paper that is submitted with the computerized media; or by submitting a digitized copy of the signed certification as a separate file in the electronic submission. Each verification submitted under this section shall certify that the treasurer or other signatory has examined the report or statement and, to the best of the signatory's knowledge and belief, it is true, correct and complete. Any verification under this section shall be treated for all purposes (including penalties for perjury) in the same manner as a verification by signature on a report submitted in a paper format.

(h) *Schedules and forms with special requirements.* The following list of schedules, materials, and forms have special signature and other requirements and reports containing these documents shall include, in addition to providing the required data within the electronic report, either a paper copy submitted with the political committee's or other person's electronic report or a digitized version submitted as a separate file in the electronic submission: Schedule C–1 (Loans and Lines of Credit From Lending Institutions), including copies of loan agreements required to be filed with that Schedule, Schedule E (Itemized Independent Expenditures), Form 5 (Report of Independent Expenditures Made and Contributions Received), and Form 8 (Debt Settlement Plan). The political committee or other person shall submit any paper materials together with the electronic media containing the report.

(i) *Preservation of reports.* For any report filed in electronic format under this section, the treasurer or other person required to file any report under the Act shall retain a machine-readable copy of the report as the copy preserved under 11 CFR 104.14(b)(2). In addition, the treasurer or other person required to file any report under the Act shall retain the original signed version of any documents submitted in a digitized format under paragraphs (g) and (h) of this section.

PART 109—INDEPENDENT EXPENDITURES (2 U.S.C. 431(17), 434(c)).

10. The authority for part 109 is revised to read as follows:

Authority: 2 U.S.C. 431(17), 434(a)(11) and (c), 438(a)(8), 441d.

11. Section 109.2 is amended by revising the introductory text of paragraph (a) to read as follows:

§ 109.2 Reporting of independent expenditures by persons other than a political committee 2 U.S.C. 434(c)).

(a) Every person other than a political committee, who makes independent expenditures aggregating in excess of $250 during a calendar year shall file a report on FEC Form 5 or, if the person is not required to file electronically under 11 CFR 104.18, a signed statement with the Commission or Secretary of the Senate in accordance with 11 CFR 104.4(c).

* * * * *

PART 114—CORPORATE AND LABOR ORGANIZATION ACTIVITY

12. The authority citation for part 114 is revised to read as follows:

Authority: 2 U.S.C. 431(8)(B), 431(9)(B), 432, 434(a)(11), 437d(a)(8), 438(a)(8) and 441b.

13. Section 114.10 is amended by revising paragraph (e)(1)(ii) to read as follows:

§ 114.10 Nonprofit corporations exempt from the prohibition on independent expenditures.

* * * * *

(e) * * *

(1) * * *

(ii) This certification may be made either as part of filing FEC Form 5 (independent expenditure form) or, if the corporation is not required to file electronically under 11 CFR 104.18, by submitting a letter in lieu of the form. The letter shall contain the name and address of the corporation and the signature and printed name of the individual filing the qualifying statement. The letter shall also certify that the corporation has the characteristics set forth in paragraphs (c)(1) through (c)(5) of this section.

* * * * *

PART 9003—ELIGIBILITY FOR PAYMENTS

14. The authority citation for part 9003 continues to read as follows:

Authority: 26 U.S.C. 9003 and 9009(b).

§ 9003.1 [Amended]

15. Section 9003.1 is amended by removing paragraph (b)(11).

PART 9033—ELIGIBILITY FOR PAYMENTS

16. The authority citation for part 9033 continues to read as follows:

Authority: 26 U.S.C. 9033 and 9039(b).

§ 9033.1 [Amended]

17. Section 9033.1 is amended by removing paragraph (b)(13).

Dated: June 16, 2000.

Darryl R. Wold,

Chairman, Federal Election Commission.

[FR Doc. 00–15668 Filed 6–20–00; 8:45 am]

BILLING CODE 6715–01–P

SOCIAL SECURITY ADMINISTRATION

20 CFR Part 404

RIN 0960–AE85

Reduction of Title II Benefits Under the Family Maximum Provisions in Cases of Dual Entitlement

AGENCY: Social Security Administration (SSA).

ACTION: Final rules.

SUMMARY: The interim final rules published at 64 FR 57774, on October 27, 1999, are adopted as final without change. These rules amend the family maximum provisions under title II of the Social Security Act (the Act). These rules amend how we compute the total monthly benefits payable to a family when one or more of the beneficiaries are entitled to benefits on another earnings record. In certain specific circumstances, this change to our rules will increase the amount of benefits payable to some family members entitled on the record to which the family maximum applies. These final rules adopt nationwide the holding of the U.S. Court of Appeals for the First Circuit in *Parisi by Cooney* v. *Chater.*

DATES: These regulations are effective October 27, 1999.

FOR FURTHER INFORMATION CONTACT: Bill Hilton, Social Insurance Specialist, Office of Program Benefits, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235–6401, (410) 965–2468 or TTY (410) 966–5609. For information on eligibility, claiming benefits or coverage of earnings, call our national toll-free number, 1–800–772–1213 or TTY 1–800–325–0778.

SUPPLEMENTARY INFORMATION:

Background

Section 203(a) of the Act establishes a limit, derived from a worker's primary insurance amount (PIA), on the total monthly benefits to which dependents or survivors may be entitled on the basis of one worker's earnings record (the family maximum). Under our previous regulations, the benefits of each claimant entitled on the worker's earnings record were reduced proportionally so that the total monthly benefits of those entitled on the record in one month did not exceed the family maximum. In calculating total monthly

benefits, we included all benefits of the claimants who were entitled on the worker's record without considering whether the benefits were actually due or payable.

Our previous regulations were challenged in court by the child of a worker who was disabled. The worker and his dependent child, the plaintiff in this case, began receiving Social Security benefits on the worker's earnings record. The worker's spouse became entitled to retirement benefits (old-age benefits) based on her own earnings record. Under section 202(r) of the Act, she was deemed also to have applied for and become entitled to wife's benefits based on the worker's earnings record. SSA determined that because the monthly retirement benefits that she was entitled to receive on her own exceeded the amount of her monthly wife's benefits on the worker's earnings record, she could only receive payment for the retirement benefits payable on her own earnings record. However, SSA counted the benefits to which she was entitled on the worker's earnings record, but which were not actually paid to her, toward the monthly maximum amount of benefits payable on the worker's earnings record (the family maximum). Because the total monthly amount of the worker's disability benefits, the plaintiff's child's benefits, and the wife's benefits exceeded the monthly family maximum limit, SSA reduced the amount of the plaintiff's and the wife's monthly benefits.

In *Parisi By Cooney* v. *Chater,* 69 F.3d 614 (1st Cir., 1995), the court held that, when computing a reduction under the family maximum pursuant to section 203(a) of the Act, SSA should not include the monthly benefit that would otherwise be payable to a spouse if payment of that spouse's benefit is precluded (by section 202(k)(3)(A) of the Act), due to the spouse's dual entitlement to a higher benefit on the spouse's own earnings record. To implement the Court's ruling in the First Circuit, we issued an Acquiescence Ruling (AR) on January 13, 1997 (62 FR 1792). Under this ruling (AR 97–1(1)), which applied only to claims for benefits in the First Circuit, SSA considers only the amount of monthly dependent's or survivor's benefits actually due or payable to the dually-entitled person when determining the amount of the benefit reduction because of the family maximum. As a result of the Court's decision, we reassessed our interpretation in our prior regulations and consistent with our rules on acquiescence which were designed to restore national uniformity to our programs, we decided to adopt the court's holdings nationwide.

Explanation of Changes

We amended § 404.403 of our regulations by adding a new paragraph (a)(5). This new paragraph specifies that, in cases involving benefits subject to reduction for both the family maximum and dual entitlement, we consider only the amount of monthly dependent's or survivor's benefits actually due or payable to the dually-entitled person when we determine how much to reduce total monthly benefits because of the family maximum. We included examples of how we compute benefits payable in such cases.

These changes are effective for benefits payable for months after September 1999.

Comments on Interim Final Rules

On October 27, 1999, we published the interim final rules in the **Federal Register** at 64 FR 57774 and provided a 60-day period for interested individuals and organizations to comment. We received comments from five individuals and organizations concerning this action. One comment was from the firm that represented the plaintiff in the *Parisi by Cooney* v. *Chater* case. They expressed their pleasure that SSA was making this change nationwide. Following are summaries of the comments and our responses to them.

Comment: One commenter said that a person entitled as a husband or wife should still receive full benefits on his or her own record.

Response: When a husband or wife is entitled to benefits as a spouse and to benefits on his or her own earnings record, he or she receives the full benefit on his or her own record. This is in accordance with section 202(k)(3)(A) of the Act and is unaffected by these rules.

Comment: The same commenter believes that when a person can receive a higher benefit as a spouse, the family maximum should apply on the record where the spouse benefit is payable.

Response: When an excess benefit as a spouse is payable on a record, the benefits on that record are subject to the family maximum. While the family maximum will still apply if other family members are entitled, this change will allow more to be paid on that record because only the amount actually paid to the dually entitled person will be considered.

Comment: This commenter also felt children should be paid on the record with the higher benefit and those benefits should be based on the family maximums from both records.

Response: When each parent is entitled on his or her own record, children are paid on the record with the higher benefit amount. Benefits to the children are based on the total of both family maximums. This is in accordance with section 203(a)(3)(A) of the Act.

Comment: This commenter finished by stating that the regulations should be adopted because they will liberalize the family maximum restrictions.

Response: These regulations do liberalize the family maximum provisions and will result in higher benefit amounts to those affected.

Comment: Two commenters believe the family maximum should be eliminated because it limits the benefits payable. One felt this is unfair to those with large families. One also believes workers should be allowed to opt out of Social Security coverage.

Response: The family maximum is set forth in the Act itself, and could be eliminated only by legislation. Similarly, legislative changes would be needed to permit workers to opt out of Social Security coverage. Such issues are beyond the scope of both these regulations and our rulemaking authority.

Comment: Another commenter suggested that we include an example of how benefits would be calculated for a surviving spouse who is also entitled on her own record.

Response: These regulations do not change the way benefits are computed for a surviving spouse who is also entitled on her own record. She will still receive her own benefit first, plus any excess over that amount which is payable to her as a surviving spouse.

Comment: The same commenter asked how these regulations affect the spouse of a retired military person because the military Survivor's Benefits program is affected by Social Security Offset.

Response: These regulations do not change how her Social Security benefit is computed. There is no change in how the benefit affects the receipt of a military Survivor's Benefit.

For the reasons discussed above, we have not changed the interim final rules based on the public comments. Therefore, the interim final rules are adopted as final without change.

Dated: June 9, 2000.

Kenneth S. Apfel,

Commissioner of Social Security.

PART 404–FEDERAL OLD-AGE, SURVIVORS AND DISABILITY INSURANCE (1950—)

Accordingly, the interim final rules amending 20 CFR Part 404 published at 64 FR 57774 on October 27, 1999, are adopted as final without change.

[FR Doc. 00–15644 Filed 6–20–00; 8:45 am]

BILLING CODE 4191–02–U

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 178

[Docket No. 99F–1421]

Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers; Technical Amendment

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; technical amendment.

SUMMARY: The Food and Drug Administration (FDA) is amending its food additive regulations that provide for the safe use of tetradecanoic acid, lithium salt as a stabilizer for polypropylene and certain polypropylene copolymers intended for use in contact with food. When the regulation was last amended, the regulation published with some errors. This document corrects those errors.

DATES: This rule is effective June 21, 2000.

FOR FURTHER INFORMATION CONTACT: Vir D. Anand, Center for Food Safety and Applied Nutrition (HFS–215), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–418–3081.

SUPPLEMENTARY INFORMATION: FDA has discovered that two errors have become incorporated into the agency's current food additive regulations. In an amendment to 21 CFR 178.2010, published in the **Federal Register** of December 27, 1999 (64 FR 72273), there were errors regarding the food type VI–B. This document corrects those errors. Publication of this document constitutes final action under the Administrative Procedure Act (5 U.S.C. 553). FDA has determined that notice and public comment are unnecessary because this amendment is nonsubstantive.

List of Subjects in 21 CFR Part 178

Food additives, Food packaging.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Director, Center for Food Safety and Applied Nutrition, 21 CFR part 178 is amended as follows:

PART 178—INDIRECT FOOD ADDITIVES: ADJUVANTS, PRODUCTION AIDS, AND SANITIZERS

1. The authority citation for 21 CFR part 178 continues to read as follows:

Authority: 21 U.S.C. 321, 342, 348, 379e.

2. Section 178.2010 is amended in the table in paragraph (b) under the heading ''Limitations'' by revising the entry for ''Tetradecanoic acid, lithium salt'' to read as follows:

§ 178.2010 Antioxidants and/or stabilizers for polymers.

* * * * *

(b) * * *

Substances	Limitations
* * * * * * *	
Tetradecanoic acid, lithium salt (CAS Reg. No. 20336–96–3)	For use only at levels not to exceed 0.15 percent by weight of polypropylene and polypropylene copolymers complying with § 177.1520(c) of this chapter, items 1.1a, 1.1b, 3.1a, 3.1b, 3.1c, 3.2a, and 3.2b. The finished polymers may only be used in contact with food of Types I, II, IV–B, VI–B, VII–B, and VIII as described in table 1 of § 176.170(c) of this chapter under conditions of use B through H as described in table 2 of § 176.170(c) of this chapter, and with food of Types III, IV–A, V, VI–A, VI–C, VII–A, and IX described in table 1 of § 176.170(c) of this chapter under conditions of use C through G as described in table 2 of § 176.170(c) of this chapter.
* * * * * * *	

Dated: June 7, 2000.

L. Robert Lake,

Director of Regulations and Policy, Center for Food Safety and Applied Nutrition.

[FR Doc. 00–15561 Filed 6–20–00; 8:45 am]

BILLING CODE 4160–01–F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 349

[Docket No. 98N–0002]

RIN 0910–AA01

Ophthalmic Drug Products for Over-the-Counter Human Use; Amendment of Final Monograph

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the monograph for over-the-counter (OTC) ophthalmic drug products (the regulation that establishes conditions under which these drug products are generally recognized as safe and effective and not misbranded). The amendment adds a new warning and revises an existing warning for ophthalmic vasoconstrictor drug products. These products contain the ingredients ephedrine hydrochloride, naphazoline hydrochloride, phenylephrine hydrochloride, or