

**SOCIAL SECURITY ADMINISTRATION****Statement of Organization, Functions and Delegations of Authority: Correction**

**AGENCY:** Social Security Administration.  
**ACTION:** Correction notice.

**SUMMARY:** This notice corrects the notice: Social Security Administration—Statement of Organization, Functions and Delegations of Authority, published in the **Federal Register** on February 29, 2000 (65 FR 10846).

**SUPPLEMENTARY INFORMATION:** In the notice document 00–4755, which appeared on pages 10846 and 10847 in the issue of Tuesday, February 29, 2000, we show an incorrect SAC for the Office of Legislative Relations in the Office of the Deputy Commissioner, Legislation and Congressional Affairs (ODCLCA). This correction notice corrects that mistake. Make the correction as follows:

On page 10846, in the third column, item E, change the SAC in parentheses from TBH to TBK.

On page 10847, in the first column, item E change the SAC in parentheses from TBH to TBK.

Dated: April 7, 2000.

**Lewis H. Kaiser,**

*Director, Center for Classification and Organization Management.*

[FR Doc. 00–9324 Filed 4–13–00; 8:45 am]

**BILLING CODE 4191–02–U**

**SOCIAL SECURITY ADMINISTRATION****Rescission of Social Security Acquiescence Rulings 93-3(6), 93-4(2) and 93-5(11)**

**AGENCY:** Social Security Administration.  
**ACTION:** Notice of rescission of Social Security Acquiescence Rulings 93-3(6)—*Akers v. Secretary of Health and Human Services*, 966 F.2d 205 (6th Cir. 1992); 93-4(2)—*Condon and Brodner v. Bowen*, 853 F.2d 66 (2d Cir. 1988); 93-5(11)—*Shoemaker v. Bowen*, 853 F.2d 858 (11th Cir. 1988)

**SUMMARY:** In accordance with 20 CFR 404.985(e), 416.1485(e) and 402.35(b)(2), the Commissioner of Social Security gives notice of the rescission of Social Security Acquiescence Rulings 93-3(6), 93-4(2) and 93-5(11).

**EFFECTIVE DATE:** April 14, 2000.

**FOR FURTHER INFORMATION CONTACT:** Gary Sargent, Litigation Staff, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-1695.

**SUPPLEMENTARY INFORMATION:** A Social Security Acquiescence Ruling explains

how we will apply a holding in a decision of a United States Court of Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act or regulations when the Government has decided not to seek further review of the case or is unsuccessful on further review.

As provided by 20 CFR 404.985(e)(3) and 416.1485(e)(3), a Social Security Acquiescence Ruling may be rescinded as obsolete if a Federal law is enacted that removes the basis for the holding in a decision of a circuit court that was the subject of an Acquiescence Ruling.

On July 29, 1993, we issued Acquiescence Rulings 93-3(6), 93-4(2) and 93-5(11) to reflect the holdings in *Akers v. Secretary of Health and Human Services*, 966 F.2d 205 (6th Cir. 1992), *Condon and Brodner v. Bowen*, 853 F.2d 66 (2d Cir. 1988), and *Shoemaker v. Bowen*, 853 F.2d 858 (11th Cir. 1988), that continued benefits and “interim benefits” paid to claimants pursuant to section 2(e) of the Social Security Disability Benefits Reform Act of 1984 or section 223(g) of the Social Security Act (the Act) are “past-due benefits” for purposes of awarding attorney fees under section 206(b)(1) of the Act.

On August 15, 1994, the Social Security Independence and Program Improvements Act of 1994<sup>1</sup> was enacted which specifically provided in its technical and clerical amendments in title III, section 321(f)(3)(B) that the term “past-due benefits” excludes benefits continued under section 223(g) or (h) of the Act. The effective date of this amendment was 180 days later.

Because the change in law did not adopt the *Akers*, *Condon and Brodner*, and *Shoemaker* courts’ holdings and specifically excluded continued benefits from the definition of “past-due benefits,” we are rescinding Acquiescence Rulings 93-3(6), 93-4(2) and 93-5(11).

(Catalog of Federal Domestic Assistance Program Nos. 96.001 Social Security - Disability Insurance; 96.002 Social Security - Retirement Insurance; 96.004 Social Security - Survivors Insurance; 96.005 Special Benefits for Disabled Coal Miners; 96.006 Supplemental Security Income.)

<sup>1</sup> Under the Social Security Independence and Program Improvements Act of 1994, Pub. L. No. 103-296, effective March 31, 1995, SSA became an independent Agency in the Executive Branch of the United States Government and was provided ultimate responsibility for administering the Social Security and Supplemental Security Income programs under titles II and XVI of the Act. Prior to March 31, 1995, the Secretary of Health and Human Services had such responsibility.

Dated: March 17, 2000.

**Kenneth S. Apfel,**

*Commissioner of Social Security.*

[FR Doc. 00–9323 Filed 4–13–00; 8:45 am]

**BILLING CODE 4191-02-F**

**DEPARTMENT OF STATE****[Public Notice 3285]****Bureau of Nonproliferation; Determination Under the Arms Export Control Act**

**AGENCY:** Department of State.

**ACTION:** Notice.

Pursuant to Section 654(c) of the Foreign Assistance Act of 1961, as amended, notice is hereby given that the Secretary of State has made a determination pursuant to Section 73 of the Arms Export Control Act and has concluded that publication of the determination would be harmful to the national security of the United States.

Dated: April 7, 2000.

**Robert J. Einhorn,**

*Assistant Secretary of State for Nonproliferation, Department of State.*

[FR Doc. 00–9348 Filed 4–13–00; 8:45 am]

**BILLING CODE 4710-25-U**

**DEPARTMENT OF STATE****[Public Notice 3286]****Bureau of Nonproliferation, Imposition of Missile Proliferation Sanctions Against Entities in North Korea and Iran**

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The United States Government has determined that entities in North Korea and Iran have engaged in missile technology proliferation activities that require imposition of sanctions pursuant to the Arms Export Control Act, as amended, and the Export Administration Act of 1979, as amended (as carried out under Executive Order 12924 of August 19, 1994).

**EFFECTIVE DATE:** April 6, 2000.

**FOR FURTHER INFORMATION CONTACT:**

Vann H. Van Diepen, Office of Chemical, Biological and Missile Nonproliferation, Bureau of Nonproliferation, Department of State (202–647–1142).

**SUPPLEMENTARY INFORMATION:** Pursuant to section 73(a)(1) of the Arms Export Control Act (22 U.S.C. 2797b(a)(1)), section 11B(b)(1) of the Export

Administration Act of 1979 (50 U.S.C. app. 2401b(b)(1)), as carried out under Executive Order 12924 of August 19, 1994 (hereinafter cited as the "Export Administration Act of 1979"), and Executive Order 12851 of June 11, 1993, the United States Government determined on April 6, 2000, that the following foreign persons have engaged in missile technology proliferation activities that require the imposition of the sanctions described in sections 73(a)(2)(B) and (C) of the Arms Export Control Act (22 U.S.C. 2797b(a)(2)(B) and (C)) and sections 11B(b)(1)(B)(ii) and (iii) of the Export Administration Act of 1979 (50 U.S.C. app. 2410b(b)(1)(B)(ii) and (iii)) on these entities:

1. Changgwang Sinyong Corporation (North Korea) and its sub-units, successors, and affiliated companies;
2. The Ministry of Defense and Armed Forces Logistics (MODAFL) (Iran) and its sub-units and successors;
3. Aerospace Industries Organization (AIO) (Iran) and its sub-units and successors;
4. Shahid Hemmat Industrial Group (SHIG) (Iran) and its sub-units and successors; and
5. SANAM Industrial Group (Iran) and its sub-units and successors.

Accordingly, the following sanctions are being imposed on these entities:

(A) New individual licenses for exports to the entities described above of items controlled pursuant to the Export Administration Act of 1979 will be denied for two years;

(B) New licenses for export to the entities described above of items controlled pursuant to the Arms Export Control Act will be denied for two years;

(C) No new United States Government contracts involving the entities described above will be entered into for two years; and

(D) No products produced by the entities described above will be imported into the United States for two years.

With respect to items controlled pursuant to the Export Administration Act of 1979, the export sanction only applies to exports made pursuant to individual export licenses.

Additionally, because North Korea is a country with a non-market economy that is not a former member of the Warsaw Pact (as referenced in the definition of "person" in section 74(8)(B) of the Arms Export Control Act (22 U.S.C. 2797c(8)(B)), the following sanctions shall be applied to all activities of the North Korean government relating to the development or production of missile equipment or

technology and to all activities of the North Korean government affecting the development or production of electronics, space systems or equipment, and military aircraft:

(A) New licenses for export to the government activities described above of items controlled pursuant to the Arms Export Control Act will be denied for two years;

(B) No new U.S. Government contracts involving the government activities described above will be entered into for two years; and

(C) No products produced by the government activities described above will be imported into the United States for two years.

These measures shall be implemented by the responsible agencies as provided in Executive Order 12851 of June 11, 1993.

Dated: April 7, 2000.

**Robert J. Einhorn,**

*Assistant Secretary of State for Nonproliferation, Department of State.*

[FR Doc. 00-9349 Filed 4-13-00; 8:45 am]

**BILLING CODE 4710-25-U**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### Notice of a Proposed Wetland Banking Memorandum of Agreement in the Commonwealth of Pennsylvania

**COORDINATING AGENCIES:** Federal Highway Administration, Pennsylvania Division (federal); U.S. Army Corps of Engineers Baltimore, Philadelphia, and Pittsburgh Districts (federal); U. S. Environmental Protection Agency, Region III (federal); U.S. Fish and Wildlife Service (federal); U.S. Department of Agriculture, Natural Resource Conservation Service (federal); Pennsylvania Department of Transportation (state); Pennsylvania Department of Environmental Protection (state); Pennsylvania Game Commission (state); Pennsylvania Fish and Boat Commission (state).

**ACTION:** Notice.

**SUMMARY:** The purpose of this proposed wetland banking agreement is to establish a wetland banking system to provide effective advanced compensatory mitigation for unavoidable, minimized impacts to wetlands of the United States and the Commonwealth of Pennsylvania

resulting from transportation construction or maintenance activities. The document will serve as an umbrella banking instrument for developing site specific subordinate instruments.

**COMMENTS:** Comments must bear postmarks dated no later than May 15, 2000.

**ADDRESSES:** Address comments to either the Pennsylvania Department of Transportation, Bureau of Environmental Quality, 555 Walnut Street— 7th Floor, Harrisburg, Pennsylvania 17101-1900 (Attn: Ms. Susan McDonald) or the Baltimore District Corps of Engineers, Regulatory Branch, P.O. 1715, Baltimore, Maryland 21203-1715 (Attn: Mr. Paul Wettlaufer) or Federal Highway Administration, Pennsylvania Division, 228 Walnut Street, Room 536, Harrisburg, Pennsylvania 17101-1720 (Attn: Mr. Daniel W. Johnson).

**FOR FURTHER INFORMATION CONTACT:** Susan McDonald, Acting Division Chief, Pennsylvania Department of Transportation, Bureau of Environmental Quality, Environmental Analysis Division (717-772-3083).

#### SUPPLEMENTARY INFORMATION:

**Draft Memorandum of Agreement** between Commonwealth of Pennsylvania, Department of Transportation (PennDOT) and Commonwealth of Pennsylvania, Department of Environmental Protection (DEP) and Commonwealth of Pennsylvania, Fish and Boat Commission (PAFBC) and Commonwealth of Pennsylvania, Game Commission (PGC) and U.S. Army Corps of Engineers, North Atlantic Division and U.S. Army Corps of Engineers, Ohio Division and U.S. Environmental Protection Agency, Region III (EPA) and U.S. Fish and Wildlife Service, Pennsylvania Field Office (USFWS) and Natural Resource Conservation Service, Pennsylvania State Office (NRCS) and Federal Highway Administration, Pennsylvania Division (FHWA)

#### For the purposes of **Establishing a Statewide Umbrella Wetland Banking Instrument**

This Memorandum is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2000, between the above listed parties.

*Whereas*, Sections 501 and 502 of the Administrative Code of 1929, as amended, 71 P.S. §§ 181-182 require the Commonwealth Departments and agencies to cooperate with one another and coordinate their work; and,

*Whereas*, Section 2002(a)(7) of the Pennsylvania Administrative Code of