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Tuesday
September 15, 1992

Briefing on How To Use the Federal Register
For information on a briefing in Atlanta, GA, see announcement on the inside cover of this issue.

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THE FEDERAL REGISTER
WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 3 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

ATLANTA, GA

WHEN: September 17, at 9:00 a.m.
WHERE: Centers for Disease Control
1600 Clifton Rd., NE.
Auditorium A
Atlanta, GA (Parking available)
RESERVATIONS: [404–639–3528 (Atlanta area)]
1–800–347–1997 (outside Atlanta area)

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The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

7 CFR Part 301

[Docket No. 91-155-2]

Mediterranean Fruit Fly; Addition to the Quarantined Areas

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Interim rule and request for comments.

SUMMARY: We are amending the Mediterranean fruit fly regulations by designating a portion of Santa Clara County, California, as a quarantined area. This action is necessary on an emergency basis to prevent the spread of the Mediterranean fruit fly into noninfested areas of the United States.

DATES: Interim rule effective September 10, 1992. Consideration will be given only to comments received on or before November 16, 1992.

ADDRESSES: Please send an original and three copies of your comments to Chief, Regulatory Analysis and Development, PPD, APHIS, USDA, room 804, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782. Please state that your comments refer to Docket No. 91-155-2. Comments received may be inspected at USDA, room 1141, South Building, 14th Street and Independence Avenue SW., Washington, DC, between 8 a.m. and 4:30 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Stefan, Operations Officer, Domestic and Emergency Operations, PPQ, APHIS, USDA, room 640, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-8247.

SUPPLEMENTARY INFORMATION:

Background

The Mediterranean fruit fly, *Ceratatis capitata* (Wiedemann), is one of the world's most destructive pests of numerous fruits and vegetables, especially citrus fruits. The Mediterranean fruit fly can cause serious economic losses. Heavy infestations can cause complete loss of crops, and losses of 25 to 50 percent are not uncommon. The short life cycle of this pest permits the rapid development of serious outbreaks.

A document effective on November 5, 1991, and published in the Federal Register on November 13, 1991 (56 FR 57573-57579, Docket Number 91-155), established the Mediterranean fruit fly regulations (7 CFR 301.78 *et seq.*, referred to below as the regulations). The regulations impose restrictions on the interstate movement of regulated articles from quarantined areas in order to prevent the spread of the Mediterranean fruit fly to noninfested areas.

The regulations, among other things, designated a portion of Los Angeles County, California, as a quarantined area. This area remains infested with Mediterranean fruit fly.

Recent trapping surveys by inspectors of the State of California and county agencies and by inspectors of the Animal and Plant Health Inspection Service (APHIS) reveal that an additional infestation of Mediterranean fruit fly has been discovered in Santa Clara County, CA. Specifically, on July 28, six Mediterranean fruit flies were discovered in the San Jose area.

The regulations in § 301.78-3 provide that the Administrator of APHIS shall list as a quarantined area each State, or each portion of a State, in which the Mediterranean fruit fly has been found by an inspector, in which the Administrator has reason to believe that the Mediterranean fruit fly is present, or that the Administrator considers necessary to regulate because of its inseparability for quarantine enforcement purposes from localities in which the Mediterranean fruit fly has been found.

In accordance with these criteria, we are amending § 301.78-3 by designating as a quarantined area the following area in Santa Clara County, CA:

Santa Clara County

That portion of the county in the San Jose area beginning at the intersection of Interstate Highways 101 and 280; then southwest on Interstate Highway 280 to Meridian Avenue; then south and southeast on Meridian Avenue to Redmond Avenue; then east on Redmond Avenue to the Almaden Expressway; then southeast on the Almaden Expressway to its intersection with Harry Road; then north on Harry Road to the end; then northeast along an imaginary line from the end of Harry Road to the intersection of Heaton Moor Drive and Bernal Avenue; then northeast on Bernal Avenue to its intersection with Interstate Highway 101; then northeast along an imaginary line from the intersection of Bernal Avenue and Interstate Highway 101 to the intersection of San Felipe Road and Silver Creek Road; then northwest on San Felipe Road to White Road; then northwest on White Road to Story Road; then southwest on Story Road to Interstate Highway 101; then northwest on Interstate Highway 101 to the point of the beginning.

There does not appear to be any reason to designate additional quarantined areas in California other than the area specified above. The Administrator has determined that California has adopted and is enforcing regulations imposing restrictions on the intrastate movement of the regulated articles that are equivalent to those imposed on the interstate movement of regulated articles under this subpart. The Administrator has also determined that the designation of less than the entire State of California as a quarantined area will prevent the interstate spread of the Mediterranean fruit fly.

Emergency Action

The Administrator of the Animal and Plant Health Inspection Service has determined that an emergency situation exists that warrants publication of this interim rule without prior opportunity for public comment. Immediate action is necessary to prevent the Mediterranean fruit fly from spreading to noninfested areas of the United States.

Since prior notice and other public procedures with respect to this interim rule are impracticable and contrary to the public interest under these

conditions, there is good cause under 5 U.S.C. 553 to make it effective upon signature. We will consider comments received within 60 days of publication of this interim rule in the **Federal Register.** After the comment period closes, we will publish another document in the **Federal Register.** It will include a discussion of any comments we receive and any amendments we are making to the rule as a result of the comments.

Executive Order 12291 and Regulatory Flexibility Act

We are issuing this rule in conformance with Executive Order 12291, and we have determined that it is not a "major rule." Based on information compiled by the Department, we have determined that this rule will have an effect on the economy of less than $100 million; will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not cause a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

For this action, the Office of Management and Budget has waived the review process required by Executive Order 12291.

The interim rule restricts the interstate movement of regulated articles from the San Jose area of Santa Clara County, CA. Approximately 42 entities will be affected by this rule. All would be considered small entities. They include 5 fruit stands, 7 vendors, 21 nurseries, 1 flea market, and 8 growers with approximately 1 acre of nectarines, 80 acres of prunes, 20 acres of bell peppers, 1½ acres of tomatoes, 10 acres of grapes, 47 acres of walnuts, and ½ acre of persimmons. These small entities comprise less than 1 percent of the total of similar enterprises operating in the State of California. In addition, most of these small entities sell regulated articles primarily for local intrastate, not interstate, movement, and the sale of these articles would not be affected by this regulation.

The effect on those few entities that do move regulated articles interstate will be minimized by the availability of various treatments, that, in most cases, will allow these small entities to move regulated articles interstate with very little additional cost. Also, many of these entities sell other items in addition to the regulated articles so that the effect, if any, of this regulation on these entities would be minimal. Further, the number of affected entities is small compared with the thousand of small entities that move these articles interstate from nonquarantined areas in California and other States.

Under these circumstances, the Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

Executive Order 12372

This program/activity is listed in the Catalog of Federal Domestic Assistance under No. 10.025 and is subject to Executive Order 12372, which requires intergovernmental consultation with State and local officials. (See 7 CFR 3015, subpart V.)

Executive Order 12778

This interim rule has been reviewed under Executive Order 12778, Civil Justice Reform. Under this interim rule: (1) All State and local laws and regulations that are inconsistent with this interim rule will be preempted; (2) no retroactive effect will be given to this interim rule; and (3) it will not require administrative proceedings before parties may file suit in court challenging its provisions.

Paperwork Reduction Act

This document contains no new information collection or recordkeeping requirements under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*)

List of Subjects in 7 CFR Part 301

Agricultural commodities, Plant diseases and pests, Quarantine, Reporting and recordkeeping requirements, Transportation.

Accordingly, 7 CFR part 301 is amended to read as follows:

PART 301—DOMESTIC QUARANTINE NOTICES

1. The authority citation for 7 CFR part 301 continues to read as follows:

Authority 7 U.S.C. 150bb, 150dd, 150ee, 150ff; 161, 162, and 164–167; 7 CFR 2.17, 2.51, and 371.2(c).

2. In § 301.78–3, paragraph (c), the designation of the quarantined area is amended by adding the following immediately after Los Angeles County:

§ 301.78–3 Quarantined areas.

* * * * *

(c) * * *

California

* * * * *

Santa Clara County. That portion of the county in the San Jose area beginning at the intersection of Interstate Highways 101 and 280; then southwest on Interstate Highway 280 to Meridian Avenue; then south and southeast on Meridian Avenue to Redmond Avenue; then east on Redmond Avenue to the Almaden Expressway; then southeast on the Almaden Expressway to its intersection with Harry Road; then north on Harry Road to the end; then northeast along an imaginary line from the end of Harry Road to the intersection of Heaton Moor Drive and Bernal Avenue; then northeast on Bernal Avenue to its intersection with Interstate Highway 101; then northeast along an imaginary line from the intersection of Bernal Avenue and Interstate Highway 101 to the intersection of San Felipe Road and Silver Creek Road; then northwest on San Felipe Road to White Road; then northwest on White Road to Story Road; then southwest on Story Road to Interstate Highway 101; then northwest on Interstate Highway 101 to the point of the beginning.

Done in Washington, DC, this 10th day of September 1992.

Robert Melland,

Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 92–22244 Filed 9–14–92; 8:45 am]

BILLING CODE 3410–34–M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 701

Organization and Operation of Federal Credit Unions

AGENCY: National Credit Union Administration (NCUA).

ACTION: Final rule.

SUMMARY: The NCUA Board is amending its business loan regulation to permit the regional directors to waive the loan-to-value (LTV) requirements for certain loan programs in existence prior to the effective date of the regulation. This rule gives regional directors the discretion to "grandfather" higher LTV limits for previously existing loan programs with a proven record of success.

EFFECTIVE DATE: September 15, 1992.

ADDRESSES: National Credit Union Administration, 1776 G Street NW., Washington, DC 20456.

FOR FURTHER INFORMATION CONTACT: Michael McKenna, Staff Attorney, Office of General Counsel, telephone (202) 682–9630, or Kent Buckham,

Director, Department of Supervision, Office of Examination and Insurance, telephone (202) 682–9640, at the above address.

SUPPLEMENTARY INFORMATION: NCUA published a new business loan rule on September 25, 1991 (see 56 FR 48421) which became effective on January 1, 1992. The new rule, among other things, established loan-to-value (LTV) ratios for business loans. This requirement is found in subparagraph 701.21(h)(2)(ii)(A) of NCUA's Regulations. The rule permits an LTV ratio of up to 70 percent for second liens and 80 percent for first liens. For loans secured by first liens, an LTV of up to 95 percent is permitted if the value in excess of 80 percent is covered either by acquisition of private mortgage or equivalent type insurance provided by an insurer acceptable to the credit union, or by insurance or guarantees by or subject to advance commitment to purchase by an agency of the federal government or of a state or any of its political subdivisions.

On May 15, 1992, the NCUA published a proposed amendment (see 57 FR 20798) to the business loan rule to allow the regional directors to waive the LTV requirements for credit unions operating business lending programs in existence prior to January 1, 1992. The proposal would, in effect, provide the regional directors the discretion to grandfather higher LTV limits for previously existing loan programs with a proven record of success. Programs established after January 1, 1992, would be unaffected by the proposal and would be permitted subject to the LTV requirements and other provisions of NCUA's rule.

Nine comment letters were received. Three comments were received from federal credit unions, two comments from state-chartered credit unions, and two comments from state regulatory agencies. Comments were also received from a national trade organization and a state credit union league.

In general, the commenters approved of the amendment but requested that NCUA expand the loan-to-value waiver to programs established after January 1, 1992. These commenters believe such an expansion would permit credit unions to adapt to the changing needs of their membership. The NCUA Board does not believe such an expansion is desirable at this time. As indicated in the preamble to the final regulation issued by the NCUA Board in 1991, business lending in credit unions has proven to be an extremely high-risk venture. The provisions of the current rule, establishing requirements for loan security and loan-to-value ratios, are appropriate safeguards protecting the credit union, its members, and the National Credit Union Share Insurance Fund from undue risk.

One commenter stated that the latitude of the exemption is ambiguous. The commenter questioned whether the waiver might permit LTV ratios of up to 100% or unsecured loans up to reasonable limitations. The waiver may permit LTV ratios up to 100% if circumstances warrant but unsecured business loans would not be permitted. This same commenter was also unclear on whether all business loans over $25,000 must be secured. Section 701.21(h)(2)(ii)(A) specifically states that all business loans must be secured. Loans under $25,000 are not defined as business loans and thus are not subject to this regulatory requirement. This commenter also questioned whether the present rule limits business lending to only real estate-secured lending. There is no such limitation in the business lending regulation and there is no plan to establish such a restriction.

One commenter recommended eliminating all restrictions on LTV ratios. Another commenter recommended permitting a 90 percent LTV ratio for non-real estate loans (equipment and vehicles) and eliminating any requirements for monitoring reports in connection with the waiver. The NCUA Board believes the need for firm LTV requirements relates to the high-risk nature of business lending rather than the type of collateral. High default and loss ratios related to business lending require high underwriting standards. Furthermore, the established LTV ratios are consistent with generally accepted industry standards. Therefore, the NCUA Board is not expanding the LTV exemption. However, the NCUA Board does agree that the imposition of special monitoring reports if the waiver is granted may prove burdensome and unnecessary. Reports required currently under the business loan regulation are deemed to be sufficient for NCUA to monitor this activity. There is no additional reporting requirement in the final rule.

One commenter recommended that the conditions set forth in the preamble to the proposed rule be eliminated. Another commenter objected to a requirement limiting the aggregate exposure in one type of business lending. These conditions are not mandatory requirements but merely guidance based on past experience. Although it is conceivable that there may be other circumstances justifying a waiver, NCUA believes an exemption to the LTV requirements is warranted when the following conditions are met. First, the credit union should have a proven, successful track record in a specific field of business lending. A credit union can meet this condition by demonstrating the following: (a) A written business loan policy that is well thought out and complete; (b) thorough creditworthiness documentation; (c) minimal delinquency and loan losses as compared to the overall industry average and its specific peer group; and (d) appropriate underwriting criteria. Second, the credit union or its members should depend upon this type of business lending. Third, the credit union should limit its aggregate exposure for this type of lending. The regional director may also consider other factors, including: market conditions and influences; situations that can alter market conditions; reliance on collateral versus ability to repay; capital strength of the credit union; and industry stability.

The final amendment adds a sentence to § 701.21(h)(2)(iii)(B) clarifying that a regional director's decision may be appealed to the NCUA Board. The NCUA Board is adopting the amendment with revisions as discussed above. Since this rule change does not have an adverse or restrictive effect on credit unions, it is effective immediately.

NCUA also is making a purely technical amendment to paragraph 701.21(h)(3), as proposed. Under subparagraph 701.21(h)(2)(iii)(B), credit unions can seek an exemption from the limits on construction and development lending. However, paragraph 701.21(h)(3), which sets the limit on such lending, does not reference the availability of an exemption from the limits. This amendment simply makes clear within paragraph 701.21(h)(3) that a credit union may seek an exemption from the construction and lending limits.

Paperwork Reduction Act

It is the Board's belief that less than ten exemption requests will be submitted per year. The Paperwork Reduction Act is not triggered under such conditions.

Regulatory Flexibility Act

The Regulatory Flexibility Act requires the NCUA to prepare an analysis to describe any significant economic impact a proposed regulation may have on a substantial number of small credit unions (primarily those under $1 million in assets). The amendment is less restrictive than the current regulation. Overall, the NCUA Board expects the change to benefit a limited number of credit unions by

permitting them to continue to grant loans on terms that otherwise would be prohibited. In addition, it is the Board's belief that small credit unions are not involved in these types of business loan programs. Accordingly, the Board determines and certifies that this final amendment does not have a significant economic impact on a substantial number of small credit unions and that a Regulatory Flexibility Analysis is not required.

Executive Order 12612

Executive Order 12612 requires NCUA to consider the effect of its actions on state interests. The business loan rule (§ 701.21(h)) already applies to all federally insured credit unions (both federal and state-chartered). The final amendment will allow certain of these credit unions, including state-chartered credit unions, to grant loans that they would otherwise be prohibited from making. State authorities, however, remain free to adopt more restrictive regulations affecting state-chartered credit unions if they so choose. Therefore, the NCUA Board has determined that the final amendment will not have a substantial direct effect on the states, on the relationship between the national government and the states, or on the distribution of power and responsibilities among the various levels of government.

List of Subjects in 12 CFR Part 701

Civil rights, Conflicts of interests, Credit, Credit unions, Fair housing, Insurance, Mortgages, Reporting and recordkeeping requirements, Signs and symbols, Surety bonds.

By the National Credit Union Administrator Board on September 9, 1992.

Becky Baker,

Secretary of the Board.

Accordingly, NCUA amends part 701 to read as follows:

PART 701—ORGANIZATION AND OPERATION OF FEDERAL CREDIT UNIONS

1. The authority citation for part 701 is revised to read as follows:

Authority: 12 U.S.C. 1752(5), 1755, 1756, 1757, 1759, 1761a, 1761b, 1766, 1767, 1782, 1784, 1787 and 1789. Section 701.6 is also authorized by 31 U.S.C. 3717. Section 701.31 is also authorized by 15 U.S.C. 1601 et seq., 42 U.S.C. 1861 and 42 U.S.C. 3601–3610.

2. In § 701.21, paragraph (h)(2)(ii)(A), (h)(2)(iii)(B), and (h)(3) introductory text are revised to read as follows:

§ 701.21 Loans to members and lines of credit to members.

* * * * *

(h) * * *

(2) * * *

(ii) * * *

(A) Unless a credit union loan program was in existence prior to January 1, 1992, and is granted an exemption by the regional director, loans shall be granted on a fully secured basis by collateral as follows:

(*1*) Second lien for LTV ratios of up to 70 percent;

(*2*) First lien for LTV ratios of up to 80 percent;

(*3*) First lien with an LTV ratio in excess of 80 percent shall be granted only where the value in excess of 80 percent is covered through acquisition of private mortgage, or equivalent type, insurance provided by an insurer acceptable to the credit union, or insurance or guarantees by or subject to advance commitment to purchase by an agency of the federal government or of a state or any of its political subdivisions, and in no event shall the LTV ratio exceed 95 percent;

* * * * *

(iii) * * *

(B) *Exemptions.* Credit unions seeking an exemption from the LTV ratios of § 701.21(h)(2)(ii)(A), or the limits of § 701.21(h)(2)(iii)(A) or § 701.21(h)(3) must present the regional director with, at a minimum: The higher limit sought; an explanation of the need by the members to raise the limit and ability of the credit union to manage this activity; an analysis of the credit union's prior experience making member business loans; and a copy of its business lending policy. The analysis of credit union experience in making member business loans shall document the history of loan losses, loan delinquency, volume and cyclical or seasonal patterns, diversification, concentrations of credit to one borrower or group of associated borrowers in excess of 15 percent of reserves (less the Allowance for Loan Losses account), underwriting standards and practices, types of loans grouped by purpose and collateral, and qualifications of personnel responsible for underwriting and administering member business loans. Regional directors shall consider, in addition to the information submitted by the credit union, the historical CAMEL ratings. If the credit union does not receive notification of the action taken within 30 calendar days of the date the request was received by the regional office, the credit union may assume approval of the request to exceed the limit. The regional director's decision may be appealed to the NCUA Board.

* * * * *

(3) *Construction and development lending.* Unless an exemption is approved by the regional director, loans granted under this section to finance the construction or development of commercial or residential property shall be subject to the following additional provisions:

* * * * *

[FR Doc. 92–22242 Filed 9–14–92; 8:45 am]

BILLING CODE 7535–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 92–ANM–7]

Establish Control Zone; Jackson, WY

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action establishes a control zone at Jackson, Wyoming, to provide additional controlled airspace for aircraft executing instrument approach procedures to the Jackson Hole Airport. The intent of this action is to segregate aircraft operating in visual flight rules (VFR) conditions from those operating under instrument flight rules (IFR). The area will be depicted on aeronautical charts to provide reference for pilots.

EFFECTIVE DATE: 0901 UTC, October 15, 1992.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, ANM–535, Federal Aviation Administration, Docket No. 92–ANM–7, 1601 Lind Avenue SW., Renton, WA 98055–4056, Telephone: (206) 227–2535.

SUPPLEMENTARY INFORMATION:

History

On July 13, 1992, the FAA proposed to amend part 71 of the Federal Aviation Regulations (14 CFR part 71) to establish a control zone for the Jackson Hole Airport at Jackson, Wyoming (57 FR 30932).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. Two comments objecting to the proposal were received. One objection stated that establishing a control zone at the airport would cause a burden to pilots of aircraft that are not equipped with a two-way radio. The other objection stated that IFR and VFR aircraft operations were conducted on the

CTAF/UNICOM frequency and therefore, a control zone is not needed. The airspace study for this action indicated the establishment of a control zone would not require aircraft to have two-way radio capability because this airport does not have an operating control tower.

The airport is served by an ILS to runway 18, with a minimum Decision Height of 300 feet AGL and a minimum visibility of 1 mile. The last 400 feet authorized on this approach lie in uncontrolled airspace, in which ATC cannot guarantee separation from all other aircraft. Additionally, there are two VOR approaches. However their Minimum Descent Altitudes are above the floor of the Transition area.

At present, the airport CTAF/UNICOM frequency is 122.8 Mhz., on which it is not mandatory for either aircraft to communicate or monitor, although highly prudent.

The Wyoming State Aeronautics Division petitioned the FAA to establish a control zone for this airport, and the principle air carrier user of the airport endorsed the proposal.

Based on all the information available, the FAA has decided to adopt the rule as proposed, with a clarification that the miles referenced in the rule are nautical miles.

Control zones are published in § 71.171 of Handbook 7400.7 effective November 1, 1991, which is incorporated by reference in 14 CFR 71.1. The control zone listed in this document will be published subsequently in the Handbook.

The Rule

This amendment to part 71 of the Federal Aviation Regulations establishes a control zone for the Jackson Hole Airport, Wyoming, to provide additional controlled airspace for aircraft executing instrument approach procedures to the Jackson Hole Airport. This action will segregate aircraft operating in VFR from those aircraft operating in IFR. The airspace will be depicted on aeronautical charts for pilot reference. The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones, Incorporation by reference

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, part 71 of the Federal Aviation Regulations (14 CFR part 71) is amended, as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. app. 1348(a), 1354(a), 1510; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 49 U.S.C. 106(g); 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.7, Compilation of Regulations, published April 30, 1991, and effective November 1, 1991, is amended as follows:

Section 71.171 Designation

* * * * *

ANM WY CZ Jackson, WY [New]
Jackson Hole Airport, WY
(lat. 43°36'24" N, long, 110°44'15" W.)

Within a 4.3 nautical mile radius of Jackson Hole Airport, Wyoming.

* * * * *

Issued in Seattle, Washington on September 4, 1992.

Temple H. Johnson, Jr.,

Manager, Air Traffic Division.

[FR Doc. 92–22196 Filed 9–14–92; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 529

Certain Other Dosage Form New Animal Drugs; Formalin Solution

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a new animal drug application (NADA) filed by Western Chemical, Inc. The NADA provides for the use of formalin solution (aqueous solution of 37 percent formaldehyde) to control certain external protozoa and monogenetic trematodes on salmon, trout, catfish, largemouth bass, and bluegill and to control certain fungi on salmon, trout, and esocid eggs.

EFFECTIVE DATE: September 15, 1992.

FOR FURTHER INFORMATION CONTACT: George K. Haibel, Center for Veterinary Medicine (HFV–133), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–295–8644.

SUPPLEMENTARY INFORMATION: Western Chemical, Inc., 1269 Lattimore Rd., Ferndale, WA 98248, has filed NADA 140–989. The NADA provides for the use of formalin solution (aqueous solution of 37 percent formaldehyde) in tanks, raceways, and ponds to control: (1) the external protozoa: *Ichthyophthirius* spp., *Chilodonella* spp., *Costia* spp., *Epistylis* spp., *Scyphidia* spp., and *Trichodina* spp.; (2) the monogenetic trematodes: *Cleidodiscus* spp., *Gyrodactylus* spp., and *Dactylogyrus* spp. on salmon, trout, catfish, largemouth bass, and bluegill; and (3) in incubation tanks to control fungi of the family Saprolegniaceae on salmon, trout, and esocid eggs. The NADA is approved as of July 31, 1992, and the regulations are amended in 21 CFR 529.1030(b) to reflect this approval. The basis for approval is discussed in the freedom of information summary.

In accordance with the freedom of information provisions of part 20 (21 CFR part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

Under section 512(c)(2)(F)(ii) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(c)(2)(F)(ii)), this approval does not qualify for marketing exclusivity because no new clinical or field investigations (other than bioequivalence or residue studies) and no new human food safety studies (other than bioequivalence or residue studies) were essential to the approval and conducted or sponsored by the applicant.

The agency has carefully considered the potential environmental effects of this action. FDA has concluded that the action will not have a significant impact on the human environment, and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding, contained in an

environmental assessment, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects in 21 CFR Part 529

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 529 is amended as follows:

PART 529—CERTAIN OTHER DOSAGE FORM NEW ANIMAL DRUGS

1. The authority citation for 21 CFR part 529 continues to read as follows:

Authority: Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

§ 529.1030 [Amended]

2. Section 529.1030 *Formalin solution* is amended in paragraph (b) by revising the phrase "See Nos. 049968 and 051212" to read "See Nos. 049968, 050378, and 051212".

Dated: September 9, 1992.

Gerald B. Guest,

Director, Center for Veterinary Medicine.

[FR Doc. 92–22237 Filed 9–14–92; 8:45 a.m.]

BILLING CODE 4160–01–F

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21 CFR Part 520

Animal Drugs, Feeds, and Related Products; Oxytetracycline Hydrochloride Soluble Powder

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to codify an approved new animal drug application (NADA) held by Fermenta Animal Health Co. The NADA provides for the use of an oxytetracycline hydrochloride soluble powder as an antibacterial in the drinking water of growing turkeys.

EFFECTIVE DATE: September 15, 1992.

FOR FURTHER INFORMATION CONTACT: Dianne T. McRae, Center for Veterinary Medicine (HFV–102), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–295–8623.

SUPPLEMENTARY INFORMATION: Fermenta Animal Health Co., 10150 North Executive Hills Blvd., Kansas City, MO 64153, is the sponsor of NADA 38–200, which provides for the use of oxytetracycline hydrochloride soluble powder as an antibacterial in the drinking water of growing turkeys for control of hexamitiasis caused by *Hexamita meleagridis*. The NADA was originally approved as published in the **Federal Register** of October 13, 1970 (35 FR 16041). That approval should have been but was not codified in part 520 (21 CFR part 520). Accordingly, the regulations at § 520.1660d(b) (21 CFR 520.1660d(b)) are now amended to provide for that approval.

List of Subjects in 21 CFR Part 520

Animal drugs.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, 21 CFR part 520 is amended as follows:

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

1. The authority citation for 21 CFR part 520 continues to read as follows:

Authority: Sec. 512 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b).

2. Section 520.1660d is amended by revising paragraph (b) to read as follows:

§ 520.1660d Oxytetracycline hydrochloride soluble powder.

* * * * *

(b) *Sponsors.* See No. 017144 in § 510.600(c) of this chapter for use as in paragraph (e)(1) of this section. See No. 054273 for use as in paragraph (e)(1)(ii) of this section.

* * * * *

Dated: September 9, 1992.

Gerald B. Guest,

Director, Center for Veterinary Medicine.

[FR Doc. 92–22239 Filed 9–14–92; 8:45 a.m.]

BILLING CODE 4160–01–F

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8423]

RIN 1545–AP93

Taxation of Tax-Exempt Organizations' Income From Ordinary and Routine Investments; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains a correction to Treasury Decision 8423, which was published in the **Federal Register** Wednesday, July 29, 1992 (57 FR 33442), relating to the taxation of tax-exempt organizations' unrelated business taxable income.

EFFECTIVE DATE: July 29, 1992.

FOR FURTHER INFORMATION CONTACT: Regina L. Oldak, (202) 622–6080 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction amend the regulations under section 512(b)(1) to conform to and incorporate the 1978 statutory amendment regarding securities loans.

Need for Correction

As published, T.D. 8423 contains an error which may prove to be misleading and is in need of clarification.

Correction of Publication

Accordingly, the publication of the final regulation (T.D. 8423), which was the subject of FR Doc. 92–17677, is corrected as follows:

1. On page 33443, column 3, § 1.512(b)–1(a)(3), line 4, the language "prior to this Treasury decision remain" is corrected to read "prior to August 30, 1991, remain".

Dale D. Goode,

Federal Register Liaison Officer, Assistant Chief Counsel (Corporate).

[FR Doc. 92–22230 Filed 9–14–92; 8:45 am]

BILLING CODE 4830–01–M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2676

Valuation of Plan Benefits and Plan Assets Following Mass Withdrawal—Interest Rates

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This is an amendment to the Pension Benefit Guaranty Corporation's regulation on Valuation of Plan Benefits and Plan Assets Following Mass Withdrawal (29 CFR part 2676). The regulation prescribes rules for valuing benefits and certain assets of multiemployer plans under sections 4219(c)(1)(D) and 4281(b) of the Employee Retirement Income Security Act of 1974. Section 2676.15(c) of the regulation contains a table setting forth, for each calendar month, a series of interest rates to be used in any valuation performed as of a valuation date within that calendar month. On or about the fifteenth of each month, the

PBGC publishes a new entry in the table for the following month, whether or not the rates are changing. This amendment adds to the table the rate series for the month of October 1992.

EFFECTIVE DATE: October 1, 1992.

FOR FURTHER INFORMATION CONTACT: Deborah C. Murphy, Attorney, Office of the General Counsel (22500), Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, DC 20006; 202–778–8820 (202–778–1958) for TTY and TDD). (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: The PBGC finds that notice of and public comment on this amendment would be impracticable and contrary to the public interest, and that there is good cause for making this amendment effective immediately. These findings are based on the need to have the interest rates in this amendment reflect market conditions that are as nearly current as possible and the need to issue the interest rates promptly so that they are available to the public before the beginning of the period to which they apply. (See 5 U.S.C. 553 (b) and (d).) Because no general notice of proposed rulemaking is required for this amendment, the Regulatory Flexibility Act of 1980 does not apply (5 U.S.C. 601(2)).

The PBGC has also determined that this amendment is not a "major rule" within the meaning of Executive Order 12291 because it will not have an annual effect on the economy of $100 million or more; or create a major increase in costs or prices for consumers, individual industries, or geographic regions; or have significant adverse effects on competition, employment, investment, or innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

List of Subjects in 29 CFR Part 2676

Employee benefit plans and pensions.

In consideration of the foregoing, part 2676 of subchapter H of chapter XXVI of title 29, Code of Federal Regulations, is amended as follows:

PART 2676—VALUATION OF PLAN BENEFITS AND PLAN ASSETS FOLLOWING MASS WITHDRAWAL

1. The authority citation for part 2676 continues to read as follows:

Authority: 29 U.S.C. 1302(b)(3), 1399(c)(1)(D), and 1441(b)(1).

2. In § 2676.15, paragraph (c) is amended by adding to the end of the table of interest rates therein the following new entry:

§ 2676.15 Interest.

* * * * *

(c) *Interest Rates.*

For valuation dates occurring in the month:	The values for i_k are:															
	i_1	i_2	i_3	i_4	i_5	i_6	i_7	i_8	i_9	i_{10}	i_{11}	i_{12}	i_{13}	i_{14}	i_{15}	i_u
*		*			*		*		*			*			*	
October 1992...	.06375	.0625	.06125	.06	.05875	.0575	.0575	.0575	.0575	.0575	.05625	.05625	.05625	.05625	.05625	.055

Issued at Washington, DC, on this 8th day of September 1992.

James B. Lockhart III,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 92–22258 Filed 9–14–92; 8:45 am]

BILLING CODE 7708–01–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Parts 405, 413, 414, and 415

[BPD–712–CN]

RIN 0938–AE91

Medicare Program; Fee Schedule for Physicians' Services

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Correction of final rule.

SUMMARY: In the November 25, 1991 final rule (56 FR 59624) on the Medicare fee schedule for physician services, we inadvertently set forth regulations on the fee schedule at 42 CFR, part 415. However, our plan for the recodification of HCFA regulations calls for general regulations on payment for Part B medical and other health services to be codified in part 414, with part 415 reserved for regulations on payment to teaching physicians, teaching hospitals, and provider-based physicians. Therefore, in this correction notice, we are redesignating in their entirety the physician fee schedule regulations contained in part 415, subpart A to part 414, subpart A, and reserving part 415 for future use.

Also, this document corrects technical errors that appeared in the final rule published in the **Federal Register** on November 25, 1991 (56 FR 59502) entitled "Medicare Program; Fee Schedule for Physicians' Services".

EFFECTIVE DATE: January 1, 1992.

FOR FURTHER INFORMATION CONTACT: Nancy Miller, (410) 966–4494.

SUPPLEMENTARY INFORMATION: In **Federal Register** Document 91–27785, beginning on page 59502, published November 25, 1991, make the following corrections:

Preamble

A. Page 59507

In column 1, paragraph g., the parenthetical reference "(§ 415.60)" is removed from the first sentence. Immediately following the parenthetical statement at the end of the first sentence, two new sentences are added to read: "We will address in a future FR document the coverage of psychological testing services furnished by CPs and CSWs. Until that document is published, we will continue our present policy of covering psychological testing if the service is furnished by a physician (including incident-to services) or by a qualified psychologist (whether or not a clinical psychologist)."

B. Page 59508

In column 2, section C.1., in the second paragraph the first sentence is corrected to read: "The work RVUs, along with the RVUs for practice expense, malpractice, and technical components, are considered to be 'initial' RVUs."

C. Page 59515

In column 2, paragraph (2), the third through fifth sentences are corrected to read: "We have added 0.01804 work RVUs, 0.00531 practice expense RVUs, and 0.00032 malpractice RVUs or approximately $0.73 per service to the office visits, office consultations, and emergency visit codes to reflect the work in EKG interpretations. We added 0.02706 work RVUs, 0.00807 practice

expense RVUs and 0.00053 malpractice RVUs or approximately $1.11 per service to the hospital visits, hospital consultations, and critical care service codes. For NF, nursing home, and home visits, we added 0.00255 work RVUs, 0.00074 practice expense RVUs, and 0.00005 malpractice RVUs or approximately $0.10 per service."

D. Page 59516, Column 2

1. The title of the table is corrected to read: "Post-Operative Percent of Total RVUs by Procedure Family for Major Surgeries".

2. The following post-operative percentages in the table are corrected to read "(Integumentary) 19"; "(Respiratory) 14"; "(Cardiovascular) 7"; "(Digestive) 10"; "(Urinary) 9"; "(Male Genital) 10"; "(Female Genital) 14"; "(Maternity) 23"; "(Nervous) 13"; and "(Auditory) 14".

3. Immediately following the table, a new sentence is added to read "All minor surgeries with a global surgical period including 10 post-operative days (that is, minor surgeries identified in ADDENDUM B with a global fee period of 010) have a post-operative RVU percentage of 10."

E. Page 59517

In column 2, paragraph 4, is corrected to read:

4. New Physician/Practitioner Adjustment

We will phase-in increases to the fee schedule payment (or prevailing charge, if applicable) for physicians, independently practicing PTs and OTs, and all other health care practitioners, who are in their first through fourth years of practice if certain conditions are met (§ 414.42).

a. *Exceptions.* As specified in the statute, we will not apply the new physician/practitioner adjustment to primary care services or to services furnished in a rural area (as defined in section 1886(d)(2)(D) of the Act) that is designated, under section 332(a)(1)(A) of the Public Health Service Act, as a Health Professional Shortage Area (HPSA).

b. *Years of practice.* The "first year of practice" will be the first full CY during the first 6 months of which the physician, independently practicing PT or OT, or other health care practitioner furnishes professional services for which payment may be made under Part B plus any portion of the prior CY if that prior year does not meet the first 6 months test (§ 414.42(c)). The second, third and fourth years of practice will be the first, second and third CYs, respectively, following the first year of practice. These reductions will apply to each physician/practitioner based on his or her status as a "new physician/practitioner", regardless of whether the new physician/practitioner is a member of a uniform charge structure group practice.

c. *Amounts of adjustments.* The payment for the service of a new physician, PT, OT, or other health care practitioner will be 80 percent of the fee schedule amount or prevailing charge in the first year of practice, 85 percent in the second year, 90 percent in the third year, and 95 percent in the fourth year (§ 414.42(d)). These percentages are specified in the statute.

F. Page 59525

In column 2, in the third paragraph, "90784" is corrected to read "90788".

G. Page 59580

In column 2, the sixth paragraph is corrected to read "Taking all these factors into account and using these assumptions, we set forth a conversion factor of $26.873 in the proposed rule."

H. Page 59581

In column 2, in the first and second sentences "nursing assessments" is corrected to read "nursing facility assessments."

I. Page 59587

In column 2, the first "*Comment:*" is corrected to read "A commenter stated 'the PPS experience argues against the need for a prospective behavioral offset to physician payments. The PPS experience suggests that Congress is likely to correct misestimates that lead to overpayment of physicians under the RBRVS, * * *.'"

J. Page 59588

In column 2, line 29, "one-third" is corrected to read "30 percent".

K. Page 59603, Column 2

1. The table is corrected to read:

(Note: Corrected Post-operative percentage figures are followed by an asterisk; under Family, Cardiovascular (with accompanying code and percentage) is added to correct an omission in the original publication.)

POST-OPERATIVE PERCENT OF TOTAL RVUS BY PROCEDURE FAMILY FOR MAJOR SURGERIES

Family	Procedure codes	Post-operative percentage
Integumentary	10000–19499	19*
Musculoskeletal	20000–29909	21
Respiratory	30000–32999	14*
Cardiovascular	33010–37799	7

POST-OPERATIVE PERCENT OF TOTAL RVUS BY PROCEDURE FAMILY FOR MAJOR SURGERIES—Continued

Family	Procedure codes	Post-operative percentage
Hemic and lymphatic	38100–38999	7*
Mediastinum	39000–39599	7
Digestive	40490–49999	10*
Urinary	50010–53899	9*
Male genital	54000–55980	10*
Female genital	56000–58999	14*
Maternity	59000–59899	23*
Endocrine	60000–60699	9
Nervous	61000–64999	13*
Eye	65091–68899	20
Auditory	69000–69979	14*

2. Following the table, a new sentence is added to read "All minor surgeries with a global surgical period including 10 post-operative days (that is, minor surgeries identified in ADDENDUM B with a global fee period of 010) have a post-operative RVU percentage of 10."

Regulations

A. Page 59624

1. In column 3, amendatory instruction C. is corrected to read as follows: "C. part 414 is amended by adding a new subpart A to read as follows:"

2. Beginning in column 3, subpart A of part 415, consisting of §§ 415.1 through 415.60, is correctly designated as subpart A of part 414, consisting of §§ 414.1 through 414.60, and the internal references in the regulations that follow are corrected in the following places:

Redesignated section	Old	New
414.2(2)	415.36	414.36
414.24(c)(2)	415.2	414.2
414.26(a)(1)	415.22(a)	414.22(a)
414.26(a)(2)	415.22(b)	414.22(b)
414.26(a)(3)	415.22(c)	414.22(c)
414.28(a)	415.30	414.30
414.28(b)	415.30	414.30
414.38(c)	415.36	414.36
414.38(d)	415.36	414.36
414.46(b)(1)	415.20	414.20
414.46(f)(1)	415.20	414.20
414.58(a)	415.1	414.1
	415.48	414.48
414.60	415.44(d)	414.44(d)

PART 415—[AMENDED]

B. Page 59625

1. In column 1, the heading "Subpart B-[Reserved]" is removed.

PART 414—[AMENDED]

2. In column 1, the authority that appears above subpart A is revised to read as follows:

"**Authority:** Secs. 1102, 1832, 1833, 1834, 1842, 1848, 1861(b) and (s), 1862, 1866, 1871, and 1881 of the Social Security Act as amended (42 U.S.C. 1302, 1395k, 1395l, 1395m, 1395u, 1395w–4, 1395x (b) and (s), 1395y, 1395cc, 1395hh, and 1395rr)."

3. In column 2, in newly redesignated § 414.22(a)(2), the reverence to newly redesignated "§ 414.44" is corrected to read "§ 414.46."

C. Page 59627

1. In column 1, newly redesignated § 414.38(b), "intrathecal, intravenous," is corrected to read "all intrathecal injections and in intravenous".

2. In column 2, newly redesignated § 414.42 is corrected to read as follows:

(a) *General rule.* Except as specified in paragraph (b) of this section, the fee schedule payment amount or prevailing charge must be phased in as specified in paragraph (d) of this section for physicians, physical therapists (PTs), occupational therapists (OTs), and all other health care practitioners who are in their first through fourth years of practice.

(b) Exception. The reduction required in paragraph (d) of this section does not apply to primary care services or to services furnished in a rural area as defined in section 1886(d)(2)(D) of the Act that is designated under section 332(a)(1)(A) of the Public Health Service Act as a Health Professional Shortage Area.

(c) *Definition of years of practice.* (1) The "first year of practice" is the first full CY during the first 6 months of which the physician, PT, OT, or other health care practitioner furnishes professional services for which payment may be made under Medicare Part B, plus any portion of the prior CY if that prior year does not meet the first 6 months test.

(2) The "second, third, and fourth years of practice" are the first, second, and third CYs following the first year of practice, respectively.

(d) *Amounts of adjustment.* The fee schedule payment for the service of a new physician, PT, OT, or other health care practitioner is limited to the following percentages for each of the indicated years:

(1) First year—80 percent
(2) Second year—85 percent
(3) Third year—90 percent
(4) Fourth year—95 percent

D. Page 59629

In column 2, newly redesignated § 414.56(b), "exceed the" is corrected to read "exceed 85 percent of the".

Addendum B

A. Page 59633

In item 10, "of days" is corrected to read "of post-operative days".

B. Page 59634

At the beginning of the page, add the following: "MMM=The code describes a service furnished in uncomplicated maternity cases including antepartum care, delivery, and postpartum care. The usual global surgical concept does not apply. See page 309 of the 1992 *Physicians' Current Procedural Terminology* for specific definitions."

C. Pages 59635 Through 59784

Global Fee indicators, status indicators, and relative value units for services are corrected to read as follows:

Note: Corrected values are followed by an asterisk.

ADDENDUM B CORRECTIONS

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
11043		A	2.12	1.90	0.35	4.37	010*
11044		A	2.61	2.97	0.52	6.10	010*
11400		A	0.91	0.57	0.05	1.53	010*
11922		N	0.00	0.00	0.00	0.00	XXX*
15999		C	0.00	0.00	0.00	0.00	YYY*
17304		A	5.84	4.23	0.32	10.39	010*
17999		C	0.00	0.00	0.00	0.00	YYY*
19030		A	1.62	0.52	0.04	2.18	000*
19340		A	6.67	11.48	2.17	20.32	000*
19499		C	0.00	0.00	0.00	0.00	YYY*
20500		A	1.24	0.37	0.04	1.65	010*
20501		A	0.80	0.31	0.02	1.13	000*
20650		A	2.18	1.13	0.14	3.45	010*
21116		A	0.85	0.77	0.06	1.68	000*
22840		A	13.22	23.92	3.83	40.97	000*
22842		A	15.19	26.18	4.23	45.60	000*
22845		A	13.16	20.10	3.45	36.71	000*
23350		A	1.05	0.56	0.05	1.66	000*
24220		A	1.38	0.55	0.05	1.98	000*
25246		A	1.53	0.54	0.05	2.12	000*
27093		A	1.37	0.86	0.11	2.34	000*
27095		A	1.58	0.98	0.13	2.69	000*
27370		A	1.01	0.64	0.05	1.70	000*
30800		D	0.00	0.00	0.00	0.00	XXX*
30801		A	1.07	0.50	0.05	1.62	010*
30805		D	0.00	0.00	0.00	0.00	XXX*
30820		D	0.00	0.00	0.00	0.00	XXX*
31071		A	5.04	4.20	0.22	9.46	090*
31708		A	1.49	0.81	0.09	2.39	000*
31715		A	1.16	0.90	0.08	2.14	000*
33960		C	0.00	0.00	0.00	0.00	YYY*
33972		A	2.14	0.67	0.07	2.88	XXX*
35450		A	10.61	14.15	1.46	26.22	000*
35452		A	7.28	4.59	0.65	12.52	000*
35454		A	6.37	9.79	1.62	17.78	000*
35456		A	7.75	10.96	1.78	20.49	000*
35458		A	10.01	10.67	1.92	22.60	000*
36000		A	0.19	0.50	0.04	0.73	XXX*

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
36010		A	2.56	2.22	0.32	5.10	XXX*
36011		A	2.65	2.01	0.23	4.89	XXX*
36012		A	3.71	2.82	0.33	6.86	XXX*
36013		A	2.65	2.01	0.23	4.89	XXX*
36014		A	3.18	2.41	0.28	5.87	XXX*
36015		A	3.71	2.82	0.33	6.86	XXX*
36100		A	3.18	2.73	0.33	6.24	XXX*
36120		A	2.12	2.45	0.31	4.88	XXX*
36140		A	2.12	1.49	0.25	3.86	XXX*
36145		A	2.12	3.46	0.52	6.10	XXX*
36160		A	2.65	2.45	0.36	5.46	XXX*
36200		A	3.18	2.88	0.29	6.35	XXX*
36215		A	4.71	1.88	0.19	6.78	XXX*
36216		A	5.57	3.48	0.28	9.33	XXX*
36217		A	6.63	4.14	0.33	11.10	XXX*
36218		A	1.06	0.66	0.05	1.77	XXX*
36230		A	5.01	3.28	0.27	8.56	XXX*
36245		A	5.35	1.73	0.16	7.24	XXX*
36246		A	5.57	3.48	0.28	9.33	XXX*
36247		A	6.63	4.14	0.33	11.10	XXX*
36248		A	1.06	0.66	0.05	1.77	YYY*
36299		C	0.00	0.00	0.00	0.00	XXX*
36400		A	0.19	0.09	0.01	0.29	XXX*
36405		A	0.19	0.47	0.03	0.69	XXX*
36406		A	0.19	0.16	0.01	0.36	XXX*
36410		A	0.19	0.23	0.02	0.44	XXX*
36420		A	1.06	0.55	0.05	1.66	XXX*
36425		A	0.80	0.08	0.01	0.89	XXX*
36440		A	1.08	0.99	0.07	2.14	XXX*
36450		A	2.35	1.97	0.19	4.51	XXX*
36455		A	2.56	2.40	0.23	5.19	XXX*
36460		C	0.00	0.00	0.00	0.00	XXX*
36488		A	1.42	1.02	0.14	2.58	000*
36489		A	1.29	1.17	0.18	2.64	000*
36490		A	1.76	1.46	0.21	3.43	000*
36491		A	1.51	1.80	0.33	3.64	000*
36493		A	1.28	0.67	0.16	2.11	000*
36500		A	3.71	0.08	0.01	3.80	000*
36510		A	1.14	0.35	0.02	1.51	000*
36520		A	1.76	1.94	0.12	3.82	000*
36600		A	0.33	0.29	0.02	0.64	XXX*
36620		A	1.21	0.70	0.14	2.05	000*
36625		A	2.22	0.91	0.19	3.32	000*
36640		A	2.21	2.45	0.42	5.08	000*
36660		A	1.48	1.29	0.11	2.88	000*
36680		A	1.27	1.07	0.10	2.44	000*
36800		A	2.56	2.34	0.29	5.19	000*
36810		A	4.18	5.10	0.78	10.06	000*
36815		A	2.76	3.82	0.74	7.32	000*
36820		A	4.78	7.07	1.45	13.30	000*
37200		A	4.80	1.68	0.13	6.61	000*
37201		A	7.64	5.79	0.68	14.11	000*
37202		A	5.99	4.54	0.53	11.06	000*
37203		A	5.31	4.02	0.47	9.80	000*
37204		A	19.11	14.49	1.69	35.29	000*
38200		A	2.79	1.8	0.15	4.74	000*
38230		A	3.33	2.93	0.22	6.48	010*
38240		A	2.36	2.19	0.14	4.69	XXX*
38241		A	2.36	2.15	0.13	4.64	XXX*
38790		A	1.36	2.48	0.20	4.04	000*
40806		A	0.32	0.37	0.03	0.72	000*
42550		A	1.32	0.46	0.04	1.82	000*
47500		A	2.07	1.59	0.14	3.80	000*
47510		A	6.37	3.02	0.26	9.65	090*
47511		A	7.43	4.63	0.37	12.43	090*
50390		A	3.42	1.78	0.15	5.35	000*
50392		A	4.25	2.49	0.21	6.95	000*
50393		A	4.79	3.17	0.27	8.23	000*
50394		A	2.17	0.59	0.05	2.81	000*
50395		A	5.43	3.51	0.30	9.24	000*
50396		A	2.20	1.53	0.14	3.87	000*
50398		A	1.54	0.57	0.05	2.16	000*
50684		A	0.8	0.52	0.05	1.37	000*
50686		A	1.59	0.38	0.04	2.01	000*
50690		A	1.22	0.33	0.03	1.58	000*
51600		A	0.93	0.29	0.03	1.25	000*

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
51605		A	1.18	0.31	0.03	1.52	000 *
51610		A	1.68	0.28	0.02	1.98	000 *
51700		A	0.93	0.23	0.02	1.18	000 *
51705		A	1.04	0.39	0.04	1.47	010 *
51710		A	1.54	0.61	0.06	2.21	010 *
51720		A	2.07	0.48	0.05	2.60	000 *
51725		A	1.59	1.06	0.11	2.76	000 *
51725	26	A	1.59	0.67	0.07	2.33	000 *
51725	TC	A	0.00	0.39	0.04	0.43	000 *
51726		A	1.80	1.36 *	0.13 *	3.29 *	000 *
51726	26	A	1.80	0.85	0.08	2.73	000 *
51726	TC	A	0.00	0.51 *	0.05 *	0.56 *	000 *
51736		A	0.88	0.42 *	0.04 *	1.34 *	000 *
51736	26	A	0.88	0.27	0.03	1.18	000 *
51736	TC	A	0.00	0.15 *	0.01 *	0.16 *	000 *
51739		A	0.97	0.84 *	0.08 *	1.89 *	000 *
51739	26	A	0.97	0.69	0.07	1.73	000 *
51739	TC	A	0.00	0.15 *	0.01 *	0.16 *	000 *
51741		A	1.66	0.58 *	0.06 *	2.30 *	000 *
51741	26	A	1.66	0.36	0.04	2.06	000 *
51741	TC	A	0.00	0.22 *	0.02 *	0.24 *	000 *
51772		A	1.70	1.00 *	0.11 *	2.81 *	000 *
51772	26	A	1.70	0.56	0.06	2.32	000 *
51772	TC	A	0.00	0.44 *	0.05 *	0.49 *	000 *
51785		A	1.62	1.1	0.11	2.83	000 *
51785	26	A	1.62	0.69	0.07	2.38	000 *
51785	TC	A	0.00	0.41	0.04	0.45	000 *
51792		A	1.15	2.04 *	0.20 *	3.39 *	000 *
51792	26	A	1.15	0.63	0.06	1.84	000 *
51792	TC	A	0.00	1.41 *	0.14 *	1.55 *	000 *
51795		A	1.61	1.53 *	0.16 *	3.30 *	000 *
51795	26	A	1.61	0.61	0.06	2.28	000 *
51795	TC	A	0.00	0.92 *	0.10 *	1.02 *	000 *
51797		A	1.69	1.02 *	0.10 *	2.81 *	000 *
51797	26	A	1.69	0.55	0.05	2.29	000 *
51797	TC	A	0.00	0.47 *	0.05 *	0.52 *	000 *
53670		A	0.53	0.23	0.02	0.78	000 *
53675		A	1.55	0.50	0.05	2.10	000 *
53800		X *	0.00	0.00	0.00	0.00	000 *
54220		A	3.35	1.67	0.17	5.19	010 *
54230		A	1.41	1.41	0.13	2.95	000 *
54240		A	2.30	1.06 *	0.12	3.48 *	000
54240	26	A	2.30	0.55	0.06	2.91	000
54240	TC	A	0.00	0.51 *	0.06	0.57 *	000
54250		A	2.34	0.85 *	0.08	3.27 *	000
54250	26	A	2.34	0.54	0.05	2.93	000
54250	TC	A	0.00	0.31 *	0.03	0.34 *	000
56720		A	0.72	0.51	0.11	1.34	000 *
57150		A	0.99	0.20	0.04	1.23	000 *
57160		A	0.94	0.26	0.05	1.25	000 *
58340		A	0.84	0.61	0.08	1.53	000 *
59020		A	0.70	1.52 *	0.30 *	2.52 *	000
59020	26	A	0.70	0.98	0.20	1.88	000
59020	TC	A	0.00	0.54 *	0.10 *	0.64 *	000
59025		A	0.57	0.64	0.12 *	1.33 *	000
59025	26	A	0.57	0.41	0.08	1.06	000
59025	TC	A	0.00	0.23	0.04 *	0.27 *	000
59050		A	1.63	0.85	0.15	2.63	XXX *
59412		A	1.80	1.29	0.30	3.39	MMM *
59525		A	6.90	4.01	0.93	11.84	MMM *
61624		A	21.23	16.1	1.88	39.21	000 *
61626		A	17.51	13.28	1.55	32.34	000 *
61795		A	4.25	3.09	0.6	7.94	000 *
62274		A	1.61	0.78	0.18	2.57	000 *
62275		A	1.88	0.63	0.2	2.71	000 *
62276		A	2.15	1.3	0.24	3.69	000 *
62277		A	2.07	0.88	0.24	3.19	000 *
62278		A	1.59	1.03	0.27	2.89	000 *
62279		A	1.67	0.86	0.25	2.78	000 *
62284		A	1.63	2.36	0.35	4.34	000 *
62290		A	3.77	1.95	0.25	5.97	000 *
62291		A	3.07	1.87	0.41	5.35	000 *
64550		A	0.19	0.46	0.04	0.69	000 *
64872		C	0.00	0.00	0.00	0.00	YYY *
64874		C	0.00	0.00	0.00	0.00	YYY *
64876		C	0.00	0.00	0.00	0.00	YYY *

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
64885		A	17.63	13.37	1.56	32.56	090 *
64886		A	21.03	15.94	1.86	38.83	090 *
67345		A	2.32	1.94	0.10	4.36	010 *
67820		A	0.94	0.39	0.02	1.35	000 *
68040		A	0.89	0.47	0.02	1.38	000 *
68550		A	13.34	11.95	0.78	26.07	090 *
69200		A	0.81	0.44	0.04	1.29	000 *
69220		A	0.87	0.53	0.05	1.45	000 *
69400		A	0.87	0.47	0.05	1.39	000 *
69401		A	0.67	0.26	0.03	0.96	000 *
69610		A	4.62	0.98	0.10	5.70	010 *
76350		C	0.00	0.00	0.00	0.00	XXX
76350	26 *	C	0.00	0.00	0.00	0.00	XXX
76350	TC *	C	0.00	0.00	0.00	0.00	XXX
76499		C	0.00	0.00	0.00	0.00	XXX
76499	26 *	C	0.00	0.00	0.00	0.00	XXX
76499	TC *	C	0.00	0.00	0.00	0.00	XXX
76999		C	0.00	0.00	0.00	0.00	XXX
76999	26 *	C	0.00	0.00	0.00	0.00	XXX
76999	TC *	C	0.00	0.00	0.00	0.00	XXX
77299		C	0.00	0.00	0.00	0.00	XXX
77299	26 *	C	0.00	0.00	0.00	0.00	XXX
77299	TC *	C	0.00	0.00	0.00	0.00	XXX
77399		C	0.00	0.00	0.00	0.00	XXX
77399	26 *	C	0.00	0.00	0.00	0.00	XXX
77399	TC *	C	0.00	0.00	0.00	0.00	XXX
77499		C	0.00	0.00	0.00	0.00	XXX
77499	26 *	C	0.00	0.00	0.00	0.00	XXX
77499	TC *	C	0.00	0.00	0.00	0.00	XXX
77778		A	11.03 *	10.08	1.03	22.14 *	XXX
77778	26	A	11.03 *	4.94	0.71	16.68 *	XXX
77778	TC	A	0.00	5.14	0.32	5.46	XXX
77799		C	0.00	0.00	0.00	0.00	XXX
77799	26 *	C	0.00	0.00	0.00	0.00	XXX
77799	TC *	C	0.00	0.00	0.00	0.00	XXX
78099		C	0.00	0.00	0.00	0.00	XXX
78099	26 *	C	0.00	0.00	0.00	0.00	XXX
78099	TC *	C	0.00	0.00	0.00	0.00	XXX
78199		C	0.00	0.00	0.00	0.00	XXX
78199	26 *	C	0.00	0.00	0.00	0.00	XXX
78199	TC *	C	0.00	0.00	0.00	0.00	XXX
78299		C	0.00	0.00	0.00	0.00	XXX
78299	26 *	C	0.00	0.00	0.00	0.00	XXX
78299	TC *	C	0.00	0.00	0.00	0.00	XXX
78399		C	0.00	0.00	0.00	0.00	XXX
78399	26 *	C	0.00	0.00	0.00	0.00	XXX
78399	TC *	C	0.00	0.00	0.00	0.00	XXX
78499		C	0.00	0.00	0.00	0.00	XXX
78499	26 *	C	0.00	0.00	0.00	0.00	XXX
78499	TC *	C	0.00	0.00	0.00	0.00	XXX
78599		C	0.00	0.00	0.00	0.00	XXX
78599	26 *	C	0.00	0.00	0.00	0.00	XXX
78599	TC *	C	0.00	0.00	0.00	0.00	XXX
78699		C	0.00	0.00	0.00	0.00	XXX
78699	26 *	C	0.00	0.00	0.00	0.00	XXX
78699	TC *	C	0.00	0.00	0.00	0.00	XXX
78799		C	0.00	0.00	0.00	0.00	XXX
78799	26 *	C	0.00	0.00	0.00	0.00	XXX
78799	TC *	C	0.00	0.00	0.00	0.00	XXX
78999		C	0.00	0.00	0.00	0.00	XXX
78999	26 *	C	0.00	0.00	0.00	0.00	XXX
78999	TC *	C	0.00	0.00	0.00	0.00	XXX
79999		C	0.00	0.00	0.00	0.00	XXX
79999	26 *	C	0.00	0.00	0.00	0.00	XXX
79999	TC *	C	0.00	0.00	0.00	0.00	XXX
85060		A *	0.48	0.23	0.02	0.73	XXX
88199		C	0.00	0.00	0.00	0.00	XXX
88199	26 *	C	0.00	0.00	0.00	0.00	XXX
88199	TC *	C	0.00	0.00	0.00	0.00	XXX
88399		C	0.00	0.00	0.00	0.00	XXX
88399	26 *	C	0.00	0.00	0.00	0.00	XXX
88399	TC *	C	0.00	0.00	0.00	0.00	XXX
89399		C	0.00	0.00	0.00	0.00	XXX
89399	26 *	C	0.00	0.00	0.00	0.00	XXX
89399	TC *	C	0.00	0.00	0.00	0.00	XXX
90841		B *	0.00	0.00	0.00	0.00	XXX

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
90870		A	1.91	0.57	0.08	2.56	000 *
90871		A	2.87	0.87	0.13	3.87	000 *
90899		C *	0.00	0.00	0.00	0.00	XXX
90900		A	0.94	0.95	0.08	1.97	000 *
90902		A	0.94	0.67	0.05	1.66	000 *
90904		A	0.94	0.60	0.08	1.62	000 *
90906		A	0.94	1.69	0.11	2.74	000 *
90908		A	0.94	0.91	0.06	1.91	000 *
90910		A	0.94	0.71	0.10	1.75	000 *
90915		A	0.94	0.80	0.06	1.80	000 *
90935		A	0.94	1.52	0.10	2.56	000 *
90937		A	2.18	3.01	0.19	5.38	000 *
90945		A	0.92	1.29	0.08	2.29	000 *
90947		A	2.00	2.14	0.14	4.28	000 *
90997		A	1.93	2.59	0.16	4.68	000 *
91010		A	1.74	2.40 *	0.17	4.31 *	000
91010	26	A	1.74	1.58	0.11	3.43	000
91010	TC	A	0.00	0.82 *	0.06	0.88 *	000
91011		A	2.09	2.80 *	0.18 *	5.07 *	000
91011	26	A	2.09	1.77	0.11	3.97	000
91011	TC	A	0.00	1.03 *	0.07 *	1.10 *	000
91012		A	2.03	3.28	0.23 *	5.54 *	000
91012	26	A	2.03	2.13	0.15	4.31	000
91012	TC	A	0.00	1.15	0.08 *	1.23 *	000
91020		A	2.00	2.63 *	0.18 *	4.81 *	000
91020	26	A	2.00	1.86	0.12	3.98	000
91020	TC	A	0.00	0.77 *	0.06 *	0.83 *	000
91030		A	1.27	0.58 *	0.05	1.90 *	000
91030	26	A	1.27	0.36	0.03	1.66	000
91030	TC	A	0.00	0.22 *	0.02	0.24 *	000
91032		A	1.68	2.07 *	0.16 *	3.91 *	000
91032	26	A	1.68	1.32	0.10	3.10	000
91032	TC	A	0.00	0.75 *	0.06 *	0.81 *	000
91033		A	1.80	3.13 *	0.25 *	5.18 *	000
91033	26	A	1.80	1.78	0.14	3.72	000
91033	TC	A	0.00	1.35 *	0.11 *	1.46 *	000
91052		A	1.80	0.87 *	0.07 *	2.74 *	000
91052	26	A	1.80	0.54	0.04	2.38	000
91052	TC	A	0.00	0.33 *	0.03 *	0.36 *	000
91055		A	1.35	0.85 *	0.06 *	2.26 *	000
91055	26	A	1.35	0.55	0.04	1.94	000
91055	TC	A	0.00	0.30 *	0.02 *	0.32 *	000
91065		A	0.47	0.87 *	0.05	1.39 *	000
91065	26	A	0.47	0.52	0.03	1.02	000
91065	TC	A	0.00	0.35 *	0.02	0.37 *	000
91122		A	1.86	1.82 *	0.22	3.90 *	000
91122	26	A	1.86	1.11	0.13	3.10	000
91122	TC	A	0.00	0.71 *	0.09	0.80 *	000
91299		C	0.00	0.00	0.00	0.00	XXX
91299	26 *	C	0.00	0.00	0.00	0.00	XXX
91299	TC *	C	0.00	0.00	0.00	0.00	XXX
92499		C	0.00	0.00	0.00	0.00	XXX
92499	26 *	C	0.00	0.00	0.00	0.00	XXX
92499	TC *	C	0.00	0.00	0.00	0.00	XXX
92541		A	0.42	0.71 *	0.07 *	1.20 *	XXX
92541	26	A	0.42	0.48	0.05	0.95	XXX
92541	TC	A	0.00	0.23 *	0.02 *	0.25 *	XXX
92542		A	0.34	0.63 *	0.07 *	1.04 *	XXX
92542	26	A	0.34	0.37	0.04	0.75	XXX
92542	TC	A	0.00	0.26 *	0.03 *	0.29 *	XXX
92543		A	0.39	0.86 *	0.09 *	1.34 *	XXX
92543	26	A	0.39	0.44	0.05	0.88	XXX
92543	TC	A	0.00	0.42 *	0.04 *	0.46 *	XXX
92544		A	0.27	0.49 *	0.05 *	0.81 *	XXX
92544	26	A	0.27	0.28	0.03	0.58	XXX
92544	TC	A	0.00	0.21 *	0.02 *	0.23 *	XXX
92545		A	0.24	0.42 *	0.04 *	0.70 *	XXX
92545	26	A	0.24	0.21	0.02	0.47	XXX
92545	TC	A	0.00	0.21 *	0.02 *	0.23 *	XXX
92546		A	0.30	0.55 *	0.05 *	0.90 *	XXX
92546	26	A	0.30	0.31	0.03	0.64	XXX
92546	TC	A	0.00	0.24 *	0.02 *	0.26 *	XXX
92599		C	0.00	0.00	0.00	0.00	XXX
92599	26 *	C	0.00	0.00	0.00	0.00	XXX
92599	TC*	C	0.00	0.00	0.00	0.00	XXX
92986		A	21.44	12.68	0.95	35.07	090*

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
92990		A	17.1	10.11	0.75	27.96	090*
93012		A	0.00	0.26*	0.02	0.28	XXX
93015		A	0.47	2.50*	0.18	3.15*	XXX
93017		A	0.00	1.69*	0.12	1.81*	XXX
93018		A	0.47	0.81	0.06	1.34	XXX
93024		A	1.23	2.90*	0.23*	4.36*	XXX
93024	26	A	1.23	1.78	0.14	3.15	XXX
93024	TC	A	0.00	1.12*	0.09*	1.21*	XXX
93201		A	0.44	1.08*	0.09*	1.61*	XXX
93202		A	0.00	0.79*	0.07*	0.86*	XXX
93204		A	0.44	0.29	0.02	0.75	XXX
93205		A	0.49	0.93	0.07	1.49*	XXX
93208		A	0.00	0.34*	0.03	0.37*	XXX
93209		A	0.49	0.59	0.04	1.12	XXX
93210		A	0.97	1.82*	0.13*	2.92*	XXX
93210	26	A	0.97	0.86	0.06	1.89	XXX
93210	TC	A	0.00	0.96*	0.07*	1.03*	XXX
93220		A	0.27	1.09*	0.07*	1.43*	XXX
93221		A	0.00	0.62*	0.04*	0.66*	XXX
93222		A	0.27	0.47	0.03	0.77	XXX
93224		A	0.56	4.35*	0.31*	5.22*	XXX
93225		A	0.00	1.24*	0.09	1.33*	XXX
93226		A	0.00	2.19*	0.16*	2.35*	XXX
93227		A	0.56	0.92	0.06	1.54	XXX
93230		A	0.56	4.84*	0.34*	5.74*	XXX
93231		A	0.00	1.53*	0.11*	1.64*	XXX
93232		A	0.00	2.18*	0.15*	2.33*	XXX
93233		A	0.56	1.13	0.08	1.77	XXX
93235		A	0.47	3.59*	0.24*	4.30*	XXX
93236		A	0.00	2.63*	0.18*	2.81*	XXX
93237		A	0.47	0.96	0.06	1.49	XXX
93268		A	0.36	0.84*	0.07*	1.27*	XXX
93268	26	A	0.36	0.38	0.03	0.77	XXX
93268	TC	A	0.00	0.46*	0.04*	0.50*	XXX
93278		A	0.36	1.94*	0.18*	2.48*	XXX
93278	26	A	0.36	0.79	0.06	1.21	XXX
93278	TC	A	0.00	1.15*	0.12*	1.27*	XXX
93280		A	0.45	0.91*	0.07	1.43*	XXX
93280	26	A	0.45	0.51	0.04	1.00	XXX
93280	TC	A	0.00	0.40*	0.03	0.43*	XXX
93307		A	0.41	5.13*	0.37	5.91*	XXX
93307	26	A	0.41	1.25	0.09	1.75	XXX
93307	TC	A	0.00	3.88*	0.28	4.16*	XXX
93308		A	0.15	2.66*	0.19*	3.00*	XXX
93308	26	A	0.15	0.72	0.05	0.92	XXX
93308	TC	A	0.00	1.94*	0.14*	2.08*	XXX
93312		A	0.53	5.23*	0.46*	6.22*	XXX
93312	26	A	0.53	1.43	0.12	2.08	XXX
93312	TC	A	0.00	3.80*	0.34*	4.14*	XXX
93320		A	0.39	2.45*	0.18	3.02*	XXX
93320	26	A	0.39	0.73	0.05	1.17	XXX
93320	TC	A	0.00	1.72*	0.13	1.85*	XXX
93321		A	0.15	1.40*	0.11*	1.66*	XXX
93321	26	A	0.15	0.29	0.02	0.46	XXX
93321	TC	A	0.00	1.11*	0.09*	1.20*	XXX
93350		A	1.20	4.30*	0.33*	5.83*	XXX
93350	26	A	1.20	0.84	0.06	2.10	XXX
93350	TC	A	0.00	3.46*	0.27*	3.73*	XXX
93501		A	3.18	20.78*	1.62*	25.58*	000
93501	26	A	3.18	3.81	0.35	7.34	000
93501	TC	A	0.00	16.97*	1.27*	18.24*	000
93505		A	4.80	5.19*	0.48*	10.47*	000
93505	26	A	4.80	3.19	0.29	8.28	000
93505	TC	A	0.00	2.00*	0.19*	2.19*	000
93510		A	4.51	40.40*	3.01*	47.92*	000
93510	26	A	4.51	4.26	0.31	9.08	000
93510	TC	A	0.00	36.14*	2.70*	38.84*	000
93511		A	5.31	38.90*	2.91*	47.12*	000
93511	26	A	5.31	2.76	0.21	8.28	000
93511	TC	A	0.00	36.14*	2.70*	38.84*	000
93514		A	7.43	40.93*	3.09*	51.45*	000
93514	26	A	7.43	4.79	0.39	12.61	000
93514	TC	A	0.00	36.14*	2.70*	38.84*	000
93524		A	7.32	52.11*	3.88*	63.31*	000
93524	26	A	7.32	4.90	0.35	12.57	000
93524	TC	A	0.00	47.21*	3.53*	50.74*	000

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
93526		A	6.23	54.31*	4.03*	64.57*	000
93526	26	A	6.23	7.10	0.50	13.83	000
93526	TC	A	0.00	47.21*	3.53*	50.74*	000
93527		A	7.67	54.74*	4.06*	66.47*	000
93527	26	A	7.67	7.53	0.53	15.73	000
93527	TC	A	0.00	47.21*	3.53*	50.74*	000
93528		A	9.48	51.88*	3.87*	65.23*	000
93528	26	A	9.48	4.67	0.34	14.49	000
93528	TC	A	0.00	47.21*	3.53*	50.74*	000
93529		A*	5.05	50.30*	3.76*	59.11*	000
93529	26	A	5.05	3.09	0.23	8.37	000
93529	TC	A	0.00	47.21*	3.53*	50.74*	000
93546		A	4.72	46.69*	3.47*	54.88*	000
93546	26	A	4.72	6.83	0.49	12.04	000
93546	TC	A	0.00	39.86*	2.98*	42.84*	000
93547		A	4.94	48.31*	3.59*	56.84*	000
93547	26	A	4.94	8.45	0.61	14.00	000
93547	TC	A	0.00	39.86*	2.98*	42.84*	000
93548		A	5.15	49.13*	3.65*	57.93*	000
93548	26	A	5.15	9.27	0.67	15.09	000
93548	TC	A	0.00	39.86*	2.98*	42.84*	000
93549		A	6.65	50.66*	3.76*	61.07*	000
93549	26	A	6.65	10.80	0.78	18.23	000
93549	TC	A	0.00	39.86*	2.98*	42.84*	000
93550		A	6.87	52.24*	3.88*	62.99*	000
93550	26	A	6.87	12.38	0.90	20.15	000
93550	TC	A	0.00	39.86*	2.98*	42.84*	000
93552		A	5.15	55.02*	4.08*	64.25*	000
93552	26	A	5.15	10.91	0.78	16.84	000
93552	TC	A	0.00	44.11*	3.30*	47.41*	000
93553		A	5.36	57.34*	4.28*	66.98*	000
93553	26	A	5.36	13.23	0.98	19.57	000
93553	TC	A	0.00	44.11*	3.30*	47.41*	000
93561		A	1.21	1.32*	0.16*	2.69*	000
93561	26	A	1.21	0.79	0.09	2.09	000
93561	TC	A	0.00	0.53*	0.07*	0.60*	000
93562		A	0.38	0.83*	0.10	1.31*	000
93562	26	A	0.38	0.52	0.06	0.96	000
93562	TC	A	0.00	0.31*	0.04	0.35*	000
93600		A	2.23	5.38*	0.39*	8.00*	000
93600	26	A	2.23	3.43	0.25	5.91	000
93600	TC	A	0.00	1.95*	0.14*	2.09*	000
93602		A	2.23	2.97*	0.22	5.42*	000
93602	26	A	2.23	1.86	0.14	4.23	000
93602	TC	A	0.00	1.11*	0.08	1.19*	000
93603		A	2.23	3.99*	0.28	6.50*	000
93603	26	A	2.23	2.30	0.16	4.69	000
93603	TC	A	0.00	1.69*	0.12	1.81*	000
93607		A	3.44	3.82*	0.28*	7.54*	000
93607	26	A	3.44	2.32	0.17	5.93	000
93607	TC	A	0.00	1.50*	0.11*	1.61*	000
93609		A	10.61	6.77*	0.49*	17.87*	000
93609	26	A	10.61	4.04	0.29	14.94	000
93609	TC	A	0.00	2.73*	0.20*	2.93*	000
93610		A	3.18	3.80*	0.28*	7.26*	000
93610	26	A	3.18	2.44	0.18	5.80	000
93610	TC	A	0.00	1.36*	0.10*	1.46*	000
93612		A	3.18	4.10*	0.30	7.58*	000
93612	26	A	3.18	2.47	0.18	5.83	000
93612	TC	A	0.00	1.63*	0.12	1.75*	000
93618		A	3.18	10.39*	0.75*	14.32*	000
93618	26	A	3.18	6.41	0.46	10.05	000
93618	TC	A	0.00	3.98*	0.29*	4.27*	000
93620		A	12.21	23.25*	1.64*	37.10*	000
93620	26	A	12.21	14.26	1.00	27.47	000
93620	TC	A	0.00	8.99*	0.64*	9.63*	000
93624		A	4.28	5.15*	0.36*	9.79	000
93624	26	A	4.28	3.15	0.22	7.65	000
93624	TC	A	0.00	2.00*	0.14*	2.14	000
93631		A	6.10	18.80*	1.96*	26.66*	000
93631	26	A	6.10	12.62	1.22	19.94	000
93631	TC	A	0.00	6.18*	0.74*	6.92*	000
93640		A	3.71	9.41*	0.67*	13.79*	000
93640	26	A	3.71	2.20	0.16	6.07	000
93640	TC	A	0.00	7.21*	0.51*	7.72*	000
93720		A	0.18	1.04*	0.10*	1.32*	XXX

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
93721		A	0.00	0.71*	0.07*	0.78*	XXX
93722		A	0.18	0.33	0.03	0.54	XXX
93731		A	0.48	0.83*	0.07*	1.38*	XXX
93731	26	A	0.48	0.33	0.03	0.84	XXX
93731	TC	A	0.00	0.50*	0.04*	0.54*	XXX
93732		A	0.69	0.96*	0.08	1.73*	XXX
93732	26	A	0.69	0.44	0.04	1.17	XXX
93732	TC	A	0.00	0.52*	0.04	0.56*	XXX
93733		A	0.48	1.01*	0.08*	1.57*	XXX
93733	26	A	0.48	0.28	0.02	0.78	XXX
93733	TC	A	0.00	0.73*	0.06*	0.79*	XXX
93734		A	0.39	0.66*	0.06	1.11*	XXX
93734	26	A	0.39	0.32	0.03	0.74	XXX
93734	TC	A	0.00	0.34*	0.03	0.37*	XXX
93735		A	0.53	0.89*	0.08	1.50*	XXX
93735	26	A	0.53	0.45	0.04	1.02	XXX
93735	TC	A	0.00	0.44*	0.04	0.48*	XXX
93736		A	0.39	0.93*	0.09*	1.41*	XXX
93736	26	A	0.39	0.29	0.03	0.71	XXX
93736	TC	A	0.00	0.64*	0.06*	0.70*	XXX
93737		A	0.47	0.78*	0.06*	1.31*	XXX
93737	26	A	0.47	0.28	0.02	0.77	XXX
93737	TC	A	0.00	0.50*	0.04*	0.54*	XXX
93738		A	0.69	0.93*	0.07	1.69*	XXX
93738	26	A	0.69	0.41	0.03	1.13	XXX
93738	TC	A	0.00	0.52*	0.04	0.56*	XXX
93740		A	0.16	0.46*	0.04	0.66*	XXX
93740	26	A	0.16	0.31	0.03	0.50	XXX
93740	TC	A	0.00	0.15*	0.01	0.16*	XXX
93760		A	0.16	1.70*	0.16*	2.02*	XXX
93760	26	A	0.16	0.56	0.05	0.77	XXX
93760	TC	A	0.00	1.14*	0.11*	1.25*	XXX
93762		A	0.16	2.05*	0.21*	2.42*	XXX
93762	26	A	0.16	0.59	0.05	0.80	XXX
93762	TC	A	0.00	1.46*	0.16*	1.62*	XXX
93770		A	0.16	0.20*	0.02	0.38*	XXX
93770	26	A	0.16	0.17	0.02	0.35	XXX
93770	TC	A	0.00	0.03*	0.00	0.03*	XXX
93799		C	0.00	0.00	0.00	0.00	XXX
93799	26*	C	0.00	0.00	0.00	0.00	XXX
93799	TC*	C	0.00	0.00	0.00	0.00	XXX
93875		A	0.23	1.68*	0.18*	2.09*	XXX
93875	26	A	0.23	0.58	0.06	0.87	XXX
93875	TC	A	0.00	1.10*	0.12*	1.22*	XXX
93880		A	0.64	3.99*	0.44*	5.07*	XXX
93880	26	A	0.64	0.48	0.05	1.17	XXX
93880	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93882		A	0.31	3.75*	0.42*	4.48*	XXX
93882	26	A	0.31	0.24	0.03	0.58	XXX
93882	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93886		A	0.96	4.23*	0.47*	5.66*	XXX
93886	26	A	0.96	0.72	0.08	1.76	XXX
93886	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93888		A	0.47	3.87*	0.43*	4.77*	XXX
93888	26	A	0.47	0.36	0.04	0.87	XXX
93888	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93920		A	0.32	3.31*	0.36*	3.99*	XXX
93920	26	A	0.32	0.68	0.07	1.07	XXX
93920	TC	A	0.00	2.63*	0.29*	2.92*	XXX
93921		A	0.42	2.62*	0.34*	3.38*	XXX
93921	26	A	0.42	0.68	0.09	1.19	XXX
93921	TC	A	0.00	1.94*	0.25*	2.19*	XXX
93925		A	0.64	3.99*	0.44*	5.07*	XXX
93925	26	A	0.64	0.48	0.05	1.17	XXX
93925	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93926		A	0.31	3.75*	0.42*	4.48*	XXX
93926	26	A	0.31	0.24	0.03	0.58	XXX
93926	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93930		A	0.54	3.91*	0.43*	4.88*	XXX
93930	26	A	0.54	0.40	0.04	0.98	XXX
93930	TC	A	0.00	3.51*	0.39*	3.90	XXX
93931		A	0.26	3.71*	0.41*	4.38*	XXX
93931	26	A	0.26	0.20	0.02	0.48	XXX
93931	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93965		A	0.36	1.59*	0.19*	2.14*	XXX
93965	26	A	0.36	0.50	0.06	0.92	XXX

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
93965	TC	A	0.00	1.09*	0.13*	1.22*	XXX
93970		A	0.74	4.08*	0.46*	5.28*	XXX
93970	26	A	0.74	0.57	0.07	1.38	XXX
93970	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93971		A	0.37	3.79*	0.42*	4.58*	XXX
93971	26	A	0.37	0.28	0.03	0.68	XXX
93971	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93975		A	1.06	4.32*	0.48*	5.86*	XXX
93975	26	A	1.06	0.81	0.09	1.96	XXX
93975	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93976		A	0.54	3.91*	0.43*	4.88*	XXX
93976	26	A	0.54	0.40	0.04	0.98	XXX
93976	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93978		A	0.71	4.05*	0.45*	5.21*	XXX
93978	26	A	0.71	0.54	0.06	1.31	XXX
93978	TC	A	0.00	3.51*	0.39*	3.90*	XXX
93979		A	0.36	3.78*	0.42*	4.56*	XXX
93979	26	A	0.36	0.27	0.03	0.66	XXX
93979	TC	A	0.00	3.51*	0.39*	3.90*	XXX
94060		A	0.32	1.33*	0.09	1.74*	XXX
94060	26	A	0.32	0.39	0.03	0.74	XXX
94060	TC	A	0.00	0.94*	0.06	1.00*	XXX
94070		A	0.64	1.86*	0.13*	2.63*	XXX
94070	26	A	0.64	0.39	0.03	1.06	XXX
94070	TC	A	0.00	1.47*	0.10*	1.57*	XXX
94160		A	0.19	0.39*	0.02	0.60*	XXX
94160	26	A	0.19	0.20	0.01	0.40	XXX
94160	TC	A	0.00	0.19*	0.01	0.20*	XXX
94200		A	0.11	0.44*	0.03	0.58*	XXX
94200	26	A	0.11	0.19	0.01	0.31	XXX
94200	TC	A	0.00	0.25*	0.02	0.27*	XXX
94240		A	0.27	0.93*	0.07*	1.27*	XXX
94240	26	A	0.27	0.24	0.02	0.53	XXX
94240	TC	A	0.00	0.69*	0.05*	0.74*	XXX
94250		A	0.11	0.28*	0.02	0.41*	XXX
94250	26	A	0.11	0.15	0.01	0.27	XXX
94250	TC	A	0.00	0.13*	0.01	0.14*	XXX
94260		A	0.13	0.83*	0.06*	1.02*	XXX
94260	26	A	0.13	0.27	0.02	0.42	XXX
94260	TC	A	0.00	0.56*	0.04*	0.60*	XXX
94350		A	0.27	0.78*	0.05*	1.10*	XXX
94350	26	A	0.27	0.22	0.01	0.50	XXX
94350	TC	A	0.00	0.56*	0.04*	0.60*	XXX
94360		A	0.27	1.17*	0.07*	1.51*	XXX
94360	26	A	0.27	0.20	0.01	0.48	XXX
94360	TC	A	0.00	0.97*	0.06*	1.03*	XXX
94370		A	0.27	0.41*	0.03*	0.71*	XXX
94370	26	A	0.27	0.14	0.01	0.42	XXX
94370	TC	A	0.00	0.27*	0.02*	0.29*	XXX
94375		A	0.32	0.71*	0.04	1.07*	XXX
94375	26	A	0.32	0.22	0.01	0.55	XXX
94375	TC	A	0.00	0.49*	0.03	0.52*	XXX
94400		A	0.42	0.81*	0.19*	1.42*	XXX
94400	26	A	0.42	0.50	0.13	1.05	XXX
94400	TC	A	0.00	0.31*	0.06*	0.37*	XXX
94450		A	0.42	0.63*	0.05*	1.10*	XXX
94450	26	A	0.42	0.25	0.02	0.69	XXX
94450	TC	A	0.00	0.38*	0.03*	0.41*	XXX
94620		A	0.93	2.17*	0.15*	3.25*	XXX
94620	26	A	0.93	0.74	0.05	1.72	XXX
94620	TC	A	0.00	1.43*	0.10*	1.53*	XXX
94680		A	0.27	0.86*	0.10*	1.23*	XXX
94680	26	A	0.27	0.34	0.03	0.64	XXX
94680	TC	A	0.00	0.52*	0.07*	0.59*	XXX
94681		A	0.21	1.87*	0.17*	2.25*	XXX
94681	26	A	0.21	0.48	0.04	0.73	XXX
94681	TC	A	0.00	1.39*	0.13*	1.52*	XXX
94690		A	0.07	0.60*	0.04*	0.71*	XXX
94690	26	A	0.07	0.05	0.00	0.12	XXX
94690	TC	A	0.00	0.55*	0.04*	0.59*	XXX
94715		A	0.21	0.40*	0.07*	0.68*	XXX
94715	26	A	0.21	0.23	0.04	0.48	XXX
94715	TC	A	0.00	0.17*	0.03*	0.20*	XXX
94720		A	0.27	1.08*	0.08*	1.43*	XXX
94720	26	A	0.27	0.24	0.02	0.53	XXX
94720	TC	A	0.00	0.84*	0.06*	0.90*	XXX

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
94725		A	0.27	1.94*	0.14*	2.35*	XXX
94725	26	A	0.27	0.19	0.01	0.47	XXX
94725	TC	A	0.00	1.75*	0.13*	1.88*	XXX
94750		A	0.24	0.88*	0.06*	1.18*	XXX
94750	26	A	0.24	0.29	0.02	0.55	XXX
94750	TC	A	0.00	0.59*	0.04*	0.63*	XXX
94770		A	0.21	0.41*	0.11*	0.73*	XXX
94770	26	A	0.21	0.11	0.03	0.35	XXX
94770	TC	A	0.00	0.30*	0.08*	0.38*	XXX
94799		A	0.00	0.00	0.00	0.00	XXX
94799	26*	A	0.00	0.00	0.00	0.00	XXX
94799	TC*	A	0.00	0.00	0.00	0.00	XXX
95805		A	0.80	5.82*	0.46*	7.08*	XXX
95805	26	A	0.80	0.60	0.07	1.47	XXX
95805	TC	A	0.00	5.22*	0.39*	5.61*	XXX
95816		A	0.39	1.62*	0.13	2.14*	XXX
95816	26	A	0.39	0.29	0.03	0.71	XXX
95816	TC	A	0.00	1.33*	0.10	1.43*	XXX
95817		A	0.39	2.24*	0.18*	2.81*	XXX
95817	26	A	0.39	0.29	0.03	0.71	XXX
95817	TC	A	0.00	1.95*	0.15*	2.10*	XXX
95819		A	0.39	1.86*	0.14	2.39*	XXX
95819	26	A	0.39	0.53	0.04	0.96	XXX
95819	TC	A	0.00	1.33*	0.10	1.43*	XXX
95821		A	0.39	2.56*	0.19*	3.14*	XXX
95821	26	A	0.39	0.61	0.04	1.04	XXX
95821	TC	A	0.00	1.95*	0.15*	2.10*	XXX
95822		A	0.45	2.41*	0.18*	3.04*	XXX
95822	26	A	0.45	0.60	0.04	1.09	XXX
95822	TC	A	0.00	1.81*	0.14*	1.95*	XXX
95823		A	0.45	2.38*	0.18	3.01*	XXX
95823	26	A	0.45	0.67	0.05	1.17	XXX
95823	TC	A	0.00	1.71*	0.13	1.84*	XXX
95824		A	0.27	1.04*	0.07*	1.38*	XXX
95824	26	A	0.27	0.62	0.04	0.93	XXX
95824	TC	A	0.00	0.42*	0.03*	0.45*	XXX
95826		A	0.44	1.44*	0.10*	1.98*	XXX
95826	26	A	0.44	0.71	0.05	1.20	XXX
95826	TC	A	0.00	0.73*	0.05*	0.78*	XXX
95827		A	0.67	3.22*	0.24*	4.13*	XXX
95827	26	A	0.67	0.93	0.07	1.67	XXX
95827	TC	A	0.00	2.29*	0.17*	2.46*	XXX
95828		A	1.35	7.13*	0.53*	9.01*	XXX
95828	26	A	1.35	1.91	0.14	3.40	XXX
95828	TC	A	0.00	5.22*	0.39*	5.61*	XXX
95829		A	1.00	0.61*	0.05*	1.66*	XXX
95829	26	A	1.00	0.47	0.03	1.50	XXX
95829	TC	A	0.00	0.14*	0.02*	0.16*	XXX
95842		A	0.58	0.64*	0.06	1.28*	XXX
95842	26	A	0.58	0.44	0.04	1.06	XXX
95842	TC	A	0.00	0.20*	0.02	0.22*	XXX
95858		A	1.65	1.08*	0.09*	2.82*	XXX
95858	26	A	1.65	0.68	0.05	2.38	XXX
95858	TC	A	0.00	0.40*	0.04*	0.44*	XXX
95860		A	1.01	1.14*	0.09*	2.24*	XXX
95860	26	A	1.01	0.77	0.06	1.84	XXX
95860	TC	A	0.00	0.37*	0.03*	0.04*	XXX
95861		A	1.63	2.08*	0.16*	3.87*	XXX
95861	26	A	1.63	1.34	0.10	3.07	XXX
95861	TC	A	0.00	0.74*	0.06*	0.80*	XXX
95863		A	1.96	2.43*	0.18*	4.57*	XXX
95863	26	A	1.96	1.49	0.11	3.56	XXX
95863	TC	A	0.00	0.94*	0.07*	1.01*	XXX
95864		A	2.10	3.63*	0.27*	6.00*	XXX
95864	26	A	2.10	1.84	0.14	4.08	XXX
95864	TC	A	0.00	1.79*	0.13*	1.92*	XXX
95867		A	0.66	1.21*	0.09*	1.96*	XXX
95867	26	A	0.66	0.62	0.05	1.33	XXX
95867	TC	A	0.00	0.59*	0.04*	0.63*	XXX
95868		A	1.58	2.03*	0.15	3.76*	XXX
95868	26	A	1.58	1.33	0.10	3.01	XXX
95868	TC	A	0.00	0.70*	0.05	0.75*	XXX
95869		A	0.38	0.55*	0.05	0.98*	XXX
95869	26	A	0.38	0.34	0.03	0.75	XXX
95869	TC	A	0.00	0.21*	0.02	0.23*	XXX
95872		A	1.58	1.33*	0.11	3.02*	XXX

ADDENDUM B CORRECTIONS—Continued

[Relative Value Units (RVUs) and Related Information]

HCPCS [1]	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
95872	26	A	1.58	0.72	0.06	2.36	XXX
95872	TC	A	0.00	0.61*	0.05	0.66*	XXX
95875		A	1.41	0.63*	0.10*	2.14*	XXX
95875	26	A	1.41	0.23	0.04	1.68	XXX
95875	TC	A	0.00	0.40*	0.06*	0.46*	XXX
95900		A	0.44	0.64*	0.05	1.13*	XXX
95900	26	A	0.44	0.36	0.03	0.83	XXX
95900	TC	A	0.00	0.28*	0.02	0.30*	XXX
95904		A	0.35	0.57*	0.05	0.97*	XXX
95904	26	A	0.35	0.35	0.03	0.73	XXX
95904	TC	A	0.00	0.22*	0.02	0.24*	XXX
95925		A	0.53	2.40*	0.19*	3.12*	XXX
95925	26	A	0.53	1.01	0.08	1.62	XXX
95925	TC	A	0.00	1.39*	0.11*	1.50*	XXX
95933		A	0.63	1.32*	0.10*	2.05*	XXX
95933	26	A	0.63	0.53	0.04	1.20	XXX
95933	TC	A	0.00	0.79*	0.06*	0.85*	XXX
95935		A	0.63	0.56*	0.05	1.24*	XXX
95935	26	A	0.63	0.35	0.03	1.01	XXX
95935	TC	A	0.00	0.21*	0.02	0.23*	XXX
95937		A	0.64	0.80*	0.07	1.51*	XXX
95937	26	A	0.64	0.47	0.04	1.15	XXX
95937	TC	A	0.00	0.33*	0.03	0.36*	XXX
95950		A	1.59	7.65*	0.63*	9.87*	XXX
95950	26	A	1.59	1.28	0.10	2.97	XXX
95950	TC	A	0.00	6.37*	0.53*	6.90*	XXX
95951		A	1.91	9.30*	0.68*	11.89*	XXX
95951	26	A	1.91	1.58	0.11	3.60	XXX
95951	TC	A	0.00	7.72*	0.57*	8.29*	XXX
95952		A	1.59	3.57*	0.28*	5.44*	XXX
95952	26	A	1.59	2.26	0.18	4.03	XXX
95952	TC	A	0.00	1.31*	0.10*	1.41*	XXX
95954		A	0.96	1.07*	0.13*	2.16*	XXX
95954	26	A	0.96	0.59	0.07	1.62	XXX
95954	TC	A	0.00	0.48*	0.06*	0.54*	XXX
95955		A	1.06	3.04*	0.31*	4.41*	XXX
95955	26	A	1.06	1.08	0.11	2.25	XXX
95955	TC	A	0.00	1.96*	0.20*	2.16*	XXX
95958		A	2.12	4.73*	0.41*	7.26*	XXX
95958	26	A	2.12	2.98	0.27	5.37	XXX
95958	TC	A	0.00	1.75*	0.14*	1.89*	XXX
97752		A	0.48	0.62*	0.07*	1.17*	XXX
97752	26	A	0.48	0.37	0.04	0.89	XXX
97752	TC	A	0.00	0.25*	0.03*	0.28*	XXX
99171		V*	0.00	0.00	0.00	0.00	XXX
99172		V*	0.00	0.00	0.00	0.00	XXX
99173		V*	0.00	0.00	0.00	0.00	XXX
99174		V*	0.00	0.00	0.00	0.00	XXX

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ADDENDUM B CORRECTIONS

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
A4250		B*	0.00	0.00	0.00	0.00	XXX
A4565		X*	0.00	0.00	0.00	0.00	XXX
A4570		X*	0.00	0.00	0.00	0.00	XXX
A4572		X*	0.00	0.00	0.00	0.00	XXX
A4580		X*	0.00	0.00	0.00	0.00	XXX
A4581		X*	0.00	0.00	0.00	0.00	XXX
A4590		X*	0.00	0.00	0.00	0.00	XXX
D0110		C	0.00	0.00	0.00	0.00	YYY*
D0120		C	0.00	0.00	0.00	0.00	YYY*
D0130		C	0.00	0.00	0.00	0.00	YYY*
D0210		C	0.00	0.00	0.00	0.00	YYY*
D0220		C	0.00	0.00	0.00	0.00	YYY*
D0230		C	0.00	0.00	0.00	0.00	YYY*
D0240		C	0.00	0.00	0.00	0.00	YYY*
D0250		C	0.00	0.00	0.00	0.00	YYY*
D0260		C	0.00	0.00	0.00	0.00	YYY*
D0270		C	0.00	0.00	0.00	0.00	YYY*

ADDENDUM B CORRECTIONS—Continued

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
D0272		C	0.00	0.00	0.00	0.00	YYY*
D0274		C	0.00	0.00	0.00	0.00	YYY*
D0275		D	0.00	0.00	0.00	0.00	YYY*
D0290		C	0.00	0.00	0.00	0.00	YYY*
D0310		C	0.00	0.00	0.00	0.00	YYY*
D0320		C	0.00	0.00	0.00	0.00	YYY*
D0321		C	0.00	0.00	0.00	0.00	YYY*
D0322		C	0.00	0.00	0.00	0.00	YYY*
D0330		C	0.00	0.00	0.00	0.00	YYY*
D0340		C	0.00	0.00	0.00	0.00	YYY*
D0410		D	0.00	0.00	0.00	0.00	YYY*
D0415		C	0.00	0.00	0.00	0.00	YYY*
D0420		D	0.00	0.00	0.00	0.00	YYY*
D0425		C	0.00	0.00	0.00	0.00	YYY*
D0460		C	0.00	0.00	0.00	0.00	YYY*
D0470		C	0.00	0.00	0.00	0.00	YYY*
D0471		C	0.00	0.00	0.00	0.00	YYY*
D0501		C	0.00	0.00	0.00	0.00	YYY*
D0502		C	0.00	0.00	0.00	0.00	YYY*
D0999		C	0.00	0.00	0.00	0.00	YYY*
D1110		C	0.00	0.00	0.00	0.00	YYY*
D0120		C	0.00	0.00	0.00	0.00	YYY*
D1201		C	0.00	0.00	0.00	0.00	YYY*
D0202		D	0.00	0.00	0.00	0.00	YYY*
D1203		C	0.00	0.00	0.00	0.00	YYY*
D1204		C	0.00	0.00	0.00	0.00	YYY*
D1205		C	0.00	0.00	0.00	0.00	YYY*
D1310		C	0.00	0.00	0.00	0.00	YYY*
D1330		C	0.00	0.00	0.00	0.00	YYY*
D1351		C	0.00	0.00	0.00	0.00	YYY*
D1510		C	0.00	0.00	0.00	0.00	YYY*
D1515		C	0.00	0.00	0.00	0.00	YYY*
D1520		C	0.00	0.00	0.00	0.00	YYY*
D1525		C	0.00	0.00	0.00	0.00	YYY*
D1550		C	0.00	0.00	0.00	0.00	YYY*
D2110		C	0.00	0.00	0.00	0.00	YYY*
D2120		C	0.00	0.00	0.00	0.00	YYY*
D2130		C	0.00	0.00	0.00	0.00	YYY*
D2131		C	0.00	0.00	0.00	0.00	YYY*
D2140		C	0.00	0.00	0.00	0.00	YYY*
D2150		C	0.00	0.00	0.00	0.00	YYY*
D2160		C	0.00	0.00	0.00	0.00	YYY*
D2161		C	0.00	0.00	0.00	0.00	YYY*
D2210		C	0.00	0.00	0.00	0.00	YYY*
D2330		C	0.00	0.00	0.00	0.00	YYY*
D2331		C	0.00	0.00	0.00	0.00	YYY*
D2332		C	0.00	0.00	0.00	0.00	YYY*
D2335		C	0.00	0.00	0.00	0.00	YYY*
D2336		C	0.00	0.00	0.00	0.00	YYY*
D2380		C	0.00	0.00	0.00	0.00	YYY*
D2381		C	0.00	0.00	0.00	0.00	YYY*
D2382		C	0.00	0.00	0.00	0.00	YYY*
D2385		C	0.00	0.00	0.00	0.00	YYY*
D2386		C	0.00	0.00	0.00	0.00	YYY*
D2387		C	0.00	0.00	0.00	0.00	YYY*
D2410		C	0.00	0.00	0.00	0.00	YYY*
D2420		C	0.00	0.00	0.00	0.00	YYY*
D2430		C	0.00	0.00	0.00	0.00	YYY*
D2510		C	0.00	0.00	0.00	0.00	YYY*
D2520		C	0.00	0.00	0.00	0.00	YYY*
D2530		C	0.00	0.00	0.00	0.00	YYY*
D2540		C	0.00	0.00	0.00	0.00	YYY*
D2610		C	0.00	0.00	0.00	0.00	YYY*
D2620		C	0.00	0.00	0.00	0.00	YYY*
D2630		C	0.00	0.00	0.00	0.00	YYY*
D2640		C	0.00	0.00	0.00	0.00	YYY*
D2650		C	0.00	0.00	0.00	0.00	YYY*
D2651		C	0.00	0.00	0.00	0.00	YYY*
D2652		C	0.00	0.00	0.00	0.00	YYY*
D2660		C	0.00	0.00	0.00	0.00	YYY*
D2710		C	0.00	0.00	0.00	0.00	YYY*
D2720		C	0.00	0.00	0.00	0.00	YYY*
D2721		C	0.00	0.00	0.00	0.00	YYY*
D2722		C	0.00	0.00	0.00	0.00	YYY*
D2740		C	0.00	0.00	0.00	0.00	YYY*
D2750		C	0.00	0.00	0.00	0.00	YYY*

ADDENDUM B CORRECTIONS—Continued

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
D2751		C	0.00	0.00	0.00	0.00	YYY*
D2752		C	0.00	0.00	0.00	0.00	YYY*
D2790		C	0.00	0.00	0.00	0.00	YYY*
D2791		C	0.00	0.00	0.00	0.00	YYY*
D2792		C	0.00	0.00	0.00	0.00	YYY*
D2810		C	0.00	0.00	0.00	0.00	YYY*
D2910		C	0.00	0.00	0.00	0.00	YYY*
D2920		C	0.00	0.00	0.00	0.00	YYY*
D2930		C	0.00	0.00	0.00	0.00	YYY*
D2931		C	0.00	0.00	0.00	0.00	YYY*
D2932		C	0.00	0.00	0.00	0.00	YYY*
D2933		C	0.00	0.00	0.00	0.00	YYY*
D2940		C	0.00	0.00	0.00	0.00	YYY*
D2950		C	0.00	0.00	0.00	0.00	YYY*
D2951		C	0.00	0.00	0.00	0.00	YYY*
D2952		C	0.00	0.00	0.00	0.00	YYY*
D2953		D	0.00	0.00	0.00	0.00	YYY*
D2954		C	0.00	0.00	0.00	0.00	YYY*
D2960		C	0.00	0.00	0.00	0.00	YYY*
D2970		C	0.00	0.00	0.00	0.00	YYY*
D2980		C	0.00	0.00	0.00	0.00	YYY*
D2999		C	0.00	0.00	0.00	0.00	YYY*
D3110		C	0.00	0.00	0.00	0.00	YYY*
D3120		C	0.00	0.00	0.00	0.00	YYY*
D3220		C	0.00	0.00	0.00	0.00	YYY*
D3310		C	0.00	0.00	0.00	0.00	YYY*
D3320		C	0.00	0.00	0.00	0.00	YYY*
D3330		C	0.00	0.00	0.00	0.00	YYY*
D3340		D	0.00	0.00	0.00	0.00	YYY*
D3346		C	0.00	0.00	0.00	0.00	YYY*
D3347		C	0.00	0.00	0.00	0.00	YYY*
D3348		C	0.00	0.00	0.00	0.00	YYY*
D3350		D	0.00	0.00	0.00	0.00	YYY*
D3351		C	0.00	0.00	0.00	0.00	YYY*
D3352		C	0.00	0.00	0.00	0.00	YYY*
D3353		C	0.00	0.00	0.00	0.00	YYY*
D3410		C	0.00	0.00	0.00	0.00	YYY*
D3411		D	0.00	0.00	0.00	0.00	YYY*
D3421		C	0.00	0.00	0.00	0.00	YYY*
D3425		C	0.00	0.00	0.00	0.00	YYY*
D3426		C	0.00	0.00	0.00	0.00	YYY*
D3430		C	0.00	0.00	0.00	0.00	YYY*
D3440		D	0.00	0.00	0.00	0.00	YYY*
D3450		C	0.00	0.00	0.00	0.00	YYY*
D3460		C	0.00	0.00	0.00	0.00	YYY*
D3470		C	0.00	0.00	0.00	0.00	YYY*
D3910		C	0.00	0.00	0.00	0.00	YYY*
D3920		C	0.00	0.00	0.00	0.00	YYY*
D3940		D	0.00	0.00	0.00	0.00	YYY*
D3950		C	0.00	0.00	0.00	0.00	YYY*
D3960		C	0.00	0.00	0.00	0.00	YYY*
D3999		C	0.00	0.00	0.00	0.00	YYY*
D4210		C	0.00	0.00	0.00	0.00	YYY*
D4211		C	0.00	0.00	0.00	0.00	YYY*
D4220		C	0.00	0.00	0.00	0.00	YYY*
D4240		C	0.00	0.00	0.00	0.00	YYY*
D4249		C	0.00	0.00	0.00	0.00	YYY*
D4250		C	0.00	0.00	0.00	0.00	YYY*
D4260		C	0.00	0.00	0.00	0.00	YYY*
D4261		C	0.00	0.00	0.00	0.00	YYY*
D4262		C	0.00	0.00	0.00	0.00	YYY*
D4268		C	0.00	0.00	0.00	0.00	YYY*
D4270		C	0.00	0.00	0.00	0.00	YYY*
D4271		C	0.00	0.00	0.00	0.00	YYY*
D4272		D	0.00	0.00	0.00	0.00	YYY*
D4320		C	0.00	0.00	0.00	0.00	YYY*
D4321		C	0.00	0.00	0.00	0.00	YYY*
D4340		D	0.00	0.00	0.00	0.00	YYY*
D4341		C	0.00	0.00	0.00	0.00	YYY*
D4910		C	0.00	0.00	0.00	0.00	YYY*
D4920		C	0.00	0.00	0.00	0.00	YYY*
D4999		C	0.00	0.00	0.00	0.00	YYY*
D5110		C	0.00	0.00	0.00	0.00	YYY*
D5120		C	0.00	0.00	0.00	0.00	YYY*
D5130		C	0.00	0.00	0.00	0.00	YYY*
D5140		C	0.00	0.00	0.00	0.00	YYY*

ADDENDUM B CORRECTIONS—Continued

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
D5211		C	0.00	0.00	0.00	0.00	YYY*
D5212		C	0.00	0.00	0.00	0.00	YYY*
D5213		C	0.00	0.00	0.00	0.00	YYY*
D5214		C	0.00	0.00	0.00	0.00	YYY*
D5215		D	0.00	0.00	0.00	0.00	YYY*
D5216		D	0.00	0.00	0.00	0.00	YYY*
D5280		D	0.00	0.00	0.00	0.00	YYY*
D5281		C	0.00	0.00	0.00	0.00	YYY*
D5410		C	0.00	0.00	0.00	0.00	YYY*
D5411		C	0.00	0.00	0.00	0.00	YYY*
D5421		C	0.00	0.00	0.00	0.00	YYY*
D5422		C	0.00	0.00	0.00	0.00	YYY*
D5510		C	0.00	0.00	0.00	0.00	YYY*
D5520		C	0.00	0.00	0.00	0.00	YYY*
D5610		C	0.00	0.00	0.00	0.00	YYY*
D5620		C	0.00	0.00	0.00	0.00	YYY*
D5630		C	0.00	0.00	0.00	0.00	YYY*
D5640		C	0.00	0.00	0.00	0.00	YYY*
D5650		C	0.00	0.00	0.00	0.00	YYY*
D5660		C	0.00	0.00	0.00	0.00	YYY*
D5710		C	0.00	0.00	0.00	0.00	YYY*
D5711		C	0.00	0.00	0.00	0.00	YYY*
D5720		C	0.00	0.00	0.00	0.00	YYY*
D5721		C	0.00	0.00	0.00	0.00	YYY*
D5730		C	0.00	0.00	0.00	0.00	YYY*
D5731		C	0.00	0.00	0.00	0.00	YYY*
D5740		C	0.00	0.00	0.00	0.00	YYY*
D5741		C	0.00	0.00	0.00	0.00	YYY*
D5750		C	0.00	0.00	0.00	0.00	YYY*
D5751		C	0.00	0.00	0.00	0.00	YYY*
D5760		C	0.00	0.00	0.00	0.00	YYY*
D5761		C	0.00	0.00	0.00	0.00	YYY*
D5810		C	0.00	0.00	0.00	0.00	YYY*
D5811		C	0.00	0.00	0.00	0.00	YYY*
D5820		C	0.00	0.00	0.00	0.00	YYY*
D5821		C	0.00	0.00	0.00	0.00	YYY*
D5850		C	0.00	0.00	0.00	0.00	YYY*
D5851		C	0.00	0.00	0.00	0.00	YYY*
D5860		C	0.00	0.00	0.00	0.00	YYY*
D5861		C	0.00	0.00	0.00	0.00	YYY*
D5862		C	0.00	0.00	0.00	0.00	YYY*
D5899		C	0.00	0.00	0.00	0.00	YYY*
D5911		C	0.00	0.00	0.00	0.00	YYY*
D5912		C	0.00	0.00	0.00	0.00	YYY*
D5913		C	0.00	0.00	0.00	0.00	YYY*
D5914		C	0.00	0.00	0.00	0.00	YYY*
D5915		C	0.00	0.00	0.00	0.00	YYY*
D5916		C	0.00	0.00	0.00	0.00	YYY*
D5917		D	0.00	0.00	0.00	0.00	YYY*
D5918		D	0.00	0.00	0.00	0.00	YYY*
D5919		C	0.00	0.00	0.00	0.00	YYY*
D5920		D	0.00	0.00	0.00	0.00	YYY*
D5921		D	0.00	0.00	0.00	0.00	YYY*
D5922		C	0.00	0.00	0.00	0.00	YYY*
D5923		C	0.00	0.00	0.00	0.00	YYY*
D5924		C	0.00	0.00	0.00	0.00	YYY*
D5925		C	0.00	0.00	0.00	0.00	YYY*
D5926		C	0.00	0.00	0.00	0.00	YYY*
D5927		C	0.00	0.00	0.00	0.00	YYY*
D5928		C	0.00	0.00	0.00	0.00	YYY*
D5929		C	0.00	0.00	0.00	0.00	YYY*
D5931		C	0.00	0.00	0.00	0.00	YYY*
D5932		C	0.00	0.00	0.00	0.00	YYY*
D5933		C	0.00	0.00	0.00	0.00	YYY*
D5934		C	0.00	0.00	0.00	0.00	YYY*
D5935		C	0.00	0.00	0.00	0.00	YYY*
D5936		C	0.00	0.00	0.00	0.00	YYY*
D5937		C	0.00	0.00	0.00	0.00	YYY*
D5951		C	0.00	0.00	0.00	0.00	YYY*
D5952		C	0.00	0.00	0.00	0.00	YYY*
D5953		C	0.00	0.00	0.00	0.00	YYY*
D5954		C	0.00	0.00	0.00	0.00	YYY*
D5955		C	0.00	0.00	0.00	0.00	YYY*
D5956		D	0.00	0.00	0.00	0.00	YYY*
D5957		D	0.00	0.00	0.00	0.00	YYY*
D5958		C	0.00	0.00	0.00	0.00	YYY*

ADDENDUM B CORRECTIONS—Continued

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
D5959		C	0.00	0.00	0.00	0.00	YYY*
D5960		C	0.00	0.00	0.00	0.00	YYY*
D5971		D	0.00	0.00	0.00	0.00	YYY*
D5972		D	0.00	0.00	0.00	0.00	YYY*
D5973		D	0.00	0.00	0.00	0.00	YYY*
D5974		D	0.00	0.00	0.00	0.00	YYY*
D5976		D	0.00	0.00	0.00	0.00	YYY*
D5982		C	0.00	0.00	0.00	0.00	YYY*
D5983		C	0.00	0.00	0.00	0.00	YYY*
D5984		C	0.00	0.00	0.00	0.00	YYY*
D5985		C	0.00	0.00	0.00	0.00	YYY*
D5986		C	0.00	0.00	0.00	0.00	YYY*
D5988		C	0.00	0.00	0.00	0.00	YYY*
D5999		C	0.00	0.00	0.00	0.00	YYY*
D6030		C	0.00	0.00	0.00	0.00	YYY*
D6040		C	0.00	0.00	0.00	0.00	YYY*
D6050		C	0.00	0.00	0.00	0.00	YYY*
D6055		C	0.00	0.00	0.00	0.00	YYY*
D6080		C	0.00	0.00	0.00	0.00	YYY*
D6090		C	0.00	0.00	0.00	0.00	YYY*
D6100		C	0.00	0.00	0.00	0.00	YYY*
D6199		C	0.00	0.00	0.00	0.00	YYY*
D6210		C	0.00	0.00	0.00	0.00	YYY*
D6211		C	0.00	0.00	0.00	0.00	YYY*
D6212		C	0.00	0.00	0.00	0.00	YYY*
D6240		C	0.00	0.00	0.00	0.00	YYY*
D6241		C	0.00	0.00	0.00	0.00	YYY*
D6242		C	0.00	0.00	0.00	0.00	YYY*
D6250		C	0.00	0.00	0.00	0.00	YYY*
D6251		C	0.00	0.00	0.00	0.00	YYY*
D6252		C	0.00	0.00	0.00	0.00	YYY*
D6520		C	0.00	0.00	0.00	0.00	YYY*
D6530		C	0.00	0.00	0.00	0.00	YYY*
D6540		C	0.00	0.00	0.00	0.00	YYY*
D6545		C	0.00	0.00	0.00	0.00	YYY*
D6720		C	0.00	0.00	0.00	0.00	YYY*
D6721		C	0.00	0.00	0.00	0.00	YYY*
D6722		C	0.00	0.00	0.00	0.00	YYY*
D6750		C	0.00	0.00	0.00	0.00	YYY*
D6751		C	0.00	0.00	0.00	0.00	YYY*
D6752		C	0.00	0.00	0.00	0.00	YYY*
D6780		C	0.00	0.00	0.00	0.00	YYY*
D6790		C	0.00	0.00	0.00	0.00	YYY*
D6791		C	0.00	0.00	0.00	0.00	YYY*
D6792		C	0.00	0.00	0.00	0.00	YYY*
D6930		C	0.00	0.00	0.00	0.00	YYY*
D6940		C	0.00	0.00	0.00	0.00	YYY*
D6950		C	0.00	0.00	0.00	0.00	YYY*
D6970		C	0.00	0.00	0.00	0.00	YYY*
D6971		C	0.00	0.00	0.00	0.00	YYY*
D6972		C	0.00	0.00	0.00	0.00	YYY*
D6973		C	0.00	0.00	0.00	0.00	YYY*
D6975		C	0.00	0.00	0.00	0.00	YYY*
D6980		C	0.00	0.00	0.00	0.00	YYY*
D6999		C	0.00	0.00	0.00	0.00	YYY*
D7110		C	0.00	0.00	0.00	0.00	YYY*
D7120		C	0.00	0.00	0.00	0.00	YYY*
D7130		C	0.00	0.00	0.00	0.00	YYY*
D7210		C	0.00	0.00	0.00	0.00	YYY*
D7220		C	0.00	0.00	0.00	0.00	YYY*
D7230		C	0.00	0.00	0.00	0.00	YYY*
D7240		C	0.00	0.00	0.00	0.00	YYY*
D7241		C	0.00	0.00	0.00	0.00	YYY*
D7250		C	0.00	0.00	0.00	0.00	YYY*
D7260		C	0.00	0.00	0.00	0.00	YYY*
D7270		C	0.00	0.00	0.00	0.00	YYY*
D7271		C	0.00	0.00	0.00	0.00	YYY*
D7272		C	0.00	0.00	0.00	0.00	YYY*
D7280		C	0.00	0.00	0.00	0.00	YYY*
D7281		C	0.00	0.00	0.00	0.00	YYY*
D7285		C	0.00	0.00	0.00	0.00	YYY*
D7286		C	0.00	0.00	0.00	0.00	YYY*
D7290		C	0.00	0.00	0.00	0.00	YYY*
D7291		C	0.00	0.00	0.00	0.00	YYY*
D7310		C	0.00	0.00	0.00	0.00	YYY*
D7320		C	0.00	0.00	0.00	0.00	YYY*

ADDENDUM B CORRECTIONS—Continued

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
D7340		C	0.00	0.00	0.00	0.00	YYY*
D7350		C	0.00	0.00	0.00	0.00	YYY*
D7410		C	0.00	0.00	0.00	0.00	YYY*
D7420		C	0.00	0.00	0.00	0.00	YYY*
D7430		C	0.00	0.00	0.00	0.00	YYY*
D7431		C	0.00	0.00	0.00	0.00	YYY*
D7440		C	0.00	0.00	0.00	0.00	YYY*
D7441		C	0.00	0.00	0.00	0.00	YYY*
D7450		C	0.00	0.00	0.00	0.00	YYY*
D7451		C	0.00	0.00	0.00	0.00	YYY*
D7460		C	0.00	0.00	0.00	0.00	YYY*
D7461		C	0.00	0.00	0.00	0.00	YYY*
D7465		C	0.00	0.00	0.00	0.00	YYY*
D7470		C	0.00	0.00	0.00	0.00	YYY*
D7480		C	0.00	0.00	0.00	0.00	YYY*
D7490		C	0.00	0.00	0.00	0.00	YYY*
D7510		C	0.00	0.00	0.00	0.00	YYY*
D7520		C	0.00	0.00	0.00	0.00	YYY*
D7530		C	0.00	0.00	0.00	0.00	YYY*
D7540		C	0.00	0.00	0.00	0.00	YYY*
D7550		C	0.00	0.00	0.00	0.00	YYY*
D7560		C	0.00	0.00	0.00	0.00	YYY*
D7610		C	0.00	0.00	0.00	0.00	YYY*
D7620		C	0.00	0.00	0.00	0.00	YYY*
D7630		C	0.00	0.00	0.00	0.00	YYY*
D7640		C	0.00	0.00	0.00	0.00	YYY*
D7650		C	0.00	0.00	0.00	0.00	YYY*
D7660		C	0.00	0.00	0.00	0.00	YYY*
D7670		C	0.00	0.00	0.00	0.00	YYY*
D7680		C	0.00	0.00	0.00	0.00	YYY*
D7710		C	0.00	0.00	0.00	0.00	YYY*
D7720		C	0.00	0.00	0.00	0.00	YYY*
D7730		C	0.00	0.00	0.00	0.00	YYY*
D7740		C	0.00	0.00	0.00	0.00	YYY*
D7750		C	0.00	0.00	0.00	0.00	YYY*
D7760		C	0.00	0.00	0.00	0.00	YYY*
D7770		C	0.00	0.00	0.00	0.00	YYY*
D7780		C	0.00	0.00	0.00	0.00	YYY*
D7810		C	0.00	0.00	0.00	0.00	YYY*
D7820		C	0.00	0.00	0.00	0.00	YYY*
D7830		C	0.00	0.00	0.00	0.00	YYY*
D7840		C	0.00	0.00	0.00	0.00	YYY*
D7850		C	0.00	0.00	0.00	0.00	YYY*
D7852		C	0.00	0.00	0.00	0.00	YYY*
D7854		C	0.00	0.00	0.00	0.00	YYY*
D7856		C	0.00	0.00	0.00	0.00	YYY*
D7858		C	0.00	0.00	0.00	0.00	YYY*
D7860		C	0.00	0.00	0.00	0.00	YYY*
D7865		C	0.00	0.00	0.00	0.00	YYY*
D7870		C	0.00	0.00	0.00	0.00	YYY*
D7872		C	0.00	0.00	0.00	0.00	YYY*
D7873		C	0.00	0.00	0.00	0.00	YYY*
D7874		C	0.00	0.00	0.00	0.00	YYY*
D7875		C	0.00	0.00	0.00	0.00	YYY*
D7876		C	0.00	0.00	0.00	0.00	YYY*
D7877		C	0.00	0.00	0.00	0.00	YYY*
D7880		C	0.00	0.00	0.00	0.00	YYY*
D7899		C	0.00	0.00	0.00	0.00	YYY*
D7910		C	0.00	0.00	0.00	0.00	YYY*
D7911		C	0.00	0.00	0.00	0.00	YYY*
D7912		C	0.00	0.00	0.00	0.00	YYY*
D7920		C	0.00	0.00	0.00	0.00	YYY*
D7940		C	0.00	0.00	0.00	0.00	YYY*
D7941		C	0.00	0.00	0.00	0.00	YYY*
D7942		C	0.00	0.00	0.00	0.00	YYY*
D7943		C	0.00	0.00	0.00	0.00	YYY*
D7944		C	0.00	0.00	0.00	0.00	YYY*
D7945		C	0.00	0.00	0.00	0.00	YYY*
D7946		C	0.00	0.00	0.00	0.00	YYY*
D7947		C	0.00	0.00	0.00	0.00	YYY*
D7948		C	0.00	0.00	0.00	0.00	YYY*
D7949		C	0.00	0.00	0.00	0.00	YYY*
D7950		C	0.00	0.00	0.00	0.00	YYY*
D7955		C	0.00	0.00	0.00	0.00	YYY*
D7960		C	0.00	0.00	0.00	0.00	YYY*
D7970		C	0.00	0.00	0.00	0.00	YYY*

ADDENDUM B CORRECTIONS—Continued

[Relative value units (RVUs) and related information]

HCPCS	MOD	Status	Work RVUs	Practice expense RVUs	Malpractice RVUs	Total RVUs	Global fee period
D7971		C	0.00	0.00	0.00	0.00	YYY*
D7980		C	0.00	0.00	0.00	0.00	YYY*
D7981		C	0.00	0.00	0.00	0.00	YYY*
D7982		C	0.00	0.00	0.00	0.00	YYY*
D7983		C	0.00	0.00	0.00	0.00	YYY*
D7990		C	0.00	0.00	0.00	0.00	YYY*
D7991		C	0.00	0.00	0.00	0.00	YYY*
D7992		D	0.00	0.00	0.00	0.00	YYY*
D7993		C	0.00	0.00	0.00	0.00	YYY*
D7994		C	0.00	0.00	0.00	0.00	YYY*
D7999		C	0.00	0.00	0.00	0.00	YYY*
D8110		C	0.00	0.00	0.00	0.00	YYY*
D8120		C	0.00	0.00	0.00	0.00	YYY*
D8210		C	0.00	0.00	0.00	0.00	YYY*
D8220		C	0.00	0.00	0.00	0.00	YYY*
D8360		C	0.00	0.00	0.00	0.00	YYY*
D8370		C	0.00	0.00	0.00	0.00	YYY*
D8460		C	0.00	0.00	0.00	0.00	YYY*
D8470		C	0.00	0.00	0.00	0.00	YYY*
D8480		C	0.00	0.00	0.00	0.00	YYY*
D8560		C	0.00	0.00	0.00	0.00	YYY*
D8570		C	0.00	0.00	0.00	0.00	YYY*
D8580		C	0.00	0.00	0.00	0.00	YYY*
D8650		C	0.00	0.00	0.00	0.00	YYY*
D8750		C	0.00	0.00	0.00	0.00	YYY*
D8999		C	0.00	0.00	0.00	0.00	YYY*
D9110		C	0.00	0.00	0.00	0.00	YYY*
D9210		C	0.00	0.00	0.00	0.00	YYY*
D9211		C	0.00	0.00	0.00	0.00	YYY*
D9212		C	0.00	0.00	0.00	0.00	YYY*
D9215		C	0.00	0.00	0.00	0.00	YYY*
D9220		C	0.00	0.00	0.00	0.00	YYY*
D9230		C	0.00	0.00	0.00	0.00	YYY*
D9240		C	0.00	0.00	0.00	0.00	YYY*
D9310		C	0.00	0.00	0.00	0.00	YYY*
D9410		C	0.00	0.00	0.00	0.00	YYY*
D9420		C	0.00	0.00	0.00	0.00	YYY*
D9430		C	0.00	0.00	0.00	0.00	YYY*
D9440		C	0.00	0.00	0.00	0.00	YYY*
D9610		C	0.00	0.00	0.00	0.00	YYY*
D9630		C	0.00	0.00	0.00	0.00	YYY*
D9910		C	0.00	0.00	0.00	0.00	YYY*
D9920		C	0.00	0.00	0.00	0.00	YYY*
D9930		C	0.00	0.00	0.00	0.00	YYY*
D9940		C	0.00	0.00	0.00	0.00	YYY*
D9941		C	0.00	0.00	0.00	0.00	YYY*
D9950		C	0.00	0.00	0.00	0.00	YYY*
D9951		C	0.00	0.00	0.00	0.00	YYY*
D9952		C	0.00	0.00	0.00	0.00	YYY*
D9960		D	0.00	0.00	0.00	0.00	YYY*
J3520		E*	0.00	0.00	0.00	0.00	XXX
J9218		E*	0.00	0.00	0.00	0.00	XXX
M0300		C*	0.00	0.00	0.00	0.00	XXX
M0702		A	0.47	0.25	0.02	0.74	000*
M0704		A	0.66	0.41	0.03	1.10	000*
M0706		A	0.92	0.40	0.03	1.35	000*
M0708		A	1.08	0.45	0.04	1.57	000*
M0710		A	1.25	0.40	0.03	1.68	000*
M0722		A	0.47	0.62	0.05	1.14	000*
M0724		A	0.69	0.85	0.07	1.61	000*
M0726		A	0.92	0.82	0.06	1.80	000*
M0728		A	1.07	0.36	0.03	1.46	000*
M0730		A	1.25	0.55	0.04	1.84	000*
Q0035		A	0.18	0.50*	0.04*	0.72*	XXX
Q0035	26	A	0.18	0.12	0.01	0.31	XXX
Q0035	TC	A	0.00	0.38*	0.03*	0.41*	XXX

Addendum F

A. Pages 59802 through 59810

Remove the following HCPCS codes and descriptions from the list of procedure codes subject to the outpatient limit.

HCPCS	Description
10141	Drainage of Hematoma.
11042	Cleansing of skin/tissue.
11404	Removal of skin lesion.
11424	Removal of skin lesion.

HCPCS	Description
11444	Removal of skin lesion.
11446	Removal of skin lesion.
11604	Removal of skin lesion.
11624	Removal of skin lesion.
11644	Removal of skin lesion.
13100	Repair of wound or lesion.
13101	Repair of wound or lesion.
13131	Repair of wound or lesion.
13132	Repair of wound or lesion.
13150	Repair of wound or lesion.
14000	Skin tissue rearrangement.
14020	Skin tissue rearrangement.
14040	Skin tissue rearrangement.
19100	Biopsy of breast.
20670	Removal of support implant.
21040	Removal of jaw bone lesion.
23066	Biopsy shoulder tissues.
26605	Treatment metacarpal fracture.
27520	Treat kneecap fracture.
27780	Treatment of fibula fracture.
27786	Treatment of ankle fracture.
28090	Removal of foot lesion.
28285	Revision of hammertoe.
28298	Correction of bunion.
28308	Incision of metatarsal.
28400	Treatment of heel fracture.
31525	Diagnostic laryngoscopy.
38505	Needle biopsy, lymph node(s).
41112	Excision of tongue lesion.
45305	Proctosigmoidoscopy; biopsy.
45310	Proctosigmoidoscopy.
45355	Surgical colonoscopy.
46050	Incision of anal abscess.
50690	Injection for ureter x-ray.
52000	Cytoscopy.
52281	Cytoscopy and treatment.
55700	Biopsy of prostate.
61070	Brain canal shunt procedure.
64415	Injection for nerve block.
64420	Injection for nerve block.
66762	Revision of iris.
67031	Laser surgery, eye strands.
67105	Repair, detached retina.
67141	Treatment of retina.
67208	Treatment of retinal lesion.
67921	Repair eyelid defect.
68700	Repair tear ducts.

B. Page 59809

The descriptions for procedure codes 99212 through 99215 are corrected to read as follows:

HCPCS	Description
99212	Office and other outpatient, established patient, level 2.
99213	Office and other outpatient, established patient, level 3.
99214	Office and other outpatient, established patient, level 4.
99215	Office and other outpatient, established patient, level 5.

Addendum G

Page 59811

The following HCPCS codes and descriptions are added in numerical order to the list of facility-based procedures for which an additional amount for supplies may be payable if performed in a physician's office, to read as follows:

HCPCS	Description
49081	Removal of abdominal fluid.
85100	Bone marrow examination.
85101	Aspirate, stain bone marrow.

(Catalog of Federal Domestic Assistance Program No. 93.774, Medicare—Supplementary Medical Insurance Program)

Dated: September 9, 1992.

Joanne Amato,

Acting Deputy Assistant Secretary for Information Resources Management.

[FR Doc. 92–22151 Filed 9–14–92; 8:45 am]

BILLING CODE 4120–01–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92–118; RM–7667]

Radio Broadcasting Services; Wrightsville, AR

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 299C2 for Channel 299A at Wrightsville, Arkansas, and modifies the permit for Station KYTN (FM) to specify operation on the higher powered channel, as requested by Wrightsville Communications Company, Inc. See 57 FR 24577, June 10, 1992. Coordinates for Channel 299C2 at Wrightsville are 34–36–24 and 92–14–17. With this action, the proceeding is terminated.

EFFECTIVE DATE: October 26, 1992.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 92–118, adopted August 12, 1992, and released September 9, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452–1422, 1990 M Street NW., suite 640, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Arkansas, is amended by removing Channel 299A and adding Channel 299C2 at Wrightsville.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92–22157 Filed 9–14–92; 8:45 am]

BILLING CODE 6712–01–M#

47 CFR Part 73

[MM Docket No. 88–593; RM–6490, RM–6713]

Radio Broadcasting Services; Wetumpka, Brantley, and Luverne, AL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 250A to Wetumpka, Alabama. This document also substitutes Channel 282C1 for Channel 282A at Brantley, Alabama, reallots the channel to Luverne, Alabama, and modifies the construction permit of Station WDHT to specify operation on Channel 282C1 at Luverne, Alabama. *See* 54 FR 3822, published January 26, 1989. The reference coordinates for the Channel 250A allotment at Wetumpka, Alabama, are 32–28–23 and 86–09–22, with a site restriction 7.2 kilometers (4.8 miles) east of the community. The reference coordinates for the Channel 282C1 allotment at Luverne, Alabama, are 32–04–05 and 85–59–35, with a site restriction 46.9 kilometers (29.2 miles) northeast of the community. With this action, the proceeding is terminated.

DATES: Effective October 23, 1992. The window period for filing applications will open on October 26, 1992, and close on November 25, 1992.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 88–593, adopted August 14, 1992, and released September 8, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452–1422,

1990 M Street NW., suite 640, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Alabama, is amended by adding Wetumpka, Channel 250A, by removing Channel 282A at Brantley, and by adding Luverne, Channel 282C1.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92–22213 Filed 9–14–92; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Part 73

[MM Docket No. 92–86; RM–7961]

Radio Broadcasting Services; Paradise and Fort Bragg, CA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document substitutes Channel 244B1 for Channel 244A at Paradise, California, and modifies the license of Station KZZP(FM) to specify operation on the higher powered channel, as requested by Paradise Broadcasting, Inc. Additionally, in order to accommodate the modification at Paradise, Channel 228B is substituted for Channel 244B at Fort Bragg, California, and the license issued to The Henry Radio Company for Station KLLK—FM is modified accordingly. See 57 FR 14687, April 22, 1992. Coordinates for Channel 244B1 at Paradise are 39–57–29 and 121–42–50. Coordinates for Channel 228B at Fort Bragg are 39–27–53 and 123–45–27. With this action, the proceeding is terminated.

EFFECTIVE DATE: October 26, 1992.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 92–86, adopted August 13, 1992, and released September 9, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452–1422, 1990 M Street NW., suite 640, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under California, is amended by removing Channel 244A and adding Channel 244B1 at Paradise; and by removing Channel 244B and adding Channel 228B at Fort Bragg.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92–22219 Filed 9–14–92; 8:45 am]

BILLING CODE 6712–01–M

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47 CFR Part 73

[MM Docket No. 90–534; RM–7519, RM–7632]

Radio Broadcasting Services; Mount Olive and Breese, IL

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document allots Channel 287A to Mount Olive, Illinois, and Channel 248A to Breese, Illinois, at the request of Radio Latino and Breese Broadcasting, respectively. See 55 FR 47896, November 16, 1990. Channel 287A can be allotted to Mount Olive, Illinois, in compliance with the Commission's minimum distance separation requirements at coordinates North Latitude 39–04–20 and West Longitude 89–43–38. Channel 248A can be allotted to Breese, Illinois, in compliance with the Commission's minimum distance separation requirements with a site restriction of 5.5 kilometers (3.4 miles) east of the community, in order to avoid a short-spacing to Station KYKY–FM, Channel 251C1, St. Louis, Missouri, at coordinates North Latitude 38–36–30 and West Longitude 89–27–50. With this action, this proceeding is terminated.

DATES: Effective October 23, 1992. The window period for filing applications will open on October 26, 1992, and close on November 25, 1992.

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 90–534, adopted August 13, 1992, and released September 8, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452–1422, 1990 M Street NW., suite 640, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Illinois, is amended by adding Breese, Channel 248A, and by adding Mount Olive, Channel 287A.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92–22214 Filed 9–14–92; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 661

[Docket No. 920412–2112]

Ocean Salmon Fisheries Off the Coasts of Washington, Oregon, and California

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Closure.

SUMMARY: NMFS announces that the two commercial fisheries scheduled to open in September in the exclusive economic zone from Cape Alava to Destruction Island, Washington, and from Leadbetter Point, Washington, to Cape Falcon, Oregon, will not open. The Director, Northwest Region, NMFS (Regional Director), determined that the overall commercial quota of 19,000 coho salmon has been reached and the

commercial fishery north of Cape Falcon, Oregon, should be closed for the remainder of the scheduled season. This action is necessary to conform to the preseason announcement of the 1992 management measures and is intended to ensure conservation of coho salmon.

DATES: Effective at 0001 hours local time, September 8, 1992. Comments will be accepted through September 30, 1992.

ADDRESSES: Comments may be mailed to Rolland A. Schmitten, Director, Northwest Region, National Marine Fisheries Service, NOAA, 7600 Sand Point Way NE., BIN C15700–Bldg. 1, Seattle, WA 98115–0070. Information relevant to this notice has been compiled in aggregate form and is available for public review during business hours at the office of the NMFS Northwest Regional Director.

FOR FURTHER INFORMATION CONTACT: William L. Robinson at (206) 526–6140.

SUPPLEMENTARY INFORMATION: Regulations governing the ocean salmon fisheries at 50 CFR 661.21(a)(1) state that "When a quota for the commercial or the recreational fishery, or both, for any salmon species in any portion of the fishery management area is projected by the Regional Director to be reached on or by a certain date, the Secretary will, by notice issued under § 661.23, close the commercial or recreational fishery, or both, for all salmon species in the portion of the fishery management area to which the quota applies as of the date the quota is projected to be reached."

In its emergency interim rule and notice of 1992 management measures (57 FR 19388, May 6, 1992), NMFS announced that the commercial fisheries: (1) Between Cape Alava and Destruction Island, Washington, would open September 15 through the earliest of October 31 or the attainment of subarea quotas for coho or chinook salmon, and (2) between Leadbetter Point, Washington, and Cape Falcon, Oregon, would open September 8 through the earliest of September 30 or the attainment of overall quotas for coho or chinook salmon.

Based on the best available information on August 27, 1992, the commercial fishery impacts north of Cape Falcon reached the overall commercial coho salmon quota of 19,000 fish during the previous opening of the commercial season from the U.S.–Canada border to Cape Falcon on August 20–22, and subsequent fisheries should not be allowed to open.

The Regional Director consulted with representatives of the Pacific Fishery Management Council, the Washington Department of Fisheries, and the Oregon Department of Fish and Wildlife regarding this closure. This notice does not apply to treaty Indian fisheries or to other fisheries that may be operating in other areas.

Actual notice to affected fishermen was given prior to September 8, 1992, through a special telephone hotline and U.S. Coast Guard Notice to Mariners broadcasts as provided by 50 CFR 661.23. Because of the need for immediate action, the Secretary of Commerce has determined that good cause exists for this notice to be issued without affording a prior opportunity for public comment.

Classification

This action is authorized by 50 CFR 661.23 and is in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 661

Fisheries, Fishing, Indians, Reporting and recordkeeping requirements.

Authority: 16 U.S.C. 1801 *et seq.*

Dated September 8, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92–22140 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–22–M

Proposed Rules

Federal Register
Vol. 57, No. 179
Tuesday, September 15, 1992

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Part 532

RIN 3206-AE99

Prevailing Rate Systems

AGENCY: Office of Personnel Management.

ACTION: Proposed rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing proposed regulations to establish procedures for exercising a provision of law that authorizes OPM to make exceptions to the statutory pay cap applicable to Federal Wage System (FWS) pay rates as necessary to ensure the recruitment and retention of qualified FWS employees. In addition, OPM proposes to revise the FWS special rate regulations to allow OPM to (1) target and approve special rates for specific locations within a wage area, and (2) approve a special rate at the market rate or a percentage of the market rate (as long as the special rate is not less than the unrestricted (uncapped) rate). The proposed pay cap exception and special rate regulations would provide greater flexibility in addressing recruitment and retention problems caused by FWS pay caps and normal employment competition within the marketplace.

DATES: Comments must be received on or before October 15, 1992.

ADDRESSES: Send or deliver written comments to Barbara L. Fiss, Assistant Director for Compensation Policy, Personnel Systems and Oversight Group, U.S. Office of Personnel Management, room 6H31, 1900 E Street, NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: Alan K. Summers, (202) 606-2848.

SUPPLEMENTARY INFORMATION: Public Law 102-141, October 28, 1991, gives OPM the authority to make exceptions to the fiscal year 1992 pay limitation as necessary to ensure the recruitment or retention of qualified FWS employees. This special authority is directed at staffing problems created by pay caps. The proposed regulations provide agencies with instructions on how to request a pay cap exception under this authority. A pay cap exception would lift the pay cap in its entirety within all or part of a wage area for a designated occupation or occupational specialization and grade and allow the wage rates to return to the uncapped rates.

OPM also proposes to restructure its FWS special rate regulations to make those regulations more flexible. The proposed regulations would allow OPM to target locations within a wage area. This flexibility is similar to that of General Schedule special rates and for the FWS higher minimum rate authority. The ability to target locations would have the effect of removing objections to special rates that are often voiced by Federal employers in a wage area that do not have the same staffing problems encountered elsewhere in the wage area. The proposed regulations would allow OPM to authorize not only the market rate for an occupation and grade (the current practice), but also a percentage of the market rate (as long as the special rate is not less than the unrestricted (uncapped) rate). This change has the double effect of allowing OPM to set special rates at the level it determines is necessary to resolve the staffing problem and also removing possible agency concerns regarding the need or ability to pay a full market rate for a job. After OPM has initially approved the special rate, the lead agency would be responsible for making future adjustments, as it deems necessary, to ensure the continued recruitment or retention of well-qualified FWS employees. The lead agency could adjust the special rate up to the percentage increase by which the market rate has changed since the last adjustment, but could not exceed the percentage of market rate previously approved by OPM. To exceed the initial percentage of market rate approved by OPM, a new request for special rates would have to be submitted to OPM. The proposed regulations also would allow OPM to consider *potential* staffing problems, as well as existing ones. This proposal is modeled after the expanded authority for General Schedule special rates.

OPM is not proposing any change in the authority delegated to lead agencies in § 532.249 of title 5, Code of Federal Regulations, to approve higher minimum rates for hard-to-fill positions. Agencies may continue to use this authority as a tool to address lesser recruitment problems, agencies could request a pay authority would be optional. Depending on the extent of the recruitment or retention problems and the cause of the problems, agencies could request a pay cap exception or a special rate without first using higher minimum rates.

Rates that are uncapped under OPM's pay cap exception authority and special rates, which could not be less than the unrestricted (uncapped) rate otherwise payable for the job under the applicable schedule, might be limited again by future statutory pay caps. if this should occur, agencies could request new pay cap exception or special rate.

The related issues of authorizing exceptions to the statutory pay cap and revising the special rate regulations were considered by the Federal Prevailing Rate Advisory Committee. The members, by consensus, supported the proposed regulations.

E.O. 12291, Federal Regulation

I have determined that this is not a major rule as defined under section 1(b) of E.O. 12291, Federal Regulation.

Regulatory Flexibility Act

I certify that these regulations would not have a significant economic impact on a substantial number of small entities because they would apply only to Federal agencies and employees.

List of Subjects in 5 CFR Part 532

Administrative practice and procedure, Government employees, Wages.

U.S. Office of Personnel Management.
Constance Berry Newman,
Director.

Accordingly, OPM proposes to amend 5 CFR part 532 as follows:

PART 532—PREVAILING RATE SYSTEMS

1. The authority citation for 5 CFR part 532 continues to read as follows:

Authority: 5 U.S.C. 5343, 5346; § 532.707 also issued under 5 U.S.C. 552, Freedom of Information Act, Pub L. 92-502.

2. Section 532.251 is revised to read as follows:

§ 532.251 Special rates.

(a) A lead agency, with the approval of OPM, may establish special rates for use within all or part of a wage area for a designated occupation or occupational specialization and grade, in lieu of rates on the regular schedule. OPM may authorize special rates to the extent it considers necessary to overcome existing or likely significant handicaps in the recruitment or retention of well-qualified personnel when these handicaps are due to any of the following circumstances:

(1) Rates of pay offered by private sector employers for an occupation or occupational specialization and grade are significantly higher than those paid by the Federal Government within the competitive labor market;

(2) The remoteness of the area or location involved; or

(3) Any other circumstances that OPM considers appropriate.

(b) In authorizing special rates, OPM shall consider—

(1) The number of existing or likely vacant positions and the length of time they have been vacant, including evidence to support the likelihood that a recruitment problem will develop if one does not already exist;

(2) The number of employees who have or are likely to quit, including the number quitting for higher pay positions and evidence to support the likelihood that employees will quit;

(3) The number of vacancies employing agencies tried to fill and the number of hires and offers made;

(4) The nature of the existing labor market;

(5) The degree to which employing agencies have considered or used increased minimum rates for hard-to-fill positions;

(6) The degree to which employing agencies have considered relevant non-pay solutions to the staffing problem, such as conducting an aggressive recruiting program, using appropriate appointment authorities, redesigning jobs, establishing training programs, and improving working conditions;

(7) The impact of the staffing problem on employers' missions;

(8) The level of private sector rates paid for comparable positions; and

(9) As appropriate, the extent to which the use of unrestricted rates authorized under § 532.801 of this part was considered.

(c) In determining at what level to set special rates, OPM shall consider—

(1) The level of rates it believes necessary to recruit or retain an adequate number of well-qualified persons;

(2) The offsetting costs that will be incurred if special rates are not authorized; and

(3) The level of private sector rates paid for comparable positions.

(d) No one factor or combination of factors specified in paragraphs (b) or (c) of this section requires special rates to be established or to be adjusted to any given level. Each request to establish special rates shall be judged on its own merits, based on the extent to which it meets these factors. Increased minimum rates are not a prerequisite to the establishment of special rates under this section.

(e) Special rates shall be based on private sector wage data, or a percentage thereof, as specified by OPM at the time the special rates are authorized. The private sector data shall be calculated as a weighted average or payline, as appropriate. A single rate shall be used when this represents private sector practice, and five rates shall be used when rate ranges are used by the private sector. When a five-step rate range is used, the differentials between steps shall be set in accordance with § 532.203(f) of this subpart.

(f) Once approved by OPM, special rates may be adjusted by the lead agency on the same cycle as the applicable regular schedule to the extent deemed necessary to ensure the continued recruitment or retention of well-qualified personnel. The amount of the special rate adjustment may be up to the percentage (rounded to the nearest one-tenth of 1 percent) by which the market rate has changed since the last adjustment. Special rates may not exceed the percentage of market rates initially approved by OPM unless a request for higher special rates is made and approved under paragraphs (a) through (e) of this section.

(g) Any special rates established under paragraph (a) of this section shall be shown on the regular schedule or published as an amendment to the regular schedule and shall indicate the wage area (or part thereof) and each occupation or occupational specialization and grade for which the rates are authorized. These rates shall be paid by all agencies having such positions in the wage area (or part thereof) specified.

(h) The scheduled special rate payable under this section may not, at any time, be less than the unrestricted (uncapped) rate otherwise payable for such positions under the applicable regular wage schedule.

(i) If a special rate is terminated under paragraph (f) of this section, the lead agency shall provide written notice of such termination to OPM.

(j) Employers using special rates shall maintain current recruitment and retention data for all authorized special rates. Such data shall be made available to the lead agency prior to the wage area regular schedule adjustment date for the purpose of determining whether there is continuing need for special rates and the amount of special rate adjustment necessary to recruit and retain well-qualified employees.

3. Section 532.254 is added to read as follows:

§ 532.254 Special schedules.

(a) A lead agency, with the approval of OPM, may establish special schedules for use within an area for specific occupations that are critical to the mission of a Federal activity based on findings that—

(1) Unusual prevailing pay practices exist in the private sector that are incompatible with regular schedule practices, and serious recruitment or retention problems exist or will likely develop if employees are paid from the authorized regular schedule; or

(2) Administrative considerations require the establishment of special schedules to address unique agency missions or other unusual circumstances that OPM considers appropriate.

(b) An OPM authorization for a special schedule shall include instructions for its construction, application, and administration.

(c) Unless otherwise specified, positions covered by special schedules shall be subject to the general provisions of this part and to the other applicable rules and regulations of OPM.

4. A new subpart H, consisting of § 532.801, is added to read as follows:

Subpart H—Payment of Unrestricted Rates for Recruitment or Retention Purposes

§ 532.801 Payment of unrestricted rates for recruitment or retention purposes.

(a) When authorized by specific statutory authority providing for exceptions to pay limitations imposed by statute, the Office of Personnel Management (OPM) may approve exceptions to the pay limitations if OPM determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

(b) Requests for payment of unrestricted rates under this subpart shall be submitted by employing agencies' headquarters to the

appropriate lead agency. The lead agency shall coordinate each request with other agencies, as necessary, and submit a consolidated request to OPM. The consolidated request shall include any available supporting wage survey date and a formal recommendation by the lead agency to approve or disapprove the request.

(c) Rates authorized under paragraph (a) of this section shall be equal to the regular or special schedule unrestricted (uncapped) rates and may be authorized for use within all or part of a wage area for a designated occupation or occupational specialization and grade.

(d) In approving rates under this subpart, OPM shall consider the factors specified in § 532.251(b) of this part.

(e) The unrestricted rates authorized under this subpart shall be shown on the appropriate regular or special schedule or as an amendment to the schedule and shall indicate the wage area (or part thereof) and each occupation or occupational specialization and grade for which the rates are authorized. These rates shall be paid by all agencies having such positions in the wage area (or part thereof) specified.

[FR Doc. 92–22165 Filed 9–14–92; 8:45 am]
BILLING CODE 6325–01–M

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 910

[Docket No. FV–92–076]

Lemons Grown in California and Arizona; Proposed Weekly Volume Regulations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule; correction.

SUMMARY: This action corrects an incorrect meeting date and location specified in the Committee Meetings and Dates section of a proposed rule which invites comments on the quantities of fresh California-Arizona lemons that may be shipped weekly to domestic markets.

SUPPLEMENTARY INFORMATION: This action makes a correction in a proposed rule which appeared in the **Federal Register** (57 FR 39368, August 31, 1992).

This proposed rule was issued under Marketing Order No. 910 (7 CFR part 910) (order), as amended, regulating the handling of lemons grown in California and Arizona. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended, [7 U.S.C. 601–674].

The meeting date, time, and location on page 39370, item 3, is corrected to read as follows:

"3. Committee Meeting Date: September 23, 1992, Time: 11:00 a.m., Location: Shilo Inn, 11550 South Castle Dome Road, Yuma, Arizona 85365."

Dated: September 9, 1992.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division.

[FR Doc. 92–22128 Filed 9–14–92; 8:45 am]
BILLING CODE 3410–02–M

Packers and Stockyards Administration

9 CFR 201 and 203

Review of Existing Regulations and Statements of General Policy

AGENCY: Packers and Stockyards Administration, USDA.

ACTION: Request for comments.

SUMMARY: The Agency is currently reviewing all regulations and policy statements issued under the provisions of the Packers and Stockyards (P&S) Act. This notice requests public comments concerning the relevance and importance of each regulation and statement of general policy to today's livestock, meat, and poultry industries. In particular, the Agency would appreciate comments concerning which sections should be retained in their present form and which sections should be modified or removed.

DATES: Comments must be submitted on or before November 16, 1992.

ADDRESSES: Comments may be mailed to the Administrator, Packers and Stockyards Administration, room 3039, South Building, U.S. Department of Agriculture, Washington, DC 20250. Comments received may be inspected during normal business hours in the Office of the Administrator.

FOR FURTHER INFORMATION CONTACT: Harold W. Davis, Director, Livestock Marketing Division, (202) 720–6951, or Kenneth Stricklin, Director, Packer and Poultry Division, (202) 720–7363.

SUPPLEMENTARY INFORMATION: A review of 16 regulations and statements of general policy issued under the provisions of the P&S Act was completed under the President's program to review priority regulations. All remaining regulations and statements of general policy are currently being reviewed. This notice solicits comments on these remaining rules to determine whether some may no longer be necessary for effective enforcement of the P&S Act and to the orderly conduct of the marketing system. The Agency also solicits comments concerning modifications that may make a particular rule more efficient or effective.

Comments are requested concerning each of the following regulations and statements of general policy:

Regulations (9 CFR, Part 201)

Sec.

201.1 Meaning of words.
201.2 Terms defined.
201.3 Authority.
201.4 Bylaws, rules and regulations, and requirements of exchanges, associations, or other organizations; applicability, establishment.
201.5 Investigation, notice and posting of stockyards.
201.6 Deposting or stockyards; notice.
201.17 Requirements for filing tariffs.
201.27 Underwriter: equivalent in lieu of bonds; standard forms.
201.28 Duplicates of bonds or equivalents to be filed with Regional Supervisors.
201.31 Conditions in market agency, dealer and packer bonds.
201.32 Trustee in marketing agency, dealer and packer bonds.
201.33 Persons damaged may maintain suit; filing and notification of claims; time limitations; legal expenses.
201.34 Termination of market agency, dealer and packer bonds.
201.39 Payment to be made to consignor or shipper by market agencies; exceptions.
201.44 Market agencies to render prompt accounting for purchases on order.
201.45 Market agencies to make records available for inspection by owners, consignors, and purchasers.
201.49 Requirements regarding scale tickets evidencing weighing of livestock and live poultry.
201.53 Persons subject to the Act not to circulate misleading reports about market conditions or prices.
201.55 Purchases and sales to be made on actual weights.
201.61 Market agencies selling or purchasing livestock on commission; relationships with dealers.
201.69 Furnishing information to competitor buyers.
201.70 Restriction or limitation of competition between packers and dealers prohibited.
201.71 Scales; accurate weights, repairs, adjustments or replacements after inspection.
201.73 Scale operators to be qualified.
201.73–1 Instructions for weighing livestock.
201.76 Reweighing.
201.81 Suspended registrants.
201.82 Care and promptness in weighing and handling livestock and live poultry.
201.86 Brand inspection: application for authorization, registration and filing of schedules, reciprocal arrangements, and maintenance of identity of consignments.

Sec.
201.94 Information as to business; furnishing of by packers, live poultry dealers, stockyard owners, market agencies, and dealers.
201.95 Inspection of business records and facilities.
201.96 Unauthorized disclosure of business information prohibited.
201.98 Packers and dealers not to charge, demand, or collect commission, yardage, or other service charges.
201.100 Records to be furnished poultry growers and sellers.
201.108–1 Instructions for weighing live poultry.
201.200 Sale of livestock to a packer on credit.

Statements of General Policy (9 CFR, Part 203)

Sec.
203.2 Statement of general policy with respect to the giving by meat packers of meat and other gifts to Government employees.
203.4 Statement with respect to the disposition of records by packers, live poultry dealers, stockyard owners, market agencies and dealers.
203.5 Statement with respect to market agencies paying the expenses of livestock buyers.
203.7 Statement with respect to meat packer sales and purchase contracts.
203.12 Statement with respect to providing services and facilities at stockyards on a reasonable and nondiscriminatory basis.
203.15 Trust benefits under sections 206 and 207 of the Act.
203.16 Mailing of checks in payment for livestock purchased for slaughter, for cash and not on credit.
203.17 Statement of general policy with respect to rates and charges at posted stockyards.
203.18 Statement with respect to packers engaging in the business of custom feeding livestock.
203.19 Statement with respect to packers engaging in the business of livestock dealers or buying agencies.

The Agency is continuing to review three regulations included in the Catalog of Priority Regulations under the President's program. These regulations are:

Sec.
201.10 [Registration] Requirements and procedures.
201.29 Market agencies, packers and dealers required to file and maintain bonds.
201.30 Amount of market agency, dealer and packer bonds.

The Agency also requests comments on each of these regulations and specifically requests that the comments address concerns or recommendations relating to bonding levels.

While there is no regulation which specifically prohibits market agencies selling on commission from providing free or below cost trucking to consignors, this practice has generally been considered unfair and discriminatory under the provisions of the P&S Act. In the past, cases have held it is discriminatory to consignors who do not receive the free trucking and unfair to competing markets. Free trucking may also be considered a form of commission rebate.

Structural changes in the livestock marketing industry have altered the competitive forces and free or below cost trucking has become a pervasive factor in soliciting consignments in many areas. The Agency believes this is only partially caused by competition between markets because most selling agencies not only compete with each other, but with other market alternatives in their geographic regions, such as dealer and packer buyer organizations who are free to purchase livestock at the farm and haul it away without cost to the seller. Therefore, the Agency requests comments concerning: the effects of the practice of market agencies providing free or below cost trucking to consignors on competition between selling agencies; the ability of selling agencies to compete with other marketing alternatives; whether the practice has become a custom of the industry; and whether the practice should be re-evaluated with respect to the provisions of the P&S Act.

Done at Washington, DC this 9th day of September 1992.

Virgil M. Rosendale,

Administrator, Packers and Stockyards Administration.

[FR Doc. 92–22247 Filed 9–14–92; 8:45 am]

BILLING CODE 3410–KD–M

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 363

RIN 3064–AA83

Annual Independent Audits and Reporting Requirements

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of proposed rulemaking.

SUMMARY: Section 112 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (FDICIA) added a new section 36 to the Federal Deposit Insurance Act (FDI Act), the purpose of which is to facilitate early identification of problems in financial management through annual independent audits, more stringent reporting requirements, and the establishment and maintenance of internal control structures and procedures.

Proposed part 363 implements section 36 and requires that each insured depository institution with $150 million or more in total assets have an annual audit by an independent public accountant, and an independent audit committee made up of outside directors; that management report on the institution's responsibility for preparing financial statements and establishing and maintaining an internal control structure and procedures for financial reporting and compliance with laws and regulations concerning safety and soundness; and that independent auditors attest to and report separately on assertions in management's reports by using audit procedures agreed upon by the FDIC for determining the extent of compliance with laws and regulations concerning safety and soundness.

DATES: Comments must be received by October 30, 1992.

ADDRESSES: Send comments to Hoyle L. Robinson, Executive Secretary, FDIC, 550 17th Street, NW., Washington, DC 20429. Comments may be hand-delivered to room 400, 1776 F Street, NW., Washington, DC 20429 on business days between 8:30 a.m. and 5 p.m. (FAX number: (202) 898–3838.)

FOR FURTHER INFORMATION CONTACT: Doris L. Marsh, Examination Specialist, Division of Supervision (202) 898–8905, FDIC, 550 17th Street, NW., Washington, DC 20429; Kathleen M. James, Examination Specialist, Division of Supervision (202) 898–6809, FDIC, 559 17th Street, NW., Washington, DC 20429; or Sandra Comenetz, Senior Attorney, Legal Division, (202) 898–3582, FDIC, 550 17th Street NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collection of information contained in this rule has been filed with the Office of Management and Budget for review pursuant to section 3504(h) of the Paperwork Reduction Act (44 U.S.C. et seq.). Comments on the collection of information should be directed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, Attention: Desk Officer for the FDIC, with copies of such comments to be sent to Steven F. Hanft, Assistant Executive Secretary (Administration), room F–453, FDIC, 550 17th Street, NW., Washington, DC 20429. This information is mandated by section 36 of the FDI Act (12 U.S.C. 1831m) which was added by

section 112 of FDICIA (Pub. L. 102–242, 105 Stat. 2242).

It is usual and customary for large financial institutions to have annual audits of their financial statements performed by independent public accountants and approximately 96 percent of institutions covered by this proposed regulation report that they already have annual audits of their financial statements. In addition, reflecting the FDIC's 1988 policy statement encouraging all institutions to establish and maintain audit committees consisting of outside directors and requirements of other agencies and stock exchanges, it is usual and customary for institutions to have audit committees. It is estimated that approximately 80 percent of institutions covered by this regulation have audit committees already performing the functions required by this regulation. Therefore, the estimated annual reporting burden for the collection of information in the regulation is summarized as follows:

Number of Preparers: 3,000
Number of Policies and Record Systems Prepared: 1.22
Total Annual Preparations: 3,650
Hours Per Policy and Record System: 25.44
Total Annual Burden Hours: 76,330

Regulatory Flexibility Act

The proposed rule expressly exempts insured depository institutions having assets of less than $150 million, and, for that reason is inapplicable to small entities. Therefore, pursuant to section 605(b) of the Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. 601 et seq.), it is certified that the proposed rule would not have a significant impact on a substantial number of small entities.

Summary of Section 36 of FDICIA

Section 112 of FDICIA added a new section 36 to the FDI Act, the purpose of which is to facilitate early identification of problems in financial management through annual independent audits, more stringent reporting requirements, and the establishment and maintenance of internal control structures and procedures. The requirements of section 36 apply to fiscal years of insured depository institutions beginning after December 31, 1992. Section 36 does not apply to institutions with assets under $150 million (or a greater amount as determined by the FDIC).

Section 36 requires that management of insured depository institutions provide an annual report to the FDIC, the appropriate federal banking agency, and any appropriate state bank supervisor. This report must contain annual financial statements and a statement of management's responsibility for preparing financial statements, establishing and maintaining an adequate internal control structure and procedures for financial reporting and for complying with laws and regulations relating to safety and soundness designated by the FDIC. The annual report must include management's assessment of the effectiveness of the internal controls over financial reporting and compliance. The institution's independent auditors must attest to and report separately on the institution's assertions contained in the management report. The auditor's attestation must also be provided to the bank regulators. The annual report must be made available for public inspection.

Section 36 requires that each insured financial institution have an annual independent audit performed on its financial statements by an independent public accountant in accordance with generally accepted auditing standards. In the case of large institutions (as defined by the FDIC), the FDIC may require that the independent public accountant review the institution's quarterly financial reports.

Section 36 requires that independent public accountants who perform audit services pursuant to the statute must make available working papers, policies, and procedures to the bank regulatory agencies, and must have received a peer review that meets guidelines acceptable to the FDIC. Peer review reports must be filed with the FDIC and made available for public inspection. Any independent public accountant who ceases to provide audit services to an institution must promptly notify the FDIC. Section 36 provides the federal banking agencies with additional authority to remove, suspend, or bar an independent public accountant for cause from providing audit services required by the statute.

Section 36 requires that the insured depository institution provide its independent auditor with the most recent report of condition and report of examination, and any supervisory memoranda or other written agreement between the institution and a bank regulatory agency. In addition to the annual report and the auditor's attestation, the institution must provide to the FDIC, any appropriate federal banking agency, and any appropriate state bank supervisor, audit reports, management letters, and any other auditor reports within 15 days of receipt. The institution must also provide written notification of any change in auditors within 15 days of the event.

Section 36 requires that insured depository institutions have an independent audit committee made up entirely of outside directors. In the case of large institutions (as defined by the FDIC), the committee must include members with banking or financial management expertise, have access to outside counsel, and not include any large customers (as defined by the FDIC) of the institution. The audit committee's duties include reviewing with management and the independent auditor the basis for the annual audit, management reports, and other annual information required by the bank regulatory agencies.

Insured depository institutions that are subsidiaries of holding companies may satisfy the annual audit requirement by filing audited financial statements of the holding company. Other section 36 requirements may be satisfied for subsidiaries of holding companies by the holding company and its auditor if the holding company is providing services and functions comparable to those required by the statute, the subsidiary's total assets are less than $5 billion, or between $5 billion and $9 billion, and the institution at its last examination had a CAMEL rating of 1 or 2 under the Uniform Financial Institutions Rating System.

Summary of Proposal

The FDIC is proposing Part 363 to implement section 36. Part 363 would be applicable to any insured depository institution having assets of $150 million or more, and would require management to prepare annual and agency reports on the financial condition of the institution that would be filed with the FDIC, the appropriate federal banking agency, and any appropriate state bank supervisor. The annual report would contain financial statements prepared in accordance with generally accepted accounting principles that are audited by the institution's independent public accountant.

The report would also contain management's assertions concerning the effectiveness of the institution's internal control structure and procedures, and its compliance with designated laws and regulations. The proposed rule would require that the independent public accountant examine the institution's internal control structure and apply procedures agreed upon by the FDIC to determine the extent of the institution's compliance with laws and regulations designated by the FDIC concerning safety and soundness.

The proposed rule would require that an insured depository institution have an independent audit committee comprised of outside directors, which, in

the case of large institutions, would include members with banking or financial management expertise, have access to outside counsel, and not include any large customers. The rule would define "large institution" and "large customer". The committee would review with management and the independent public accountant the information included in the institution's annual report. The law requires that audit services be performed only by an independent public accountant who would receive a peer review acceptable to the FDIC, and that the accountant provide working papers to the bank regulatory agencies upon request.

Insured depository institutions are required by FDICIA to notify the bank regulatory agencies of any change in their independent accountant. The rule would require accountants who cease to perform audit services for a particular insured depository institution to notify the FDIC. FDICIA requires insured depository institutions to provide examination reports and certain other information to their accountants, and a copy of the annual audit report to the bank regulatory agencies.

With respect to subsidiaries of a holding company, the independent audit requirement may be satisfied by an audit of the holding company. The other requirements of section 112 of FDICIA may be satisfied for subsidiaries of holding companies by the holding company and its auditor if services and functions comparable to those required by the law are provided at the holding company level, the subsidiary has total assets of less than $5 billion, or total assets between $5 billion and $9 billion, and a CAMEL rating of one or two.

Section-by-Section Analysis

For clarity, the regulation repeats the statutory requirements of FDICIA, implements those requirements, and clarifies terms and procedures. The law exempts from section 36 coverage insured institutions which, at the beginning of any fiscal year, have total assets of less than $150 million, but left to the FDIC's discretion whether also to exempt institutions having assets of some amount in excess off $150 million from some or all of the provisions. In § 363.101 the FDIC proposes to limit the scope of this regulation to those institutions having assets of $150 million or more for two reasons. First, this threshold is identical to that in reports required by Regulation Y of the Board of Governors of the Federal Reserve System. These reports require that all bank holding companies with assets of $150 million or more file annual reports which must include financial statements that have been audited by an independent public accountant. Using the same threshold means that there will be some consistency in reporting requirements. Second, approximately 95 percent of all institutions with assets of $150 million or more already engage an independent public accountant to perform an annual audit of the financial statements of the institution or, as the case may be, of the consolidated statements of the holding company. All of the other institutions engage an independent public accountant to provide some audit services. All that should be unfamiliar to institutions is FDICIA's requirement that an independent public accountant examine an institution's system of internal controls over financial reporting and perform agreed-upon procedures to test compliance with laws and regulations concerning safety and soundness.

Inasmuch as the FDIC has discretion to exempt institutions having total assets of some amount in excess of $150 million from some or all of the requirements of section 36, the FDIC could apply the requirements in gradations to institutions over $150 million. For example, the FDIC could require that only certain provisions of section 36 apply to institutions between $150 million and some larger size, but that all requirements apply to institutions over that larger size. The FDIC requests comment on whether it should do so. If so, comments are requested on the size to choose as the threshold and the reasons for such choice. The FDIC also requests detailed information concerning the additional costs that institutions will incur as a result of the requirement for an examination of the institution's system of internal controls over financial reporting and performance of agreed upon procedures to test compliance with laws and regulations concerning safety and soundness.

Section 363.201 of the proposed rule requires each institution within 90 days after the end of each fiscal year to prepare an annual report required by law containing financial statements, an audit report on those statements, management's report on internal controls over financial reporting and compliance with laws and regulations relating to safety and soundness, and an independent public accountant's attestation concerning management's assertions. Section 363.202 requires that the annual report and certain other documents be filed with the banking regulators

Section 363.203 details the information that should be provided in an institution's financial statements. Section 36 of the FDI Act requires that financial statements included in an institution's annual report be prepared in accordance with generally accepted accounting principles (GAAP) and such other disclosure requirements as the FDIC may prescribe, and that they must be audited by an independent public accountant in accordance with generally accepted auditing standards (GAAS). Because the preparation of Reports of Condition and Income (Call Reports) is based on GAAP with some regulatory differences in reporting treatment, the FDIC explored the alternative of requiring audits of certain Call Report schedules supplemented by a GAAP statement of cash flows and footnote disclosure.

While this alternative has the advantage of improving accuracy in Call Report information so much relied upon by the banking agencies, the cost burden attendant upon this alternative could outweigh perceived advantages. For example, many institutions and holding companies are publicly held and are required under the Securities Exchange Act of 1934 (15 U.S.C. 78a) to have GAAP audited financial statements. The financial burden to have one type of audit for the FDIC and another for the Securities Exchange Commission (SEC) seemed unjustified.

Accordingly, in § 363.203 of the rule, the FDIC is proposing that institutions file financial statements under this part similar to those required by GAAP, although institutions may elect instead to file audits of specified Call Report schedules and supplemental information. Institutions would file similar financial statements with the FDIC as they submit under the Securities Exchange Act of 1934. Bank holding companies would be able to use their SEC financial statements or audited financial statements prepared for their Y–6 Report required under the Bank Holding Company Act of 1956 (12 U.S.C. 1841). Whatever financial statement an institution files, the proposal would require that footnote disclosure include a reconciliation of the difference between GAAP and the institution's appropriate regulatory accounting for leverage, tangible, where applicable, and risk-based capital. In addition, holding company financial statements must include the consolidating schedules of the balance sheets and income statements used to combine each institution over $150 million, or balance sheets and income statements for each institution over $150 million in total assets on an individual entity basis. The proposed filing date,

within 90 days after an institution's fiscal year end, is the same for SEC and Y–6 annual reports to ensure that bank and thrift regulators receive the reports no later than the public.

The proposed rule would require that, pursuant to section 36(e)(1) of the FDI Act, certain Call Report and TFR items be covered in the agreed upon procedures for compliance with designated laws and regulations on which the independent public accountant will be expected to report. However, because the federal banking agencies rely on the financial information in the Call Reports and Thrift Financial Reports (TFRs), comment is requested on whether selected Call Report and TFR information would be better added to the scope of the audit under section 36(d)(2)(B) of the FDI Act, or whether such information should even be previewed at all.

Section 36 of the FDI Act requires that each institution prepare an annual report containing a statement of management's responsibility for establishing and maintaining an adequate internal control structure and an assessment of the effectiveness of the internal control structure. Each statement should reference the evaluation of the components of the internal control structure. While not part of the regulation, the FDIC recommends that internal control reporting reference an institution's control environment, risk assessment, control policies and procedures, communication and information systems, and monitoring systems. Section 36 further requires that each institution's independent public accountant attest to and report separately on management's assertions in its report on internal controls in accordance with generally accepted standards for attestation engagements. The FDIC considered proposing specific internal control criteria in the regulation, but elected to leave development of specific criteria to institutions. An example of acceptable internal control standards for institutions is found in "Internal Control-Integrated Framework", the report of the Committee of Sponsoring Organizations of the Treadway Commission, which provides guidance not only for large entities, but also provides suggestions for small and mid-size entities. For additional guidance on internal control systems, the FDIC suggests that management reference the FDIC's "Statement of Policy Providing Guidance on External Auditing Procedures for State Non Member Banks", and standards published by professional accounting organizations, such as the American Institute of Certified Public Accountant's (AICPA) Statement on Auditing Standards No. 30, "Reporting on Internal Accounting Control;" and, any other internal control standards published by the AICPA, other accounting or auditing professional associations, or other financial institution trade associations. The FDIC requests comment on its decision to leave the development of criteria to institutions.

Section 36 of the FDI Act requires that each institution prepare an annual report containing a statement of management's responsibilities for complying with designated laws and regulations relating to safety and soundness, and an assessment of the institution's compliance with the designated laws and regulations. Section 36 further requires that the institution's independent public accountant apply procedures agreed upon by the FDIC to determine the extent of compliance of any institution with the designated laws and regulations, and to attest to the findings in accordance with generally accepted standards for attestation engagements.

Section 363.204 of the proposal would require management to assess its own compliance with designated laws and regulations, and to evaluate the effectiveness of the operation of its internal control structure and procedures. Reporting on the internal control structure and procedures concerning compliance is especially important because without effective internal controls, management would have no rational basis on which to evaluate compliance. In short, management's reporting on compliance would be meaningless without effective internal controls over the compliance function. In contrast to the subject of internal controls over financial reporting, there is insufficient criteria for evaluating internal controls over compliance with laws and regulations to enable an independent public accountant to attest to management's assertions concerning such controls. Such criteria are needed, and the accounting profession is urged to develop them.

Authority for requiring management to evaluate the operation of its internal control structure and procedures over compliance comes from section 36 of the FDI Act and section 39 of the FDI Act. Section 39 concerns operational and managerial standards and authorizes the FDIC and other federal banking agencies to set standards for "internal controls, internal systems, and internal audit systems, in accordance with section 36." To implement section 39, the federal banking agencies are soliciting comments through September 14, 1992, on Standards for Safety and Soundness under a Joint Advance Notice of Proposed Rulemaking. (57 FR 31336, July 15, 1992).

In § 363.204 of the proposal the FDIC designates the laws and regulations relating to safety and soundness to be covered by this regulation: affiliate transactions, legal lending limits, loans to insiders, dividend restrictions, and financial reporting in Call Reports and Thrift Financial Reports. Each state chartered institution is expected to identify and report on compliance with comparable state laws and regulations. It has been the experience of the banking agencies that when institutions fail to comply with laws and regulations in these five areas they often become troubled. Procedures, developed in consultation with the AICPA, to enable independent public accountants to attest to an institution's compliance with designated laws and regulations are set forth in the appendix to the proposal.

Capital regulations were not included among the designated regulations in this proposal because capital adequacy is so thoroughly reviewed by examiners. The FDIC requests comment on whether it should designate additional laws and regulations relating to safety and soundness, such as the capital regulations, or omit any of the designated laws and regulations.

Section 36 of the FDI Act requires that management's assessment of the effectiveness of the institution's internal controls and its compliance with designated laws and regulations occur "as of the end of the institution's most recent fiscal year." In § 363.204(b)(3) the FDIC has interpreted this to mean that management's assessment must be prepared as of the end of the fiscal year and cover the entire audit period. Requiring management to assess the effectiveness of internal controls and the institution's compliance with laws and regulations over a period of time is more likely to foster safe and sound practices than so-called "point-in-time reporting," where assessments are made essentially on one occasion. The latter approach makes it harder to find material inadequacies that may be hidden by certain transactions occurring at a particular time.

Section 363.205 of the proposal establishes filing requirements for documents required by the rule. It requires each institution to make its annual report available for public inspection or supply one copy of it free

of charge to whomever requests it. If the proposed rule is adopted, it is anticipated that the FDIC will amend 12 CFR part 350 to permit institutions to use the annual report in lieu of part 350 disclosure documents.

Section 363.206 sets forth the exceptions to section 36 of the FDI Act for insured subsidiaries of holding companies. Section 363.206(a) provides that the requirements for an independent audit may be satisfied for subsidiaries of holding companies by an independent audit of the holding company. Section 363.206(b) states that the other requirements of section 36 may be satisfied for subsidiaries if services and functions comparable to those required by section 36 are provided at the holding company level, and either the institution has total assets, as of the beginning of each fiscal year, of less than $5 billion; or it has total assets as of the beginning of the fiscal year of more than $5 billion but less than $9 billion, and it received a CAMEL rating of 1 or 2 under the Uniform Financial Institutions Rating System at its most recent examination.

If the requirements of this exception are met, an independent public accountant may examine and attest to management's assertions on the consolidated entity's internal control system, assuming that system applies to the entire holding company and its subsidiaries, and would not be required to examine and attest to the systems of each subsidiary.

Section 36 requires that each covered institution have an independent audit committee. The membership criteria, duties, and recordkeeping responsibilities of the audit committee are set out in §§ 363.301 and 363.302. The proposal outlines certain duties for which an audit committee may be responsible, depending upon the institution's size and the complexity of its operations. This list is by way of example only. Each of the duties listed need not be performed by each audit committee, and there may be duties not included on the list that the committee should perform. It is the FDIC's opinion that members of the audit committee of a holding company may serve on the audit committee of any subsidiary provided that they meet the requirements of § 36(g)(1) of the FDI Act.

Section 36 establishes special criteria for audit committees of "large institutions". The FDIC defines "large institution" in § 363.102 of the proposed rule as an institution with $500 million or more in total assets as of the beginning of its fiscal year. The rationale for this figure is to bring within the rule's reach those institutions whose failure could pose a significant threat to the insurance fund. Three thousand institutions have total assets of $150 million or more and thus fall within the scope of section 36; approximately 1,000 of these have over $500 million in total assets and are "large institutions" within the meaning of § 363.102. Those institutions with $500 million or more in assets hold approximately 86 percent of the banking assets in the United States and include a significant number of savings associations. Had the FDIC chosen a higher figure to define "large institution," far fewer savings associations would be subject to the independent audit committee requirement. This figure also brings within the rule's purview the largest institutions in many of the smaller cities, rather than merely a few money center banks. The FDIC proposes to use this figure since the only additional requirements for "large institutions" under this proposal concern audit committee membership and committee access to outside counsel. The dollar cost of an institution's compliance with these requirements will be negligible. The additional protection afforded the public and the insurance funds by independent directors with greater knowledge of banking and finance warrants the insignificant cost to the institutions. The FDIC requests comment on its proposed definition of "large institution," whether different thresholds should be established for banks and thrifts, and whether there are other burdens which should be considered.

Section 36 of the FDI Act prohibits the presence of "large customers of the institution" on the institution's audit committee. In § 363.102 the FDIC proposes that "large customer" means any person, who together with his or her affiliates and associates, currently has, or had during the prior fiscal year, either aggregate extensions of credit or deposits at one time, or other significant relationships, with the institution and its affiliates exceeding the lesser of 15 percent of the institution's total risk-based capital or $50 million. In defining this term, the FDIC sought to find a threshold high enough to preclude customers who could significantly influence the institution because of the amount of business they do with the institution, but not so high as to eliminate good candidates for the audit committee.

The FDIC considered comparing the size of a customer's relationship to the institution's legal lending limit in order to define "large customer," but concluded that using capital was more appropriate since it provides a similar measure for all institutions. The size of the legal lending limit varies according to an institution's charter and the amount of the lending limit usually differs for collateralized and noncollateralized loans. Thus, determining the threshold for a "large customer" using the legal lending limit would unnecessarily increase the complexity of monitoring this threshold for both the institutions and the agencies. The FDIC requests comment on whether the definition of "large customer" should be based on the legal lending limit or any other standard rather than total regulatory capital. Comment is also requested on the appropriate percentage to use for any standard.

Section 36 of the FDI Act also provides that the audit committees of large institutions have access to their own outside counsel. In § 363.301, the FDIC proposes that the audit committee (not the members individually) have the authority to retain outside counsel without prior permission of the institution's board of directors or management. The FDIC is proposing that each audit committee have access to its own counsel who would be independent of the institution and the institution's outside counsel. The proposal would prohibit the audit committee outside counsel from discussing possible future employment with the institution during the pendency of its employment with the audit committee. It would require that if outside counsel is approached by the institution concerning possible future employment, it must disclose that fact in writing to the audit committee. The proposal would prohibit audit committee outside counsel from commencing employment with the institution during the 12 month period following termination of its representation. At present, the FDIC is not proposing that audit committees have counsel on retainer.

It is anticipated that some institutions will need time to restructure their audit committees to comply with this rule. Other institutions not presently "large" may become so through growth or merger. In recognition of these situations, no regulatory action will be taken if such institutions restructure their audit committees at their first annual meeting after which section 36 (12 U.S.C. 1831m) becomes effective.

Section 36 of the FDI Act authorizes the FDIC to require independent public accountants for "large institutions" to review such institutions' quarterly financial reports. At this time, the FDIC has decided not to exercise its authority in this area, preferring to request such

reviews on a case-by-case basis. Reviews of quarterly financial reports would be costly and most likely delay the receipt of quarterly financial information. Moreover, troubled institutions are likely to have an examiner on the premises often, making the need for external quarterly financial reviews less important. In short, the cost and burden involved in providing such reviews are believed to outweigh the benefit to the FDIC and the other federal banking agencies.

Sections 363.401 through 363.405 set forth the requirements for the annual audit, the engagement letter, the reports, and other items which must be provided to the independent auditors, and for the internal control and compliance attestations. The procedures have been prepared in consultation with the AICPA. The FDIC recommends immediate field testing by accounting firms and institutions of these procedures, and invites interested parties to comment on them.

Section 36 of the FDI Act requires each institution to have an annual independent audit of its financial statements in accordance with GAAS and any other standards established by the banking agencies. In conducting the audit, the independent public accountant is not precluded from using the internal audit staff of the institution as long as GAAS is followed, and the accountant supervises the internal staff in accordance with GAAS.

Certain clarifications are necessary regarding the independent public accountant's duty to examine and attest to management's compliance with laws and regulations. The independent public accountant may determine the extent of compliance with laws and regulations concerning affiliate transactions on a holding company basis because the laws and regulations in this area do apply to holding companies and their subsidiaries. On the other hand, the laws and regulations concerning legal lending limits, loans to insiders, dividend restrictions, and Call Reports and Thrift Financial Reports generally refer to individual institutions and compliance with them must be determined on subsidiary-by-subsidiary basis. Section 36(i) of the FDI Act exempts subsidiaries of holding companies from certain requirements of this section. The FDIC considered several methods for independent public accountants engaged by holding companies to determine the extent of subsidiary compliance with FDIC-designated laws and regulations. One approach was to have the external auditors review and attest that the internal auditors had performed the procedures set forth in the appendix on each subsidiary with over $150 million in total assets. However, it became apparent that uncertainty over the quality of a holding company's internal audit function would preclude an independent public accountant from attesting to the work performed by internal auditors without doing its own substantial, and costly, review of the internal audit function. Accordingly, the FDIC proposes that the procedures in the appendix be performed separately on each applicable subsidiary institution. The FDIC invites comments on this approach and suggestions (or alternative methods) to determine compliance through holding companies.

Independent public accountants providing audit services under section 36 must meet certain requirements and have received a peer review acceptable to the FDIC. Qualifications are set forth in § 363.501. Details of peer reviews are set forth in § 363.502. The FDIC is proposing that a peer review performed pursuant to the AICPA's "Statements on Quality Control Standards" and "Standards for Performing and Reporting on Quality Reviews," contained in Volume 2 of the AICPA Professional Standards, as long as it includes a representative sample of financial institution audits, will be acceptable. In addition, any other accounting organizations that establish standards for peer review may submit details concerning their programs to the FDIC for consideration and possible approval under this part.

Section 363.503 establishes notice requirements for institutions and accountants whenever there is a change in accountants. The information provided in response to § 363.503(a) concerning a change of accountant should be similar to that required by the SEC's Regulation S–K and the FDIC's § 335.321, Item 10. Section 363.504 reiterates the authority of the FDIC and the appropriate federal banking agency to take enforcement action against an independent public accountant upon a showing of "good cause" under existing section 8 of the FDI Act and also under section 36 of the FDI Act. A proposal to set forth procedures in 12 CFR part 308, subpart Q, will be issued separately.

Request for Public Comment

In addition to the specific requests made above, the FDIC hereby requests comment on all aspects of the proposed rule, including both legal and policy considerations.

List of Subjects in 12 CFR Part 363

Accounting, Banks, Banking, Reporting and recordkeeping.

For the reasons set forth in the preamble, the FDIC proposes to add part 363 to chapter III of title 12 of the Code of Federal Regulations to read as follows:

PART 363—ANNUAL INDEPENDENT AUDITS AND REPORTING REQUIREMENTS

Subpart A—General Provisions

Sec.

363.101 Scope.
363.102 Definitions.

Subpart B—Reporting Requirements

363.201 Annual reports.
363.202 Reports to agencies.
363.203 Financial statements.
363.204 Management report.
363.205 Filing requirements.
363.206 Exceptions for subsidiaries of holding companies.

Subpart C—Audit Committees

363.301 Members.
363.302 Duties.

Subpart D—Auditing Requirements

363.401 Annual independent audits.
363.402 Other items to be provided by the independent public accountant.
363.403 Reports to independent public accountants.
363.404 Internal control attestation.
363.405 Compliance with laws and regulations attestation.

Subpart E—Requirements of Independent Public Accountants

363.501 Qualifications of independent public accountants.
363.502 Peer review.
363.503 Selection or change of independent public accountant.
363.504 Enforcement actions.

Appendix A to Part 363—Agreed Upon Procedures for Compliance with Laws and Regulations

Authority: 12 U.S.C. 1831m.

Subpart A—General Provisions

§ 363.101 Scope.

The requirements of this part apply with respect to fiscal years of insured depository institutions which begin after December 31, 1992. This part shall not apply to any insured depository institution having assets of less than $150,000,000 as reported on its Call Report, or, in the case of savings associations, on its Thrift Financial Report, at the beginning of its fiscal year. An insured depository institution which may be exempt from the requirements of this part because of

size, or whose responsibilities under this part may be met pursuant to 12 CFR 363.206 because it is a subsidiary of a holding company, shall not thereby be exempt from any other statutory or regulatory provision or policy of the FDIC or an appropriate federal banking agency that requires the institution to file audited financial statements or other reports with the FDIC or an appropriate federal banking agency.

§ 363.102 Definitions.

For purposes of this part the following definitions apply:

(a) *Appropriate federal banking agency* means the Comptroller of the Currency in the case of any national banking association, any District bank or any federally chartered insured branch of a foreign bank; the Board of Governors of the Federal Reserve System in the case of any state member bank (except a District bank) or any bank holding company; the FDIC in the case of any state nonmember insured bank (except a District bank), or any state chartered insured branch of a foreign bank; and the Director of the Office of Thrift Supervision in the case of any savings association or any savings association holding company.

(b) *Audit date* means the last day of the annual audit period. It is the date of the balance sheet and end of income statement period audited and reported on without regard to the actual date of the commencement of the audit. Except in extraordinary circumstances, the audit date will remain the same from year to year.

(c) *Audit period* means the period of time between the audit dates of two consecutive audits, usually twelve calendar months.

(d) *Audit report* means the document addressed to an institution's board of directors, its stockholders, or its audit committee that sets forth the scope of responsibility assumed by the auditor and the auditor's opinion on the fairness of the presentation of the information in the institution's audited financial statements.

(e) *Audit services* means any work required to be performed by an independent public accountant under section 36 of the FDI Act (12 U.S.C. 1831m) and this part 363.

(f) *Auditor* means an independent public accountant who performs or participates in providing audit services.

(g) *Banking or related financial expertise* means employment for three or more years that is finance, accounting, or banking related, at an executive or professional level in a business, an institution of higher learning, or a federal or state financial institution regulatory agency; or service for five or more years on the board of directors of a company in the financial services industry, the board of an insured depository institution, or the audit committee of a corporation.

(h) *Call report* means the Consolidated Reports of Condition and Income for insured banks (FFIEC forms 031, 032, 033, and 034).

(i) *Engagement letter* means the proposal, contract, letter and other documents reflecting the understandings between an institution's audit committee or board of directors and its independent public accountant regarding the scope, terms, and nature of the audit services to be performed.

(j) *Financial reporting* by an institution means recording, processing, summarizing, and presenting financial data in annual financial statements, interim financial statements, and regulatory reports.

(k) *Financial statements* means statements and accompanying footnotes that are intended to show the financial position of an institution at a point in time, the results of operations, and the cash flows of an institution over a period of time.

(l) *Holding company* means any United States corporation that owns or controls an insured depository institution. It includes, but is not limited to, bank holding companies registered with the Board of Governors of the Federal Reserve System, unitary thrift holding companies, multiple thrift holding companies, and mutual thrift holding companies.

(m) *Independent person* means a person who is not and has not been an officer, employee, affiliate, or associate (as those terms are defined in 17 CFR 240.12b–2) of a given insured depository institution, or an officer, employee, or associate of an affiliate of such institution, within the preceding three years; is not a member of the immediate family of an officer or employee of the institution or its affiliates; does not and has not held five percent or more direct or indirect financial interest in the institution within the preceding three years; is not and has not been within the preceding three years a promoter (as defined in 17 CFR 240.12b–2), or an underwriter (as defined in 15 U.S.C. 77b(11)), of the institution or its affiliates; is not and has not been within the preceding three years a trustee for any pension or profit-sharing trust for the officers or employees of the institution or its affiliates.

(n) *Independent public accountant* means any individual, including an auditor, who performs or participates in providing audit services; and an accounting firm, including a corporation, proprietorship, partnership, or other business comprised of independent public accountants providing audit services.

(o) *Institution* means insured depository institution, i.e., any bank, savings association, or branch of a foreign bank (12 U.S.C. 1813(c)), the deposits of which are insured by the FDIC.

(p) *Internal control structure* means the policies and procedures established by an institution's board of directors and management to provide reasonable assurance that an institution's objectives in three general areas—operations, financial reporting, and compliance with laws and regulations—will be achieved, and will be achieved in a safe and sound manner.

(1) The objectives of the internal control structure and procedures over operations are to provide reasonable assurance that assets are safeguarded against loss, that prescribed managerial policies are followed, and that operational efficiencies are achieved.

(2) The objectives of the internal control structure and procedures for financial reporting are to provide reasonable assurance that transactions are executed in accordance with management's authorizations, and transactions are recorded as necessary to permit the preparation of accurate financial reports and to maintain accountability for the related assets and liabilities. The internal control structure and procedures for financial reporting govern the recording, processing, summarizing, and reporting of financial data by the institution.

(3) The objectives of the internal control structure and procedures for compliance with laws and regulations are to provide reasonable assurance as to the institution's compliance with laws and regulations so that transactions are executed and assets are maintained in accordance with applicable laws and regulations, and management's policies and practices reasonably limit noncompliance and detect and report noncompliance to management.

(q) *Large customer* means any person, who, alone or in conjunction with immediate family or associates (as defined in 17 CFR 240.12b–2), has, or has had at any time during the prior fiscal year, either aggregate extensions of credit from an institution and its affiliates, or deposits, or other significant relationships, with said institution and its affiliates that exceed the lesser of 15 percent of the institution's total capital for risk-based capital purposes or $50 million.

(r) *Large institution* means an institution with $500 million or more in total assets as of the beginning of its fiscal year.

(s) *Management letter* means a written summary addressed to the institution's board of directors (or its audit committee) of the auditor's recommendations including both reportable and nonreportable conditions resulting from audit services performed under this part. A management letter recommends possible action that the institution may take to correct any deficiencies in the internal control structure and contains any other recommendations that the auditor deems appropriate.

(t) *Management report* means the written description by management of its responsibilities for preparing financial statements, and establishing and maintaining an adequate internal control structure and policies and procedures for financial reporting and compliance with laws and regulations. It includes management's assessment of the effectiveness of the internal control structure *and* the institution's compliance with laws and regulations relating to safety and soundness identified in § 363.204(c).

(u) *Material inadequacy* in the internal control structure means a reportable condition in which the design or operation of one or more of the specific internal control structure elements does not reduce to a relatively low level the risk that financial reporting and compliance control objectives would not be accomplished.

(v) *Reportable condition* means a significant deficiency in the design or operation of an internal control structure that, in an auditor's judgment, could adversely affect an institution's ability to record, process, summarize, and report financial data consistent with the assertions of management in the institution's financial statements, or could adversely affect the institution's ability to comply with laws and regulations. All material inadequacies are reportable conditions.

(w) *Thrift financial report* or *TFR* means the financial statements and related schedules filed quarterly by savings associations with the Office of Thrift Supervision.

Subpart B—Reporting Requirements

§ 363.201 Annual reports.

(a) Within 90 days after the end of each fiscal year following December 31, 1992, each institution shall prepare an annual report which shall contain:

(1) The institution's financial statements prepared pursuant to § 363.203;

(2) The independent public accountant's audit report on such financial statements prepared pursuant to § 363.401;

(3) The institution's management report prepared pursuant to § 363.204; and

(4) The internal control attestation prepared by the independent public accountant pursuant to § 363.404.

(b) An FDIC-supervised institution may use the annual report required by this part in lieu of the annual disclosure statement required by 12 CFR 350.3, as long as the institution satisfies all of the other requirements of 12 CFR part 350.

§ 363.202 Reports to agencies.

(a) Pursuant to § 363.205, each institution shall file the following with the FDIC and the appropriate Federal banking agency:

(1) The annual report prepared pursuant to § 363.201;

(2) The management letter prepared by an independent public accountant pursuant to § 363.401(d);

(3) The auditor's report on agreed upon procedures determining the extent of management's compliance with laws and regulations designated in § 363.204(c) and prepared pursuant to § 363.405;

(4) A statement by an independent public accountant providing negative assurance that the institution complied with FDIC assessment requirements during the audit period, *or* a statement by the accountant explaining why a negative assurance cannot be given;

(5) A description by management of its handling of material inadequacies or other reportable conditions in the internal control structure and procedures identified by its internal auditor (or an individual performing an equivalent function) or its independent public accountant;

(6) A list of the names and occupations of all members of the audit committee during the audit period; and

(7) A copy of the engagement letter between the institution and its independent public accountant.

(b) The institution shall maintain, at least until its next federal safety and soundness examination, workpapers and information sufficient to document and support management's assessment of its internal control structure and procedures pursuant to § 363.204(b) and its compliance with designated laws and regulations pursuant to § 363.204(c).

§ 363.203 Financial statements.

(a) As part of the annual report required by this part, each institution shall prepare annual financial statements in accordance with generally accepted accounting principles and practices applicable to depository institutions in accordance with section 37 of the FDI Act, and such other disclosure requirements as the FDIC and the appropriate Federal banking agency may prescribe.

(b) Financial statements required by this part shall be audited by an independent public accountant and shall include the institution's balance sheets as of the close of each of its most recent two fiscal years; and statements of income, statements of changes in equity capital, and statements of cash flows with accompanying footnote disclosures for each of the two most recent fiscal years or such shorter period as the institution may have been in operation.

(c) Financial statements shall include an audited footnote reconciliation for each of the years presented in the annual report of the institution's capital reported under generally accepted accounting principles, and the institution's leverage, tangible (where applicable), and risk-based capital as calculated under regulatory capital requirements for the appropriate federal banking agency.

(d) Institutions are encouraged to use the same categories of items on their financial statements as are required on their Call Reports, or, in the case of savings associations, in their Thrift Financial Reports.

(e) For financial statements required by this part, an institution may use audited schedules RC, RI, and RI–A of their Call Reports, or, in the case of a savings association, schedules CSC and CSO and statements of changes in equity capital, for each of the two preceding fiscal years supplemented by audited statements of cash flows and footnote disclosures required by generally accepted accounting principles and practices applicable to depository institutions and any other standards that may be established by the FDIC and the appropriate federal banking agency.

(f) The financial statements filed under this part shall include, on a consolidated basis, the financial statements of branches, international banking facilities, subsidiaries, and other entities owned by the institution.

(g) Financial statements and consolidating schedules shall take into account all assets and liabilities, including contingent assets and liabilities, of the insured depository

institution in accordance with the requirements of section 37(a)(3)(c) of the FDI Act (12 U.S.C. 1831m).

§ 363.204 Management report.

As part of the annual report required by this part, each institution shall prepare a management report manually signed and dated by the chief executive officer and the chief accounting or financial officer which shall contain the following statements and assessments:

(a) *Financial statements.* A statement of management's responsibilities for preparing the institution's annual financial statements in accordance with generally accepted accounting principles and practices applicable to depository institutions and any other standards established by the FDIC and the appropriate federal banking agency, and management's responsibilities for determining the estimates and judgments used in the financial statements.

(b) *Internal controls over financial reporting.*

(1) A statement of management's responsibilities for establishing and maintaining an internal control structure and procedures designed to satisfy management's objectives for financial reporting; and

(2) An assessment, that encompasses all material matters, as of the end of the institution's most recent fiscal year of the effectiveness of the institution's system of internal control during the audit period, which identifies the specific criteria upon which the effectiveness was evaluated and provides sufficient other information to enable the independent public accountant to examine and report on management's assertions concerning the effectiveness of the institution's internal control structure and procedures.

(c) *Compliance with laws and regulations.* A statement of management's compliance with laws and regulations, including laws and regulations applicable to state chartered institutions and any other relevant statutes and regulations hereinafter enacted or promulgated, concerning safety and soundness in the following areas: Affiliate transactions, legal lending limits, loans to insiders, dividend restrictions, accuracy of Call Reports and Thrift Financial Reports. This shall include:

(1) A statement of management's responsibilities for establishing and maintaining a system of internal controls designed to satisfy management's objectives for compliance with laws and regulations, including at a minimum, the objectives required by § 363.102(p)(3); and

(2) An assessment, that encompasses all material matters, as of the end of the institution's most recent fiscal year, of the effectiveness of the institution's system of internal controls over compliance with laws and regulations during the audit period, which contains an evaluation of the institution's compliance with the aforementioned laws and regulations, and includes sufficient information to enable the independent public accountant to perform and report on the agreed upon procedures for determining the institution's compliance with same.

§ 363.205 Filing requirements.

(a) Each insured depository institution shall file the reports required by this subpart within 90 days after the end of each of the institution's fiscal years following December 31, 1992, as follows:

(1) Two copies of the reports, manually signed and dated by the chief executive officer of the institution, with the regional director (supervision) of the FDIC region in which the institution is headquartered.

(2) One copy with the appropriate state banking agency (including any state bank supervisory agency of a host state).

(3) In addition, if an institution's primary federal regulator is the Board of Governors of the Federal Reserve System (FRB) or the Comptroller of the Currency (OCC), the institution shall also file one copy with the primary federal regulator's appropriate Federal Reserve Bank or OCC district office. If an institution's primary federal regulator is the Office of Thrift Supervision (OTS), the institution shall file two copies with the appropriate OTS regional office.

(b) Each institution shall make the annual report, prepared pursuant to § 363.201, available for public inspection at its main and branch offices upon request. Alternatively, each institution may elect to mail one copy of its annual report, free of charge, to whomever may request it.

(1) The annual report shall be made available to the public no later than the date on which it is filed with the FDIC.

(2) Each annual report shall remain available to the public until the annual report for the succeeding year becomes available.

§ 363.206 Exceptions for subsidiaries of holding companies.

(a) *Audit Exception.*

(1) Unless prohibited by the FDIC, an appropriate federal banking agency, or another provision in this part, the annual audit, other items to be provided, the assessment statement, and notification of change in accountant requirements in §§ 363.401, 363.402, 363.202(a)(4), and 363.503 may be satisfied for institutions that are subsidiaries of a holding company by an independent audit of the financial statements of the holding company or notification of change of accountant from the holding company, if:

(i) The institution's financial statements are consolidated into the holding company's audited consolidated financial statements; and

(ii) (A) The holding company's financial statements include the consolidating schedules of the balance sheets and income statements used to combine each institution over $150 million in total assets into the audited financial statements of the holding company, and the reconciliation required by § 363.203(c) for each institution; or

(B) The holding company's consolidated financial statements include the balance sheets, income statements, and reconciliation required by § 363.203(c) for each institution over $150 million in total assets on an individual entity basis.

(2) If an institution relies on the audit exemption in paragraph (a)(1) of this section:

(i) Each institution having more than $150 million in total assets in the holding company shall file the holding company's audited consolidated financial statements with the FDIC regional director (supervision) in each region that a subsidiary of the holding company covered by this part is headquartered, with the holding company's appropriate Federal Reserve Bank, and with the appropriate federal banking agency; and

(ii) A cover letter shall be included with the reports filed with the FDIC and the appropriate federal banking agency under this part identifying the institutions to which the reports pertain.

(b) *Reporting Exception.*

(1) The requirements of this part, exclusive of the annual audit and notice of change of accountant requirements referenced in paragraph (a) of this section may be satisfied for institutions that are subsidiaries of holding companies by submitting the management report of the holding company if:

(i) Services and functions comparable to those required by this part are provided at the holding company level and include an internal control structure, policies, and procedures that are applicable to the entire holding company and its subsidiaries, and there is a holding company audit committee

that meets the requirements in subpart C of this part;

(ii) The institution files copies of the holding company's annual report, other items to be provided by the independent public accountant, and assessment statement in satisfaction of §§ 363.205, 363.402, and 363.202(a)(4); and

(iii) (A) The institution has less than $5 billion in total assets at the beginning of each fiscal year; or

(B) The institution has total assets at the beginning of each fiscal year of $5 billion, but less than $9 billion, and it has a CAMEL composite rating of 1 or 2 under the Uniform Financial Institutions Rating System (or an equivalent rating under a comparable system) at its most recent examination by the FDIC or the appropriate federal banking agency.

(2) If the institution is a subsidiary of a holding company and satisfies the requirements of this part by filing one report on the holding company, the independent public accountant likewise may elect to file one report, but must perform the procedures in section II of the appendix to this part on each subsidiary institution with $150 million or more in total assets, and the report must identify the institution to which any exception applies.

(3) Institutions that do not meet the conditions of paragraph (b)(1) of this section shall satisfy the provisions of this part, exclusive of the annual audit and notice of change of accountant requirements in §§ 363.401, 363.402, and 363.503, on an individual entity (i.e., depository institution) basis.

Subpart C—Audit Committees

§ 363.301 Members.

(a) Each institution to which this part applies shall have an independent audit committee comprised entirely of outside directors who are independent persons within the meaning of this part.

(b) The audit committee of each large institution shall:

(1) Include at least two members who have banking or financial management expertise within the meaning of this part;

(2) Not include any members who are large customers, or who are directors for, or employees or agents of, or who otherwise represent, large customers of the institution; and

(3) Have access to its own outside counsel whom it may retain without prior permission of the institution's board of directors or of its management. Neither outside counsel nor any law firm at which counsel may be employed may concurrently represent the institution, its management, or its board of directors.

(i) Neither outside counsel to the audit committee nor any law firm at which counsel may be employed may discuss possible future employment with the institution during the pendency of counsel's employment by the audit committee.

(ii) If outside counsel or any law firm at which counsel may be employed is approached by the institution concerning possible future employment, counsel to the audit committee or the law firm must disclose that fact in writing to the audit committee.

(iii) Outside counsel to the audit committee or any law firm at which counsel may be employed may discuss possible future employment with the institution upon termination of counsel's services to the audit committee, but may not commence employment with the institution during the 12 month period following termination of its representation.

§ 363.302 Duties.

(a) The independent audit committee shall review with management and the independent public accountant all reports filed under this part. The audit committee's duties may include, but not necessarily be limited to:

(1) Approving the selection and termination of independent public accountants; approving the scope of external audit services; reviewing adjustments recommended by the independent public accountant and addressing disagreements between the independent public accountant and management; reviewing documents required by this part, and meeting with independent public accountants (without management present) prior to the filing of reports upon completion of the audit services;

(2) Reviewing Call Reports, or, in the case of savings associations, Thrift Financial Reports for accuracy and timeliness;

(3) Reviewing the adequacy of internal controls and management's handling of identified material inadequacies and reportable conditions in the internal controls over financial reporting and compliance with laws and regulations; and

(4) Supervising the internal audit function, approving the selection, compensation, and termination of internal auditors; approving the scope of internal audits to assure regular testing of the systems and controls associated with preparing financial reports, complying with laws and regulations, and preventing management from overriding the internal control system or compromising the control environment.

(b) Independent audit committees shall maintain minutes and other relevant records of their meetings and activities. Such minutes shall be made available for review by the FDIC and the appropriate federal banking agency.

Subpart D—Auditing Requirements

§ 363.401 Annual independent audits.

(a) Each institution shall have an annual independent audit made of its financial statements by an independent public accountant in accordance with generally accepted auditing standards and any other standards established by the FDIC and the appropriate federal banking agency. The audit must be conducted at least once every 12 months, with the audit period running from the previous audit date to the current audit date. The annual audit report must be prepared as of the date on which a Call Report or Thrift Financial Report is prepared.

(b) The audit shall be of sufficient scope to enable the independent public accountant to express an opinion whether the institution's financial statements are presented fairly in accordance with generally accepted accounting principles and any other requirements established by the FDIC and the appropriate federal banking agency.

(c) The audit report must express the opinion of the independent public accountant with respect to the financial statements covered by the report and describe the accounting principles and practices employed. Exceptions or qualifications expressed by the accountant and their effect on the financial statements must be explained.

(d) The independent public accountant shall prepare, and submit to the audit committee, a management letter as defined in § 363.102(s) at the conclusion of the audit.

§ 363.402 Other items to be provided by the independent public accountant.

(a) An institution shall obtain a signed and dated engagement letter from the independent public accountant prior to the commencement of each annual audit or the performance of other audit services for the institution required by this part. The engagement letter shall describe the scope of the audit and/or other attestation services and the independent public accountant's agreement to provide or make available the reports called for in this part.

(b) The independent public accountant shall provide the institution with a management letter and the

reports required by subpart D of this part.

(c) The independent public accountant shall provide, upon request, to the FDIC, the appropriate federal banking agency, and any state banking supervisor having responsibility for the supervision and regulation of an institution, the accountant's accounting and audit policies, procedures, and manuals, as well as working papers (including audit programs and administrative files) concerning any audit services performed under this part.

(d) The independent public accountant shall file a report of its most recent peer review with the FDIC and the appropriate federal banking agency within 15 days after signing the engagement letter, or identify in that letter the date on which the report was previously submitted.

(e) The independent public accountant shall meet with the institution's audit committee after delivery of the audit report to the committee, but before such report is due to be filed with the FDIC and the appropriate Federal banking agency.

(f) The independent public accountant, upon discovering an apparent defalcation or other criminal violation, or being informed of such a matter, shall determine whether the institution has notified the appropriate federal banking agency in writing of the apparent criminal violation pursuant to 12 CFR part 353 (FDIC-supervised institutions), 12 CFR 21.11 (OCC-supervised institutions), 12 CFR 563.180 (OTS-supervised institutions), or SR 86–7 dated January 24, 1986 (FRB-supervised institutions). SR 86–7 is available from the Freedom of Information Office of the FRB, 20th and Constitution Avenue, NW., Washington, DC 20551. If the institution does not make such notification before the conclusion of the audit, the accountant shall immediately make such notification.

§ 363.403 Reports to independent public accountants.

Each institution that engages the audit services of an independent public accountant shall transmit to the accountant copies of the following prior to the commencement of any services:

(a) The most recent Call Report, and, in the case of a savings association, the Thrift Financial Report;

(b) The most recent report of examination received by the institution;

(c) Any supervisory memorandum of understanding, written agreement, or request for corrective action applicable to the institution by the FDIC, the appropriate federal banking agency or any state banking agency which is in effect during the period covered by the audit; and

(d) A report of any formal action initiated or taken by the FDIC or any appropriate federal banking agency pursuant to sections 8 (a), (b), (c), (e), (g), (i), (s), (t), or 38 of the FDI Act; or section 908 of the International Lending Supervision Act of 1983 (12 U.S.C. 3907); or any comparable action taken by any appropriate state banking agency under state law during such period; or any assessment of a civil money penalty under any other provisions of law with respect to the institution or any institution-affiliated party.

§ 363.404 Internal control attestation.

(a) With respect to the internal control assessment included in management's report required of any institution by § 363.204(b), the institution's independent public accountant shall attest to, and report separately on, the assertions of the institution's management contained in the report.

(b) Any attestation shall be the result of the independent public accountant's examination of the institution's internal control structure over financial reporting for the period covered by management's assertions in accordance with generally accepted standards for attestation engagements on an entity's internal control structure.

(c) Where a subsidiary of a holding company has relied on the holding company's management report to meet the requirements of this section pursuant to § 363.206, the independent public accountant may likewise attest to and report on the assertions of the holding company in one report without specific attestation concerning the subsidiary.

§ 363.405 Compliance with laws and regulations attestation.

(a) The independent public accountant shall review management's assessment under § 363.204(c), and test compliance with the laws and regulations in § 363.204(c), by applying procedures set forth in appendix A to this part.

(b) The independent public accountant shall report on the application of the procedures referenced in paragraph (a) of this section to test management's assertions regarding the institution's compliance with the laws and regulations designated by the FDIC in accordance with generally accepted standards for compliance attestation engagements.

Subpart E—Requirements of Independent Public Accountants

§ 363.501 Qualifications of independent public accountants.

To provide audit services to institutions under this part, independent public accountants shall satisfy the following criteria:

(a) The accountant shall be registered or licensed to practice as a public accountant by a regulatory authority of a state or other political subdivision of the United States and shall be in good standing under the laws of the state or other political subdivision of the United States in which the home office of the institution that is contracting audit services is located. If the accountant is a firm, both the firm and the signing partner must meet these criteria.

(b) The accountant shall be in compliance with the American Institute of Certified Public Accountant's Code of Professional Ethics and interpretations and the accountant's independence requirements pursuant to 17 CFR 210.2–01(b) of the Securities and Exchange Commission. In addition, neither the accountant nor the firm shall be an employee of the institution, perform bookkeeping services, or maintain accounting records for the institution.

(c) An accountant retained by an institution to prepare the management report required under § 363.204, or who has helped prepare the report, is not "independent" for purposes of attestations under §§ 363.404 and 363.405.

(d) The accountant, or the accountant's firm, shall be enrolled in a peer review program under § 363.502, and must have received an unqualified report at its most recent review.

(e) The independent public accountant, or, if the accountant is a firm, the partner in charge of the audit, shall resign from the engagement if the accountant commences private employment discussions with the institution.

§ 363.502 Peer review.

(a) Peer reviews and reports that meet the requirements of the American Institute of Certified Public Accountant's "Statements on Quality Control Standards" and "Standards for Performing and Reporting on Quality Reviews," contained in Volume 2 of the AICPA Professional Standards, as long as they include a representative sample of financial institution audits, will be acceptable to the FDIC.

(b) Independent public accountants retained to audit institutions pursuant to this part shall have an external peer

review acceptable to the FDIC by an organization not affiliated with the accountant or accounting firm being reviewed, as frequently as is consistent with industry practice.

(c) The accountant or firm conducting the peer review and the accountant or firm being reviewed must provide the peer review working papers to the FDIC upon request.

(d) The peer review must include a sufficiently representative sample of depository institution audits, including audits of large institutions, performed by the independent public accountant.

(e) If the accountant is a firm, the FDIC or the appropriate banking agency may request that a quality control review be performed on an individual practice office of the firm in addition to the review of the entire firm.

(f) The independent public accountant who has been engaged to perform auditing work under this part shall file one manually signed and dated copy of the peer review report accompanied by any letter of comments received and one conformed copy with the Washington office of the FDIC and each appropriate federal banking agency within 15 days of receiving the report. The independent public accountant shall file, along with the quality control review, a list of all institutions the accountant has audited during the preceding calendar year, and those the accountant has been engaged to audit in the future, grouped by individual accountant or office of the firm responsible for the audits.

(g) Quality control review reports shall be mailed to, and shall be available for public inspection at, the FDIC, Registration and Disclosure Section, 550 17th Street, NW., Washington, DC 20429.

§ 363.503 Selection or change of independent public accountant.

(a) *Selection of independent public accountant.*

(1) An institution which retains an independent public accountant to perform audit services, shall notify the regional director (supervision) of the FDIC region in which the institution is headquartered, the appropriate federal banking agency, and any state banking supervisor having responsibility for the supervision and regulation of the institution within 15 days of retaining the accountant.

(2) The notice shall:

(i) Identify the independent public accountant;

(ii) Specify the date of the engagement;

(iii) Include a signed and dated statement of the independent public accountant that the accountant meets the qualifications specified in § 363.501;

(iv) Describe any issue arising during the prior two years concerning which the institution or its representative sought the advice of the recently engaged accountant prior to such engagement; and

(v) State whether the institution's former accountant, if any, also was consulted by the institution regarding such issue(s); provide a summary of the former accountant's views regarding such issue(s).

(3) Prior to the commencement of any audit work, the independent public accountant shall submit a copy of the accountant's most recent peer review report to the FDIC and the appropriate federal banking agency, if not previously submitted.

(4) Prior to the commencement of an audit, the FDIC or the appropriate federal banking agency may request that an institution file a copy of the engagement letter or any other contract for audit services, including a description of the qualifications of the independent public accountant, and may reject any independent public accountant not meeting the qualifications specified in § 363.501.

(b) *Change of independent public accountant.*

(1) Each institution shall provide written notice to the regional director (supervision) in the FDIC region of which the institution is headquartered, the appropriate federal banking agency, and any appropriate state bank supervisor of the resignation or dismissal of the institution's independent public accountant or the engagement of a new independent public accountant by the institution.

(2) The notice shall contain a statement of the reasons for the change of the independent public accountant. It shall discuss any disagreements that have occurred at the management level concerning matters of accounting principle or practice, financial statement disclosure, or audit procedure or scope during the two most recent fiscal years and during any subsequent interim period.

(3) The written notice shall be signed and dated by the chair of the institution's audit committee, and shall be filed with the appropriate agencies and sent to the independent public accountant within 15 days of the change of the independent public accountant.

(c) *Termination of services report.* An independent public accountant who ceases to be the accountant for an institution shall file a signed and dated notice to the regional director (supervision) of the FDIC region in which the institution is headquartered, the appropriate federal banking agency, and any state banking supervisor having responsibility for the supervision and regulation of the institution within five days of receiving a notice of termination of independent public accountant services from the institution pursuant to paragraph (b) of this section. The accountant's notice shall state the reason for the termination, whether the accountant agrees with the assertions in the institution's notice, and whether the institution's notice discusses all disagreements, if any.

§ 363.504 Enforcement actions.

In addition to any authority contained in section 8 of the FDI Act (12 U.S.C. 1818), the FDIC or an appropriate federal banking agency may take enforcement action against an independent public accountant upon a showing of good cause in accordance with subpart Q of 12 CFR part 308 or relevant regulations of other federal banking agencies.

Appendix to Part 363—Agreed Upon Procedures for Compliance with Laws and Regulations

Section I—General Provisions

A. Regulatory Requirements

1. In accordance with 12 CFR 363.204(c), the management of each insured depository institution must include in its annual report to the FDIC and its appropriate federal banking agency an assessment as of the end of its most recent fiscal year of the institution's compliance during that fiscal year with laws and regulations relating to safety and soundness designated by the FDIC or the appropriate federal banking agency.

2. The designated laws and regulations are the federal, and if applicable, state laws and regulations, and any other relevant statutes and regulations hereinafter enacted or promulgated, concerning (1) affiliate transactions, (2) legal lending limits, (3) loans to insiders, (4) dividend restrictions, and (5) financial reporting in Reports of Condition and Income (Call Reports) and Thrift Financial Reports (TFRs).

3. The independent public accountant shall apply procedures agreed upon by the FDIC to determine the extent of compliance of the institution with the designated laws and regulations.

4. The independent public accountant shall use any information gained during the course of auditing the financial statements when applying the following procedures. For example, if the existence of loans or other transactions with affiliates comes to the attention of the accountant, the accountant shall ensure that management review them and include them on its list of transactions with affiliates.

B. Reporting

1. The terms used throughout the procedures have the meanings employed in professional auditing literature. For example, in the phrase "trace and agree," "trace" means the process of following a transaction from one accounting record to another and "agree" involves observing the similarity or agreement between two numbers or attributes in related documents.

2. The report shall identify all exceptions noted in the performance of the procedures. If the accountant finds that no policies exist or that the procedures cannot be performed for any reason, the report should note the lack of policies and/or the reason that procedures were not performed.

Section II—Procedures for Institutions

The following procedures shall be performed by independent public accountants in accordance with generally accepted standards for attestation engagements pursuant to sect ion 363.405 of this part.

A. Affiliate Transactions

1. Read the following:
(a) Laws:
(i) 12 U.S.C. 371c and 371c–l;
(ii) 12 U.S.C. 1468; and
(iii) 12 U.S.C. 1828(j).
(b) Regulations:
(i) 12 CFR 563.43;
(ii) 12 CFR 7.7360;
(iii) 12 CFR 7.7365; and
(iv) 12 CFR 7.7370.
(c) Comparable laws and regulations of states or other jurisdictions that management indicates are applicable to the institution.

2. Obtain and read management's assessment, as of the end of the institution's most recent fiscal year, of the institution's compliance with the designated laws and regulations listed in paragraph A.1 of this section.

3. Obtain management's written representations concerning the following:
(a) The completeness of:
(i) The listing of affiliates provided pursuant to paragraph A.4 of this section, and
(ii) The listing of nonexempt covered affiliate transactions provided pursuant to paragraph A.8 of this section;
(b) Whether the minutes, reports of examination, and public filings provided pursuant to paragraph A.5(a) of this section are a complete set of such minutes, reports, and filings;
(c) Whether fees paid by the institution to related organizations, insider-related organizations, and stockholders represent reasonable reimbursement for goods and services;
(d) Whether any of the assets or securities contained in the listing provided pursuant to paragraph A.8 below are low-quality assets; and
(e) Whether the institution has published any advertisement or entered into any agreement indicating that it will be responsible for the obligations of its affiliates.

4. Obtain a listing of affiliates of the institution.

5. (a) Obtain the following:
(i) Approved minutes of the meetings of the board of directors and its committees during the most recent complete fiscal year;
(ii) All reports of examination issued during the year by the institution's primary federal regulator and its state regulator, if applicable;
(iii) All public filings issued during the year, and through the date of the attestation report, with the FDIC, Securities and Exchange Commission (SEC), the Federal Reserve Board (FRB), the Office of the Comptroller of the Currency (OCC), or the Office of Thrift Supervision (OTS).
(b) Read the documents obtained pursuant to paragraph A.5(a) of this section and:
(i) Trace and agree affiliates identified in those documents to the listing obtained from the institution pursuant to paragraph A.4 of this section; and
(ii) Trace and agree affiliate transactions in those documents to the listing obtained from the institution pursuant to paragraph A.8 of this section.

6. Obtain a copy of the institution's written policies and procedures concerning its compliance with affiliate transaction laws and regulations. If the institution has no written policies and procedures concerning affiliate transactions, obtain from the institution a narrative that describes the institution's methods for complying with such laws and regulations, including information similar to that required by paragraph A.7 of this section.

7. Read the written policies and procedures (or the narrative) obtained pursuant to paragraph A.6 of this section to ascertain that they include, or incorporate by reference, provisions for:
(a) Defining terms;
(b) Identification of nonexempt covered transactions;
(c) Limitations on affiliate transactions;
(d) Collateral requirements;
(e) Exemptions of certain transactions;
(f) Revising policies for subsequent legal changes;
(g) Training for employees concerning the requirements of the designated laws and regulations and management's related policies and procedures;
(h) Reporting of nonexempt covered affiliate transactions and any events of noncompliance to the board of directors or its committees;
(i) Obtaining prior approval of affiliate transactions from the board of directors or its designees;
(j) Ensuring that covered transactions be made on terms and under circumstances at least as favorable as those which would be offered to nonaffiliates;
(k) Prohibiting purchases, as fiduciary, of securities, or other assets from affiliates unless permitted under the instrument creating the fiduciary relationship, by court order, or under a trust governing the fiduciary relationship;
(l) Prohibiting purchases, as principal or fiduciary, of securities during the existence of an underwriting or selling syndicate if the principal underwriter is an affiliate of the institution unless prior approval is obtained from a majority of directors of the institution who are not officers or employees of the institution or any affiliate; and
(m) Ensuring that any published advertisement or agreement entered into does not state or imply that the institution is in any way responsible for the obligation of the affiliate.

8. Obtain a listing of nonexempt covered affiliate transactions that occurred during the year. In addition:
(a) Obtain management's calculation of the amount equal to 20 percent of the institution's capital stock and surplus as of the last available Call Report or Thrift Financial Report (TFR), as appropriate, and one other date during the year, and recalculate management's computations (for mathematical accuracy); and
(b) Obtain management's calculation of the aggregate amount of nonexempt covered loans, and advances to, and investments in, all affiliates as of the dates used in paragraph A.8(a) of this section; recalculate management's computations (for mathematical accuracy); and compare management's calculated amount to the limit obtained pursuant to paragraph A.8(a) of this section to ascertain that the aggregate amount does not exceed that limit.

9. Obtain management's calculation of the amount equal to 5 percent of Tier I capital as of the date of the last Call Report (or TFR, as appropriate), and recalculate management's computations (for mathematical accuracy).

10. Select all affiliate transactions listed pursuant to paragraph A.8 of this section that, either individually or in the aggregate, equal or exceed the amount calculated by management pursuant to paragraph A.9 of this section, and select a sample of the remaining population items.

11. For each affiliate transaction selected pursuant to paragraph A.10 of this section:
(a) (i) Obtain management's calculation of the amount equal to 10 percent of the institution's capital stock and surplus with respect to the transaction and recalculate management's computations (for mathematical accuracy);
(ii) Obtain management's calculation of the aggregate amount of loans, investments and advances with respect to the affiliate; recalculate management's computations (for mathematical accuracy); and compare management's calculated amount to the limit obtained pursuant to paragraph A.11(a)(i) of this section to ascertain that the aggregate amount does not exceed the limit.
(b) Obtain a representation from management concerning whether the transaction is secured by collateral and examine documentation supporting the existence of such collateral.
(c) Obtain documentation for the transaction and agree amounts to their recording and summarization in the general ledger.
(d) Obtain a representation from management whether the terms of the transaction are comparable to terms a nonaffiliate would receive in a similar transaction.
(e) For any transaction where the amount, either individually or in the aggregate, equals or exceeds the amount calculated by management pursuant to paragraph A.9 of this section, examine documentation

maintained by management to substantiate the fair value of goods or services received, their benefit to the institution, and any cost efficiencies achieved.

(f) Determine whether the transactions sampled followed the institution's written policies and procedures (or narrative) obtained pursuant to paragraph A.6 of this section.

12. For any asset or securities purchases from or sales to the affiliate by the institution that are included in the sample selected pursuant to paragraph A.10 of this section:

(a) Obtain documentation for any purchase represented by management to be a purchase of a low-quality asset, whether or not an independent credit evaluation was made before the asset was acquired;

(b) Obtain a representation from management whether the purchase or sale was permitted:

(i) Under the instrument creating the fiduciary relationship,

(ii) By court order, or

(iii) By the law of the jurisdiction governing the fiduciary relationship; and

(c) Obtain a representation from management whether the institution is acting as a broker for the asset or security purchased or sold.

13. For any transactions included in the sample selected pursuant to paragraph A.10 of this section, where an affiliate is a principal underwriter of a security purchased or acquired by the institution or its affiliate:

(a) Read the minutes of the meetings of the board of directors to ascertain that the transaction was approved by a majority of the board who are not officers or employees of the institution or any of its affiliates;

(b) Obtain a representation from management indicating the date the securities were initially offered for sale to the public; and

(c) Determine whether the date of the board's approval preceded the date management represented the securities were initially offered for sale to the public.

B. Lending Limits

1. For all institutions, EXCEPT STATE MEMBER AND NONMEMBER BANKS, read the following:

(a) Laws:

(i) 12 U.S.C. 84; and

(ii) 12 U.S.C. 1464(u).

(b) Regulations:

(i) 12 CFR 32; and

(ii) 12 CFR 563.93.

2. For State Member and Nonmember Banks Only:

(a) Obtain from management and read the state laws and regulations concerning lending limits, and trace and agree the percentages presented by management in paragraph B.2(b) of this section to the applicable statute or regulation.

(b) Obtain a representation from management of the percentage lending limits under the laws and regulations of states or other jurisdiction(s) to which the institution is subject, including relevant percentages to be applied pursuant to paragraph B.9 of this section.

3. Obtain and read management's assessment, as of the end of the institution's most recent fiscal year, concerning the institution's compliance with the designated laws and regulations listed in paragraphs B.1 or B.2 of this section.

4. Obtain management's written representations concerning the following:

(a) The completeness of the listing of loans to related borrowers provided pursuant to paragraph B.7 of this section, and whether loans to related borrowers have been combined; and

(b) Whether any loans to related borrowers during the year exceeded the applicable limitation percentage.

5. Obtain a copy of the institution's written policies and procedures concerning its compliance with regulatory lending limits. If the institution has no written policies or procedures concerning regulatory lending limits, obtain from the institution a narrative that describes the institution's methods for complying with such laws and regulations, including information similar to that required by paragraph B.6 of this section.

6. Read the policies and procedures (or the narrative) obtained pursuant to paragraph B.5 of this section to ascertain that they include, or incorporate by reference, provisions for:

(a) Defining terms;

(b) General limitations for unsecured and secured loans;

(c) Combining all loans to one borrower or all loans to the same foreign government;

(d) Reporting loans to related borrowers and any events of noncompliance to the board of directors or its committees;

(e) Reporting loans to related borrowers and any events of noncompliance to regulatory agencies;

(f) Procedures for revising policies for subsequent legal changes; and

(g) Training for employees concerning the requirements of the regulations and on management's related policies and procedures.

7. Determine whether management's liability ledger combines all loans to one borrower and, if applicable, confirm that the ledger notes names of related or affiliated persons and business interests. If no such centralized liability ledger exists, determine what records or system management uses to monitor loans to one borrower and related interests. Using the latter or management's liability ledger, obtain a listing of loans to related borrowers outstanding at the most recent Call Report or TFR date and one other selected day during the audit period, and select a sample of these loans. Select a sample of all loans over five percent of unimpaired capital and surplus.

8. For each sampled loan selected pursuant to paragraph B.7 of this section, obtain management's representation concerning the applicable limitation percentage, and compare the actual percentage to the limitation percentage represented by management.

9. Obtain from management either a calculation of 15 percent and 25 percent of the institution's unimpaired capital and surplus as of the same dates used pursuant to paragraph B.7 of this section, or the comparable ratios set by state law or regulation. For the sample selected pursuant to paragraph B.7 of this section:

(a) Recalculate management's computation (for mathematical accuracy);

(b) Trace and agree balances of individual extensions of credit to supporting loan trial balances;

(c) For unsecured loans, compare the balance to 15 percent for national banks or the appropriate state limit of the institution's unimpaired capital and surplus calculated by management;

(d) For secured loans, compare the balance to 15 percent for national banks or the appropriate state limit of the institution's unimpaired capital and surplus calculated by management. For national banks, compare the balance to 25 percent of unimpaired capital and surplus if the incremental 10 percent is fully secured by readily marketable collateral having a market value at least equal to the amount of the loans or extensions of credit. If a limitation based on market value is used by management, determine whether the collateral is "marketable" as defined in FAS 12 and that its value is at least equal to the amount of the loans or extensions of credit as of the dates used pursuant to paragraph B.7 of this section.

(e) Obtain representation from management whether lines of credit qualify as exceptions from the regulatory limitations; and

(f) Examine documentation maintained by management supporting the existence of collateral, and determine whether the collateral is on hand or whether the institution's interest has been perfected.

C. Loans to Insiders

1. Read the following:

(a) Laws:

(i) 12 U.S.C. 375;

(ii) 12 U.S.C. 375a;

(iii) 12 U.S.C. 375b;

(iv) 12 U.S.C. 376;

(v) 12 U.S.C. 1817(k); and

(vi) 12 U.S.C. 1972.

(b) Regulations:

(i) 12 CFR 31;

(ii) 12 CFR 215;

(iii) 12 CFR 337.3;

(iv) 12 CFR 349; and

(v) 12 CFR 563.43.

(c) Comparable laws and regulations of states or other jurisdictions that management indicates are applicable to the institution.

2. Obtain and read management's assessment, as of the end of the institution's most recent fiscal year, concerning the institution's compliance with designated laws and regulations in paragraph C.1 of this section.

3. Obtain management's written representations concerning its assertions regarding the following:

(a) The completeness of the listing of credits (*i.e.*, loans and other extensions of credit) to insiders (*i.e.*, directors, executive officers, principal shareholders, or their related interests) provided pursuant to paragraph C.8 of this section;

(b) Whether creditworthiness of insiders and the terms of insider transactions are comparable to those for outside borrowers; and

(c) The completeness of the listing, provided pursuant to paragraph C.7 of this section, of written reports made by insiders detailing their transactions, including those with correspondent banks.

4. (a) Obtain the following:

(i) Approved minutes of the meetings of the board of directors and its committees during the most recent fiscal year;

(ii) Reports of examination issued during the year and through the date of the attestation report by the institution's primary federal regulator and state regulator, if applicable; and

(iii) Public filings during the most recent fiscal year with the SEC, FDIC, FRB, OCC, or OTS and through the date of the attestation report.

(b) Read the foregoing documents and trace and agree loans and other credits to insiders to the listing obtained from the institution pursuant to paragraph C.8 of this section.

5. Obtain a copy of the institution's written policies and procedures concerning its compliance with insider transaction laws and regulations, including any written "Code of Ethics" or "Conflict of Interest" policy statements. If the institution has no written policies and procedures, obtain from the institution a narrative that describes the institution's methods for complying with laws and regulations, and includes provisions similar to those listed in paragraph C.6 of this section.

6. Read the policies and procedures (or the narrative) obtained pursuant to paragraph C.5 of this section to ascertain that they include, or incorporate by reference, provisions for:

(a) Defining terms;

(b) Prohibiting and restricting loans to insiders;

(c) Maintaining records of loans to insiders;

(d) Requiring reports and disclosures;

(i) By the institution; and

(ii) By executive officers, directors, and principal shareholders;

(e) Disseminating policy information;

(f) Revising policies for subsequent legal changes;

(g) Educating employees about the regulations and management's related policies and procedures;

(h) Reporting insider loans and any events of noncompliance to the board of directors or its committees;

(i) Reporting insider loans to regulatory agencies.

7. Obtain a listing of all written reports made by insiders concerning debt with other insured institutions. Select a sample of written reports. For reports selected, note any reported aggregate extensions of credit in excess of the institution's lending limits, and note whether the report was made within 10 days of the date represented pursuant to paragraph C.7(b)(i) of this section.

8. Obtain a listing of credits to insiders and select a sample of insiders.

9. Obtain management's calculation of an amount equal to the higher of 5 percent of the institution's year-end capital and unimpaired surplus or $25,000, recalculate amounts (for mathematical accuracy), and trace amounts used in management's calculations to Call Reports or TFRs.

10. For each extension of credit to an insider in the sample selected pursuant to paragraph C.8 of this section:

(a) Trace and agree amounts to annual reports by insiders to the board of directors and Call reports or TFRs filed with regulators;

(b) Obtain minutes of the meetings of the board of directors or other documentation that indicates whether the specific extensions of credit, at the option of the institution, will become due and payable at any time that insiders are indebted to any other financial institution in an aggregate amount greater than the amount specified for a category of credit in 12 CFR 215.5(c);

(c) Obtain copies of the institution's written notification to insiders to ascertain whether they have been informed of the reporting requirements relative to insider transactions and they have acknowledged such requirements;

(d) If the credit exceeds the amount obtained pursuant to paragraph C.9 of this section, read the minutes of the meetings of the board of directors and determine whether the minutes indicate that:

(i) The credit was approved by the board of directors; and

(ii) The insiders abstained from participating directly or indirectly in voting on their credits.

(e) For any amount included on the listing of credits obtained pursuant to paragraph C.8 of this section that exceeds $500,000, obtain management's calculated legal lending limit for the credit and ascertain whether the amount of the credit exceeds management's calculated legal lending limit.

(f) If the credit is a real estate loan, obtain documentation for the credit and note whether such documentation contains representations that:

(i) The purpose of the credit is for purchase, construction, maintenance, or improvement of the insider's residence;

(ii) The credit is secured by a first lien on the residence; and

(iii) The insider owns or expects to own the residence after the extension of credit.

11. For the sample of insiders selected pursuant to paragraph C.8 of this section, obtain a history of the insider's overdrafts for the year and obtain management's representation whether that history is complete. In addition:

(a) Inquire whether cash items for the individual are being held by the institution to prevent an overdraft;

(b) Trace to records of the account at the institution; and

(c) Agree subsequent payment by the insider of the insider's overdrafts to records of the account at the institution.

12. For insider's overdrafts selected pursuant to paragraph C.8 that are being paid for the insider on an account at the institution:

(a) Agree to a written, preauthorized, interest-bearing extension of credit plan that specifies a method of repayment; or,

(b) Agree to a written, preauthorized transfer of funds from another account of the insider at the institution; or,

(c) For aggregate amounts of $1,000 or less, obtain a representation from management that (i) the overdraft was inadvertent, (ii) the account was overdrawn in each case for less than 5 business days, and (iii) the institution charged the insider the same fee that it would charge any other customer in similar circumstances.

13. For the sample of insiders selected pursuant to paragraph C.8 of this section:

(a) Obtain management's calculation of:

(i) The aggregate amount of loans and other extensions or lines of credit to the insider; and

(ii) 2.5 percent of the institution's capital and unimpaired surplus.

(b) Recalculate management's computations in paragraph C.11(a) of this section (for mathematical accuracy), trace amounts used in management's computations to Call Reports or TFRs.

(c) Ascertain whether the aggregate amount of the credits for the insider exceeds the greater of 2.5 percent of the institution's capital and unimpaired surplus or $25,000, but in no event more than $100,000 unless such credits are used to finance the education of the insider's children or for the insider's residence.

D. Dividend Restrictions

1. Read the following:

(a) Laws:

(i) 12 U.S.C. 56;

(ii) 12 U.S.C. 60;

(iii) 12 U.S.C. 1467(a)(f); and

(iv) 12 U.S.C. 1831o.

(b) Regulations:

(i) 12 CFR 5.61;

(ii) 12 CFR 208.19; and

(iii) 12 CFR 563.134.

(c) Comparable laws and regulations of states or other jurisdictions that management indicates are applicable to the institution.

2. Obtain and read management's assessment, as of the end of the institution's most recent fiscal year, of the institution's compliance with the designated laws and regulations in paragraph D.1 of this section.

3. Obtain management's written representation whether dividends paid exceed or do not exceed the limitation requirements.

4. Obtain a copy of the institution's written policies and procedures concerning its compliance with the dividend restriction provisions. If the institution has no written policies and procedures, obtain from the institution a narrative that describes the institution's methods for complying with the laws and regulations, including provisions similar to those listed in paragraph D.5 of this section.

5. Read the written policies and procedures (or the narrative) obtained in paragraph D.4 of this section to ascertain whether they include, or incorporate by reference, the following provisions:

(a) For banks and savings institutions:

(i) Capital limitation tests, including section 38 of FDIA;

(ii) Earnings limitation tests;

(iii) Undivided surplus transfers;

(iv) Restrictions imposed under any supervisory agreements or resolution of any agency orders.

(b) For savings institutions: prior notification to the OTS.

6. Read the minutes of the meetings of the board of directors for the most recent fiscal year to ascertain whether dividends have been declared. If dividends declared have been paid, trace and agree total amounts to:

(a) Recording in the general ledger; and

(b) Call reports or TFRs filed with regulators.

7. Limitations for national and state member banks.

(a) Obtain management's computation concerning its compliance with the following tests after payment of the dividends referenced in paragraph D.6 of this section:

(i) Section 56, "Capital Limitation Test;"

(ii) Section 60, "The Earnings Limitation Test;" and

(iii) Undivided surplus transfers.

(b) Recalculate management's computations (for mathematical accuracy).

(c) Compare management's calculations to the ranges permissible under the tests in paragraph D.7(a) of this section to ascertain whether the dividends paid fell within these ranges.

8. Limitations for savings institutions.

(a) Obtain management's documentation of the OTS determination whether the institution is a Tier 1, Tier 2, or Tier 3 savings institution.

(b) Obtain management's computation of its capital ratio after payment of dividends under the Tier determined in paragraph D.8(a) of this section.

(c) Recalculate management's computation (for mathematical accuracy) and trace amounts used by management in its calculation to its TFRs.

(d) For dividends paid, obtain a copy of the savings institution's notification to the OTS to ascertain whether notification was made at least thirty days before payment of any dividends.

9. For all institutions, obtain management's computation of the amount at which payment of a dividend would cause the institution to be undercapitalized; recalculate management's computations (for mathematical accuracy); and compare management's calculations to the amount of the dividend to determine whether it equaled or exceeded the amount.

E. Call Reports and TFRs

1. Read the following:

(a) OCC statutes:

(i) 12 U.S.C. 161a;

(ii) 12 U.S.C. 161b; and

(iii) 12 U.S.C. 1817(a)(3).

(b) OCC regulations:

(i) 12 CFR 4.11(b)1;

(ii) 12 CFR 4.11(b)3; and

(iii) 12 CFR 7.7540.

(c) FRB statute: 12 U.S.C. 324.

(d) FRB regulations:

(i) 12 CFR 208.10; and

(ii) 12 CFR 208.17.

(e) FDIC statute: 12 U.S.C. 1817(a).

(f) FDIC regulation: 12 C.F.R. 303.4.

(g) OTS statute: 12 U.S.C. 1464 5(v)1

2. Read the instructions for the line items below for the appropriate form of the institution's Call Report; or, for thrifts, of its TFR, for the most recent year ended December 31.

3. Obtain representations from management whether:

(a) The Call Report (or TFR) schedules are true and correct; and

(b) The amounts reported in the Call Report (or TFR) schedules were recorded and classified in conformity with the FFIEC (or OTS) instructions.

4. Trace and reconcile the amount presented for each designated line item to the corresponding amount in one of the source documents (of the same reporting entity) listed in the following hierarchy:

(a) Audited financial statements for the corresponding period that have been prepared in conformity with generally accepted accounting principles; or,

(b) The general ledger; or,

(c) A subsidiary ledger or trial balance that has been reconciled to the general ledger; or,

(d) A detailed supporting schedule that was prepared by the institution and has been reconciled to subsidiary ledgers or trial balances and the related general ledger.

5. For any amounts not found to be in agreement, obtain a representation from management concerning the nature of the difference, its effect on other amounts reported in the Call Report or TFR, and whether such treatment is consistent with the Call Report or TFR instructions.

6. Include in the report the amounts not in agreement, the nature of the difference if not a required difference, and its effect on other amounts in the Call Report or TFR.

7. Designated line items.

(a) For insured banks with domestic and foreign offices or domestic offices only and total assets of $300 million or more (Reporting Forms FFIEC 031 and 032):

(i) Schedule RI Income Statement:
- 1.g. Total interest income
- 2.f. Total interest expense
- 4.a. Provisions for loan and lease losses
- 5.e. Gains (losses) and fees from assets held in trading accounts
- 5.g. Total noninterest income
- 6. Gains (losses) on securities not held in trading accounts
- 7.d. Total noninterest expense
- 9. Applicable income taxes

(ii) Schedule RI–B Charge-offs and Recoveries and Changes in Allowance for Loan and Lease Losses
- 9. Total (Column A, Charge-offs)
- 9. Total (Column B, Recoveries)

(iii) Schedule RC Balance Sheet
- 4.b Allowance for loan and lease losses
- 4.d. Loans and leases, net of unearned income, allowance, and reserve
- 7. Other real estate owned
- 12. Total assets
- 19. Subordinated Notes and Debentures
- 21. Total liabilities
- 23. Perpetual preferred stock and related surplus
- 28. Total equity capital

(iv) Schedule RC–N Past Due and Nonaccrual Loans, Leases, and Other Assets (for all three columns)
- 10. Total (sum of items 1 through 9)

Memoranda 1. Restructured loans and leases included in Schedule RC–N, items 1 through 8, above

(b) For insured banks with domestic offices only and total assets of $150 million or more but less than $300 million (Reporting Form FFIEC 033):

(i) Schedule RI Income Statement:
- 1.g. Total interest income
- 2.f. Total interest-expense
- 4.a. Provisions for loan and lease losses
- 4.b. Provision for allocated transfer risk
- 5.e. Gains (losses) and fees from assets hold in trading account's
- 5.g. Total noninterest income
- 6. Gains (losses) on securities not hold in trading accounts
- 7.d. Total noninterest expense
- 9. Applicable income taxes

(ii) Schedule RI–B Charge-offs and Recoveries and Changes in Allowance for Loan and Lease Losses
- 6. Total (Column A, Charge-offs)
- 6. Total (Column B, Recoveries)

(iii) Schedule RC Balance Sheet
- 4.b Allowance for loan and lease losses
- 4.d. Loans and leases, net of unearned income, allowance, and reserve
- 7. Other real estate owned
- 12. Total assets
- 19. Subordinated Notes and Debentures
- 21. Total liabilities
- 23. Perpetual preferred stock and related surplus
- 28. Total equity capital

(iv) Schedule RC–N Past Due and Nonaccrual Loans, Leases, and Other Assets (for all three columns)
- 6. Total

Memoranda 1. Restructured loans and leases included in Schedule RC–N, items 1 through 5, above

(c) For All Thrifts:

(i) Schedule CSO Consolidated Statement of Operations
- 10. Interest income
- 20. Interest expense
- 320. Net Provision for Losses on Interest-Bearing Assets
- 60. Gain on Sale of Assets
- 65. Loss on Sale of Assets
- 40. Noninterest income
- 50. Non interest expense
- 70. Income taxes

(ii) Schedule VA Valuation Allowances
- 40. Mortgage Loans (charge-offs)
- 50. Nonmortgage Loans (charge-offs)

(iii) Schedule SC Statement of Condition
- 23. Mortgage Loans
- 40. Repossessed Assets
- 60. Total assets
- 70. Total Liabilities
- 80. Total Equity Capital

Contra-Assets to Mortgage Loans:
- 280. Loans in Process
- 281. Unamortized Adjustments Yield
- 282. Valuation Allowances

(iv) Schedule PD Past Due and Nonaccrual
- 10. Total Past Due 30–89 Days and Still Accruing
- 20. Total Past Due 90 Days or More and Still Accruing
- 30. Total Nonaccrual

By order of the Board of Directors.

Dated at Washington, DC this 1st day of September, 1992.

Federal Deposit Insurance Corporation.
Robert E. Feldman,
Deputy Executive Secretary.
[FR Doc. 92-21680 Filed 9-14-92; 8:45 am]
BILLING CODE 6174-01-M

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Part 791

Rules of Board Procedure; Promulgation of NCUA Rules and Regulations; Public Observation of NCUA Board Meetings

AGENCY: National Credit Union Administration (NCUA).
ACTION: Proposed rule.

SUMMARY: The NCUA Board is proposing to amend its Regulations to modify the procedure for determining whether items heard at a closed Board meeting should continue to be withheld after the meeting. The proposed amendments are intended to better achieve the goals of the Sunshine Act and to provide for a simpler, more effective, and more consistent method of decisionmaking.

DATES: Comments must be postmarked on or before November 16, 1992.

ADDRESSES: Send comments to Becky Baker, Secretary of the Board, National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

FOR FURTHER INFORMATION CONTACT: Hattie M. Ulan, Associate General Counsel, Office of General Counsel, at the above address, or telephone (202) 682-9630.

SUPPLEMENTARY INFORMATION: Section 791.18(c) of the NCUA Rules and Regulations implements Section 552b(f)(2) of the Government in the Sunshine Act ("Sunshine Act"), 5 U.S.C. 552b(f)(2). Section 552b(f)(2) provides, in part that the agency shall make promptly available to the public, the transcript, electronic recording, or minutes (as required by paragraph (1)) of the discussion of any item on the agenda, or of any item of the testimony of any witness received at the meeting, except for such item or items of such discussion or testimony as the agency determines to contain information which may be withheld under subsection (c).

Section 552b(f)(2) requires an agency to determine whether matters heard at a closed meeting should be withheld after the meeting rather than made available to the public. However, it does not require the specific procedure currently in use by the NCUA Board. Under the Board's current practice pursuant to § 791.18(c), at the end of the meeting, the Board decides whether items discussed at the meeting should be withheld from public disclosure under § 791.12(a) of NCUA's Regulations (which contains the same exemptions as section 552b(c) of the Sunshine Act, 12 U.S.C. 552b(c)). In some instances, the Board solicits the advice of the General Counsel in making its decision. Having the Board make such determinations at the end of the meeting has proven time consuming, and at times confusing, particularly in those cases where a determination could better be made after review of the record. Section 791.18(c) provides that if the Board does not make the necessary determination with regard to any item or items, the Board Secretary must make the determination after consultation with the General Counsel and the Board members. This approach as well has proven time consuming and impracticable.

The Sunshine Act does not require that any specific procedures be followed in making the determination under section 552b(f)(2). The Board is, therefore, free to prescribe its own procedures. The determination to withhold portions of the record from the public does not require a recorded vote of the Board members, and need not be made by the Board members at all. Most agencies have delegated the determination responsibility to either the general counsel, the secretary, or the director of public information. An agency's review and determination need not occur at the meeting, and, in most cases, are carried out after the meeting.

The proposed amendment would make two changes in the current § 791.18(c). First, the proposal would eliminate the Board's current practice of making some disclosure decisions at the meeting. Second, the proposal would require the General Counsel, or his designee, to make the necessary determination after consultation with the Board Secretary. This alters the current rule, which authorizes the Board Secretary to make the determination after consultation with both the General Counsel and the Board. Since the determination whether to withhold is essentially a legal one, the General Counsel, rather than the Board Secretary, should have the primary responsibility for making that determination. The Board believes that the practice described in the proposal will better achieve the goals of the Sunshine Act than does the method now in use. The proposed arrangement would, in the Board's view, be simpler and more effective, as well as provide for a consistent method of decisionmaking.

The proposed rule also contains one technical amendment. The current version of the regulation incorrectly cites the Privacy Act as 5 U.S.C. 522a. The correct citation for the Privacy Act is 5 U.S.C. 552a. The proposed rule would correct this error.

Paperwork Reduction Act

The proposed amendment imposes no paperwork requirements on the public. It relates solely to internal Board procedure.

Regulatory Flexibility Act

The NCUA Board certifies that this proposed amendment will not have a significant impact on a substantial number of small credit unions (those under $1 million in assets) because the amendment relates solely to internal Board procedures. Accordingly, the NCUA Board has determined that a Regulatory Flexibility Analysis is not required.

Executive Order 12612

Executive Order 12612 requires NCUA to consider the effect of its actions on state interests. The proposed amendment relates solely to internal Board procedures, and will have no effect on the states, the relationship between the national government and the states, or the distribution of power and responsibilities among the various levels of government.

List of Subjects in 12 CFR Part 791

Administrative practice and procedures, NCUA Board, Promulgation of rules and regulations, Public observation of meetings, Sunshine Act.

By the National Credit Union Administration Board on September 9, 1992.
Becky Baker,
Secretary of the Board.

Accordingly, NCUA proposes to amend 12 CFR part 791 as follows:

PART 791—RULES OF NCUA BOARD PROCEDURES; PROMULGATION OF NCUA RULES AND REGULATIONS; PUBLIC OBSERVATION OF NCUA BOARD MEETINGS

1. The authority citation for part 791 continues to read as follows:

Authority: 12 U.S.C. 1766; 12 U.S.C. 1789; and 5 U.S.C. 552b.

2. Section 791.18(c) is revised as follows:

§ 791.18 Public availability of meeting records and other documents.

* * * * *

(c) Following each meeting or any portion of a meeting closed pursuant to

§ 791.12(a), the General Counsel or his designee, after consultation with the Secretary of the Board, shall determine which, if any, portions of the meeting transcript, electronic recording or minutes not otherwise available under 5 U.S.C. 552a (the Privacy Act), contain information which should be withheld pursuant to § 791.12(a). If, at a later time, the Board determines that there is no further justification for withholding any meeting record or other item of information from the public which has previously been withheld, then such information shall be made available to the public.

* * * * *

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BILLING CODE 7535-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL-4505-9]

Intent to Form an Advisory Committee to Negotiate the Drinking Water Disinfection Byproducts Rule and Announcement of Public Meeting

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent.

SUMMARY: EPA is considering establishing an Advisory Committee under the Federal Advisory Committee Act (FACA), and the Negotiated Rulemaking Act of 1990. The Committee's purpose would be to negotiate National Primary Drinking Water Regulations for disinfectants and disinfection byproducts under Section 1412 of the Safe Drinking Water Act (SDWA). The Committee would consist of representatives of parties that are substantially affected by the outcome of the proposed rule.

EPA requests public comment on whether:

- It should establish a Federal Advisory Committee;
- It has properly identified interests it believes are affected by the key issues listed below;
- Regulatory negotiation is appropriate for this rulemaking and, the extent to which the issues and procedures are adequate and appropriate.

EPA also announces that it will conduct a public meeting on the proposed use of negotiation to develop this rule. The meeting will explore the feasibility of negotiating the proposed rule and issues the committee should address. Any person interested in the negotiation is encouraged to attend.

DATES: The public meeting will be held in Washington, DC on September 29–30. The meeting will start at 9 a.m and be complete no later than 5 p.m. On September 30 the meeting will begin with a summary of the previous day's discussion so that people unable to attend the meeting on September 29 will have the opportunity to comment on those subjects. Comments on the issues raised by this notice and any applications for membership must be received October 15, 1992.

ADDRESSES: The public meeting will be held in the Federal Ballroom at the Quality Inn Capitol Hill, 415 New Jersey Avenue, NW., Washington, DC, phone (202) 638–1616. Comments should be submitted in triplicate, if possible, to the U.S. Environmental Protection Agency (EPA), Drinking Water Docket for Disinfectant Byproducts, [WH–550D], 401 M Street, SW., Washington, DC 20460. For access to the disinfection byproducts rule docket, call 202–260–3027 between 9 a.m. and 3:30 p.m. on weekdays. A reasonable fee may be charged for copying.

FOR FURTHER INFORMATION CONTACT: For information pertaining to the substantive and technical issues to be addressed in the negotiation, contact: Stig Regli, Regulation Management Branch, Drinking Water Standards Division, Office of Ground Water and Drinking Water (WH–550D), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, 202–260–7379. General information may also be obtained from the EPA Safe Drinking Water Hotline. Callers within the United States may reach the Safe Drinking Water Hotline at 800–426–4791. The Safe Drinking Water Hotline is open Monday through Friday, excluding Federal holidays, from 8:30 a.m. to 4 p.m.

For information pertaining to the establishment of the negotiation committee and associated administrative matters contact: Chris Kirtz, Director, Consensus and Dispute Resolution Program, PM–223Y, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, phone 202–260–7565.

SUPPLEMENTARY INFORMATION:

Outline of Notice

I. Negotiated Rulemaking Act
II. Subject and Scope of the Disinfection Byproducts Rule
A. Need for the Rule
B. Subject and Scope of the Rule
C. Questions and Issues to be Resolved
D. Affected Interests and Potential Participants
E. Schedule
F. Selection as a Potential Negotiation Candidate
III. Formation of the Negotiating Committee
A. Procedure for Establishing and Advisory Committee
B. Participants
C. Requests for Representation
D. Final Notice
IV. Negotiation Procedures
A. Facilitator
B. Good Faith Negotiation
C. Administrative Support and Meetings
D. Meetings
E. Committee Procedures
F. Defining Consensus
G. Failure of Committee to Reach Consensus
H. Record of Meetings

I. Negotiated Rulemaking Act

The Negotiated Rulemaking Act of 1990 (NRA), establishes a framework for the conduct of negotiated rulemaking and encourages agencies to use the process to enhance the informal rulemaking process. Under the Act the head of an Agency shall consider whether—

(1) There is a need for a rule;

(2) There are a limited number of identifiable interests that will be significantly affected by the rule;

(3) There is a reasonable likelihood that a committee can be convened with a balanced representation of persons who—

(A) Can adequately represent the interests identified under paragraph (2); and

(B) Are willing to negotiate in good faith to reach a consensus on the proposed rule;

(4) There is a reasonable likelihood that a committee will reach a consensus on the proposed rule within a fixed period of time;

(5) The negotiated rulemaking procedure will not unreasonably delay the notice of proposed rulemaking and the issuance of a final rule:

(6) The Agency has adequate resources and is willing to commit such resources, including technical assistance, to the committee; and

(7) The Agency, to the maximum extent possible consistent with the legal obligations of the Agency, will use the consensus of the committee with respect to the proposed rule as the basis for the rule proposed by the Agency for notice and comment.

Negotiations are conducted through Advisory Committees chartered under the Federal Advisory Committee Act (FACA). The goal of the Committee is to reach consensus on the language or issues involved in a rule. If consensus is reached, it is used as the basis of the Agency's proposal. All procedural requirements of the Federal Advisory

Committee Act, the Administrative Procedure Act and other applicable statutes continue to apply.

The NRA provides that if an Agency elects to proceed with a negotiation effort, that it publish a notice in the **Federal Register** describing the subject and scope of the proposed rule, the interests and issues involved, and the persons or entities it proposes to include on the negotiated rulemaking Advisory Committee.

The purpose of the notice is to give the public 30 days to comment on the use of negotiated rulemaking for the proposed rule and to apply or nominate someone for Committee membership. This notice fulfills that purpose and begins the 30-day comment period.

II. Subject and Scope of the Disinfection Byproducts Rule

A. Need for the Rule

Section 1412 of the Safe Drinking Water Act requires EPA to promulgate standards for 25 additional drinking water contaminants every three years. EPA is considering the category of contaminants known as disinfection byproducts as part of this next set of regulations. Greater than 220 million people in the U.S. receive disinfected water (typically chlorine) from public drinking water supplies. All disinfected water has disinfectant byproducts which are formed by naturally occurring organics reacting with disinfectants. About one-half of the U.S. population could be exposed to significant lifetime cancer risk from disinfection byproducts. EPA is under a court-ordered deadline to propose rules for the next 25 contaminants by June 1993.

B. Subject and Scope of the Rule

This rule is intended to limit the concentrations of disinfectants and their byproducts in United States drinking water systems. These limits conflict with other regulations, such as the Surface Water Treatment Rule, which establish minimum levels of disinfection needed to ensure that human exposure to microbiological contaminants is also limited. Therefore, in developing regulations for disinfection byproducts, EPA needs to ensure that drinking water utilities can effectively provide treatment that controls concentrations of both disinfection byproducts and microbiological organisms.

If disinfection is decreased to reduce byproduct formation, pathogen risk could increase, but the relationship between the two, particularly with various treatment technologies, is not well understood. The Agency is developing a major research initiative to develop the information needed to make an effective regulatory balance between pathogenic and disinfectant byproduct risk. The risk-risk relationship needs to be better understood and appropriate regulatory constraints set to prevent increases in microbial risk, possibly decreasing such risk, and to avoid a net effect of increasing overall human health risk by substituting one type of risk for another. A principal goal will be to determine whether disinfection byproduct risk can be reduced while protection against microbial risk is maintained or reduced.

Few people outside the Agency have a substantive understanding of these risk-risk comparison issues. A negotiated rule process would help people understand the complexities of the risk-risk tradeoff issue and, hopefully, reach a consensus on what regulation makes sense in the short term before the results of the research program are available.

C. Questions and Issues to be Resolved

EPA anticipates addressing and resolving the following key issues or questions during the negotiations:

1. What disinfectants and disinfection byproducts present the greatest risks, and how should they be grouped for regulation?

2. Which categories of public water suppliers should be regulated?

3. Should the regulation establish Maximum Contaminant Levels or be technology driven?

4. How effective are advanced technologies and alternative disinfectants in the removal of disinfectants, disinfection byproducts, and microbial risks?

5. How should disinfectants, disinfection byproducts, and microbial risks be compared, given differences in the type and certainty of their effects?

6. What levels of disinfectant, disinfection byproduct, and microbial risk are acceptable, and at what cost?

7. How should the achievement of acceptable levels of risk be defined?

8. How might risk-risk models be used, if at all, in the development of Maximum Contaminant Levels within the current regulatory schedule?

9. How should the needs of sensitive populations be taken into account in the rule?

10. How should Best Available Technology be defined for the removal of disinfectants and disinfectant byproducts?

11. Should a comprehensive disinfectant/disinfection byproduct regulation be issued in 1995, or should the control of certain disinfectants/disinfection byproducts be deferred until research confirms the safety of alternative treatment methods?

12. How should affordability be factored into judgments regarding feasibility of treatment techniques?

13. How should monitoring requirements be defined?

14. How can the rule be drafted to be most easily understandable by both state regulators and small system operators?

D. Affected Interests and Potential Participants

EPA has tentatively identified the following list of possible interests and/or parties, who unless otherwise noted, have indicated their willingness to participate:

Regulators

U.S. Environmental Protection Agency
Jim Elder
Association of State Drinking Water Administrators
Barker G. Hamill, New Jersey Department of Environmental Protection

Regulated industry

American Water Works Association
George Haskew, Hackensack Water Company
Association of Metropolitan Water Agencies
Donald Jackson, South Central Connecticut Regional Water Authority
National Association of Water Companies
Ronald Twillman, St. Louis County Water
National Rural Water Association
John Montgomery
National Water Resources Association
Edward G. Means, Metropolitan Water District of Southern California

Consumer groups

National Association of State and Utility Consumer Advocates
Scott J. Rubin, Pennsylvania Office of the Consumer Advocate
One Additional group to be decided

Other State and Local government officials

National League of Cities
to be decided
National Association of Regulatory Utility Commissioners
Paul Foran, Illinois

Environmental groups

Natural Resources Defense Council
Erik Olson
Environmental Defense Fund

Robert Harris
Two other groups to be decided

Health professionals

Association of State and Territorial Health Officials
to be decided
National Environmental Health Association
Chris J. Wiant

E. Schedule

EPA has set a deadline of February 28, 1993 for the committee to complete work on the rule. The Agency intends to terminate the activities of the Committee if it does not appear likely to reach consensus on a schedule that is consistent with Agency rulemaking needs.

As mentioned earlier, EPA will hold a public meeting on September 29–30, 1992 to discuss details of how negotiations will would proceed and how the Committee, if formed, will function.

Assuming this meeting is successful, and no adverse public comments or other considerations that would have EPA elect not to go forward, EPA intends to hold its first formal Advisory Committee meeting on November 12–13, 1992 at Resolve, Inc., 1250 24th St., NW., 5th floor, Washington, DC 20037 (202–778–9634). At this meeting, participants will complete action on any procedural matters outstanding from the organizational meeting, determine how best to address the principal issues, and begin to address them. Subsequent meetings of the Committee will be held monthly in Washington, DC or on such other schedule and at such other locations as determined by the Committee.

F. Selection as a Potential Negotiation Candidate

The NRS authorizes the use of independent convenors to assist the Agency in identifying interests affected, and the feasibility and appropriateness of using the negotiated rulemaking approach. Based on the work of EPA's independent contractor convening team, and its own assessment, EPA believes the DBP rule is appropriate for development through negotiation.

III. Formation of The Negotiating Committee

A. Procedure for Establishing an Advisory Committee

As a general rule, an Agency of the federal government is required to comply with the requirements of FACA when it establishes or uses a group which includes non-federal members as a source of advice. Under FACA, an Advisory Committee is established only after both consultation with GSA and receipt of a charter. EPA has prepared a charter and initiated the requisite consultation process.

B. Participants

The number of participants in the group is estimated to be about 18 and should not exceed 25 participants. A number larger than this could make it difficult to conduct effective negotiations. One purpose of this notice is to help determine whether the regulation that EPA is developing would substantially affect interests not adequately represented by the proposed participants. We do not believe that each potentially affected organization or individual must necessarily have its own representative. However, we firmly believe that each interest must be adequately represented. Moreover, we must be satisfied that the group as a whole reflects a proper balance and mix of interests.

C. Requests for Representation

If, in response to this Notice, an additional individual or representative of an interest requests membership or representative in the negotiating group, the Agency, in consultation with the facilitator, will determine whether that individual or representative should be added to the group. EPA will make that decision based on whether the individual or interest:

- Would be substantially affected by the rule;
- Is already adequately represented in the negotiating group.

D. Final Notice

After evaluating the results of the public meeting, and reviewing any comments and requests for representation, EPA will issue a final notice. That notice will announce the establishment of a Federal Advisory Committee and the date of the first meeting, unless EPA decides, based on comments received or other relevant considerations, that such action is inappropriate. The negotiation process will begin once the Committee is chartered and notice is published in the **Federal Register.**

IV. Negotiation Procedures

The following procedures and guidelines will apply to the Committee, if formed, unless they are modified as a result of comments received on this Notice or during the negotiating process.

A. Facilitator

EPA will use a neutral facilitator. The facilitator will not be involved with the substantive development or enforcement of the regulation. The facilitator's role is to:

- Chair negotiating sessions;
- Help the negotiation process run smoothly; and
- Help participants define and reach consensus.

B. Good Faith Negotiation

Since participants must be willing to negotiate in good faith and be authorized to do so, each organization must designate a senior official to represent its interests. This applies to EPA as well, and to its principal negotiator, James R. Elder, Director, Office of Ground Water and Drinking Water.

C. Administrative Support and Meetings

EPA's Office of Ground Water and Drinking Water will supply logistical, administrative and management support. If it is deemed necessary and appropriate, the Agency will provide technical support to the committee in gathering and analyzing additional data or information.

D. Meetings

Meetings will be held at the convenience of the Committee. EPA will announce Committee meetings in the **Federal Register.** Such meetings will be open to the public.

E. Committee Procedures

Under the general guidance and direction of the facilitator, and subject to any applicable legal requirements, the members will establish the detailed procedures for Committee meeting which they consider most appropriate.

F. Defining Consensus

The goal of the negotiating process is consensus. In the negotiations completed to date, consensus has meant that each interest concurs in the result. We expect the participants to fashion their own working definition of this term.

G. Failure of Advisory Committee to Reach Consensus

In the event the Committee is unable to reach consensus, EPA will proceed to develop its own rule. Parties to the negotiation may withdraw at any time. If this happens, the remaining Committee members and the Agency will evaluate whether the Committee should continue.

H. Record of Meetings

In accordance with FACA's requirements, EPA will keep a summaries of all Advisory Committee

meetings. These summaries will be available upon request and placed in the public docket for this rulemaking.

Dated: September 10, 1992.

James R. Elder,

Acting Assistant Administrator for Water.

[FR Doc. 92-22354 Filed 9-14-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR PART 52

[IL 12-21-5611; FRL 4205-3]

Approval and Promulgation of Implementation Plans; Illinois: Extension of Comment Period

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Proposed rule; Extension of the comment period.

SUMMARY: USEPA is extending the comment period for a proposed rule published July 17, 1992 (57 FR 31678). On July 17, 1992 USEPA proposed rulemaking in response to a Petition of Reconsideration filed with the Administrator on behalf of a General Motors Corporation Electro-Motive Division (GM) facility located in LaGrange (Cook County) Illinois. The Petition for Reconsideration was in response to USEPA's June 29, 1990 (55 FR 26814) promulgation of a federal ozone Implementation Plan as it pertains to GM's facility.

At the request of GM, USEPA is extending the comment period for 30 days.

DATES: Comments on the July 17, 1992 (57 FR 31678), proposed rule are due September 16, 1992.

FOR FURTHER INFORMATION CONTACT: Randolph O. Cano (AR-18J), Regulation Development Branch, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, IL 60604, (312) 886-6036.

Dated September 4, 1992.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 92-22249 Filed 9-14-92; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-199, RM-8050]

Radio Broadcasting Services; Smith, AL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Smiths Communications, seeking the allotment of FM Channel 267A to Smiths, Alabama, as that community's first local aural transmission service. Coordinates for this proposal are 32-28-42 and 85-08-06.

DATES: Comments must be filed on or before October 30, 1992, and reply comments on or before November 16, 1992.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: David M. Silverman, Esq., Cole, Raywid & Braverman, 1919 Pennsylvania Ave., NW., suite 200, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92-199 adopted August 18, 1992, and released September 8, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452-1422, 1990 M St., NW., suite 640, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92-22212 Filed 9-14-92; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 92-194, RM-8052]

Radio Broadcasting Services; Essex, CA

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making filed on behalf of Dunes Broadcasting, seeking the allotment of Channel 280B to Essex, California, as that community's second local FM service. Coordinates for this proposal are 34-44-12 and 115-14-48. Mexican concurrence will be requested for this allotment.

DATES: Comments must be filed on or before October 30, 1992, and reply comments on or before November 16, 1992.

ADDRESSES: Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Peter Gutmann, Esq., Pepper & Corazzini, 1776 K Street, NW., suite 200, Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Nancy Joyner, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92-194, adopted August 3, 1992, and released September 8, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452-1422, 1990 M St., NW., suite 640, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92-22215 Filed 9-14-92; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 92-195, RM-7146]

Radio Broadcasting Services; Beverly Hills, FL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rulemaking filed by Heart of Citrus, Inc., permittee of Station WPDS, Channel 246A, Beverly Hills, Florida, proposing the substitution of Channel 246C3 for Channel 246A at Beverly Hills, and modification of its Station WPDS construction permit to specify operation on Channel 246C3. The reference coordinates for the proposed Channel 246C3 allotment at Beverly Hills, Florida, are 28-47-46 and 82-28-31.

DATES: Comments must be filed on or before October 30, 1992, and reply comments on or before November 16, 1992.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner's counsel, as follows: Gammon and Grange, Counsel for Heart of Citrus, Inc., suite 300, 1925 K Street, NW., Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Robert Hayne, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92-195, adopted August 3, 1992, and released September 8, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452-1422, 1990 M St., NW., suite 640, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92-22217 Filed 9-14-92; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 92-200, RM-8018]

Radio Broadcasting Services, Bronson and Cross City, FL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition by Women in Florida Broadcasting, Inc., licensee of Station WDFL (FM), Channel 295C1, Cross City, Florida, seeking the reallotment of Channel 295C1 from Cross City to Bronson, Florida, and the modification of its license to specify Bronson as its community of license, in accordance with § 1.420(i) of the Commission's rules. The coordinates are North Latitude 20-24-07 and West Longitude 83-08-10.

DATES: Comments must be filed on or before November 2, 1992, and reply comments on or before November 17, 1992.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John M. Spencer, Leibowitz and Spencer, One SE. Third Avenue, suite 1450, Miami, Florida 33131 (Counsel for Women in Florida Broadcasting, Inc.).

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92-200, adopted August 14, 1992, and released September 9, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW, Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452-1422, 1990 M Street, NW., suite 640, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex part* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92-22218 Filed 9-14-92; 8:45 am]

BILLING CODE 6712-01-M

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47 CFR Part 73

[MM Docket No. 92-178, RM-8045]

Radio Broadcasting Services; Lawton, OK

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Communicorp, Inc., seeking the substitution of Channel 231C2 for Channel 232A at Lawton, Oklahoma, and the modification of Station KQLI's license to specify operation on the higher class channel. Channel 231C2 can be allotted to Lawton in compliance with the Commission's minimum distance separation requirements at Station KQLI's licensed transmitter site, at coordinates North Latitude 34-34-24 and West Longitude 98-28-40. In accordance with Section 1.420(g) of the Commission's Rules, we will not accept

competing expressions of interest in use of the channel at Lawton or require the petitioner to demonstrate the availability of an additional equivalent class channel for use by such parties.

DATES: Comments must be filed on or before October 30, 1992, and reply comments on or before November 16, 1992.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Colby M. May, Esq., May & Dunne, Chartered, 1000 Thomas Jefferson Street, NW., suite 520, Washington, DC 20007 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 92–178, adopted July 28, 1992, and released September 8, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Downtown Copy Center, (202) 452–1422, 1990 M Street, NW., suite 640, Washington, DC 20036.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92–22216 Filed 9–14–92; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 73

[MM Docket No. 91–51; RM–7625]

Radio Broadcasting Services; Steeleville, IL

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document denies the request of Steeleville Communications seeking the allotment of Channel 248A to Steeleville, Illinois, as that community's first local FM service. See 56 FR 11149, March 15, 1991. With this action, this proceeding is terminated.

FOR FURTHER INFORMATION CONTACT: Nancy J. Walls, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 91–51, adopted August 13, 1992, and released September 9, 1992. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, Downtown Copy Center, (202) 452–1422, 1990 M Street, NW., suite 640, Washington, DC 20036.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Michael C. Ruger,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 92–22155 Filed 9–14–92; 8:45 am]

BILLING CODE 6712–01–M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 228

[Docket No. 920802–2202]

Taking of Ringed Seals Incidental to On-Ice Seismic Activity

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Proposed rule.

SUMMARY: NMFS proposes to issue regulations governing the taking of ringed seals incidental to oil and gas exploratory activities (specifically, seismic operations on the ice) in the Beaufort Sea from 1993 through 1997 The incidental taking of small numbers of marine mammals is allowed under section 101(a)(5) of the Marine Mammal Protection Act (MMPA) if certain findings are made and regulations are issued that include requirements for monitoring and reporting.

DATES: Comments should be received by October 15, 1992.

ADDRESSES: Send comments on this proposed rule to Dr. Nancy Foster, Director, Office of Protected Resources, 1335 East-West Highway, Silver Spring, MD 20910. Send comments on the collection of information burden estimate to the Office of Information and Regulatory Affairs, Project (0648–0151), Office of Management and Budget, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Margaret C. Lorenz, Office of Protected Resources, NMFS, (301) 713–2322 or Ron Morris, Western Alaska Field Office, (907) 271–5006.

SUPPLEMENTARY INFORMATION:

Background

Section 101(a)(5) of the MMPA directs the Secretary of Commerce (Secretary) to allow, on request, the incidental, but not intentional, taking of small numbers of marine mammals by U.S. citizens who engage in a specified activity (other than commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted for periods of 5 years or less if the Secretary finds that the taking will have a negligible impact on the species or stock and will not have an unmitigable adverse impact on the availability of the species or stock for subsistence uses. NMFS has issued general regulations implementing the 1981 and 1986 amendments to the MMPA that allow this incidental take (47 FR 21254, May 18, 1982, and 54 FR 40349, Sept. 29, 1989). However, specific regulations governing a taking of ringed seals incidental to on-ice seismic activity (47 FR 21254, May 18, 1982, and 52 FR 1199, Jan. 12, 1987) expired December 31, 1991.

Summary of Request

On April 8, 1992, NMFS received a petition from BP Exploration (Alaska), Chevron U.S.A., Inc., Halliburton Geophysical Services, Inc. and Western Geophysical Company to renew the incidental take regulations in 50 CFR part 228, subpart B, that governed the taking of ringed seals incidental to seismic activities on the ice offshore Alaska for a period of 5 years. The petitioners state that while they do not anticipate any incidental takings of ringed seals as the result of on-ice

seismic activities, if takings do occur, they are not likely to be lethal.

The scope of the petition is limited to pre-lease and post-lease seismic exploration activities in state waters and the Outer Continental Shelf in the Beaufort Sea offshore Alaska during the ice covered season. Operations are usually confined from January through May. Seismic surveys will be conducted using two types of energy sources: (1) Vibroseis, which uses large trucks with vibrators mounted on them, which systematically put variable frequency energy into the earth, and (2) waterguns or airguns carried by a sleigh or other vehicle. Over the next 5-year period, the petitioners expect that on-ice seismic activity will cover from 1,000 to 3,000 line miles (200 to 600 miles) (322 to 965 kilometers) in any given year).

NMFS published a notice of the request for rulemaking on May 14, 1992 (57 FR 20667), and received a response from the Marine Mammal Commission.

Summary of Proposed Rule

The proposed rule would renew the regulations that expired December 31, 1991, allowing a small incidental take or ringed seals as provided for by the MMPA. The regulations would apply only to the incidental taking of ringed seals (*Phoca hispida*) by U.S. citizens engaged in seismic activities on the ice and associated activities in the Beaufort Sea from the shore outward to 45 miles (72 km) and from Point Barrow east to Demarcation Point and only from January 1 through May 31 of any calendar year.

The incidental, but not intentional, taking of ringed seals by U.S. citizens holding a Letter of Authorization would be permitted during the following activities:

(1) On-ice geophysical seismic activities using two types of energy sources (i.e., vibroseis or waterguns or airguns) and

(2) Operation of transportation and camp facilities associated with seismic activities.

All activities would have to be conducted in a manner that minimizes adverse effects on ringed seals and their habitat. The activities would have to be conducted as far as practicable from any observed ringed seals or ringed seal lair. No energy source could be placed over an observed ringed seal lair.

The requirements for monitoring and reporting include designating a qualified individual to observe and record the presence of ringed seals and ringed seal lairs along shot lines and around camps. An annual report would have to be submitted to NMFS within 90 days of completing the year's activities.

Description of Seismic Activities

"Hardwater" marine geophysical surveys are conducted before and after oil and gas leases are issued to gather information about subsurface geology and are divided into two classes of surveys; deep seismic and shallow hazard. Deep seismic surveys generally map deep strata beneath the earth's surface (1,000 to 20,000 feet) (364 to 7,290 meters) in search of typical gas and oil-bearing geologic formations. Shallow hazard surveys, also known as "site clearance" or "high resolution" surveys, are conducted to gather information on potential near-surface hazards (0 to 1,000 feet) (0 to 364 meters) which could be encountered in exploratory drilling.

After leases are issued and drilling begins, seismic operations shift from broad reconnaissance surveys to a combination of shallow hazard surveys and more detailed exploratory work. Post-lease surveys are limited to specific geographic areas or tracts. Because each tract is surveyed in greater detail, the line density may increase although the geographic boundaries would be smaller.

Deep seismic and shallow hazard surveys use the "reflection" method of acquiring data. Information about the earth's subsurface is gathered by measuring acoustic (sound or seismic) waves that are generated on or near the surface. The process involves using a controlled energy source to generate acoustic waves that travel through the earth (in this case, sea ice and water as well as geologic formations beneath the sea) and ground sensors to record the reflected energy transmitted back to the surface.

Several vehicles are normally involved in the vibroseis method of collecting data. One or two vehicles with survey crews move ahead of the operation to mark the energy input points. Bulldozers may move ahead of the crew to prepare pathways for the vehicles. Typically, an on-ice data recording operation includes four to five vibrators, four to five cable and sensor carriers, one recording vehicle and one vibrator tender. A winter-run seismic exploration crew may include 40 to 60 people or up to 110 people if a 3-dimensional survey is involved.

Acquiring seismic data by using airguns or waterguns is similar to the vibroseis technique, but the sound source is compressed air or water rather than vibrations.

Ringed Seals in Alaska

Ringed seals are widely distributed throughout the Arctic, North Pacific and North Atlantic Oceans with a worldwide population estimated to be between 6 and 7 million; the Arctic Alaska population is estimated to be between 1 and 1.5 million. The ringed seal is the most abundant and widely distributed marine mammal in the Beaufort Sea where its estimated population ranges from about 80,000 animals during summer months to 40,000 in the winter.

The species is associated with seasonal and permanent ice-covered regions, and the greatest concentrations are found on stable shore ice. During winter months, the ringed seal occupies the land-fast or shore ice of the Bering, Chukchi and Beaufort Seas. The remainder of the year, the seals migrate with the annual advance and retreat of the pack ice. In winter, ringed seals live in and under the ice by using the strong claws of their foreflippers to construct and maintain breathing holes. They also excavate lairs in accumulated snow.

Female ringed seals give birth in their lairs staring in early April and nurse their pups for 4 to 6 weeks. The fast ice appears to be the best habitat for breeding ringed seals, and the highest densities of this species occur in these areas. Mating occurs during late April and May.

Four primary types of structures are made by ringed seals; (1) simple breathing holes through the ice, (2) holes and associated simple resting lairs that are excavated in snow drifts above the hole, (3) complex lairs with several large chambers which may be used by more than one seal as places to rest, and (4) pupping lairs which often resemble complex lairs with the addition of small tunnels excavated by a pup during the course of its growth and development. There is usually a progression from breathing holes to lairs of one type or another.

The density of ringed seals in the landfast ice is a function of both physical and biological characteristics in any particular area, and some vary greatly from year to year. The primary physical characteristics are water depth, presence or absence of large grounded ice floes and barrier islands, intensity, direction and duration of winds, snow conditions and water currents. The primary biological component is availability of food (prey).

Weather and ocean currents directly cause drifting pack ice to encroach on landfast ice. The effects of encroachment are modified by the presence or absence of protective barriers, mainly large, ground and ice floes and barrier islands. Impingement by the pack ice creates pressure ridges and stress cracks in the landfast ice; the

pressure ridges (and to some extent the stress cracks) accumulate snow and the seals excavate lairs in the snow drifts. In flat ice with little accumulated snow, seals are restricted to making breathing holes.

In waters more shallow than 3.5 to 4 feet (about 1 to 1.2 meters), depending on air temperature regimes in any given winter, the sea ice freezes to the sea floor, precluding use by ringed seals. In waters between 4 and 12 feet deep (about 1.2 to 3 meters) current flow is greatly restricted, and prey availability is presumed to be too low to support winter resident seals.

In regions of the Beaufort Sea north of Alaska were fast ice is present, the most favorable habitat for ringed seals is seaward of the numerous barrier islands and in water greater than 18 feet deep (6.5 meters).

Based on studies conducted in Barrow Strait (Northwest Territories, Canada), scientists found that pups were not born before April 4, but occurred with increasing frequency as the spring season progressed; lair formation can occur within 24 hours after a snowdrift forms over a breathing hold; birthlairs were constructed in the largest snowdrifts (as compared to simple or complex resting lairs); and lairs were associated with pressure ridges consisting of ice pieces 15–25 cm thick that projected upwards to a height of 80–150 cm.

Based on studies in Kotzebue Sound (Chukchi Sea) and near Reindeer Island (Beaufort Sea near Prudhoe Bay), scientists reported that abandonment of breathing holes and establishment of new ones is an ongoing natural occurrence with or without human presence. After completion of on-ice seismic operations in 1981–82, there was no consistent difference in the density of basking seals noted in aerial survey transects centered over the seismic lines and in intervening transects; 13 radio-tagged seals were faithful to their lairs from March to June; each of the radio-tagged seals used as many as four difference lairs, with distances between lairs as great as 3,438 m; mean distances between lairs used by individual males and females were 1,997 and 634 m, respectively; in all cases where radio-tagged seals departed lairs in response to human-made noises, they subsequently returned to the lair and hauled out; in one instance a radio-tagged male seal eventually abandoned a lair after having initially returned to it following seismic operations; the behavior of this male may or may not have been related to the previous disturbance; the proportion of time that radio-tagged seals spent hauled out was 12.1 percent in March, 18.6 percent in April and 21.9 percent in May; in March to early May, when seismic exploration was being conducted, short-term abandonment of breathing holes and lairs was higher than natural abandonment within 150 m of seismic lines.

On the basis of aerial surveys made in the period from late May to mid-June, in suitable ringed seal habitat in both the Chukchi and Beaufort Seas, scientists found that there was a significant difference in density of seals in relation to distance from shore or the barrier islands. Seals were less abundant in the stratum that was 0 to 2 nautical miles (nm) than they were in the strata 2 to 4 nm from shore. In most sectors, the density within 2 nm of shore was the lowest on any part of the fast ice.

It has been reported that for the area of fast ice in the Beaufort Sea that extends from Point Barrow to Barter Island, the average density of ringed seals per square nautical mile was 2.92 in 1985, 3.81 in 1986 and 5.53 in 1987. These data, together with earlier estimates of seal density in the Beaufort Sea, show that the distribution and density of ringed seals in land fast ice of the region is quite dynamic. Seal density was relatively high in 1970 and 1975, dropped to low levels in 1976 and 1977, and increased again in 1985 to 1987.

Potential Impact of Seismic Activities on Ringed Seals

Aerial survey data collected from 1970 through 1987 indicate that ringed seal densities in the fast ice of the Beaufort Sea are highly variable among years and among different sections from Point Barrow to Barter Island. During the past 10 years, the seismic industry estimated that the maximum area covered by on-ice seismic operations during any given year did not exceed 1,800 square miles (4,662 square km). Using an estimated density of 2.83 seals per square nautical mile, it is unlikely that there would have been more than 3,800 seals in the area that would have been potentially affected. Based on an estimated displacement due to seismic activity of 0.6 seals per square nautical mile, the maximum number of seals temporarily displaced annually within a seismic survey area of 1,357 square nautical miles would likely have been less than 1,000.

The area likely to be affected by on-ice seismic operations over the next 5 years is less than in the past. The seismic companies anticipate that in any single year the area affected will not exceed more than 600 square miles (1,554 square km). Further, in some types of exploration, especially the shallow hazard and delineation efforts, the lines are closely spaced. Though the line miles might be considerable, the area affected would be small.

The impact of seismic activities would likely be confined to the immediate vicinity of operations. Scientists conducted a ground examination of ringed seal structures to determine their fate along seismic and control lines and found no significant overall difference. However, they reported a significant difference in the fates of structures in relation to distance from seismic lines (within 150 meters of the shot line in comparison to greater distances). These investigators concluded that displacement of seals in close proximity (within 150 meters) to seismic lines does occur. But based on data from aerial surveys, there has been no major displacement of seals away from on-ice seismic operations as currently conducted in the Beaufort Sea.

These studies, as well as subsequent observations, indicate that some individual ringed seals in the immediate area of operations could be temporarily displaced by on-ice seismic activities. However, given the wide distribution of ringed seals and the relatively low density of breeding seals in the Beaufort Sea, small numbers of animals are expected to be encountered. Impacts that might be significant for individual animals (an abandoned pup, for example) are expected to be negligible for the overall ringed seal population.

Additional factors reduce the probability of incidental take. Portions of many of the seismic lines are likely to be on ice over shallow water where ringed seals are either absent or present in low numbers. Other parts of lines are likely to be within 2 miles (3.2 km) of shore within favorable seal habitat, but where density of seals is lowest. Within optimum seal habitat farther from shore, the seismic operators avoid moderate and large pressure ridges because of concerns for safety and normal operational constraints. Also, a significant portion of the on-ice seismic lines and connecting ice roads is expected to be laid out and explored during January and February when many ringed seals are still transient.

On-ice seismic operations in the Beaufort Sea are not expected to have an impact on the availability of ringed seals for subsistence uses. The size of the annual harvest has dropped from about 7,000 to 15,000 animals statewide from 1962–72 to about 2,000 to 3,000 in 1979. This decrease has been attributed mainly to changes in the Eskimo lifestyle and the adoption of the MMPA which permits hunting only by natives

for subsistence purposes. NMFS is not aware of any new information since 1979 to indicate that this trend has reversed. Also, most of the native subsistence hunting for ringed seals is conducted in regions north of Kuskokwim Bay in the Bering and Chukchi Seas, not the Beaufort Sea area. Hunting seals with rifles in leads or open water has largely replaced the more difficult winter hunting at breathing holes and lairs. In addition, the areas where on-ice seismic operations are conducted are extremely small in comparison to the vast Beaufort Sea subsistence hunting areas. During the past 10 years, seismic crews have come in contact with few native hunters.

The ringed seal habitat may be potentially affected by construction of ice roads and camps and removal of ice and snow along survey lines, camps and roadways. Because the potential area affected represents only a small part of the Beaufort Sea ringed seal habitat and the habitat is restored annually, any impact would be localized and temporary. Habitat restoration is often immediate, occurring during the first episode of snow and wind that follows passage of the equipment. Periodic storms are common in the Beaufort Sea region. Also, seismic survey crews do not place energy sources over observed ringed seal lairs, and they do not typically operate along pressure ridges where lairs are often located.

Classification

The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), has determined that this is not a "major rule" requiring a regulatory impact analysis under E.O. 12291. The regulations are not likely to result in (1) an annual effect on the economy of $100 million or more, (2) a major increase in costs or prices for consumers, individual industries, Federal, state, or local government agencies, or geographic regions or (3) a significant adverse effect on competition, employment, investment, productivity, innovation, or on the ability of U.S.-based enterprises to compete with foreign-based enterprises in domestic or export markets.

The General Counsel of the Department of Commerce has certified that this proposed rule, if adopted, would not have a significant economic impact on a substantial number of small entities as described in the Regulatory Flexibility Act because members of the industry requesting the authorization are major energy exploration companies. Therefore, a regulatory flexibility analysis is not required.

This rule contains collection-of-information requirements subject to the Paperwork Reduction Act. These requirements have been approved by the Office of Management and Budget (OMB) under section 3504(b) of the Paperwork Reduction Act issued under OMB Control Number 0648–0151. Public reporting burden for this collection of information is estimated to average 27.5 hours per response including the time to review instructions, search existing data sources, gather and maintain the data needed and complete and review the collection of information. Send comments regarding this burden estimate or any other aspect of the collection of information, including suggestions for reducing the burden, to NMFS and OMB (see **"ADDRESSES"**).

This proposed rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism assessment under E.O. 12612.

The Assistant Administrator has determined that the proposed designation is consistent to the maximum extent practicable with the approved Coastal Zone Management Program of the State of Alaska. This determination has been submitted for review by the responsible State agency under § 3.7 of the Coastal Zone Management Act.

NMFS prepared an environmental assessment (EA) for this rulemaking and concluded that there would be no significant impact on the human environment as a result of the proposed rule. Copies of the EA are available on request (see **"FOR FURTHER INFORMATION CONTACT"**).

List of Subjects in 50 CFR Part 228

Marine mammals, Reporting and recordkeeping requirements.

Dated: September 8, 1992.

Michael F. Tillman,

Deputy Assistant Administrator for Fisheries.

For the reasons set forth in the preamble, 50 CFR part 228 is proposed to be amended as follows:

PART 228—[AMENDED]

1. The authority citation for part 228 continues to read as follows:

Authority: 16 U.S.C. 1361 *et seq.*

2. Section 228.11 is revised to read as follows:

§ 228.11 Specified activity and specified geographical region.

Regulations in this subpart apply only to the incidental taking of ringed seals (*Phoca hispida*) by U.S. citizens engaged in on-ice seismic exploratory and associated activities over the Outer Continental Shelf of the Beaufort Sea of Alaska, from the shore outward to 45 miles (72 kilometers) and from Point Barrow east to Demarcation Point, from January 1 through May 31 of any calendar year.

3. Section 228.12 is revised to read as follows:

§ 228.12 Effective dates.

Regulations in this subpart are effective from January 1, 1993 through December 31, 1997.

4. In § 228.13, paragraphs (b) and (c) are revised to read as follows:

§ 228.13 Permissible methods.

* * * * *

(b) All activities identified in § 228.13(a) must be conducted in a manner that minimizes to the greatest extent practicable adverse effects on ringed seals and their habitat.

(c) All activities identified in § 228.13(a) must be conducted as far as practicable from any observed ringed seal or ringed seal lair. No energy source must be placed over an observed ringed seal lair, whether or not any seal is present.

5. In § 228.14, paragraphs (b) and (c) introductory text are revised to read as follows:

§ 228.14 Requirements for monitoring and reporting.

* * * * *

(b) Holders of Letters of Authorization must designate a qualified individual or individuals to observe and record the presence of ringed seals and ringed seal lairs along short lines and around camps, and the information required in § 228.14(c).

(c) An annual report must be submitted to the Assistant Administrator for Fisheries within 90 days after completing each year's activities and must include the following information:

* * * * *

[FR Doc. 92–22147 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–22–M

Notices

Federal Register
Vol. 57, No. 179
Tuesday, September 15, 1992

This section of the FEDERAL REGISTE contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. 92-020N]

National Advisory Committee on Microbiological Criteria for Foods; Meetings

Notice is hereby given that meetings of the National Advisory Committee on Microbiological Criteria for Foods will be held Monday through Wednesday, September 28–30, 1992. The meetings will be held at the Holiday Inn, 775–12th Street, NW., Washington, DC. The Committee provides advice and recommendations to the Secretaries of Agriculture and Health and Human Services concerning the development of microbiological criteria by which the safety and wholesomeness of food can be assessed, including criteria for microorganisms that indicate whether food has been processed using good manufacturing practices.

Scheduled sessions are as follows:

(1) Monday, September 28, 1 p.m. to 5 p.m.—Full Committee session covering various topics, such as Microbiological Baseline Data Collection for cattle and other species, Hazard Analysis Critical Control Points (HACCP), Risk Analysis;

(2) Tuesday, September 29, 8:30 a.m. to 12 noon—Concurrent sessions of the Campylobacter Working Group and Seafood Working Group;

(3) Tuesday, September 29, 1 p.m. to 5 p.m.—Concurrent sessions of the Meat and Poultry Working Group, and HACCP Working Group; and

(4) Wednesday, September 30, 8:30 a.m. to 12 noon—Continue Full Committee session.

Notice is hereby given on the appointment of members to the Committee. The members are: Dr. Gary R. Acuff, Texas A&M University College Station, TX; Dr Douglas Archer, Food and Drug Administration, Washington, DC; Dr. William L. Brown, ABC Research Corporation, FL; Dr. Robert L. Buchanan, Agricultural Research Service, Philadelphia, PA; Mr. Paul Clayton, Con-Agra, Inc., Greeley, CO; Dr. Mitchell Cohen, Centers for Disease Control, Atlanta, GA; Dr. David W. Dreesen, University of Georgia, Athens, GA; Mr. Spencer Garrett, National Marine Fisheries, Pascagoula, MS; Dr. Robert B. Gravani, Cornell University, Ithaca, NY; Dr. Marilyn B. Kilgen, Nicholls State University, Thibodaux, LA; Dr. John Kvenberg, Food and Drug Administration, Washington, DC; Dr. Jong Sun Lee, University of Alaska, Kodiak, AK; Dr. Kenneth N. May, Consultant, Wilkesboro, NC; Dr. Ann McNamara, Food Safety and Inspection Service, Washington, DC; Dr. John G. Morris, Jr., University of Maryland School of Medicine, Baltimore, MD; Colonel Colin Meyer, United States Army Research and Development Center, Natick, MA; Dr. Ranzell Nickelson, II, Applied Microbiological Service, Inc., San Antonio, TX; Dr. Merle D. Pierson, VA Polytechnic Institute and State University, Blacksburg, VA; Dr. Martha R. Roberts, Florida Department of Agriculture and Consumer Services, Tallahassee, FL; Dr. William H. Sperber, The Pillsbury Company, Minneapolis, MN; Dr. William H. Sveum, Oscar Mayer Foods Corporation, Madison, WI; Dr. Mark L. Tamplin, University of Florida, Gainesville, FL; Dr. David M. Theno, Jr., Theno and Associates, Modesto, CA; Dr. Sterling S. Thompson, Hershey Foods Corporation, Hershey, PA; Dr. Bruce Tompkin, Swift-Eckrich, Inc., Downers Grove, IL; Dr. Donn R. Ward, North Carolina State University, Raleigh, NC.

The meetings are open to the public on a space available basis. Comments of interested persons may be filed prior to or following the meetings and should be addressed to Mr. Bill Dennis, Assistant to the Administrator, U.S. Department of Agriculture, Food Safety and Inspection Service, room 3175, South Agriculture Building, 14th and Independence Avenue SW., Washington, DC 20250. Background materials are available for inspection by contacting Mr. Dennis on (202) 720–9150.

Done at Washington, DC, on September 9, 1992.

H. Russell Cross,

Administrator, Food Safety and Inspection Service.

[FR Doc. 92–22246 Filed 9–14–92; 8:45 am]

BILLING CODE 3410–DM–M

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Oregon Advisory Committee

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that the Oregon Advisory Committee to the Commission will convene at 1 p.m. and adjourn at 4 p.m. on September 29, 1992, at the Red Lion-Lloyd Center, 1000 NE. Multnomah, Portland, Oregon 97232. The purpose of the meeting is to plan activities and programming for the coming year.

Persons desiring additional information, or planning a presentation to the Committee, should contact Advisory Committee Chairperson, Jeannette Y. Pai or Philip Montez, Director of the Western Regional Office (213) 894–3437, (TDD 213/894–0508). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter, should contact the regional office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, September 9, 1992.

Carol-Lee Hurley,

Chief, Regional Coordination Unit.

[FR Doc. 92–22195 Filed 9–14–92; 8:45 am]

BILLING CODE 6335–01–M

DEPARTMENT OF COMMERCE

Agency Form Under Review by the Office of Management and Budget

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Bureau of the Census.

Title: 1992 Census of Agriculture–Nonresponse Survey.
Form Number(s): 92–A0414.
Agency Approval Number: None.
Type of Request: New collection.
Burden: 4,019 hours.
Number of Respondents: 20,000.
Avg Hours Per Response: 12 minutes.
Needs and Uses: The Census of Agriculture provides a complete enumeration of farms in the nation. Great effort will be made to obtain responses from all 3.8 million addresses on the census mail list. However, we estimate that we will not receive responses from approximately 14 percent of those addresses. To represent all farms, including those not responding to the census, in published census data, we will conduct a sample survey of nonrespondents to the 1992 Census of Agriculture to determine how many of the approximately ½ million nonrespondents to the census actually operate farms. The survey data will be used to adjust the census respondent data to represent all farms.
Affected Public: Individuals or households and farms.
Frequency: Every five years.
Respondent's Obligation: Mandatory.
OMB Desk Officer: Maria Gonzalez, (202) 395–7313.

Copies of the above information collection proposal can be obtained by calling or writing Edward Michals, DOC Forms Clearance Officer, (202) 377–3271, Department of Commerce, room 5312, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Maria Gonzalez, OMB Desk Officer, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: September 9, 1992.

Edward Michals,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 92–22172 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–07–F

Agency Form Under Review by the Office of Management and Budget

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Bureau of the Census.
Title: Administrative Records Follow–up Survey.
Form Number(s): BC–1679.
Agency Approval Number: None.
Type of Request: New collection.
Burden: 333 hours.
Number of Respondents: 2,000.
Avg Hours Per Response: 10 minutes.
Needs and Uses: The Census Bureau will conduct the Administrative Records Follow–up Survey to test the feasibility of using administrative records such as IRS files, driver's license files, food stamp files, and so forth to supplement or replace data normally collected in the census. We will use the special census program as a platform for this test by matching a variety of administrative records to address list data gathered in a recently conducted special census. In cases where our list doesn't agree with the administrative data, we will conduct a follow–up interview with the household to verify the data. The test will tell us which sets of administrative records will be most useful for our purposes and will also give us an indication of deficiencies in our address list.
Affected Public: Individuals or households.
Frequency: Semi–annually.
Respondent's Obligation: Voluntary.
OMB Desk Officer: Maria Gonzalez, (202) 395–7313.

Copies of the above information collection proposal can be obtained by calling or writing Edward Michals, DOC Forms Clearance Officer, (202) 377–3271, Department of Commerce, room 5312, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Maria Gonzalez, OMB Desk Officer, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: September 9, 1992.

Edward Michals,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 92–22173 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–07–F

Agency Form Under Review by the Office of Management and Budget

DOC has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

Agency: Bureau of the Census.
Title: Quarterly Financial Report.
Form Number(s): QFR–103(NB), 101(MG Long), 102(TR Long), 101A(MG Short).
Agency Approval Number: 0607–0432.
Type of Request: Revision of a currently approved collection.
Burden: 189,040 hours.
Number of Respondents: 14,535.
Avg Hours Per Response: Four and one–half hours.
Needs and Uses: The QFR program is a principal economic indicator that also provides financial data essential to calculation of key Government measures of national economic performance. The QFR program provides timely, accurate data on business financial conditions for gauging quarterly performance of the nonregulated, domestic corporate sector for use by Government and private–sector organizations and individuals.
Affected Public: Businesses or other for–profit organizations.
Frequency: Quarterly, Annually and Biennially (NB–1 only).
Respondent's Obligation: Mandatory.
OMB Desk Officer: Maria Gonzalez, (202) 395–7313.

Copies of the above information collection proposal can be obtained by calling or writing Edward Michals, DOC Forms Clearance Officer, (202) 377–3271, Department of Commerce, room 5312, 14th and Constitution Avenue, NW, Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Maria Gonzalez, OMB Desk Officer, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: September 9, 1992.

Edward Michals,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 92–22174 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–07–F

Foreign-Trade Zones Board

[Order No. 594]

Resolution and Order Approving the Application of Northern Express Transportation, Inc., for a Foreign-Trade Zone in Toole County, Montana; Resolution and Order

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Resolution and Order:

The Board, having considered the matter, hereby orders:

After consideration of the application of Northern Express Transportation, Inc., a Montana non-profit corporation, filed with

the Foreign-Trade Zones Board (the Board) on June 26, 1991, and amended on January 22, 1992, requesting a grant of authority to establish a general-purpose foreign-trade zone in Toole County, Montana, within the Sweetgrass Customs port of entry, the Board finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the application.

The approval is subject to the FTZ Act and the FTZ Board's regulations (as revised, 56 FR 50790–50808, 10/8/91), including § 400.28. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

Grant of Authority Establishment of a Foreign-Trade Zone Toole County, Montana

Whereas, by an Act of Congress approved June 18, 1934, an Act "To provide for the establishment * * * of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a–81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, Northern Express Transportation, Inc. (the Grantee), a Montana non-profit corporation also known as Northern Express Transportation Authority, has made application (filed 6–26–91, FTZ Docket 37–91, 56 FR 31377, 7–10–91, and amended on 1–22–92) to the Board, requesting the establishment of a foreign-trade zone at sites in Toole County, Montana, within the Sweetgrass Customs port of entry;

Whereas, notice of said application has been given in the **Federal Register** and public comment has been invited; and,

Whereas, the Board has found that the requirements of the Act and the Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby grants to the Grantee the privilege of establishing a foreign-trade zone, designated on the records of the Board as Foreign-Trade Zone No. 187, at the sites described in the application, as amended, subject to the Act and the Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), including § 400.28.

Signed at Washington, DC, this 1st day of September 1992.

Foreign-Trade Zones Board.

Barbara H. Franklin,

Secretary of Commerce, Chairman and Executive Officer.

Attest:

John J. Da Ponte, Jr.

Executive Secretary.

[FR Doc. 92–22271 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–DS–M

[Order No. 599]

Resolution and Order Approving the Application of the Foreign Trade Zone of Wisconsin, Ltd., for Special-Purpose Subzone Status for Reexport Activity; Stauffer Cheese, Inc., (Cheese Products); Blue Mounds, WI; Resolution and Order

Pursuant to the authority granted in the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a–81u), the Foreign-Trade Zones Board (the Board) adopts the following Resolution and Order:

The Board, having considered the matter, hereby orders:

After consideration of the application of the Foreign Trade Zone of Wisconsin, Ltd., grantee of Foreign-Trade Zone 41, filed with the Foreign-Trade Zones Board (the Board) on August 8, 1991, requesting special-purpose subzone status for export activity at the cheese processing plant of Stauffer Cheese, Inc., in Blue Mounds, Wisconsin, adjacent to the Milwaukee Customs port of entry, the Board, finding that the requirements of the Foreign-Trade Zones Act, as amended, and the Board's regulations are satisfied, and that the proposal is in the public interest, approves the application, subject to a restriction requiring that all foreign-origin dairy products admitted to the subzone shall be reexported, as indicated in the application.

The approval is subject to the FTZ Act and the FTZ Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), including § 400.28. The Secretary of Commerce, as Chairman and Executive Officer of the Board, is hereby authorized to issue a grant of authority and appropriate Board Order.

Grant of Authority for Subzone Status, Stauffer Cheese, Inc. Blue Mounds, WI

Whereas, by an Act of Congress approved June 18, 1934, an Act "To provide for the establishment* * *of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes," as amended (19 U.S.C. 81a-81u) (the Act), the Foreign-Trade Zones Board (the Board) is authorized to grant to corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

Whereas, the Board's regulations (15 CFR Part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved;

Whereas, an application from the Foreign Trade Zone of Wisconsin, Ltd., Grantee of Foreign-Trade Zone No. 41, for authority to establish a special-purpose subzone for export activity at the cheese processing plant of Stauffer Cheese, Inc., in Blue Mounds, Wisconsin, was filed by the Board on August 8, 1991, and notice inviting public comment was given in the **Federal Register** on August 16, 1991 (FTZ Docket 46–91, 56 FR 40863, 08–16–91); and,

Whereas, the Board has found that the requirements of the Act and the Board's regulations are satisfied and that approval of the application for export processing is in the public interest;

Now, therefore, the Board hereby authorizes the establishment of a subzone (Subzone 41G) at the Stauffer Cheese, Inc., plant in Blue Mounds, Wisconsin, at the location described in the application, subject to the Act and the Board's regulations (as revised, 56 FR 50790–50808, 10–8–91), including § 400.28, and subject to the further requirement that all foreign-origin dairy products admitted to the subzone shall be reexported.

Signed at Washington, DC this 3rd day of September 1992, pursuant to Order of the Board.

Alan M. Dunn,

Assistant Secretary of Commerce for Import Administration, Chairman, Committee of Alternates, Foreign-Trade Zones Board.

Attest:

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 92–22270 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–DS–M

International Trade Administration

[A–580–812]

Postponement of Preliminary Antidumping Duty Determination: Dynamic Random Access Memory Semiconductors of One Megabit and Above From Korea

AGENCY: Import Administration, International Trade Administration, Commerce.

EFFECTIVE DATE: September 15, 1992.

FOR FURTHER INFORMATION CONTACT: John Beck, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW.,

Washington, DC 20230, at (202) 377–3464.

POSTPONEMENT: On September 3, 1992, Micron Technology, Inc., petitioner in this investigation, requested that the Department postpone the preliminary determination in accordance with section 733(c)(1) of the Tariff Act of 1930, as amended (the Act) (19 U.S.C. 1673b(c)(1)). We find no compelling reasons to deny the request and are, accordingly, postponing the date of the preliminary determination until October 6, 1992.

This notice is published pursuant to section 733(c)(2) of the Act and 19 CFR 353.15(d).

Dated: September 8, 1992.

Rolf Th. Lundberg, Jr.,

Acting Assistant Secretary for Import Administration.

[FR Doc. 92–22267 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–DS–M

[C–201–405, C–357–404, C–549–401]

Certain Textile Mill Products From Mexico, Certain Apparel From Argentina, and Certain Apparel From Thailand

AGENCY: International Trade Administration/Import Administration Department of Commerce.

ACTION: Certain Textile Mill Products from Mexico, Certain Apparel from Argentina, and Certain Apparel from Thailand: Notice of Proposed Amendment to the Existing Conversion of the Scopes of these Orders from the Tariff Schedules of the United States Annotated to the Harmonized Tariff Schedule.

SUMMARY: On January 1, 1989, the United States fully converted to the international harmonized system of tariff classification. On January 11, 1989, the Department of Commerce (the Department) published the Conversion to Use of the Harmonized Tariff Schedule of Classifications for Antidumping and Countervailing Duty Proceedings (54 FR 993; January 11, 1989) (1989 Conversion) for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989. The Department now proposes to amend the 1989 Conversion governing the countervailing duty orders on textile mill products from Mexico and on apparel from Argentina and Thailand. Interested parties are invited to comment on this proposed amended conversion.

EFFECTIVE DATE: September 15, 1992.

FOR FURTHER INFORMATION CONTACT: Christopher Beach, Dana Mermelstein, or Maria MacKay, Office of Countervailing Compliance, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230, telephone (202) 377–2786.

Background

In 1985, the Department issued the following countervailing duty orders:

Certain Textile Mill Products from Mexico (C–201–405) (50 FR 10824; March 18, 1985),

Certain Apparel from Argentina (C–357–404) (50 FR 9846; March 12, 1985), and

Certain Apparel from Thailand (C–549–401) (50 FR 9818; March 12, 1985).

The scopes of these orders were originally defined solely in terms of the Tariff Schedules of the United States Annotated (TSUSA) item numbers; no narrative product description was provided. On January 1, 1989, the United States fully converted from the TSUSA to the Harmonized Tariff Schedule (HTS). Section 1211 of the Omnibus Trade and Competitiveness Act of 1988 directed the Department to "take whatever actions are necessary to conform, to the fullest extent practicable, with the tariff classification system of the Harmonized Tariff Schedule [for] all * * * orders * * *" in effect at the time of the implementation of the HTS.

Accordingly, on January 11, 1989, after reviewing comments received from the public, the Department published the 1989 Conversion for all antidumping and countervailing duty orders in effect or investigations in progress as of January 1, 1989. The notice also included the conversion of the scopes of the referenced textile and apparel orders from TSUSA to HTS item numbers. The 1989 Conversion was based on a one-to-one correspondence of the TSUSA and HTS item numbers. In the notice, the Department stated that the conversion could be amended, as warranted, at any time during the applicable proceeding as a result of the submission of comments or new factual information.

As a result of comments submitted to the Department by the importing public and advice received from the U.S. Customs Service, the Department determined that the 1989 Conversion did not accurately reflect the scopes of the referenced orders and, thus, should be amended. The Department, with the assistance of the U.S. Customs Service and the U.S. International Trade Commission (USITC), has compared the TSUSA and the HTS classification systems. Specifically, for each of the orders mentioned above, we compared the TSUSA-defined scopes and the HTS-defined scopes provided by the 1989 Conversion, and identified those HTS numbers that more reasonably correspond with the scopes of the referenced orders. The proposed changes are reflected in the attached appendix.

Request for Public Comments

We invite interested parties to submit comments on the proposed amended conversion within 30 days of the publication of this notice. All comments must be in writing (10 copies), addressed to the attention of the Director, Office of Countervailing Compliance, International Trade Administration, IA Central Record Unit—room B–099, 14th Street and Constitution Avenue NW., Washington, DC 20203.

Dated: August 27, 1992.

Joseph A. Spetrini,

Deputy Assistant Secretary for Compliance.

BILLING CODE 3510–DS–M

APPENDIX

CERTAIN APPAREL
ARGENTINA
C-357-404

6104.41.00, 6104.43.10, 6104.44.10, 6104.51.00, 6104.53.10, 6104.61.00, 6104.63.15, 6105.10.00, 6105.20.20, 6106.10.00, 6106.20.10, 6106.90.10, 6109.90.20, 6110.10.20, 6110.20.20, 6111.10.00, 6112.41.00, 6112.49.00, 6115.20.00, 6115.91.00, 6115.93.10, 6115.99.14, 6116.91.00, 6116.93.15, 6201.12.20, 6202.11.00, 6202.13.30, 6202.91.10, 6202.91.20, 6202.92.20, 6202.93.40, 6203.22.30, 6203.42.40, 6204.11.00, 6204.13.10, 6204.19.10, 6204.21.00, 6204.31.20, 6204.33.40, 6204.39.20, 6204.41.20, 6204.42.30, 6204.43.30, 6204.44.30, 6204.51.00, 6204.53.20, 6204.59.20, 6204.61.00, 6204.63.25, 6204.69.20, 6205.10.20, 6206.20.30, 6206.40.25, 6209.10.00, 6209.20.10, 6209.20.50, 6209.90.30, 6211.12.30, 6211.41.00, 6214.30.00, 6214.40.00.

CERTAIN TEXTILE MILL PRODUCTS
MEXICO
C-201-405

4010.10.10, 5109.10.60, 5109.90.60, 5111.11.70, 5111.19.60, 5111.20.90, 5111.30.90, 5112.20.30, 5112.30.30, 5204.11.00, 5204.19.00, 5204.20.00, 5205.11.10, 5205.12.10, 5205.12.20, 5205.13.10, 5205.13.20, 5205.14.10, 5205.23.00, 5205.24.00, 5205.25.00, 5205.31.00, 5205.32.00, 5205.33.00, 5205.34.00, 5205.42.00, 5205.43.00, 5205.44.00, 5206.11.00, 5206.12.00, 5206.13.00, 5206.14.00, 5206.15.00, 5206.31.00, 5206.32.00, 5206.33.00, 5206.34.00, 5206.35.00, 5206.41.00, 5206.42.00, 5206.43.00, 5206.44.00, 5206.45.00, 5207.10.00, 5207.90.00, 5208.11.20, 5208.12.40, 5208.13.00, 5208.19.40, 5208.21.20, 5208.21.40, 5208.22.40, 5208.22.60, 5208.23.00, 5208.29.40, 5208.29.60, 5208.31.40, 5208.31.60, 5208.31.80, 5208.32.30, 5208.32.40, 5208.32.50, 5208.33.00, 5208.39.20, 5208.39.80, 5208.41.40, 5208.41.60, 5208.41.80, 5208.42.30, 5208.42.40, 5208.42.50, 5208.43.00, 5208.49.40, 5208.51.40, 5208.51.60, 5208.51.80, 5208.52.30, 5208.52.40, 5208.52.50, 5208.53.00, 5208.59.20, 5208.59.80, 5209.11.00, 5209.19.00, 5209.31.60, 5209.32.00, 5209.41.60, 5209.43.00, 5209.51.60, 5209.52.00, 5210.21.40, 5210.21.60, 5210.22.00, 5210.29.40, 5210.29.60, 5210.32.00, 5210.39.40, 5210.39.60, 5210.52.00, 5210.59.40, 5210.59.60, 5211.31.00, 5211.51.00, 5401.10.00, 5401.20.00, 5402.10.30, 5402.20.30, 5402.31.30, 5402.31.60, 5402.32.30, 5402.32.60, 5402.33.30, 5402.41.00, 5402.43.00, 5402.49.00, 5402.51.00, 5402.52.00, 5402.59.00, 5403.20.30, 5403.20.60, 5406.10.00, 5406.20.00, 5407.41.00, 5407.42.00, 5407.43.20, 5407.44.00, 5407.52.20, 5407.53.10, 5407.53.20, 5407.54.00, 5407.60.05, 5407.60.10, 5407.60.20, 5407.91.05, 5407.92.05, 5407.93.05, 5407.94.05, 5408.21.00, 5408.22.00, 5408.23.20, 5408.24.00, 5408.31.05, 5408.32.05, 5408.33.05, 5408.34.05, 5508.10.00, 5508.20.00, 5509.12.00, 5509.21.00, 5509.22.00,

5509.31.00, 5509.32.00, 5509.41.00, 5509.51.30, 5509.51.60, 5509.53.00, 5509.69.20, 5509.69.40, 5509.99.20, 5509.99.40, 5511.10.00, 5511.20.00, 5511.30.00, 5513.11.00, 5513.13.00, 5513.19.00, 5513.21.00, 5513.23.00, 5513.29.00, 5513.33.00, 5513.39.00, 5513.41.00, 5513.43.00, 5513.49.00, 5514.11.00, 5514.19.00, 5514.21.00, 5514.29.00, 5514.41.00, 5514.49.00, 5515.13.05, 5516.11.00, 5516.12.00, 5516.13.00, 5516.14.00, 5516.41.00, 5516.42.00, 5516.43.00, 5516.44.00, 5516.91.00, 5516.92.00, 5516.93.00, 5516.94.00, 5601.10.20, 5601.22.00, 5602.10.90, 5602.21.00, 5602.90.60, 5603.00.90, 5607.41.30, 5607.49.15, 5607.49.25, 5607.50.20, 5608.11.00, 5701.10.16, 5701.10.20, 5701.90.20, 5702.10.90, 5702.31.10, 5702.31.20, 5702.32.10, 5702.32.20, 5702.41.10, 5702.41.20, 5702.42.10, 5702.42.20, 5702.51.20, 5702.51.40, 5702.52.00, 5702.91.30, 5702.91.40, 5702.92.00, 5703.10.00, 5703.20.10, 5703.20.20, 5703.30.00, 5704.10.00, 5704.90.00, 5705.00.20, 5801.31.00, 5801.33.00, 5801.34.00, 5801.35.00, 5801.36.00, 5803.10.00, 5803.90.30, 5804.10.00, 5804.21.00, 5804.29.00, 5804.30.00, 5805.00.25, 5806.32.10, 5810.10.00, 5810.91.00, 5810.92.00, 5902.10.00, 5902.20.00, 5902.90.00, 5911.10.20, 5911.20.10, 5911.31.00, 5911.32.00, 6001.10.20, 6001.22.00, 6001.92.00, 6002.10.80, 6002.20.10, 6002.20.60, 6002.30.20, 6002.43.00, 6002.93.00, 6301.10.00, 6301.20.00, 6301.30.00, 6301.40.00, 6301.90.00, 6302.22.10, 6302.22.20, 6302.32.10, 6302.32.20, 6302.40.10, 6302.40.20, 6302.51.10, 6302.51.20, 6302.51.30, 6302.51.40, 6302.52.10, 6302.52.20, 6302.53.00, 6302.59.00, 6302.91.00, 6302.92.00, 6302.93.20, 6302.99.20, 6303.12.00, 6303.19.00, 6303.92.00, 6303.99.00, 6304.11.20, 6304.19.05, 6304.19.15, 6304.19.20, 6304.91.00, 6304.92.00, 6304.93.00, 6304.99.15, 6304.99.60, 7019.20.10, 9404.90.90;

5209.32.00 Coverage limited to fabrics, not napped, of numbers 17 to 33.

5209.52.00 Coverage limited to fabrics, not napped, of numbers 17 to 33.

5402.10.30 Coverage limited to yarns provided for in subheading 5402.10.3040.

5402.20.30 Coverage limited to yarns provided for in subheading 5402.20.3040.

5402.33.30 Coverage limited to yarns, valued not over $2.20 per kilogram.

5402.41.00 Coverage limited to yarns provided for in subheading 5402.41.0040.

5402.43.00 Coverage limited to yarns provided for in subheading 5402.43.0040.

5402.49.00 Coverage limited to yarns provided for in subheading 5402.49.0070 and 5402.49.0080.

CERTAIN APPAREL
THAILAND
C-549-401

6101.20.00	6112.49.00	6203.32.20	6204.49.50
6102.20.00	6114.20.00	6203.42.40	6204.51.00
6104.22.00	6115.19.00	6204.11.00	6204.53.20
6104.32.00	6117.10.10	6204.12.00	6204.59.20
6104.42.00	6117.10.20	6204.13.10	6204.59.40
6104.43.20	6117.20.00	6204.13.20	6204.61.00
6104.44.20	6117.90.00	6204.19.10	6204.62.20
6104.52.00	6201.12.20	6204.19.20	6204.62.40
6104.62.10	6201.92.20	6204.19.30	6204.63.25
6104.62.20	6202.11.00	6204.21.00	6204.69.20
6105.10.00	6202.13.30	6204.22.30	6204.69.90
6106.10.00	6202.19.00	6204.23.00	6205.20.20
6106.20.20	6202.91.10	6204.31.20	6206.30.20
6110.10.10	6202.91.20	6204.33.40	6206.30.30
6110.10.20	6202.92.20	6204.39.20	6206.40.30
6110.20.20	6202.93.40	6204.39.80	6206.90.00
6110.30.15	6202.93.50	6204.41.20	6211.12.30
6110.30.30	6202.99.00	6204.42.30	6211.20.50
6112.11.00	6203.11.20	6204.43.30	6214.20.00
6112.20.20	6203.12.10	6204.43.40	6214.90.00
6112.31.00	6203.19.10	6204.44.30	6215.20.00
6112.39.00	6203.22.30	6204.44.40	6215.90.00
6112.41.00			

[FR Doc. 92-22272 Filed 9-14-92; 8:45 am]
BILLING CODE 3510-DS-C

Indiana University/Purdue, et al.; Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651, 80 Stat. 897; 15 CFR 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Comments: None received.

Decision: Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

Docket Number: 92–073. *Applicant:* Indiana University/Purdue, Indianapolis, IN 46202. *Instrument:* Mass Spectrometer, Model MAT 252. *Manufacturer:* Finnigan MAT, Germany. *Intended Use:* See notice at 57 FR 27214, June 18, 1992. *Reasons:* The foreign instrument provides an internal precision of 0.005 for 3 bar μl samples of CO_2. *Advice Submitted By:* National Institutes of Health, July 9, 1992.

Docket Number: 92–074. *Applicant:* U.S. Department of Commerce, National Oceanic and Atmospheric Administration, Galveston, TX 77551–5997. *Instrument:* (2) Electronic Digital Fish Measuring Systems, Model FMB IV. *Manufacturer:* Limnoterra Atlantic Inc., Canada. *Intended Use:* See notice at 57 FR 30471, July 9, 1992. *Reasons:* The foreign instrument provides in situ, digitized logging of fish dimensions with simultaneous entry of ancillary data which can be down-loaded to a PC on return from the field. *Advice Submitted By:* National Institutes of Health, July 9, 1992.

Docket Number: 92–076. *Applicant:* University of Illinois at Urbana-Champaign, Urbana, IL 61801. *Instrument:* Electronic Scaler, Model C243. *Manufacturer:* CAEN, Italy. *Intended Use:* See notice at 57 FR 27215, June 18, 1992. *Reasons:* The foreign instrument provides 8 scaler channels in a 4-wide CAMAC package with front-panel LED or CAMAC dataway readout. *Advice Received From:* Argonne National Laboratory, July 29, 1992.

Docket Number: 92–077. *Applicant:* Department of Commerce, National Oceanic and Atmospheric Administration, Stennis Space Center, MS 39529–6000. *Instrument:* Digital Fish Measuring Boards, Model FMB IV. *Manufacturer:* Limnoterra Atlantic Inc., Canada. *Intended Use:* See notice at 57 FR 27215, June 18, 1992. *Reasons:* The foreign instrument provides in situ, digitized logging of fish dimensions with simultaneous entry of ancillary data which can be downloaded to a PC on return from the field. *Advice Received By:* National Institutes of Health, July 9, 1992.

Docket Number: 92–085. *Applicant:* University of California, Davis, Davis, CA 95616. *Instrument:* Spectrometer Field Portable, Model PIMA II. *Manufacturer:* Integrated Spectronics Pty., Ltd., Australia. *Intended Use:* See notice at 57 FR 30471, July 9, 1992. *Reasons:* The foreign instrument provides in situ measurements in the 1.3 to 2.5 μm region with acquisition time less than 30s, 200 channels and a built-in light source to avoid atmospheric absorption features. *Advice Received From:* National Aeronautics and Space Administration, June 29, 1992.

The National Institutes of Health, Argonne National Laboratory and National Aeronautics and Space Administration advise that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) they know of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to any of the foreign instruments.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 92–22269 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–DS–M

Memphis State University, et al.; Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89–651), 80 Stat. 897; 15 CFR 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 92–053. *Applicant:* Memphis State University, Memphis, TN 38152. *Instrument:* Electron Microscope, Model JEM–1200EX/SEG/DP/DP. *Manufacturer:* JEOL, Japan. *Intended Use:* See notice at 57 FR 21394, May 20, 1992. *Order Date:* January 30, 1992.

Docket Number: 92–054. *Applicant:* University of Alabama at Birmingham, Birmingham, AL 35294–1924. *Instrument:* Electron Microscope, Model CM 12. *Manufacturer:* N.V. Philips, The Netherlands. *Intended Use:* See notice at 57 FR 21394, May 20, 1992. *Order Date:* January 29, 1992.

Comments: None received.

Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United States at the time the instruments were ordered.

Reasons: Each foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of each instrument or at the time of receipt of application by the U.S. Customs Service.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 92–22268 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–DS–M

National Institute of Standards and Technology

Government Owned Inventions Available for Licensing

AGENCY: National Institute of Standards and Technology Commerce.

ACTION: Notice of government-owned inventions available for licensing.

SUMMARY: The inventions listed below are owned by the U.S. Government, as represented by the Department of Commerce, and are available for licensing in accordance with 35 U.S.C. 207 and 37 CFR part 404 to achieve expeditious commercialization of results of federally funded research and development.

FOR FURTHER INFORMATION CONTACT: Technical and licensing information on these inventions may be obtained by writing to: Bruce E. Mattson, National Institute of Standards and Technology, Office of Technology Commercialization, Division 222, Building 221, room B258, Gaithersburg, Maryland 20899; Fax: 301–869–2751. Any request for information should include the NIST Docket No. for the relevant invention(s) as indicated below.

SUPPLEMENTARY INFORMATION: The inventions available for licensing are:

NIST Docket No. 87–025

Title: "A Diffraction Device Which Detects the Bragg Condition"

Description: A periodic scattering array is used to diffract electromagnetic radiation or massive particles of specific wavelength and energy. A detector suitable to the radiation or particles is integrated into the surface or bulk of the array. The detector is configured so as to not perturb the diffraction resolution of the array.

NIST Docket No. 88–023

Title: "Apparatus for Identifying and Comparing Lattice Structures and Determining Lattice Structure Symmetries"

Description: An apparatus and method for identifying lattice structures, specifically, intralattice and interlattice relationships. The method is more effective than prior approaches; for example, it maintains its selectivity in matching lattice structures despite the rather large experimental errors that are routinely associated with electron diffraction data. The determination of lattice symmetry does not require that the lattice and its symmetry be expressed with respect to a standard cell or a standard orientation.

NIST Docket No. 88–043

Title: "Coprecipitation Synthesis of Precursors to Bismuth-Containing Superconductors"

Description: A co-precipitation synthesis of precursors to bismuth-containing ceramic superconducting materials. The homogeneous precursor may be converted to the BiCuSrCuOx ceramic by calcining the mixed hydroxycarbonate to a powder, compressing the powder into a green compact, wintering the green compact at a temperature of at least 750 degrees C., and cooling the ceramic material so produced at a controlled rate, preferably about 50 degrees C./minute.

NIST Docket No. 89–001

Title: "Microtip-Controlled Nanostructure Fabrication and Multi-tipped Field-emission Tool for Parallel-Process Nanostructure Fabrication"

Description: A device and method for the fabrication of molecular or crystalline nanostructures on the substrate surface. The device provides a semiconductor-production process that replaces the entire lithographic method with direct construction, dropping the interconnecting of three-dimensional nanostructures. The device allows the production of nanostructures of less that 200 A, with the single atom dimensional and chemical control necessary to be useful.

NIST Docket No. 89–015

Title: "Optical Sensor for the Measurement of Molecular Orientation and Viscosity of Polymeric Materials Based On Fluorescence Radiation"

Description: A method of measuring fluid properties of a polymer melt, undergoing shear and/or extensional flow which utilizes a polymeric chromophore which includes a bifunctional anthracene that is covalently bonded to polybutadiene. The invention also involves an optical probe which is to be inserted into existing temperature and/or pressure probe ports in processing equipment. The probe includes a rotatable polarizer and emission collection fibers.

NIST Docket No. 89–016

Title: "Colloidal Processing Method for Coating Ceramic Reinforcing Agents"

Description: This invention provides an improved method for coating reinforcing agents that are used in fiber reinforced ceramic composites and other composite materials. In the first step of this method the reinforcing agent is surface cleaned. The cleaned reinforcing agent is then dipped into a solution of a surfactant and uniformly coated therewith, whereby a positive charge is imparted to the agent. The charged agent is then dipped into a suspension of the coating material, such as alumina powder. After dipping the reinforcing agent into the suspension, the reinforcing agent is dried. The steps of the method, except for the cleaning step, are repeated until a coating having a desired thickness is formed.

NIST Docket No. 89–028

Title: "Process for Separating Azeotropic or Close-Boiling Mixtures by use of a Composite Membrane, the Membrane, and its Process of Manufacture"

Description: A substituted membrane with an affinity for polar compounds or mixtures of polar and non-polar compounds such that azeotropic mixtures of organic compounds as well as close-boiling liquid mixtures can be easily separated at good permeation rates using the technique of pervaporation. The membrane gives considerably higher fluxes while maintaining good separation factors. The method of the preparation of the membrane is simple and the resulting membrane is mechanically strong.

NIST Docket No. 89–033

Title: "Bi-Flow Expansion Device"

Description: A bi-flow expansion device for a heat pump or other apparatus where fluid travel is reversed with different required flow rates in each direction. The device comprises a tubular member mounted in a refrigerant line and having non-symmetrical entrance-exits at the ends of the tubular member for changing the mass flow rate of refrigerant through the expansion device when the direction of refrigerant flow is changed.

NIST Docket No. 89–039

Title: "Synthetic Dental Compositions and Bonding Methods"

Description: Improved synthetic dental compositions which exhibit good strength, durability and adhesion. The resins exhibit low shrinkage and are produced with high conversion rates. Some of the compositions are also useful for bonding a variety of substrates to teeth.

NIST Docket No. 90–006

Title: "Aqueous Two-Phase Protein Extraction"

Description: An aqueous two-phase protein partitioning system which employs polyvinylpyrolidone as the upper phase and maltodextrin as the lower phase and provides a low-cost system for protein partitioning. The system can also be employed with the anion derivatives of chlorotriazine dyes, which bind in a noncovalent manner with the PVP and serve as a ligand for the proteins to be separated.

NIST Docket No. 91–015

Title: "Linewidth Micro-Bridge Test Structure"

Description: A test structure pattern and a method of processing the electrical data extracted from it enabling the measurement of the width of a short line with precision of the order of 10 nanometers. The test structure uses "dummy" taps to measure the effect of a tap, and it has the ability to use an arbitrarily short line to measure the width, rather than using an extremely long line.

NIST Docket No. 91–016

Title: "MMIC Package and Interconnect Test Fixture"

Description: A test fixture for determining electrical characteristics such as the S-parameters of a MMIC package or interconnect. The fixture enables the measurement, in effect, or multiple standards using only the

single test fixture and also accommodates variable port-to-port spacings. The test fixture comprises a U-shaped conductive ground plane having parallel arms defining a space there-between. A center conductor is located in the space and is desposed in the spaced relationship to the arms of the ground plane at the other. An external variable DC voltage source is used to vary the bias state of the diode so that when the fixture is inserted into a package or interconnect, reflection coefficient measurements for the different bias states can be obtained by an automatic network analyzer for use in calculations for determining the characteristics in question.

NIST Docket No. 91–017

Title: "Sensors For Sampling The Sizes, Geometrical Distribution, And Small Particles Accumulating On A Solid Surface"

Description: A system which samples and records in real time the locations of opaque particles accumulating on a surface. The system represents graphically the geometrical distributions of the particles through an integral electronic hardware/software subsystem. One potential application of the device is monitoring the prevalence of particles of dimensions of the order of one quarter micron in integrated circuit manufacturing facilities.

NIST Docket No. 91–020

Title: "Method and Structure for Eliminating the Effects Caused by Imperfections in Electrical Test Structures Utilized in Submicrometer Feature Metrology"

Description: A process for eliminating a substrate-dependent systematic error in an electrical test structure utilized in measuring parallel feature separation.

NIST Docket No. 92–024

Title: "Microtip-Controlled Nanostructure Fabrication and Multi-Tipped Field-Emission Tool For Parallel-Process Nanostructure Fabrication"

Description: Fabrication of crystalline or molecular nanostructure with dimensions less than or equal to 1000A on a substrate surface is achieved by the indirect and/or direct action of a highly-localized field-emission current, which causes atoms of molecular gases introduced into a vacuum chamber to deposit or etch at surface atomic sites that are fixed by the emission-tip location. The tip is shaped to maintain control of the emitting region and is typically about 10A above the structure. The tip position is stepped in a programmed sequence, with each step taken on detecting the current increase induced by an atomic deposition below the tip. Gas sequences or mixtures can also be programmed, and microstructures of typically 100—100,000,000 atoms are thereby formed with exact control of the positions and types of atomic constituents.

Dated: September 8, 1992.

John W. Lyons,

Director.

[FR Doc. 92–22156 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–13–M

National Oceanic and Atmospheric Administration

Pelagic Fisheries of the Western Pacific Region; Correction

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of control date for entry into the handline fishery off Hawaii; correction.

SUMMARY: This document corrects an error in a notice of a control date for the Hawaii handline fishery for pelagic species, which was published August 14, 1992 (57 FR 36637).

EFFECTIVE DATE: August 14, 1992.

FOR FURTHER INFORMATION CONTACT: Kitty Simonds, Executive Director, Western Pacific Fishery Management Council, (808–523–1368); Svein Fougner, Southwest Region, NMFS (310–980–4034); or Alvin Katekaru, Pacific Area Office, Southwest Region, NMFS, Pacific Area Office (808–955–8831).

SUPPLEMENTARY INFORMATION: In the cited document, NMFS indicated that persons who, after July 2, 1992, enter the Hawaii handline fishery will not necessarily be assured of eligibility for continuing participation if the Western Pacific Fishery Management Council (Council) prepares, and the Secretary of Commerce (Secretary) approves, a program limiting entry or effort in the fishery in the future. The document erroneously defined the fishery as occurring off the Island of Hawaii rather than in the exclusive economic zone (EEZ) around Hawaii. In FR Doc. 92–19434, in the issue of Friday, August 14, 1992, make the following corrections:

Under **ACTION,** in the third column on page 36637, in the second line, remove the words "off the Island of Hawaii" and replace them with "off Hawaii".

Under **SUMMARY,** in the third column on page 36637, in the fifth line of the paragraph, remove the words "off the Island of" and replace them with "in waters around".

Under **SUPPLEMENTARY INFORMATION** in the first column on page 36638, in the eighth line of the second paragraph, remove the words "off the Island of Hawaii" and replace them with the words, "in the EEZ around Hawaii".

Dated: September 8, 1992.

Samuel W. McKeen,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 92–22141 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–22–M

Marine Mammals

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

ACTION: Receipt of application for permit (P420C).

SUMMARY: Notice is hereby given that Drs. J. Ward Testa and Michael A. Castellini, Institute of Marine Science, University of Alaska, Fairbanks, AK 99775–1080, have applied in due form for a Permit to take mammals as authorized by the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361–1407), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The research activities involve tag/release and take by harassment. The applicants request permission to: tag with plastic cattle ear tags, TDRs and VHF transmitters, and satellite transmitters, implant a transponder tag subcutaneously just anterior to the tail; conduct physiological activities (i.e., collect blood samples, weigh animals, etc.); mark with bleach, and release up to 1200 Weddell seals (*Leptonychotes weddellii*); incidentally harass up to 2000 Weddell seals; and capture, tag with plastic cattle ear tags and release 30 each of crabeater seal (*Lobodon carcinophagus*), leopard seal (*Hydrurga leptonyx*), Ross seal (*Ommatophoca rossii*), southern elephant seal (*Mirounga leonina*), and Antarctic fur seal (*Arctocephalus gazella*). Blood samples and the salvage and import of any parts from natural fatalities of the six (6) species will be imported.

ADDRESSES: Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, 1335 East-West Hwy., room 7234, Silver Spring, Maryland 20910, within 30 days of the publication of this notice.

Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review, by appointment, in the:

Permits Division, Office of Protected Resources, National Marine Fisheries Service, NOAA, 1335 East-West Hwy., suite 7324, Silver Spring, Maryland 20910 (301/713–2289);

Director, Alaska Region, National Marine Fisheries Service, NOAA, Federal Annex, 9109 Mendenhall Mall Road, suite 6, Juneau, AK 99802 (907/586–7221); and

Director, National Marine Mammal Laboratory, National Marine Fisheries Service, NOAA, 7600 Sand Point Way, NE BIN C15700, Seattle, WA 98115 (206/526–4020).

Dated: September 4, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92–22153 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–22–M

Endangered Species; Permits

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Receipt of application for permit (P770#63).

Notice is hereby given that the NMFS Northwest Fisheries Science Center, 2725 Montlake Boulevard East, Seattle, WA 98112–2097, has applied in due form for a Permit to take endangered species for scientific research/enhancement purposes as authorized by the Endangered Species Act of 1973 (16 U.S.C. 1531–1543) and the National Marine Fisheries Service regulations governing endangered fish and wildlife permits (50 CFR parts 217–222).

This application was received prior to the regulatory deadline of May 22, 1992 (50 CFR part 227), and has thus been subject to the regulatory exemption which allows for the continuation of scientific research/enhancement activities as requested in the applications until NMFS has had adequate time in which to review the applications and to determine their sufficiency, or until issuance or denial of a permit, or until December 31, 1992, whichever comes first. This application has now been determined to contain enough information for complete review, and thus a public comment period will be opened to determine whether this work, as requested in the application, should continue.

The applicant proposes to capture, PIT tag and release up to 30,000 listed Snake River spring/summer chinook salmon smolts annually, over a five-year period, in order to monitor their migration. The applicant also requests authorization for the lethal taking of up to 800 juvenile listed Snake River spring/summer chinook salmon annually, over a five-year period, for genetic monitoring and bacterial kidney disease (BKD) studies.

Written data or views, or requests for a public hearing on this application should be submitted to the Assistant Administrator for Fisheries, National Marine Fisheries Service, U.S. Department of Commerce, 1335 East-West Hwy., room 7324, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in this application are summaries of those of the Applicant and do not necessarily reflect the views of the National Marine Fisheries Service.

Documents submitted in connection with the above application are available for review by interested persons in the following offices by appointment:

Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Hwy., suite 7324, Silver Spring, MD 20910 (301/713–2289); and

Environmental and Technical Services Division, National Marine Fisheries Service, 911 North East 11th Ave., room 620, Portland, OR 97232 (503/230–5400).

Dated: September 8, 1992.

David S. Crestin,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 92–22130 Filed 9–14–92; 8:45 am]

BILLING CODE 3510–22–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Establishment of an Import Limit for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Guatemala

September 9, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing a limit.

EFFECTIVE DATE: September 16, 1992.

FOR FURTHER INFORMATION CONTACT: Nicole Bivens Collinson, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377–4212. For information on the quota status of this limit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927–5850. For information on embargoes and quota re-openings, call (202) 377–3715. For information on categories on which consultations have been requested, call (202) 377-3740.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

Inasmuch as no agreement was reached in recent consultations on a mutually satisfactory solution on Categories 340/640, the United States Government has decided to control imports in these categories for the twelve-month period beginning on June 22, 1992 and extending through June 21, 1993 at a level of 798,980 dozen.

The United States remains committed to finding a solution concerning these categories. Should such a solution be reached in further consultations with the Government of Guatemala, further notice will be published in the **Federal Register**.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991). Also

see 57 FR 31356, published on July 15, 1992.

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 9, 1992.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as further extended on July 31, 1991; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on September 16, 1992, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton and man-made fiber textile products in Categories 340/640, produced or manufactured in Guatemala and exported during the twelve-month period beginning on June 22, 1992 and extending through June 21, 1993, in excess of 798,980 dozen [1].

Textile products in Categories 340/640 which have been exported to the United States prior to June 22, 1992 shall not be subject to the limit established in this directive.

Textile products in Categories 340/640 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception of the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 92-22193 Filed 9-14-92; 8:45 am]

BILLING CODE 3510-DR-F

Amendment of an Import Limit for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Mexico

September 9, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs increasing a limit.

EFFECTIVE DATE: September 16, 1992.

FOR FURTHER INFORMATION CONTACT: Anne Novak, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of this limit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-6711. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The United States Government agreed to increase the current designated consultation level for Categories 347/348/647/648 (Normal Regime).

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991). Also see 56 FR 65243, published on December 16, 1991.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 9, 1992.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 10, 1991, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Mexico and exported during the twelve-month period which began on January 1, 1992 and extends through December 31, 1992.

Effective on September 16, 1992., you are directed to amend further the December 10, 1991 directive to increase the Normal Regime limit for Categories 347/348/647/648 to 1,150,000 dozen [1]. The Special Regime limit for Categories 347/348/647/648 remains unchanged.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 92-22192 Filed 9-14-92; 8:45 am]

BILLING CODE 3510-DR-F

Adjustment of Import Limits for Certain Cotton, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textile Products Produced or Manufactured in Macau

September 9, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs increasing limits.

EFFECTIVE DATE: September 16, 1992.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-6709. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

The current limits for certain categories are being increased by application of swing.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991). Also see 56 FR 56506, published on November 5, 1991.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist

[1] The limit has not been adjusted to account for any imports exported after June 21, 1992.

[1] The limit has not been adjusted to account for any imports exported after December 31, 1991.

only in the implementation of certain of its provisions.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

September 9, 1992.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on October 29, 1991, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Macau and exported during the twelve-month period which began on January 1, 1992 and extends through December 31, 1992.

Effective on September 16, 1992, you are directed to amend the directive dated October 29, 1991 to increase the limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and Macau:

Category	Adjusted twelve-month limit [1]
Sublevels in Group I	
338	251,732 dozen.
339	1,078,138 dozen.
340	235,476 dozen.
341	157,133 dozen.
347/348/847	609,248 dozen.
647/648	443,294 dozen.

[1] The limits have not been adjusted to account for any imports exported after December 31, 1991.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 92-22171 Filed 9-14-92; 8:45 am]

BILLING CODE 3510-DR-F

Request for Public Comments on Bilateral Textile Consultations With the Government of Thailand on Certain Wool Textile Products

September 9, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Notice.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

On August 31, 1992, under the terms of the Bilateral Textile Agreement of September 3, 1991 between the Governments of the United States and Thailand, the United States Government requested consultations with the Government of Thailand with respect to men's and boys' wool suit-type coats in Category 433.

The purpose of this notice is to advise the public that, if no solution is agreed upon between the two governments during the ninety-day consultation period, CITA, pursuant to the agreement, may later establish a specific limit for the entry and withdrawal from warehouse for consumption of textile products in Category 433, produced or manufactured in Thailand and exported during the prorated period beginning on August 31, 1992 and extending through December 31, 1992 at a level of not less than 2,593 dozen.

A summary market statement concerning Category 433 follows this notice.

Anyone wishing to comment or provide data or information regarding the treatment of Category 433, under the agreement with the Government of Thailand, or to comment on domestic production or availability of products included in Category 433, is invited to submit 10 copies of such comments or information to Auggie D. Tantillo, Chairman, Committee for the Implementation of Textile Agreements, U.S. Department of Commerce, Washington, DC 20230; ATTN: Helen L. LeGrande. The comments received will be considered in the context of the consultations with the Government of Thailand.

Because the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, room H3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Further comments may be invited regarding particular comments or information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreement or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affairs function of the United States."

The United States remains committed to finding a solution concerning Category 433. Should such a solution be reached in consultations with the Government of Thailand, further notice will be published in the **Federal Register.**

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 56 FR 60101, published on November 27, 1991).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Market Statement—Thailand

Category 433—Men's and Boys' Wool Suit-Type Coats

August 1992

Import Situation and Conclusion

U.S. imports of men's and boys' wool suit-type coats, Category 433, from Thailand surged to 7,284 dozen during the year ending in June 1992. Thailand is a new supplier of Category 433 imports to the U.S. market with shipments beginning in January 1991. Thailand became the tenth largest supplier of wool suit-type coats to the U.S., accounting for 4 percent of total Category 433 imports in the year ending June 1992. Category 433 imports from Thailand during the first six months of 1992 reached 1,501 dozen, 150 times the January-June 1991 level.

The sharp and substantial increase of Category 433 imports from Thailand is causing a real risk of disruption in the U.S. market for men's and boys' wool suit-type coats.

Import Penetration and Market Share

U.S. production of men's and boys' wool suit-type coats, Category 433, declined 21 percent from 354,000 dozen in 1989 to 281,000 dozen in 1991. U.S. imports of men's and boys' wool suit-type coats, Category 433, declined in 1990 then surged to 172,000 dozen in 1991, 38 percent above the 1990 level and 26 percent above the 1989 level. U.S. imports continue to surge in 1992, up 21 percent in the first six months of 1992 over the January-June 1991 level. The ratio of imports to domestic production in Category 433 rose from 39 percent in 1989 to 61 percent in 1991. The domestic manufacturers' share of the men's and

boys' wool suit-type coat market fell from 72 percent in 1989 to 62 percent in 1991, a decline of 10 percentage points.

Duty-Paid Value and U.S. Producers' Price

Virtually all of Category 433 imports from Thailand during the year ending in June 1992 entered the U.S. under HTSUSA number 6203.31.0000—men's and boys' wool suit-type jackets or blazers. These wool coats entered the U.S. at landed duty-paid values below U.S. producers' prices for comparable wool suit-type coats.

[FR Doc. 92-22194 Filed 9-14-92; 8:45 am]

BILLING CODE 3510-DR-F

COMMODITY FUTURES TRADING COMMISSION

Chicago Board of Trade Proposed Option Contracts

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of the terms and conditions of proposed commodity futures option contracts.

SUMMARY: The Chicago Board of Trade (CBT or Exchange) has applied for designation as a contract market in options on zero coupon Treasury bond futures and options on zero coupon Treasury note futures. The Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposals for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before October 15, 1992.

ADDRESS: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Reference should be made to the CBT zero coupon Treasury bond futures option or the zero coupon Treasury note futures option contract.

FOR FURTHER INFORMATION CONTACT: Please contact Stephen Sherrod of the Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, telephone 202-254-7303.

SUPPLEMENTARY INFORMATION: Copies of the terms and conditions will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254-6314.

Other materials submitted by the CBT in support of the applications for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the terms and conditions of the proposed contracts, or with respect to other materials submitted by the CBT in support of the applications, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581 by the specified date.

Issued in Washington, DC, on September 9, 1992.

Gerald D. Gay,

Director.

[FR Doc. 92-22162 Filed 9-14-92; 8:45 am]

BILLING CODE 6351-01-M

MidAmerica Commodity Exchange, Inc. Proposed Contracts

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of the terms and conditions of proposed commodity futures contract and options on those futures.

SUMMARY: The MidAmerica Commodity Exchange, Inc. (MCE or Exchange) has applied for designation as a contract market in medium-term U.S. Treasury note futures and options on those futures. The Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposals for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before October 15, 1992.

ADDRESS: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Reference should be made to the MCE medium-term U.S. Treasury note futures and option contracts.

FOR FURTHER INFORMATION CONTACT: Please contact Stephen Sherrod of the Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, telephone 202-254-7303.

SUPPLEMENTARY INFORMATION: Copies of the terms and conditions will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Copies of the terms and condition can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254-6314.

Other materials submitted by the Exchange in support of the applications for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the terms and conditions, or with respect to other materials submitted by the Exchange in support of the applications, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581 by the specified date.

Issued in Washington, DC, on September 9, 1992.

Gerald D. Gay,

Director.

[FR Doc. 92-22163 Filed 9-14-92; 8:45 am]

BILLING CODE 6351-01-M

MidAmerica Commodity Exchange, Inc., Proposed Option Contracts

AGENCY: Commodity Futures Trading Commission

ACTION: Notice of availability of the terms and conditions of proposed commodity futures option contracts.

SUMMARY: The MidAmerica Commodity Exchange, Inc. (MCE or Exchange) has applied for designation as a contract market in options on three-month Eurodollar time deposit futures and options on MCE U.S. dollar composite index futures. The Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposals for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purposes of the Commodity Exchange Act.

DATE: Comments must be received on or before October 15, 1992.

ADDRESS: Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581. Reference should be made to the option on three-month Eurodollar time deposit futures or the option on MCE U.S. dollar composite index futures.

FOR FURTHER INFORMATION CONTACT: Please contact Stephen Sherrod of the Division of Economic Analysis, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, telephone 202–254–7303.

SUPPLEMENTARY INFORMATION: Copies of the terms and conditions will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Copies of the terms and conditions can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 254–6314.

Other materials submitted by the MCE in support of the applications for contract market designation may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the terms and conditions of the proposed contracts, or with respect to other materials submitted by the MCE in support of the applications, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, 2033 K Street, NW, Washington, DC 20581 by the specified date.

Issued in Washington, DC, on September 9, 1992.

Gerald D. Gay,

Director.

[FR Doc. 92–22164 Filed 9–14–92; 8:45 am]

BILLING CODE 6351–01–M

DEPARTMENT OF DEFENSE

Department of the Navy

Senior Executive Service Performance Review Board Membership

Pursuant to 5 U.S.C. 4314 (c)(4), the Department of the Navy (DON) announces the appointment of members to the DON's numerous Senior Executive Service (SES) Performance Review Boards (PRBs). The purpose of the PRBs is to provide fair and impartial review of the annual SES performance appraisal prepared by the senior executive's immediate and second level supervisor; to make recommendations to appointing officials regarding acceptance or modification of the performance rating; and to make recommendations for monetary performance awards. Composition of the specific PRBs will be determined on an ad hoc basis from among individuals listed below:

Akin, M.G. Mr.
Allard, D.C. Dr.
Altwegg, D.M. Dr.
Anselmo, P.S. RADM
Ashe, O.R. Mr.
Atkins, J.A. Mr.
Bailey, D.C. Mr.
Baker, A.D. Mr.
Batjer M. Ms.
Bisson, A.E. Dr.
Bizup, J.A. Mr.
Blatstein, I.M. Mr.
Blickstein, I.N. Mr.
Boecker, D. RADM
Bowles, W.L. Mr.
Brooke, R.K. Mr.
Buckley, T. Mr.
Buonacoursi, P. Mr.
Burnett, R.A. Capt
Cameron, A.W. Dr.
Cammack, E.G. Mr.
Camp, J.R. Mr.
Cann, G. The Honorable
Cataldo, P.R. Mr.
Cate, J.P. Mr.
Clark, C.C. Ms.
Coffey, T. Dr.
Coffman, W.R. Mr.
Commons, G.L. Ms.
Comstock, E.T. Mr.
Conran, T.C. Mr.
Cooper, M.T. MajGen
Czelusniak, D.P. Mr.
Davis, J.R. Dr.
Decorpo, J.J. Dr.
Deprete, A. Mr.
Desalme, J.W. Mr.
Dillon, B.L. Mr.
Ditrapani, A.R. Mr.
Dixson, H.L. Mr.
Doherty, L.M. Ms.
Donalson, E.L. Mr.
Douglass, T.E. Mr.
Drew, M.B. Ms.
Eerner, W.A. RADM
Elliott, R.D. Mr.
Estes, G.B. RADM
Everett, D. Mr.
Faurot, P.R. Mr.
Firebaugh, M. RADM
Fisher, P.D. Mr.
Fitzgerald, R. Mr.
Ford, F.B. Mr.
Gaffney, P.G. Capt
Garant, R. Mr.
Gay, B.H. Ms.
Geiger, C.G. Mr.
Goodman, R.O. Mr.
Goldschmidt, J.X. Mr.
Goodson, R. Mr.
Gordon, R.E. Dr.
Grossman, J.C. Mr.
Guenther, J.J. Mr.
Guertin, J.R. Dr.
Guilbault, R.G. RADM
Haas, R.L. Mr.
Hallex, R.A. Mr.
Hamilton, F.X. MajGen
Hammes, M.C. Mr.
Hathaway, D.L. Mr.
Hauenstein, W. Mr.
Hearney, R.D. MajGen
Herd, J.H. Mr.
Hicks, S.N. Mr.
Hildebrandt, A.M. Mr.
Hipp, V. Mr.
Hood, J.T. RADM
Hunt, W. Mr.
Jenkins, H.W. MajGen
Johnson, R.V. Mr.
Jones, R.G. RADM
Kallmeyer, T. Mr.
Keightley, G. Mr.
Kill Kelley, J.L. Mr.
King, C.S. The honorable
Kiss, R.K. Mr.
Knudsen, R. Dr.
Kobitz, N. Mr.
Kolb, R.C. Dr.
Kotzen, P. Ms.
Kreitzer, L.P. Mr.
Kuesters, J.J. Mr.
Leach, R.A. Mr.
Leboeuf, G.G. Mr.
Lindahl, W.J. Mr.
Lopata. F.A. Mr.
Lundberg, L. Mr.
Lynch, J.G. Mr.

Manthorpe, W.J. Mr.
Marsh, J.W. Mr.
Masciarelli, J.R. Mr.
McBurnett, G. Ms.
McCormack, R.C. The Honorable
McGadney, R.L. Mr.
Meletzke, D.M. Ms.
Merritt, D.L. Mr.
Meserole, M. Mr.
Messere, E.L. Mr.
Miller, G.O. Mr.
Miller, W.R. RADM
Milligan, R.D. RADM
Mitchell, J.T. RADM
Montgomery J.E. Mr.
Morency, D.C. Mr.
Morris, W.R. RADM
Munsell, E. Ms.
Murphy, P.M. Mr.
Nathan, H.J. Mr.
Nemfakos, C.P. Mr.
Olsen, M.A. Ms.
Panek, R.L. Mr.
Paulk, R. Ms.
Pennisi, R.A. Mr.
Peters, R.K. Ms.
Phelps, F.A. Mr.
Pope, B.S. The Honorable
Porter, D.E. Mr.
Porter, W.B. Mr.
Price, R.W. Mr.
Quade, W.A. Mr.
Rath, B.B. Dr.
Rathjen, R.A. Mr.
Reese, H.E. Mr.
Riggs, R.K. Mr.
Roark, J.E. Mr.
Robenhymer, F. Mr.
Robinson, B.B. Dr.
Rojas, R.R. Mr.
Rose, W.B. Mr.
Rossi, D. Mr.
Roth, A.J. Mr.
Ruble, D. RADM
Saalfeld, F.E. Dr.
Sansone, W. Mr.
Schaefer, W.J Mr.
Schafer, J. The Honorable
Schneider, P.A. Mr.
Schultz, R.E. Mr.
Selwyn, P.A. Dr.
Shaffer, R.L. Mr.
Shearer, R.T. Mr.
Sheridan, F.L. Mr.
Silva, E.A. Dr.
Sinsky, J.A. Dr.
Somoroff, A. Dr.
Spalding, G.R. Mr.
Steele, R.H. Mr.
Sterns, F.S. Mr.
Stone, T.E. RADM
Storey, R.C. Mr.
Strohsahl, G. RADM
Taussig, J.K. Mr.
Thomas, R.O. Mr.
Thompson, R.H. Mr.
Thornett, R.W. Mr.
Tiebout, R.M. MajGen.
Tisone, A.A. Mr.
Traister, R. RADM
Turnquist, C.J. Mr.
Verkoski, J.E. Mr.
Whitman, E.C. Dr.
Wilcox, H.J. Mr.
Willoughby, W.J. Mr.
Winglass, R.J. MajGen
Witter, R.C. RADM
Winokur, R.S. Mr.
Wyant, F.C. Mr.
Young, S.D. Ms.
Zangagna, P.E. Mr.
Zimmerman, D.G. Mr.

Dated: September 3, 1992.

G.P. Lyon,

Lt.Col.United States Marine Corps, Federal Register Liaison Officer.

[FR Doc. 92–22227 Filed 9–14–92; 8:45 am]

BILLING CODE 3810–AE–M

DELAWARE RIVER BASIN COMMISSION

Commission Meeting and Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, September 23, 1992. The hearing will be part of the Commission's regular business meeting which is open to the public and scheduled to begin at 1 p.m. in the Grand Ballroom of the Grand Hotel, Oceanfront and Philadelphia Avenue, Cape May, New Jersey.

An informal conference session among the Commissioners and staff will be open for public observation at 10:30 a.m. in the Grand Hotel's Blue Room and will include status reports on the enlargement of the F.E. Walter Reservoir located in northeastern Pennsylvania; the acquisition of land easements and right-of-ways for the upper Delaware ice jam project, a flood control project located in the Port Jervis, NY area. There also will be discussion of proposed rules changes to address large amounts of water that are lost in the basin through depletive uses (evaporation, etc.).

The subjects of the hearing will be as follows:

Applications for Approval of the Following Projects Pursuant to Article 10.3, Article 11 and/or Section 3.8 of the Compact

1. Holdover Project: City of Wilmington, D–92–29 CP. An application for approval of the transfer of up to 10 mgd of treated water via an interconnection proposed near the City of Wilmington's Porter Filter Plant. The interconnection will enable the City of Wilmington to transfer the treated water to the Wilmington Suburban Water Corporation which serves portions of New Castle County. The interconnection will be located near the Augustine Cut-Off and Route 202 just north of the City of Wilmington in New Castle County, Delaware. This hearing continues that of August 12, 1992.

2. *Connaught Labs, Inc. D–90–92.* A project to modify and expand an existing 0.09 million gallons per day (mgd) industrial wastewater treatment plant that will provide 0.15 mgd of tertiary level treatment to the applicant's combined process and sanitary wastewaters. The applicant produces various vaccines and the process wastewater consists of sterilized biological waste from both its own production facilities and those of the Salk Institute, located adjacent to the applicant. The Salk Institute also produces various biological wastes of a similar nature and currently comprises approximately 25 percent of the treatment plant effluent flow. Treated effluent will continue to discharge to Swiftwater Creek, a tributary of Paradise Creek. The project is located just east of State Route 611 in Pocono Township, Monroe County, Pennsylvania.

3. *Glen Mills Schools D–91–64.* An application for approval of a sewage treatment plant (STP) expansion project that will increase the treatment capacity of the existing 0.075 mgd secondary level STP to 0.15 mgd. The proposed STP will provide secondary treatment and continue to serve the applicant's educational facilities located just northwest of Glen Mills and west of Chester Creek in Thornbury Township, Delaware County, Pennsylvania. The STP will continue to discharge to Chester Creek via its existing outfall.

4. *New Hanover Township Authority D–92–16 CP.* A sewage treatment plant (STP) expansion project that will enable the applicant to expand its existing 0.275 mgd STP to 0.413 mgd. The existing secondary treatment STP discharges to 63 acres of spray irrigation fields. The expanded STP will discharge up to 0.363 mgd to the spray irrigation fields in the summer while discharging up to 0.05 mgd to Swamp Creek, a tributary of the Perkiomen Creek. In the winter the expanded STP will discharge up to 0.138 mgd to Swamp Creek with 0.275 mgd discharged to the spray irrigation fields. The STP expansion project will be located just north of Swamp Creek where Fagleysville Road Bridges the Creek in New Hanover Township, Montgomery County, Pennsylvania. The existing spray fields are located in the vicinity in both New Hanover and Upper Frederick Townships.

5. *Womelsdorf-Robesonia Joint Authority, D–92–35 CP.* An application for approval of a ground water withdrawal project to supply up to 10.8 million gallons (mg)/30 days of water to the applicant's distribution system from new Well Nos. 7 and 8, and to retain the existing withdrawal limit from all wells of 23 mg/30 days. The project is located in Heidelberg Township, Berks County, Pennsylvania.

6. *Homestead Utility Inc., D–92–46.* A project to modify the applicant's existing 0.25 mgd secondary sewage treatment plant (STP) by the addition of a breakpoint chlorination system to reduce effluent ammonia. The STP will continue to serve the Homestead at Mansfield development and discharge to the Assiscunk Creek. The STP is located approximately 2000 feet easterly of Jacksonville-Hedding Road in Mansfield Township, Burlington County, New Jersey.

7. *Vineland Cogeneration Limited Partnership, D–92–58.* A cogeneration project that entails a new 46.5 megawatt combined cycle gas-fired electrical generating facility that will supply electrical power to the City of Vineland Electric Utility Company and steam energy to Progresso Quality Foods. Water will be obtained from the City of Vineland at an average rate of approximately 0.5 mgd, of which up to 86 percent will be consumptively used, and the project wastewater will go to the Landis Sewerage Authority's existing sewage treatment plant. The project is located on the Progresso plant site at West Elmer Road, just west of Route 615 in the City of Vineland, Cumberland County, New Jersey.

Documents relating to these items may be examined at the Commission's offices. Preliminary dockets are available in single copies upon request. Please contact George C. Elias concerning docket-related questions. Persons wishing to testify at this hearing are requested to register with the Secretary prior to the hearing.

Dated: September 8, 1992.

Susan M. Weisman,

Secretary.

[FR Doc. 92–22231 Filed 9–14–92; 8:45 am]

BILLING CODE 6360–01–M

DEPARTMENT OF EDUCATION

Proposed Information Collection Requests

AGENCY: Department of Education.

ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Office of Information Resources Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATES: Interested persons are invited to submit comments on or before October 15, 1992.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok: Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place, NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Cary Green, Department of Education, 400 Maryland Avenue, SW., room 5624, Regional Office Building 3, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Cary Green (202) 708–5174.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Management Service, publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following:

(1) Type of review requested. e.g., new, revision, extension, existing or reinstatement; (2) title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Cary Green at the address specified above.

Dated: September 8, 1992.

Cary Green,

Director, Information Resources Management Service.

Office of Educational Research and Improvement

Type of Review: New.
Title: Survey of Correctional Institutions' Education Programs (Field Test).
Frequency: One time.
Affected Public: State or local government.
Reporting Burden:
Responses: 45.
Burden Hours: 105.
Recordkeeping: Burden:
Recordkeeping:
Burden Hours:
Abstract: The U.S. Department of Education, the Office of Correctional Education, is required to collect data from correctional institutions and provide an annual report to Congress on correctional education. The survey will determine the feasibility of collecting national data on correctional education.

Office of Educational Research and Improvement

Type of Review: Revision.
Title: National Household Education Survey (NHES).
Frequency: One time.
Affected Public: Individuals or households.
Reporting Burden:
Responses: 98,550.
Burden Hours: 13,912.
Recordkeeping Burden:
Recordkeepers: 0.
Burden Hours: 0.
Abstract: This is a telephone survey of households covering school readiness and school safety and discipline. The collection will provide information related to Goals 1 and 6 of the National Education Goals. The respondents consist of parents and their youths. The data will be used to monitor trends in experiences and activities overtime.

Office of Vocational and Adult Education

Type of Review: New.
Title: Community, Tribal Institution and District Finding Effects Case Studies for the National Assessment of Vocational Education (NAVE).
Frequency: One time.
Affected Public: Individuals or households; State or local governments; Businesses or other for-profit.
Reporting Burden:
Responses: 2,327.
Burden Hours: 1,547.
Recordkeeping:
Recordkeeping: 0.
Burden Hours: 0.
Abstract: Case studies will investigate a wide variety of characteristics of the structures, participants, programs, processes and outcomes of vocational educational. The Department uses the information to report to Congress.

Office of Elementary and Secondary Education

Type of Review: Revision.
Title: Application and Continuation Application for Grants under the Indian Education Act.
Frequency: Annually.
Affected Public: State or local governments.
Reporting Burden:
Responses: 1,700.
Burden Hours: 51,000.
Recordkeeping Burden:
Recordkeepers: 1,300.
Burden Hours: 13,000.
Abstract: This form will be used by State educational agencies to apply for funding under the Indian Education Act. The Department will use the information to make grant awards.

[FR Doc. 92-22210 Filed 9-14-92; 8:45 am]
BILLING CODE 4000-01-M

Proposed Information Collection Requests

AGENCY: Department of Education.
ACTION: Notice of proposed information collection requests.

SUMMARY: The Director, Office of Information Resources Management, invites comments on the proposed information collection requests as required by the Paperwork Reduction Act of 1980.

DATES: Interested persons are invited to submit comments on or before October 6, 1992.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Dan Chenok: Desk Officer, Department of Education, Office of Management and Budget, 726 Jackson Place NW., room 3208, New Executive Office Building, Washington, DC 20503. Requests for copies of the proposed information collection requests should be addressed to Cary Green, Department of Education, 400 Maryland Avenue SW., room 5624, Regional Office Building 3, Washington, DC 20202.

FOR FURTHER INFORMATION CONTACT: Cary Green (202) 708-5174.

SUPPLEMENTARY INFORMATION: Section 3517 of the Paperwork Reduction Act of 1980 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Director of the Information Resources Management Service publishes this notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following:

(1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2) Title; (3) Frequency of collection; (4) The affected public; (5) Reporting burden; and/or (6) Recordkeeping burden; and (7) Abstract. OMB invites public comment at the address specified above. Copies of the requests are available from Cary Green at the address specified above.

Dated: September 8, 1992.

Cary Green,

Director, Information Resources Management Service.

Office of Educational Research and Improvement

Type of Review: Reinstatement.
Title: National Assessment of Educational Progress (NAEP)—1993 Field Test of the 1994 Assessment.
Frequency: One time.
Affected Public: Individuals or households, State or local governments.
Reporting Burden:
Responses: 53,080.
Burden Hours: 68,068.
Recordkeeping Burden:
Recordkeepers: 0
Burden Hours: 0
Abstract: Congress has mandated the collection of National Assessment survey data, the development of background questions and exercises, as well as field testing of items for the 1993–94 assessments in reading, mathematics, history, geography, and science for the 1992–93 school year. The results will be use to select exercises for the 1993–94 assessment. The respondents will be students at grade 4, grade 8, grade 12, teachers and principals.

Office of Educational Research and Improvement

Type of Review: Extension.
Title: 1993 National Study of Postsecondary Faculty—List Collection Procedures for the Full-Scale Study.
Frequency: Quadrennial.
Affected Public: Individuals or households, State or local governments, Non-profit institutions.
Reporting Burden:
Responses: 1260.
Burden Hours: 1575.
Recordkeeping Burden:
Recordkeepers: 0
Burden Hours: 0
Abstract: NSOPF is a comprehensive study of postsecondary faculty. The 1993 NOPF will gather information regarding the background, responsibilities, compensation, and attitudes of higher education faculty.

[FR Doc. 92-22209 Filed 9-14-92; 8:45 am]
BILLING CODE 4000-01-M

[CFDA No. 84.042]

Student Support Services Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1993

Purpose of Program: Provides grants to institutions of higher education for projects offering support services to low-income, first-generation, or disabled college students to enhance their academic skills, increase their retention and graduation rates, and as appropriate, facilitate their entrance into four-year colleges or graduate and professional programs. The Student Support Services Program supports AMERICA 2000, the President's strategy to move the Nation toward achieving the National Education Goals and educational excellence for all Americans. More specifically, the Student Support Services Program increases the number of disadvantaged students in the United States who successfully complete a program of study at the postsecondary level of education.

Eligible Applicants: Institutions of higher education and combinations of institutions of higher education.

Supplementary Information: Applicants must address the changes in the Student Support Services program included in the Higher Education Amendments of the 1992, Public Law 102-325, dated July 23, 1992. These changes are summarized below. For more detailed information please refer to Public Law 102-325. A copy of this legislation is contained in the application package made available by the Department.

1. Applicants must provide an assurance that not less than one-third of the individuals with disabilities participating in the project be low-income individuals.

2. Applicants may now include as an allowable service mentoring programs involving faculty or upper class students or a combination thereof.

3. Applicants must provide an assurance that each student enrolled in the project will be offered sufficient financial assistance to meet that student's full financial need.

Deadline for Transmittal of Applications: November 10, 1992.

Deadline for Intergovernmental Review: January 11, 1993.

Applications Available: September 23, 1992.

Available Funds: $130,000,000.

Estimated Range of Awards: $170,000–$300,000.

Estimated Average Size of Awards: $183,000.

Estimated Number of Awards: 690–710.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 82, 85, and 86; and (b) The regulations for this program in 34 CFR part 646.

Technical Assistance Workshops: The Department of Education will conduct ten technical assistance workshops to assist prospective applicants in developing proposals for the Student Support Services Program. The technical assistance workshops will be held as follows:

Omni Shoreham, 2500 Calvert Street, NW., Washington, DC 20001, Julia Tower, (202) 347–7430	September	16,	1992,	1 p.m.–4:30 p.m.
Morris Brown College, Robert W. Woodruff Library, Exhibition Hall—Upper Level, 111 James P. Brawley Drive, SW., Atlanta, GA 30314, Marvin King, (404) 220–0270.	September	21,	1992,	9:30 a.m.–4 p.m.
University of California-Irvine, Science Lecture Hall, Irvine, CA 92717, Joe Adam Maestas, (714) 856–7162.	September	21,	1992,	9:30 a.m.–4 p.m.
Penn Valley Community College, Science and Technology Bldg., rm. 101, 3201 Southwest Trafficway, Kansas City, MO 64111–2764, Melanie Bailey, (816) 561–4888.	September	22,	1992,	9:30 a.m.–4: p.m.
Portland State University, School of Business, rm. 194, Portland, OR 92707, Clevonne Jackson, (503) 725–3000.	September	22,	1992,	9:30 a.m.–4: p.m.
Southern Methodist University, Hughes-Trigg Student Center, 3140 Dyer Street, Dallas, TX 75275, Thomas A. Edwards, (214) 692–2000.	September	24,	1992,	9:30 a.m.–4: p.m.
John Jay College of Criminal Justice, 899 10th Avenue, (btw. 58th and 59th Sts.), New York, NY 10019, Lillian Masters, (217) 237–8254.	September	24,	1992,	9:30 a.m.–12 noon.
Delgado Community College, Building No. 1—Delgado Auditorium, 615 City Park Avenue, New Orleans, LA 70119, Otis Johnson, (504) 483–4502.	September	25,	1992,	9:30 a.m.–4 p.m.
University of Utah, Engineering and Mines Classroom, Building (EMCB), room 101, Salt Lake City, UT 84112, Kathryn Felker, (801) 581–7188.	September	25,	1992,	9:30 a.m.–4 p.m.
Cleveland State University, University Center Auditorium, 2121 Euclid Avenue, Cleveland, OH 44115, Louis Brownlowe, (216) 687–2010.	September	28,	1992,	9:30 a.m.–4 p.m.

For Applications or Further Information Contact: May J. Weaver, U.S. Department of Education, 400 Maryland Avenue, SW., room 3060, ROB #3, Washington, DC 20202–5249, telephone: (202) 708–4804. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Services at 1–800–877–8339 (in the Washington, DC 202 area code, telephone number 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Program Authority: 20 U.S.C. 1070d, 1070d–1b.

Dated: September 9, 1992.

Carolynn Reid-Wallace,

Assistant Secretary for Postsecondary Education.

[FR Doc. 92–22211 Filed 9–14–92; 8:45 am]

BILLING CODE 4000–01–M

[CFDA No. 84.023]

Research in Education of Individuals With Disabilities Program; Inviting Applications for New Awards for Fiscal Year (FY) 1993

Purpose of Program: To advance and improve the knowledge base and improve the practice of professionals, parents, and others providing early intervention, special education, and related services, including professionals in regular education environments, to provide children with disabilities effective instruction and enable them to successfully learn.

These priorities support AMERICA 2000, the President's strategy for achieving the National Education Goals, by improving our understanding of how to enable children and youth with disabilities to reach the high levels of academic achievement called for by the goals.

Eligible Applicants: Eligible applicants are State and local educational agencies, institutions of higher education, and other public agencies and nonprofit private organizations.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 82, 85, and 86; and (b) The regulations for this program in 34 CFR part 324, as amended on October 22, 1991 (56 FR 54697–54698) and June 29, 1992 (57 FR 28964).

Applications Available: September 29, 1992 (84.023B and C), December 4, 1992 (84.023A).

Priorities:

Under 34 CFR 75.105(c)(3) and 34 CFR 324.10, the Secretary gives an absolute preference to applications that meet the following priorities. The Secretary funds under these competitions only applications that meet one of these absolute priorities:

Absolute Priority 1—Advancing and Improving the Research Knowledge Base (CFDA 84.023A)

This priority supports a wide range of research and related activities that support innovation, development, exchange, and use of advancements in knowledge and practice designed to contribute to the improvement of instruction and learning of infants, toddlers, children, and youth with disabilities.

Invitational Priority

Within the absolute priority specified in this notice, the Secretary is particularly interested in applications that meet the following invitational priorities. However, under 34 CFR 75.105(c)(1) an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over other applications:

The Secretary is particularly interested in pilot studies, projects that employ new methodologies, descriptive studies, projects to advance assessment, projects that synthesize state-of-the-art

research and practice, projects for research dissemination and utilization, and projects that analyze extant data bases. The Secretary further encourages studies that use these approaches to address the needs of infants, toddlers, children and youth with disabilities from racial or ethnic minority groups.

For Applications or Information on Absolute Priority 1 Contact

Dr. Thomas Hanley, U.S. Department of Education, 400 Maryland Avenue, SW., room 3526, Switzer Building, Washington, DC 20202–2640. Telephone: (202) 205–8110. Deaf and hard of hearing individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Absolute Priority 2—Field-Initiated Research Projects (CFDA 84.023C)

This priority provides support for field-initiated research projects, consistent with the purposes of the program, as described in 34 CFR 324.1.

For Applications or Information on Absolute Priority 2 Contact

Judith Fein, U.S. Department of Education, 400 Maryland Avenue, SW., room 3524, Switzer Building, Washington, DC 20202–2640. Telephone: (202) 205–8116. Deaf and hard of hearing individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Absolute Priority 3—Student-Initiated Research Projects (CFDA 84.023B)

This priority provides support for student-initiated research projects, consistent with the purposes of the program, as described in 34 CFR 324.1.

Invitational Priority

Within the absolute priority specified in this notice, the Secretary is particularly interested in applications that meet the following invitational priorities. However, under 34 CFR 75.105(c)(1) an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over other applications:

Short-term projects (up to 18 months) that would develop research skills in postsecondary students. The Secretary further encourages projects that, while carried out by the student, would include a principal investigator who serves as a mentor to the student/researcher.

For Applications or Information on Absolute Priority 3 Contact

Dr. Melville J. Appell, U.S. Department of Education, 400 Maryland Avenue SW., room 3529, Switzer Building, Washington, DC 20202–2640. Telephone: (202) 205–8113. Deaf and hard of hearing individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

RESEARCH IN EDUCATION OF INDIVIDUALS WITH DISABILITIES PROGRAM

(Application Notices for Fiscal Year 1993)

Title and CFDA No.	Deadline for transmittal of applications	Available funds	Estimated range or size of awards	Estimate number of awards	Project period in months
Advancing and Improving the Research Knowledge Base (CFDA No. 84.023A).	2/12/93	$1,050,000	$75,000 for entire [1] project period	14	Up to 18.
Student-Initiated Research Projects (CFDA No. 84.023B).	11/13/92	$150,000	$5,000–15,000 for [2] entire project period	15	Up to 18.
Field-Initiated Research Projects (CFDA No. 84.023C).	11/13/92	$2,575,000	$100,000–170,000 [3]	19	Up to 60.

[1] Projects will not be funded in excess of $75,000 for the entire project period. Any project approved by reviewers that exceeds the estimated size of award will be required to be performed, as proposed, within the announced amount.

[2] Projects will not be funded in excess of $15,000 for the entire project period. Any project approved by reviewers that exceeds the estimated size of award will be required to be performed, as proposed, within the announced amount.

[3] Projects will not be funded in excess of $170,000. Any project approved by reviewers that exceeds the estimated size of award will be required to be performed, as proposed, within the announced amount. Multi-year projects are likely to be level funded unless there are increases in costs attributable to significant changes in activity level.

NOTE: The Department of Education is not bound by any estimates in this notice.

For Applications or Information Contact: Please contact the individuals listed after each priority.

Program Authority: 20 U.S.C. 1441–1443.

Dated: September 9, 1992.

Philip S. Link,

Acting Assistant Secretary Office of Special Education and Rehabilitative Services.

[FR Doc. 92–22206 Filed 9–14–92; 8:45 am]

BILLING CODE 4000–01–M

[CFDA No.: 84.023]

Research in Education of Individuals With Disabilities Program Notice Inviting Applications for New Awards for Fiscal Year (FY) 1993

Purpose of Program: To advance and improve the knowledge base and improve the practice of professionals, parents, and others providing early intervention, special education, and related services, including professionals in regular education environments, to provide children with disabilities effective instruction and enable them to successfully learn.

These priorities support AMERICA 2000, the President's strategy for achieving the National Education Goals, by improving our understanding of how to enable children and youth with disabilities to reach the high levels of academic achievement called for by the goals.

Eligible Applicants: Eligible applicants are State and local educational agencies, institutions of higher education, and other public agencies and nonprofit private organizations.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 80, 81, 82, 85, and 86; and (b) The regulations for this program in 34 CFR part 324, as amended

on October 22, 1991 (56 FR 54697–54698) and June 29, 1992 (57 FR 28964).

Applications Available: November 6, 1992 (84.023N); October 2, 1992 (84.023R)

Priorities: The notice of final priorities for Initial Career Awards and Including Children with Disabilities as a Part of Systemic Efforts to Restructure Schools, was published in the **Federal Register** on July 16, 1992 at 57 FR 31616 and 31618.

RESEARCH IN EDUCATION OF INDIVIDUALS WITH DISABILITIES PROGRAM

(application Notices for Fiscal Year 1993)

Title and CFDA No.	Deadline for transmittal of applications	Available funds	Estimated size of awards	Estimated number of awards	Project period in months
Initial Career Awards (CFDA No. 84.023N)	1/8/93	$300,000	$75,000 per year [1]	4	Up to 36.
Including Children With Disabilities as a Part of Systemic Efforts to Restructure Schools (CFDA No. 84.023R).	12/11/92	1,050,000	150,000 per year [1]	7	Up to 48.

[1] Amounts listed are the estimated funding levels for the first 12 months of the projects. Multiyear projects are likely to be level funded unless there are increases in costs attributable to significant changes in activity level.

NOTE: The Department of Education is not bound by any estimates in this notice.

For Applications or Information Contact: For information on the Initial Career Awards competition please contact Dr. Melville J. Appell, U.S. Department of Education, 400 Maryland Avenue, SW., room 3529, Switzer Building, Washington, DC 20202–2640. Telephone: (202) 205–8113. For information on Including Children with Disabilities as a Part of Systemic Efforts to Restructure Schools competition please contact Dr. Helen Thornton, U.S. Department of Education, 400 Maryland Avenue, SW., room 3520, Switzer Building, Washington, DC 20202–2640. Telephone: (202) 205–5910. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Program Authority: 20 U.S.C. 1441–1443.

Dated: September 9, 1992.

Philip S. Link,

Acting Assistant Secretary, Office of Special Education and Rehabilitative Services.

[FR Doc. 92–22207 Filed 9–14–92; 8:45 am]

BILLING CODE 4000–01–M

[CFDA No.: 84.159]

Special Studies Program; Notice Inviting Applications for New Awards for Fiscal Year (FY) 1993

Purpose of Program: To support studies to evaluate the impact of the Individuals with Disabilities Education Act (IDEA), including efforts to provide a free appropriate public education to children and youth with disabilities and early intervention services to infants and toddlers with disabilities.

This program supports AMERICA 2000, the President's strategy for moving the Nation toward the National Education Goals, by seeking to improve services for infants, toddlers, children, and youth with disabilities and by so doing helping them to reach the high levels of achievement called for by the National Education Goals.

Eligible Applicants: State educational agencies are eligible for awards under these competitions. Other State agencies designated by the Governor in each State for the purpose of administering an early intervention program under Part H of the Individuals with Disabilities Education Act (IDEA) are also eligible for awards under these competitions.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 75, 77, 80, 81, 82, 85, and 86; and (b). The regulations for this program in 34 CFR part 327, as amended on October 22, 1991 (56 FR 54699–54701).

Priorities: Under 34 CFR 75.105(c)(3) and 34 CFR 327.10(c) and 327.40(a) the Secretary gives an absolute preference to applications that meet the following priorities. The Secretary funds under these competitions only applications that meet one or more of these absolute priorities:

Absolute Priority 1—State Agency—Federal Evaluation Studies Projects (CFDA 84.159A)

This priority supports cooperative agreements that assess the impact and effectiveness of programs, policies, and procedures assisted under the Individuals with Disabilities Education Act (IDEA) in accordance with sections 618(d)(1) and (2) of the Act. An award under this competition provides not more than 60 percent of the total cost of the project, and the State agency receiving the award provides an amount not less than 40 percent of the total cost of the project.

Invitational Priority: Within the absolute priority specified in this notice, the Secretary is particularly interested in applications that meet the following invitational priorities. However, under 34 CFR 75.105(c)(1) an application that meets one or more of these invitational priorities does not receive competitive or absolute preference over other applications:

The Secretary particularly invites projects that evaluate the impact and effectiveness of—

(1) Management and regulatory flexibility that encourages innovative management of schools to expand opportunities for the inclusion of children with disabilities;

(2) Student outcomes and performance of comprehensive, community-based, family-oriented systems of education and support;

(3) Community-supported schools focusing on family participation in activities and services;

(4) Reconfigured relationships and responsibilities of regular and special education staff, and redesigned programs that train personnel for work in schools, for the continued development of all regular and special education personnel; or

(5) Expanded multi-agency solutions to the collaborative delivery of services for individual children and their families.

Absolute Priority 2—State Agency—Federal Evaluation Studies Projects (CFDA 84.159F)

This priority supports cooperative agreements that assess the impact and effectiveness of programs, policies, and procedures assisted under the Individuals with Disabilities Education Act (IDEA) in accordance with sections 618(d)(1) and (2) of the Act. An award

under this competition provides not more than 60 percent of the total cost of the project, and the State agency receiving the award provides an amount not less than 40 percent of the total cost of the project.

Invitational Priority: Within the absolute priority specified in this notice, the Secretary is particularly interested in applications that meet the following invitational priority. However, under 34 CFR 75.105(c)(1) an application that meets this invitational priority does not receive competitive or absolute preference over other applications:

The Secretary particularly invites projects that perform feasibility studies that develop the conceptual framework for an evaluation study about a specific issue or question concerning the impact and effectiveness of special education and related services, and to determine if the conceptual framework is workable. Feasibility studies identify topics that have significant potential, but that require preliminary study to determine feasibility related to identification of the issue, study designs, measurement, and analysis. While collection and reporting of generalizable impact and effectiveness data are not expected for feasibility studies, the Secretary particularly encourages pilot tests of data collection instruments and procedures to determine the implications of these results for the study design, measurement and analysis. The Secretary particularly encourages projects that address the feasibility of designs to evaluate the impact and effectiveness of: (1) Management and regulatory flexibility that encourages innovative management of schools to expand opportunities for the inclusion of children with disabilities; (2) student outcomes and performance of comprehensive, community-based, family-oriented systems of education and support; (3) community-supported schools focusing on family participation in activities and services; (4) reconfigured relationships and responsibilities or regular and special education staff, and redesigned programs that train personnel for work in schools, for the continued development of all regular and special education personnel; or (5) expanded multi-agency solutions to the collaborative delivery of services for individual children and their families.

SPECIAL STUDIES PROGRAM

[Application Notices for Fiscal Year 1993]

Title and CFDA No.	Applications available	Deadline for transmittal of applications	Available funds	Estimated size of awards	Estimated number of awards	Project period in months
State Agency/Federal Evaluation Studies Projects (84.159A)	10/23/92	1/15/93	$936,000	[1] $156,000	6	Up to 24.
State Agency/Federal Evaluation Studies Projects (84.159F)	10/23/92	1/15/93	$250,000	[2] $50,000	5	Up to 18.

[1] $156,000 is the estimated average size of award for the *entire* project period (up to 24 months).
[2] $50,000 is the estimated average size of award for the *entire* project period (up to 18 months).
Note: The Department is not bound by any estimates in this notice.

For Applications or Information Contact: Susan Sanchez, U.S. Department of Education, 400 Maryland Avenue, SW., room 3519, Switzer Building, Washington, DC 20202–2640. Telephone: (202) 205–8998. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 (in the Washington, DC 202 area code, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

Program Authority: 20 U.S.C. 1418.

Dated: September 9, 1992.

Philip S. Link,

Acting Assistant Secretary, Office of Special Education and Rehabilitative Services.

[FR Doc. 92–22208 Filed 9–14–92; 8:45 am]

BILLING CODE 4000–01–M

Fund for the Improvement and Reform of Schools and Teaching; Board Meeting

AGENCY: Fund for the Improvement and Reform of Schools and Teaching Board, Education.

ACTION: Notice of an open meeting.

SUMMARY: This notice sets forth the schedule and agenda of an open meeting of the Fund for the Improvement and Reform of Schools and Teaching Board. This notice also describes the functions of the Board. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. This document is intended to notify the general public of their opportunity to attend.

DATES AND TIMES: September 24, 1992, 9 a.m.–5 p.m.; September 25, 1992, 9 a.m.–12 p.m.

ADDRESSES: American Federation of Teachers, 9th Floor Conference Room, 555 New Jersey Avenue NW., Washington, DC 20208.

FOR FURTHER INFORMATION CONTACT: Diane Hill, Fund for the Improvement and Reform of Schools and Teaching, U.S. Department of Education, 555 New Jersey Avenue NW., room 522, Washington, DC 20208–5524, (202) 219–1496.

SUPPLEMENTARY INFORMATION: The Fund for the Improvement and Reform of Schools and Teaching (FIRST) Board was established under Section 3231 of the Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100–297).

The Board was established to advise the Secretary concerning developments in education that merit his attention; identify promising initiatives to be supported under the authorizing legislation; and advise the Secretary and the Director of FIRST of the selection of projects under consideration for support, and on planning documents, guidelines and procedures for grant competitions carried out by FIRST.

The meeting of the FIRST Board will be open to the public. On September 24, 1992, the Board will introduce its members and approve the minutes from the May meeting. The agenda includes an update by the National Board for Professional Teaching Standards with time allotted for Q&A's.

On September 24, 1992, the Board will discuss absolute and invitational priorities for 1994 competitions. The discussion will continue on September 25, 1992. The meeting will conclude with a discussion of the upcoming agenda for and date of the next Board meeting.

Records are kept of all Board proceedings, and are available for public inspection at the office of the Fund for the Improvement and Reform of Schools and Teaching, U.S. Department of Education, 555 New Jersey Avenue NW., room 522, Washington, DC 20208–5524, from the hours of 8:30 a.m. to 5 p.m.

Dated: September 8, 1992.

Diane Ravitch,

Assistant Secretary for Educational Research and Improvement.

[FR Doc. 92-22170 Filed 9-14-92; 8:45 am]

BILLING CODE 4000-01-M

Advisory Committee on Testing in Chapter 1

AGENCY: Department of Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda for a meeting of the Advisory Committee on Testing in Chapter 1. The notice also describes the functions of the Committee. Notice of this meeting is required under section 10(a)(2) of the Federal Advisory Committee Act. This notice is intended to notify the general public of the opportunity to attend.

DATES: September 28, 1992—9 a.m.–5 p.m.; September 29, 1992—9 a.m.–5 p.m.

ADDRESSES: Washington Court Hotel, 525 New Jersey Avenue, NW., Washington, DC 20001, (202) 628–2100.

FOR FURTHER INFORMATION CONTACT: Mary Jean LeTendre, Director, Compensatory Education Programs, Office of Elementary and Secondary Education, U.S. Department of Education, 400 Maryland Avenue, SW (Room 2043, FOB–6), Washington, DC 20202–6132. Telephone: (202) 401–1682. Deaf and hearing impaired individuals may call the Federal Dual Party Relay Service at 1–800–877–8339 (in the Washington, DC area code 202, telephone 708–9300) between 8 a.m. and 7 p.m., Eastern time.

SUPPLEMENTARY INFORMATION: The Advisory Committee on Testing in Chapter 1 was established under section 442 of the General Education Provisions Act, as amended (20 U.S.C. 1233a). The Advisory Committee was established to advise the Secretary of Education on possible improvements or alternatives to the current testing procedures for measuring the academic achievement of Chapter 1 students.

The meeting of the Committee is open to the public. The proposed agenda includes presentations on alternatives for a system of national accountability for Chapter 1, updates on the National Goals Panel and the National Council on Educational Standards and Testing, presentations from leading scholars on compensatory education and its assessment and reaction from State and local practitioners. The Committee will deliberate on these topics and plan for its next steps.

Records of the Committee proceedings will be available in the office of the Advisory Committee on Testing in Chapter 1, 400 Maryland Avenue, SW (room 2043, FOB–6), Washington, DC 20202–7559, between 9 a.m. and 5 p.m., Eastern time.

John T. MacDonald,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 92-22190 Filed 9-14-92; 8:45 am]

BILLING CODE 4000-01-M

DEPARTMENT OF ENERGY

Floodplain/Wetlands Involvement Notification for Proposed Environmental Restoration Action at the Department of Energy's Weldon Spring Site Remedial Action Project, Weldon Spring, MO

AGENCY: Department of Energy.

ACTION: Notice of floodplains/wetlands involvement and opportunity for comment.

SUMMARY: Regulations at 10 CFR part 1022 require the Department of Energy (DOE) to evaluate actions it may take in a floodplain or wetlands, in order to ensure consideration of protection of the floodplain and wetlands in decision making. As soon as practicable after a determination that a floodplain or wetlands may be involved, the regulations require that public notice be published in the **Federal Register**, including a description of the proposed action and its location. DOE is responsible for conducting response actions at the Weldon Spring Site under its Environmental Restoration Program. The site is located in St. Charles County, Missouri, approximately 30 miles west of St. Louis. The site became contaminated as a result of processing and disposal activities that took place from the 1940's to the 1960's and is listed on the National Priorities List of the U.S. Environmental Protection Agency.

Cleanup of the Weldon Spring Site consists of several actions, one of which involves the treatment and discharge of approximately 57 million gallons of radioactively and chemically contaminated water currently impounded at the site. After the water is treated in the on-site treatment plant, it would be discharged to a pipeline constructed from the site to the Missouri River. A small segment of the pipeline and the outfall structure would be constructed in the 100-year floodplain, as determined by the St. Charles Planning and Zoning Department, and a very small wetlands area. A National Pollutant Discharge Elimination System (NPDES) permit has been issued by the Missouri Department of Natural Resources for the release of the treated water. The installation of the pipeline is proposed to prevent discharge through a contaminated drainage, thereby minimizing the potential for associated impacts to human health and the environment.

In accordance with DOE regulations for compliance with requirements for environmental review of floodplains/wetlands (10 CFR 1022), DOE will prepare a floodplain and wetlands assessment. Alternatives considered will, to the extent possible, avoid or mitigate impacts to the floodplain and the wetlands. The Floodplain Statement of Findings will be published in the **Federal Register** when the floodplain assessment is completed.

Further information is available from DOE at the address as given below. Public comments regarding the proposed construction of a segment of the pipeline and the outfall structure in the Missouri River floodplain and a wetlands area are invited.

DATES: Comments are due by September 30, 1992. Late comments will be considered to the extent practicable.

ADDRESSES: Send comments to Stephen H. McCracken, Project Manager, Weldon Spring Site Remedial Action Project, U.S. Department of Energy, 7295 Highway 94 South, St. Charles, Missouri 63303, (314) 441–8978. Fax comments to (314) 447–0739.

For further information on DOE's floodplain environmental review requirements, contact Carol M. Borgstrom, Director, Office of NEPA Oversight, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586–4600 or (800) 472–2756.

Paul D. Grimm,

Principal Deputy Assistant Secretary for Environmental Restoration and Waste Management.

[FR Doc. 92-22277 Filed 9-14-92; 8:45 am]

BILLING CODE 6450-01-M

Chicago Field Office; Intent To Make an Award

AGENCY: Department of Energy.

ACTION: Notice of intent to make an award based on an unsolicited application.

SUMMARY: The Department of Energy (DOE), Chicago Field Office, announces, pursuant to that DOE Financial Assistance Rules 10 CFR 600.14(f), that DOE intends to award a grant to Abiff Manufacturing Corporation for the

purpose of improving their unique method for spraying insulation materials into wall cavities and above ceiling panels in residential and commercial structures.

SUPPLEMENTARY INFORMATION: The Department of Energy announces further that pursuant to 10 CFR 600.6(a)(2), this discretionary financial assistance award to Abiff Manufacturing Corporation, would be based on acceptance of an unsolicited application meeting the criteria of 10 CFR 600.14(e)(1). The patented system will further develop and test an improved binder material for use within their new, energy-efficient system for installing loose insulation material.

The proposed project represents a unique idea that would not be eligible for financial assistance under a recent, current, or planned solicitation. The project period for the grant award is 24 months, expected to begin in September 1992. DOE plans to provide funding in the amount of $99,950.

FOR FURTHER INFORMATION CONTACT: Margaret M. Learmouth, U.S. Department of Energy, Denver Support Office, 1075 South Yukon Street, P.O. Box 26247, Lakewood, CO 80226.

Issued in Chicago, Illinois on August 31, 1992.

Johnnie D. Greenwood,

Director Contracts Division.

[FR Doc. 92-22276 Filed 9-14-92; 8:45 am]

BILLING CODE 6450-01-M

Financial Assistance Award; Intent To Award Grant to Colorado School of Mines—Energy & Minerals Field Institute

AGENCY: U.S. Department of Energy.

ACTION: Notice of Noncompetitive Financial Assistance Award.

SUMMARY: The Department of Energy (DOE) announces that pursuant to 10 CFR 600.7(b)(2)(i)(B), it is making a financial assistance award under Grant Number DE-FG01-92FE62672 to the Energy and Minerals Field Institute (EMFI), Colorado School of Mines (CSM) to assist in the support of the costs of conducting the Field Institute Program on "Energy and Mineral Opportunities, Problems and Policy Issues".

SCOPE: The grant will provide funding in the amount of $1,099,760 to contribute to the Annual Field Institute Program on Energy and Mineral Opportunities, Problems and Policy Issues conducted by EMFI through enhancing DOE's knowledge of energy and minerals issues. The DOE and the CSM are cost-sharing this grant. The DOE will provide funding in the amount of $375,000 and the CSM will provide $742,760. The DOE funding will be equally divided among the Office of Fossil Energy, Office of Planning, Policy and Analysis and the Office of Planning, Policy and Analysis and the Office of Conservation and Renewable Energy.

The purpose of this project is to provide assistance to the CSM to conduct the Field Institute Program on Energy and Mineral Opportunities, Problems and Policy Issues, to be held annually through 1996, as well as regional meetings throughout the year. The objective of the Annual Field Institute Program is to introduce legislative and executive aids to the economic, environmental, social, policy-related and technological aspects of energy and mineral development. Two six-day summer field programs as well as regional conferences are held throughout the year; publications provide information and reviews of EMFI activities; and EMFI provides educational and research opportunities for both undergraduate and graduate students.

This project intends to provide first hand experience and provide the opportunity for participants to visit operating plants and mines, to learn of operational successes and problems, to interact with industrial personnel, and to discuss topics of concern with local residents and community leaders.

DOE support of the through 1996 Field Institute Program enhances the public benefit by increasing the cooperative information exchange among members of the executive and legislative branches, DOE, academia and the private sector. Through canvassing both government and industry technical personnel knowledgeable in the field, the institute is deemed to be the only known source for this type of presentation.

ELIGIBILITY: Eligibility for this award is being limited to the CSM in order to provide for satisfactory completion of the project pursuant to 10 CFR 600.7(b)(2)(i)(B). The DOE knows of no other entity which is conducting or planning such a program. The EMFI's previous presentations have reached acclaim from the members of the executive and legislative branches.

The grant is unique in that it is aimed directly at addressing the current energy and minerals issue and problem areas. It has been determined that this project has high technical merit representing an innovative and novel idea that has strong possibilities of allowing for future reductions and additions to the national energy resources.

The terms of the grant is for sixty (60) months from the effective date of the award.

FOR FURTHER INFORMATION CONTACT: U.S. Department of Energy, Office of Placement and Administration. Attn: Lisa Tillman, PR-322.1, 1000 Independence Avenue, SW., Washington, DC 20585.

Thomas S. Keefe,

Director, Division "B", Office of Placement and Administration.

[FR Doc. 92-22273 Filed 9-14-92; 8:45 am]

BILLING CODE 6450-01-M

Morgantown Energy Technology Center; Financial Assistance Award (Cooperative Agreement)

AGENCY: U.S. Department of Energy (DOE), Morgantown Energy Technology Center.

ACTION: Notice of Noncompetitive Financial Assistance Application for a Cooperative Agreement.

SUMMARY: Based upon a determination pursuant to 10 CFR 600.14(e)(2)(ii), the DOE Morgantown Energy Technology Center gives notice of its plans to award a four and one half year Cooperative Agreement to South Carolina Energy Research and Development Center, Clemson University, in Clemson South Carolina, in the approximate amount of $9,800,000. This will be a cost shared award with the Participant providing approximately $100,000 of the cost of performance.

FOR FURTHER INFORMATION CONTACT: Thomas L. Martin, U.S. Department of Energy, Morgantown Energy Technology Center, P.O. Box 880, Morgantown, WV, 26507-0880, Telephone: (304) 291-4087. Cooperative Agreement No.: DE-FC21-92MC29467.

SUPPLEMENTARY INFORMATION: The DOE will fund the allowable costs of the Cooperative Agreement. The pending award is based on an unsolicited application for a research project entitled, "Center For Advanced Gas Turbine Systems Research" which was submitted by Clemson University's South Carolina Energy Research and Development Center. The objective of the research project is to conduct a research program to address key barrier issues related to an advanced gas turbine power systems in the development is a commercial operating plant. Barrier issues to be addressed include materials evaluations, materials development, coating development, manufacturing process development,

heat transfer model testing, component testing, computer code development, combustion testing, and field testing data reduction. Issued in Washington, DC.

Dated: September 9, 1992.

Louie L. Calaway,

Director, Acquisition and Assistance Division, Morgantown Energy Technology Center.

[FR Doc. 92-22275 Filed 9-14-92; 8:45 am]

BILLING CODE 6450-01-M

Chicago Field Office; Noncompetitive Award of Financial Assistance, State of Wisconsin

AGENCY: Department of Energy.

ACTION: Notice of Noncompetitive Financial Assistance Award.

SUMMARY: The Department of Energy (DOE), Chicago Field Office, through the Chicago Support Office, announces that, pursuant to DOE Financial Assistance Rules 10 CFR 600.7(b)(2), it intends to award a grant to the State of Wisconsin. The award represents the continuation of a four year project involving the development of an alternative fuel vehicle cold climate database. The proposed project meets the criterion for noncompetitive financial assistance specified in 10 CFR 600.7(b)(2)(i)(B) in that this project will be conducted by the State of Wisconsin using its own resources and those provided by private industry, but support provided by DOE will enhance the public benefits to be derived by this activity.

The project period for this grant is October 1, 1991 through September 30, 1995. An award of $25,000 will be made for the budget period October 1, 1992 through September 30, 1993. DOE anticipates making two more awards of $25,000 each for the two subsequent budget periods.

FOR FURTHER INFORMATION CONTACT: Juli A. Pollitt, U.S. Department of Energy, Chicago Support Office, 9800 South Cass Avenue, Argonne, Illinois 60439, (708) 252-2313.

Issued in Chicago, Illinois on August 26, 1992.

Johnnie D. Greenwood,

Director Contracts Division.

[FR Doc. 92-22274 Filed 9-14-92; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket Nos. ER92-811-000, et al.];

Florida Power & Light Company et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

September 8, 1992.

Take notice that the following filings have been made with the Commission:

1. Florida Power & Light Company

[Docket No. ER92-811-000]

Take notice that on August 31, 1992, Florida Power & Light Company (FPL) tendered for filing Amendment Number Four to Short Term Agreement to Provide Power and Energy by Florida Power & Light Company to Utility Board of the City of Key West, Florida (Amendment No. 4) and Amendment Number Five to Short Term Agreement to Provide Power and Energy by Florida Power & Light Company to Utility Board of the City of Key West, Florida (Amendment No. 5).

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

2. Brady Power Partners

[Docket No. QF92-175-001]

On August 27, 1992, Brady Power Partners, of 6200 South Syracuse Way, Suite 125, Englewood, Colorado 80111, submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

The small power production facility is located in Brady Hot Springs, Churchill County, Nevada. The facility consists of three turbine generators. The estimated net power production capacity is 21.1 MW. The primary energy source for the facility is natural geothermal water, steam, or brine obtained from geothermal wells. Installation of the facility began July 18, 1991.

Comment date: October 15, 1992, in accordance with Standard Paragraph E at the end of this notice.

3. New England Power Company

[Docket No. ER92-814-000]

Take notice that on September 1, 1992, New England Power Company (NEP) submitted for filing a Unit Power Contract with the Bangor Hydro-Electric Company (BHE) for a 25 megawatt sale of capacity and energy from NEP's ownership entitlement in the Millstone Unit No. 3 facility from November 1, 1992 to October 31, 1994 subject to a BHE option which would terminate the Unit Power Contract October 31, 1993. NEP requests that the Commission allow this Unit Power Contract to become effective on November 1, 1992.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

4. New England Power Company

[Docket No. ER92-813-000]

Take notice that on September 1, 1992, New England Power Company (NEP) submitted for filing a Power Sales Contract with the Commonwealth Electric Company for a 30 megawatt sale of capacity and energy from NEP's Bear Swamp pumped storage facility from November 2, 1992 to November 1, 1993. NEP requests that the Commission allow this Contract to become effective on November 2, 1992.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

5. Arkansas Power & Light Company

[Docket No. ER92-821-000]

Notice is hereby given that effective the 1st day of September, 1992, Rate Schedule FERC No. 96, effective date July 1, 1982 and filed with the Federal Energy Regulatory Commission by Arkansas Power & Light Company is to be canceled.

A copy of the filing has been sent to the Honorable Mayor, City of Ruston, Louisiana and the Arkansas and Louisiana Public Service Commissions.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

6. New England Power Company

[Docket No. ER92-815-000]

Take notice that on September 1, 1992, New England Power Company (NEP) submitted for filing a Power Sales Contract with the UNITIL Power Corp. for up to a 100 megawatt sale of capacity and energy from NEP's Salem Harbor Unit No. 4 facility beginning November 1, 1992 to April 30, 1993. NEP requests that the Commission allow this Contract to become effective on November 1, 1992.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

7. Maine Public Service Company

[Docket No. ER92-725-000]

Take notice that on September 2, 1992, Maine Public Service Company (Maine Public) tendered an amended filing of a proposed initial rate schedule pertaining to the short term, non-firm sale of

capacity and energy. The rate will be negotiated between Maine Public and the purchaser at the time of the transaction, but not to exceed Maine Public's cost of service for the units available for sale. A Service Agreement will be executed prior to the time of a purchase by a particular utility and submitted to the Commission. Maine Public has requested that the rate schedule become effective on July 15, 1992, the original proposed effective date.

An amended filing is being made to include the modifications suggested by the Commission Staff and accepting the Staff recommended rate.

MPS requests an effective date of July 15, 1992, and therefore requests a waiver of the Commission's regulations regarding filing.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

8. Public Service Company of New Hampshire

[Docket No. ER92-590-000]

Take notice that Public Service Company of New Hampshire (PSNH) tendered for filing on September 2, 1992, supplemental information regarding the Agreement For Sale of Capacity and Energy Between PSNH and The Connecticut light and Power Company (CL&P) and Western Massachusetts Electric Company (WMECO).

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

9. Public Service Company of New Hampshire

[Docket No. ER92-481-000]

Take notice that Public Service Company of New Hampshire (PSNH) tendered for filing on September 2, 1992, supplemental information regarding the Agreement For Sale of Capacity and Energy Between PSNH and The Connecticut Light and Power Company (CL&P) and Western Massachusetts Electric Company (WMECO).

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

10. Fitchburg Gas and Electric Light Company

[Docket No. ER92-88-000]

Take notice that on September 1, 1992, Fitchburg Gas and Electric Light Company (Fitchburg) tendered for filing certain revisions to its October 7, 1991 initial rate filing, namely: (1) A revised Fitchburg Unit No. 7 cost of service study; and (2) an amended tariff sheet restating the maximum rates for capacity for sales from Fitchburg Unit No. 7. The implementation of the revisions to the Unit No. 7 rates will produce a total refund amount of $72,848.91 ($58,971.25 principal and $13,877.66 in estimated interest through August 31, 1992) for Unit No. 7 sales. Fitchburg states that it renews its original request for waiver of the Commission's notice requirements, 18 CFR 35.3, to permit the revised tariff to become effective May 1, 1989, and to permit each service agreement to become effective pursuant to its terms.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

11. Northern States Power Company (Minnesota Company)

[Docket No. ER92-76-000]

Take notice that on September 2, 1992, Northern States Power Company (Minnesota) [NSP-MN or NSP] tendered for filing the Agreement for Transmission Losses dated July 1, 1990, between NSP-MN and the City of Windom, Minnesota [Windom].

The Agreement for Transmission Losses provides that Windom agrees to purchase power and energy from NSP for losses in lieu of scheduling additional power and energy deliveries to compensate NSP for its FERC accepted system average losses in effect as of August 15, 1988. This agreement is subject to all the terms and conditions of the Transmission Capacity and Planning Agreement between NSP and Windom dated August 15, 1988, on file as Rate Schedule FERC No. 455. The filing amendment provides additional cost support for the initial rates proposed in the initial filing and revises the rate schedule to establish certain maximum charges.

NSP again requests that the Agreement for Transmission Losses be accepted for filing effective August 15, 1988, and requests waiver of Commission's notice requirements in order for the Agreement to be accepted for filing on that date. NSP requests that the Agreement be accepted as a supplement to Rate Schedule FERC No. 455.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

12. Florida Power Corporation

[Docket No. ER92-822-000]

Take notice that on September 2, 1992, Florida Power Corporation (Florida Power) filed a service agreement pursuant to which it will provide transmission service to Duke Power Company (Duke Power) under Florida Power's T-1 Transmission Tariff. Transmission services will be provided when mutually agreed by the parties. Florida Power requests that the agreement become effective on November 2, 1992, 60 days after the filing.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

13. Northern States Power Company (Minnesota Company)

[Docket No. ER92-75-000]

Take notice that on September 2, 1992, Northern States Power Company (Minnesota) [NSP-MN or NSP] tendered for filing the Agreement for Transmission Losses dated July 1, 1990, between NSP-MN and the City of Springfield, Minnesota [Springfield].

The Agreement for Transmission Losses provides that Springfield agrees to purchase power and energy from NSP for losses in lieu of scheduling additional power and energy deliveries to compensate NSP for its FERC accepted system average losses in effect as of August 15, 1988. This agreement is subject to all the terms and conditions of the Transmission Capacity and Planning Agreement between NSP and Springfield dated August 15, 1988, on file as Rate Schedule FERC No. 455. The filing amendment provides additional cost support for the initial rates proposed in the initial filing and revises the rate schedule to establish certain maximum charges.

NSP again requests that the Agreement for Transmission Losses be accepted for filing effective August 15, 1988, and requests waiver of Commission's notice requirements in order for the Agreement to be accepted for filing on that date. NSP requests that the Agreement be accepted as a supplement to Rate Schedule FERC No. 454.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

14. Wisconsin Electric Power Company

[Docket No. ER92-722-000]

Take notice that Wisconsin Electric Power Company (Wisconsin Electric) on August 31, 1992, tendered for filing revised Service Schedule pages A4, B4, C4, and D4 to the Interchange Agreement between itself and Otter Tail Power Company (OTP). The revision caps the Order No. 84 compensation at one dollar per megawatthour for difficult to quantify costs.

Wisconsin Electric and OTP respectfully requests an effective date of September 1, 1992.

Copies of the filing have been served on OTP and the Public Service Commission of Wisconsin.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

15. Northern States Power Company (Minnesota Company)

[Docket No. ER92-77-000]

Take notice that on September 2, 1992, Northern States Power Company (Minnesota) [NSP-MN or NSP] tendered for filing an amendment to its initial filing of the Interconnection and Interchange Agreement dated November 29, 1990, between NSP-MN and the City of Mountain Lake, Minnesota [Mountain Lake].

The Interconnection and Interchange Agreement essentially provided that NSP would sell power and/or energy to Mountain Lake. The amendment provides additional cost support for the rates contained in the Agreement.

NSP again requests that the Interconnection and Interchange Agreement be accepted for filing effective November 29, 1990, and requests waiver of Commission's notice requirements in order for the Agreement to be accepted for filing on that date. NSP requests that the Agreement be accepted as a supplement to Rate Schedule FERC No. 453, the original rate schedule for service to Mountain Lake.

Comment date: September 22, 1992, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraphs

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (19 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Secretary.

[FR Doc. 92-22280 Filed 9-14-92; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 9215]

Birch Creek Power Co.; Intention To Prepare an Environmental Impact Statement and Conduct Public Scoping Meetings

September 9, 1992.

The Federal Energy Regulatory Commission (FERC) has received an application for license for the construction of the Bear River Narrows hydropower project, FERC No. 9215. The hydropower project is located on the Bear River in Idaho.

The FERC staff has determined that licensing this project would constitute a major federal action significantly affecting the quality of the human environment. Therefore, the staff intends to prepare an environmental impact statement (EIS) on the hydroelectric project in accordance with the National Environmental Policy Act. The Bureau of Land Management will be a cooperating agency in the preparation of the EIS.

The staff's EIS will objectively consider both site specific and cumulative environmental impacts of the project and reasonable alternatives, and will include an economic, financial and engineering analysis.

A draft EIS will be issued and circulated for review by all the interested parties. All comments filed on the draft EIS will be analyzed by the staff and considered in a final EIS. The staff's conclusions and recommendations will then be presented for the consideration of the Commission in reaching its final licensing decision.

Scoping Meetings

The FERC staff will conduct two scoping meetings. The evening scoping meeting is primarily for public input while the morning meeting will focus on resource agency concerns. All interested individuals, organizations, and agencies are invited to attend and assist the staff in identifying the scope of environmental issues that should be analyzed in the EIS.

To help focus discussions, a preliminary EIS scoping document outlining subject areas to be addressed at the meeting will be distributed by mail to parties on the FERC service list. Copies of the preliminary scoping document will also be available at the scoping meetings.

Two scoping meetings will be conducted by staff and will be held on Wednesday, September 30, 1992. The first will focus on resource agency concerns and will be held from 10 a.m. to 12 p.m., in Suite 172 of the Federal Courthouse, at 250 South 4th, Pocatello, Idaho. The second meeting will be from 7 p.m. to 10 p.m., at the Robinson Building, Franklin County Fairgrounds, Preston, Idaho. This meeting is primarily designed for public input.

Objectives

At the scoping meetings the staff will: (1) Summarize the environmental issues tentatively identified for analysis in the planned EIS; (2) solicit from the meeting participants all available information, especially quantified data, on the resources at issue, and (3) encourage statements from experts and the public on issues that should be analyzed in the EIS, including points of view in opposition to, or in support of, the staff's preliminary views.

Procedures

The meetings will be recorded by a stenographer and all statements (oral and written) thereby become a part of the formal record of the Commission proceedings on the Bear River Narrows Project. Individuals presenting statements at the meetings will be asked to clearly identify themselves for the record.

Individuals, organizations, and agencies with environmental expertise and concerns are encouraged to attend the meetings and to assist the staff in defining and clarifying the issues to be addressed in the EIS.

Participants at the public meetings are asked to keep oral comments to five minutes.

Persons choosing not to speak at the meetings, but who have views on the issues or information relevant to the issues, may submit written statements for inclusion in the public record. In addition, written scoping comments may be filed with the Secretary, Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, until October 31, 1992.

All correspondence should clearly show the following caption on the first page: Bear River Narrows Project, Idaho, Project No. 9215.

All those that are formally recognized by the Commission as intervenors in the Bear River Narrows Project proceeding are asked to refrain from engaging the staff or its contractor in discussions of the merits of the projects outside of any announced meetings.

Further, interested persons are reminded of the Commission's Rules of Practice and Procedure, requiring parties or interceders (as defined in 18 CFR 385.2010) filing documents with the Commission, to serve a copy of the document on each person whose name

is on the official service list for this proceeding. See 18 CFR 4.34(b).

For further information please contact Thomas Camp at (202) 210–2832.

Lois D. Cashell,

Secretary.

[FR Doc. 92–22283 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD92–08754T Kansas-3]

State of Kansas; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formation

September 8, 1992.

The notice that on August 28, 1992, the State Corporation Commission of the State of Kansas (Kansas) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that the Mississippian Chat Formation underlying a portion of Kiowa County, Kansas qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The designated area consists of following:

Township 28 South, Range 17 West

Sections 5–9: All
Sectons 16–18: All
Section 19: N/2
Section 20: N/2
Section 21: All

Towhship 28 South, Range 18 West

Section 1: E/2
Sections 12–13: All

The notice of determination also contains Kansas' findings that the referenced portion of the Mississippian Chat Formation meets the requirements of the Commission's regulations set forth in 18 CFR part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

[FR Doc. 92–22180 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

[Docket Nos. CP92–686–000, et al.]

Transwestern Pipeline Company, et al.; Natural Gas Certificate Filings

September 8, 1992.

Take notice that the following filings have been made with the Commission:

1. Transwestern Pipeline Company

[Docket No. CP92–686–000]

Take notice that on September 1, 1992, Transwestern Pipeline Company (Transwestern), 1400 Smith Street, Houston, Texas 77002, filed in Docket No. CP92–686–000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon an exchange of natural gas with Williams Natural Gas Company (WNG), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Transwestern proposes to abandon the exchange of up to 75,000 Dt equivalent of gas per day with WNG, which was authorized by the Commission in Docket No. CP79–326 and carried out pursuant to the provisions of an exchange agreement between WNG and Transwestern dated May 15, 1979. Transwestern states that in a letter dated May 15, 1990, WNG informed Transwestern of its intention to terminate the exchange. It is asserted that the proposal involves no abandonment of facilities. It is stated that the abandonment would not cause any adverse impact on Transwestern's customers. It is explained that no gas has flowed under the agreement since 1984 and that no imbalance exists.

Comment date: September 29, 1992, in accordance with Standard Paragraph F at the end of this notice.

2. Panhandle Eastern Pipe Line Company

[Docket No. CP92–677–000]

Take notice that on August 28, 1992, Panhandle Eastern Pipe Line Company (Panhandle), P.O. Box 1642, Houston, Texas 77251–1642, filed in Docket No. CP92–677–000 an application pursuant to section 7(b) of the Natural Gas Act for permission and approval to abandon the sale of natural gas to the City of Pittsfield, Illinois (Pittsfield), and the Town of Pittsboro, Indiana (Pittsboro), existing jurisdictional sales customers, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Panhandle proposes to abandon the firm sales service to Pittsfield under Rate Schedule SSS–2 and to Pittsboro under Rate Schedule SSS–1. It is stated that the customers have elected to terminate the sales services and to replace them with firm transportation services under Panhandle's Rate Schedule SCT. It is asserted that Pittsfield has requested an effective date for the termination and replacement of August 1, 1992, and that Pittsboro has requested an effective date for the termination and replacement of September 1, 1992. Panhandle requests that the abandonment authority be conditioned so that the residual take-or-pay costs and other costs attributable to the services for Pittsfield and Pittsboro are recovered. It is stated that no abandonment of facilities is associated with the proposal.

Comment date: September 29, 1992, in accordance with Standard Paragraph F at the end of this notice.

3. Northern Natural Gas Company

[Docket No. CP92–690–000]

Take notice that on September 3, 1992, Northern Natural Gas Company (Northern), 1111 South 103rd Street, Omaha, Nebraska 68124–1000, filed in Docket No. CP92–690–000 a request pursuant to § 157.205 of the Commission's Regulations under Natural Gas Act (18 CFR 157.205) for authorization to construct and operate a new delivery point to accommodate deliveries of natural gas to Northern States Power Company of Wisconsin (NSPW), under Northern's blanket certificate issued in Docket No. CP82–401–000 pursuant to section 7 of the Natural Gas Act, all as more fully described in the request which is on file with the Commission and open to public inspection.

Northern proposes to install and operate the new delivery point and appurtenant facilities for the redelivery of natural gas by NSPW to the community of Shelby, Wisconsin, in response to a request from NSPW. It is stated that NSPW has requested the additional delivery point as a result of expansion of its distribution system into new areas. It is stated that the gas would be used for residential, commercial and industrial end uses. Northern proposes to install the delivery point to accommodate deliveries to NSPW under its FT–1 and IT–1 rate schedules. It is asserted that the volumes delivered at the proposed delivery point would total 270 Mcf on a peak day, 68 Mcf on a average day, and 24,703 Mcf on an annual basis. It is estimated that the cost of installing the facilities would be $40,000, for which Northern would be reimbursed by NSPW.

Comment date: October 23, 1992, in accordance with Standard Paragraph G at the end of this notice.

4. Long Island Lighting Company

[Docket No. CP92–680–000]

Take notice that on August 31, 1992, Long Island Lighting Company (LILCO) of 175 East Old Country Road,

Hicksville, New York 11801, filed an application under section 7 of the Natural Gas Act and §§ 157.23 and 284.224 of the Commission's Regulations (Regulations) for a blanket certificate of public convenience and necessity.

LILCO requests authority: (1) To make sales in interstate commerce for resale of natural gas subject to the Commission's NGA jurisdiction without rate and source restrictions and (2) to sell, transport, and assign gas pursuant to § 284.224 of the Regulations upon the same terms and conditions as apply to intrastate pipelines. LILCO requests pregranted authority to abandon sales made pursuant to the first authorization, waiver of parts 154 and 271 of the Regulations and assurance that the requested authorizations will not impair LILCO's NGA section 1(c) exemption from the Commission's jurisdiction with respect to activities other than those conducted pursuant to the requested authorizations, all as more fully set forth in the application.

Comment date: September 24, 1992, in accordance with Standard Paragraph J at the end of this notice.

5. Williams Natural Gas Company

[Docket No. CP92-692-000]

Take notice that on September 3, 1992, Williams Natural Gas Company (WNG), P.O. Box 3288, Tulsa, Oklahoma 74101, filed in Docket No. CP92-692-000 a request pursuant to §§ 157.205 and 157.216 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205, 157.216) for authorization to abandon the transportation of natural gas for direct sale to OXY USA, Inc. (OXY), at three locations and to reclaim measuring, regulating and appurtenant facilities necessary to make the sales, under WNG's blanket certificate issued in Docket No. CP82-479-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request that is on file with the Commission and open to public inspection.

WNG has included in its application a letter dated March 20, 1992, whereby OXY advised that it no longer uses any gas served from WNG's gas sales meters located on the subject leases. WNG explains that OXY has switched from gas service to electrical power. WNG states that the subject gas sales meters are located on the Enyart lease, the Shumway lease, and the Augusta treater lease, all in Butler County, Kansas. WNG further states that the facilities were originally installed under authorization issued in Docket No. G-298 (4 FPC 471) and Docket No. CP73-94 (50 FPC 3). WNG estimates that the reclaim cost would be approximately $3,150 and there would be no salvage value.

Comment date: October 23, 1992, in accordance with Standard Paragraph G at the end of this notice.

6. Northern Natural Gas Company

[Docket No. CP92-689-000]

Take notice that on September 3, 1992, Northern Natural Gas Company (Northern), 1111 South 103d Street, Omaha, Nebraska 68124-1000, filed in Docket No. CP92-689-000, a request pursuant to §§ 157.205 and 157.212 of the Commission's Regulations under the Natural Gas Act (18 CFR 157.205 and 157.212) for authority to install and operate a new delivery point to accommodate natural gas deliveries to Northern States Power Company of Wisconsin (NSP) for the redelivery of natural gas to the community of Saxton, Wisconsin, under Northern's blanket certificate issued in Docket No. CP82-401-000 pursuant to section 7 of the Natural Gas Act, all as more fully set forth in the request which is on file with the Commission and open to public inspection.

Northern states that NSP has requested installation of this new delivery point due to the expansion of their distribution system into new areas. It is asserted that the proposed volumes to be delivered to the proposed delivery point would be 81 Mcf of natural gas on a peak day and 8,300 Mcf of natural gas on an annual basis. It is stated that NSP will reimburse Northern for $25,500 of the costs to install the proposed delivery point.

Comment date: October 23, 1992, in accordance with Standard Paragraph G at the end of this notice.

Standard Paragraphs

F. Any person desiring to be heard or make any protest with reference to said file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR 157.205) a protest to the request. If no protest is filed within the time allowed therefore, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for authorization pursuant to section 7 of the Natural Gas Act.

Standard Paragraph

J. Any person desiring to be heard or make any protest with reference to said filings should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426 a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, .214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be

unnecessary for the applicant to appear or be represented at the hearing.

Lois D. Cashell,

Secretary.

[FR Doc. 92–22282 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. JD92–08951T Wyoming–36]

State of Wyoming; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formation

September 8, 1992.

Take notice that on August 31, 1992, the Wyoming Oil and Gas Conservation Commission (Wyoming) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that the Baxter Formation underlying a portion of Lincoln and Sublette Counties, Wyoming, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The notice covers approximately 16,600 acres of Federal, Fee and State lands more particularly described on the attached appendix.

The notice of determination also contains Wyoming's findings that the referenced portion of the Baxter Formation meets the requirements of the Commission's regulations set forth in 18 CFR Part 271.

The application for determination is available for inspection, except for material which is confidential under 18 CFR 275.206, at the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Persons objecting to the determination may file a protest, in accordance with 18 CFR 275.203 and 275.204, within 20 days after the date this notice is issued by the Commission.

Lois D. Cashell,

Secretary.

Appendix

State of Wyoming, Wyoming–36,]D92–08951

The area of application covers approximately 16,600 acres in Lincoln and Sublette Counties, Wyoming of which 63% are Federal, 28% are Fee and 9% are State lands.

Sublette County

Township 27 North, Range 112 West

Section 29: All
Section 32: All

Lincoln County

Township 26 North, Range 112 West

Section 5: All
Section 8: All
Sections 17–18: All

Township 26 North, Range 113 West

Sections 13–15: All
Sections 21–22: All
Sections 27–29: All
Sections 32–34: All

Township 25 North, Range 113 West

Sections 3–5: All
Sections 8–10: All
Sections 15–17: All

[FR Doc. 92–22181 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RS92–15–000]

Equitrans, Inc.; Notice of Conference

September 8, 1992.

Take notice that on September 18, 1992, a conference will be convened in the above-captioned docket to discuss Equitrans, Inc.'s summary of its proposed plan for implementation of Order No. 636.

The conference will be held in a hearing or conference room of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC 20426. The conference will begin at 10 a.m. All interested persons are invited to attend. Attendance at the conference, however, will not confer party status. For additional information, interested persons can call Betsy Carr at (202) 208–1240 or Leonard Burton at (202) 208–2085.

Lois D. Cashell,

Secretary.

[FR Doc. 92–22183 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. RP92–177–000]

Northern Border Pipeline Co.; Notice of Informal Settlement Conference

September 8, 1992.

Take notice that an informal settlement conference will be convened in this proceeding on September 24, 1992, at 2 p.m., at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC, for the purpose of exploring the possible settlement of the issues in this proceeding.

Any party, as defined by 18 CFR 385.102(c), or any participant, as defined by 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, contact Donald Williams at (202) 208–0743.

Lois D. Cashell,

Secretary.

[FR Doc. 92–22182 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

[Docket Nos. RP92–47–000, CP90–1874–000 and RP92–95–000]

U–T Offshore System Informal Settlement Conference

September 8, 1992.

Take notice that an informal settlement conference will be convened in this proceeding on September 16, 1992, at 10 a.m., at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC, for the purpose of exploring the possible settlement of the above-referenced dockets.

Any party, as defined by 18 CFR 385.102(c), or any participant, as defined by 18 CFR 385.102(b), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214) (1992).

For additional information, please contact Irene E. Szopo at (202) 208–1602, or Anja M. Clark at (202) 208–2034.

Lois D. Cashell,

Secretary.

[FR Doc. 92–22184 Filed 9–14–92; 8:45 am]

BILLING CODE 6717–01–M

ENVIRONMENTAL PROTECTION AGENCY

[FRL–4205–4]

Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as Amended by the Superfund Amendments and Reauthorization Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice and request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), notice is hereby given that a proposed administrative cost recovery settlement concerning the Bluff Electric Works, Inc. (BEW) Superfund site (the Site) in Poplar Bluff, Missouri was issued by the EPA on June 1, 1992. The settlement resolves an EPA claim under Section 107 of CERCLA against members of the BEW PRP Group signing the agreement (The Settling Parties). The settlement requires the Settling Parties to pay response costs in the amount of

approximately $125,000.00 to the Hazardous Substances Superfund.

For thirty (30) days following the date of the publication of this Notice, the Agency will accept written comments relating to the settlement. The Agency's response to any comments received will be available for public inspection at the EPA Region VII Office, located at 726 Minnesota Avenue in Kansas City, Kansas 66101, 913 551–7000, and at the local repository for site information located in the Poplar Bluff Public Library, 318 Main Street, Poplar Bluff, Missouri 63901, 314 686–8639.

DATES: Comments must be submitted on or before October 15, 1992.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection during weekday business hours at the EPA Region VII office at 726 Minnesota Avenue in Kansas City Kansas 66101. A copy of the proposed settlement may be obtained from Vanessa Cobbs, Regional Docket Clerk, EPA Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone number 913 551–7477.

Comments on the proposed settlement should reference the Bluff Electric Works Superfund Site, Poplar Bluff, Missouri and EPA Docket No. VII–92–F–0015, and should be addressed to Ms. Cobbs at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Anne Rowland, Assistant Regional Counsel, EPA Region VII, Office of Regional Counsel, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone: 913 551–7279.

Dated: August 3, 1992.

David A. Wagoner,

Director, Waste Management Division, U.S. EPA Region VII.

[FR Doc. 92–22250 Filed 9–14–92; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4205–5]

Proposed Administrative Settlement Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as Amended by the Superfund Amendments and Reauthorization Act

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice and request for public comment.

SUMMARY: In accordance with section 122(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), notice is hereby given that a proposed administrative cost recovery settlement concerning the Resource Services, Inc. Superfund site (the Site) in Springfield, Missouri was issued by the EPA on July 7, 1992. The settlement resolves an EPA claim under Section 107 of CERCLA against Colonial Commercial, Inc. of Pompano Beach, Florida for the liability of its wholly owned subsidiary, Big Smith, Inc., of Springfield, Missouri, (The Settling Party). The settlement requires the Settling Party to pay response costs in the amount of approximately $150.00 to the Hazardous Substances Superfund.

For thirty (30) days following the date of the publication of this Notice, the Agency will accept written comments relating to the settlement. The Agency's response to any comments received will be available for public inspection at the EPA Region VII Office, located at 726 Minnesota Avenue in Kansas City, Kansas 66101, and at the local repository for site information, The City Clerk, City of Springfield, 830 Booneville, Springfield, Missouri, 65802.

DATES: Comments must be submitted on or before October 15.

ADDRESSES: The proposed settlement and additional background information relating to the settlement are available for public inspection during weekday business hours at the EPA Region VII office at 726 Minnesota Avenue in Kansas City, Kansas 66101. A copy of the proposed settlement may be obtained from Venessa Cobbs, Regional Docket Clerk, EPA Region VII, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone number 913–551–7630.

Comments on the proposed settlement should reference the Resource Services Superfund Site, Springfield Missouri and EPA Docket No. VII–92–F–0018, and should be addressed to Ms. Cobbs at the above address.

FOR FURTHER INFORMATION CONTACT: Ms. Anne Rowland, Assistant Regional Counsel, EPA Region VII, Office of Regional Counsel, 726 Minnesota Avenue, Kansas City, Kansas 66101, telephone: 913–551–7279.

Dated: August 3, 1992.

David A. Wagoner,

Director, Waste Management Division, U.S. EPA Region VII.

[FR Doc. 92–22251 Filed 9–14–92; 8:45 am]

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[FRL–4204–6]

National Pollutant Discharge Elimination System (NPDES); Draft General Permits for Non-Contact Cooling Water in the States of Maine, Massachusetts, and New Hampshire

AGENCY: Environmental Protection Agency.

ACTION: Notice of draft general NPDES permits.

SUMMARY: The Regional Administrator of Region I is providing Notice of a Draft General NPDES Permit for non-contact cooling water in certain waters of the States of Maine, Massachusetts, and New Hampshire. These draft general NPDES Permits propose effluent limitations, standards, prohibitions and management practices for these types of discharges (appendix A contains the Draft General NPDES Permits and appendix B is the Draft General Conditions applicable to all three general permits). The permit is to be effective 30 days after the date of publication in the **Federal Register** of the final general permit or upon notification by EPA that the operator is covered by this permit, whichever is later, and will expire in 5 years from the date of signature. Owners and/or operators of facilities discharging non-contact cooling water will be required to submit to EPA, Region I, a notice of intent to be covered by the appropriate general permit and will receive a written notification from EPA of permit coverage and authorization to discharge under one of the general permits.

DATES: Interested persons may submit comments on the draft general permits until no later than November 16, 1992.

ADDRESSES: Comments may be submitted to: Sharon M. Leitch, U.S. EPA, Region 1, Wastewater Management Branch, Water Management Branch, WMN, John F. Kennedy Federal Building, Boston, Massachusetts 02202. The draft permits are based on an administrative record available for public review which are available at this location between the hours of 9 a.m. and 4 p.m., Monday through Friday excluding holidays. Copies of the NPDES draft permits and additional information concerning the draft permits may also be obtained at this location.

FOR FURTHER INFORMATION CONTACT: Sharon M. Leitch at (617) 565–3588.

SUPPLEMENTARY INFORMATION:

FACT SHEET AND SUPPLEMENTARY INFORMATION

I. Background Information

A. General Permits

Section 301(a) of the Clean Water Act (the Act) provides that the discharge of pollutants is unlawful except in accordance with a National Pollutant Discharge Elimination System (NPDES) permit. Although such permits to date have generally been issued to individual discharges, EPA's regulations authorize the issuance of "general permits" to categories of discharges. See 40 CFR 122.28 (48 FR 14146, April 1, 1983). EPA may issue a single, general permit to a category of point sources located within the same geographic area whose permits warrant similar pollutant control measures.

The Director of an NPDES permit program is authorized to issue a general permit if there are a number of point sources operating in a geographic area that:

1. Involve the same or substantially similar types of operations;
2. Discharge the same types of wastes;
3. Require the same effluent limitations or operating conditions;
4. Require the same or similar monitoring requirements; and
5. In the opinion of the Regional Administrator, are more appropriately controlled under a general permit than under individual permits.

Violations of a condition of a general permit constitutes a violation of the Clean Water Act and subjects the discharger to the penalties in section 309 of the Act.

Any owner or operator authorized by a general permit may be excluded from coverage of a general permit by applying for an individual permit. This request may be made by submitting a NPDES permit application together with reasons supporting the request no later than 90 days after publication by EPA of the final general permit in the **Federal Register**. The Director may require any person authorized by a general permit to apply for and obtain an individual permit. Any interested person may petition the Director to take this action. However, individual permits will not be issued for sources discharging non-contact cooling water covered by these general permits unless it can be clearly demonstrated that inclusion under the general permit is inappropriate. The Director may consider the issuance of individual permits when:

1. The discharge(s) is a significant contributor of pollution;
2. The discharge(s) is not in compliance with the terms and conditions of the general permit;
3. A change has occurred in the availability of demonstrated technology or practices for the control or abatement of pollutants applicable to the point source;
4. Effluent limitations guidelines are subsequently promulgated for the point sources covered by the general permit;
5. A Water Quality Management plan containing requirements applicable to such point sources is approved; or
6. The requirements listed in the previous paragraphs are not met.

B. Non-Contact Cooling Water

Description of Discharges

The proposed general permits are for:

1. Massachusetts operators of any facilities with cooling water discharges.
2. Maine operators of industrial facilities with cooling water discharges.
3. New Hampshire operators of any industrial facilities with cooling water discharges.

Non-contact cooling water is water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product (other than heat) or finished product. Non-contact cooling water discharges are similar in composition event though they are not generated by a single industrial category or point source.

The similarity of the discharges has prompted EPA to prepare this draft general permit for public review and comment. When issued, this permit will enable facilities to maintain compliance with the Act and will extend environmental and regulatory controls to a large number of discharges and reduce some permit backlog. The issuance of this general permit for the geographic areas described below is warranted by the similarity of (a) environmental conditions, (b) State regulatory requirements applicable to the discharges and receiving waters, and (c) technology employed.

Maine

In the State of Maine, there are 271 industrial applicants or permittees. It is estimated that 12 of the industries that have direct discharges to the waters of the State are strictly non-contact cooling water.

New Hampshire

In the State of New Hampshire, there are 178 industrial applications or permittees. It is estimated that 23 of the industries that have the direct discharges to the waters of the State are strictly non-contact cooling water.

Massachusetts

In the Commonwealth of Massachusetts, there are 651 industrial applicants or permittees. It is estimated that 129 of the industries that have direct discharges to the waters of the State are strictly non-contact cooling water.

II. Conditions of the Draft General NPDES Permit

A. Geographic Areas

Maine (permit No. MEG250000). All of the discharges to be authorized by the general NPDES permit for the State of Maine from dischargers are into all waters of the State, except lakes.

Massachusetts (Permit No. MAG250000). All of the discharges to be authorized by the general NPDES permit for the Commonwealth of Massachusetts dischargers are into all waters in Water Quality Classifications B and C as designated in Massachusetts Water Quality Standards, 314 CMR 4.00 *et seq.*

New Hampshire (Permit No. NHG250000). All of the discharges to be authorized by the general NPDES permit for the State of New Hampshire dischargers are into all waters of the State of New Hampshire unless otherwise restricted by the State Water Quality Standards, New Hampshire RSA 484–A:8.

B. Notification by Permittees

Operators of facilities whose discharge, or discharges, are non-contact cooling water and whose facilities are located in the geographic areas described in Part II A above may submit to the Regional Administrator, Region I, a notice of intent to be covered by the appropriate general permit. This written notification must include the owner's or operator's legal name and address, the number and type of facilities to be covered, the facility locations, the names of the receiving waters into which discharge will occur and in the State of Maine, only, a special list of chemicals must be included. The facilities authorized to discharge under a final general permit will receive written notification from EPA, Region I, within 30 days of permit coverage. Failure to submit to EPA, Region I, a notice of intent to be covered or failure to receive from EPA written notification of permit coverage means that the facility is not authorized to discharge.

C. Effluent Limitations

1. Statutory Requirements

The Clean Water Act requires all dischargers to meet effluent limitations

based on the technological capability of dischargers to control the discharge of the pollutants. Section 301(b)(1)(A) requires the application of "Best Practicable Control Technology Currently Available" (BPT). Section 301(b)(2)(A), (C), (D), and (F) requires the application of "Best Available Technology Economically Available" (BAT) by July 1, 1984, for all toxic pollutants referred to in Table 1 of Committee Print Numbered 95–30 of the Committee on Public Works and Transportation of the House of Representatives and not later than three years after the date any limitations are established for toxic pollutants listed under paragraph (1) of subsection (a) of section 307 of the Act which are not referred to in subparagraph (C) of section 301(b)(2). Section 301(b)(2)(A) and (F) requires "Best Available Treatment Technology Economically Achievable" (BAT) for nonconventional pollution by July 1, 1984, and section 301(b)(2)(E) requires the application of the Best Conventional Pollutant Control Technology (BCT) for conventional pollutants by July 1, 1984. The effluent limitations in the general permit are consistent with these statutory requirements.

2. Technology-based Effluent Limitations

EPA has not promulgated National Effluent Guidelines for non-contact cooling water discharges. For a category where Guidelines have been promulgated, such as steam electric generating stations, the issuance of an individual permit for the discharges would be more appropriate. Therefore, as provided in section 402(a)(1) of the Act, EPA has determined to issue this general permit utilizing best professional judgement to meet the above stated criteria for BAT described in section 304(b) of the Act.

The pH has been defined as a conventional pollutant. A review of the BCT regulations reveals the test cost is inappropriate because: (1) The pH is not adjusted as nothing but heat is added to the discharge and no chemical addition or treatment is provided, and (2) pH, even though it is a conventional pollutant, is not measured in pounds as the other conventional pollutants. The permits do not allow the addition of any toxics or oil and grease. Since these are not permitted, there are no BAT limits that must be provided.

3. Water Quality Standards

Non-contact cooling water discharges do not contain or come in contact with raw materials, intermediate products, finished products, or process wastes. They do not contain toxic or hazardous pollutants or oil and grease. Therefore, water quality criteria established for toxic or hazardous pollutants do not apply to these discharges. Water Quality Standards applicable to these discharges are limited to pH and temperature. EPA has reviewed the Water Quality Standards for pH and temperature of each of the affected states and incorporated the appropriate effluent limitations into each permit.

4. Monitoring and Reporting Requirements

Effluent limitations and monitoring requirements are included in the general permit describing requirements to be imposed on facilities to be covered.

Facilities covered by the final general permits will be required to submit to EPA, Region I, and the appropriate State a Discharge Monitoring Report containing effluent data on a semi-annual basis.

The monitoring requirements have been established to yield data representative of the discharge under authority of section 308(a) of the Act and 40 CFR 122.41(j), 122.44(i) and 122.48, and as certified by the State. The monitoring frequency is dependent upon the flow rates.

III. Other Requirements

The remaining conditions of the permit are based on the NPDES regulations 40 CFR parts 122 through 125 and consist primarily of management requirements common to all permits.

IV. State Certification

Section 301(b)(1)(C) of the Act requires that NPDES permits contain conditions which ensure compliance with applicable State water quality standards or limitations. Section 401 requires that States certify that Federally issued permits are in compliance with State law.

These permits are for operations within waters of the States. EPA is requesting the States to review and provide appropriate certification to these general permits pursuant to 40 CFR 124.53.

V. Administrative Aspects

A. Request to be Covered

A facility is not covered by any of these general permits until it meets two requirements. First, it must send a letter of intent to EPA indicating it meets the requirements of the permit and wants to covered. And second, it must be notified by EPA that it is covered by a general permit. If it has an existing individual NPDES permit, it will be terminated as outlined in 40 CFR § 122.28(b)(2)(iv).

B. Mechanisms

All persons, including dischargers who believe any condition of the draft permit is inappropriate must raise all issues and submit all available arguments and supporting material for their arguments in full by the close of the public comment period, to the U.S. EPA, Wastewater Management Branch, WMN, JFK Federal Building, Boston, Massachusetts, 02203. Any person, prior to such date, may submit a request in writing for a public hearing to consider the draft permit to EPA and the State Agency. Such requests shall state the nature of the issues proposed to be raised in the hearing. A public hearing may be held after at least a 30-day public notice whenever the Regional Administrator finds that response to this notice indicates significant interest. In reaching a final decision on the draft permits, the Regional Administrator will respond to all significant comments and make these responses available to the public at EPA's Boston office.

Following the close of the comment period, and after the public hearing, if such hearing is held, the Regional Administrator will issue a final permit in the Federal Register.

C. The Coastal Zone Management Act

The Coastal Zone Management Act (CZMA), 16 U.S.C. 1451 *et seq.*, and its implementing regulations (15 CFR part 930) require that any federally licensed activity affecting the coastal zone with an approved Coastal Zone Management Program (CZMP) be determined to be consistent with the CZMP. EPA, Region I, has determined that these general NPDES permits are consistent with the CZMP. EPA has requested the Massachusetts, Maine, and New Hampshire coastal zone agencies for a determination that these three permits are consistent with their respective State policies.

D. The Endangered Species Act

EPA Region I has concluded that the discharges to be covered by the general NPDES permits will not affect or jeopardize the continued existence of any endangered or threatened species or adversely affect its critical habitat. EPA has requested consultations with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service to confirm this conclusion.

E. Environmental Impact Statement Requirements

The general permits do not authorize the construction of any water resources project or the impoundment of any water body or have any effect on historical property, and are not major Federal activities needing preparation of any Environmental Impact Statement. Therefore, the Wild and Scenic Rivers Act, 16 U.S.C. 1273 *et seq.*, the National Historic Preservation Act of 1966, 16 U.S.C. 470 *et seq.*, the Fish and Wildlife Coordination Act, 16 U.S.C. 611 *et seq.*, and the National Environmental Policy Act, 33 U.S.C. 321 *et seq.*, do not apply to the issuance of these general NPDES permits.

VI. Other Legal Requirements

A. Economic Impact (Executive Order 12291)

EPA has reviewed the effect of Executive Order 12291 on this draft general permit and has determined that it is not a major rule under that order. This regulation was submitted previously to the Office of Management and Budget for review as required by Executive Order 12291. The Office of Management and Budget has exempted this action from the review requirements of Executive Order 12291 pursuant to section 8(b) of that Order.

B. Paperwork Reduction Act

EPA has reviewed the requirements imposed on regulated facilities by these draft general NPDES permits under the Paperwork Reduction Act of 1980, 44 U.S.C. §§ 3501 *et. seq.* The information collection requirements of these draft permits have already been approved by the Office of Management and Budget under submissions made for the NPDES permit program under the provisions of the Clean Water Act. No comments from the Office of Management and Budget or the Public were received on the information collection requirements in these permits.

C. The Regulatory Flexibility Act

After review of the facts presented in the notice printed above, I hereby certify, pursuant to the provisions of 5 U.S.C. 605(b), that these permits do not have a significant impact on a substantial number of small entities. Moreover, the draft permits will reduce a significant administrative burden on regulated sources.

Dated: August 31, 1992.

Julie Belaga,

Regional Administrator.

Appendix A—Draft General Permits

Proposed Draft General Permits Under the National Pollutant Discharge Elimination System (NPDES)

Note: The following three draft general NPDES permits have been combined for purposes of this Federal Register notice in order to eliminate duplication of material common to all permits for the individual states.

1. Massachusetts Draft General Permit

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. 1251 *et seq.*; the "CWA"), operators of facilities located in Massachusetts, which discharge solely non-contact cooling water, as defined in Part II, at a rate of one million gallons per day or less to Class B and C waters as designated in the Massachusetts Water Quality Standards, 314 CMR 4.00 et seq.; are authorized to discharge to all Class B and C waters in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on the date of the signature below.

This permit and the authorization to discharge expire at midnight, five years from date of issuance.

This permit consists of 6 pages in Part I including effluent limitations, monitoring requirements, etc. and 18 pages in Part II including General Conditions and Definitions.

Operators of facilities within the general permit area who fail to notify the Director of their intent to be covered by this general permit and receive written notification of permit coverage, or those who are denied by the Director are not authorized under this general permit to discharge from those facilities to the receiving waters or areas named.

Signed this ____ day of ____

David A. Fierra,

Director, Water Management Division, Environmental Protection Agency, Region I, Boston, Massachusetts 02203.

Part I

A. Effluent Limitations and Monitoring Requirements

1. During the period beginning effective date and lasting through expiration, the permittee is authorized to discharge from each outfall of non-contact cooling water to a drainage basin classified as a warm or cold water fishery as designated below.

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent characteristic	Discharge limitations; Other Units (Specify)		Monitoring requirements	
	Avg. monthly	Max. daily	Measurement frequency	Sample type
Flow		1.0 MGD	quarterly	daily average.
Temperature (warm water fishery) [1]		83°F (28.3°C)	quarterly	4 grabs, reporting max. and avg.
(cold water fishery) [1]		68°F (20°C)		
pH		(see Part I.A.1.g)	quarterly	4 grabs reporting maximum and minimum values.
LC_{50} & C-NOEC, & (see Part I.A.1.h)		Report Only	(Part I.A.1.h)	1 grab

[1] The designation of cold or warm water fisheries shall be that provided in the Massachusetts Water Quality Standards, 314 CMR 4.05(4) and 4.05(5), Tables 1–27.

b. The discharge shall not cause or contribute to a rise in temperature of the receiving waters resulting from artificial origin of greater than 4°F (2.2°C).

c. This permit does not allow for the addition of any biocide or chemical for any purpose to the effluent.

d. There shall be no discharge of floating solids or visible foam in other than trace amounts.

e. The effluent limitations are based on the state water quality standards and are certified by the State.

f. Samples taken in compliance with the monitoring requirements specified above shall be taken at the point of discharge.

g. The pH of the effluent shall not be less than nor greater than the range given for the receiving water classifications, unless these values are exceeded due to natural causes.

Classification	Range
B	6.5–8.0
C	6.5–9.0

h. One chronic Toxicity Screening Test shall be performed by the permittee within 90 days after the issuance date of his general NPDES permit on the cooling water discharge. One grab sample will be taken during normal facility operation. The *Ceriodaphnia dubia* shall be used as the test organism in the test procedure and protocol detailed in Attachment A (Attachment A is standard EPA toxicity protocol. A copy will be provided upon request from EPA, Region I). A portion of the grab sample will be analyzed for: total copper, total lead, total zinc and total residual chlorine. The results of the chronic biological test (C–NOEC and LC_{50}) and chemical analysis tests will be forwarded to State and EPA within 30 days after the completion of all the tests.

The test method shall follow those recommended by EPA: Weber, C.I. et al, 1989, *Short Term Methods for Estimating the Chronic and Acute Toxicity of Effluents and Receiving Water to Freshwater Organisms.* 2nd Edition. Office of Research and Development, Cincinnati, OH, EPA–600/4–89–001.

8. Maine Draft General Permit

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. 1251 et seq.; the "CWA"), operators of industrial facilities discharging solely non-contact cooling water, as defined in Part II, located in Maine are authorized to discharge to all waters in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. No discharge into lakes is authorized by this permit.

This permit shall become effective on the date of the signature below.

This permit and the authorization to discharge expire at midnight, five years from date of issuance.

This permit consists of 7 pages in Part I including effluent limitations, monitoring requirements, etc. and 18 pages in Part II including General Conditions and Definitions.

Operators of facilities within the general permit area who fail to notify the Director of their intent to be covered by this general permit and receive written notification of permit coverage, or those who are denied coverage by the Director are not authorized under this general permit to discharge from those facilities to the receiving waters or areas named.

Signed this ____ day of ____

David A. Fierra,

Director, Water Management Division, Environmental Protection Agency, Region I, Boston, Massachusetts 02203.

Part I

A. Effluent Limitations and Monitoring Requirements

1. During the period beginning on the effective date and lasting expiration, the permittee is authorized to discharge from each outfall of non-contact cooling water (as defined in Paragraph I.A.1.f. below) into fresh and marine water.

a. Such discharges shall be limited and monitored by the permittee as specified below:

Effluent characteristic	Discharge limitations; other units (specify)		Monitoring requirements	
	Avg. monthly	Max. daily	Measurement frequency	Sample type
Flow (see I.A.1.g.) [1]		See Figure 1	Monthly	Daily Average.
Temperature (see I.A.1.g.) [1]		See Figure 1	Monthly	4 grabs, reporting max., and avg.
Total Residual Chlorine (see I.A.1.j.)		Report	Quarterly	Grab.

[1] Non-contact cooling water may be discharged only into Class B, C, SB, and SC waters that have a drainage area larger than ten (10) square miles in accordance with Maine State Law. See Paragraph I.A.1.g. for details for determining if the specific discharge(s) have acceptable dilution and can be covered by the General Permit Program.

b. The pH shall not be less than 6.0 standard units nor greater than 8.5 standard units and shall be monitored monthly with 4 grabs, reporting maximum and minimum values (see I.A.1.i. below).

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. The effluent limitations are based on the state water quality standards and certified by the State.

e. Samples taken in compliance with the monitoring requirements specified above shall be taken at the point of discharge.

f. Definitions:

Non-contact cooling water is water used to reduce temperature which does not come into direct contact with any raw material, intermediate product, waste product or finished product.

Non-toxic water treatment additives are chemicals used in cooling water system primarily to control corrosion or prevent deposition of scale forming materials which do not exhibit any residual toxic effect on the receiving waters.

g. Discharge Temperature and Volume.

The temperature and volume of the discharge shall not exceed 120 °F and 3.0 millions gallons per day (MGD). The acceptability of the total or combined non-contact cooling waters from each facility must be determined using the graph on Figure 1. The intersection of the maximum effluent temperature and the dilution ratio shall be in the "acceptable" range shown on Figure 1, titled "Effluent Temperature/Dilution Graph" for coverage by the General Permit Program. If the intersection falls within the "non-acceptable" area, the facility must be covered by the individual NPDES Permit, not the General Permit Program.

The effluent temperature is the maximum daily temperature. The dilution factor is the sum of the 7Q10 low stream flow at the facility site and the daily maximum effluent flow divided by the daily maximum effluent flow. For facilities with multiple outfalls, the daily maximum effluent flow shall be the sum of the flow from all outfalls.

h. Water Treatment Additives

Non-toxic water treatment additives are allowed in non-contact cooling water systems. The State of Maine will review each identified chemical to determine its acceptability. Additives used to control biological growth in such cooling systems are prohibited due to their inherent toxicity to aquatic life.

Residual chlorine discharges resulting from the use of potable water supplies will be exempt from this provision.

The following water treatment additive biological and chemical data must be supplied in the letter of intent to be covered by this general permit.

(1) Name and manufacture of each additive used,

(2) Maximum and average daily quantity of each additive used on a monthly basis, and

(3) The vendor's reported aquatic toxicity of additive (NOAEL and/or LC_{50} in % for typically acceptable aquatic test organisms)

All substitutions to the accepted water treatment chemicals must be approved by the State prior to their usage.

i. pH control

The pH of the effluent shall be between 6.0 to 8.5 standard units (s.u.) unless the sole cause of excursion below 6.0 s.u. is due to precipitation or the low pH of the influent water.

j. Total Residual Chlorine

Potable water supply sources used for cooling water supply shall not contain Total Residual Chlorine (TRC) at concentration levels that induce a toxic impact upon aquatic life within the receiving waters. The instream waste concentration of TRC based on the ratio of the effluent flow stream flow to the 7Q10 low flow of the stream shall be less than the appropriate water quality criteria for the receiving waterway.

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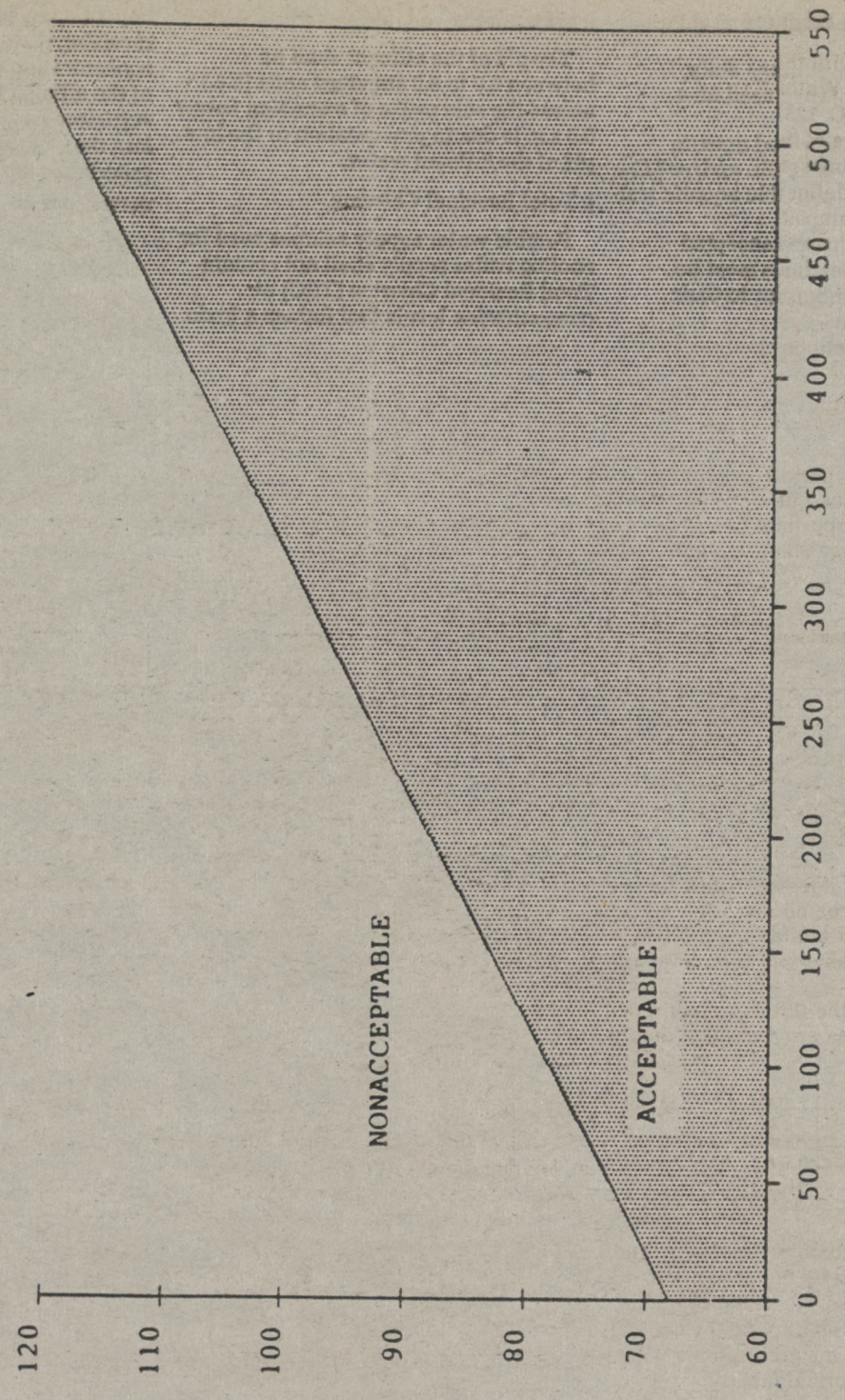
FIGURE I



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c. New Hampshire Draft General Permit

In compliance with the provisions of the Federal Clean Water Act, as amended, (33 U.S.C. 1251 et seq.; the "CWA"), operators of industrial facilities discharging solely non-contact cooling water, as defined in Part II, located in New Hampshire are authorized to discharge to all waters, unless otherwise restricted by State Water Quality Standards, New Hampshire RSA 485–A:8, in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on the date of the signature below.

This permit and the authorization to discharge expire at midnight, five years from date of issuance.

This permit consists of 5 pages in Part I including effluent limitations, monitoring requirements, etc. and 18 pages in Part II including General Conditions and Definitions.

Operators of facilities within the general permit area who fail to notify the Director of their intent to be covered by this general permit and receive written notification of permit coverage, or those who are denied by the Director are not authorized under this general permit to discharge from those facilities to the receiving waters or areas named.

Signed this _____ day of _____

David A. Fierra,

Director, Water Management Division, Environmental Protection Agency, Region I, Boston, Massachusetts.

Part I

A. Effluent Limitations and Monitoring Requirements

1. During the period beginning on the effective date and lasting through expiration, the permittee is authorized to discharge from each outfall of non-contact cooling water into all rivers of the State, unless restricted by the New Hampshire Fish and Game Department and New Hampshire Water Supply and Pollution Control Division.

a. The discharge shall be limited and monitored as specified below:

Effluent characteristic	Discharge limitations		Monitoring requirements	
	Other units (specify)		Measurement frequency	Sample type
	Average monthly	Maximum daily		
Flow			Monthly	Daily average.
Temperature		68 °F (20 °C)	Monthly	4 grabs, reporting max., and avg.
pH	(see Part I.A.1.f)		Monthly	4 grabs, reporting.
LC_{50} & C-NOEC, percent	(see Part I.A.1.g)	Report only	(Part I.A.1.g)	1 grab max. and min. values.

b. This permit does not allow for the addition of any biocide or chemical for any purpose to the water.

c. There shall be no discharge of floating solids or visible foam in other than trace amounts.

d. The effluent limitations are based on the state water quality standards and are certified by the State.

e. Samples taken in compliance with the monitoring requirements specified above shall be taken at the point of discharge.

f. The pH of the effluent shall not be less than nor greater than the range given for the receiving water classifications, unless these values are exceeded due to natural causes.

Classification	Range
A	No discharges allowed.
B	6.5–8.0.
C	6.0–8.5.

g. One chronic toxicity Screening Test shall be performed by the permittee within 90 days after the issuance date of his general NPDES permit on the cooling water discharge. One grab sample will be taken during normal facility operation. The *Ceriodaphnia dubia* shall be used as the test organism in the test procedure and protocol detailed in Attachment A (Attachment A is standard EPA toxicity protocol. A copy will be provided upon request from EPA, Region I). A portion of the grab sample will be analyzed for: total copper, total lead, total zinc, and total residual chlorine. The results of the chronic biological test (NOEC & LC_{50}) and chemical analysis tests will be forwarded to State and EPA within 30 days after the completion of all the tests.

The test method shall follow those recommended by EPA: Weber, C. I., et al, 1989. Short Term Methods for Estimating the Chronic Toxicity of Effluents and Receiving Water to Freshwater Organisms. 2nd Edition. Office of Research and Development, Cincinnati, OH, EPA–600/4–89–001.

[Common Elements for all Permits]

B. Monitoring and Reporting

1. Reporting.

Maine and Massachusetts

Monitoring results obtained during the previous 6 months shall be summarized for each quarter and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15th day of the month following the completed reporting period. The reports are due on the 15th days of January and July. The first report may include less than 6 months information.

New Hampshire

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Forms(s) postmarked no later than the 15th day of the month following the completed reporting period. The reports are due on the 15th days of the month following the reporting period.

Signed copies of these, and all other reports required herein, shall be submitted to the Director and the State at the following addresses as follows:

a. EPA shall receive copy of all reports required herein: NPDES Program Operations Section, Water Compliance Branch Water Management Division, Environmental Protection Agency, Post Office Box 8127, Boston, MA 02114.

b. Massachusetts Division of Water Pollution Control.

(1) The Regional offices wherein the discharge occurs, shall receive a copy of all reports required herein:

Massachusetts Department of Environmental Protection, Massachusetts Division of Water Pollution Control, Western Regional Office, Post Office Box 2410, Springfield, MA 01101

Massachusetts Department of Environmental Protection, Massachusetts Division of Water Pollution Control, Southeastern Regional Office, Lakeville Hospital, Lakeville, MA 02346

Massachusetts Department of Environmental Protection, Massachusetts Division of Water Pollution Control, Northeastern Regional Office, 5 Commonwealth Avenue, Woburn, MA 01801

Massachusetts Department of Environmental Protection, Massachusetts Division of Water Pollution Control, Central Regional Office, 75 Grove Street, Worcester, Massachusetts 01605.

(2) The Central Boston Office shall receive all notifications reports other than the DMRs required by this permit shall be submitted to the States at: Massachusetts Department of Environmental Protection, Massachusetts Division of Water Pollution Control, Permits Section—7th Floor, 1 Winter Street, Boston, MA 02108.

c. Maine Department of Environmental Protection.

Signed copies of all reports required by this permit shall be sent to the State at: Maine Department of Environmental Protection, Operation and Maintenance Division, State House, Station 17, Augusta, ME 04333.

d. New Hampshire Department of Environmental Services.

Signed copies of all reports required by this permit shall be sent to the State at: New Hampshire Department of Environmental Services, Permits and Compliance Section, P.O. Box 95, Concord, New Hampshire 03302–0095.

C. Additional General Permit Conditions.

1. Notification Requirements

a. Written notification of commencement of operations, including the legal name and address of the owners and operator and the locations, number and type of facilities and/or operations covered shall be submitted.

(1) For existing discharges as soon as possible after the effective date of this permit, by operators whose facilities and/or operations are discharging into the general permit area on the effective date of the permit; or

(2) For new discharges 30 days prior to commencement of the discharge by operators whose facilities and/or operations commence discharge subsequent to the effective date of this permit.

b. Operators of facilities and/or operations within the general permit area who fail to notify the Director of their intent to be covered by this general permit and obtain written authorization of coverage are not authorized under this general permit to discharge from those facilities into the named receiving waters.

2. Termination of Operations

Operators of facilities and/or operations authorized under this permit shall notify the Director upon the termination of discharges.

3. Renotification

Upon reissuance of a new general permit, the permittee is required to notify the Director of his intent to be covered by the new general permit.

4. When the Director May Require Application for an Individual NPDES Permit

a. The Director may require any person authorized by this permit to apply for and obtain an individual NPDES permit. Any interested person may petition the Director to take such action. Instances where an individual permit may be required include the following:

(1) The discharge(s) is a significant contributor of pollution;

(2) The discharger is not in compliance with the conditions of this permit;

(3) A change has occurred in the availability of the demonstrated technology of practices for the control or abatement of pollutants applicable to the point source;

(4) Effluent limitation guidelines are promulgated for point sources covered by this permit;

(5) A Water Quality Management Plan containing requirements applicable to such point source is approved; or

(6) The point source(s) covered by this permit no longer:

(a) Involves the name or substantially similar types of operations;

(b) Discharges the same types of wastes;

(c) Requires the same effluent limitations or operating conditions;

(d) Requires the same or similar monitoring; and

(e) In the opinion of the Director, is more appropriately controlled under a general permit than under an individual NPDES permit.

b. The Director may require an individual permit only if the permittee authorized by the general permit has been notified in writing that an individual permit is required, and has been given a brief explanation of the reasons for this decision.

5. When an Individual NPDES Permit May Be Requested

a. Any operator may request to be excluded from the coverage of this general permit by applying for an individual permit.

b. When an individual NPDES permit is issued to an operator otherwise subject to this general permit, the applicability of this permit to that owner or operator is automatically terminated on the effective date of the individual permit.

Appendix B

Part II—General Requirements for all EPA, Region I, NPDES Permits (Individual and General)

Section A. General Requirements

1. *Duty to Comply* see 40 CFR 122.41(a).

2. *Permit Actions* see 40 CFR 122.41(f).

3. *Duty to Provide Information* see 40 CFR 122.41(h).

4. *Reopener Clause.*

The Regional Administrator reserves the right to make appropriate revisions to this permit in order to establish any appropriate effluent limitations, schedules of compliance, or other provisions which may be authorized under the CWA in order to bring all discharges into compliance with the CWA.

5. *Oil and Hazardous Substance Liability.*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under section 311 of the CWA.

6. *Property Rights* see 40 CFR 122.41(g).

7. *Severability.*

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

8. *Confidentiality of Information.*

a. In accordance with 40 CFR part 2, any information submitted to EPA pursuant to these regulations may be claimed as confidential by the submitter.

Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions or, in the case of other submissions, by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with the procedures in 40 CFR part 2 (Public Information).

b. Claims of confidentiality for the following information will be denied:

(i) The name and address of any permit applicant or permittee;

(ii) Permit applications and permits; and

(iii) NPDES effluent data.

c. Information required by NPDES application forms provided by the Director under 40 CFR 122.21 may not be claimed confidential. This includes information submitted on the forms themselves and any attachments used to supply information required by the forms.

9. *Duty to Reapply* see 40 CFR 122.41(b).

10. *Right of Appeal.*

Within thirty (30) days of receipt of notice of a final permit decision, the permittee may submit a request to the Regional Administrator for an evidentiary hearing under subpart E, or a formal hearing under Subpart F, of 40 CFR part 124, to reconsider or contest that decision. The request for a hearing must conform to the requirements of 40 CFR 124.74.

11. *State Laws.*

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by section 510 of the CWA.

12. *Other Laws.*

The issuance of a permit does not authorize any injury to persons or property or invasion of other private rights, nor does it relieve the permittee of its obligation to comply with any other applicable Federal, State, and local laws and regulations.

Section B. Operation and Maintenance of Pollution Controls

1. *Proper Operation and Maintenance* see 40 CFR 122.41(e).

2. *Need to Halt or Reduce Not a Defense* see 40 CFR 122.41(c).

3. *Duty to Mitigate* see 40 CFR 122.41(d).

4. *Bypass* see 40 CFR 122.41(m).

5. *Upset* see 40 CFR 122.41(n).

6. *Removed Substances.*

Solids, sludges, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters shall be disposed of in a manner consistent with applicable Federal and State laws and regulations including, but not limited to the CWA and the Federal Resource Conservation and Recovery Act, 42 U.S.C. §§ 6901 *et seq.*, and regulations promulgated thereunder.

7. *Power Failures.*

In order to maintain compliance with the effluent limitations and prohibitions of this permit, the permittee shall either: "In accordance with the Schedule of Compliance contained in Part I, provide an alternative power source sufficient to operate the wastewater control facilities"; or, if such alternative power source is not in existence, and no date for its implementation appears in Part I; "Halt, reduce or otherwise control production and/or all discharges upon the reduction, loss, or failure of the primary source of power to the wastewater control facilities".

Section C. Monitoring and Records

1. *Monitoring and Records* see 40 CFR 122.41(j).

2. *Inspection and Entry* see 40 CFR 122.41(i).

Section D. Reporting Requirements

1. *Reporting Requirements* see 40 CFR 122.41(l).

2. *Change in Discharge.*

All discharges authorized herein shall be consistent with the terms and conditions of this permit. The discharge of any pollutant identified in this permit more frequently than or at a level in excess of that authorized shall constitute a violation of the permit. Any anticipated facility expansions, production increases, or process modifications which will result in new, different, or increased discharges of pollutants must be reported by submission with 180 days prior to commencement of such discharges: (1) for individual NPDES Permits—a new NPDES application for the new discharge conditions or (2) for General Permit—a new "Letter of Intent to be Covered" with the altered discharge conditions. If such changes will not violate the effluent limitations specified in the permit, the permittee shall by written notice identify such changes to the Director. Following such notice, the permit may be modified or revoked/reissued to specify and limit any pollutants not previously limited in the Individual or General Permits.

Until such modification is effective, any new or increased discharge in excess of permit limits or not specifically authorized by the permit constitutes a violation.

3. *Signatory Requirement* see 40 CFR 122.41(k).

4. *Availability of Reports.*

Except for data determined to be confidential under Paragraph II.A.8. above, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the State water pollution control agency and the Regional Administrator. As required by the CWA, effluent data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in section 309 of the CWA.

Section E. Other Conditions

1. *Definitions* for purposes of this permit are as follows: *Administrator* means the Administrator of the United States Environmental Protection Agency, or an authorized representative.

Applicable standards and limitations means all State, interstate, and Federal standards and limitations to which a "discharge" or a related activity is subject to, including water quality standards, standards of performance, toxic effluent standards or prohibitions, "best management practices," and pretreatment standards under sections 301, 302, 303, 304, 306, 307, 308, 403, and 405 of CWA.

Application means the EPA standard national forms for applying for a permit, including any additions, revisions or modifications to the forms; or forms approved by EPA for use in "approved States," including any approved modifications or revisions.

Average The arithmetic mean of values taken at the frequency required for each parameter over the specified period. For total and/or fecal coliforms, the average shall be the geometric mean.

Average monthly discharge limitation means the highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average weekly discharge limitation means the highest allowable average of "daily discharges" over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management

practices to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Best Professional Judgement (BPJ) means a case-by-case determination of Best Practicable Treatment (BPT), Best Available Treatment (BAT) or other appropriate standard based on an evaluation of the available technology to achieve a particular pollutant reduction.

Composite Sample—A sample consisting of a minimum of eight grab samples collected at equal intervals during a 24-hour period (or lesser period as specified in the section on Monitoring and Reporting) and combined proportional to flow, or a sample continuously collected proportionally to flow over that same time period.

CWA or "The Act" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92–500, as amended by Pub. L. 95–217, Pub. L. 95–576, Pub. L. 96–483 and Pub. L. 97–117; 33 U.S.C. §§ 1251 *et seq.*

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24–hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the daily discharge is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the daily discharge is calculated as the average measurement of the pollutant over the day.

Director means the person authorized to sign NPDES permits by EPA and/or the State.

Discharge Monitoring Report Form (DMR) means the EPA standard national form, including any subsequent additions, revisions, or modifications, for the reporting of self-monitoring results by permittees. DMRs must be used by "approved States" as well as by EPA. EPA will supply DMRs to any approved State upon request. The EPA national forms may be modified to substitute the State Agency name, address, logo, and other similar information, as appropriate, in place of EPA's.

Discharge of a pollutant means:

(a) Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source," or

(b) Any addition of any pollutant or combination of pollutants to the waters of the "contiguous zone" or the ocean from any point source other than a vessel or other floating craft which is being used as a means of transportation.

This definition includes additions of pollutants into waters of the United States from: surface runoff which is collected or channelled by man; discharges through pipes, sewers, or other conveyances owned by a State, municipality, or other person which do not lead to a treatment works; and discharges through pipes, sewers, or other conveyances leading into privately owned treatment works.

This term does not include an addition of pollutants by any "indirect discharger."

Effluent limitation means any restriction imposed by the Director on quantities, discharge rates, and concentrations of "pollutants" which are "discharged" from "point sources" into "waters of the United States," the waters of the "contiguous zone," or the ocean.

Effluent limitations guidelines means a regulation published by the Administrator under section 304(b) of CWA to adopt or revise "effluent limitations."

EPA means the United States "Environmental Protection Agency."

Grab Sample—An individual sample collected in a period of less than 15 minutes.

Hazardous Substance means any substance designated under 40 CFR part 116 pursuant to section 311 of CWA.

Indirect Discharger means a non-domestic discharger introducing pollutants to a publicly owned treatment works.

Industrial User means a non-domestic discharger introducing pollutants to a publicly owned treatment works.

Interference means an addition or disruption of the POTW, its treatment processes or operations, or its sludge processes, use or disposal which is cause of or significantly contributes to either a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or to the prevention of sewage sludge use or disposal by the POTW in accordance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II more commonly referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, and the Toxic Substance Control Act. An Industrial User significantly contributes to such a permit violation or prevention of sludge use or disposal in accordance with above-cited authorities whenever such User:

(a) Discharges a daily pollutant loading in excess of that allowed by contract with the POTW or by Federal, State, or local law;

(b) Discharges wastewater which substantially differs in nature or constituents from the User's average discharge; or

(c) Knows or has reason to know that its discharge, alone or in conjunction with discharges from other sources, would result in a POTW permit violation or prevent sewage sludge use or disposal in accordance with the above-cited authorities as they apply to the POTW's selected method of sludge management.

Maximum daily discharge limitation means the highest allowable "daily discharge."

Municipality means a city, town, borough, county, parish, district, association, or other public body created by of under State law and having jurisdiction over disposal or sewage, industrial wastes, or other wastes, or an Indian tribe or an authorized Indian tribe organization, or a designated and approved management agency under section 208 of CWA.

National Pollutant Discharge Elimination System means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. The term includes an "approved program."

New discharger means any building, structure, facility, or installation:

(a) From which there is or may be a "discharge of pollutants";

(b) That did not commence the "discharge of pollutants" at a particular "slide" prior to August 13, 1979;

(c) Which is not a "new source"; and

(d) Which has never received a finally effective NPDES permit for discharges at that "site".

This definition includes an "indirect discharger" which commences discharging into "waters of the United States" after August 13, 1979. It also includes any existing mobile point source (other than an offshore or coastal oil and gas exploratory drilling rig or a coastal oil and gas developmental drilling rig) such as a seafood processing rig, seafood processing vessel, or

aggregate plant, that beings discharging at a "site" for which it does not have a permit; and any offshore or coastal mobile oil and gas exploratory drilling rig or coastal mobile oil and gas developmental drilling rig that commences the discharge of pollutants after August 13, 1979, at a "site" under EPA's permitting jurisdiction for which it is not covered by an individual or general permit and which is located in an area determined by the Regional Administrator in the issuance of a final permit to be an area of biological concern. In determining whether an area is an area of biological concern, the Regional Administrator shall consider the factors specified in 40 CFR 125.122.(a)(1) through (10).

An offshore or coastal mobile exploratory drilling rig or coastal mobile developmental drilling rig will be considered a "new discharger" only for the duration of its discharge in an area of biological concern.

New source means any building, structure, facility, or installation from which there is or may be a "discharge of pollutants," the construction of which commenced:

(a) After promulgation of standards of performance under section 306 of CWA which are applicable to such.

(b) After proposal of standards of performance in accordance with section 306 of CWA which are applicable to such source, but only if the standards are promulgated in accordance with section 306 within 120 days of their proposal.

NPDES means "National Pollutant Discharge Elimination System."

Non-Contract Cooling Water is water used to reduce temperature which does not come in direct contact with any raw material, intermediate product, a waste product or finished product.

Owner or operator means the owner or operator of any "facility or activity" subject to regulation under the NPDES programs.

Permit means an authorization, license, or equivalent control document issued by EPA or an "approved State."

Person means an individual, association, partnership, corporation, municipality, State or Federal agency, or an agent or employee thereof.

Point source means any discernible, confined, and discrete conveyance, including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, vessel, or other floating craft, from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

Pollutant means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. It does not mean:

(a) Sewage from vessels; or

(b) Water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the State in which the well is located, and if the State determines that the injection or disposal will not result in the degradation of ground or surface water resources.

Primary industry category means any industry category listed in the NRDC settlement agreement (*Natural Resources Defense Council et al.* v. *Train*, 8 E.R.C. 2120 (D.D.C. 1976), modified 12 E.R.C. 1833 (D.D.C. 1979)); also listed in Appendix A of 40 CFR Part 122.

Process wastewater means any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct, or waste product.

Publicly Owned Treatment Works (POTW) means any facility or system used in the treatment (including recycling and reclamation) of municipal sewage or industrial wastes of a liquid nature which is owned by a "State" or "municipality."

This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment.

Regional Administrator means the Regional Administrator, EPA, Region I, Boston, Massachusetts.

State means any of the 50 States, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands.

Secondary Industry Category means any industry category which is not a "primary industry category."

Sewage sludge means the solids, residues, and precipitate separated from or created in sewage by the unit processes of a "publicly owned treatment works." "Sewage" as used in this definition means any wastes, including wastes from humans, households, commercial establishments, industries, and storm water runoff, that are discharged to or otherwise enter a publicly owned treatment works.

Toxic pollutant means any pollutant listed as toxic in Appendix D of 40 CFR Part 122, under Section 307(a)(1) of CWA.

Uncontaminated storm water is precipitation to which no pollutants have been added and has not come into direct contact with any raw material, intermediate product, waste product or finished product.

Waters of the United States means:

(a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) All interstate waters, including interstate "wetlands."

(c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) Which are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(3) Which are used or could be used for industrial purposes by industries in interstate commerce;

(d) All impoundments of waters otherwise defined as waters of the United States under this definition;

(e) Tributaries of waters identified in paragraphs (a)(d) of this definition;

(f) The territorial sea; and

(g) "Wetlands" adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a)–(f) of this definition.

Wetlands means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

2. Abbreviations when used in this permit are defined below:

cu. M/day or M3/day.	cubic meters per day.
mg/l	milligrams per liter.

ug/1	micrograms per liter.
lbs/day	pounds per day.
kg/day	kilograms per day.
Temp. °C	temperature in degrees—Centigrade.
Temp. °F	temperature in degrees—Fahrenheit.
Turb.	turbidity measured by the Nephelometric Method (NTU).
pH	a measure of the hydrogen ion concentration.
CFS	cubic feet per second.
MGD	million gallons per day.
Oil & Grease	Freon extractable material.
ml/l	milliliter(s) per liter.
Cl_2	total residual chlorine.

[FR Doc. 92-22116 Filed 9-14-92; 8:45 am]

BILLING CODE 6560-01-M

FEDERAL COMMUNICATIONS COMMISSION

Network Reliability Council Meeting

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Public Law 92-463, as amended, this notice advises interested persons of the fourth meeting of the Network Reliability Council ("Council"), which will be held at the Federal Communications Commission in Washington, DC.

DATES: September 30, 1992 at 2 p.m.

ADDRESSES: Federal Communications Commission, room 856, 1919 M Street NW., Washington, DC 20554.

SUPPLEMENTARY INFORMATION: The Council was established by the Federal Communications Commission to bring together leaders of the telecommunications industry and telecommunications experts from academic and consumer organizations to explore and recommend measures that would enhance network reliability.

The agenda for the fourth meeting is as follows: The meeting will begin with introductory comments by Chairman Henson. The Threshold Reporting Group will discuss further refinements in the method for reporting outages, followed by Council discussion. There will be a report on the working groups formed by the Steering Team, with emphasis on the Fire Protection/Prevention Focus Team and the Digital Cross Connect Focus Team. There will be an update on the Mutual Aid and Restoration Compendium and a presentation on the proposed NRC industry forum, followed by Council discussion. The Council may then address other issues. After determining the next meeting date, the Council will adjourn.

Members of the general public may attend the meeting. The Federal Communications Commission will attempt to accommodate as many people as possible. However, admittance will be limited to the seating available. There will be no public oral participation, but the public may submit written comments to James Keegan, the Council's designated Federal Officer, before the meeting.

For additional information, contact James Keegan, designated Federal Officer of the Network Reliability Council and Chief, Domestic Facilities Division, Federal Communications Commission at (202) 634-1860.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 92-22221 Filed 9-14-92; 8:45 am]

BILLING CODE 6712-01-M

[DA 92-1223]

Commission Announces Oral Presentation Schedule for En Banc Hearing on Toll Fraud

September 8, 1992.

In a Public Notice dated August 7, 1992, the Commission indicated its intention to hold an *En Banc* hearing to hear oral presentations on Toll Fraud issues. The hearing will be held on Friday, October 9, 1992, at the Commission's offices at 1919 M Street, NW., Washington, DC, in Room 856. The schedule is as follows:

Morning Session

9-9:15: Introductory Remarks by the Chairman and Commissioners

9:15-10: *Panel No. 1: PBX and Other CPE-based Fraud*

—PBX/CPE Owners, Leucadia National Corporation, Agway, Inc. (International Communications, Association)—Lawrence J. Gessini.

—Law Enforcement Expert, Communications Fraud Control Association.

—Equipment/Software Manufacturer on Vulnerabilities and Solutions, Northern Telecom.

—New Anti-Fraud Services, LDDS Communications, Inc.—Don Chessher.

10-10:30: Commissioners' Questions and Comments

10:30-10:45: Break

10:45-11:30: *Panel No. 2: Network-based Toll Fraud, Responsibility, and Liability Questions*

—Hacker Expert, William J. Cook, Esq.

—Fraud Migration in the Network and Solutions, Toll Fraud Prevention Committee of the Exchange, Carriers Standards Association—Mary Chacanias, (Bell Atlantic) and Bill Sushon (AT&T).

—Payphone Manufacturer on Equipment-based Solutions, Intellicall, Inc.—B. Reid Presson.

—LIDB and Blocking/Screening Services Bellcore—Jim Frankowski.

11:30-Noon: Commissioners' Questions and Comments

Afternoon Session

1:30-1:35: Introductory Remarks by the Chairman

1:35-2:30: *Panel No. 3: Emerging Technical, Law Enforcement and Business Solutions to Domestic and International Toll Fraud*

—New Anti-Fraud Products, VOTAN—Dr. Steven Gill.

—Law Enforcement Expert on Detection and Prevention of Fraud, Federal Bureau of Investigation—James Kallstrom.

—International Representative, Stentor Telecom Policy Inc.

—Negotiation of International Fraud Disputes, Stuart N. Brotman.

Contractual and Insurance Protection; Sprint—Robert F. Fox; MCI—Edward J. O'Malley; AT&T—Peter Coulter; Travelers Insurance Co.

2:30-2:55: Commissioners' Questions and Final Comments

2:55-3: Chairman's Final Remarks

Panelists are requested to submit a short biography, a description of whom they represent, and a written copy of their presentation by September 18, 1992. Other interested parties may also submit written statements by September 18, 1992. Mail materials to: Linda Dubroof, Domestic Facilities Division, Common Carrier Bureau, Federal Communications Commission, 2025 M Street, NW., room 6008, Stop Code 1600B2, Washington, DC 20554; or fax to: (202) 634-6625.

The hearing will be open to the public. Common Carrier Bureau contacts: Linda Dubroof at (202) 634-1808/Fax: (202) 634-6625, or Kurt Schroeder at (202) 632-4887. New Media Division contact: Stephen Svab at (202) 632-5050.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 92-22236 Filed 9-14-92; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Coastal Barrier Improvement Act, Property Availability: Weakfish Island, Panama City, FL

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice.

SUMMARY: Notice is hereby given that the property known as "Weakfish

Island" located in Panama City, Florida is affected by section 10 of the Coastal Barrier Improvement Act of 1990, as specified below.

DATES: Written Notices of Serious Interest to purchase or effect other transfer of the property may be mailed or faxed to the Federal Deposit Insurance Corporation under December 14, 1992.

ADDRESSES: Copies of detailed descriptions of the property can be obtained by contacting the following person: Jon Benn, Federal Deposit Insurance Corporation, 5778 South Semoran Boulevard, Orlando, Florida 32822–4821, telephone (407) 249–3425, fax (407) 273–6825.

SUPPLEMENTARY INFORMATION: The subject island contains approximately 3.76 acres of total land area, and constitutes a small island located roughly 300 feet southwest of the end of Weakfish Way Road in the Bay Point Resort, Panama City, Florida. It is an elongated island which is located in the small basin extending off Grand Lagoon. It is only accessible by boat, and there is no bridge, navigable channel or pier for dockage.

It is believed that approximately 50% of the island is jurisdictional wetlands.

The elevation is approximately 3 to 4 feet above sea level. It is located in Flood Zone A. It has no utilities, and is vacant and unimproved.

Written notice of serious interest in the purchase or other transfer of the property must be received on or before December 14, 1992 by Jon Benn at the above address.

Those entities eligible to submit written notices of serious interest are:

1. Agencies or entities of the federal government;
2. Agencies or entities of state or local government; and
3. "Qualified organizations" pursuant to section 170(h) of the Internal Revenue Code of 1986 (26 U.S.C. 170(h)(s)).

Form of Notice

Notices of serious interest should not be in the following form: Notice of Serious Interest re: Weakfish Island, Panama City, Florida.

1. Name of eligibility entity.
2. Declaration of eligibility to submit notice under criteria set forth in Public Law 101–591, section 19(b)(2).
3. Brief description of proposed terms of purchase or other offer (e.g. price and method of financing).
4. Declaration by entity that it intends to use the property primarily for wildlife refuge, sanctuary, open space, recreational, historical, cultural or natural resource conservation purposes.

Dated: September 9, 1992.

Federal Deposit Insurance Corporation.

Robert E. Feldman,

Deputy Executive Secretary.

[FR Doc. 92–22185 Filed 9–14–92; 8:45 am]

BILLING CODE 6714–01–M

FEDERAL RESERVE SYSTEM

Allied Irish Banks, plc., et al.; Notice of Applications to Engage de novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 8, 1992.

A. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. Allied Irish Banks, plc, Dublin, Ireland, and First Maryland Bancorp, Baltimore, Maryland; to expand to a nationwide basis the previously approved insurance activites of their subsidiary, First Maryland Life Insurance Company, Phoenix, Arizona. First Maryland Life Insurance Company engages in reinsurance of credit life and credit disability insurance directly related to extensions of credit by the holding company and its subsidiaries pursuant to § 225.25(b)(8) of the Board's Regulation Y.

B. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. First of McAlester Corporation, McAlester, Oklahoma; to engage *de novo* in leasing real and personal property pursuant to § 225.25(b)(5) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, September 9, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92–22201 Filed 9–14–92; 8:45 am]

BILLING CODE 6210–01–F

AmSouth Bancorporation; Acquisition of Company Engaged in Permissible Nonbanking Activities

The organization listed in this notice has applied under § 225.23(a)(2) or (f) of the Board's Regulation Y (12 CFR 225.23(a)(2) or (f)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to acquire or control voting securities or assets of a company engaged in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound

banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than October 8, 1992.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. AmSouth Bancorporation, Birmingham, Alabama; to acquire First Chattanooga Financial Corporation, Chattanooga, Tennessee, and thereby indirectly acquire its subsidiary, First Federal Bank, FSB, Chattanooga, Tennessee, and thereby engage in operating a savings association pursuant to § 225.25(b)(9) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, September 9, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92–22202 Filed 9–14–92; 8:45 am]

BILLING CODE 6210–01–F

Marvin Kent Foote; Change in Bank Control Notice

Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notice is available for immediate inspection at the Federal Reserve Bank indicated. Once the notice has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for the notice or to the offices of the Board of Governors. Comments must be received not later than October 5, 1992.

A. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. Marvin Kent Foote, Sandy, Utah; to acquire up to 14.70 percent of the voting shares of Guardian Bancorp, Salt Lake City, Utah, and thereby indirectly acquire Guardian State Bank, Salt Lake City, Utah.

Board of Governors of the Federal Reserve System, September 9, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92–22203 Filed 9–14–92; 8:45 am]

BILLING CODE 6210–01–F

Security Capital Bancorp, et al.; Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than October 8, 1992.

A. Federal Reserve Bank of Richmond (Lloyd W. Bostian, Jr., Senior Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. Security Capital Bancorp, formerly First Security Financial Corporation, Salisbury, North Carolina; to acquire 100 percent of the voting shares of Citizens Savings, Inc., SSB, successor to Citizens Savings, FSB, Concord, North Carolina; Home Savings Bank, Inc., SSB, successor to Home Federal Savings Bank, Kings Mountain, North Carolina; and OMNIBANK, Inc., A State Savings Bank, SSB, successor to OMNIBANK, A Federal Savings Bank, Salisbury, North Carolina.

B. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. ABC Bancorp, Moultrie, Georgia; to acquire 100 percent of the voting shares of Cairo Banking Company, Cairo, Georgia.

2. AmSouth Bancorporation, Birmingham, Alabama; to acquire 100 percent of the voting shares of AmSouth Bank of Georgia, Summerville, Georgia, a *de novo* bank.

3. The Employee Stock Ownership Plan & Trust of Southwest Georgia Financial Corporation, Moultrie, Georgia; to become a bank holding company by acquiring at least 25 percent of the voting shares of Southwest Georgia Financial Corporation, Moultrie, Georgia, and thereby indirectly acquire Moultrie National Bank, Moultrie, Georgia.

C. Federal Reserve Bank of Chicago (David S. Epstein, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. PSB Corporation, Wellsburg, Iowa; to acquire 88.20 percent of the voting shares of First National Bank of Sumner, Sumner, Iowa.

2. United Bancorp, Inc., Tecumseh, Michigan; to acquire two branch offices of Standard Federal Savings Bank, Troy, Michigan, located in Morenci and Clinton, Michigan.

D. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. Old National Bancorp, Evansville, Indiana; to acquire 100 percent of the voting shares of City Financial Bancorp, Inc., Danville, Illinois, and thereby indirectly acquire The City National Bank of Danville, Danville, Illinois; The City National Bank of Hoopeston, Hoopeston, Illinois; and City Potomac Bank, Potomac, Illinois.

2. Union Planters Corporation, Memphis, Tennessee; to acquire an additional 82.07 percent of the voting shares of Bank of East Tennessee, Knoxville, Tennessee, for a total of 100 percent.

E. Federal Reserve Bank of Kansas City (John E. Yorke, Senior Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. First Bancorp of Kansas, Wichita, Kansas; to merge with WRB Bancshares, Inc., Oklahoma City, Oklahoma, and thereby indirectly acquire The Will Rogers Bank and Trust Company, Oklahoma City, Oklahoma.

2. MNB Bancshares, Inc., Manhattan, Kansas; to become a bank holding company by acquiring 100 percent of the voting shares of Manhattan National Bank, Manhattan, Kansas, a *de novo* bank.

Board of Governors of the Federal Reserve System, September 9, 1992.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 92-22204 Filed 9-14-92; 8:45 am]

BILLING CODE 6210-01F

GOVERNMENT PRINTING OFFICE

Depository Library Council to the Public Printer; Meeting

The Depository Library Council to the Public Printer (DLC) will hold its meeting on October 19-20, 1992, at the Library of Congress, Madison Building, LM 407, 101 Independence Avenue SE., Washington, DC 20540. The purpose of this meeting is to discuss the Federal Depository Library Program, and is open to the public.

The Council Meeting will take place from 1 p.m. to 5 p.m. on Monday, October 19, and from 9 a.m. to 11:30 a.m. on Tuesday, October 20. The Council members will have an informal session Monday morning to prepare for the Council Meeting, and an informal Post-Council discussion on Tuesday afternoon.

Anyone who wishes to attend the meeting must notify Josephine Williams, U.S. Government Printing Office (SL), Washington, DC 20401. Telephone: (202) 512-1114. A limited number of hotel rooms have been reserved at the Capitol Hill Hotel, 200 C Street SE., Washington, DC 20003, for anyone needing hotel accommodations. Telephone: (202) 543-6000. Room cost per night is $97 single and $110 double.

Robert W. Houk,

Public Printer.

[FR Doc. 92-22189 Filed 9-14-92; 8:45 am]

BILLING CODE 1505-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control

Technical Instructions for Medical Examination of Aliens

AGENCY: Centers for Disease Control (CDC), Public Health Service, Department of Health and Human Services.

ACTION: Notice.

SUMMARY: In June 1991, CDC distributed new Technical Instructions for Medical Examination of Aliens to examining physicians abroad and in the United States. CDC revised the Technical Instructions based on comments received from examining physicians, and the revised document is now available.

ADDRESSES: Copies of the revised Technical Instructions are available upon written request to the Director, Division of Quarantine, Mailstop E-04, CDC, Atlanta, Georgia 30333.

SUPPLEMENTARY INFORMATION: On May 31, 1991, the Department of Health and Human Services published an interim rule revising regulations for the medical examination of aliens to determine their admissibility into the United States under the Immigration and Nationality Act (56 FR 25000). These medical examinations are carried out in accordance with technical instructions issued by the Director, CDC (42 CFR 34.3(f)).

In June 1991, CDC distributed the new Technical instructions for Medical Examination of Aliens to examining physicians abroad and in the United States. Based on comments from many of the examining physicians, CDC revised the Technical Instructions. Changes are related to (1) the diagnosis and classification of tuberculosis; (2) the 5-year requirement to demonstrate remission from addiction or abuse of drugs listed in section 202 of the Controlled Substances Act; and (3) an added definition of "experimentation."

Dated: September 9, 1992.

Robert L. Foster,

Acting Associate Director for Management and Operations, Centers for Disease Control.

[FR Doc. 92-22191 Filed 9-14-92; 8:45 am]

BILLING CODE 4160-18-M

Food and Drug Administration

[Docket No. 92D-0114]

Compliance Policy Guide: Confectionery—Use of Nonnutritive Substances as Ingredients; Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of revised Compliance Policy Guide (CPG) 7105.01, "Confectionery—Use of Nonnutritive Substances as Ingredients." This revised CPG provides guidance to FDA district offices regarding the interpretation of section 402(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342(d)) (the act) as it applies to the use of nonnutritive sweeteners and other nonnutritive substances in a confectionery.

ADDRESSES: Submit written requests for single copies of CPG 7105.01 to the Industry Activities Section (HFF-326), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 200 C St. SW., Washington, DC 20204. Requests should be identified with the docket number found in brackets in the heading of this document. Send two self-addressed adhesive labels to assist that office in processing your requests. CPG 7105.01 is available for public examination in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857, between 9 a.m. and 4 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Elizabeth Campbell, Division of Regulatory Guidance (HFF-312), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202-205-5229.

SUPPLEMENTARY INFORMATION: FDA has revised CPG 7105.01 "Confectionery—Use of Nonnutritive Substances as Ingredients." Under section 402(d)(3) of the act, a food is adulterated if it bears or contains a nonnutritive substance, except that this clause does not apply to a nonnutritive substance that is in or on a confectionery by reason of its use for some practical purpose in the manufacture, packaging, or storage of the confectionery, and if the use of the substance meets certain other conditions. This CPG formerly stated that "The use of nonnutritive artificial sweeteners in a confectionery for the purpose of caloric reduction is not considered to be a practical functional purpose." Thus, in FDA's view, the presence of a nonnutritive artificial sweetener in a confectionery rendered the confectionery adulterated under section 402(d)(3) of the act.

In 1988, however, FDA received a letter from a law firm on behalf of a company that had submitted a food additive petition for the use of an artificial sweetener in confectioneries. The law firm argued that the position stated in the CPG is not that required by law, and that the agency has adopted a restriction without notice and comment rulemaking as required by statute.

FDA conducted its own review of section 402(d)(3) of the act, its legislative history, and the agency's interpretation of that provision. Based on its review, the agency has concluded that its view that the use of a nonnutritive artificial sweetener in a confectionery is not for a practical functional purpose is not supportable. Therefore, FDA has deleted this statement from the CPG and made certain other conforming changes. FDA is now announcing the availability of revised CPG 7105.01.

The agency is in the process of revising § 10.85 *Advisory opinions* (21 CFR 10.85) to conform this regulation to current law. This notice and the final CPG are not being issued under the authority of § 10.85.

The agency advises that the revised CPG represents its current position regarding the interpretation of section 402(d) of the act as it applies to the use of nonnutritive sweeteners and other nonnutritive substances in confectionery. The revised CPG may be useful to FDA district offices when interpreting the agency's policy on the use of nonnutritive sweeteners in a confectionery. This revised CPG does not bind the agency, and it does not create or confer any rights, privileges, or benefits for or on any person.

Dated: September 2, 1992.

Gary Dykstra,

Acting Associate Commissioner for Regulatory Affairs.

[FR Doc. 92–22238 Filed 9–14–92; 8:45 a.m.]

BILLING CODE 4160–01–F

[Docket No. 92N–0139]

Statement of Policy: Foods Derived from New Plant Varieties; Reopening of Comment Period

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice; reopening of comment period.

SUMMARY: The Food and Drug Administration (FDA) is reopening the comment period on a policy statement on foods derived from new plant varieties, including plants developed by recombinant deoxyribonucleic acid (DNA) techniques, which published in the **Federal Register** of May 29, 1992 (57 FR 22984). FDA is taking this action in response to a request to allow additional time for public comment.

DATES: Written comments by October 15, 1992.

ADDRESSES: Submit written comments to the Dockets Management Branch (HFA–305), Food and Drug Administration, rm. 1–23, 12420 Parklawn Dr., Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Regarding Human Food Issues: James H. Maryanski, Center for Food Safety and Applied Nutrition (HFF–300), Food and Drug Administration, 200 C St. SW., Washington, DC 20204, 202–205–4359. Regarding Animal Feed Issues: William D. Price, Center for Veterinary Medicine (HFV–221), Food and Drug Administration, 7500 Standish Pl., Rockville, MD 20855, 301–295–8724.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of May 29, 1992 (57 FR 22984), FDA issued a policy statement on foods derived from new plant varieties that clarifies FDA's interpretation of the Federal Food, Drug, and Cosmetic Act in regard to new technologies to produce foods. Interested persons were given until August 27, 1992, to comment on this policy statement.

A request has been received to allow an additional 32 days for public comment. After careful consideration, the agency has concluded that it is in the public interest to allow additional time for interested persons to submit comments. Accordingly, the comment period is reopened until October 15, 1992.

Interested persons may, on or before October 15, 1992, submit to the Dockets Management Branch (address above) written comments regarding this policy statement. Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the office above between 9 a.m. and 4 p.m., Monday through Friday.

Dated: September 9, 1992.

Michael R. Taylor,

Deputy Commissioner for Policy.

[FR Doc. 92–22240 Filed 9–14–92; 8:45 a.m.]

BILLING CODE 4160–01–F

Indian Health Service

Core Data Set Requirements

AGENCY: Indian Health Service, PHS, HHS.

ACTION: Changes to Indian Health Service Core Data Set Requirements (CDSR)—Correction.

SUMMARY: This notice modifies the data set associated with the Community Health Representative Information System (CHRIS) of the Indian Health Service (IHS) CDSR.

FOR FURTHER INFORMATION CONTACT: Jack Markowitz, Indian Health Service, Room 5A–09, 5600 Fishers Lane, Rockville, MD 20857, telephone (301) 443–0750 or Nicky Solomon, Indian Health Service, Room 6A–44, 5600 Fishers Lane, Rockville, MD 20857, telephone (301) 443–2500. (These are not toll free numbers.) Copies of the forms referenced as being contained in appendix A may be obtained by contacting Nicky Solomon.

SUPPLEMENTARY INFORMATION: The Indian Health Service (IHS) published the Core Data Set requirements in the **Federal Register** on January 22, 1992, 56 FR 2642 and established a set of core program data elements that all IHS programs are required to submit for the IHS National data base. These core data requirements are necessary for good management purposes and to fulfill Congressional and other mandatory reporting requirements including the requirements for meeting the management information needs of IHS and tribal contractors.

The core data set requirements associated with the Community Health Representative Information System (CHRIS) published in the **Federal Register** on January 22, 1992, 56 FR 2661, inadvertently represented an earlier version of CHRIS. A formal evaluation of CHRIS was conducted to improve the system's usefulness. The CHRIS was revised using input from the data collectors and users of the system. The following modifications should have been included in the earlier publication: (1) Changes to the process of consolidating the CHR activity forms and automated records; (2) updated record length and format; (3) a resized reporting form for Appendix A; (4) updated specification for the transmission media; (5) clarification of the RPMS CHR Data Entry System.

As required by the Paperwork Reduction Act, CHRIS reporting requirements were submitted to OMB for clearance. They have received approval under OMB No. 0917–0010.

Information collected in accordance with the CHRIS requirements, which identifies individual patients provided health care, is included in the IHS system of records titles: 09–17–0001, Health and Medical Records Systems, HHS/IHS/OHP (**Federal Register**, November 22, 1988, pages 47348–47353). These records are to be afforded safeguard protection as required by the Privacy Act of 1974 (5 U.S.C. 552a). These safeguards are described in general terms in the system of records notice for system 09–17–0001.

For now, Indian tribes and tribal organizations with contracts or grants under authority of the Indian Self-Determination Act, Public Law 93–638, as amended, will continue to be governed by the data collection and reporting requirements of the contract or grant as well as any applicable laws, regulations, and policies. The extent of any future applicability of the core data set requirements, which includes CHRIS data elements, to Public Law 93–638 contracts, grants and cooperative

agreements will be determined in the final regulations implementing the 1988 amendments to Public Law 93–638. For the convenience of those reviewing the notice of proposed rulemaking (NPRM) for Public Law 93–638, the CDSR, including CHRIS, will be reprinted in the same Federal Register issue in which the Public Law 93–638 NPRM appears.

As long as their own data collection and reporting system provides for the timely submission of accurate and complete data meeting the CHRIS requirements, the IHS contractors and grantees will not be required to use the collection and reporting system used by IHS. The contractor/grantee data system must meet the requirements of the Security Act of 1987, Public Law 100–275, which are also applicable to the IHS directly operated programs.

The report form was changed from a legal size sheet with the codes on a tear away tab to a letter size sheet with the codes printed separately on a laminated 5½'×8½' card. Contractors and grantees may use IHS forms or collect the required CHRIS data in any manner consistent with their operations. The submission of CHRIS data must meet the format and data requirements of the IHS information systems. The IHS will provide technical assistance to tribal contractors and grantees to convert their data to the CHRIS formats and transmission media.

Each IHS Area may establish its own procedures for reporting of CHRIS data and will monitor compliance with reporting requirements consistent with applicable laws, regulation, policies, and grant and contract instruments. Contractors and grantees are responsible for correcting problems regarding incomplete and accurate data.

Core Data Set Requirements for the Community Health Representative Information System

K. Community Health Representative Information System (CHRIS)

1. Reporting Requirement

a. A one line entry is required to be completed on a Community Health Representative (CHR) Activities Report form for each CHR service that was provided on the day to which the form applies. If more services are performed on one day than can be reported on one CHR Activities form, an additional form(s) should be used and appropriately numbered. CHR Activities forms are completed during one sample week (a 7 day week) per month in accordance with the CHR sample reporting week schedule specified by the IHS Headquarters Director of the CHR Program.

b. The CHR Activities Report User Manual provides complete definitions and procedures for reporting into the Community Health Representative Information System (CHRIS).

c. Each CHR Program, in cooperation with their respective IHS Area Office CHR Coordinator, determines procedures for collecting CHR Activities data and creating automated records in the format described in the next section. Key-entry of forms options include:

(1) At the CHR Program/Tribal level
(2) At the Area level
(3) At the service unit
(4) By a contractor

d. CHR Activity forms or automated records are batched by the Area CHR staff and forwarded to the national CHR Program's data processing contractor no later than two weeks after the last day of each sample reporting week. The data processing contractor key enters hard copy data and consolidates the data with automated records submitted through the Area Offices. At a future date, automated records will be consolidated at the Area level and forwarded to the Division of Data Processing Services (DDPS) at Albuquerque no later than two weeks after the last day of each sample reporting week.

2. Record Formats

a. The CHR Activities record contains individual patient encounter and/or group encounter information. Each record is 61 characters in length.

b. The proposed format of the CHR Activities record is shown in Figures K–1 through K–3.

c. A CHR Activities Report form is included in Appendix A.

3. Transmission Media

a. CHR Automated Activities records for each Area are maintained by the national CHR Program's data processing contractor. In the future, these data will be generated at the local CHR office, on RPMS Generic Activity Reporting System (GARS), and will be electronically transmitted to the Area which will electronically transmit the data to DDPS.

4. RPMS CHR Data Entry System

a. RPMS ANSI MUMPS CHR data entry program, known as the Generic Activity Reporting System (GARS) is under development to allow records to be keyed locally, transmitted to the Area, and forwarded from the Area to DDPS by telecommunications.

CHR ACTIVITIES RECORD

[**Note:** All fields are required reporting fields. The record format for local automated data entry is:]

Position and field	Required all
A. Header Information	
1–4 CHR Provider (Last 4 digits of each CHR's Social Security Number unless otherwise instructed by the CHR's supervisor. If more than one CHR in the same CHR program have the same last four Social Security Number digits, a different 4-digit number may be given by the CHR supervisor to use.)	
5 Blank	
6–13 Program	
6–7 Area Code	
8–9 Service Unit Code	
10–12 Tribe/Community Code	
13 Blank	
14–22 Date	
14–15 Month (01–12)	
16 Blank	
17–18 Day (01–31)	
19 Blank	
20–21 Year (last 2 digits of year,	
22 Blank	
23–25 Page	
23 Specific Report Page	

CHR ACTIVITIES RECORD—Continued

[**Note:** All fields are required reporting fields. The record format for local automated data entry is:]

Position and field	Required all
24 Total Reporting Pages for that day ("Page of " is used to distinguish between forms when one CHR provides more services than can be reported on one reporting form.)	
25 Blank	
B. Service Data	
Note: One line is used for each service provided on the day to which the form applies. If more services are performed on one day than can be reported on one CHR Activities form, an additional form(s) should be used and numbered as described above. All spaces should be filled in with information. If an item does not apply to a particular service, enter a dash "-", not a zero. For additional reporting instructions consult the CHR Activities Report User Manual.	
26–28 LINE NUMBER (01–20 corresponding to the line on the reporting form)	
28 Blank	
29–31 Service Code	
29–30 Code	
31 Blank	
01 Health Education	
02 Case Find/Screen	
03 Case Management—Coordinate	
04 Monitor Patient	
05 Emergency Care	
06 Patient Care	
07 Homemaker Services	
08 Transport	
09 Interpret/Translate	
10 Other Patient Services	
11 Environmental Services	
12 Administration/Management	
13 Obtain Training	
99 Leave Time	
32–34 Health Area	
32–33 Code	
34 Blank	
01 Diabetes	
02 Cancer	
03 Hypertension/Cardio	
04 HIV/ARC/AIDS	
05 Communicable Disease	
06 Alcohol/Substance Abuse	
07 Community Injury Control	
08 Health Promotion/Disease Prevention	
91 Other General Medical	
92 Dental	
93 Gerontological	
94 Maternal/Child Health	
95 Mental Health	
96 Non-Specific	
35–36 Setting	
01 Home	
02 CHR Office	
03 Community	
04 Hospital/Clinic	
05 Radio/Telephone	
37–40 Number Served (leading zero fill) When a group service is provided, the number of participants receiving direct service is to be recorded here. If there is only one main client, enter a "1". A breast feeding class is an example of services provided for more than one person. Enter a dash "-" in the box for a service in which people are not provided for directly, e.g. Adm/Mgmt service.	
41–44 Minutes Used—Service (Leading zero fill)	
45–48 Minutes Used—Travel (Leading zero fill)	
49 Blank	
50–52 Age: Two digits for age. If the recipient is less than 1 year of age use a zero, "0". If no personal service is given or a group is served, enter a dash, "-".	
53 Blank	
54–56 Sex	
54 Blank	
55 1 Male 2 Female	
56 Blank	
Where service for both males and females is provided or no direct client service is involved, enter a dash, "-".	
57–59 Referral From	
57–58 Code	
59 Blank	
60–61 Referral Codes	
— None	
01 Medical	
02 Nursing	
03 Dental	
04 Eye	
05 Social Worker	
06 Substance Abuse Professional	
07 Other Professional	

CHR ACTIVITIES RECORD—Continued

[Note: All fields are required reporting fields. The record format for local automated data entry is:]

Position and field	Required all
08 Technician 09 Agency/Program 10 Family/Self/Community 11 CHR	

Dated: September 8, 1992.

Everett R. Rhoades

Assistant Surgeon General Director.

[FR Doc. 92-22146 Filed 9-14-92; 8:45 am]

BILLING CODE 4160-16-M

Social Security Administration

Statement of Organization, Functions and Delegations of Authority

Part S of the Statement of Organization, Functions and Delegations of Authority for the Department of Health and Human Services (HHS) covers the Social Security Administration (SSA). Notice is being given that Chapter 3, the Office of the Deputy Commissioner for Programs, is being amended to abolish the Office of Management (OM) (S3GQ) and establish the Office of Management, Systems and Policy (OMSP) (S3GX), Office of Hearings and Appeals (OHA) (S3G). Furthermore, OHA's Office of Policy, Planning and Evaluation (S3GP) is also being abolished and its functions absorbed into a new division in OMSP. In addition, notice is being given of the establishment of the Division of Management Analysis and Employee Development (S3GX7), OMSP, OHA. These changes are being proposed to establish the new OMSP and to establish SSA's Office of the Deputy Commissioner for Human Resources as the focal point within SSA with responsibility for the human resource-related functions for OHA. These changes are also proposed to establish a division within OMSP, OHA whose primary focus will be the performance of management analysis functions and the direction of an employee development program. The changes are as follows:

Section S3G.10 *The Office of Hearings and Appeals*—(Organization):

Delete

H. The Office of Management (S3GQ).
I. The Office of Policy, Planning and Evaluation (S3GP).

Add

H. The Office of Management, Systems and Policy (S3GX).
1. Equal Employment Opportunity Staff (S3GX1).
2. Division of Planning, Policy and Evaluation (S3GX2).
3. Division of Congressional and Public Inquiries (S3GX3).
4. Division of Budget and Financial Management (S3GX4).
5. Division of Materiel Resources (S3GX5).
6. Division of Systems Resources (S3GX6).
7. Division of Management Analysis and Employee Development (S3GX7).

Section S3G.20 *The Office of Hearings and Appeals—(Functions):*

Delete

H. The Office of Management (S3GQ) in its entirety.
I. The Office of Policy, Planning and Evaluation (S3GP) in its entirety.

Add

H. The Office of Management, Systems and Policy (S3GX) provides administrative support to the Associate Commissioner for all management-, systems- and policy-related activities for OHA. Coordinates with the Chief Administrative Law Judge (ALJ) with respect to management, systems and policy support functions which affect field operations. Plans, analyzes, develops and evaluates SSA-wide policy for the hearings, appeals and civil action processes. Manages the overall OHA policy communications system. Has direct line authority for all management and administrative support functions for Headquarters' components of OHA and in coordination with the Chief Judge, for all field components of OHA including 10 regional offices (ROs) and 132 hearing offices nationwide. Is directly responsible for the formulation and interpretation of goals, objectives and policies governing the development and implementation of OHA's resource support programs. Provides management services to OHA headquarters and field employees. Develops and administers an OHA-wide program to identify training needs; develops mechanisms to meet identified training needs and assesses the effectiveness of the OHA training program in meeting the training needs of managers, supervisors and employees. Directs the policy development and implementation of a comprehensive budget formulation and financial management program to include formulation and execution of budget requirements and controls in the areas of resource management, work measurement and workload forecasting; administrative cost allocation; cost benefit analysis; pay and travel; contract services; and employment ceiling control for budgetary purposes. Provides administrative support services to enable OHA to carry out its nationwide programmatic and operational functions. Executes the full range of policies and activities relating to the resource operations of OHA. Responsible for space and property management and planning, including maintenance of space and equipment and procurement of supplies and other materiel which supports the hearings and appeals process. Plans, develops and administers a program of systems support and data base management for the design and programming of OHA's Automated Data Processing (ADP) systems and OHA's management information and statistical reporting activities. Develops and maintains operational planning systems, including analysis of management reports, and formulates management plans, objectives and priorities for OHA. Coordinates and integrates the management programs and administrative planning initiatives of OHA into the long-range goals and objectives of SSA and HHS. Monitors OHA's progress toward meeting established Agency goals and makes recommendations for needed adjustments to enable OHA

to meet these goals. Plans, directs and implements an Equal Employment Opportunity (EEO) program within OHA. Plans, directs, administers and evaluates the congressional and public inquiries activities for OHA. Plans, directs and administers a comprehensive nationwide management analysis program to identify areas requiring improvement to enhance the quality and effectiveness of management practices and to assess trends in management.

1. The Equal Employment Opportunity Staff (S3GX1) is responsible for OHA's Equal Opportunity program. Plans, develops, implements and monitors OHA's affirmative action program, and administers the EEO complaint process for OHA headquarters. Provides guidance for, and monitoring of, OHA regional EEO programs. Attempts tc resolve informal complaints of discrimination made by OHA employees, and evaluates issues in complaints after Departmental investigation. Provides recommendations to SSA's Office of Civil Rights and Equal Opportunity with respect to the development of equal opportunity policies and procedures, and ensures that OHA's EEO policies, procedures, standards and guidelines are consistent with SSA's standards.
2. The Division of Policy, Planning and Evaluation (S3GX2) plans, analyzes and develops OHA-wide policy for the hearings, appeals and civil actions processes. Manages the overall OHA policy communications system. Responsible for OHA activity with respect to Social Security regulations, including developing the regulations governing OHA processes and developing an OHA position with respect to program regulations proposed by SSA components. Monitors OHA's implementation of program regulations governing the hearings and appeals process. Plans and conducts a comprehensive OHA-wide evaluation program designed to support OHA policy and regulatory initiatives and measure the overall effectiveness of the nationwide hearings and appeals process. Provides advice and guidance throughout OHA on matters involving program policies, planning and evaluation. Coordinates policy, planning and evaluation matters within OHA, with other SSA components and with Health Care Financing Administration (HCFA), Office of General Counsel (OGC) and other HHS components, other Federal agencies and private organizations. Responsible for SSA policy with respect to claimant representation and the fees charged for these services. Develops and coordinates program training in conjunction with appropriate OHA, SSA, HCFA, HHS and OGC components.
3. The Division of Congressional and Public Inquiries (S3GX3) formulates policies, procedures and guidelines for use in responding to high priority correspondence from the public and congressional offices. Coordinates with other OHA components to obtain information needed to respond to congressional and public inquiries, and prepares and reviews OHA responses to congressional and public inquiries. Evaluates correspondence for conformance with OHA and SSA standards, policies and procedures and for determining necessary action. Serves as the correspondence liaison staff with the Commissioner's Office, the Office of Public Inquiries and other SSA and HHS components.
4. The Division of Budget and Financial Management (S3GX4) plans, develops and coordinates OHA's budget and financial management programs, advising the Director of OMSP and/or the Associate Commissioner of the financial impact of all decisions which affect OHA. Advises OHA officials on all budget decisions which may affect the program and administrative operations of the Agency. Formulates, justifies and presents OHA's annual and multi-year budget submissions. Controls the collection, recording and reporting of all financial data in connection with the budget formulation and execution functions. Provides technical and policy guidance to OHA officials in headquarters and the field on the formulation and presentation phases of the budget process. Reviews, and analyzes budget requests submitted by OHA components and formulates OHA's financial operating plans and budget projections. Responsible for presenting OHA's budget submissions and the justification for these submissions to SSA officials and for the assessment of, and response to, SSA's reviews of these submissions. Administers cost allocation functions of the budget process. Works with SSA budget officials to obtain the resources necessary to meet OHA goals and objectives. Develops all necessary applications for generating budget data and financial management reports. Responsible for the execution of OHA's budget. Executes and administers a financial management system, integrating resource management controls in the following areas: workload forecasting, work measurement and productivity, employment ceiling control, cost benefit analysis, administrative cost allocation, payroll and travel; and fiscal operations. Provides technical and policy guidance to ROs and headquarters components on the execution of OHA's budget. Monitors workload projections for budget execution and control purposes, and monitors and controls employment and fiscal resources based on analyses of work measurement, productivity, cost benefit and resource utilization. Ensures that employment ceilings and obligations and expenditures of funds are in conformance with authorized allotments and allowances. Performs periodic reviews of budget execution and financial management practices in OHA offices. Maintains liaison with SSA to integrate OHA's financial management system with the financial management system at SSA. Administers the travel and payroll function for all OHA headquarters components and ALJs nationwide.
5. The Division of Materiel Resources (S3GX5) plans, directs and provides administrative support services in the areas of space planning and management; forms and records management; property management; equipment control and maintenance; graphic arts; safety and self-protection, including emergency planning; security; procurement and supply; laboring services; mail and messenger services; motor vehicle operations; communications systems management. Organizes, controls and coordinates procurement and property management activities, including development of specifications and requisitions for procurement of property, inspections of property owned or leased by the United States Government, and property accountability. Maintains liaison

with other Government officials and private concerns to obtain the latest available information and advice on current trends and developments in facilities planning and management. Coordinates administrative support services provided to OHA by SSA, HHS, the Office of Personnel Management, the General Services Administration and other agencies, including such services as building maintenance, alterations and inventory management. Develops and administers a comprehensive space management program for the assignment and utilization of offices in OHA. Plans, directs and coordinates the acquisition and installation of a communications network system for OHA. Provides advice and assistance to OHA officials regarding alterations, renovations, repairs, etc. Assures contractual completion of all work requested for headquarters components. Identifies and maintains property and equipment management requirements, including storing and securing supplies and equipment; identifying the need for maintenance, repair or replacement of equipment; and maintaining catalogs, brochures and sources of technical data to ensure that OHA's current and future supply requirements are met. Revises procurement procedures, as necessary, to ensure that the supply needs of OHA field and headquarters components are met. Administers an occupational health and safety program in compliance with established health and safety concepts, regulations, standards and procedures. Administers security programs and inspections, and coordinates with local law enforcement officials to ensure protection of OHA property and personnel.

6. The Division of Systems Resources (S3GX6) is the focal point for all OHA systems-related activities. Provides office automation and data processing support to all OHA components. Develops OHA's long-range systems goals and objectives. Provides computer programming and systems support for the planning, design, development and implementation of all OHA ADP systems. Serves as liaison with the Office of Systems, SSA, on all matters pertaining to systems, and ensures that OHA systems efforts are undertaken, that projects underway are carried out successfully and that OHA participates fully in the SSA systems strategy. Ensures that OHA systems-related projects are integrated within SSA's Systems Modernization Plan, and analyzes the impact of SSA's Claims Modernization Plan upon OHA programs and processes. Maintains an indepth knowledge of SSA system development activities and advises the Director of OMSP of changing plans and strategies with respect to systems. Prepares data for the OHA ADP/telecommunications budget submission, and evaluates OHA user requests for ADP services. Ensures that OHA systems meet user needs and management information requirements, and resources automation problems of systems users. Responsible for the OHA Case Control System, including the integrity of the management information resulting from that system. Maintains management plans for all automation projects. Develops plans, strategies and user data requirements to respond to OHA's automation needs. Develops proposed automation initiatives in response to user needs and new legislative requirements. Develops and maintains the systems configuration management plan and strategy. Monitors OHA's Information Technology Services procurements through the SSA procurement cycle and ensures that they progress through critical processing points. Provides policy and operational guidance in the development of long- and short-range systems planning. Identifies OHA training needs with respect to systems activities, and coordinates with responsible OHA/SSA components to ensure that these needs are met. Responsible for the logical and physical structure of all OHA data bases, including the establishment and maintenance of the OHA Data Dictionary, coordination with SSA Data Base Administrators and mapping OHA data base designs against the OHA strategic plan. In compliance with the Privacy Act, ensures that necessary documentation is published for OHA ADP systems changes. Responsible for the security, maintenance and integrity of the ADP equipment inventory. Identifies the functions, policies and related personnel needs to support and manage word/data processing and telecommunications systems. Provides technical support for the nationwide OHA telecommunications network, and ensures efficient and effective implementation and operation of the various telecommunications networks used by OHA and of the telecommunications host. Develops, implements and maintains applications systems for OHA.

7. The Division of Management Analysis and Employee Development (S3GX7) advises the Director of OMSP and the Associate Commissioner in all management areas involving management practices, management analysis, operational analysis and the resolution of management/employee concerns and problems. Plans, designs and administers evaluation programs and tracking systems to assess the efficiency and effectiveness of OHA operations in the field and headquarters. Serves as the focal point of contact for coordinating the General Accounting Office, the Office of the Inspector General, SSA and other studies of OHA operations, in addition to identifying and communicating opportunities for improvements to OHA operations through management innovations. Coordinates administrative delegations of authority, and develops and publishes necessary implementation throughout OHA headquarters and field offices. Administers OHA's Employee Development Program. Develops and administers an OHA-wide program to identify training needs; develops mechanisms to meet identified training needs and assesses the effectiveness of the OHA training program in meeting the training needs of managers, supervisors and employees.

Dated: September 4, 1992.

Ruth A. Pierce,

Deputy Commissioner for Human Resources.

[FR Doc. 92-22158 Filed 9-14-92; 8:45 am]

BILLING CODE 4190-29-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT-060-02-4212-09]

Notice of Availability of Draft Ouray to Interstate 70 Environmental Impact Statement and Proposed Plan Amendments

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of availability.

SUMMARY: This is a Notice of Availability of Draft Ouray to Interstate 70 Environmental Impact Statement and Proposed Plan Amendments. In accordance with section 202 of the National Environmental Policy Act of 1969, a Draft Environmental Impact Statement has been prepared for the Ouray to Interstate 70 Highway Project.

The Uintah County Special Service District and the Grand County Roads Special Service District No. 1 propose to construct an 83-mile-long highway connecting Utah State Highway 88 (U–88) south of Ouray, Utah, with Interstate 70 (I–70) near Cisco, Utah. The proposed highway would provide an all-weather transportation route between the oil and gas fields of northeastern and southeastern Utah, and serve as a north-south tourist route. The highway would be constructed to Utah Department of Transportation (UDOT) and Federal highway standards, and upon completion, UDOT would accept the roadway on the Utah Federal Aid Highway System with a proposed route designation of U.S. 191. This Draft Environmental Impact Statement addresses the environmental effects of the Proposed Route; four alternative highway alignments referred to as the Red Wash Alternative, the Brusher/East Canyon Alternative, the Whetrock Canyon Alternative, and the East Cisco Interchange Alternative; a Pave Existing Alignments Alternative; and the No Action Alternative.

Because the proposed highway would cross public lands administered by the Bureau of Land Management (BLM), the Special Service Districts applied to the BLM for a 200-foot-wide permanent right-of-way (ROW) to construct the proposed highway. The application triggered the preparation of the environmental impact statement (EIS).

In addition, construction of the proposed highway would not be in conformance with the BLM's Book Cliffs Resource Area and Grand Resource Area Resource Management Plans (RMPs)(i.e., neither RMP designated a "utility" or ROW corridor along the entire proposed highway). Federal regulations (43 CFR 1610.5–5) provide that an amendment to an RMP be initiated for a proposed action that would result in change to the decisions of the approved plan. The purpose of the plan amendments would be to identify a "utility" or ROW corridor for the proposed highway. This EIS constitutes the analysis for the plan amendments under NEPA. A decision to approve a highway construction alternative, by the State Director, would constitute an amendment to the Book Cliffs and Grand RMP's.

Copies of the Draft EIS will be available from the Moab District Office, 82 East Dogwood, Moab, Utah 84532; Vernal District Office, 170 South 500 East, Vernal, Utah 84078; and Utah State Office, 324 South State, Salt Lake City, Utah 84145–0155.

DATES: Written comments on the draft EIS must be submitted no later than Thursday, December 10, 1992. Oral and/or written comments may also be presented at public meetings to be held:

Salt Lake City

Utah Department of Natural Resources, 1636 West North Temple, November 4, 1992: 7 p.m.

Vernal

Western Park, 302 East 200 South, November 5, 1992: 7 p.m.

Moab

BLM District Office, 82 East Dogwood, November 17, 1992: 7 p.m.

ADDRESSES: Written comments on the document should be addressed to: Roger Zortman, District Manager, Bureau of Land Management, Moab District Office, P.O. Box 970, Moab, Utah 84532.

FOR FURTHER INFORMATION CONTACT: Daryl Trotter, Planning and Environmental Coordinator, Moab District Office, Moab, Utah 84532, phone (801) 259–6111.

SUPPLEMENTARY INFORMATION: The purpose of this EIS is to provide decision makers and the public with information pertaining to Roads Special Service Districts proposal, and to disclose environmental impacts and identify mitigation measures to reduce impacts.

The Draft Environmental Impact Statement addresses the environmental effects of the Proposed Route: four alternative highway alignments referred to as the Red Wash Alternative, the Brusher/East Canyon Alternative; a Pave Existing Alignments Alternative; and the No Action Alternative.

The BLM preferred alternative is the East Canyon Variation of Pave Existing Alignments Alternative.

Public participation has occurred throughout the EIS process. A Notice of Intent was filed in the **Federal Register** January 17, 1990. Public scoping meetings were held in February 1990, at four locations; Price, Utah; Salt Lake City, Utah; Vernal, Utah; and Moab, Utah. All comments presented throughout the process have been considered.

James M. Parker,
State Director.

[FR Doc. 92–22160 Filed 9–14–92; 8:45 am]
BILLING CODE 4310-DQ-M

[NV-040-4121-14; N-54506]

Shell Management Framework Plan Land Classification Amendment and Environmental Assessment

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent to prepare an amendment to the Schell Management Framework Plan (MFP) and Notice of Realty Action (NORA) to classify public lands in Lincoln County, Nevada, for disposal. This is also a Notice of a 30 day scoping period for the identification of issues, review of preliminary planning criteria and formulation of alternatives for the plan amendment.

SUMMARY: The Bureau of Land Management (BLM) Ely District is proposing to amend the Schell MFP to add an additional decision to help meet Lands Resource Objective L–1. The proposed decision would classify for disposal approximately 8,000 acres of public lands in Lake Valley, Lincoln County, Nevada. The purpose of this land tenure change is to provide for expanded agricultural development within Lincoln County.

DATESES: Written comments concerning this proposed planning change, including the alternatives, preliminary planning criteria or comments concerning this pending realty action must be submitted and postmarked no later than October 30, 1992. No public hearings concerning the planning amendment are scheduled at this time.

ADDRESSES: Written comments should be addressed to: Gerald M. Smith, Area Manager, Schell Resource Area, Bureau of Land Management, Ely District, HC 33, Box 33500, Ely, Nevada 89301–9408.

FOR FURTHER INFORMATION CONTACT: Darrell Winter, Team Leader, at the above address or telephone (702) 289–4865.

SUPPLEMENTAL INFORMATION: The BLM Ely District is proposing to classify for disposal approximately 8,000 acres in Lake Valley, Lincoln County, Nevada, to

provide for agricultural development. The area of concern is located within:

Mount Diablo Meridian, Nevada

T. 5 N., R. 66 E.,
Sec. 1 through 4, inclusive,
Secs. 9 through 12, inclusive,
Secs. 14, 15, 23 and 33.
T. 6 N., R. 66 E.,
Sec. 16,
Secs. 21, 22 and 23,
Secs. 26 through 29, inclusive,
Secs. 32, 33 and 35.

It has been proposed to BLM to purchase approximately 8,000 acres of the above described land under section 203(f) of the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C. 1713 and 43 CFR 2710.0–6(c).

Upon publication of this Notice in the **Federal Register**, the above described lands will be segregated from all forms of appropriation under the public land laws and the general mining laws, but not section 203 of FLPMA or the mineral leasing laws. Any lands that may be transferred from the United States will be sold for not less than fair market value and will be subject to valid existing rights. In the event of sale, conveyance of the remaining, available mineral interests, of nominal value, will occur simultaneously with the sale of the land. Acceptance of a direct sale offer will constitute an application for conveyance of those mineral interests. The applicant will be required to pay a $50.00 non-returnable filing fee for conveyance of the available mineral interests.

The patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States under the Act of August 30, 1890, 43 U.S.C. 945.

2. Oil, gas, potassium and sodium.

The patent, when issued, will be subject to the following third party interests:

a. Those rights for telephone line purposes which have been granted to Lincoln County Telephone System by right-of-way grant N–4158 under the Act of March 4, 1911, 43 U.S.C. 961.

b. Those rights for power line purposes which have been granted to Lincoln County Power Number 1 by right-of-way grants N–4434 and NEV–60394 under the Act of December 21, 1928, 43 U.S.C. 617D.

c. Those rights for power line purposes which have been granted to Lincoln County Power Number 1 by right-of-way grant NEV–65760 under the Act of October 21, 1976, 43 U.S.C. 1762.

d. Those rights for telephone line purposes which have been granted to Lincoln County Telephone System by right-of-way grant N–33375 under the Act of October 21, 1976, 43 U.S.C. 1761.

e. Those rights for material site purposes which have been granted to Nevada Department of Transportation by permits NEV–010919, NEV–013832, NEV–014404 and CC–021044 under the Act of November 9, 1921, 42 Stat. 216.

f. Those rights for road purposes reserved to Lincoln County under RS 2477 for the Mt. Wilson Byway.

Grazing will continue as a condition of the sale in accordance with the terms and conditions of the permit, until the expiration date specified in the grazing permit. The purchaser will compensate the grazing permittee for interest in authorized range improvements.

The public is invited to participate in the identification of planning issues, alternatives and planning criteria for the proposed MFP amendment. The anticipated issue is the classification of the subject lands for retention or for disposal.

Preliminary planning criteria consist of the following:

1. Decisions proposed through this amendment will be in conformance with the Schell MFP.

2. BLM Manual 1623, "Supplemental Program Guidance for Land Resources" will be used to identify determinations to be made, factors of analysis and information requirements for the amendment.

3. An interdisciplinary approach will be used for the analysis which will integrate consideration of physical, biological and social sciences.

4. Consideration will be given to current and potential uses of the public lands.

5. A consistency determination will be made with respect to the management programs of other Federal agencies and state and local governments.

6. This action will be in compliance with all public land laws, policies and direction.

7. Consideration will be given to the management prescriptions on adjoining public lands to minimize the creation of management conflicts.

8. Existing studies, the most current inventories, current publications and professional judgement will be used to analyze potential impacts for this proposal.

9. Lands covered by this MFP Amendment will be those lands legally described as the potential disposal and all immediately adjacent affected lands.

Alternatives proposed for consideration at a minimum include:

1. No action—defined as a continuation of current management.

2. Preferred alternative—to be defined by BLM management following consultations with staff and input from the public.

Public comment is requested on this proposal, its anticipated issues and the preliminary planning criteria. Persons interested in participating in the amendment process should submit their name, address and comments to the above address. Planning documents and other pertinent materials pertaining to this proposal may be examined at the Ely District Office between 7:30 a.m. and 4:30 p.m., Monday through Friday.

Dated: September 4, 1992.

Billy R. Templeton,

State Director, Nevada.

[FR Doc. 92–22159 Filed 9–14–92; 8:45 am]

BILLING CODE 4310–HC–M

[UT080–92–4320–02]

Vernal District Grazing Advisory Board; Business Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Vernal District Grazing Advisory Board Business Meeting.

SUMMARY: Notice is hereby given in accordance with Public Law 94–579, Section 403, as outlined in CFR part 1784.4–2, that there will be a meeting of the Vernal District Grazing Advisory Board on Tuesday, October 20, 1992, commencing at 8:00 a.m. The meeting will be held at the Vernal BLM District Office conference room, 170 South 500 East, Vernal, Utah.

The agenda items will include:

—Organization of Board
—Review minutes of previous meeting
—Resource improvement work FY92 and 93
—Current forage conditions/use supervision
—Vernal District Grazing Advisory Board Policy concerning use of budgeted and contributed funds for construction and maintenance of range improvements
—Predator and pest control
—Items from the public

The meeting is open to the public. Interested parties wishing to participate or present a statement should notify the District Manager at the Vernal District BLM Office, 170 South 500 East, Vernal, Utah, or telephone (801) 789–1362 no later than October 19, 1992.

David E. Little,

District Manager.

[FR Doc. 92–22150 Filed 9–14–92; 8:45 am]

BILLING CODE 4310–DQ–M

[NV-930-92-4212-14; N-56327]

Realty Action; Non-Competitive Sale of Public Lands in Clark County, NV

The following described public land in Henderson, Clark County, Nevada has been determined to be suitable for sale utilizing non-competitive procedures, at not less than the fair market value. Authority for the sale is Section 203 of P.L. 94–579, the Federal Land Policy and Management Act of 1976 (FLPMA). The lands will not be offered for sale until at least 60 days after the date of publication of this notice in Federal Register.

Mount Diablo Meridian, Nevada

T. 21 S., R. 62. E.,
Sec. 35: NE¼SW¼
Agregating 40.00 acres (gross).

This parcel of land, situated in Henderson is being offered as a direct sale to the City of Henderson. Proposed development includes landscaping beautification as part of the Boulder Highway Corridor Improvement Program to develop the "Gateway to Henderson".

This land is not required for any federal purposes. The sale is consistent with the Bureau's planning system. The sale of this parcel would be in the public interest.

In the event of a sale, conveyance of the available mineral interests will occur simultaneously with the sale of the land. The mineral interests being offered for conveyance have no known mineral value. Acceptance of a direct sale offer will constitute an application for conveyance of those mineral interests. The applicant will be required to pay a $50.00 nonreturnable filing fee for conveyance of the available mineral interests.

The patent, when issued, will contain the following reservations to the United States:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States, Act of August 30, 1890, 26 Stat. 391, 43 U.S.C. 945.

2. Oil, gas, sodium, potassium and saleable minerals.

and will be subject to:

1. Those rights for Airport marker purposes which have been granted to Federal Aviation Administration by Permit No. N–4245 under the Authority of 44 LD513.

2. Those rights for natural gas pipeline purposes which have been granted to Southwest Gas Corporation by Permit No. NEV–015814 under section 28 of the Mineral Leasing Act of 1920.

3. Those rights for water pipeline purposes which have been granted to Las Vegas Valley Water District by Permit No. NEV–043457 under the Act of October 21, 1976.

Upon publication of this notice in the Federal Register, the above described land will be segregated from all forms of appropriations under the public land laws, including the general mining laws. This segregation will terminate upon issuance of a patent or 270 days from the date of this publication, whichever occurs first.

For a period of 45 days from the date of publication of this notice in the Federal Register, interested parties may submit comments to the District Manager, Las Vegas District, P.O. Box 26569, Las Vegas, Nevada 89126. Any adverse comments will be reviewed by the State Director who may sustain, vacate, or modify this realty action. In the absence of any adverse comments, this realty action will become the final determination of the Department of the Interior. The Bureau of Land Management may accept or reject any or all offers, or withdraw any land or interest in the land from sale, if, in the opinion of the authorized officer, consummation of the sale would not be fully consistent with Public Law 94–579, or other applicable laws.

Dated: September 1, 1992.

Ben F. Collins,

District Manager, Las Vegas, NV.

[FR Doc. 92–22050 Filed 9–14–92; 8:45 am]

BILLING CODE 4310–HC–M

[NV–050–4410–08]

Draft Stateline Resource Management Plan and Environmental Impact Statement

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of second extension of the public comment period for the Draft Stateline Resource Management Plan (RMP) and Environmental Impact Statement (EIS).

SUMMARY: Due to requests by various agencies and the general public, the public comment period is extended for the Draft Stateline RMP and EIS.

DATES: The public comment period has been extended from September 30, 1992 to December 31, 1992. All written comments for this Draft document must be postmarked no later than this extended date.

ADDRESSES: Written comments should be addressed to: Stateline Area Manager, attn: RMP Team Leader, Bureau of Land Management, 4765 Las Vegas Drive, P.O. Box 26569, Las Vegas, Nevada 89126.

FOR FURTHER INFORMATION CONTACT: Jerry Wickstrom, RMP Team Leader, at the above Bureau of Land Management (BLM) address or telephone (702) 647–5000.

Dated: September 4, 1992.

Billy R. Templeton,

State Director, Nevada.

[FR Doc. 92–22281 Filed 9–14–92; 8:45 am]

BILLING CODE 4310–HC–M

National Park Service

Chesapeake and Ohio Canal National Historical Park Commission; Meeting

Notice is hereby given in accordance with Federal Advisory Committee Act that a meeting will be held at 2 p.m. on Saturday, September 19, 1992, at the Hancock Maintenance Office, 326 East Main Street, Hancock, Maryland. Prior to the meeting, there will be a dedication of the rewatered section of the canal at the Little Tonoloway picnic area.

The Commission was established by Public Law 91–664 to meet and consult with the Secretary of the Interior on general policies and specific matters related to the administration and development of the Chesapeake and Ohio Canal National Historical Park.

The members of the Commission are as follows:

Mrs. Sheila Rabb Weidenfeld, Chairman, Washington, DC.
Mrs. Dorothy Tappe Grotos, Delaplane, Virginia.
Mr. Samuel S.D. Marsh, Bethesda, Maryland.
Mr. James F. Scarpelli, Sr., Cumberland, Maryland.
Ms. Elise B. Heinz, Arlington, Virginia.
Captain Thomas F. Hahn, Shepherdstown, West Virginia.
Mr. Rockwood H. Foster, Washington, DC.
Mr. Barry A. Passett, Washington, DC.
Mrs. Jo Reynolds, Potomac, Maryland.
Ms. Nancy C. Long, Glen Echo, Maryland.
Mrs. Minny Pohlmann, Dickerson, Maryland.
Dr. James H. Gilford, Frederick, Maryland.
Mr. Edward K. Miller, Hagerstown, Maryland.
Mrs. Sue Ann Sullivan, Williamsport, Maryland.
Mr. Terry W. Hepburn, Hancock, Maryland.
Mr. Robert L. Ebert, Cumberland, Maryland.

Matters to be discussed at this meeting include:

1. Superintendent's Report.
2. Old & New business.
3. Public comments.

The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed. Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact Thomas O. Hobbs, Superintendent, C&O Canal National Historical Park, P.O. Box 4, Sharpsburg, Maryland 21782.

Minutes of the meeting will be available for public inspection six (6) weeks after the meeting at Park Headquarters, Sharpsburg, Maryland.

Dated: September 4, 1992.

Chrysandra L. Walter,

Acting Regional Director, National Capital Region.

[FR Doc. 92–22235 Filed 9–14–92; 8:45 am]

BILLING CODE 4310–70–M

National Register of Historic Places; Notification of Pending Nominations

Nominations for the following properties being considered for listing in the National Register were received by the National Park Service before September 5, 1992. Pursuant to § 60.13 of 36 CFR part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded to the National Register, National Park Service, P.O. Box 37127, Washington, DC 20013–7127. Written comments should be submitted by September 30, 1992.

Carol D. Shull,

Chief of Registration, National Register.

ARKANSAS

Monroe County

St. John the Baptist Catholic Church, Jct. of New Orleans and W. Ash St., SW corner, Brinkley, 92001283

Van Buren County

Collums—Baker House, US 65 E side, approximately ½ mi. S of town limits, Bee Branch vicinity, 92001282

CALIFORNIA

Alameda County

University High School, 5714 Martin Luther King Jr. Way, Oakland, 92001300

Humboldt County

Ricks, Thomas F., House, 730 H St., Eureka, 92001302

Tehama County

Maywood Woman's Club 902, Marin St., Corning, 92001301

FLORIDA

Dade County

Bay Shore Historic District, Roughly bounded by NE. 55th St., Biscayne Blvd., NE. 60th St. and Biscayne Bay, Miami, 92001323

KANSAS

Jackson County

Booth Site, Address Restricted, Mayetta vicinity, 92001322

MAINE

Cumberland County

Gorham Historic District, Roughly bounded by College, Church, Cross, State and Maple Sts., including School St. from State to N of Church, Gorham, 92001298

Stimson Memorial Hall, ME 26 E side, .5 mi. N of jct. with US 202, Gray, 92001296

Hancock County

Robertson Quarry Galamander, ME 182 E side, NE of jct. with Old Rd., West Franklin, 92001292

Oxford County

Fryeburg Town House, Former, ME 5 E side, .1 mi. N of jct. with Woodlawn Ave., Fryeburg Center, 92001295

Somerset County

Concord Haven, ME 16 E side, 1.7 mi. N of jct. with Berry Rd., Embden vicinity, 92001297

Washington County

Machias Railroad Station, 27 E. Main St., Machias, 92001293

MARYLAND

Baltimore County

Lake Roland Historic District, Robert E. Lee Memorial Park, Baltimore (Independent City) vicinity, 92001285

MONTANA

Big Horn County

OW Ranch, Roughly 15 mi. S of Birney on Hanging Woman Cr., Birney vicinity, 92001321

Missoula County

University of Montana Historic District, Roughly bounded by Arthur, Connell and Beckwith Aves. and the ridge lines of Mt. Sentinel, Missoula, 92001284

NEW YORK

Westchester County

Mamaroneck Methodist Church, 514 Boston Post Rd., Mamaroneck, 92001304

OREGON

Coos County

Breuer Building, 460 W. First Ave., Bandon, 92001308

Cape Arago Lighthouse (Lighthouse Stations of Oregon MPS), Gregory Point, N of Cape Arago and about 2 mi. SW of Coos Bay entrance, Charleston vicinity, 92001313

Cary, Leo J., House (Coquille MPS), 572 E. First St., Coquille, 92001317

Coquille City Hall (Coquille MPS), 99 E. Second St., Coquille, 92001318

Harlocker, Judge Lintner, House (Coquille MPS), 18 S. Collier St., Coquille, 92001315

Hub Department Store Building, 125 Central Ave., Coos Bay, 92001307

Sherwood, A. J., House (Coquille MPS), 257 E. Main St., Coquille, 92001314

St. James Episcopal Church (Coquille MPS), 210 E. Third St., Coquille, 92001316

Curry County

Cape Blanco Lighthouse (Lighthouse Stations of Oregon MPS), Westernmost part of Cape Blanco, W of Sixes, Sixes vicinity, 92001312

Lane County

Women's Memorial Quadrangle Ensemble (Architecture of Ellis F. Lawrence MPS), Bounded by University St., Johnson Ln. and Pioneer Cemetery, University of Oregon campus, Eugene, 92001320

Lincoln County

Yaquina Head Lighthouse (Lighthouse Stations of Oregon MPS), Yaquina Head, about 4 mi. N of Yaquina R. entrance, Newport vicinity, 92001311

Tillamook County

Cape Meares Lighthouse (Lighthouse Stations of Oregon MPS), Cape Meares, 5 mi. S of Tillamook Bay entrance, Tillamook vicinity, 92001310

Wasco County

French, Edward, House, 515 Liberty St., The Dalles, 92001319

SOUTH CAROLINA

Greenville County

Simpsonville Baptist Church, 106 Church St., Simpsonville, 92001309

Hampton County

Peeples, Hattie J., House, 109 Carolina Ave. W., Varnville, 92001299

TEXAS

Coryell County

Mother Neff State Park and F. A. S. 21–B(1) Historic District, Jct. of TX 236 and the Leon R., Moody vicinity, 92001303

Lubbock County

Kress Building, 1109 Broadway, Lubbock, 92001305

Potter County

Bivins, Miles and Myda, House, 2311 W 16th Ave., Amarillo, 92001306

WASHINGTON

Grays Harbor County

Mickelson, Ole, Cabin, Lot 46, S shore Lake Quinault, between Willaby Cr. and Falls Cr., Quinault vicinity, 92001291

Klickitat County

Appleton Log Hall, 835 Appleton Rd., Appleton, 92001294

Lincoln County

Harrington Bank Block and Opera House, Jct. of Third and Willis Sts., NW corner, Harrington, 92001288

Snohomish County

Commerce Building, 1801 Hewitt Ave., Everett, 92001290

Spokane County

Grace Baptist Church, 1527 W Mallon St., Spokane, 92001289

Washington State Normal School at Cheney Historic District, Jct. of Fifth and C Sts., Cheney, 92001287

Yakima County

Goodman, Daniel, House, 701 S 3rd Ave., Yakima, 92001286

A proposed move is being considered for the following property:

FLORIDA

Duval County

Catherine Street Fire Station, 14 Catherine St., Jacksonville, 72000309

[FR Doc. 92-22110 Filed 9-14-92; 8:45 am]

BILLING CODE 4310-70-M

AGENCY FOR INTERNATIONAL DEVELOPMENT

Housing Guaranty Program; Investment Opportunity

The Agency for International Development (A.I.D.) has authorized the guaranty of a loan to Government of Pakistan ("Borrower") as part of A.I.D.'s development assistance program. The proceeds of these loans will be used to finance shelter projects for low-income families in Pakistan. At this time, the Government of Pakistan has authorized A.I.D. to request proposals from eligible lenders for a loan under this program of $25 Million Dollars ($25,000,000). The name and address of the Borrower's representatives to be contacted by interested U.S. lenders or investment bankers, the amount of the loan and project number are indicated below:

Government of Pakistan

Project: 391-HG-001-$25,000,000

Loan Guaranty Authorization No: 391-HG-001 A01

1. Attention: Javed Noel, Joint Secretary, External Finance Wing, Ministry of Finance & Economic Affairs, Government of Pakistan, Islamabad, Pakistan, Telex No.: 542-02 MIFIN PK, Telefax No.: 92-51-821941, Telephone No.: 92-51-821847, and
2. Attention: Mr. Arshad Farooq, Economic Minister, Embassy of Pakistan, 2315 Massachusetts Avenue, NW., Washington, DC 20008, Telefax No.: 202/387-0484, Telephone No.: 202/939-6200.

Interested lenders should contact the Borrower as soon as possible and indicate their interest in providing financing for the Housing Guaranty Program. Interested lenders should deliver their bids to all of the Borrower's representatives by Monday, September 28, 1992, 12 noon Eastern Standard Time. Bids should be open for a period of 48 hours from the bid closing date. Copies of all bids should be simultaneously sent to the following:

Mr. John Wegge, Mission Housing Advisor, USAID/Islamabad, Pakistan, Washington, DC 20521-8100. (Street address: Pakistan Shelter Resource Mobilization Program, 30 West Blue Area (next to OPF Bldg.), 4th Floor, Islamabad, Pakistan, Telefax No.: 92-51-822-052 (preferred communication), Telephone No.: 92-51-818-463.

David Grossman/Peter Pirnie, Agency for International Development, PRE/H, Room 401, SA-2, Washington, DC 20523-0214, Telex No.: 892703 AID WSA, Telefax No.: 202/663-2552 (preferred communication), Telephone No.: 202/663-2557 or 2530.

For your information the Borrower is currently considering the following terms:

(1) *Amount:* U.S. $25 million.

(2) *Term:* Up to 30 years.

(3) *Grace Period:* Ten years grace on repayment of principal. If variable interest rate, repayment of principal to amortize in equal, semi-annual installments over the remaining life of the loan. If fixed interest rate, semi-annual level payments of principal and interest.

(4) *Interest Rate:* Alternatives of fixed and variable rates are requested.

(a) *Fixed Interest Rate:* If rates are to be quoted based on a spread over an index, the lender should use as its index the 7¼% U.S. Treasury Bond due August 15, 2022. Such rate is to be set at the time of acceptance.

(b) *Variable Interest Rate:* To be based on the six-month British Bankers Association LIBOR, preferably with terms relating to Borrower's right to convert to fixed. Variable rate offers which include a maximum (cap) rate ranging from 10% to 12% per annum are requested. While quarterly adjustment of the rate is preferred, offers with weekly adjustment will be considered.

(5) *Prepayment:* Offers should include options for prepayment by the Borrower and mention prepayment premiums, if any.

(6) *Fees:* Offers should specify the placement fees and expenses. Lenders are requested to include all legal fees in their placement fee. A.I.D. fees, and Paying and Transfer Agent fees should also be specified. Such fees and expenses shall be payable at closing from the proceeds of the loan.

(7) *Closing Date:* Estimated 60 days from date of selection of lender.

Selection of investment bankers and/or lenders and the terms of the loan are initially subject to the individual discretion of the Borrower and thereafter subject to approval by A.I.D. Disbursements under the loan will be subject to certain conditions required of the Borrower by A.I.D. as set forth in agreements between A.I.D. and the Borrower.

The full repayment of the loans will be guaranteed by A.I.D. The A.I.D. guaranty will be backed by the full faith and credit of the United States of America and will be issued pursuant to authority in section 222 of the Foreign Assistance Act of 1961, as amended (the "Act").

Lenders eligible to received an A.I.D. guaranty are those specified in section 238(c) of the Act. They are: (a) U.S. citizens; (2) domestic U.S. corporations, partnerships, or associations substantially beneficially owned by U.S. citizens; (3) foreign corporations whose share capital is at least 95 percent owned by U.S. citizens; and, (4) foreign partnerships or associations wholly owned by U.S. citizens.

To be eligible for an A.I.D. guaranty, the loans must be repayable in full no later than the thirtieth anniversary of the disbursement of the principal amount thereof and the interest rates may be no higher than the maximum rate established from time to time by A.I.D.

Information as to the eligibility of investors and other aspects of the A.I.D. housing guaranty program can be obtained from:

Mr. Peter M. Kimm, Director, Office of Housing and Urban Programs, Agency for International Development, Room 401, SA-2, Washington, DC 20523-0214, Telephone: 202/663-2530.

Dated: September 10, 1992.

Michael G. Kitay,

Assistant General Counsel, Bureau for Private Enterprise, Agency for International Development.

[FR Doc. 92-22286 Filed 9-14-92; 8:45 am]

BILLING CODE 6116-01-M

INTERSTATE COMMERCE COMMISSION

[Docket No. MC-247354 (C) and (P)]

Trailer Bridge, Inc., Common and Contract Carrier Application

AGENCY: Interstate Commerce Commission.

ACTION: Request for comments.

SUMMARY: An application for a motor common and contract carrier license has been filed by Trailer Bridge, Inc. Trailer Bridge seeks to use its domestic motor carrier authority, in combination with its own ocean vessels, to provide motor/water service to and from Puerto Rico. Comments of the public are sought because the application raises novel questions involving the division of regulatory authority between the Interstate Commerce Commission and the Federal Maritime Commission. The application also mixes substantial questions about the types of rate arrangements into motor common and contract carriers may enter.

DATES: Comments must be filed by November 16, 1992. Replies are due on December 14, 1992. Comments and replies are due on December 14, 1992. Comments and replies must be served on the Federal Maritime Commission. Comments of the Federal Maritime Commission are due on February 12, 1993.

ADDRESSES: Send an original and 10 copies referring to Docket No. MC-247354 (C) and (P) to: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder (202) 927-5610 or Craig M. Keats (202) 927-6046.

[TDD for hearing impaired: (202) 927-5721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision write to, call or pick up in person from: Dynamic Concepts, Inc., room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or telephone (202) 289-4357/4359, (assistance for the hearing impaired is available through TDD services (202) 927-5721).

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

There is no reason to believe that this action will impose additional regulatory requirements on a substantial number of small entities. However, comments are expressly solicited on this point.

Decided: September 3, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons, Phillips, and Emmett.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-22264 Filed 9-14-92; 8:45 am]

BILLING CODE 7035-01-M

[Finance Docket No. 31971]

South Orient Railroad Co., Ltd.; Acquisition and Operation Exemption; Line of the Atchison, Topeka and Santa Fe Railway Co.

On December 20, 1991, South Orient Railroad Company Ltd. (SORC), a non-carrier, filed a notice of exemption to acquire certain limited ownership interests in and to operate as a common carrier approximately 381.9 miles of active rail line owned by The Atchison, Topeka, and Santa Fe Railroad Company (ATSF).[1] ATSF had previously conveyed an interest in the line's fixed assets to the South Orient Rural Rail Transportation District, an instrumentality of the State of Texas. By decision served January 23, 1992, the Commission ordered a delay in publishing the notice [2] and reopened the exemption for the receipt of additional evidence and argument relating to the effect of ATSF's prior conveyance of the line's fixed assets on SORC's ability to fulfill the common carrier obligation that would be obtained by the exemption. By decision served September 2, 1992, the Commission affirmed the exemption and directed that this notice be published in the Federal Register.

Any comments must be filed with the Commission and served on: Jack L. Coke, Jr., Law Offices of Jack L. Coke, Jr., P.C., 800 Preston Commons West, Dallas, Texas 75225.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time, but the exemption will remain in effect pending revocation.

Decided: September 8, 1992.

By the Commission, David M. Konschnik Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-22265 Filed 9-14-92; 8:45 am]

BILLING CODE 7035-01-M

[1] According to the notice, the line begins at a point commonly known as San Angelo Junction, Coleman County, Texas (San Angelo Subdivision Milepost No. 0 plus 330 feet near San Angelo Junction, Texas, on the east, and Lampasas Subdivision Milepost No. 373 plus 4362 feet near San Angelo Junction, Texas, on the west). The line proceeds southwest to the international border between the United States and Mexico at a point south of Presidio, Texas and north of Ojinaga, Chihuahua in Mexico (milepost No. 1029 plus 690 feet on the International Bridge at or near Presidio, Texas). The line proceeds through the following 11 counties in Texas: Coleman, Runnels, Tom Green, Irion, Reagan, Upton, Crockett, Crane, Pecos, Brewster and Presidio.

[2] Under 49 CFR 1150.32(b), the exemption is effective 7 days after the notice is filed and is to be published in the Federal Register within 30 days of its filing with the Commission.

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to Superfund (CERCLA)

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on August 31, 1992, a proposed Consent Decree in *United States* v. *Ciba-Geigy Corporation* was lodged with the United States District Court for the Southern District of Alabama. This Consent Decree concerns the Ciba-Geigy Corporation manufacturing plant site ("the Site") adjacent to the Tombigbee River near McIntosh, Alabama. Pursuant to sections 106 and 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Superfund Amendments and Reauthorization Act of 1986, Pub. L. 99-499, 42 U.S.C. 9696 and 9607(a), the Complaint in this action seeks recovery of past response costs incurred by the United States at the entire Site, future response costs in connection with the proposed Decree, and injunctive relief for Operable Unit No. 2 ("OU2"). OU2 consists of over 127,000 cubic yards of contaminated soils at ten of eleven former waste management units at the Site. Ciba-Geigy has agreed in the proposed Consent Decree to: (1) Perform the selected remedy for OU2, which includes excavation and remediation of the contaminated soils, at a total estimated cost of $120 million, and (2) reimburse the United States for all of its past response costs incurred at the Site ($322,313.52 plus interest), and for all of its future response and oversight costs incurred in connection with this Decree.

The Department of Justice will receive for a period of thirty (30) days from the date of this publication comments concerning the proposed Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, U.S. Department of Justice, P.O. Box 7611, Ben Franklin Station, Washington, DC, 20044, and should refer to *United States* v. *Ciba-Geigy*

Corporation (Ciba-Geigy McIntosh, Alabama Site), D.J. Ref. 90–11–2–781.

The proposed Consent Decree may be examined at any of the following offices: (1) The Office of the United States Attorney for the Southern District of Alabama, U.S. Courthouse, 113 St. Joseph Street, Mobile, Alabama; (2) the U.S. Environmental Protection Agency, Region 4, 345 Courtland Street, NE., Atlanta, Georgia; and (3) the Consent Decree Library, 601 Pennsylvania Avenue Building, NW., Washington, DC 20004 (telephone (202) 347–2072). Copies of the proposed Decree may be obtained by mail from the Consent Decree Library, 601 Pennsylvania Avenue, NW., P.O. Box 1097, Washington, DC 20004. For a copy of the Consent Decree with attachments (Record of Decision, Statement of Work and Site map) please enclose a check for $49.25 ($.25 per page reproduction charge) payable to "Consent Decree Library."

For a copy of the Consent Decree without those attachments please enclose a check for $20.50 ($.25 per page reproduction charge) payable to "Consent Decree Library."

Vicki A. O'Meara,

Acting Assistant Attorney General, Environment & Natural Resources Division.

[FR Doc. 92–22233 Filed 9–14–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 C.F.R. § 50.7, notice is hereby given that a proposed consent decree in *United States* v. *North Brothers Company, A Division of National Services Industries, Inc.*, Civil Action No. 91–2253–H, was lodged on August 19, 1992 with the United States District Court for the Western District of Tennessee. Defendant performed certain asbestos removal operations at facility of the Tennessee Valley Authority (TVA), known as the TVA Allen Fossil Plant in Memphis, Tennessee, in January and February 1989. The Complaint alleged that defendant violated the Clean Air Act, 42 U.S.C. 7401, et seq. (the Act), and the National Emission Standards for hazardous Air Pollutants for Asbestos (Asbestos NESHAP), promulgated pursuant to Section 112 of the Act, 42 U.S.C. 7412, and codified at 40 CFR part 61, subpart M, in the course of its asbestos removal operations at the TVA Allen Fossil Plant. The proposed consent decree requires the defendant to pay the United States a civil penalty of $55,000.00 within 30 days of the date of entry of the consent decree and to comply with 40 CFR 61.147(e)(1) and 61.156.

The Department of Justice will receive, for a period of thirty (30) days from the date of this publication, comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General for the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *North Brother Company, A Division of National Services Industries, Inc.*, DOJ Ref. # 90–5–2–1–1549.

The proposed consent decree may be examined at the Office of the United States Attorney, 1026 Federal Office Building, 167 North Main Street, Memphis, Tennessee; the Region IV Office of the Environmental Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia; and at the Consent Decree Library, 601 Pennsylvania Avenue, NW., Washington, DC 20044, 202–347–2072. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library, 601 Pennsylvania Avenue, NW., Box 1097, Washington, DC 20044. In requesting a copy, please refer to the referenced case and enclose a check in the amount of $3.25 (25 cents per page reproduction costs), payable to the Consent Decree Library.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 92–22232 Filed 9–14–92; 8:45 am]

BILLING CODE 4410–01–M

DEPARTMENT OF LABOR

Employment and Training Administration

Job Training Partnership Act: Announcement of Proposed Noncompetitive Grant Awards

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of intent to award a noncompetitive grant.

SUMMARY: The Employment and Training Administration (ETA) announces its intent to award a noncompetitive grant to the American Association of Community and Junior College (AACJC), of Washington, DC, for the provision of specialized services under the authority of the Job Training Partnership Act (JTPA).

DATES: It is anticipated that this grant award will be executed by September 30, 1992, and will be funded for twelve months. Submit comments by 4:45 p.m. (Eastern Time), on September 24, 1992.

ADDRESSES: Submit comments regarding this proposed assistance award to: U.S. Department of Labor, Employment and Training Administration, room C–4305, 200 Constitution Avenue NW., Washington, DC 20210, Attention: Charlotte Adams: Reference FR–DAA–005.

SUPPLEMENTARY INFORMATION: The Employment and Training Administration (ETA) announces its intent to award a noncompetitive grant to the AACJC of Washington, DC. AACJC will develop a curriculum for use by community colleges in providing training & technical assistance to small & mid-sized firms and to train community college faculty in techniques for establishing outreach programs to small businesses. Funds for this activity are authorized by the Job Training Partnership Act, as amended, Title IV—Federally administered Programs. The proposed funding is approximately $250,000 for twelve months.

Signed at Washington, DC, on September 9, 1992.

James C. DeLuca,

ETA Grant Officer.

[FR Doc. 92–22187 Filed 9–14–92; 8:45 am]

BILLING CODE 4510–30–M

Job Training Partnership Act: Technical Assistance for Job Training Model Replication

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of availability of technical assistance.

SUMMARY: The Department of Labor (DOL) is announcing the availability of technical assistance to Job Training Partnership Act (JTPA) service providers. The Center for Employment Training (CET) is being funded to provide such technical assistance to replicate the CET Job Training Model. Up to 10 service providers will receive assistance in developing and implementing the CET Job Training Model for use within the JTPA system. All interested parties must participate in an introductory seminar prior to selection.

DATES: Information seminars will be held at CET's headquarters in San Jose, California on October 14 through October 16, and again on October 28 through 30, 1992. All interested service providers MUST: (1) Contact CET to arrange to attend an information seminar if the organization has not

previously attended one; (2) by September 30, 1992 if the organization has previously attended an information seminar or within 15 days of their attendance at a seminar, the organization must submit in writing to the Department of Labor at the address below, the organization's intent to apply for this technical assistance award, and (3) by October 15, 1992 for those who have previously attended a CET information seminar or within 30 days from attendance of an information seminar, submit an original and four copies of a brief but thorough application to the Department of Labor at the address below, discussing the criteria as required below. Packages shall be postmarked by the dates established above.

ADDRESSES: Notices of intent to attend an information seminar and to apply for this technical assistance award shall be mailed by certified mail, return receipt requested, to Lisa Stuart, room N4703, 200 Constitution Avenue NW., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Lisa Stuart, Employment and Training Administration, Department of Labor, room N4703, 200 Constitution Avenue NW., Washington, DC 20210. The telephone number is (202) 535–0525. This is not a toll-free number.

Eugene Hernandez, CET Replication Project Director, Center for Employment Training, 701 Vine Street, San Jose, CA 95110. The telephone number is (408) 287–7924. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: The Center for Employment Training (CET) offers a unique training program which challenges standard notices of training the disadvantaged. It is a holistic approach to train the hardest-to-serve through a concurrent, integrated program of contextual learning. CET focuses on job training, but combines basic education and related services in context with this core training. This method of learning was recently endorsed by the Secretary's Commission on Achieving Necessary Skills. Further, CET's program is unique in that it is accessible to all, with no entry tests or creaming. This represents the direction of the JTPA amendments, which stress targeting to those most in need and intensifying and improving the quality of services offered. The CET design, as implemented through this replication, will reflect the key provisions of the new program design such as assessment and individual service strategy. In addition, CET is widely recognized as one of the most effective job training programs in the country. CET's program serving single minority mothers was credited with the most positive outcomes in a comprehensive study funded by the Rockefeller Foundation.

Technical assistance will be provided to up to 10 sites to replicate the CET job training model. This technical assistance award will provide for the training and technical assistance for local entities which are selected to operate the CET model program. Technical assistance is being provided to develop a CET-model base within the JTPA system that could provide for: a technical assistance capacity within the JTPA system; opportunity to uncover obstacles in implementing CET-model programs under JTPA; and the opportunity to delineate aspects of the model which provide the greatest benefit to JTPA participants.

Selected organizations would enter into agreements with the Center for Employment Training to receive the technical assistance required for the development and start-up of the local CET model program. This a non-monetary award. The technical assistance award includes the local and CET on-site training to enable an organization to start its own CET model program. The award covers the cost of CET's services and most traveling that will be required of CET and of the service providers. However, start-up costs, including site development and preliminary staffing, will be the responsibility of the selected service providers. Operation costs of the model program are also not included and are expected to come from the organizations' regular JTPA and other funding. Additional resources may be necessary and may be obtainable from local foundations. CET will assist selected sites in finding additional funding sources, if necessary.

This award is to provide services to the JTPA community. Eligible applicants are limited to service delivery area (SDA) administrative entities who run their own training programs, consortiums of service providers, not-for-profit organizations, community based organizations as defined under Section 4 of JTPA and local education organizations. Two types of applications will be accepted: (1) Applications from SDA administrative entities, and (2) joint applications with one party being the SDA administrative entity and the other being an organization listed above. Applications that do not include the local SDA administrative entity will not be accepted.

Information Seminars

JTPA service providers that are interested in receiving such technical assistance to develop and start operations on their own CET model job training program must, as stated above, contact CET at the number listed above, to arrange attendance at an information seminar. Attendance at the information seminars is restricted to those individuals who have the capacity to make decisions of participation for that organization. Although for the 10 selected organizations, most funds required for future travel to CET's headquarters in San Jose are provided for in the CET and DOL agreement, the initial costs to attend the information seminars are *not* covered. CET will assist in making these travel arrangements, however, all costs are the responsibility of the individual service providers.

Application Process

Selection of service providers will be based upon criteria in three categories: eligibility, competitiveness, and additional factors. In order to be considered, an applicant must meet each of the criteria under the eligibility section. The information received under the competitive issues section will be used to rank applications. After all applications are ranked, the additional factors will be used to select a diverse group of sites.

I. Eligibility

(1) All entities must be or become JTPA service providers. All providers that are not JTPA administrative entities must jointly submit their applications with the SDA administrative entity. This joint application with the service delivery area administrative entity should show that the service provider is or will be receiving JTPA funds during Program Year 1992, (July 1, 1992 through June 30, 1993).

The application should elaborate on the relationship between the service provider and the administrative entity. This should include descriptions of previous services, previous and current JTPA funding levels, and discuss the level of cooperation between the provider and the administrative entity. Further, any local procurement procedures that will be required to be met for starting and completing this project should be detailed in the application. (2) All entities must state that they are willing to participate in evaluation studies and to implement the core CET job training model.

II. Competitiveness

Applications will be judged equally based upon (1) the organization's level of commitment to the replication project, and (2) the apparent capacity of the

organization to succeed with the replication. Measures of this commitment include but are not limited to cooperative relationships with the JTPA administrative entity (in those instances where the service provider is not the administrative entity), coordination with the State JTPA organization, coordination with other programs or activities for the JTPA eligible population including Job Opportunities and Basic Skills Training (JOBS), funds available for this project, evidence of research into additional funding sources, ability of the service provider to operate the program in the future and private sector involvement in project. Measures of organizational capacity include but are not limited to the number of clients the service provider intends to serve, the number of occupations for which the service provider intends to train, previous experience, present facilities, and ability to meet JTPA performance standards.

III. Additional Factors

Other factors may be considered in the selection process to attempt to diversify the group to allow for studying the appropriateness of the model in various settings and providers of various sizes. These factors include: geographic area, service delivery area (SDA) size, urban or rural SDA, intended target population, and service provider's organization size. If the applicant feels that other factors are significant or unique, please discuss these additional areas as appropriate.

Two competitions will be held. For those organizations that previously attended an information seminar at CET, three slots will be available to award before the new information seminars take place. This will help expedite the process and better distribute the projects over the period of the agreement. All other organizations who have not previously attended an information seminar will be eligible to apply after attending an information seminar, along with those organizations not selected in the first round of competition. Service providers for these remaining seven slots will be chosen after the last seminar.

Questions about this Notice may be directed to Lisa Stuart at the DOL address or number above. Additional information about the CET job training model may be obtained from Eugene Hernandez at the CET address or number above.

Signed at Washington, DC, this 9th day of September, 1992.

Roberts T. Jones,

Assistant Secretary of Labor.

[FR Doc. 92-22188 Filed 9-14-92; 8:45 am]

BILLING CODE 4510-30-M

NATIONAL COMMISSION ON JUDICIAL DISCIPLINE AND REMOVAL

Meeting

AGENCY: National Commission on Judicial Discipline and Removal.

ACTION: Public meeting.

SUMMARY: Notice is hereby given in the public interest and pursuant to the Federal Advisory Committee Act that a public meeting of the National Commission on Judicial Discipline and Removal will be held on September 21, 1992, in Washington, DC. The precise location of the meeting is the Parlor Room of the Dolley Madison House, 1520 H Street, NW., 20005. Since the Dolley Madison House is the headquarters of the Federal Judicial Center members of the public will be directed to the meeting room. The meeting will convene at 9:30 a.m. and will adjourn at approximately 5 p.m.

AUTHORITY: The meeting will be the fourth one for the National Commission, a body composed of thirteen members appointed by the Speaker of the House, the President *pro tem* of the Senate, the President, the Chief Justice of the United States and the Conference of State Chief Justices.

The National Commission, established by Public Law 101-650 (title IV), is assigned three statutory duties. The first is to investigate and study the problems and issues involved in the tenure (including discipline and removal) of Article III (appointed to serve for life) Federal judges. The second is to evaluate the advisability of proposing alternatives to current arrangements with respect to such problems and issues, including alternatives for the discipline or removal of Federal judges that would require constitutional amendments. Finally, the Commission is required to prepare and submit a report to the Congress, the Chief Justice and the President setting forth a detailed statement of its findings and conclusions together with any recommendations for legislative and administrative actions as are considered appropriate. The Commission is not authorized to consider the factual underpinnings of specific complaints against Federal judges.

In pursuant of its statutory mandate, the Commission has held two days of public hearings.

Ordinarily the provisions of the Federal Advisory Committee Act are not applicable to legislative or judicial agencies. Nonetheless, since the Commission is composed of representatives of all three branches of the Federal government, good faith attempts will be made to follow the spirit of the law. This good faith commitment to open meetings is incorporated in the Commission's By-laws.

STATUS: The meeting will be open to the public. A portion of the meeting may be held in executive session to consider personnel matters involving privacy interests

MATTERS TO BE CONSIDERED: The Commission will be discussing the status of its research program, the prospect of holding a third day of public hearings, and other organizational and administrative matters related to the Commission's future activities.

CONTACT PERSONS FOR FURTHER INFORMATION: Contact Michael J. Remington or William J. Weller at the National Commission On Judicial Discipline and Removal, suite 690, 2100 Pennsylvania Ave., NW., Washington, DC, 20037-3202; or call (202) 254-8169.

SUPPLEMENTARY INFORMATION: Minutes of the meeting will be available for public inspection during regular working hours as the Commission offices approximately thirty working days following the meeting.

Michael J. Remington,

Director.

[FR Doc. 92-22161 Filed 9-14-92; 8:45 am]

BILLING CODE 6820-DB-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

President's Committee On Arts and Humanities; Meeting

Thursday, October 1, 1992 at 9 o'clock in the morning has been designated by the President's Committee on the Arts and the Humanities for Meeting XXVIII. This meeting will take place at 1100 Pennsylvania Avenue, NW, suite 527, Washington, DC.

The Committee, charged with exploring ways to increase private support for the arts and the humanities, will be addressed by the Chairman of the National Endowment for the Humanities and the Acting Chairman of the National Endowment for the Arts.

Please call 202–682–5409 or 212–512–5957 if you expect to attend, as space is limited.

Yvonne M. Sabine,

Director, Panel Operations, National Endowment for the Arts.

[FR Doc. 92–22234 Filed 9–14–92; 8:45 am]

BILLING CODE 7537–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–31160; File No. 265–18]

Market Transactions Advisory Committee; Meeting

September 4, 1992.

ACTION: Notice of meeting of the Securities and Exchange Commission Market Transactions Advisory Committee.

SUMMARY: This is to give notice that the Securities and Exchange Commission Market Transactions Advisory Committee will meet on October 2, 1992, in room 1C30 at the Commission's main offices, 450 5th Street NW., Washington, DC, beginning at 11 a.m. The meeting will be open to the public.

FOR FURTHER INFORMATION CONTACT: Jerry Carpenter, Division of Market Regulation, (202) 272–2978 or Richard Strasser, Division of Market Regulation, (202) 272–2415.

SUPPLEMENTARY INFORMATION: In accordance with section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. app. 10a, the Securities and Exchange Commission Market Transactions Advisory Committee ("Committee") hereby gives notice that it will meet on October 2, 1992, in room 1C30 at the Commission's main offices, 450 Fifth Street NW., Washington, DC, beginning at 11 a.m. The meeting will be open to the public.

The Committee was formed under section 17A(f) of the Securities Exchange Act of 1934. The Committee's responsibilities include assisting the Commission in identifying state and federal laws that may impede the safe and efficient clearance and settlement of securities transactions and in advising the Commission on the use of the Commission's authority under the Market Reform Act of 1990 to adopt uniform federal rules regarding the transfer and pledge of securities.

The purpose of the meeting will be to discuss the progress of the Committee's subgroups and to plan the continued progression of the Committee's work. In addition, the Committee will discuss the status of the project to revise Article 8 of the Uniform Commercial Code undertaken by the National Conference of Commissioners on Uniform State Laws.

Jonathan G. Katz,

Advisory Committee Management Officer.

[FR Doc. 92–22176 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–31159; File No. SR–NASD–91–66]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Order Approving a Proposed Rule Change Relating to Contracts for Securities "When, As and If Issued" or "When, As and If Distributed"

September 4, 1992.

On December 10, 1991, the National Association of Securities Dealers, Inc. ("NASD") filed a proposed rule change (File No. SR–NSCC–91–66) with the Securities and Exchange Commission ("Commission") pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("ACT").[1] Notice of the proposal was published in the **Federal Register** on February 4, 1992.[2] No comments were received. This order approves the proposal.

I. Description of the Proposal

The proposal will amend section 4 of the NASD Uniform Practice Code ("UPC" or "Code") [3] to codify the Memorandum of the Committee [4] ("Memorandum") relating to "When, As and If Issued" and "When, As and If Distributed" (collectively referred to hereinafter as "when issued") contracts or transactions.[5] Currently, the Memorandum is published in the NASD Manual immediately following section 4(d).[6] The proposed rule change, in addition to codifying the terms of the Memorandum into provisions of the Code, will delete the Memorandum in its entirety from the Code.

The proposed amendments to section 4 cover confirmations, accrued interest, marks-to-the-market, margin requirements, deposit requests, segregation of funds, contract settlement, and contract cancellation. Except for confirmations, all of these subjects are currently covered in the Memorandum and will be incorporated into section 4. Further, with the exception of the cancellation provision in proposed subsection 4(h), there will be no substantive changes from the current provisions of section 4 or the provisions of the Memorandum. Some of the language in the codification proposed in this rule filing, however, is mandatory rather than suggestive as in the Memorandum, and most of the Memorandum's explanatory language will not be included in the codification.

Proposed new subsection 4(a), dealing with confirmations and comparisons, will replace current subsections 4(a) and 4(b).[7] New subsection 4(a) will require that each party to a "when issued" transaction send a written confirmation or comparison to the NASD that contains certain minimum information consisting of: (1) A description of the security and the plan under which it will be distributed, (2) designation of the NASD as the authority for ruling on contract performance, and (3) a provision for marking the contract to the market.[8] Proposed new subsection 4(a)(3) states that upon written request the Committee will provide a description of the security and the plan of issuance or distribution for inclusion in contracts or confirmations covering "when issued" transactions in that security.[9]

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[1] 15 U.S.C. 78s(b)(1) (1988).

[2] Securities Exchange Act Release No. 30295 (January 27, 1992), 57 FR 4227.

[3] NASD Manual (CCH), UPC, section 4, ¶ 3504, at 3513–3514 (January 31, 1992).

[4] The term "Committee," in this context, refers to the committee that has been delegated the authority to administer the Code by the NASD Board of Governors. The Board of Governors has so designated the NASD Operations Committee. NASD Manual (CCH), UPC, sections 2 and 3(c), ¶¶ 3502 and 3503, at 3512 and 3513.

[5] The term "when-issued" refers to a conditional transaction in a new issue of securities that has been authorized for sale and may be trading but that has not yet been issued. Likewise, the term "when-distributed" refers to a security that has been issued and is being traded but that has not yet been distributed. Transactions in when-issued and when-distributed securities are made in the pending security issues on the presumption that they will be issued or distributed in the near future. N. Moore, Dictionary of Business Finance and Investment, 534–535 (1976); M. Thompsett, Investment & Securities Dictionary, 310 (1986); D. Scott, Wall Street Words, 385 (1988).

[6] NASD Manual (CCH), UPC, at 3516–3519.

[7] Subsections 4(a) and 4(b) of the Code previously were located in Section 11 of the Code but were moved to section 4 in an NASD rule filing approved by the Commission in September 1991. Securities Exchange Act Release No. 29687 (September 13, 1991), 56 FR 47819 [File No. SR–NASD–91–13].

[8] Proposed Subsection 4(a) requires that the confirmation or comparison be in the same form as the NASD's standard "when issued" confirmation form, set forth as Exhibit A to section 4, and be sent pursuant to the requirements of subsection 9(a) ("Comparisons or Confirmations and 'Don't Know Notices' "), section 10 ("Descriptions of Securities"), and section 64 ("Acceptance and Settlement of COD Orders") of the Code. The information required to be included in the confirmation is drawn from current subsections 4(a) and 4(b) and from section 10 of the Memorandum.

[9] The proposed language for section 4(a)(3) is based on Section 11 of the Memorandum.

Proposed new subsection 4(b) specifies the treatment of accrued interest in "when issued" contracts. It is based on section .12 of the Memorandum.

Proposed new subsection 4(c) provides that because the issuance date or distribution of "when issued" securities may be indefinite or significantly delayed, such contracts "should be marked to the market pursuant to the provisions of section 58 of the Code." [10] The NASD, in promulgating this proposal, has determined that a separate set of mark-to-the-market procedures for "when-issued" contracts, as set forth in the Memorandum's section .13, is not necessary and that members can rely on section 58 requirements.

Proposed Subsection 4(d) requires "when issued" contracts to comply with §§ 220.4 and 220.5 of Regulation T of the Board of Governors of the Federal Reserve System.[11] Subsection 4(d) differs from existing section .20 of the Memorandum in that section .20 is only suggestive in nature.

Proposed Subsection 4(e) allows members to require customers to deposit cash or collateral for "when issued" contracts even if not required by § 220.8(b)(1) of Regulation T.[12] This provision is based on and is similar to the last paragraph of section .13 of the Memorandum.

Proposed subsection 4(f) recommends that deposits made in connection with "when issued" contracts be segregated on the books of a member firm and suggests that physical segregation of such deposits may be appropriate. This provision is drawn from and is similar to section .30 of the Memorandum.

Proposed subsection 4(g) states that the date for settlement of "when issued" contracts will be determined by the Committee after a sufficient percentage of the issue is outstanding. This provision incorporates current subsections 4(c) and 4(d).

Finally, proposed subsection 4(h) codifies the Committee's authority to cancel "when issued" contracts. In the past, the Committee has exercised its discretion to cancel "when issued" contracts under its general authority specified in section 2 of the Code to rule on issues related to "when issued" contracts and pursuant to section .10 of the Memorandum which states that if the securities which eventually are issued or distributed differ substantially from those contemplated in the contract, the contract cannot be settled and must be cancelled.

In addition to codifying the general authority of the Committee to cancel "when issued" contracts, proposed subsection 4(h) provides more specific guidance about the Committee's intentions in exercising its cancellation authority. The structure of new subsection 4(h) is intended to differentiate between situations where the contract: (1) Always will be cancelled, (2) generally will be cancelled, and (3) generally will not be cancelled.

Proposed subsection 4(h)(1) grants the Committee broad discretionary power to cancel "when issued" contracts as necessary to resolve settlement conflicts. This general authority to cancel contracts is to provide for situations which are not anticipated by the more specific provisions of proposed new subsections 4(h)(3) and (4). Thus, notwithstanding the fact that the circumstances surrounding the performance of a contract may fit within subsections 4(h) (3) or (4), the Committee retains the discretion to act inconsistently with those subparagraphs if, in its judgement, such action is necessary to effectuate the purposes of section 2 of the Code.

Proposed subsection 4(h)(2) states that the Committee will cancel contracts if the securities will not be issued or distributed. Because the securities called for under the "when issued" contract cannot be delivered in such a situation, the NASD has determined to always cancel such contracts.

Proposed subsection 4(h)(3) provides that "when issued" contracts will generally be cancelled if the securities to be issued or distributed are not substantially the same as those contemplated in the "when-issued" contract. A nonexclusive list of the types of material changes that will generally result in cancellation is included in the subsection. The list includes changes to the redemption schedule, dividend payments, interest rates, maturity, yield, and exercise price. The NASD regards these items as changes to the terms of the securities and, therefore, material to the contract to purchase the securities.

Proposed subsection 4(h)(4) provides a nonexclusive list of changes that do not constitute material changes to the terms of the securities to be issued and therefore, generally will not result in cancellation of the "when-issued" contracts. The listed events are those which change the terms underlying the plan of distribution but not the terms of the securities. The list includes: (1) a change in the size of the offering, (2) restructuring of the financing arrangements, and (3) settlement of a legal action or occurrence of other events which affect the financial condition of the issuer.

The NASD's preference, as expressed in proposed new subsections 4(h)(3) and (4), is to cancel "when issued" contracts only if the securities to be issued are substantially different from those contemplated in the "when-issued" contract and not if the plan under which the securities will be issued or distributed is different. The NASD also states, however, that the effect of changes to particular securities and plans of distribution are not predictable and, therefore, may not be appropriately resolved by rigidly adhering to the formula in the proposed new subsections 4(h)(3) and (4). It is for this reason that the NASD wishes to retain its general authority to cancel "when issued" contacts as necessary.

II. Discussion

The Commission believes that the proposal is consistent with the Act and particularly with the provisions of section 15A(b)(6) of the Act.[13] That section requires that the rules of a registered securities association are designed to remove impediments to and perfect the mechanism of a free and open market and a national market system. The Commission supports the NASD's adoption of formal rules that will replace the Memorandum and will codify existing NASD practices and procedures concerning transactions in "when-issued" securities.[14] Furthermore, as explained above, while most procedures that were suggestive or permissive in the Committee's Memorandum will remain so,[15] the Commission favors those cases where the proposal will replace language that is merely suggestive or permissive with language that is mandatory.[16] By

[10] Section 58 of the Code governs marks-to-the-market.

[11] Sections 220.4 and 220.5 govern transactions in margin accounts. 12 CFR 220.4 and 220.5 (1991).

[12] Section 220.8(b)(1) governs the time in which a broker-dealer must obtain full cash payment from customers for transactions in cash accounts. 12 CFR 220.8(b)(1) (1991).

[13] 15 U.S.C. 78o–3(b)(6) (1988).

[14] *E.g.*, proposed subsections 4(h) (1), (2), and (3) set forth the Committee's authority to cancel "when-issued" contracts and when such authority will be exercised.

[15] *E.g.*, proposed subsection 4(c), which will codify Section .13, recommends that "when-issued" trades be marked-to-the-market.

[16] *E.g.*, proposed subsection 4(d), which will codify Section .20, will expressly require that contracts for "when-issued" securities comply with the standards of Sections 4 and 5 of Regulation T of the Board of Governors of the Federal Reserve System.

codifying the practices and procedures into formal NASD written rules and by making some suggestive or permissive procedures mandatory, the Commission believes the proposed rules change will add clarity and certainty to transactions in "when-issued" securities and will help perfect the mechanism of a national market system.

III. Conclusion

For the reasons set forth above, the Commission finds that the proposed rule change is consistent with the requirements of the Act and in particular the requirements of Section 15A of the Act.[17]

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[18] that the above-mentioned proposed rule change (File No. SR–NASD–91–66) be, and hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[19]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–22179 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–31161; File No. SR–NASD–92–30]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Order Approving Proposed Rule Change Relating to Simplified Arbitration Procedures Under the NASD Code of Arbitration Procedure

September 8, 1992.

I. Introduction

The National Association of Securities Dealers, Inc. ("NASD") submitted on July 2, 1992, a proposed rule change pursuant to section 19(b)(1) [1] of the Securities Exchange Act of 1934 ("Act") and Rule 19b–4 [2] thereunder to amend part III, section 13 of the Code of Arbitration Procedure [3] ("the Code") to codify the NASD's existing policy of appointing a public arbitrator as the single arbitrator in small claims cases involving public customers. The instant proposal reflects current industry practices of other self-regulatory organizations (SRO's) that administer arbitration systems and is substantially similar to the provisions of other SRO rule filings approved by the Commission.[4]

The proposed rule change was published for comment in Securities Exchange Act Release No. 30960 (July 27, 1992), and by publication in the **Federal Register**, 57 FR 34160 (August 3, 1992). No comments were received regarding the proposal.

II. Discussion

Section 13 of the Code outlines the procedural requirements for simplified arbitration cases. Accordingly, it governs disputes, claims and controversies arising between public customers and associated persons or members, where the amount in controversy does not exceed $10,000. The current language of section 13(f) provides for a dispute, claim or controversy to be submitted to a "single arbitrator knowledgeable in the securities industry." This language, however, leaves open the possibility that an individual with close industry ties might be selected as the sole arbitrator.

Thus, the proposed rule change would amend Section 13(f) to require that the single arbitrator appointed in small claims cases involving public customers be deemed a public arbitrator.[5] The proposed amendment conforms Section 13(f) with Section 19(a) of the Code, which requires the appointment of a single public arbitrator where the amount in controversy does not exceed $30,000.[6]

III. Conclusion

Having considered the NASD proposal, the Commission believes the proposed rule change will enhance the integrity of the NASD's arbitration process inasmuch as it addresses the potential for real or apparent bias on the part of an arbitrator possessing a professional or personal association with the securities industry. While the proposal precludes individuals who are from the securities industry from serving as the single arbitrator, the rule change continues to require that an arbitrator appointed pursuant to section 13(f) be knowledgeable in the securities industry. The Commission therefore believes the proposed rule change will promote impartial and informed decisions in the arbitration of disputes between investors and broker/dealers and thereby facilitate the arbitration process in the public interest. Finally, the Commission believes the proposed rule change will increase customer confidence with regard to the fairness of the administration process for cases involving small claims.

For the above stated reason, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities association, and, in particular, with the requirements of section 15A(b)(6).[7] Section 15A(b)(6) of the Act requires that the Association's rules be "designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade * * * and, in general, to protect investors and the public interest * * *"

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30–3(a)(12).

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–22259 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

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[17] 15 U.S.C. 78o–3 (1988).

[18] 15 U.S.C. 78s(b) (1988).

[19] 17 CFR 200.30–3(a)(12) (1991).

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] 17 CFR 240.19b–4 (1992).

[3] NASD Securities Dealers Manual, CCH ¶ 3713.

[4] See e.g., the Commission's order approving, among other things, in File No. BSE–91–03 an amendment to the Boston Stock Exchange's simplified arbitration rules to provide for claims requiring only one arbitrator to be heard by a public arbitrator rather than a securities industry arbitrator, unless otherwise requested by a public customer. Securities Exchange Act Release No. 30702 (May 14, 1992), 57 FR 21680 (May 21, 1992). See also, Securities Exchange Act Release No. 27341 (October 5, 1989), 54 42124 (October 13, 1989), approving File No. SR–MSRB–88–5 which amended, *inter alia,* the Municipal Securities Rule Making Board's (MSRB) rules for administering arbitration proceedings to codify the MSRB's policy of appointing a public arbitrator as the single arbitrator in simplified arbitration procedures.

[5] Section 19(d) of the Code stipulates that a public arbitrator is an arbitrator who is not from the securities industry. Section 19(c) of the Code deems an individual to be from the securities industry if he or she: (1) Is a person associated with a member or other broker/dealer, municipal securities dealer, government securities broker, or government securities dealer; or (2) has been associated with any of the above within the past three years; or (3) is retired (that is, continues to receive compensation other than social security or self-funded benefits) from any of the above; or (4) has a spouse or other member of the household who is a person associated with any of the above; or (5) is an attorney, accountant, or other professional who has devoted twenty percent or more of his or her professional work effort to securities industry clients within the last two years.

The NASD recently filed with the Commission a proposed rule change (SR–NASD–92–31) to amend section 19(c) of the Code to deem individuals associated with the futures industry as being from the securities industry for the purpose of serving on an arbitration panel. See Securities Exchange Act Release No. 31056 (August 19, 1992), 57 FR 38902 (August 27, 1992).

[6] NASD Securities Dealers Manual, CCH ¶ 3719.

[7] 15 U.S.C. 78o–3(b)(6) (1988).

[Release No. 34-31157; File No. SR-NSCC-90-21]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Temporarily Approving Proposed Rule Change Concerning Authority to Permit Book-Entry Money Settlements with Members

September 4, 1992.

On October 5, 1990, the National Securities Clearing Corporation ("NSCC") filed a proposed rule change (File No. SR-NSCC-90-21) with the Securities and Exchange Commission ("Commission") pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act").[1] Notice of the proposal was published in the **Federal Register** on January 8, 1991, to solicit comments from interested persons.[2] The proposal was amended by letters filed with the Commission on August 16, 1991, March 24, 1992, and July 22, 1992.[3] No comments were received. This order approves the proposal as amended on a temporary basis through August 31, 1993.

I. Description of the Proposal

The proposed rule change would modify Section 1 of NSCC's Rule 12 (Settlement) and Subsection C (Checks) of Section VIII (Money Settlement Service) of NSCC's Procedures by expressly authorizing NSCC to use and to permit its members to use intra-bank funds transfers to make money settlement payments.[4] Currently, NSCC's Rules and Procedures provide only for the use of checks by NSCC and its members in meeting money settlement obligations.[5] Except in certain limited circumstances, NSCC's existing Rules and Procedures do not expressly provide for any alternate payment mechanisms.[6]

The proposal will permit NSCC and its members, as authorized by NSCC, to satisfy settlement obligations through intra-bank debits and credits at a bank where both NSCC and members have accounts. Under the proposal, two types of intra-bank funds transfers will be available: (1) Electronic transfers whereby on settlement day NSCC pays members by check for next-day value and members pay NSCC by NSCC's directing the bank to make irrevocable transfers from members' accounts to NSCC's account for next-day availability or whereby on settlement day members pay NSCC by check and NSCC pays members by electronic transfers ("one-way electronic transfers"); and (2) electronic transfers whereby on settlement day both NSCC and members pay each other by NSCC's directing the bank to make irrevocable transfers for next-day value without any netting ("two-way electronic transfers").

As a prerequisite to either NSCC or one of its members making a settlement payment by an electronic funds transfer, the proposed rule change imposes three requirements. First, any such payment shall be effected on a next-day funds availability basis.[7] Second, any such payment shall be in conformity with an agreement, to be executed by NSCC and any bank that acts as a payment intermediary, that stipulates that any such funds transfer must be effected on an irrevocable and final basis.[8] Third, any bank that acts as as intermediary for such funds transfers shall meet NSCC's standards for letter of credit issuers.[9]

II. Discussion

The Commission preliminarily believes that the proposal is consistent with the Act and particularly with Section 17A of the Act.[10] Section 17A(a)(1) of the Act[11] encourages the use of efficient, effective, and safe procedures for securities clearance and settlement. Moreover, section 17A(b)(3)(F) of the Act[12] requires that the rules of clearing agencies be designed to promote the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of funds in the custody or control of clearing agencies or for which they are responsible.

The Commission agrees with NSCC that substantial marketplace efficiencies can be achieved by authorizing NSCC to effect electronic intra-bank funds transfers to satisfy settlement obligations between itself and its members. The Commission recognizes that the exchange of checks is labor-intensive and that physical movement of checks can involve loss or delay. Intra-bank funds transfers should, therefore, enhance the transfer and safeguarding of funds. Moreover, earlier finality of settlement provides certainty to the marketplace and serves to increase investor confidence in the markets.

The Commission is temporarily approving this proposed rule change through August 31, 1993, in order that the Commission, NSCC, and other interested parties will be able to assess prior to permanent Commission approval the effects intra-bank funds transfers have on money settlement payments at NSCC. Furthermore, the Commission notes that this order relates only to intra-bank funds transfers for next-day availability of funds. If and when NSCC desires to implement an inter-bank funds transfer program, NSCC will be required to submit for Commission approval a separate and comprehensive Rule 19b-4 filing.

III. Conclusion

For the reasons discussed above, the Commission believes that the proposal is consistent with the requirements of

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[1] 15 U.S.C. 78s(b)(1) (1988).

[2] Securities Exchange Act Release No. 28715 (December 12, 1990), 55 FR 715.

[3] Letters from: (1) Jeffrey F. Ingber, Associate General Counsel, NSCC, to Jonathan Kallman, Assistant Director, Division of Market Regulation ("Division"), Commission (August 14, 1991), (2) Peter J. Axilrod, Associate General Counsel, NSCC, to Jerry Carpenter, Branch Chief, Division, Commission (March 23, 1992), and (3) Peter J. Axilrod, Associate General Counsel, NSCC, to Thomas C. Etter, Attorney, Division, Commission (July 22, 1992).

[4] The term "intra-bank funds transfer" means an in-house transfer within a single bank where both NSCC and the NSCC member will have accounts. By contrast, the term "interbank funds transfer" means a transfer between one bank where NSCC has an account and another bank where the NSCC member has an account. Although NSCC contemplates offering this alternative in the future, the portion of the filing that would have permitted inter-bank funds transfers was withdrawn by letters filed by NSCC with the Commission (*supra* note 3). Inter-bank transfers are not authorized by this order.

[5] Such checks due to NSCC ordinarily must be certified if in amounts of $5,000 or more. NSCC Rule 12, Section 1, paragraph 4.

[6] NSCC, under certain circumstances, as where payment due to NSCC is late, may require settlement in Federal Funds (*i.e.*, by Fedwire). NSCC Rule 12, Section 1, paragraphs 7 and 9. Fedwire is the wire transfer facility operated by the Federal Reserve System for transferring funds and U.S. Government securities between Federal Reserve Banks and depository institutions.

[7] The term "next-day funds" refers to funds paid today that will be available tomorrow. By contrast, "same-day funds" refers to funds that are immediately available.

[8] On March 24, 1992, NSCC filed with the Commission a letter that represents that NSCC will: (1) submit for Division approval the current form of any agreement pursuant to which intra-bank funds transfers are to be made and (2) notify the Division of the identity of each bank that enters into any such contract. Along with the representation letter, NSCC submitted the current form of Book-Entry Funds Settlement Agreement. Letter from Peter J. Axilrod, Associate General Counsel, NSCC, to Jerry Carpenter, branch Chief, Division, Commission (March 23, 1992).

[9] For a bank or trust company to be approved by NSCC to issue letters of credit on behalf of members for clearing fund requirement purposes, the bank or trust company must meet specific standards in terms of: (1) Minimum levels of stockholders' equity and (2) certain credit ratings for its short term obligations as determined by Standard and Poor's Corporation or Moody's Investor Service, Inc. NSCC Rule 4, Section 1. See also Securities Exchange Act Release No. 29444 (July 16, 1991), 56 FR 34061 (order approving NSCC's revised standards for approved issuers of letters of credit for clearing fund purposes.

[10] 15 U.S.C. 78q-1 (1988).

[11] 15 U.S.C. 78q-1(a)(1) (1988).

[12] 15 U.S.C. 78q-1(b)(3)(F) (1988).

the Act, particularly section 17A of the Act, and the rules and regulations thereunder.

It Is Therefore Ordered, pursuant to section 19(b)(2) of the Act,[13] that the above-mentioned proposed rule change (File No. SR–NSCC–90–21) be, and hereby is, approved on a temporary basis through August 31, 1993.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[14]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–22175 Filed 9–14–92; 8:45am]

BILLING CODE 8010–01–M

Issuer Delisting; Application To Withdraw From Listing and Registration; (Abiomed, Inc., Common Stock, $.01 Par Value); File No. 1–9585

September 9, 1992.

Abiomed, Inc. ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act") and rule 12d2–2(d) promulgated thereunder, to withdraw the above specified security from listing and registration on the American Stock Exchange, Inc. ("Amex").

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

According to the Exchange, the Board of Directors of the Company (the "Board") approved resolutions to withdraw the Company's Common Stock from listing on the American Stock Exchange ("Amex") and, instead, list such Common Stock on the National Association of Securities Dealers Automated Quotations/National Market Systems ("NASDAQ/NMS"). The decision of the Board followed a lengthy study of the matter, and was based upon the belief that listing of the Common Stock on NASDAQ/NMS will be more beneficial to its stockholders than the present listing on the Amex because:

(1) It is believed that the NASDAQ/NMS system of competing market-makers will result in increased visibility and sponsorship for the Common Stock than is presently the case with the single specialist assigned to the stock on the Amex;

(2) It is believed that the NASDAQ/NMS systems will offer the Company's stockholders more liquidity than that presently available on the Amex and less volatility in quoted prices per share when trading volume is slight. On NASDAQ/NMS the Company will have an opportunity to secure its own group of market-makers and, in doing so, expand the capital base available for trading in its Common Stock; and

(3) It is believed that firms making a market in the Company's Common Stock will be inclined to issue research reports concerning the Company, thereby increasing the number of firms providing institutional research and advisory reports.

Any interested person may, on or before September 30, 1992 submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the exchanges and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–22260 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. IC–18933; 811–4340]

Citius-Alpha Fund, Inc.; Application

September 8, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the "Act").

APPLICANT: Citius-Alpha Fund, Inc.

RELEVANT ACT SECTION: Section 8(f).

SUMMARY OF APPLICATION: Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on July 14, 1992, and an amendment was filed on August 27, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on October 5, 1992, and should be accompanied by proof of service on the applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street NW., Washington, DC 20549. Applicant, c/o BV Capital Management, Inc., 575 Fifth Avenue, 17th Floor, New York, New York 10017.

FOR FURTHER INFORMATION CONTACT: Diane L. Titus, Paralegal Specialist, at (202) 272–3023, or Barry D. Miller, Senior Special Counsel, at (202) 272–3018 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant, a Maryland corporation, is an open-end non-diversified management investment company. Applicant filed a notification of registration pursuant to section 8(a) of the Act on June 28, 1985 and a registration statement pursuant to the Securities Act of 1933 on September 30, 1985. The registration statement was never declared effective. Applicant never commenced a public offering of its shares, but had two institutional shareholders with whom shares were privately placed.[1]

2. On December 14, 1990, one of the applicant's two shareholders redeemed its shares and received a final distribution of $2,209,271.42 which was comprised of net asset value, just prior to liquidation, plus a dividend of $127,190.60.

3. On December 19, 1991 applicant's second shareholder received an extraordinary dividend in the amount of $590,750 and subsequently on January 30, 1992 redeemed all of its shares which resulted in a final distribution of $11,028,878.

4. Expenses of liquidation in the amount of $1,500 were paid by the Fund for legal fees.

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[13] 15 U.S.C. 78s(b) (1988).

[14] 17 CFR 200.30–3(a)(12) (1991).

[1] Applicant was organized to provide institutional investors of the Federal Republic of Germany with favorable income tax treatment subject to a tax treaty between the United States and the Federal Republic of Germany. Pursuant to a new income tax treaty between these two countries, the tax advantage of these investments was eliminated as of December 31, 1990.

5. Applicant has filed Articles of Dissolution in Maryland. Applicant has no other assets or liabilities. Applicant is not a party to any litigation or administrative proceeding. Applicant has no remaining shareholders and does not propose to engage in any business activities other than those necessary for the winding-up of its affairs.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-22261 Filed 9-14-92; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-18931; 812-7847]

Co-operative Bank Investment Fund; Notice of Application

September 4, 1992.

AGENCY: Securities and Exchange Commission ("SEC" or "Commission").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "Act").

APPLICANT: Co-operative Bank Investment Fund.

RELEVANT 1940 ACT SECTIONS: Sections 6(c), 13(a), 15(a), 16(a) and (b), 18(i), 22(d), and 32(a) (2) and (3).

SUMMARY OF APPLICATION: Applicant seeks an order under section 6(c) of the Act exempting applicant from the provisions of sections 13(a), 15(a), 16(a) and (b), 18(i), 22(d), and 32(a) (2) and (3) of the Act. The order would amend applicant's existing orders by expanding the types of investors to whom applicant's securities may be offered.

FILING DATES: The application was filed on January 7, 1992 and amended on April 30, 1992. By supplemental dated September 3, 1992, counsel, on behalf of applicant, agreed to file a further amendment during the notice period to make certain changes. This notice reflects the changes to be made to the application by such further amendment.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on September 29, 1992, and should be accompanied by proof of service on applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 5th Street NW., Washington, DC 20549. Applicant, 75 Park Plaza, Boston, Massachusetts 02116-3934.

FOR FURTHER INFORMATION CONTACT: Mary Kay Frech, Staff Attorney, at (202) 272-7648, or Elizabeth G. Osterman, Branch Chief, at (202) 272-3016 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is an open-end management company registered under the Act. Applicant was organized pursuant to a special act of the Commonwealth of Massachusetts (the "Enabling Legislation") primarily to provide a mutual fund investment medium to Massachusetts co-operative banks (state-chartered thrift banking institutions).[1] Applicant's business is conducted by a board of directors elected by Applicant's incorporators. Applicant's incorporators are the directors of The Co-operative Central Bank (the "Central Bank"), which is the statutory reserve bank and excess deposit insurer (on deposit amounts in excess of those amounts federally insured) for Massachusetts co-operative banks. Applicant is internally managed and investment decisions are made by authorized officers of applicant, subject to authority delegated by applicant's board of directors.

2. Applicant falls within the definition of a "bank" under Massachusetts law and is subject to the substantial supervision of the Commissioner of Banks of the Commonwealth of Massachusetts (the "Commissioner of Banks"). Such supervisory authority extends, among other things, to supervision of applicant's investment portfolio. In addition, the Commissioner of Banks is required to make periodic examinations of the books, securities, cash, assets, and liabilities, and to ascertain the condition, of all banks under this supervision.

3. Applicant has no capital stock; instead shares of beneficial ownership are issued from time to time by applicant. Such shares do not provide holders with any voting rights. Each share is equal in every respect to every other share, except that if applicant's board of directors establishes distinct investment funds, as it is authorized to do, it may authorize shares to be issued in distinct classes and each share within each such class will be equal in every respect to every other share of that class.

4. Applicant offers and sells its securities in reliance on an exemption from registration under the Securities Act of 1933 (the "Securities Act") pursuant to section 4(2) of the Securities Act and regulation D thereunder. After issuance, applicant's securities may not be transferred by eligible purchasers of such securities to any person other than another eligible investor.

5. The Enabling Legislation permitted Massachusetts co-operative banks, the Co-operative Banks Employee Retirement Association (a retirement association organized under Massachusetts law), and Massachusetts savings banks to invest in applicant. In 1986, the Enabling Legislation was amended, permitting applicant, among other things, to offer its securities to the Central Bank Reserve Fund, the Massachusetts League of Community Banks, and the National Consumer Co-operative Bank.

6. The Commission granted applicant relief from certain provisions of the Act in 1985 [2] and again in 1986 [3] to permit applicant's securities to be sold to the entities referred to in the Enabling Legislation and the 1986 amendment thereto.[4]

7. In 1990 and 1991, the Enabling Legislation was further amended ("1990 and 1991 Amendments") to permit any trust company incorporated in Massachusetts ("Massachusetts Trust Company"), any credit union incorporated in Massachusetts, any federally chartered credit union, savings bank or savings and loan association with its principal place of business in Massachusetts, and any parent, subsidiary or other affiliated companies of any eligible investor in applicant to invest in applicant.[5]

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[1] 1984 Mass. Acts ch. 482.

[2] Investment Company Act Release Nos. 14732 (Sept. 20, 1985) (notice) and 14760 (Oct. 17, 1985) (order) (the "1985 Order").

[3] Investment Company Act Release Nos. 15126 (June 3, 1986) (notice) and 15205 (July 16, 1986) (order) (the "1986 Order").

[4] The provisions from which applicant was previously exempted include those provisions from which applicant currently requests relief. Applicant also was exempted from the provisions of sections 22(e) and 24(d) of the Act under the 1985 and 1986 Orders. Applicant no longer requests such relief.

[5] 1990 Mass. Acts ch. 277; 1991 Mass. Acts ch. 285.

8. Consistent with the 1990 and 1991 Amendments, and in addition to the eligible investors specified in the 1985 and 1986 Orders, applicant proposes to offer its securities to Massachusetts Trust Companies,[6] federally chartered savings banks and savings and loan associations with their principal place of business in Massachusetts (collectively, "Massachusetts Federal Savings Banks"), and directly or indirectly wholly-owned subsidiaries of entities that have received Commission authorization to invest in applicant ("Wholly-Owned Subsidiaries"). Applicant will not offer its shares to credit unions or to affiliates of eligible investors (other than wholly-owned affiliates) without further order from the Commission, notwithstanding the fact that they were included in the 1990 and 1991 Amendments as eligible investors.

9. Massachusetts Trust Companies are primarily commercial banks and are chartered and regulated by the Commissioner of Banks. They are also regulated by one or more of the federal bank regulatory agencies because their deposits are federally insured. In addition, they may be members of the Federal Reserve System. Massachusetts Federal Savings Banks are regulated by the Office of Thrift Supervision and the Federal Deposit Insurance Corporation, which insures deposits in these institutions. Wholly-Owned Subsidiaries are regulated by the same regulatory agency which regulates their parents.

Applicant's Legal Analysis

1. Applicant seeks relief from the provisions of sections 13(a), 15(a), 16 (a) and (b), 18(i), 22(d), and 32(a) (2) and (3) of the Act so that it may expand the group of entities to whom it may sell its securities without regulation under those provisions of the Act.

2. Applicant asserts that none of the policy bases underlying the granting of the 1985 and 1986 Orders are substantially affected by the 1990 or 1991 Amendments. Applicant is restricting its offering to Massachusetts Trust Companies, Massachusetts Federal Savings Banks, and Wholly-Owned Subsidiaries (collectively, "New Offerees"), as well as to investors eligible to purchase shares under the 1985 and 1986 Orders.

3. Section 18(i) of the Act requires that every share of stock issued by a management company be a "voting stock." Section 2(a)(42) defines "voting security" to mean a security entitling the owner or holder thereof to vote for the election of directors of the company. Sections 13(a), 15(a), 16 (a) and (b), and 32(a) (2) and (3) also provide various voting rights to shareholders of registered investment companies. The Enabling Legislation, as amended, does not provide voting rights to the holders of the shares of beneficial interests issued by applicant. Instead, all such right are exercised by the incorporators of applicant, who are the directors of the Central Bank. Applicant argues that this arrangement alleviates the danger that a few large banks might obtain complete control of applicant through large investments and consequently dominate its board of directors. Applicant asserts that, in view of the extent of the Commissioner of Banks' supervisory powers, the form of applicant's organization, the nature of the prospective investors and the limits of their investments in applicant, the identity of the incorporators, and the provisions in applicant's charter, and exemption from sections 13(a), 15(a), 16 (a) and (b), 18(i), and 32 (a) (2) and (3) is justified.

4. Section 22(d) of the Act requires that securities sold by a registered investment company must be sold through a principal underwriter or at a current public offering price described in a written prospectus. Applicant asserts that a requirement to comply with section 22(d) would be impractical and unnecessarily expensive. Applicant is not registered under the Securities Act of 1933 and does not now or in the future propose to make a public offering of its shares. Its shares are offered pursuant to an exemption from registration under the Securities Act only to a limited number of sophisticated institutional purchasers. These investors, except for the National Cooperative Bank, are all located in Massachusetts. Applicant does not currently sell its securities through an underwriter. Applicant offers a copy of its registration statement filed with the Commission on Form N–1A to each of its eligible investors and also furnishes them with a copy of an offering circular that contains substantially the same information that applicant would be required to furnish in a propsectus.

5. Applicant also submits that permitting additional investors in applicant should result in further economies of scale with fixed expenses spread over a larger fund, benefitting existing investors as well as the New Offerees.

6. Applicant asserts that the changes made in the Enabling Legislation, permitting the sale of applicant's shares to the New Offerees, are in the best interests of applicant's current investors and the New Offerees and are consistent with the protection of investors and the purposes fairly intended by the policies and the provisions of the Act.

For the SEC, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–22178 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

[6] Prior to filing the application on December 27, 1991, applicant had offered and sold its shares to a Massachusetts Trust Company. This entity participates in applicant's dividend reinvestment program. The staff notes that any order granted by the Commission as a result of the application will apply only to shares issued after the effective date of such order.

[Release No. IC–18932; 812–7727]

Putnam Arizona Tax Exempt Income Fund, et al.; Application

September 8, 1992.

AGENCY: Securities and Exchange Commission ("SEC" or "Commission").

ACTION: Notice of application for exemption under the Investment Company Act of 1940 ("Act").

APPLICANTS: Putnam Arizona Tax Exempt Income Fund, Putnam Adjustable Rate U.S. Government Fund, Putnam Asia Pacific Growth Fund, Putnam California Tax Putnam Exempt Income Fund, Putnam California Tax Exempt Money Market Fund, Putnam Capital Manager Trust, Putnam Convertible Income-Growth Trust, Putnam Corporate Asset Trust, Putnam Daily Dividend Trust, Putnam Diversified Income Trust, Putnam Dividend Growth Fund, Putnam Dividend Income Fund, Putnam Energy-Resources Trust, Putnam Europe Growth Fund, Putnam Federal Income Trust, Putnam Florida Tax Exempt Income Fund, Putnam Fund for Growth and Income, The George Putnam Fund of Boston, Putnam Global Governmental Income Trust, Putnam Global Growth Fund, Putnam Health Sciences Trust, Putnam High Income Convertible and Bond Fund, Putnam High Income Government Trust, Putnam High Yield Advantage Fund, Putnam High Yield Trust, Putnam Income Fund, Putnam Intermediate Government Income Trust, Putnam Investment Grade Municipal Trust, Putnam Investors Fund, Putnam Managed Income Trust, Putnam Managed Municipal Income Trust, Putnam Massachusetts Tax Exempt Income Fund, Putnam Master Income Trust, Putnam Master Intermediate Income Trust, Putnam Michigan Tax Exempt Income Fund, Putnam Minnesota Tax Exempt Income Fund,

Putnam Municipal Income Fund, Putnam New Jersey Tax Exempt Income Fund, Putnam New Opportunities Fund, Putnam New York Tax Exempt Income Fund, Putnam New York Exempt Money Market Fund, Putnam New York Tax Exempt Opportunities Fund, Putnam Ohio Tax Exempt Income Fund, Putnam OTC Emerging Growth Fund, Putnam Overseas Growth Fund, Putnam Pennsylvania Tax Exempt Income Fund, Putnam Premier Income Trust, Putnam Strategic Income Trust, Putnam Tax Exempt Income Fund, Putnam Tax Exempt Money Market Fund, Putnam Tax-Free Health Care Fund, Putnam Tax-Free Income Trust, Putnam Texas Tax Exempt Income Fund, Putnam Total Return Fund, Putnam U.S. Government Income Trust, Putnam Utilities Growth and Income Fund, Putnam Vista Fund, Putnam Voyager Fund, and such other registered investment companies that in the future are sponsored by The Putnam Companies, Inc. and advised by the Putnam Management Company, Inc. (collectively, the "Funds"); Putnam Management Company, Inc.; Putnam Financial Services, Inc.; and Putnam Fiduciary Trust Company.

RELEVANT ACT SECTIONS: Section 17(d) and rule 17d–1 thereunder.

SUMMARY OF APPLICATION: Applicants seek an order that would permit the Funds, and the principal underwriter and dividend disbursing agent of certain of the Funds, to deposit their uninvested cash balances into a joint trading account. The account will invest the cash in repurchase agreements and various short-term money market instruments with overnight, over-the-weekend, or over-the-holiday maturities.

FILING DATE: The application was filed on May 10, 1991; amended and restated applications were filed on September 26, 1991, November 27, 1991, and August 27, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on October 2, 1992, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicants, c/o John R. Verani, The Putnam Companies, One Post Office Square, Boston, Massachusetts 02109.

FOR FURTHER INFORMATION CONTACT: Barry A. Mendelson, Senior Attorney, at (202) 504–2284, or C. David Messman, Branch Chief, at (202) 272–3018 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicant's Representations

1. The Funds are registered management investment companies, some open-end, some closed-end. Some of the Funds consist of one series, while others consist of multiple series, each of which has separate investment objectives and segregated assets. The single-series Funds and the various series of multiple-series Funds are hereinafter collectively referred to as "Portfolios." All of the Portfolios are authorized to invest at least a portion of their uninvested cash assets in short-term liquid assets, including repurchase agreements.

2. The Putnam Management Company, Inc. ("Adviser") currently serves as investment manager of each Portfolio. Putnam Financial Services, Inc. ("Distributor") is the principal underwriter of certain Portfolios. Putnam Fiduciary Trust Company serves as custodian for the assets of each Portfolio and as the shareholder servicing and dividend disbursing agent of certain Portfolios. (Putnam Fiduciary Trust Company hereafter will be referred to as the "Custodian" when acting in that capacity, and "PFTC" in all other circumstances.) Both the Distributor and PFTC are affiliated persons of the Adviser.

3. On each trading day, most Portfolios have cash balances in their accounts maintained by the Custodian that are not invested in portfolio securities. Currently, each Portfolio's cash balance is separately invested in short-term liquid assets, such as repurchase agreements and short-term money market instruments of varying maturities (collectively, "Investments"), in order to earn additional income for the Portfolio. Repurchase agreements are entered into with banks, non-bank government securities dealers, and major brokerage houses. Short-term money market instruments may be purchased from dealers, in the open market, or directly from issuers. Each morning the cash management department operated by the Adviser begins negotiating on behalf of the Portfolios the interest rate for repurchase agreements to be entered into later that day and assembling the United States Government obligations required as collateral. The Adviser's cash management department also determines which short-term money market instruments will be purchased later that day. Typically, the assets of some Portfolios are too small, or are received too late, to be invested effectively.

4. In some cases, cash is invested in short-term money market instruments because a Portfolio is prohibited by percentage investment restrictions from investing any additional amount in repurchase agreements. The Adviser currently invests, and if relief is granted will continue to invest, Portfolio assets only in short-term money market instruments that constitute "first tier securities" within the meaning of rule 2a–7.

5. In connection with its investments in repurchase agreements, each of the Portfolios has established the same systems and standards. These systems and standards, adopted in compliance with Investment Company Act Release No. 13005 (Feb. 2, 1983) and the SEC Division of Investment Management's interpretations set forth in letters to the Investment Company Institute dated January 25, 1985 (pub. avail. same day), April 17, 1985 (pub. avail. May 7, 1985), and June 19, 1985 (pub. avail. same day), include quality standards for issuers of the repurchase agreement and require that the repurchase agreements be at least 100% collateralized at all times. Applicants acknowledge that they have a continuing obligation to monitor published statements of the SEC on repurchase agreements, and in the event the SEC sets forth different or additional requirements, each Portfolio intends to modify its systems and standards accordingly.

6. The Distributor maintains cash accounts at State Street Bank and Trust Company with respect to unsettled trades in shares of certain of the Portfolios (the "Deposit Accounts"). The monies in the Deposit Accounts represent cash from prospective shareholders whose purchases of Portfolio shares have not yet settled. PFTC maintains cash accounts at the Northern Trust Company as agent for certain Portfolios for the purpose of paying dividends, distributions, and the proceeds of redemptions to shareholders of those Portfolios (the "Disbursement Accounts"). The uninvested cash

balances in both the Deposit Accounts and the Disbursement Accounts are invested in repurchase agreements and in the future might be invested in short-term money market instruments, in a manner similar to the investment of uninvested cash balances in the Portfolios' accounts. The return on such investments accrues to the Portfolios in the form of credits against fees otherwise payable by the Portfolios to PFTC.

7. Applicants propose to deposit into a single joint account at the end of each trading day (i) the uninvested cash balance in each Portfolio's custodial account, and (ii) the amounts in the Deposit and Disbursement Accounts maintained by the Distributor and PFTC, respectively. The daily balance in the joint account will be used to purchase one or more Investments with overnight, over-the-holiday, or over-the-weekend maturities. To the Adviser's knowledge, the only short-term money market instruments currently available with such limited maturities are overnight commercial paper, certain U.S. government agency certificates, and term bank deposits. However, applicants may invest through the joint account in such other short-term money market instruments with overnight, over-the-weekend, or over-the-holiday maturities as may become available.

8. Except insofar as it is an "affiliated person" (within the meaning of the Act) of entities participating in the joint account, the Adviser will have no monetary participation in the joint account, but will be responsible for investing assets in the account and establishing accounting and control procedures, as described below.

9. The Custodian will prepare cash availability figures for each Portfolio on each business day and deliver the figures to the Adviser's cash managers. The Adviser's cash managers will determine how much cash should be transferred from each Portfolio, and from the Deposit and Disbursement Accounts, to the joint account, and the allocation of each Participant's cash to the various Investments to be purchased through the joint account.

10. All assets of participating Portfolios transferred to the joint account will continue to be held under proper bank custodial procedures. The joint account will not be distinguishable from any other account maintained by the Custodian for a Portfolio except that monies from multiple Portfolios, as well as from the Deposit and Disbursement Accounts, will be deposited into it on a commingled basis. The sole function of the joint account will be to provide a convenient way of aggregating what otherwise would be the one or more individual daily transactions for each Portfolio necessary to manage its daily uninvested cash balance.

11. Where the joint account invests in more than one Investment on a given day, each participant in the joint account ("Participant") would not necessarily have its cash invested in every Investment purchased through the joint account. This may occur for a variety of reasons. The Adviser believes that it is prudent to limit investment risk by entering into repurchase agreements with a number of different counter-parties and purchasing short-term money market instruments of a number of different issuers. In some cases, certain Portfolios may be precluded by their investment restrictions from participating in a repurchase agreement with a particular counterparty or from purchasing certain short-term money market instruments. In addition, on a given day, cash of a Portfolio may become available too late to be included in repurchase agreements that have already been negotiated, or may be too small to invest individually. In many such cases, however, it will still be advantageous for this cash to be invested jointly along with that of other Portfolios in a similar position on that day. A Participant's interest in a particular Investment held in the joint account will be proportionate to its cash contribution to the purchase price of such Investment.

12. The Adviser believes that no conflict of interest or potential for favoring one Portfolio over another arises merely as a result of the fact that the participating Portfolios may not always be allocated a *pro rata* portion of all of the Investments made through the joint account. In determining which Investments to allocate to which Portfolios participating in the joint account, the Adviser will take into account each Portfolio's investment restrictions, its obligation to fairly allocate investment opportunities among the Portfolios, the need for diversification, and the time when cash becomes available for investment on a given day—the same considerations the Adviser must take into account when making separate investments on behalf of each of the Portfolios.

13. A Portfolio will never be in a less favorable position than if the joint account were not in place. In many cases, a particular Portfolio will be in a better position, since it may not have enough cash to invest profitably in an individual Investment. Any alternative structure, where the Adviser would have to limit investments to those which could include every participating Portfolio, would be less beneficial than the proposed structure. For example, precluding all Portfolios from participating in repurchase agreements with certain counter-parties due to the investment restrictions of a particular Portfolio might prevent the majority of Portfolios from obtaining the best available return.

14. Applicants estimate that the joint account will save the Portfolios transaction fees totaling approximately $255,000 per year. In addition, the joint account will allow the Portfolios to negotiate higher rates of return on their overnight cash balances, invest funds which otherwise might not be invested, and reduce the possibility of errors by reducing the number of trade tickets.

15. Each Participant's decision to invest in the joint account will be solely at its option. A Participant will not be required either to invest a minimum amount or to maintain a minimum balance in the joint account. Each Participant will retain the sole ownership rights to any of its assets invested in the joint account, including interest payable on the assets invested in the joint account.

16. Applicants will use a recordkeeping system that is designed to reflect accurately each Participant's interest in the joint account. After agreeing on the trade details with a third party, the Adviser's cash management desk will enter the joint trade information into its cash trading system, assign a control reference number to the trade, and produce a joint trade ticket and individual trade tickets for each Participant in the Investment. The trade tickets will be sent to the Adviser's fund accounting department to be entered into the Adviser's accounting system, and to the Custodian, to be used as authorization to transfer money from the individual Participants' accounts to the joint account. The Adviser's cash management desk will reconcile all joint transactions during the course of the day as transactions are processed. The Adviser's fund accounting department will reconcile all Portfolio trades to cash transactions daily. The Custodian will reconcile all joint transactions, including money movement transactions, during the course of the day as transactions are processed and at the end of the day. In addition, an independent accounting firm engaged by the Portfolios will include a review of the joint investment recordkeeping in the scope of its annual internal control review of the Custodian's custody operations.

Applicants' Legal Analysis

1. The Portfolios participating in the proposed joint account, the Adviser, the Distributor, and PFTC could be deemed to be "joint participants" in a "transaction" within the meaning of section 17(d)(1). In addition, the proposed account could be deemed to be a "joint enterprise or other joint arrangement" within the meaning of rule 17d–1.

2. The trustees of each Fund have considered the proposed joint account and have determined that the use of such account will be beneficial to each Fund for the reasons set forth above and will not result in any conflicts of interest among the various Participants. The trustees believe that the operation of the joint account will be free of any inherent bias favoring one Portfolio over another. The trustees considered the fact that, although the Adviser can gain some benefit through administrative convenience and some possible reduction in its clerical costs, the primary beneficiaries will be the participating Portfolios and their shareholders.

3. There are two principal differences between this application and previous applications seeking exemptive relief to establish a joint account. First, applicants propose to permit two entities that are not investment companies, the Distributor and PFTC, to participate in the joint account. Both the Distributor and PFTC are affiliated persons of the Adviser. Second, not every Participant in the joint account will have an interest in every Investment held in the joint account on a given day.

4. The Trustees recognize that participation in the joint trading account by the Distributor and PFTC, through the inclusion of certain monies in the Deposit Accounts and Disbursement Accounts, will provide each with benefits similar to those received by the Portfolios. Those benefits, however, will be used to offset Fund expenses and thus will accrue to the benefit of the Funds. In any event, participation in the joint account by the Distributor and PFTC will in no way dilute or lessen the benefits accruing to the Portfolios and their shareholders.

5. Although not every Participant will participate in each and every Investment held in the joint account on any given day, each Participant will own a proportionate share of each Investment in which it participates, and the income earned or accrued thereon.

6. Rule 17d–1(b) provides that in passing upon applications under section 17(d) and rule 17d–1, the Commission will consider whether each party's participation in the proposed joint arrangement "is consistent with the provisions, policies and purposes of the Act," as well as the "extent to which such participation is on a basis different or less advantageous than that of other participants." For the reasons described above, applicants submit that the criteria of rule 17d–1 for issuance of an order are met by the joint trading account as proposed.

Applicants' Conditions

The joint account will operate subject to the following conditions:.

1. A separate cash account will be established with a single designated subcustodian bank into which each Portfolio will daily be permitted to deposit its uninvested net cash balances, and the Distributor and PFTC will be permitted to deposit the amounts in the Deposit Accounts and Disbursement Accounts.

2. Cash in the joint account will be invested by the Adviser in one or more repurchase agreements and/or short-term money market instruments. Each participant's funds in the joint account will be invested consistent with that participant's investment objectives, policies and restrictions. Not every participant in the joint account will necessarily have its cash invested in every repurchase agreement entered into and/or short-term money market instrument purchased through the joint account. However, to the extent a participant's funds are applied to a particular investment made through the joint account, the participant will participate in and own a proportionate share of such investment and the income earned or accrued thereon, based upon the percentage of such investment purchased with such participant's funds.

3. The Adviser and the Custodian will maintain records (in conformity with section 31 and the rules and regulations thereunder) documenting, for any given day, each participant's aggregate investment in the joint account and its *pro rata* share of each investment made through the joint account.

4. The joint account will invest only in repurchase agreements and short-term money market instruments with overnight, over-the-holiday, or over-the-weekend maturities. Investments in repurchase agreements will be collateralized by obligations issued or guaranteed as to principal and interest by the government of the United States or by any of its agencies or instrumentalities. The joint account will invest only in short-term money market instruments which constitute "first tier securities" within the meaning of rule 2a–7 under the Act.

5. All investments held by the joint account will be valued on an amortized cost basis.

6. Each participating Portfolio valuing its net assets in reliance upon rule 2a–7 under the Act will use the average maturity of the instrument(s) in the joint account in which such Portfolio has an interest for purpose of computing the Portfolio's average portfolio maturity with respect to the portion of its assets held in the joint account on that day.

7. To ensure that there will be no opportunity for one participant to use any part of the balance of the joint account credited to another participant, no participant will be allowed to create a negative balance in the joint account for any reason, although a participant will be permitted to draw down its entire balance at any time.

8. The Adviser will manage the joint account as part of its duties under its existing or any future investment advisory contracts with the Portfolios. The Adviser will not collect an additional fee from any participant for managing the joint account.

9. The administration of the joint account will be within the fidelity bond coverage required by section 17(g) of the Act and rule 17g–1 thereunder.

10. The trustees of each of the Funds will evaluate annually the joint account arrangements, and will continue a Portfolio's participation in the joint account only if they determine that there is a reasonable likelihood that the Portfolio and its shareholders will benefit from continued participation.

For the Commission, by the Division of Investment Management, under delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–22262 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Investment Company Act Res. No. 18937; 811–4868]

SunAmerica Fund Group II; Application

September 9, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of Application for Deregistration under the Investment Company Act of 1940 ("Act").

APPLICANT: SunAmerica Fund Group II.

RELEVANT ACT SECTION: Section 8(f).

SUMMARY OF APPLICATION: Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on May 21, 1992 and amended on July 27, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on October 5, 1992, and should be accompanied by proof of service on applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request such notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549. Applicant, 733 Third Avenue, New York, NY 10017.

FOR FURTHER INFORMATION CONTACT: James E. Anderson, Law Clerk, at (202) 272–7027, or C. David Messman, Branch Chief, at (202) 272–3018 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee from the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is a diversified open-end management investment company organized as a Massachusetts business trust. On October 14, 1986, applicant filed a notification of registration pursuant to section 8(a) of the Act and a registration statement pursuant to the Securities Act of 1933. The registration statement became effective on February 27, 1987, and applicant commenced its initial public offering immediately thereafter.

2. Operating under the name Equitec Siebel Fund Group II, applicant issued shares in five series: California Tax-Free Income Fund (the "California Tax-Free Series"), Equity Income Fund (the "Equity Series"), Government Income Fund (the "Government Series"), National Tax-Free Income Fund (the "National Tax-Free Series"), and Money Market Fund (the "Money Market Series").

3. On January 7, 1991, SunAmerica Asset Management Corp. ("SAMCO") and SunAmerica Capital Services, Inc. entered into an asset purchase agreement (the "Agreement") with Equitec Financial Group, Inc., Equitec Securities Company ("ESC"), and Siebel Capital Management, Incorporated for the purchase of, among other things, the assets of applicant. On March 27, 1991, the Agreement was amended. As amended, the Agreement provided that: (a) the assets of the California Tax-Free Series would be exchanged for shares of the California Municipal Bond Portfolio series of SunAmerica Tax Free Portfolios; (b) the assets of the Equity Series would be exchanged for shares of the Total Return Fund series of SunAmerica Multi-Asset Portfolios, Inc.; and (c) the assets of the Government Series would be exchanged for shares of the Government Income Portfolio series of SunAmerica Income Portfolios. The Agreement also contemplated that the National Tax-Free Series and the Money Market Series be liquidated prior to the closing date of the transaction.

4. On January 23, 1991, applicant's board of trustees approved the reorganization. Definitive proxy materials soliciting shareholder approval of the reorganization were filed with the SEC on April 16, 1991, and were mailed to shareholders on April 24, 1991. The reorganization was approved, in accordance with Massachusetts law, by applicant's shareholders at a meeting held on June 14, 1991.

5. As of March 15, 1991, the net asset values of the Money Market Series and the National Tax-Free Series were $95,079.12 and $496.38, respectively. Between March 27, 1991 and June 18, 1991, all outstanding shares of the Money Market Series and the National Tax-Free Series were voluntarily redeemed, and the portfolio securities of these two series were sold in open market transactions at market price.

6. On June 18, 1991, the reorganization was consummated, and applicant changed its name to SunAmerica Fund Group II. Applicant transferred all assets and liabilities of the California Tax-Free Series, the Equity Series, and the Government Series to the corresponding SunAmerica series. The exchanges were made at net asset value. The shares received in exchange for applicant's assets were distributed to applicant's shareholders *pro rata* in accordance with their respective interests in applicant.

7. All expenses incurred in connection with applicant's liquidation and reorganization were borne by SAMCO. Such expenses included preparation of proxy materials, printing expenses, and legal and accounting fees.

8. As of the date of the amended application, applicant had no shareholders, assets, or liabilities. Applicant is not a party to any litigation or administrative proceeding. Applicant is not presently engaged in, nor does it propose to engage in, any business activities other than those necessary for the winding up of its affairs.

For the SEC, by the Division of Investment Management, under delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–22263 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–18930; 812–7825]

Unison Investment Trusts Ltd., et al.; Notice of Application

September 4, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "Act").

APPLICANT: Unison Investment Trusts Ltd. (the "Sponsor") and 21st Century Trust, Series 1, on behalf of themselves and any series of 21st Century Trust (individually "Trust," and collectively, "Trusts").

RELEVANT ACT SECTIONS: Order requested under section 6(c) of the Act for an exemption from sections 14(a) and 19(b) of the Act and rule 19b–1.

SUMMARY OF APPLICATION: Applicants seek an order (a) exempting the Sponsor from having to take for its own account or place with other $100,000 worth of Units and (b) permitting the Trusts to distribute capital gains dividends within a reasonable time after receipt.

FILING DATE: The application was filed on November 20, 1991 and amended on April 2, 1992, and August 4, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on September 29, 1992, and should be accompanied by proof of service on the applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the SEC's Secretary.

ADDRESSES: Secretary, SEC, 450 Fifth Street NW., Washington, DC 20549. Applicants, Unison Investment Trusts, Ltd. and 21st Century Trust, Series 1, 201

Progress Parkway, Maryland Heights, Missouri 63043.

FOR FURTHER INFORMATION CONTACT: John V. O'Hanlon, Staff Attorney, at (202) 272–3922, or Elizabeth G. Osterman, Branch Chief, at (202) 272–3106 (Office of Investment Company Regulation, Division of Investment Management).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

Applicants' Representations

1. 21st Century Trust will consist of a series of unit investment trusts, each of which will be similar but separate and designated by a different series number. 21st Century Trust will be registered as an investment company under the Act. Each series will be registered under the Securities Act of 1922 (the "1933 Act") by means of a Registration Statement on Form S–6 under the 1933 Act. Sponsor will file registration statements on Form N–8B–2 in accordance with the Act. Sponsor will act as sponsor of 21st Century Trust, Series 1, and subsequent series.

2. The Trusts will be created pursuant to a Standard Terms and Conditions of Trust and a related Trust Agreement (collectively, the "Trust Agreement") between the Sponsor and a corporate fiduciary (the "Trustee"). Pursuant to the Trust Agreement, the Sponsor will acquire a portfolio of certain zero coupon obligations (securities which accrue but do not pay income currently, are sold at a discount from stated principal amount, and represent an obligation to pay the stated principal amount thereof at a future date) issued by the United States government and certain publicly traded common stocks or American Depositary Receipts ("ADRs") evidencing ownership of equity securities issued by companies formed in countries other than the United States (such common stocks and ADRs collectively are referred to herein as "Equity Securities") (the zero coupon obligations and the Equity Securities collectively are referred to herein as the "Securities"). When the portfolio for a particular series is completed. the Sponsor will deposit with the Trustee more than $100,000 aggregate market value of Securities (the "Date of Deposit"). Simultaneously with such deposit, the Trustee will deliver to the Sponsor or to the order of the Sponsor the units of beneficial ownership ("Units") representing the entire ownership of the Securities held in the applicable Trust (owners of such Units are hereinafter referred to as "Unitholders").

3. Each Trust will consist of (a) the Securities, or contracts to purchase such Securities, (b) replacement Securities, if any, deposited into or acquired by the Trust subsequent to the initial Date of Deposit, (c) such Securities as may continue to be held from time to time in exchange or substitution for any of the Securities, and (d) undistributed cash. Certain of the Securities may from time to time be sold under the limited circumstances set forth in the Trust Agreement. The proceeds from such dispositions will be distributed to Unitholders. Each Trust will be organized so that Unitholders purchasing Units on the Date of Deposit will receive, upon termination of the respective Trust at the mandatory termination date of such Trust specified in the related prospectus (the "Prospectus"), an amount which is equal to the public offering price of the Units on the Date of Deposit (which amount is equal to the per Unit value upon maturity of the zero coupon obligations).

4. Following the deposit by the Sponsor of the Securities for each Trust with the Trustee, and following the effectiveness of the registration statement relating to that Trust under the 1933 Act and clearance by the securities authorities of the various states, the Sponsor will offer the Units of that Trust to the public at the public offering price described in the Prospectus, which price is based on the market value of the underlying Securities, plus a sales charge.

5. Units of a Trust will remain outstanding until redeemed or until the termination of that Trust. Upon direction of the Sponsor, with the written consent of the Unitholders representing 51% of the Units then outstanding, the Trustee may liquidate a Trust. Each Trust will terminate upon the sale or other disposition of the last Security held thereunder, but in no event will a Trust continue beyond the mandatory termination date stated in the Prospectus.

6. Each Unit of a particular Trust will represent a fractional undivided interest in and ownership of the Securities and any undistributed cash held in the Trust. The numerator of the fractional interest represented will be one; the denominator will be the number of Units then outstanding. Unitholders may tender their Units to the Trustee for redemption of their proportionate share of the current net assets of the Trust at a specified price determined by the Trustee (the "Redemption Price"), representing each Unit's fractional undivided interest in the Trust. In the event that any Units shall be redeemed, the denominator of the fraction will be reduced and the fractional undivided interest represented by such units increased.

7. While not obligated to do so, Edward D. Jones & Co. (the "Managing Underwriter") intends to maintain, at its expense, a secondary market for Units of each Trust and to offer to repurchase Units from Unitholders at the Redemption Price. Any Units repurchased by the Managing Underwriter at the Redemption Price may be offered to the public by the Managing Underwriter at the then current public offering price, plus accrued distribution amounts and a sales charge. If the supply of Units exceeds the demand (or for any other business reason), the Managing Underwriter at any time may, temporarily or permanently, discontinue the repurchase of Units at the Redemption Price. In any case, unitholders may redeem their units through the Trustee, although the Sponsor shall have the right to repurchase such tendered Units at a price not less than the price the Unitholder would receive from the Trustee upon such tender.

8. The Sponsor agrees to direct the Trustee to distribute to each investor his or her *pro rata* share of the net worth of the applicable Trust and to refund on demand and without deduction the sales load to purchasers of Units, if, within 90 days after the registration of a Trust under the 1933 Act becomes effective, the net worth of such Trust is reduced to less than $100,000 or the Trust is terminated. In addition, the Sponsor agrees to instruct the Trustee that if, as a result of redemption by the Sponsor of unsold Units, a Trust has a net worth of less than 40% of the market value of Securities originally deposited in such Trust, the Trustee shall terminate the Trust in the manner provided in the Trust Agreement. Following such termination, the Sponsor will direct the Trustee to distribute any Securities or other assets deposited with the Trustee to the Unitholders on a *pro rata* basis pursuant to the Trust Agreement, and will refund any sales load on demand and without any deduction to any purchaser of Units.

Applicants' Legal Analysis

1. Section 14(a) of the Act provides, in pertinent part, that no registered investment company shall make a public offering of its securities unless such company (a) has a net worth of at least $100,000 or (b) ensures to the

satisfaction of the Commission and as a condition of registration of its securities under the 1933 Act that: (i) after the effective date of such registration statement such company will not issue any security or receive any proceeds of any subscription for any security until not more than 25 responsible persons have made firm agreements to purchase securities in an aggregate net amount which will give the company a net worth of at least $100,000; (ii) such amount will be paid into such company before subscriptions will be accepted from any persons in excess of 25; and (iii) arrangements will be made whereby any amount paid in, as well as any sales load, will be refunded to any subscribers on demand without any deduction in the event that the net proceeds received by the company do not result in the company having a net worth of at least $100,000 within 90 days after such registration statement becomes effective.

2. Applicants contend that, because each Trust will have an initial net worth in excess of $100,000 invested in Securities prior to any unit of the Trust being offered to the public, applicants will be in compliance with section 14(a) of the Act. Applicants recognize, however, that the transfer of Units to the Managing Underwriter on the Date of Deposit may be deemed to reduce the Trust's net worth below the requirements of section 14(a) of the Act. Applicants request an exemption to the extent that section 14(a) would require the Sponsor to take $100,000 worth of Units either for its own account or under an investment letter.

3. Applicants will comply in all respects with the requirements of rule 14a–3, which provides an exemption from section 14(a), except that the Trusts will not restrict their portfolio investments to 'eligible trust securities." Applicants contend that depositing equity securities in the Trusts will not jeopardize investors to any greater extent than would an investment in eligible trust securities, because the same safeguards that are contained in rule 14a–3 are present, and the structure of the Trusts does not differ in substance from trusts that invest in eligible trust securities which are afforded relief under rule 14a–3.

4. Section 19(b) of the Act and rule 19b–1 thereunder provide that no registered investment company may distribute long-term capital gains more than once every twelve months. Applicants state that the provisions of section 19(b) and rule 19b–1 thereunder were designed to remove the temptation to realize capital gains on a frequent and regular basis and to eliminate attempts by investment advisers to time distributions to be advantageous to shareholders. Applicants further assert that there was a concern that investors would be confused by a failure to distinguish between regular distributions of capital gains and distributions of investment income.

5. Rule 19b–1(b) permits a unit investment trust to distribute capital gain dividends received from a "regulated investment company" within a reasonable time after receipt. Rule 19b–1(c), under certain circumstances, excepts a unit investment trust investing in "eligible trust securities," as defined in rule 14a–3(b) of the Act, from the requirements of rule 19b–1. The conduct permitted under rule 19b–(b) and the exception provided by rule 19b–1(c) do not apply to the Trusts because the Trusts may receive capital gains from other than a "regulated investment company" and because they do not intend to invest in "eligible trust securities." Applicants request an exemption from rule 19b–1 to the extent necessary to permit capital gains to be distributed to Unitholders more frequently than once every twelve months.

6. Applicants submit that the dangers which section 19(b) and rule 19b–1 are designed to prevent do not exist in the Trusts. Because the Sponsor has substantially no control over events, other than the selection of the portfolio, which might trigger capital gains (*i.e.*, the tendering of Units for redemption or credit factors affecting the Securities), there is no danger of manipulation by the Sponsor to increase capital gains distribution. And, because capital distributions are clearly indicated in accompanying reports to Unitholders as a return of capital, and are relatively small in comparison to normal dividend distributions, there is little danger of confusion from failure to differentiate among distributions. Moreover, any retention of capital gains until year-end would be to the detriment of shareholders.

7. Applicants contend that the requested exemption is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92–22177 Filed 9–14–92; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF TRANSPORTATION

Aviation Proceedings; Agreements Filed During the Week Ended September 4, 1992

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: 48333.
Date filed: August 31, 1992.
Parties: Members of the International Air Transport Association.
Subject: MV/CSC/026 dated June 9, 1992, Reflect Carriage Of Cargo By Road, T–1–600a R–2–600b(II) R–3–RP1601.
Proposed Effective Date: September 1, 1992.

Docket Number: 48334.
Date filed: August 31, 1992.
Parties: Members of the International Air Transport Association.
Subject: Comp Mail Vote 583, General Cargo Increase from India, except to/from USA/US Territories.
Proposed Effective Date: October 1, 1992.

Docket Number: 48335.
Date filed: August 31, 1992.
Parties: Members of the International Air Transport Association.
Subject: TC1 Mail Vote 594, Intermediate Class fares within South America.
Proposed Effective Date: September 23, 1992.

Docket Number: 48339.
Date filed: September 2, 1992.
Parties: Members of the International Air Transport Association.
Subject: TC3 Mail Vote 595—Japan-China Cargo Rates.
Proposed Effective Date: October 1, 1992.

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 92–22199 Filed 9–14–92; 8:45 am]

BILLING CODE 4910–62–M

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ended September 4, 1992

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth

below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: 48338.
Date filed: September 1, 1992.
Due Date for Answers, Conforming Applications, or Motion to Modify Scope: September 29, 1992.
Description: Application of Federal Express Corporation pursuant to section 401(d)(1) of the Act and Subpart Q of the Regulations, for renewal of its existing authority to provide foreign air transportation of property and mail between a point or points in the United States, on the one hand, and a point or points in Japan, on the other hand, as contained in Segment 3 of Federal Express' certificate of public convenience and necessity for Route 205–F.

Phyllis T. Kaylor,
Chief, Documentary Services Division.
[FR Doc. 92–22198 Filed 9–14–92; 8:45 am]
BILLING CODE 4910–62–M

Office of the Secretary

[Notice 92–13]

Commercial Space Transportation Advisory Committee; Open Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92–463, 5 U.S.C., App. 1), notice is hereby given of a meeting of the Commercial Space Transportation Advisory Committee (COMSTAC). The meeting will take place on Wednesday, September 30, 1992, from 8:30 a.m. to 5 p.m. in room 2230 of the Department of Transportation's headquarters building at 400 Seventh Street, SW. in Washington, DC. This will be the sixteenth meeting of the COMSTAC. The meeting will cover such issues as international competitiveness with a report on the latest rounds of trade talks, and technology and innovation including a discussion on the National Launch System. The COMSTAC will receive an update on congressional activities followed by reports from the COMSTAC working groups and the Office of Commercial Space Transportation. The new COMSTAC Chairman, Steve Dorfman, Corporate Vice President and Group President of Hughes Aircraft Company, will assume the leadership of the COMSTAC at the meeting.

The meeting is open to the interested public, but may be limited to the space available. Additional information may be obtained by contacting Ms. Linda H. Strine at (202) 366–5770.

Dated: September 9, 1992.

Donald R. Trilling,
Acting Director, Office of Commercial Space Transportation.
[FR Doc. 92–22166 Filed 9–14–92; 8:45 am]
BILLING CODE 4910–62–M

Federal Railroad Administration

Petition for a Waiver of Compliance

In accordance with 49 CFR 211.9 and 211.41, notice is hereby given that the Federal Railroad Administration (FRA) has received a request for a waiver of compliance with certain requirements of federal railroad safety regulations. The individual petitions are described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested and the petitioner's arguments in favor of relief.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket No. RSEQ–92–1) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Communications received before October 23, 1992 will be considered by FRA before final action is taken. Comments received after that date will be considered as fare as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.–5 p.m.) in room 8201, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590.

The individual waiver petitions are as follows:

The Nimishillen & Tuscarawas Railway Company (NTRY)

[Waiver Petition Docket No. RSEQ–92–1]

The Nimishillen and Tuscarawas Railway Company (NTRY) seeks a permanent waiver of compliance from the provisions of Qualification Standards for Locomotive Engineers (49 CFR 240). The railroad operates on trackage within the confines of the Republic Engineered Steels facilities at Canton and Massillon, Ohio.

Canadian Pacific Limited (CP)

[Waiver Petition Docket No. RSEQ–92–2]

The Canadian Pacific Limited (CP) seeks a permanent waiver of compliance from certain provisions of Qualifications Standards For Locomotive Engineers (49 CFR part 240). The railroad is a foreign railroad operated principally in Canada with a limited operation in the United States. The petitioner seeks relief from those portions of part 240 relating to the data required on the locomotive engineer's certificate.

Burlington Northern Railroad (BN)

[Waiver Petition Docket No. RSEQ–92–4]

The Burlington Northern Railroad (BN) seeks a waiver from certain provisions of Qualification Standards for Locomotive Engineers (49 CFR part 240). The railroad is a Class I railroad with operations throughout the central and western portions of the United States. The petitioner seeks relief from § 240.201(e) for the specific purpose of issuing certification to four employees involved in the Havelock Car Shop operations who have not been tested and qualified in accordance with subpart C of part 240.

Rockford Park District

[Waiver Petition Docket No. RSEQ–92–5, RSAD–92–1, SI–92–1]

The Rockford Park District seeks a permanent waiver from the provisions of Qualification Standards for Locomotive Engineers (49 CFR part 240): Control of Alcohol and Drug Use (49 CFR part 219); and Signal System Reporting Requirements (49 CFR part 233). The Petitioner is a municipal corporation and subdivision of the State of Illinois that owns and operates a reproduction model trolley car over a small portion of the Chicago Northwestern Transportation (CNW) KD line in the county of Winnebago, Illinois.

Burlington Northern Railroad (BN)

[Waiver Petition Docket No. RSEQ–92–6]

The Burlington Northern Railroad (BN) seeks a permanent waiver from certain provisions of Qualification Standards for Locomotive Engineers (49 CFR part 240). The railroad is a Class I railroad with operations throughout the central and western portions of the United States. The petitioner seeks relief from § 240.7 specifically for the purposes of movement of up to a total of five (5) company service cars with a locomotive

or locomotives within the confines of a locomotive servicing track areas as defined in section 218.5(f).

Issued in Washington, DC on September 8, 1992.

Phil Olekszyk,

Deputy Associate Administrator for Safety.

[FR Doc. 92-22167 Filed 9-14-92; 8:45 am]

BILLING CODE 4910-06-M

Research and Special Programs Administration

Office of Hazardous Materials Safety; Applications for Exemptions

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applicants for exemptions.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Transportation has received the applications described herein. Each mode of transportation for which a particular exemption is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo-only aircraft, 5—Passenger-carrying aircraft.

DATES: Comments must be received on or before October 15, 1992.

ADDRESS COMMENTS TO: Dockets Branch, Research and Special Programs Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption application number.

FOR FURTHER INFORMATION: Copies of the applications are available for inspection in the Dockets Branch, room 8426, Nassif Building, 400 7th Street, SW., Washington, DC.

New Exemptions

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
10854-N	Matheson Gas Products, Secaucus, NJ	49 CFR 172.101 Special Provision N-41	To authorize transportation of silicon tetrachloride, classed as corrosive material in DOT specification 5A steel/stainless steel drums. (mode 1)
10865-N	Robert Gas Cylinder Company, Inc., Carolina, PR.	49 CFR 173.34(1), 175.30, Part 107, App. B, Subparagraphs 1,2,3.	To authorize the rebuilding, repair, by method other than as prescribed, and sale of DOT specification 4 series cylinder for transporting compressed gases, flammable liquids, corrosive material and other hazardous materials authorized to be shipped in 4 series cylinders. (modes 1, 2, 3, 4, 5)
10866-N	American Medical Waste Systems, Inc., Hicksville, NY.	49 CFR 173.197	To authorize shipment of certain regulated medical waste contained in plastic bags overpacked in steel bulk roll-off type containers, fiberglass containers or plastic containers secured to specially designed trucks. (mode 1)
10867-N	Pacific Scientific, HTL/Kin-Tech Division, Duarte, CA.	49 CFR 173.02, 175.3, 178.44	To authorize the manufacture, mark and sell of non-DOT specification welded titanium cylinder having 35 cubic inches maximum water capacity and 3,200 psig maximum service pressure for use in transporting nitrogen, with 5% trace of helium gas, classed as non-flammable gas. (modes 1, 2, 4, 5)
10868-N	University of Utah/Radiological Health Dept., Salt Lake City, UT.	49 CFR 173.416	To authorize the one-time shipment Type B packaging consisting of a self-shielded irradiator containing Cobalt-60, classed as radioactive material, in sealed welded stainless steel capsules, inserted into tubes for transportation in privately owned vehicles. (mode 1)
10869-N	Norris Cylinder Company, Longview, TX	49 CFR 173.301(h), 173.302, 173.304, 173.34(a)(1), 175.3, 178.37.	To authorize the manufacture, mark and sell of non-DOT specification seamless steel cylinders with an allowable design stress not to exceed 104000 psig constructed of 3AA cylinders for use in transporting various hazardous materials. (modes 1, 2, 3, 4)
10871-N	Callery Chemical Company, Callery, PA	49 CFR 173.244	To authorize the one-way, one-time transportation of stainless steel pressure vessels containing varying amounts of fused sodium metal, dangerous when wet. (mode 1)
10872-N	WASAG USA, Inc., Wilmington, DE		To authorize the transportation of limited quantities of black powder, class A explosive contained in one pound capacity polyethylene bottles overpack, not to exceed 25 bottles per fiberboard box to be reclassified and shipped as flammable solid.
10874-N	MedX, Inc., Miami, FL	49 CFR 173.197	To authorize shipment of certain regulated medical waste contained in plastic bags overpacked in 200 gallon capacity aluminum exchange carts secured within a truck. (mode 1)
10875-N	Morton International, Inc., Ogden, UT	49 CFR 173.300(a), 178.65-3	To authorize an exemption from the third party inspection requirement for DOT Specification 39 cylinders used as a component part of airbags. (modes 1, 4, 5)
10876-N	Dorton Packaging Ltd., North Yorkshire, EN.	49 CFR 173.213	To manufacture, mark, and sell collapsible, nonreusable polyethylene lined woven bulk bags capacity for use in transporting ammonium nitrate, classed as oxidizer. (mode 1)
10877-N	Westinghouse Electric Corporation, Pittsburgh, PA.	49 CFR 173.206, 178.245	To authorize the transportation of sodium metal, classed as flammable solid in non-DOT specification containers described as stainless steel storage vessels. (mode 1)

NEW EXEMPTIONS—Continued

Application No.	Applicant	Regulation(s) affected	Nature of exemption thereof
10878–N	Tankcon FRP Inc., Boisbriand, Que, CN	49 CFR 178.345, 178.348	To manufacture, mark and sell non-DOT specification cargo tanks construct of fiberglass reinforced plastic for use in transporting various commodities classed as corrosive material. (mode 1)
10879–N	PLM Transportation Equipment Corp., Chicago, IL.	49 CFR 179.100–16	To authorize the transportation of rail cars equipped with alternative braking system for use in transporting various flammable and non-flammable gases. (mode 2)
10880–N	IRECO Incorporated, Carthage, MO	49 CFR 173.114	To authorize multiple uses of a flexible bulk bag with a capacity of 1,000 kg for shipment of ammonium nitrate, fuel oil mixture. (mode 1)
10882–N	J. Eberspacher, Esslingen, Germany	49 CFR 177.834(1),(2)(i)	To authorize the manufacture, mark and sell of temperature controlled equipment (Espar Heater System) as equipment in motor vehicles for shipment of certain flammable liquids or flammable gases. (mode 1)
10883–N	Cart Service Systems, Clifton, NJ	49 CFR 173.197	To authorize the manufacture, mark and sell of high density polyethylene containers of 175 gallons capacity for the shipment of certain regulated medical waste. (mode 1)

Note: Notice of application No. 10803–N, which appeared in the June 17, 1992 **Federal Register**, should have identified the applicant as Westinghouse Electric Corporation rather than Western Electric Corporation.

This notice of receipt of applications for new exemptions is published in accordance with part 107 of the Hazardous Materials Transportations Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on September 9, 1992.

J. Suzanne Hedgepeth,

Chief, Exemptions Branch, Office of Hazardous Materials Exemptions and Approvals.

[FR Doc. 92–22168 Filed 9–14–92; 8:45 am]

BILLING CODE 4910–60–M

Office of Hazardous Materials Safety; Applications for Modification of Exemptions or Applications to Become a Party to an Exemption

AGENCY: Research and Special Programs Administration, DOT.

ACTION: List of applications for modification of exemptions or applications to become a party to an exemption.

SUMMARY: In accordance with the procedures governing the application for, and the processing of, exemptions from the Department of Transportation's Hazardous Materials Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the applications described herein. This notice is abbreviated to expedite docketing and public notice. Because the sections affected, modes of transportation, and the nature of application have been shown in earlier **Federal Register** publications, they are not repeated here. Requests for modifications of exemptions (e.g. to provide for additional hazardous materials, packaging design changes, additional mode of transportation, etc.) are described in footnotes to the application number. Application numbers with the suffix "X" denote a modification request. Application numbers with the suffix "P" denote a party to request. These applications have been separated from the new applications for exemptions to facilitate processing.

DATES: Comments must be received on or before September 30, 1992.

ADDRESS COMMENTS TO: Dockets Unit, Research and Special Programs, Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the exemption number.

FOR FURTHER INFORMATION: Copies of the applications are available for inspection in the Dockets Unit, room 8426, Nassif Building, 400 7th Street SW., Washington, DC.

Application No.	Applicant	Renewal of exemption
8215–X	Olin Corporation—Winchester Division, East Alton, IL (See Footnote 1)	8215
8725–X	CNG Cylinder Corporation, Long Beach, CA (See Footnote 2)	8725
9347–X	Precision General, Inc., Houston, TX (See Footnote 3)	9347
10659–X	Consani Engineering (PTY) Limited, Republic of South Africa (See Footnote 4)	10659

[1] To authorize small arms ammunition Class C explosive as additional commodity for shipment in wooden boxes, plastic containers, metal tote boxes or multi-compartment carrying trays in addition to the packaging authorized.

[2] To modify exemption to reduce the design qualification cycling requirements for non-DOT specification cylinders for shipment of nonflammable gases.

[3] To authorize relief from hydrostatic testing of each non-DOT specification stainless steel cylinder used for the shipment of certain flammable or nonflammable gases and flammable liquids.

[4] To authorize shipment of certain class 3, 6 and 8 materials as additional hazardous commodities for shipment in non-DOT specification portable tanks comparable to DOT specification 407 and 412.

Application No.	Applicant	Parties to Exemption
3095–P	Foster Testing Co., Inc., Perryton, TX.	3095
4453–P	Paige-IRECO, Inc., Duffield, VA.	4453
4453–P	Gibson-IRECO, Inc., Duffield, VA.	4453
6691–P	Post Welding Supply Company, Birmingham, AL.	6691
7052–P	Celtic Trading of Florida, Inc., Seminole, FL.	7052
7052–P	Celtic Trading of Florida, Inc., Seminole, FL.	7052
7835–P	ABCO Welding & Industrial Supply, Inc., Waterford, CT.	7835
7909–P	ECOFLO, Inc., Greensboro, NC.	7909
8009–P	FleetStar of Texas, L.C., Dallas, TX.	8009
8009–P	Enfuels Corporation, Houston, Tx.	8009
8214–P	Diamond-Star Motors, Normal, IL.	8214
8214–P	Diamond-Star Motors, Normal, IL.	8214
8445–P	Franklin Environmental Services, Inc., Wrentham, MA.	8445
8445–P	Republic Environmental Systems, Hatfield, PA.	8445
8451–P	Gencorp Aerojet Ordnance, Chino Hills, CA.	8451
8451–P	KDI Precision Products, Inc., Cincinnati, OH.	8451
8748–P	U.S. Department of Defense, Falls Church, Va.	8748
9607–P	Liz Claiborne Cosmetics, Dayton, NJ.	9607
9723–P	Drug and Laboratory Disposal, Inc., Plainwell, MI.	9723
9723–P	Frank's Vacuum Truck Service, Inc., Niagara Falls, NY.	9723
9723–P	Republic Environmental Systems, Hatfield, PA.	9723
10738–P	Rotonics Molding Industries, Gardena, CA (See Footnote 1).	10738
10882–P	Espar Products Incorporated, Mississauga, Ontario, CN.	10882
10882–P	Espar Incorporated, Trumansburg, NY.	10882

[1] To modify exemption to provide for ocean vessel as an additional mode of transportation.

This notice of receipt of applications for renewal of exemptions and for party to an exemption is published in accordance with part 107 of the Hazardous Materials Transportations Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on September 9, 1992.

J. Suzanne Hedgepeth,

Chief, Exemptions Branch, Office of Hazardous Materials Exemptions and Approvals.

[FR Doc. 92–22169 Filed 9–14–92; 8:45 am]

BILLING CODE 4910–60–M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: September 8, 1992.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Public Law 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding this information collection should be addressed to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 3171 Treasury Annex, 1500 Pennsylvania Avenue, NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545–1112.

Regulation ID Number: IA–96–88 Final.

Type of Review: Extension.

Title: Certain Elections Under the Technical and Miscellaneous Revenue Act of 1988.

Description: These regulations establish various elections with respect to which immediate interim guidance on the time and manner of making the elections is necessary. These regulations enable taxpayers to take advantage of the benefits of various Code provisions.

Respondents: Individuals or households, State or local governments, Farms, Businesses or other for-profit, Nonprofit institutions, Small businesses or organizations.

Estimated Number of Respondents: 24,305.

Estimated Burden Hours Per Respondent: 17 minutes.

Frequency of Response: On occasions.

Estimated Total Reporting Burden: 6,712 hours.

Clearance Officer: Garrick Shear (202) 622–3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue, NW., Washington, DC 20224.

OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, room 3001, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports, Management Officer.

[FR Doc. 92–22222 Filed 9–14–92; 8:45 am]

BILLING CODE 4830–01–M

UNITED STATES INFORMATION AGENCY

Culturally Significant Objects Imported for Exhibition; Determination

Notice is hereby given of the following determination: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985, 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978 (43 FR 13359, March 29, 1978), and Delegation Order No. 85–5 of June 27, 1985 (50 FR 27393, July 2, 1985), I hereby determine that the objects to be included in the exhibit, "Visions of the People: A Pictorial History of Plains Indian Life," (see list [1]), imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the temporary exhibition or display of the listed exhibit objects at the Minneapolis Institute of Art, Minneapolis, Minnesota, from on or about October 11, 1992, to on or about January 3, 1993, The St. Louis Art Museum, St. Louis, Missouri, from on or about February 6, 1993, to on or about April 18, 1993, and the Joslyn Liberal Arts Society, Omaha, Nebraska, from on or about May 22, 1993, to August 1, 1993, is in the national interest.

Public notice of this determination is ordered to be published in the **Federal Register.**

Date: September 9, 1992.

Alberto J. Mora,

General Counsel.

[FR Doc. 92–22149 Filed 9–14–92; 8:45 am]

BILLING CODE 8230–01–M

VOA Advisory Committee Meeting

AGENCY: United States Information Agency.

ACTION: Notice of Meeting.

SUMMARY: The United States Information Agency announces an open meeting of the VOA Advisory Committee on Tuesday September 29, 1992, 1:30 p.m.—4 p.m. in the VOA Director's Conference Room, room 3300, 330 C Street, SW., Washington, DC. The Agenda will include discussions regarding affiliate relations and audience analysis.

DATES: September 29, 1992.

[1] A copy of this list may be obtained by contacting Mr. Paul W. Manning of the Office of the General Counsel of USIA. The telephone number is 202/619–6827, and the address is room 700, U.S. Information Agency, 301 Fourth Street, SW., Washington, DC 20547.

ADDRESSES: 330 C Street SW., Washington, DC 20547.

FOR FURTHER INFORMATION CONTACT: Louise G. Wheeler or Nancy Starr at 619–6089.

SUPPLEMENTARY INFORMATION: Copies of minutes can be obtained by calling 619–6089.

Dated: September 29, 1992.

Douglas Wertman,

Committee Management Officer.

[FR Doc. 92–22148 Filed 9–14–92; 8:45 am]

BILLING CODE 8230–01–M

Sunshine Act Meetings

Federal Register
Vol. 57, No. 179
Tuesday, September 15, 1992

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

FEDERAL COMMUNICATIONS COMMISSION

FCC To Hold Open Commission Meeting Thursday, September 17, 1992

The Federal Communications Commission will hold an Open Meeting on the subjects listed below on Thursday, September 17, 1992, which is scheduled to commence at 9:30 a.m., in Room 856, at 1919 M Street, NW., Washington, DC.

Item No., Bureau, and Subject

1—Office of Engineering and Technology—Title: Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies (ET Docket No. 92–9). Summary: The Commission will consider adoption of a *First Report and Order and Third Notice of Proposed Rulemaking.*

2—Mass Media Office of Engineering and Technology—Title: Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service (MM Docket No. 87–268). Summary: The Commission will consider adoption of a *Memorandum Opinion and Order, Third Report and Order and Third Further Notice of Proposed Rulemaking* which resolves petitions for reconsideration, establishes further rules and policies concerning the implementation of advanced television service, and seeks comment on additional implementation issues.

3—Field Operations—Title: Amendment of Part 73, Subpart G of the Commission's Rules and Regulation Regarding the Emergency Broadcast System (FO Docket Nos. 91–301 and 91–171. Summary: The Commission will consider adoption of a *Notice of Proposed Rulemaking and Further Notice of Proposed Rulemaking* regarding technical and operational changes to the Emergency Broadcast System.

4—Common Carrier—Title: Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91–141, and Amendment of the Part 69 Allocation of General Support Facility Costs. Summary: The Commission will consider adoption of a *Report and Order and Notice of Proposed Rulemaking* concerning expanded interconnection for the provision of special access services and related issues.

5—Common Carrier—Title: Expanded Interconnection with Local Telephone Company Facilities, CC Docket No. 91–141, and Amendment of Part 36 of the Commission's Rules and Establishment of a Joint Board (CC Docket No. 80–286). Summary: The Commission will consider adoption of a *Second Notice of Proposed Rulemaking* concerning expanded interconnection for the provision of switched transport services and related issues.

6—Common Carrier—Title: Transport Rate Structure and Pricing (CC Docket No. 91–213). Summary: The Commission will consider adoption of a *Report and Order and Further Notice of Proposed Rulemaking* concerning local transport rate structure and pricing issues and GTE's petition for waiver of Part 69 rules.

7—Common Carrier—Title: Report and Order Implementing the Telephone Consumer Protection Act of 1991 (CC Docket No. 92–90). Summary: The Commission will consider adoption of a *Report and Order* concerning the establishment of rules restricting unwanted telephone solicitations to residences, and regulating the use of automatic dialing systems, prerecorded or artificial voice messages, and telephone facsimile machines.

8—Private Radio—Title: Amendment of Part 90 of the Commission's Rules Pertaining to End User and Mobile Licensing Information (PR Docket No. 92–78, RM–7407 and RM–7749). Summary: The Commission will consider adoption of a *Report and Order* concerning whether to modify certain rules relating to mobile services and end user information.

9—General Counsel—Title: Enforcement of Prohibitions Against Broadcast Indecency. Summary: The Commission will consider adoption of a *Notice of Proposed Rulemaking* implementing regulations regarding broadcasting of indecent programming.

This meeting may be continued the following work day to allow the Commission to complete appropriate action.

Additional information concerning this meeting may be obtained from Steve Svab, Office of Public Affairs, telephone number (202) 632–5050.

Issued: September 11, 1992.

Federal Communications Commission.

Dated: September 10, 1992.

William F. Caton,

Acting Secretary.

[FR Doc. 92–22340 Filed 9–11–92; 2:38 pm]

BILLING CODE 6712–01–M

FOREIGN CLAIMS SETTLEMENT COMMISSION

F.C.S.C. Meeting Notice No. 12–92

Notice of Meetings

Announcement in Regard to Commission Meetings and Hearings

The Foreign Claims Settlement Commission, pursuant to its regulations (45 CFR Part 504), and the Government in the Sunshine Act (5 U.S.C. 552b), hereby gives notice in regard to the scheduling of open meetings and oral hearings for the transaction of Commission business and other matters specified, as follows:

Date, Time, and Subject Matter

Thursday, September 24, 1992 at 10:30 a.m.—Consideration of Proposed Decisions on claims against Iran.

Subject matter listed above, not disposed of at the scheduled meeting, may be carried over to the agenda of the following meeting.

All meetings are held at the Foreign Claims Settlement Commission, 601 D Street, NW., Washington, DC. Requests for information, or advance notices of intention to observe a meeting, may be directed to: Administrative Officer, Foreign Claims Settlement Commission, 601 D Street, NW., room 10000, Washington, DC 20579. Telephone: (202) 208–7727.

Dated at Washington, DC on September 11, 1992.

Judith H. Lock,

Administrative Officer.

[FR Doc. 92–22392 Filed 9–11–92; 2:41 pm]

BILLING CODE 4410–01–M

INTERSTATE COMMERCE COMMISSION

Commission Conference

TIME AND DATE: 10:00 a.m., Tuesday, September 22, 1992.

PLACE: Hearing Room A, Interstate Commerce Commission, 12th and Constitution Avenue, NW., Washington, DC 20423.

STATUS: The Commission will meet to discuss among themselves the following agenda items. Although the conference is open for the public observation, no public participation is permitted.

MATTERS TO BE DISCUSSED:

Ex Parte No. 334 (Sub-No. 8), *Joint Petition for Rulemaking on Railroad Car Hire Compensation and* Ex Parte No. 334 (Sub-No. 8A), *Joint Petition for Rulemaking of Arbitration Rule from Application of 49 U.S.C. 10706 and Motion to Dismiss.*

Docket No. 40679, *Charges for "Order Of" Bills of Lading, Burlington Northern Railroad Company.*

CONTACT PERSONS FOR MORE INFORMATION: Alvin H. Brown or A.

Dennis Watson, Office of External Affairs, Telephone: (202) 927–5350, TDD: (202) 927–5721.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92–22363 Filed 9–11–92; 2:39 pm]

BILLING CODE 7035–01–M

LEGAL SERVICES CORPORATION

Board of Directors

Operations and Regulations Committee Meeting

TIME AND DATE: A meeting of the Board of Directors Operations and Regulations Committee will be held on September 24, 1992. The meeting will commence at 12:00 p.m.

PLACE: The Hyatt Regency Minneapolis Hotel, 1300 Nicollet Mall, The Greenway Ballrooms "B", "C" and "D", Minneapolis, Minnesota 55403, (612) 370–1234.

STATUS OF MEETING: Open.

MATTERS TO BE CONSIDERED:

OPEN SESSION:

1. Approval of Agenda.
2. Approval of Minutes of August 9, 1992 Meeting.
3. Consideration of Public Comment on Proposed Changes to Parts 1607, 1609, 1610, 1611, 1612 and 1626 of the Corporation's Code of Federal Regulations.
   a. Presentations by Alan Houseman, Executive Director, and Linda Perle, Senior Staff Attorney, Center for Law and Social Policy, on Behalf of the Project Advisory Group and the National Legal Aid and Defender Association.
4. Consideration of Proposed Changes to Parts 1607, 1609, 1610, 1611, 1612 and 1626 of the Corporation's Code of Federal Regulations.
5. Lottery Selection of Competition Demonstration Project Participants.

CONTACT PERSON FOR INFORMATION: Patricia Batie, Executive Office, (202) 336–8896.

Date Issued: September 11, 1992.

Patricia D. Batie,

Corporate Secretary.

[FR Doc. 92–22400 Filed 9–11–92; 3:05 pm]

BILLING CODE 7050–01–M

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of September 14, 21, 28, and October 5, 1992.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Open and Closed.

MATTERS TO BE CONSIDERED:

Week of September 14

Monday, September 14

2:00 p.m.
Briefing on Electricity Forecast from Energy Information Administration (EIA) Annual Energy Outlook (Public Meeting)

Thursday, September 17

2:00 p.m.
Status Briefing on Shutdown and Low Power Risk Issues (Public Meeting) (Contact: Mark Caruso 301/504–3235)

3:30 p.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of September 21—Tentative

Thursday, September 24

11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of September 28—Tentative

Tuesday, September 29

2:00 p.m.
Briefing on AEOD Annual Report (NUREG–1272, Vol. 6, Nos. 1 and 2) (Public Meeting)

Wednesday, September 30

11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of October 5—Tentative

Wednesday, October 7

11:30 a.m.
Affirmation/Discussion and Vote (Public Meeting) (if needed)

Note: Affirmation sessions are initially scheduled and announced to the public on a time-reserved basis. Supplementary notice is provided in accordance with the Sunshine Act as specific items are identified and added to the meeting agenda. If there is no specific subject listed for affirmation, this means that no item has as yet been identified as requiring any Commission vote on this date.

To Verify the Status of Meeting Call (Recording)—(301) 504–1292.

CONTACT PERSON FOR MORE INFORMATION: William Hill (301) 504–1661.

Dated: September 10, 1992.

William M. Hill, Jr.,

Office of the Secretary.

[FR Doc. 92–22338 Filed 9–11–92; 2:37 pm]

BILLING CODE 7590–01–M

SECURITIES AND EXCHANGE COMMISSION

Agency Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of September 14, 1992.

Closed meetings will be held on Tuesday, September 15, 1992, at 9:30 a.m. and on Wednesday, September 16, 1992, at 10:30 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meetings. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at closed meetings.

Commissioner Roberts, as duty officer, voted to consider the items listed for the closed meetings in closed session.

The subject matter of the closed meeting scheduled for Tuesday, September 15, 1992, at 9:30 a.m., will be:

Institution of injunctive actions.
Settlement of injunctive actions.
Institution of administrative proceedings of an enforcement nature.
Opinion.

The subject matter of the closed meeting scheduled for Wednesday, September 16, 1992, at 10:30 a.m., will be:

Settlement of injunctive actions.
Settlement of administrative proceedings of an enforcement nature.
Institution of injunctive actions.
Institution of administrative proceedings of an enforcement nature.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: George Kramer at (202) 272–2000.

Dated: September 10, 1992.

Jonathan G. Katz,

Secretary

[FR Doc. 92–22364 Filed 9–11–92; 2:40 pm]

BILLING CODE 8010–01–M

Corrections

Federal Register
Vol. 57, No. 179
Tuesday, September 15, 1992

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 520, 522, and 526

[Docket No. 89N-0312]

New Animal Drugs; Removal of Obsolete Regulations and Recodification

Correction

In rule document 92-19442 beginning on page 37318 in the issue of Tuesday, August 18, 1992, make the following corrections:

§ 520.88b [Corrected]

1. On page 37319, in the 2d column, in § 520.88b(b)(1)(ii)(B), in the 10th line, "spp; gastorintestinal" should read "spp.; gastrointestinal".

§ 520.88d [Corrected]

2. On the same page, in the third column, in § 520.88d(c), in the first line, remove the quotation marks from "See".

§ 520.154a [Corrected]

3. On page 37322, in the third column, in § 520.154a(d)(3)(iii), in the fifth line, "that" should read "than".

§ 520.390c [Corrected],

4. On page 37323, in the third column, in § 520.390c(c)(1), in the fourth line, "4 days" should read "5 days".

§ 520.445b [Corrected]

5. On page 37324, in the first column, in § 520.445b(b), in the fifth line, "uses" should read "use".

6. On the same page, in the second column, in § 520.445b(d)(1)(iv), in the second line, "milligram" should read "milligrams".

7. On the same page, in the same column, in § 520.445b, the 14th paragraph designated (d)(2)(i)(B)" should read "(d)(2)(i)(C)".

8. On the same page, in the same column, in § 520.445b(d)(2)(i)(D)(*1*), in the fifth line, "supp." should read "spp.".

§ 520.1696c [Corrected]

9. On page 37326, in the third column, in § 520.1696c(c), in the seventh line, "many" should read "may".

§ 520.2158b [Corrected]

10. On page 37327, in the second column, in § 520.2158b(b), in the second line, "§ 510.600(C)" should read "§ 510.600(c)".

§ 520.2345d [Corrected]

11. On page 37328, in the second column, in § 520.2345d(e)(1)(i)(A), in the fourth line, and in paragraph (e)(1)(ii)(A), in the third line, "hemorrhagic" was misspelled.

12. On page 37329, in the first column, in § 520.2345d(e)(4)(iii)(A)(*1*), in the sixth line, "*M*" should read "*M.*".

§ 522.90b [Corrected]

13. On page 37331, in the second column, in § 522.90b(d)(3)(ii), in the fifth line, "pneumonia" was misspelled.

§ 522.650 [Corrected]

14. On page 37331, in the third column, in § 522.650(b), in the second line, "9f" should read "of".

§ 522.1696a [Corrected]

15. On page 37332, in the second column, in § 522.1696a(d)(2), in the sixth line, remove the parenthesis in front of "pyogenes".

§ 522.1696b [Corrected]

16. On page 37332, in the second column, in the section heading "aqueous" was misspelled.

17. On the same page, in the third column, in § 522.1696b(d)(3)(ii), in the last line and in paragraph (e)(1)(ii), in the last line, "equi" was misspelled.

§ 526.464a [Corrected]

18. On page 37334, in the third column, in § 526.464a(c)(2), in the second line, remove "is".

§ 526.464b [Corrected]

19. On page 37334, in the third column, in § 526.464b(c)(2), in the second line, remove "is", in the third line, after "dairy" remove the period, and in paragraph (c)(3), in the second line, after "only" insert a period.

§ 526.1696c [Corrected]

20. On pge 37336, in the second column, in § 526.1696c(a), in the 5th line, "sulfate" was misspelled.

§ 526.1696d [Corrected]

21. On page 37336, in the second column in § 526.1696d(c)(1)(iii), in the eighth line, after "must" insert "not".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Part 20

[T.D. ATF-332, Re:Notice No. 743]

Specially Denatured Spirits; Miscellaneous Amendments

Correction

In rule document 92-21361 beginning on page 40487 in the issue of Tuesday, September 8, 1992, make the following corrections:

1. On page 40848, in the second column, under **Public Participation—Written Comments**, in the eighth line from the bottom, "process" should read "possess".

2. On page 40849, in the first column, in amendatory instruction 4., in the first line, "cited" should read "cite".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Office of the Comptroller of the Currency

12 CFR Part 3

[Docket No. 92-13]

FEDERAL RESERVE SYSTEM

12 CFR Parts 208 and 225

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 325

RIN 3064-AA15

Risk-Based Capital Standards

Correction

In proposed rule document 92-18540 beginning on page 35507 in the issue of

Monday, August 10, 1992, make the following corrections:

1. On page 35508, in the second column:

a. In the second complete paragraph, in the eighth line, delete "sensitivity of their assets does not match the".

b. In the third complete paragraph, in the next to the last line, delete "decline in net interest income if interest rates".

2. On page 35510, in the second column, footnote 4 was misnumbered.

3. On page 35511, in the first column:

a. In the eighth line, "with" should read "wish".

b. In the second paragraph, in the fourth line, "date-" should read "data-".

4. On the same page, in the second column, delete "i".

5. On page 35513, in the first column, "characteristic:" should read "characteristics:"

6. On the same page, in the 2d column, in the first complete paragraph, in the 21st line, "branches" should read "tranches".

7. On page 35516, in the second column, in the third line of footnote 11, "coup" should read "coupon".

8. On page 35517, in the second column, in the seventh line, "as" should read "has".

9. On page 35524, in the first table, in the heading of the fourth column, "<=3 years" should read "<=1 year".

10. On the same page, in the first column, delete the ● preceeding the second paragraph.

11. On the same page, in the second table, in the last entry in the third column, "(10,000)" should read "($10,000)".

12. On the same page, in the same table, in the last entry in the sixth column, "(10,000)" should read "$10,000".

13. On the same page, in the third table, in the last entry in the second column, "(56,000)" should read "$56,000".

BILLING CODE 1505-01-D

federal register

Tuesday
September 15, 1992

Part II

Department of Defense

48 CFR Parts 202, 204, et al.
Acquisition Regulations; Miscellaneous Amendments; Interim Rules

DEPARTMENT OF DEFENSE

48 CFR Parts 202, 204, 208, 210, 214, 215, 216, 219, 223, 225, 226, 227, 228, 231, 232, 236, 237, 239, 242, 245, 252, 253

[Defense Acquisition Circular (DAC) 91-3]

Acquisition Regulations; Miscellaneous Amendments

AGENCY: Department of Defense (DoD).

ACTION: Interim rules with request for comments; and final rules.

SUMMARY: Defense Acquisition Circular (DAC) 91-3 amends the Defense FAR Supplement (DFARS) to revise or add language on contracting with universities and other institutions of higher learning, Government personnel work product, contractor establishment code, mistakes in bids, cost or pricing data threshold, subcontracting credit for blind and other severely handicapped, end user certificates, public interest exception for qualifying countries, Balance of Payments Program, Trade Agreements Act threshold, carbonyl iron powders, environmental surety bonds, performance bonds for construction contracts, noncommercial cost principles, payment reductions for fraud, Federal information processing (FIP) resources, major automated information systems, duties of plant clearance officers, coordinated acquisition assignments, component breakout, and contracting activity addresses.

DATES: *Effective Date:* August 31, 1992, except for section 219.703 which was effective November 26, 1991.

Comment Date: Comments on the interim rule, section 228.102-1 (Item XIV, Environmental Surety Bonds), should be submitted in writing to the address shown below on or before (30 days from publication).

ADDRESSES: Interested parties should submit comments to Defense Acquisition Regulations System, ATTN: Ms. Valorie Lee, 3062 Defense Pentagon, Washington, DC 20301-3062 to be considered in formulating this final rule. Please cite DAR Case 91-325 in all correspondence related to this rule.

FOR FURTHER INFORMATION CONTACT: Ms. Lucile Martin, Defense Acquisition Regulations System, OUSD(A), 3062 Defense Pentagon, Washington, DC 20301-3062, telephone (703) 697-7266.

SUPPLEMENTARY INFORMATION:

A. Determine to Issue Interim Rule

A determination has been made under authority of the Secretary of Defense to issue the rule in Item XIV of DAC 91-3 as an interim rule. Compelling reasons exist to promulgate the rule without prior opportunity for public comment. However, pursuant to Public Law 98-577 and FAR 1.501, public comments received in response to this interim rule will be considered in formulating the final rule.

B. Background

Of the three interim rules (Items VII, XII, and XIV) included in DAC 91-3, two (Item VII, Drug-Free Work Force; and XII, Secondary Arab Boycott of Israel) have been previously published in the **Federal Register** and codified. Item VII was published July 23, 1992 (57 FR 32736). Item XII was published June 30, 1992 (57 FR 29041). Neither of these two rules is included in this rulemaking notice but both are being incorporated in the looseleaf edition of DFARS by DAC 91-3. The third interim rule in DAC 91-3 (Item XIV, Environmental Surety Bonds) is included in this rulemaking notice and comments are invited.

C. Regulatory Flexibility Act

DAC 91-3, Items I, III, IV, V, VIII, IX, X, XI, XV, XVI, XVIII, XX, XXI, XXII, XXIII, XXIV

The Regulatory Flexibility Act does not apply because these rules are not significant revisions within the meaning of Public Law 98-577. However, comments from small entities will be considered in accordance with section 610 of the Act. Such comments must be submitted separately. Please cite DFARS Case 92-610 in correspondence.

DAC 91-3, Items II, VI, XIII, XVII, XIX

DoD certifies that these rules will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act because:

Item II imposes no new procedures or requirements on contractors;

Item VI does not apply to small entities;

Item XIII imposes restrictions on acquisition of foreign products;

Item XVII only affects firms that submit requests for advance, partial, or progress payments supported by fraudulent information; and

Item XIX applies only to contracts for major automated information systems, of which only few, if any, are awarded to small entities.

DAC 91-3, Item XIV

The Regulatory Flexibility Act applies. A final regulatory flexibility analysis has been performed and is available by writing the Defense Acquisition Regulations System, ATTN: Ms. Valorie Lee, OUSD(A), 3062 Defense Pentagon, Washington, DC 20301-3062.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the revisions in this rulemaking notice do not contain and/or affect information collection requirements which require the approval of OMB under 44 U.S.C. 3501 et. seq.

List of Subjects in 48 CFR Parts 202, 204, 208, 210, 214, 215, 216, 219, 223, 225, 226, 227, 228, 231, 232, 236, 237, 239, 242, 245, 252 and 253

Government procurement.

Claudia L. Naugle,

Executive Editor, Defense Acquisition Regulations System.

Defense Acquisition Circular (DAC) 91-3 amends the Defense FAR Supplement (DFARS) 1991 edition, prescribes procedures to be followed, and provides informational interest items. The amendments, procedures, and information are summarized as follows:

Item I—Contracting With Universities and Other Institutions of Higher Learning

Title VIII, Section 8106, of the Fiscal Year 1992 National Defense Appropriations Act (Pub. L. 102-172) states that "None of the funds appropriated in this Act may be obligated or expended for any contract or grant with a university or other institution of higher learning unless such contract or grant is audited in accordance with the Federal Acquisition Regulation and the Department of Defense Federal Acquisition Regulation Supplement or any other applicable auditing standards and requirements and the institution receiving the contract or grant fully responds to all formal requests for financial information made by responsible Department of Defense officials: Provided, that if any institution does not provide an adequate financial response with 12 months, the Secretary of Defense shall terminate that and all other Department of Defense contracts or grants with the institution."

If a university or other institution of higher learning persists in refusing to provide an adequate response to a request for financial information, in addition to taking appropriate contractual actions within the terms of the contract, the matter should be referred through channels to the Under Secretary of Defense (Acquisition) to determine whether that contract and all other Department of Defense contracts and grants with that institution should be terminated.

Item II—Government Personnel Work Product

The interim rule published as Item III of DAC 91–2 is converted to a final rule without further change. The rule revised DFARS 204.402 and added a clause at 252.204–7003 as a result of section 808 of the Fiscal 1992 National Defense Authorization Act. The rule precludes contractors from requiring that DoD employees or military personnel release their work products to contractors.

Item III—Contractor Establishment Code

DFARS 204.7202–2 and 253.204–70 are revised to update the guidance on use of contractor establishment codes.

Item IV—Mistakes in Bids

DFARS 214.406–3 is revised to remove the Army, Navy, and Air Force lists of officials that may be delegated authority to make the mistake in bid determinations described by FAR 14.406–3(a), (b), and (d). This change is being made to facilitate exercise of the Service Secretaries' authority to make and revise the delegations within their respective departments.

Item V—Cost or Pricing Data Threshold

DFARS 215.804–3 is amended to remove language on partial or limited cost or pricing data because similar language has been added in FAR 15.804–6(a)(2) by FAC 90–10. The clause at DFARS 252.243–7000, Engineering Change Proposals, is amended by changing the threshold in paragraph (c) from $100,000 to $500,000 for consistency with the FAR increase in the cost or pricing data threshold.

Item VI—Subcontracting Credit for Blind and Other Severely Handicapped

DFARS 219.703(a) and (b) are revised to reflect Department of Defense implementation of section 8082 of the Fiscal 1992 National Defense Appropriations Act. Section 8082 authorizes credit through September 30, 1992, towards a prime contractor's small business subcontracting goal for subcontract awards to qualified nonprofit agencies for the blind and other severely handicapped. Section 8082 was implemented by departmental letter 92–003, issued February 20, 1992.

Item VII—Drug-Free Work Force

DFARS Subpart 223.5 and the clause at 252.223–7004 were amended on an interim basis by Departmental Letter 92–006, issued July 16, 1992. The Departmental replaced the final rule on Drug-Free Work Force with the interim rule which existed prior to Defense Acquisition Circular 88–19.

Item VIII—End Use Certificates

Some foreign countries require provision of an end user certificate as a prerequisite to the sale of defense items to the United States. DFARS 225.802–71 is added to reference the guidance on handling requests for end user certificates, which is in DoD Directive 2040.3, End User Certificates.

Item IX—Public Interest Exception for Qualifying Countries

DFARS 225.872–4 is amended to clarify the approval levels for public interest waivers of the Buy American Act and Balance of Payments Program in instances where the low evaluated offer is for an end product from one of the qualifying country sources listed in DFARS 225.872–1(b). A related editorial revision is made in DFARS 225.102(a)(3)(A).

Item X—Balance of Payments Program

DFARS 225.302(b)(ii) is amended to permit delegation of the authority to determine before solicitation that acquisition of domestic end products or services would be unreasonable in cost. Delegation was permitted by the 1988 edition of DFARS but was inadvertently withdrawn by the 1991 edition.

Item XI—Trade Agreements Act Threshold

The Office of the United States Trade Representative advised that, effective January 1, 1992, the threshold for determining whether purchases are subject to the Trade Agreements Act is $176,000. The application of this threshold is covered in FAR Subpart 25.4 and DFARS Subpart 225.4. Notice of this threshold increase was provided by Departmental Letter 91–025, dated December 20, 1991.

Item XII—Secondary Arab Boycott of Israel

DFARS 225.770 and the clause at 252.225–7031 are added as implementation of section 8072A of the Fiscal 1992 National Defense Appropriations Act. Section 8072A prohibits awarding a contract to a foreign person, company, or entity unless it certifies that it does not comply with the secondary Arab boycott of Israel. These revisions were effective June 24, 1992, upon issuance of Departmental Letter 92–005.

Item XIII—Carbonyl Iron Powders

This finalizes, without change, the interim rule published as Item IX of DAC 91–2. The interim rule revised the restrictions in DFARS 225.7014 and the clause at 252.225–7023 on acquisition of carbonyl iron powders.

Item XIV—Environmental Surety Bonds

DFARS 228.102–1 is amended to describe the limits of a surety's liability under construction contracts awarded under the Defense Environmental Restoration Program. The revisions are the result of Section 336 of the Fiscal 1992 National Defense Authorization Act. Section 336 applies to all Miller Act surety bonds required for Defense Environmental Restoration Program contracts executed between December 5, 1991, and December 31, 1992.

Item XV—Performance Bonds for Construction Contracts

Recently the Internal Revenue Service reported that some contracting activities had accepted performance bonds which did not contain certain language required by the Miller Act, thus jeopardizing the collection of taxes. Contracting Officers are reminded that the acceptable bond forms are specified in Federal Acquisition Regulation (FAR) 28.106–1, and that authority for any alternative must be obtained in accordance with FAR 53.103.

Item XVI—Noncommercial Cost Principles

The Office of Management and Budget (OMB) on October 1, 1991, revised its Circular No. A–21, Cost Principles for Educational Institutions, to incorporate the list of statutory cost prohibitions at 10 U.S.C. 2324(e). As a result, the inclusion of those prohibitions in subpart 231.3, Contracts with Educational Institutions, is no longer necessary. However, since the prohibitions also apply to and were referenced in subpart 231.6, Contracts with State, Local, and Federally Recognized Indian Tribes, the list of prohibitions is moved from subpart 231.3 to 231.6, pending similar revision of OMB Circular No. A–87. DFARS 231.703 also is revised to provide a cross-reference to 231.603 for contracts with nonprofit organizations, pending revision of OMB Circular No. A–122.

Item XVII—Fraud Payment Reductions

This Item converts the interim rule published as Item XII of DAC 91–2 to a final rule with minor revisions. The rule implements Section 836 of the Fiscal 1991 National Defense Authorization Act by permitting agencies to reduce or suspend further payments to a contractor when the agency head determines that the contractor's request for payment is based on fraud. This Item finalizes 232.111–70 without change and 232.173 and the clause at 252.232–7006 with minor revisions.

Item XVIII—Federal Information Processing (FIP) Acquisitions

DFARS 239.001 is revised to clarify the fact that DoD may acquire FIP resources through non-mandatory GSA schedule contracts even when the Warner Amendment exempts the FIP resources from application of the Brooks Act.

Item XIX—Major Automated Information Systems

The interim rule published as Item XVII of DAC 91–2 is converted to a final rule without further change. The rule added DFARS subpart 239.75, which prohibits use of Fiscal Year 1992 funds for acquisition of major automated information systems, unless the systems have successfully completed oversight reviews.

Item XX—Duties of Plant Clearance Officers

DFARS 245.7002 is revised to clarify the duties of plant clearance officers.

Item XXI—Coordinated Acquisition Assignments

DFARS Appendix B is amended to reflect the transfer of contracting responsibility from the Army to the General Services Administration for commercial, non-tactical, passenger carrying vehicles, buses, and trucks, over 10,000 pounds gross vehicle weight.

Item XXII—Component Breakout

DFARS appendix D, Component Breakout, is amended to add a requirement in paragraph D–105 for the records for components reviewed for breakout to contain the assessments, calculations, and analyses discussed in paragraph D–104, including the trade-off analysis between savings and increased risk to the Government because of responsibility for Government-furnished equipment.

Item XXIII—Appendix G Update

DFARS appendix G is amended to update activity address codes.

Item XXIV—Editorial Revisions

(Note: The asterisked items are revisions being made only in the looseleaf edition of DFARS.)

(a) DFARS 202.101 is amended to update the Air Force list of contracting activities due to organizational change.

(b) DFARS 204.670–5(d) is amended by changing "DD Form 250" to read "DD Form 350."

(c) DFARS 208.7203(b) is amended by revising the word "natural" to read "national."

(d) DFARS 210.002 is amended by changing the designation paragraph "(c)" to read paragraph "(e)."

(e) DFARS 216.501(a)(i)(B) is amended by changing the word "by" to read "By."

(f) DFARS Part 219 Table of Contents is amended by changing "291.304 Solicitation provisions" to read "219.304 Solicitation provisions."

(g) DFARS 219.501 is amended in paragraph (a) by revising the word "procedures" to read "procedure."

(h) DFARS 219.508 is amended in paragraph (d) by removing the acronym "(SDB)."

(i) DFARS 219.1007 is amended to revise "252.219–7003" to read "252.219–7006."

(j) Delete DFARS 223.301 as overlooked in DAC 91–1.

(k) DFARS part 225 Table of Contents is amended by changing the title "Subpart 227.73—Acquisitions For Foreign Military Sales" to read "Subpart 225.73—Acquisitions for Foreign Military Sales."

(l) DFARS 225.109(d)(iii) is revised to clarify the language.

(m) DFARS 225.305–70(b)(1) is amended to revise "conern" to read "concern."*

(n) DFARS 225.407(a)(2)(A) is amended by revising "225.403(d)(i)(B)" to read "225.403(d)(1)(B)."

(o) DFARS 225.870–2(a) is amended by revising "225.870–1(b)(1)" to read "225.870–1(c)(1)."

(p) DFARS 225.870–4(a) is amended by revising "225.870–1(b)(1)" to read "225.870–1(c)(1)."

(q) DFARS 225.7303–2(a)(2)(i)(C) is amended to remove an obsolete reference.

(r) DFARS 226.7008(b) is amended by revising "252.219–7003" to read "252.219–7006."

(s) DFARS 227.402–71(a) is amended by removing in the third sentence the words "(see Subpart 217.72)" and by adding a period after the word "interests."

(t) DFARS 228.370(d) is amended by changing "War-Hazard Compensation Act" to read "War Hazards Compensation Act."

(u) DFARS 232.503–15(d) is amended by revising the reference "242.7206(b)(7)" to read "252.242–7004(f)(7)."

(v) DFARS 236.570(b)(4) is amended by changing "Limitations" to "Limitation."

(w) DFARS 237.203–70(a)(3) is amended by revising the acronym "DoDD" to read "DoDI."

(x) DFARS 237.203–70(a)(4) is amended by revising the acronym "DoDD" to read "DoD."

(y) DFARS 239.7411(b)(2) is amended to change "Communication" to "Telecommunication."

(z) DFARS 239.7411(c)(3) is amended to change "Orders" to read "Communication Service Authorizations."

(aa) DFARS 242.7202(d) is amended to correct an inadvertent misstatement of the DoD policy on contractor material management and accounting systems.

(bb) DFARS 245.310–70 is amended for clarification.

(cc) DFARS 245.604(3) is amended to revise "clearane" to read "clearance."*

(dd) DFARS 245.7308(a) is amended by updating the report control symbol.

(ee) DFARS 251.102(e)(3)(ii) is amended by removing the extra word "and" between the word "procedure" and the word "form."*

(ff) DFARS 252.201–7000 is amended by adding at the end of the clause the words "(End of clause)."

(gg) DFARS 252.204–7000(c) is amended to revise the word "Subcontractotrs" to read "Subcontractors."*

(hh) DFARS 252.217–7001(b)(1) is amended to revise the reference "DI–P–1634A" to read "DI–MGMT–80969."

(ii) DFARS 252.217–7026(b)(3) is amended to revise "catelog" to read "catalog."*

(jj) DFARS 252.225–7003(d)(1) is amended for clarification.

(kk) DFARS 252–225.7022 is amended to read "252.225–7022."

(ll) DFARS 252.227–7013 is amended by realigning text.*

(mm) DFARS 252.228–7003(a)(4), (b)(2), and (e) are amended by changing "War Risk Hazards Compensation Act" to read "War Hazards Compensation Act."

(nn) DFARS 252.232–7001 is amended to revise in the clause title the word "payment" to read "payments."

(oo) DFARS 252.237–7019 is amended to change the date of the clause from "DEC 1991" to "Apr 1992."

(pp) DFARS 252.242–7001(c) is amended in the fourth line of paragraph 3. by changing the word "or" to read "of."

(qq) DFARS 252.247–7022 is amended by revising in the first sentence of paragraph (a) the word "clause" to read "provision."

(rr) DFARS 253.204–70(c)(4)(iv) is amended to clarify the coding instructions for Block C4 of DD Form 350.

(ss) DFARS 253.204–70(c)(4)(ix)(B)*(2)* is amended to clarify the coding instructions for Block C9 of DD Form 350.

Interim Rules Adopted as Final Without Changes

PARTS 204 AND 252—[AMENDED]

1. The interim rules amending section 204.402 and adding section 252.204–7003 that were published as Item III of DAC 91–2 at 57 FR 14988 on April 23, 1992, are adopted as final rules without change.

PARTS 225 and 252—[AMENDED]

2. The interim rules amending section 225.7014 and the clause at 252.225–7023 that were published as Item IX of DAC 91–2 at 57 FR 14988 on April 23, 1992, are adopted as final rules without change.

PART 239—[AMENDED]

3. The interim rules adding subpart 239.75, that were published as Item XVII of DAC 91–2 at 57 FR 14988 on April 23, 1992, are adopted as final rules without change.

Amendments to Defense FAR Supplement

The Defense FAR Supplement is amended as set forth below.

The authority for 48 CFR parts 202, 204, 208, 210, 214, 215, 216, 219, 223, 225, 226, 227, 228, 231, 232, 236, 237, 239, 242, 245, 252 and 253 continues to read as follows:

Authority: 5 U.S.C. 301, 10 U.S.C. 2202, and FAR subpart 1.3.

PART 202—DEFINITION OF WORDS AND TERMS

4. Section 202.101 is amended under the definition "Contracting activity" to revise AIR FORCE contracting activities to read as follows:

202.101 Definitions.

* * * * *

Air Force

Office of the Deputy Assistant Secretary (Contracting)
Air Force Logistics Command
Air Force Systems Command
Air Combat Command
Air Force Communications Command
Air Mobility Command
Air Training Command
Pacific Air Forces
United States Air Forces in Europe
Space Command
Electronic Security Command

* * * * *

PART 204—ADMINISTRATIVE MATTERS

204.670–5 [Amended]

5. Section 204.670–5 is amended in paragraph (d) by revising "DD Form 250" to read "DD Form 350."

6. Section 204.7202–2 is revised to read as follows:

204.7202–2 CEC codes.

Use of the contractor establishment code (CEC) is prescribed by 253.204–70(b)(5)(ii)(A). The CEC is an alpha-numeric code in the Government system that is operated by a contractor. When the CEC is not already available within the contracting activity, use the following procedures in the order listed—

(a) Look in the Federal Procurement Data Center (FPDC) Contractor Establishment Code file alphabetical listing available from the FPDC, GSA Regional Office Building, Room 5652, 7th and D Streets, SW., Washington, DC 20407, (202) 401–1529;

(b)(1) If the listing in paragraph (a) of this subsection has no entry, ask the FPDC contractor for a CEC by—

(i) Telephone (215) 865–0204.

(ii) Facsimile (215) 882–7295.

(iii) Writing to FPDC Department, Dun & Bradstreet Information Services, 899 Eaton Avenue, Bethlehem, PA 18025–0013.

(2) All requesters should provide the following information:

(i) Name of requesting contracting office;

(ii) Contracting office code (Block A3 on the DD Form 350) assigned by the departmental data collection point;

(iii) Appropriate agency code as follows:

(A) Army activities—2100;

(B) Navy activities—1700;

(C) Air Force activities—5700;

(D) Defense Logistics Agency—97AS;

(E) Other DoD contracting activities—9700.

(iv) Contracting office area code and commercial telephone number;

(v) Name of individual making the request;

(vi) Total number of CEC requests, if more than one; and

(vii) Contractor establishment name, street address, P.O. Box, city/town, state, ZIP code, and telephone number (if available). For foreign offerors, include province, country, and postal code.

PART 208—REQUIRED SOURCES OF SUPPLIES AND SERVICES

208.7203 [Amended]

7. Section 208.7203 is amended in paragraph (b) by revising the word "natural" to read "national."

PART 210—SPECIFICATIONS, STANDARDS, AND OTHER PURCHASE DESCRIPTIONS

210.002 [Amended]

8.–9. Section 210.002 is amended by changing the designation paragraph "(c)" to read paragraph "(e)."

PART 214—SEALED BIDDING

10. Section 214.406–3 is revised to read as follows:

214.406–3 Other mistakes disclosed before award.

(e) Authority for making a determination under FAR 14.406–3(a), (b) and (d) is delegated for the defense agencies, without power of redelegation, as follows:

(i) Defense Advanced Research Projects Agency:
General Counsel, DARPA.
General Counsel, DARPA.

(ii) Defense Information Systems Agency:
General Counsel, DISA.

(iii) Defense Intelligence Agency:
Principal Assistant for Acquisition.

(iv) Defense Logistics Agency:
(A) General Counsel, DLA; and
(B) Associate General Counsel, DLA.

(v) Defense Mapping Agency:
General Counsel, DMA.

(vi) Defense Nuclear Agency:
General Counsel, DNA.

(vii) National Security Agency:
Director of Procurement, NSA.

(viii) On-Site Inspection Agency:
General Counsel, OSIA.

(h) Send a signed copy of the document authorizing correction of the bid to the appropriate finance center with its copy of the contract.

PART 215—CONTRACTING BY NEGOTIATION

11. Section 215.804–1 is added to read as follows:

215.804–1 General.

(a) When certified cost or pricing data are not required, the contracting officer may ask for partial or limited data when the data are necessary for the Government's analysis. The contracting officer shall not ask the contractor to certify these data.

215.804–3 [Amended]

12. Section 215.804–3 is amended by removing the introductory paragraph.

PART 216—TYPES OF CONTRACTS

216.501 [Amended]

13. Section 216.501 is amended in paragraph (a)(i)(B) by revising the word "by" to read "By."

PART 219—SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

14. In the Table of Contents for part 219 "291.304 Solicitation provisions" is revised to read "219.304 Solicitation provisions."

219.508 [Amended]

15–16. Section 219.508 is amended in paragraph (d) by removing the acronym "(SDB)."

17. Section 219.703 is revised to read as follows:

219.703 Eligibility requirements for participating in the program.

(a) Qualified nonprofit agencies for the blind and other severely handicapped, that have been approved by the Committee for Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46–48), are eligible as a result of Section 8082 of Pub. L. 102–172 through September 30, 1992, to participate in the program. Subcontracts awarded to such entities may be counted toward the prime contractor's small business subcontracting goal.

(2)(A) To be eligible as an SDB subcontractor, a concern must meet the definition in the provision at 252.219–7000, Small Disadvantaged Business Concern Representation (DoD Contracts).

(B) To be eligible as a historically black college or university or minority institution subcontractor, such entity must meet the definition in the clause at 252.219–7003, Small Business and Small Disadvantaged Business Subcontracting Plan (DoD Contracts).

(b) A contractor may also rely on the written representation as to status of—

(i) A historically black college or university or minority institution; or

(ii) A qualified nonprofit agency for the blind and other severely handicapped approved by the Committee for Purchase from the Blind and Other Severely Handicapped.

219.1007 [Amended]

18. Section 219.1007 is amended to revise "252.219–7003" to read "252.219–7006."

PART 223—ENVIRONMENTAL, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE

19. Section 223.301 is removed in its entirety.

PART 225—FOREIGN ACQUISITION

20. DFARS Part 225 Table of Contents is amended by changing the title "Subpart 227.73—Acquisitions for Foreign Military Sales" to read "Subpart 225.73—Acquisitions for Foreign Military Sales."

225.102 [Amended]

21. Section 225.102 is amended by revising paragraph (a)(3)(A) to add the words "and 225.872" at the end of the sentence.

22. Section 225.109 is amended by revising paragraph (d)(iii) to read as follows:

225.109 Solicitation provision and contract clauses.

* * * * *

(d) * * *

(iii) The clause may be used if the contracting officer anticipates a waiver of the restrictions in paragraphs (d)(ii)(A) or (B) of this section.

225.302 [Amended]

23. Section 225.302 is amended by revising the reference in paragraph (b)(ii) to read "225.302(b)(i)" in lieu of "FAR 25.302(b)(2) and (3)" and to remove the words "of this section."

225.407 [Amended]

24. Section 225.407 is amended in paragraph (a)(2)(A) by revising "225.403(d)(i)(B)" to read "225.403(d)(1)(B)."

225.770–1 [Amended]

25. Section 225.770–1 is amended by revising "8027A" to read "8072A."

26. Section 225.802–71 is added to read as follows:

225.802–71 End user certificates.

Contracting officers considering the purchase of an item from a foreign source may encounter a request for the signing of a certificate to the effect that the Armed Forces of the United States is the end user of the equipment, and that it will not be transferred to third parties without authorization from the Government of the country selling the item. When encountering this situation, refer to DoD Directive 2040.3, End User Certificates, for guidance.

225.870–2 [Amended]

27. Section 225.870–2 is amended in paragraph (a) by revising "225.870–1(b)(1)" to read "225.870–1(c)(1)."

225.870–4 [Amended]

28. Section 225.870–4 is amended in paragraph (a) by revising "225.870–1(b)(1)" to read "225.870–1(c)(1)."

29. Section 225.872–4 is amended by revising paragraphs (b) and (c) to read as follows:

225.872–4 Evaluation of offers.

* * * * *

(b) Evaluate offers of end products from the qualifying country sources in 225.872–1(a) without application of the 50 percent Buy American Act or Balance of Payments Program evaluation factor, in accordance with 225.105 and 225.303.

(c) Evaluate offers of end products from the qualifying country sources in 225.872–1(b) without application of the 50 percent Buy American Act or Balance of Payments Program evaluation factor. If the offer, as evaluated, is low or otherwise eligible for award, the contracting officer shall request an exemption of the Buy American Act/Balance of Payments Program as inconsistent with the public interest.

(1) To obtain an exemption, process a Determination and Findings for signature—

(i) At a level above the contracting officer, for acquisitions of $25,000 or less;

(ii) By the chief of the contracting office, for acquisitions of $250,000 or less;

(iii) By the head of the contracting activity (HCA), for acquisitions of $2 million or less; or

(iv) By the head of the agency, or designee at a level no lower than an HCA, for acquisitions over $2 million.

(2) The Determination and Findings shall be substantially as follows for end items, or modified as necessary for components—

Service or Agency

Exemption of the Buy American Act/Balance of Payments Program

Determination and Findings

Upon the basis of the following findings and determination which I hereby make in accordance with the provisions of FAR 25.102, acquisition of (*qualifying country—identify country*) (*describe item*) may be made as provided below.

Findings

1. The (*contracting activity*) proposes to purchase under contract number, _____, mined, produced, or manufactured in (*country of origin*). The total estimated cost of this acquisition is _____.

2. The United States Government and the Government of _____ have agreed to remove barriers to procurement at the prime and subcontract level for defense equipment produced in each other's countries insofar as laws and regulations permit.

3. The agreement provides that competitive offers of (*qualifying country*) end products will be evaluated by the Department of Defense without imposing any price differential under the Buy American Act or Balance of Payments Program and without taking applicable U.S. customs and duties into consideration so that (*qualifying country*) items may better compete, for sales of defense equipment to the Department of Defense. In addition, the Agreement stipulates that acquisitions of (*qualifying country*) items must fully satisfy Department of Defense requirements for performance, quality, and delivery and shall cost the Department of Defense no more than would comparable U.S. source or other foreign source defense equipment eligible for award.

4. In order to achieve the above objectives, the solicitation contained the Buy American Act and Balance of Payments Program clause, 252.225–7001. Offers were solicited from other sources and the offer received for (*qualifying country end item*) is found to be otherwise eligible for award.

Determination

Pursuant to the Buy American Act and Balance of Payments Program, I hereby determine that it is inconsistent with the public interest to apply the restrictions of the Buy American Act or the Balance of Payments Program to the proposed offer.

_____ _____

(Date)

30. Section 225.7303–2 is amended by revising paragraph (a)(2)(i)(C) to read as follows:

225.7303–2 Cost of doing business with a foreign government or an international organization.

(a) * * *

(2) * * *

(i) * * *

(C) Sales promotions, demonstrations, and related travel for sales to foreign governments. Paragraph 126.8 of the International Traffic in Arms Regulations (ITAR) (22 CFR Part 121) may require Government approval for these costs to be allowable. If Government approval is required for promotion or demonstration costs to be allowable, the approval must be obtained.

* * * * *

PART 226—OTHER SOCIOECONOMIC PROGRAMS

226.7008 [Amended]

31. Section 226.7008 is amended in paragraph (b) by revising "252.219–7003" to read "252.219–7006."

PART 227—PATENTS, DATA, AND COPYRIGHTS

227.402–71 [Amended]

32. Section 227.402–71 is amended by removing in the third sentence of paragraph (a) the words "(see subpart 217.72)" and by adding a period after the word "interests."

PART 228—BONDS AND INSURANCE

33. Section 228.102–1 is amended by adding introductory text and paragraphs (1) through (4) to read as follows:

228.102–1 General.

For Defense Environmental Restoration Program construction contracts executed between December 5, 1991, and December 31, 1992—

(1) Any rights of action under the performance bond shall only accrue to, and be for the exclusive use of, the obligee named in the bond.

(2) In the event of default, the surety's liability on the performance bond is limited to the cost of completion of the contract work, less the balance of unexpended funds. Under no circumstances shall the liability exceed the penal sum of the bond.

(3) The surety shall not be liable for indemnification or compensation of the obligee for loss or liability arising from personal injury or property damage, even if the injury or damage was caused by a breach of the bonded contract.

(4) Once it has taken action to meet its obligations under the bond, the surety receives any indemnification and identical standard of liability to which the contractor was entitled under the contract or applicable laws and regulations.

* * * * *

228.370 [Amended]

34. Section 228.370 is amended by revising in paragraph (d) the words "War-Hazard Compensation Act" to read "War Hazards Compensation Act."

PART 231—CONTRACT COST PRINCIPLES AND PROCEDURES

Subpart 231.3 [Removed]

35. Subpart 231.3 is removed in its entirety.

36. Section 231.603 is revised to read as follows:

231.603 Requirements.

Under 10 U.S.C. 2324(e), the following costs are unallowable—

(1) Costs of entertainment, including amusement, diversion, and social activities and any costs directly associated with such costs (such as tickets to shows or sports events, meals, lodging, rentals, transportation, and gratuities).

(2) Costs incurred to influence (directly or indirectly) legislative action on any matter pending before Congress or a State legislature.

(3) Costs incurred in defense of any civil or criminal fraud proceeding or similar proceeding (including filing of any false certification) brought by the United States where the contractor is found liable or has pleaded nolo contendere to a charge of fraud or similar proceeding (including filing of a false certification).

(4) Payments of fines and penalties resulting from violations of, or failure to comply with, Federal, State, local, or foreign laws and regulations, except when incurred as a result of compliance with specific terms and conditions of the contract or specific written instructions from the contracting officer authorizing in advance such payments in accordance with applicable regulations of the Secretary of Defense.

(5) Costs of any membership in any social, dining, or country club or organization.

(6) Costs of alcoholic beverages.

(7) Contributions or donations, regardless of the recipient.

(8) Costs of advertising designed to promote the contractor or its products.

(9) Costs of promotional items and memorabilia, including models, gifts, and souvenirs.

(10) Costs for travel by commercial aircraft which exceed the amount of the standard commercial fare.

(11) Costs incurred in making any payment (commonly known as a "golden parachute payment") which is—

(i) In an amount in excess of the normal severance pay paid by the contractor to an employee upon termination of employment; and

(ii) Is paid to the employee contingent upon, and following, a change in management control over, or ownership of, the contractor or a substantial portion of the contractor's assets.

(12) Costs of commercial insurance that protects against the costs of the contractor for correction of the contractor's own defects in materials or workmanship.

(13) Costs of severance pay paid by the contractor to foreign nationals employed by the contractor under a service contract performed outside the United States, to the extent that the amount of the severance pay paid in any case exceeds the amount paid in the industry involved under the customary or prevailing practice for firms in that industry providing similar services in the United States, as determined by

regulations prescribed by the Secretary of Defense.

(14) Costs of severance pay paid by the contractor to a foreign national employed by the contractor under a service contract performed in a foreign country if the termination of the employment of the foreign national is the result of the closing of, or curtailment of activities at a United States military facility in that country at the request of the government of that country.

(15) Costs incurred by a contractor in connection with any criminal, civil, or administrative proceedings commenced by the United States or a State, to the extent provided in 10 U.S.C. 2324(k).

37. Section 231.703 is revised to read as follows:

231.703 Requirements.

Under 10 U.S.C. 2324(e), the costs cited in 231.603 are unallowable.

PART 232—CONTRACT FINANCING

232.173–1 [Amended]

38. Section 232.173–1 is amended by inserting in paragraph (a) the word "further" between the word "of" and the word "payments."

39. Section 232.173–4 is amended by revising in paragraph (a) the word "payment" to read "payments"; by inserting the word "further" between the word "suspend" and the word "payments"; by inserting in paragraph (c) the word "further" between the word "suspend" and the word "payments"; by inserting in paragraph (d) the word "further" between the word "suspend" and the word "payment(s)"; by revising paragraph (e); by inserting in paragraph (g)(1) the word "further" between the word "suspend" and the word "payments"; to read as follows:

232.173–4 Procedures.

* * * * *

(e) Before making a decision to reduce or suspend further payments, the agency head shall, in accordance with agency procedures—

(1) Notify the contractor in writing of the action proposed by the remedy coodination official and the reasons therefore; and

(2) Provide the contractor an opportunity to submit information within a reasonable time, in response to the action proposed by the remedy coordination official.

* * * * *

232.173–5 [Amended]

40. Section 232.173–5 is amended by inserting in the introductory sentence the words "(Report control symbol DD–ACQ(A) 1891)" between the word "reports" and the word "containing."

232.503–15 [Amended]

41. Section 232.503–15 is amended by revising in paragraph (d) the reference "242.7206(b)(7)" to read "252.242–7004(f)(7)."

PART 236—CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

236.570 [Amended]

42. Section 236.570 is amended by revising in paragraph (b)(4) the word "Limitations" to read "Limitation."

PART 237—SERVICE CONTRACTING

237.203–70 [Amended]

43. Section 237.203–70 is amended by revising in paragraph (a)(3) the acronym "DoDD" to read "DoDI"; and by revising in paragraph (a)(4) the acronym "DoDD" to read "DoD".

PART 239—ACQUISITION OF INFORMATION RESOURCES

44. Section 239.001 is revised to read as follows:

239.001 Policy.

(1) The General Services Administration (GSA) has certain exclusive authority under "The Brooks Act" (40 U.S.C. 759) for the acquisition of Federal information processing (FIP) resources. GSA implements this authority in the Federal Information Resources Management Regulation (FIRMR), which is codified in 41 CFR 201. FIP resources are defined in the FIRMR at 201–4.001.

(2) When the acquisition is subject to "The Brooks Act" (40 U.S.C. 759), the FIRMR takes precedence over this part.

(3) Unless one of the exemptions of the Warner Amendment (10 U.S.C. 2315) applies, or unless otherwise specifically exempted, DoD must comply with FIRMR requirements.

(4) The Warner Amendment (10 U.S.C. 315), exempts certain DoD information resource acquisitions from the requirements of "The Brooks Act" and GSA's implementing regulations. If an acquisition is exempt under the Warner Amendment, clauses from the FIRMR do not have to be included in the solicitation or contract. However, all acquisitions for FIP resources, including those exempt under the Warner Amendment, must comply with Federal standards (see Subpart 239.72). Even if a Warner Amendment exemption applies, DoD may use the FIRMR simplified process (see 201–39.803 of FAR Appendix A) for obtaining the FIP resources when it is determined by the Contracting Officer to be in the Government's best interests.

239.7411 [Amended]

45. Section 239.7411 is amended by revising in paragraph (b)(2) the word "Communication" to read "Telecommunication."

46. Section 239.7411 is amended in paragraph (c)(3) to change "Orders" to read "Communication Service Authorizations."

PART 242—CONTRACT ADMINISTRATION

47. Section 242.7202 is amended by revising paragraph (d) to read as follows:

242.7202 Policy.

* * * * *

(d) Conforms to the standards at 252.242–7004(f) when the contractor has cost reimbursement or fixed-price contracts with progress or other contract financing provisions, except when all of the contracts and subcontracts are—

(1) Awarded under the set-aside or section 8(a) procedures of FAR part 19; or

(2) Greater than the small purchase threshold in FAR part 13.

48. Section 245.310–70 is revised to read as follows:

245.310–70 Contract clause.

Use the clause at 252.245–7000, Government-Furnished Mapping, Charting, and Geodesy Property, in solicitations and contracts when mapping, charting, and geodesy property is to be furnished.

PART 245—GOVERNMENT PROPERTY

49. Section 245.7002 is revised to read as follows:

245.7002 Duties and responsibilities of plant clearance officers.

The plant clearance officer shall—

(a) Instruct the contractor on the preparation of inventory schedules;

(b) Make pre-inventory scrap determinations;

(c) Determine the acceptability of inventory schedules and DD Forms 1342, DoD Property Record;

(d) Prepare and maintain plant clearance cases and disposal documents;

(e) Initiate screening and provide technical support to screeners in the selection of assets;

(f) Conduct or arrange for verification of the following—

(1) Quantity, condition, description, and special processing requirements of property listed on inventory schedules;

(2) Technical and quantitative allocability of property;

(g) Ensure the timely shipment or release by the contractor of property selected for transfer and donation;

(h) Determine the appropriate method of disposal for items not selected for Federal agency use or donation and ensure final plant clearance is accomplished;

(i) Evaluate and monitor the contractor's surplus property sales program;

(j) For individual surplus property sales—

(1) Approve method of sale;

(2) Ensure the sales offerings meet prescribed requirements;

(3) Witness bid openings;

(4) Evaluate bids;

(5) Approve sale awards;

(6) Secure anti-trust clearances, as required;

(7) Recommend the reasonableness of selling expenses; and

(8) Ensure that sales proceeds are collected and property credited;

(k) Monitor ongoing plant clearance actions to ensure delays are minimized and, when necessary, work with the contractor and property administrator to implement improvements;

(l) Evaluate the adequacy of the contractor's property disposal procedures;

(m) Support the property administrator during the compliance analysis of the disposition portion of the contractor's property control procedures;

(n) Report all disposal deficiencies to the property administrator;

(o) Account for all contractor inventory reported for disposal by the contractor and prepare prescribed plant clearance reports; and

(p) Advise and assist the contractor, contracting officer, inventory manager, Federal agencies, and eligible donees in actions related to the proper and timely disposal of contractor inventory.

245.7308 [Amended]

50. Section 245.7308 is amended by revising in paragraph (a) the words "Report Control Symbol DD–P&L(AR)" to read "Report Control Symbol DD–ACQ(AR). "

PART 252—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

252.201–7000 [Amended]

51. Section 252.201–7000 is amended by adding at the end of the clause the words "(End of clause)."

252.217–7001 [Amended]

52. Section 252.217–7001 is amended by revising the clause date "(DEC 1991)" to read "(AUG 1992)"; and by revising in paragraph (b)(1) the reference "(DI–P–1634A)" to read "(DI–MGMT–80969)."

53. Section 252.225–7003 is amended by revising the clause date "(DEC 1991)" to read "(AUG 1992)"; and by revising paragraph (d)(1) to read as follows:

252.225–7003 Information for Duty-Free Entry Evaluation.

* * * * *

(d) * * *

(1) The supplies are qualifying country end products as defined in the Buy American Act and Balance of Payments Program clause of this solicitation; or

* * * * *

252.225–7022 [Amended]

54. Section number "252–225.7022" is amended to read "252.225–7022."

252.228–7003 [Amended]

55. Section 252.228–7003 is amended by revising in paragraphs (a)(4), (b)(2) and (e) the reference "War Risk Hazards Compensation Act" to read "War Hazards Compensation Act."

252.232–7001 [Amended]

56. Section 252.232–7001 is amended by revising in the clause title the word "payment" to read "payments."

57. Section 252.232–7006 is revised to read as follows:

252.232–7006 Reduction or Suspension of Contract Payments Upon Finding of Fraud.

As prescribed in 232.111–70, use the following clause:

Reduction or Suspension of Contract Payments Upon Finding of Fraud (Aug 1992)

(a) 10 U.S.C. 2307(e) permits the head of the agency to reduce or suspend further payments to the Contractor upon a written determination by the agency head that substantial evidence exists that the Contractors request for advance, partial, or progress payments is based on fraud. The provisions of 10 U.S.C. 2307(e) are in addition to any other rights or remedies provided the Government by law or under contract.

(b) Actions taken by the Government in accordance with 10 U.S.C. 2307(e) shall not constitute an excusable delay under the Default clause of this contract or otherwise relieve the Contractor of its obligations to perform under this contract.

(End of clause)

252.237–7019 [Amended]

58. Section 252.237–7019 is amended to change the date of the clause from "DEC 1991" to "APR 1992."

252.242–7001 [Amended]

59. Section 252.242–7001 is amended to revise in paragraph (c), No. 3 the word "or" to read "of."

252.243–7000 [Amended]

60. Section 252.243–7000 is amended by changing the clause date to read "(AUG 1992)" in lieu of "(DEC 1991)"; and by amending in paragraph (c) the amount "$100,000" to read "$500,000."

252.247–7022 [Amended]

61. Section 252.247–7022 is amended by revising the clause date "(DEC 1991)" to read "(AUG 1992)"; and by revising in the first sentence of paragraph (a) the word "clause" to read "provision."

PART 253—FORMS

62. Section 253.204–70 is amended by revising paragraphs (b)(5)(ii)(A), (c)(4)(iv)(A), (B), and (C) and (c)(4)(ix)(B)(*2*) to read as follows:

253.204–70 DD Form 350, Individual Contracting Action Report.

* * * * *

(b) * * *

(5) * * *

(ii) * * *

(A) Block B5A, Establishment Code.

Enter the contractor's 9-position contractor establishment code (CEC). If the CEC is not available within the contracting activity, use the procedures at 204.7202–2 to obtain one.

* * * * *

(c) * * *

(4) * * *

(iv) * * *

(A) *Code Y—Yes—Positive Response to DFARS 252.247–7022.* Enter code Y when the contractor's response to the provision at 252.247–7022, Representation of Extent of Transportation by Sea, indicates the contractor anticipates that some of the supplies being provided may be transported by sea.

(B) *Code N—No—Negative Response to DFARS 252.247–7022.* Enter code N when the contractor's response to the provision at 252.247–7022 indicates that the contractor anticipates that none of the supplies being provided will be transported by sea.

(C) *Code U—Unknown—No Response or Provision Not Included in Solicitation.* Enter code U when the contractor did not complete the representation at 252.247–7022 or the solicitation did not include it.

* * * * *

(ix) * * *

(B) * * *

(2) Code 1B—Follow-on Contract. Enter code 1B if the action was justified pursuant to FAR 6.302–1(a)(2) (ii) or (iii).

* * * * *

Appendix B to Chapter 2 [Amended]

63. DFARS appendix B, part 1—Army Assignments is amended by revising Federal Supply Class Code 2320 P to read as follows:

Federal supply class code	Commodity
2320 P	Trucks and Truck Tractors. These two partial assignments apply to tactical vehicles and the following types of vehicles: Bus, convertible to ambulance. Truck, 4×4, convertible to ambulance Truck 4×4, dump, 9,000 GVW, with cut-down cab. These assignments do not apply to tracked landing vehicles which are not under DoD Coordinated Acquisition assignment, and airport crash rescue vehicles, which are under DoD Coordinated Acquisition assignment to the Department of the Air Force. With the exception of the types enumerated above, these assignments do not apply to commercial, non-tactical, passenger carrying vehicles and trucks which are assigned for DoD Coordinated Acquisition to the General Services Administration.

64. DFARS Appendix B, Part 6—General Services Administration Assignments is amended by revising Federal Supply Class Code 2320 P to read as follows:

Federal supply class code	Commodity
2320 P	Trucks and Truck Tractors. These two partial assignments apply to all commercial, non-tactical, passenger carrying vehicles and trucks except the following types which are assigned for DoD Coordinated Acquisition to the Department of the Army— Bus, convertible to ambulance. Truck, 4×4, convertible to ambulance. Truck, 4×4, dump, 9,000 pounds GVW, with cut-down cab. (See Army Coordinated Acquisition assignments in FSC 2310 and 2320).

Appendix D to Chapter 2 [Amended]

65. DFARS Appendix D, D–105 is amended to add a second sentence to paragraph (c) to read: "The records must contain the assessments, calculations, and analyses discussed in D–104, including the trade-off analysis between savings and increased risk to the Government because of responsibility for Government-furnished equipment."

66. Appendix G to chapter 2 is revised to read as follows:

Activity Address Numbers

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Part 5—Air Force Activity Address Numbers.
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Part 8—Defense Mapping Agency Activity Address Numbers.
Part 9—Defense Nuclear Agency Activity Address Numbers.
Part 10—Miscellaneous Defense Activities Activity Address Numbers.
Part 11—On-Site Inspection Agency Activity Number.
Part 12—Strategic Defense Initiative Organization Activity Number.
Part 13—Defense Commissary Agency Activity Numbers.

PART 1—GENERAL

G–100 Scope

This appendix identifies the activity address numbers to be used with the uniform procurement instrument identification numbering system prescribed in DFARS subpart 204.70.

G–101 Assignment and Use of a Number

(a) Activities coding solicitations, contracts and related instruments shall use only those codes assigned by their respective department/agency activity address monitor(s).

(b) The six-character code is used in the first six positions of the procurement instrument identification number (PIIN). When required, activities also will be assigned a two position code. The two position code is used in the first two positions of the call/order serial number.

(c) Activity address monitors are—

Army—U.S. Army Contracting Support Agency, Attn: Contract Support Office (SFRD–KS), 5109 Leesburg Pike, suite 916, Falls Church, VA 22041–3201

Navy—*Navy Accounting and Finance Center, (NAFC–5511), Washington, DC 20376–5001

Air Force—SAF/AQCX, Directorate of Contracting and Manufacturing Policy, Washington, DC 20330–5040

Defense Logistics Agency—Defense Logistics Agency, Contracting Systems Support Office (DLA–PS), Cameron Station, Alexandria, VA 22304–6100

Marine Corps—*Headquarters, U.S. Marine Corps, (Code LBP), Washington, DC 20380–0001

**Defense Mapping Agency—Director of Acquisition, Defense Mapping Agency, Washington, DC 20305–3000

**Defense Nuclear Agency—Chief, Contract Division, Defense Nuclear Agency, Washington, DC 20305–1000

**Defense Information Systems Agency—Chief, Logistics Management Office, Code 202, Defense Information Systems Agency, Washington, DC 20305–2000

G–102 Activity Address Number Data Base Maintenance

(a) The Defense Logistics Agency, DLA–PS, Cameron Station, Alexandria, VA 22304–6100 is the executive agent for maintenance of six and two character code assignments. The executive agency distributes blocks of two character codes to department/agency activity address monitors for further assignment.

(b) Contracting activities submit requests for assignment of or changes in either the six character or two character codes to their activity address monitor in accordance with department/agency procedures. Activity address monitors—

(1) Approve requests for additions, deletions, or changes;

(2) Notify the executive editor, Defense Acquisition Regulations System, OUSD(A)DP(DARS), Washington, DC 20301–3000; and

(3) Provide a copy of the notification to the executive agent.

(c) A copy of the Appendix G data base is available on tape or MS–DOS compatible floppy diskettes from the executive agent.

PART 2—ARMY ACTIVITY ADDRESS NUMBERS

DAAA03—B1
Pine Bluff Arsenal, ATTN: SMCPB–PO, Pine Bluff, AR 71602–9500

DAAA05—B2
Directorate of Contracting, Rocky Mountain Arsenal, ATTN: XRMAC–DOC, Commerce City, CO 80022–2180

DAAA08—B7
Rock Island Arsenal, ATTN: SMCRI–CT, Rock Island, IL 61299–5000

DAAA09—BA
HQ, AMCCOM, ATTN: AMSMC–PC (R), Rock Island, IL 61299–6000

*The Navy and Marine Corps Activity Address Monitor for assignment of two-character call/order serial numbers is: Office of the Assistant Secretary of the Navy (RD&A), room 536, Crystal Plaza 5, Washington, DC 20350–1000.

**Agency activity address monitors forward requests for Appendix G maintenance to the U.S. Army Contracting Support Agency (SFRD–KS).

DAAA15—ZU
HQ, AMCCOM, ATTN: AMSMC–PC (A), Aberdeen Proving Ground, MD 21010–5423
DAAA21—2T
HQ, AMCCOM, ATTN: AMSMC–PC (D), Picatinny Arsenal, NJ 07806–5000
DAAA22—BV
Watervliet Arsenal, ATTN: SMCWV–PP, Watervliet, NY 12189–4050
DAAA31—GJ
McAlester Army Ammunition Plant, ATTN: SMCMC–PC, McAlester, OK 74501–5000
DAAB07—BG
USA Communications-Electronics Command, ATTN: AMSEL–PC, Fort Monmouth, NJ 07703–5000
DAAB08—2V
USA Comunications-Electronics Command, ATTN: Procurement Directorate, Base Ops, Fort Monmouth, NJ 07703–5008
DAAB10—ZP
Headquarters, U.S. Army Garrison, Vint Hill Farms Station, ATTN: SELVH–PC–OP, Warrenton, VA 22186–5172
DAAC01—BH
Anniston Army Depot, ATTN: SDSAN–DOC, Anniston, AL 36201–5003
DAAC09—ZR
Sacramento Army Depot, ATTN: SDSSA–K, Sacramento, CA 95813–5021
DAAC67—ZN
Letterkenny Army Depot, ATTN: SDSLE–P, Chambersburg, PA 17201–4152
DAAC69—D2
New Cumberland Army Depot, ATTN: SDSNC–P, New Cumberland, PA 17070–5001
DAAC71—ZS
Tobyhanna Army Depot, ATTN: SDSTO–K, Tobyhanna, PA 18466–5100
DAAC79—D7
Red River Army Depot, ATTN: SDSRR–P, Texarkana, TX 75507–5000
DAAC83—BJ
Corpus Christi Army Depot, ATTN: SDSCC–C, Corpus Christi, TX 78419–6170
DAAC89—BK
Tooele Army Depot, ATTN: SDSTE–CD, Tooele, UT 84074–0839
DAAD01—B5
USA Yuma Proving Ground, Procurement Directorate, ATTN: STEYP–CR, Yuma, AZ 85365–9103
DAAD03—B6
USA Jefferson Proving Ground, ATTN: STEJP–LG–C, Madison, IN 47250–5100
DAAD05—BM
USA Aberdeen Proving Ground, Support Activity, ATTN: STEAP–PR/(Bldg No. 314), Aberdeen Proving Ground, MD 21005–5001
DAAD07—BN
USA White Sands Missile Range, Directorate of Contracting, ATTN: STEWS–PR, White Sands Missile Range, NM 88002–5201
DAAD09—BP
USA Dugway Proving Ground, Procurement Directorate, ATTN: STEDP–DOC, Dugway, UT 84022–0538,
DAAD10—ZX
USA Test & Evaluation Command, ATTN: AMSTE–PR, Aberdeen Proving Ground, MD 21005–5055
DAAE07—BR
USA Tank-Automotive Command, Warren, MI 48397–5000
DAAG60—G8
USA Military Academy, Purchasing & Contracting Division, Bldg 667A, ATTN: MAPC, West Point, NY 10996–1594
DAAG99—ZY
USA Program Manager–SANG, ATTN: AMCPM–NGA–A, APO New York, NY 09038–5005
DAAH01—CC
USA Missile Command, ATTN: AMSMI–PC, Redstone Arsenal, AL 35898–5280
DAAH03—D8
USA Missile Command, ATTN: AMSMI–PC–FC (Lab/Base Ops), Redstone Arsenal, AL 35898–5280
DAAJ02—D9
Aviation Applied Technology Directorate, ATTN: SAVRT–TY–CD, Fort Eustis, VA 23604–5577
DAAJ04
USA Charles Melvin Price Support Center, ATTN: AMSAV–PHI, Granite City, IL 62040–1801
DAAJ05—ZF
USA Aviation Systems Command, Building 404, ATTN: I.A.S. 21-Working Group, Fort Eustis, VA 23604–5577
DAAJ09—BS
USA Aviation Systems Command, 4300 Goodfellow Blvd., ATTN: AMSAV–PR, St. Louis, MO 63120–1798
DAAK01—BB
USA Troop Support Command (TROSCOM), 4300 Goodfellow Blvd., ATTN: AMSTR–PYMB, St. Louis, MO 63120–1798
DAAK60—C5
USA Natick Research, Development and Engineering Center, Directorate of Procurement, ATTN: AMSTR–PN, Natick, MA 01760–5011
DAAK70—E1
USA Belvoir Research, Development and Engineering Center, Procurement & Production Directorate, ATTN: AMSTR–PBP, Fort Belvoir, VA 22060–5606
DAAL01—1Y
Electronics Technology & Devices Laboratory, ATTN: SLCET–DP, Fort Monmouth, NJ 07703–5302
DAAL02—D3
USA Laboratory Command Installation, Support Activity, 2800 Powder Mill Road, ATTN: SLCIS–C, Adelphi, MD 20783–1145
DAAL03
U.S. Army Research Laboratory, P.O. Box 12211, ATTN: SLCRO–PR, Research Triangle Park, NC 27709–2211
DAAL04—D6
USA Materials Technology Laboratory, Arsenal Street, ATTN: SLCMT–PR, Watertown, MA 02172–0001
DABT01—F6
Commander, U.S. Army Aviation Center, Contracting Office, Building T–00116, ATTN: ATZQ–C, Fort Rucker, AL 36362–5000
DABT02—2A
Commander, U.S. Army Chemical and Military Police Centers and Fort McClellan, ATTN: ATZN–DOC, Fort McClellan, AL 36205–5000
DABT10—2B
Commander, U.S. Army Infantry Center and Fort Benning, Bldg. 35, ATTN: ATZB–KTC, Fort Benning, GA 31905–5000
DABT11—2C
Commander, U.S. Army Signal Center and Fort Gordon, Building 2050, ATTN: ATZI–CT, Fort Gordon, GA 30905–5041
DABT15—F9
Commander, U.S. Army Soldier Support Center and Fort Benjamin Harrison, ATTN: ATZI–CT, Fort Benjamin Harrison, IN 46216–5230
DABT19—2D
Commander, U.S. Army Combined Arms Center and Fort Leavenworth, ATTN: ATZL–GDC, Fort Leavenworth, KS 66027–5000
DABT23—2E
Commander, U.S. Army Armor Center and Fort Knox, Bldg. 4022, ATTN: ATZK–DC, Fort Knox, KY 40121–5000
DABT31—2F
Commander, U.S. Army Engineer Center and Fort Leonard Wood, ATTN: ATZT–DOC, Fort Leonard Wood, MO 65473–5000
DABT35—2G
Commander, U.S. Army Training Center and Fort Dix, Bldg. 5418, ATTN: ATZD–CO, Fort Dix, NJ 08640–6150
DABT39—2H

Commander, U.S. Army Field Artillery Center and Fort Sill, ATTN: ATZR-Q, Fort Sill, OK 73503-0501

DABT43—2J
Commander, Carlisle Barracks, Bldg. 46, ATTN: ATZE-DOC, Carlisle Barracks, PA 17013-5002

DABT47—2K
Commander, U.S. Army Training Center and Fort Jackson, Bldg. 4350, ATTN: ATZJ-DOC, Fort Jackson, SC 29207-5490

DABT51—2L
Commander, U.S. Army Air Defense Artillery Center & Fort Bliss, P.O. Box 6078, ATTN: ATZC-DOC, Fort Bliss, TX 79906-0078

DABT57—2N
Commander, U.S. Army Transportation Center and Fort Eustis, Bldg. 2746, ATTN: ATZF-CO, Fort Eustis, VA 23604-5000

DABT58—2P
Commander, Fort Monroe, Bldg. T-195, ATTN: ATZG-C #62, Fort Monroe, VA 23651-6000

DABT59—2Q
Commander, U.S. Army Quartermaster Center and Fort Lee, Bldg. T-7124, ATTN: ATZM-DC, Fort Lee, VA 23801-5000

DABT60—1L
Director, TRADOC Contracting Activity, ATTN: ATCA, Fort Eustis, VA 23604-5538

DABT61—BF
Commandant, The Judge Advocate General's School, USA, ATTN: JAGS-SSL, Charlottesville, VA 22904-1781

DABT63—BL
Commander, U.S. Army Information Systems Command, ATTN: ASQH-DOC, Fort Huachuca, AZ 85613-5000

DABT64—YV
Chief, Purchasing and Contracting Office, Bldg. 440, ATTN: ATZR-ZQ, Fort Chaffee, AR 72905-5000

DABT65
Mission Contracting Activity at Fort Leavenworth, ATTN: MCAL, Fort Leavenworth, KS 66027-5000

DACA01, DACW01—CK
USA Engineer District, Mobile, P.O. Box 2288, Mobile, AL 36628-0001

DACA03, DACW03—CL
USA Engineer District, Little Rock, P.O. Box 867, Little Rock, AR 72203-0867

DACA05, DACW05—CM
USA Engineer District, Sacramento, 650 Capital Mall, Sacramento, CA 95814-4794

DACA06, DACW06—CN
USA Engineer Division, South Pacific, 630 Sansone Street, Room 1216, San Francisco, CA 94111-2206

DACA07, DACW07—CP
USA Engineer District, San Francisco, 211 Main Street, San Francisco, CA 94105-1905

DACA09, DACW09—CQ
USA Engineer District, Los Angeles, P.O. Box 2711, Los Angeles, CA 90053-2325

DACA17, DACW17—CS
USA Engineer District, Jacksonville, P.O. Box 4970, Jacksonville, FL 32232-0019

DACA19, DACW19—CU
USA Engineer Division, South Atlantic, 77 Forsyth Street, S.W., Room 313, Atlanta, GA 30335-6801

DACA21, DACW21—CV
USA Engineer District, Savannah, P.O. Box 889, Savannah, GA 31402-0889

DACA22, DACW22—CW
USA Engineer Division, North Central, 536 South Clark Street, Chicago, IL 60605-1592

DACA23, DACW23—CX
USA Engineer District, Chicago, 219 South Dearborn Street, Chicago, IL 60604-1797

DACA25, DACW25—CD
USA Engineer District, Rock Island, P.O. Box 2004, Rock Island, IL 61204-2004

DACA27, DACW27—CY
USA Engineer District, Louisville, P.O. Box 59, Louisville, KY 40201-0059

DACA29, DACW29—CZ
USA Engineer District, New Orleans, P.O. Box 60267, New Orleans, LA 70160-0267

DACA31, DACW31—DA
USA Engineer District, Baltimore, P.O. Box 1715, Baltimore, MD 21203-1715

DACA33, DACW33—DB
USA Engineer District, New England, 424 Trapelo Road, Waltham, MA 02254-9149

DACA35, DACW35—DC
USA Engineer District, Detroit, P.O. Box 1027, Detroit, MI 48231-1027

DACA37, DACW37—DD
USA Engineer District, St. Paul, 1421 USPO a Custom House, 180 East Kellogg Boulevard, St. Paul, MN 55101-1427

DACA38, DACW38—DE
USA Engineer District, Vicksburg, P.O. Box 60, Vicksburg, MS 39180-0060

DACA39, DACW39—DF
USA Engineer Water-Ways, Experiment Station, P.O. Box 631, Vicksburg, MS 39181-0631

DACA40, DACW40—DG
USA Engineer Division, Lower Mississippi Valley, P.O. Box 80, Vicksburg, MS 39181-0080

DACA41, DACW41—DH
USA Engineer District, Kansas City, 700 Federal Bldg., 601 East 12th Street, Kansas City, MO 64106-2896

DACA43, DACW43—DJ
USA Engineer District, St. Louis, 210 Tucker Boulevard North, St. Louis, MO 63101-1986

DACA45, DACW45—DK
USA Engineer District, Omaha, 215 North 17th Street, Omaha, NE 68102-4978

DACA46, DACW46—DL
USA Engineer Division, Missouri River, P.O. Box 103, Downtown Station, Omaha, NE 68101-0103

DACA47, DACW47—DM
USA Engineer District, Albuquerque, P.O. Box 1580, Albuquerque, NM 87103-1580

DACA49, DACW49—DN
USA Engineer District, Buffalo, 1776 Niagara Street, Buffalo, NY 14207-3199

DACA51, DACW51—CE
USA Engineer District, New York, 26 Federal Plaza, New York, NY 10278-0090

DACA52, DACW52—DP
USA Engineer Division, North Atlantic, 90 Church Street, New York, NY 10007-2979

DACA54, DACW54—DQ
USA Engineer District, Wilmington, P.O. Box 1890, Wilmington, NC 28402-1890

DACA55, DACW55—DR
USA Engineer Division, Ohio River, P.O. Box 1159, Cincinnati, OH 45201-1159

DACA56, DACW56—DS
USA Engineer District, Tulsa, P.O. Box 61, Tulsa, OK 74121-0061

DACA57, DACW57—DT
USA Engineer District, Portland, P.O. Box 2496, Portland, OR 97229-2946

DACA58, DACW58—DU
USA Engineer Division, North Pacific, P.O. Box 2870, Portland, OR 97208-2870

DACA59, DACW59—DV
USA Engineer District, Pittsburgh, William S. Moorehead Federal Bldg., 1000 Liberty Avenue, Pittsburgh, PA 15222-4186

DACA60, DACW60—DW
USA Engineer District, Charleston, P.O. Box 919, Charleston, SC 29402-0919

DACA61, DACW61—CF
USA Engineer District, Philadelphia, Custom House, 2nd & Chestnut Streets, Philadelphia, PA 19106-2991

DACA62, DACW62—DX
USA Engineer District, Nashville, P.O. Box 1070, Nashville, TN 37202-1070

DACA63, DACW63—DY
USA Engineer District, Fort Worth, P.O. Box 17300, Fort Worth, TX 76102-0300

DACA64, DACW64—DZ
USA Engineer District, Galveston, P.O. Box 1229, Galveston, TX 77553

DACA65, DACW65—EA
USA Engineer District, Norfolk, 803 Front Street, Norfolk, VA 23510–1096
DACA66, DACW66—EB
USA Engineer District, Memphis, 167 N. Mid-America Mall, B–202, Clifford Davis Federal Bldg., Memphis, TN 38103–1894
DACA67, DACW67—EC
USA Engineer District, Seattle, P.O. Box C–3755, Seattle, WA 98124–2255
DACA68, DACW68—YW
USA Engineer District, Walla Walla, Building 602, City-County Airport, Walla Walla, WA 99362–9265
DACA69, DACW69—CG
USA Engineer District, Huntington. 502 8th Street, Huntington, WV 25701–2070
DACA70, DACW70—YX
USA Engineer Division, Southwestern, 1114 Commerce Street, Dallas, TX 75242–0216
DACA72, DACW72—ZA
USA Humphreys Engineer Center, Support Activity, Kingman Building, Fort Belvoir, VA 22060
DACA73, DACW73—CH
Headquarters, U.S. Army Corps of Engineers, 20 Massachusetts Avenue, N.W., ATTN: CEPR, Washington, DC 20314–1000
DACA75, DACW75—ZC
USA Engineer Division, Middle East, APO New York, NY 09038
DACA76, DACW76—ZD
USA Engineer Topographic Laboratories, Cude Bldg. #2592, Fort Belvoir, VA 22060–5546
DACA78, DACW78—9V
USA Engineer Middle East/Africa, Projects Office, P.O. Box 2250, Winchester, VA 22601–1450
DACA79, DACW79—2R
USA Engineer District, Japan, APO San Francisco, CA 96343–0061
DACA81—DACW81
USA Engineer District, Far East, APO San Francisco, CA 96301–0427
DACA84, DACW84—ZH
USA Engineer Division, Pacific Ocean, Building 230, Fort Shafter, HI 96858–5440
DACA85, DACW85—ZJ
USA Engineer District, Alaska, P.O. Box 898, Anchorage, AK 99506–0898
DACA86—DACW86
USA Engineer District, Riyadh, APO New York, NY 09038
DACA87, DACW87—ZW
USA Engineer Division, Huntsville, P.O. Box 1600, Huntsville, AL 35807–4301
DACA88, DACW88—0S
USA Construction Engineering, Research Laboratory, P.O. Box 4005, Champaign, IL 61824–4005
DACA89, DACW89—Z
USA Cold Regions Research and Engineering Laboratory, 72 Lyme Road, Hanover, NH 03755–1290
DACA90—DACW90
USA Engineer Division, Europe, ATTN: CEEUD–CT, APO New York, NY 09757–5301
DADA01—2S
Letterman Army Medical Center, Bldg 1060, ATTN: HSHH–LCP, Presido of San Francisco, CA 94129–6700
DADA03—8W
Fitzsimons Army Medical Center, Directorate of Contracting, Bldg 205, ATTN: HSHG–LOC, Aurora, CO 80045–5001
DADA09—YY
William Beaumont Army Medical Center, P.O. Box 70003, ATTN: HSAA–W, El Paso, TX 79920–5001
DADA10—ZQ
USA Health Services Command, Bldg 129, Central Contracting Activity, ATTN: HSAA–C, Fort Sam Houston, TX 78234–6000
DADA11—0V
Brooke Army Medical Center, Contracting Branch, Log Div., ATTN: HSHE–LOC, Fort Sam Houston, TX 78234–6200
DADA13—0W
Madigan Army Medical Center, Purchasing and Contracting Office, ATTN: HSAA–M, Tacoma, WA 98431–5100
DADA15—0X
Walter Reed Army Medical Center, Directorate of Industrial Operations, Bldg T–20, 1st Floor, ATTN: HSHL–ZF(SD), Washington, DC 20307–5001
DADA16—0Y
Tripler Army Medical Center, Contracting Office, Bldg 160, ATTN: HSHK–LD–PC, Tripler AMC, HI 96859–5000
DAEA08—E4
Headquarters, 7th Signal Command & Ft. Ritchie, Office of Acquisition, Bldg 148, ATTN: ASN–OA–PC, Fort Ritchie, MD 21719–5010
DAEA16—E7
Headquarters, 5th Signal Command, DCSLOG, ATTN: ASE–LG–CT, APO New York, NY 09056–3104
DAEA20—E8
Commander, HQ, 1st Signal Brigade, ATTN: ASQK–AM, APO San Francisco, CA 96301–0044
DAEA31—1K
USAISC, Directorate of Contracting, Fort Devens, ATTN: ASPC–D, Ayers, MA 01433–5340
DAEA32—Y6
HQ, USAISC, Office of Acquisition Management, ATTN: ASPC–T, Fort Huachuca, AZ 85613–5000
DAHA01—9B
USPFO for Alabama, P. O. Box 3715, Montgomery, AL 36193–4801
DAHA02—0G
USPFO for Arizona, 5636 E. McDowell Road, Phoenix, AZ 85008–3495
DAHA03—9D
USPFO for Arkansas, Camp Robinson, North Little Rock, AR 72118–2200
DAHA04—9N
USPFO for California, P.O Box 8104, San Luis Obispo, CA 93403–8104
DAHA05—Z0
USPFO for Colorado, Camp George West, Golden, CO 80401–3997
DAHA06—1S
USPFO for Connecticut, State Armory, 360 Broad Street, ATTN: Contracting Officer, Hartford, CT 06105–3795
DAHA07—9A
USPFO for Delaware, Grier Bldg., 1161 River Road, New Castle, DE 19720–5199
DAHA08—2W
USPFO for Florida, P.O. Box 1008, St. Augustine, FL 32085–1008
DAHA09
USPFO for Georgia, P.O. Box 17882, Atlanta, GA 30316–0882
DAHA10—2Y
USPFO for Idaho, P.O. Box 45, Boise, ID 83707–4501
DAHA11—9E
USPFO for Illinois, 1301 North McArthur Blvd., Springfield, IL 62702–2399
DAHA12—4E
USPFO for Indiana, P.O. Box 41346, Indianapolis, IN 46241–0346
DAHA13—9L
USPFO for Iowa, Camp Dodge, 7700 NW Beaver Drive, Johnston, IA 50131–1902
DAHA14—4Z
USPFO for Kansas, P.O. Box 2099, Topeka, KS 66601–2099
DAHA15—6P
USPFO for Kentucky Boone National Guard Center Frankfort, KY 40601–6192
DAHA16—0A
USPFO for Louisiana, Jackson Barracks, New Orleans, LA 70146–0330
DAHA17—0B
USPFO for Maine, Camp Keys, Augusta, ME 04333–0032
DAHA18—0C
USPFO for Maryland, State Mil Reservation, 301 Old Bay Lane, Havre de Grace, MD 21078–4094
DAHA19—0D
USPFO for Massachusetts, 143 Speen Street, ATTN: Contracting Officer, Natick, MA 01760–2599
DAHA20—9F
USPFO for Michigan, 3111 W St. Joseph Street, Lansing, MI 48913–5102
DAHA21—9K

USPFO for Minnesota, P.O. Box 288, Camp Ripley, Little Falls, MN 56345–0288
DAHA22
USPFO for Mississippi, 144 Military Drive, Jackson, MS 39208–8880
DAHA23—9H
USPFO for Missouri, 1715 Industrial Avenue, Jefferson City, MO 65101–1468
DAHA24—9P
USPFO for Montana, P.O. Box 1157, Helena, MT 59624–1157
DAHA25
USPFO for Nebraska, 1234 Military Road, Lincoln, NE 68508–1092
DAHA26
USPFO for Nevada, 2601 South Carson Street, Carson City, NV 89701–5596
DAHA27
USPFO for New Hampshire, P.O. Box 2003, Concord, NH 03301–2003
DAHA28—ZK
USPFO for New Jersey, 131 Eggert Crossing Road, Lawrenceville, NJ 08648–2805
DAHA29
USPFO for New Mexico, P.O. Box 4277, ATTN: Contracting Officer, Santa Fe, NM 87502–4277
DAHA30
USPFO for New York, 330 Old Niskayuna Road, Latham, NY 12110–2224
DAHA31
USPFO for North Carolina, 4201 Reedy Creek Road, Raleigh, NC 27607–6412
DAHA32
USPFO for North Dakota, P.O. Box 5511, Bismarck, ND 58502–5511
DAHA33—9M
USPFO for Ohio, 2811 W. Granville Road, Columbus, OH 43235–2712
DAHA34—9J
USPFO for Oklahoma, 3501 Military Circle, N.E., Oklahoma City, OK 73111–4398
DAHA35
USPFO for Oregon, P.O. Box 14840, ATTN: USPFO–P, Salem, OR 97309–5008
DAHA36
USPFO for Pennsylvania, Dept. of Military Affairs, ATTN: Contracting Officer, Annville, PA 17003–5003
DAHA37
USPFO for Rhode Island, 330 Camp Street, Providence, RI 02906–1954
DAHA38
USPFO for South Carolina, 9 National Guard Road, Columbia, SC 29201–4766
DAHA39
USPFO for South Dakota, Camp Rapid, Rapid City, SD 57702–8186
DAHA40
USPFO for Tennessee, Powell Avenue, P.O. Box 40748, Nashville, TN 37204–0748
DAHA41—9C
USPFO for Texas, P.O. Box 5218, ATTN: Contracting Officer, Austin, TX 78563–5218
DAHA42
USPFO for Utah, P.O. Box 2000, Draper, UT 84020–2000
DAHA43
USPFO for Vermont, Camp Johnson, Bldg. #3, Colchester, VT 05446–3004
DAHA44
USPFO for Virginia, 501 East Franklin Street, Richmond, VA 23219–2317
DAHA45
USPFO for Washington, Camp Murray, Tacoma, WA 98430–5000
DAHA46
USPFO for West Virginia, 50 Armory Road, Buckhannon, WV 26201–2396
DAHA47—9G
USPFO for Wisconsin, Camp Douglas, WI 54618–9002
DAHA48
USPFO for Wyoming, P.O. Box 1709, Cheyenne, WY 82003–1709
DAHA49
USPFO for the District of Columbia, Bldg. 350, Anacostia Naval Air Station, Washington, DC 20315–0001
DAHA50
USPFO for Hawaii, 3949 Diamond Head Road, Honolulu, HI 96816–4495
DAHA51
USPFO for Alaska, 800 E. Diamond Blvd. #3–580, Anchorage, AK 99515–2097
DAHA70
USPFO for Puerto Rico, P.O. Box 3786, San Juan, PR 00904–3786
DAHA72
USPFO for Virgin Islands, #11–12 Golden Rock, Christiansted, St. Croix, VI 00820–1050
DAHA74
USPFO for Guam, P.O. Box 56, NAS, FPO San Francisco, CA 96637–1256
DAHA90
National Guard Bureau, Contracting Support, 5109 Leesburg Pike, Suite 401–B, Falls Church, VA 22041–3201
DAHC21—G3
MTMC Eastern Area, Acquisition Division, Bldg. 42, Military Ocean Terminal, ATTN: MTEA–LOA, Bayonne, NJ 07002–5302
DAHC22
HQ MTMC, Directorate of Passenger Traffic, 5611 Columbia Pike, ATTN: MTPT, Falls Church, VA 22041–5050
DAHC23—G4
MTMC, Western Area, Oakland Army Base, ATTN: MTWA–LOA, Oakland, CA 94626–5000
DAHC24—1B
HQ MTMC Acquisition Division, 5611 Columbia Pike, ATTN: MT–LOA, Falls Church, VA 22041–5050
DAHC26—0E
HQ MTMC, TOPS Project Management Office, ATTN: MT–TP, Fort Belvoir, VA 22060–5898
DAHC30—0F
MDW, DCS for Acquisition, Bldg. 15, Cameron Station, Alexandria, VA 22304–5050
DAHC32—0M
National Defense University, Bldg. 59/ Contracting Office Rm. 113, Fort Leslie J. McNair, Washington, DC 20319
DAHC35—2M
Ft. Belvoir Directorate of Contracting, Bldg. T742, Fort Belvoir, VA 22060–5075
DAHC76—8U
HQS, 6th Inf Div(L) & USA Garrison, AK, Directorate of Contracting, P.O. Box 5–525, ATTN: APVR–DOC, Fort Richardson, AK 99505–0525
DAHC77—CJ
U.S. Army Support Command, Hawaii, ATTN: APZV–KO, Fort Shafter, HI 96858–5025
DAHC90—YJ
U.S. Army Intelligence and Security Command (INSCOM), Contract Support Activity, ATTN: IAPARC–CSA, Fort Belvoir, VA 22060–5368
DAHC92—1V—ZT
U.S. Army South, U.S. Army Garrison—Panama, Directorate of Contracting, ATTN: SOCO–CO, APO Miami, FL 34002–5000
DAHC94 U.S. Army, Information Systems Selection BD and Acquisition Agency (ISSAA) 2461 Eisenhower Avenue Alexandria, VA 22331–0700
DAJA01 Regional Contracting Office, 9Q Vicenza ATTN: AEUCC–I APO New York, NY 09221–5122
DAJA02 Regional Contracting Office G5 Seckenheim ATTN: AEUCC–S APO New York, NY 09333–5000
DAJA04 Regional Contracting Office 9R Fuerth ATTN: AEUCC–FU APO New York, NY 09696–5345
DAJA06 Regional Contracting Office, 9S Stuttgart ATTN: AEUCC–ST APO New York, NY 09154–0503
DAJA09 Giessen Suboffice, BT RCO Frankfurt ATTN: AEUCC–F–G APO New York, NY 09169
DAJA10 Regional Contracting Office, 9U Augsburg ATTN: AEUCC–A APO New York, NY 09178–0505
DAJA16 Regional Contracting Office, 8X Grafenwoehr ATTN: AEUCC–G APO New York, NY 09114–5413
DAJA23 Directorate of Contracting, 9W USA Berlin ATTN: AEBA–C APO New York, NY 09742–5003

DAJA25 Regional Contracting Office, 9X Bremerhaven ATTN: AEUCC–BR APO New York, NY 09069–5505
DAJA37 USAREUR Contracting Center G6 ATTN: AEUCC–C APO New York, NY 09710–5345
DAJA45 Regional Contracting Office, 9Y Burtonwood ATTN: AEUCC–BW APO New York, NY 09075–3738
DAJA61 HQ USAREUR & 7th Army 9Z ATTN: Regional Contracting Office Benelux APO New York, NY 09667–5005
DAJA76 Regional Contracting Office, 8V Frankfurt Box 73 ATTN: AEUCC–F APO New York, NY 09710–5345
DAJA83 Rheinberg Suboffice, 2Z RCO Bremerhaven ATTN: AEUCC–BR–R APO New York, NY 09712–5511
DAJA84 Fulda Suboffice, B0 RCO Frankfurt ATTN: AEUCC–F–FD APO New York, NY 09146
DAJA85 Hanau Suboffice, B8 RCO Frankfurt ATTN: AEUCC–F–H APO New York, NY 09165–5345
DAJA86 Mainz-Kastel Suboffice, C0 RCO Frankfurt ATTN: AEUCC–F–MK APO New York, NY 09457
DAJA87 Mid-East CAS Branch D0 USAREUR Contract Center ATTN: AEUCC–C–CI APO New York, NY 09672–0008
DAJA88 United Kingdom CAS Branch E0 USAREUR Contract Center ATTN: AEUCC–C–CU APO New York, NY 09083–5000
DAJA89 Wuerzburg Suboffice, F0 RCO Fuerth ATTN: AEUCC–FU–W APO New York, NY 09800–2013
DAJA90 Bad Kreuznach Suboffice, 0T RCO Frankfurt ATTN: AEUCC–F–BK APO New York, NY 09252–0029
DAJB03 U.S. Army Korea Contracting Agency F4 ATTN: EAKC–CO APO San Francisco, CA 96301–0062
DAKF01 Directorate of Contracting 1A ATTN: AFKC–ZM–DOC Presidio of San Francisco, CA 94129–5000
DAKF03 Directorate of Contracting 0Q P.O. Box 27 ATTN: AFZW–DOC Fort Ord, CA 93941–0027
DAKF04 Directorate of Contracting ZE P.O. Box 10039 ATTN: AFZJ–DC Fort Irwin, CA 92310–5000
DAKF06 Directorate of Contracting 1C Building 6222 ATTN: AFZC–DOC Fort Carson, CO 80913–5022
DAKF10 Directorate of Contracting 1D ATTN: AFZP–DC Fort Stewart, GA 31314–5189
DAKF11 Directorate of Contracting 1E ATTN: AFZK–DOC Fort McPherson, GA 30330–5000
DAKF12 FORSCOM Central Contracting Office BC ATTN: FCJ4–PRC Fort McPherson, GA 30330–6000
DAKF15 Directorate of Contracting 1F ATTN: AFKE–ZO–DOC Fort Sheridan IL 60037–5000
DAKF19 Directorate of Contracting 1G ATTN: AFZN–DOC Fort Riley, KS 66442–0248
DAKF23 Directorate of Contracting 1H ATTN: AFZB–DOC Fort Campbell, KY 42223–1100
DAKF24—G1
Directorate of Contracting, ATTN: AFZX–DOC, Fort Polk, LA 71459–5000
DAKF27—1J
Directorate of Contracting, ATTN: AFKA–ZI–DOC, Fort George G. Meade, MD 20755–5081
DAKF36—1M
Directorate of Contracting, ATTN: AFZS–DOC, Fort Drum, NY 13602–5220
DAKF40—1N
Directorate of Contracting, Drawer 70120, ATTN: AFZA–DC, Fort Bragg, NC 28307–0120
DAKF48—1Q
Directorate of Contracting, ATTN: AFZF–DOC, Fort Hood, TX 76544–5059
DAKF49—1R
Directorate of Contracting, ATTN: AFZG–DOC, Fort Sam Houston, TX 78234–5000
DAKF57—1T
Directorate of Contracting, ATTN: AFZH–DOC, Fort Lewis, WA 98433–5000
DAKF61—1U
Directorate of Contracting, ATTN: AFZR–DOC, Fort McCoy, WI 54656–5000
DAMD17—B3
US Army Medical Research, Acquisition Activity, Fort Detrick, ATTN: SGRD–RMA, Frederick, MD 21702–5014
DASG60—CB
USA Strategic Defense Command, Deputy Commander, P.O. Box 1500, ATTN: CSSD–CM–AC, Huntsville, AL 35807–3801

PART 3—NAVY ACTIVITY ADDRESS NUMBERS

* An asterisk indicates a two-digit code of a major command, which is shared with subordinate activities. Such subordinate activities will indicate the Unit Identification Code of the major command in parentheses, e.g. (MAJ00011).

N00011, LB*—LBZ
Chief of Naval Operations, Washington, DC 20350–2000
N00012, HX*, V8*—V8Y
Assistant for Administration, Under Secretary of the Navy, Washington, DC 20350
N00013—MR
Judge Advocate General, Navy Department, 200 Stovall Street, Alexandria, VA 22332
N00014, EE*—EE0–9
Office of Naval Research, Arlington, VA 22217
N00015, L0*—L0Z
Naval Intelligence Command HQ (Suitland, MD), 4600 Silver Hill Road, Washington, DC 20389
N00018, MC*, MD*, J5*, QA*—MCZ
Bureau of Medicine and Surgery, Washington, DC 20372–5120
N00019, EF*, GU*—EF0–9
Naval Air Systems Command, Washington, DC 20361
N00023, 4J*, L5*—4J0–9
Commander, Naval Supply Systems Command, Washington, DC 20376
N00024, EH*, U0*—EH0–9
Naval Sea Systems Command, Washington, DC 20360
N00025, EJ*, FZ*—EJ0–9
Naval Facilities Engineering Command, 200 Stovall Street, Alexandria, VA 22332
N00030, EK*—EK0–9
Strategic Systems Programs, Department of the Navy, Washington, DC 20376–5002
N00033, EL*—EL0–9
Commander, Military Sealift Command, Washington, DC 20390
N00039, NS*—NS0–9
Space and Naval Warfare Systems Command, Washington, DC 20360
N00060, LH*, J0*—LHZ
Commander-in-Chief, Atlantic Fleet, Norfolk, VA 23511
N00061, NL*—NLZ
Commander-in-Chief, U.S. Naval Forces, Europe (London, U.K.), FPO New York 09510
N00062, 8A*, L9*, R0*—8A0–9
Chief of Naval Education and Training, Code 013, NAS, Pensacola, FL 32508–5100
N00063, NT*—NTZ
Naval Computer and Telecommunications Command, 4401 Massachusetts Avenue, NW., Washington, DC 20394–5290
N00065, S0*—S0Z
Naval Oceanography Command, Stennis Space Center, Bay St. Louis, MS 39529–5000
N00069, 8Q*—8QZ
Naval Security Group HQ, 3801 Nebraska Avenue, NW., Washington, DC 20390–0008
N00070, LP*, V5*, 4L*—LPZ
Commander in Chief Pacific Fleet, NAVBASE, Pearl Harbor, HI 96860–7000
N00072, 9T*, LC*—9TZ
Commander, Naval Reserve Force, Code 17, New Orleans, LA 70146
N00074, QH*—QHZ
Naval Special Warfare Command, NAVPHIBASE Coronado, San

Diego, CA 92155
N00101—3R
Naval Air Station, South Weymouth, MA 02190
N00102—EN
Portsmouth Naval Shipyard, Portsmouth, NH 03801
N00104, EP—EQ
Navy Ships Parts Control Center, Mechanicsburg, PA 17055
N00105—JT
Naval Medical Clinic, NAVSHIPYD, Portsmouth, NH 03801
N00109—F1
Naval Weapons Station, Yorktown, VA 23491
N00123—ES
Commanding Officer, Naval Regional Contracting Center, 937 N. Harbor Drive, San Diego, CA 92132–5106
N00124—M5
Naval War College, Newport, RI 02840
N00127—H1
Naval Air Station, Quonset Point, RI 02819
N00128—EU
Supply Department, Naval Administrative Command, Naval Training Station, Great Lakes, IL 60088
N00129—EV
Submarine Base, New London, Groton, CT 06340
N00140, EX—LA
Commanding Officer, Naval Regional Contracting Center, Naval Base Bldg. No. 600, Philadelphia, PA 19112
N00146—QK
Marine Corps Air Station, Cherry Point, NC 28533
N00151—EY
Philadelphia Naval Shipyard, Philadelphia, PA 19112
N00153—N0
Governor, Naval Home, 01800 East Beach Blvd., Gulfport, MS 39501
N00158—3V
Naval Air Station, Willow Grove, PA 19090
N00161—FA
Naval Academy, Annapolis, MD 21402
N00162 (MAJ00018)—MDG–H
Naval Medical Clinic, Annapolis, MD 21402–5050
N00163—FB
Naval Air Warfare Center, Aircraft Division Indianapolis, 21st and Arlington Avenue, Indianapolis, IN 46218
N00164—FC
Naval Surface Warfare Center, Crane Division, Crane, IN 47522
N00166 (MAJ00072)—LC0–1
Naval Air Facility, Bldg 3086, Andrews AFB, Washington, DC 20396–5130
N00167—FD
Naval Surface Warfare Center, Carderock Division, Bethesda, MD 20084–5000
N00168—FE
National Naval Medical Center, National Capital Region, Bethesda, MD 20014
N0017A—
Atlantic Fleet Weapons Training, Facility (Code 51) (Roosevelt Roads, PR), Naval Station, Box 3023, FPO Miami, FL 34051
N00171—N5
HQ, Naval District Washington, Washington Navy Yard, Washington, DC 20374
N00173—FF
Naval Research Laboratory, Washington, DC 20390
N00174—FG
Naval Surface Warfare Center, Indian Head Division, Indian Head, MD 20640
N00178
Naval Surface Warfare Center, Dahlgren Division, Dahlgren, VA 22448
N00181—FJ
Norfolk Naval Shipyard, Portsmouth, VA 23709
N00183—JX
Commanding Officer, Naval Hospital, Portsmouth, VA 23708–5100
N00187—3J
Navy Public Works Center, Norfolk, VA 23511
N00188—H2
Naval Air Station, Norfolk, VA 23511
N00189—FK, H3
Naval Supply Center, Norfolk, VA 23512
N00191—FL
Charleston Naval Shipyard, Naval Base, Charleston, SC 29408
N00193 (MAJ00024)—EHD–G
Commanding Officer (Code 11), Naval Weapons Station, Charleston, SC 29408–7000
N00196—3K
Commanding Officer (Code 60), Naval Air Station, Atlanta, Marietta, GA 30060
N00197—FM
Naval Surface Warfare Center, Naval Ordnance Station, Crane Division, Louisville, KY 40214
N00203 (MAJ00018)—MCL
Commanding Officer, Naval Hospital, Pensacola, FL 32512
N00204—FN
Naval Air Station (Code 19P10), Pensacola, FL 32508
N00205—FP
Naval Support Activity (Code N443), New Orleans, LA 70146
N00206
Naval Air Station, New Orleans, LA 70146
N00207—FQ
Naval Air Station, Jacksonville, FL 32212
N00211 (MAJ00018)—MCQ–S
Naval Hospital, Great Lakes, IL 60088–5230
N00213—H4
Naval Air Station, Key West, FL 33040
N00215—3W
Naval Air Station (Code 60), Dallas, TX 75211
N00216—FR
Commanding Officer (Code 194), Naval Air Station, Bldg 10, Corpus Christi, TX 78419
N00221—K5
Mare Island Naval Shipyard, Vallejo, CA 94592
N00228—FU
Naval Supply Center, Oakland, CA 94625
N00231
Commanding Officer, Naval Medical Clinic, Quantico, VA 22134
N00232 (MAJ00018)—MCC–E
Naval Hospital, Jacksonville, FL 32214–5222
N00236—NX
Naval Air Station, Alameda, CA 94501
N00244—NW
Naval Supply Center, Naval Base, 937 North Harbor Drive, San Diego, CA 92132
N00245 (MAJ00070)—LPN
Naval Station, San Diego, CA 92136–5000
N00246—H5
Naval Air Station, North Island, San Diego, CA 92135
N00247—HC
Naval Training Center, San Diego, CA 92133
N00249
Commanding Officer, Civil Engineer Support Office, Naval Construction Battalion Center, Port Hueneme, CA 93043
N00250—FW
Commander, Navy Exchange Service Command, NAVSTA New York, Staten Island, NY 10305
N00251—FX
Puget Sound Naval Shipyard, Bremerton, WA 98314
N00253—FY
Commanding Officer, Naval Undersea Warfare Center, Division Keyport, Keyport, WA 98345
N00255 (MAJ00070)—LPS–T, LPW–Y
Naval Station Puget Sound, Seattle, WA 98115–5000
N00267 (MAJ00018)—MC0–1
Commanding Officer, Navy Medical Clinic, Key West, FL 33040
N00274 (MAJ00072)—LCA–B
Naval Air Facility, Detroit, Selfridge Air Force Base, Supply Department, Mt. Clemens, MI 48045
N00275—3M
Naval Air Station, Glenview, IL 60026

N00276
Naval Air Station, Twin Cities, Minneapolis, MN 55450
N00281 (MAJ00062)—L90–1
Commanding Officer, Fleet Combat Training Center, Atlantic, Dam Neck, Virginia Beach, VA 23461
N00285 (MAJ00018)—MDR
Commanding Officer, Naval Hospital, Corpus Christi, TX 78419
N00288
Naval Publications and Forms Center, 5801 Tabor Avenue, Philadelphia, PA 19120
N00296—NY
Naval Air Station, Moffett Field, CA 94035
N00311—GA
Pearl Harbor Naval Shipyard, Box 400, Pearl Harbor, HI 96860
N0031A (MAJ00060)—J0K–M
Commander, Naval Special Warfare Group Two, Naval Amphibious Base, Little Creek, Norfolk, VA 23521–5340
N00314—M7
Submarine Base, Pearl Harbor, HI 96860
N00334—N6
Naval Air Station, Barbers Point, HI 96862
N00383—GB, GC
Navy Aviation Supply Office, 700 Robbins Avenue, Philadelphia, PA 19111
N00389—KL, MM
Contracting Officer (Code 192), U.S. Naval Station (Roosevelt Roads, PR), Box 3002, FPO Miami 34051
N00406—GE
Naval Supply Center, Puget Sound, Bremerton, WA 98314
N00421—M8
Naval Air Warfare Center, Aircraft Division, Patuxent River, MD 20670
N00600—GG
Naval Regional Contracting Center, Washington Navy Yard, Washington, DC 20374
N00604—NQ
Naval Supply Center, Pearl Harbor, Pearl Harbor, HI 96860
N00612—GH
Commanding Officer, Naval Supply Center, RCD, Code 200M, Charleston, SC 29408
N00619 (MAJ00018)—QA0–9
Naval Hospital, Oakland, CA 94627–5000
N00[illegible].0—H6
N[illegible]val Air Station, Whidbey Island, Oak Harbor, WA 98277
N00639—H7
Commanding Officer, Naval Air Station, Memphis (84), Millington, TN 38054
N00651—H8
Naval Supply Depot, Subic Bay (Philippines), Box 33, FPO San Francisco, CA 96651
N00702 (MAJ00069)—8QM–N
Naval Security Group Activity, Winter Harbor, ME 04693
N00743—8N
Commanding Officer, Naval Computer and Telecommunications Station (Roosevelt Roads, PR), Box 3022, FPO Miami 34051
N00788 (MAJ00063)—NTR–S
Commanding Officer, Naval Communication Det., Washington, (Cheltenham, MD), Washington, DC 20390
N00849 (MAJ00069)—8QC
Naval Security Group Activity, Skaggs Island, Sonoma, CA 95476–5000
N00886—QB
Naval Communication Station, San Francisco, Rough and Ready Island, Stockton, CA 95203
N00927 (MAJ00063)—NTA
U.S. Naval Computer and Telecommunications Station (San Miguel, Cubi Point, Philippines), FPO San Francisco 96656–1803
N00950—8R
Naval Computer and Telecommunications Area, Master Station, EASTPAC, Wahiawa, HI 96786
N0417A (MAJ00025)—EJA
Naval Support Facility, P.O. Box 1000, Thurmont, MD 21788
N0428A—3Q
Naval Air Station, Patuxent River, MD 20670
N0429A—3A
Naval Air Warfare Center, Weapons Division, Point Mugu, CA 93042
N0434A (N62980)—MQL
United States Navy Band, Washington Navy Yard, Washington, DC 20374–1052
N0463A (MAJ00024)—EHC
Commanding Officer, Navy Experimental Diving Unit, NAVCOASTSYSCEN, Bldg. 321 Panama City, FL 32401
V04697 (MAJ00060)—LHA
USS Simon Lake, FPO Miami, FL 34085–2590
N0597A (MAJ00012)—HXP–W
Director, Office of Civilian Personnel Management, Southeast Region, Bldg A–67, Naval Base, Norfolk, VA 23511–6098
N0598A (MAJ00012)—HXN
Director, Office of Civilian Personnel Management, Pacific Division, Box 119, Pearl Harbor, HI 96860–5060
N0604A (MAJ00012)—HXJ–L
Director, Office of Civilian Personnel Management, Northwest Region, 2890 North Main Street, Suite 301, Walnut Creek, CA 94596–2739
N0605A (MAJ00012)—HXG–H
Director, Office of Civilian Personnel Management, Northeast Region, Bldg 75–3, Naval Base, Philadelphia, PA 19112–5006
N0618A (MAJ00062)—8AE
School of Music, Naval Amphibious Base, Little Creek, Norfolk, VA 23521–5240
N0619A—8E
Naval Health Sciences Education & Training Command, NAVMEDCOM NATCAPREG, Bethesda, MD 20814
N0708A (MAJ00024)—U0A–B
Naval Warfare Engineering Activity, Port Hueneme Division, Naval Surface Warfare Center, Yorktown, VA 23961–5076
N08939
Navy Section, US Military Group (Caracas, Venezuela), Department of State, Washington, DC 20521
N09534
Navy Section, US Military Group (Lima, Peru), APO Miami 34031
N09550—4G
Commander, Fleet Air Mediterranean (Naples, Italy), FPO New York, NY 09521
N30492 (MAJ00039)—NSC
David W. Taylor Naval Ship Research and Development Center Detachment, Puget Sound, Bremerton, WA 98324–5215
N30776—4N
Naval Air Station, Kingsville Auxiliary Landing Field Detachment, Orange Grove, TX 77630
N30779—3Z
Naval Auxiliary Landing Field, Goliad, TX 77963
N30829 (MAJ00061)—NL0–2
Officer in Charge, Naval Support Activity, Naples Detachment (Gaeta, Italy), FPO New York 09522
N30929
Commanding Officer, Navy Flight Demonstration Squadron (Blue Angels), Naval Air Station, (Attn: Supply Officer), Pensacola, FL 32508
N31149 (MAJ00024)—EHA–B
Naval Sea Logistics Center Det Philadelphia, Naval Base, Philadelphia, PA
N31699 (MAJ00012)—V8Z
Office of Under Secretary of the Navy, Washington, DC 20350–1000
N31863
Director, Naval Audit Service, Capital Region, P.O. Box 1206, Falls Church, VA 22041
N31954 (MAJ00062)—R0X
Submarine Training Facility, San Diego, CA 92106
N32525—8S
U.S. Naval Communication Station, Naples Detachment (Sigonella, Italy), FPO New York 09523
N32778 (MAJ00070)—4LE
Fleet Activities, Chinhae (Korea), FPO

San Francisco 98769–1100
N32832—7K
Naval Aviation Logistics Center, European Repair and Rework, Activity Representative, (Alverca, Portugal), APO New York, NY 09285
N32960—K2
Navy Support Office, La Maddalena, (Sardinia, Italy), FPO New York 09533
N33137 (MAJ00015)—L0A–C
Naval Intelligence Operations Group DET CTG 168.4, (Munich, Germany), APO New York 09108
N35316 (MAJ00060)—J0G
Patrol Combatant Missile Squadron Two, Mobile Logistic Support Group, Trumbo Point Annex, NAS Key West, FL 33040
N35949 (MAJ00018)—J5S
Naval Hospital, Twentynine Palms, CA 92278–5008
N39167
Commanding Officer, Naval Branch Medical Clinic, Naval Air Station, Meridian, MS 39309
N39353—GV
Commanding Officer, Integrated Combat Systems Test Facility, San Diego, CA 92152
N41756—LE
Navy Engineering Logistics Office, Washington, DC 20000
N42237—7A
Commanding Officer, Naval Submarine Base, Code N411, Kings Bay, GA 31547
N44405 (MAJ00062)—8AA
Antilles Consolidated School System, Box 3200 (Roosevelt Roads, PR), FPO Miami 34051
N44416 (MAJ00023)—4JL
Defense Printing Service Northeast Area, 700 Robbins Avenue, Philadelphia, PA 19111–5093
N44930—KN
Intra-Fleet Supply Support Operations Program, Norfolk, VA 23512
N44967—KP
Naval Sea Systems Command Detachment, (PERA CSS) San Francisco, CA 94124–2995
N45045 (MAJ00012)—V8A
Navy Comptroller Standard Systems Activity Det., Raleigh Oaks Plaza Office Bldg, 3606 Austin Peay Highway, Memphis, TN 38128–3757
N45406—LD
Officer in Charge, Naval Sea Systems Command Detachment, (PERA CV), Puget Sound Naval Shipyard, Bremerton, WA 98310–0206
N45411 (MAJ00070)—LPE
Assault Craft #5, MCB Camp Pendleton, CA 92055–5003
N45534 (MAJ00024)—EHN
AEGIS Combat Systems Center, Bldg. D–11, Wallops Island, VA 23337
N45854 (MAJ00011)—LBE
Fleet Surveillance Support Command, Chesapeake, Chesapeake, VA 23322–5010
N46079
Military Sealift Command Office, Northern Europe, (Bremerhaven, Germany) APO New York 09069–0006
N46450 (MAJ00023)—L50–9
Naval Supply Center, Charleston Detachment, Naval Submarine Base, Kings Bay, GA 31547
N46531 (MAJ00012)—HX0–E
Office of Civilian Personnel Management, National Capital Region, 801 N. Randolph Street, Arlington, VA 22203
N46656—NP
Telecommunication Management Detachment West, 937 North Harbor Drive, San Diego, CA 92132–5104
N46657 (MAJ00063)—NT0–NT1
Telecommunication Management Detachment Pacific, Wahiawa, HI 96786–3050
N46658—LQ
Telecommunications Management Detachment East, Wards Corner Executive Center, Suite 222, 138 E. Little Creek Road, Norfolk, VA 23505
N46659—KJ
Telecommunications Management Detachment Europe, (Naples, Italy), FPO New York 09524
N46904 (MAJ00060)—J00–1
Commanding Officer, Precommissioned Unit, Antisubmarine Warfare Training Group Atlantic, Bldg. CEP 104, Naval Station, Norfolk VA 23511–6495
N47408 (MAJ00025)—EJP–W
Naval Facilities Engineering Command Contracts Office, Naval Construction Battalion Center, Port Hueneme, CA 93043–5000
N47427 (MAJ00070)—V5G
Naval Air Pacific Repair Activity Detachment, New Zealand, c/o U.S. Naval Support Force Antarctic Det., FPO San Francisco 96690–2900
N47875 (MAJ00019)—GUP–S
Naval Technical Representative Detachment Bethpage, Grumman Aerospace Corporation, Bethpage, NY 11714–3593
N47876 (MAJ00019)—GUJ–L
Naval Technical Representative Detachment Burbank, Lockheed Aeronautical Systems Company, P.O. Box 551, Burbank, CA 91503
N47877—GD
Naval Technical Representative Detachment St. Louis, McDonnell Douglas Corporation, P.O. Box 516, St. Louis, MO 63166–0516
N47878 (MAJ00019)—GUV
Naval Technical Representative Detachment Lynn, General Electric Company, Aircraft Engine Business Group, 1000 Western Avenue, Lynn, MA 01910–0445
N47879 (MAJ00019)—GU0–B
Naval Technical Representative Detachment Stratford, United Technologies Corporation, Sikorsky Aircraft Division, Stratford, CT 06497
N48142 (MAJ00012)—V80–1
Assistant Secretary of the Navy, Research Development and Acquisition, Washington, DC 20350–1000
N48521 (MAJ00019)—GUX
Naval Technical Representative Detachment Bell, Bell Helicopter Textron, P.O. Box 482, Bldg. 2, Fort Worth, TX 76101
N48758 (MAJ00070)—V5R
Naval Air Pacific Repair Activity Plant Rep. Office, Box 39, FPO Seattle 98767–2710
N52731 (MAJ00072)—LCU
Reserve Naval Construction Force, First Reserve Naval Construction Brigade, Support Detachment, Naval Construction Battalion Center, Bldg. 121, Gulfport, MS 39501–5016
N52846 (MAJ00019)—EFA–B
Naval Aviation Depot Operations Center Detachment, European Repair and Rework Activity (NERRA), (Naples, Italy), Box 50, FPO New York 09520–5000
N52855—LZ
Special Boat Unit 11, FPO San Francisco 96601–4517
N53210 (MAJ00060)—LHJ–K
Assault Craft Unit 2, Naval Amphibious Base, Little Creek, Norfolk, VA 23520
N53825—GY
Naval Surface Force, US LANTFLT, Norfolk, VA 23511–6002
N53999 (MAJ00060)—J0Q–R
Seal Team Six, Naval Amphibious Company, Norfolk, VA 23521
N55131 (MAJ00060)—J0A–B
Cargo Handling and Port Group, Williamsburg, VA 23187–5792
N55322 (MAJ00060)—LHN
Explosive Ordnance Disposal Group Two, Fort Story, VA 23459–5024
N55418 (MAJ00070)—V50
Naval Antarctic Support Unit, (Christchurch, New Zealand), FPO San Francisco 96690
N57007—V0
Commander, Middle East Force (Jufair, Bahrain), FPO New York 09501–6008
N57012—GQ
Commander Naval Air Force, U.S. Atlantic Fleet, Naval Air Station, Norfolk, VA 23511
N57016 (MAJ00060)—J0N

Commander Submarine Force, U.S. Atlantic Fleet, Norfolk, VA 23511–6296
N57023—GT
Commander, Operational Test and Evaluation Force, Naval Base, Norfolk, VA 23511
N57032 (MAJ00061)—NLF–H
Naval Air Facility (Mildenhall, UK), FPO New York 09127–5000
N57049 (MAJ00060)—J0E–F, V–X
Naval Support Facility (Antigua, West Indies), FPO Miami 34054
N57053 (MAJ00070)—LPQ
Naval Facility, Centreville Beach, Ferndale, CA 95536–9766
N57070 (MAJ00060)—LH7
Commander, Undersea Surveillance, U.S. Atlantic Fleet, Norfolk, VA 23511–6687
N57075 (MAJ00060)—LH9
Commanding Officer, Naval Facility (Argentia, Canada), FPO New York 09597–1051
N57095 (MAJ00060)—LH0–1
Atlantic Fleet Headquarters Support Activity, CINCLANTFLEET, Norfolk, VA 23511
N57100 (MAJ00070)—LP0–1
Naval Special Warfare Group One, NAVPHIBASE Coronado, San Diego, CA 92155
N60002 (MAJ00018)—QAD
Commanding Officer, Naval Hospital, Millington, TN 38054
N60028—QC
Naval Station, Treasure Island, San Francisco, CA 94130
N60036—QD
Naval Weapons Station, Concord, CA 94520
N60042 (MAJ00070)—LPU
Naval Air Facility, El Centro, CA 92243
N60050—HD
Marine Corps Air Station, El Toro, Santa Ana, CA 92709
N60087—3P
Naval Air Station, Brunswick, ME 04011
N60169—W0
Commanding Officer, Marine Corps Air Station, Beaufort, SC 29904
N60191—4A
Naval Air Station, Oceana, Virginia Beach, VA 23460
N60200—3G
Commanding Officer, Naval Air Station, Cecil Field, FL 32215
N60201—L7
Commanding Officer, Naval Station, P.O. Box M, Mayport, FL 32228
N60211—3D
Naval Auxiliary Landing Field, Crows Landing, CA 95313
N60234—4R
Naval Air Station, Whiting Field, OLF Saufley Field, Pensacola, FL 32508
N60241—3X
Commanding Officer, Naval Air Station, Bldg. 2701, Kingsville, TX 78363
N60258—GK
Long Beach Naval Shipyard, Long Beach, CA 90801
N60259—H9
Naval Air Station, Miramar, San Diego, CA 92145–5000
N60268 (MAJ62980)—MQ0–1
Navy Recruiting District Chicago, Glenview, IL 60026–5200
N60376—3Y
Commanding Officer, Naval Air Station, Chase Field, Beeville, TX 78103
N60462—WE
Naval Air Station, Adak (Alaska), FPO Seattle, WA 98791–1200
N60478—3C
U.S. Naval Weapons Station, Earle, Colts Neck, NJ 07722
N60495—3T
Naval Air Station, Fallon, NV 89406
N60508—4Q
Commanding Officer, Naval Air Station, Whiting Field, Milton, FL 32570
N60514—GL
Commanding Officer, Naval Station (Guantanamo Bay, Cuba), Box 33, FPO New York 09593
N60530—GM
Naval Air Warfare Center, Weapons Division, China Lake, CA 93555
N60656—GN
Navy Exchange, Naval Station, Annapolis, MD 21402
N60663—GR
Officer in Charge, Navy Resale Activity, Commissary Support Office, Naval Base, Bldg 2600, Great Lakes, IL 60088
N60666—GS
Navy Exchange, Naval Air Station, Key West, FL 33040
N60676—GX
Navy Resale and Services Support Office, Field Support Office Commissary Div., Naval Air Station, Mechanicsburg, PA 17055
N60681—HA
Commissary OPS Division, NAVRESSOFSO, Naval Station, San Diego, CA 92136
N60693—HB
Navy Resale Activity, Commissary Support Office, Naval Base Pearl Harbor, Box 110, Pearl Harbor, HI 96860
N60701—4M
Naval Weapons Station, Seal Beach, CA 90740
N60865 (MAJ00070)—V5X
Naval Forces, Marianas, (Guam), FPO San Francisco 96630
N60872 (MAJ00070)—V5T
Naval Magazine (Guam), FPO San Francisco 96630–1300
N60895—HF
Commissary OPS Division, NAVRESSOFSO, Naval Air Station, Alameda, CA 94501
N60921—HG, FH
Commander, Naval Surface Warfare Center, Dahlgren Division, Detachment White Oak, 10901 New Hampshire Avenue, Silver Spring, MD 20903
N60935—HH
Commissary OPS Div, NAVRESSOFSO, Naval Air Station, Jacksonville, FL 32212
N60936—HJ
Navy Resale Activity Commissary Support Office, Naval Air Station, Pensacola, FL 32508
N60937—HK
Navy Exchange Det., Naval Support Activity, New Orleans, LA 70140
N60938—HL
Navy Resale Activity, Commissary Support Office, Naval Air Station, Corpus Christi, TX 78419
N60939—HM
Navy Exchange, Naval Air Station, Memphis 32, Millington, TN 38054
N60951 (MAJ00060)—LHU
Fleet Accounting and Disbursing Center, Operating Forces Accounting, U.S. Atlantic Fleet, Norfolk, VA 23511–6096
N60956 (MAJ00012)—V8J–N
Navy Regional Finance Center, Great Lakes, IL 60088–5797
N61115—HN
Navy Exchange Activity, Submarine Base, New London, Groton, CT 06340
N61119—HP
Naval Supply Depot, Guam, PSC 455, Box 190, FPO AP 96540–1500
N61165—NN
Supply Officer, Bldg NS46, Naval Station, Charleston, SC 29408–5000
N61174—7B
Naval Station, New York, Brooklyn, NY 11251
N61189 (MAJ00060)—J0T
Naval Station, Philadelphia, PA 19112
N61217—HQ
Navy Exchange, Naval Air Station, Bermuda, FPO New York 09560
N61331—HR
Naval Surface Warfare Center, Dahlgren Division, Coastal Systems Station, Panama City, FL 32407
N61337—H0
Commanding Officer, Naval Hospital, Beaufort, SC 29904
N61339—HT
Commanding Officer, Naval Training Systems Center (N–601), 12350 Research Parkway, Orlando, FL 32826–3275
N61414—4B
Naval Amphibious Base, Little Creek,

Norfolk, VA 23521
N61463 (MAJ00060)—LHC
Naval Base, Norfolk, VA 23511–6002
N61466
Commander, Naval Base, Bldg NH48, Charleston, SC 29408
N61510—HU
Navy Exchange, Naval Station, (Guam) Box 179, FPO San Francisco, CA 96630
N61533—HW
David W. Taylor Naval Ship Research and Development Laboratory, Annapolis, MD 21402
N61564—FS
Naval Hospital, NAVBASE (Guantanamo Bay, Cuba), FPO New York 09593
N61577 (MAJ00070)—V5P
Naval Air Station, Agana (Guam), Box 60, FPO San Francisco 96630–1200
N61581 (MAJ00070)—4LT
Fleet Activities, Naval Base, (Yokosuka, Japan), FPO Seattle 98762–1100
N61685 (MAJ00065)—S0A
Naval Oceanography Command Center (Guam), Box 12, FPO San Francisco 96630–2926
N61726—QL
Naval Hospital, Naval Submarine Base New London, Groton, CT 06349
N61751 (MAJ00018)—MCK,M,N,P
Naval Medical Research Unit No. 3, Cairo (Egypt), FPO New York 09527–1600
N61755 (MAJ00070)—V5E
Naval Station (Guam), FPO San Francisco 96630–1000
N61762—HY
Naval Ordnance Missile Test Station, White Sands Missile Range, NM 88002
N62021—7V
Naval Amphibious Base, Coronado, San Diego, CA 92155
N62161—HZ
Navy Exchange Det, NAVCOMSTA, Rough and Ready Island, Stockton, CA 95203
N62190 (MAJ00014)—EEY
Commanding Officer, Naval Research Laboratory, Underwater Sound Reference Detachment, P.O. Box 8337, Orlando, FL 32856
N62191 (MAJ00062)—L97
Commanding Officer, Naval Reserve Officers Training Corps and Naval Administrative Unit, Room 20E–125, Massachusetts Institute of Technology, Cambridge, MA 02139
N62254 (MAJ00070)—4LX
Commander Fleet Activities, Okinawa, Naval Air Facility, Kadena (Ryukyu Islands Southern), Box SU/CR, FPO Seattle 98770–1100
N62269—JC
Commander, Naval Air Warfare Center, Aircraft Division Warminster, Warminster, PA 18974
N62271—QE
Naval Postgraduate School, Monterey, CA 93940
N62285 (MAJ00065)—S00–1
Naval Observatory, Washington, DC, 34th and Massachusetts Avenue, NW, Washington, DC 20390–5100
N62306—7C
Commanding Officer (Code 4410), Naval Oceanographic Office, Stennis Space Center, Bay St. Louis, MS 39552
N62367 (MAJ00023)—4JC
Navy Clothing and Textile Research Facility, 21 Strathmore Road, Natick, MA 01760–2490
N62376—4K
Commanding Officer, Naval Air Warfare Center, Aircraft Division Trenton, P.O. Box 7176, Trenton, NJ 08628
N62381—JG
Military Sealift Command, Atlantic, Military Ocean Terminal, Building 42, Bayonne, NJ 07002
N62382
Military Sealift Command Office, Gulf Subarea, 4400 Dauphin Street, New Orleans, LA 70146
N62383—JH
Military Sealift Command, Pacific, Naval Supply Center, Oakland, CA 94625
N62387
Commander, Military Sealift Command Central Technical Activity (Code M10–3), 4228 Wisconsin Avenue, Washington, DC 20016
N62395—JK
Navy Public Works Center, (Marianas Islands, Guam), FPO San Francisco 96630–2937
N62401—3F
Defense Printing Service Branch Office, The Pentagon, Washington, DC 20350–3000
N62404—JJ
Military Sealift Command, Far East, (Yokohama, Japan), FPO Seattle 98760
N62410 (MAJ62980)—MQ6
Navy Recruiting District, P.O. Box 8667, Albuquerque, NM 87198–8667
N62412 (MAJ62980)—MLR
Commanding Officer, Navy Recruiting District, Perry Hill Office Park, 3815 Interstate Court, Montgomery, AL 36109–5294
N62415 (MAJ62980)—MLX
Commanding Officer, Navy Recruiting District, Strom Thurmond Federal Bldg., Suite 771, 1835 Assembly Street, Columbia, SC 29201–2430
N62416—NV
Navy Recruiting District Columbus, Room 609 Federal Bldg., 200 North High Street, Columbus, OH 44142–2474
N62419
Commanding Officer, Navy Recruiting District, Melrose Bldg., 1121 Walker Street, Houston, TX 77002
N62421 (MAJ62980)—MQM
Commanding Officer, Navy Recruiting District, 8925 North Meridian Street, Room 250, Indianapolis, IN 46260
N62422
Commanding Officer, Navy Recruiting District, 2974 Woodcock Drive, Jacksonville, FL 32207
N62423
Commanding Officer, Navy Recruiting District, 301 Center Street, Little Rock, AR 72201
N62425
Commanding Officer, Navy Recruiting District, 1808 West End Ave., Suite 1312, Nashville, TN 37203
N62427 (MAJ62980)—MLP
Navy Recruiting District Omaha, Overland-Wolf Bldg., 6910 Pacific, Omaha, NE 68106
N62429 (MAJ62980)—MLE
Navy Recruiting District Portland, 1220 SW Third Avenue, Suite 576, Portland, OR 97204
N62430
Commanding Officer, Navy Recruiting District, 1001 Navaho Drive, Raleigh, NC 27609
N62432 (MAJ62980)—MQG
Navy Recruiting District, St. Louis, 1222 Spruce Street, St. Louis, MO 63103–2814
N62435 (MAJ62980)—MQE
Navy Recruiting District Boston, 495 Summer Street, Boston, MA 02210–2103
N62437 (MAJ62980)—MQ4
Commanding Officer, Navy Recruiting District, 918 So. Ervay Street, Dallas, TX 75201
N62438 (MAJ62980)—MLQ
Navy Recruiting District Denver, Capital Life Center, 3rd Floor, 1600 Sherman Street, Denver, CO 80203–1668
N62440 (MAJ62980)—MLT
Navy Recruiting District, 2420 Broadway, Kansas City, MO 64108
N62441 (MAJ62980)—MLG
Navy Recruiting District Los Angeles, 5051 Rodeo Road, Los Angeles, CA 90016
N62442
Commanding Officer, Navy Recruiting District Atlanta, 612 Tinker Street, Suite C, Marietta, GA 30060
N62443 (MAJ62980)—MLV
Navy Recruiting District, Federal Office Bldg., 2nd & Washington Avenues, S., Minneapolis, MN 55401
N62444
Commanding Officer (Code 602–2C),

Navy Recruiting District, 4400 Dauphine Street, New Orleans, LA 70146

N62448 (MAJ62980)—MLN
Navy Recruiting District San Francisco, 1500 Broadway, Room 210, Oakland, CA 94612–1430

N62449 (MAJ62980)—MLC
Navy Recruiting District Seattle, Naval Station, Bldg 30, Seattle, WA 98115–5105

N62467—JM
Commanding Officer, Naval Facilities Engineering Command Southern Division, (SOUTHNAVFACENGCOM), 2155 Eagle Drive, P.O. Box 10068, Charleston, SC 29411–0068

N62470—JN
Naval Facilities Engineering Command, Atlantic Division, Norfolk, VA 23511

N62471—N7
Officer in Charge of Construction, Naval Facilities Engineering Command Contracts, Mid-Pacific, Pearl Harbor, HI 96860

N62472—JP
Naval Facilities Engineering Command, Northern Division, U.S. Naval Base, Philadelphia, PA 19112

N62474—JR
Naval Facilities Engineering Command, Western Division, San Bruno, CA 94066

N62477—JU
Naval Facilities Engineering Command, Chesapeake Division, Washington Navy Yard, Washington, DC 20374

N62481—N8
Naval Air Station (Bermuda), FPO New York 09560

N62507 (MAJ00070)—4LJ
Commanding Officer, Naval Air Facility (Atsugi, Japan), Box 3, FPO Seattle 98767–1200

N62522—JV
Military Sealift Command, Europe, (London, UK), Box 3, FPO New York 09510–3700

N62535—HE
Marine Corps Air Station (HELO), Tustin, CA 92710

N62537
Military Sealift Command, Mediterranean Sub-Area, (Naples, Italy), Box 23, FPO New York 09521–0600

N62538—K1
Military Sealift Command Office, Middle Atlantic, NSC, Bldg Y100A, Norfolk, VA 23512

N62539
Military Sealift Command Office, United Kingdom, (London, UK), Box 29, FPO New York 09510–3700

N62573—K8
Marine Corps Air Station, New River Plaza, Jacksonville, NC 28540

N62576 (MAJ00023)—4JG
Defense Printing Service Branch Office, 700 Robbins Avenue, Philadelphia, PA 19111–5094

N62578—J2
Naval Construction Battalion Center, Davisville, RI 02854

N62583—J3
Naval Construction Battalion Center, Port Heuneme, CA 93041

N62585—K3
Commander, Naval Activities, United Kingdom, (London, UK), FPO New York 09510

N62586 (MAJ00070)—V5A–B
Naval Ship Repair Facility (Guam), FPO San Francisco 96630–1400

N62588—NR
Naval Support Activity (Naples, Italy), FPO New York 09521

N62593—
Director, Defense Printing Service Det Office, Southeast Div., 4400 Dauphine St., Unit 601–3–B, New Orleans, LA 70146

N62603
Commanding Officer Fleet & Mine Warfare Training Center, Naval Base, Bldg 647, Charleston, SC 29408

N62604—J4
Commanding Officer, Naval Construction Battalion Center, Gulfport, MS 39501

N62613 (MAJ00027)—MUE
Commanding Officer, Marine Corps Air Station, (Iwakuni, Japan), FPO Seattle 98764–5001

N62638 (MAJ00072)—LCN
Naval Inshore Undersea Warfare, Group Two, NSC Cheatham Annex, Bldg. 111, Williamsburg, VA 23187–8792

N62645—EG
Naval Medical Logistics Command, Fort Detrick, Frederick, MD 21701–5015

N62649—JY
Naval Supply Depot (Yokosuka, Japan), FPO Seattle 98762

N62651
Director, Defense Service Office, Southeast Division, Pensacola, FL 32508

N62653 (MAJ00023)—4JW–X
Director, Defense Printing Service Branch Office, Southeast Division, Bldg. 1628, Naval Base, Charleston, SC 29408

N62654 (MAJ00019)—EFE
Naval Weapons Evaluation Facility, Kirtland AFB, Albuquerque, NM 87117

N62661 (MAJ00062)—L97
Naval Education and Training Center, Newport, RI 02841–5000

N62665—JQ
Supervisor of Shipbuilding, Conversion and Repair, USN, Barnes Building—6th Floor, 495 Summer Street, Boston, MA 02210

N62670—8B
Supervisor of Shipbuilding, Conversion and Repair, USN, Drawer T, Mayport Naval Station, Jacksonville, FL 32228

N62673—8P
Supervisor of Shipbuilding, Conversion and Repair, USN, Naval Base, Charleston, SC 29408

N62678—8C
Supervisor of Shipbuilding, Conversion and Repair, USN, P.O. Box 215, Portsmouth, VA 23705

N62686—T0
Defense Printing Service Office, Naval District Washington, Building 157–2, Washington Naval Yard, Washington, DC 20374–1572

N62688—GW
Naval Station, Naval Base, Norfolk, VA 23511–6002

N62695
Auditor General of the Navy, Naval Audit Services Headquarters, P.O. Box 1206, Falls Church, VA 22041

N62700 (MAJ00023)—4JJ
Defense Printing Service Detachment Office, Northern Division, Bldg 2A, Great Lakes, IL 60088–5708

N62703 (MAJ00023)—4JA
Defense Printing Service Branch Office, Bldg 530, Puget Sound Naval Shipyard, Bremerton, WA 98314

N62705 (MAJ00023)—4JN
Defense Printing Service Detachment Office, Naval Supply Center, Oakland, CA 94625–5045

N62706—JS
Defense Printing Service Branch Office, Western Division, Bldg. 154, San Diego, CA 92136–5148

N62707 (MAJ00023)—4JS–U
Defense Printing Service Detachment Office, Western Area, Pearl Harbor, Box 126, Pearl Harbor, HI 96860–5120

N62735 (MAJ00070)—4LP
Commander, Fleet Activities, (Sasebo, Japan), FPO Seattle 98766–1100

N62741—MB
Commanding Officer, Navy Supply Corps School, Code 60, Athens, GA 30606

N62742—KB
Naval Facilities Engineering, Command, Pacific Division, Pearl Harbor, HI 96860

N62745 (MAJ00025)—FZC–E
Officer in Charge of Construction, Naval Facilities Engineering Command Contracts, Mediterranean (Madrid, Spain), APO New York 09285

N62755—J7
Commanding Officer, Navy Public Works Center, Pearl Harbor, HI

96860–5470
N62757 (MAJ00072)—9TV–Y
Naval Reserve Center, 7410 West Roosevelt Road, Forest Park, IL 60130–2592
N62762 (MAJ00024)—EHU–W
Navy Shipbuilding Liaison Office, Spain, Box 36, (Madrid, Spain), APO New York 09285
N62766—L1
Officer in Charge of Construction, Naval Facilities Engineering Command Contracts (Guam), FPO San Francisco, CA 96630
N62770 (MAJ00070)—LPJ–L
Naval Ship Repair Facility, (Subic Bay, Philippines), Box 34, FPO San Francisco 96651–1400
N62786—ER
Supervisor of Shipbuilding, Conversion and Repair, USN, 574 Washington Street, Bath, ME 04530–0998
N62789—L8
Supervisor of Shipbuilding, Conversion and Repair, USN, Groton, CT 06340
N62791—NU
Supervisor of Shipbuilding, Conversion and Repair, USN, Naval Station, Box 119, San Diego, CA 92136–5119
N62793—4T
Supervisor of Shipbuilding, Conversion and Repair, USN, Newport News, VA 23607–2785
N62794—7D
Supervisor of Shipbuilding, Conversion and Repair, USN, Flushing & Washington Avenues, Brooklyn, NY 11251–9000
N62795—7F
Supervisor of Shipbuilding, Conversion and Repair, USN, Pascagoula, MS 39568–2210
N62798—4X
Supervisor of Shipbuilding, Conversion and Repair, USN, San Francisco, CA 94124–2996
N62799—7M
Supervisor of Shipbuilding, Conversion and Repair, USN, Seattle, WA 98115–5001
N62802 (MAJ00012)—V8P
Naval Audit Service Northeast Region, 5 Executive Campus, Suite 200, Cherry Hill, NJ 08002–4104
N62808 (MAJ00025)—FZ0
Public Works Center, Subic Bay, (Luzon, Republic of the Philippines), FPD San Francisco 96651–2900
N62816 (MAJ00023)—L5A–C
Defense Printing Service Det. Br. Office(Naples, Italy), Box 108, FPO New York 09524–1400
N62832
Naval Activities (Rota, Spain), FPO New York 09540
N62836—L4
Officer in Charge of Construction, Naval Facilities Engineering Command Contracts, Far East, Yokosuka, Box 61, FPO Seattle, WA 98762
N62841 (MAJ00030)—EKA
Commanding Officer, Naval Ordnance Test Unit, Cape Canaveral, FL 32920–1623
N62844—K0
Naval Imaging Command, Washington Navy Yard, Washington, DC 20350–2000
N62849 (MAJ00019)—EFC
Naval Aviation Engineering Service Unit, Philadelphia, PA 19112–5088
N62852
Naval Electronic System Security Engineering Center, Naval Security Station, 3801 Nebraska Avenue, NW, Washington, DC 20390
N62856 (MAJ00060)—LHW–X
Naval Air Facility (Lajes Azores, Portugal), APO New York 09406–5000
N62863—K4
Naval Station (Rota, Spain), FPO New York 09540
N62864—L2
Officer in Charge of Construction, Naval Facilities Engineering Command Contracts, Southwest Pacific (Manila, Philippines), APO San Francisco, CA 96528
N62892 (MAJ00069)—8QA
Commanding Officer, Naval Security Group Activity, Site "B", Card Sound Road, Homestead, FL 33039–6428
R62894 (MAJ00070)—4LA
Commander, U.S. Naval Forces Korea (Yongsan, South Korea), APO San Francisco, CA 96301–0023
N62907—KG
Naval Plant Representative Office, Applied Physics Laboratory, Johns Hopkins Road, Laurel, MD 20810
N62908—8D
Naval Weapons Engineering Support Activity, Washington Navy Yard, Washington, DC 20374
N62911 (MAJ62980)—MQC
Navy Recruiting Area One, Scotia, NY 12302–9462
N62913 (MAJ62980)—MLL
Commander, Naval Recruiting Area Three, 451 College Street, P.O. Box 4887, Macon, GA 31208–4887
N62915 (MAJ62980)—MQJ
Navy Recruiting Area Five, Building 3, NTC, Great Lakes, IL 60088–5135
N62917 (MAJ62980)—ML0–1
Commander, Navy Recruiting Area Seven, 1499 Regal Row, Suite 501, Dallas, TX 75247
N62918 (MAJ62980)—MLA
Navy Recruiting Area Eight, 7677 Oakport Street, Suite 650, Oakland, CA 94621–1929
N62922—7W
Resident Officer in Charge of Construction, Pacific, Department of the Navy, P.O. Box 418, San Bruno, CA 94067
N62954 (MAJ62980)—MQN
Navy Recruiting District Cleveland, 17535 Rosbough Boulevard, Middleburgh Heights, OH 44130
N62974—JB
Marine Corps Air Station, Yuma, AZ 85364
N62980—ML*, MQ*, NV*, MQR–Z
Bureau of Naval Personnel, Washington, DC 20370–5000
N62990—L3
Supervisor of Shipbuilding, Conversion and Repair, USN, P.O. Box 26, Sturgeon Bay, WI 54235
N62995—4H
Naval Air Station, Sigonella (Italy), FPO New York 09523
N63005 (MAJ00011)—LBL–N
Commanding Officer, Administrative Support Unit, Bahrain, FPO New York 09526
N63007 (MAJ00060)—LHS
Nuclear Weapons Training Group, Atlantic, Norfolk, VA 23511
N63015—7Y
Naval Education and Training Support Center, Pacific Fleet Station, PO Bldg, San Diego, CA 92132
N63026 (MAJ00027)—MUJ
Marine Corps Air Station (Futenma, Japan), FPO Seattle 98772–5001
N63028—U2
Polaris Missile Facility Atlantic, Charleston, SC 29408
N63032—KS
U.S. Naval Station, Keflavik (Iceland), FPO New York 09571
N63038—8M
U.S. Naval Computer and Telecommunications Station, Cutler, East Machias, ME 04630
N63042—NZ
Naval Air Station, Lemoore, CA 93245
N63043—3S
Commanding Officer, Naval Air Station, Meridian, MS 39301
N63051
Commanding Officer, Naval Investigative Service, Southeast Region, Naval Base, Bldg NH 53, Charleston, SC 29408
N63053
Commanding Officer, Naval Investigative Service Regional Office, P.O. Box 6438, New Orleans, LA 70174
N63055 (MAJ00011)—LBJ
Naval Investigative Service, Mid-Atlanta Region Norfolk, 293 Independence Blvd, Suite 525, Pembroke 5, Virginia Beach, VA 23462
N63058 (MAJ00011)—LBC

Naval Investigative Service, Northwest Region, P.O. Box 4247, Walnut Creek, CA 94596

N63073 (MAJ00069)—8Q6–8
U.S. Naval Security Group Activity RAF (Edzell UK), FPO New York 09518

N63080—KT
Navy Resale Activity, Chinhae (South Korea), FPO Seattle, WA 98769

N63082
Commanding Officer, Naval Technical Training Center, Corry Station (Code 4460), Pensacola, FL 32511

N63110
Commanding Officer, Chief of Naval Air Training (Code N–73), Naval Air Station, Corpus Christi, TX 78419

N63111
Commanding Officer, Chief of Naval Technical Training, Naval Air Station, Memphis, Millington, TN 38054

N63124 (MAJ00024)—U00–9
Supervisor of Shipbuilding, Conversion and Repair, USN, New Orleans, LA 70146

N63134—7R
Fleet Numerical Oceanography Center, Monterey, CA 93940

N63135 (MAJ00023)—4JD–E
Defense Printing Service Management Office, Washington, DC 20374–1762

N63136
Navy Section, U.S. Military Group, Argentina (Buenos Aires), Department of State, Washington, DC 20521

N63143—8K
Naval Computer and Telecommunications Station (Keflavik, Iceland), Box 22, FPO New York 09571

N63152—GZ
Fleet Combat Direction Systems, Support Activity, San Diego, CA 92147–5081

N63165—7U
Navy Regional Data Automation Center, Washington, Washington Navy Yard, Washington, DC 20374

N63182—8T
Naval Computer and Telecommunications Station (Rota, Spain), FPO New York 09539

N63204—KV
Naval Plant Representative Office, Goodyear Aerospace Corp., Akron, OH 44305

N63209 (MAJ00062)—L9A
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of New Mexico, Albuquerque, NM 87106

N63210 (MAJ00062)—L9B
Commanding Officer, Naval Reserve Officers Training Corps Unit, Iowa State University of Science and Technology, Ames, IA 50011–3010

N63211 (MAJ00062)—L9C
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Michigan, Ann Arbor, MI 48109–1085

N63212 (MAJ00062)—L9G
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Texas at Austin, Austin, TX 78712

N63213 (MAJ00062)—L9J
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of California, Berkeley, CA 94720–0001

N63214 (MAJ00062)—L9M
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Colorado, Box 374, Boulder, CO 80309–0374

N63215 (MAJ00062)—L9U
Commanding Officer, Naval Reserve Officers Training Corps Unit, Illinois Institute of Technology, 3300 S. Federal Street, Chicago, IL 60616–3793

N63216 (MAJ00062)—L9W
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Missouri, Columbia, MO 65201

N63217 (MAJ00062)—L9Z
Commanding Officer, Naval Reserve Officers Training Corps Unit, Oregon State University, Corvallis, OR 97331

N63218 (MAJ00062)—R0B
Commanding Officer, Naval Reserve Officers Training Corps Unit, Northwestern University, Evanston, IL 60201

N63219 (MAJ00062)—R0E, L99
Commanding Officer, Naval Reserve Officers Training Corps Unit, Rice University, P.O. Box 1892, Houston, TX 77001

N63220 (MAJ00062)—R0L
Commanding Officer, Naval Reserve Officers Training Corps Unit, UCLA, Mens Gym Room 123, 405 Milgard Avenue, Los Angeles, CA 90024–1399

N63221 (MAJ00062)—8AB
Commanding Officer, Naval Reserve Officers Training Corps Unit, PED 101, University Park MC 0654, University of Southern California, Los Angeles, CA 90089–0654

N63222 (MAJ00062)—R0H
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Kansas, Lawrence, KS 66044

N63223 (MAJ00062)—R0K
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Nebraska, Lincoln, NE 68508

N63224 (MAJ00062)—8AD
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Wisconsin, 1610 University Avenue, Madison, WI 53705

N63225 (MAJ00062)—8AH
Commanding Officer, Naval Reserve Officers Training Corps Unit, Marquette University, Milwaukee, WI 53233

N63226 (MAJ00062)—8AJ
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Minnesota, Minneapolis, MN 55455–0108

N63227 (MAJ00062)—8AK
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Idaho, Moscow, ID 83843–3244

N63228 (MAJ00062)—8AM
Commanding Officer, Naval Reserve Officers Training Corps Unit, Tulane University, New Orleans, LA 70118

N63229 (MAJ00062)—8AN
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Oklahoma, Norman, Oklahoma 73019

N63230 (MAJ00062)—8AR
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Notre Dame, Notre Dame, IN 46556–5601

N63231 (MAJ00062)—8AW
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Utah, Salt Lake City, UT 84112–1107

N63232 (MAJ00062)—8AY
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Washington, Seattle, WA 98195

N63234 (MAJ00062)—L9Q
Commanding Officer, Naval Reserve Officers Training Corps Unit, 505 East Armory Street, University of Illinois, Champaign, IL 61820–6288

N63235 (MAJ00062)—R05
Commanding Officer, Naval Reserve Officers Training Corps Unit, Purdue University, West Lafayette, IN 47907–0001

N63273—4S
Fleet Combat Direction Systems Support Activity, Dam Neck, Port Hueneme Division, Naval Surface Warfare Center, Virginia Beach, VA 23461

N63274—4F, 4W
Naval Electronic Systems Engineering Center, Vallejo, CA 94592

N63285 (MAJ00011)—LB0
Naval Security and Investigative Command, Washington, DC 20388

N63290 (MAJ00062)—R00–1

Commanding Officer, Combat Systems Technical Schools Command, Mare Island, Vallejo, CA 94592

N63291 (MAJ00062)—R0F
Commanding Officer, Naval Reserve Officers Training Corps Unit, Barton Hall, Cornell University, Ithaca, NY 14853

N63294 (MAJ00062)—8AV
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Rochester, Rochester, NY 14627

N63295 (MAJ00062)—R0M
Commanding Officer, Naval Reserve Officers Training Corps Unit, Rensselaer Polytechnic Institute, Troy, NY 12180–3590

N63296 (MAJ00062)—L9F
Commanding Officer, Naval Reserve Officers Training Corps Unit, Auburn University, Auburn, AL 36830

N63299 (MAJ00062)—R0A
Commanding Officer, Naval Reserve Officers Training Corps Unit, Duke University, Durham, NC 27706

N63301 (MAJ00062)—L9D
Commanding Officer, Naval Reserve Officers Training Corps Unit, Georgia Tech, Atlanta, GA 30313

N63303 (MAJ00062)—R0U
Commanding Officer, Naval Reserve Officers Training Corps Unit, College of the Holy Cross, Worcester, MA 01610–2389

N63306 (MAJ00062)—8AS
Commanding Officer, Naval Reserve Officers Training Corps Unit, Miami University, Oxford, OH 45056–1698

N63307 (MAJ00062)—R0N
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Mississippi, Box 69, University, MS 38677

N63308 (MAJ00062)—L9R
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of North Carolina, Chapel Hill, NC 27515

N63309 (MAJ00062)—L9Y
Commanding Officer, Naval Reserve Officers Training Corps Unit, The Ohio State University, Columbus, OH 43210–1169

N63310 (MAJ00062)—R0P
Commanding Officer, Naval Reserve Officers Training Corps Unit, Wagner Bldg., The Pennsylvania State University, University Park, PA 16802

N63311 (MAJ00062)—8AT
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Pennsylvania, Philadelphia, PA 19104

N63313 (MAJ00062)—L9X
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of South Carolina, Columbia, SC 29208

N63315 (MAJ00062)—8AL
Commanding Officer, Naval Reserve Officers Training Corps Unit, Vanderbilt University (Westside Hall), Nashville, TN 37240

N63316 (MAJ00062)—R0R
Commanding Officer, Naval Reserve Officers Training Corps Unit, Villanova University, Villanova, PA 19085–1699

N63317 (MAJ00062)—L9T
Commanding Officer, Naval Reserve Officers Training Corps Unit, Maury Hall, University of Virginia, Charlottesville, VA 22903–3194

N63325—7X
Naval Education & Training Support Center, Atlantic, Bldg. Z–86, Naval Station, Norfolk, VA 23511

N63339—LL
Navy Exchange, Naval Air Station, Adak (Alaska), FPO Seattle, WA 98791

N63340—LM
Navy Exchange, Newfoundland (Argentia, Canada), FPO New York 09597

N63341—LN
Navy Exchange Det., Naval Air Station, Chase Field, Beeville, TX 78102

N63344—LR
Navy Commissary Store Region, Charleston, SC 29408

N63345—LS
Navy Exchange, Naval Station, Guantanamo Bay (Cuba), FPO New York 09598

N63346—LT
Navy Resale Activity, Commissary Support Office, Naval Station, Keflavik (Iceland), FPO New York 09571

N63348—LV
Navy Exchange Det., Naval Air Station, Kingsville, TX 78364

N63349—LW
Navy Exchange, Naval Air Station, Lemoore, CA 93246

N63350—3L
Navy Exchange (Dunstable, UK), FPO New York 09510

N63351—LY
Navy Commissary Store Region, Naval Station, Long Beach, CA 90802

N63352—KE
Navy Exchange Det., Naval Air Station, Meridian, MS 39301

N63353—MA
Officer in Charge, Navy Resale Activity, Commissary Support Office, Naval Support Activity, Naples (Italy), FPO New York 09521

N63357—ME
Navy Exchange, Naval Station, Rota (Spain), FPO New York 09540

N63362—MK
Officer in Charge, Navy Resale Activity, Commissary Support Office, Naval Station (Subic Bay, Philippines), P.O. Box 28, FPO San Francisco 96651

N63365—MN
Navy Resale Activity, Commissary Support Office (Yokosuka, Japan), Box 33, FPO Seattle 98762

N63367—MP
Officer in Charge, Commissary OPS Div., Navy Resale and Services Support Office, Field Support Office, Norfolk, VA 23511

N63369
Military Sealift Command Office, Benelux (Rotterdam, Netherlands), APO New York 09159

N63381 (MAJ00011)—LBA
Joint U.S. Military Advisory Group, Thailand (Bangkok, Thailand), APO San Francisco 96346

N63387—JD
Navy Public Works Center, Naval Base, San Diego, CA 92136

N63394—L6
Naval Surface Warfare Center, Port Hueneme Division, Port Hueneme, CA 93043

N63395—8L
U.S. Naval Communication Station Thurso (Caithness, UK), FPO New York 09516

N63402—K7
Commanding Officer, Strategic Weapons Facility, Pacific, Bremerton, WA 98383

N63406 (MAJ00070)—V5C
Naval Submarine Base San Diego, 140 Sylvester Road, San Diego, CA 92106–3521

N63408—HV
Navy Material Transportation Office, Norfolk, VA 23511–6691

N63410—KA
Navy Manpower and Material Analysis Center, Atlantic, Norfolk, VA 23511

N63427—8F
U.S. Naval Communication Station, Harold E. Holt, Exmouth, Western Australia, FPO San Francisco 96680

N63429—MH
Naval Computer and Telecommunications, Station London (UK), FPO New York 10000

N63439—K9
Naval Ophthalmic Support and Training Activity, Yorktown, VA 23690

N63543 (MAJ00072)—9TC
Naval Reserve Center, 3070 Ross Lane, Central Point, OR 97502–1399

N63821 (MAJ00039)—NSA–B
Officer in Charge, Naval Underwater Systems Center, AUTEC Andros

Range Detachment (Andros Island, Bahama Islands), FPO New York 09559
N63886 (MAJ00069)—8Q0–1
Naval Security Group Activity, (Adak, AK), FPO Seattle 98777
N63891 (MAJ00069)—8QG
Naval Security Group, Northwest, Chesapeake, VA 23322
N64165 (MAJ00062)—R0Z
Naval Unit, Lowry Air Force Base, CO 80230
N64181 (MAJ00062)—R0W
Department of Naval Science, Texas Maritime Academy, Galveston, TX 77553–1675
N64267—M9
Naval Warfare Assessment Center, Corona Annex, Corona, CA 91720
N64281—3U, KX
Commanding Officer, Naval Sea Combat Systems Engineering Station, Naval Station, Norfolk, VA 23511
N64356—KF
Commanding Officer, Naval Administrative Command, Armed Forces Staff College, Norfolk, VA 23511–6097
N64980 (MAJ00061)—NLA–C
Officer in Charge, Naval Weapons Facility, Detachment Machrihanish (UK), FPO New York 09515
N64981 (MAJ00061)—NL5–7
Commanding Officer, Naval Weapons Facility (St. Mawgan, UK), FPO New York 09511–9511
N65113—EZ
Navy Public Works Center, Bldg 1A, Great Lakes, IL 60088–5600
N65114 (MAJ00025)—EJC
Commanding Officer, Navy Public Works Center, Naval Air Station, Pensacola, FL 32508–6500
N65115 (MAJ00025)—FZA
Navy Public Works Center, Box 13 (Yokosuka, Japan), FPO Seattle 98762–3100
N65116—MZ
Officer in Charge, Navy-Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Washington Navy Yard, Washington, DC 20374–2001
N65146—7E
Procurement Branch, OP–09B31, Office of the Chief of Naval Operations Support Activity, Washington, DC 20350
N65198—3H
Naval Administrative Unit, 550 First Street, Idaho Falls, ID 83401
N65236—V7
Naval Electronic Systems Engineering Center, 4600 Goer Road, North Charleston, SC 29406
N65256 (MAJ00012)—V8C
Navy Office of Information, East, 133 East 58th Street, 1st Floor, New York, NY 10022
N65428 (MAJ00018)—MDP
Commanding Officer, Naval Hospital (Roosevelt Roads, PR), FPO Miami 34051–8100
N65440—4V
Officer in Charge, Navy Exchange, NAVCOMMSTA Harold E. Holt (Exmouth, Australia), FPO San Francisco 96680
N65491 (MAJ00018)—J5P
Naval Hospital (Subic Bay, Philippines), FPO San Francisco 96652–1600
N65492 (MAJ00018)—MCA
Commanding Officer, Naval Hospital, Fiscal & Supply Service, Code 32C, Orlando, FL 32813–5200
N65497—4U
Commissary OPS Division, NAVRESSO, Field Support Office, 2801 "C" Street, SW, Auburn, WA 98001
N65538 (MAJ00024)—U0D
Naval Sea Logistics Center, 5450 Carlisle Pike, P.O. Box 2060, Mechanicsburg, PA 17055–0795
N65540 (MAJ00024)—EHP–S
Carderock Division, Naval Surface Warfare Center Naval Base, Philadelphia, PA 19112–5083
N65575 (MAJ00018)—MCY
Naval Medical Clinic, Seattle, WA 98115
N65576
Navy Space Systems Activity, P.O. Box 92960, Worldway Postal Center, Los Angeles, CA 90009
N65580—M2
Naval Electronic Systems Engineering Center, P.O. Box 55, Portsmouth, VA 23705
N65584—EW, 3E, KU, 3B
Naval Electronic Systems Engineering Center, P.O. Box 80337—Building #4, Code 104, San Diego, CA 92138
N65849 (MAJ00012)—HXY–Z
Office of Civilian Personnel Management, Southwest Region, San Diego, CA 92188
N65870—M4
Supervisor of Shipbuilding, Conversion and Repair, USN Long Beach Naval Shipyard, Long Beach, CA 90822
N65886
Commanding Officer, Aviation Depot, Naval Air Station, Jacksonville, FL 32212
N65888—ED
Aviation Depot, North Island, San Diego, CA 92135
N65889
Commanding Officer, Aviation Depot, Naval Air Station, Code 56000, Pensacola, FL 32508
N65912—GP
Commanding Officer, Naval Sea Support Center, Atlantic, St. Juliens Creek Annex, Portsmouth, VA 23702
N65913—7L
Naval Sea Support Center, Pacific, San Diego, CA 92138
N65918—FT
Shore Intermediate Maintenance Activity, Naval Station, San Diego, CA 92136–5000
N65926 (MAJ00039)—NSA–B
Officer in Charge, Naval Underwater Systems Center Detachment, AUTEC West Palm Beach, West Palm Beach, FL 33402
N65928—N3
Naval Training Systems Center, Orlando, FL 32813
N65980 (MAJ00039)—NSL–N
Naval Electronic Systems Engineering Activity, St. Inigoes, MD 20684
N65995—KM
Officer in Charge, Naval Support Activity, (Holy Loch, UK), FPO New York 09514
N66001—7N
Naval Command Control and Ocean Surveillance Center, ROT&E Division, San Diego, CA 92152
N66021—7G
Naval Air Pacific Repair Activity, (Atsugi, Japan), FPO Seattle, WA 98767
N66022 (MAJ00018)—MDW,
Naval Dental Center, San Diego, CA
N66032—LK
Information Technology Acquisition Center, Building 218, Washington Navy Yard, Washington, DC 20374
N66074 (MAJ00062)—8AU
Commanding Officer, Naval Reserve Officers Training Corps Unit, Prairie View A&M University, Prairie View, TX 77445
N66094 (MAJ00018)—QAA–B
Naval Hospital, Cherry Point, NC 28533–5008
N66095 (MAJ00018)—J5E
Naval Hospital, NAS, Lemoore, CA 93246
N66096 (MAJ00018)—QAJ
Naval Hospital Naples, Box 19 (Naples, Italy), FPO New York 09521–0700
N66097 (MAJ00018)—MDE
Naval Hospital, Oak Harbor, WA 98278–8800
N66125 (MAJ00070)—V5J
Naval Facility (Guam), FPO San Francisco 96630–2903
N66231 (MAJ00072)—9TS
Naval Reserve Readiness Center, Bldg 2711, Naval Training Center, Great Lakes, IL 60088–5707
N66398 (MAJ62980)—ML6–7
Navy Motion Picture Service, Flushing & Washington Avenues, Brooklyn, NY 11251–8400
N66458 (MAJ00065)—S0C
Naval Oceanography Command

Facility, NAS, Brunswick, ME 04011–5000
N66540 (MAJ62980)—NVZ
Morale, Welfare and Recreation Division, Bureau of Naval Personnel, Washington, DC 20370–5000
N66604—N4
Naval Undersea Warfare Center, Newport, RI 02840
N66612 (MAJ00062)—L95
Commanding Officer, Naval Reserve Officers Training Corps Unit, The Citadel, Charleston, SC 29409–0770
N66630 (MAJ00072)—LCS
Naval Air Reserve, Naval Air Station, Point Mugu, CA 93042–5018
N66691—4P
Commanding Officer, Naval Support Activity, (Souda Bay, Crete, Greece), FPO New York 09528
N66715—VJ
Commander, Navy Recruiting Command, Washington, DC 22203–1191
N66753 (MAJ00062)—R0G
Commanding Officer, Naval Reserve Officers Training Corps Unit, Jacksonville University, Jacksonville, FL 32211
N66754 (MAJ00069)—8QX
Commanding Officer, Naval Security Group Activity, (Sabana Seca, PR), FPO Miami 34053
N66809 (MAJ00062)—R0V
Commanding Officer, Naval Reserve Officers Training Corps Unit, Savannah State College, Savannah, GA 31404
N66810 (MAJ00062)—L9H
Commanding Officer, Naval Reserve Officers Training Corps Unit, Southern University and A&M College, Baton Rouge, LA 70813
N66833 (MAJ00080)—LHL
Commanding Officer, U.S. Naval Station Panama (Rodman, Canal Zone), FPO Miami 34061–1000
N66863 (MAJ00018)—MCU–X
Commanding Officer, Naval Biodynamics Laboratory, 13800 Old Gentilly Road, Michout Assembly Facility, New Orleans, LA 70189
N66890—LJ
Naval Station, Mare Island, Supply and Fiscal Code 90, Bldg 851, Vallejo, CA 94592
N66898 (MAJ00018)—QAF
Commanding Officer, Naval Medical Clinic, New Orleans, LA 70142
N66957
Defense Printing Service Det. Office, Bldg. 2049, NTC, Orlando, FL 32813
N66959 (MAJ00023)—4JR
Defense Printing Service Det. Office, P.O. Box 3, NAS, Jacksonville, FL 32212
N66965 (MAJ00023)—4JQ
Defense Printing Service Det. Office, Point Mugu, CA 93042–5027
N66972
Commanding Officer, Navy Recruiting District, 5901 S.W. 74th Street, Miami, FL 33143
N67596
Commanding Officer, Navy Recruiting District, 102 W Rector Street, San Antonio, TX 78216
N68011
Commanding Officer, Navy Recruiting District, 8 North Third Street, Sterick Bldg., Memphis, TN 38103
N68047 (MAJ00070)—4L0
Naval Regional Contracting Center (Singapore), FPO San Francisco, CA 96699–2100
N68056—JE
Naval Medical Command Southwest Region, San Diego, CA 92134
N68057—VZ
Commanding Officer, Naval Regional Data Automation Center, Code 212, Norfolk, VA 23511
N68064 (MAJ00062)—R0D
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Florida, Van Fleet Hall, Room 26, Gainesville, FL 32601
N68072 (MAJ00062)—L9V
Commanding Officer, Naval Reserve Officers Training Corps Unit, Texas A&M University, College Station, TX 77843
N68073 (MAJ00063)—NTU
Naval Computer and Telecommunications Station Diego Garcia (British Indian Ocean Territory), FPO AP 96464–0008
N68084 (MAJ00018)—MDJ–M
Commanding Officer (Code 206), Naval Hospital, Charleston, SC 29408–6900
N68086—7S
Naval Hospital, Newport, RI 02841
N68088 (MAJ00061)—NLL–N
National Support Unit Headquarters, Commander-in-Chief Iberian Atlantic Area (Lisbon, Portugal), APO New York 09678–001
N68090 (MAJ00018)—MD0–9
Naval Hospital, Long Beach, CA 90822–5199
N68092
Naval Medical Command Northeast Region, Great Lakes, IL 60088
N68093 (MAJ00018)—MCG–H
Naval Hospital, Camp LeJeune, NC 28542–5008
N68094—V9
Naval Hospital, Camp Pendleton, CA 92055–5008
N68095—JF
Naval Hospital, Boone Road, Bremerton, WA 98312–1898
N68096 (MAJ00018)—J50
Commanding Officer, Naval Hospital (Guam), FPO San Francisco 96630–1600
N68097
Naval Medical Command Northwest Region, Oakland, CA 94627
N68098 (MAJ00018)—QAL–M
Naval Medical Clinic, Box 121 Code 01.3, Pearl Harbor, HI 96860–5080
N68101 (MAJ00018)—MDT–V
Naval Medical Clinic, 17th Street and Pattison Avenue, Philadelphia, PA 19145–5199
N68139 (MAJ00062)—8AZ
Commanding Officer, Naval Reserve Officers Training Corps Unit, Florida A&M University, Tallahassee, FL 32307
N68141 (MAJ00062)—L9P
Commanding Officer, Naval Reserve Officers Training Corps Unit, Maine Maritime Academy, Castine, ME 04421–0902
N68142—NK
Naval Computer & Telecommunications Station, Naval Air Station, Pensacola, FL 32508–6100
N68165 (MAJ00060)—J06–8
Naval Facility, (Brawdy, Wales, UK), FPO New York 09519
N68166 (MAJ00015)—L01–2
Naval Technical Intelligence Center, 4301 Suitland Road, Washington, DC 20390
N68171—M3
Commanding Officer, Naval Regional Contracting Center, (Naples, Italy), FPO New York 09521
N68175 (MAJ62980)—MQA
Navy Recruiting District New Jersey, Parkway Towers, Bldg A, 485 US Route 1, So., Iselin, NJ 08830–3012
N68199
Commanding Officer, Navy Office of Information, Southeast, 1459 Peachtree Street, NE—Suite 300, Atlanta, GA 30309
N68200—VM
Director, Navy Office of Information, Southwest, 1114 Commerce Street, Suite 811, Dallas, TX 75242
N68221—7J
Commanding Officer, Navy Personnel Research and Development Center, San Diego, CA 92152
N68246 (MAJ00070)—4LL
Officer in Charge, U.S. Naval Supply Depot, Yokosuka Det., (Sasebo, Japan), FPO Seattle 98766–2900
N68248—V6
Officer in Charge of Construction, Naval Facilities Engineering Command Contracts, Naval Submarine Base, Kings Bay, GA 31547
R68251 (MAJ00070)—LPC
Shore Intermediate Maintenance Activity, Box 141, Pearl Harbor, HI 96860
N68292 (MAJ00018)—J5A

Naval Hospital (Yokosuka, Japan), FPO Seattle 98765–1615
N68297—ET
Naval Magazine, Lualualei, Oahu HI 96792–4301
N68303 (MAJ00062)—R0C
Commanding Officer, Naval Reserve Officers Training Corps Unit, State University of New York, Maritime College, Fort Schuyler, Bronx, NY 10465–4198
N68306 (MAJ00072)—9TF
Commander, Naval Reserve Readiness Command, Region Six, WNY Bldg. 200, Washington, DC 20374–2003
N68307 (MAJ00072)—LCJ
Commander, Code 431, Naval Reserve Readiness Command, Region Ten, New Orleans, LA 70142
N68308 (MAJ00072)—9TQ
Naval Reserve Readiness Command, Region 20, Bldg. 1, NAVSTA Treasure Island, San Francisco, CA 94130–5032
N68311—JL
Naval Station, Long Beach, CA 90822
N68322—7Z
Naval Education & Training Program, Management Support Activity, Code SU1, Saufley Field, Pensacola, FL 32509
N68323 (MAJ00011)—LBC
Naval Legal Service Office, 200 Stovall Street, Alexandria, VA 22332–2400
N68327 (MAJ62980)—ML8
Commanding Officer, Naval Reserve Personnel Center, New Orleans, LA 70149–7800
N68328 (MAJ00072)—9TJ
Naval Reserve Readiness Command, Regional 22, Bldg. 9, Naval Station, Seattle, WA 98115–5009
N68329 (MAJ00072)—LCL
Naval Reserve Readiness Command, Region Five, Bldg. 1033, USAAP, Ravenna, OH 44266–9211
N68330 (MAJ00072)—9TN
Naval Reserve Readiness Command, Region 13, Bldg. 1, Code 712, NTC, Great Lakes, IL 60088–5026
N68331 (MAJ00072)—LCE–F
Naval Reserve Readiness Command, Region Four, Bldg. 662, Naval Base, Philadelphia, PA 19112
N68332 (MAJ00072)—9T0–1
Commander, Naval Reserve Readiness Command, Region 18, 301 Navy Drive, Industrial Airport, KS 66031–0031
N68335—4Y
Commanding Officer, Naval Air Warfare Center, Aircraft Division Lakehurst, Supply Dept., Purchase Division, Lakehurst, NJ 08733
N68348 (MAJ00072)—9TG
Commander, Naval Reserve Readiness Command, Region Nine, NAS Memphis (76), Bldg. E–35, Millington, TN 38054
N68349
Commander, Naval Reserve Readiness Command, Region 16, Bldg. 715, Minneapolis-St. Paul IAP, Minneapolis, MN 55450–2996
N68351 (MAJ00072)—LCQ
Naval Reserve Readiness Command, Region One, Newport, RI 02840–5016
N68355 (MAJ00062)—R0J
Commanding Officer, Naval Reserve Officers Training Corps Unit, Virginia Military Institute, Lexington, VA 24450–2697
N68356 (MAJ00072)—9TD
Commander, Naval Reserve Readiness Command, Region Seven, Naval Base, Charleston, SC 29408
N68357 (MAJ00072)—9TL
Commander, Naval Reserve Readiness Command, Region Two, Scotia, NY 12302–9465
N68358 (MAJ00072)—9TA
Commander, Naval Reserve Readiness Command, Region Eight, Naval Air Station, Jacksonville, FL 32212
N68359 (MAJ00072)—9TB
Commander, Naval Reserve Readiness Command, Region Eleven, Bldg. 11, Naval Air Station, Dallas, TX 75211
N68378—KQ
Navy Public Works Center, San Francisco Bay, Oakland, CA 94623
N68391 (MAJ62980)—MLB
Navy Recruiting District, Harrisburg, 310 North Second Street, Harrisburg, PA 17101–1304
N68401 (MAJ62980)—MLJ
Navy Recruiting District, San Diego, Naval Training Center, Bldg. 335, San Diego, CA 92133–6800
N68402 (MAJ00012)—V8E
Navy Office of Information, New England Branch, 408 Atlantic Avenue, Boston, MA 02210–2203
N68409 (MAJ00018)—QAU
Naval Dental Center, San Francisco, CA 94130–5030
N68436, KC—J6
Naval Submarine Base, Bangor, Code 863, Bremerton, WA 98315
N68441
Commanding Officer, Naval Dental Clinic, Naval Air Station, Pensacola, FL 32508
N68443—7T
Commanding Officer, Naval Dental Clinic, Bremerton, WA 98314
N68451—MF
Navy Regional Data Automation Center, San Francisco, Naval Air Station, Alameda, CA 94501
N68470 (MAJ00018)—J5J–M
Naval Hospital (Okinawa, Japan), FPO Seattle 98778–1610
N68497
Commanding Officer, Code 40, Naval Administrative Command, Naval Training Station, Orlando, FL 32813
N68499—LX
Director, Naval Council of Personnel Boards, Ballston Center Tower #2, 801 North Randolph Street, Arlington, VA 22203–1989
N68518
Commanding Officer, Naval Reserve Financial Information Processing Center, Code S43, 4400 Dauphine Street, New Orleans, LA 70146
N68520—7P
Aviation Depot Operations Center, Naval Air Station, Patuxent River, MD 20670
N68527 (MAJ00072)—9TT
Naval & MC Reserve Readiness Center, Armed Forces Reserve Center, Floyd Bennett Field, Brooklyn, NY 11234–7097
N68546—QG
Navy Environmental Health Center, Naval Station, Norfolk, VA 23511
N68547 (MAJ00060)—LHQ
Personnel Support Activity, Naval Station, Norfolk, VA 23511–5115
N68560—QM
Naval Computer & Telecommunications Station, Jacksonville, FL 32212–0111
N68561 (MAJ00039)—NSE
Navy Management Systems Support Office, 1441 Crossways Blvd., Chesapeake, VA 23320–2843
N68593 (MAJ00060)—LHE
Naval Ocean Processing Facility, Dam Neck, VA 23461–5450
N68608 (MAJ00011)—LBP–Y
Naval Computer Telecommunications Station, 4400 Dauphine Street, New Orleans, LA 70145–7700
N68610—GF
Officer in Charge, Fleet Hospital Support Office, 620 Central Ave., Bldg. #5, Alameda, CA 94501–3874
N68636 (MAJ00024)—EHJ–K
Naval Sea Systems Command, Automated Data Systems Activity, P.O. Box 100, Indian Head, MD 20640–0100
N68691—JW
Naval Plant Representative Office (Melbourne, Australia), APO San Francisco 96405
N68692 (MAJ00062)—8AX
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of San Diego/San Diego State University, Alcala Park, San Diego, CA 92110–2496
N68695 (MAJ00060)—LHG
Shore Intermediate Maintenance Activity, Naval Reserve Maintenance Facility, Bldg. 133, Naval Base, Philadelphia, PA 19112–5066

N68699 (MAJ00062)—8AP
Commanding Officer, Naval Reserve Officers Training Corps Unit, Old Dominion University/Hampton Institute, Norfolk State University, 5215 Hampton Blvd., Norfolk, VA 23508–8556
N68707 (MAJ00072)—9TU
Naval Reserve Maintenance Training Facility, Puget Sound Naval Shipyard, Bremerton, WA 98314–5270
N68709 (MAJ00060)—J0C
Naval Air Station, Mayport, FL 32228
N68710 (MAJ00062)—L9K
Commanding Officer, Naval Reserve Officers Training Corps Unit, Virginia Polytechnic Institute and State University, Blacksburg, VA 24061–2306
N68717 (MAJ00062)—L9L
Commanding Officer, Naval Reserve Officers Training Corps Unit, Boston University, 116 Bay State Road, Boston, MA 02215
N68725 (MAJ00062)—R0Q
Commanding Officer, Naval Reserve Officers Training Corps Unit, University of Arizona, Tucson, AZ 85721
N68726 (MAJ00062)—R0T
Commanding Officer, Naval Reserve Officers Training Corps Unit, The George Washington University, Washington, DC 20052
N68727 (MAJ00062)—8AF
Commanding Officer, Naval Reserve Officers Training Corps Unit, Memphis State University, Memphis, TN 38152–0001
N68728 (MAJ00062)—8AQ
Commanding Officer, Naval Reserve Officers Training Corps Unit, Norwich University, Northfield, VT 05663–1097
N68733 (MAJ00030)—EKC
Strategic Weapons Facility, Atlantic, Kings Bay, GA 31547–6600
N68742 (MAJ00070)—LPA
Naval Base, Seattle, WA 98115–5012
N68753 (MAJ00070)—V5L
Naval Air Pacific Repair Activity Det., Singapore, SAE Singapore, FPO San Francisco 96699–2700
N68829 (MAJ00060)—J0J
Shore Intermediate Maintenance Activity (NRMF), Pier 2, Bldg. 68 NETC, Newport, RI 02841–5001
N68831 (MAJ00070)—LPG
Shore Intermediate Maintenance Activity, San Francisco, Bldg. 162, NAS, Alameda, CA 94501–5065
N68836—J9
Commanding Officer, Naval Supply Center, Jacksonville, FL 32212
N68857 (MAJ00062)—8AC
Commanding Officer, Naval Reserve Officers Training Corps Unit, Texas Tech University, Lubbock, TX 79409–4559
N68860—KR
Naval Supply Center—Pensacola, Pensacola, FL 32508–6200
N68875 (MAJ00018)—QAP–S
Naval Hospital (Keflavik, Iceland), PSC 1003, Box 8, FPO AE 09728–0308
N68877 (MAJ00062)—R0Y
Commanding Officer, Naval Reserve Officers Training Corps Unit, Carnegie Mellon University, Pittsburgh, PA 15213
N68881 (MAJ00062)—L9E
Commanding Officer, Naval Reserve Officers Training Corps Unit, Morehouse College, Atlanta, GA 30314
N68891 (MAJ00060)—LH5
Naval Station, Ingleside, TX 78362–5000
N68899 (MAJ00072)—LCW
Naval Reserve Intelligence Command, Bldg. 11, Naval Air Station, Dallas, TX 75211–9541
N70092 (MAJ00069)—8QJ–K, Q–R
Naval Security Station, 3801 Nebraska Avenue, NW, Washington, DC 20390–8230
N70240—M6
Commanding Officer, Naval Computer and Telecommunications Station, Naval Air Station, 937 N. Harbor Drive, San Diego, CA 92132
N70272—8G,ND
Naval Computer and Telecommunications Area, Master Station Atlantic, Norfolk, VA 23511–6898
N70273—V3
Naval Radio Station, Jim Creek, Oso, WA 98223
N70278—V4
Naval Computer and Telecommunications Station, (Yokosuka, Japan), Box 3, FPO Seattle 98762
N70283 (MAJ00069)—8QE
Commanding Officer, Code 30, Naval Security Group Activity, (Galeta Island, Canal Zone), FPO Miami 34060–9998
N70294—8H
U.S. Naval Computer and Telecommunications Area, Master Station MED, (Naples, Italy), FPO New York 09524
N70310—N2
Naval Radio Station R, Sugar Grove, WV 26815

PART 4—MARINE CORPS ACTIVITY ADDRESS NUMBERS

M00027, MS*, MU*—MS0–9
Headquarters, U.S. Marine Corps, Washington, DC 20380
M00146—MT
Marine Corps Air Station, Cherry Point, NC 28533
M00243—NE
Marine Corps Recruit Depot, San Diego, CA 92140
M00263—MX
Marine Corps Recruit Depot, Parris Island, SC 29905
M00264 (MAJ00027)—MUT
Marine Corps Combat Development Command, Marine Corps Air Facility, Quantico, VA 22134–5001
M00318
Marine Corps Air Station (Kaneohe Bay, Oahu, HI), FPO San Francisco, CA 96628
M00681—NG
Marine Corps Base, Camp Pendleton, Oceanside, CA 92054
M60050—MV
Marine Corps Air Station, El Toro, Santa Ana, CA 92709
M62204—MW
Marine Corps Logistics Base, Barstow, CA 92311
M62974—NA
Marine Corps Air Station, Yuma, AZ 85364
M67001—NB
Marine Corps Base, Camp Lejeune, NC 28542
M67004—NC
Marine Corps Logistics Base, Albany, GA 31704
M67011 (MAJ00027)—MSA
Director, 1st Marine Corps District, Garden City, Long Island, NY 11530
M67013 (MAJ00027)—MSC
Director, 4th Marine Corps District, Philadelphia, PA 19112–5072
M67015 (MAJ00027)—MSE
Director, 6th Marine Corps District, Atlanta, GA 30303
M67016 (MAJ00027)—MSG
Director, 8th Marine Corps District, New Orleans, LA 70113
M67017 (MAJ00027)—MSJ
Director, 9th Marine Corps District, Shawnee Mission, KA 66204
M67019 (MAJ00027)—MSL
Director, 12th Marine Corps District, San Francisco, CA 94130
M67021 (MAJ00027)—MUC
Marine Aircraft Wing 4, New Orleans, 4400 Dauphine Street, New Orleans, LA 70146–9125
M67025
Headquarters, Fleet Marine Force, Pacific, (Pearl Harbor, HI), FPO San Francisco 96610
M67029 (MAJ00027)—MSN
Marine Barracks, Washington, DC 20003
M67030 (MAJ00027)—MUP
Marine Corps Security Force Battalion Pacific, NAVSTA Mare Island, Vallejo, CA 94592–5022
M67290 (MAJ00027)—MSY
Marine Aviation Training Support

Group-90, NATTC, NAS Memphis, Millington, TN 38054–5123
M67351
Marine Corps Security Force Company (London, UK), APO New York 09510
M67353 (MAJ00027)—MSQ
Headquarters Battalion, Marine Corps, Henderson Hall, Arlington, VA 22214
M67354
Post Supply Officer, Headquarters Marine Corps, Navy Annex, Arlington, VA 20380
M67355 (MAJ00027)—MUN
Landing Force Training Command Atlantic, Naval Surface Force, U.S. Atlantic Fleet, Naval Amphibious Base, Little Creek, Norfolk, VA 23521–2350
M67385 (MAJ00027)—MU0–1
Camp H.M. Smith, U.S. Marine Corps, Halawa Heights, Oahu, Hawaii 96861
M67391—KY
Marine Corps Camp Det. (Camp Elmore), Norfolk, VA 23511
M67399—NF
Marine Corps Air-Ground Combat Center, Twentynine Palms, CA 92278
M67400—QJ
Marine Corps Procurement Office, Okinawa, Marine Corps Base, Camp Smedley D. Butler (Ryuku Island, Southern), FPO Seattle, WA 98773
M67428—JA
Marine Corps Air Bases Western Area, MCAS El Toro, Santa Ana, CA 92709
M67443—LG
Defense Finance and Accounting Service, Kansas City Center, Kansas City, MO 64197
M67842—K6
East Coast Commissary Complex, Marine Corps Base, Camp LeJeune, NC 28542
M67853 (MAJ00027)—MUR
Marine Corps Security Force Battalion Atlantic, Naval Base, Norfolk, VA 23511–5697
M67854 (MAJ00027)—MU6–9
Marine Corps Research, Development and Acquisition Command, Washington, DC
M68479 (MAJ00027)—MSU
4th Marine Division (Rein), FMF, USMCR, 4400 Dauphine Street, New Orleans, LA 70146–5400
M68522 (MAJ00027)—MSW
Marine Corps Reserve Support Center, Purchasing Department, 16950 El Monte, Overland Park, KS 66211–1408

PART 5—AIR FORCE ACTIVITY ADDRESS NUMBERS

F01600—5A
3800 LS/LGC, Maxwell AFB, AL 36112–5320
F01620—6K
SSC/PK, Gunter AFS, AL 36114–6343
F02600—5B
82 SG/LGC, Williams AFB, AZ 85240–5004
F02601—5C
355 CONS/CC, Davis-Monthan AFB, AZ 85707–5320
F02604—5D
58 CONS/CC, Luke AFB, AZ 85309–5320
F03601—5E
97 LOGSS/LGLC, Eaker AFB, AR 72317–5320
F03602—5F
314 CONS/LGC, Little Rock AFB, AR 72076–5320
F04604—5G
93 CONS/LGC, Castle AFB, CA 95342–5320
F04605—5H
22 CONS/LGC, March AFB, CA 92518–5320
F04606—SM
SM–ALC/PK, Directorate of Contracting, Sacramento Air Logistics Center, McClellan AFB, CA 95652–5320
F04607—5J
63 MAW/LGC, Norton AFB, CA 92409–5320
F04609—5K
35 FW/LGC, George AFB, CA 92394–5320
F04611—QQ
AFFTC/PK, Edwards AFB, CA 93523–5320
F04612—5L
323 LG/LGC, Mather AFB, CA 95655–5320
F04626—5M
60 MAW/LGC, Travis AFB, CA 94535–5320
F04666—5N
9 CONS/LGC, Beale AFB, CA 95903–5320
F04684—QW
4392 AEROSW/LGC, Vandenberg AFB, CA 93437–5320
F04689—RN
2nd Satellite Tracking Group/LKD, Onizuka Air Force Base, P.O. Box 3430, Sunnyvale, CA 94088–3430
F04690—
CSTC/PM, P.O. Box 3430, Sunnyvale, CA 94088–3430
F04693—MG
SSD/PMB, Base Contracts, P.O. Box 92960, Worldway Postal Center, Los Angeles, CA 90009–9260
F04699—Q5
SM–ALC/PKO, Operational Contracting, McClellan AFB, CA 95652–5320
F04700—Q2
AFFTC/PKO, Operational Contracting, Edwards AFB, CA 93523–5000
F04701—TB
SSD/PK, Space Systems Division, P.O. Box 92960, Worldway Postal Center, Los Angeles, CA 90009–9260
F04702—
1352 AVS/PK, Norton AFB, CA 92409–5996
F04703—R8
30 SW/PK, Vandenberg AFB, CA 93437–6021
F04704—R9
BMO/PK, Ballistic Missile Organization, Norton AFB, CA 92409–6463
F04709—S5
Det 42, SM–ALC, Norton AFB, CA 92409–6447
F05600—5P
3415 CONS/LGC, Lowry AFB, CO 80230–5320
F05603—
HQ Air Force Space Command/PKD, Director of Systems Contracting, Stop 7, Peterson AFB, CO 80914–5001
F05604—SX
3d Space Support Wing/PKB, Stop 20, Peterson AFB, CO 80914–5000
F05611—5Q
USAFA/LGC, USAF Academy, CO 80840–0189
F07603—5R
436 AW/LGC, Dover AFB, DE 19902–5320
F08602—5S
56 CONS/CC, MacDill AFB, FL 33608–5320
F08606—RG
45 SW/PK, Patrick AFB, FL 32925–5472
F08620—5T
1 SOW/LGC, Hurlburt Field, FL 32544–5320
F08621—5U
31 CONS/CC, Homestead AFB, FL 33039–5320
F08626—QU
ASD–OL/PK, Aeronautical Systems Division, Eglin AFB, FL 32542–5000
F08630—S1
WL/MNK, Eglin AFB, FL 32542–5000
F08635—RH
AFDTC/PK, Air Force Development Test Center, Eglin AFB, FL 32542–5000
F08637—5V
325 CONS/CC, Tyndall AFB, FL 32403–5320
F08650—TJ
ESMC/PMK, Base Contracts, Patrick AFB, FL 32925–5472
F08651—Q3
AFDTC/PKO, Operational Contracting, Eglin AFB, FL 32542–5320
F09603—RJ, RR
WR–ALC/PK, Warner Robins Air

Logistics Center, Robins AFB, GA 31098–5320
F09604—RU
Det 8, 2762 Logistics Sq Special (AFMC), Robins AFB, GA 31098
F09607—5W
347 CONS/CC, Moody AFB, GA 31699–5320
F09609—5X
94 CSG/LGC, Dobbins AFB, GA 30069–5320
F09634—5Y
HQ AFRES/LGC, Robins AFB, GA 31098–6001
F09650—Q6
WR–ALC/PKO, Operational Contracting, Robins AFB, GA 31098–5320
F10603—5Z
366 CONS/CC, Mountain Home AFB, ID 83648–5320
F11602—6A
3345 LG/LGC, Chanute AFB, IL 61868–5320
F11603—6B
928 TAG/LGC, Chicago O'Hare ARFF, IL 60666–5000
F11623—6C
375 AAW/LGC, Scott AFB, IL 62225–5320
F11624—X4
CSPO/PGZ, Scott AFB, IL 62225–6001
F11626—RL
HQ AMC/XOK, Scott AFB, IL 62225–5001
F12617—6D
305 CONS/LGC, Grissom AFB, IN 46971–5320
F14614—6E
384 CONS/LGC, McConnell AFB, KS 67221–5320
F16600—6F
23 FW/LGC, England AFB, LA 71311–5320
F16602—6G
2 CONS/LGC, Barksdale AFB, LA 71110–5320
F17600—6H
42 CONS/LGC, Loring AFB, ME 0475–5320
F17608
101 AREFW/LGC, Bangor International Airport, ME 04401–5320
F19617—R5
439 CSG/LGC, Westover AFB, MA 01022–5320
F19628—RS
FSD/PK, Electronic Systems Division, Hanscom AFB, MA 01731–5000
F19630—RV
AFCAC/PK, Hanscom AFB, MA 01731–6340
F19650—SH
ESD/PKO, Operational Contracting, Hanscom AFB, MA 01731–5320
F20603—6J
379 LOGSS/LGLC, Wurtsmith AFB, MI 48753–5320
F20613—6L
410 CONS/LGC, K.I. Sawyer AFB, MI 49843–5320
F21611—6N
934 CSS/LGC, Minneapolis-St. Paul IAP, MN 55450–5000
F22600—RC
3380 CONS/LGC, Keesler AFB, MS 39534–5000
F22608—6Q
14 CONS/LGC, Columbus AFB, MS 39701–5000
F23606—6R
351 CONS/LGC, Whiteman AFB, MO 65305–5320
F23608—6S
442 CSG/LGC, Richards-Gebaur AFB, MO 64030–5000
F24604—6T
301 CONS/LGC, Malmstrom AFB, MT 59402–5320
F25600—6U
55 CONS/LGC, Offutt AFB, NE 68113–5320
F25606—TD
3908 CONS/LGC, Offutt AFB, NE 68113–5000
F26600—S4
554 CONS/CC, Nellis AFB, NV 89191–5320
F26606—6M
37 FW/LGC, Nellis AFB, NV 89191–5320
F28609—6V
438 MAW/LGC, McGuire AFB, NJ 08641–5320
F28620—SN
OL–A, 1605 MASW/LGC, McGuire AFB, NJ 08641–5000
F29601—RW
PL/PK, Phillips Laboratory, Kirtland AFB, NM 87117–5320
F29605—6W
27 CONS/CC, Cannon AFB, NM 88103–5320
F29650—R3
PL/PKO, Operational Contracting, Phillips Laboratory, Kirtland AFB, NM 87117–5320
F29651—6X
49 CONS/CC, Holloman AFB, NM 88330–5320
F30602—RX
RL/PK, Rome Lab, Griffiss AFB, NY 13441–5700
F30617—6Y
914 TAG/LGC, Niagara Falls IAP, NY 14304–5320
F30635—S3
416 CONS/LGC, Griffiss AFB, NY 13441–5320
F30636—6Z
380 CONS/LGC, Plattsburgh AFB, NY 12903–5320
F31601—BU
317 CONS, Pope AFB, NC 28308–5320
F31610—BW
4 CONS/CC, Seymour Johnson AFB, NC 27531–5320
F32604—BX
5 CONS/LGC, Minot AFB, ND 58705–5320
F32605—BY
319 CONS/LGC, Grand Forks AFB, ND 58205–5320
F33600—RZ
WPCC/PKR, PKS, PKT & PKY, Wright-Patterson AFB, OH 45433–5320
F33601—Q7
WPCC/PKO, Operational Contracting, Wright-Patterson AFB, OH 45433–5320
F33615—SG
WL/PK, Wright Laboratory, Wright Patterson AFB, OH 45433–6503
F33630—C1
910 TAG/LGC, Youngstown MAP, OH 44473–0910
F33657—SC
ASD/PK, Aeronautical Systems Division, Wright-Patterson AFB, OH 45433–6503
F33659—Q8
AGMC/PK, Directorate of Contracting, Newark AFB, OH 43055–5320
F33660—TA
AGMC/PKO, Operational Contracting, Newark AFB, OH 43057–5320
F33733—J8
WL/MTD, Wright-Patterson AFB, OH 45433–6503
F34600—C2
71 FTW/CVC, Vance AFB, OK 73705–5000
F34601—SD
OC–ALC/PK, Directorate of Contracting, Oklahoma City Air Logistics Center, Tinker AFB, OK 73145–5320
F34608—TF
HQ CSC/PK, Tinker AFB, OK 73145–6343
F34612—C3
443 CON SQ/LGC, Altus AFB, OK 73523–5320
F34650—Q9
OC–ALC–PKO, Operational Contracting, Tinker AFB, OK 73145–5320
F35610—C4
114 TFTS/LGC, Kingsley Field, Klamath Falls, OR 97601
F36629—C7
911 TAG/LGC, Greater Pittsburgh IAP, PA 15231–5320
F36700—C8
913 TAG/LGC, Willow Grove ARF, PA 19090–5130
F38601—C9
363 CONS/CC, Shaw AFB, SC 29152–5320
F38604—T3
HQ USCENTAF/LGC, Shaw AFB, SC 29152–5002

F38606—CA
354 FW/LGG, Myrtle Beach AFB, SC 29579–5320
F38610—CR
437 MAW/LGC, Charleston AFB, SC 29404–5320
F39601—CT
28 CONS/LGC, Ellsworth AFB, SD 57706–5320
F40600—Q4
AEDC/PK, Arnold Engineering Development Center, Arnold AFB, TN 37389–5000
F40650—D1
AEDC/PKO, Operational Contracting, Arnold AFB, TN 37389–5000
F41608—SA
SA–ALC/PK, Directorate of Contracting, San Antonio Air Logistics Center, Kelly AFB, TX 78241–5320
F41612—D4
3750 CONS/LGC, Sheppard AFB, TX 76311–5000
F41613—D5
7 LOGSS/LGLC, Carswell AFB, TX 76127–5320
F41614—E2
3499 CONS/LGC, Goodfellow AFB, TX 76908–5000
F41620—E3
64 CONS/LGC, Reese AFB, TX 79489–5000
F41621—SJ
HQ AFIC/LEC, San Antonio, TX 78243–5000
F41622—QY
HSD/PKO, Operational Contracting, Brooks AFB, TX 78235–5320
F41624—RQ
HSD/PK, Brooks AFB, TX 78235–5320
F41636—ZV
3700 CONS/CC, Lackland AFB, TX 78236–5000
F41640
HQ AFCOMS/DOC, Kelly AFB, TX 78241–6290
F41650—YA
SA–ALC/PKO, Operational Contracting, Kelly AFB, TX 78241–5320
F41652—E5
96 CONS/LGC, Dyess AFB, TX 79607–5320
F41685—E6
47 CONS, Laughlin AFB, TX 78840–5000
F41687—E9
67 RW/LGC, Bergstrom AFB, TX 78743–5320
F41689—SK
3303 CONS/CC, Randolph AFB, TX 78150–5001
F41691—Y0
12 CONS/LGC, Randolph AFB, TX 78150–5000
F41999
AFNAF Purchasing Office, HQ AFMPC/DPMSK, 9504 IH 35 North, Rm 330, San Antonio, TX 78233
F42600—QP, SY
OO–ALC/PK, Directorate of Contracting, Ogden Air Logistics Center, Hill AFB, UT 84056–5320
F42610—TE
OO–ALC/PK, ICBM Directorate Contracting, Ogden Air Logistics Center, Hill AFB, UT 84056–5320
F42620—TG
OO–ALC/PK, Aircraft Directorate Contracting, Ogden Air Logistics Center, Hill AFB, UT 84056–5320
F42630—XP
OO–ALC/PK, Commodities Directorate Contracting, Ogden Air Logistics Center, Hill AFB, UT 84056–5320
F42650—R2
OO–ALC/PKO, Operational Contracting, Hill AFB, UT 84056–5320
F44600—F3
1 CONS/CC, Langley AFB, VA 23665–5320
F44650—Q1
4400 CONS/LGCN, Langley AFB, VA 23665–5000
F45603—F5
62 CONS, McChord AFB, WA 98438–5320
F45613—F8
92 CONS/LGC, Fairchild AFB, WA 99011–5320
F47606—G7
440 TAW/LGC, Gen. Billy Mitchell Field, 00 College Ave., Milwaukee, WI 53207–5000
F48608—G9
90 CONS/LGC, F.E. Warren AFB, WY 82001–5320
F49620
AFOSR/PK, Bolling AFB, DC 20332–6448
F49642—J1
1100 CNS/CN (AFDW), Operational Contracting, Andrews AFB, DC 20331–5320
F49650—X0
1100 CNS/SP (AFDW), Specialized Contracting, Andrews AFB, DC 20331–5320
F61040—M1
1605 MASW/LGC, APO AE 09720–5320
F61051
USDAO, American Embassy—Brussels, APO AE 09724
F61060
USDAO, American Embassy—Sofia, APO AE 09242
F61080
USDAO, American Consulate General—Prague, APO AE 09242
F61100
USDAO, American Embassy—Copenhagen, APO AE 09716
F61101—T1
Det 1, Space Combat Operations Staff/LGC, APO AE 09716–5000
F61130
USDAO, American Embassy—Helsinki, APO AE 09723
F61171
USDAO, American Embassy—Athens, APO AE 09840
F61180
USDAO, American Consulate General—Budapest, APO AE 09242
F61210
USDAO, American Embassy—Rome, APO AE 09624
F61211—N9
401 FW/LGC, APO AE 09601–5320
F61214—U9
7275 ABG/LGC, APO AE 09605–5320
F61230—XV
OL–PM WR–ALC/PKE, Bldg 519, APO AE 09094–5000
F61260
USDAO, American Embassy—The Hague, APO AE 09715
F61270
USDAO, American Embassy—Oslo, APO AE 09707
F61271—T8
USAFE Contracting Office, OL–D Det 4, 7000 CONS/LGC, APO AE 09707–5320
F61280
USDAO, American Consulate General—Belgrade, APO AE 09242
F61290
USDAO, American Embassy—Lisbon, APO AE 09726
F61301
USDAO, American Embassy—Bucharest, APO AE 09242
F61308—W3
USAFE Contracting Region—Spain, OL–B Det 5, 7000 CONS/LGC, APO AE 09643–5320
F61310
USDAO, American Embassy—Madrid, APO AE 09285
F61354—W8
7241 ABG/LGC, APO AE 09821–5320
F61355—T4
7217 ABG/LGC, APO AE 09822
F61358—W9
39 TACG/LGC, APO AE 09824–5320
F61503—UC
435 TAW/LGC, APO AE 09097–5320
F61504—T6
7350 ABG/LGC, APO AE 09187–5320
F61517—UF
USAFE Contracting Region—Eifel, Det 3, 7000 CONS/LGC, APO AE 09132–5320
F61521—UH
USAFE Contracting Office, Det 2, 7000 CONS/LGC, APO AE 09094–5320
F61546—UJ
USAFE Contracting Center, OL A, Det 2/7000 CONS/LG, APO AE 09196–5320
F61708—UK

USAFE Contracting Region—Thames Valley, OL–E Det 4, 7000 CONS/LGC, APO AE 09466–5320
F61712—UM
USAFE Contracting Office, OL–B Det 4, 7000 CONS/LGC, APO AE 09405–5320
F61730—UQ
USAFE Contracting Office, OL–C Det 4, 7000 CONS/LGC, APO AE 09470–5320
F61775—UV
USAFE Contracting Region—UK North, Det 4, 7000 CONS/LGC, APO AE 09461–5320
F61815—T7
32 FG/LGC, APO AE 09719–5320
F61817—UW
USAFE Contracting Office, OL–A Det 5, 7000 CONS/LGC, APO AE 09646–5320
F61910—WJ
USAFE Contracting Office, OL–A Det 3, 7000 CONS/LGC, APO AE 09122–5320
F62032—4D
HQ USMTM/SAS–LGC, APO AE 09803–1300
F62321—RA
18 CONS/LGC, APO AP 96368–5320
F62509—QZ
432 CONS/LGC, APO AP 96319–5320
F62562—SW
475 CONS/LGC, APO AP 96328–5320
F62600
5 DSCS/LGC, APO SF 96287–5000
F63197—UX
7276 ABG/LGC, APO AE 09846–5320
F64133—S9
633 CONS/LGC, APO AP 96542–5320
F64605—TN
15 CONS/LGC, Hickam AFB, HI 96853–5320
F64620—SZ
HQ PACAF/LGC, Hickam AFB, HI 96853–5001
F64719—TK
13 AF/OLAB, FPO AP 96534
F65501—WF
3 CONS/LGC, Elmendorf AFB, AK 99506–5001
F65503—WH
343 CONS/LGC, Eielson AFB, AK 99702–5320
F66501—R7
24 CONS/LGC, APO AA 34001–5320

PART 6—DEFENSE LOGISTICS AGENCY ACTIVITY ADDRESS NUMBERS

DLAH00—YK
Defense Logistics Agency, ADP/Telecommunications Contracting Office, Cameron Station, Alexandria, VA 22304–6100
DLA003—TT
Defense Depot Ogden, Ogden, UT 84407–5000
DLA004—WX
Defense Distribution Region East (DDRE), Office of Contracting, New Cumberland, PA 17070–5001
DLA005—TV
Defense Distribution Region West (DDRW), Office of Contracting, Bldg S–4, Lathrop, CA 95330–5000
DLA100—TW
Defense Personnel Support Center, Directorate of Clothing & Textiles, 2800 South 20th Street, Philadelphia, PA 19101–8419
DLA120—TX
Defense Personnel Support Center, Directorate of Medical Materiel, 2800 South 20th Street, Philadelphia, PA 19101–8419
DLA13H—UE
Defense Personnel Support Center, Directorate of Subsistence, 2800 South 20th Street, Philadelphia, PA 19101–8419
DLA132
Defense Subsistence Office, Kansas City, 601 E. 12th Street, Room 1768, Kansas City, MO 64106–2895
DLA136—W5
Defense Subsistence Office, Cheatham, Cheatham Annex, Bldg 113, Williamsburg, VA 23185–0001
DLA137—W6
Defense Subsistence Region, Pacific, 2155 Mariner Square Loop, Alameda, CA 94501–1022
DLA139—U6
Defense Subsistence Region, Europe, APO New York, NY 09052
DLA140—W7
Defense Personnel Support Center, (Installation Support), 2800 South 20th Street, Philadelphia, PA 19101–8419
DLA200—X1
Defense Reutilization and Marketing Service, Federal Center—Hazardous System, Battle Creek, MI 49017–3092
DLA210—X1
Defense Reutilization and Marketing Service, Federal Center—Supply System, Battle Creek, MI 49017–3092
DLA300—VS
Defense National Stockpile Center, 1745 Jefferson Davis Hwy, Suite 100, Arlington, VA 22202–5000
DLA301—VT
Defense National Stockpile Center, Zone 1 Management Office, Room 19–116, 26 Federal Plaza, New York, NY 10278–5000
DLA302—VU
Defense National Stockpile Center, Zone 2 Management Office, 3200 Sheffield Avenue, Hammond, IN 46327–5000
DLA303—VY
Defense National Stockpile Center, Zone 3 Management Office, 819 Taylor Street, Fort Worth, TX 76102–5000
DLA400—TY
Defense General Supply Center, 8000 Jefferson Davis Highway, Richmond, VA 23297–5000
DLA410—XH
Defense General Supply Center, Contracts Division III, Special Acquisition and Base Support Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5312
DLA411—TY
Defense General Supply Center, Contracts Division III, Emergency Supply Operations Center Support, 8000 Jefferson Davis Highway, Richmond, VA 23297–5313
DLA 412—TY
Defense General Supply Center, Contracts Division III, Electronic Source Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5314
DLA413—TY
Defense General Supply Center, Contracts Division III, Special Purchase Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5320
DLA 414—TY
Defense General Supply Center, Contracts Division III, Systems Automated Small Purchase I, 8000 Jefferson Davis Highway, Richmond, VA 23297–5316
DLA420—XK
Defense General Supply Center, Educational Supplies Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5320
DLA430—TY
Defense General Supply Center, Commodity Oriented Logistics Office, 8000 Jefferson Davis Hwy, Richmond, VA 23297–5330
DLA440—TY
Defense General Supply Center, Contracts Division I, Branch A, 8000 Jefferson Davis Highway, Richmond, VA 23297–5341
DLA441—TY
Defense General Supply Center, Contracts Division I, Branch B, 8000 Jefferson Davis Highway, Richmond, VA 23297–5344
DLA450—TY
Defense General Supply Center, Contracts Division II, Branch A, 8000 Jefferson Davis Highway, Richmond, VA 23297–5351
DLA451—TY
Defense General Supply Center, Contracts Division II, Branch B, 8000 Jefferson Davis Highway, Richmond, VA 23297–5355
DLA460—TY
Defense General Supply Center, Aviation Division, Aircraft

Structural Components Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5361

DLA461—TY
Defense General Supply Center, Aviation Division, Aircraft Accessories & Components Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5362

DLA490—TY
Defense General Supply Center, Industrial Plant Equipment Branch, 8000 Jefferson Davis Highway, Richmond, VA 23297–5100

DLA491—TY
Defense Industrial Plant Equipment Center, Defense General Supply Center Site Command, Base Operations Support, Memphis, TN 38114–5297

DLA500—TZ
Defense Industrial Supply Center, 700 Robbins Avenue, Philadelphia, PA 19111–5096

DLA510—W2
Defense Industrial Supply Center, Base Operating Support System (BOSS), 700 Robbins Avenue, Philadelphia, PA 19111–5096

DLA520
Defense Industrial Supply Center, Product Verification Testing (PVT) Acquisitions, 700 Robbins Avenue, Philadelphia, PA 19111–5096

DLA600—UA
Defense Fuel Supply Center, Cameron Station, Alexandria, VA 22304–6160

DLA700—UB
Defense Construction Supply Center, P.O. Box 3990, Columbus, OH 43216–5000

DLA710—YL
Defense Construction Supply Center, Commercial Activities & Services Branch, P.O. Box 16704, Columbus, OH 43216–5010

DLA720—YM
Defense Construction Supply Center, Wood Products Branch, P.O. Box 16704, Columbus, OH 43216–5010

DLA730—WZ
Defense Construction Supply Center, Military Interdepartmental Purchase Request, MIPR Division, P.O. Box 3990, Columbus, OH 43216–5000

DLA740—XJ
Defense Construction Supply Center, High Demand Group (MINI–ICP), P.O. Box 3990, Columbus, OH 432316–5000

DLA750—UB
Defense Construction Supply Center, Contracts Division I, P.O. Box 16704, Columbus, OH 43216–5010

DLA760—UB
Defense Construction Supply Center, Contracts Division II, P.O. Box 16704, Columbus, OH 43216–5010

DLA770—UB
Defense Construction Supply Center, Contracts Division III, P.O. Box 16704, Columbus, OH 43216–5010

DLA8AC—UG
DCMAO, Santa Ana, 34 Civic Center Plaza, P.O. Box C 12700, Santa Ana, CA 92712–2700

DLA8AL—Y1
DCMAO, Atlanta, 805 Walker Street, Marietta, GA 30060–2789

DLA8AM—YQ
DPRO McDonnell Douglas, P.O. Box 5669, Titusville, FL 32783–5669

DLA8AN—Z4
DCMAO Clearwater, 1100 Cleveland Street, Suite 200, Clearwater, FL 34615–4822

DLA8AP—Z5
DPRO Grumman St. Augustine, 5000 US HWY 1, North, P.O. Drawer 3447, St. Augustine, FL 32085–3447

DLA8AQ—U8
DCMC Aircraft Program Management Office, 805 Walker Street, Marietta, GA 30060–2789

DLA8AR
DPRO Michoud, 13800 Old Gentilly Highway, Bldg. 350, P.O. Box 29503, New Orleans, LA 70189–0503

DLA8AS
DCMAO Atlanta, Termination Settlement Division, 805 Walker Street, Marietta, GA 30060–2789

DLA8AT—UL
DCMD South, 805 Walker Street, Marietta, GA 30060–2789

DLA8AU—QV
DPRO Aerojet, Sacramento, P.O. Box 15846, Sacramento, CA 95852–1846

DLA8BC—UP
DCMAO Bridgeport, 555 Lordship Blvd, Stratford, CT 06497–5000

DLA8BF—W1
DPRO Bell Helicopter Textron, P.O. Box 1605, Fort Worth, TX 76101–1605

DLA8BG—WM
DPRO, Stewart and Stevenson Inc, Attn: DCMDS–RXD, 5000 Interstate 10 West, P.O. Box 457, Sealy, TX 77474–0457

DLA8BL—Y4
DPRO Textron Lycoming Division, 550 Main Street, Stratford, CT 06497–7593

DLA8BM—UR
DCMAO Baltimore, 200 Towsontown Blvd., West, Towson, MD 21204–5299

DLA8BN—US
DPRO AT&T Technologies, Inc., 204 Graham Hopedale Road, Burlington, NC 27217–2941

DLA8BP—UT
DCMD Northeast, 495 Summer Street, Boston, MA 02210–2184

DLA8BQ—TU
DPRO Boeing Helicopter, P.O. Box 16859, Philadelphia, PA 19142–0859

DLA8BR—SP
DPRO Boeing, Seattle, P.O. Box 3707, Seattle, WA 98124–3707

DLA8BS—Y3
DCMAO Boston, 495 Summer Street, Boston, MA 02210–2184

DLA8BT—UU
DPRO Allied Signal, Route 46, Teterboro, NJ 07068–1173

DLA8BU—XC
DCMAO Buffalo, 1103 Federal Building, 111 W. Huron Street, Buffalo, NY 14202–2392

DLA8BV—YT
DPRO General Electric, Lakeside Avenue, Burlington, VT 05401–4984

DLA8BW—RP
DPRO Boeing Military Airplanes, P.O. Box 7730, Wichita, KS 62777–7730

DLA8CD—UZ
DCMAO Cedar Rapids, 1231 Park Place, NE, Cedar Rapids, IA 52402–2023

DLA8CH—UY
DCMD North Central, O'Hare International Airport, P.O. Box 66475, Chicago, IL 60666–0475

DLA8CL—VB
DCMAO Cleveland, A.J. Celebreeze Federal Building, 1240 East Ninth Street, Cleveland, OH 44199–2063

DLA8CM—U5
DPRO BMY Marysville, 13311 Industrial Parkway, Marysville, OH 43040–9599

DLA8C0—X6
DPRO Loral, 1432 Exeter Road, Akron, OH 44306–3893

DLA8CS—VE
DPRO General Dynamics, 5001 Kearny Villa Road, P.O. Box 85375, San Diego, CA 92138–5357

DLA8DB—Z7
DCMAO Dallas, P.O. Box 50500, Dallas, TX 75250–5050

DLA8DC—VH
DCMAO San Diego, 7675 Dagget Street, Suite 200, San Diego, CA 92111–2241

DLA8DD—U4
DPRO Rockwell International, 3200 E Renner Road, MS 462–115, Richardson, TX 75082–2402

DLA8DL—TC
DPRO Douglas, Long Beach, 3855 Lakewood Boulevard, Long Beach, CA 90846–0001

DLA8DM—Y7
DCMAO Detroit, McNamara Federal Building, 477 Michigan Avenue, Detroit, MI 48226–2506

DLA8DN—VK
DCMAO, Denver, Orchard Place 2, 5975 Greenwood Plaza Building, Englewood, CO 80111–5000

DLA8DP—VL
DCMAO, Dayton, c/o Defense Electronics Supply Center, Building

1, Dayton, OH 45444–5300
DLA8EC—YP
DCMAO, Chicago, O'Hare International Airport, P.O. Box 66911, Chicago, IL 60666–0911
DLA8EG—ST
DPRO, Eaton, AIL DIV, Commack Road, Deer Park, NY 11729–9998
DLA8FL—VN
DPRO, ITT, Defense Group, 500 Washington Ave., Nutley, NJ 07110–3698
DLA8FM—3N
DPRO, FMC, Minneapolis, 4800 East River Road, Minneapolis, MN 55421–1402
DLA8FS—VR
DPRO, FMC, 1125 Coleman Avenue, P.O. Box 367, San Jose, CA 95103–0367
DLA8FT—Y2
DPRO, Ford Newport Beach, Administration Building, Room 303, Ford Road, Newport Beach, CA 92658–8900
DLA8GB—KK
DPRO, Grumman Aerospace, Bethpage, Bethpage, NY 11714–3531
DLA8GC—SB
DPRO, GE Aircraft Engines, Cincinnati, Mail Drop N–1, Cincinnati, OH 45215–6303
DLA8GD—YB
DPRO, Westinghouse, 18901 Euclid Ave, Cleveland, OH 44117–1388
DLA8GE—7Q
DPRO, General Electric, Aircraft Engines, Lynn, 1000 Western Avenue, Lynn, MA 0910–0445
DLA8GF, SL—TH
DPRO, General Dynamics, Fort Worth, P.O. Box 371, Fort Worth, TX 76101–0371
DLA8GG—KD
DPRO, General Dynamics, Pomona, P.O. Box 2505, Pomona, CA 91769–2505
DLA8GL—VV
DPRO, General Electric Company, M/S 9–2 Automated Systems Department, Bedford Street, P.O. Box 588, Burlington, MA 01803–0949
DLA8GM—VW
DCMAO, Grand Rapids, Riverview Center Building, 678 Front Street, NW, Grand Rapids, MI 49504–5352
DLA8GN—VX
DCMAO, Garden City, 605 Stewart Avenue, Garden City, NY 11530–4761
DLA8GP—YF
DPRO, General Dynamics, Lima, 1155 Buckeye Road, Lima, OH 45804–1898
DLA8GR, M0—NJ
DPRO, General Electric, Pittsfield, 100 Plastics Avenue, Pittsfield, MA 01201–3696
DLA8GW—Z2
DPRO, General Dynamics, Warren, 28251 Van Dyke Street, Warren, MI 48090–5000
DLA8HB—WA
DPRO, PEMCO Aeroplex, Inc., P.O. Box 12447, Birmingham, AL 35202–2447
DLA8HC—WB
DCMAO, Hartford, 130 Darlin Street, East Hartford, CT 06108–3234
DLA8HD—WC
DPRO, GEC/Kearfott, 164 Totowa Road, M/S 11A30, Wayne, NJ 07474–0975
DLA8HL—QT
DPRO, Hughes, Los Angeles, P.O. Box 92463, Los Angeles, CA 90009–2463
DLA8HM—WD
DPRO, Honeywell, Alliant Techsystems, Honeywell Plaza, 2701 Fourth Avenue, South, Minneapolis, MN 55408–1792
DLA8HN
DPRO, Hercules, Magna, P.O. Box 157, Magna, UT 84044–0157
DLA8HR—Z9
DCMAO San Francisco, Hawaii Residency, Federal Building, Room 4115, 300 Ala Moana Boulevard, Honolulu, HI 96813–4908
DLA8HS—XT
DPRO, Hamilton Standard, 1 Hamilton Road, Windsor Locks, CT 06096–0463
DLA8HT—SR
DPRO, Hughes, P.O. Box 11337, M/S E–4, Tucson, AZ 85734–1337
DLA8HU—XG
DPRO, Hughes, Building 600, Mail Station C107, P.O. Box 3310, Fullerton, CA 92634–3310
DLA8JJ—WG
DCMAO, Indianapolis, Building 1, Fort Benjamin Harrison, IN 46249–5701
DLA8JL—X2
DPRO, Magnavox, 1616 Directors Row, Fort Wayne, IN 46808–1286
DLA8KA—XY
DPRO, Kaman Aerospace, Old Windsor Road, P.O. Box 2, Bloomfield, CT 06002–0002
DLA8LA—WL
DCMAO, El Segundo, 222 N Sepulveda Boulevard, El Segundo, CA 90245–4320
DLA8LD—WP
DPRO, LTV Aerosapce and Defense, P.O. Box 655907, M/S 4915, Dallas, TX 75265–5907
DLA8LF—QX
DPRO, Lockheed, Sunnyvale, P.O. Box 3504, Sunnyvale, CA 94088–3504
DLA8LG—RK
DPRO, Lockheed Aeronautical, Systems Company—Georgia, 86 S. Cobb Drive, Marietta. GA 30063–0260
DLA8LT—WN
DPRO, E-Systems, Inc., P.O. Box 6379, Greenville, TX 75401–0379
DLA8MB—V1
DPRO, Harris, Melbourne, 1425 Troutman Boulevard, N.E., Palm Bay, FL 32905–4102
DLA8MC—V2
DPRO, Rockwell International-TSD, P.O. Box 1357, Duluth, GA 30136–4099
DLA8MD—RE
DPRO, Martin Marietta, Denver, P.O. Box 179, Denver, CO 80201–0179
DLA8MF—QF
DCMAO, Puerto Rico, Box DLA N S G A, FPO Miami, FL 34053–0007
DLA8MH—X9
DPRO, McDonnell Douglas, Space Systems Company, 5301 Bolsa Avenue, Huntington Beach, CA 92647–2048
DLA8ML—TR
DPRO, McDonnell Douglas Helicopter, 5000 East McDowell Road, Mesa, AZ 85025–9797
DLA8MM—XL
DPRO, Martin Marietta, Orlando, P.O. Box 55837, Mail Point 49, Orlando, FL 32855–5837
DLA8MN—WQ
DCMAO, Twin Cities, 3001 Metro Drive, Bloomington, MN 55425–1573
DLA8MS—JZ
DPRO, McDonnell Douglas, St. Louis, P.O. Box 516, St. Louis, MO 63166–0516
DLA8MW—WR
DCMAO, Milwaukee, H. S. Reuss Federal Building, Suite 340, 310 West Wisconsin Avenue, Milwaukee, WI 53203–2282
DLA8NC—WV
DCMAO, Ottawa, P.O. Box 3416, Station D, Ottawa, On Canada K1P 6L4
DLA8NF—WW
DCMAO, Orlando, 3555 Maguire Boulevard, Orlando, FL 32803–3726
DLA8NH—YS
DPRO, Lockheed Sanders, Inc., Daniel Webster Highway, South, P.O. Box 868, Nashua, NH 03061–0868
DLA8NJ—WT
DCMAO, Springfield, 955 South Springfield Avenue, Springfield, NJ 07081–3170
DLA8NK—QR
DPRO, Northrop, Hawthorne, One Northrop Avenue, Hawthorne, CA 90250–3296
DLA8NM—YR
DPRO, IBM, Route 17C, Owego, NY 13827–1298
DLA8NN—YN
DPRO, Harris, 6801 Jericho Turnpike, Syosset, NY 11791–4465
DLA8NY—WU
DCMAO, New York, 201 Varick

Street, New York, NY 10014–4811
DLA8PA—WY
DCMAO, Phoenix, The Monroe School, 215 N 7th Street, Phoenix, AZ 85034–1012
DLA8PE—T5
DPRO, Pratt & Whitney, East Hartford, 400 Main Street, East Hartford, CT 06108–0969
DLA8PH—XA
DCMD, Mid Atlantic, P.O. Box 7478, Philadelphia, PA 19101–7478
DLA8PL—X3
DCMAO, Philadelphia, P.O. Box 7699, Philadelphia, PA 19101–7699
DLA8PM—XB
DPRO, IBM Manassas, 9500 Godwin Drive, Manassas, VA 22110–4198
DLA8PP—XD
DCMAO, Pittsburgh, 1612 Federal Building, 1000 Liberty Avenue, Pittsburgh, PA 15222–4190
DLA8PR—X7
DPRO, GE Aerospace, Marne Highway and Borton Landing Road, Moorestown, NJ 08057–3095
DLA8PW—T2
DPRO, Pratt & Whitney, West Palm Beach, P.O. Box 109600, West Palm Beach, FL 33410–9600
DLA8RA—7H
DCMC Residency, Annapolis, P.O. Box 1488, Annapolis, MD 21401–1488
DLA8RB—XF
DPRO, Raytheon, Spencer Laboratory, Wayside Ave, Burlington, MA 01803–0901
DLA8RC—RY
DPRO, Rockwell, Canoga Park, 6633 Canoga Avenue, Canoga Park, CA 91303–2790
DLA8RD—RB
DPRO, Rockwell, Anaheim, 3370 Miraloma Avenue M/SAB02A, Anaheim, CA 92803–3110
DLA8RP—XM
DCMAO, Reading, 45 South Front Street, Reading, PA 19602–1094
DLA8SA—XN
DCMAO, San Antonio, 615 East Houston, P.O. Box 1040, San Antonio, TX 78294–1040
DLA8SF—XR
DCMAO, San Francisco, 1250 Bayhill Drive, San Bruno, CA 94066–3070
DLA8SK—XQ
DPRO, Link Flight Simulation, Kirkwood Plant, P.O. Box 1237, Binghamton, NY 13902–1237
DLA8SL—XS
DCMAO, St. Louis, 1222 Spruce Street, St. Louis, MO 63103–2811
DLA8SN—XU
DCMAO, Syracuse, 615 Erie Boulevard, West, Syracuse, NY 13204–2408
DLA8SS—LF
DPRO, Silorsky, Stratford, CT 06497–7553
DLA8SW—XW
DCMAO, Seattle, Building 5D, Naval Station Puget Sound, Seattle, WA 98115–5010
DLA8SY—XX
DPRO, GTE Government Systems Corporation, 200 First Ave, Needham, MA 02194–9123
DLA8TB—R6
DPRO, Thiokol, P.O. Box 524, Mail Stop Z–10, Brigham City, UT 84302–0524
DLA8TE—XZ
DPRO, Texas Instruments, Inc., P.O. Box 660246, M/S 256, Dallas, TX 75266–0246
DLA8TR—S6
DPRO, TRW, Redondo Beach, One Space Park, Redondo Beach, CA 90278–1078
DLA8TW—SQ
DPRO, Textron Defense Systems, 201 Lowell Street, Wilmington, MA 01887–2941
DLA8UG—NH
DPRO, Unisys, Great Neck, Long Island, Great Neck, NY 11020–7001
DLA8VC—YC
DCMAO, Van Nuys, 6230 Van Nuys Boulevard, Van Nuys, CA 91401–2713
DLA8WB—S2
DPRO, Westinghouse Electric, Baltimore, P.O. Box 1693, M/S 1265, Baltimore, MD 21203–1693
DLA8WK—YD
DCMAO, Wichita, U.S. Courthouse, Suite B–34, 401 North Market, Wichita, KS 67202–2095
DLA8WP
Defense Contract Management Command, International Contracts Division, Wright Patterson Air Force Base, OH 45433–5000
DLA8WR—YH
DPRO, Williams International, c/o Williams International Corporation, 2280 West Maple Road, Walled Lake, MI 48088–0200
DLA8WS—YG
DPRO, Westinghouse, 401 East Hendy Avenue, P.O. Box 3499, M/S 11–7, Sunnyvale, CA 94088–3499
DLA8WT—Z8
DPRO, Grumman Aerospace Corporation, P.O. Box 9015, Stuart, FL 33495–9015
DLA8WV
DPRO, Grumman, P.O. Box 9650, Melbourne, FL 32902–9650
DLA900—UD
Defense Electronics Supply Center, 1507 Wilmington Pike, Dayton, OH 45444–5000
DLA910—U7
Defense Electronics Supply Center, Base Contracting Section, 1507 Wilmington Pike, Dayton, OH 45444–5000
DLA920—W4
Defense Electronics Supply Center, DESC–PKCC, 1507 Wilmington Pike, Dayton, OH 45444–5000

PART 7—DEFENSE INFORMATION SYSTEMS AGENCY ACTIVITY ADDRESS NUMBERS

DCA100—VC
Defense Information Systems Agency (ZD10), Contract Management Division, ATTN: PL, Washington, DC 20305–2000
DCA200—VP
DECCO (ZD11), ATTN: RGC, Scott AFB, IL 62225–8300
DCA400
DECCO–Europe (ZD13), ATTN: RS, APO New York, NY 09136–5000

PART 8—DEFENSE MAPPING AGENCY ACTIVITY ADDRESS NUMBERS

DMA600—BQ
Defense Mapping Agency System Center (ZD40), 12100 Sunset Hills Road, Suite 200, Reston, VA 22090–3207
DMA650
Defense Mapping Agency (ZD43), Hydrographic/Topographic Center *SXO*, Building 4011, Ft. Sam Houston, TX 78234–5000
DMA700—8Y
Defense Mapping Agency (ZD41), Aerospace Center, 3200 South Second Street, ATTN: AQI, St. Louis, MO 63118–3399
DMA800—YZ
Defense Mapping Agency (ZD42), Hydrographic/Topographic Center AQ, 6500 Brookes Lane, Washington, DC 20315–0030

PART 9—DEFENSE NUCLEAR AGENCY ACTIVITY ADDRESS NUMBERS

DNA001—8Z
Defense Nuclear Agency, Headquarters, 6801 Telegraph Road, ATTN: AM, Washington, DC 22310 (ZD30)
DNA002—0N
Defense Nuclear Agency, Field Command, ATTN: Office of Procurement, Kirtland AFB, NM 87115–5000 (ZD31)
DNA004
DNA Armed Forces Radiobiology Research Institute, ATTN: Building 42, Bethesda, MD 20814–5145 (ZD32)

PART 10—MISCELLANEOUS DEFENSE ACTIVITIES ACTIVITY ADDRESS NUMBERS

MDA902

Armed Forces Radio and Television Service, 10888 La Tuna Canyon Road, Sun Valley, CA 91352–2058 (ZD02)

MDA903—F7
Defense Supply Service—Washington, Room 1D245, The Pentagon, Washington, DC 20310–5200 (ZD03)

MDA904—BE
Maryland Procurement Office, 9800 Savage Road, ATTN: L411, Ft. George G. Meade, MD 20755–6000 (ZD04)

MDA905—B4
Uniformed Services University of the Health Sciences, 4301 Jones Bridge Road, Bethesda, MD 20814–4799 (ZD05)

MDA906
Office for the Civilian Health & Medical Program of the Uniformed Services (CHAMPUS), ATTN: Contract Management, Aurora, CO 80045–6900 (ZD06)

MDA907
Purchasing and Contracting Office, Menwith Hill Station, APO New York 09210 (ZD07)

MDA908—2X
Virginia Contracting Activity, P.O. Box 46563, ATTN: RSQ, Washington, DC 20050–6563 (ZD50)

MDA911—2U
Headquarters, U.S. Special Operations Command, ATTN: SOKO, MacDill Air Force Base, FL 33608–6001 (ZD22)

MDA946
WHS Contracting Office, Real Estate/ Facilities Directorate, The Pentagon, Room 2E174, Washington, DC 20301–1155 (ZD46)

MDA970—ZL
Defense Evaluation Support Activity, Building 20451, ATTN: DESA–CM, Kirtland AFB, NM 87117–5000 (ZD70)

MDA972—WS
DARPA Contract Management Office, 1400 Wilson Blvd., Arlington, VA 22209–2309 (ZD72)

PART 11—ON-SITE INSPECTION AGENCY ACTIVITY NUMBER

0S1A01
On-Site Inspection Agency, Washington/Dulles International Airport, Washington, DC 20041–0498 (ZD74)

PART 12—STRATEGIC DEFENSE INITIATIVE ORGANIZATION ACTIVITY NUMBER

SDIO84
Strategic Defense Initiative Organization, The Pentagon, Room 1E1019, ATTN: SDIO/CT (Mrs. Wilhelm), Washington, DC 20301–7100 (ZD60)

PART 13—DEFENSE COMMISSARY AGENCY ACTIVITY ADDRESS NUMBERS

DECA01—ZG
Defense Commissary Agency, East Service Center, ATTN: Contracting Division, Fort Lee VA 23801–6300 (ZD81)

DECA02—ZT
Defense Commissary Agency, West Service Center, ATTN: Contracting Division, Kelly AFB, TX 78241–6290 (ZD82)

DECA03—0H
Defense Commissary Agency, North East Region, ATTN: Contracting Division, Fort George G. Meade, MD 20755–5220 (ZD83)

DECA04—BE
Defense Commissary Agency, Central Region, ATTN: Contracting Division, Norfolk, VA 23511 (ZD84)

DECA05—0L
Defense Commissary Agency, Southern Region, ATTN: Contracting Division, Maxwell AFB, AL 36112–6722 (ZD85)

DECA06—0J
Defense Commissary Agency, Midwest Region, ATTN: Contracting Division, Kelly AFB, TX 78241–6290 (ZD86)

DECA07—0Z
Defense Commissary Agency, South West Region, Marine Corps Air Station El Toro, ATTN: Contracting Division, Bldg 317, Santa Ana, CA 92709–5002 (ZD87)

DECA08—0K
Defense Commissary Agency, Northwest Region, ATTN: Contracting Division, Fort Lewis, WA 98433–7300 (ZD88)

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Tuesday
September 15, 1992

Part III

Department of Transportation

Federal Aviation Administration

14 CFR Part 91, et al.
Miscellaneous Operational Amendments; Final Rule

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 91, 121, 125, and 135

[Docket No. 26142; Amendment Nos. 91-231, 121-230, 125-17, and 135-44]

RIN: 2120-AB45

Miscellaneous Operational Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This final rule amends the Federal Aviation Regulations by requiring operators and certificate holders to allow the use of approved child restraint systems and by updating certain regulations concerning passenger and crewmember safety, attitude indicators, and check airmen. This action is in response to requests from the public, consumer groups, and Congress; reports from FAA inspectors; and investigations and recommendations by the National Transportation Safety Board. The rule is intended to increase the safety of crewmembers and passengers on board aircraft and to update other operational amendments.

EFFECTIVE DATE: October 15, 1992.

FOR FURTHER INFORMATION CONTACT: Donell Pollard, Project Development Branch (AFS-240), Air Transportation Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; Telephone (202) 267-8096.

SUPPLEMENTARY INFORMATION:

Background

In recent years, the FAA has received information from a variety of sources indicating a need to revise several regulations to increase passenger and crewmember safety aboard aircraft. The information included requests from the public, consumer groups, and Congress about smoking aboard aircraft and about passenger noncompliance with crewmember instructions concerning smoking and the fastening of safety belts. Some of these requests also stated that certain air carriers do not allow the use of approved child restraint systems aboard airplanes, even when a passenger purchases a ticket for this purpose. Reports from FAA inspectors indicated that improperly stowed food and beverage trays, passenger service carts, and movie screens could hamper passenger emergency egress in the event of an incident or accident during airplane movement on the surface. Investigations conducted by the National Transportation Safety Board (NTSB) indicated that safety belts and shoulder harnesses can save lives in aircraft crashes, and the Board recommended that the required use of these safety devices should be expanded to helicopters and airships. The NTSB issued Safety Recommendation No. A-80-19, which recommends that the FAA require an additional attitude-indicating instrument on large turboprop airplanes. Lastly, the airline industry requested clarification of the requirement for location of fire extinguishing equipment on board an airplane.

In response to these concerns, the FAA issued Notice of Proposed Rulemaking (NPRM) No. 90-6 (55 FR 7414, March 1, 1990). The NPRM proposed the following revisions: (1) Certificate holders would have to accept approved child restraint systems provided by a parent or guardian if a ticket is purchased for a seat in which to place the child restraint system, or the seat is otherwise made available; (2) passenger information signs would have to be turned on or posted while the aircraft is moving on the surface, and compliance with the signs is mandatory for both passengers and crew; (3) passenger service equipment would have to be stowed and inflatable slides (or other approved emergency evacuation assisting means) would have to be ready for evacuation (armed) during movement on the surface; (4) helicopter crewmembers generally would be required to wear shoulder harnesses during takeoff and landing; (5) passengers on airships equipped with safety belts would have to be briefed before flight on the use of such belts; (6) an independently-powered attitude indicator would be required on large turboprop airplanes; (7) requirements for the location of fire extinguishers and protective breathing equipment for use in galleys would be clarified; and (8) an obsolete provision on check airmen would be removed.

Discussion of Comments

The FAA received several hundred comments in response to the proposed rule. Most of the comments addressed only the issue of child restraints. Other comments addressed other issues concerning cabin safety. A few comments addressed the proposed changes to attitude indicators and check airmen. Comments were submitted by passengers, parents, consumer groups, universities, manufacturers, airlines, airline associations, pilot and flight attendant associations, the NTSB, and others. A discussion and response to the issues raised follow.

Child Restraint Systems

The FAA's proposed rule and these amendments allow for the voluntary use of child restraint systems. A certificate holder will be required to allow the use of an approved child restraint system on its aircraft when requested and when an approved child restraint system is provided by the child's parent, guardian, or attendant and when a ticket is purchased for a passenger seat in which to place the restraint system, or when a passenger seat is otherwise made available by the certificate holder. The certificate holder may also provide the child restraint system. The certificate holder will allow the use of any child restraint system which has been certified as complying with the regulations of the U.S. Department of Transportation, the United Nations, or a foreign government as long as the restraint can be secured to a forward-facing passenger seat. The certificate holder will ensure that the child restraint system is properly secured to a forward-facing passenger seat and that the child is properly secured in the child restraint system. If a child restraint system is placed in a sideward- or rearward-facing passenger seat, it may not be occupied during movement on the surface, or during takeoff or landing. (§§ 91.107 (a)(3), (b), and (c); 121.311; 125.211; 135.128).

Comments on the proposal were solicited in a number of areas as discussed below.

Public Desire for Mandatory Requirements

The largest number of comments addresses the issue of whether use of child restraint systems should be mandatory. Most of the commenters favor mandatory use of child restraint systems, including the Air Transport Association (ATA), the National Transportation Safety Board (NTSB), the Airline Pilots Association (ALPA), the Association of Flight Attendants (AFA), the Association of Professional Flight Attendants (APFA), the Independent Federation of Flight Attendants (IFFA), the Independent Union of Flight Attendants (IUFA), several State and congressional representatives and senators, and a large number of parents and individuals, many represented by the Aviation Consumer Action Project (ACAP). These commenters provide varying arguments for safety: Children who are secured in child restraints are safer than those who are lap-held; children should have the same

protection as adults; child restraints should be required for use on aircraft in the same way that they are required for use in automobiles. Other commenters support voluntary use of child restraints. Arguments given are that this should be a parental (not governmental) decision; and that if parents with children under 2 years of age (infants) are forced to purchase a ticket to use an additional passenger seat, many will no longer be able to afford to fly. A number of commenters point out, as did a draft economic analysis prepared for the FAA, that a mandatory requirement could increase the number of transportation deaths on highways if families chose automobile transportation because of the additional cost of air travel.

FAA Response: The issue of mandatory use of child restraint systems has two components. For children 2 years of age or older the only question is whether a child restraint system would be safer for children below a specified height and weight limit than adult-type lap belts. For children under 2 years of age the question is more complex, because under present rules these children are not required to occupy a separate passenger seat and traditionally have flown for free.

To facilitate discussion of these issues throughout this document, "child" is used to refer to children of any age who may use a child restraint system aboard an aircraft and "infant" is used to refer to children under 2 years of age.

Because present rules do not require an infant to have a separate seat, and because most infants carried on an adult's lap have been allowed to fly for free, a decision to mandate the use of a child restraint for an infant would have significant economic impact. It would require that the accompanying adult purchase a separate seat unless the certificate holder volunteered to provide the seat free of charge.

Based on an economic analysis prepared for the FAA by Apogee Research, Inc., "If airlines follow current rules and sell seats for infants on the same discounted terms as used for children 2 to 12 years of age, travel costs will increase by $185 for the average traveling family or more than $250 million in the first year for all families who continue to fly; this later figure will increase to more than $3 billion through the year 2000".

Because of the potential costs and other factors discussed elsewhere in this preamble, the FAA is not requiring separate seating of infants in approved child restraints at this time, nor is the FAA requiring that a child within certain height and weight limits, regardless of age, use a approved child restraint system. The FAA may consider additional requirement in the future if further investigation warrants such action.

Air Carriers' Willingness To Provide Restraint Systems and/or Free Seats

No explicit comments were received from air carriers on this issue. However, under these amendments, certificate holders would not be required to provide child restraints or free seats. They would be required to allow the use of a child restraint system for a child whose parents have purchased a ticket for the passenger seat for the child's use, or in cases where the certificate holder allows the parents to use an available passenger seat for an infant.

Parents' Willingness to Purchase an Extra Seat

Comments were split among those who think parents should pay for extra passenger seats for infants who currently fly free, those who believe that air carriers should provide free passenger seats for infants, and those who believe that air carriers and parents should share the cost. Several commenters indicate that if carriers provide passenger seats for infants free of charge, the additional cost would be spread out over the air traveling population.

FAA Response: Because the FAA has decided not to require separate seating of infants in child restraint systems at this time, the question of how to spread the cost is not relevant to this rulemaking.

Who Will Provide the Child Restraints

The opinions of commenters are divided as to who should provide the child restraints (parents, air carrier, or both).

Some commenters believe that parents should provide child restraints, because many parents already own such restraints for use in their automobiles. The use of child restraints is required in all 50 States and the District of Columbia. On the other hand, some commenters, especially parents, believe that it would be an added burden to carry on board their own child restraints. Others believe that provision of a child restraint could be optional: either parents could provide their own child restraints or the carriers could provide child restraints for those parents who do not provide one.

FAA Response: These amendments do not mandate who shall provide the child restraint system if one is used. As in the proposed rule, the approved child restraint system may be furnished either by the certificate holder or by the person accompanying the child.

Because of the number of concerns raised on who will provide child restraint systems, this issue will be addressed further should the FAA take further rulemaking action to mandate the use of an approved child restraint system.

Types of Restraint Systems

The proposed rule would have allowed the use only of child restraint systems currently certified as complying with the regulations of the U.S. Department of Transportation for automobile and aircraft use and which require a separate passenger seat. Many commenters, however, recommend alternative child restraint systems that do not require the purchase of an additional passenger seat. Some individuals and companies presented designs for such alternatives. ATA advocates continued joint research, on a domestic and international level, to devise the most effective, cost-beneficial child restraint system, preferably one that does not require an additional passenger seat. Other commenters stress the importance of standardization. For example, the International Air Transport Association (IATA) calls for international safety standards on child restraints, and ATA presents a petition requesting the FAA to approve the use of British-approved child restraints (approved by the British Civil Aviation Authority [CAA]) on U.S. air carriers. This would be to reciprocate the CAA's recent action approving the use of child restraints which have been certified as complying with DOT regulations on British air carriers. In addition, some commenters, such as RAA, comment that existing systems may not always be compatible with smaller aircraft operated by regional air carriers. RAA advocates the continuation of ongoing studies to address the issues of child restraint compatibility and effectiveness, particularly in terms of child restraint use in smaller aircraft.

FAA Response: The FAA agrees that continued research is appropriate to better ensure: (1) Compatibility of child restraint systems between aircraft and automobiles, between large and small aircraft, and between U.S. and foreign air carriers; and (2) development of alternative forms of child restraint systems that may not require an additional passenger seat. In the meantime, to provide an appropriate level of safety and flexibility, the FAA has decided to broaden the categories of usable child restraint systems to include

child restraint systems approved under United Nations standards or by any foreign government.

These amendments expand the number of approved systems to include those approved by any foreign government or those manufactured under standards of the United Nations (U.N.) agreement concerning approval of restraining devices for child occupants of power-driven vehicles. The FAA has no knowledge that child restraint systems showing manufacture under the U.N. standards have been developed; however, it is anticipated that such seating systems could be in use eventually.

The FAA recognizes that there is a prohibition against the importation of child restraints which have not been certified as complying with the regulations of the United States Department of Transportation. While the FAA does not wish to encourage the use or importation of child restraint devices not certified as meeting U.S. safety standards, it is concerned about the safety of young children flying from abroad to visit this country. Enhancing their safety cannot be readily accomplished using child restraints certified to U.S. standards since persons living abroad cannot readily purchase such restraints in their countries of origin. The type of child restraints readily available to those persons are child restraint devices which have been approved by a foreign government or those manufactured under U.N. standards. Using these restraints in an aircraft will provide a level of safety greater than that which would be provided if the young children were held in the arms of adults or if safety belts alone were used.

The FAA wishes to emphasize its belief that importation of child restraints not certified to U.S. standards would be not only temporary, but also relatively brief. That is, most would be used by persons who would be in the United States only for a short time. The restraints would exit the country when the persons depart for their countries of origin. In view of the temporary nature of the importation, and the considerations of safety and practicability discussed above, the FAA will allow the use of child restraints which are approved by a foreign government or manufactured under U.N. standards and which have a stamp, decal, or some other mark which indicates foreign government approval or conformance with the U.N. standards.

Age vs. Stature and Weight Requirements

Several commenters propose a variety of standards for use in determining when child restraints can be safely used. The NTSB recommends stature (length, height) and weight (versus age) requirements. Other commenters propose child restraints for children using age cut-offs.

FAA Response: The new rule contains two standards relating to age and weight. First, it continues the current cut-off of the second birthday for the age above which a child *must* be in a separate passenger seat and may no longer be lap-held. Second, it establishes that, when a child restraint system is used, the child may not exceed the weight limit for the particular restraint-system.

Ability of Air Carrier Personnel To Determine Whether a Child Restraint System Is Safe and Secure

The FAA received few comments in this area. ATA recommends the continuation of the practice of early boarding to allow adequate time for children to be properly secured in child restraint systems; ATA also recommends further research to develop child restraint systems that are easily installed and secured. A safety belt advocacy group recommends training and literature for flight attendants on the proper use of child restraint systems.

FAA Response: The FAA has reviewed the proposal to allow an operator or a certificate holder to refuse to permit use of a child restraint system that has an obvious defect and, in the operator's or certificate holder's judgment, may not function properly. The proposed rule would have allowed an operator to refuse the use of a child restraint system even though the child restraint system was properly labeled, the child did not exceed the specified weight limit, and the child restraint system could be properly secured to the passenger seat. Upon review of this proposal, the FAA has determined that it could create more problems than it would solve. It raises questions such as what should be done if a dispute arises between a parent or guardian and the airline personnel over the condition of a particular child restraint system. Because of the uncertainty, the FAA has removed the proposed provision in §§ 91.107(b), 121.311(d), 125.211(d), and 135.128(c) that would have allowed an operator or certificate holder to refuse to permit the use of a child restraint system that, in the operator's judgment, may not function properly.

The operator or certificate holder has the responsibility under this rule to ensure that a child restraint system is properly secured to a forward-facing seat, the child is properly secured and does not exceed the weight limit for the restraint system, and the child restraint system is properly labeled. Nevertheless, the FAA has determined that, when a parent or guardian provides a child restraint system, it is the responsibility of the parent or guardian to ensure that the child restraint system to be used is free of any obvious defects and functions properly. These are the same systems that should be used to transport the infant or child to and from the airport, probably in an automobile. The parent or guardian has the responsibility for determining that the child restraint device is safe for use in both modes of transportation. The intent of this change is to increase the chances that a child restraint system will be used.

Estimates or Evidence of Infants Traveling by Air or of Infant Fatalities

The FAA had requested available data on the number of infants traveling and infant fatalities to compare it to data presented in the NPRM preamble and to assess better the need for child restraint systems. Few comments were received. Commenters who provide estimates of infants traveling by air generally support the statistics used by the FAA in the NPRM preamble. (The FAA estimated over 4 million enplanements by infants [children under 2 years of age] per year.) A few commenters cite statistics from ATA, estimating 5,000–10,000 infants traveling by air per day, or .5 to 1 percent of the traveling public, which (based upon 452.4 million enplanements in 1989) is between 2.3 and 4.5 million enplanements per year.)

FAA Response: There appears to be no disagreement that the number of infants traveling by air is very large. The FAA will continue to rely on the data as originally presented in the NPRM because the ATA statistics support the original FAA estimate of 4 million enplanements.

On the issue of infant fatalities, a draft economic analysis prepared after the NPRM was published presents somewhat different data from that given in the NPRM. The most recent analysis, using NTSB accident data, estimates that in the last 12 years, there were 9–10 infant fatalities in 6 accidents; of these 6 accidents, 1 accident might have had 1 preventable infant fatality. In comparison, the FAA's original data estimated 8 accidents in the last 15

years where child restraint systems might have prevented some infant fatalities; the number of fatalities that could have been prevented was not estimated. The FAA will rely on the updated information; those data show fewer cases than originally estimated where child restraint systems could have prevented infant fatalities.

Cost/Benefit: Mandatory Use of Restraints

In the NPRM, the FAA solicited comments on its cost/benefit analysis. Commenters on this area are divided into two groups: those who support mandatory use of child restraint systems and those who are against mandatory use of child restraint systems (some of whom expressed support for voluntary use of restraints). Some of those who support mandatory use of child restraint systems comment that the benefits are underestimated by the FAA in terms of lives saved and future tax revenues and earnings produced by those children whose lives would be saved by child restraint systems. Some commenters also believe that if use of child restraint systems is not made mandatory, the medical costs will be great for those children injured who were not secured in child restraint systems.

Those who are against mandatory use of child restraint systems comment that the costs of child restraints would be higher than that estimated by the FAA. One commenter presents its own cost/benefit analysis, concluding that mandatory use of child restraint systems would cause more people to drive due to the cost of buying additional tickets for passenger seats for infants, resulting in more deaths in automobile accidents; it claims that the FAA's estimates of highway fatalities are too low.

Another commenter also presents its own cost/benefit analysis and concludes that making the use of child restraint systems mandatory would increase regulation and result in fewer passenger miles flown and more people driving. This, in turn, would result in more fatalities in automobile accidents, which would be greater than the number of lives saved if use of child restraint systems were mandated for airplanes.

Finally, some commenters state that the number of lives saved because of child restraint systems would be minimal due to the overall safety of air travel and, therefore, it would not be worth the additional costs.

FAA Response: As noted above, an economic analysis was prepared for the FAA after the NPRM was published. This analysis concluded that mandatory use of a child restraint would reduce substantially the safety benefit as the additional cost to parents results in less air travel and more—but less safe—highway travel. For the purposes of making a decision on this action, however, all analyses placed in the docket show that mandating the use of child restraint systems would result in increased transportation-related child fatalities and in other ways would have societal costs in excess of the benefits of the action. There are no analyses available to the FAA that contradict that fundamental conclusion. The FAA finds that while air travel is extremely safe overall, the ability to use child restraint systems should be guaranteed as a further safety enhancement when a passenger seat is made available by the air carrier or a ticket for a passenger seat is purchased by an accompanying adult.

Passenger Information

Regulations on passenger information are being revised to require that passenger briefings include information on safety belt and smoking regulations and to require that passengers comply with these regulations. The rule includes: (1) Requiring that passenger information signs ("no smoking" and "fasten seat belt") be turned on or posted while the aircraft is moving on the surface [§§ 91.517 (a) and (b); 121.317 (b) and (j); 125.217(a); 135.127(e); and 135.177(a)(3)]; (2) requiring passenger compliance with lighted signs, instructions, etc., in those regulations that do not currently contain such a requirement [§§ 91.517 (c), (d), and (e); 121.317 (f), (g), and (k); 125.217 (b) and (c); and 135.127 (b) and (g)]; and (3) requiring passenger briefings on safety belts and smoking, and passenger compliance in those regulations that currently do not require such briefings and compliance [§§ 91.519 (a)(1) and (a)(2); 121.317(d); 121.571 (a)(1)(i) and (a)(1)(iii); 125.327 (a)(1) and (a)(2); and 135.117 (a)(1) and (a)(2)].

(It should be noted that the requirements concerning the prohibition on smoking have changed (55 FR 8364, March 7, 1990). Although these changes were not reflected in NPRM No. 90–6, they are reflected in these amendments. These changes are primarily organizational and do not affect the substance of these amendments.)

Comments and FAA responses regarding passenger information are divided into the categories discussed below. The FAA has also addressed any comments suggesting editorial changes to the final rule.

Aircraft Movement on the Surface

Several commenters, including RAA and ATA, express a need to clarify whether the proposed language would require flight attendants to be seated with safety belts and shoulder harnesses fastened during aircraft movement on the surface. Some of these commenters oppose such a requirement; three others favor it.

One commenter states that current § 121.391 requires only that "required" flight attendants remain seated during taxi, which allows any nonrequired attendants to provide service during taxi. The commenter recommends that all flight attendants be seated during taxi.

Flight attendant and pilot associations request that language be included that would specifically require flight attendants to be seated with safety belts and harnesses fastened whenever the lighted seat belt sign is on. This would include times during movement on the surface.

An operator of seaplanes is concerned that the requirement for fastening safety belts and shoulder harnesses while the aircraft is moving on the surface cannot be implemented in seaplane operations. According to the commenter, either the pilot or a passenger must get out of a seaplane after the engine is shut down to dock and moor the seaplane. The same situation occurs during pushoff from the dock before the engine is started.

One commenter asks if the requirements would prohibit serving refreshments during runway delays. (See discussion under "Passenger Equipment.")

Finally, AFA recommends that the rule require that overhead bins be closed during surface movement.

FAA Response: The new rule language of §§ 91.107 and 121.311(b) and of §§ 125.211(b) and 135.128(a) without the reference to shoulder harnesses is the same as the current rule with the exception that the phrases "movement on the surface" and "or her" have been added.

Current §§ 121.391(d), which pertains to flight attendants and is not being revised in these amendments, states in part, "During taxi, flight attendants required by this section must remain at their duty stations with safety belts and shoulder harnesses fastened except to perform duties related to safety of the airplane and its occupants." These duties might include safety briefings, attending to distressed passengers, and responding to emergency situations. Flight attendants in excess of the number required by § 121.391 are, in effect, other "person(s) on board a(n) * * * aircraft" and are required by § 121.311(b) to be seated with safety

belts secured during movement on the surface. Therefore, no flight attendant may provide food or beverage service during any movement on the surface. (See "Passenger Service" section for further discussion.)

Regarding the comment concerning surface movement of seaplanes, the FAA agrees that a pilot would be unable to moor or to launch such an aircraft, including float equipped rotorcraft, without first unfastening his or her safety belt and shoulder harness. This issue is already addressed in §§ 91.105(b)(2) and 135.171(b) which state that a shoulder harness must be fastened unless "the crewmember would be unable to perform his or her required duties with the shoulder harness fastened." To extend this exemption to safety belts and passengers, a sentence has been added to §§ 135.129(a) and 91.107(a)(3) that allows either a pilot or another person to have his or her safety belt or shoulder harness unfastened for the purpose of launching or mooring a seaplane or a rotorcraft equipped with floats.

The comment concerning the issue of closing overhead bins is already addressed in the requirements for carry-on baggage in § 121.589(b), i.e., that all such items must be properly stowed before pushback.

Passenger Compliance

A joint comment from several flight attendant associations (APFA, AFFA, and IUFA) suggests that proposed §§ 91.519, 121.317(k), 121.571(a)(1)(iii), 135.117(a)(2), and 135.127(g), which would require passengers to comply with safety belt and smoking rules, be broadened to include compliance with "all safety items."

FAA Response: Because the FAA only proposed compliance with the safety belt and smoking rules, inclusion of other safety items would be beyond the scope of the notice.

Passenger Briefings

One commenter states that the proposed requirements to brief passengers "on when, where, and under what conditions" smoking is prohibited and safety belts or, as applicable, shoulder harnesses must be fastened are unnecessary and might be stated more generally.

FAA Response: The requirements are not overly specific. Passengers must be told that smoking is prohibited while the "no smoking" sign is lighted or posted (when); if applicable, anywhere in the cabin, including lavatories (where); and, if applicable, during emergency situations (under what conditions). Passengers must also be briefed on the use of safety belts and shoulder harnesses, that they must use them when the "fasten seat belt" sign is lighted or posted (when); that they must return to their seat when the sign is lighted (where); that they will be asked to use their safety belts during turbulence, takeoffs, landings, and at all other times they are in their seat (under what conditions).

Passenger Briefing Cards

ALPA recommends that passenger briefing cards be written in several languages and that the safety briefing be given in multiple languages.

FAA Response: Most air carriers engaged in international flights and some air carriers engaged in domestic flights provide multiple language directions on briefing cards and some conduct safety briefings in more than one language. To make this a requirement for all air carriers would impose an unnecessary burden on operators who do not conduct international flights. Also, given the random language distribution on any given flight, requiring that safety briefings be conducted in particular languages might not meet the needs of the passengers with any consistency. Such a requirement would constitute a particularly heavy burden on smaller operators. However, operators are encouraged to conduct briefings in multiple languages when and where appropriate.

Order of Briefing Presentation

The Airline Passengers Association of North America (APANA) suggests that passenger briefings be done in a specific order.

FAA Response: It is not necessary that the regulations specify a particular order to the briefing items as long as all safety items are covered. There is no empirical evidence to indicate that the order of items covered in the briefing has any safety significance. Flight attendants should be allowed flexibility in conducting the briefing in order to address properly specific needs of a flight. For example, because passengers might be attempting to stand, it might be expedient to give the safety belt announcement out of some set order.

Placards

RAA suggests that current § 121.317(d) be revised to allow for placement of safety placards in a "location in full view of the passenger" instead of requiring them on each passenger seat back.

FAA Response: This suggestion had previously been proposed (48 FR 45214), but the FAA has not yet taken final action on the proposal. As a result of the comment, and because the requested change would simplify the requirement without decreasing its effectiveness, the FAA is relaxing the requirement of § 121.317(d) to permit the location of legible signs or placards in appropriate locations where the message would be visible to each seated passenger.

Smoking on the Flight Deck

A joint comment from the flight attendant associations suggests that proposed § 135.127 be revised to allow smoking on the flight deck only if a solid door separates the flight deck from the passenger compartment.

FAA Response: The purpose of prohibiting smoking in the cabin is in part to protect the cabin air quality for passengers. The proposed language is § 135.127 implies that the physical separation would be such that the smoke would not affect air quality in the passenger compartment. The proposed language is adequate and has not been changed in the amendment. However, the FAA is currently studying the issue of smoking on the flight deck as a result of a petition for rulemaking on this subject. When the studies are complete, the FAA will address this issue in its response to the petition. (See Docket No 26139.)

Passenger Service Equipment

The proposed rule and these amendments require all food, beverages, and tableware; food and beverage trays; seat back tray tables; passenger service carts; and movie screens to be secured and stowed during aircraft movement on the surface, takeoff, and landing. (§§ 91.535; 121.577; 125.333; and 135.122)

Several commenters, including ALPA, APANA, and NTSB, concur with the proposed requirements. A number of commenters oppose the food and beverage requirement primarily because it would pose a hardship on operators of small aircraft that have no galley for storing food. These operators normally store the food in plastic containers on empty passenger seats. Commenters believe that food and beverages in plastic or styrofoam containers pose no hazard to passengers.

A few commenters object to the proposal because it would curtail the current practice of providing food and beverages during ground operations before takeoff. Also some operators would like to provide food and beverages during delays that may occur after pushback.

One commenter expresses concern that the proposal would prohibit pre-departure beverages in first class

thereby causing some potential loss of revenue through a decrease in first-class ticket sales.

ATA states that several airlines use a movie screen to conduct safety briefings during aircraft movement on the surface.

FAA Response: The proposed rule and this amendment clarify the requirements for food and beverage service under part 121 and add food and beverage service requirements to parts 91, 125, and 135 to increase cabin safety.

As stated in the preamble of the proposed rule, FAA inspectors have reported instances in which movie screens that extend into the aisles and food, beverages, tableware, food and beverage trays and containers, passenger service carts, and seat back tray tables were not stowed in secure positions while the aircraft was moving on the surface. Such items could become a safety hazard during an emergency and could block or slow passenger movement during an evacuation.

Before an aircraft moves, all of these items must be stowed in secured positions. This requirement is intended to prevent food and beverage service during movement on the surface because food, beverages, containers, and trays may impede passenger egress in the event of an emergency.

To ensure the maximum safety of occupants in the event of an incident or accident or of an emergency evacuation, all items of food and beverage service must be stowed in secure positions.

Operators of small aircraft that do not have galleys may comply with the proposed requirements by stowing all food and beverage service items in other secured positions. Food and beverage items may be stowed in a passenger seat if the items are secured in accordance with current cargo-carrying requirements in §§ 91.525, 121.285, 125.183, and 135.87. The FAA is not requiring the installation of a galley on such aircraft. Food, beverages, and service items must be securely stowed to prevent such items from falling into the aisle and impeding passenger egress in the event of an emergency.

The FAA intends the rule to prohibit food and beverage service during movement on the surface. If food or beverages are served during delays after pushback when the aircraft is stationary, all food service items and equipment must be stowed in secured positions before aircraft movement on the surface may be resumed. However, this requirement would effectively prohibit providing food and beverage service during any short duration delays interspersed with some aircraft movement on the surface.

The FAA recognizes that food and beverage service provided by an airline is important to passengers; however, such a service does not take priority over safety considerations. During aircraft movement on the surface "required" flight attendants should be alert to any safety problems and should not be distracted by conducting food and beverage service. Current § 121.391(d) requires that during taxi, flight attendants required by the section must remain at their duty stations with safety belts and shoulder harnesses fastened, except to perform duties related to the safety of the airplane and its occupants. Section121.391 allows certificate holders to provide more than the "required" flight attendants. In accordance with § 121.391(d), these extra attendants do not have to be at a duty station during taxi and in the past may have provided food and beverage service. This rulemaking, in effect, prohibits such food service during movement of the aircraft on the surface because all food and beverages provided by the air carrier and all service items must be securely stowed before movement. This rulemaking also requires these extra flight attendants to be seated during movement on the surface. (See related discussion under "Aircraft Movement on the Surface.")

One commenter concludes that a decrease in pre-departure beverage service may result in a decrease in first-class ticket sales. The rule would prohibit providing food and beverage service during movement on the surface. (Food and beverage service is already prohibited during takeoff and landing.) That means that, from pushback to takeoff, beverages will not be served. In most cases, this is less than 15 minutes. Moreover, if there is a delay on the taxiway prior to takeoff, the delay is usually no more than several minutes. Thus, the time involved is relatively short. The commenter does not assign a value to beverage service offered during this time period. Given the short duration of time involved, the FAA is not persuaded that the diminished value, if any, of a first-class ticket due to this amendment would result in a decrease in first-class ticket sales.

Regarding the use of movies to conduct safety briefings, the requirement will not affect safety briefings as long as the movie screen does not protrude into the aisle.

Fire Extinguishers and Protective Breathing Equipment

The NPRM proposed changes to and these amendments revise §§ 121.309(c) and 121.337(b)(9) to specify the airplane compartments for which hand fire extinguishers and protective breathing equipment (PBE) must be provided.

The ALPA comment and the joint comment from the flight attendant associations state that in addition to the proposed language, the equipment location should be uniform so that crewmembers would not have to relearn the location with each airplane.

Some commenters state that the requirements of §§ 121.309 (c)(3) and (c)(6) are unclear about whether a hand fire extinguisher must be located inside or outside a galley.

FAA Response: While it may seem preferable to require uniform location of fire extinguishers and PBE, many factors may affect the location of the equipment and these factors may vary from airplane to airplane. Crewmembers are required to be familiar with the location and use of all emergency equipment on an airplane to which they are assigned duties.

The language of § 121.309(c)(3) means that fire equipment must be located inside a galley which is not within a passenger, cargo, or crew compartment; such galleys are not accessible through passenger, cargo, or crew compartments and therefore, the fire equipment would, in effect, be inside these galleys. The language of § 121.309(c)(6) means that fire equipment can be located either inside or outside a galley that is located in a passenger compartment as long as that equipment is easily accessible.

Safety Belts in Airships

The NPRM proposed to and these amendments modify the exclusion for airships in current §§ 91.107 (a)(1), (a)(2), and (a)(3) and 91.205(b)(12). Airships type certificated on or after November 2, 1987, would be required to have safety belts available for all occupants who have reached their second birthday, and pilots would be required to brief passengers on how and when to fasten safety belts. Also §§ 91.107(b) and 91.205(b)(12) are revised to remove obsolete references.

The NTSB concurs but recommends companion requirements that would require all airship occupants to wear safety belts during takeoff, landing, and turbulent conditions, and to require persons under the age of 2 to occupy approved restraint devices during takeoff, landing, and turbulence. The comment also suggests that the FAA encourage operators and manufacturers to install safety belts in airships that were type certificated before November 2, 1987.

FAA Response: These amendments require airship occupants to wear safety belts during movement on the surface,

takeoff, and landing (§ 91.107(a)(3)). Rather than specify "turbulence," § 91.517 and comparable sections of these amendments state "during aircraft movement on the surface, for each takeoff, for each landing, and when otherwise considered to be necessary."

Section 91.107 has been revised to allow for the use of child restraint systems if a parent or guardian wishes to use one for his or her child. Mandatory requirements for use of child restraint systems are not included in this rulemaking.

While not required in this rulemaking, in the interest of safety to occupants of airships type certificated before November 2, 1987, the FAA encourages operators and manufacturers of airships to install safety belts and use them in airships that are not required to have them.

Shoulder Harnesses

Current § 91.105(b) requires that each required flight crewmember of a U.S.-registered civil "airplane" shall, during takeoff and landing, keep the shoulder harness fastened while at his or her station. The proposal revises the current language to include all U.S.-registered civil "aircraft," thereby expanding the requirements to rotorcraft.

Three comments were received on the proposal. One comment said the FAA should mandate the installation of shoulder harnesses. AFA says that the proposed requirement does not address the accident cited in the preamble of the proposed rule that involved a helicopter not equipped with shoulder harnesses. The NTSB concurs with the proposal.

FAA Response: The FAA is not mandating the installation of shoulder harnesses, because such action would be beyond the scope of the notice. The use of shoulder harnesses is required only where they are installed on the aircraft. The FAA encourages operators and manufacturers to install shoulder harnesses in aircraft that do not already have them.

Airplane Evacuation

The NPRM proposed establishing a new § 121.570 to require that an airplane carrying passengers cannot move on the surface, take off, or land unless each automatically deployable emergency evacuation assisting means installed on the airplane is ready for evacuation (armed). It also would require that at all times passengers are on board prior to airplane movement on the surface, at least one floor-level exit must provide for the egress of passengers through normal or emergency means.

Two commenters, including RAA, state that arming evacuation means before airplane movement on the surface could interfere with other ground operations.

Three comments concern the number of emergency exits. The joint comment from the flight attendant associations suggests that in the interest of safety another exit should be available besides the floor-level exit opened for passenger enplaning and deplaning. The NTSB states that at least half of the floor-level exits should be available for egress.

FAA Response: Current rules require that evacuation assisting means be ready for evacuation during taxi, takeoff, and landing (§ 121.310(a)). This leaves a period of time after the passenger loading door is closed and the loading ramp pulled back but before taxi when no means of egress is available. The amendment requires arming of evacuation means when an airplane is to be moved on the surface. This could occur after completion of ground operations, but before the movement of the airplane.

The FAA is requiring that one floor-level exit be available for passenger egress at all times passengers are on board prior to airplane movement on the surface. The intent of this amendment is to ensure that, whenever the airplane has passengers on board, a means for egress is available. Because the aircraft is at the gate during the time period covered by this new requirement, the FAA is not requiring that additional exits be available as several commenters suggest. Due to its gate location, additional help to expedite egress is readily available in an emergency situation.

Attitude Indicator

The NPRM proposed to revise § 121.305 to extend its applicability to all large turboprop airplanes. This rule requires an additional attitude-indicating instrument for bank and pitch operating from a source of power independent of the normal electrical generating system.

One commenter states that a simple turn-and-slip indicator should suffice. Several commenters raise questions concerning the requirement that the additional attitude-indicating instrument must operate from a source of power independent of the normal electrical generating system. One commenter asks whether the additional source of power must be independent of engine-driven sources. Another recommends that the attitude indicator should be powered by an independent battery because the main battery may already power too many required items in the event of failure. ALPA says that the FAA has neglected a significant group of airplanes, namely turboprops between 10 and 30 passenger seats. The NTSB concurs with the proposal but does not think a 2-year compliance date is needed since the equipment is available now.

FAA Response: As stated in the NPRM, the purpose of the change is to respond to NTSB Safety Recommendation No. A–80–19 by extending the applicability of § 121.305 to large turboprop airplanes. The question of the adequacy of the required additional power source need not be addressed in the regulation because it would be addressed as part of the retrofit process. While the FAA is requiring that a third attitude indicator be installed in these airplanes, the FAA is not specifying how this requirement should be met as long as the power source for the indicator is independent from the electrical generating system. Installation is an engineering concern, and the acceptable means to accomplish this are detailed in other guidance documents.

The 2-year compliance date proposed by the FAA is considered to be standard for such equipment installation.

While the ALPA proposal has merit, it was not consistent with the purpose of the proposed regulation, and ALPA did not provide enough data to warrant inclusion in this particular rulemaking activity. If ALPA wishes to do so, they may submit more data regarding the need for a third attitude indicator in turboprop airplanes, and the FAA will consider that for future rulemaking.

Check Airman Practical Tests

The rule action removes § 135.303 because it is obsolete. Check airman training and checking are now in §§ 135.337 and 135.339.

One concurring comment was received from the NTSB.

Economic Summary

Executive Order 12291, dated February 17, 1981, directs Federal agencies to promulgate new regulations or modify existing regulations only if the potential benefits to society for the regulatory change outweigh the potential costs to society. The order also requires the preparation of a Regulatory Impact Analysis of all "major" rules except those responding to emergency situations or other narrowly defined exigencies. A "major" rule is one that is likely to result in an annual effect on the economy of $100 million or more, a major increase in consumer costs, or a significant adverse effect on competition.

These amendments are determined not to be "major" as defined in the Executive Order, so a full regulatory analysis evaluating alternative approaches has not been prepared. However, a more concise final Regulatory Evaluation has been prepared that includes an analysis of the economic consequences of these amendments. This analysis is included in the docket and quantifies, to the extent practical, estimated costs as well as the anticipated benefits and impacts. In addition to a summary of the Regulatory Evaluation, this section also contains a final regulatory flexibility determination required by the 1980 Regulatory Flexibility Act (Pub. L. 96–354) and an international trade impact assessment. If the reader desires more detailed economic information than this summary contains, then he or she should consult the Regulatory Evaluation contained in the docket.

In this Regulatory Evaluation, the FAA evaluated nine amendments. All but one of these amendments impose no significant costs. The FAA found that all nine amendments are cost beneficial. A summary of the evaluation of each of these nine amendments follows. For a more detailed analysis, the reader is referred to the full evaluation contained in the docket.

Child Restraint Systems

The FAA will require under these amendments that certificate holders accept for use in passenger seats approved child restraint systems provided by a child's parent, guardian, or attendant. From an economic perspective, the important point of the final regulation is its optional nature. Children under 2 can still fly for free if they sit in an adult's lap. Those parents of children under 2, however, who decide to place their children in child restraint systems will now be able to do so. The cost would be the purchase of an airline seat to use for the child restraint system. This cost is not a cost of the regulation because child restraint systems are not required by this rule. Moreover, the air carriers are not required to purchase or to stock these seats; therefore they incur no costs.

In an economic study prepared for the FAA by Apogee Research, Inc., 9–10 infant fatalities were identified in 6 accidents over the 12-year period between 1978 and April 1990. The FAA believes that some, but not all, of these casualties could have been prevented by the proper use of child restraint systems. Based upon seating location, damage to the aircraft, and the types and extent of injuries sustained, the FAA believes that one fatality, one serious injury, and 2–5 minor injuries were preventable. The estimated total discounted benefits resulting from the use of child restraint systems as a result of this amendment would be as high as $5.91 million. As there are no costs for this rule, the FAA finds that this amendment would be cost beneficial.

Attitude Indicators

The FAA is amending part 121 of the Federal Aviation Regulations (FAR) to require an additional attitude indictor (for bank and pitch) to be installed on all turboprop airplanes that are used in operations under that part and that this additional indicator operate from a power source independent of the airplane's normal electrical generating system. This recommendation came as a result of two accidents over the last 10 years in which large turboprop cargo airplanes were flying in IFR conditions when they lost their attitude-indicating instruments; in both cases, the flightcrew lost control and crashed, killing all on board.

This amendment should eliminate this type of accident. The FAA estimates that the benefits of a cargo turboprop airplane avoiding this type of accident are $6.0 million, and that the estimated benefits for passenger turboprop airplanes are $30.2 million for 30- to 40-seat airplanes and $41.0 million for 40+-seat airplanes. Each of these benefit estimates was multiplied by the annual probability that a turboprop airplane would have such an accident. The expected values were then projected out over a 10-year period and finally discounted to obtain the present value of benefits. The estimated present value of the benefits per turboprop airplane are:

Type of airplane	Present value—benefits
Cargo	$23,200
30-40 Seat passenger	116,800
40+ Seat passenger	158,600

The installation costs for the third gyroscopic attitude indicator required by this amendment will depend on whether the airplane is used or new. The older large turboprop airplanes need to be retrofitted with a third gyroscopic attitude indicator that must be connected to an independent power source. The newer turboprop airplanes have this type of an indicator already installed, but these indicators might not be connected to an independent power source. All newly manufactured turboprop airplanes will be required to have such an indicator installed and connected to an independent power source. Factoring in the costs due to the weight penalty for the extra equipment on each of these different types of airplanes, as well as the annual maintenance and inspection costs, projecting over a 10-year time period, and finally discounting these costs yields:

Type and age of airplane	Present value—costs
Old turboprop airplanes	$7,900
New turboprop airplanes	3,100
Future turboprop airplanes	7,400

For each type of airplane, the benefits from this amendment exceed the costs. Accordingly, the FAA determines that this amendment is cost beneficial.

Passenger Information

The FAA has recognized three issues concerning the dissemination of passenger information. First, existing regulations do not require that the lighted passenger information signs such as the "no smoking" and the "fasten seat belt" signs be turned on while the airplane is taxiing. Second, in some circumstances certain parts of the FAR do not require passenger compliance with these lighted passenger information signs, posted signs and placards, and crewmember safety-related instructions. Finally, some passenger briefing requirements lack specific information about safety belts, smoking aboard aircraft, or passenger compliance. As a result, the FAA is changing the FAR to address these issues.

The FAA finds that there are no costs to this amendment. The intent of these changes is to clarify the type of passenger-safety related information that needs to be disseminated and to codify the requirements concerning issuing such material. None of the changes would involve any costs to the air carrier or passengers. The actions that are being required would still have to be performed prior to takeoff and landing.

There are benefits, however, in requiring passengers to comply with the fasten safety belt requirements. The FAA has found a number of incidents since 1970 where passengers and/or flight attendants not using safety belts have been injured during taxiing. Some of these incidents involved airplane collisions wherein seated and belted-in passengers avoided injuries. Therefore, the FAA concludes that the use of safety belts could have prevented some of

these injuries. Thus, the FAA finds that this rule is cost beneficial.

Passenger Service Equipment

Current FAA regulations do not require passenger service carts, food and beverage trays, seat back tray tables, and movie screens to be stowed during taxiing. Because of this, given an emergency evacuation situation during the taxiing phase, passenger emergency departure procedures could be impeded. Accordingly, the FAA would require an operator to secure all such apparatus before the aircraft is taxiing.

This amendment does not involve any additional costs to the air carrier operator. These actions would still have to be performed before takeoff. The only difference is that they would have to be done before pushback. There are, however, potential benefits as a result of this rule change (facilitating passenger egress during emergency situations). The FAA, therefore, finds that this amendment is cost beneficial.

Shoulder Harnesses

Currently, all crewmembers aboard U.S.-registered civil airplanes that are equipped with shoulder harnesses are required to wear them at specific times and under specific conditions. The amendment mandates the wearing of shoulder harnesses on all aircraft, but only if the crewmember's seat is equipped with a shoulder harness and the crewmember is able to perform required duties with the shoulder harness fastened. This amendment, however, does not require the retrofitting of shoulder harnesses on those aircraft. Therefore, the FAA finds that there are no economic costs to this amendment. Studies completed by the NTSB have shown that wearing shoulder harnesses has saved lives during accidents and that not wearing shoulder harnesses has resulted in fatalities or serious injuries during survivable accidents. Previous studies done by the FAA also have shown positive net benefits from using shoulder harnesses. Given the benefits of lives saved and injuries prevented, the FAA finds that this amendment is cost beneficial.

Airplane Evacuation

While the current regulations governing part 121 airplanes call for the automatic deployable emergency evacuation assisting means (such as exit doors and slides) to be ready for evacuation during taxiing, takeoffs, and landings, there are not provisions for this equipment to be ready for evacuation before taxiing. If an emergency occurs while the airplane is still at the gate or during pushback, there is no safe way for the passengers to leave the airplane except over the wing. This amendment requires the arming of such equipment before any airplane surface movement when passengers are on board.

The FAA has determined that there are no additional economic costs to this amendment. All that the amendment does is require a specific action (the arming of this equipment) earlier than is currently required. Given the possibility of emergency situations requiring passenger egress when the assisting means has not been made ready for evacuation, the FAA finds that this amendment will facilitate emergency evacuations and is, therefore, cost beneficial.

Fire Extinguishers and Protective Breathing Equipment

The current FAA regulations governing the placement of fire extinguishers and protective breathing equipment are unclear. Accordingly, the FAA is changing the language of the applicable sections of Part 121 to clarify these regulations. As the total quantity of this equipment would not change as a result of this amendment, there are no costs involved; the principal benefit would involve clarifying the location of such equipment. The FAA, therefore, finds that this amendment is cost beneficial.

Check Airmen Practical Tests

Existing § 135.303 of the FAR, which requires check airman to pass oral and flight tests, is unclear about what constitutes these tests. Because there are other training and checking requirements in the FAR, the FAA has determined that this part of the FAR is obsolete and is removing this section. Benefits will accrue to the airlines that will no longer have to request exemptions from this section. The FAA, therefore, finds that this amendment is cost beneficial.

Safety Belts in Airships

Currently FAA regulations exclude airships from the requirements of briefing passengers on how and when to fasten their safety belts and shoulder harnesses and on requiring each occupant to use them. The FAA is revising the FAR by removing the exceptions to airships. This amendment, however, does not require that airships be retrofitted with either safety belts or shoulder harnesses.

The amendment mandates the wearing of such equipment on airships if such safety belts or shoulder harnesses are already installed in the airship. Thus, this amendment does not impose any additional costs. It is well known, however, that safety belts and shoulder harnesses, whether they are used in automobiles, airplanes, or rotorcraft, have helped to save lives and prevent injuries. Similar benefits will be achieved by occupants of airships wearing safety belts or shoulder harnesses. Thus, given the potential economic benefits of lives saved and injuries prevented from using safety belts and shoulder harnesses, the FAA finds that this amendment is cost beneficial.

International Trade Impact Assessment

These amendments will have little or no impact on international trade. Most of the provisions will impose little or no additional operating costs on Part 121 certificate holders. Only one of the rules will have any cost impact. That amendment will only affect part 121 certificate holders that operate large turboprop airplanes.

This amendment requires those part 121 operators who operate large turboprop airplanes to install a third gyroscopic attitude indicator. This amendment will have minimal effect on operators that provide international air carrier service because most operate turbojet airplanes and must already comply with this requirement. The Part 121 operators affected by these amendments mostly provide domestic and supplemental service and thus for the most part would not complete with foreign air carriers.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) was enacted by Congress to ensure that small entities are not unnecessarily and disproportionately burdened by Government regulations. The RFA requires agencies to review rules that may have "a significant economic impact on a substantial number of small entities."

These amendments will impact entities regulated by part 121. The FAA's criteria for "a substantial number" are a number that is not fewer than 11 and which is more than one third of the small entities subject to this rule. For air carriers, a small entity has been defined as one who owns, but does not necessarily operate, nine or fewer aircraft. The FAA's criteria for "a significant economic impact" are at least $4,150 per year for an unscheduled carrier, $59,100 per year for a scheduled carrier having airplanes with only 60 or fewer seats, and $105,700 per year for a scheduled carrier having an airplane with 61 or more seats.

Requiring part 121 scheduled operators of turboprop airplanes to install a third gyroscopic attitude indicator will impose, at most, an annualized cost of $1,290 per year per airplane. If a small part 121 scheduled operator has nine turboprop airplanes, these costs ($11,600) would not exceed either of the above two thresholds ($59,100 and $105,700) for scheduled carriers. If a small part 121 unscheduled operator had three or more turboprop airplanes, the costs of these amendments would exceed the $4,150 threshold per year for unscheduled carriers. This, however, is the case of only three unscheduled operators. Thus, a substantial number of small unscheduled operators are not affected by this rule. The FAA, therefore, determines that the final amendments to part 121 will not have a significant economic impact on a substantial number of small entities.

Federalism Implications

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this regulation will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Conclusion

Under the terms of the Regulatory Flexibility Act, the FAA has reviewed these amendments to determine what impact they may have on small entities. The rule changes are only expected to affect a few small entities. Therefore, the FAA certifies that these amendments will not result in a significant economic impact, positive or negative, on a substantial number of small entities. In addition, the rule is not likely to result in an annual effect on the economy of $100 million or more or in a major increase in costs for consumers or Federal, State, or local government agencies. Accordingly, it has been determined that this is not a major rule under Executive Order 12291. In addition, this rule will have little or no impact on trade opportunities for U.S. firms doing business overseas or foreign firms doing business in the United States. Finally, the FAA has determined that this rule is significant under Department of Transportation Regulatory Policies and Procedures (44 FR 11034; February 26, 1979).

A Regulatory Evaluation of this rule, including a regulatory flexibility determination and an international trade impact assessment, has been placed in the regulatory docket.

List of Subjects

14 CFR Part 91

Air carriers, Air transportation, Aviation safety, Safety.

14 CFR Part 121

Air carriers, Air transportation, Aviation safety, Common carriers, Safety, Transportation.

14 CFR Part 125

Air carriers, Air transportation, Aviation safety, Safety.

14 CFR Part 135

Air carriers, Air taxi, Air transportation, Aviation safety, Safety.

The Amendment

In consideration of the foregoing, the Federal Aviation Administration amends parts 91, 121, 125, and 135 of the Federal Aviation Regulations (14 CFR parts 91, 121, 125, and 135) as follows:

PART 91—GENERAL OPERATING AND FLIGHT RULES

1. The authority citation for part 91 continues to read as follows:

Authority: 49 U.S.C. 1301(7), 1303, 1344, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471, 1472, 1502, 1510, 1522, and 2121 through 2125; Articles 12, 29, 31, and 32(a) of the Convention on International Civil Aviation (61 Stat. 1180); 42 U.S.C. 4321 et seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

2. Section 91.105 is amended by revising the introductory text of paragraph (b) to read as follows:

§ 91.105 Flight crewmembers at stations.

* * * * *

(b) Each required flight crewmember of a U.S.-registered civil aircraft shall, during takeoff and landing, keep his or her shoulder harness fastened while at his or her assigned duty station. This paragraph does not apply if—

* * * * *

3. Section 91.107 is revised to read as follows:

§ 91.107 Use of safety belts, shoulder harnesses, and child restraint systems.

(a) Unless otherwise authorized by the Administrator—

(1) No pilot may take off a U.S.-registered civil aircraft (except a free balloon that incorporates a basket or gondola, or an airship type certificated before November 2, 1987) unless the pilot in command of that aircraft ensures that each person on board is briefed on how to fasten and unfasten that person's safety belt and, if installed, shoulder harness.

(2) No pilot may cause to be moved on the surface, take off, or land a U.S.-registered civil aircraft (except a free balloon that incorporates a basket or gondola, or an airship type certificated before November 2, 1987) unless the pilot in command of that aircraft ensures that each person on board has been notified to fasten his or her safety belt and, if installed, his or her shoulder harness.

(3) Except as provided in this paragraph, each person on board a U.S.-registered civil aircraft (except a free balloon that incorporates a basket or gondola or an airship type certificated before November 2, 1987) must occupy an approved seat or berth with a safety belt and, if installed, shoulder harness, properly secured about him or her during movement on the surface, takeoff, and landing. For seaplane and float equipped rotorcraft operations during movement on the surface, the person pushing off the seaplane or rotorcraft from the dock and the person mooring the seaplane or rotorcraft at the dock are excepted from the preceding seating and safety belt requirements. Notwithstanding the preceding requirements of this paragraph, a person may:

(i) Be held by an adult who is occupying a seat or berth if that person has not reached his or her second birthday;

(ii) Use the floor of the aircraft as a seat, provided that the person is on board for the purpose of engaging in sport parachuting; or

(iii) Notwithstanding any other requirement of this chapter, occupy an approved child restraint system furnished by the operator or one of the persons described in paragraph (a)(3)(iii)(A) of this section provided that:

(A) The child is accompanied by a parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight;

(B) The approved child restraint system bears one or more labels as follows:

(*1*) Seats manufactured to U.S. standards between January 1, 1981, and February 25, 1985, must bear the label: "This child restraint system conforms to all applicable Federal motor vehicle safety standards." Vest- and harness-type child restraint systems manufactured before February 26, 1985, bearing such a label are not approved for the purposes of this section;

(2) Seats manufactured to U.S. standards on or after February 26, 1985, must bear two labels:

(i) "This child restraint system conforms to all applicable Federal motor vehicle safety standards"; and

(ii) "THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT" in red lettering;

(3) Seats that do not qualify under paragraphs (a)(3)(iii)(B)(1) and (a)(3)(iii)(B)(2) of this section must bear either a label showing approval of a foreign government or a label showing that the seat was manufactured under the standards of the United Nations; and

(C) The operator complies with the following requirements:

(1) The restraint system must be properly secured to an approved forward-facing seat or berth;

(2) The child must be properly secured in the restraint system and must not exceed the specified weight limit for the restraint system; and

(3) The restraint system must bear the appropriate label(s).

(b) Unless otherwise stated, this section does not apply to operations conducted under part 121, 125, or 135 of this chapter. Paragraph (a)(3) of this section does not apply to persons subject to § 91.105.

4. Section 91.205 is amended by revising paragraph (b)(12) to read as follows:

§ 91.205 Powered civil aircraft with standard category U.S. airworthiness certificates: Instrument and equipment requirements.

* * * * *

(b) * * *

(12) An approved safety belt with an approved metal-to-metal latching device for each occupant 2 years of age or older.

* * * * *

5. Section 91.517 is revised to read as follows:

§ 91.517 Passenger information.

(a) Except as provided in paragraph (b) of this section, no person may operate an airplane carrying passengers unless it is equipped with signs that are visible to passengers and flight attendants to notify them when smoking is prohibited and when safety belts must be fastened. The signs must be so constructed that the crew can turn them on and off. They must be turned on during airplane movement on the surface, for each takeoff, for each landing, and when otherwise considered to be necessary by the pilot in command.

(b) The pilot in command of an airplane that is not required, in accordance with applicable aircraft and equipment requirements of this chapter, to be equipped as provided in paragraph (a) of this section shall ensure that the passengers are notified orally each time that it is necessary to fasten their safety belts and when smoking is prohibited.

(c) If passenger information signs are installed, no passenger or crewmember may smoke while any "no smoking" sign is lighted nor may any passenger or crewmember smoke in any lavatory.

(d) Each passenger required by § 91.107(a)(3) to occupy a seat or berth shall fasten his or her safety belt about him or her and keep it fastened while any "fasten seat belt" sign is lighted.

(e) Each passenger shall comply with instructions given him or her by crewmembers regarding compliance with paragraphs (b), (c), and (d) of this section.

6. Section 91.519 is amended by revising paragraphs (a)(1) and (a)(2) to read as follows:

§ 91.519 Passenger briefing.

(a) * * *

(1) Smoking: Each passenger shall be briefed on when, where, and under what conditions smoking is prohibited. This briefing shall include a statement, as appropriate, that the Federal Aviation Regulations require passenger compliance with lighted passenger information signs and no smoking placards, prohibit smoking in lavatories, and require compliance with crewmember instructions with regard to these items;

(2) Use of safety belts and shoulder harnesses: Each passenger shall be briefed on when, where, and under what conditions it is necessary to have his or her safety belt and, if installed, his or her shoulder harness fastened about him or her. This briefing shall include a statement, as appropriate, that Federal Aviation Regulations require passenger compliance with the lighted passenger sign and/or crewmember instructions with regard to these items;

* * * * *

7. Section 91.535 is added to subpart F to read as follows:

§ 91.535 Stowage of food, beverage, and passenger service equipment during aircraft movement on the surface, takeoff, and landing.

(a) No operator may move an aircraft on the surface, take off, or land when any food, beverage, or tableware furnished by the operator is located at any passenger seat.

(b) No operator may move an aircraft on the surface, take off, or land unless each food and beverage tray and seat back tray table is secured in its stowed position.

(c) No operator may permit an aircraft to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

(d) No operator may permit an aircraft to move on the surface, take off, or land unless each movie screen that extends into the aisle is stowed.

(e) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS, AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

8. The authority citation for part 121 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355, 1356, 1357, 1401, 1421–1430, 1472, 1485, and 1502; 49 U.S.C. 106(g) (Revised, Pub. L. 97–449, January 12, 1983).

9. Section 121.305 is amended by revising the introductory text of paragraph (j) to read as follows:

§ 121.305 Flight and navigational equipment.

* * * * *

(j) After October 17, 1994 on large airplanes other than reciprocating-engine-powered airplanes, in addition to two gyroscopic bank-and-pitch indicators (artificial horizons) for use at the pilot stations, a third such instrument that—

* * * * *

10. Section 121.309 is amended by revising paragraph (c) introductory text and (c)(2); by redesignating paragraphs (c)(3), (c)(4), and (c)(5) as (c)(4), (c)(5), and (c)(7), respectively; by revising newly redesignated paragraphs (c)(4), (c)(5), and (c)(7); and by adding new paragraphs (c)(3) and (c)(6) to read as follows:

§ 121.309 Emergency equipment.

* * * * *

(c) Hand fire extinguishers for crew, passenger, cargo, and galley compartments. Hand fire extinguishers of an approved type must be provided for use in crew, passenger, cargo, and galley compartments in accordance with the following:

* * * * *

(2) Cargo compartments. At least one hand fire extinguisher must be conveniently located for use in each class E cargo compartment that is accessible to crewmembers during flight.

(3) Galley compartments. At least one hand fire extinguisher must be conveniently located for use in each galley located in a compartment other than a passenger, cargo, or crew compartment.

(4) Flightcrew compartment. At least one hand fire extinguisher must be conveniently located on the flight deck for use by the flightcrew.

(5) Passenger compartments. Hand fire extinguishers for use in passenger compartments must be conveniently located and, when two or more are required, uniformly distributed throughout each compartment. Hand fire extinguishers shall be provided in passenger compartments as follows:

(i) For airplanes having passenger seats accommodating more than 6 but fewer than 31 passengers, at least one.

(ii) For airplanes having passenger seats accommodating more than 30 but fewer than 61 passengers, at least two.

(iii) For airplanes having passenger seats accommodating more than 60 passengers, there must be at least the following number of hand fire extinguishers:

Minimum Number of Hand Fire Extinguishers

Passenger seating accommodations:	
61 through 200	3
201 through 300	4
301 through 400	5
401 through 500	6
501 through 600	7
601 or more	8

(6) Notwithstanding the requirement for uniform distribution of hand fire extinguishers as prescribed in paragraph (c)(5) of this section, for those cases where a galley is located in a passenger compartment, at least one hand fire extinguisher must be conveniently located and easily accessible for use in the galley.

(7) At least two of the required hand fire extinguishers installed in passenger-carrying airplanes must contain Halon 1211 (bromochlorofluoromethane) or equivalent as the extinguishing agent.

* * * * *

11. Section 121.311 is amended by revising paragraph (b); by redesignating paragraphs (c) through (h) as (d) through (i), respectively; by removing the words "After September 30, 1969, each" from newly redesignated paragraph (d) and inserting the word "Each" in their place' and by adding new paragraph (c) to read as follow:

§ 121.311 Seats, safety belts, and shoulder harnesses.

* * * * *

(b) Except as provided in this paragraph, each person on board an airplane operated under this part shall occupy an approved seat or berth with a separate safety belt properly secured about him or her during movement on the surface, takeoff, and landing. A safety belt provided for the occupant of a seat may not be used by more than one person who has reached his or her second birthday. Notwithstanding the preceding requirements, a child may:

(1) Be held by an adult who is occupying an approved seat or berth if that child has not reached his or her second birthday; or

(2) Notwithstanding any other requirement of this chapter, occupy an approved child restraint system furnished by the certificate holder or one of the persons described in paragraph (b)(2)(i) of this section, provided:

(i) The child is accompanied by a parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight;

(ii) The approved child restraint system bears one or more labels as follows:

(A) Seats manufactured to U.S. standards between January 1, 1981, and February 25, 1985, must bear the label: "This child restraint system conforms to all applicable Federal motor vehicle safety standards." Vest- and harness-type child restraint systems manufactured before February 26, 1985, bearing such a label are not approved for the purposes of this section;

(B) Seats manufactured to U.S. standards on or after February 26, 1985, must bear two labels:

(*1*) "This child restraint system conforms to all applicable Federal motor vehicle safety standards"; and

(*2*) "THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT" in red lettering;

(C) Seats that do not qualify under paragraphs (b)(2)(ii)(A) and (b)(2)(ii)(B) of this section must bear either a label showing approval of a foreign government or a label showing that the seat was manufactured under the standards of the United Nations; and

(iii) The certificate holder complies with the following requirements:

(A) The restraint system must be properly secured to an approved forward-facing seat or berth;

(B) The child must be properly secured in the restraint system and must not exceed the specified weight limit for the restraint system; and

(C) The restraint system must bear the appropriate label(s).

(c) No certificate holder may prohibit a child, if requested by the child's parent, guardian, or designated attendant, from occupying a child restraint system furnished by the child's parent, guardian, or designated attendant, provided the child holds a ticket for an approved seat or berth, or such seat or berth is otherwise made available by the certificate holder for the child's use, and the requirements contained in paragraphs (b)(2)(i) through (b)(2)(iii) of this section are met. This section does not prohibit the certificate holder from providing child restraint systems or, consistent with safe operating practices, determining the most appropriate passenger seat location for the child restraint system.

* * * * *

12. Section 121.317 is amended by removing the words "After December 31, 1988, no" from paragraph (e) and inserting the word "No" in their place; by revising paragraphs (b), (d), (f), (g), and (j); and by adding new paragraph (k) to read as follows:

§ 121.317 Passenger information.

(b) The "Fasten Seat Belt" sign shall be turned on during any movement on the surface, for each takeoff, for each landing, and at any other time considered necessary by the pilot in command.

* * * * *

(d) No person may operate a passenger-carrying airplane under this part unless at least one legible sign or placard that reads "Fasten Seat Belt While Seated" is visible from each passenger seat. These signs or placards need not meet the requirements of paragraph (a) of this section.

* * * * *

(f) Each passenger required by § 121.311(b) to occupy a seat or berth shall fasten his or her safety belt about him or her and keep it fastened while the "Fasten Seat Belt" sign is lighted.

(g) No person may smoke while a "No Smoking" sign is lighted or if "No Smoking" placards are posted, except that the pilot in command may authorize smoking on the flight deck except during airplane movement on the surface, takeoff, or landing.

* * * * *

(j) On flight segments other than those described in paragraph (c) of this section, the "No Smoking" sign must be turned on during any movement on the surface, for each takeoff, for each landing, and at any other time

considered necessary by the pilot in command.

(k) Each passenger shall comply with instructions given him or her by crewmembers regarding compliance with paragraphs (f), (g), and (h) of this section.

* * * * *

13. Section 121.337 is amended by revising paragraph (b)(9)(ii) to read as follows:

§ 121.337 Protective breathing equipment.

* * * * *

(b) * * *

(9) * * *

(ii) One PBE is required for each hand fire extinguisher located for use in a galley other than a galley located in a passenger, cargo, or crew compartment.

14. Section 121.570 is added to subpart T to read as follows:

§ 121.570 Airplane evacuation capability.

(a) No person may cause an airplane carrying passengers to be moved on the surface, take off, or land unless each automatically deployable emergency evacuation assisting means, installed pursuant to § 121.310(a), is ready for evacuation.

(b) Each certificate holder shall ensure that, at all times passengers are on board prior to airplane movement on the surface, at least one floor-level exit provides for the egress of passengers through normal or emergency means.

15. Section 121.571 is amended by revising paragraphs (a)(1)(i) and (a)(1)(iii) to read as follows:

§ 121.571 Briefing passengers before takeoff.

(a) * * *

(1) * * *

(i) *Smoking.* Each passenger shall be briefed on when, where, and under what conditions smoking is prohibited (including, but not limited to, any applicable requirements of part 252 of this title). This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with the lighted passenger information signs, posted placards, areas designated for safety purposes as no smoking areas, and crewmember instructions with regard to these items. The briefing shall also include a statement that Federal law prohibits tampering with, disabling, or destroying any smoke detector in an airplane lavatory; smoking in lavatories; and, when applicable, smoking in passenger compartments.

* * * * *

(iii) The use of safety belts, including instructions on how to fasten and unfasten the safety belts. Each passenger shall be briefed on when, where, and under what conditions the safety belt must be fastened about that passenger. This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with lighted passenger information signs and crewmember instructions concerning the use of safety belts.

* * * * *

16. Section 121.577 is revised to read as follows:

§ 121.577 Stowage of food, beverage, and passenger service equipment during airplane movement on the surface, takeoff, and landing.

(a) No certificate holder may move an airplane on the surface, take off, or land when any food, beverage, or tableware furnished by the certificate holder is located at any passenger seat.

(b) No certificate holder may move an airplane on the surface, take off, or land unless each food and beverage tray and seat back tray table is secured in its stowed position.

(c) No certificate holder may permit an airplane to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

(d) No certificate holder may permit an airplane to move on the surface, take off, or land unless each movie screen that extends into an aisle is stowed.

(e) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

PART 125—CERTIFICATION AND OPERATIONS: AIRPLANES HAVING A SEATING CAPACITY OF 20 OR MORE PASSENGERS OR A MAXIMUM PAYLOAD CAPACITY OF 6,000 POUNDS OR MORE

17. The authority citation for part 125 continues to read as follows:

Authority: 49 U.S.C. 1354, 1421 through 1430 and 1502; 49 U.S.C. 106(g) (Revised, Pub. L. 97–449, January 12, 1983).

18. Section 125.211 is amended by revising paragraph (b); by redesignating paragraphs (c) through (e) as (d) through (f), respectively; and by adding new paragraph (c) to read as follows:

§ 125.211 Seats and safety belts.

* * * * *

(b) Except as provided in paragraphs (b)(1) and (b)(2) of this section, each person on board an airplane operated under this part shall occupy an approved seat or berth with a separate safety belt properly secured about him or her during movement on the surface, takeoff, and landing. A safety belt provided for the occupant of a seat may not be used for more than one person who has reached his or her second birthday. Notwithstanding the preceding requirements, a child may:

(1) Be held by an adult who is occupying a seat or berth if that child has not reached his or her second birthday; or

(2) Notwithstanding any other requirement of this chapter, occupy an approved child restraint system furnished by the certificate holder or one of the persons described in paragraph (b)(2)(i) of this section, provided:

(i) The child is accompanied by a parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight;

(ii) The approved child restraint system bears one or more labels as follows:

(A) Seats manufactured to U.S. standards between January 1, 1981, and February 25, 1985, must bear the label: "This child restraint system conforms to all applicable Federal motor vehicle safety standards." Vest- and harness-type child restraint systems manufactured before February 26, 1985, bearing such a label are not approved for the purposes of this section;

(B) Seats manufactured to U.S. standards on or after February 26, 1985, must bear two labels:

(*1*) "This child restraint system conforms to all applicable Federal motor vehicle safety standards"; and

(*2*) "THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT" in red lettering;

(C) Seats that do not qualify under paragraphs (b)(2)(ii)(A) and (b)(2)(ii)(B) of this section must bear either a label showing approval of a foreign government or a label showing that the seat was manufactured under the standards of the United Nations; and

(iii) The certificate holder complies with the following requirements:

(A) The restraint system must be properly secured to an approved forward-facing seat or berth;

(B) The child must be properly secured in the restraint system and must not exceed the specified weight limit for the restraint system; and

(C) The restraint system must bear the appropriate label(s).

(c) No certificate holder may prohibit a child, if requested by the child's parent, guardian, or designated attendant from occupying a child restraint system furnished by the child's parent, guardian, or designated

attendant, provided the child holds an authorization for an approved seat or berth and the requirements contained in paragraphs (b)(2)(i) through (b)(2)(iii) of this section are met. This section does not prohibit the certificate holder from providing child restraint systems or, consistent with safe operating practices, determining the most appropriate passenger seat location for the child restraint system.

* * * * *

19. Section 125.217 is revised to read as follows:

§ 125.217 Passenger information.

(a) Except as provided in paragraph (b) of this section, no person may operate an airplane carrying passengers unless it is equipped with signs that meet the requirements of § 25.791 of this chapter and that are visible to passengers and flight attendants to notify them when smoking is prohibited and when safety belts must be fastened. The signs must be so constructed that the crew can turn them on and off. They must be turned on during airplane movement on the surface, for each takeoff, for each landing, and when otherwise considered to be necessary by the pilot in command.

(b) No passenger or crewmember may smoke while any "No Smoking" sign is lighted nor may any passenger or crewmember smoke in any lavatory.

(c) Each passenger required by § 125.211(b) to occupy a seat or berth shall fasten his or her safety belt about him or her and keep it fastened while any "Fasten Seat Belt" sign is lighted.

(d) Each passenger shall comply with instructions given him or her by crewmembers regarding compliance with paragraphs (b) and (c) of this section.

20. Section 125.327 is amended by revising paragraphs (a)(1) and (a)(2) to read as follows:

§ 125.327 Briefing of passengers before flight.

(a) * * *

(1) *Smoking.* Each passenger shall be briefed on when, where, and under what conditions smoking is prohibited. This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with the lighted passenger information signs, posted placards, areas designated for safety purposes as no smoking areas, and crewmember instructions with regard to these items.

(2) The use of safety belts, including instructions on how to fasten and unfasten the safety belts. Each passenger shall be briefed on when, where, and under what conditions the safety belt must be fastened about him or her. This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with lighted passenger information signs and crewmember instructions concerning the use of safety belts.

* * * * *

21. Section 125.333 is added to Subpart J to read as follows:

§ 125.333 Stowage of food, beverage, and passenger service equipment during airplane movement on the surface, takeoff, and landing.

(a) No certificate holder may move an airplane on the surface, take off, or land when any food, beverage, or tableware furnished by the certificate holder is located at any passenger seat.

(b) No certificate holder may move an airplane on the surface, take off, or land unless each food and beverage tray and seat back tray table is secured in its stowed position.

(c) No certificate holder may permit an airplane to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

(d) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

PART 135—AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

22. The authority citation for part 135 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1355(a), 1421 through 1431, and 1502; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983).

23. Section 135.117 is amended by revising paragraphs (a)(1) and (a)(2) to read as follows:

§ 135.117 Briefing of passengers before flight.

(a) * * *

(1) *Smoking.* Each passenger shall be briefed on when, where, and under what conditions smoking is prohibited (including, but not limited to, any applicable requirements of part 252 of this title). This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with the lighted passenger information signs (if such signs are required), posted placards, areas designated for safety purposes as no smoking areas, and crewmember instructions with regard to these items. The briefing shall also include a statement (if the aircraft is equipped with a lavatory) that Federal law prohibits: tampering with, disabling, or destroying any smoke detector installed in an aircraft lavatory; smoking lavatories; and, when applicable, smoking in passenger compartments.

(2) The use of safety belts, including instructions on how to fasten and unfasten the safety belts. Each passenger shall be briefed on when, where, and under what conditions the safety belt must be fastened about that passenger. This briefing shall include a statement that the Federal Aviation Regulations require passenger compliance with lighted passenger information signs and crewmember instructions concerning the use of safety belts.

* * * * *

24. Section 135.122 is added to subpart B to read as follows:

§ 135.122 Stowage of food, beverage, and passenger service equipment during aircraft movement on the surface, takeoff, and landing.

(a) No certificate holder may move an aircraft on the surface, take off, or land when any food, beverage, or tableware furnished by the certificate holder is located at any passenger seat.

(b) No certificate holder may move an aircraft on the surface, take off, or land unless each food and beverage tray and seat back tray table is secured in its stowed position.

(c) No certificate holder may permit an aircraft to move on the surface, take off, or land unless each passenger serving cart is secured in its stowed position.

(d) Each passenger shall comply with instructions given by a crewmember with regard to compliance with this section.

25. Section 135.127 is amended by revising paragraphs (b) and (f) and by adding new paragraphs (g) and (h) to read as follows:

§ 135.127 Passenger information.

* * * * *

(b) No person may smoke while a "No Smoking" sign is lighted or while "No Smoking" placards are posted, except that the pilot in command may authorize smoking on the flight deck (if it is physically separated from the passenger compartment) except during any movement of an aircraft on the surface, takeoff, and landing.

* * * * *

(f) On flight segments other than those described in paragraph (a) of this section, the "No Smoking" sign required by § 135.177(a)(3) of this part must be turned on during any movement of the aircraft on the surface, for each takeoff or landing, and at any other time

considered necessary by the pilot in command.

(g) The passenger information requirements prescribed in § 91.517 (b) and (d) of this chapter are in addition to the requirements prescribed in this section.

(h) Each passenger shall comply with instructions given him or her by crewmembers regarding compliance with paragraphs (b), (c), and (e) of this section.

* * * * *

26. Section 135.128 is added to subpart B to read as follows:

§ 135.128 Use of safety belts and child restraint systems.

(a) Except as provided in this paragraph, each person on board an aircraft operated under this part shall occupy an approved seat or berth with a separate safety belt properly secured about him or her during movement on the surface, takeoff, and landing. For seaplane and float equipped rotorcraft operations during movement on the surface, the person pushing off the seaplane or rotorcraft from the dock and the person mooring the seaplane or rotorcraft at the dock are excepted from the preceding seating and safety belt requirements. A safety belt provided for the occupant of a seat may not be used by more than one person who has reached his or her second birthday. Notwithstanding the preceding requirements, a child may:

(1) Be held by an adult who is occupying an approved seat or berth if that child has not reached his or her second birthday; or

(2) Notwithstanding any other requirement of this chapter, occupy an approved child restraint system furnished by the certificate holder or one of the persons described in paragraph (a)(2)(i) of this section, provided:

(i) The child is accompanied by a parent, guardian, or attendant designated by the child's parent or guardian to attend to the safety of the child during the flight;

(ii) The approved child restraint system bears one or more labels as follows:

(A) Seats manufactured to U.S. standards between January 1, 1981, and February 25, 1985, must bear the label: "This child restraint system conforms to all applicable Federal motor vehicle safety standards." Vest- and harness-type child restraint systems manufactured before February 26, 1985, bearing such a label are not approved for the purposes of this section;

(B) Seats manufactured to U.S. standards on or after February 26, 1985, must bear two labels:

(*1*) "This child restraint system conforms to all applicable Federal motor vehicle safety standards"; and

(*2*) "THIS RESTRAINT IS CERTIFIED FOR USE IN MOTOR VEHICLES AND AIRCRAFT" in red lettering;

(C) Seats that do not qualify under paragraphs (a)(2)(ii)(A) and (a)(2)(ii)(B) of this section must bear either a label showing approval of a foreign government or a label showing that the seat was manufactured under the standards of the United Nations; and

(iii) The certificate holder complies with the following requirements:

(A) The restraint system must be properly secured to an approved forward-facing seat or berth;

(B) The child must be properly secured in the restraint system and must not exceed the specified weight limit for the restraint system; and

(C) The restraint system must bear the appropriate label(s).

(b) No certificate holder may prohibit a child, if requested by the child's parent, guardian, or designated attendant from occupying a child restraint system furnished by the child's parent, guardian, or designated attendant, provided the child holds a ticket for an approved seat or berth, or such seat or berth is otherwise made available by the certificate holder for the child's use, and the requirements contained in paragraphs (a)(2)(i) through (a)(2)(iii) of this section are met. This section does not prohibit the certificate holder from providing child restraint systems or, consistent with safe operating practices, determining the most appropriate passenger seat location for the child restraint system.

27. Section 135.177 is amended by revising paragraph (a)(3) to read as follows:

§ 135.177 Emergency equipment requirements for aircraft having a passenger seating configuration of more than 19 passengers.

(a) * * *

(3) Signs that are visible to all occupants to notify them when smoking is prohibited and when safety belts must be fastened. The signs must be constructed so that they can be turned on during any movement of the aircraft on the surface, for each takeoff or landing, and at other times considered necessary by the pilot in command. "No smoking" signs shall be turned on when required by § 135.127.

* * * * *

§ 135.303 [Removed]

34. Section 135.303 is removed.

Issued in Washington, DC, on September 8, 1992.

Thomas C. Richards,

Administrator.

[FR Doc. 92-22084 Filed 9-14-92; 8:45 am]

BILLING CODE 4910-13-M

Federal Register

Tuesday
September 15, 1992

Part IV

The President

Proclamation 6471—Commodore John Barry Day, 1992

Federal Register
Vol. 57, No. 179
Tuesday, September 15, 1992

Presidential Documents

Title 3—

The President

Proclamation 6471 of September 12, 1992

Commodore John Barry Day, 1992

By the President of the United States of America

A Proclamation

The members of the United States Navy continue a long and distinguished tradition of service to our country that began more than 200 years ago during our Nation's War for Independence, when a small yet tenacious American fleet achieved several key victories against powerful British forces. Those victories were made possible, in large part, by the extraordinary courage and seamanship of leaders such as Commodore John Barry, whose legacy we celebrate today.

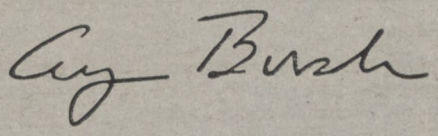
As one of the first and most successful captains of the Continental Navy, John Barry set standards of bravery and selflessness that generations of U.S. naval personnel have since strived to emulate. Under his command in April 1776, the crew of the brig LEXINGTON achieved the first capture in battle of a British vessel by a regularly commissioned American warship. Captain Barry continued to serve with distinction throughout the long war at sea, taking part in the last American naval victory of the Revolution when he led the frigate ALLIANCE against the HMS SYBILLE in March 1783. During that 7-year period, which included action as an Army artillery officer at the Battle of Trenton, Captain Barry earned the respect of General George Washington, who commended his "gallantry and address." Ironically, perhaps, Captain Barry also earned the admiration of the enemy, which, through General Lord Howe, sought to entice the Irish-born Barry away from the American cause. Captain Barry erased any doubts about his patriotism and devotion to freedom when he rebuked Howe's offer, declaring: "Not the value and command of the whole British fleet can lure me from the cause of my country."

So devoted to our country's cause was Captain Barry that he continued to champion the ideals of freedom and democracy long after the end of the Revolutionary War. Active in Pennsylvania politics, he became a strong advocate of our Constitution, which was ratified by the State Assembly on December 12, 1787. In 1794, President George Washington personally conferred upon Captain Barry "Commission No. 1," entrusting him with the command of the new frigate USS UNITED STATES, one of six that were built as part of a permanent American naval armament. Until his death on September 13, 1803, Commodore Barry continued to shape the young United States Navy.

The Congress, by House Joint Resolution 413, has designated Sunday, September 13, 1992, as "Commodore John Barry Day" and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim September 13, 1992, as Commodore John Barry Day. I invite all Americans to observe this day with appropriate ceremonies and activities in honor of the courageous individuals, past and present, who have served in the United States Navy.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord nineteen hundred and ninety-two, and of the Independence of the United States of America the two hundred and seventeenth.



[FR Doc. 92-22478
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102d Congress, 2nd Session, 1992

Pamphlet prints of public laws, often referred to as slip laws, are the initial publication of Federal laws upon enactment and are printed as soon as possible after approval by the President. Legislative history references appear on each law. Subscription service includes all public laws, issued irregularly upon enactment, for the 102d Congress, 2nd Session, 1992.

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