

compete in the United States with *Subject Merchandise* from each other *Subject Country*. In determining whether (likely) competition exists between two products, you may consider such factors as (i) the degree of (likely) fungibility between the products, (ii) whether the products are (likely to be) sold in the same geographic markets in the United States, (iii) whether the products are (likely to be) sold in common channels of distribution, and (iv) whether the products are (likely to be) sold in the U.S. market simultaneously.

(7) (OPTIONAL) Provide any other information or data that you consider relevant to the Commission's determination.

**Annex B—Proposed Schedule for Sunset Reviews<sup>1</sup>**

Action/Event	Day
Notice of Institution (Published in the FEDERAL REGISTER) .....	0
Entries of Appearance/APO Applications Due .....	21
Responses to Notice of Institution Due .....	30
Comments on Appropriateness of Expedited Review Due .....	60
Notice of Inadequacy/Expedited Review or Adequacy/Full Review .....	95

<sup>1</sup> The Commission may extend its deadline by up to 90 days in all transition reviews and other extraordinarily complicated cases.

**INADEQUATE RESPONSES/EXPEDITED REVIEW**

Action/Event	Day
Staff Report/Data Compilation to Commission and Parties .....	110
Commerce Expedited Determination (If Issued) .....	120
Written Submission on Merits ("Final Comments") by Parties Due .....	130
Commission Vote .....	140
Commission Determination and Views to Commerce .....	150

**ADEQUATE RESPONSES/FULL REVIEW**

Action/Event	Day
New Entries of Appearance/APO Applications Due .....	140
Draft Questionnaires to Parties for Comment .....	150
Written Comments on Draft Questionnaires Due (Final Opportunity for Parties to Raise Issues Affecting Data Collection) .....	180
Questionnaire Mail Date .....	225
Commerce Subsidy/Dumping Determination .....	240
Questionnaire Return Date .....	265
Prehearing Report to Commission and Parties .....	299
Prehearing Briefs Due .....	305
Hearing .....	313
Posthearing Briefs Due .....	320
Staff Report to Commission and Parties .....	330

**ADEQUATE RESPONSES/FULL REVIEW—Continued**

Action/Event	Day
Final Comments Due .....	340
Commission Vote .....	348
Commission Determination and Views to Commerce .....	360

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**RAILROAD RETIREMENT BOARD**

**20 CFR Part 216**

**RIN 3220-AB27**

**Eligibility for an Annuity**

**AGENCY:** Railroad Retirement Board.

**ACTION:** Proposed rule.

**SUMMARY:** The Railroad Retirement Board proposes to amend its regulation under the Railroad Retirement Act concerning when a child of a railroad employee is considered a full-time elementary or secondary student. The proposed changes reflect the current trend in most States and jurisdictions to recognize home schooling and independent study programs as comparable to traditional education.

**DATES:** Comments must be received on or before December 22, 1997.

**ADDRESSES:** Secretary to the Board, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

**FOR FURTHER INFORMATION CONTACT:** Thomas W. Sadler, Senior Attorney, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611, (312) 751-4513, TDD (312) 751-4701.

**SUPPLEMENTARY INFORMATION:** Section 2(d)(4) of the Railroad Retirement Act (45 U.S.C. 231a(d)(4)) provides, in pertinent part, that an annuity is payable to a child of a deceased employee until such child attains age 18 or 19 if such child is in full-time attendance at an elementary or secondary school. Section 2(d)(4) of the Act incorporates the provisions of section 202(d)(7) of the Social Security Act (42 U.S.C. 402(d)(7)), which defines the terms full-time elementary or secondary student. Section 202(d)(7) of the Social Security Act in turn provides that a full-time elementary or a secondary student is an individual who is in full-time attendance as a student at an elementary or secondary school, as determined by the Commissioner of the Social Security Administration (by

regulations prescribed by the Commissioner).

Before July 24, 1996, section 404.367 of the Social Security Administration's regulations under the Social Security Act (20 CFR 404.367) defined a full-time student as an individual enrolled in an educational institution including public, private, and religious schools. The Social Security Administration's previous policy, as reflected in its regulation, was aligned with the traditional definition of educational programs. However, recently most States and other jurisdictions have broadened the definition of education programs to include home schooling and independent study programs. Because of this trend, the Social Security Administration revised section 404.367 to include such types of schooling in the definition of elementary and secondary schools. See, 61 FR 38363 (1996). The Board, therefore, proposes to revise its regulations to include students enrolled in home schooling or independent study programs authorized by a State or other jurisdiction within the definition of a full-time elementary or secondary school student.

The Board, with the concurrence of the Office of Management and Budget, has determined that this is not a significant regulatory action under Executive Order 12866. There are no information collections associated with this rule.

**List of Subjects in 20 CFR Part 216**

Railroad employees, Railroad retirement.

For the reasons set out in the preamble, chapter II of title 20 of the Code of Federal Regulations is proposed to be amended as follows:

**PART 216—ELIGIBILITY FOR AN ANNUITY**

1. The authority citation for part 216 continues to read as follows:

**Authority:** 45 U.S.C. 231f.

2. Section 216.74 is revised to read as follows:

**§ 216.74 When a child is a full-time elementary or secondary school student.**

(a) A child is a full-time elementary or secondary school student if he or she meets all of the following conditions:

- (1) The child is in full-time attendance at an elementary or secondary school; or
- (2) The child is instructed in elementary or secondary education at home in accordance with a home school

law of the State or other jurisdiction in which the child resides; or

(3) The child is in an independent study elementary or a secondary education program administered by the local school, district, or jurisdiction, which is in accordance with the law of the State or other jurisdiction in which he or she resides.

(b) The child is in full-time attendance in a day or evening non-correspondence course of at least 13 weeks duration and he or she is carrying a subject load that is considered full-time for day students under the institution's standards and practices. If he or she is in a home schooling program as described in paragraph (a)(2) of this section, he or she must be carrying a subject load that is considered full-time for day students under the standards and practices set by the State or other jurisdiction in which the student resides.

(c) To be considered in full-time attendance, scheduled attendance must be at the rate of at least 20 hours per week unless one of the exceptions in paragraphs (c)(1) and (c)(2) of this section applies. If the student is in an independent study program as described in paragraph (a)(3) of this section, the number of hours spent in school attendance is determined by combining the number of hours of attendance at a school facility with the agreed upon number of hours spent in independent study. The student may still be considered in full-time attendance if the scheduled rate of attendance is below 20 hours per week if the Board finds that:

(1) The school attended does not schedule at least 20 hours per week and going to that particular school is the student's only reasonable alternative; or

(2) The student's medical condition prevents him or her from having scheduled attendance of at least 20 hours per week. To prove that the student's medical condition prevents him or her from scheduling 20 hours per week, the Board may request that the student provide appropriate medical evidence or a statement from the school.

(d) An individual is not a full-time student if, while attending an elementary or secondary school, he or she is paid compensation by an employer who has requested or required that the individual attend the school. An individual is not a fulltime student while he or she is confined in a penal institution or correctional facility because he or she committed a felony after October 19, 1980.

(e) A student who reaches age 19 but has not completed the requirements for a secondary school diploma or

certificate and who is a full-time elementary or secondary student, as defined in paragraph (a) of this section, will continue to be eligible for benefits until the first day of the first month following the end of the quarter or semester in which he or she is then enrolled, or if the school is not operated on a quarter or semester system, the earlier of:

(1) The first day of the month following completion of the course(s) in which he or she was enrolled when age 19 was reached; or

(2) The first day of the third month following the month in which he or she reached age 19.

Dated: October 14, 1997.

By Authority of the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

#### 30 CFR Chapter II

#### Workshop on the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996 (RSFA)

**AGENCY:** Minerals Management Service, Interior.

**ACTION:** Notice of workshop.

**SUMMARY:** The Minerals Management Service (MMS), Royalty Management Program, is implementing the requirements of the Federal Oil and Gas Royalty Simplification and Fairness Act of 1996. The purpose of this notice is to inform the public of a public workshop session.

**DATES:** The workshop will begin on Wednesday, November 5, 1997, from 1 p.m. to 5 p.m., Mountain time; and continues on Thursday, November 6, 1997, from 8:30 a.m. to 4 p.m., Mountain time.

**ADDRESSES:** The workshop will be held in the Building 85 Auditorium at the Denver Federal Center, Denver, Colorado. Mail comments to: David S. Guzy, Chief, Rules and Publications Staff, Royalty Management Program, Minerals Management Service, P.O. Box 25165, MS 3021, Denver, Colorado 80225-0165; courier delivery to Building 85, Denver Federal Center, Denver, Colorado 80225; or e-mail David\_Guzy@mms.gov.

**FOR FURTHER INFORMATION CONTACT:** David S. Guzy, Chief, Rules and Publications Staff, telephone (303) 231-

3432; Fax (303) 231-3385; e-mail: David\_Guzy@mms.gov.; or contact Mike Miller, at (303) 231-3413; e-mail: Mike\_Miller@mms.gov.

MMS will send a detailed agenda for the meeting via facsimile on or before October 30, 1997, to the State and industry working group members listed below. This group originally met with us in October 1996, and members of this working group agreed to make sure those stakeholders whom they represent are appropriately represented at scheduled meetings.

#### *American Petroleum Institute*

Richard McPike, Fina Oil, P.O. Box 2159, Dallas, TX 75221, (214) 750-2820, Fax: (214) 750-2987  
Backup: David Deal, 1220 L Street, N.W., Washington, DC 20005, (202) 682-8261, Fax: (202) 682-8033

#### *Council of Petroleum Accountants Societies*

John Clark, Conoco, P.O. Box 1267, Ponca City, OK 74602-1267, (405) 767-5044, Fax: (405) 767-3686

#### *Domestic Petroleum Council*

Becky McGee, Oryx Energy Company, 13155 Noel Road, Dallas, TX 75240, (972) 715-3198, Fax: (972) 715-8810

#### *Independent Petroleum Association of America*

Ben Dillon, 1101 16th Street, N.W., Washington, DC 20036, (202) 857-4722, Fax: (202) 857-4799

#### *Independent Petroleum Association of Mountain States*

Carla Wilson, 518 17th Street, Denver, CO 80202-4167, (303) 623-0987, Fax: (303) 893-0709

#### *Mid-Continent Oil & Gas Association*

Patty Patten, OXY USA, Inc., 110 W. 7th Street, Tulsa, OK 74137, (918) 561-3703, Fax: (918) 561-4364

Backup: Patricia Dunmire Bragg, Gardere & Wynne, L.L.P., 100 West Fifth Street, 200 Oneck Plaza, Tulsa, OK 74103-4240, (918) 699-2920, Fax: (918) 699-2929

#### *Natural Gas Supply Association*

George Butler, Chevron, P.O. Box 3725, Houston, TX 77213-3725, (713) 754-7809, Fax: (713) 754-3366

#### *Rocky Mountain Oil & Gas Association*

Mary Stonecipher, Amoco Corporation, P.O. Box 591, Tulsa, OK 74102, (918) 581-4354, Fax: (918) 581-4526

Backup: Cliff Dodge, 1775 Sherman Street, Suite 2501, Denver, CO 80203, (303) 860-0099, Fax: (303) 860-0310