

SUPPLEMENTARY INFORMATION:**Background**

The final regulations that are the subject of this correction are under section 6311 of the Internal Revenue Code.

Need for Correction

As published, TD 8595 contains an error that is in need of clarification.

Correction of Publication

Accordingly, the publication of final regulations which are the subject of FR Doc. 95-10410, is corrected as follows:

On page 20899, column 3, in amendatory instruction "Par. 2.", line 8, the amendatory language "5. Adding paragraphs (d) and (e)." is corrected to read "5. Adding paragraph (d).".

Cynthia E. Grigsby,

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

[FR Doc. 96-7389 Filed 3-27-96; 8:45 am]

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DEPARTMENT OF JUSTICE**Parole Commission****28 CFR Part 2****Paroling, Recommitting, and Supervising Federal Prisoners: Original Jurisdiction Cases**

AGENCY: Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is amending the voting quorum required for initial parole decisions under 28 CFR 2.17. In addition, the appeal from such decisions that is available to prisoners under 28 CFR 2.27 is replaced by a petition for reconsideration. These are the procedures for deciding original jurisdiction cases, which involve high profile and extremely serious offenders. The Commission has determined that both initial decisions and petitions for reconsideration in these cases are appropriately decided by a majority vote of the Commission. These changes are necessary in view of the fact that the Commission is downsizing, and only four Commissioners are currently holding office.

EFFECTIVE DATE: April 1, 1996.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, 5550 Friendship Blvd., Chevy Chase, Maryland 20815, Telephone (301) 492-5959.

SUPPLEMENTARY INFORMATION: This action changes the quorum of Commissioner votes required to decide

on original jurisdiction cases, in keeping with the reduction in the number of U.S. Parole Commissioners from six to four that will become effective April 1, 1996. The early effective date shown above has been ordered by the Commission pursuant to 5 U.S.C. 553(d)(3), and is necessary to permit the Commission to continue making its decisions within statutory deadlines notwithstanding the reduction in the number of Commissioners holding office. This is a procedural change only, and will not implicate the merits of any prisoner's case for parole or affect the way in which hearings are conducted. Hence, notice and public comment is not required. See 5 U.S.C. 553(b)(A). The guidelines at 28 CFR 2.20 will continue to govern the Commission's decisions to grant, deny, and revoke parole.

Implementation

This procedural rule change will apply to all original jurisdiction cases decided under 28 CFR 2.17 or 28 CFR 2.27, after the effective date shown above.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant regulatory action for the purposes of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, probation and parole, prisoners.

The Final Rule

Accordingly, the U.S. Parole Commission makes the following changes to 28 CFR Part 2:

PART 2—[AMENDED]

(1) The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

§ 2.17 [Amended]

(2) 28 CFR Part 2, § 2.17(a) is amended by substituting the words "the concurrence of three votes (or a majority vote of Commissioners holding office if such majority is less than three Commissioners)" for the words "the concurrence of three votes".

(3) 28 CFR Part 2, § 2.17(c)(2) is amended by substituting the words "a petition for reconsideration" for the words "an appeal".

(4) 28 CFR Part 2, § 2.27 is revised to read as follows:

§ 2.27 Petition for reconsideration of original jurisdiction decisions.

(a) A petition for reconsideration may be filed with the Commission in cases decided under the procedure specified in § 2.17 within thirty days of the date of such decision. A form is provided for this purpose. A petition for reconsideration will be reviewed at the next regularly scheduled meeting of the Commission provided the petition is received thirty days in advance of such meeting. Petitions received by the Commission less than thirty days in advance of a regularly scheduled meeting will be reviewed at the next regularly scheduled meeting. The concurrence of three Commissioners (or a majority of Commissioners holding office if such majority is less than three Commissioners) shall be required to render a decision on a petition for reconsideration. In case the required concurrence is not reached, the previous decision shall stand. A decision under this rule shall be final.

(b) Attorneys, relatives, and other interested parties who wish to submit written information concerning a petition for reconsideration should send such information to the National Appeals Board, United States Parole Commission, 5550 Friendship Boulevard, Chevy Chase, Maryland 20815. Petitions and all supporting material are to be submitted thirty days in advance of the meeting at which such petitions will be considered.

(c) If no petition for reconsideration is filed within 30 days of the entry of a decision under § 2.17, that decision shall stand as the final decision of the Commission.

Dated: March 15, 1996.

Edward F. Reilly, Jr.,

Chairman, Parole Commission.

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28 CFR Part 50

[AG ORDER NO. 2013-96]

RIN 1105-AA40

Removal of Procedures for Receipt and Consideration of Written Comments Submitted Under Subsection 2(b) of the Antitrust Procedures and Penalties Act

AGENCY: Department of Justice.