

seeking to influence the Department's programs.

EFFECTIVE DATE: December 29, 1995.

FOR FURTHER INFORMATION CONTACT:

Aaron Santa Anna, Assistant General Counsel, Ethics Law Division; Office of General Counsel; Room 2158; U.S. Department of Housing and Urban Development; 451 Seventh Street, SW; Washington, DC 20410-0500; telephone (202) 708-0836. Hearing or speech-impaired individuals may call HUD's TDD number (202) 708-0113, or 1-800-877-8399 (Federal Information Relay Service TDD). (Other than the "800" number, these are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: Section 112 of the Department of Housing and Urban Development Reform Act of 1989, Pub. L. 101-235, approved December 15, 1989, added a new section 13 to the Department of Housing and Urban Development Act, 42 U.S.C. 3531, *et seq.* Section 13 contained two principal features. The first established the standards under which:

- Persons that make expenditures to influence a HUD officer or employee in the award of financial assistance or the taking of a management action by the Department must keep records, and report to HUD, on the expenditures; and
- Persons that are engaged to influence a HUD officer or employee in the award of financial assistance or the taking of a management action by the Department must register with HUD, and report to HUD on their lobbying activities.

The second feature imposed limitations on the fees that may be paid to consultants who are engaged to influence the award or allocation of the Department's financial assistance. Section 13 is codified at 24 CFR part 86.

The Lobbying Disclosure Act of 1995 (Pub. L. 104-65, approved December 19, 1995) established government-wide lobbying procedures and requirements. Sections 11(b)(1) and 24(a) of the new law repealed Section 13, effective January 1, 1996.

The purpose of this document is to advise the public that beginning on January 1, 1996, the requirements of part 86 do not apply. The public should take special notice that the expenditure and registrant reports—due no later than January 10, 1996 under 24 CFR 86.20(c) and 86.25(c)—need not be submitted. Since the Lobbying Disclosure Act of 1995 contains new requirements governing lobbying agencies, including HUD, the public is advised to become familiar with the provisions of the new law.

The Department plans to issue a final rule removing part 86 in the near future.

Other Matters

A. Environmental Impact

This document is categorically excluded from the NEPA requirements of HUD regulations at 24 CFR 50.20(k), which implement section 102(2)(C) of the National Environmental Policy Act of 1969. The notice involves internal administrative procedures whose content does not constitute a developmental decision nor affect the physical condition of project areas or building sites.

B. Executive Order 12606, the Family

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this document is procedural only, and does not have potential for significant impact on family-formation, maintenance, and general well-being, and, thus is not subject to review under the Order.

C. Executive Order 12612, Federalism

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that this document is procedural only, and does not have substantial, direct effects on States, on their political subdivisions, or on their relationship with the Federal government, or on the distribution of power and responsibilities among the various levels of government.

List of Subjects in 24 CFR Part 86

Administrative practice and procedure, Lobbying (Government agencies), Reporting and recordkeeping requirements.

Dated: December 26, 1995.

Nelson A. Diaz,
General Counsel.

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DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco, and Firearms

27 CFR Part 5

[T.D. ATF-369; Re: T.D. ATF-360, Notice Nos. 782, 780; 91F009P]

RIN 1512-AB22

Alteration of Class and Type: Vodka

AGENCY: Bureau of Alcohol, Tobacco, and Firearms (ATF), Department of the Treasury.

ACTION: Final rule, Treasury decision.

SUMMARY: This final rule amends the distilled spirits regulations to remove the requirement that on and after December 29, 1995, citric acid may be added to vodka in an amount not to exceed 300 milligrams per liter (300 ppm) without changing the product's designation as vodka. This amendment is being made in accordance with a Federal statutory requirement which, in pertinent part, prohibits the implementation of T.D. ATF-360 [59 FR 67216, Dec. 29, 1994].

EFFECTIVE DATE: This document is effective on December 29, 1995.

FOR FURTHER INFORMATION CONTACT: David W. Brokaw, Wine, Beer and Spirits Regulations Branch, (202) 927-8230.

SUPPLEMENTARY INFORMATION:

Background

Treasury decision ATF-360, amended the distilled spirits regulations, 27 CFR 5.23(a)(3) to authorize the use of a trace amount (defined as up to 300 milligrams per liter or 300 ppm) of citric acid in the production of vodka, without changing its designation as vodka. This level was intended to ensure that distiller may continue to use citric acid as a smoothing agent to correct objectionable tastes which might result from such things as the water used in reducing the proof, the charcoal used in distillation, or the glass in which packaged. This level was also intended to protect the integrity of the standard of identify for vodka, a product, which by definition, may not have any distinctive character, aroma, taste, or color. The requirements in T.D. ATF-360 were to be effective on or after December 29, 1995.

Public Law 104-52, 109 Stat. 468, Nov. 19, 1995

Section 528 of Public Law 104-52 states that, "(n)o part of any appropriation made available in this Act shall be used to implement Bureau of Alcohol, Tobacco and Firearms Ruling T.D. ATF-360; Re: Notice Nos. 782, 780, 91F009P." The Conference Report accompanying Public Law 104-52, H.R. Rep. 104-291, Oct. 20, 1995, provides as follows: "Although conferees agree with the Senate proposal that no part of any appropriation made available in this Act shall be used to implement the ATF and Treasury decision ATF-360 (59 FR 67216, 12/29/94), which limited the amount of citric acid that could be added to vodka to 300 parts per million (PPM), the conferees recognize the complex nature of the various issues surrounding any standard of identify