

# Proposed Rules

Federal Register

Vol. 64, No. 164

Wednesday, August 25, 1999

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

7 CFR Parts 210, 220, 225, and 226

RIN 0584-AC82

#### Modification of the "Vegetable Protein Products" Requirements for the National School Lunch Program, School Breakfast Program, Summer Food Service Program and Child and Adult Care Food Program—Extension of Public Comment Period

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Proposed rule; extension of public comment period.

**SUMMARY:** The proposed rule entitled Modification of the "Vegetable Protein Products" Requirements for the National School Lunch Program, the School Breakfast Program, the Summer Food Service Program and the Child and Adult Care Food Program was published in the **Federal Register** (64 FR 38839-38844) on July 20, 1999. Public comments were requested to be postmarked on or before September 20, 1999. This action extends the public comment period to November 19, 1999. This extension gives the public additional time to analyze the provisions of the proposed rulemaking and to develop substantive comments which will assist the Department in modifying the requirements regarding "Vegetable Protein Requirements".

**DATES:** To be assured of consideration, comments must be submitted or postmarked on or before November 19, 1999.

**COMMENTS:** Comments may be mailed to: Mr. Robert M. Eadie, 3101 Park Center Drive, Alexandria, Virginia 22302. All written submissions will be available for public inspection in Room 1007, 3101 Park Center Drive, Alexandria, Virginia during regular business hours (8:30 a.m. to 5:30 p.m.), Monday through Friday.

**FOR FURTHER INFORMATION CONTACT:** Contact Ms. Marion Hinnens of Ms. Janice Fabina, at the above address or by

telephone at (703) 305-2621. Copies of the proposed rule are available at the Food and Nutrition Service Web site, located at [www.fns.usda.gov/cnd](http://www.fns.usda.gov/cnd).

#### SUPPLEMENTARY INFORMATION:

##### Background

The Department published the proposed Modification of the "Vegetable Protein Products" Requirements for the National School Lunch Program, the School Breakfast Program, the Summer Food Service Program and the Child and Adult Care Food Program in the **Federal Register** (64 FR 38839-38844) on July 30, 1999. The Department provided a 60-day comment period. Commenters have indicated that the 60-day comment period is not enough to provide a thorough analysis and to develop detailed comments. Furthermore, since the rule was published in July, during summer break for many schools, the comment period would end at the beginning of the new school year, which would not provide school food service personnel adequate opportunity to review the rule and provide their comments.

The Department is eager to ensure that commenters have sufficient time to evaluate the proposal and to develop substantive comments. To achieve this end, the Department will continue to receive comments submitted or postmarked on or before November 19, 1999.

Dated: August 19, 1999.

**George A. Braley,**

*Acting Administrator.*

[FR Doc. 99-22088 Filed 8-24-99; 8:45 am]

BILLING CODE 3410-30-M

## NUCLEAR REGULATORY COMMISSION

### 10 CFR Part 70

#### Public Meeting on 10 CFR Part 70 Rulemaking Activities

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of meeting.

**SUMMARY:** NRC will host a public meeting in Rockville, Maryland. This meeting will be held in two parts. During the first part of the meeting, an overview of the proposed revisions to 10 CFR Part 70 and the associated draft Standard Review Plan will be presented. Comments received to date on the

proposed rule and the draft Standard Review Plan will be discussed during the second part of the meeting.

This meeting will facilitate public comments by presenting an overview of the proposed rule and Standard Review Plan and discussing areas where the Commission is specifically seeking public comments. It will also provide an opportunity to discuss public comments received to date on the proposed rule and Standard Review Plan.

**DATES:** This meeting is scheduled for Tuesday and Wednesday, September 14-15, 1999 from 9:00 am to 4:00 pm. This meeting is open to the public.

**ADDRESSES:** NRC's Licensing Board Hearing Room at Two White Flint North, Room 3B45, 11545 Rockville Pike, Rockville, Maryland. Visitor parking around the NRC building is limited; however, the meeting site is located adjacent to the White Flint Station on the Metro Red Line.

**FOR FURTHER INFORMATION CONTACT:** Theodore S. Sherr, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-7218, e-mail: [tss@nrc.gov](mailto:tss@nrc.gov).

Dated at Rockville, Maryland this 20th Day of August, 1999.

For the Nuclear Regulatory Commission.

**Theodore S. Sherr,**

*Chief, Licensing and International Safeguards Branch, Division of Fuel Cycle Safety and Safeguards, NMSS.*

[FR Doc. 99-22031 Filed 8-24-99; 8:45 am]

BILLING CODE 7590-01-P

## FEDERAL ELECTION COMMISSION

### 11 CFR Part 114

[Notice 1999-14]

#### Rulemaking Petition: Voting Records and Voter Guides Notice of availability

**AGENCY:** Federal Election Commission.

**ACTION:** Rulemaking petition: Notice of availability.

**SUMMARY:** On July 20, 1999, the Commission received a Petition for Rulemaking from James Bopp, Jr., of the James Madison Center for Free Speech, on behalf of the Iowa Right to Life Committee, Inc. The Petition urges the Commission to repeal its rules

addressing voting records and voter guides that are publicly distributed by corporations and labor organizations, an action it calls necessary to conform these rules with a recent court decision. The Petition is available for inspection in the Commission's Public Records Office and through its FAXLINE service.

**DATES:** Statements in support of or in opposition to the Petition must be filed on or before September 24, 1999.

**ADDRESSES:** All comments should be addressed to Rosemary C. Smith, Acting Assistant General Counsel, and must be submitted in either written or electronic form. Written comments should be sent to the Federal Election Commission, 999 E Street, N.W., Washington, DC 20463. Faxed comments should be sent to (202) 219-3923, with printed copy follow-up. Electronic mail comments should be sent to [voterguides@fec.gov](mailto:voterguides@fec.gov). Commenters sending comments by electronic mail should include their full name and postal service address within the text of their comments. Comments that do not contain the full name, electronic mail address and postal service address of the commenter will not be considered.

**FOR FURTHER INFORMATION CONTACT:** Rosemary C. Smith, Acting Assistant General Counsel, or Rita A. Reimer, Attorney, 999 E Street, N.W., Washington, D.C. 20463, (202) 694-1650 or (800) 424-9530 (toll free).

**SUPPLEMENTARY INFORMATION:** The Federal Election Campaign Act at 2 U.S.C. 441b prohibits corporations and labor organizations from using general treasury monies to make contributions or expenditures in connection with Federal elections. Such entities may engage in certain nonpartisan activities, however, including, *inter alia*, the preparation and distribution to the general public of voting records of Members of Congress and voter guides consisting of two or more candidates' positions on campaign issues, as long as certain conditions are met. See 11 CFR 114.4(c)(4) (voting records), 114.4(c)(5) (voter guides).

The Petitioner is asking the Commission to repeal its rules at 11 CFR 114.4(c)(4) and 114.4(c)(5), an action it argues is necessary to conform to the Commission's regulations to the decision of the United States Court of Appeals for the First Circuit in *Clifton v. Federal Election Commission*, 927 F.Supp. 493 (D.Me. 1996), *modified in part and remanded in part*, 114 F.3d 1309 (1st Cir. 1997), *cert. denied*, 118 S.Ct. 1036 (1998). That decision invalidated certain portions of these rules, including the "electioneering

message" standard contained in 11 CFR 114.4(c)(5)(ii) (D) and (E).

Copies of the Petition for Rulemaking are available for public inspection at the Commission's Public Records Office, 999 E Street, N.W., Washington, DC 20463, Monday through Friday between the hours of 9:00 a.m. and 5:00 p.m. Interested persons may also obtain a copy of the Petition by dialing the Commission's FAXLINE service at (202) 501-3413 and following its instructions, at any time of the day and week. Request document #241.

Consideration of the merits of the Petition will be deferred until the close of the comment period. If the Commission decides that the Petition has merit, it may begin a rulemaking proceeding. Any subsequent action taken by the Commission will be announced in the **Federal Register**.

Dated: August 20, 1999.

**Scott E. Thomas,**

*Chairman, Federal Election Commission.*

[FR Doc. 99-21994 Filed 8-24-99; 8:45 am]

BILLING CODE 6715-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-113526-98]

RIN 1545-AW44

#### Arbitrage and Related Restrictions Applicable to Tax-Exempt Bonds Issued by State and Local Governments; Investment-Type Property

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

**ACTION:** Notice of proposed rulemaking and notice of public hearing.

**SUMMARY:** This document contains proposed regulations on the arbitrage and related restrictions applicable to tax-exempt bonds issued by State and local governments. The proposed amendments affect issuers of tax-exempt bonds and provide guidance on the definition of investment-type property to help issuers comply with the arbitrage and related restrictions.

**DATES:** Written comments must be received by December 23, 1999. Outlines of topics to be discussed at the public hearing scheduled for January 12, 2000, at 10 a.m. must be received by December 15, 1999.

**ADDRESSES:** Send submissions to CC:DOM:CORP:R (REG-113526-98), room 5226, Internal Revenue Service,

POB 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand delivered Monday through Friday between the hours of 8 a.m. and 5 p.m. to CC:DOM:CORP:R (REG-113526-98), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC.

Alternatively, taxpayers may submit comments electronically via the Internet by selecting the "Tax Regs" option on the IRS Home Page, or by submitting comments directly to the IRS site at [http://www.irs.ustreas.gov/tax\\_regs/reglist.html](http://www.irs.ustreas.gov/tax_regs/reglist.html). The public hearing is in room 2615, Internal Revenue Building, 1111 Constitution Avenue, N.W., Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Concerning the proposed regulations, Barbara Jane League, (202) 622-3980; concerning submissions of comments, the hearing, and/or requests to be placed on the building access list to attend the hearing, LaNita Van Dyke, (202) 622-7180 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

#### Background

Section 148 of the Internal Revenue Code provides rules addressing the use of proceeds of tax-exempt State and local bonds to acquire higher-yielding investments. On June 18, 1993, final regulations (TD 8476) relating to the arbitrage restrictions and related rules under sections 103, 148, 149, and 150 were published in the **Federal Register** (58 FR 33510). Corrections to these regulations were published in the **Federal Register** on August 23, 1993 (58 FR 44451), May 11, 1994 (59 FR 24350), and July 9, 1999 (64 FR 37037). On May 9, 1997, additional final regulations (TD 8718) relating to the arbitrage restrictions and related rules under sections 103, 148, 149, and 150 were published in the **Federal Register** (62 FR 25502). This document proposes to modify § 1.148-1(e) to clarify which prepayments are investment-type property under section 148(b)(2)(D).

#### Explanation of Provisions

The current regulations, at § 1.148-1(e)(2), provide that prepayments for property or services give rise to investment-type property if a principal purpose for prepaying is to obtain an investment return from the time that the payment is made until the time that payment otherwise would be made. A prepayment does not give rise to investment-type property if (1) the prepayment is made for a substantial business purpose other than investment return and the issuer has no commercially reasonable alternative to the prepayment, or (2) prepayments on