obtained as a result of the predecision notice or interview, or both.

(4) In the reconsideration elimination model, we will modify the disability determination process by eliminating the reconsideration step of the administrative review process. If you receive an initial determination on your claim for SSI payments based on disability, and you are dissatisfied with the determination, we will notify you that you may request a hearing before an administrative law judge. If you request a hearing before an administrative law judge, we will apply our usual procedures contained in subpart N of this part.

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#### **DEPARTMENT OF DEFENSE**

### Office of the Secretary

# 32 CFR Parts 83 and 84

[DoD Directive 5500.7 and DoD 5500.7-R; 0790-AG12, and 0790-AF83]

## Standards of Conduct and Joint Ethics Regulation

**AGENCY:** Office of the Secretary of Defense, DoD.

ACTION: Final rule and request for comments.

**SUMMARY:** The changes to these parts, concerning standards of conduct and joint ethics, correct typographical errors and update the regulations in accordance with changes to related statutes. The changes are intended to keep these parts current.

DATES: These changes are effective November 2, 1994. Comments must be received no later than June 23, 1995.

**ADDRESSES:** Forward comments to DoD Standards of Conduct Office, Office of General Counsel, 1600 Defense Pentagon, Washington, DC 20301–1600.

FOR FURTHER INFORMATION CONTACT:

Randi Elizabeth DuFresne, DoD Standards of Conduct Office, (703) 697-5305, FAX (703) 697-1640.

**SUPPLEMENTARY INFORMATION:** On March 21, 1994, the Department of Defense published a final rule and request for comments on Standards of Conduct and Joint Ethics Regulation. See 59 FR 13212 and 13213. Two public comments were received. Both expressed appreciation of the regulation and required no further action.

### **Executive Order 12866**

It has been determined that these are not significant changes as defined under section 3(f)(1) through 3(f)(4) of Executive Order 12866.

## **Regulatory Flexibility Act**

It has been certified that these changes are not subject to the Regulatory Flexibility Act (5 U.S.C. chapter 6) because they do not have a significant economic impact on a substantial number of small entities. The changes affects only DoD employees and are to update existing regulations in keeping with changes to related statutes.

# **Paperwork Reduction Act**

It has been certified that these changes impose no reporting or record keeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501-3502).

# List of Subjects in 32 CFR Parts 83 and

Conflicts of interest, Government procurement.

Accordingly, 32 CFR parts 83 and 84 are amended as follows:

## PART 83—[AMENDED]

1. The authority citation for part 83 continues to read as follows:

Authority: 5 U.S.C., 301, 7301, 7351, 7353; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215 as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR part 2635.

### §83.1 [Amended]

2. Section 83.1(c) is amended by removing "August 1989."

## PART 84—[AMENDED]

1. The authority citation for part 84 continues to read as follows:

Authority: 5 U.S.C., 301, 7301, 7351, 7353; 5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674, 54 FR 15159, 3 CFR, 1989 Comp., p. 215 as modified by E.O. 12731, 55 FR 42547, 3 CFR, 1990 Comp., p. 306; 5 CFR part 2635.

## §84.4 [Amended]

- 2. Section 84.4 is amended in paragraphs (a)(1) and (a)(4) after the acronyms "DAEO" by adding "or designee".
- 3. Section 84.7 is amended in paragraph (c)(1) by removing "735.208" and adding in its place "735.201", in paragraph (c)(3) by removing "406" adding in its place "40b"; and by revising paragraph (c)(1)(ii), by removing the period at the end of paragraph (c)(1)(iii) and adding ";or" and by adding paragraph (c)(1)(iv) to read as follows:

### §84.7 DoD guidance.

\* \*

- (c) \* \* \*
- (1) \* \* \*
- (ii) Activities by organizations composed primarily of DoD employees or their dependents for the benefit of welfare funds for their own members or for the benefit of other DoD employees or their dependents, subject to the limitations of local law and of § 84.9(k) and (l), when approved by the Head of the DoD Component or designee;

(iv) Purchases of lottery tickets authorized by any State from blind vendors licensed to operate vending facilities in accordance with 20 U.S.C. 107a(5).

4. Section 84.9 is amended in paragraph (b) after the word "entities" by removing the word "where" and adding in its place "when appointed by the head of the DoD Component command or organization who determines"; in paragraph (k)(1)(vi) after the word "composed" by adding ''primarily''; in paragraph (k)(2) by revising "paragraph (d)" to read "paragraph (f)"; in paragraph (l)(1) introductory text by revising "DoD equipment" to read "DoD facilities and equipment"; in paragraph (l)(1)(ii) after the word "event" by adding "(OPM generally has no objection to support of events that do not specifically target Federal employees for fundraising)"; and by revising paragraphs (l)(1)(vi), (l)(1)(vii) and (m) introductory text to read as follows:

### §84.9 Official participation in non-Federal entities.

(1) \* \* \*

(1) \* \* \*

(vi) The DoD Component command or organization is able and willing to provide the same support to comparable events that meet the criteria of this subsection and are sponsored by other similar non-Federal entities;

(viii) Except for a charitable fundraising event that meets all other criteria for DoD participation, no admission fee (beyond what will cover the reasonable costs of sponsoring the event) is charged for the event, no admission fee (beyond what will cover the reasonable costs of sponsoring the event) is charged for the portion of the event supported by the DoD, or DoD support to the event is incidental to the entire event in accordance with public affairs guidance.