

product) to be used in the prevention or treatment of a tropical disease:

(1) For human drugs assigned to their respective organizations:

(i) The Director and Deputy Director, CDB.

(ii) The Director and Deputy Director, Office of Biologics Research and Review, CDB.

(iii) The Director and Deputy Director, Office of Drug Research and Review, CDB.

(iv) The Director and Deputy Director, Office of Compliance, CDB.

(2) For veterinary drugs subject to their jurisdiction:

(i) The Director and Deputy Director, CVM.

(ii) The Director and Deputy Director, Office of New Animal Drug Evaluation, CVM.

(c) The following officials are authorized, under section 351(h) of the Public Health Service Act, to approve or disapprove an application to export a partially processed biological product:

(1) The Director and Deputy Director, CDB.

(2) The Director and Deputy Director, Office of Biologics Research and Review, CDB.

(3) The Director and Deputy Director, Office of Compliance, CDB.

Dated: March 3, 1987.

John M. Taylor,

Associate Commissioner for Regulatory Affairs.

[FR Doc. 87-4934 Filed 3-9-87; 8:45 am]

BILLING CODE 4180-01-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Extension of Temporary Placement of Para-fluorofentanyl into Schedule I

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This final rule is issued by the Administrator of the Drug Enforcement Administration (DEA) to extend the temporary scheduling of the narcotic substance para-fluorofentanyl in Schedule I of the Controlled Substances Act (CSA) (21 U.S.C. 801, et seq.). The temporary scheduling of para-fluorofentanyl is due to expire on March 10, 1987. This notice will extend the temporary scheduling of para-fluorofentanyl for six months or until rulemaking proceedings pursuant to 21

U.S.C. 811(a) are completed, whichever occurs first.

EFFECTIVE DATE: March 10, 1987.

FOR FURTHER INFORMATION CONTACT: Howard McClain, Jr., Chief, Drug Control Section, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 633-1366.

SUPPLEMENTARY INFORMATION: On February 7, 1986, the Administrator of the Drug Enforcement Administration issued a final rule in the Federal Register (51 FR 4722) amending § 1308.11(g) of Title 21 of the Code of Federal Regulations to temporarily place *N*-(fluorophenyl)-*N*-[1-(2-phenylethyl)-4-piperidyl] propanamide or para-fluorofentanyl into Schedule I of the Controlled Substances Act pursuant to the provisions of 21 U.S.C. 811(h). The final rule which became effective on March 10, 1986 was based on a finding by the Administrator that the emergency scheduling of para-fluorofentanyl was necessary to avoid an imminent hazard to the public safety.

Section 201(h)(2) of the CSA (21 U.S.C. 811(h)(2)) requires that the emergency scheduling of a substance expires at the end of one year from the effective date of the order. However, during the pendency of proceedings under 21 U.S.C. 811(a)(1) with respect to the substance, temporary scheduling of that substance may be extended for up to six months. Proceedings for the scheduling of the substance under 21 U.S.C. 811(a) may be initiated by the Attorney General (delegated to the Administrator of DEA pursuant to 28 CFR 0.100) on his own motion, at the request of the Secretary of the Department of Health and Human Services, or on the petition of any interested party. Such proceedings regarding para-fluorofentanyl have been initiated by the Administrator.

Therefore, the temporary scheduling of para-fluorofentanyl which is due to expire on March 10, 1987, may be extended until September 10, 1987, or until proceedings initiated in accordance with 21 U.S.C. 811(a) are completed, whichever occurs first.

Pursuant to 21 U.S.C. 811(h)(2) the Administrator hereby orders that the temporary control of para-fluorofentanyl in Schedule I of the CSA be extended until September 10, 1987 or until the conclusion of proceedings initiated in accordance with U.S.C. 811(a), whichever occurs first.

Pursuant to Title 5, United States Code, section 605(b), the Administrator certifies that the extended scheduling of para-fluorofentanyl in Schedule I of the Controlled Substances Act will have no impact upon small businesses or other entities whose interests must be

considered under the Regulatory Flexibility Act (Pub. L. 96-354). Para-fluorofentanyl has no legitimate use or manufacturer in the United States.

It has been determined that the extension of the temporary placement of para-fluorofentanyl in Schedule I of the CSA in accordance with the emergency scheduling provisions is a statutory exception to the requirements of Executive Order 12291 (46 FR 13193).

List of Subjects in 21 CFR Part 1308

Administrative practice and procedure, Drug traffic control, Narcotics, Prescription drugs.

Dated: March 6, 1987.

John C. Lawn,

Administrator, Drug Enforcement Administration.

[FR Doc. 87-5089 Filed 3-9-87; 8:45 am]

BILLING CODE 4410-09-M

28 CFR Parts 600 and 601

Offices of Independent Counsel; General Powers and Establishment of Independent Counsel—Iran/Contra

AGENCY: United States Department of Justice.

ACTION: Final rule.

SUMMARY: This rule establishes an Office of Independent Counsel: Iran/Contra, to be headed by an Independent Counsel. This Office is to be established pursuant to the Attorney General's statutory authority, found in 28 U.S.C. 509, 510, and 515, and 5 U.S.C. 301, and pursuant to the President's general responsibility to enforce the laws of the United States pursuant to Article II of the United States Constitution. This authority is being exercised because of the pending lawsuit captioned *North v. Walsh and Meese*, D.D.C. No. 87-0457, which challenges the constitutionality of the appointment and activities of the Independent Counsel named pursuant to the Ethics in Government Act (28 U.S.C. 591 et seq.). The President has made clear that he supports a full investigation into the events that the Independent Counsel has been charged with investigating under that Act. In addition, I note that I have already determined that this matter is appropriate for further investigation. In light of the President's views, I have found it advisable to assure the courts, Congress, and the American people that this investigation will proceed in a clearly authorized and constitutionally valid form regardless of the eventual outcome of the *North* litigation. Thus, this rule is not meant to question the