

decision by the Assistant Attorney General. The referral memorandum shall contain a detailed description of the matter, the United States Attorney's recommendation, the agency's recommendation where applicable, and a full statement of the reasons therefor.

Section 3. Return of civil judgment cases to agencies. Claims arising out of judgments in favor of the United States which cannot be permanently closed as uncollectible may be returned to the referring Federal agency for servicing and surveillance whenever all conditions set forth in USAM 4-2.230 have been met.

Section 4. Authority for direct reference and delegation of Civil Division cases to United States Attorneys.

(a) Direct reference to United States Attorneys by agencies. The following civil actions under the jurisdiction of the Assistant Attorney General, Civil Division, may be referred by the agency concerned directly to the United States Attorney for handling in trial courts subject to the limitations imposed by paragraph (c) of this section. United States Attorneys are hereby delegated the authority to take all necessary steps to protect the interests of the United States, without prior approval of the Assistant Attorney General, Civil Division, or his representatives. Agencies may, however, if special handling is desired, refer these cases to the Civil Division. Also, when constitutional questions or other significant issues arise in the course of such litigation, or when an appeal is taken by any party, the Civil Division should be consulted.

(1) Money claims by the United States [except penalties and forfeitures] where the gross amount of the original claim does not exceed \$200,000.

(2) Single family dwelling home foreclosures arising out of loans made or insured by the Department of Housing and Urban Development, the Veterans Administration and the Farmers Home Administration.

(3) Suits to enjoin violations of, and to collect penalties under, the Agricultural Adjustment Act of 1938, 7 U.S.C. 1376, the Packers and Stockyards Act, 7 U.S.C. 203, 207(g), 213, 215, 216, 222, and 228a, the Perishable Agricultural Commodities Act, 1908, 7 U.S.C. 499c(a) and 499h(d), the Egg Products Inspection Act, 21 U.S.C. 1031 *et seq.*, the Potato Research and Promotion Act, 7 U.S.C. 2811 *et seq.*, the Cotton Research and Promotion Act of 1968, 7 U.S.C. 2101 *et seq.*, the Federal Meat Inspection Act, 21 U.S.C. 601 *et seq.*, and the Agricultural Marketing Agreement Act of 1937, as amended, 7 U.S.C. 601 *et seq.*

(4) Suits by social security beneficiaries under the Social Security Act, 42 U.S.C. 402 *et seq.*

(5) Social security disability suits under 42 U.S.C. 423 *et seq.*

(6) Black lung beneficiary suits under the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. 921 *et seq.*

(7) Suits by Medicare beneficiaries under 42 U.S.C. 1395ff.

(8) Garnishment actions authorized by 42 U.S.C. 659 for child support or alimony payments.

(9) Judicial review of actions of the Secretary of Agriculture under the food stamp

program, pursuant to the provisions of 7 U.S.C. 2022 involving retail food stores.

(10) Cases referred by the Department of Labor for the collection of penalties or for injunctive action under the Fair Labor Standards Act of 1938 and the Occupational Safety and Health Act of 1970.

(11) Cases referred by the Department of Labor solely for the collection of civil penalties under the Farm Labor Contractor Registration Act of 1963, 7 U.S.C. 2048(b).

(12) Cases referred by the Interstate Commerce Commission to enforce orders of the Interstate Commerce Commission or to enjoin or suspend such orders pursuant to 28 U.S.C. 1336.

(13) Cases referred by the United States Postal Service for injunctive relief under the nonmailable matter laws, 39 U.S.C. 3001 *et seq.*

(b) Delegation to United States Attorneys. Upon the recommendation of the appropriate Director, the Assistant Attorney General, Civil Division, may delegate to United States Attorneys the compromise or suit authority involving any claims or suits involving amounts up to \$750,000 where the circumstances warrant such delegations. All delegations pursuant to this subsection shall be in writing and no United States Attorney shall have authority to compromise or close any such delegated case or claim except as is specified in the required written delegation or in section 1(c) of this directive. The limitations of section 1(c) of this directive also remain applicable in any case or claim delegated hereunder.

(c) Cases not covered. Regardless of the amount in controversy, the following matters normally will not be delegated to United States Attorneys for handling but will be retained and personally handled or supervised by the appropriate Branch or Office within the Civil Division:

(1) Civil actions in the Claims Court.

(2) Cases with the jurisdiction of the Commercial Litigation Branch involving patents, trademarks, copyrights, etc.

(3) Cases before the United States Court of International Trade.

(4) Any case involving bribery, conflict of interest, breach of fiduciary duty, breach of employment contract, or exploitation of public office or any fraud or False Claims Act case where the amount of single damages, plus forfeitures, if any, exceeds \$200,000.

(5) Any case involving vessel-caused pollution in navigable waters.

(6) Cases on appeal, except as determined by the Director of the Appellate Staff.

(7) Any case involving litigation in a foreign court.

(8) Criminal proceedings arising under statutes enforced by the Food and Drug Administration, the Consumer Product Safety Commission, the Federal Trade Commission, and the National Highway Traffic Safety Administration (relating to odometer tampering), except as determined by the Director of the Office of Consumer Litigation.

(9) Nonmonetary civil cases, including injunction suits, declaratory judgment actions, and applications for inspection warrants, and cases seeking civil penalties, arising under statutes enforced by the Food and Drug Administration, the Consumer

Product Safety Commission, the Federal Trade Commission, and the National Highway Traffic Safety Administration (relating to odometer tampering), except as determined by the Director of the Office of Consumer Litigation.

Section 5. Adverse decisions. All final judicial decisions adverse to the Government involving any direct reference or delegated case must be reported promptly to the Assistant Attorney General, Civil Division, attention Director, Appellate Staff. Consult Title 2 of the United States Attorney's Manual for procedures and time limitations.

Section 6. This directive supersedes Civil Division Directive No. 145-81 regarding redelegation of the Assistant Attorney General's authority in Civil Division cases to branch directors, heads of offices, and United States Attorneys.

Section 7. This directive applies to all cases pending as of the date of this directive and is effective immediately.

Dated: February 3, 1988.

Richard K. Willard,

Assistant Attorney General, Civil Division.

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Parts 202, 203, 206, 207, 210, and 241

Oil and Gas Product Valuation Regulations

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Announcement of training sessions.

SUMMARY: The Minerals Management Service (MMS) hereby gives notice that it will conduct training seminars at the locations and on the dates identified below, on the new oil and gas product valuation regulations that were published in the Federal Register on January 15, 1988 (53 FR 1184 and 53 FR 1230, respectively). The seminars will also include a discussion of Pub. L. 100-234, "Notice to Lessees Numbered 5 Gas Royalty Act of 1987," which was signed by the President of the United States on January 6, 1988. All payors and operators on Federal and Indian leases were informed of these training seminars in a letter dated February 3, 1988.

DATES: See Supplementary Information.

FOR FURTHER INFORMATION CONTACT: John L. Price, Chief, Oil and Gas Valuation Branch, Royalty Valuation and Standards Division, (303) 231-3392, FTS 326-3392, or Dennis C. Whitcomb,

Chief, Rules and Procedures Branch,
(303) 231-3432, FTS 328-3432.

SUPPLEMENTARY INFORMATION: The new oil and gas product valuation regulations that were published in the *Federal Register* on January 15, 1988, amended and clarified existing regulations governing the valuation of oil and gas for royalty computation purposes. The regulations govern the methods by which value is determined when computing oil or gas royalties and net profit shares under Federal (onshore or Outer Continental Shelf) and Indian (Tribal and allotted) oil and gas leases (except leases on the Osage Indian Reservation, Osage County, Oklahoma). Public Law 100-234, "Notice to Lessees Numbered 5 Gas Royalty Act of 1987" (the Act) applies to the valuation of natural gas produced from onshore Federal and Indian oil and gas leases during the period January 1, 1982, through July 31, 1986, which was, prior to the Act, required to be valued under Section I.A.2, II.A.2, and VI of "Notice to Lessees and Operators of Federal and Indian Onshore Oil and Gas Leases" (NTL-5).

The training seminars will include discussions on the following topics:

- Impact of Pub. L. 100-234 on gas valuation.
- Impact of the new regulations on oil and gas valuation.
- Impact of the new regulations on oil and gas transportation and processing allowances.
- Information collection requirements and reporting forms (MMS-4109, "Gas Processing Allowance Summary Report"; MMS-4110, "Oil Transportation Allowance Report"; and MMS-4295, "Gas Transportation Allowance Report") required to support oil and gas transportation and processing allowance deductions from royalties due. On the second day of each seminar, the forms will be reviewed in a "how to complete," step-by-step process.

Location and Dates: The seminars will be held from 9:00 a.m. to 4:30 p.m. each day on the dates and at the locations shown below:

Dates	Locations
Feb. 23-24, 1988	Holiday Inn Denver West, 14707 West Colfax, Golden, Colorado 80401, Phone: (303) 279-7611
Mar. 2-3, 1988	Holiday Inn Houston Intercontinental Airport, 3702 North Belt East, Houston, Texas 77032, (713) 449-2311
Mar. 9-10, 1988	New Orleans Ramada Inn Airport, 2610 Williams Blvd., Kenner, Louisiana 70061, Phone: (504) 466-1401

Dates	Locations
Mar. 17-18, 1988	Holiday Inn Great South West, Highway 360 at Brown Blvd., Arlington, Texas 76011, Phone: (817) 640-7712
Mar. 23-24, 1988	Sheraton Inn Tulsa Airport, 2201 N. 77 E. Avenue, Tulsa, Oklahoma 74115, Phone: (918) 835-9911
Mar. 28-29, 1988	Chevron U.S.C., Inc., 2003 Diamond Blvd., Concord, California 94520
Mar. 31-Apr. 1, 1988	Ramada Inn, 3535 Rosedale Highway, Bakersfield, California 93308, Phone: (805) 327-0681

Reservations: Persons interested in attending one of these seminars should make a reservation by telephone on or before February 17, 1988, to Ms. Julie White, (303) 231-3155, FTS 328-3155.

Telephone reservations should be confirmed in writing to Ms. Julie White, Minerals Management Service, Royalty Valuation and Standards Division, P.O. Box 25165, MS 653, Denver, Colorado 80225.

Persons requesting reservations should specify the seminar location that they are interested in attending and the number of attendees. Due to space limitations, the number of attendees may be limited at each seminar location. (Likewise, if insufficient interest is shown in attending any of the individual training sessions, such sessions may be canceled and alternate arrangements will be made for those who expressed interest.) Reservations will be provided on a first-come-first-served basis.

Date: February 5, 1988.

Jerry D. Hill,
Associate Director for Royalty Management.
[FR Doc. 88-2867 Filed 2-10-88; 8:45 am]
BILLING CODE 4310-MW-M

30 CFR Part 206

Oil and Gas Royalty Valuation, Transportation and Processing Allowances

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notification of information collection requirements.

SUMMARY: The Minerals Management Service (MMS) published new oil and gas product valuation regulations in the *Federal Register* on January 15, 1988 (53 FR 1184 and 53 FR 1230, respectively), with an effective date of March 1, 1988, for both regulations. These regulations require information collection by MMS to monitor and review transportation and processing allowances that may be

claimed as a deduction from royalty payments due on Federal and Indian lands. The information collection requirements and reporting forms (MMS-4109, "Gas Processing Allowance Summary Report," MMS-4110, "Oil Transportation Allowance Report," and MMS-4295, "Gas Transportation Allowance Report") have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.*

Notice is hereby given that payors who claim transportation or processing allowance deductions for royalty reporting periods after March 1, 1988, are required to report certain information to MMS on the Forms MMS-4109, -4110, and -4295 as applicable. All payors of royalties were informed of this requirement in a letter dated February 4, 1988. Copies of the required reports may be obtained from the address identified in the **ADDRESS** section below.

DATE: The information collection requirements are effective for royalty reporting periods after March 1, 1988, for which transportation and/or processing allowance deductions are claimed.

ADDRESS: Copies of Forms MMS-4109, -4110, and -4295 may be obtained by written or verbal request to the following office: Minerals Management Program, Royalty Management Program, Royalty Valuation and Standards Division, Denver Federal Center, Bldg. 41, P.O. Box 25165, MS-653, Denver, Colorado 80225, Telephone 303-231-3063.

FOR FURTHER INFORMATION CONTACT: Stanley J. Brown, Chief, Transportation and Processing Valuation Branch, Royalty Valuation and Standards Division, (303) 231-3063, (FTS) 328-3063, or Dennis C. Whitcomb, Chief, Rules and Procedures Branch, (303) 231-3432, (FTS) 328-3432.

SUPPLEMENTARY INFORMATION: The information collection requirements are contained in §§ 206.105, 206.157, and 206.159 of the new product valuation regulations at 30 CFR Part 206. If a payor claims a transportation or processing allowance, as a deduction from royalties due, the applicable report is due to MMS by the end of the month in which the allowance is claimed on Form MMS-2014.

The information is being collected by the Department of the Interior to meet its congressionally mandated accounting and audit responsibilities relating to Federal and Indian mineral royalty management.

Dated: February 5, 1988.

Jerry D. Hill,
Associate Director for Royalty Management.
[FR Doc. 88-2868 Filed 2-10-88; 8:45 am]
BILLING CODE: 4310-MR-M

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 931

Approval of Permanent Program Amendments for the State of New Mexico Under the Surface Mining Control and Reclamation Act of 1977

AGENCY: Office of Surface Mining Reclamation and Enforcement (OSMRE), Interior.

ACTION: Final rule.

SUMMARY: OSMRE is announcing approval of amendments to the New Mexico Permanent Regulatory Program (hereinafter referred to as the New Mexico program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The amendments pertain to extending the time set for abatement of a notice of violation.

EFFECTIVE DATE: February 11, 1988.

FOR FURTHER INFORMATION CONTACT: Robert H. Hagen, Director, Albuquerque Field Office, Office of Surface Mining Reclamation and Enforcement, 625 Silver Avenue SW., Suite 310, Albuquerque, NM 87102, Telephone: (505) 766-1486.

SUPPLEMENTARY INFORMATION:

I. Background

The New Mexico program was conditionally approved by the Secretary of the Interior, effective December 31, 1980, by notice published in the Federal Register (46 FR 86459). Information regarding the general background, revisions, modifications, and amendments to the New Mexico program submission, as well as the Secretary's findings, the disposition of comments, and a detailed explanation of the conditions of approval of the New Mexico program, can also be found in the December 31, 1980 Federal Register.

Actions taken subsequent to the approval of the New Mexico program concerning the conditions of approval, regulations disapproved in accordance with court order, preempted laws and regulations, approved amendments, and required amendments, can be found at 30 CFR 931.11, 931.12, 931.13, 931.15, and 931.16.

II. Discussion of the Amendments

The Coal Surface Mining Commission

(CSMC) Rule 80-1, section 30-12(c), requires that the total time for abatement under a notice of violation, including all extensions, shall not exceed 90 days from the date of issuance. By letter dated August 12, 1987, (Administrative Record No. NM-371) the New Mexico Mining and Minerals Division submitted a proposed amendment regarding the extension of abatement dates for notices of violation for periods exceeding 90 days when failure to meet the time previously set was not caused by lack of diligence on the part of the permittee. New Mexico proposes to accomplish this regulatory change by deleting the current language found at section 30-12(c) of its program and replacing it with language that is substantially identical to the Federal language found at 30 CFR 843.12(c) and 843.12(f) through 843.12(i). New Mexico proposes to codify this amended language as section 30-12(c) through (h), and recodify existing section 30-12(d) through (g) as 30-12(i) through (l).

On September 9, 1987, OSMRE published a notice of receipt of the amendments in the Federal Register and invited public comment on the adequacy of the proposed amendments (52 FR 33956). This notice stated that a public hearing would be held only if requested. Since there were no requests for a hearing, a hearing was not held. The comment period closed on October 9, 1987, and comments from one agency were received.

III. Director's Findings

The Director finds, in accordance with SMCRA, 30 CFR 732.15, and 30 CFR 732.17, that the program amendments submitted by New Mexico on August 12, 1987, meet the requirements of SMCRA and 30 CFR Chapter VII as discussed in the findings below. The Director is approving the rules with the provision that they be fully promulgated in identical form to the rules submitted to and reviewed by OSMRE and the public.

New Mexico CSMC Rule 80-1, Section 30-12

These amendments provide for the extension of abatement dates for notices of violation for periods exceeding 90 days when failure to meet the time previously set was not caused by lack of diligence on the part of the permittee.

The amendments proposed by New Mexico are substantially identical to the Federal requirements found at 30 CFR 843.12(c) and 843.12(f) through 843.12(i). Therefore, the Director finds that the

amendments are in accordance with SMCRA and are not less effective than the Federal regulations.

IV. Public Comments

Mostly editorial comments were received from the Mine Safety and Health Administration (MSHA) recommending that several changes be made to the proposed amendments. However, MSHA did suggest replacing the phrase "surface coal mining operation" found at 30-12(d) with the phrase "mine operator." This cannot be accomplished as "surface coal mining operation" is defined at 30 CFR 700.5 of OSMRE's regulations and is used extensively throughout those regulations as well as the New Mexico program. Because the language proposed by New Mexico is substantially identical to the existing Federal language of 30 CFR, New Mexico's proposed amendments are being approved as submitted.

Acknowledgements of OSMRE request for comments were received from the following Federal agencies: the Soil Conservation Service, the Mine Safety and Health Administration, the Bureau of Land Management, the National Park Service, the Fish and Wildlife Service, the Forest Service, the Bureau of Mines, the Minerals Management Service, and the Environmental Protection Agency. This disclosure of Federal agency comments is made pursuant to section 503(b)(1) of SMCRA and 30 CFR 732.17(h)(10)(i).

V. Director's Decision

The Director, based on the above findings, is approving the amendments as submitted by New Mexico on August 12, 1987. The Director is amending Part 931 of Chapter VII to reflect approval of the State program amendments. As noted above, the rules will not take effect for purposes of the New Mexico program until the revised rules have been promulgated as final rules in New Mexico.

VI. Procedural Matters

1. Compliance With the National Environmental Policy Act

The Secretary has determined that pursuant to section 702(d) of SMCRA, 30 U.S.C. 1292(d), no environmental impact statement need be prepared on this rulemaking.

2. Executive Order No. 12291 and the Regulatory Flexibility Act

On August 28, 1981, the Office of Management and Budget (OMB) granted OSMRE an exemption from sections 3, 4,