(3) *Earnings that will ordinarily show that the claimant has not engaged in substantial gainful activity.* The Board will generally consider that the earnings from the employed claimant's work will show that the claimant has not engaged in substantial gainful activity if—

| For months | Monthly earnings averaged less than |
|---|---|
| In calendar years before 1976 ... | $130 |
| In calendar year 1976 ..... | 150 |
| In calendar year 1977 ..... | 160 |
| In calendar year 1978 ..... | 170 |
| In calendar year 1979 ..... | 180 |
| In calendar years 1980–1989 ..... | 190 |
| After December 1989 ..... | 300 |

(4) *If the claimant works in a sheltered workshop.* If the claimant is working in a sheltered workshop or a comparable facility especially set up for severely impaired persons, the claimant's earnings and activities will ordinarily establish that the claimant has not done substantial gainful activity if—

| For months | Average monthly earnings are not greater than |
|---|---|
| In calendar years before 1976 ... | $200 |
| In calendar year 1976 ..... | 230 |
| In calendar year 1977 ..... | 240 |
| In calendar 1978 ..... | 260 |
| In calendar year 1979 ..... | 280 |
| In calendar years 1980–1989 ..... | 300 |
| In January 1990–June 1999 ..... | 500 |
| After June 1999 ..... | 700 |

* * * * *

Dated: November 10, 1999.

By authority of the Board.

For the Board.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 99–30074 Filed 11–17–99; 8:45 am]

**BILLING CODE 7905–01–P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

### 21 CFR Part 884

**[Docket No. 97N–0335]**

## Obstetric and Gynecologic Devices; Reclassification and Classification of Medical Devices Used for In Vitro Fertilization and Related Assisted Reproduction Procedures; Technical Amendment

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** The Food and Drug Administration (FDA) is amending its obstetrical and gynecological device regulations regarding assisted reproductive microscopes and microscope accessories. This action is being taken to ensure accuracy and clarity in the agency's regulations.

**EFFECTIVE DATE:** November 18, 1999.

**FOR FURTHER INFORMATION CONTACT:** LaJuana D. Caldwell, Office of Policy (HF–27), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–827–7010.

**SUPPLEMENTARY INFORMATION:** FDA has discovered that an error was incorporated into the agency's obstetrical and gynecological devices regulations for assisted reproductive microscopes and microscope accessories. In an amendment to 21 CFR part 884, which added 21 CFR 884.6190 and published on September 10, 1998 (63 FR 48428), a sentence stating that the device is exempt from the premarket notification procedures was inadvertently included in paragraph (a) instead of paragraph (b). This document corrects that error. Publication of this document constitutes final action under the Administrative Procedure Act (5 U.S.C. 553). FDA has determined that notice and public comment are unnecessary because this amendment is nonsubstantive.

### List of Subjects in 21 CFR Part 884

Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, 21 CFR part 884 is amended as follows:

## PART 884—OBSTETRICAL AND GYNECOLOGICAL DEVICES

1. The authority citation for 21 CFR part 884 continues to read as follows:

**Authority**: 21 CFR U.S.C. 351, 360, 360c, 360e, 360j, 371.

2. Section 884.6190 is amended by removing the last sentence in paragraph (a), and paragraph (b) is revised to read as follows:

**§ 884.6190 Assisted reproductive microsopes and microscope accessories.**

* * * * *

(b) *Classification.* Class 1. This device is exempt from the premarket notification procedures in subpart E of part 807 of chapter subject to limitation in § 884.9.

Dated: November 4, 1999.

**Linda S. Kahan,**

*Deputy Director for Regulations Policy, Center for Devices and Radiological Health.*

[FR Doc. 99–30084 Filed 11–17–99; 8:45 am]

**BILLING CODE 4160–01–F**

## LIBRARY OF CONGRESS

### Copyright Office

### 37 CFR Part 202

**[Docket No.: RM–99–6]**

## Copyright Rules and Regulations

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Technical amendment.

**SUMMARY:** The definition of what is the best edition of a published work is found in 37 CFR 202.19(b)(1)(i). The Copyright Office is amending its regulations to clarify where the public may find a statement on the best edition of published copyrighted works for the collections of the Library of Congress. The statement, which contains the criteria for selection of what constitutes the ''best edition'' of a published work, is located in appendix B of 37 CFR part 202.

**EFFECTIVE DATE:** November 18, 1999.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Marilyn J. Kretsinger, Assistant General Counsel, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707–8380. Fax: (202) 707–8366.

**SUPPLEMENTARY INFORMATION:** Section 407 of the copyright statute requires that the best edition of a published work must be deposited with a copyright registration application so that the Library of Congress may consider whether to select a work for its collections or for other suitable purposes. *See* 37 CFR 202.19. The Copyright Office is now amending its regulation concerning what constitutes