

divestiture and incurring civil penalties for failure to make a timely divestiture.

Attempts to define in advance the field of eligible acquirers under a divestiture order are unnecessary, at best, potentially inefficient and possibly even anticompetitive. It is an inefficient use of resources to attempt to assess in advance the competitive effects of a transaction that Devro might or might not propose (especially if the exclusion covers more than one firm), even if the transaction-specific information necessary to our merger analysis were available. As a practical matter, any such exclusions will be based on something less than an adequate factual examination of the various possible proposed divestitures and will necessarily involve the risk of excluding firms that might have been acceptable and even procompetitive acquirers. That risk is unnecessary and should be unacceptable in view of the requirement to obtain the Commission's approval before any divestiture can take place and the availability of other sanctions for failing to make a timely divestiture.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Aging

Statement of Organization, Functions, and Delegations of Authority

This notice amends Part B of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services (HHS), Administration on Aging (AoA), as follows: continues the Office of the Assistant Secretary for Aging; establishes two Offices, the Office of Program Operations and Development, and the Office of Governmental Affairs and Elder Rights; the operating grant programs (Titles III and VI) and the developmental grant program (Title IV) are placed under the Office of Program Operations and Development; all inter- and intra-governmental cooperative programs, domestic and international, as well as the elder rights services of Titles II and VII are placed under the Office of Governmental Affairs and Elder Rights; the executive secretariat and policy coordination functions are moved to the Office of the Assistant Secretary; supervision of the Regional Offices is moved to the Director, Office of Program Operations and Development; planning functions are moved to the Office of Management; and the former Office of

the Deputy Assistant Secretary for Program Operations and Intergovernmental Affairs, Office of the Deputy Assistant Secretary for Program Development and Elder Rights Programs, Office of Field Operations, and Office of Policy Coordination and Analysis and the division structure under the Office of State and Community Programs and the sub-offices under the Office of Program Development are abolished.

The language to implement these changes is as follows: Part B, Chapter B, "The Administration on Aging," as published in the Federal Register on September 13, 1991 (56 FR 46620); amended on December 24, 1992 (57 FR 61433); and further amended on March 2, 1993 (58 FR 12040) is amended as follows.

Delete B.00 and replace with the following:

B.00 Mission

The Administration on Aging, an Operating Division of the Department of Health and Human Services, is the principal agency designated to carry out the provisions of the Older Americans Act ("OAA" or "The Act") of 1965, as amended, 42 U.S.C. 3001 *et seq.* Serves as the effective and visible advocate for older persons within the Department of Health and Human Services and with other Federal departments and agencies. Directly assists the Secretary in all matters pertaining to problems of the aging. Advocates for the needs of older persons in program planning and policy development within the Department and in other Federal agencies. Gives priority to older persons in greatest economic or social need. Develops standards and issues best practice guidelines; disseminates information; provides technical assistance; and initiates policy related to services funded by the Department and provided to older persons. Advises the Secretary, Department components and other Federal departments and agencies on the characteristics, circumstances and needs of older people and develops policies, plans and programs designed to promote their welfare; under Title III of the Act (45 CFR Part 1321) administers a program of formula grants to States to establish State and community programs for older persons; administers a program of grants to American Indians, Alaskan Natives and Native Hawaiians to establish programs for older Native Americans under Title VI of the Act (45 CFR parts 1326 and 1328). Provides policy and procedural direction, advice and assistance to States and Native American grantees to promote the development of State and

Native American administered, community-based systems of comprehensive social services for older persons. Administers long term care ombudsman and protective services programs, legal services development programs, and outreach, counseling and assistance programs for older people under Title VII of the Act. Approves or disapproves State plans and Native American funding applications. Administers programs of training, research and demonstration under Title IV of the Act. Administers national centers for service development and assistance, and information dissemination benefitting older persons. Promotes through the State and Area Agencies on Aging and Indian Tribal Organizations a national community-based long term care program for older persons. Develops and issues program designs, guidelines, standards and assistance to State and Area Agencies, Indian Tribal Organizations and nutrition providers to support Titles III and VI nutrition services and disseminate nutrition education material.

Delete B.10 and replace with the following:

B.10 Organization

The Administration on Aging is headed by the Assistant Secretary for Aging and consists of:

- Office of the Assistant Secretary
- Congressional and White House Liaison
- Executive Secretariat and Policy Coordination
- Office of Governmental Affairs and Elder Rights
- Office of Elder Rights Protection
- Office of Management
- Division of Budget and Finance
- Division of Personnel and Planning
- Division of Grants and Contracts
- Management
- Division of Information Resources
- Management
- Office of Program Operations and Development
- Regional Offices on Aging
- Office of State and Community Programs
- Office for American Indian, Alaskan Native and Native Hawaiian Programs
- Office of Program Development

Delete B.20, A-I, and replace with the following:

B.20. Functions

A. Office of the Assistant Secretary (BA)

The Office of the Assistant Secretary serves as the focal point for OAA programs through the development,