

- 108 (PIS Depreciation Reserve)—The same functionalization used for accounts 310-373, Plant in Service (PIS).
 - 108 (General Plant Depreciation Reserve)—Functionalize according to the General Plant ratio.
 - 111 (Accumulated Amortization)—The same functionalization used for accounts 301-303, Intangible Plant.
 - 256 (Deferred Gain from Disposition of Utility Plant)—The same functionalization used for account 105, Electric Plant Held for Future Use.
 - 403-407 (PIS Depreciation Expense)—The same functionalization used for accounts 310-373, Plant in Service.
 - 408.1 (Other Taxes)—With the exception of property taxes and labor related taxes, all taxes will be functionalized to Distribution/Other. Property taxes will be functionalized using the gross plant ratio including general plant. Labor related taxes will be functionalized using labor ratios.
 - 409.1, 410.1, 411.1, 411.4 (Income Taxes)—Functionalize to Distribution/Other.
 - 932 (Maintenance of General Plant)—Functionalize according to the ratio developed from the functionalized totals of accounts 390, 391, 397 and 398.
 - 411.6, 411.7 (Gain from Disposition of Utility Plant)—The same functionalization used for account 105, Plant Held for Future Use. 3031E
- (Pacific Northwest Electric Power Planning and Conservation Act, 16 U.S.C. 839-839h)

PART 389—[AMENDED]

§ 389.101 [Amended]

3. The Table of OMB Control Numbers in § 389.101(b) is amended by inserting "35.30" in numerical order in the section column, and "19020096" in the corresponding position in the OMB Control Number Column.

(Paperwork Reduction Act (44 U.S.C. 3501-3510))

[FR Doc. 84-26424 Filed 10-4-84; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Part 1308

Schedules of Controlled Substances; Temporary Placement of Bromazepam, Camazepam, Clobazam, Clotiazepam, Cloxazolam, Delorazepam, Estazolam, Ethyl Loflazepate, Fludiazepam, Flunitrazepam, Haloxazolam, Ketazolam, Loprazolam, Lormetazepam, Medazepam, Nimetazepam, Nitrazepam, Nordiazepam, Oxazolam, Pinazepam, and Tetrazepam Into Schedule IV

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Finale rule.

SUMMARY: This final rule is issued by the Administrator of the Drug Enforcement Administration to temporarily place twenty-one (21) benzodiazepine substances into Schedule IV of the Controlled Substances Act (CSA) (21 U.S.A. 801 *et seq.*). The 21 benzodiazepine substances are bromazepam, camazepam, clobazam, clotiazepam, cloxazolam, delorazepam, estazolam, ethyl loflazepate, fludiazepam, flunitrazepam, haloxazolam, ketazolam, loprazolam, lormetazepam, medazepam, nimetazepam, nitrazepam, nordiazepam, oxazolam, pinazepam, and tetrazepam. This temporary scheduling action is required in order for the United States to discharge its obligations under the Convention on Psychotropic Substances, 1971. The effects of this rule will be to require that the manufacture, distribution, dispensing, security, registration, record keeping, reporting, inventory, exportation and importation of each of the 21 benzodiazepines are subject to controls for Schedule IV substances. The temporary scheduling order for each substance shall remain in effect until the process of permanent scheduling, pursuant to sections 201 (a) and (b) (21 U.S.C. 811 (a) and (b)) of the CSA, is completed.

EFFECTIVE DATE: November 5, 1984.

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

SUPPLEMENTARY INFORMATION:

List of Subjects in 21 CFR Part 1308

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

By notice of March 29, 1984, the Secretary-General of the United Nations advised the Secretary of State of the United States that the Commission on Narcotic Drugs (CND) has decided that the above 21 benzodiazepine substances be added to Schedule IV of the Convention on Psychotropic Substances, 1971.

In a letter dated May 1, 1984, the Assistant Secretary for Health, on behalf of the Secretary of the Department of Health and Human Services (DHHS), advised the Administrator of the Drug Enforcement Administration that the 21 benzodiazepines be controlled in CSA Schedule IV, using authority provided by sections 201(d)(3)(B) and 201(d)(4)

(A) and (C) of the CSA. This allows for the issuance of a temporary order controlling a substance in Schedule IV or V, depending upon whichever is most appropriate to carry out the minimum United States obligations, within the time period required by paragraph 7 of article 2 of the Convention, that is, within 180 days after the date of the CND communication. The findings pursuant to sections 201 (a), (b) and 202(b) which concern an assessment of the abuse potential for each of the 21 benzodiazepines are neither established nor required for this temporary scheduling order.

On Wednesday, August 1, 1984, a notice was published in the Federal Register (49 FR 30748-9) proposing to temporarily place the 21 benzodiazepines into Schedule IV of the CSA. By this action, the United States would be in compliance with the drug control treaty, the Convention on Psychotropic Substances, 1971. All interested persons were given until August 31, 1984 to submit any comments or objections regarding the proposal. No comments or objections were received in response to the proposal nor were there any requests for a hearing.

Therefore, under the authority vested in the Attorney General by section 201(d)(4) (A) and (C) of the CSA (21 U.S.C. 811(d)(4) (A) and (C)) and delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice (28 CFR Part 0.100), the Administrator hereby orders that paragraph (c) of § 1308.14 be amended by revising the list of controlled substances to read as follows:

§ 1308.14 Schedule IV.

* * *

(c) * * *

(1) Alprazolam.....	288Z
(2) Barbital.....	2145
(3) Bromazepam.....	2748
(4) Camazepam.....	2749
(5) Chloral betaine.....	2460
(6) Chloral hydrate.....	2465
(7) Chlordiazepoxide.....	2741
(8) Clobazam.....	2751
(9) Clonazepam.....	2737
(10) Clorazepate.....	2768
(11) Clotiazepam.....	2732
(12) Cloxazolam.....	2753
(13) Delorazepam.....	2754
(14) Diazepam.....	2765
(15) Estazolam.....	2756
(16) Ethchlorvynol.....	2540
(17) Ethinamate.....	2545
(18) Ethyl loflazepate.....	2758
(19) Fludiazepam.....	2759
(20) Flunitrazepam.....	2763

(21) Flurazepam..... 2767
 (22) Halazepam..... 2762
 (23) Haloxazolam..... 2771
 (24) Ketazolam..... 2772
 (25) Loprazolam..... 2773
 (26) Lorazepam..... 2885
 (27) Lormetazepam..... 2774
 (28) Mebutamate..... 2800
 (29) Medazepam..... 2836
 (30) Meprobamate..... 2820
 (31) Methohexital..... 2264
 (32) Methylphenobarbital
 (mephobarbital)..... 2250
 (33) Nimetazepam..... 2837
 (34) Nitrazepam..... 2834
 (35) Nordiazepam..... 2838
 (36) Oxazepam..... 2835
 (37) Oxazolam..... 2839
 (38) Paraldehyde..... 2585
 (39) Petrichloral..... 2591
 (40) Phenobarbital..... 2285
 (41) Pinazepam..... 2883
 (42) Prazepam..... 2764
 (43) Temazepam..... 2925
 (44) Tetrazepam..... 2886
 (45) Triazolam..... 2887

Effective Dates for applicable regulations:

All regulations applicable to each of the 21 benzodiazepines as temporarily controlled substances in Schedule IV of the CSA are effective on November 5, 1984, except as otherwise provided below:

1. **Registration.** Any person who manufactures, distributes, imports or exports any of the 21 benzodiazepines or who engages in research or conducts instructional activities, must apply for registration by November 5, 1984, to conduct such activities in accordance with Parts 1301 and 1311 of Title 21 of the Code of Federal Regulations.

2. **Security.** Each of the 21 benzodiazepines must be manufactured, distributed and stored in accordance with §§ 1301.71-1301.76 of Title 21 of the Code of Federal Regulations.

3. **Labeling and Packaging.** All labels and labeling for commercial containers of each of the 21 benzodiazepines must comply with the requirements of §§ 1302.03-1302.05 and 1302.08 of Title 21 of the Code of Federal Regulations by February 4, 1985.

4. **Inventory.** Every registrant required to keep records who possesses any quantity of any of the 21 benzodiazepines must take inventories pursuant to §§ 1304.11-1304.19 of Title 21 of the Code of Federal Regulations, of all stocks of these substances on hand.

5. **Records and Reports.** All registrants required to keep records and submit reports pursuant to Part 1304 of Title 21 of the Code of Federal Regulations shall do so regarding each of the 21 benzodiazepines.

6. **Prescriptions.** None of the 21 benzodiazepines can be prescribed

since none have attained accepted medical use in treatment status in the United States, as would be indicated by approval of a new drug application by the Foods and Drug Administration.

7. **Importation and Exportations.** All importation and exportation of each of the 21 benzodiazepines shall be in compliance with Part 1312 of Title 21 of the Code of Federal Regulations.

8. **Criminal Liability.** The Administrator, Drug Enforcement Administration, hereby orders that any activity with respect to each of the 21 benzodiazepines not authorized by, or in violation of, the Controlled Substances Act or the Controlled Substances Import and Export Act, conducted after (November 5, 1984) shall be unlawful, except that any person who is not now registered to handle each benzodiazepine but who is entitled to registration under such Acts may continue to conduct normal business or professional practice with any of the 21 benzodiazepines between the date on which this rule is published and the date which the person obtains or is denied registration provided that the application for such registration is submitted on or before November 5, 1984.

Pursuant to 5 U.S.C. 605(b), the Administrator certifies that the placement of the 21 benzodiazepines into Schedule IV of the CSA will have no impact upon small businesses or other entities whose interests must be considered under the Regulatory Flexibility Act (Pub. L. 96-354). This action involves the initial control of substances with no legitimate medical use in the United States and must be carried out in order to fulfill United States international treaty obligations, in any event.

In accordance with the provisions of 21 U.S.C. 811(d), this scheduling action is a formal rulemaking that is required by United States obligations under international convention, that is, the Convention on Psychotropic Substances, 1971. Such formal proceedings are conducted pursuant to the provisions of 5 U.S.C. 556 and 557, and as such, have been exempted from the consultation requirements of Executive Order 12991 (46 FR 13193).

Dated: October 1, 1984.

Francis M. Mullen, Jr.,
 Administrator, Drug Enforcement Administration.

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 BILLING CODE 4410-09-M

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

25 CFR Part 244

Wind River Reservation Game Code

September 24, 1984.

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Interim rule and request for comments.

SUMMARY: The Bureau of Indian Affairs is publishing an interim rule for a new program which will establish a controlled wildlife hunting program on the Wind River Reservation in order to conserve, protect and increase the existing wildlife in the reservation area. Studies conducted on the Wind River Reservation indicate that certain species of wildlife are in danger of being hunted to the point where normal propagation and recovery will not occur unless a Game Code is implemented. Immediate implementation of a Game Code will provide conservation efforts to assure future wildlife habitation on the reservation.

DATES: This interim rule will become effective October 5, 1984. Comments must be received no later than November 5, 1984.

ADDRESSES: Send written comments to Sidney L. Mills, Director, Office of Trust Responsibilities, Code 200, Bureau of Indian Affairs, Department of the Interior, 1951 Constitution Avenue, NW., Washington, D.C. 20245.

FOR FURTHER INFORMATION CONTACT: Gary Rankel, Fish and Wildlife Resources Specialist, Office of Trust Responsibilities, Bureau of Indian Affairs, telephone number (202) 343-4004.

SUPPLEMENTARY INFORMATION: This interim rule is published in exercise of authority delegated by the Secretary of the Interior to the Assistant Secretary—Indian Affairs by 209 DM 8. The objective of this rule is to establish a Game Code on the Wind River Reservation which will conserve, protect and eventually increase the wildlife on the Reservation.

The Wind River Reservation encompasses 1,886,556 acres in Fremont and Hot Springs counties in Wyoming. The Reservation was originally granted to the Shoshone Tribe by the Fort Bridger Treaty of 1863. In 1878, the Arapahoe Tribe was temporarily placed on the Reservation. The temporary status gradually became permanent and the Reservation is now shared by both tribes, see *Shoshone Tribe v. United*