations that are the subject of this correction are under section 1060 of the Internal Revenue Code.

## Need for Correction

As published, the temporary regulations (TD 8711) contain an error which may prove to be misleading and are in need of clarification.

## Correction of Publication

Accordingly, the publication of the temporary regulations (TD 8711) which are the subject of FR Doc. 97-656 is corrected as follows:

## § 1.1060-1T [Corrected]

On page 2272, column 3, in amendatory "Par. 6.", item 2, line 2, the language "outline of topics entries for

(a)(2), (b)(2)" is corrected to read "outline of topics entries for (a)(2), (d)(2)".

Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 97-7945 Filed 3-27-97; 8:45 am]

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## OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

## 29 CFR Part 2200

## Rules of Procedure

AGENCY: Occupational Safety and Health Review Commission.

ACTION: Final rule; extension of sunset provision.

**SUMMARY:** The Occupational Safety and Health Review Commission has determined that additional time is necessary to properly evaluate the efficacy of its pilot E-Z Trial program. Accordingly, the Review Commission is amending the "sunset" provisions of the Commission's "E-Z Trial" rules to extend the pilot program an additional four months.

EFFECTIVE DATE: March 28, 1997.

**FOR FURTHER INFORMATION CONTACT:** Earl R. Ohman, Jr., General Counsel, (202) 606-5410.

**SUPPLEMENTARY INFORMATION:** On August 14, 1995 the Occupational Safety and Health Review Commission published in the **Federal Register** (60 FR 41805) new procedural rules for a pilot program designed to simplify and accelerate adjudication for cases that warrant a less formal, less costly process. Designated "E-Z Trial," the pilot program was to run for one year, terminating on September 30, 1996. A "sunset" provision was inserted into the rules to end the pilot program on that date unless extended by the Commission by final rule published in the **Federal Register**. 29 CFR 2200.201(b). On September 27, 1996 the Commission extended the sunset provision until March 31, 1997 to allow for evaluation of the pilot program (61 FR 50711). During this period, the Commission held forums in which parties and representatives of parties who had participated in E-Z Trial proceedings were given the opportunity to comment on the E-Z Trial process. Their comments, together with the experiences of Commission judges, who have conducted the E-Z Trials, are currently being evaluated by the Commission. To allow for a full evaluation of these comments and experiences, the Commission has

determined that the sunset provision should be extended an additional four months, until July 31, 1997. Accordingly, the Commission is revising § 2200.201(b) to extend the pilot program through July 31, 1997.

#### List of Subjects in 29 CFR Part 2200

Administrative practice and procedure, Hearing and appeal procedures.

For the reasons set forth in the preamble, title 29, chapter XX, part 2200, subpart M of the Code of Federal Regulations is amended as follows:

#### PART 2200—RULES OF PROCEDURE

1. The authority citation continues to read as follows:

**Authority:** 29 U.S.C. 661(g), unless otherwise noted.

2. Section 2200.201 is amended by revising paragraph (b) to read as follows:

#### § 2200.201 [Amended]

\* \* \* \* \*

(b) *Sunset Provision.* Section 2200.203(a), which permits the Chief Administrative Law Judge to assign a case for E-Z Trial, will no longer be effective after July 31, 1997 unless the rule is extended by the Commission by publication of a final rule in the **Federal Register**. After July 31, 1997, a case will only be assigned to E-Z Trial if the assignment is requested by a party.

Dated: March 21, 1997.

**Stuart E. Weisberg,**  
*Chairman.*

Dated: March 24, 1997.

**Velma Montoya,**  
*Commissioner.*

Dated: March 21, 1997.

**Daniel Guttman,**  
*Commissioner.*

[FR Doc. 97-7845 Filed 3-27-97; 8:45 am]

BILLING CODE 7600-01-M

#### DEPARTMENT OF VETERANS AFFAIRS

#### 38 CFR Part 1

RIN 2900-A175

#### Delegation of Authority to Deputy General Counsel and Assistant General Counsel for Professional Staff Group IV in Matters Concerning Employee Inventions and Patents

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Department of Veterans Affairs (VA)

regulations in 38 CFR Part 1 by amending the delegation of authority for making determinations regarding right, title and interest in employee inventions. The General Counsel has determined that these Departmental determinations could be made more efficiently by including the Assistant General Counsel as an official authorized to make such decisions. In accordance with 38 U.S.C. 512, this document delegates to the Assistant General Counsel for Professional Staff Group IV the same authority and responsibility to act for VA as was previously granted to the General Counsel and Deputy General Counsel.

**EFFECTIVE DATE:** March 28, 1997.

**FOR FURTHER INFORMATION CONTACT:** Neal C. Lawson, Assistant General Counsel (024), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-6356.

**SUPPLEMENTARY INFORMATION:** This final rule consists of a delegation of authority and, therefore, is not subject to the notice and comment and effective date provisions of 5 U.S.C. 553.

The Secretary hereby certifies that this final rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This rule merely consists of a delegation of authority.

There is no Catalog of Federal Domestic Assistance Number.

#### List of Subjects in 38 CFR Part 1

Administrative practice and procedure, Archives and records, Cemeteries, Claims, Courts, Flags, Freedom of information, Government employees, Government property, Infants and children, Inventions and patents, Investigations, Parking, Penalties, Postal Service, Privacy, Reporting and recordkeeping requirements, Seals and insignia, Security measures, Wages.

Approved: March 4, 1997.

**Jesse Brown,**  
*Secretary of Veterans Affairs.*

For the reasons set out in the preamble, 38 CFR part 1 is amended as set forth below:

#### PART 1—GENERAL PROVISIONS

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

**Authority:** 38 U.S.C. § 501(a), unless otherwise noted.

2. Section 1.653 is revised to read as follows:

#### § 1.653 Delegation of authority.

The General Counsel, Deputy General Counsel or Assistant General Counsel for Professional Staff Group IV is authorized to act for the Secretary of Veterans Affairs in matters concerning patents and inventions, unless otherwise required by law. The determination of rights to an invention as between the Government and the employee where there is no cooperative research and development agreement shall be made by the General Counsel, Deputy General Counsel or the Assistant General Counsel for Professional Staff Group IV, in accordance with 37 CFR part 500.

#### § 1.164 [Amended]

3. In § 1.654, the first sentence is revised by adding "Deputy General Counsel or Assistant General Counsel for Professional Staff Group IV," following "General Counsel,".

#### § 1.657 [Amended]

4. Section 1.657 is revised by adding "Deputy General Counsel or Assistant General Counsel for Professional Staff Group IV" following "The General Counsel".

[FR Doc. 97-7834 Filed 3-27-97; 8:45 am]

BILLING CODE 8320-01-P

#### 38 CFR Part 3

RIN 2900-A140

#### Upgraded Discharges

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document makes nonsubstantive changes to the Department of Veterans Affairs (VA) adjudication regulations regarding upgraded discharges. The intended effect of these changes is to make the regulations simpler and easier to understand.

**EFFECTIVE DATE:** This amendment is effective March 28, 1997.

**FOR FURTHER INFORMATION CONTACT:** Laurence Freiheit, Consultant, Regulations Staff, Compensation and Pension Service, Veterans Benefits Administration, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-7252.

**SUPPLEMENTARY INFORMATION:** 38 U.S.C. 1110 authorizes the Secretary of Veterans Affairs to compensate veterans for disability resulting from injury or disease incurred or aggravated during active military service provided that the veteran was discharged or released under conditions other than