

acquisition of the stock of the Aberdeen and Briar Patch Railway Company (ABP Railway), of Pinehurst, NC from ABP Management Corporation. Formyduval currently owns 77 percent of the Warrenton Railroad Company, of Warrenton, NC (Warrenton Railroad).

This transaction does not involve a class I rail carrier, is an acquisition of a nonconnecting carrier, and does not look toward ultimate connection of the lines and is, thus, within that class of transactions considered exempt under 49 CFR 1180.2(d)(2).

As a condition to use of the exemption, any ABP Railway or Warrenton Railroad employee affected by the acquisition will be protected by the conditions set forth in *New York Dock Ry.—Control—Brooklyn Eastern Dist.*, 360 I.C.C. 60 (1979). This will satisfy the statutory requirements of 49 U.S.C. 10505(g)(2).

Decided: October 19, 1983.

By the Commission, Heber P. Hardy,
Director, Office of Proceedings.

Agatha L. Mergenovich,
Secretary.

[FR Doc. 83-29207 Filed 10-26-83; 8:45 am]
BILLING CODE 7035-01-M

DEPARTMENT OF JUSTICE

Office of the Secretary

Information Collections Under Review

OMB has been sent for review the following proposals for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35) since the last list was published. The list has all the entries grouped into new forms, revisions, or extensions. Each entry contains the following information:

(1) The name and telephone number of the agency Clearance Officer (from whom a copy of the form and supporting documents is available); (2) The office of the agency issuing this form; (3) The title of the form; (4) The agency form number, if applicable; (5) How often the form must be filled out; (6) Who will be required or asked to report; (7) An estimate of the number of responses; (8) An estimate of the total number of hours needed to fill out the form; (9) An indication of whether Section 3504(H) of Pub. L. 96-511 applies; (10) The name and telephone number of the person or office responsible for OMB review. Copies of the proposed forms and supporting documents may be obtained from the Agency Clearance Officer whose name and telephone number appear under the agency name. Comments and questions about the

items on this list should be directed to the reviewer listed at the end of each entry and to the Agency Clearance Officer. If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the reviewer and the Agency Clearance Officer of your intent as early as possible.

Department of Justice

Agency Clearance Officer Larry E. Miesse—202-633-4312

Extension of the Expiration Date of a Currently Approved Collection Without any Change in the Substance or in the Method of Collection

- Immigration and Naturalization Service, Department of Justice
Application for Waiver of the Foreign Residence Requirement of section 212(e) of the I&N Act

On occasion

Individuals or households

Provides for obtaining information under Section 212(e) of the Immigration and Nationality Act for application for the granting of a waiver of foreign residence requirements under certain conditions: 1,300 respondents; 433 hours; not applicable under 3504(h)

Rob Veeder—395-4814

- Immigration and Naturalization Service, Department of Justice
Application for Removal

On occasion

Individuals or Households

Used to determine the eligibility of an applicant under section 250 of the I&N Act, which provides that an alien in the United States who has fallen into distress or needs public aid, may apply for removal from the United States: 22 respondents; 4 hours; not applicable under 3504(h)

Rob Veeder—395-4814

- Immigration and Naturalization Service, Department of Justice
Application by Refugees for waiver of Grounds of Excludability

On occasion

Individuals or households

Application required to implement the waiver of excludability provisions in the Refugee Act of 1980. Data used to determine eligibility for waiver and to report to the Congress the reasons for granting such waivers: 2,500 respondents; 625 hours; not applicable under 3504(h)

Rob Veeder—395-4814

Reinstatement of a Previously Approved Collection for Which Approval Has Expired

- National Institute of Justice/National Criminal Justice Reference Center, Department of Justice
Directory of Criminal Justice Information Sources Entry Questionnaire

Biennially

State or local governments, businesses or other for-profit, non-profit institutions

Facilitates information exchange among criminal justice professionals and other interested parties. This centralized listing of organizations providing information services in various criminal justice areas includes a description of each agency, its areas of interest and activity, user restrictions, and contract information: 125 respondents; 37.5 hours; not applicable under 3504(h).

Rob Veeder—395-4814

New Collection

- Bureau of Justice Statistics, Department of Justice
Victimization Risk Supplement (VRS) to the National Crime Survey (NCS)

On occasion

Individuals or households

Used to collect data on lifestyle variables which may affect a person's vulnerability to crime victimization: 22,464 respondents; 3,744 hours; not applicable under 3504(h)

Rob Veeder—395-4814

Dated: October 21, 1983.

Larry E. Miesse,

Agency Clearance Officer, Department of Justice.

[FR Doc. 83-29168 Filed 10-26-83; 8:45 am]

BILLING CODE 4410-01-M

LEGAL SERVICES CORPORATION

Recipient Fund Balances; Instruction

AGENCY: Legal Services Corporation.

ACTION: Instruction on recipient fund balances 83-4.

SUMMARY: The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355(a) 88 Statute 378, 42 U.S.C. 2996 et. seq., as amended, Pub. L. 95-222 (December 28, 1977). Section 1008(e) of the Legal Services Corporation Act provides:

The Corporation shall afford notice and reasonable opportunity for comment to interested parties prior to issuing rules, regulations, and guidelines, and it shall publish in the Federal Register at least 30

days prior to their effective date all its rules, regulations, guidelines, and instructions.

The Legal Services Corporation hereby publishes LSC Instruction 83-4, Recipient Fund Balances.

EFFECTIVE DATE: November 28, 1983.

FOR FURTHER INFORMATION CONTACT: Gail Francis, Director, Grants and Budget Unit, Office of Field Services, Legal Services Corporation, 733 Fifteenth Street, N.W., Washington, D.C. 20005; (202) 272-4080.

Fund Balance Instruction

I. Purpose

The purpose of this Instruction is to provide notice and direction to recipients of Legal Services Corporation funding. The objective is to ensure the timely allocation of Corporation funds for the effective and economical provision of high quality legal assistance to eligible clients. To that end, recipients will henceforth be permitted to maintain and reprogram from year to year fund balances of no more than 10% of their Legal Services Corporation support.

A waiver of this provision to a maximum of 25% may be obtained under certain conditions. Funds carried over in excess of 10% or the level permitted by a specific waiver will be recovered as set forth in Section III—Policy.

II. Definitions

A. LSC "support" for the reporting period shall be defined as the sum of: (1) The annualized LSC grant awards; (2) any investment of derivative income earned which is attributable to any annualized Corporation grants (interest, rents, etc.); and (3) reimbursements or recoveries of attorney fees, proceeds from the sale of assets, or other compensation or income related to any annualized Corporation grants.

B. The LSC "fund balance amount" shall be determined solely by reference to the recipient's annual audit. (The fund balance reported in the recipient's annual audit is subject to review and approval by the Corporation's Audit Division. Non-compliance with provisions of the Corporation's *Audit and Accounting Guide for Recipients and Auditors* may result in an increase or decrease in the fund balance as reported in the audit.)

C. The "fund balance percentage" shall be determined by expressing the fund balance amount as a percentage of the recipient's LSC support for the reporting period.

III. Policy

A. In the absence of a waiver from the Corporation, any fund balance amount in excess of 10 percent of support shall

be repaid to the Corporation in a lump sum or by a mutually agreeable payment plan. The payment plan may be accomplished by pro rata deductions from the recipient's grant checks for a specific number of months.

B. After the Corporation's receipt and review of the recipient's annual audit, written notice regarding any such reduction and/or deduction relating to the fund balance shall be provided to the recipient 30 days prior to such reduction and/or deduction being made.

C. In no way shall any such reduction and/or deduction be construed to permanently affect the annualized funding level of such recipient.

D. "Recipient" as used in this part means any recipient as defined as Section 1002(6) of the LSC Act and any grantee or contractor receiving funds from the Corporation under Section 1006(a)(1)(B) or 1006(a)(3) of the Act.

E. A waiver of the 10 percent ceiling may be granted at the discretion of the Corporation in extraordinary circumstances; such waivers may be granted by the Corporation to a maximum of 25 percent. Further, in addition to the established 10 percent ceiling, recipients who operate compensated private bar programs or components shall be granted a waiver to allow them to maintain carryover not to exceed 25 percent of the expense for attorneys fees as reported in the current audit, provided that the carryover is utilized to fund a cash reserve or encumbrance system for payment of attorney fees. Under no circumstances will a recipient be allowed to retain a fund balance in excess of 25 percent of support.

F. All one-time or special purpose grants awarded by the Corporation shall have an effective date and a termination date. Such grants are not subject to this fund balance policy. Revenue and expenses relating to such grants must be reported separately in the year-end audit. This may be done by establishing a separate fund or by providing a separate supplemental schedule of revenue and expenses related to such grants as a part of the audit.

No funds awarded under one-time or special purpose grants may be expended subsequent to the termination date of the grant without the prior written approval of the Corporation. All unexpended funds under such grants must be returned to the Corporation.

IV. Process

A. Any recipient whose audited fund balance exceeds the ceiling set forth in Section I of this Instruction shall submit to the Corporation, within 120 days after the close of its fiscal year, a statement

of the fund balance which occurred according to the annual audit required by Section 1009(c)(1) of the Legal Services Corporation Act, as amended. The funds will be recovered as set forth in Section III of the Instruction unless excluded by a specific waiver.

B. The recipient may, within 120 days after the close of its fiscal year, apply to the Grants and Budget Unit of the Corporation for a waiver of the 10 percent ceiling.

Such application must specify:

- (1) The fund balance amount according to the recipient's annual audit;
- (2) The reason that such fund balance has been attained;
- (3) The recipient's plan for the disposition or reserve of such fund balance amount;
- (4) The amount of fund balance projected to be carried forward at the close of the recipient's then current fiscal year; and
- (5) The extraordinary circumstances justifying the retention of the fund balance.

C. The decision of the Grants and Budget Unit regarding the granting of a waiver shall be guided by the statutory mandate requiring the provision of high quality services in an effective and economical manner. Special consideration will be given for:

- (1) Emergencies, unusual occurrences, or other extraordinary circumstances giving rise to the existence of a fund balance in excess of 10 percent, and the special needs of clients;
- (2) The need for a recipient which operates a compensated private bar program or component to maintain a cash reserve.

Dated: October 24, 1983.

Gregg L. Hartley,
Director, Office of Field Services.

[FR Doc. 83-29183 Filed 10-26-83; 8:45 am]
BILLING CODE 6820-35-M

NATIONAL SCIENCE FOUNDATION

Permit Applications Received Under the Antarctic Conservation Act of 1978

AGENCY: National Science Foundation.
ACTION: Notice of Permit Applications Received Under Antarctic Conservation Act of 1978, Pub. L. 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act of 1978 at Title 45 Part 670 of the Code of Federal