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Friday
November 13, 1992

Briefings on How To Use the Federal Register
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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.

ALBUQUERQUE, NM

WHEN: December 8, at 9:00 am
WHERE: University of New Mexico
Continuing Education Bldg., Room I
1634 University Blvd., NE
Albuquerque, NM
RESERVATIONS: Julie Stone
505-768-3532

WASHINGTON, DC

WHEN: November 30, at 9:00 am
WHERE: Office of the Federal Register
Seventh Floor Conference Room
800 North Capitol Street, NW, Washington, DC
RESERVATIONS: 202-523-4534

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Rules and Regulations

Federal Register
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This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
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 TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 92-NM-64-AD; Amendment 39-8341; AD 92-17-12]

Airworthiness Directives; British Aerospace Model HS/BH 125-600A, HS 125-700A, and BAe 125-800A Series Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule, correction.

SUMMARY: This document corrects information in an existing airworthiness directive (AD), applicable to certain British Aerospace Model HS/BH 125-600A, HS 125-700A, and BAe 125-800A series airplanes, that currently requires modification of the cabin and toilet fluorescent lighting systems. This action corrects the applicability statement of the existing AD to clarify that its requirements are applicable to certain Model HS and BH 125 series airplanes. This action is necessary to ensure that all applicable airplanes are modified.

DATES: Effective September 28, 1992.

The incorporation by reference of certain publications listed in the regulations was previously approved by the Director of the Federal Register as of September 28, 1992 (57 FR 38262, August 24, 1992).

ADDRESSES: The service information referenced in this AD may be obtained from British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041-0414. This information may be examined at the Federal Aviation Administration (FAA), Transport Airplane Directorate, Rules Docket, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Mr. Hank Jenkins, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2141; fax (206) 227-1320.

SUPPLEMENTARY INFORMATION: On July 24, 1992, the FAA issued AD 92-17-12, Amendment 39-8341 (57 FR 38262, August 24, 1992), to require modification of the cabin and toilet fluorescent lighting systems. That action was prompted by a report indicating that faults in certain cabin and toilet fluorescent lighting systems could cause overheating of components and wiring. The actions required by that AD are intended to prevent electrical arcing, which can result in a fire.

Recently, the FAA has become aware of the fact that reference to Models HS/BH 125-600A and HS 125-700A series airplanes were omitted inadvertently from the applicability statement of the AD. The proposed applicability statement contained in the notice that preceded the final rule indicated that all "Model 125-600A, -700A, and -800A series airplanes, as listed in British Aerospace Service Bulletin 33-45-25A027A&B, dated December 23, 1991," were subject to the proposal. That listing included not only Model BAe 125-800A series airplanes, but Model HS/BH 125-600A and Model HS 125-700A series airplanes as well. However, the applicability statement that was published in the final rule inadvertently cited the applicable models only as "Model BAe 125-600A, -700A, and -800A series airplanes" listed in the referenced British Aerospace service bulletin.

The FAA has determined that it is appropriate to take action to correct AD 92-17-12 to clarify that the requirements of that AD are applicable to British Aerospace Model HS/BH 125-600A, HS 125-700A, and BAe 125-800A series airplanes, as listed in the referenced British Aerospace service bulletin.

Action is taken herein to correct the error and to correctly add the AD as an amendment to § 39.13 of the Federal Aviation Regulations (FAR). The effective date of the rule remains September 28, 1992.

The final rule is being reprinted in its entirety for the convenience of affected operators.

Since this action only clarifies the applicability of a final rule, it has no adverse economic impact and imposes no additional burden on any person. Therefore, notice and public procedures hereon are unnecessary.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Correction

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by correctly adding the following airworthiness directive (AD):

92-17-12. British Aerospace: Amendment 39-8341. Docket 92-NM-64-AD.

Applicability: Model HS/BH 125-600A, HS 125-700A, and BAe 125-800A series airplanes; as listed in British Aerospace Service Bulletin 33-45-25A027A&B, dated December 23, 1991; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent electrical arcing and a resultant fire, accomplish the following:

(a) Within 180 days after the effective date of this AD, modify the cabin and toilet fluorescent lighting systems, in accordance with British Aerospace Service Bulletin 33-45-25A027A&B, dated December 23, 1991.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate. Operators shall submit their requests through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Standardization Branch.

Note: Information concerning the existence of approved alternative methods of

compliance with this AD, if any, may be obtained from the Standardization Branch.

(c) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) The modification shall be done in accordance with British Aerospace Service Bulletin 33–45–25A027A&B, dated December 23, 1991. This incorporation by reference was previously approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51, as of September 28, 1992 (57 FR 38262, August 24, 1992). Copies may be obtained from British Aerospace, PLC, Librarian for Service Bulletins, P.O. Box 17414, Dulles International Airport, Washington, DC 20041–0414. Copies may be inspected at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(e) This amendment is effective September 28, 1992.

Issued in Renton, Washington, on November 5, 1992.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 92–27439 Filed 11–12–92; 8:45 am]

BILLING CODE 4910–13–M

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14 CFR Part 71

[Airspace Docket No. 92–ASO–16]

Alteration of VOR Federal Airway V–329; FL

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule; request for comments.

SUMMARY: This amendment alters the description of VOR Federal Airway V–329. V–329 was recently amended in Airspace Docket No. 90–ASO–19, but the most recent flight inspection data revealed that this route can be navigated with more precision by a minor realignment of V–329 over the Andalusia, AL, Very High Frequency Omnidirectional Range (VOR). Therefore, this action supersedes Airspace Docket No. 90–ASO–19. This altered route provides a better feeder airway for operations in and out of the Eglin Air Force Base (AFB) terminal complex due to the precise VOR fix.

DATES: Effective date—0901 u.t.c., December 10, 1992. Comments must be received on or before December 30, 1992.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Air Traffic Division, ASO–500, Docket No. 92–ASO–16, Federal Aviation Administration, P.O. Box 20636, Atlanta, GA 30320.

The official docket may be examined in the Rules Docket, Office of the Chief Counsel, room 916, 800 Independence Avenue, SW., Washington, DC, weekdays, except Federal holidays, between 8:30 a.m. and 5 p.m.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division.

FOR FURTHER INFORMATION CONTACT: Lewis W. Still, Airspace and Obstruction Evaluation Branch (ATP–240), Airspace-Rules and Aeronautical Information Division, Air Traffic Rules and Procedures Service, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–9250.

SUPPLEMENTARY INFORMATION:

Request for Comments on the Rule

Although this action is in the form of a final rule, which involves altering the description of V–329 located in the vicinity of Elgin AFB, FL, and, thus, was not preceded by notice and public procedure, comments are invited on the rule. When the comment period ends, the FAA will use the comments submitted, together with other available information, to review the regulation. After the review, if the FAA finds that changes are appropriate, it will initiate rulemaking proceedings to amend the regulation. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in evaluating the effects of the rule and determining whether additional rulemaking is needed. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy aspects of the rule that might suggest the need to modify the rule.

The Rule

The purpose of this amendment to part 71 of the Federal Aviation Regulations (14 CFR part 71) is to alter the description of V–329 located in the vicinity of Eglin AFB, FL. Flight inspection data has revealed that the current alignment of V–329 from ANDAL, FL, Intersection to the Montgomery, AL, VOR, is difficult to fly for many general aviation pilots due to navigation equipment limitations. The rule adopted realigns a point almost at the center of an 88-mile segment of V–329 less than 5 miles to the east. Therefore, this action supersedes Airspace Docket No. 90–ASO–19. The new airway alignment from CORKY, FL, Intersection via the Andalusia, AL, VOR, and to the Montgomery, AL, VOR, will aid all types of air operations and increase safety.

Because this rule makes only a minor modification to recently proposed and adopted amendment on which no objecting comments were received, this rule is not one in which the public would be particularly interested. Therefore, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary. Domestic VOR Federal airways are published in Section 71.123 of FAA Order 7400.7 effective November 1, 1991, which is incorporated by reference in 14 CFR 71.1. The Domestic VOR Federal airway listed in this document will be published subsequently in the Order.

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, Domestic VOR Federal airways, Incorporation by reference.

Adoption of the Amendment

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 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 71.123. Domestic VOR Federal Airways

* * * * *

V-329 [Revised]

From INT Crestview, FL, 091° and Andalusia, AL, 192° radials; Andalusia; to Montgomery, AL.

* * * * *

Issued in Washington, DC, on November 4, 1992.

Harold W. Becker,

Manager, Airspace-Rules and Aeronautical Information Division.

[FR Doc. 92-27585 Filed 11-12-92; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Social Security Administration

20 CFR Part 416

RIN 0960-AC94

Supplemental Security Income for the Aged, Blind, and Disabled; Technical Changes

AGENCY: Social Security Administration, HHS.

ACTION: Final rules.

SUMMARY: We are amending the supplemental security income (SSI) regulations to make technical changes to update the regulations and improve referencing. The revisions incorporate a statutory change to the title of a public law, a statutory repeal of certain time limits, and a statutory change redesignating the "Veterans' Administration" as the "Department of Veterans Affairs." In addition, the changes add a reference heading, update the appendix at the end of Subpart K which lists exclusions from income in statutes other than the Social Security Act (the Act), and update our lists of such statutory exclusions from resources contained in Subpart L.

EFFECTIVE DATE: November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Duane Heaton, Legal Assistant, 3-B-1 Operations Building, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-8470.

SUPPLEMENTARY INFORMATION: In these final regulations we are making technical revisions to conform to a statutory change to the title of a public law, a statutory repeal of certain time limits, and a statutory change which redesignates the "Veterans Administration" as the "Department of Veterans Affairs." We are further adding a reference heading, updating the appendix at the end of subpart K which lists exclusions from income in statutes other than the Act, and updating lists of such statutory exclusions from resources contained in subpart L.

a. Section 109(p) of Public Law (Pub. L.) 100-707, enacted November 23, 1988, amended sections 1612(a)(2)(A) and (b)(11) of the Act by changing the reference from the "Disaster Relief Act of 1974" to the "Disaster Relief and Emergency Assistance Act." We are replacing references to the "Disaster Relief Act of 1974" in our regulations with the "Disaster Relief and Emergency Assistance Act." We are replacing the references in § 416.1124, the first sentence in (c)(5); § 416.1142, in paragraph (a)(4); § 416.1150, the first sentence in paragraph (a), (b)(2), and (c); and § 416.1237, the first sentence in paragraph (a).

Also, as a result of section 312(d) of Public Law 100-707, the time limitations imposed by the statutory provisions of sections 1612(a)(2)(A)(iii), (b)(12), and 1613(a)(6) of the Act, as they relate to disaster assistance received from a Federal, State, or local government source, or from a disaster assistance organization, were repealed. Section 312(d) provides that such disaster assistance shall not be considered as income or resources when determining eligibility for or benefit levels under Federally-funded income assistance or resource-tested benefit programs. We are revising §§ 416.1150 and 416.1237 to remove the SSI income and resource exclusion time limitations imposed on disaster assistance received from these sources.

b. Section 2 of Public Law 100-527 enacted October 25, 1988, redesignated the "Veterans' Administration" as the "Department of Veterans Affairs." We are replacing the reference to "Veterans Administration" in §§ 416.1103(b)(1) and 416.1142(a)(7) with the "Department of Veterans Affairs."

c. Sections 416.1170 and 416.1171 contain alternative income counting rules we apply in the cases of certain blind individuals. We believe a heading prefacing these rules would assist referencing. We are adding a heading prior to § 416.1170 as follows:

Alternative Income Counting Rules for Certain Blind Individuals

d. At the end of part 416, subpart K, we maintain an appendix which lists types of income excluded under the SSI program as provided by Federal laws other than the Act. We update this list periodically. However, we apply the law in effect under Federal statutes to reflect that new law or change whether or not this list has been amended. We are updating the appendix to subpart K as follows:

1. Under the heading II. Housing and Utilities, paragraph (b), the Home Energy Assistance Act of 1980 was repealed and replaced by the Low-Income Home Energy Assistance Act of 1981 pursuant to title XXVI of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35, enacted August 13, 1981). We are revising paragraph (b) to exclude from income any home energy assistance payments or allowances under this law, as amended (42 U.S.C. 8624(f)). Following paragraph (b), we include a "Note—" that this exclusion applies to a sponsor's income only if the alien is living in the housing unit for which the sponsor receives the home energy assistance payments or allowances.

In addition, we are adding a new § 416.1236(a)(14), Exclusions from resources; provided by other statutes, to reflect the exclusion of any home energy assistance payments or allowances from resources mandated by the Low-Income Home Energy Assistance Act of 1981.

2. Under the heading III. Education and Employment, we are adding a new paragraph (c) to reflect the exclusion from income mandated by section 14(27) of Public Law 100-50, the Higher Education Technical Amendments Act of 1987 (20 U.S.C. 1087uu). This section excludes student financial assistance for attendance costs received from a program funded in whole or in part under title IV of the Higher Education Act of 1965, as amended, or under Bureau of Indian Affairs student assistance programs. Attendance costs are tuition and fees normally assessed a student carrying the same academic workload, as determined by the institution, including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study and an allowance for books, supplies, transportation, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution.

In addition, we are adding a new § 416.1236(a)(15), Exclusions from resources; provided by other statutes, to reflect the exclusion from resources of student financial assistance for attendance costs received from a program funded in whole or in part under title IV of the Higher Education Act of 1985, as amended, or under Bureau of Indian Affairs student assistance programs.

3. Under the heading IV. Native Americans, we are adding a new paragraph (e) to reflect the exclusion

from income of funds, assets, or income from the trust fund under section 6(b) of the Puyallup Tribe of Indians Settlement Act of 1989, Public Law 101–41 (25 U.S.C. 1773h(c)). Following paragraph (e), we include a "Note—" that the exclusion does not apply in deeming income from sponsors to aliens.

In addition, we are adding similar text, without the "Note—," to new § 416.1236(a)(16), Exclusions from resources; provided by other statutes. Under Public Law 101–41, funds, assets, or income from the trust fund must be excluded from resources under the SSI program.

4. Under the heading V. Other, we are adding a new paragraph (c) to reflect the exclusion from income of amounts paid as restitution to certain individuals of Japanese ancestry and Aleuts for losses suffered as a result of evacuation, relocation, and internment during World War II, under the Civil Liberties Act of 1988 and the Aleutian and Pribilof Islands Restitution Act, sections 105(f) and 206(d), respectively, of Public Law 100–383 (50 U.S.C. App. 1989b and c).

In addition, we are adding a new § 416.1236(a)(17), Exclusions from resources; provided by other statutes to reflect the exclusion from resources of amounts paid as restitution under the Civil Liberties Act of 1988 and the Aleutian and Pribilof Islands Restitution Act (50 U.S.C. App. 1989b and c).

We are also adding a new paragraph (d) to reflect section 10405 of Public Law 101–239, the Omnibus Budget Reconciliation Act of 1989, enacted December 19, 1989, and Public Law 101–201, enacted December 6, 1989, which exclude from income payments made on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.).

In addition, we are adding similar text to exclude such payments from resources in a new § 416.1236(a)(18). Section 10405 of Public Law 101–239 and Public Law 101–201 also provide that payments made on or after January 1, 1989 from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.) are excluded from resources.

Regulatory Procedures

The Department generally follows the notice of proposed rulemaking and public comment procedures specified in the Administrative Procedures Act, 5 U.S.C. 553, in the development of its regulations. That Act provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that, under 5 U.S.C. 553(b)(B), good cause exists for waiver of proposed rulemaking and public comment procedures. These rules (other than the disaster relief time limit provision) amend our regulations to reflect a technical change and statutory changes which are self-executing and do not involve the setting of policy. Therefore, the use of notice and comment rulemaking is unnecessary.

With respect to the income and resource exclusion time limitations imposed on disaster assistance, we have determined that the time limits conflict with the new law and have been repealed. Accordingly, a regulatory change is needed. However, we have determined that it would be contrary to the public interest to use notice and comment rulemaking in this instance. Failure to promptly publish regulations advising the public of the repeal of the time limits on the exclusion of disaster assistance from SSI income and resources may disadvantage some survivors of two disasters—Hurricane Hugo and the San Francisco earthquake. Further, since we have determined that the time limits on the income and resource exclusions for disaster assistance have been repealed by law, the use of notice and comment rulemaking is also unnecessary in this instance. For all of the above reasons, therefore, these regulations are being issued as final rules.

Executive Order No. 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 since the program and administrative costs of these regulations will be insignificant and the threshold criteria for a major rule are not otherwise met. Therefore, a regulatory impact analysis is not required.

Regulatory Flexibility Act

We certify that these final rules will not have a significant economic impact on a substantial number of small entities since these rules affect only individuals and States. Therefore, a regulatory flexibility analysis as provided in Public Law 96–354, the Regulatory Flexibility Act, is not required.

Paperwork Reduction Act

These final regulations impose no additional reporting and recordkeeping requirements subject to Office of Management and Budget clearance.

Catalog of Federal Domestic Assistance Program No. 93.807—Supplemental Security Income.

List of Subjects in 20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Public assistance programs, Reporting and recordkeeping requirements, Supplemental Security Income.

Dated May 5, 1992.

Gwendolyn S. King,

Commissioner of Social Security.

Approved: June 3, 1992.

Louis W. Sullivan,

Secretary of Health and Human Services.

For the reasons set out in the preamble, part 416 of title 20 of the Code of Federal Regulations is amended as follows:

1. The authority citation for subpart K of part 416 is revised to read as follows:

Authority: Secs. 1102, 1602, 1611, 1612, 1613, 1614(f), 1621, and 1631 of the Social Security Act; 42 U.S.C. 1302, 1381a, 1382, 1382a, 1382b, 1382c(f), 1382j, and 1383.

§ 416.1103 [Amended]

2. Section 416.1103 is amended by removing the words "Veterans Administration" and adding in their place the words "Department of Veterans Affairs" in the example at the end of paragraph (b)(1).

§ 416.1124 [Amended]

3. Section 416.1124 is amended by removing the words "Act of 1974" and adding in their place the words "and Emergency Assistance Act" in the first sentence in (c)(5).

4. Section 416.1142 is amended by revising paragraphs (a)(4) and (a)(7) as follows:

§ 416.1142 If you live in a public assistance household.

(a) *Definition.* * * *

(4) The Disaster Relief and Emergency Assistance Act;

* * * * *

(7) U.S. Department of Veterans Affairs programs (those payments based on need).

* * * * *

5. Section 416.1150 is revised to read as follows:

Disasters

§ 416.1150 How we treat income received because of a major disaster.

(a) *General.* The Disaster Relief and Emergency Assistance Act and other Federal statutes provide assistance to victims of major disasters. In this section we describe when we do not

count certain kinds of assistance you receive under these statutes.

(b) *Support and maintenance.* (1) We do not count the value of support and maintenance (in cash or in kind) received from a Federal, State, or local government source, or from a disaster assistance organization, and the one-third reduction rule does not apply if—

(i) You live in a household which you or you and another person maintain as your home when a catastrophe occurs in the area;

(ii) The President of the United States declares the catastrophe to be a major disaster for purposes of the Disaster Relief and Emergency Assistance Act;

(iii) You stop living in the home because of the catastrophe and within 30 days after the catastrophe you begin to receive support and maintenance; and

(iv) You receive the support and maintenance while living in a residential facility maintained by another person.

(2) We do not count the value of support and maintenance (in cash or in kind) received from any other source, such as from a private household, and the one-third reduction rule does not apply for up to 18 months after you begin to receive it if—

(i) You live in a household which you or you and another person maintain as your home when a catastrophe occurs in the area;

(ii) The President of the United States declares the catastrophe to be a major disaster for purposes of the Disaster Relief and Emergency Assistance Act;

(iii) You stop living in the home because of the catastrophe and within 30 days after the catastrophe you begin to receive support and maintenance; and

(iv) You receive the support and maintenance while living in a residential facility (including a private household) maintained by another person.

(c) *Other assistance you receive.* We do not consider other assistance to be income if you receive it under the Disaster Relief and Emergency Assistance Act or under another Federal statute because of a catastrophe which the President declares to be a major disaster or if you receive it from a State or local government or from a disaster assistance organization. For example, you may receive payments to repair or replace your home or other property.

(d) *Interest payments.* We do not count any interest earned on the assistance payments described in paragraph (c) of this section.

§ 416.1170 [Amended]

6. Section 416.1170 is amended by adding an undesignated centerhead prior to the section as follows:

Alternative Income Counting Rules for Certain Blind Individuals

7. The Appendix to part 416, subpart K is amended as follows: Under the heading II. Housing and Utilities, paragraph (b) is revised; under the heading III. Education and Employment, a new paragraph (c) is added; under the heading IV. Native Americans, a new paragraph (e) is added; and under the heading V. Other, new paragraphs (c) and (d) are added to read as follows:

Appendix to Subpart K of Part 1416—List of Types of Income Excluded Under the SSI Program as Provided by Federal Laws Other Than the Social Security Act

* * * * *

II. Housing and Utilities

* * * * *

(b) Home energy assistance payments or allowances under title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97–35, as amended (42 U.S.C. 8624(f)).

Note.—This exclusion applies to a sponsor's income only if the alien is living in the housing unit for which the sponsor receives the home energy assistance payments or allowances.

* * * * *

III. Education and Employment

* * * * *

(c) Student financial assistance for attendance costs received from a program funded in whole or in part under title IV of the Higher Education Act of 1965, as amended, or under Bureau of Indian Affairs student assistance programs if it is made available for tuition and fees normally assessed a student carrying the same academic workload, as determined by the institution, including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study and an allowance for books, supplies, transportation, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution, under section 14(27) of Public Law 100–50, the Higher Education Technical Amendments Act of 1987 (20 U.S.C. 1087uu).

IV. Native Americans

* * * * *

(e) Funds, assets, or income under section 6(b) of the Puyallup Tribe of Indians Settlement Act of 1989, Public Law 101–41 (25 U.S.C. 1773h(c)).

Note.—This exclusion does not apply in deeming income from sponsors to aliens.

V. Other

* * * * *

(c) Amounts paid as restitution to certain individuals of Japanese ancestry and Aleuts for losses suffered as a result of evacuation, relocation, and internment during World War II, under the Civil Liberties Act of 1988 and the Aleutian and Pribilof Islands Restitution Act, sections 105(f) and 206(d) of Public Law 100–383 (50 U.S.C. App. 1989 b and c).

(d) Payments made on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.) under Public Law 101–201 (103 Stat. 1795) and section 10405 of Public Law 101–239 (103 Stat. 2489).

8. The authority citation for subpart L of part 416 is revised to read as follows:

Authority: Secs. 1102, 1602, 1611, 1612, 1613, 1614(f), 1621 and 1631 of the Social Security Act; 42 U.S.C. 1302, 1381a, 1382, 1382a, 1382b, 1382c(f), 1382j and 1383.

9. Section 416.1236 is amended by adding new paragraphs (a)(14) through (a)(18) to read as follows:

§ 416.1236 Exclusions from resources; provided by other statutes.

(a) * * *

(14) Home energy assistance payments or allowances under the Low-Income Home Energy Assistance Act of 1981, as added by title XXVI of the Omnibus Budget Reconciliation Act of 1981, Public Law 97–35 (42 U.S.C. 8624(f)).

(15) Student financial assistance for attendance costs received from a program funded in whole or in part under title IV of the Higher Education Act of 1965, as amended, or under Bureau of Indian Affairs student assistance programs if it is made available for tuition and fees normally assessed a student carrying the same academic workload, as determined by the institution, including costs for rental or purchase of any equipment, materials, or supplies required of all students in the same course of study; and an allowance for books, supplies, transportation, and miscellaneous personal expenses for a student attending the institution on at least a half-time basis, as determined by the institution, under section 14(27) of Public Law 100–50, the Higher Education Technical Amendments Act of 1987 (20 U.S.C. 1087uu), or under Bureau of Indian Affairs student assistance programs.

(16) Funds, assets, or income under section 6(b) of the Puyallup Tribe of Indians Settlement Act of 1989, Public Law 101–41 (25 U.S.C. 1773h(c)).

(17) Amounts paid as restitution to certain individuals of Japanese ancestry and Aleuts under the Civil Liberties Act of 1988 and the Aleutian and Pribilof Islands Restitution Act, sections 105(f) and 206(d) of Public law 100–383 (50 U.S.C. App. 1989 b and c).

(18) Payments made on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the In Re Agent Orange product liability litigation, M.D.L. No. 381 (E.D.N.Y.) under Public Law 101–201 (103 Stat. 1795) and section 10405 of Public Law 101–239 (103 Stat. 2489).

* * * * *

10. Section 416.1237 is revised to read as follows:

§ 416.1237 Assistance received on account of major disaster.

(a) Assistance received under the Disaster Relief and Emergency Assistance Act or other assistance provided under a Federal statute because of a catastrophe which is declared to be a major disaster by the President of the United States or comparable assistance received from a State or local government, or from a disaster assistance organization, is excluded in determining countable resources under § 416.1210.

(b) Interest earned on the assistance is excluded from resources.

[FR Doc. 92–27436 Filed 11–12–92; 8:45 am]
BILLING CODE 4190–29–M

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20 CFR Part 416

[Regulation No. 16]

RIN 0960–AD40

Supplemental Security Income for the Aged, Blind, and Disabled; Presumptive Disability and Presumptive Blindness; When Payments May Begin and End

AGENCY: Social Security Administration, HHS.

ACTION: Final rule.

SUMMARY: Section 5038 of Public Law 101–508 extends from 3 to 6 months the period for which supplemental security income benefits may be paid on the basis of presumptive disability or presumptive blindness. This final rule revises the regulations to bring them into accord with the law.

EFFECTIVE DATE: November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Harry J. Short, Legal Assistant, Office of Regulations, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965–1753.

SUPPLEMENTARY INFORMATION: Under section 1631(a)(4)(B) of the Social Security Act (the Act) and implementing regulations, we may pay a person supplemental security income benefits on the basis of presumptive disability or presumptive blindness before making a formal determination of whether the individual is disabled or blind. Findings of presumptive disability or presumptive blindness may be made when the available evidence reflects a high degree of probability that the individual will be found disabled or blind when complete evidence is obtained, and he or she meets the nonmedical eligibility requirements. As a result, section 1631(a)(4)(B) provides a means to make payments to some individuals who file for supplemental security income benefits while their claims are being adjudicated.

In the case of readily observable severe impairments (e.g., amputation of extremities), we make presumptive disability and presumptive blindness findings without obtaining medical evidence. Social Security's field office employees, while not trained disability adjudicators, are authorized to make such findings for those readily observable impairments which are listed in 20 CFR 416.934.

Prior to enactment of Public Law 101–508 on November 5, 1990, section 1631(a)(4)(B) provided for payment of benefits based on presumptive disability or presumptive blindness for a period of not more than 3 months. Section 5038 of Public Law 101–508 revised section 1631(a)(4)(B) to extend from 3 to 6 months the maximum number of months for which benefits may be paid based on a finding of presumptive disability or presumptive blindness. This change was effective with respect to payments for months beginning on or after May 1, 1991. This final regulation reflects the statutory change by revising §§ 416.931 and 416.932 to provide for payment of benefits based on presumptive disability or blindness for a period of not more than 6 months.

Justification for Final Rules

The Department, even when not required by statute, as a matter of policy, generally follows the Administrative Procedure Act (APA) notice of proposed rulemaking and public comment procedures specified in 5 U.S.C. 553 in the development of its regulations. The APA provides exceptions to its notice and public comment procedures when an agency finds there is good cause for dispensing with such procedures on the basis that they are impracticable, unnecessary, or contrary to the public interest. We have determined that under 5 U.S.C. 553(b)(B), good cause exists for waiver of notice of proposed rulemaking and public comment procedures on this regulation, because opportunity for public comment is unnecessary in this case. This rule merely revises the regulations to reflect section 5038 of Public Law 101–508 by changing the maximum number of months for which benefits can be paid for presumptive disability and presumptive blindness from 3 to 6. There is no discretion in the statute for any policy choices to be made.

Regulatory Procedures

Executive Order 12291

The Secretary has determined that this is not a major rule under Executive Order 12291 because the program and administrative costs of these changes will not exceed $100 million and the threshold criteria for a major rule are not otherwise met. Therefore, a regulatory impact analysis is not required.

Paperwork Reduction Act

This regulation imposes no additional reporting/recordkeeping requirements necessitating clearance by the Office of Management and Budget.

Regulatory Flexibility Act

We certify that this regulation will not have a significant economic impact on a substantial number of small entities because it affects only individuals and States.

Catalog of Federal Domestic Assistance Program No. 93.807, Supplemental Security Income Program.

List of Subjects in 20 CFR Part 416

Administrative practice and procedure, Aged, Blind, Disability benefits, Public assistance programs, Supplemental Security Income (SSI), Reporting and recordkeeping requirements.

Dated: April 9, 1992.

Gwendolyn S. King,

Commissioner of Social Security.

Approved: May 21, 1992.

Louis W. Sullivan,

Secretary of Health and Human Services.

Part 416 of chapter III of title 20 of the Code of Federal Regulations is amended to read as follows:

PART 416—[AMENDED]

1. The authority citation for subpart I is revised to read as follows:

Authority: Secs. 1102, 1614(a), 1619, 1631 (a) and (d)(1), and 1633 of the Social Security Act; 42 U.S.C. 1302, 1382c(a), 1382h, 1383 (a) and (d)(1), and 1383b; secs. 2, 5, 6, and 15 of Pub. L. 98–460, 98 Stat. 1794, 1801, 1802, and 1808.

2. Section 416.931 is amended by revising the penultimate sentence to read as follows:

§ 416.931 The meaning of presumptive disability or presumptive blindness.

* * * We may make these payments to you for a period not longer than 6 months. * * *

3. Section 416.932 is amended by revising the introductory text and paragraph (b), to read as follows:

§ 416.932 When presumptive payments begin and end.

We may make payments to you on the basis of presumptive disability or presumptive blindness before we make a formal determination about your disability or blindness. The payments can not be made for more than 6 months. They start for a period of not more than 6 months beginning in the month we make the presumptive disability or presumptive blindness finding. The payments end the earliest of—

(a) * * *

(b) The month for which we make the sixth monthly payment based on presumptive disability or presumptive blindness to you; or

* * * * *

[FR Doc. 92–27435 Filed 11–12–92; 8:45 am]
BILLING CODE 4129–11–M

DEPARTMENT OF THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

27 CFR Parts 270, 275, 290, 295, and 296

[T.D. ATF–334]

Implementation of the Technical and Miscellaneous Revenue Act of 1988; Pipe Tobacco (89D006)

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

ACTION: Final rule (Treasury decision).

SUMMARY: This final rule amends regulations in 27 CFR parts 270, 275, 290, 295, and 296 to implement section 5061 of the Technical and Miscellaneous Revenue Act of 1988 (Pub. L. 100–647) providing for the taxation of pipe tobacco manufactured in or imported into the United States and for the collection of floor stocks tax on all pipe tobacco held for sale on January 1, 1989, by any person. In addition, this document provides rules for the marking of pipe tobacco packages.

This final rule supersedes the temporary rule (T.D. ATF–289) on this subject which was published in the **Federal Register** on November 27, 1989 (54 FR 48838), effective retroactive to January 1, 1989.

EFFECTIVE DATE: November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Clifford A. Mullen, Distilled Spirits and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226 (202) 927–8210.

SUPPLEMENTARY INFORMATION:

Background

On November 27, 1989, ATF published in the **Federal Register** a temporary rule (T.D. ATF–289, 54 FR 48838), which set forth regulations implementing section 5061 of the Technical and Miscellaneous Revenue Act of 1988 ("TMRA" or the "Act"), (Pub. L. 100–647). The TMRA was enacted on November 10, 1988.

Section 5061 of the Act amended 26 U.S.C. 5701 to impose a tax at the rate of 45 cents per pound (and a proportionate tax at the like rate on all fractional parts of a pound) on all pipe tobacco manufactured in or imported into the United States. The tax was to be determined upon pipe tobacco removed from the factory or from Internal Revenue bond, or from Customs custody after December 31, 1988.

The temporary rule also prescribed packages, marks, labels, and notices for pipe tobacco. A notice of proposed rulemaking (NPRM) cross referenced to the temporary rule was also published in the **Federal Register** on November 27, 1989 (54 FR 48845).

Subsequent to the publication of T.D. ATF–289, the tax on pipe tobacco was increased by the Omnibus Budget Reconciliation Act of 1990 ("OMBRA"), (Pub. L. 101–508, 104 Stat. 1388). Specifically, for pipe tobacco removed on and after January 1, 1991, and before January 1, 1993, the rate of tax is 56.25 cents per pound. For pipe tobacco removed on or after January 1, 1993, the rate of tax is 67.5 cents per pound. The increase in the pipe tobacco tax rate imposed by the OMBRA was implemented by T.D. ATF–307 (55 F.R. 52732, December 21, 1990).

The TMRA

As indicated above, the TMRA imposed a tax on pipe tobacco. Pipe tobacco is defined in the Act to mean "any tobacco which because of its appearance, type, packaging, or labeling, is suitable for use and likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe". The term does not include smoking tobacco products, such as roll your own cigarette tobacco, that are not suitable for use or likely to be offered to, or purchased by, consumers as tobacco to be smoked in a pipe. The Act also contained a transitional rule which allowed those who on the date of enactment, November 10, 1988, were engaged in the manufacture of pipe tobacco and who made an application for a permit prior to January 1, 1989, to continue to engage in such business pending final action on the application. In addition, by amending the definitions of the terms "tobacco products" and "manufacturer of tobacco products" to include pipe tobacco, the Act subjects manufacturers of such products to all the statutory and regulatory controls set forth in Chapter 52 of the Internal Revenue Code of 1986 (IRC). These controls include tax payment, permit qualification, bonding, recordkeeping, and civil and criminal sanctions.

Floor Stocks Tax

Section 5061 of the TMRA also imposed a one-time floor stocks tax at the rate of 45 cents per pound (and a proportionate tax at the like rate on all fractional parts of a pound) on all pipe tobacco manufactured in or imported into the United States which is removed from a domestic factory or from Customs custody before January 1, 1989, and held for sale on such date by any person. The person who held such pipe tobacco for sale was liable for payment of this tax on February 14, 1989.

Temporary Regulations Adopted as Final

ATF received no comments in connection with the NPRM that accompanied the temporary rule. Accordingly, this document adopts the temporary regulations as final regulations in order to implement the provisions of the TRMA.

It is noteworthy that these regulations require that every package of pipe tobacco shall, before removal subject to tax, have imprinted thereon, or on a label securely affixed to the package, the designation "pipe tobacco", as well as a statement of the pounds and ounces of the product contained in the package. As an alternative to the designation "pipe tobacco," the package may be designated "Tax Class L." The Bureau believes that allowing the use of this alternative designation will avoid consumer confusion and facilitate the

relabeling of many tobacco products which are subject to tax but which are currently labeled as "smoking tobacco" rather than "pipe tobacco."

Finally, certain temporary regulations in T.D. ATF–289, were subsequently amended by T.D. ATF–307 in December 1990 to reflect the increased tax rates imposed by the OMBRA. Accordingly, this final rule adopts, where applicable, the regulations as amended by T.D. ATF–307. The following is a list of sections in the temporary regulations which are adopted as final regulations with no change.

Part 270

The authority citation, the table of contents, sections 270.11, 270.61b, 270.72, 270.133, 270,182, 270.183, 270.216b, 270.216c, 270.231, 270.252, 270.255.

Part 275

The authority citation, the table of contents, sections 275.11, 275.32, 275.72b, 275.72c, 275.81, 275.107, 275.110, 275.117, 275.121, 275.139.

Part 290

The authority citation, sections 290.11, 290.143.

Part 295

The authority citation, the table of contents, sections 295.11, 295.45a, 295.45b.

Part 296

The authority citation, the removal of the authority citation from the beginning of Subparts A, C, F, and G, the table of contents, sections 296.72, 296.163, the addition of a new Subpart H (which includes sections 296.171, 296.172, 296.173, 296.174, 296.175, 296.176, 296.177, 296.178, 296.179, 296.180, 296.181).

This document adopts the following regulations as amended by T.D. ATF–307; 27 CFR 270.25a and 270.30 (relating to pipe tobacco tax rates) and 27 CFR 296.74 (relating to the execution of claims).

Regulatory Flexibility Act

It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities. Accordingly, a regulatory flexibility analysis is not required. This certification is based upon the fact that the general economic effects flow directly from the underlying statute, as well as from the fact that this final rule is not expected (1) to have secondary or incidental effects on a substantial number of small entities; or (2) to impose, or otherwise cause a significant increase in the reporting, recordkeeping, or other compliance burdens on a substantial number of small entities.

Executive Order 12291

It has been determined that this document is not a major regulation as defined in E.O. 12291 and a regulatory impact analysis is not required. This determination is based upon the fact that the general economic effects flow directly from the underlying statute. Therefore, this final rule will not have an annual effect on the economy of $100 million or more; it will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; and will not have significant adverse effects 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.

Paperwork Reduction Act

The collections of information contained in these final regulations have been reviewed and approved by the Office of Management and Budget in accordance with the requirements of the Paperwork Reduction Act (44 U.S.C. 3507) under control number 1512–AA28. The estimated average annual burden associated this collection of information is 5 hours and 30 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to Reports Management Officer, Information Programs Branch, room 3110, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue, NW., Washington, DC 20226, and the Office of Management and Budget, Paperwork Reduction Project (1512–AA28) Washington, DC 20503.

Administrative Procedure Act

Because this final rule merely implements a law which extended existing procedures concerning tobacco products to the taxation of pipe tobacco, it is unnecessary to issue these regulations subject to the effective date limitation of 5 U.S.C. 553(d).

Drafting Information

The principal author of this document is Clifford A. Mullen, Distilled Spirits and Tobacco Branch, Bureau of Alcohol, Tobacco and Firearms.

List of Subjects

27 CFR Part 270

Administrative practice and procedure, Authority delegations, Claims, Electronic fund transfer, Excise taxes, Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds, Tobacco products.

27 CFR Part 275

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Claims, Customs duties and inspection, Electronic fund transfer, Excise taxes, Imports, Labeling, Packaging and containers, Penalties, Reporting requirements, Seizures and forfeitures, Surety bonds, Tobacco products, United States possessions, Warehouses.

27 CFR Part 290

Administrative practice and procedure, Aircraft, Authority delegations, Cigarette papers and tubes, Claims, Customs duties and inspection, Excise taxes, Exports, Foreign trade zones, Labeling, Packaging and containers, Penalties, Surety bonds, Tobacco products, Vessels, Warehouses.

27 CFR Part 295

Administrative practice and procedure, Authority delegations, Cigarette papers and tubes, Excise taxes, Labeling, Packaging and containers, Tobacco products.

27 CFR Part 296

Authority delegations, Cigarette papers and tubes, Claims, Disaster assistance, Excise taxes, Floor stocks tax, Penalties, Seizures and forfeitures, Surety bonds, Tobacco products.

Authority and Issuance

PARTS 270, 275, 290, 295, AND 296—[AMENDED]

Accordingly, the temporary regulation amendment 27 CFR parts 270, 275, 290, 295, and 296 (T.D. ATF–289), which was published at 54 FR 48838 is adopted as a final rule, except that 27 CFR 270.25a, 275.30, and 296.74 are adopted as subsequently amended by the final regulation (T.D. ATF–307), which was published at 55 FR 52732.

Signed: September 21, 1992.
Stephen E. Higgins,
Director.
Approved: October 19, 1992.
Peter K. Nunez,
Assistant Secretary, Enforcement.
[FR Doc. 92-27430 Filed 11-12-92; 8:45 am]
BILLING CODE 4810-31-M

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Part 2619

Valuation of Plan Benefits in Single-Employer Plans; Amendment Adopting Additional PBGC Rates

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Final rule.

SUMMARY: This amendment to the regulation on Valuation of Plan Benefits in Single-Employer Plans contains the interest rates and factors for the period beginning December 1, 1992. The use of these interest rates and factors to value benefits is mandatory for some terminating single-employer pension plans and optional for others. The Pension Benefit Guaranty Corporation adjusts the interest rates and factors periodically to reflect changes in financial and annuity markets. This amendment adopts the rates and factors applicable to plans that terminate on or after December 1, 1992, which will remain in effect until the PBGC issues new interest rates and factors.

EFFECTIVE DATE: December 1, 1992.

FOR FURTHER INFORMATION CONTACT: Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Code 22500, Pension Benefit Guaranty Corporation, 2020 K Street NW., Washington, DC 20006, 202-778-8850 (202-778-8859 for TTY and TDD only). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION: The Pension Benefit Guaranty Corporation's ("PBGC's") regulation on Valuation of Plan Benefits in Single-Employer Plans (29 CFR part 2619) sets forth the methods for valuing plan benefits of terminating single-employer plans covered under title IV of the Employee Retirement Income Security Act of 1974, as amended ("ERISA"). Under ERISA section 4041(c), all plans wishing to terminate in a distress termination must value guaranteed benefits and "benefit liabilities", i.e., all benefits provided under the plan as of the plan termination date, using the formulas set forth in part 2619, subpart C. (Plans terminating in a standard termination may, for purposes of the Standard Termination Notice filed with PBGC, use these formulas to value benefit liabilities, although this is not required.) In addition, when the PBGC terminates an underfunded plan involuntarily pursuant to ERISA section 4042(a), it uses the subpart C formulas to determine the amount of the plan's underfunding.

Appendix B in part 2619 sets forth the interest rates and factors that are to be used in the formulas contained in the regulation. Because these rates and factors are intended to reflect current conditions in the financial and annuity markets, it is necessary to update the rates and factors periodically.

The rates and factors currently in use have been in effect since September 1, 1992. This amendment adds to appendix B a new set of interest rates and factors for valuing benefits in plans that terminate on or after December 1, 1992, which set reflects an increase of ¼ percent in the immediate interest rate from 5¾ percent to 6 percent.

Generally, the interest rates and factors will be in effect for at least one month. However, any published rates and factors will remain in effect until such time as the PBGC publishes another amendment changing them. Any change in the rates normally will be published in the **Federal Register** by the 15th of the month preceding the effective date of the new rates or as close to that date as circumstances permit.

The PBGC has determined that notice and public comment on this amendment are impracticable and contrary to the public interest. This finding is based on the need to determine and issue new interest rates and factors promptly so that the rates can reflect, as accurately as possible, current market conditions.

Because of the need to provide immediate guidance for the valuation of benefits in plans that will terminate on or after December 1, 1992, and because no adjustment by ongoing plans is required by this amendment, the PBGC finds that good cause exists for making the rates set forth in this amendment effective less than 30 days after publication.

The PBGC has determined that this is not a "major rule" under the criteria set forth in Executive Order 12291, because it will not result in an annual effect on the economy of $100 million or more, a major increase in costs for consumers or individual industries, or significant adverse effects on competition, employment, investment, productivity, or innovation.

List of Subjects in 29 CFR Part 2619

Employee benefit plans, Pension insurance, and Pensions.

In consideration of the foregoing, part 2619 of chapter XXVI, title 29, Code of Federal Regulations, is hereby amended as follows:

PART 2619—[AMENDED]

1. The authority citation for part 2619 continues to read as follows:

Authority: 29 U.S.C. 1301(a), 1302(b)(3), 1341, 1344, and 1362 (1988).

2. Rate Set 100 of appendix B is revised and Rate Set 101 of appendix B is added to read as follows. The introductory text is republished for the convenience of the reader and remains unchanged.

Appendix B—Interest Rates and Quantities Used to Value Immediate and Deferred Annuities

In the table that follows, the immediate annuity rate is used to value immediate annuities, to compute the quantity "Gy" for deferred annuities and to value both portions of a refund annuity. An interest rate of 5% shall be used to value death benefits other than the decreasing term insurance portion of a refund annuity. For deferred annuities, k_1, k_2, k_3, n_1, and n_2, are defined in § 2619.45.

Rate set	For plans with a valuation date		Immediate annuity rate (percent)	Deferred annuities				
	On or after	And before		k_1	k_2	k_3	n_1	n_2
*	*	*	*	*	*	*	*	
100	9-1-92	12-1-92	5.75	1.0500	1.0400	1.0400	7	8
101	12-1-92	.....	6.00	1.0525	1.0400	1.0400	7	8

Issued in Washington, DC, on this 6th day of November, 1992.

James B. Lockhart III,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 92-27566 Filed 11-12-92; 8:45 am]

BILLING CODE 7708-01-M

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 December 1992.

EFFECTIVE DATE: December 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_t 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_n
*	*		*		*		*		*		*		*			
December 1992.....	.065	.06375	.0625	.06125	.06	.05875	.05875	.05875	.05875	.05875	.0575	.0575	.0575	.0575	.0575	.055

Issued at Washington, DC, on this 6th day of November 1992.

James B. Lockhart III,

Executive Director, Pension Benefit Guaranty Corporation.

[FR Doc. 92-27567 Filed 11-12-92; 8:45 am]

BILLING CODE 7708-01-M

DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Part 75

RIN 1219-AA11

Safety Standards for Underground Coal Mine Ventilation

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Stay of final rule provisions and technical amendments.

SUMMARY: The Mine Safety and Health Administration (MSHA) published a final rule for safety standards for ventilation of underground coal mines on May 15, 1992 (57 FR 20868). In order to ensure that mine operators could effectively plan and implement necessary changes, MSHA delayed the effective date until November 16, 1992 (57 FR 34683). After discussions with the mining community, MSHA has determined that the effective date of 30 CFR 75.313 and 75.344(a)(1) should be stayed until July 1, 1993, to allow time for the Agency to fully review and analyze the effect of those new provisions.

DATES: The final rule takes effect November 16, 1992, except that the effective date of §§ 75.313 and 75.344(a)(1) is stayed until July 1, 1993. Sections 75.314, 75.315 and 75.345 are effective on November 16, 1992, and will expire on July 1, 1993.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances,

MSHA, room 631, Ballston Towers No. 3, 4015 Wilson Boulevard, Arlington, Virginia 22203; phone (703) 235–1910.

SUPPLEMENTARY INFORMATION: On May 15, 1992, MSHA published a final rule revising its safety standards for ventilation of underground coal mines. In order to allow mine operators additional time for orderly implementation of the final rule, MSHA delayed the effective date of the final rule from August 16, 1992, to November 16, 1992. Through discussions with the mining community, the Agency has become aware of potential safety hazards that could arise through the implementation of two of the new provisions—§ 75.313, which addresses fan stoppages, and § 75.344(a)(1) which addresses the location of compressors.

MSHA is staying § 75.313 because the Agency needs to further evaluate the effect of fan stoppages in certain mines. The Agency is concerned that there may be some multiple-fan mines in which air reversals can occur after a fan stoppage which may result in a hazard if all underground power is not promptly deenergized. As written, the standard would allow circuits and equipment used to withdraw persons from the mine to remain energized until the persons are withdrawn. During the stay existing §§ 75.321 and 75.321–1, which require the mine operators to have an approved fan stoppage plan, will remain in effect as redesignated §§ 75.314 and 75.315.

The mining community has also expressed concerns about the application of § 75.344(a)(1) to portable compressors, specifically whether requiring portable compressors to be located in a noncombustible structure or area could create a fire hazard due to overheating. During this period of the stay the portion of existing § 75.1105 that requires underground compressor stations to be housed in fireproof structures or areas will remain in effect and be redesignated as § 75.345. In retaining the existing language, MSHA also will continue to interpret the term "compressor stations" in newly redesignated § 75.345 to mean permanent compressors and not portable compressors.

List of Subjects in 30 CFR Part 75

Mine safety and health, Underground coal mines, Ventilation.

Dated: November 6, 1992.

William J. Tattersall,

Assistant Secretary for Mine Safety and Health.

Subpart D of part 75, subchapter O, chapter I, title 30 of the Code of Federal Regulations is amended to read as follows:

1. The authority citation for part 75 continues to read as follows:

Authority: 30 U.S.C. 811, 957, and 961.

§ 75.313 [Amended]

2. Section 75.313 published at 57 FR 20916, May 15, 1992, is stayed until July 1, 1993.

3. Sections 75.314 and 75.315 (consisting of the text of former §§ 75.321 and 75.321–1) are added to read as follows:

§ 75.314 Stoppage of fans, plans.

Each operator shall adopt a plan on or before May 29, 1970, which shall provide that when any mine fan stops, immediate action shall be taken by the operator or his agent—

(a) To withdraw all persons from the working sections;

(b) To cut off the power in the mine in a timely manner;

(c) To provide for restoration of power and resumption of work if ventilation is restored within a reasonable period as set forth in the plan after the working places and other active workings where methane is likely to accumulate are reexamined by a certified person to determine if methane in amounts of 1.0 volume per centum or more exists therein; and

(d) To provide for withdrawal of all persons from the mine if ventilation cannot be restored within such reasonable time.

The plan and revisions thereof approved by the Secretary shall be set out in printed form and a copy shall be furnished to the Secretary or his authorized representative.

§ 75.315 Reasonable period.

Unless a different period of time is approved by the Coal Mine Safety District Manager, "reasonable period" referred to in § 75.314 means a time lapse of not more than 15 minutes.

§ 75.344 [Amended]

4. Section 75.344(a)(1) published at 57 FR 20921, May 15, 1992, is stayed until July 1, 1993.

§ 75.1105 [Redesignated as § 75.345]

5. Section 75.1105 is redesignated as § 75.345 and revised to read as follows:

§ 75.345 Housing of underground compressor stations.

Underground compressor stations shall be housed in fireproof structures or areas.

[FR Doc. 92–27364 Filed 11–12–92; 8:45 am]

BILLING CODE 4510–43–M

30 CFR Part 75

RIN 1219–AA11

Safety Standards for Underground Coal Mine Ventilation; Amendments

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Final rule; technical amendments.

SUMMARY: This document makes nonsubstantive technical amendments to the final rule for safety standards for underground coal mine ventilation that appeared in the **Federal Register** on May 15, 1992 (57 FR 20868).

EFFECTIVE DATE: November 16, 1992.

FOR FURTHER INFORMATION CONTACT: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, MSHA, phone (703) 235–1910.

SUPPLEMENTARY INFORMATION: On May 15, 1992, MSHA published a final rule to revise its safety standards for underground coal mine ventilation. This document makes nonsubstantive technical amendments to §§ 75.322, 75.325(c)(2), 75.326 and 75.330(b)(2), and changes the effective dates in §§ 75.333 (b), (c), (d), and (e), 75.335(a)(1) and 75.380 (f)(1) and (g).

Section 75.322 is revised to clarify the date and title of the document incorporated by reference in the standard, and to include information concerning the availability of the incorporated document and the **Federal Register** approval for incorporation by reference of the document. As stated in the preamble to the final rule (57 FR 20868, at 20877), the rule redesignated former § 75.301–2 as § 75.322, but made no other changes to the standard. In a separate rulemaking concerning air quality the Agency has proposed comprehensive changes to this standard (54 FR 35760, August 29, 1989). In the phrase in § 75.322, "Concentrations of noxious or poisonous gases, other than carbon dioxide, shall not exceed the current threshold limit values (TLV's) * * *", the word "current" was intended to identify the TLV's set out in the 1972 edition of the incorporated document which was the current edition when the standard was promulgated. In response to questions that have arisen and to clarify the Agency's intent, MSHA is deleting the word "current" in § 75.322 and adding the date "1972". Similarly, to clarify the document incorporated by reference, the title and date of the document "Threshold Limit Values for Substance in Workroom Air (1972)" is

added to the standard. Also, to conform to the applicable **Federal Register** requirements concerning incorporation by reference, revised § 75.322 specifies where the incorporated document may be examined and also states the incorporation by reference approval authority.

Sections 75.325, 75.326, and 75.330 each refer to provisions in MSHA regulations that limit exposure to methane, respirable dust, or other harmful gases. In each case it was not the intent of the Agency to modify the limits set in these other standards. To address questions raised in this regard, and to clarify the intent of the Agency, the language in these standards has been revised. The word "below" is deleted and is replaced with the phrase "in accordance with".

Finally, on August 6, 1992, MSHA delayed the effective date of the rule from August 16, 1992, to November 16, 1992 (57 FR 34683). Certain dates that appear in the final rule are revised where necessary to reflect the delayed effective date. To correspond to the delayed effective date, revised § 75.320 extends for three months, to November 16, 1995, the cutoff date for which the flame safety lamp may be used as the primary device to test for oxygen. Also, § 75.333, dealing with ventilation controls, and § 75.335, dealing with construction of seals, put in place new construction requirements as of the effective date of the rule (August 16, 1992). This correction document changes the effective date set out in the standard to read, "after November 15, 1992", to correspond to the delayed effective date.

Requirements for primary escapeways in § 75.380(f)(1) and (g) were to go into effect on the original effective day. This document changes the date in § 75.380(f)(1) to November 15, 1992, and in § 75.380(g) to November 16, 1992 to correspond to the delayed effective date.

List of Subjects in 30 CFR Part 75

Escapeways, Incorporation by reference, Mine safety and health, Underground coal mines, Ventilation.

Dated: November 6, 1992.

William J. Tattersall,

Assistant Secretary for Mine Safety and Health.

PART 75—MANDATORY SAFETY STANDARDS—UNDERGROUND COAL MINES

Subpart D—Ventilation

Accordingly, subpart D of part 75, subchapter O, chapter I, title 30 of the Code of Federal Regulations is corrected by making the following technical amendments:

1. The authority citation for part 75 continues to read as follows:

Authority: 30 U.S.C. 811, 957, and 961.

§ 75.320 [Amended]

2. In § 75.320, paragraph (d), in the first and second sentences, the date "August 15, 1995" is revised to read "November 15, 1995".

3. Section 75.322 is revised to read as follows:

§ 75.322 Harmful quantities of noxious gases.

Concentrations of noxious or poisonous gases, other than carbon dioxide, shall not exceed the threshold limit values (TLV) as specified and applied by the American Conference of Governmental Industrial Hygienists in "Threshold Limit Values for Substance in Workroom Air" (1972). Detectors or laboratory analysis of mine air samples shall be used to determine the concentrations of harmful, noxious, or poisonous gases. This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available from the Mine Safety and Health Administration, Department of Labor, 4015 Wilson Boulevard, Arlington, Va. 22203 and at every Coal Mine Health and Safety District and Subdistrict Office. The material is available for examination at the Office of the Federal Register, 800 N. Capitol Street, NW., 7th Floor, suite 700, Washington, D.C. 20408.

§ 75.325 [Amended]

4. In § 75.325, paragraph (c)(2), in the first sentence, the word "below" is revised to read "in accordance with".

§ 75.326 [Amended]

5. In § 75.326, in the second sentence, the word "below" is revised to read "in accordance with".

§ 75.330 [Amended]

6. In § 75.330, paragraph (b)(2), in the last sentence, the word "below" is revised to read "in accordance with".

§ 75.333 [Amended]

7. In § 75.333, in paragraphs (b), (c), (d), and (e), the date "August 15, 1992" is revised to read "November 15, 1992".

§ 75.335 [Amended]

8. In § 75.335, paragraph (a)(1), in the first sentence, the date "August 15, 1992" is revised to read "November 15, 1992".

§ 75.380 [Amended]

9. In § 75.380, in paragraph (f)(1), the date "September 15, 1992" is revised to read "November 15, 1992".

10. In § 75.380, in paragraph (g), the date "September 15, 1992" is revised to read "November 16, 1992".

[FR Doc. 92-27365 Filed 11-12-92; 8:45 am]

BILLING CODE 4510-43-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

45 CFR Part 205

RIN 0970-AA81

Aid to Families With Dependent Children and Adult Assistance Programs; Computer Matching and Privacy Protection Act

AGENCY: Administration for Children and Families (ACF), HHS.

ACTION: Final rule.

SUMMARY: This final rule applies to State agencies administering the Aid to Families with Dependent Children (AFDC) Program under Title IV-A and the Adult Assistance Programs under Titles I, X, XIV, and XVI (Aid to the Aged, Blind, or Disabled) of the Social Security Act. It implements provisions of the Computer Matching and Privacy Protection Act of 1988 at subsection a(p) of the Privacy Act, as amended by section 7201 of the Omnibus Budget Reconciliation Act of 1990. The changes modify the requirement for independent verification of computer match findings before imposing any adverse action(s).

The regulatory provisions contained in this final rule reflect a direct implementation of the statutory requirements and do not include any changes to the interim final rule previously published on December 23, 1991.

EFFECTIVE DATE: November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Mr. Mack Storrs, Director of AFDC Program, Office of Family Assistance, Fifth Floor, 370 L'Enfant Promenade SW., Washington, DC 20447, telephone (202) 401-9289.

SUPPLEMENTARY INFORMATION: On December 23, 1991, we published an interim final regulation (see Volume 56 of the **Federal Register**, pages 66373-66375) to implement the Computer Matching and Privacy Protection Act of 1988 (CMPPA), as amended. That law defines a matching program as any

computerized comparison of two or more automated systems of records or a system of records with non-Federal records for the purpose of establishing or verifying the eligibility of, or continuing compliance with statutory and regulatory requirements by, applicants for, recipients or beneficiaries of, participants in, or providers of services with respect to cash, or in-kind assistance or payments under Federal benefit programs. Current Federal-State computer matching activities, as well as any proposed Federal matches to be performed by State agencies for the purpose of establishing or verifying the eligibility of applicants for and recipients of AFDC and Adult Assistance, meet the criteria of a "matching program" as described in the CMPPA. State-developed matching activities involving a comparison with other State or non-Federal records are exempt from the verification requirements set forth in these rules.

Regulatory Provisions

Prior to the Omnibus Budget Reconciliation Act of 1990 (OBRA–90), the CMPPA required States to provide a 30-day notice before adverse actions (i.e., denying, reducing, suspending, or terminating assistance payments) could be taken as a result of the findings of a computer match. The OBRA–90 amendments authorize programs that have in their statute or regulations a different time period for notification (e.g., a 10-day timely notice period) to substitute that other period. If no such notice requirement is provided, the program must adopt a 30-day notice period before adverse action can be taken as a result of the findings of a computer match. Since the AFDC and Adult Assistance programs are bound by the 10-day timely notice requirement at § 205.10(a)(4)(i)(A), this 10-day period will apply to adverse actions based on computer match findings.

The CMPPA requires State agencies to independently verify the computer match information in order to confirm its accuracy. It expressly prohibits a recipient agency from taking an adverse action(s) against an individual prior to independently verifying the accuracy of the information. The OBRA–90 amendments also preclude the imposition of an adverse action against an individual until the agency has independently verified the findings of the computer match. However, the amendments also provide for a waiver procedure where a State can accept the match information without prior independent verification provided that the applicable Federal Data Integrity Board determines, in accordance with guidelines issued by the Office of Management and Budget, that: (1) The information provided by certain identified agencies is restricted to the identification and amount of benefits paid by the source agency under a Federal benefit program; and (2) that there is a high degree of confidence in the accuracy of the information provided. The regulations at § 205.56(b) have been amended to reflect these new requirements.

The provisions currently found at § 205.56(b) pertaining to unearned income information from the Internal Revenue Service (IRS) have also been revised. Specific procedures for the verification of IRS information will be set forth in agreements developed by the IRS.

The CMPPA also requires that the appropriate verification procedures be set out in agreements negotiated between matching agencies and matching providers. Such agreements must then be approved by the Federal agency Data Integrity Boards. Section 205.58 has been revised to incorporate this requirement.

Discussion of Comments

One letter was received from a State agency that expressed its support for this regulation. Therefore, this rule reflects no changes from the provisions previously published in the interim final rule.

Executive Order 12291

This final rule has been reviewed under Executive Order 12291 and does not meet any of the criteria for a major regulation. Therefore, a regulatory impact analysis is not required because this regulation will not: (1) Have an annual effect on the economy of $100 million or more; (2) impose a major increase in costs or prices for consumers, individual industries, Federal, State or local government agencies or geographic regions; or (3) result in significant adverse effects on competition, employment, investment, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Paperwork Reduction Act

This rule does not require any information collection activities and therefore, no approval is necessary under the Paperwork Reduction Act.

Regulatory Flexibility Act

The Regulatory Flexibility Act (Pub. L. 96–354) requires the Federal government to anticipate and reduce the impact of regulations and paperwork requirements on small businesses. The primary impact of this rule is on State governments and individuals. Therefore, we certify that this rule, if promulgated, will not have a significant economic impact on a substantial number of small entities because they affect benefits to individuals and payments to States. Thus, a regulatory flexibility analysis is not required.

(Catalog of Federal Domestic Assistance Programs 13.780, Assistance Payments-Maintenance Assistance)

List of Subjects in 45 CFR Part 205

Computer technology, Grant programs—social programs, Privacy, Public assistance programs, Reporting and recordkeeping requirements, Wages.

Dated: May 13, 1992.

Jo Anne B. Barnhart,

Assistant Secretary for Children and Families.

Approved: June 25, 1992.

Louis W. Sullivan,

Secretary of Health and Human Services.

PART 205—GENERAL ADMINISTRATION PUBLIC ASSISTANCE PROGRAMS

Accordingly, the interim rule amending part 205, chapter II, title 45, Code of Federal Regulations which was published at 56 FR 66373 on December 23, 1991, is adopted as a final rule without change and is republished for the convenience of the reader.

1. The authority citations for part 205 continues to read as follows:

Authority: 5 U.S.C. 552a note; 42 U.S.C. 602, 603, 606, 607, 611, 1302, 1306(a), and 1320b–7.

2. Section 205.56(b) is republished to read as follows:

§ 205.56 Requirements governing the use of income and eligibility information.

* * * * *

(b)(1) State agencies shall not take any adverse action to terminate, deny, suspend or reduce benefits to an applicant or recipient, based on information produced by a Federal computer matching program that is subject to the requirements in the Computer Matching and Privacy Protection Act (CMPPA) unless (i) The information has been independently verified in accordance with the independent verification requirements set out in the State agency's written agreement as required by § 205.58 or (ii) The independent verification requirement has been waived by the Department's Data Integrity Board.

(b)(2) The CMPPA defines a matching program as any computerized comparison of (i) Two or more automated systems of records or a system of records with non-Federal records for the purpose of (A) Establishing or verifying the eligibility of, or continuing compliance with statutory and regulatory requirements by, applicants for, recipients or beneficiaries of, participants in, or providers of services with respect to, cash or in-kind assistance or payments under Federal benefit programs, or (B) Recouping payments or delinquent debts under such Federal benefit programs, or (ii) Two or more automated Federal personnel or payroll system of records or a system of Federal personnel or payroll record with non-Federal records.

* * * * *

3. Section 205.58(a) and (b)(4) is republished to read as follows:

§ 205.58 Income and eligibility information; specific agreements required between the State agency and the agency supplying the information.

(a) A State plan under title I, IV-A, X, XIV, or XVI (AABD) of the Social Security Act must provide that, in carrying out the requirements of §§ 205.55 and 205.56, the State agency will enter into specific written agreements as described in paragraph (b) of this section with those agencies providing income and eligibility information. Agreements with Federal agencies are subject to the approval by the appropriate Federal Data Integrity Boards. The agreements will contain the procedure to be used in requesting and providing information

(b) * * *

(4) The type of information and reporting periods for which information will be provided and the verification methodologies to be used;

* * * * *

[FR Doc. 92-27438 Filed 11-12-92; 8:45 am]
BILLING CODE 4150-04-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92-45; RM-7918]

Radio Broadcasting Services; Fargo, ND

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Northwestern College, substitutes Channel 250C for Channel 250C1 at Fargo, North Dakota, and modifies the license of Station KFNW-FM to specify operation on the higher class channel. See 57 FR 9530, March 19, 1992. Channel 250C can be allotted to Fargo in compliance with the Commission's minimum distance separation requirements with a site restriction of 33.8 kilometers (21 miles) west to accommodate petitioner's desired transmitter site, at coordinates North Latitude 47-00-37 and West Longitude 97-11-40. Canadian concurrence has been received since Fargo is located within 320 kilometers (200 miles) of the U.S.-Canadian border. With this action, this proceeding is terminated.

EFFECTIVE DATE: December 21, 1992.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 92-45, adopted October 5, 1992, and released November 5, 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.

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 North Dakota, is amended by removing Channel 250C1 and adding Channel 250C at Fargo.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92-27431 Filed 11-12-92; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 92-83; RM-7946]

Radio Broadcasting Services; Jewett, NY

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Alexander Kmeta, allots Channel 250A to Jewett, New York, as the community's first local FM transmission service. See 57 FR 14688, April 22, 1992. Channel 250A can be allotted to Jewett in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.9 kilometers (4.3 miles) north to avoid short-spacings to Stations WCZX, Channel 249A, Hyde Park, New York, and WSKQ-FM, Channel 250B, New York, New York, at coordinates North Latitude 42-19-56 and West Longitude 74-18-45. Canadian concurrence has been received since Jewett is located within 320 kilometers (200 miles) of the U.S.-Canadian border. With this action, this proceeding is terminated.

DATES: Effective December 21, 1992. The window period for filing applications will open on December 22, 1992, and close on January 21, 1993.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 92-83, adopted October 5, 1992, and released November 5, 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.

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 New York, is amended by adding Jewett, Channel 250A.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92-27427 Filed 11-12-92; 8:45 am]
BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 92-54; RM-7937]

Radio Broadcasting Services; North Madison, OH

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Lakeshore Broadcasting, allots Channel 229A to North Madison, OH, as the community's first local FM service. See 57 FR 10750, March 30, 1992. Channel 229A can be allotted to North Madison in compliance with the Commission's minimum distance separation requirements with a site restriction of 9 kilometers (5.6 miles) west-southwest to avoid short-spacings to Stations WZAK, Channel 226B, Cleveland, OH, and WBZZ, Channel 229B, Pittsburgh, PA, at coordinates North Latitude 41–47–31 and West Longitude 81–09–41. Canadian concurrence has been received in the allotment of Channel 229A to North Madison as a specially negotiated short-spaced allotment. With this action, this proceeding is terminated.

DATES: Effective December 21, 1992. The window period for filing applications will open on December 22, 1992, and close on January 21, 1993.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, MM Docket No. 92–54, adopted October 5, 1992, and released November 5, 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.

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 Ohio, is amended by adding North Madison, Channel 229A.

Federal Communications Commission.

Michael C. Ruger,

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

[FR Doc. 92–27429 Filed 11–12–92; 8:45 am]

BILLING CODE 6712–01–M

Proposed Rules

Federal Register
Vol. 57, No. 220
Friday, November 13, 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.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 92-ANE-08]

Airworthiness Directives; General Electric CT7 Series Turboprop and Turboshaft Engines

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This document proposes the adoption of a new airworthiness directive (AD) that is applicable to General Electric CT7 series turboprop and turboshaft engines. This proposal would require the removal from service of certain gas generator turbine (GGT) rotor assembly parts that were plasma-sprayed during manufacture. This proposal is prompted by material testing that indicates that the plasma-spray process reduces the low cycle fatigue (LCF) capability of the material. The actions specified by the proposed AD are intended to prevent fatigue cracks that can result in uncontained engine failure.

DATES: Comments must be received by December 28, 1992.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 92-ANE-08, 12 New England Executive Park, Burlington, Massachusetts 01803-5299. Comments may be inspected at this location between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from General Electric Aircraft Engines, 1000 Western Avenue, Lynn, Massachusetts 01910. This information may be examined at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, Massachusetts.

FOR FURTHER INFORMATION CONTACT: Barbara G. Caufield, Engine Certification Branch, ANE-141, Engine Certification Office, FAA, New England Region, Engine and Propeller Directorate, Aircraft Certification Service, 12 New England Executive Park, Burlington, Massachusetts 01803-5299; telephone (617) 273-7086; fax (617) 270-2412.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the Rules Docket number and be submitted in triplicate to the address specified above. All communications received on or before the closing date for comments, specified above, will be considered before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received.

Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposed rule. All comments submitted will be available, both before and after the closing date for comments in the Rules Docket for examination by interested persons. A report summarizing each FAA-public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must submit a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket Number 92-ANE-08." The postcard will be date stamped and returned to the commenter.

Availability of NPRMs

Any person may obtain a copy of this NPRM by submitting a request to the FAA, New England Region, Office of the Assistant Chief Counsel, Attention: Rules Docket No. 92-ANE-08, 12 New England Executive Park, Burlington, Massachusetts 01803-5299.

Discussion

General Electric (GE) utilized a plasma-spray process to correct rabbet diameter machining discrepancies during the manufacture of certain gas generator turbine (GGT) rotor assembly stage 1 and 2 disks, and cooling plates for GE CT7 series turboprop and turboshaft engines. When a new material for the parts was introduced, a material test program was conducted on the GGT rotor assembly parts for GE CT7-5A2, -7A, and -9C turboprop; and CT7-2A and -6 turboshaft engines. The testing revealed that the plasma-spray process reduces the low cycle fatigue (LCF) capability of those parts. This condition, if not corrected, could result in fatigue cracks that can result in uncontained engine failure.

The FAA has reviewed and approved the technical contents of GE CT7 Turboprop Service Bulletin (SB) A72-252, dated August 31, 1990; and GE CT7 Turboshaft SB A72-17 and SB A72-18, both dated September 10, 1990, that describe procedures for removal of affected GGT rotor assembly parts by part number and serial number.

Since an unsafe condition has been identified that is likely to exist or develop on other products of this same type design, the proposed AD would require removal from service of affected GGT rotor assembly parts, and replacement with serviceable parts. The actions would be required to be accomplished in accordance with the service bulletins described previously.

There are approximately 23 engines of the affected design in the worldwide fleet. The FAA estimates that 8 engines installed on aircraft of U.S. registry would be affected by this proposed AD, that it would take approximately 7 work hours per engine to accomplish the proposed actions, and that the average labor rate is $55 per work hour. The manufacturer has advised the FAA that a pro-rata credit allowance will be granted for labor and parts required to accomplish these removals and replacements at a GE authorized service or overhaul facility. Based on this information, the FAA has determined that the total cost impact of the AD on U.S. operators would be negligible.

The regulations proposed herein would 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 proposal would not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this proposed regulation (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES.**

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 of the Federal Aviation Regulations as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. App. 1354(a), 1421 and 1423; 49 U.S.C. 106(g); and 14 CFR 11.89.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding the following new airworthiness directive:

General Electric: Docket No. 92–ANE–08

Applicability: General Electric (GE) Models CT7–5A2, –7A, and –9C Turboprop Engines; and Models CT7–2A, and –6 Turboshaft Engines, incorporating gas generator turbine (GGT) disks and cooling plates as listed by Part Number (P/N) and Serial Number (S/N) in GE CT7 Turboprop Service Bulletin (SB) A72–252, dated August 31, 1990; GE CT7 Turobshaft SB A72–17, and GE CT7 Turboshaft SB A72–18, both dated September 10, 1990, installed on but not limited to Saab 340A, Casa CN235–10, Bell 214ST and European Helicopter Industries EH101.

Compliance: Required as indicated, unless accomplished previously.

To prevent fatigue cracks that can result in uncontained engine failure, accomplish the following:

(a) Remove from service the affected CT7–5A2, –7A, and –9C engines GGT rotor stage 1 and 2 disks, and stage 2 forward and aft cooling plates prior to exceeding the "Max total allowable cycles" as listed in GE CT7 Turboprop SB A72–252, dated August 31, 1990, and replace with serviceable parts.

(b) Remove from service the affected CT7–6 engine GGT rotor stage 1 disk and stage 2 forward cooling plate prior to exceeding the "Max total allowable cycles" as listed in GE CT7 Turboprop SB A72–17, dated September 10, 1990, and replace with serviceable parts.

(c) Remove from service the affected CT7–2A engine GGT rotor stage 2 disk and stage 2 forward cooling plate prior to exceeding the "Max total allowable cycles" as listed in GE CT7 Turboshaft SB A72–18, dated September 10, 1990, and replace with serviceable parts.

(d) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Engine Certification Office, FAA, Engine and Propeller Directorate. The request should be forwarded through an appropriate FAA Principal Maintenance Inspector, who may add comments and then send it to the Manager, Engine Certification Office.

Note: Information concerning the existence of approved alternative methods of compliance with this airworthiness directive, if any, may be obtained from the Engine Certification Office.

(e) Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Burlington, Massachusetts, on October 7, 1992.

Mark C. Fulmer,

Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. 92–27587 Filed 11–12–92; 8:45 am]

BILLING CODE 4910–13–M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 33

Commodity Option Transactions; Discretionary Accounts

AGENCY: Commodity Futures Trading Commission.

ACTION: Proposed rule.

SUMMARY: The Chicago Board of Trade ("CBOT") has filed a petition with the Secretary of the Commodity Futures Trading Commission (the "Commission") seeking the repeal of Commission Rule 33.4(b)(9).[1] Rule 33.4(b)(9) requires a board of trade applying for designation as a contract market with respect to commodity option transactions to adopt rules governing the handling by its member futures commission merchants ("FCMs") of discretionary accounts in option transactions. The Commission is proposing to delete Rule 33.4(b)(9) and is also seeking comment on certain questions set forth herein.

DATES: Comments must be received on or before January 12, 1993.

ADDRESSES: Comments should be sent to Jean A. Webb, Secretary of the Commission, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581.

FOR FURTHER INFORMATION CONTACT: Lawrence B. Patent, Associate Chief Counsel, or George G. Wilder, Attorney-Advisor, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581. Telephone: (202) 254–8955.

SUPPLEMENTARY INFORMATION:

I. Background

On January 15, 1992, the CBOT filed a petition with the Secretary of the Commission seeking the repeal of Rule 33.4(b)(9). Rule 33.4(b)(9) establishes as a requirement for designation as a contract market for commodity options that the board of trade require each member FCM which engages in the offer or sale of option contracts to carry out specified duties in regard to each discretionary customer account. Specifically, under Rule 33.4(b)(9), the board of trade must adopt rules which require that: (1) The FCM provide a full explanation of the nature and risks of the strategy to be followed in trading the customer's account; (2) a principal of the FCM approve in writing the discretionary authority given before any trading for the account commences; (3) a principal of the FCM approve, initial and date each discretionary order made for the account; (4) each discretionary order be identified as discretionary at the time of the entry of the trade; and (5) the FCM frequently review discretionary accounts. These provisions do not apply in the case of an account of a commodity pool operated by a commodity pool operator registered under the Act, where the person who has discretionary authority is the spouse, parent or child of the option customer, or in the case of an omnibus account.

The CBOT states that Rule 33.4(b)(9) provides "disparate treatment" between discretionary accounts for options trading and discretionary accounts for futures trading and that, based upon its experience with exchange-traded option transactions, it believes that the rule no longer serves a useful purpose. In

[1] The references to rules herein are to Commission rules, which are found at 17 CFR Ch. I (1992).

conjunction with the instant filing, CBOT also filed a petition to delete CBOT Rule 423.04, which was adopted pursuant to Commission Rule 33.4(b)(9). CBOT is requesting that Rule 33.4(b)(9) be repealed so that its Rule 423.04, which provides that CBOT member firms follow the supervisory procedures set forth in Rule 33.4(b)(9), can be deleted.[2]

Rule 33.4(b)(9) was adopted in 1981 as part of the Commission's part 33 rules governing the pilot program under which options on certain commodity futures contracts [3] were permitted to be traded on boards of trade designated by the Commission as contract markets for commodity option trading. In conjunction with the other requirements prescribed by the part 33 rules,[4] the Commission adopted the pilot program, including Rule 33.4(b)(9), under a regulatory framework in which boards of trade designated for commodity option trading would undertake direct and primary responsibility for the participation of their member firms in commodity option trading under the pilot program. 46 FR 54500, 54502 (Nov. 3, 1981). The Commission stated:

> Indeed, the pilot program places significantly greater self-regulatory duties and responsibilities on boards of trade than is presently the case for futures trading, particularly with respect to the protection of the public from sales practice abuses. Thus, the Commission will require, as a prerequisite for option trading, that each board of trade implement procedures for, and conduct comprehensive sales practices audits of, member FCMs engaged in the offer and sale of commodity options. It is only by placing these regulatory responsibilities on the exchanges that the Commission believes it can presently assure that sufficient regulatory resources will be deployed to prevent a recurrence of the abuses which have characterized commodity options in the past. 46 FR at 54502.

Rule 33.4(b)(9) has remained unchanged except that in 1984 the Commission amended subsection (i) of the rule to clarify that FCMs are not required to explain to option customers the nature and risks of the trading strategy used by commodity trading advisors unaffiliated with the FCM in connection with the option customer's account. See 49 FR 44891 (November 13, 1984).

When the Commission ended the pilot status of the domestic exchange-traded options program in 1986, it noted that termination of the program's pilot status did not mean that the special safeguards that had been the cornerstone of the pilot program would be eliminated.[5] The Commission stated that the absence of significant sales practice problems during the course of the pilot program was evidence of the effectiveness of such special safeguards. See 51 FR 17464, 17471 (May 13, 1986).[6] The Commission also stated that it would continue to evaluate the rules' requirements as it gained experience with public, "retail" participation in the option contract trading after the termination of the pilot status of the exchange-traded option program. See 51 FR at 17471. The Commission anticipated that continued refinements in futures sales practice standards should ultimately allow the harmonization of futures and option sales practice rules into a single set of regulations.[7] In light of the experience with exchange-traded option contracts, the Commission has recently proposed to delete Rules 33.4(b) (4) and (8). See 57 FR 40626 (Sept. 4, 1992).

II. Commission Proposal

The Commission's proposal to delete Rule 33.4(b)(9), consistent with the recent proposal to delete Rules 33.4(b)(4) and (8), is based upon the premise that compliance with the supervisory standards required by Rule 166.3 [8] and the requirements of Rule 166.2 [9]

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[2] In addition to the special rules concerning discretionary option accounts required by Rule 33.4(b)(9), certain contract markets have general rules with respect to the opening and supervision of discretionary accounts. *See, e.g.*, CBOT Rules 423.01 (discretionary accounts) and 423.03 (supervision of discretionary trading by employees); Chicago Mercantile Exchange Rule 932 (controlled, discretionary and managed accounts); and National Futures Association ("NFA") Compliance Rule 2–8 (discretionary accounts). *See also* 1 T. Russo, *Regulation of Commodities Futures and Options Markets* §§ 4.20–4.21 (1983 & Supp. 1992); Rule 166.2, 17 CFR 166.2 (1992).

The NFA, which began operations subsequent to the adoption of Rule 33.4(b)(9) in 1981, also adopted a rule similar to Rule 33.4(b)(9) (including three exclusions similar to those noted above) with respect to discretionary accounts for commodity option transactions. NFA Compliance Rule 2–20 states that NFA members must provide the option customer with an explanation of the nature and risks of the strategy to be used in connection with the customer's account; ensure that an officer, general partner, sole proprietor, or branch office manager of the NFA member approve in writing the discretionary authority prior to any trading for the account; identify each order as discretionary at the time of entry and ensure that each officer, general partner, sole proprietor, or branch office manager approve, initial and date all orders for the discretionary account; and review frequently all discretionary accounts.

[3] The pilot program initially included options on future contracts on commodities other than domestic agricultural products. It was subsequently expanded to include options on futures contracts on domestic agricultural commodities and options on physical commodities other than domestic agricultural commodities.

[4] The pilot program rules adopted in 1981 also required a board of trade seeking designation as a contract market in commodity options to adopt certain types of rules to regulate the sales practices of its member FCMs. The types of rules required to be adopted by a board of trade include: prohibitions against fraudulent or high pressure sales communications by FCMs (Rule 33.4(b)(10)); requirements for compliance by FCMs with the disclosure requirements of Rule 33.7 (Rule 33.4(b)(7)); requirements for the submission by FCMs of all promotional material for review by the FCM's designated self-regulatory organization ("DSRO") (Rule 33.4(b)(8)); requirements for the adoption and enforcement by FCMs of written procedures for adequate supervision of each option customer's account (Rule 33.4(b)(5)); requirements for the maintenance by FCMs of records of customer complaints and reporting the disposition of such complaints to the board of trade (Rule 33.4(b)(4)); and requirements for FCMs to notify the DSRO of any disciplinary action taken against the firm or any of its associated persons by the Commission or another DSRO (Rule 33.4(b)(6)).

[5] The Commission ended the pilot status of the program for exchange-traded options on futures contracts other than on domestic agricultural commodities in 1986. 51 FR 17464 (May 13, 1986). In 1987, the Commission ended the pilot status of the program for exchange-traded options on futures contracts on domestic agricultural commodities and for exchange-traded options on physical commodities other than domestic agricultural commodities pursuant to Section 102 of the Futures Trading Act of 1986. Futures Trading Act of 1986, Pub. L. No. 99–641, Section 102, 100 Stat. 3557 (codified at 7 U.S.C. 6c(c)); 52 FR 777 (January 9, 1987).

[6] In 1987, the Commission again reviewed its exchange-traded option rules and found that no additional changes to the rules were needed at that time. See 52 FR 777, 778 (January 9, 1987).

[7] *Id.* The Commission has in the past sought to harmonize audit standards and practices of the contract markets and NFA in order to streamline and simplify regulatory compliance costs and burdens through joint audit plans among the contract markets and NFA. See, *e.g.*, Rule 1.52(c).

[8] Rule 166.3 provides:

> Each Commission registrant, except an associated person who has no supervisory duties, must diligently supervise the handling by its partners, officers, employees and agents (or persons occupying a similar status or performing a similar function) of all commodity interest accounts carried, operated, advised, or introduced by the registrant and all other activities of its partners, officers, employees and agents (or persons occupying a similar status or performing a similar function) relating to its business as a Commission registrant.

[9] Rule 166.2 provides:

> No futures commission merchant, introducing broker or any of their associated persons may directly or indirectly effect a transaction in a commodity interest for the account of any customer unless before the transaction the customer, or person designated by the customer to control the account—
>
> (a) Specifically authorized the futures commission merchant, introducing broker or any of their associated persons to effect the transaction (a transaction is "specifically authorized" if the customer or person designated by the customer to control the account specifies (1) the precise commodity interest to be purchased or sold and (2) the exact amount of the commodity interest to be purchased or sold); or
>
> (b) Authorized in writing the futures commission merchant, introducing broker or any of their associated persons to effect transactions in commodity interests for the account without the customer's specific authorization: *Provided, however,* That if such futures commission merchant, introducing broker or any of their associated

Continued

concerning authorization to trade should be adequate to address the regulatory concerns presented by both options and futures customer discretionary accounts.

In proposing to delete Rule 33.4(b)(9), and such specific requirements as those which mandate that a principal of the FCM approve, initial and date each discretionary options order made for the account, the Commission wishes to make clear that firms must continue to make every effort to properly supervise their employees with respect to options and futures customer discretionary accounts. Supervision must include the ability to review specific trades in such accounts and must take into account that "limited risk" transactions may require particular diligence as they may not be covered by internal controls related to financial risk. Merely reviewing daily equity runs would not constitute a supervisory review sufficient to meet a firm's duty in this regard.[10]

III. Request for Comments

The Commission requests comments on any aspect of the petition that members of the public believe raise issues under the Act or the Commission's rules. In particular, the Commission has identified the following matters for which comment may be appropriate. The commission is considering this rule deletion in light of the requirements of Rule 166.3 and similar SRO rules such as NFA Compliance Rule 2–8 and therefore requests further comment whether such action provides sufficient guidance with respect to compliance programs for options.

1. The CBOT states in its petition that rule 33.4(b)(9) provides "disparate treatment" between discretionary accounts for options trading and discretionary accounts for futures trading. The Commission therefore separately requests comment as to whether, in light of the effective enforcement of Commission sales practice requirements in this area and continued refinements in the development of futures sales practice standards generally since the Commission last addressed this matter in 1987, more unified standards with respect to sales practices for futures and option contracts can assure adequate customer protection and render audit programs to review such activities more efficient and effective.

2. Section 4b of the Act [11] and Rule 33.10 prohibit fraud in connection with futures and options transactions, respectively. Rules 33.7(a) and 33.7(f) provide that an FCM must disclose all material information to a commodity option customer, provide the customer with a separate written risk disclosure document, and receive an acknowledgement of the receipt and understanding of the disclosure document signed by the customer before an options trading account is opened. Rule 33.7(e) provides that a firm must adopt such supervisory procedures as are necessary to ensure compliance with part 33. Rule 166.3 provides that all Commission registrants, except associated persons with no supervisory duties, must diligently supervise the handling by the registrant's personnel of all commodity accounts carried, operated, advised or introduced. The CBOT states that, following the deletion of CBOT Rule 423.04, the CBOT's other general discretionary account provisions would remain in effect and would continue to address customer protection concerns with respect to options as well as futures. The Commission's proposal is premised upon the adequacy of the supervisory requirements of Rule 166.3, including the Commission's suggested guidelines as to the type of measures registrants should adopt in supervising its employees with respect to options as well as futures. Comment is requested as to whether the statutory prohibitions and the existing disclosure and supervisory requirements adequately substitute for the current requirements and provide greater flexibility without loss of customer protection or are specific amendments to the disclosure rules or additional rules needed with respect to discretionary accounts?

3. Rule 33.4(c) provides that a board of trade must conduct sales practice audits of member FCMs which engage in the offer and sale of option contracts regulated under part 33. The rule also requires that such sales practice audits must be of sufficient scope to enforce the contract market rules required by Part 33. When the Commission adopted the pilot program permitting exchange-traded commodity options, it stated that part 33 was premised on the contract markets assuming direct and primary regulatory authority with respect to compliance by their member firms. 46 FR 54500, 54502 (Nov. 3, 1981). If Rule 33.4(b)(9) were repealed, would SROs retain sufficient authority to adequately review and take disciplinary action relative to the supervision of discretionary options and futures customer accounts?

IV. Related Matters

A. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) 5 U.S.C. 601 *et seq.*, requires that agencies, in proposing rules, consider the impact of those rules on small businesses. In 1982, the Commission adopted a policy statement and established definitions of "small entities" for the purposes of the RFA. See 47 FR 18618 (April 30, 1982). The Commission stated that contract markets and FCMs would not be "small entities." Moreover, the proposed deletion will remove a regulatory burden. For these reasons, and pursuant to section 3(a) of the RFA, 5 U.S.C. 605(b), the Chairman, on behalf of the Commission, hereby certifies that the proposed deletion will not have a significant economic impact on a substantial number of small entities.

B. Paperwork Reduction Act

The Paperwork Reduction Act of 1980 (PRA) 44 U.S.C. 3501 *et seq.*, imposes certain requirements on Federal agencies (including the Commission) in connection with their conducting or sponsoring any collection of information as defined by the PRA. In compliance with PRA, the Commission has submitted the proposed deletion to the Office of Management and Budget. The proposed deletion has no burden.

List of Subjects in 17 CFR Part 33

Commodity futures, Domestic exchange-traded commodity option transactions

In consideration of the foregoing and pursuant to the authority contained in the Commodity Exchange Act and, in particular, section 4(c) of said Act, the Commission proposes to amend part 33 of title 17 of the Code of Federal Regulations as follows:

PART 33—REGULATION OF DOMESTIC EXCHANGE-TRADED COMMODITY OPTION TRANSACTIONS

1. The authority citation for part 33 continues to read as follows:

persons is also authorized to effect transactions in foreign futures or options without the customer's specific authorization, such authorization must be expressly documented.

[10] When the Commission adopted Rule 166.3 in 1978, it stated that the basic purpose of the rule is to protect customers by ensuring that their dealings with employees of Commission registrants will be reviewed by other officials in the firm. 43 FR 31886, 31889 (July 24, 1978). In proposing the rule in 1977, the Commission proposal set forth a series of specific requirements for reviewing officials in the firm. 42 FR 44742, 44746–47 (Sept. 6, 1977). In declining to adopt these specific requirements, the Commission nonetheless stated that it believed that certain of the previously proposed specific requirements provided a useful guideline to Commission registrants as to the types of measures firms should adopt in order to properly supervise their employees.

[11] 7 U.S.C. 6b (1988).

Authority: 7 U.S.C. 2, 2a, 4, 6, 6a, 6b, 6c, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 6o, 7, 7a, 7b, 8, 8a(5), 9, 11, 12a, 13a, 13a-1, 13b, 19, and 21, unless otherwise noted.

2. Section 33.4(b)(9) is proposed to be removed and reserved.

§ 33.4 Designation as a contract market for the trading of commodity options.

* * * * *

(b) * * *

(9) [Reserved]

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Issued at Washington, DC on this 9th day of November, 1992 by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 92-27593 Filed 11-12-92; 8:45 am]

BILLING CODE 6351-01-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL-4533-7]

Open Meeting of the Architectural and Industrial (AIM) Maintenance Coatings Negotiated Rulemaking Advisory Committee

AGENCY: Environmental Protection Agency.

ACTION: Notice of open meeting.

SUMMARY: The AIM Negotiated Rulemaking Advisory Committee will meet in Denver, Colorado on December 8-9 to continue work on attempting to reach consensus that can be used as the basis of a proposed rule.

DATES: The meeting will take place on December 8th and 9th in Denver, Colorado. The December 8th meeting will start at 9 a.m. and run until 6 p.m. On December 9th, it will start at 8 a.m., and end by 3 p.m.

ADDRESSES: The meeting will be held at the Marriott City Center, 1701 California Street, Denver, Colorado 80202, 303-797-1300.

FOR FURTHER INFORMATION CONTACT: Persons needing further information on substantive aspects of the rule should call Ellen Ducey of EPA's Office of Air Quality Planning and Standards at 919-541-5408. Persons needing further information on meeting logistics should call Barbara Stinson the Committee Co-chair at 303-468-822.

Dated: November 2, 1992

Chris Kirtz,

Director, Consensus and Dispute Resolution Program.

[FR Doc. 92-27545 Filed 11-12-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Ch. I

[FRL 4534-5]

Establishment and Open Meeting of the Negotiated Rulemaking Advisory Committee for Disinfection By-Products

AGENCY: Environmental Protection Agency (EPA).

ACTION: Establishment of FACA committee and meeting announcement.

SUMMARY: As required by section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), we are giving notice of the establishment of an Advisory Committee to negotiate a proposed Disinfection By-Product rule. We have determined that this is in the public interest and will assist the Agency in performing its duties under the Safe Drinking Water Act.

Copies of the Committee Charter will be filed with the appropriate committees of Congress and the Library of Congress.

The Committee's first meeting will occur on November 23-24, 1992. The Committee's co-facilitators have notified interested parties of the meeting dates. The purpose of the meeting is to finalize the operational groundrules and begin to discuss the issues related to a proposed rule. The Committee meeting is open to the public without need for advance registration.

DATES: The Committee will meet on November 23 from 9:30 a.m. until 5 p.m., and on November 24 from 9 a.m. until 5 p.m.

ADDRESSES: The Committee will meet at the Quality Hotel Capitol Hill, 415 New Jersey Avenue, NW., Washington, DC 20001, (202) 638-1616.

FOR FURTHER INFORMATION CONTACT: Persons needing further information on substantive matters should contact Stig Regli, Drinking Water Standards Division, U.S. EPA, at 202-260-7379. Persons needing further information on procedural matters should call Gail Bingham, the Committee Co-Chair, at 202-778-9632.

Dated: November 4, 1992.

Chris Kirtz,

Director, Consensus and Dispute Resolution Program.

[FR Doc. 92-27684 Filed 11-12-92; 8:45 am]

BILLING CODE 6560-50-M

40 CFR Part 52

[IL15-3-5534; FRL-4534-1]

Approval and Promulgation of Air Quality Implementation Plans; Illinois

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Proposed rulemaking.

SUMMARY: USEPA is proposing rulemaking on a site specific revision to the Illinois State Implementation Plan (SIP) for ozone. The revision pertains to a facility in Richland County, Illinois operated by Roadmaster Corporation. Roadmaster's facility uses black and white flowcoaters to apply extreme performance coatings to miscellaneous metal parts and products.

Emission limits currently applicable to the Roadmaster facility for Volatile Organic Matter (VOM) are cited in Section 215.204(j)(3) of Title 35 of the Illinois Administrative Code (IAC). This section was approved for incorporation into the Illinois SIP on February 21, 1980, (45 FR 11472) as Pollution Control Board Rule 205(n)(1). The State subsequently recodified this rule as part of the IAC. This section limits to 3.5 pounds of VOM per gallon of coating, the VOM content of coating materials, excluding water, delivered to the applicator for coating miscellaneous metal parts and products for extreme performance coatings. The revision being proposed for approval would limit the coatings used by the Roadmaster facility's existing black and white flowcoaters to 5.9 pounds of VOM per gallon of coating, based on weekly averaging. This revision expires on January 1, 2000.

Richland County, Illinois is designated an attainment area for the ozone National Ambient Air Quality Standard (NAAQS). See 40 CFR 81.314 (1988). Under the site specific revision, VOM emissions from Roadmaster's facility in excess of those allowed under the current applicable limit are estimated to be 37.5 tons per year. These additional emissions are not expected to cause or contribute to a violation of the NAAQS for ozone.

DATES: Comments on this revision and on the proposed USEPA action must be received by December 14, 1992.

ADDRESSES: Copies of the documents relevant to this action are available for public inspection during normal business hours at the following locations: U.S. Environmental Protection Agency, Region 5, Regulation Development Branch, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Comments on this proposed rule should be addressed to: J. Elmer Bortzer, Chief, Regulation Development Section (AR-18J), Air and Radiation Division, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Patricia Morris, Regulation Development Section, U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604 (312) 353-8656 or (FTS) 353-8656.

SUPPLEMENTARY INFORMATION:

Background

The USEPA published a final approval rulemaking action on this SIP revision. 57 FR 10140 (March 24, 1992). However, the action was withdrawn, 57 FR 24957 (June 12, 1992), after an intent to file adverse comments was received from the Natural Resources Defense Council.

Roadmaster manufactures bicycles, toy wagons, tricycles, exercise equipment and various related items. Roadmaster is located near Olney in Richland Country, Illinois, an area that is designated attainment for ozone. See 40 CFR 81.314 (1988).

On April 26, 1990, the Illinois Pollution Control Board (Board) adopted final rulemaking which amended title 35 of the IAC, Subtitle B: Air Pollution; Chapter I: Pollution Control Board; Subchapter C: Emissions Standards and Limitations for Stationary Sources; Part 215, Organic Material Standards and Limitations; Subpart F: Coating Operations, by adding section 215.214 Roadmaster Emission Limits. On September 18, 1990, the Illinois Environmental Protection Agency (IEPA) submitted section 215.214 to USEPA as a proposed site-specific revision to the Illinois SIP for ozone.

Section 215.214, which expires January 1, 2000, provides as follows: Roadmaster would be allowed a VOM emissions exception on two existing flowcoater units at its manufacturing facility near Olney, Illinois. The VOM exception, from the generally applicable limit of 3.5 pounds of VOM per gallon of coating, required by section 215.204(j)(3) of the IAC, would be only for the existing black and white flowcoaters which under section 215.214 would be limited to 5.9 pounds of VOM per gallon of coating, based on weekly averaging, to account for daily and seasonal variations. This rule does not embrace new flowcoaters which may be added to the operation, but only the two existing units, in order to allow their continued present operation. New flowcoaters added to the operation must meet the requirements of section 215.204(j)(3).

As a result of public comments in response to the First Notice publication in the Illinois Register, 13 Ill. Reg. 12384, July 1989, the Board found that certain revisions to the First Notice proposal were appropriate. Therefore, the Board required Roadmaster to fulfill additional conditions which it set forth in section 215.214 (a), (b), (c), (d), and (e). The conditions include:

(1) Roadmaster must contact at least three paint vendors each year in a continuing search for a compliant paint;

(2) Roadmaster must report to IEPA each year on its efforts to find a compliant paint;

(3) If a compliant paint is found and the cost is not more than 10 percent greater than the then current net annual expense incurred in the existing painting process, Roadmaster must convert to that compliant paint within 180 days;

(4) This exception expires on January 1, 2000, at which time Roadmaster shall comply with the provisions that generally apply to VOM emissions.

There are several enforceability deficiencies in the submittal that would have necessitated a disapproval if Roadmaster's facility were located in a nonattainment area for ozone. These deficiencies are:

(1) There are no recordkeeping requirements contained in the submittal;

(2) The test methods for solvent content of coatings are specified in Section 215.208 which allows Director's Discretion;

(3) It is not clear from the submittal whether line by line compliance or cross averaging is required.

Because of these deficiencies, the USEPA would have disapproved this rule if the area were nonattainment for ozone.

Evaluation of Proposed Revision

Because Richland County and the surrounding area for at least 100 miles in all directions is designated attainment for ozone, the estimated 37.5 tons per year of VOM emissions in excess of the present rule would not cause or contribute to a violation of the National Ambient Air Quality Standard for ozone.

Part D of the CAA requires Reasonably Available Control Technology (RACT) in nonattainment areas; however this requirement does not extend to attainment areas, such as Richland County, Illinois. A State can, however, impose a more stringent level of control than that imposed by the CAA. The current Illinois SIP not only requires the RACT level of control in nonattainment areas, it goes beyond the Federal requirement of the CAA and requires RACT on this category of VOM source, in attainment areas as well.

Since Richland County is attainment for ozone and there is no CAA requirement for RACT level control in an attainment area, USEPA is proposing to approve this site specific rule change to the Illinois SIP.

Proposed Rulemaking Action—Solicitation of Comment

Based on its review of the information presented by the State of Illinois, USEPA today proposes to approve the requested SIP revision because the affected area is designated attainment and the revision would not cause or contribute to a violation of the NAAQS for ozone. Public comments are solicited on the requested SIP revision and on USEPA's proposal to approve it. Public comments received by the date indicated above will be considered in the development of USEPA's final rulemaking action.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to the SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989, (54 FR 2214–2225). On January 6, 1989, the Office of Management and Budget (OMB) waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of Section 3 of Executive Order 12291 for a period of 2 years. USEPA has submitted a request for a permanent waiver for Table 2 and Table 3 SIP revisions. The OMB has agreed to continue the temporary waiver until such time as it acts on USEPA's request.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 et seq., USEPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities. (5 U.S.C. 603 and 604.) Alternatively, USEPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under Section 110 and subchapter I, Part D of the CAA do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because

the federal SIP-approval does not impose any new requirements, I certify that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the federal-state relationship under the CAA, preparation of a regulatory flexibility analysis would constitute federal inquiry into the economic reasonableness of state action. The CAA forbids USEPA to base its actions concerning SIPs on such grounds. *Union Electric Co.* versus *U.S.E.P.A.*, 427 U.S. 246, 256–66 (S. Ct. 1976); 42 U.S.C. 7410(a)(2).

The Agency has reviewed this request for revision of the federally approved State Implementation Plan for conformance with the provisions of the 1990 Amendments enacted on November 15, 1990. The Agency has determined that this action conforms with those requirements even though the submittal preceded the date of enactment.

List of Subjects in Part 52

Air pollution control, Hydrocarbons, Ozone, Volatile organic compounds.

Authority: 42 U.S.C. 7401–7671q.

Note: Incorporation by reference of the State Implementation Plan for the State of Illinois was approved by the Director of the Federal Register on July 1, 1982.

Dated: October 28, 1992.

David A. Ullrich,

Acting Regional Administrator.

[FR Doc. 92–27544 Filed 11–12–92; 8:45 am]

BILLING CODE 6560–50–M

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40 CFR Part 52

[IL19–1–5196; FRL–4533–9]

Disapproval of Promulgation of Implementation Plans; Illinois

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: USEPA is proposing to disapprove a revision to the Illinois State Implementation Plan (SIP) for particulate matter (PM) because it fails to meet applicable requirements of the Clean Air Act (Act), as amended, Public Law 101–549 Stat. 2399, codified at 42 U.S.C. 7401 et seq., in particular the requirement that the State demonstrate that the revision would not interfere with attainment and maintenance of the particulate matter National Ambient Air Quality Standard (NAAQS). See section 110(1). The revision would have provided Olin Corporation with a variance from the Illinois particulate matter limits found in title 35 of the Illinois Administrative Code (IAC) Section 212.321 from January 24, 1991, until March 1, 1992. This action taken by USEPA is a matter of record establishing the reason for USEPA's proposed action on the variance. USEPA's action is based upon a revision request which was submitted by the State on April 23, 1991, to satisfy the requirements of the Act.

DATES: Comments on this revision and on the proposed USEPA action must be received by December 14, 1992.

ADDRESSES: Copies of the SIP revision request and USEPA's analysis are available for inspection at the following address: (It is recommended that you telephone Fayette Bright, at (312) 886–6069 before visiting the Region 5 Office.) U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Regulation Development Branch (5AR–18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Fayette Bright, Regulation Development Section, Regulation Development Branch (5AR–18J), U.S. Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886–6069.

SUPPLEMENTARY INFORMATION:

I. Summary of State Submittal

On April 23, 1991, the USEPA received a proposed site-specific revision to the Illinois SIP from the Illinois Environmental Protection Agency (IEPA) for Olin Corporation (Olin). Olin's plant is located in Joliet Township, Will County, Illinois and the revision applies to the particulate matter emissions from the A and B building scrubbers at the facility. On July 1, 1987, the USEPA revised the NAAQS for PM, replacing total suspended particulates (TSP) as the indicator with a new indicator called PM–10, which includes particles with an aerodynamic diameter less than or equal to a nominal 10 microns. See 52 FR 24634. On the date of enactment of the 1990 Clean Air Act Amendments (Act), PM–10 areas meeting the qualifications of section 107(d)(4)(B) of the Act were designated nonattainment by operation of law. All other PM–10 areas, including the area that is the subject of today's proposed action, were designated unclassifiable. The proposed revision, which was approved by the Illinois Pollution Control Board (IPCB) on February 7, 1991, would have provided Olin with a variance from the Illinois particulate matter limits found in 35 IAC 212.321 from January 24, 1991, to March 1, 1992. However, the variance did not provide an alternate emission limit for the term of the variance and would have waived the requirements for compliance with the PM–10 standards.

The effective date of 35 IAC 212.321 was September 28, 1979, while Olin's equipment became operational in 1980. Olin initially proposed to achieve compliance with 35 IAC 212.321 by March 31, 1993. However, the IPCB granted a variance period extending from January 24, 1991, until March 1, 1992 only. The IPCB did not grant the variance until March 31, 1993, because the IPCB found that although Olin presented adequate proof that some level of relief in the form of a variance should be granted, the IPCB also found that, to a degree, Olin's hardship in achieving compliance was self-imposed and that the history of non-compliance and the lengthy study and decisionmaking process engaged in by Olin on equipment operating since 1980 did not support the grant of a relief until 1993.

On August 23, 1991, IEPA submitted supplemental documentation to be incorporated into the pending revision. The supplemental documentation consists in part, of a motion filed by Olin for modification of the IPCB February 7, 1991, Final Opinion and Order to modify the variance conditions. Olin filed the modification because the A North scrubbers were temporarily not in use and the variance conditions could not be met. The IPCB granted this modification on July 25, 1991, thereby extending certain compliance dates in the proposed revision.

II. Analysis of State Submittal

USEPA is proposing to disapprove this revision request because (1) the SIP revision provides no emission limit for the period before March 1, 1992, and (2) the SIP does not specifically require compliance after March 1, 1992. When a company applies for a variance, it is expected to propose an alternate emission limit for the term of the variance in order to ensure enforceability. In the case of the Olin variance, no alternate emission limit was proposed, and thus, there was no alternate emission limit to enforce during the term of the variance. In addition, USEPA reviewed the modeling data included in the April 23, 1991, submittal, however, the modeling analyses provided were not adequate to support the relaxation of emission limits requested in this SIP revision. Maximum

allowable emission limits rather than actual emissions should have been used in the modeling. In the absence of an adequate modeling analyses it could not be determined whether or not the Olin variance would protect the particulate matter NAAQS.

In addition to the reasons described above, USEPA notes that this SIP must be disapproved as provided under section 110(1) of the amended Act. Section 110(1) of the Act provides that USEPA shall not approve a SIP revision if the revision interferes with any applicable requirements concerning attainment and reasonable further progress, or any other applicable requirement of the Act, such as maintenance. See, e.g., section 110(a)(1). The State of Illinois did not adequately demonstrate that the proposed SIP revision would have ensured, among other things, continued maintenance of the PM–10 NAAQS is an area of the State currently designated unclassifiable for PM–10. USEPA, therefore, is proposing to disapprove the incorporation of this variance for Olin into the SIP.

Public comments are solicited on the requested SIP revision and on USEPA's proposal to disapprove. Public comments received by December 14, 1992, will be considered in the development of USEPA's final rulemaking action.

This action has been classified as a Table 2 action by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214–2225). On January 6, 1989, the Office of Management and Budget waived Table 2 and 3 SIP revisions (54 FR 2222) from the requirements of section 3 of Executive Order 12291 for a period of 2 years. USEPA has submitted a request for a permanent waiver for Table 2 and Table 3 SIP revisions. The OMB has agreed to continue the temporary waiver until such time as it rules on USEPA's request.

Under 5 U.S.C. section 605(b), I certify that disapproving this submittal will not have a significant economic impact on a number of small entities. It merely disapproves State requirements and imposes no additional requirement. Further, because this variance has expired, USEPA's disapproval has no bearing on requirements this source must meet.

The USEPA has reviewed this request for a revision to the federally approved Illinois SIP for conformance with the provisions of the 1990 Amendments enacted on November 15, 1990. The USEPA has determined that this SIP revision does not conform with those requirements, in particular the requirements contained in section 110(1) of the Act, and is hereby disapproving this SIP revision.

List of Subjects in 40 CFR Part 52

Air Pollution control, Incorporation by reference, Particulate matter.

Note: Incorporation by reference of the State Implementation Plan for the State of Illinois was approved by the Director of the Federal Register on July 1, 1982.

Authority: 42 U.S.C. 7401–7671(q).

Dated: October 23, 1992.

David A. Ullrich,

Acting Regional Administrator.

[FR Doc. 92–27543 Filed 11–12–92; 8:45 am]

BILLING CODE 6560–50–M

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40 CFR Part 145

[FRL–4533–2]

Montana Board of Oil and Gas Conservation; Underground Injection Control; Primacy Application

AGENCY: Environmental Protection Agency.

ACTION: Notice of public comment period and of public hearing.

SUMMARY: The purpose of this notice is to announce that: the Environmental Protection Agency (EPA) has received an application from the Montana Board of Oil and Gas Conservation requesting primary enforcement responsibility for the Underground Injection Control (UIC) Program for Class II injection wells and determined the application contains all the required elements; the application is available for inspection and copying; public comments are requested; and a public hearing will be held.

Section 1422(b)(4) of the Safe Drinking Water Act (SDWA) requires that prior to approving, disapproving, or approving in part, a State's UIC program, the Administrator provide opportunity for a public hearing. This notification advises the public of the date, time and location of the required public hearing.

The proposed comment period and public hearing will provide EPA the breadth of information and public opinion necessary to approve, disapprove, or approve in part the application from the Montana Board of Oil and Gas Conservation to regulate Class II injection wells under provisions of section 1425 of the SDWA.

DATES: Requests to present oral testimony must be filed by December 9, 1992; the public hearing will be held on December 16, 1992, at 7 p.m. Written comments must be received by December 21, 1992. The hearing will be held in the Galletin meeting room in the Holliday Inn, 5500 Midland Road, Billings, Montana.

ADDRESSES: Comments and requests to testify should be mailed to Virginia Rose, Drinking Water Branch (8WM–DW), Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado, 80202–2466. Copies of the application and pertinent materials are available between 8:30 a.m. and 4 p.m. Monday through Friday at the following locations:

Environmental Protection Agency, Region VIII, Drinking Water Branch, 4th Floor Terrace, 999 18th Street, Denver, CO 80202–2466, PH: 303 293–1413.

Montana Board of Oil and Gas Conservation, 2535 St. Johns Avenue, Billings, MT 59102, PH: 406 656–0040.

Environmental Protection Agency, Region VIII, Montana Office Building, Federal Office Building, 301 S. Park, Helena MT 59626–0026, PH: 406–449–5434.

FOR FURTHER INFORMATION CONTACT: Paul S. Osborne, UIC Program Enforcement and Oversight Section, Drinking Water Branch (8WM–DW), Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, CO 80202–2466, 303 293–1418.

SUPPLEMENTARY INFORMATION: The UIC program was implemented to prevent contamination of all underground sources of drinking water (USDW's), which are aquifers capable of yielding a significant amount of water containing less than 10,000 mg/liter of total dissolved solids. If the application by the Montana Board of Oil and Gas Conservation is approved, the State would be responsible for preventing endangerment of USDW's by the following activities:

(1) Disposal (via injection wells) of fluids produced in conjunction with primary oil and gas development and production, including gas plant waste;

(2) Injection for the purpose of storing liquid hydrocarbons; and

(3) Injection of fluids for the purpose of enhanced recovery of oil and gas.

The program proposed by the State will regulate Class II injection activities by establishing state permits which will include technical requirements for the protection of USDW's. Such requirements include criteria for construction, testing, operation, monitoring, and abandonment of injection wells.

At present, there are approximately 1390 Class II injection wells in Montana. The USEPA has held primary enforcement authority for the UIC program in Montana since the program was implemented in 1984. The

application from the Montana Board of Oil and Gas Conservation requests that EPA delegate to the State Primary enforcement authority for the regulation of all Class II injection wells on all lands subject to the State's police power and taxing authority and all lands owned or under the jurisdiction of the United States. The application includes program description, copies of all applicable rules and forms, a quality assurance plan, a statement of legal authority and appropriate memoranda of agreement.

Max H. Dodson,

Director, Region VIII, Water Management Division.

[FR Doc. 92-27542 Filed 11-12-92; 8:45 am]

BILLING CODE 6560-50-M

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40 CFR Part 281

[FRL-4533-4]

Rhode Island; Approval of State Underground Storage Tank Program

AGENCY: Environmental Protection Agency.

ACTION: Notice of tentative determination of application of Rhode Island for final approval, public hearing, and public comment period.

SUMMARY: The purpose of this notice is to announce that: The Environmental Protection Agency (EPA) has received a complete application from the State of Rhode Island requesting final approval of its underground storage tank (UST) program under Subtitle I of the Resource Conservation and Recovery Act (RCRA); EPA has reviewed Rhode Island's application and has made the tentative decision that Rhode Island's underground storage tank program satisfies all of the requirements necessary to qualify for final approval. EPA intends to grant final approval to Rhode Island to operate its program in lieu of the Federal program. Rhode Island's application for final approval is available for public review and comment and a public hearing will be held to solicit comments on the application, if requested.

DATES: A public hearing is scheduled for December 10, 1992. The State of Rhode Island will participate in the public hearing held by EPA. Requests to present oral testimony must be filed by December 4, 1992. All comments on Rhode Island's final approval application must be received by the close of business on December 10, 1992.

The hearing will begin at 10 a.m. and will continue until the end of testimony or 12 p.m., whichever comes first. EPA reserves the right to cancel the hearing should there be no significant public interest. Those informing EPA of their intention to testify will be notified of the cancellation.

ADDRESSES: Copies of Rhode Island's final approval application are available between 8:30 a.m.–4 p.m., Monday through Friday, at the following locations for review and copying:.

Rhode Island Department of Environmental Management, 291 Promenade Street, Providence, RI 02903, Phone: (401) 277–2234;

U.S. EPA Headquarters, Library, Room 211A, 401 M Street, SW., Washington, DC 20460, Phone: (202) 382–5926;

U.S. EPA, Region I, Library 11th Floor, 1 Congress Street, Boston, MA 02203, Phone: (617) 565–3300.

Comments and requests to testify should be mailed to Andrea Beland, Underground Storage Tank Program, HPU–7, U.S. EPA, Region I, JFK Federal Building, Boston, MA 02203–2211, Phone: (617) 573–9604.

EPA and Rhode Island will hold the public hearing on December 10, 1992 in the Department of Administration, Conference Room A, One Capitol Hill, Providence, RI 02908. The hearing will begin at 10 a.m. and will continue until the end of testimony or 12 p.m., whichever comes first.

FOR FURTHER INFORMATION CONTACT: Andrea Beland HPU–CAN7, Underground Storage Tank Program, U.S. EPA, Region I, JFK Federal Building, Boston, MA 02203. Comments should be sent to this address. Phone: (617) 573–9604.

SUPPLEMENTARY INFORMATION:

A. Background

Section 9004 of the Resource Conservation and Recovery Act (RCRA) authorizes EPA to approve State underground storage tank programs to operate in the State in lieu of the Federal underground storage tank (UST) program. Program approval is granted by EPA if the Agency finds that the State program:

(1) Is "no less stringent" than the Federal program in all seven elements, and includes notification requirements of section 9004(a)(8), 42 U.S.C. 6991c(a)(8); and

(2) Provides for adequate enforcement of compliance with UST standards (section 9004(a), 42 U.S.C. 6991c(a)).

B. Rhode Island

In October of 1984, the Rhode Island Department of Environmental Management (RI DEM), adopted Emergency Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials. The emergency regulations were superseded by final regulations adopted on May 8, 1985. In addition, R.I. DEM was designated by the Governor of Rhode Island as the state agency to receive UST notifications under subtitle I, section 9002 of the Resource Conservation and Recovery Act (RCRA).

On July 2, 1992, Rhode Island submitted an official application for final approval. Prior to its submission, Rhode Island, working with EPA, made regulatory changes to meet the federal objectives and provided an opportunity for public notice and comment in the development of its underground storage tank program. This is required under 40 CFR 281.50(b). On June 30, 1992, Rhode Island filed revised regulations on underground storage tank facilities. These regulations became effective on July 21, 1992. EPA has reviewed Rhode Island's application, and has tentatively determined that the State's program meets all of the requirements necessary to qualify for final approval. Consequently, EPA intends to grant final approval to Rhode Island to operate its program in lieu of the Federal program.

In accordance with Section 9004 of RCRA, 42 U.S.C. 6991c and 40 CFR 281.50(e), the Agency will hold a public hearing on its tentative decision on December 10, 1992 at the Department of Administration, Conference Room A, One Capitol Hill, Providence, Rhode Island, 02908 from 10 a.m.–12 p.m. The public may also submit written comments on EPA's tentative determination until December 10, 1992. Copies of Rhode Island's application are available for inspection and copying at the locations indicated in the "**ADDRESSES**" section of this notice.

The Rhode Island Department of Environmental Management, through the Underground Storage Tank Program, has developed state standards and criteria for the design, installation, operation, maintenance, and monitoring of underground storage tanks to prevent UST-related ground and surface water contamination, under authority of Chapter 46–12, 46–13.1, 42–35, 42–17.1, and 23–19.1 of the General Laws of Rhode Island, 1956, as amended.

The statutes provide for the following.

(1) Authority to promulgate UST regulations for controlling underground storage facilities containing petroleum and chemical substances.

(2) Authority to impose civil or

criminal penalties for violations of any provision of the statute.

(3) Authority to conduct compliance monitoring inspections and other enforcement activities.

(4) Notification requirements for owners of underground storage tanks, including farm and residential motor fuel tanks and on-premises heating oil tanks greater than 1,100 gallons.

EPA will consider all public comments on its tentative determination received during the public comment period or at the hearing. Issues raised by those comments may be the basis for a decision to deny final approval to Rhode Island. EPA expects to make a final decision on whether or not to approve Rhode Island's program within sixty (60) days after the date of the public hearing and will give notice of it in the **Federal Register**. The notice will include a summary of the reasons for the final determination and a response to all major comments.

Compliance With Executive Order 12291

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act

Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this approval will not have a significant economic impact on a substantial number of small entities. The approval of Rhode Island's UST program effectively suspends the applicability of the Federal UST regulations, thereby eliminating duplicative requirements for owners and operators of underground storage tanks in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

List of Subjects in 40 CFR Part 281

Administrative practice and procedure, Hazardous material, State program approval, and Underground storage tanks.

Authority: This notice is issued under the authority of Section 9004 of the Solid Waste Disposal Act as amended, 42 U.S.C. 6991c.

Dated: October 27, 1992.

Julie Belaga,

Regional Administrator.

[FR Doc. 92-27541 Filed 11-12-92; 8:45 am]

BILLING CODE 6560-50-M

GENERAL SERVICES ADMINISTRATION

41 CFR Part 105-7

Responsibilities of the General Services Administration in Implementing, in Part, Title VII of the Ethics Reform Act of 1989

AGENCY: Office of Administration (GSA).

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice requests public participation in the formulation of proposed General Services Administration (GSA) regulations pursuant to implementing, in part, title VII of the Ethics Reform Act of 1989, which provides for the establishment of a Federal advisory committee known as the Citizens' Commission on Public Service and Compensation. This new committee replaces the Commission on Executive, Legislative, and Judicial Salaries (or so-called "Quadrennial Commission"), originally established by the Federal Salary Act of 1967.

The Commission is responsible for recommending pay levels for top positions in the three branches of the Federal Government, including Members of Congress, Federal judges, and senior Executive Branch officials. In addition, the Commission shall review recruitment or retention problems, and any public policy issues involved in maintaining appropriate ethical standards relating to any offices or positions within the Federal civilian service. The Commission shall issue its first report to the President by December 15, 1993.

In accordance with the Ethics Reform Act of 1989, the President shall consider the report of the Commission and then transmit his recommendations to the Congress by the first Monday after January 3 of the first calendar year beginning after the date on which the Commission submits its report.

DATES: Comments must be received on or before December 14, 1992.

ADDRESSES: Written comments should be submitted to the Committee Management Secretariat (mailing address: General Services Administration (CAM), 1730 K Street, NW., suite 816, Washington, DC 20006). Comments will be available for examination at the Committee Management Secretariat, at the location specified above.

FOR FURTHER INFORMATION CONTACT: Mr. Michael B. Neff, Committee Management Secretariat, (202) 632-1135.

SUPPLEMENTARY INFORMATION:

Background

Section 701(b) of title VII of the Ethics Reform Act of 1989 (2 U.S.C. 352) relating to the composition of the Citizens' Commission on Public Service and Compensation requires, in part, that the Administrator of General Services appoint five of the eleven members of the Commission. The Act requires the selection procedures developed pursuant to this section to be designed in such a way as to provide for the maximum geographic diversity practicable, and the selection of members by lot from among names randomly selected from voter registration lists.

In addition to appointments to be made by the Administrator of General Services, the Act provides for other membership selections by the Congress, the President, and the Chief Justice of the United States. Additionally, the actions to be undertaken by the Commission are of direct interest to a number of Federal agencies, including the Office of Personnel Management and the Office of Government Ethics.

In order to assure that the procedures conform to the Act's requirements, an interagency team of Federal officials, including staff from the Office of Management and Budget (OMB), the General Services Administration (GSA), the Office of Personnel Management (OPM), and the Federal Election Commission (FEC), has been constituted to advise GSA about its statutory responsibilities.

On June 3, 1992, GSA published an advance notice of proposed rulemaking in the **Federal Register** (57 FR 23368) seeking comments. No comments were received from the public.

In addition, GSA has consulted with other interested parties, including staff from the appropriate Congressional committees exercising jurisdiction over the Act, and officials of the State of Washington who conducted a similar selection process for purposes of utilizing a comparable advisory body at the state level. Based upon discussions with officials of the interagency team and other relevant parties, GSA has identified the following major issues for consideration:

Geographic Diversity in the Identification and Appointment of Members

GSA's implementation of the Act's requirement for the "maximum geographical diversity practicable" in the selection of the five members to be appointed by the Administrator of General Services is based upon the

proposal to divide the fifty States and the District of Columbia into five regions based on an equivalent percentage of voter age population (VAP) and geographic diversity. The five regions to be utilized in the first selection process have been identified geographically as the *North Atlantic* (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont); the *South Atlantic* (Delaware, District of Columbia, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, West Virginia); the *North Central* (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin); the *South Central* (Alabama, Arkansas, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, Texas); and the *Mountain/Pacific* region (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming).

Each of the five regions were identified to contain approximately twenty percent of the total VAP in the United States. VAP data was supplied by the Bureau of the Census, Department of Commerce.

Selection of Members

GSA has attempted to design the selection process to give all registered voters an equal and proportionate chance of being selected for membership on the Commission. In so doing, GSA considered several sources of voter, geographical, and population data.

GSA evaluated the utility of using VAP data on a regional level in order to randomly select a State from which a registered voter will be chosen by lot. Based upon this analysis, GSA and the interagency team determined that VAP data were more stable in a large regional context due to differences in the way States maintain data. Additionally, VAP data were found to be available for all States and the District of Columbia and are more compatible with voter registration data.

The process of identifying and randomly selecting registered voters is complicated because many States do not keep statewide voter registration lists, nor is there a nationwide voter registration list. Most voter registration lists are maintained by local governments such as counties. Therefore, GSA has determined that the most effective approach, consistent with the statute, to identify registered voters and select members, would be to:

(1) Weight the States in each one of five geographically diverse regions of the Nation by VAP. Weighting would give those States with a higher percentage of VAP a correspondingly higher chance of being randomly selected, thus allowing all members of the VAP in each of the five designated regions an equal and proportionate chance of being randomly selected, regardless of the State in which they reside. For example, a State with a VAP five times greater than another State would have a five times greater chance of being selected.

(2) Employ a random number generating method to select one State within each of the five geographical pools. State lotteries and "BINGO" are both examples of methods where one or more numbers are randomly selected from a pre-set series of numbers. For purposes of the Commission, selecting five States by this method would work as follows: Each State within each of the five designated regions would be assigned a number or series of numbers based upon the number of VAP in the State. In the North Atlantic region, for example, Maine might be assigned the number "1" while New York might be assigned numbers "2," "3," "4," "5," "6," "7," and "8" (New York has 7 times more VAP than Delaware and, therefore, has 7 times as many chances of being selected). One number would be randomly selected from a pool of all numbers assigned to States in the region. For example, if the number "1" was selected, then Maine would be the State designated to represent the North Atlantic region. If, on the other hand, the number "6" was selected, then New York would represent the region.

(3) Select randomly from each selected State one voting precinct from the total number of voter precincts in that State. GSA decided to use voting precincts, rather than counties or some other identifiable geographic area, as the unit of selection because all voting precincts within a State contain roughly equal numbers of registered voters. Using voting precincts, therefore, allows all eligible voters within a State to have an equal and proportionate chance of being randomly selected regardless of whether they live in a small rural area or a large metropolitan city.

(4) The Act requires that members of the Commission appointed by the Administrator of General Services must be "chosen by lot from names randomly selected from voter registration lists." Accordingly, GSA will obtain the most currently available lists of registered voters to select members, from the five voting precincts selected as described in (3) above.

(5) GSA will then select 100 potential members at random from each of the five lists of voters. Based upon the experience of the State of Washington in receiving responses from registered voters, GSA has determined that the random selection by lot of 100 names from each voting precinct list is necessary to ensure an adequate number of eligible and willing candidates to serve on the Commission.

(6) Of those eligible and willing to voluntarily serve on the Commission, GSA will randomly select and the Administrator will appoint one member, and two alternates from each voting precinct.

Eligibility for Appointment to the Commission

Section 701(b)(2) of the Act specifically excludes the following individuals from membership on the Commission: (a) officers or employees of the Federal Government; (b) persons registered (or required to register) under the Federal Regulation of Lobbying Act (2 U.S.C. 261, et seq.); or (c) a parent, sibling, spouse, child, or dependent relative of anyone excluded from membership under (a) and (b), above.

In addition, due to the nature of the Commission's work, GSA examined the applicability of other criteria necessary to ensure the overall integrity of the Commission's mission. It was determined that due to the scope of the Commission's potential recommendations and relevance to establishing and implementing the highest ethical standards possible within the Executive Branch, appointed members should not be either convicted felons who have not completely served their sentence or period of parole, nor individuals currently under felony indictment. GSA will verify that each potential member and alternates are not excluded by these criteria after selection and prior to the appointment of each individual.

Executive Order 12291

GSA has determined that this proposed rule is not a major rule for purposes of Executive Order 12291 of February 17, 1981, because it will not result in an annual affect on the economy of $100 million or more, will not cause a major increase in costs to consumers or others, and will not have significant adverse effects. GSA has based all administrative decisions on this proposed rule on adequate information concerning the need for and consequences of this proposed rule. GSA has also determined that the potential benefits to society from this proposed rule far outweigh the potential costs, and has chosen the alternative involving the least net cost to society.

Regulatory Flexibility Act

These regulations are not subject to the regulatory flexibility analysis or other requirements of 5 U.S.C. 603 and 604 because they have no effect on small businesses.

List of Subjects in 41 CFR Part 105–7

Advisory committees, Government property management. Accordingly, it is proposed to add 41 CFR part 105–7 to read as follows:

PART 105–7—RESPONSIBILITY OF GSA IN IMPLEMENTING, IN PART, TITLE VII OF THE ETHICS REFORM ACT OF 1989

Subpart 105–7.10—Appointment of Members to the Citizens' Commission on Public Service and Compensation by the Administrator of General Services

Sec.

105–7.1001 Purpose
105–7.1002 Scope
105–7.1003 Definitions
105–7.1004 Selection of members
105–7.1005 Eligibility for appointment
105–7.1006 Appointment, terms of appointment and termination
105–7.1007 Compensation of members
105–7.1008 Release of information

Authority: Sec. 701(b), 103 Stat. 1763; 2 U.S.C. 351; P.L. 101–194.

§ 105–7.1001 Purpose.

The regulations in this part establish and define the methodology and criteria by which the General Services Administration (GSA) will implement section 701(b) of title VII of the Ethics Reform Act of 1989, which requires, in part, that the Administrator of General Services shall by regulation establish procedures under which five persons shall be selected for appointment to the Citizens' Commission on Public Service and Compensation (the Commission). Such procedures shall provide for the maximum degree of geographic diversity practicable for the choosing of members by lot from among names randomly selected from voter registration lists.

§ 105–7.1002 Scope.

(a) The regulations in this part apply to those members appointed to the Commission by the Administrator of General Services pursuant to section 701(b)(4) of title VII of the Ethics Reform Act of 1989.

(b) This subpart does not apply to those members appointed by the President of the United States, the President pro tempore of the Senate, the Speaker of the House of Representatives, or the Chief Justice of the United States.

§ 105–7.1003 Definitions.

For purposes of this part,

(a) *Act* means the Ethics Reform Act of 1989.

(b) *Administrator* means the Administrator of General Services.

(c) *Commission* means the Citizens' Commission on Public Service and Compensation.

(d) *Employee of the Federal Government* means *employee* as defined in section 2105 of title 5, United States Code.

(e) *Member* means an individual appointed by the Administrator to serve on the Commission.

(f) *Officer of the Federal Government* means *officer* as defined in section 2104 of title 5, United States Code.

§ 105–7.1004 Selection of members.

Members of the Commission to be appointed by the Administrator will be selected as follows:

(a) For the initial appointments to the Commission, the fifty States of the United States and the District of Columbia will be divided into five geographical regions, corresponding to the North Atlantic (Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont); the South Atlantic (Delaware, District of Columbia, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, West Virginia); the North Central (Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, Wisconsin), the South Central (Alabama, Arkansas, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee, Texas); and the Mountain/Pacific region (Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming). These regions, as well as those regions subsequently formed for appointments to serve on future Commissions, will be drawn by dividing the fifty States and the District of Columbia so that each region will account for approximately one-fifth of the total voter age population (VAP) of the nation in accordance with official data published by the Bureau of the Census, Department of Commerce, in Current Population Reports (Series P–25).

(b) GSA will create a pool of potential State selections for each of the five regions based on VAP. The States in each pool will be weighted by VAP so as to give each member of the voter age population in any one of the five designated regions an equal and proportionate chance of being selected regardless of the State in which they reside.

(c) GSA will select one State from each pool created in accordance with § 105–7.1004(b) at random.

(d) GSA will select at random one voting precinct in each of the selected States, from among all of the voting precincts in that State.

(e) GSA will obtain from the election authority for each voting precinct selected the most current list of registered voters in that voting precinct.

(f) GSA will randomly select one hundred individual registered voters from each of the lists of names obtained in § 105–7.1004(e).

(g) The Administrator will notify each of the individuals selected in accordance with § 105–7.1004(f) that they are potential candidates, advise them of eligibility requirements contained in § 105–7.1005(a), and will request information required to complete the selection process.

(h) Each selected individual will be requested to provide the Administrator with a written response providing information requested concerning eligibility for appointment within 30 calendar days, if that selected individual desires to serve on the Commission. Failure of a selected individual to respond to the notification will result in disqualification for selection to serve on the Commission.

(i) Based on eligible responses received in accordance with § 105–7.1004(h) for each voting precinct, GSA will randomly select one member and a first and second alternate for that member from each of the five voting precincts to serve on the Commission.

§ 105–7.1005 Eligibility for appointment.

(a) No person shall serve as a member of the Commission who is:

(1) An officer or employee of the Federal Government;

(2) Registered (or required to register) under the Federal Regulation of Lobbying Act (2 U.S.C. 261, et seq.);

(3) A parent, sibling, spouse, child, or dependent relative, of anyone excluded from membership by paragraphs (a) (1) or (2) of this section; or

(4) A convicted felon who has not completed his/her term of sentence or period of parole, or anyone who is under indictment for a felony offense.

(b) Prior to appointment, GSA will verify the eligibility of each selected member and alternate for service on the Commission as defined by this section.

§ 105–7.1006 Appointment, terms of appointment and termination.

(a) Members selected in accordance with § 105–7.1004 will be appointed by the Administrator in accordance with

Section 701(b)(8) of title VII of the Ethics Reform Act. The terms of office of persons first appointed by the Administrator as members of the Commission shall be for the period of the 1993 fiscal year of the Federal Government, and shall begin not later than February 14, 1993. After the close of the 1993 fiscal year of the Federal Government, persons shall be appointed as members of the Commission with respect to every fourth fiscal year following the 1993 fiscal year in accordance with §§ 105–7.1004 and 105–7.1005. The terms of office of persons so appointed shall be for the period of the fiscal year with respect to which the appointment is made, except that, if any appointment is made after the beginning and before the close of any such fiscal year, the term of office based on such appointment shall be for the remainder of such fiscal year.

(b) In the event that a member appointed by the Administrator resigns, is removed, or becomes otherwise unable to perform the duties assigned to the Commission, the first alternate previously selected in accordance with §§ 105–7.1004 and 105–7.1005 will be appointed from the same voting precinct to serve the remainder of the term of the departing member.

(1) In the event that the first alternate cannot perform the duties for similar reasons above, the second alternate from the same voting precinct will be appointed.

(2) In the event that the member and both alternates become unavailable for membership, a replacement, selected from the same region, will be appointed in accordance with § 105–7.1004.

(3) Members become ineligible if they can no longer satisfy the eligibility requirements contained in § 105–7.1005(a).

(4) The member or alternate will be advised by the Administrator in writing of any decision to terminate his or her membership on the Commission.

§ 105–7.1007 Compensation of members.

Each member appointed by the Administrator under this regulation shall be paid at the rate of one hundred dollars for each day such member is engaged upon the work of the Commission and shall be allowed travel expenses, including a per diem allowance, in accordance with section 5703 of Title 5, United States Code, when engaged in the performance of services for the Commission. Compensation paid under this subpart will be made from funds made available for the Commission.

§ 105–7.1008 Release of information.

Information collected about individuals pursuant to this regulation is subject to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a).

Dated: October 13, 1992.

Mickey Femino,

Acting Associate Administrator for Administration.

[FR Doc. 92–27453 Filed 11–12–92; 8:45 am]

BILLING CODE 6820–34–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 92–233, RM–8078]

Radio Broadcasting Services; Campbellsville and Mannsville, KY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition by Patricia A. Rogers, permittee of Station WVLC (FM), Channel 260A, Campbellsville, KY, seeking the substitution of Channel 260C3 for Channel 260A at Campbellsville, KY, and the reallotment of Channel 260C3 from Campbellsville, KY to Mannsville, KY, and the modification of her construction permit to specify Mannsville as its community of license, in accordance with Section 1.420(i) of the Commission's rules. The coordinates are North Latitude 37–11–00 and West Longitude 85–08–33.

DATES: Comments must be filed on or before December 28, 1992, and reply comments on or before January 12, 1993.

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: Jerrold Miller, Miller & Miller, P.C., P.O. Box 33003, Washington, DC 20033 (Attorney for Patricia A. Rogers).

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. 92–233, adopted September 25, 1992, and released November 5, 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 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. 92–27432 Filed 11–12–92; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 73

[FO Docket No. 91–301 and FO Docket No. 91–171; FCC 92–439]

Emergency Broadcast System

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission proposes continuing efforts to update and improve the Emergency Broadcast System (EBS), by consolidating the proceedings initiated in FO Docket 91–301 and FO Docket 91–171 into this Notice of Proposed Rule Making/Further Notice of Proposed Rule Making ("NPRM/FNPRM").

By this NPRM/FNPRM, the Commission seeks comment on proposals to substantially modernize the current EBS structure and technical features. We propose a new emergency alerting system ("System") to replace the current EBS. If adopted, the new System would provide an operational structure by which all System participants would work together on a voluntary, organized basis during emergency situations.

We further seek comments on a new generation of EBS equipment, herein referred to as the emergency alerting Device ("Device"), to replace and/or modify the current EBS alerting

equipment. We believe consideration should be given to the use of such a Device to more efficiently disseminate timely emergency information to the public. The Device is proposed as a piece of equipment that specifies universal input and output parameters that would serve as the link in the programming chain allowing a broadcast station or cable system to disseminate emergency information.

DATES: Comments are due by January 15, 1993. Reply comments are due by February 16, 1993.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Helena Mitchell, Field Operations Bureau, Emergency Broadcast System, (202) 632–3906.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making/Further Notice of Proposed Rule Making adopted September 17, 1992, and released October 8, 1992. This action will not add or decrease the public reporting burden. The full text of Commission decisions are available for inspection and copying during regular business hours in the FCC Reference Center (Room 239) 1919 M Street, NW., Washington, DC. The complete text of this decision also may be purchased from the Commission's duplication contractor, Downtown Copy Center, (202) 452–1422, 1114 21st Street, NW., Washington, DC 20036.

Summary of NPRM/FNPRM

By combining both Dockets into this NPRM/FNPRM, we set forth for comments proposals regarding the following issues: Technical improvements such as new alerting equipment for AM, FM, TV and Cable; a new operational and technical structure for the system; including cable as an EBS participant; automatic alerting systems; levels of automation; remote control devices; shortening of the two-tone transmission time; end of message codes; modifications to the test script; prohibition of false and deceptive EBS attention signal; and other related concerns.

We are cognizant of the recent dramatic changes in cable television systems design and configurations, and thus also seek additional suggestions on other detection and transmission methods which may improve upon our proposal. We are proposing universal and optional parameters for all Devices, so that all AM, FM and TV broadcast stations and cable systems would have compatible equipment. We seek comments on our proposed parameters and which should be mandatory or reduced to optional status.

In order to significantly enhance the reliability of the EBS, and to reduce the effect of daisy chain monitoring, we seek comments on allowing for multiple inputs, thus reducing the dependency on any one station. We propose to allow all stations/cable systems if they wish to, reduce their on-air EBS testing by permitting silent testing three weeks of a month at any time determined by station/cable management. We seek comments on the benefit and detriment of changing our testing requirements.

Several additional items were raised by a significant number of commentors in both Docket 91–301 and Docket 91–171.

(1) The merits and detriments of renaming of the Emergency Broadcast System to reflect the incorporation of other technologies and modernization of the structure of EBS.

(2) Allowing the use of Public Service Announcements to heighten awareness of EBS. Permitting commercial sponsorship of the EBS tests to foster goodwill between the stations and the businesses in their communities.

(3) Revitalizing the state and local EBS plans to include Amateur Radio participation and Emergency Management Systems.

(4) Including Wireless cable systems (MMDS), Direct Broadcast Satellite (DBS), Satellite Master Antenna Television Systems (SMATV), cellular, personal communications networks and other technologies in the new System.

Regulatory Flexibility Analysis

Pursuant to the Regulatory Flexibility Act of 1980, the Commission finds as follows:

A. Reason for Action

This rule making proceeding is initiated to obtain comment regarding our proposals to modernize the technical and operational aspects of EBS. All proposals are open to comments and changes.

B. Objective

The objective of this proposal is to ensure that there is a timely and appropriate level of modernization to EBS so that all technologies can provide valuable life saving information to the public.

C. Legal Basis

This action is proposed in accordance with sections 1, 4 (i) and (o), and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. 151, 154 (i) and (o), and 303(r).

D. Description, Potential Impact and Number of Small Entities Affected

The proposed changes would modify the Commission's Rules and Regulations dealing with the Emergency Broadcast System. Approximately 12,500 AM, FM and TV broadcast stations; and 4–6 equipment manufacturers will be affected by the proposed rule making. This could affect 11,086 cable systems if they volunteer to participate in a new emergency alert system. New EBS encoders and decoders are projected to cost users about $3,000.

E. Recording, Record Keeping and Other Compliance Requirements

Stations would be required, as they presently are, to keep records of when encoders and decoders are taken out of service for any modifications adopted and when they are returned to operation.

F. Federal Rules That Overlap, Duplicate, or Conflict With This Rule

None.

G. Significant Alternatives

None.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92–27511 Filed 11–12–92; 8:45 am]

BILLING CODE 6712–01–M

Notices

Federal Register
Vol. 57, No. 220
Friday, November 13, 1992

This section of the FEDERAL REGISTER 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.

ARMS CONTROL AND DISARMAMENT AGENCY

General Advisory Committee; Renewal

Pursuant to the Federal Advisory Committee Act, Public Law 92–463, it has been determined that the renewal of the General Advisory Committee is necessary and is in the public interest. This determination follows consultation with the General Services Administration (GSA) pursuant to section 14(a) of the Federal Advisory Committee Act and the GSA Final Rule on Federal Advisory Committee Management.

Authority for this advisory committee shall expire January 5, 1995 unless continuance is formally determined to be in the public interest.

Dated: January 5, 1993.

Ronald F. Lehman II,

Director.

[FR Doc. 92–27454 Filed 11–12–92; 8:45 am]

BILLING CODE 6820–32–M

DEPARTMENT OF AGRICULTURE

Forms Under Review by Office of Management and Budget

November 6, 1992.

The Department of Agriculture has submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35) since the last list was published. This list is grouped into new proposals, revisions, extension, or reinstatements. Each entry contains the following information:

(1) Agency proposing the information collection; (2) Title of the information collection; (3) Form number(s), if applicable; (4) How often the information is requested; (5) Who will be required or asked to report; (6) An estimate of the number of responses; (7) An estimate of the total number of hours needed to provide the information; (8) Name and telephone number of the agency contact person.

Questions about the items in the listing should be directed to the agency person named at the end of each entry. Copies of the proposed forms and supporting documents may be obtained from: Department Clearance Officer, USDA, OIRM, room 404–W Admin. Bldg., Washington, DC 20250, (202) 690–2118.

Revision

- National Agricultural Statistics Service

Agricultural Surveys Program
Monthly; Quarterly; Annually;
Farms; 473,400 responses; 142,191 hours
Larry Gambrell (202) 720–5778

- Farmers Home Administration

7 CFR 1944–J, Section 504 Rural Housing Loans and Grants
On occasion
Individuals or households; 18,300 responses; 1,464 hours
Jack Holston (202) 720–9736

Extension

- Agricultural Marketing Service

Plan for Estimating Daily Livestock Slaughter Under Federal Inspection; Daily;
Businesses or other for-profit; 33,800 responses; 563 hours
John E. Van Dyke (202) 720–6231

- Forest Service;

Fee Calculation for Concession Permits, Reconciliation of Sales and Gross Fixed Assets;
FS–2700–7, FS–2700–8, FS–2700–19;
Annually;
State or local governments; Businesses or other for-profit; Small businesses or organizations; 275 responses; 825 hours;
Linda F. Washington (703) 235–8459

- Forest Service;

Financial Statement and Verification of Financial Information;
FS–6500–24, FS–6500–25;
On occasion;
Businesses or other for-profit; Small businesses or organizations; 350 responses; 6,714 hours;
Linda F. Washington (703) 235–8459

New Collection

- Rural Development Administration

7 CFR 4284–E, Section 306C WWD Loans and Grants
On occasion
State or local governments; Non-profit institutions; Small businesses or organizations; 60 responses; 1,050 hours
Jack Holston (202) 720–9736

New Collection (Expedited Clearance Requested)

- Food and Nutrition Service

School Lunch and Breakfast Cost Study—SFA Telephone Screener Survey
One-time only
State or local governments; 985 responses; 50 hours
John Endahl (703) 305–2117

Reinstatement

- Farmers Home Administration

7 CFR 1951–G, Borrowers Supervision, Servicing and Collection of Single Family Housing Loan Accounts
452–2, 1951–23, 34, 37
On occasion; Annually
Individuals or households; 46,500 responses; 14,200 hours
Jack Holston (202) 720–9736

- Animal and Plant Health Inspection Service

7 CFR Part 340 Introduction of Organisms and Products Altered or Produced through Genetic Engineering Which are Plant Pests or Which There is Reason to Believe are Plant Pests.
APHIS 2000, 2050, 2051, 2052, 2053, 2054
On occasion
State or local governments; Businesses or other for-profit; Federal agencies or employees; Non-profit institutions; Small businesses or organizations; 1,399 responses; 1,147 hours
Terry L. Medley (301) 436–7602.

Larry Roberson,

Deputy Departmental Clearance Officer.

[FR Doc. 92–27470 Filed 11–12–92; 8:45 am]

BILLING CODE 3410–01–M

Office of the Secretary

Members of Performance Review Boards

AGENCY: U.S. Department of Agriculture.

ACTION: Notice.

SUMMARY: This document cancels the list of Performance Review Board members published November 7, 1991.

56 FR 56969 and gives notice of new Performance Review Board members.

EFFECTIVE DATE: November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Carol Nichols, Executive Resources and Services Division, Office of Personnel, U.S. Department of Agriculture, 14th Street and Independence Avenue SW., Washington, DC 20250, (202) 720–6047.

The membership of the U.S. Department of Agriculture's Performance Review Boards includes:

Duane C. Acker
Richard D. Allen
David Alspach
LaVerne G. Ausman
Donald M. Bay
John H. Beuter
Keith D. Bjerke
Ann E. Carey
James E. Cason
Stephen Censky
Ann C. Chadwick
Kenneth C. Clayton
Keith J. Collins
Kathleen H. Connelly
Thomas V. Conway
H. Russell Cross
Rachel Dobscha-Scioscia
James R. Donald
John R. Erickson
Robert Franco
James Frazier, Jr.
William E. Gardner, Jr.
Phyllis R. Gault
Robert R. Green
Daniel D. Haley
James V. Hansen
Rube Harrington, Jr.
Charles R. Hilty
Joseph H. Howard
Allan S. Johnson
Myron D. Johnsrud
John P. Jordon
Fay S. Landers
Danny B. Laster
John E. Lee, Jr.
Diane R. Liesman
Janice G. Lilja
Ronald D. Lindmark
Linda P Massaro
Terry L. Medley
Robert B. Melland
John A. Miranowski
Betty Jo Nelsen
William E. O'Conner
Robert Peters
Ronald Plowman
Katherine H. Reichelderfer
William J Richards
William J. Riley, Jr.
Sue Ann Ritchko
F. Dale Robertson
Jeffrey Rush, Jr.
Liles Sanchez
Judith A. Segal
Carol M. Seymour
Jo Ann R. Smith
Leon Snead
Clarence Squellati
Scott Steele
Daniel A. Sumner
Alejandro B. Thiermann
Roland R. Vautour
Ann M. Veneman
Lawrence Wachs
Larry Wilson, Jr.

Alternates

Stephen N. Abrams
Bobby R. Acord
Gerald A. Bange
J. Lamar Beasley
Lawrence Bembry
Louis G. Bennett
Joe Bruce Blanton
Charles R. Brader
Elizabeth I. Board
Angelena V. Bracht
George A. Braley
Galen S. Bridge
Sally I. Buikema
Denver P. Burns
Mary E. Carter
Cynthia Z. Clark
Kenneth L. Deavers
Rosina B. Ducrest
Alfred S. Elder
Elizabeth Estill
Essex E. Finney, Jr.
James R. Franks
John E. Frydenlund
Paul M. Fuller
Mitchell R. Geasler
Charles R. Gillum
Margaret O'K. Glavin
John Golden
Earl C. Hadlock
Clare I. Harris
Paula F. Hayes
Walter Earl Hill
Wilson S. Horne
James E. House
William J. Hudnall, Jr.
Jo Ann C. Jenkins
Lonnie J. King
B. Glen Lee
Joseph J. Leo
George M. Leonard
Sherman L. Lewis
Christopher H. Martin
Frederick R. Medero
Jesse F. Moore
Michael Liu
Philip L. Mackie
Everett L. Mosley
Floy E. Payton
Charles W. Philpot
Allan C. Raul
Gray F. Reynolds
Charles Rumburg
Allen J. Schacht
Robert E. Sherman
Larry B. Slagle
Dallas R. Smith
John A. Stevenson
Frederic A. Vogel
Robert E. Washington
Sandra L. Weisman
Donald L. White
Evelyn M. White
Edward M. Wilson
Jane A. Wittmeyer

Edward Madigan,
Secretary.

[FR Doc. 92–27483 Filed 11–9–92; 9:24 am]

BILLING CODE 3410–96–M

Forest Service

Exemption of Search Firit Timber Salvage Project From Appeal; Idaho Panhandle National Forest

AGENCY: National Forest Service, Northern Region, USDA.

ACTION: Notification that a timber salvage project designed to recover windstorm damaged timber is exempted from appeals under provisions of 36 CFR part 217.

SUMMARY: In October 1991, 44 acres of timber in the Search Creek area were blown down during a severe windstorm. In 1992, the Bonners Ferry District Ranger proposed a salvage timber sale project to recover damaged sawtimber in the affected area. The District Ranger has determined, through an environmental analysis documented in the Search Firit Timber Salvage Environmental Assessment (EA), that there is good cause to expedite these actions in order to rehabilitate National Forest System lands and recover damaged resources. Salvage of commercial sawtimber within the affected area must be accomplished quickly to avoid further deterioration of sawtimber and to reduce the risk of catastrophic wild fire and spruce bark beetle infestation that could damage adjacent healthy timber stands.

EFFECTIVE DATE: Effective on November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Debbie Henderson-Norton, District Ranger, Bonners Ferry Ranger District, Idaho Panhandle National Forest, Route 4, Box 4860, Bonners Ferry, ID 83805.

SUPPLEMENTARY INFORMATION: Severe windstorms in the fall of 1991 damaged approximately 44 acres of timber in the Search Creek area. In September 1992, the Bonners Ferry District Ranger, Idaho Panhandle National Forest, proposed the salvage harvest of the trees blown down by the windstorms. The windthrown timber is located within lands designated as suitable for timber management and assigned to Management Area 7 (Idaho Panhandle Forest Plan, August 1987). This proposal was designed to meet the following needs, (a) reduce potential for spruce bark beetle infestations in adjacent healthy timber stands by implementing integrated pest management prescriptions, (b) reduce wild fire hazard by reducing fuel loading, (c) rehabilitate timber stands that are understocked through site preparation for natural regeneration, and (d) salvage merchantable timber products and contribute to a continuous supply of timber by recovering sawtimber before it deteriorates in value.

An interdisciplinary team was convened, and scoping began in 1992. Five environmental issues were identified and were the basis for the environmental analysis disclosed in the EA. The interdisciplinary team utilized information and analysis disclosed in the Saddle Lookout Environmental Assessment and Decision Notice (June 12, 1987) as the basis for conducting their review. This information is incorporated by reference. Two alternatives were analyzed; no treatment (no action) and a salvage and rehabilitation proposal (proposed action). The selected alternative would salvage 270 MBF of dead and damaged timber from approximately 44 acres. All salvage areas are accessible from existing roads; no road construction or reconstruction will occur.

The salvage timber sale project is designed to accomplish the objectives as quickly as possible to minimize the risk of a spruce bark beetle epidemic, reduce the potential for catastrophic wild fire and to recover merchantable sawtimber before it deteriorates and removal becomes infeasible. To expedite implementation of this decision, procedures outlined in 36 CFR 217(a)(11) are being followed. Under this Regulation the following may be exempt from appeal:

> Decisions related to rehabilitation of National Forest System lands and recovery of Forest Resources from natural disasters or other natural phenomena, such as * * * severe wind * * * when the Regional Forester * * * determines and gives notice in the Federal register that good cause exist to exempt such decisions from review under this part.

Based on the environmental analysis documented in the Search Firit Timber Salvage Sale EA and the District Ranger's Decision Notice for this project, I have determined that good cause exists to exempt this decision from administrative review. Therefore, upon publication of this notice, this project will not be subject to review under 36 CFR part 217.

Dated: November 6, 1992.

John M. Hughes,
Deputy Regional Forester, Northern Region.

[FR Doc. 92–27495 Filed 11–12–92; 8:45 am]

BILLING CODE 3410–11–M

Exemption of Bettle Juice Timber Salvage Project From Appeal; Idaho Panhandle National Forest

AGENCY: Forest Service, Northern Region, USDA.

ACTION: Notification that a timber salvage project designed to recover beetle infested timber is exempted from appeals under provisions of 36 CFR part 217.

SUMMARY: In 1990, 242 acres of timber were severely damaged by a bark beetle infestation. In 1990, the Avery District Ranger proposed a salvage timber sale to recover sawtimber in the infested area. The District Ranger has determined, through an environmental analysis, documented in the Beetle Juice Salvage Environmental Analysis that there is good cause to expedite these actions to rehabilitate National Forest system lands and recover damaged resources. Salvage of commercial sawtimber within the beetle infested area must be accomplished quickly to avoid further deterioration of sawtimber.

EFFECTIVE DATE: Effective on November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Kent Dunstan, District Ranger, Avery Ranger District, Idaho Panhandle National Forests'; HC Box 1; Avery, ID 83802.

SUPPLEMENTARY INFORMATION: Aerial surveys in 1989 showed unusually high bark beetle mortality in Douglas-fir stands. During the 1990 field season, the Regional Entomologist conducted field surveys to determine the status of the beetle population within the planning area. He determined that populations were on a downward trend but that mortality would continue in Douglas-fir stands.

The Regional Entomologist visited the District again in 1991 and suggested that the District treat (by harvesting) the highly susceptible Douglas-fir to help discourage a rebuilding of beetle populations.

The damaged timber is within Management Areas 1, 4 and 12 (Idaho Panhandle Forest Plan, August 1987). Areas 1 and 4 are designated as suitable for timber production and Area 12 is proposed for classification as part of the National Wild and Scenic Rivers System.

This proposal was designed to meet the following needs:

(1) Salvage merchantable timber products and contribute to a continuous supply of timber by recovering sawtimber before it deteriorates in value,

(2) Provide snag dependent species habitat and elk security, and

(3) Contribute to watershed recovery through application of management practices designed to minimize erosion and sedimentation potential.

An interdisciplinary team was convened, and scoping began in October 1990. Six environmental issues were identified and were the basis for the environmental analysis disclosed in the Environmental Assessment (EA). Six alternatives were analyzed, the No Action Alternative and five Action Alternatives. The selected alternative would salvage 1187 MMBF of dead and damaged timber from approximately 242 acres. No new road construction or reconstruction is planned for this sale. All units will be helicopter harvested.

The salvage project is designed to accomplish the objectives as quickly as possible to minimize the risk of a bark beetle epidemic, to facilitate the prompt reforestation of the infested area, to initiate watershed and fisheries habitat recovery projects, and to restore elk habitat, and recover merchantable sawtimber before it deteriorates and removal becomes infeasible. To expedite implementation of this decision, procedures outlined in 36 CFR 217.4(a)(11) are being followed. Under this regulation the following may be exempt from appeal:

> Decisions related to rehabilitation of National Forest System lands and recovery of forest resources from natural disasters or other natural phenomena * * * when the Regional Forester * * * determines and gives notice in the **Federal Register** that good causes exist to exempt such decisions from review under this part.

Based on the environmental analysis documented in the Beetle Juice Timber salvage Project EA and the District Ranger's Finding of No Significant Impact for this project, I have determined that good cause exists to exempt this decision from administrative review. Therefore, upon publication of this notice, this project will not be subject to review under 36 CFR part 217.

Dated: November 6, 1992.

John M. Hughes,

Deputy Regional Forester, Northern Region.

[FR Doc. 92–27496 Filed 11–12–92; 8:45 am]

BILLING CODE 3410–11–M

Packers and Stockyards Administration

Proposed Posting of Stockyards

The Packers and Stockyards Administration, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act (7 U.S.C. 202), and should be made subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 *et seq.*).

MS–166 Granger Trading Barn, Hazlehurst, Mississippi

MO–274 Osborn Livestock Auction, Osborn, Missouri

TN–188 Burrell Horse Auction, Inc., Cleveland, Tennessee

VA–159 Courtland Stockyard, Inc., Courtland, Virginia

Pursuant to the authority under section 302 of the Packers and Stockyards Act, notice is hereby given that it is proposed to designate the stockyards named above as posted stockyards subject to the provisions of said Act.

Any person who wishes to submit written data, views or arguments concerning the proposed designation may do so by filing them with the Director, Livestock Marketing Division, Packers and Stockyards Administration, room 3408, South Building, U.S. Department of Agriculture, Washington, DC 20250 by November 21, 1992.

All written submissions made pursuant to this notice will be made available for public inspection in the office of the Director of the Livestock Marketing Division during normal business hours.

Done at Washington, DC this 6th day of November, 1992.

Harold W. Davis,

Director, Livestock Marketing Division.

[FR Doc. 92–27458 Filed 11–12–92; 8:45 am]

BILLING CODE 3410–KD–M

Rural Electrification Administration

Oglethorpe Power Corporation; Finding of No Significant Impact

AGENCY: Rural Electrification Administration, USDA.

ACTION: Notice of finding of no significant impact.

SUMMARY: Notice is hereby given that the Rural Electrification Administration (REA) has made a finding of no significant impact (FONSI) with respect to the potential environmental impact resulting from a proposal by Oglethorpe Power Corporation to construct a 230 kV transmission line and 230/115 kV substation.

FOR FURTHER INFORMATION CONTACT: Lawrence R. Wolfe, Chief,

Environmental Compliance Branch, Electric Staff Division, room 1246, South Agriculture Building, Rural Electrification Administration, Washington, DC 20250, telephone (202) 720–1784.

SUPPLEMENTARY INFORMATION: The transmission line traverses from Oglethorpe Power Corporation's 230/15 kV Wilsonville Substation to the proposed 230/115 kV Kettle Creek Substation. The Wilsonville Substation is located near Wilsonville, Coffee County, Georgia. The proposed Kettle Creek Substation is located in Ware County near the city of Waycross. The length of the transmission line is approximately 23 miles. The transmission line conductors will be supported by steel H-frame structures requiring an easement 125 feet wide. Single pole, steel structures will be used where narrower easements are necessary along public roads or other electrical utility facilities. Pole heights will vary from 85 feet to 120 feet. Minor modifications, such as the installation of an energy control system and motor operators on line switches, will be required to terminate this transmission line at the Wilsonville Substation.

The 230/115 kV Kettle Creek Substation is proposed to be located near Georgia Power Company's existing 115/69 kV Kettle Creek Substation. It will contain one 230/115 kV, 280 million volt amp power transformer, seven 115 kV circuit breakers, a control house, energy control system and associated equipment. It will be designed to accommodate termination points for ten 115 kV transmission lines and four 230 kV transmission lines. The substation pad area (fenced area) will be approximately 7 acres. The total area to be disturbed as a result of the construction of the proposed substation will be approximately 14 acres. Portions of the existing Kettle Creek 115/69 kV Substation will be retained to energize existing 69 kV transmission lines which must remain in service.

Alternatives considered to the project as proposed were no action, various electrical alternatives which include upgrading existing transmission facilities and three transmission corridors.

Based on its environmental assessment of the proposed line and substation, REA has concluded its construction and operation will have no impact on properties listed or eligible for listing on the National Register of Historic Places and no significant impact to wetlands, the 100-year floodplain, or existing land uses.

The eastern indigo snake, listed as threatened by the U.S. Fish and Wildlife Service, may be affected by construction and maintenance of the project. REA entered into consultation with the U.S. Fish and Wildlife Service pursuant to section 7 of the Endangered Species Act. The U.S. Fish and Wildlife Service has issued a biological opinion that states that the construction and maintenance of the project will not jeopardize the eastern indigo snake throughout its entire range. The biological opinion includes an incidental take statement which lists a number of reasonable and prudent measures and terms and conditions that Oglethorpe Power Corporation must follow during construction and maintenance of the project. Oglethorpe Power Corporation will follow the reasonable and prudent measures and terms and conditions that are included in the biological opinion. The incidental take statement allows for one eastern indigo snake to be killed as a result of project construction and maintenance. Should a second eastern indigo snake be killed as a result of project construction and maintenance, REA will re-initiate section 7 consultation with the U.S. Fish and Wildlife Service.

No other potential significant impact resulting from the construction and use of the proposed project has been identified.

Copies of the environmental assessment and finding of no significant impact are available for review at, or can be obtained from, REA at the address provided herein or from Mr. Chuck Wilson, Oglethorpe Power Corporation, 2100 East Exchange Place, Tucker, Georgia 30085–1349.

Dated: November 3, 1992.

George E. Pratt,

Deputy Administrator—Program Operations.

[FR Doc. 92–27460 Filed 11–12–92; 8:45 am]

BILLING CODE 3410–15–M

COMMISSION ON CIVIL RIGHTS

Agenda of Public Meeting of the Delaware Advisory Committee

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Delaware Advisory Committee to the Commission will convene at 9:15 a.m. and adjourn at 4 p.m. on December 17, 1992, J.C. Boggs Federal Building, 844 King Street, Wilmington, DE 19801. The purpose of the meeting is to hold a forum on Delaware's procedures to carry out the provisions of the Americans with Disabilities Act.

Persons desiring additional information, or planning a presentation to the Committee, should contact Henry Heiman, Chairperson, Delaware Advisory Committee, 302–658–1880, or John I. Binkley, Director, Eastern Regional Office at (202) 523–5264, TDD (202) 376–8116. 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, November 6, 1992.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 92–27525 Filed 11–12–92; 8:45 am]

BILLING CODE 6335–01–M

Agenda and Public Meeting of the North Carolina Advisory Committee

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the North Carolina Advisory Committee to the Commission will convene at 1 p.m. and adjourn at 5 p.m. on Thursday, December 3, 1992, and reconvene at 9 a.m. and adjourn 2 p.m. on Friday, December 4, 1992 at the Federal Building Courthouse, 2nd Floor, room 209, 310 New Bern Avenue, in Raleigh. The purpose of this meeting is: (1) To discuss the status of the Commission; (2) to hear reports on civil rights progress and/or problems in the State; and (3) to discuss the current project on racial tensions in North Carolina with mayors from several key NC cities; and, (4) to discuss racial tensions in Raleigh with community leaders.

Persons desiring additional information, or planning a presentation to the Committee should contact North Carolina Acting Chairperson, Asa Spaulding, Jr. at 919/821–1158 or Bobby D. Doctor, Regional Director, Southern Regional Office of the U.S. Commission on Civil Rights at (404/703–2476, TDD 404/730–2481). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Southern 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, November 4, 1992.

Carole-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 92-27457 Filed 11-12-92; 8:45 am]

BILLING CODE 6335-01-M

Agenda of Public Meeting of the Virginia State Advisory Committee

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Virginia State Advisory Committee will be convened at 1:30 p.m. and adjourn at 4:30 p.m. on Friday, December 4, 1992, in the Executive Board Room, Marriott Hotel, 500 E. Broad Street, Richmond, VA 23219. The purposes of the meeting are (1) to update Committee members and the public on the Commission; (2) to provide an orientation for new Committee members; and (3) to plan future activities.

Persons desiring additional information, or planning a presentation to the Committee, should contact Jessie M. Rattley (804-727-5647) or John I. Binkley, Director, ERO, (202-523-5264), or TDD (202-376-8116). Hearing impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the regional office at least (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, November 6, 1992.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 92-27526 Filed 11-12-92; 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: National Oceanic and Atmospheric Administration.

Title: Application for Designation as a Sea Grant College or Regional Consortia.

Agency Form Number: None.

OMB Approval Number: 0648-0147.

Type of Request: Extension of the expiration date of a currently approved collection.

Burden: 20 hours.

Number of Respondents: 1.

Avg Hours Per Response: 20.

Needs and Uses: The Sea Grant Improvement Act (Pub. L. 94-961) provides for designation of eligible institutions as Sea Grant Colleges or Consortia if certain criteria are met. Applicants desiring such a designation must provide an outline of their capabilities and reasons why they wish to be designated. The information is used for designation purposes.

Affected Public: Non-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Required for benefit.

OMB Desk Officer: Ronald Minsk, (202) 395-3084.

Copies of the above information collection proposal can be obtained by calling or writing Edward Michals, DOC Forms Clearance Officer (202) 482-3271, Department of Commerce, room 5327, 14th and Constitution Avenue, NW., Washington, DC 20230.

Written comments and recommendations for the proposed information collection should be sent to Ronald Minsk, OMB Desk Officer, Room 3019, New Executive Office Building, Washington, DC 20503.

Dated: November 4, 1992

Edward Michals,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 92-27502 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-CW-F

International Trade Administration

Export Trade Certificate of Review

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of revocation of Export Trade Certificate of Review No. 89-00004.

SUMMARY: The Secretary of Commerce issued an export trade certificate of review to KIAD International Trading Company, Inc. Because this certificate holder has failed to file an annual report as required by law, the Secretary is revoking the certificate. This notice summarizes the notification letter sent to KIAD International Trading Company, Inc.

FOR FURTHER INFORMATION CONTACT: George Muller, Director, Office of Export Trading Company Affairs, International Trade Administration, 202/482-5131. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: Title III of the Export Trading Company Act of 1982 ("the Act") (Pub. L. No. 97-290, 15 U.S.C. 4011-21) authorizes the Secretary of Commerce to issue export trade certificates of review. The regulations implementing Title III ["the Regulations"] are found at 15 CFR part 325 (1986). Pursuant to this authority, a certificate of review was issued on May 16, 1989 to KIAD International Trading Company, Inc.

A certificate holder is required by law to submit to the Department of Commerce annual reports that update financial and other information relating to business activities covered by its certificate (Section 308 of the Act, 15 U.S.C. 4018, § 235.14(a) of the Regulations, 15 CFR 325.14(a)). The annual report is due within 45 days after the anniversary date of the issuance of the certificate of review (§ 325.14(b) of the Regulations, 15 CFR 325.15(b)). Failure to submit a complete annual report may be the basis for revocation. Sections 325.10(a) and 325.14(c) of the Regulations, 15 CFR 325.10(a)(3) and 325.14(c).

On May 6, 1992, the Department of Commerce sent to KIAD International Trading Company, Inc. a letter containing annual report questions with a reminder that its annual report was due on June 30, 1992. Additional reminders were sent on August 11, 1992 and on September 2, 1992. The Department has received no written response from KIAD International Trading Company, Inc. to any these letters.

On October 2, 1992, and in accordance with § 325.10(c) [2] of the Regulations, (15 CFR 325.10(c)(2)), the Department of Commerce sent a letter by certified mail to notify KIAD International Trading Company, Inc. that the Department was formally initiating the process to revoke its certificate for failure to file an annual report. In addition, a summary of this letter allowing KIAD International Trading Company, Inc. thirty days to respond was published in the **Federal Register** on October 7, 1992 at 57 FR 46148. Pursuant to § 325.10(c)(2) of the Regulations (15 CFR 325.10(c)(2)), the Department considers the failure to KIAD International Trading Company, Inc. to respond to be an admission of the statements contained in the notification letter.

The Department has determined to revoke the certificate issued to KIAD International Trading Company, Inc. for its failure to file an annual report. The Department has sent a letter, dated

November 9, 1992, to notify KIAD International Trading Company, Inc. of its determination. The revocation is effective thirty (30) days from the date of publication of this notice. Any person aggrieved by this decision may appeal to an appropriate U.S. district court within 30 days from the date on which this notice is published in the **Federal Register** 325.10(c)(4) and 325.11 of the Regulations, 15 CFR 324.10(c)(4) and 325.11 of the Regulations, 15 CFR 325.10(c)(4) and 325.11.

Dated: November 9, 1992.

George Muller,

Director, Office of Export Trading Company Affairs.

[FR Doc. 92-27578 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-DR-M

Minority Business Development Agency

Business Development Center Applications: San Diego, CA

AGENCY: Minority Business Development Agency, Commerce.

ACTION: Notice.

SUMMARY: In accordance with Executive Order 11625, the Minority Business Development Agency (MBDA) is soliciting competitive applications under its Minority Business Development Center (MBDC) Program to operate an MBDC for approximately a 3-year period, subject to Agency priorities, recipient performance, and the availability of funds. The cost of performance for the first budget period (12 months) is estimated at $283,156 in Federal funds and a minimum of $49,969 in non-Federal (cost sharing) contributions. The Federal share consist of a base amount of $276.250 and a $6,906 allowance for an audit fee. Cost-sharing contributions may be in the form of cash contributions, client fees, in-kind contributions or combinations thereof. The period of performance will be from April 1, 1993 to March 31, 1994. The MBDC will operate in the San Diego, California Geographic Service Area.

The award number for this MBDC will be 09-10-93003-01.

The funding instrument for the MBDC will be a cooperative agreement. Competition is open to individuals, non-profit and for-profit organizations, state and local governments, American Indian Tribes and educational institutions.

The MBDC program is designed to provide business development services to the minority business community for the establishment and operation of viable minority businesses. To this end, MBDA funds organizations that can identify and coordinate public and private sector resources on behalf of minority individuals and firms; offer a full range of management and technical assistance; and serve as a conduit of information and assistance regarding minority business.

Application will be evaluated initially by regional staff on the following criteria: The experience and capabilities of the firm and its staff in addressing the needs of the business community in general and, specifically, the special needs of minority businesses, individuals and organizations (50 points); the resources available to the firm in providing business development services (10 points); the firm's approach (technique and methodologies) to performing the work requirements included in the application (20 points); and the firm's estimated cost for providing such assistance (20 points). An application must receive at least 70% of the points assigned to any one evaluation criteria category to be considered programmatically acceptable and responsive. The selection of an application for further processing by MBDA will be made by the Director based on a determination of the application most likely to further the purpose of the MBDC program. The application will then be forwarded to the Department for final processing and approval, if appropriate. The Director will consider past performance of the applicant on previous Federal awards.

MBDCs shall be required to contribute at least 15% of the total project cost through non-Federal contributions. To assist them in this effort, MBDCs may charge client fees for management and technical assistance (M&TA) rendered. Based on a standard rate of $50.00 per hour, MBDCs will charge client fees at 20% of the total cost for firms with gross sales of $500,000 or less, and 35% of the total cost for firms with gross sales of over $500,000.

MBDCs performing satisfactorily may continue to operate after the initial competitive year for up to 2 additional budget periods. MBDCs with year-to-date "commendable" and "excellent" performance ratings may continue to be funded for up to 3 or 4 additional budget periods, respectively. Under no circumstances shall an MBDC be funded for more than 5 consecutive budget periods without competition. Periodic reviews culminating in year-to-date quantitative and qualitative evaluations will be conducted to determine if funding for the project should continue. Continued funding will be at the discretion of MBDA based on such factors as an MBDC's performance, the availability of funds and Agency priorities.

Awards under this program shall be subject to all Federal and Departmental regulations, policies, and procedures applicable to Federal assistance awards.

In accordance with OMB Circular A-129, "Managing Federal Credit Programs," applicants who have an outstanding account receivable with the Federal Government may not be considered for funding until these debts have been paid or arrangements satisfactory to the Department of Commerce are made to pay the debt.

Applicants are subject to Governmentwide Debarment and Suspension (Nonprocurement) requirements are stated in 15 CFR part 26.

The Departmental Grants Officer may terminate any grant/cooperative agreement in whole or in part at any time before the date of completion whenever it is determined that the MBDC has failed to comply with the conditions of the grant/cooperative agreement. Examples of some of the conditions which can cause termination are failure to meet cost-sharing requirements; unsatisfactory performance of MBDC work requirements; and reporting inaccurate or inflated claims of client assistance or client certification. Such inaccurate or inflated claims may be deemed illegal and punishable by law. False information on the application can be grounds for denying or terminating funding.

On November 18, 1988, Congress enacted the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, title V, subtitle D). The statute requires contractors and grantees of Federal agencies to certify that they will provide a drug-free workplace. Pursuant to these requirements, the applicable certification form must be completed by each applicant as a precondition for receiving Federal grant or cooperative agreement awards.

15 CFR part 28 is applicable and prohibits recipients of Federal contracts, grants, and cooperative agreements from using appropriated funds for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a specific contract, grant, or cooperative agreement. Form CD-511, "Certifications Regarding Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying" and, when applicable, the SF-LLL,

"Disclosure of Lobbying Activities," are required.

CLOSING DATE: The closing date for submitting an application is December 17, 1992. Applications must be postmarked on or before December 17, 1992.

Proposals will be reviewed by the San Francisco Regional office. The mailing address for submission is: San Francisco Regional Office, Minority Business Development Agency, U.S. Department of Commerce, 221 Main Street, Room 1280, San Francisco, California 94105, 415/744–3001.

A pre-application conference to assist all interested applicants will be held at the following address and time: San Francisco Regional Office, Minority Business Development Agency, U.S. Department of Commerce, 221 Main Street, room 1280, San Francisco, California 94105.

December 2, 1992 at 10 a.m.

FOR FURTHER INFORMATION CONTACT: Xavier Mena, Regional Director, San Francisco Regional Office at 415/744–3001.

SUPPLEMENTARY INFORMATION: Anticipated processing time of this award is 120 days. Executive Order 12372, "Intergovernmental Review of Federal Programs," is not applicable to this program. Questions concerning the preceding information, copies of application kits and applicable regulations can be obtained from the San Francisco Regional Office.

11.800 Minority Business Development. (Catalog of Federal Domestic Assistance).

Dated: November 2, 1992.

Xavier Mena,

Regional Director, San Francisco Regional Office.

[FR Doc. 92–27527 Filed 11–12–92; 8:45 am]

BILLING CODE 3510–21–M

National Oceanic and Atmospheric Administration

Gulf of Mexico Fishery Management Council; Addition of Agenda Item for Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The agenda for public meetings of the Gulf of Mexico Fishery Management Council and its Committees was published in the **Federal Register** at 57 FR 48510 on October 26, 1992. An addition to the agenda was published on November 12, 1992. Another change requires that still another item, below, be added to the agenda contained in the notice published at 57 FR 48510.

Additional Agenda Item

Council meeting: The Council will reconsider proposed emergency action for commercial red snapper permit endorsement restrictions and trip limits.

For more information contact Wayne E. Swingle, Gulf of Mexico Fishery Management Council, 5401 West Kennedy Boulevard, suite 331, Tampa, FL; telephone: (813) 228–2815.

Dated: November 10, 1992.

David S. Crestin,

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

[FR Doc. 92–27763 Filed 11–12–92; 8:45 am]

BILLING CODE 3510–22–M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Announcement of Import Restraint Limits and Guaranteed Access Levels for Certain Cotton, Wool and Man-Made Fiber Textile Products Produced or Manufactured in the Dominican Republic

November 6, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing limits and guaranteed access levels for the new agreement year.

EFFECTIVE DATE: January 1, 1993.

FOR FURTHER INFORMATION CONTACT: Naomi Freeman, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. 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) 927–5850. For information on embargoes and quota re-openings, call (202) 482–3715.

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 Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement, effected by exchange of notes dated June 11, 1992 and September 23, 1992, between the Governments of the United States and the Dominican Republic establishes import restraint limits and guaranteed access levels for the period beginning on January 1, 1993 and extending through December 31, 1993. The limits for Categories 338/638, 339/639, 448 and 633 are being reduced for carryforward used in 1992.

A copy of the current bilateral agreement is available from the Textiles Division, Bureau of Economic and Business Affairs, U.S. Department of State, (202) 647–3889.

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). Information regarding the 1993 CORRELATION will be published in the **Federal Register** at a later date.

Requirements for participation in the Special Access Program are available in **Federal Register** notices 51 FR 21208, published on June 11, 1986; 52 FR 6594, published on March 4, 1987; 52 FR 26057 published on July 10, 1987; and 54 FR 50425, published on December 6, 1989.

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.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 6, 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; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of January 20, 1989, as amended and extended, between the Governments of the United States and the Dominican Republic; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1993, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool and man-made fiber textile products in the following categories, produced or manufactured in the Dominican Republic and exported during the period beginning on January 1, 1993 and extending through December 31, 1993, in excess of the following levels of restraint:

Category	Restraint limit
338/638	563,371 dozen.
339/639	673,382 dozen.
340/640	619,933 dozen.
342/642	436,261 dozen.
347/348/647/648	1,484,000 dozen of which not more than 1,113,000 dozen shall be in Categories 347/348 and not more than 783,998 dozen shall be in Categories 647/648.
351/651	743,194 dozen.
433	20,413 dozen.
448	33,240 dozen.
633	85,311 dozen.

Imports charged to these category limits for the periods January 1, 1992 through December 31, 1992 and May 1, 1992 through December 31, 1992 (Category 433) shall be charged against those levels of restraint to the extent of any unfilled balances. In the event the limits established for those periods have been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

The levels set forth above are subject to adjustment in the future according to the provisions of the current bilateral agreement between the Governments of the United States and the Dominican Republic.

Additionally, pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textiles and Textile Agreement of January 20, 1989, as amended and extended; and under the terms of the Special Access Program, as set forth in 51 FR 21208 (June 11, 1986), 52 FR 26057 (July 10, 1987) and 54 FR 50425 (December 6, 1989), effective on January 1, 1993, guaranteed access levels are being established for properly certified textile products assembled in the Dominican Republic from fabric formed and cut in the United States in cotton, wool and man-made fiber textile products in the following categories for the period January 1, 1993 through December 31, 1993:

Category	Guaranteed access level
338/638	1,000,000 dozen.
339/639	1,000,000 dozen.
340/640	1,000,000 dozen.
342/642	1,000,000 dozen.
347/348/647/648	7,000,000 dozen.
351/651	1,000,000 dozen.
433	21,000 dozen.
448	40,000 dozen.
633	40,000 dozen.

Any shipment for entry under the Special Access Program which is not accompanied by a valid and correct certification and Export Declaration in accordance with the provisions of the certification requirements established in the directive of February 25, 1987, as amended, shall be denied entry unless the Government of the Dominican Republic authorizes the entry and any charges to the appropriate specific limits. Any shipment which is declared for entry under the Special Access Program but found not to qualify shall be denied entry into the United States.

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 these actions fall within the foreign affairs exception of 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. 92-27497 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-DR-F

Announcement of Import Restraint Limits for Certain Wool and Man-Made Fiber Textile Products Produced or Manufactured in Hungary

November 6, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing limits for the new agreement year.

EFFECTIVE DATE: January 1, 1993.

FOR FURTHER INFORMATION CONTACT: Nicole Bivens Collinson, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. 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) 927-5850. For information on embargoes and quota re-openings, call (202) 482-3715.

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 Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement, effected by exchange of notes dated February 15 and 25, 1983, as amended and extended, between the Governments of the United States and the Republic of Hungary establishes limits for the 1993 agreement year.

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). Information regarding the 1993 CORRELATION will be published in the **Federal Register** at a later date.

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.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 6, 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; pursuant to the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement, effected by exchange of notes dated February 15 and 25, 1983, as amended and extended, between the Governments of the United States and the Republic of Hungary; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1993, entry into the United States for consumption and withdrawal from warehouse for consumption of wool and man-made fiber textile products in the following categories, produced or manufactured in Hungary and exported during the twelve-month period beginning on January 1, 1993 and extending through December 31, 1993, in excess of the following levels of restraint:

Category	Twelve-month restraint limit
410	878,779 square meters.
433	16,665 dozen.
434	14,140 dozen.
435	22,220 dozen.
443	156,550 numbers.
444	50,500 numbers.
448	28,280 dozen.
604	910,514 kilograms.

Imports charged to these category limits for the period January 1, 1992 through December 31, 1992 shall be charged against those levels of restraint to the extent of any unfilled balances. In the event the limits established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

The limits set forth above are subject to adjustment in the future pursuant to the provisions of the current bilateral agreement between the Governments of the United States and the Republic of Hungary.

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

these actions fall within the foreign affairs exception of 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. 92-27499 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-DR-F

Announcement of Import Restraint Limits for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Romania

November 6, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing limits for the new agreement year.

EFFECTIVE DATE: January 1, 1993.

FOR FURTHER INFORMATION CONTACT: Nicole Bivens Collinson, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. 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) 927-5850. For information on embargoes and quota re-openings, call (202) 482-3715.

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 Bilateral Cotton Textile Agreement, effected by exchange of notes dated January 28 and March 31, 1983, as amended and extended; and the Bilateral Wool and Man-Made Fiber Textile Agreement, effected by exchange of notes dated November 7 and 16, 1984, as amended and extended, establish limits for the 1993 agreement year.

A copy of the bilateral agreements is available from the Textiles Division, Bureau of Economic and Business Affairs, U.S. Department of State, (202) 647-3889.

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). Information regarding the 1993 CORRELATION will be published in the **Federal Register** at a later date.

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 agreements, but are designed to assist only in the implementation of certain of their provisions.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 6, 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; pursuant to the Bilateral Cotton Textile Agreement, effected by exchange of notes dated January 28 and March 31, 1983, as amended and extended; and the Bilateral Wool and Man-Made Fiber Textile Agreement, effected by exchange of notes dated November 7 and 16, 1984, as amended and extended, between the Governments of the United States and Romania; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1993, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products in the following categories, produced or manufactured in Romania and exported during the twelve-month period beginning on January 1, 1993 and extending through December 31, 1993, in excess of the following levels of restraint:

Category	Twelve-month restraint limit
Group I	
200, 201, 218-220, 222-227, 229, 237, 239, 300, 301, 313-315, 317, 326, 330-342, 345, 347-354, 359-363, 369, 800, 810, 831-836, 838-840, 842-847, 850-852, 858, 859, 863, 870, 871 and 899, as a group.	48,113,863 square meters equivalent.
Sublevels in Group I	
237	61,000 dozen.
313	1,672,255 square meters.
314	1,254,191 square meters.
315	2,534,149 square meters.
333/833	100,367 dozen.
334	257,153 dozen of which not more than 36,320 dozen shall be in Category 334-K [1]
335/835	127,131 dozen.
338/339	548,672 dozen.
340	239,491 dozen.
341/840	100,367 dozen.
347/348	428,232 dozen.
350	27,000 dozen.
352	181,818 dozen.
359	652,174 kilograms.
361	515,000 numbers.
369	295,821 kilograms.
810	4,180,637 square meters.
836	15,443 dozen.
847	75,000 dozen.
Group II	
410, 414, 464, 465, 469, 611, 613-615, 617-622, 624-629, 665, 666, 669 and 670, as a group.	10,033,528 square meters equivalent.
Sublevels in Group II	
410	167,225 square meters.
465	129,600 square meters.
618	1,672,255 square meters.
666	116,306 kilograms.
Group III	
431-436, 438-440, 442-448, 459, 630-654 and 659, as a group.	52,727,331 square meters equivalent.
Sublevels in Group III	
433/434	7,015 dozen.
435	5,232 dozen.
442	9,722 dozen.
443	102,183 numbers.
444	33,321 numbers.
448	8,282 dozen.
459	34,019 kilograms.
633	44,199 dozen.
634	53,687 dozen of which not more than 36,604 dozen shall be in knit coats (Category 634-K) [2] and not more than 17,083 dozen shall be in non-knit coats (Category 634-W) [3].
635	84,814 dozen.
638/639	476,155 dozen.
640	80,225 dozen.
641	34,775 dozen.
643-K/644-K [4]	24,996 numbers.
643-W/644-W [5]	653,382 numbers.
645/646	271,205 dozen.
647	80,737 dozen.
648	57,746 dozen.
659	101,768 kilograms.
Level not in a group	
604	1,549,373 kilograms.

[1] Category 334-K: all HTS numbers except 6101.20.0010, 6101.20.0020 and 6112.11.0010.

[2] Category 634-K: only HTS numbers 6101.30.1000, 6101.30.2010, 6101.30.2020, 6101.90.0030, 6103.23.0036, 6103.29.1010, 6112.12.0010, 6112.19.1010, 6112.20.1010, 6112.20.1030 and 6113.00.0025.

[3] Category 634-W: only HTS numbers 6201.13.4015, 6201.13.4020, 6201.13.4030, 6201.13.4040, 6201.19.0030, 6201.93.2010, 6201.93.3000, 6201.93.3510, 6201.93.3520, 6201.99.0030, 6203.23.0050, 6203.29.2010, 6210.20.1020, 6210.40.1020, 6211.20.1515, 6211.29.2030 and 6211.33.0035.

[4] Category 643-K: only HTS numbers 6103.12.2000, 6103.19.1500 and 6103.19.4050; Category 644-K: only HTS numbers 6104.13.2000, 6104.19.1500 and 6104.19.2060.

[5] Category 643-W: only HTS numbers 6203.12.2010, 6203.12.2020, 6203.19.3000 and 6203.19.4050; Category 644-W: only HTS numbers 6204.13.2010, 6204.13.2020, 6204.19.2000 and 6204.19.3060.

Imports charged to these category limits for the period January 1, 1992 through December 31, 1992, shall be charged against those levels

of restraint to the extent of any unfilled balances. In the event the limits established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

The levels set forth above are subject to adjustment in the future according to the provisions of the current bilateral agreements between the Governments of the United States and Romania.

The conversion factors for the following merged categories are listed below:

Category	Conversion factor (square meters equivalent/category unit)
341/840	12.1
433/434	35.2
638/639	12.96

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 these actions fall within the foreign affairs exception of 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. 92-27501 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-DR-F

Announcement of Import Restraint Limits for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Taiwan

November 6, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing limits for the new agreement year.

EFFECTIVE DATE: January 1, 1993.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. 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) 927-6719. For information on embargoes and quota re-openings, call (202) 482-3715.

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 Bilateral Textile Agreement, effected by exchange of notes dated August 21, 1990 and September 28, 1990, as amended, concerning cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products establishes limits for the period beginning January 1, 1993 and extending through December 31, 1993.

A copy of the current bilateral agreement is available from the Textiles Division, Bureau of Economic and Business Affairs, U.S. Department of State, (202) 647-3889.

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). Information regarding the 1993 CORRELATION will be published in the **Federal Register** at a later date.

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.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 6, 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); pursuant to the Bilateral Textile Agreement, effected by exchange of notes dated August 21, 1990 and September 28, 1990, concerning cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products from Taiwan; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1993, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products in the following categories, produced or manufactured in Taiwan and exported during the twelve-month period beginning on January 1, 1993 and extending through December 31, 1993, in excess of the following levels of restraint:

Category	Twelve-month restraint limit
Group I	
200-224, 225/317/326, 226, 227, 229, 300/301/607, 313-315, 360-363, 369-L/670-L/870 [1], 369-S [2], 369-O [3], 400-414, 464-469, 600-606, 611, 613/614/615/617, 618, 619/620, 621-624, 625/626/627/628/629, 665, 666, 669-P [4], 669-T [5], 669-O [6], 670-H [7] and 670-O [8], as a group.	545,237,572 square meters equivalent.
Sublevels in Group I	
218	18,677,968 square meters.
225/317/326	33,153,344 square meters.
226	6,016,273 square meters.
300/301/607	1,568,518 kilograms of which not more than 1,307,098 kilograms shall be in Category 300, not more than 1,307,098 kilograms shall be in Category 301 and not more than 1,307,098 kilograms shall be in Category 607.
363	11,788,040 numbers.
369-L/670-L/870	43,509,528 kilograms.
611	2,692,227 square meters.
613/614/615/617	16,696,924 square meters.
619/620	12,272,498 square meters.
625/626/627/628/629	15,969,418 square meters.
669-P	290,319 kilograms.
669-T	943,596 kilograms.
670-H	16,660,966 kilograms.
Group I subgroup	
200, 219, 313, 314, 315, 361, 369-S, and 604, as a group.	128,511,135 square meters equivalent.
Within Group I subgroup	
200	603,521 kilograms.
219	13,735,531 square meters.
313	62,788,757 square meters.
314	24,466,622 square meters.
315	18,747,666 square meters.
361	1,212,340 numbers.
369-S	470,869 kilograms.
604	209,311 kilograms.
Group II	
237, 239, 330-332, 333/334/335, 336, 338/339, 340-345, 347/348, 349, 350/650, 351, 352/652, 353, 354, 359-C/659-C [9], 359-H/659-H [10], 359-O [11], 431-444, 445/446, 447/448, 459, 630-632, 633/634/635, 636, 638/639, 640, 641-644, 645/646, 647/648, 649, 651, 653, 654, 659-S [12], 659-O [13], 831-844 and 846-859, as a group.	755,000,000 square meters equivalent.

Category	Twelve-month restraint limit
Sublevels in Group II	
237	589,647 dozen.
239	5,228,392 kilograms.
331	494,723 dozen pairs.
336	100,459 dozen.
338/339	727,034 dozen.
340	1,113,333 dozen.
345	104,968 dozen.
347/348	1,064,931 dozen.
352/652	2,665,285 dozen.
359-C/659-C	1,447,633 kilograms.
359-H/659-H	4,677,315 kilograms.
433	14,357 dozen.
434	9,968 dozen.
435	23,672 dozen.
436	4,712 dozen.
438	26,603 dozen.
440	5,152 dozen.
442	43,476 dozen.
443	40,196 numbers.
444	57,247 numbers.
445/446	132,086 dozen.
631	4,408,926 dozen pairs.
633/634/635	1,634,440 dozen of which not more than 959,317 dozen shall be in Categories 633/634 and not more than 850,077 dozen shall be in Category 635.
638/639	6,565,058 dozen.
640	1,058,909 dozen of which not more than 281,710 dozen shall be in Category 640-Y [14].
642	777,133 dozen.
643	478,350 numbers.
644	639,677 numbers.
645/646	4,107,691 dozen.
647/648	5,248,544 dozen.
659-S	1,601,702 kilograms.
835	16,810 dozen.
Group II subgroup	
333/334/335, 341, 342, 350/650, 351, 447/448, 636, 641 and 651, as a group.	72,614,714 square meters equivalent.
Within Group II subgroup	
333/334/335	258,454 dozen of which not more than 139,996 dozen shall be in Category 335.
341	329,899 dozen.
342	206,089 dozen.
350/650	128,788 dozen.
351	342,864 dozen.
447/448	19,618 dozen.
636	361,288 dozen.
641	726,709 dozen of which not more than 254,348 dozen shall be in Category 641-Y [15].
651	429,976 dozen.
Group III	
845	846,969 dozen.

[1] Category 870; Category 369-L: only HTS numbers 4202.12.4000, 4202.12.8020, 4202.12.8060, 4202.92.1500, 4202.92.3015 and 4202.92.6000; Category 670-L: only HTS numbers 4202.12.8030, 4202.12.8070, 4202.92.3020, 4202.92.3030 and 4202.92.9020.

[2] Category 369-S: only HTS number 6307.10.2005.

[3] Category 369-O: all HTS numbers except 4202.12.4000, 4202.12.8020, 4202.12.8060, 4202.92.1500, 4202.92.3015, 4202.92.6000 (Category 369-L); and 6307.10.2005 (Category 369-S).

[4] Category 669-P: only HTS numbers 6305.31.0010, 6305.31.0020 and 6305.39.0000.

[5] Category 669-T: only HTS numbers 6306.12.0000, 6306.19.0010 and 6306.22.9030.

[6] Category 669-O: all HTS numbers except 6305.31.0010, 6305.31.0020, 6305.39.0000 (Category 669-P); 6306.12.0000, 6306.19.0010 and 6306.22.9030 (Category 669-T).

[7] Category 670-H: only HTS numbers 4202.22.4030 and 4202.22.8050.

[8] Category 670-O: all HTS numbers except 4202.22.4030 4202.22.8050 (Category 670-H); 4202.12.8030, 4202.12.8070, 4202.92.3020, 4202.92.3030 and 4202.92.9020 (Category 670-L).

[9] Category 359-C: only HTS numbers 6103.42.2025, 6103.49.3034, 6104.62.1020, 6104.69.3010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025 and 6211.42.0010; Category 659-C: only HTS numbers 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.3038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.3014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.4015, 6211.33.0010, 6211.33.0017 and 6211.43.0010.

[10] Category 359-H: only HTS numbers 6505.90.1540 and 6505.90.2060; Category 659-H: only HTS numbers 6502.00.9030, 6504.00.9015, 6504.00.9060, 6505.90.5090, 6505.90.6090, 6505.90.7090 and 6505.90.8090.

[11] Category 359-O: all HTS numbers except 6103.42.2025, 6103.49.3034, 6104.62.1020, 6104.69.3010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025, 6211.42.0010 (Category 359-C); 6505.90.1540 and 6505.90.2060 (Category 359-H).

[12] Category 659-S: only HTS numbers 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010 and 6211.12.1020.

[13] Category 659-O: all HTS numbers except 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.3038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.3014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.4015, 6211.33.0010, 6211.33.0017, 6211.43.0010 (Category 659-C); 6502.00.9030, 6504.00.9015, 6504.00.9060, 6505.90.5090, 6505.90.6090, 6505.90.7090, 6505.90.8090 (Category 659-H); 6112.31.0010, 6112.31.0020, 6112.41.0010, 6112.41.0020, 6112.41.0030, 6112.41.0040, 6211.11.1010, 6211.11.1020, 6211.12.1010 and 6211.12.1020 (Category 659-S).

[14] Category 640-Y: only HTS numbers 6205.30.2010, 6205.30.2020, 6205.30.2050 and 6205.30.2060.

[15] Category 641-Y: only HTS numbers 6204.23.0050, 6204.29.2030, 6206.40.3010 and 6206.40.3025.

Imports charged to these category limits for the period January 1, 1992 through December 31, 1992 shall be charged against those levels of restraint to the extent of any unfilled balances. In the event the limits established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in this directive.

The limits set forth above are subject to adjustment in the future pursuant to the provisions of the Bilateral Textile Agreement, effected by exchange of notes dated August 21, 1990 and September 28, 1990, as amended.

The conversion factors for the following merged categories are as follows:

Category	Conversion factors (square meters equivalent/category unit)
300/301/607	8.5
333/334/335	33.75
352/652	11.3
359-C/659-C	10.1
359-H/659-H	11.5
369-L/670-L/870	3.8
633/634/635	34.1
638/639	12.5

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 these actions fall within the foreign affairs exception of 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. 92-27498 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-DR-F

Announcement of Import Restraint Limits for Certain Cotton, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textile Products Produced or Manufactured in the United Arab Emirates

November 6, 1992.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing limits for the new agreement year.

EFFECTIVE DATE: January 1, 1993.

FOR FURTHER INFORMATION CONTACT: Jennifer Tallarico, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. 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) 927-5850. For information on embargoes and quota re-openings, call (202) 482-3715.

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 Bilateral Textile Agreement of February 23, 1991 between the Governments of the United States and the United Arab Emirates establishes limits for the period beginning on January 1, 1993 and extending through December 31, 1993.

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). Information regarding the 1993 CORRELATION will be published in the **Federal Register** at a later date.

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.

Auggie D. Tantillo,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 6, 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); pursuant to the Bilateral Textile Agreement of February 23, 1991 between the Governments of the United States and the United Arab Emirates; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 1993, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton, man-made fiber, silk blend and other vegetable fiber textiles and textile products in the following categories, produced or manufactured in the United Arab Emirates and exported during the twelve-month period beginning on January 1, 1993 and extending through December 31, 1993, in excess of the following levels of restraint:

Category	Twelve-month restraint limit
334/634	178,652 dozen.
336/636	154,832 dozen.
338/339	441,867 dozen of which not more than 294,577 dozen shall be in Categories 338-S/339-S [1].
340/640	290,370 dozen.
341/641	239,871 dozen.
342/642	190,563 dozen.
347/348	328,244 dozen of which not more than 164,122 dozen shall be in Categories 347-T/348-T [2].
351/651	136,967 dozen.
352	252,495 dozen.
363	8,166,967 numbers.
638/639	178,652 dozen.
647/648	256,068 dozen.
847	160,787 dozen.

[1] Category 338-S: only HTS numbers 6103.22.0050, 6105.10.0010, 6105.10.0030, 6105.90.3010, 6109.10.0027, 6110.20.1025, 6110.20.2040, 6110.20.2065, 6110.90.0068, 6112.11.0030 and 6114.20.0005; Category 339-S: only HTS numbers 6104.22.0060, 6104.29.2049, 6106.10.0010, 6106.10.0030, 6106.90.2010, 6106.90.3010, 6109.10.0070, 6110.20.1030, 6110.20.2045, 6110.20.2075, 6110.90.0070, 6112.11.0040, 6114.20.0010 and 6117.90.0022.

[2] Category 347-T: only HTS numbers 6103.19.2015, 6103.19.4020, 6103.22.0030, 6103.42.1020, 6103.42.1040, 6103.49.3010, 6112.11.0050, 6113.00.0038, 6203.19.1020, 6203.19.4020, 6203.22.3020, 6203.42.4005, 6203.42.4010, 6203.42.4015, 6203.42.4025, 6203.42.4035, 6203.42.4045, 6203.49.3020, 6210.40.2035, 6211.20.1520, 6211.20.3010 and 6211.32.0040; Category 348-T: only HTS numbers 6104.12.0030, 6104.19.2030, 6104.22.0040, 6104.29.2034, 6104.62.2010, 6104.62.2025, 6104.69.3022, 6112.11.0060, 6113.00.0042, 6117.90.0042, 6204.12.0030, 6204.19.3030, 6204.22.3040, 6204.29.4034, 6204.62.3000, 6204.62.4005, 6204.62.4010, 6204.62.4020, 6204.62.4030, 6204.62.4040, 6204.62.4050, 6204.69.3010, 6204.69.9010, 6210.50.2035, 6211.20.1550, 6211.20.6010, 6211.42.0030 and 6217.90.0050.

Imports charged to these category limits for the period beginning January 1, 1992 and extending through December 31, 1992 shall be charged against those levels of restraint to the extent of any unfilled balances. In the event the limits established for that period have been exhausted by previous entries, such goods shall be subject to the levels set forth in 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 these actions fall within the foreign affairs exception of 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. 92-27500 Filed 11-12-92; 8:45 am]

BILLING CODE 3510-DR-F

COMMODITY FUTURES TRADING COMMISSION

Chicago Board of Trade Proposal To Register Certain Non-Member Officials of Member Firm and To Require Membership of Certain Non-Member Parent Firms

AGENCY: Commodity Futures Trading Commission.

ACTION: Extension of comment period.

SUMMARY: On October 7, 1992, the Commission published in the **Federal Register** a notice of a proposed new Chicago Board of Trade Regulation 230.03 which would establish procedures requiring registration of certain non-member officials of member firms and application for membership by certain non-member parent firms. 57 F.R. 46151. The comment period on the proposed new rule is schedule to expire on November 6, 1992.

By separate letters both dated October 29, 1992, the Futures Industry Association ("FAA") and the CBT both requested that the public comment period be extended so that the FIA and CBT could fully address the issues raised by the proposal.

In order to ensure that all interested parties have an opportunity to submit meaningful comments, the Commission has determined to grant a 45-day extension of the comment period for the CBT's proposal.

DATES: Comments must be submitted by December 21, 1992.

FOR FURTHER INFORMATION CONTACT: David P. Van Wagner, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission 2033 K Street, NW., Washington, DC 20581. Telephone: (202) 254-8955.

Issued in Washington, DC on November 6, 1992 by the Commission.

Alan L. Seifert,

Deputy Director.

[FR Doc. 92-27461 Filed 11-12-92; 8:45 am]

BILLING CODE 6351-01-M

New York Cotton Exchange; Proposed Amendments Relating to Warehouse Licensing Requirements for the Cotton No. 2 Futures Contract

AGENCT: Commodity Futures Trading Commission.

ACTION: Notice of proposed contract market rule change.

SUMMARY: The New York Cotton Exchange (NYCE) has submitted proposed amendments to its cotton No. 2 futures contract. The primary proposed amendment will require all NYCE-licensed delivery warehouses to have operational rail sidings. Acting pursuant to the authority delegated by Commission Regulation 140.96, the Director of the Division of Economic Analysis (Division) of the Commodity Futures Trading Commission (Commission) has determined that publication of the proposed amendments is in the public interest and will assist the Commission in considering the views of interested persons.

DATE: Comments must be received on or before December 14, 1992.

ADDRESSES: 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 proposed changes in warehouse licensing requirements for the cotton No. 2 futures contract.

FOR FURTHER INFORMATION CONTACT: Fred Linse, Division of Economic Analysis, Commodity Futures Trading Commission, 2033, K Street, NW.,

Washington, DC 20581, telephone (202) 254–7303.

SUPPLEMENTARY INFORMATION: The NYCE's existing rules require that warehouses seeking to become eligible delivery facilities for the cotton No. 2 futures contract must first be licensed by the NYCE. Currently, the NYCE's rules set forth various requirements and obligations for licensed warehouses, including the requirement that operators of such warehouses must give such bonds to the NYCE as may be required by the NYCE's Board of Managers.

Under the primary proposed amendment, licensed warehouses will be required to have operational railroad sidings.[1] According to a NYCE spokesperson, the proposed amendment to the warehouse-licensing requirements will apply to all warehouses newly licensed or re-licensed by the Exchange following Commission approval.[2]

In support of the proposal to require warehouse to have operational rail sidings, an Exchange spokesperson stated that the proposal will provide receivers with an additional cost-effective means of moving cotton to market, that is, by rail.

The commission specifically is requesting comments pertaining to the following issues.

(1) To what extent does the proposed requirement that NYCE-licensed warehouses have operational rail sidings conform to existing commercial practices at the contract's delivery points? In particular, what proportion of cotton merchandised from these individual delivery locations is moved by rail, and what are the long-term trends in these proportions?

(2) Is the proposed requirement to have operational rail sidings at NYCE-licensed warehouses necessary for the merchandising of cotton received through delivery? Would the absence of rail facilities at some regular warehouses alter the price basis of the contract?

(3) Will the proposal to require that warehouses have operational rail sidings have any significant anti-competitive effects? In particular, will the proposal have any significant negative impact on the ability of operators of existing licensed warehouses to remain licensed by the NYCE, or preclude the licensing of other warehouses that currently are not licensed by the NYCE? If the proposal does have anti-competitive effects, is there a less anti-competitive alternative which is consistent with the Commodity Exchange Act's objectives of minimizing the potential for price manipulation or distortion?

Copies of the proposed amendments will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, at the above address. Copies of the amended terms and conditions can be obtained through the Office of the Secretariat by mail at the same address or by telephone at (202) 254–6314.

The materials submitted by the NYCE in support of the proposed amendments 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)). 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 above address in accordance with CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposed amendments should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, at the above address by the specified date.

Issued in Washington, DC, on November 9, 1992.

Gerald Gay

Director.

[FR Doc. 92–27594 Filed 11–12–92; 8:45 am]

BILLING CODE 6351–01–M

[1] In addition, another proposed amendment will require that licensed warehouses be in compliance with all federal, state, and city requirements governing cotton warehouses. The Exchange also proposes an amendment that will give the deliverer of cotton the option of returning cotton samples to the cotton storage point for the underlying cotton in the event that the receiver has asked that the cotton samples be "held" rather than shipped immediately to a destination specified by the receiver. The proposed amendment concerning the holding of cotton samples will apply to all existing and newly listed futures contracts.

[2] The licenses of all warehouses expire on July 31st of each year and must be renewed at that time.

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 93–C0002]

Ramco Trading Corporation, a Corporation; Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety Commission.

ACTION: Provisional acceptance of a settlement agreement and order under the Federal Hazardous Substances Act.

SUMMARY: It is the policy of the Commission to publish settlements which it provisionally accepts under the Federal Hazardous Substances Act in the Federal Register in accordance with the terms of 16 CFR 1118.20(e). Published below is a provisionally accepted Settlement Agreement with Ramco Trading Corporation, a corporation.

DATES: Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by November 30, 1992.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 93–C0002, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

FOR FURTHER INFORMATION CONTACT: Earl Gershenow, Trial Attorney, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504–0626.

SUPPLEMENTARY INFORMATION: (attached)

Dated: November 5, 1992.

Sheldon D. Butts,

Deputy Secretary.

Settlement Agreement and Order

1. Ramco Trading Corporation (hereinafter, "Ramco"), a corporation, enters into this Settlement Agreement (hereinafter, "Agreement") with the staff of the Consumer Product Safety Commission, and agrees to the entry of the Order described herein. The purpose of the Agreement and Order is to settle the staff's allegations that Ramco knowingly caused the introduction into interstate commerce of certain banned hazardous toys, in violation of section 4(a) of the Federal Hazardous Substances Act, 15 U.S.C. 1263(a).

I. Jurisdiction

2. The Commission has jurisdiction over Ramco and the subject matter of this Settlement Agreement pursuant to section 30(a) of the Consumer Product Safety Act (hereinafter, "CPSA"), 15 U.S.C. 2079(a), and sections 2(f)(1)(D), 4(a), and 5(c) of the Federal Hazardous Substances Act (hereinafter, "FHSA"), 15 U.S.C. 1261(f)(1)(D), 1263(a), and 1264(c).

II. The Parties

3. The "staff" is the staff of the Consumer Product Safety Commission, an independent regulatory commission of the United States established pursuant to section 4 of the CPSA, 15 U.S.C. § 2053.

4. Ramco is a corporation organized and existing under the laws of the State of Florida, with its principal corporate

offices located at 16516 NW. 49th Avenue, Hialeah, Florida 33014. Ramco is engaged in the business of importing, exporting, and selling domestically children's toys, porcelain and ceramic gift items, and houseware/cookware.

III. Allegations of the Staff

5. On or about June 5, 1991, Ramco caused the introduction into interstate commerce of approximately 1920 toys named TEACH ME TEDDY (Item No. 111–16449), intended for use by children under three years of age.

6. On or about October 2, 1991, Ramco caused the introduction into interstate commerce of approximately 3200 toys named DOG or FUNNY TRAIN (Item No. 111–19229) (depending upon the configuration on the front of the toy), intended for use by children under three years of age.

7. The toys identified in paragraph five above are subject to, but failed to comply with, the Commission's Small Parts Regulation, 16 CFR part 1501, in that when tested under the "use and abuse" test methods specified in 16 CFR 1500.51 and 1500.52, (a) one or more parts of each tested toy separated and (b) one or more of the separated parts from each of the tested toys fit completely within the test cylinder, as set forth in 16 CFR 1501.4.

8. The toys identified in paragraph six above are subject to, but failed to comply with, the Commission's Small Parts Regulation, 16 CFR part 1501, in that when tested under the "use and abuse" test methods specified in 16 CFR 1500.51 and 1500.52, (a) one or more parts of each tested toy separated and (b) one or more of the separated parts from each of the tested toys fit completely within the test cylinder, as set forth in 16 CFR 1501.4.

9. Because separated parts fit completely within the test cylinder as described in paragraphs 5 and 6 above, each of the toys identified in the said paragraphs presents a "mechanical hazard" within the meaning of (a) section 2(s) of the FHSA, 15 U.S.C. 1261(s) (choking, aspiration and/or ingestion of small parts).

10. Pursuant to 16 CFR 1500.18(a)(9), each of the toys identified in paragraphs five and six above is a "banned hazardous substance" within the meaning of section 2(q)(1)(A) of the FHSA, 15 U.S.C. 1261(g)(1)(A) (any toy or other article intended for use by children which bears or contains a hazardous substance.)

11. The knowing causing of the introduction into interstate commerce of the aforesaid banned hazardous toys is a prohibited act pursuant to section 4(a) of the FHSA, 15 U.S.C. 1263(a), for which a civil penalty may be imposed pursuant to section 5(c) of the FHSA, 15 U.S.C. 1264(c).

IV. Response of Ramco

12. Ramco denies the allegations of the staff set forth in paragraphs five through nine above that it has knowingly introduced or caused the introduction into commerce of the aforesaid banned hazardous toys, or that it has violated the FHSA as alleged by the staff.

V. Agreement of the Parties

13. The Consumer Product Safety Commission has jurisdiction over Ramco and the subject matter of this Settlement Agreement and Order under the following acts: Consumer Product Safety Act (15 U.S.C. 2051 *et seq.*), and the Federal Hazardous Substances Act, 15 U.S.C. 1261 *et seq.*

14. Ramco agrees to pay to the Commission a civil penalty in the amount of Fifteen Thousand and 00/100 Dollars ($15,000.00) within twenty (20) days after service of the Final Order of the Commission accepting this Settlement Agreement. This payment is made in full settlement of the staff's allegations set forth in paragraphs five through nine above that Ramco violated the FHSA.

15. The Commission does not make any determination that Ramco knowingly violated the FHSA. The Commission and Ramco agree that this Agreement is entered into for the purposes of settlement only.

16. Upon final acceptance of this Settlement Agreement by the Commission and issuance of the Final Order, Ramco knowingly, voluntarily and completely, waives any rights it may have in this matter (1) to an administrative or judicial hearing, (2) to judicial review or other challenge or contest of the validity of the Commission's actions, (3) to a determination by the Commission as to whether Ramco failed to comply with the FHSA as aforesaid, and (4) to a statement of findings of fact and conclusions of law.

17. For purposes of section 6(b) of the CPSA, 15 U.S.C. 2055(b), this matter shall be treated as if a complaint had issued; and, the Commission may publicize the terms of the Settlement Agreement and Order.

18. Upon provisional acceptance of this Settlement Agreement and Order by the Commission, this Settlement Agreement and Order shall be placed on the public record and shall be published in the **Federal Register** in accordance with the procedures set forth in 16 CFR 1118.20(e)–(h). If the Commission does not receive any written request not to accept the Settlement Agreement and Order within 15 days, the Settlement Agreement and Order will be deemed finally accepted on the 16th day after the date it is published in the **Federal Register**.

19. The parties further agree that the Commission shall issue the attached Order incorporated herein by reference; and that a violation of the Order shall subject Ramco to appropriate legal action.

20. No agreement, understanding, representation, or interpretation not contained in this Settlement Agreement and Order may be used to vary or to contradict its terms.

21. The provisions of the Settlement Agreement and Order shall apply to Ramco and each of its successors and assigns.

Respondent Ramco Trading Corporation.

Dated: June 22, 1992.

Miguel Fleischman, President,

Ramco Trading Corporation, 16516 NW. 49th Street, Hialeah, Florida 33014.

Commission Staff.

David Schmeltzer,

Assistant Executive Director, Office of Compliance and Enforcement.

Alan H. Schoem,

Director, Division of Administrative Litigation, Office of Compliance and Enforcement.

Dated: July 14, 1992.

Earl A. Gershenow,

Trial Attorney, Division of Administrative Litigation, Office of Compliance and Enforcement.

Order

Upon consideration of the Settlement Agreement entered into between respondent Ramco Trading Corporation, a corporation, and the staff of the Consumer Product Safety Commission; and the Commission having jurisdiction over the subject matter and Ramco Trading Corporation; and it appearing that the Settlement Agreement is in the public interest, it is

Ordered, that the Settlement Agreement be and hereby is accepted, as indicated below; and it is

Further ordered, that upon final acceptance of the Settlement Agreement, Ramco Trading Corporation shall pay to the Order of the Consumer Product Safety Commission a civil penalty in the amount of Fifteen Thousand and 00/100 Dollars ($15,000.00) within twenty (20) days after service of the Final Order and Decision in this matter.

In the Matter of Ramco Trading Corporation.

Provisionally accepted and Provisional Order issued on the 5th day of November, 1992.

By Order of the Commission.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

[FR Doc. 92-27444 Filed 11-12-92; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF Scientific Advisory Board; Meeting

The USAF Scientific Advisory Board of the Information Technology Panel will meet on 10-11 December 1992 from 8 a.m. to 5 p.m. at ANSER Corporation, Arlington, VA.

The purpose of this meeting is to receive briefings, hold discussions and begin report writing on projects related to Information Technology. This meeting will involve discussions of classified defense matters listed in section 552b(c) of title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (703) 697-4648.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 92-27528 Filed 11-12-92; 8:45 am]

BILLING CODE 3910-01-M

Office of the Secretary of Defense

DOD Government-Industry Technical Data Committee

AGENCY: Office of the Under Secretary of Defense (Acquisition).

ACTION: Notice.

SUMMARY: Pursuant to section 807 of Public Law 102-120, the National Defense Authorization Act for Fiscal Years 1992 and 1993, a Government-Industry Technical Data Committee has been formed. The committee will make recommendations to the Secretary of Defense for the final regulations required by subsection (a) of 10 U.S.C. 2320, "Rights in Technical Data."

The committee's December and January meetings are scheduled for December 2-3, 16-17, 1992, and January 6-7, 1993, from 9:30 a.m. to 4 p.m. at The Herman Lay Room, The U.S. Chamber of Commerce, 1615 "H" Street, NW., Washington, DC 20062-2000. These meetings will be open to the public. For more information, please contact the Committee Executive Secretary, Angelena Moy at (703) 693-5639.

Dated: November 9, 1992.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 92-27504 Filed 11-12-92; 8:45 am]

BILLING CODE 3810-01-M

Ada Board Meeting

ACTION: Notice of meeting.

SUMMARY: A meeting of the Federal Advisory Board for Ada (Ada Board) will be held Friday, December 4, 1992 and Monday, December 7, 1992 at the Marriott-Residence Inn, San Diego, CA. Aztec Room, 5400 Kearney Mesa Road, San Diego, CA 12112.

FOR FURTHER INFORMATION CONTACT: Ms. Susan Carlson, Ada Information Clearinghouse c/o IIT Research Institute, 4600 Forbes Boulevard, Lanham, Maryland, 20706, (703) 685-1477.

Dated: November 9, 1992.

L.M. Bynum,

Office of the Secretary of Defense, Federal Register Liaison Office, Department of Defense.

[FR Doc. 92-27505 Filed 11-12-92; 8:45 am]

BILLING CODE 3810-01-M

Department of the Air Force

USAF Scientific Advisory Board; Meeting

The USAF Scientific Advisory Board's Committee on Technology to Support Force Projection: Global Reach—Global Power will meet on 3 December 1992, at AFSPACECOM, CO from 8 a.m. to 5 p.m.

The purpose of this meeting is to brief AFSPACECOM on Summer Study 92 report on Global Reach-Global Power.

The meeting will be closed to the public in accordance with section 552b(c) of title 5, United States Code, specifically subparagraphs (1) and (4) thereof.

For further information, contact the Scientific Advisory Board Secretariat at (703) 697-4811.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 92-27456 Filed 11-12-92; 8:45 am]

BILLING CODE 3910-01-M

Department of the Navy

Government-Owned Inventions; Availability for Licensing

AGENCY: Department of the Navy, DOD.

ACTION: Notice of Availability of Inventions for Licensing.

SUMMARY: The inventions listed below are assigned to the United States Government as represented by the Secretary of the Navy and are made available for licensing by the Department of the Navy.

Copies of patents cited are available from the Commissioner of Patents and Trademarks, Washington, DC 20231, for $3.00 each. Requests for copies of patents must include the patent number.

Copies of patent applications cited are available from the National Technical Information Service (NTIS), Springfield, Virginia 22161 for $6.95 each ($10.95 outside North American Continent). Requests for copies of patent applications must include the patent application serial number. Claims are deleted from the patent applications copies sold to avoid premature disclosure.

DATE: November 13, 1992.

FOR FURTHER INFORMATION CONTACT: Mr. R.J. Erickson, Staff Patent Attorney, Office of the Chief of Naval Research (Code OOCCIP), Arlington, Virginia 22217-5000, telephone (703) 696-4001.

Patent 5,055,424: METHOD FOR FABRICATING OHMIC CONTACTS ON SEMICONDUCTOR DIAMOND; filed 29 June 1989; patented 8 October 1991.

Patent 5,066,952: A NON-LINEAR DATA CONVERSION SYSTEM FOR DYNAMIC RANGE DIGITAL SIGNAL PROCESSING; filed 25 September 1989; patented 19 November 1991.

Patent 5,068,370: MONOMERIC ORGANOMETALLIC COMPOUNDS AND METHOD OF PREPARING SAME; filed 8 June 1990; patented 26 November 1991.

Patent 5,075,500: SYNTHESIS OF DIORGANO TELLURIDES; filed 29 April 1991; patented 24 December 1991.

Patent 5,075,868: MEMORY MODIFICATION OF ARTIFICIAL NEURAL NETWORKS; filed 18 September 1989; patented 24 December 1991.

Patent 5,076,170: UNDERWATER WEAPON DISPENSER; filed 18 May 1977; patented 31 December 1991.

Patent 5,078,344: RIBLESS RAM AIR PARACHUTE; filed 7 May 1990; patented 7 January 1992.

Patent 5,081,424: UNEQUAL STUB LENGTH DIPLEXING MICROWAVE FREQUENCY DISCRIMINATOR CIRCUIT; filed 13 January 1991; patented 14 January 1992.

Patent 5,083,041: THERMOMAGNETIC SAFE ARM DEVICE; filed 5 January 1990; patented 21 January 1992.

Patent 5,089,643: METHOD OF PREPARING MONOMERIC ORGANOMETALLIC COMPOUNDS; filed 29 April 1991; patented 18 February 1992.

Patent 5,096,628: PYROFUZE PIN FOR ORDNANCE ACTIVATION; filed 4 February 1991; patented 17 March 1992.

Patent 5,100,780: MEMBRANE PERFUSION METHOD AND APPARATUS FOR DETERMINING DOSE REPONSE RELATIONSHIPS FOR SOLUBLE BIOLOGICALLY ACTIVE CHEMICAL AGENTS RELEASED FROM A SURFACE; filed 31 May 1989; patented 31 March 1992.

Patent 5,101,731: PROPELLANT GRAIN ASSEMBLY FOR A GAS GENERATOR; filed 30 November 1990; patented 7 April 1992.

Patent 5,102,550: APPARATUS AND PROCESS FOR DESALINATION OF SEAWATER; filed 1 November 1990; patented 7 April 1992.

Patent 5,103,432: EXPENDABLE SOUND SOURCE; filed 10 January 1991; patented 7 April 1992.

Patent 4,103,496: ARTIFICIAL NEURAL NETWORK SYSTEM FOR MEMORY MODIFICATION; filed 27 June 1991; patented 7 April 1992.

Patent 5,103,678: FIBER PEEL FORCE MEASURING APPARATUS; filed 6 May 1991; patented 14 April 1992.

Patent 5,105,394: CONSTRAINED DIAPHRAGM TRANSDUCER; filed 29 July 1988; patented 14 April 1992.

Patent 5,106,394: FIBER OPTIC POLISHING SYSTEM; filed 1 October 1990; patented 21 April 1992.

Patent 5,108,830: SHAPE-STABLE REENTRY BODY NOSE TIP; filed 21 March 1991; patented 28 April 1992.

Patent 5,109,150: OPEN ARC PLASMA SPRAY WIRE METHOD AND APPARATUS; filed 2 October 1989; patented 28 April 1992.

Patent 5,109,577: CABLE/LINE SHORTENING DEVICE; filed 19 July 1990; patented 5 May 1992.

Patent 5,111,036: SHUTTER APPARATUS; filed 4 March 1991; patented 5 May 1992.

Patent 5,114,506: ENERGIC COMPOSITES CYCLODEXTRIN NITRATE ESTERS AND NITRATE ESTERS PLASTICIZERS; filed 8 July 1991; patented 19 May 1992.

Patent 5,115,742: INTEGRATED AND MECHANICALLY AIDED WARHEAD ARMING DEVICE; filed 21 June 1991; patented 26 May 1992.

Patent 5,117,396: LARGE, AIR DEPLOYABLE, VOLUMETRIC HYDROPHONE ARRAY; filed 5 February 1986; patented 26 May 1992.

Patent 5,117,436: OPTICS FOR DIODE ARRAY TRANSVERSE PUMPED LASER ROD; filed 29 March 1990; patented 26 May 1992.

Patent 5,117,758: BOOSTER ROCKET RANGE SAFETY SYSTEM; filed 25 September 1991; patented 2 June 1992.

Patent 5,117,759: FILAMENTARY COMPOSITE DUAL WALL WARHEAD; filed 31 July 1991; patented 2 June 1992.

Patent 5,119,103: METHOD OF STEERING THE GAIN OF A MULTIPLE ANTENNA GLOBAL POSITIONING SYSTEM RECEIVER; filed 16 November 1990; patented 2 June 1992.

Patent 5,119,273: HIGH SPEED PARALLEL BACKPLANE; filed 29 January 1990; patented 2 June 1992.

Patent 5,119,500: METEOR BURST COMMUNICATION SYSTEM; filed 27 August 1991; patented 2 June 1992.

Patent 5,119,730: COMPOSITE SHEET STRINGER ORDANCE SECTION; filed 31 July 1991; patented 2 June 1992.

Patent 5,120,024: PAYOUT TENSION CONTROL SYSTEM FOR REEL MOUNTED CABLE; filed 29 May 1990; patented 9 June 1992.

Patent 5,120,369: HAZARDOUS MATERIAL REMOVAL USING STRIPPABLE COATINGS; filed 15 April 1992; patented 9 June 1992.

Patent 5,120,575: SILVER LINED CERAMIC VESSEL AND METHOD OF PREPARATION; filed 10 May 1991; patented 9 June 1992.

Patent 5,120,968: EMITTANCE MEASURING DEVICE FOR CHARGED PARTICLE BEAMS; filed 5 July 1990; patented 9 June 1992.

Patent 5,121,246: INTENSITY DEPENDENT BEAM DEFLECTOR; filed 3 January 1990; patented 9 June 1992.

Patent 5,121,348: BROAD-BAND PROGRAMMABLE HARMONICS GENERATOR; filed 31 August 1989; patented 9 June 1992.

Patent 5,121,402: MULTIPLE ELEMENT RING LASER; filed 28 September 1990; patented 9 June 1992.

Patent 5,121,453: POLARIZATION INDEPENDENT NARROW CHANNEL WAVELENGTH DIVISION MULTIPLEXING FIBER COUPLER AND METHOD FOR PRODUCING SAME; filed 12 June 1991; patented 9 June 1992.

Patent 5,123,978: IMPROVED CORROSION RESISTANT CHROMATE CONVERSION COATINGS FOR HEATED ALUMINUM ALLOYS; filed 19 March 1991; patented 23 June 1992.

Patent 5,125,318: INFLATABLE DEVICE FOR EXCLUDING SEA WATER FROM A ROCKET MOTOR; filed 18 December 1991; patented 30 June 1992.

Patent 5,126,292: GLASSY BINDER SYSTEM FOR CERAMIC SUBSTRATES, THICK FILMS AND THE LIKE; filed 8 November 1989; patented 30 June 1992.

Patent 5,126,714: INTEGRATED CIRCUIT TRANSFORMER; filed 20 December 199; patented 30 June 1992.

Patent 5,127,023: RETIMING RECORDER/ENCODER; filed 18 July 1990; patented 30 June 1992.

Patent 5,129,028: GRID FREE, MODULAR, LARGE SCREEN DISPLAY; filed 1 November 1990; patented 7 July 1992.

Patent 5,129,307: SIDE-MOUNTED ROLLING AIRFRAME MISSILE LAUNCHER; filed 31 July 1991; patented 14 July 1992.

Patent Application 623,324: METHOD OF PREDICTING STEADY INCOMPRESSIBLE FLUID FLOW; filed 5 December 1990.

Patent Application 639,645: LASER DIODE-PUMPED TUNABLE SOLID STATE LASER; filed 10 January 1991.

Patent Application 667,796: MOTION-COMPENSATION DIRECTION FINDING SYSTEM; filed 11 March 1991.

Patent Application 725,141: SELF-CONTAINED FUNCTIONAL TEST APPARATUS FOR MODULAR CIRCUIT CARDS; filed 3 July 1991.

Patent Application 758,143: OPTICAL SWITCHING DEVICE; filed 12 September 1991.

Patent Application 760,635: MULTI-CHANNEL FIBER OPTIC ROTARY JOINT FOR SINGLE-MODE FIBER; filed 16 September 1991.

Patent Application 770,207: A LIGHT UPDATE NOTIFICATION MECHANISM FOR SHARED DATA STRUCTURES; filed 3 October 1991.

Patent Application 770,208: A LIGHT SYNCHRONIZATION MECHANISM FOR SHARED DATA STRUCTURES; filed 3 October 1991.

Patent Application 777,045: A METHOD FOR DETERMINING THE VELOCITY OF A THREE-DIMENSIONAL FLUID FLOW OVER A SUBMERGED BODY; filed 16 October 1991.

Patent Application 783,661: A SYNCHRONOUS BIDIRECTIONAL NETWORK INTERFACE ENABLING SEAMLESS CONCURRENT PROCESSING IN A DISTRIBUTED HETEROGENEOUS

MULTIPROCESSOR SYSTEM; filed 28 October 1991.
Patent Application 788,674: SYSTEM FOR END-PUMPING A SOLID STATE LASER USING A LARGE APERTURE LASER DIODE BAR; filed 6 November 1991.
Patent Application 790,607: IMPROVED ARTICULATED FIN/WING CONTROL SYSTEM; filed 8 November 1991.
Patent Application 800,785: THRUSTER TEST FIXTURE; filed 27 November 1991.
Patent Application 811,378: METHOD AND APPARATUS FOR PERFORMING SCANNING TUNNELING OPTICAL ABSORPTION SPECTROSCOPY, filed 20 December 1991.
Patent Application 813,563: TIME CODE INTERFACE; filed 20 December 1991.
Patent Application 818,672: CURING PHTHALONITRILES WITH ACID; filed 9 January 1992.
Patent Application 818,939: NMR IMAGING WITH VARYING SPATIAL COUPLING; filed 10 January 1992.
Patent Application 819,699: HIGH POWER MICROWAVE GENERATOR; filed 14 January 1992.
Patent Application 822,782: OXIDATION OF ORGANIC MATERIALS BY ELECTRIFIED MICROHETEROGENEOUS CATALYSIS, filed 21 January 1992.
Patent Application 822,805: DECOMPOSITION OF HALOGENATED AND POLYHALOGENATED ORGANIC MATERIALS BY ELECTRIFIED MICROHETEROGENEOUS CATALYSIS, filed 21 January 1992.
Patent Application 822,812: ELECTRIFIED MICROHETEROGENEOUS CATALYSIS; filed 21 January 1992.
Patent Application 823,748: METHOD OF GENERATIVE HIGH ENERGY REACTION PRODUCTS BY LOW ENERGY ION BOMBARDMENT OF SOLIDS; filed 22 January 1992.
Patent Application 828,634: VOLATILE CVD PRECURSORS BASED ON COPPER ALKOXIDE AND MIXED GROUP IIA–COPPER ALKOXIDES; filed 31 January 1992.
Patent Application 829,145: SUPPRESSION OF RELAXATION OSCILLATIONS IN FLASHPUMPED, TWO-MICRON, TUNABLE SOLID STATE LASERS, filed 31 January 1992.
Patent Application 841,945: PHTHALONITRILE RESINS AS HIGH PERFORMANCE ADHESIVES; filed 26 February 1992.
Patent Application 847,401: NONTOXIC ANTIFOULING SYSTEMS; filed 6 March 1992.
Patent Application 857,536: TARGET MOTION DETECTING IMPULSE DOPPLER RADAR SYSTEM; filed 25 March 1992.
Patent Application 878,597: OPTIC-ACOUSTIC SYSTEM FOR UNDERWATER RANGING AND IMAGING; filed 5 May 1992.

Dated: November 4, 1992.

Michael P. Rummel,

Lieutenant Commander, JAGC, USN, Federal Register Liaison Officer.

[FR Doc. 92–27531 Filed 11–12–92; 8:45 am]

BILLING CODE 3810–AE–M

DEPARTMENT OF EDUCATION

National Education Commission on Time and Learning; Meeting

AGENCY: National Education Commission on Time and Learning, Education.

ACTION: Notice of meeting.

SUMMARY: This notice sets forth the schedule and proposed agenda of a forthcoming Meeting of the National Education Commission on Time and Learning. This notice also describes the functions of the Commission. Notice of this Meeting is required under section 10(a)(2) of the Federal Advisory Committee Act.

DATE AND TIME: December 10, 1992 from 8:30 a.m. to 4 p.m.

ADDRESS: Thomas Jefferson High School for Science and Technology—School Conference Room, 6560 Braddock Road, Phone: (703) 750–8300, Alexandria, VA.

FOR FURTHER INFORMATION CONTACT: Julia Anna Anderson, Deputy Executive Director, 1255 22nd Street, NW., suite 502, Washington, DC 20202–7591. Telephone: (202) 653–5063.

SUPPLEMENTARY INFORMATION: The National Education Commission on Time and Learning is established under section 102 of the Education Council Act of 1991 (20 U.S.C. 1221–1). The Commission is established to examine the quality and adequacy of the study and learning time of elementary and secondary students in the United States, including issues regarding the length of the school day and year, how time is being used for academic subjects, the use of incentives, how time is used outside of school, the extent and role of homework, year-round professional opportunities for teachers, the use of school facilities for extended learning programs, if appropriate a model for adopting a longer day or year, suggested changes for state laws and regulations, and an analysis and estimate of the additional costs.

The Meeting of the Commission is open to the public. The proposed agenda includes: Administrative Reports on, The Commission's budget, office space and staff activities. The Commissioners will conduct a site visit of the School. Presentations will also be given from students, a teacher, a parent and a school administrator.

Records are kept of all Commission proceedings, and are available for public inspection at the Office of the Commission at 1255 22nd Street, NW., suite 502, Washington, DC 20202–7591 from the hours of 9 a.m. to 5:30 p.m.

Dated: November 9, 1992.

John Hodge Jones,

Chairman, National Education Commission on Time and Learning.

[FR Doc. 92–27582 Filed 11–12–92; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

[Docket Nos. ER93–44–000, et al.]

Minnesota Power & Light Co., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

Take notice that the following filings have been made with the Commission:

1. Minnesota Power & Light Company

[Docket No. ER93–44–000]

November 3, 1992.

Take notice that on October 26, 1992, Minnesota Power & Light Company tendered for filing a Notice of Cancellation for the following FERC Rate Schedule:

FERC Rate Schedule No. 88

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

2. Iowa Electric Light and Power Company

[Docket No. ER93–41–000]

November 3, 1992.

Take notice that on October 26, 1992, Iowa Electric Light and Power Company (Iowa) tendered for filing a Notice of Cancellation of the following Agreements:

SVC Agreement No. 003—Corwith, Iowa
SVC Agreement No. 006—Earlville, Iowa
SVC Agreement No. 007—Eldridge, Iowa
SVC Agreement No. 014—Paton, Iowa
SVC Agreement No. 016—Pilot Mound, Iowa
SVC Agreement No. 029—Ellsworth, Iowa

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

3. Public Service Company of New Hampshire

[Docket No. ER93–46–000]

November 3, 1992.

Take notice that on October 28, 1992, Public Service Company of New Hampshire (PSNH) tendered for filing a Notice of Cancellation of Rate Schedule FERC No. 148, along with Supplement Nos. 1 and 2, an exchange agreement with Connecticut Light and Power Company and Western Massachusetts Electric Company.

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

4. Public Service Company of New Hampshire

[Docket No. ER93–47–000]

November 3, 1992.

Take notice that on October 28, 1992, Public Service Company of New Hampshire (PSNH) tendered for filing a Notice of Cancellation of Rate Schedule FERC No. 147, a unit power sales agreement with Connecticut Light and Power Company and Western Massachusetts Electric Company.

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

5. Union Electric Company

[Docket No. ER93–39–000]

November 3, 1992.

Take notice that on October 26, 1992, Union Electric Company (Union) tendered for filing a Notice of Cancellation of FERC Rate Schedules 101 and 102.

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

6. Philadelphia Electric Company

[Docket No. ER93–22–000]

November 3, 1992.

Take notice that on October 2, 1992, Philadelphia Electric Company, (Philadelphia) tendered for filing corrected designations of the schedules to the TEF Agreement issued May 19, 1992 in Docket No. ER92–412–000.

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

7. Empire District Electric Company

[Docket No. ER93–40–000]

November 3, 1992.

Take notice that on October 26, 1992, Empire District Electric Company (Empire) tendered for filing a Notice of Cancellation of Rate Schedule FPC No. 14–02–0001–1671.

Comment date: November 17, 1992, in accordance with Standard Paragraph E at the end of this notice.

8. Midwest Power Systems Inc.

[Docket No. ES93–10–000]

November 3, 1992.

Take notice that on October 28, 1992, Midwest Power Systems Inc. (Midwest) filed an application with the Federal Energy Regulatory Commission under Section 204 of the Federal Power Act requesting authorization to issue not more than $750 million principal amount of General Mortgage Bonds and/or Medium-Term Notes and the guarantee of the issuance and sale of Pollution Control Revenue Bonds. Also, Midwest requests exemption from the Commission's competitive bidding and negotiated placement regulations.

Comment date: November 27, 1992, in accordance with Standard Paragraph E at the end of this notice.

9. Central Louisiana Electric Company, Inc.

[Docket No. ES93–9–000]

November 3, 1992.

Take notice that on October 26, 1992, Central Louisiana Electric Company, Inc. filed an application with the Federal Energy Regulatory Commission under section 204 of the Federal Power Act requesting authorization to issue not more than $200 million of short-term indebtedness on or before December 31, 1994, with a final maturity date no later than December 31, 1995.

Comment date: November 25, 1992, in accordance with Standard Paragraph E at the end of this notice.

10. The University of Texas System

[Docket No. QF93–8–000]

November 3, 1992.

On October 26, 1992, The University of Texas System, Office of Facilities Planning and Construction, 702 Colorado Street #400, Austin, Texas 78701, submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility will be located at the University of Texas Medical Branch, 601 Strand, Galveston, Texas. The facility will consist of a gas turbine generator and a heat recovery boiler (HRB). Thermal energy from the facility, in the form of steam from the HRB, will be used for space heating, the production of domestic hot water, and sterilization. The maximum net electric power production capacity of the facility will be 3,957 kW. The primary energy source for the facility will be natural gas. Installation of the facility is expected to begin in 1993.

Comment date: 30 days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

11. Entergy Power, Inc.

[Docket No. ER93–45–000]

November 4, 1992.

Take notice that Entergy Power, Inc. (EPI), on October 27, 1992 tendered for filing an Interchange Agreement with Big Rivers Electric Corporation.

EPI requests an effective date for the Interchange Agreement that is sixty (60) days after the date of filing, in accordance with § 35.11 of the Commission's regulations.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

12. Central Hudson Gas & Electric Corporation

[Docket No. ER93–42–000]

November 4, 1992.

Take notice that Central Hudson Gas and Electric Corporation (Central Hudson) on October 26, 1992, tendered for filing its development of actual costs for 1991 related to substation service provided to Consolidated Edison Company of New York, Inc. (Con Edison) in accordance with the provisions of its Rate Schedule FERC No. 43.

Central Hudson indicates that the actual cost for 1991 amounted to $261,100 and will be the basis on which estimated charges for 1992 will be billed.

Central Hudson requests waiver on the notice requirements set forth in 18 CFR 35.11 of the Regulations to permit charges to become effective January 1, 1992 as agreed by the parties.

Central Hudson states that a copy of its filing was served on Con Edison and the State of New York Public Service Commission.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

13. Alabama Power Company

[Docket No. ER93–76–000]

November 4, 1992.

Take notice that on October 30, 1992, Alabama Power Company (Alabama) tendered for filing a Notice of Termination of Service Schedule RP to the Interconnection Agreement between Alabama and Alabama Electric Cooperative, Inc.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

14. Montaup Electric Company

[Docket No. ER93-79-000]

November 4, 1992.

Take notice that on October 30, 1992, Montaup Electric Company ("Montaup" or "the Company") filed revised rate sheets containing changes to the Conservation and Load Management ("C&LM") provisions which became effective May 1, 1990 as a result of the settlement agreement in Phase I of Docket No. ER90-247. With this filing, Montaup is requesting that its C&LM adjuster mechanism be changed from a fiscal-year basis to a calendar-year basis starting with the period beginning approach is 1993. The purpose of the change to a calendar year approach is to provide a better match between Montaup's C&LM budget and the states' reporting requirements.

In addition, Montaup is proposing a change to reflect more accurately the level of C&LM programs and associated costs for each affiliate. Direct program costs will be assigned to each affiliate based on the planned C&LM activity for its service area. Montaup requests that this filing be made effective January 1, 1993.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

15. Florida Power & Light Company

[Docket No. ER93-49-000]

November 4, 1992.

Take notice that on October 28, 1992, Florida Power & Light Company (FPL) filed the Contract for Purchases and Sales of Scheduled Power and Energy Between Florida Power & Light Company and City of Vero Beach, Florida. FPL requests an effective date of November 1, 1992.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

16. Philadelphia Electric Company

[Docket No. ER93-48-000]

November 4, 1992.

Take notice that on October 28, 1992, Philadelphia Electric Company (PE) tendered for filing under section 205 of the Federal Power Act and part 35 of the regulations issued thereunder, a Supplemental Agreement between PE and Baltimore Gas and Electric Company (BG&E) dated October 20, 1992.

PE states that the Supplemental Agreement modifies the terms and conditions of its existing Agreement for the sale of Energy, Installed Capacity, and Import Capability with BG&E dated January 5, 1990, as amended, which is on file with the Commission as PE's Rate Schedule FERC No. 49. In order to optimize the economic advantage to both PE and PG&E, PE requests that the Commission waive its customary notice period and permit the agreement to become effective on November 2, 1992.

PE states that a copy of this filing has been sent to PG&E and will be furnished to the Pennsylvania Public Utility Commission and the Maryland Public Service Commission.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

17. PacifiCorp

[Docket No. ER93-52-000]

November 4, 1992.

Take notice that PacifiCorp on October 29, 1992, tendered for filing in accordance with 18 CFR 35.13 of the Commission's Rules and Regulations, a change of rate for PacifiCorp Rate Schedules FERC Nos. 248, 311 and 312.

The filing establishes a return on common equity to be utilized in the pricing methodology for determining the price for power purchased under these rate schedules.

Copies of this filing were supplied to Nevada Power Company, Southern California Edison Company, The Department of Water Resources of the State of California, the Public Utility Commission of Oregon, the Public Service Commission of Nevada and the Public Utilities Commission of the State of California.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

18. Western Massachusetts Electric

[Docket No. ER93-51-000]

November 4, 1992.

Take notice that on October 29, 1992, Western Massachusetts Electric Company (WMECO) tendered for filing a Notice of Termination of full requirements service to Fletcher Electric Light Company, Inc. (FELCO) under WMECO FERC Rate Schedule 2F, effective October 27, 1992.

WMECO states that this termination is required due to FELCO's transfer of its electric distribution system assets to The Connecticut Light and Power Company.

WMECO requests that the Commission waive its filing requirements to the extent necessary to permit the termination of this rate schedule to become effective as of October 27, 1992.

WMECO states that a copy of the termination notice has been mailed to FELCO.

WMECO further states that the filing is in accordance with 18 CFR 35.15.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

19. Arizona Public Service Company

[Docket No. ER93-53-000]

November 4, 1992.

Take notice that on October 29, 1992, Arizona Public Service Company (APS or Company) tendered for filing the proposed Service Agreement (Agreement) between APS and the City of Williams (Williams or City).

The Parties' original Lease Agreement and a Lease Agreement Extension, under which APS has been leasing facilities in the City since 1965, is scheduled to expire in 1993. The City has exercised its right to purchase all Company owned distribution facilities within the City of Williams.

As an integral part of the sale, APS and Williams have entered into the proposed Agreement. The Service Agreement provides for various services through Service Schedules. The Service Agreement establishes the general terms and conditions for all ensuing Service Schedules. The two initial Service Schedules included as part of the proposed Agreement are: Service Schedule A which provides for the sale of wholesale firm power by APS to Williams; and Service Schedule B which provides for reciprocal distribution wheeling service.

The Company proposes an effective date of December 31, 1992 or when all requisite regulatory approvals have been obtained, whichever is later.

A copy of this filing has been served on Williams and the Arizona Corporation Commission.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

20. Central Hudson Gas & Electric Corporation

[Docket No. ER93-43-000

November 4, 1992.

Take notice that Central Hudson Gas and Electric Corporation (Central Hudson) on October 26, 1992, tendered for filing its development of actual costs for 1991 related to transmission service provided from the Roseton Generating Plant to Consolidated Edison Company of New York, Inc. (Con Edison) and Niagara Mohawk Power Corporation (Niagara Mohawk) in accordance with

the provisions of its Rate Schedule FERC No. 42.

The actual costs for 1991 amounted to $0.9823 per Mw.-day to Con Edison and $3.4592 per Mw.-day to Niagara Mohawk and are the basis on which charges for 1992 have been estimated.

Central Hudson requests waiver on the notice requirements set forth in 18 CFR 35.11 of the Regulations to permit charges to become effective January 1, 1992 as agreed by the parties.

Central Hudson states that a copy of its filing was served on Con Edison, Niagara Mohawk and the State of New York Public Service Commission.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

21. Tampa Electric Company

[Docket No. ER93-50-000]

November 4, 1992.

Take notice that on October 28, 1992, Tampa Electric Company (Tampa Electric) tendered for filing an individual Service Schedule J (Negotiated Interchange Service) and/or Letter of Commitment with the City of Lake Worth Utilities, Florida Municipal Power Agency, Fort Pierce Utility Authority, Jacksonville Electric Authority, Orlando Utilities Commission, Reedy Creek Improvement District, Utility Board of the City of Key West, and the Cities of Lakeland, Starke, Tallahassee, and Vero Beach, Florida.

The Letters of Commitment, which provide for negotiated sales of available power by Tampa Electric to the other utilities, were tendered as supplements to Service Schedule J under the respective agreements for interchange service between Tampa Electric and the other utilities.

Tampa Electric proposes an effective date of January 1, 1993, for the Service Schedule Js and Letters of Commitment.

Copies of the filing have been served on each of the other parties to the Service Schedule Js and Letters of Commitment and the Florida Public Service Commission.

Comment date: November 18, 1992, in accordance with Standard Paragraph E at the end of this notice.

22. Florida Power Corporation

[Docket No. EC93-3-000]

November 4, 1992.

Take notice that on October 28, 1992, Florida Power Corporation (FPC) tendered for filing an application pursuant to section 203 of the Federal Power Act for an order authorizing the sale of approximately 13 miles of 115 kV transmission facilities and associated interest in real property to Utilities Commission, City of New Smyrna Beach, Florida (New Smyrna).

FPC previously sought and, on May 27, 1992, obtained Commission approval for the lease of said facilities to New Smyrna. In accordance with the provisions of the lease and by mutual agreement, New Smyrna has elected to purchase and FPC has agreed to sell the facilities, subject to Commission approval.

Copies of the application have been served on New Smyrna and the Florida Public Service Commission.

Comment date: November 18, 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 (18 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. 92-27468 Filed 11-12-92; 8:45 am]

BILLING CODE 6717-01-M

[Project No. 2232-283; North Carolina]

Duke Power Company Catawba-Wateree Project; Availability of Environmental Assessment

November 6, 1992.

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR part 380 (Order No. 486, 52 FR 47910), the Office of Hydropower Licensing (OHL) has reviewed the application for granting an easement to the Town of Granite Falls for the expansion of raw water intake facilities on Lake Rhodhiss, Caldwell County, North Carolina. The staff of OHL's Division of Project Compliance and Administration has prepared an Environmental Assessment (EA) for the proposed action. In the EA, the staff concludes that expansion of the intake facilities would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Reference and Information Center, room 3308, of the Commission's Offices at 941 North Capitol Street, NE., Washington, DC 20426.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-27463 Filed 11-12-92; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. JD93-00532T, Texas-84]

State of Texas; NGPA Notice of Determination by Jurisdictional Agency Designating Tight Formation

November 5, 1992.

Take notice that on October 26, 1992, the Railroad Commission of Texas (Texas) submitted the above-referenced notice of determination pursuant to section 271.703(c)(3) of the Commission's regulations, that the Travis Peak Formation (Bear Grass Field) in portions of Leon, Robertson, Freestone and Limestone Counties, Texas, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The designated area contains approximately 13,300 acres and is more fully described in the attached appendix.

The notice of determination also contains Texas' findings that the referenced portion of the Travis Peak 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.

Linwood A. Watson, Jr.,

Acting Secretary.

Appendix

The recommended portion of the Travis Peak Formation (Bear Grass Field) is located in Leon, Robertson, Freestone and Limestone Counties, Texas, within Railroad Commission District 5 and includes all or a portion of the following surveys:

Survey	Abstract	County
Area I		
Manuel C. Rejon	A-37	Robertson.
Manuel C. Rejon	A-26	Limestone.
M.C. Marquez	A-25	Robertson.
Area II		
Manuel C. Rejon	A-19	Leon.
Manuel C. Rejon	A-26	Limestone.
Area III		
John Hume	A-297	Freestone.
C.M. Ferguson	A-243	Freestone.
BBB & CRR	A-110	Freestone.
A.J. Click	A-121	Freestone.
Nathaniel Peck	A-820	Freestone.
Gertrudis Diaz	A-178	Freestone.
Area IV		
J.R. Jennings	A-343	Freestone.
H.C. Cook	A-118	Freestone.
E. Munoz	A-413	Freestone.
S.P. Moffitt	A-421	Freestone.
David Bullock	A-56	Freestone.
Butler A.W. Webb	A-868	Freestone.
M. Russell	A-528	Freestone.

[FR Doc. 92-27466 Filed 11-12-92; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. JD 93-00670T Texas-87]

Texas; NGPA Determination by Jurisdictional Agency Designating Tight Formation

November 5, 1992.

Take notice that on November 3, 1992, the Railroad Commission of Texas (Texas) submitted the above-referenced notice of determination pursuant to § 271.703(c)(3) of the Commission's regulations, that the Edwards Formation underlying portions of Gonzales and DeWitt Counties, Texas, qualifies as a tight formation under section 107(b) of the Natural Gas Policy Act of 1978. The designated area is within Railroad Commission Districts 1 and 2 and includes portions of the following surveys:

Survey	Abstract
William Robertson	A-396
William Robertson	A-401
Peter Pate	A-374
Jean Humphrey	A-266

The notice of determination also contains Texas' findings that the referenced portion of the Edwards 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-27465 Filed 11-12-92; 8:45 am]
BILLING CODE 6717-01-M

[Project No. 637-009]

Public Utility District No. 1 of Chelan County, WA; Application

November 6, 1992.

Take notice that on September 21, 1992, Public Utility District No. 1 of Chelan County, Washington (PUD), licensee for the Lake Chelan Project, filed an application with the Federal Energy Regulatory Commission for approval of a water rights agreement between the PUD and the Washington Department of Ecology. Under the agreement, the PUD's right to appropriate water from Lake Chelan is subject to a reservation of 45,000 acre-feet of water per year (afy) for non-project purposes. In addition, the PUD has agreed to make up to 20,000 afy available for non-project uses.

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 (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed no later than 30 days after the date of issuance of this notice. 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.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-27462 Filed 11-12-92; 8:45 am]
BILLING CODE 6717-01-M

[Docket Nos. RP91-126-000, CP91-1669-000, CP91-1670-000, CP91-1671-000, GP91-1672-000, and CP91-1673-000]

United Gas Pipe Line Company; Revised Notice of Technical Conference

November 6, 1992.

On November 4, 1992, a notice was issued scheduling a technical conference in this proceeding. Take notice that the conference has been rescheduled and will now be held on Tuesday, November 17, 1992, at 2 p.m. The conference will be held in a room to be designated at the offices of the Federal Energy Regulatory Commission, 810 First Street, NE., Washington, DC 20426.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-27464 Filed 11-12-92; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. RS92-52-000]

Viking Gas Transmission Co.; Prefiling Conference

November 5, 1992.

Take notice that a prefiling conference will be convened in this proceeding on November 19, 1992, at 10 a.m. at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, room 2402-A, NE., Washington, DC. If it becomes necessary to change the location of the conference, a future notice will state a new location.

The purpose of this conference is to allow representatives of Viking, Commission staff and the intervenors in this proceeding to discuss *pro forma* tariff sheets submitted by Viking Gas Transmission Company in connection with its Order No. 636 compliance filing to be filed with the Commission on or before December 1, 1992.

All interested persons are invited to attend. However, attendance at the conference will not confer party status.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-27467 Filed 11-12-92; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. RS92-52-000]

Viking Gas Transmission Co.; Change in Date of Prefiling Conference

November 6, 1992.

Take notice that the date for the prefiling conference previously scheduled in this proceeding for November 19, 1992 has been changed. The conference will be held on November 20, 1992, at 10 a.m. at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, room 2402-A, NE., Washington, DC. The purpose of this conference is to discuss *pro forma* tariff sheets implementing Viking's Order No. 636 restructuring and other related matters.

All interested persons are invited to attend. However, attendance at the conference will not confer party status.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 92-27516 Filed 11-12-92; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-4533-6]

Environmental Impact Statements and Regulations; Availability of EPA Comments

Availability of EPA comments prepared October 26, 1992 Through October 30, 1992 pursuant to the Environmental Review Process (ERP), under section 309 of the Clean Air Act and section 102(2)(c) of the National Environmental Policy Act as amended. Requests for copies of EPA comments can be directed to the Office of Federal Activities at (202) 260-5076.

An explanation of the ratings assigned to draft environmental impact statements (EISs) was published in FR dated April 10, 1992. (57 FR 12499).

Draft EISs

ERP No. D-AFS-K65142-CA. Rating EC2, Southbranch Resource Management Project, Harvest Timber, Road Closures and Developing Water Storage Facilities, Peavine Compartment, Tahoe National Forest, Foresthill Ranger District, Placer County, CA.

Summary: EPA expressed environmental concerns regarding potential project impacts to water quality and beneficial uses and the apparent need for additional best management practices and mitigation measures. EPA requested additional information in the Final EIS on water quality impacts as well as best management practices, mitigation, and monitoring.

ERP No. D-AFS-L65174-WA. Rating EC2, Threemile Area Timber Sales and Other Projects, Harvesting Timber and Other Resource Management Activities, Colville National Forest, Sullivan Lake Ranger District, Pend Oreille County, WA.

Summary: EPA expressed environmental concerns based on the potential for adverse water quality and air quality effects. Documentation of consultation requirements of section 7 of the Endangered Species Act is also needed. Clarification on mitigation effectiveness and whether water quality standards will be met and additional information about wetlands, site-specific monitoring, and air quality effects was also requested.

ERP No. D-FAA-K51015-CA. Rating EC2, Lindbergh Field Facilities Improvements, San Diego International Airport, Plan Approval, San Diego County, CA.

Summary: EPA expressed environmental concerns regarding potential project impacts to San Diego's air quality and an endangered species. EPA requested that the Final EIS discuss whether the projected increase in air pollutant emissions is consistent with requirements under the Clean Air Act. EPA also provided comments on hazardous substances contamination, solid waste recycling, and pollution prevention.

ERP No. D-UAF-K00001-00. Rating EC2, Space Nuclear Thermal Propulsion Program, Construction and Operation, Particle Bed Reactor (PBR) Validation Test Facility, Federal Permits, Licenses and Site Selection, Saddle Mountain Test Station, NV or Contain Test Facility, ID.

Summary: EPA expressed environmental concerns with the proposed action and recommended that the Final EIS provide additional information on the need for the project, the risk of potential failures in the effluent treatment system, and the long-term handling of high level radioactive fuels used in project reactors.

Final EISs

ERP No. F-BIA-L99003-WA. I-5/88th Street Northeast Interchange Construction Project, Traffic Circulation Improvements and Tulalip Tribes Reservation Direct Freeway Access, Approval, Coast Guard Bridge Permit and COE section 404 Permit, Snohomish County, WA.

Summary: EPA continues to have environmental objections because mitigation measures necessary to protect sensitive resources have not been implemented. EPA recommends that the Record of Decision include all mitigation needed to prevent further water quality degradation.

ERP No. F-BLM-G65052-NM. Mimbres Resource Area Management Plan, Implementation, La Cruces District, Dona Ana, Luna, Grant and Hidalgo Counties, NM.

Summary: EPA had no objections to BLM's implementation of its proposed plan.

ERP No. F-GSA-B81006-MA. New United States Courthouse in Boston, Construction and Operation, Site Selection and COE section 10 Permit, Fan Pier in the Fort Point Channel, Boston, MA.

Summary: EPA raised concerns over commitments to rapid transit, secondary and cumulative impacts and air quality impacts were addressed adequately in the Final EIS.

ERP No. F-GSA-D81019-DC. Southeast Federal Center Construction and Consolidation for the housing of the General Services Administration and the Corp of Engineers Headquarter's Offices, Southeastern Quadrant of the Anacostia River, DC.

Summary: EPA believes that its concerns have been adequately addressed.

Dated: November 9, 1992.

Marshall Cain,

Senior Legal Advisor, Office of Federal Activities.

[FR Doc. 92-27581 Filed 11-12-92; 8:45 am]

BILLING CODE 6560-50-M

[ER-FRL-4533-5]

Environmental Impact Statements; Notice of Availability

RESPONSIBLE AGENCY: Office of Federal Activities, General Information (202) 260-5076 OR (202) 260-5075. Availability of Environmental Impact Statements Filed November 02, 1992 Through November 06, 1992 Pursuant to 40 CFR 1506.9.

EIS No. 920430, Draft EIS, COE, HI, Ewa Beach Marina Project, Construction and Development, Marina Protection, Department of Army Permit Application, U.S. CGD Bridge Permit, Ewa Beach, Island of Oahu, Honolulu County, HI, Due: December 29, 1992, Contact: Michael T. Lee (808) 438-9258.

EIS No. 920431, Second Draft EIS (FHW, MN, Minnesota Trunk Highway 371 Brainerd Bypass Relocation, from TH-371 in Barrows to TH-210 in Baxter, Funding and Section 404 Permit, Crow Wing County, MN, Due: January 08, 1993, Contact: Alan Friesen (612) 290-3241.

EIS No. 920432, Draft Supplement, COE, NY, Olcott Small Boat Harbor Project, Navigation Improvements, Additional Information, Lake Ontario, Town of Newfane, Niagara County, NY, Due: December 28, 1992, Contact: Tod Smith (716) 879-4173.

EIS No. 920433, Draft EIS, AFS, CO, White River National Forest Land and Resources Management Plan, Oil and Gas Leasing Development, Implementation, Several Counties, CO, Due: January 12, 1993, Contact: Mike Spencer (303) 945-2521.

EIS No. 920434, Draft EIS, AFS, OR, 1991 Warner Creek Fire Recovery Project, Northern Spotted Owl Habitat

and Other Resources Reforestation, Northen Spotted Owl Habitat Conservation Area 0–10, Willamette National Forest, Oakridge Ranger District, Lane County, OR, Due: December 28, 1992, Contact: Terri Jones (503) 782–2291.

EIS No. 920435, Draft EIS, FHW, TN, I–40 Reconstruction, I–40/I–240 Directional (Midtown) Interchange to TN–300 Interchange, Funding and Possible COE 404 Permit, Shelby County, TN, Due: December 28, 1992, Contact: Dennis C. Cook (615) 736–5394

EIS No. 920436, Draft EIS, BOP, SC, Edgefield Low Security Federal Correctional Institution, Construction, Operation and Site Selection, Edgefield County, SC, Due: December 28, 1992, Contact: Patricia K. Sledge (202) 514–6470.

EIS No. 920437, Draft EIS, SCS, ND, Belfield Watershed Protection and Flood Prevention Plan, Funding and Section 404 Permit, City of Belfield, Billings and Stark Counties, ND, Due: January 08, 1993, Contact: Ronnie L. Clark (701) 250–4421.

EIS No. 920438, Draft EIS, FHW, SC, Cooper River Bridges Replacement Project, Grace Memorial/Silas N. Pearman Bridges on US 17 over Cooper River and Town Creek, Funding, COE Section 10/404 Permits and CGD Permit, Charleston County, SC, Due: January 11, 1993, Contact: Kenneth Myer (803) 253–3881.

EIS No. 920439, Draft EIS, BOP, WA, Yakima River Basin Fisheries Project, Construction, Operation and Maintenance, Funding, COE Section 10/404 Permits and NPDES Permit, Yakima Indian Nation, WA, Due: December 28, 1992, Contact: Kenneth Ward (503) 230–5373.

EIS No. 920440, Revised Draft EIS, COE, NH, Nashua-Hudson Circumferential Highway Improvements, Approval, Town of Hudson, Litchfield, Merrimack and Nashua, Hillsborough County, NH, Due: December 28, 1992, Contact: Col. Brink Miller (617) 647–8336.

EIS No. 920441, Draft EIS, COE, MS, Abiaca Creek Watershed Project, Demonstration Erosion Control Project, Implementation, Sediment and Flood Control Measures, Yazoo Basin, Mathews Brake National Wildlife Refuge, Carroll, Holmes and Leflore Counties, MS, Due: December 31, 1992, Contact: Wendell King (601) 631–5967.

EIS No. 920442, Draft Supplement, FHW, MD, MD–100 Highway Improvements, MD–104 to I–95, Updated Improvement concerning Wetland Avoidance and Minimization Options, Funding and COE Section 404 Permit, Howard County, MD, Due: December 28, 1992, Contact: David Lawton (410) 962–4440.

EIS No. 920443, Final EIS, UAF, AR, Eaker Air Force Base Disposal and Reuse, Implementation, Mississippi County, AR, Due: December 14, 1992, Contact: Lt. Col. Gary Baumgartel (210) 536–3869.

EIS No. 920444, Final EIS, USA, LA, England Air Force Base Disposal and Reuse, Implementation, Rapides Parish, LA, Due: December 14, 1992, Contact: Lt. Col. Gary Baumgartel (512) 536–3869.

Dated: November 9, 1992.

Marshall Cain,

Senior Legal Advisor, Office of Federal Activities.

[FR Doc. 92–27580 Filed 11–12–92; 8:45 am]

BILLING CODE 6560–50–M

[FRL–4533–8]

Ella Warehouse Drums Site; Proposed Settlement

AGENCY: Environmental Protection Agency.

ACTION: Notice of proposed settlement.

SUMMARY: Under section 122(h) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), the Environmental Protection Agency (EPA) has agreed to settle claims for past response costs at the Ella Warehouse Drums Site, Houston, Harris County, Texas, with North Loop West Industrial Park, a general partnership, and its partners, Mr. Roy C. Hairston and Ms. Betty N. Ferguson. EPA will consider public comments on the proposed settlement for thirty (30) days. EPA may withdraw from or modify the proposed settlement, should comments disclose facts or considerations which indicate the proposed settlement is inappropriate, improper or inadequate. Copies of the proposed settlement are available from: Mr. Anthony Robledo IV, telephone (214) 655–6670, Cost Recovery Section, Hazardous Waste Management Division, U.S. EPA, Region 6, 1445 Ross Avenue, Dallas, Texas 75202–2733. Written comments may be submitted to the person above by thirty (30) days from the date of publication.

Dated: November 3, 1992.

Joe D. Winkle,

Acting Regional Administrator.

[FR Doc. 92–27546 Filed 11–12–92; 8:45 am]

BILLING CODE 6560–50–M

[OPPTS–44592; FRL–4174–4]

TSCA Chemical Testing; Receipt of Test Data

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the receipt of test data on dibenzo-para-dioxins/dibenzofurans: tetrabromobisphenol-A (CAS No. 79–94–7) and allyl ether of tetrabromobisphenol-A (CAS No. 25327–89–3), submitted pursuant to a final test rule. Test data were also submitted for 4-vinylcyclohexene (4-VCH) (CAS No. 100–40–3) and mesityl oxide (MO) (CAS No. 141–79–7) pursuant to a testing consent order. All data were submitted under the Toxic Substances Control Act (TSCA). Publication of this notice is in compliance with section 4(d) of TSCA.

FOR FURTHER INFORMATION CONTACT: Susan B. Hazen, Director, Environmental Assistance Division (TS–799), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E–543B, 401 M St., SW., Washington, DC 20460, (202) 554–1404,TDD (202) 554–0551.

SUPPLEMENTARY INFORMATION: Section 4(d) of TSCA requires EPA to publish a notice in the **Federal Register** reporting the receipt of test data submitted pursuant to test rules promulgated under section 4(a) within 15 days after it is received. Under 40 CFR 790.60, all TSCA section 4 consent orders must contain a statement that results of testing conducted pursuant to these testing consent orders will be announced to the public in accordance with section 4(d).

I. Test Data Submissions

Test data for tetrabromobisphenol-A were submitted by Ameribrom, Inc., and Ethyl Corporation pursuant to a test rule at 40 CFR Part 766. They were received by EPA on August 14 and August 26, 1992. The submissions describe the determination of polybrominated dibenzo-p-dioxins and dibenzofurans by high-resolution gas chromatography/medium high resolution mass spectrometry in tetrabromobisphenol-A. These chemical analyses are required by this test rule.

Test data for allyl ether of tetrabromobisphenol-A were submitted by Great Lakes Chemical Corporation pursuant to a test rule at 40 CFR Part 766. They were received by EPA on August 10, 1992. The submission describes the determination of polybrominated dibenzo-p-dioxins and dibenzofurans by high-resolution gas

chromatography/medium high resolution mass spectrometry in allyl ether of tetrabromobisphenol-A. These chemical analyses are required by this test rule.

Test data for 4-VCH were submitted by the Chemical Manufacturers Association Butadiene Panel on behalf of the test sponsors and pursuant to a testing consent order at 40 CFR 799.5000. They were received by EPA on September 15, 1992. The submission describes testing 4-VCH in the mouse and rat bone marrow micronucleus assay by inhalation. Health effects testing is required by this testing consent order. This chemical is used as an intermediate in the manufacture of 4-vinylcyclohexene mono- and diepoxides, which are used to make epoxy resins, polyesters, coatings, and plastics; and may also be used in the manufacture of flame retardants, insecticides, plasticizers, and antioxidants.

Test data for MO was submitted by the Chemical Manufacturers Association on behalf of the test sponsors and pursuant to a testing consent order at 40 CFR 799.5000. They were received by EPA on September 15, 1992. The submission describes the combined repeated dose and reproductive/developmental toxicity screening test in the rat. Health effects testing is required by this testing consent order. This chemical is used primarily as an intermediate in the manufacture of methyl isobutyl ketone. Its main end-product use is as a solvent in lacquer and lacquer thinners.

EPA has initiated its review and evaluation process for these data submissions. At this time, the Agency is unable to provide any determination as to the completeness of the submissions.

II. Public Record

EPA has established a public record for this TSCA section 4(d) receipt of data notice (docket number OPPTS–44592). This record includes copies of all studies reported in this notice. The record is available for inspection from 8 a.m. to 12 noon, and 1 p.m. to 4 p.m., Monday through Friday, except legal holidays, in the TSCA Public Docket Office, Rm. NE–G004, 401 M St., SW., Washington, DC 20460.

Authority: 15 U.S.C. 2603.

Dated: October 27, 1992.

Charles M. Auer,

Director, Chemical Control Division, Office of Pollution Prevention and Toxics.

[FR Doc. 92–27595 Filed 11–12–92; 8:45 am]

BILLING CODE 6560–50–F

[FRL–4533–3]

Revision of the Delaware National Pollutant Discharge Elimination System (NPDES) Program To Issue General Permits

AGENCY: Environmental Protection Agency.

ACTION: Notice of Approval of the National Pollutant Discharge Elimination System General Permits Program of the State of Delaware.

SUMMARY: On October 23, 1992, the Regional Administrator for the Environmental Protection Agency (EPA), Region III approved the State of Delaware's National Pollutant Discharge Elimination System General Permits Program. This action authorizes the State of Delaware to issue general permits in lieu of individual NPDES permits. EPA has determined this program modification to be non-substantial for the following reasons: The State regulations have already been subject to public notice by the State and this modification involves the adoption of an administrative mechanism to facilitate coverage of numerous discharges by a general permit rather than new program authority.

FOR FURTHER INFORMATION CONTACT: Kenneth J. Cox, Chief, Program Development Section, U.S. EPA, Region III, 841 Chestnut Street, Philadelphia, Pennsylvania, 19107, 215/587–8211.

SUPPLEMENTARY INFORMATION:

I. Background

EPA regulations at 40 CFR 122.28 provide for the issuance of general permits to regulate the discharge of wastewater which results from substantially similar operations, are of the same type wastes, require the same effluent limitations or operating conditions, require similar monitoring, and are more appropriately controlled under a general permit rather than by individual permits.

Delaware was authorized to administer the NPDES program in April 1974. Their program, as previously approved, did not include provisions for the issuance of general permits. There are several categories which could appropriately be regulated by general permits. For those reasons the Delaware Department of Natural Resources and Environmental Control requested a revision of their NPDES program to provide for issuance of general permits. The categories which have been proposed for coverage under the general permits program include: Storm water discharges from industrial sites; storm water discharges from selected subcategories of industrial activities: construction and vehicle maintenance sites, recycling facilities (junkyards) and marinas; concentrated aquatic animal production facilities; non-contact cooling water discharges; underground storage tank remediation sites; borrow pits; well testing; concentrated animal feeding operations (manure management); filter backwash water from potable water treatment plants; erosion control and dewatering from construction sites; domestic waste treatment facilities with design flows less than 50,000 gallons per day. Each general permit will be subject to EPA review and approval as provided by 40 CFR 123.44. Public notice and opportunity to request a hearing is also provided under Delaware law for each general permit.

II. Discussion

On September 16, 1992 the State of Delaware submitted in support of its request copies of the relevant statutes and regulations and an amendment to the Memorandum of Agreement dated May 4, 1983. The State has also submitted a statement by the Attorney General dated September 18, 1992 certifying, with appropriate citation of the statutes and regulations, that the State will have adequate legal authority to administer the general permits program as required by 40 CFR 123.23(c) upon adoption of it's proposed regulations. In addition, the State submitted a program description supplementing the original application permits program, including the authority to perform each of the activities set forth in 40 CFR 123.44. Based upon Delaware's program description and upon its experience in administering an approved NPDES program, EPA has concluded that the State will have the necessary procedures and resources to administer the general permits program.

III. Federal Register Notice of Approval of State NPDES Programs or Modifications

EPA must provide **Federal Register** notice of any action by the Agency approving or modifying a State NPDES program. The following table provides the public with an up-to-date list of the status of NPDES permitting authority throughout the country. Today's **Federal Register** notice is to announce the approval of Delaware's authority to issue general permits.

STATE NPDES PROGRAM STATUS

	Approved State NPDES permit program	Approved to regulate Federal facilities	Approved State pretreatment program	Approved general permits program
Alabama	10/19/79	10/19/79	10/19/79	06/26/91
Arkansas	11/01/86	11/01/86	11/01/86	11/01/86
California	05/14/73	05/05/78	09/22/89	09/22/89
Colorado	03/27/75	.....	.....	03/04/83
Connecticut	09/26/73	01/09/89	06/03/81	03/10/92
Delaware	04/01/74	.....	.....	10/23/92
Georgia	06/28/74	12/08/80	03/12/81	01/28/91
Hawaii	11/28/74	06/01/79	08/12/83	09/30/91
Illinois	10/23/77	09/20/79	.....	01/04/84
Indiana	01/01/75	12/09/78	.....	04/02/91
Iowa	08/10/78	08/10/78	06/03/81	08/12/92
Kansas	06/28/74	08/28/85	.....	.....
Kentucky	09/30/83	09/30/83	09/30/83	09/30/83
Maryland	09/05/74	11/10/87	09/30/85	09/30/91
Michigan	10/17/73	12/09/78	06/07/83	.....
Minnesota	06/30/74	12/09/78	07/16/79	12/15/87
Mississippi	05/01/74	01/28/83	05/13/82	09/27/91
Missouri	10/30/74	06/26/79	06/03/81	12/12/85
Montana	06/10/74	06/23/81	.....	04/29/83
Nebraska	06/12/74	11/02/79	09/07/84	07/20/89
Nevada	09/19/75	08/31/78	.....	07/27/92
New Jersey	04/13/82	04/13/82	04/13/82	04/13/82
New York	10/28/75	06/13/80	.....	10/15/92
North Carolina	10/19/75	09/28/84	06/14/82	09/06/91
North Dakota	06/13/75	01/22/90	.....	01/22/90
Ohio	03/11/74	01/28/83	07/27/83	08/17/92
Oregon	09/26/73	03/02/79	03/12/81	02/23/82
Pennsylvania	06/30/78	06/30/78	.....	08/02/91
Rhode Island	09/17/84	09/17/84	09/17/84	09/17/84
South Carolina	06/10/75	09/26/80	04/09/82	09/03/92
Tennessee	12/28/77	09/30/86	08/10/83	04/18/91
Utah	07/07/87	07/07/87	07/07/87	07/07/87
Vermont	03/11/74	.....	03/16/82	.....
Virgin Islands	06/30/76	.....	.....	.....
Virginia	03/31/75	02/09/82	04/14/89	05/20/91
Washington	11/14/73	.....	09/30/86	09/26/89
West Virginia	05/10/82	05/10/82	05/10/82	05/10/82
Wisconsin	02/04/74	11/26/79	12/24/80	12/19/86
Wyoming	01/30/75	05/18/81	.....	09/24/91
Total	39	34	27	35

Number of Fully Authorized Programs (Federal Facilities, Pretreatment, General Permits) = 24

IV. Review Under Executive Order 12291 and the Regulatory Flexibility Act.

The Office of Management and Budget has exempted this rule from the review requirements of Executive Order 12291 pursuant to section 8(b) of that Order.

Under the Regulatory Flexibility Act, EPA is required to prepare a Regulatory Flexibility Analysis for all rules which may have a significant impact on a substantial number of small entities. Pursuant to section 605(d) of the Regulatory Flexibility Act (5 U.S.C. 601 et seg.), I certify that this State General Permit Program will not have a significant impact on a substantial number of small entities.

Approval of the Delaware NPDES State General Permits Program establishes no new substantive requirements, nor does it alter the regulatory control over any industrial category. Approval of the Delaware NPDES State General Permits Program merely provides a simplified administrative process.

Dated: November 2, 1992.

Edwin B. Erickson,

Regional Administrator.

[FR Doc. 92-27547 Filed 11-12-92; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL COMMUNICATIONS COMMISSION

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

November 4, 1992.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street, NW., suite 640, Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0206.

Title: Part 21—Domestic Facilities Fixed Radio Services.

Action: Revision of a currently approved collection.

Respondents: Businesses or other for-profit (including small businesses).

Frequency of Response: Recordkeeping requirement, semi-annual and annual reporting requirements.

Estimated Annual Burden: 100 recordkeepers, 2 hours average burden per recordkeeper, 200 hours total; and 28,616 responses, 1.9 hours average

burden per response, 54,370 hours total = 54,570 hours total annual burden.

Needs and Uses: The Commission is seeking OMB approval for part 21 of the Commission's rules. Much of part 21 involves information collection requirements. The Commission needs this information to ensure that stations licensed under part 21 do not interfere with other radio facilities, and otherwise meet basic technical, legal, and other qualifications requirements. Certain rule sections have been submitted previously to OMB during rulemaking proceedings, and when requesting OMB approval for various standard forms used by the Commission. All FCC forms used to request information under part 21 were approved by OMB. Most of the reporting requirements contained in part 21 are encompassed by these forms. However, because of recent questions raised about whether OMB approval was properly obtained for certain provisions of Part 21, the Commission is resubmitting the entire part to ensure compliance with the Paperwork Reduction Act (PRA).

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-27510 Filed 11-12-92; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirements Submitted to Office of Management and Budget for Review

November 3, 1992.

The Federal Communications Commission has submitted the following information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of these submissions may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street, NW., suite 640, Washington, DC 20036, (202) 452-1422. For further information on these submissions contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on these information collections should contact Jonas Neihardt, Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: 3060-0303.

Title: Section 97.5, Station license required.

Action: Extension of a currently approved collection.

Respondents: Individuals or households.

Frequency of Response: Recordkeeping requirement.

Estimated Annual Burden: 40,000 recordkeepers; .001 hours average burden per recordkeeper; 40 hours total annual burden.

Needs and Uses: The recordkeeping requirement contained in section 97.5 requires that an original or photocopy of each amateur station license be retained at the station. This requirement is necessary so that Commission field personnel can quickly determine whether the radio station is licensed and is being operated in conformance with the terms of the station license and the requirements of the Communications Act of 1934, as amended. Review of the operator license is done by FCC Field Operations Bureau personnel during inspections and investigations to assure that amateur stations are duly licensed in accordance with applicable rules, statutes and treaties. In the absence of this recordkeeping requirement, field inspections and investigations related to the solution of cases of harmful interference could be severely hampered and needlessly prolonged due to the inability to determine whether a station was licensed.

OMB Number: 3060-0302.

Title: Section 97.9, Operator license.

Action: Extension of a currently approved collection.

Respondents: Individuals or households.

Frequency of Response: Recordkeeping requirement.

Estimated Annual Burden: 40,000 recordkeepers; .001 hours average burden per recordkeeper; 40 hours total annual burden.

Needs and Uses: The recordkeeping requirement contained in section 97.9 requires that the amateur radio operator keep an original or photocopy of his or her operator license in their personal possession when serving as the control operator of an amateur radio station. This requirement is necessary so that Commission field personnel can quickly determine whether an operator is licensed in conformance with the Communications Act of 1934, as amended as well as the International Telecommunications Union Radio Regulations. Review of the operator license is done by FCC Field Operations Bureau personnel during inspections and investigations to assure that amateur operators are duly licensed in accordance with applicable rules, statutes and treaties. In the absence of this recordkeeping requirement, field inspections and investigations related to the solution of cases of harmful interference could be severely hampered and needlessly prolonged due to inability to determine whether an operator was licensed.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-27507 Filed 11-12-92; 8:45 am]

BILLING CODE 6712-01-M

Public Information Collection Requirement Submitted to Office of Management and Budget for Review

November 4, 1992.

The Federal Communications Commission has submitted the following information collection requirement to OMB for review and clearance under the Paperwork Reduction Act of 1980 (44 U.S.C. 3507).

Copies of this submission may be purchased from the Commission's copy contractor, Downtown Copy Center, 1990 M Street, NW., suite 640, Washington, DC 20036, (202) 452-1422. For further information on this submission contact Judy Boley, Federal Communications Commission, (202) 632-7513. Persons wishing to comment on this information collection should contact Jonas Neihardt. Office of Management and Budget, room 3235 NEOB, Washington, DC 20503, (202) 395-4814.

OMB Number: None.

Title: Section 90.127(e), Submission and filing of applications.

Action: New collection.

Respondents: State or local governments, non-profit institutions, and businesses or other for-profit (including small businesses).

Frequency of Response: On occasion reporting.

Estimated Annual Burden: 109,200 responses; .083 hours average burden per response; 9,100 hours total annual burden.

Needs and Uses: This rule provides the Commission and frequency coordinators, certified by the Commission, with sufficient information on spectrum usage. Requiring this information at license modification and renewal is less burdensome than the form requirements mandating license modifications every time there was a change in the number of mobiles and when there was an increase or decrease in the number of pagers by fifty. Also, this new requirement will provide a more accurate base of information than the former procedure.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-27508 Filed 11-12-92; 8:45 am]

BILLING CODE 6712-01-M

Correction to Report No. 1913; Petitions for Reconsideration and Clarification; Motion for Stay and Application for Review of Actions in Rule Making Proceedings

Report No. 1913, Mimeo No. 30190 released October 19, 1992 listing the Application for Review filed in MM Docket No. 87-417 for Lima Broadcasting Corporation on 10-09-92 as Amendment of § 73.202(b), Table of Allotments, FM Broadcast Stations is corrected to read as follows: Amendment of § 73.606(b), Table of Allotments, TV Broadcast Stations.

Federal Communications Commission.

Donna R. Searcy,

Secretary.

[FR Doc. 92-27509 Filed 11-12-92; 8:45 am]

BILLING CODE 6712-01-M

FEDERAL EMERGENCY MANAGEMENT AGENCY

Advisory Committee for the National Urban Search and Rescue Response System; Open Meeting

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice of open meeting.

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 2 *et seq.*, FEMA announces the following committee meeting:

NAME: Advisory Committee for the National Urban Search and Rescue Response System (Advisory Committee).

DATES OF MEETING: December 4-5, 1992.

PLACE: County of Fairfax, Virginia, Government Center, Building 12055, Room 106, Government Center Parkway, Fairfax, Virginia 22035-0037.

TIME: December 4—9 a.m. to 5:30 p.m.; December 5—9 a.m. to 5:30 p.m.

PROPOSED AGENDA: The first day of the meeting will be held jointly with the Leadership of the National Urban Search and Rescue Task Forces. During the course of the 2-day meeting, the Advisory Committee will discuss: (1) The Hurricane Andrew, Hurricane Iniki and Typhoon Brian responses, including lessons learned from the US&R task forces deployed to Hawaii and activated for Typhoon Brian and the US&R technical advisory teams sent to Florida and Hawaii; (2) revisions to the FY 1993 Work Plan; (3) status on FEMA-sponsored training and other related exercises; (4) US&R's role in future Federal response efforts; (5) a 5-year Action Plan submitted by the Strategic Planning Ad Hoc Subcommittee; (6) changes to the system membership and redistribution of grants; (7) task force performance issues; and (8) member organizational updates.

SUPPLEMENTARY INFORMATION: The meeting will be open to the public with approximately five seats available on a first-come, first-served basis. Members of the general public who plan to attend the meeting must contact Mrs. Kimberly S. Caulfield Vásconez, FEMA, Operations Planning and Response Branch, Federal Response Division, 202-646-4335, no later than December 4, 1992.

Minutes of the meeting will be prepared and will be available for public viewing in Operations Planning and Response Branch, Federal Response Division, Office of Emergency Management, State and Local Programs and Support Directorate (SL-OE-FR-OP), Federal Emergency Management Agency, 500 C Street SW., room 613, Washington, DC 20472. Copies of the minutes will be available upon request 30 days after the final day of the meeting.

Grant C. Peterson,

Associate Director, State and Local Programs and Support Directorate.

[FR Doc. 92-27540 Filed 11-12-92; 8:45 am]

BILLING CODE 6718-01-M

GENERAL ACCOUNTING OFFICE

Federal Accounting Standards Advisory Board; Change in Date and Meeting Place

AGENCY: General Accounting Office.

ACTION: Change in date and meeting place.

SUMMARY: Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. No. 92-463), as amended, notice is hereby given that the date and meeting place for November meeting have been changed. The two-day meeting of the Federal Accounting Standards Advisory Board will be held on Tuesday, November 24 and Wednesday, November 25, 1992 from 9 a.m. to 4 p.m. in room 7313 of the General Accounting Office, 441 G St., NW., Washington, DC. It will not be held on November 23 and 24 at 777 N. Capitol Street NE., as announced earlier in the November 5th edition of the **Federal Register** (57 FR 52779).

The agenda for the meeting will consist of a review of the minutes of the October 26 meeting, final approval of the Exposure User Needs and Objectives, a discussion of the Exposure Draft on Accounting for Liabilities and Future Claims on Budgetary Resources, and a discussion of agenda items for future meetings of the Board. We advise that order items may be added to the agenda; interested parties should contact the Staff Director for more specific information. Board discussions and reviews are open to the public.

FOR FURTHER INFORMATION CONTACT: Ronald S. Young, Staff Director, 750 First Street NE., suite 1001, Washington, DC 20002, or call (202) 512-7354.

Authority: Federal Advisory Committee Act. Pub. L. No. 92-463, Section 10(a/)(2), 86 Stat. 770, 774 (1972) (current version at 5 U.S.C. app. section 10(a)(2) (1988); 41 CFR 101-6.1015 (1990).

Dated: November 9, 1992.

Ronald S. Young,

Staff Director.

[FR Doc. 92-27579 Filed 11-12-92; 8:45 am]

BILLING CODE 1610-01-M

Government Auditing Standards Advisory Council Meeting

AGENCY: General Accounting Office.

ACTION: Notice.

SUMMARY: The United States General Accounting Office has scheduled a meeting of the Government Auditing Standards Advisory Council on December 7, 1992, from 8:30 a.m. until 5 pm., and September 8 from 8:30 a.m. until 1 p.m. in room 7313 of the General Accounting Office, 441 G St., NW., Washington, DC.

The agenda for the meeting will consist of a review of the minutes of the September meeting, and discussion of the draft proposed changes to the Government Auditing Standards. Any interested person may attend the meeting as an observer.

FOR FURTHER INFORMATION CONTACT: Marcia B. Buchanan, Project Manager, U.S. General Accounting Office, 441 G St., NW., room 6025, Washington, DC 20548 or call (202) 275-9321.

DATES: December 7-8, 1992.

ADDRESSES: 441 G St., NW., room 7313, Washington, DC 20548.

Dated: November 4, 1992.

Donald H. Chapin,

Assistant Comptroller General.

[FR Doc. 92-27437 Filed 11-12-92; 8:45 am]

BILLING CODE 1610-01-M

GENERAL SERVICES ADMINISTRATION

Alternative Dispute Resolution Policy Statement

On November 15, 1990, Congress enacted the Administrative Dispute Resolution Act, Public Law 101–552. The Act encourages Federal agencies to use alternative dispute resolution (ADR) methods whenever possible.

We are firmly committed to using ADR in our administrative programs. Our goal is to use it, if possible, in place of litigation. ADR can creatively, economically, and efficiently resolve, or even prevent, disputes.

Where disputes cannot be prevented or resolved by negotiation, ADR techniques such as facilitation, mediation, factfinding, mini-trial or arbitration should be considered by the parties. Employees concerned need to become familiar with these techniques and use them as the agency's preferred way to resolve disputes. Our objective is to resolve disputes at the earliest opportunity and at the lowest appropriate management level.

ADR is voluntary and the decision to use it calls for informed judgment. The parties' relationship, their interest in retaining control over the process, the need to move quickly, and the need for independent, expert analysis are factors to be weighed in that judgment. By contrast, ADR is inappropriate if a precedent-setting decision is needed, if an important policy question is involved, if the decision would have a significant effect on nonparties, or if a full public record of the proceeding is important.

To implement this policy, I have designated the General Counsel as GSA's dispute resolution specialist. Under the General Counsel's guidance, we will offer training in conflict resolution, and issue procedures for determining how to use ADR.

Institutionalizing ADR as agency policy requires a major commitment from all of us. We must reassess the way we have traditionally handled disputes, and we must apply innovative procedures to facilitate prompt, efficient, and just dispute resolution. Effective use of ADR can avoid costs and enhance performance. This will enable us to better serve the public and one another.

Dated: July 30, 1992.

Richard G. Austin,

Administrator.

[FR Doc. 92–27452 Filed 11–12–92; 8:45 am]

BILLING CODE 6820–34–M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

Agency Information Collection Under OMB Review; Administration on Children, Youth and Families; Head Start Bureau

AGENCY: Administration for Children, Youth and Families, HHS.

ACTION: Notice.

Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), we have submitted to the Office of Management and Budget (OMB) a request for approval of information collection requirements contained in 45 CFR Part 1303—Final Rule on Appeal Procedures for Head Start Grantees and Current or Prospective Delegate Agencies. This information collection requirement is submitted by the Head Start Bureau, ACYF, of the Administration for Children and Families.

ADDRESSES: Copies of the information collection request may be obtained from Steve Smith, Office of Information Systems Management, ACF, by calling (202) 401–9235.

Written comments and questions regarding the requested approval for information collection should be sent directly to: Kristina Emanuels, OMB Desk Officer for ACF, Reports Management Branch, New Executive Office Building, Room 3002, 725 17th Street, N.W., Washington, D.C. 20503, (202) 395–7316.

Information on Document

Title: Final Rule on Appeals Procedures for Head Start Grantees and Current and Prospective Delegate Agencies—45 CFR Part 1303.

OMB No.: New Request.

Description: The Head Start Bureau, ACYF, of the Administration for Children and Families plans to promulgate an amended 45 CFR part 1303. This Final Rule revises and clarifies for Head Start grantees and delegate agencies the requirements concerning appeals by grantees from termination and denial of refunding actions. The regulations also include provisions for appeals by current and prospective delegate agencies of grantees' rejections of, or failure to act on, delegate agency applications. Appeals from grantees' terminations of grants or contracts are also covered.

Annual Number of Respondents: 2.

Annual Frequency: 1.

Average Burden for Response: 20.

Total Respondent Burden Hours: 40.

Dated: October 28, 1992.

Larry Guerrero,

Deputy Director, Office of Information Systems Management.

[FR Doc. 92–27532 Filed 11–12–92; 8:45 am]

BILLING CODE 4130–01–M

Agency Information Collection Under OMB Review; Administration for Children, Youth and Families; Head Start Bureau

AGENCY: Administration for Children, Youth and Families, HHS.

ACTION: Notice.

Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), we have submitted to the Office of Management and Budget (OMB) a request for approval of new information collection requirements contained in a Final Rule which clarifies existing regulations and policies regarding the provision of the Head Start Act which limits the cost of developing and administering a Head Start program to 15 percent of the total cost of the program. This information collection requirement is submitted by the Head Start Bureau within the Administration on Children, Youth and Families of the Administration for Children and Families.

ADDRESSES: Copies of the information collection request may be obtained from Steve Smith, Office of Information Systems Management, ACF, by calling (202) 401–9235.

Written comments and questions regarding the requested approval for information collection should be sent directly to: Kristina Emanuels, OMB Desk Officer for ACF, OMB Reports Management Branch, New Executive Office Building, Room 3002, 725 17th Street, NW., Washington, DC 20503, (202) 395–7316.

Information on Document

Title: Information Collection Requirements in a Final Rule on Head Start Grants Administration.

OMB No.: New request.

Description: The Information Collection Requirements in a Final Rule on Head Start Grants Administration contains new information collection requirements in § 1301.32 (f)(2) and (f)(3), which require that certain information be provided as a part of a grantee's application. Specifically, § 1301.32(f)(2) states that the Head Start applicant must delineate all development and administrative costs

in its application. The information collected will be used to verify compliance with the provision of section 644(b) of the Head Start Act, 42 U.S.C. 9839(b) that limits development and administrative costs to 15 percent of the total costs of the program. This final rule also clarifies that training and technical assistance funds awarded to grantees must be included in total approved program costs, and are therefore, subject to the 20 percent non-Federal matching requirement.

Annual Number of Respondents: 1,921.

Annual Frequency: 1.

Average Burden Hours Per Response: 2.

Total Burden Hours: 3,842.

Dated: October 28, 1992.

Larry Guerrero,

Deputy Director, Office of Information Systems Management.

[FR Doc. 92-27533 Filed 11-12-92; 8:45 am]

BILLING CODE 4130-01-M

Health Resources and Services Administration

Cancellation of Cycle for Special Project Grants to Schools of Public Health for Fiscal Year 1993

Program Announcement and Proposed Funding Priorities and Special Consideration for Special Project Grants to Schools of Public Health for fiscal year (FY) 1993, section 790A, title VII of the Public Health Service Act, was published on August 28, 1992, at 57 FR 39208. The notice allowed for a 30 day comment period on the proposed priorities and special consideration. No comments were received.

The amount allocated for this program in the FY 1993 Appropriations Act, Public Law 102-394, dated October 6, 1992, is insufficient to permit a competitive grant cycle for FY 1993. As a result, the notice is herewith canceled and no final notice will be published for this program.

In addition, the Health Professions Education Extension Amendments of 1992, Public Law 102-408, enacted on October 13, 1992, has made changes in this program which will be announced in the **Federal Register** for the next competitive cycle.

Dated: November 6, 1992.

Robert G. Harmon,

Administrator.

[FR Doc. 92-27506 Filed 11-12-92; 8:45 am]

BILLING CODE 4160-15-M

National Institutes of Health

National Institute on Alcohol Abuse and Alcoholism; Notice of Meeting of the Board of Scientific Counselors

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Board of Scientific Counselors, National Institute on Alcohol Abuse and Alcoholism, November 23, 1992, NIH Campus, Building 31, Conference Room 6, 9000 Rockville Pike, Bethesda, MD 20892.

This meeting will be open to the public from 8 a.m. to 8:30 a.m. on November 23 for a report on recent administrative developments. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in section 552b)(c)(6), title 5, U.S.C. and sec. 10(d) of Public Law 92-463, the meeting will be closed to the public on November 23 from 8:30 a.m. to adjournment for the review, discussion, and evaluation of intramural research programs and projects conducted by the National Institute on Alcohol Abuse and Alcoholism, including consideration of personnel qualifications and performance, and the productivity of individual staff scientists, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Summaries of the meeting and the roster of committee members may be obtained from: Ms. Diana Widner, NIAAA Committee Management Officer, National Institute on Alcohol Abuse and Alcoholism, Parklawn Building, room 16C-20, 5600 Fishers Lane, Rockville, MD 20857, Telephone: (301) 443-4375.

Substantive program information may be obtained from: Theodore Colburn, Ph.D., room 1B58, Building 31, Telephone (301) 402-1226.

Dated: November 4, 1992.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 92-27623 Filed 11-12-92; 8:45 am]

BILLING CODE 4140-01-M

National Heart, Lung, and Blood Institute; Notice of Meetings

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the following Heart, Lung, Blood Special Emphasis Panel.

This meeting will be open to the public to discuss administrative details relating to Special Emphasis Panel (SEP) business for approximately one half hour at the beginning of the first session of the meeting. Attendance by the public will be limited to space available. This meeting will be closed thereafter in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and sec. 10(d) of Public Law 92-463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Office of Committee Management, National Heart, Lung, and Blood Institute, Westwood Building, room 7A15, National Institutes of Health, Bethesda, Maryland 20892, telephone 301-496-7548, will furnish a summary of the meeting and rosters of panel members. Substantive program information may be obtained from each Scientific Review Administrator whose telephone number is provided. Since it is necessary to schedule meetings well in advance, it is suggested that anyone planning to attend a meeting contact the Scientific Review Administrator to confirm the exact date, time and location.

Name of Panel: NHLBI SEP on the review of one Institutional National, Research Service Award (T32), (Telephone Conference Call).

Scientific Review Administrator: Dr. Kathryn W. Ballard, Telephone: 301-496-7361.

Dates of Meeting: November 23, 1992.

Place of Meeting: Westwood Building.

Time of Meeting: 11:00 a.m.

(Catalog of Federal Domestic Assistance Program Nos. 93.837, Heart and Vascular Diseases Research; 93.838, Lung Diseases Research; and 93.839, Blood Diseases and Resources Research, National Institutes of Health.)

Dated: November 4, 1992.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 92-27625 Filed 11-12-92; 8:45 am]

BILLING CODE 4140-01-M

Division of Research Grants; Notice of Meetings

Pursuant to Public Law 92-463, notice is hereby given of meetings of the Division of Research Grants Behavioral and Neurosciences Special Emphasis Panel.

These meetings will be open to the public for approximately one half hour at the beginning of each meeting during the discussion of administrative details relating to Panel business. Attendance

by the public will be limited to space available. These meetings will be closed thereafter in accordance with the provisions set forth in section 552b(c)(4) and 552b(c)(6), title 5, U.S.C. and section 10(d) of Public Law 92–463, for the review, discussion and evaluation of individual grant applications in the areas of the behavioral and neurosciences. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

The Office of Committee Management, Division of Research Grants, Westwood Building, National Institutes of Health, Bethesda, Maryland 20892, telephone 301–496–7534, will furnish summaries of the meetings and rosters of panel members. Substantive program information may be obtained from each Scientific Review Administrator whose telephone number is provided. Since it is necessary to announce meetings well in advance of the actual meeting, it is suggested that anyone planning to attend a meeting contact the Scientific Review Administrator to confirm the exact date, time and location.

Meeting to Review Small Business Innovation Research Program Applications:
Scientific Review Administrator: Dr. Anita Sostek (301) 496–881
Date of Meeting: November 12–13, 1992
Place of Meeting: Holiday Inn, Georgetown, Washington, DC
Time of Meeting: 9:00 a.m.

Meeting to Review Small Business Innovation Research Program Applications:
Scientific Review Administrator: Dr. Peggy McCardle (301) 496–7640
Date of Meeting: November 17, 1992
Place of Meeting: Holiday Inn, Bethesda, MD
Time of Meeting: 8:30 a.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Anita Sostek (301) 496–8814
Date of Meeting: November 20, 1992
Place of Meeting: Vanderbilt University, Nashville, TN
Time of Meeting: 9:00 a.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Anita Suran (301) 496–7000
Date of Meeting: November 20, 1992
Place of Meeting: Westwood Bldg., Room 325B, NIH, Bethesda, MD (Telephone Conference)
Time of Meeting: 1:00 p.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Joseph Kimm (301) 496–7494
Date of Meeting: November 24, 1992
Place of Meeting: Embassy Suites Hotel, Chevy Chase, MD
Time of Meeting: 9:00 a.m.

Meeting to Review Small Business Innovation Research Program Applications:
Scientific Review Administrator: Dr. Joseph Kimm (301) 496–7494
Date of Meeting: November 24, 1992
Place of Meeting: Embassy Suites Hotel, Chevy Chase, MD
Time of Meeting: 1:00 p.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Robert Weller (301) 496–7906
Date of Meeting: December 2, 1992
Place of Meeting: Westwood Bldg., Room 307, NIH, Bethesda, MD (Telephone Conference)
Time of Meeting: 9:30 a.m.

Meeting to Review Small Business Innovation Research Program Applications:
Scientific Review Administrator: Dr. Jane Hu (301) 496–7550
Date of Meeting: December 4, 1992
Place of Meeting: Holiday Inn, Chevy Chase, MD
Time of Meeting: 9:00 a.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Leonard Jakubczak (301) 496–7251
Date of Meeting: December 7, 1992
Place of Meeting: Pooks Hill Marriott, Bethesda, MD
Time of Meeting: 9:00 a.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Leonard Jakubczak (301) 496–7251
Date of Meeting: December 8, 1992
Place of Meeting: Pooks Hill Marriott, Bethesda, MD
Time of Meeting: 9:00 a.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Leonard Jakubczak (301) 496–7251
Date of Meeting: December 9, 1992
Place of Meeting: Pooks Hill Marriott, Bethesda, MD
Time of Meeting: 9:00 a.m.

Meeting to Review Individual Grant Applications:
Scientific Review Administrator: Dr. Leonard Jakubczak (301) 496–7251
Date of Meeting: December 10, 1992
Place of Meeting: Pooks Hill Marriott, Bethesda, MD
Time of Meeting: 9:00 a.m.

Meeting to Review Small Business Innovation Research Program Applications:
Scientific Review Administrator: Dr. Jane Hu (301) 496–7550
Date of Meeting: December 18, 1992
Place of Meeting: Holiday Inn, Chevy Chase, MD
Time of Meeting: 9:00 a.m.

(Catalog of Federal Domestic Assistance Program Nos. 93.306, 93.333, 93.337, 93.393–93.396, 93.837–93.844, 93.846–93.878, 93.892, 93.893, National Institutes of Health, HHS.)

Dated: November 4, 1992.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 92–27624 Filed 11–12–92; 8:45 am]

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Public Health Service

National Toxicology Program (NTP) Board of Scientific Counselors' Meeting: Review of Draft NTP Technical Reports

Pursuant to Public Law 92–463, notice is hereby given of the next meeting of the NTP Board of Scientific Counselors' Technical Reports Review Subcommittee on December 1 and 2, 1992, in the Conference Center, Building 101, South Campus, National Institute of Environmental Health Sciences (NIEHS), 111 Alexander Drive, Research Triangle Park, North Carolina. The meeting will begin at 9 a.m. both days and is open to the public. The primary agenda topic is the peer review of draft Technical Reports of long-term toxicology and carcinogenesis studies and short-term toxicity studies from the National Toxicology Program.

Tentatively scheduled to be peer reviewed on December 1 and 2 are draft Technical Reports of six long-term studies on nine chemicals, listed alphabetically, along with supporting information in the attached table. All studies were done using Fischer 344 rats and B6C3F1 mice. The order of review is given in the far right column of the table.

Also scheduled to be peer reviewed are draft Technical Reports of five toxicity studies, listed alphabetically, along with supporting information in the table. Order of presentation is given in the far right column of the table.

Persons wanting to make a formal presentation regarding a particular Technical Report must notify the Executive Secretary by telephone, by FAX or by mail no later than November 24, 1992, and provide a written copy in advance of the meeting so copies can be made and distributed to all Panel members and staff and made available at the meeting for attendees. Oral presentations should supplement and not just repeat the written statement. Presentations should be limited to no more than five minutes.

The program would welcome receiving toxicology and carcinogenesis information from completed, ongoing, or planned studies by others, as well as

current production data, human exposures information, and use patterns on any of the studies listed in the announcement. Please contact the staff scientists as early as possible by telephone or by mail to: NIEHS, P.O. Box 12233, Research Triangle Park (RTP), North Carolina 27709.

The Executive Secretary, Dr. Larry G. Hart, P.O. Box 12233, Research Triangle Park, North Carolina 27709 (telephone 919/541-3971; FAX 919-541-2260) will furnish final agenda, a roster of Subcommittee members, and other program information prior to the meeting. Summary minutes subsequent to the meeting will be available upon request.

Dated: November 9, 1992.

Kenneth Olden,

Director, National Toxicology Program.

SUMMARY DATA FOR NTP SHORT TERM TOXICITY STUDIES AND LONG TERM TOXICOLOGY AND CARCINOGENESIS TECHNICAL REPORTS SCHEDULED FOR REVIEW AT THE BOARD OF SCIENTIFIC COUNSELORS' MEETING OF THE TECHNICAL REPORTS REVIEW SUBCOMMITTEE ON DECEMBER 1-2, 1992

Chemical CAS No.	Staff scientist/technical report No.	Primary uses	Route/exposure levels	Study laboratory	Review order
Long term studies:					
Benzyl acetate, 140-11-4.	Dr. K. Abdo, 919-541-7819, TR-431.	Soap fragrance; flavoring ingredient; solvent for cellulose acetate and cellulose nitrate.	Oral in Feed (NIH-07): R: 0, 0.3, 0.6, 1.2%, M: 0, 0.033, 0.1, 0.3%/50 per group.	Southern Research Institute...	6
O-Benzyl-p-Chlorophenol, 120-32-1.	Dr. D. Marsman, 919-541-3233, TR-424.	Germicide in disinfectant solutions and soap.	Oral, Gavage (corn oil): MR: 0, 30, 60, 120, FR: 0, 60, 120, 240, M: 0, 120, 240, 480 mg/kg/50 per group.	Battelle Columbus Laboratory.	5
C.I. Direct Blue 218, 28407-37-6.	Dr. J. Dunnick, 919-541-4811, TR-430.	Dye for cellulose, acetate, nylon, silk, wool, tissue and fine papers.	Oral in Feed (NIH-07 (powdered)): R&M: 0, 1000, 3000, 10000 ppm/60 per group.	Microbiological Associates.....	1
Corn oil, 8001-30-7.....	Dr. G. Boorman, 919-541-3440, TR-426.	Salad and cooking oil, margarine production, pharmaceutical preparations, in nonyellowing enamel paint, defoaming agent in paper/paperboard manufacturing, vehicle for experimental diets and test compounds.	Oral, Gavage: (rats only), 0, 2.5, 5, 10 ml corn oil/kg/50 per group.	T.S.I. Mason Laboratories, Inc.	4
Methylene chloride, 75-09-2.	Dr. G. Boorman, 919-541-3440, TR-426.	Solvent in paint removers, degreasers, aerosol propellants, extraction solvent in food processing; pharmaceutical aid, component of fire extinguishing CMPD (HSDB 1990).	Oral, Gavage (corn oil); male rats only 0, 2.5, 5, 10, ml/kg/50 per group (corn oil) methylene chloride is same at all corn oil doses (500 mg/kg). Testing the interaction of methylene chloride on corn oil.	T.S.I. Mason Laboratories, Inc.	4
Safflower oil, 8001-23-8.	Dr. G. Boorman, 919-541-3440, TR-426.	Dietary supplement. Chemical intermediate in paints. Veterinary.	Oral, Gavage: (rats only) 0, 2.5, 5, 10 ml/kg/50 per group.	T.S.I. Mason Laboratories, Inc.	4
Tricaprylin, 538-23-8.....	Dr. G. Boorman, 919-541-3440, TR-426.	Fractionated coconut oil const, in prep'n of oral suspensions of drugs unstable in aqueous media (HSDB 1990).	Oral, Gavage: (rats only) 0, 2.5, 5, 10 ml/kg/50 per group.	T.S.I. Mason Laboratories, Inc.	4
Oxazepam, 604-75-1.....	Dr. J. Bucher, 919-541-4532, TR-443.	Tranquilizer.....	Oral in Feed (NIH-07): M4: 0, 2500, or 5000; M3: 0, 125, 2500, or 5000 ppm; 60/group.	Battelle Columbus Laboratory.	2
Promethazine Hydrochloride, 58-33-3.	Dr. K. Abdo, 919-541-7819, TR-425.	Antihistaminic.....	Oral, Gavage (water): R: 0, 8.3, 16.6, 33.3, FM: 0, 3.75, 7.5, 15.0, mm: 0, 11.25, 22.5, 45.0 mg/kg.	T.S.I. Mason Laboratories, Inc.	3
Short term toxicity studies:					
Chemical mixture—drinking water contaminants, CHEM MIXH20.	Dr. J. Bucher, 919-541-4532, TOX-35.	Chemicals found in drinking water.	Oral with water (deionized water): R&M: 0, 11, 38, 113, & 378 ppm: 20/group.	Battelle Columbus Laboratory.	7
2-Chloronitrobenzene, 88-73-3.	Dr. J. Bucher, 919-541-4532, TOX-33.	Chemical intermediate. Pesticide.	Inhalation: R&M: 0, 1.1, 2.3, 4.5, 9 or 18 ppm (10/S/S).	Battelle Northwest Laboratory.	10
4-Chloronitrobenzene, 100-00-5.	Dr. J. Bucher, 919-541-4532, TOX-33.	Intermediate for parathion pesticides, acetaminophen, org. synthesis, agricultural chem, bacteriostat, dyes, rubber chemicals (HSDB 1990).	Inhalation: R&M: 0, 1.5, 3, 6, 12, or 24 ppm (10/S/S).	Battelle Northwest Laboratory.	10

SUMMARY DATA FOR NTP SHORT TERM TOXICITY STUDIES AND LONG TERM TOXICOLOGY AND CARCINOGENESIS TECHNICAL REPORTS SCHEDULED FOR REVIEW AT THE BOARD OF SCIENTIFIC COUNSELORS' MEETING OF THE TECHNICAL REPORTS REVIEW SUBCOMMITTEE ON DECEMBER 1-2, 1992—Continued

Chemical CAS No.	Staff scientist/technical report No.	Primary uses	Route/exposure levels	Study laboratory	Review order
Cupric sulfate, 7758-99-8.	Dr. C. Hebert, 919-541-1870, TOX-29.	Preservative. Electroplating. Battery electrolyte. Ore Flotation. Photographic toner reagent. Inks. Food and fertilizer additive, topical anti-fungal, occurs in nature as mineral hydrocyanite (Merck 1989).	Oral in Feed (NIH-07): R: 0, 500, 1000, 2000, 4000, 8000 ppm M: 0, 1000, 2000, 4000, 8000, 16000 ppm (10/S/S).	Battelle Columbus Laboratory.	11
Ethylene glycol monobutyl ether (EGMBE), 111-76-2.	Dr. M. Dieter, 919-541-3368, TOX-26.	Solvent for mineral oils, in spray lacquers, varnish removers, metal cleaners.	Oral with water (water (tap)): Core study: R&M: 0, 750, 1500, 3000, 4500, 6000, ppm/10 per group; stop study: R: 0, 1500, 3000, 6000 ppm/30 per group.	T.S.I. Mason Laboratories, Inc..	9
Ethylene glycol monoethyl ether (EGMEE), 110-80-5.	Dr. M. Dieter, 919-541-3368, TOX-26.	Solvent for nitrocellulose, lacquers, dopes, in varnish remover, cleaning sol'ns, dye baths, increse stability of emulsions (Merck 1989)..	Oral with water (Deionized water): Core Study: R: 0, 1250, 2500, 5000, 10000, 20000, M: 0, 2500, 5000, 10000, 20000, 40000 ppm/10 per group stop study: R: 0, 5000, 10000, 20000 ppm 30 per group.	T.S.I. Mason Laboratories, Inc.	9
Ethylene glycol monoethyl ether (EGMEE), 110-80-5.	Dr. M. Dieter, 919-541-3368, TOX-26.	Solvent for nitrocellulose, lacquers, dopes, in varnish remover, cleaning sol'ns, dye baths, increase stability of emulsions (Merck 1989).	Oral with water (deionized water): Core Study: R: 0, 1250, 2500, 5000, 10000, 20000, M: O, 2500, 5000, 10000, 20000, 40000, ppm/10 per group stop study: R: 0, 5000, 10000, 20000 ppm/30 per group.	T.S.I. Mason Laboratories, Inc.	9
Ethylene glycol monomethly Ether (EGMME), 109-86-4.	Dr. M. Dieter, 919-541-3368, TOX-26.	Solvent for low viscosity cellulose accetate, Nat'l resins, alcohol soluble dyes, leather, in quick drying varnishes, enamels, nail polishes, wood stains, cellophane (Merck 1989). Manuf. Photographic film, jet fuel additive, cosmetics (HSDB 1990).	Oral with water (Water tap)): Core study: R: 0, 750, 1500, 3000, 4500, 6000, M: 0, 2000, 4000, 6000, 8000, 10000 ppm/10 per group; stop study doses: R: 0, 1500, 3000, 6000, ppm/30 per group.	T.S.I. Mason Laboratories, Inc.	9
Pesticide/fertilizer contamination—mixture 2.	Dr. J. Bucher, 919-541-4532, TOX-36.	Groundwater contamination by pesticides and fertilizers.	Oral with water (propylene glycol/di): Rats and mice (0, 0.1X, 1X, 10X, or 100X); rats 40/group; mice 30/group.	Southern Research Institute...	8
Pesticide/fertilizer contaimination—Mixture 3.	Dr. J. Bucher, 919-541-4532, TOX-36.	Groundwater contamination by pesticides and fertilizers.	Oral with water (propylene glycol/DI): Rates and mice (0, 0.1X, 1X, 10X, or 100X); rats 40/group, mice 30/group.	Southern Research Institute...	8

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Statment of Organization, Functions, and Delegations of Authority

Part H, Public Health Service (PHS), of the Statement of Organization, Functions, and Delegations of Authority of the Department of Health and Human Services is amended to implement changes mandated by the Reorganization Act of 1992 (P.L. 102-321) in Chapter HM (Alcohol, Drug Abuse, and Mental Health Administration), and Chapter HN (National Institutes of Health). These changes will restructure and strengthen the Public Health Service prevention and treatment services and biomedical and behavioral research activities as they relate to alcohol, drug abuse, and mental health.

Specifically, the statement for the Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) (39 FR 1654, January 11, 1974, as amended most recently at 57 FR 27059, June 17, 1992) is deleted in its entirety and replaced with this statement to reflect (1) the establishment of the Substance Abuse and Mental Health Services Administration (HM) with three major operating components—the Center for Substance Abuse Prevention (HMP), the Center for Mental Health Services (HMS), and the Center for Substance Abuse Treatment (HMT)—and the Office of Applied Studies (HMA8); and (2) to reflect the transfer of the National Institute of Alcohol Abuse and Alcoholism (HMC), the National Institute on Drug Abuse (HMH), and the National Institute on Mental Health (HMM).

The statement for the National Institutes of Health (NIH) (40 FR 22859, May 27, 1975, as amended most recently at 57 FR 34147, August 3, 1992) is amended to reflect the transfer of the National Institute on Alcohol Abuse and Alcoholism (HN5), the National Institute on Drug Abuse (HN6), and the National Institute of Mental Health (HN7) to NIH.

Alcohol, Drug Abuse, and Mental Health Administration

Under Chapter HM, Delete the Title and Add, Substance Abuse and Mental Health Services Administration, (SAMHSA) (HM)

Under Section HM–A, Mission, delete the mission statement of ADAMHA (HM) and add a new mission statement for SAMHSA (HM) as follows:

The mission of the Substance Abuse and Mental Health Services Administration is to provide national leadership to ensure that knowledge, based on science and state-of-the-art practice, is effectively used for the prevention and treatment of addictive and mental disorders. Further, SAMHSA strives to improve access and reduce barriers to high quality, effective programs and services for individuals who suffer from, or are at risk for, these disorders, as well as for their families and communities.

Under Section HM–B, Organization and Functions delete the titles and statements in their entirety for the Alcohol, Drug Abuse and Mental Health Administration, and add the new title Substance Abuse and Mental Health Services Administration (HM).

After the title, add the following titles and statements:

Office of the Administrator (HMA)

(1) Provides leadership in the development of agency policies and programs; (2) carries out SAMHSA-wide functions such as coordination of equal employment opportunity activities; (3) coordinates agencywide AIDS activities; (4) maintains liaison with the Assistant Secretary for Health and the Surgeon General on matters related to program and other activities as may be required; (5) coordinates the agency's data collection and service system evaluation programs; and (6) provides oversight for coordination between SAMHSA components and the alcohol, drug abuse, and mental health Institutes of NIH on dissemination of research findings in the areas of alcohol, drug abuse, and mental health.

Office of Extramural Programs (HMA5)

(1) Provides leadership and advice on the development of SAMHSA extramural program operations and review policies and oversight/evaluation of their implementation; (2) provides advice on implementation of extramural programs and coordinates review and clearance of Program Announcements, Requests for Applications, and related documents; (3) develops, evaluates, and provides guidance on policies and procedures relating to peer review of grant and cooperative agreement applications and programmatic contracts; (4) develops policies and procedures for, and provides oversight and coordination of, receipt and referral of grant applications and cooperative agreement; (5) develops and oversees implementation of SAMHSA extramural data requirements and prepares recurring and special reports on SAMHSA extramural applications and awards; (6) provides advice on and coordinates implementation of committee management policies and procedures; (7) plans and conducts an extramural staffing training program; (8) develops agency policy and provides advice on ethical issues relating to SAMHSA extramural programs; and (9) maintains liaison with extramural policy officials in other agencies.

Office of Applied Studies (HMA8)

(1) Coordinates, interprets policy and provides general oversight of all SAMHSA data activities; (2) develops agencywide plans for acquisition of data on mental illness and substance abuse, including incidence and prevalence studies, data analysis, and data dissemination while coordinating the role of the Centers in implementing their respective data collection systems; (3) identifies gaps in data gathering activities and works with agency components to implement comprehensive, appropriate and responsive data gathering efforts including surveys; (4) serves as a repository of information on program data gathering activities related to mental illness and substance abuse, including both Federal and non-Federal efforts; (5) analyzes survey data for the purpose of report preparation in response to specific requests from the Secretary and other government components; (6) carries out meta-analyses and comparative analyses to establish trends; (7) reviews program evaluation efforts and serves as repository of information regarding evaluation efforts in the agency components; (8) works with agency components to refine and develop methods for program evaluation; (9) manages the "1 percent" evaluation process and serves as liaison to OASH; (10) maintains liaison with Institutes at NIH for the purposes of information exchange and technology transfer related to survey data acquisition; (11) undertakes special projects either directly or through coordination with agency components and other Federal agencies to address topical areas; and (12) manages the OMB clearance process for SAMHSA data surveys.

Office of the Director (HMA81)

(1) Provides leadership and coordination to the planning, analysis and evaluation of overall agency activities related to data collection and dissemination; (2) coordinates evaluation activities implemented by SAMHSA components; and (3) provides liaison to other Federal and non-Federal agencies and institutions involved with data collection in the field of substance abuse and mental health.

Division of Survey Implementation, Analysis and Dissemination (HMA82)

(1) Oversees national substance abuse and mental health surveys of incidence and prevalence including specific responsibility for data collection activities such as the Household Survey on Drug Abuse, the Drug Abuse Warning Network (DAWN), the State Alcohol and Drug Abuse Profile (SADAP) system, the Client Data System, etc.; (2) provides oversight and management of those surveys for which the Office is responsible, directly or through contract; (3) evaluates, through ongoing review, the relevance of existing surveys to SAMHSA components and the needs of HHS and the Office of National Drug Control Policy (ONDCP); (4) refines the survey instruments to reflect trends, emerging populations and other evolving elements; (5) prepares reports of the survey findings for dissemination; (6) coordinates activities with other SAMHSA components that have responsibility for surveys to ensure appropriate cross-checks of survey findings; and (7) provides epidemiologic and statistical consultation within SAMHSA for other components of the Administration and Centers.

Division of Evaluation Studies (HMA83)

(1) Coordinates and collaborates with SAMHSA evaluation programs; (2) works with SAMHSA components to develop evaluation goals and methods; methods; (3) facilitates the development of evaluation efforts that study conditions that relate to more than one SAMHSA component, such as comorbidity; (4) provides consultative services within SAMHSA on the methodology related to evaluation; (5) develops cross-cutting reports on the findings from SAMHSA programs; and (6) manages the "1 percent" evaluation process and liaison associated with OASH.

Office for Women's Services (HMAC)

(1) Provides leadership and guidance in developing and implementing agency plans to meet women's substance abuse

and mental health services needs; (2) coordinates and promotes collaboration among the three SAMHSA Centers, and with other PHS components, particularly by identifying cross-cutting and multidisciplinary issues related to women's services; (3) develops policies and programs regarding women's issues, identifying and assisting to rectify any policy or program gaps; (4) develops plans to standardize and enhance the collection of data on women's health; (5) establishes and operates the mandated agency Coordinating Committee for Women's Services; (6) establishes and supports the mandated Advisory Committee for Women's Services; (7) promotes the allocation of sufficient resources for women's services within each SAMHSA Center; (8) analyzes and assures appropriate coverage of women's substance abuse and mental health issues through review of agency documents and plans; (9) ensures the establishment, maintenance, and operation of a program to provide information on women's substance abuse and mental health services, including the convening of workshops, conferences, and training sessions on specialized and well-focused topics related to alcohol, drug abuse, and mental health women's health services; (10) ensures the conduct of appropriate evaluation of women's services is conducted; and (11) monitors and reports on agency recruitment and hiring of women in senior positions.

Office of Management, Planning, and Communications (HMB)

The Office of Management, Planning, and Communications (OMPC) serves as the focal point for the management, planning, and communications functions in support of SAMHSA components. In carrying out this responsibility, the Office: (1) Develops policies, guidelines, and procedures concerning SAMHSA-wide administrative management; (2) conducts SAMHSA's activities in the areas of: (a) Financial management, (b) management analysis and services, (c) grants and contracts management and services, including cost advisory services, (d) information systems, including computer support and ADP systems, (e) personnel management, and (f) general administrative services, including procurement and materiel management; (3) conducts studies and analyses of SAMHSA-wide policies and programs; (4) provides SAMHSA-wide correspondence control services; (5) analyzes legislative issues, develops related policy and position papers, with recommendations, and maintains liaison with congressional committees; (6) develops SAMHSA-wide program plans, including annual short- and long-term plans, and conducts, analyzes, and supports planning activities; (7) manages SAMHSA-wide intergovernmental and international activities and constituent relations; (8) organizes and administers SAMHSA's communications and public affairs activities; (9) conducts outreach to the media and related organizations to facilitate coverage and interpretation of SAMHSA's programs and objectives; (10) provides a mechanism for clearance and review of SAMHSA-wide communications, education, and information projects and related activities; (11) reviews and approves all SAMHSA publications, press releases, audiovisuals, and other materials intended for public dissemination and serves as clearance liaison with the Office of the Assistant Secretary for Health's and the Department's public affairs offices; (12) collects and compiles alcohol and other drug abuse prevention literature and other materials, and supports the CSAP National Clearinghouse for Alcohol and Drug Information and the Regional Alcohol and Drug Awareness Resource Network to disseminate such materials among States, political subdivisions, educational agencies and institutions, health and drug treatment/rehabilitation networks, and the general public; (13) supports a clearinghouse to serve as a focal point for information dissemination that will meet the mental health service needs of professionals and the public; and (14) coordinates SAMHSA's implementation of the Freedom of Information Act and Privacy Act to ensure appropriate responses to requests for agency documents and records.

Center for Substance Abuse Prevention (HMP)

The Center for Substance Abuse Prevention (CSAP) provides a national focus for the Federal effort to prevent alcohol and other drug abuse. In carrying out this responsibility, the Center: (1) Develops, implements, and reviews prevention and health promotion policy related to alcohol and other drug abuse, analyzing the impact of Federal activities on State and local government and private program activities; (2) provides a national focus for the Federal effort to demonstrate and promote effective strategies to prevent the abuse of alcohol and other drugs; (3) supports innovative comprehensive, collaborative, community-based prevention demonstration programs; (4) operates grant programs for projects to demonstrate effective models for the prevention and early intervention of alcohol and drug use/abuse among high risk youth, and other specific target populations, including the workplace; (5) sponsors regional and national workshops/conferences on the prevention of alcohol and other drug abuse; (6) supports training for substance abuse practitioners and other health professionals involved in alcohol and drug abuse education, prevention, and early intervention; (7) provides technical assistance to States and local authorities and other national organizations and groups in the planning, establishment, and maintenance of substance abuse prevention efforts; (8) reviews and approves and/or disapproves the State Prevention Plans developed under the Substance Abuse Prevention and Treatment Block Grant Program authority; (9) serves as a national authority and resource for the development and analysis of information relating to the prevention of abuse of alcohol and other drugs; (10) participates in the dissemination and implementation of research findings by PHS agencies on the prevention of the abuse of alcohol and other drugs; (11) collaborates with and encourages other Federal agencies, national, State, and local organizations to promote substance abuse prevention activities; (12) provides and promotes the evaluation of individual projects as well as overall programs; and (13) collaborates with the alcohol, drug abuse, and mental health Institutes of NIH on services research issues as well as on other programmatic issues.

Office of the Director (HMP1)

(1) Provides leadership, coordination, and direction in the development and implementation of CSAP goals, and priorities and serves as the focal point for the Department's efforts on alcohol and other drug abuse prevention; (2) plans, directs, and provides overall administration of the programs and activities of CSAP; (3) provides overall coordination and support of SAMHSA's HIV (AIDS virus) policies and programs; (4) participates with the SAMHSA Office of Women's Services to coordinate women's services programs; and (5) monitors the conduct of the equal employment opportunity activities of CSAP.

Office of Scientific Analysis and Review (HMP12)

(1) Coordinates Center-wide evaluation of programs and serves as liaison with the Office of the Administrator's Office of Applied Studies; (2) develops evaluation policy for the Center designed to generate new

knowledge on alcohol, tobacco and other drug abuse prevention programs; (3) conducts broad-based drug abuse prevention and evaluation studies including Federal, State, local and private efforts; (4) develops program requirements and implements the CSAP National Database; (5) works with division and office programs to refine and develop methods for evaluation; (6) provides policy and oversight for data activities in the Center, working with the Office of Applied Studies; (7) represents CSAP in development of SAMHSA extramural review policy; (8) establishes CSAP extramural review policy; (9) administers the Center's peer and objective review of grants and contracts; (10) collects and analyzes data relating to the review of grant applications and contract proposals; (11) coordinates with Center programs to ensure program announcements are in compliance with policy and provides guidance for clearance through SAMHSA and OMB channels; and (12) provides committee management and support for the CSAP Initial Review Groups and the Advisory Committee.

Division of Community Prevention and Training (HMPH)

(1) Develops and implements comprehensive, long-term community drug and alcohol abuse prevention/intervention strategies, programs, and service support activities; (2) administers community demonstration grant programs to support coalitions in the building of long-term strategies, including prevention of underage use of alcohol; (3) administers a national training program for alcohol and other drug abuse practitioners, social workers, and health professionals, as well as community, national and State leaders, volunteers, and organizations; (4) provides technical assistance, training, materials development and program development, and assists organizations, agencies, and individuals at the Federal, State, and local levels; (5) administers the workplace and employee assistance programs; (6) evaluates programs administered within the Division; and (7) promotes interagency coordination with Federal, State, and local agencies to ensure maximum utilization of fiscal and manpower resources and needed program development in neglected prevention/intervention areas.

Division of Demonstrations for High Risk Populations (HMPJ)

(1) Administers a services demonstration grant program of projects that implements and evaluates strategies for preventing the abuse of alcohol, tobacco, and other drugs among youth at high risk for such behavior; (2) administers a service demonstration grant program of projects, supported under the former Section 509F of the Public Health Service Act, that implements and evaluates strategies for the prevention and treatment of the abuse of alcohol and other drugs among women of childbearing years, who are at high risk for or who are abusing alcohol and other drugs; (3) evaluates all of the Division's demonstration grant programs including: (a) The high risk youth and (b) the pregnant and postpartum women; (4) establishes and maintains a National Learning Community comprised of the Division's funded grantees, researchers, representatives from State and Federal agencies, from professional organizations, and other interested constituencies who are brought together for the systematic exchange of information about effective prevention strategies; (5) establishes and maintains the CSAP National Resource Center for the Prevention of Perinatal Abuse of Alcohol and Other Drugs; (6) coordinates with other Federal agencies to further common objectives and promote programs for the prevention of the abuse of alcohol, tobacco, and other drugs in other settings such as schools, public housing, and juvenile justice settings; and (7) provides technical assistance to grantees and limited other service providers with respect to program development and evaluation.

Division of Workplace Programs (HMPK)

(1) Provides oversight of Federal Drug-Free Workplace Programs established to promote drug-free workplaces; (2) provides technical assistance and guidance to Federal agency programs, tracking implementation, and evaluating the effectiveness of drug-free workplace activities; and (3) administers the National Laboratory Certification Program, certifying, inspecting, and establishing quality assurance standards for laboratories which perform drug testing for Federal agencies and some regulated industries.

Center for Mental Health Services (HMS)

The Center for Mental Health Services provides national leadership to ensure the application of scientifically established findings and practice-based knowledge in the prevention and treatment of mental disorders; to improve access, reduce barriers, and promote high quality effective programs and services for people with, or at risk for, these disorders; as well as for their families and communities; and to promote the rehabilitation of people with mental disorders. To accomplish this, the Center: (1) Supports service and demonstration programs designed to improve access to care and improve the quality of treatment, rehabilitation, prevention, and related services, especially for those traditionally unserved, undeserved, or inappropriately served; (2) identifies national mental health goals and develops strategies to meet them; (3) designs and supports evaluations, assessments and services research activities in order to assist States, communities, and providers; (4) supports activities to improve the administration, availability, organization, and financing of mental health care; (5) supports technical assistance activities to educate professionals, consumers, family members, and communities, and promotes training efforts to enhance the human resources necessary to support mental health services; (6) collects data on the various forms of mental illness, including data on treatment programs, on the type of care provided, on the characteristics of those treated, on national incidence and prevalence, and such other data as may be appropriate; (7) administers the Block Grants for Community Mental Health Services and other programs providing direct assistance to States; (8) collects, synthesizes, and disseminates mental health information and research findings to the States, other governmental and mental health-related organizations, and the general public; (9) collaborates with other Federal agencies/departments, State and substate units of government, and the private sector to improve the system of treatment and social welfare supports for seriously mentally ill adults and severely emotionally disturbed children and adolescents; (10) conducts activities to promote advocacy, self-help, and mutual support and to ensure the legal rights of mentally ill persons, including those in jails and prisons; and (11) collaborates with the alcohol, drug abuse, and mental health Institutes of NIH on services research issues as well as on other programmatic issues.

Office of the Director (HMS1)

(1) Provides leadership in planning, implementing, and evaluating the Center's goals, priorities, and programs, including equal employment opportunity, and is the focal point for the Department's efforts in mental health services; (2) plans, directs, and provides overall administration of the programs of CMHS; (3) maintains liaison with national organizations, other Federal departments/agencies, the

National Institute of Mental Health and with other SAMHSA Centers; (4) administers grant and contract review, committee management, and reports clearance activities; and (5) promotes the prevention of HIV infection in people at risk, the delivery of effective mental health services for people with HIV infection, and the education of health care providers to address the neuropsychiatric and the psychosocial aspects of HIV infection and AIDS.

Office of Evaluation, Extramural Policy, and Review (HMS12)

(1) Coordinates Center-wide evaluation of programs and serves as liaison with the SAMHSA Office of Applied Studies; (2) develops evaluation policy for the Center designed to generate new knowledge on mental health treatment and services; (3) works with division and office programs to refine and develop methods for evaluation; (4) provides policy and oversight for data activities in the Center, working with the Office of Applied Studies; (5) administers the Center's peer and objective review of grants and contracts; (6) in consultation with the Director, establishes extramural policy for the Center; (7) coordinates with Center programs to ensure program announcements are in compliance with policy and provides guidance for clearance through SAMHSA and OMB channels; and (8) provides committee management and support for the CMHS Advisory Council.

Division of Program Development and Special Populations and Projects (HMSA)

(1) Oversees the monitoring of community mental health centers that have received Federal construction grants; (2) serves as Center liaison with the District of Columbia government for coordinating Federal post-transition responsibilities for St. Elizabeths Hospital; (3) serves as the PHS lead in planning for alcohol, drug abuse, and mental health services during national disasters; (4) cooperates with the Office of Emergency Preparedness/PHS and the Federal Emergency Management Agency (FEMA) to coordinate disaster assistance, community response, and other mental health emergency services as a consequence of national disasters; (5) serves as a focal point for Cuban/Haitian entrant and refugee mental health programs, including liaison with other Federal agencies; and (6) conducts program development activities to promote effective programs and policies for special populations including women, minorities, and elderly persons.

Division of Demonstration Programs (HMSB)

(1) Directs, plans, and supports demonstration programs to improve community-based care for children, adolescents, and adults with serious mental disorders; (2) directs, plans, supports, and conducts programs to serve homeless mentally ill and dually diagnosed persons, including management of a formula grant program, Projects for Assistance in Transition from Homelessness (PATH); (3) directs, supports, and conducts programs of consultation and technical assistance to national organizations, State and local governments, family and consumer groups, and educational institutions on mental health services development; (4) collaborates with States, communities, mental health care providers, and national organizations to develop policies to improve the effectiveness of child, adolescent, and adult mental health services and services systems; and (5) evaluates programs to generate new knowledge on treatment and services.

Division of State and Community Systems Development (HMSC)

(1) Administers the Community Mental Health Services Block Grant, including monitoring State implementation of the Mental Health State Plan, compliance with the provisions of the Public Health Service Act, as amended, regarding use of the payments, and maintenance of effort; (2) provides technical assistance to the States with respect to the planning, development, financing, and operation of any program or service carried out pursuant to the block grant program; (3) administers a program of State Human Resource Development; (4) plans and supports a program of mental health education, with emphasis on targeted populations; (5) plans and supports programs to provide protection and advocacy services for persons with severe mental disorders; and (6) supports programs for: (a) Obtaining, analyzing, and disseminating national statistics on mental health services, (b) developing methodologies for data collection in biometry and mental health economics, and (c) consultation and technical assistance to State and local mental health agencies on statistical methodology, mental health information systems, and the use of statistical and demographic data.

Center for Substance Abuse Treatment (HMT)

The principal function of the Center is to provide national leadership for the Federal effort to enhance approaches and expand programs focusing on the treatment of substance abusers as well as associated problems of physical illness and comorbidity among this population. In carrying out this responsibility, the Center for Substance Abuse Treatment: (1) Collaborates with States, communities, health care providers and national organizations to upgrade the quality of addiction treatment, to improve the effectiveness of substance abuse treatment programs, and to expand addiction treatment capacity; (2) provides financial assistance to targeted geographic areas to strengthen treatment programs for substance abuse and other related disorders treatment modalities, and to strengthen the collaboration among the members of the substance abuse treatment community; (3) provides a focus for addressing the treatment needs of individuals with multiple drug, alcohol, physical and comorbidity problems; (4) administers a demonstration grant of projects that will implement and evaluate a Comprehensive Residential Drug Prevention and Treatment Program for substance abusing women and their children; (5) coordinates the evaluation of the Center's drug treatment programs such as the comprehensive residential drug prevention and treatment program for substance abusing women and their children demonstration program; (6) collaborates with the National Institute on Drug Abuse (NIDA) and the States to promote development of treatment outcome standards; (7) collaborates with the Office of the Administrator and other SAMHSA components in treatment data collection; (8) administers programs for training of health and allied health care providers; (9) promotes mainstreaming of alcohol, drug abuse, and mental health treatment into the health care system; (10) administers the Substance Abuse Prevention and Treatment Block Grant Program including compliance reviews, technical assistance to States, Territories, and Indian Tribes, and application and reporting requirements related to the block grant programs; (11) establishes an advisory council which will provide advice, consultation, and recommendations concerning activities and policies carried out by the Center; and (12) collaborates with alcohol, drug abuse, and mental health Institutes of NIH on services research issues as well as on other programmatic issues.

Office of the Director (HMT1)

(1) Provides leadership and direction toward the development of the Center's

goals and serves as the focal point for the Department's efforts to improve and expand substance abuse treatment; and (2) plans, directs, and provides overall administration of the programs of CSAT.

Office of Scientific Analysis and Evaluation (HMT12)

(1) Oversees the designs and plans for the evaluation of treatment; (2) maintains current information regarding developments in alcohol and other substance abuse, including infectious diseases; (3) works with other agencies to identify significant advances in treatment that should be incorporated into standards of care; (4) incorporates and diffuses into treatment practice, those approaches, methods and procedures identified as "best practices"; (5) publishes, communicates, and disseminates data and information regarding how to increase treatment effectiveness and efficiency; (6) conducts and supports meetings and conferences designed to upgrade treatment practices and communicates new developments to treatment personnel from a variety of professional disciplines; (7) develops and manages the clinical training grant programs; (8) administers and oversees the conduct of objective review procedures; (9) coordinates and conducts research, demonstration, and evaluation studies of alcohol and other drug treatment programs and delivery systems; and (10) publishes and disseminates findings and provides information on financing and coverage policies for substance abuse treatment.

Division of State Programs (HMTA)

(1) Administers the Substance Abuse Block Grant Program, including compliance reviews, management reviews, technical assistance to States, and develops and updates regulations necessary to administer the block grant; (2) provides guidance for and assistance in the development of State Substance Abuse Services Plans, and reviews and analyzes these plans; (3) provides for information exchange and technical assistance between SAMHSA and other government agencies, national organizations, and State and local governments on matters relating to substance abuse programs; (4) establishes and maintains the State Information System to analyze data for State profiles, plans, needs assessments studies, and technical reviews; (5) collaborates with national organizations, States, local communities, and substance abuse treatment and other related health and human services providers to upgrade the quality of substance abuse treatment, improve the effectiveness of treatment programs, and expand treatment capacity; (6) plans, initiates, and conducts special analyses and studies on the organization and financing of studies provided through the block grant; and (7) works with professional credentialling organizations to incorporate new findings into standards for credentialling of professionals.

Division of Clinical Programs (HMTB)

(1) Provides a focus for addressing the treatment needs of individuals with multiple drug, alcohol, and physical and mental health problems, including HIV/AIDS, sexually transmitted diseases, and tuberculosis; (2) provides a focus for the integration of primary health care and substance abuse services; (3) provides leadership and direction within SAMHSA to increase effectiveness of AIDS outreach, risk reduction, and prevention activities; and (4) provides national leadership in administering demonstration programs for substance abusing women, including pregnant and postpartum women and their children, to improve treatment outcomes for this population in compliance with the ADAMHA Reorganization Act, Public Law 102–321.

Division of National Treatment Demonstrations (HMTC)

(1) Plans, supports, and conducts substance abuse treatment demonstration programs to improve treatment outcome for special populations and all who require intervention; (2) plans, supports, and directs technical assistance to grantees; and (3) collaborates with States, communities, health care providers and national organizations to update and improve the effectiveness and program capacity of addiction treatment programs.

Under Section HM–C, Order of Succession

During the absence or disability of the Administrator, SAMHSA, or in the event of a vacancy in that office, the first official listed below would perform the duties of the Administrator, except that during a planned period of absence, the Administrator may specify a different order of succession: (1) Deputy Administrator; (2) Associate Administrator for Management.

Under HM–D, Delegations of Authority

All delegations and redelegations of authority to officers and employees of ADAMHA which were in effect immediately prior to the effective date of this reorganization shall continue in effect in them or their successor pending further redelegation, providing they are consistent with this reorganization.

National Institutes of Health

Under Section HN–A, Mission, delete the statement in its entirety and add the following: The National Institutes of Health (NIH) is the steward of biomedical and behavioral research for the Nation. Its mission is science in pursuit of fundamental knowledge about the nature and behavior of living systems and the application of that knowledge to extend healthy life and reduce the burdens of illness and disability. The goals of the agency are as follows: (1) Foster fundamental creative discoveries, innovative research strategies, and their applications as a basis to advance significantly the Nation's capacity to protect and improve health; (2) develop, maintain, and renew scientific human and physical resources that will assure the Nation's capability to prevent disease, improve health, and enhance the quality of life; (3) expand the knowledge base in biomedical and associated sciences in order to enhance the Nation's economic well-being and ensure a continued high return on the public investment in research; (4) exemplify and promote the highest level of scientific integrity, public accountability, and social responsibility in the conduct of science. In realizing these goals, the NIH provides leadership and direction to programs designed to improve the health of the Nation by conducting and supporting research: In the causes, diagnosis, prevention, and cure of human diseases; in the processes of human growth and development; in the biological effects of environmental contaminants; in the understanding of mental, addictive and physical disorders; in directing programs for the collection, dissemination, and exchange of information in medicine and health, including the development and support of medical libraries and the training of medical librarians and other health information specialists.

After the statement for the National Center for Human Genome Research (HN4) add the following:

National Institute on Alcohol Abuse and Alcoholism (HN5)

The Institute conducts and supports biomedical and behavioral research, health services research, research training, and health information dissemination with respect to the prevention of alcohol abuse and alcoholism and the treatment of alcoholism, and provides a national focus for the Federal effort to increase

knowledge and promote effective strategies to deal with health problems and issues associated with alcohol abuse and alcoholism. In carrying out these responsibilities the Institute: (1) Conducts and supports research on alcohol-related disorders in its own laboratories and through extramural projects; (2) supports epidemiological studies and national and community surveys to assess the risks for alcohol abuse among various population groups; (3) plans, directs, supports, and evaluates research to identify new and improved alcoholism prevention, intervention, and treatment methods and techniques for application in the Nation's health care system; (4) supports training and development of scientists for participation in alcohol research programs and activities; (5) collaborates with other research institutes and Federal programs relevant to alcohol abuse and alcoholism; (6) serves as a national resource for the collection, analysis, and dissemination of scientific findings and improved methods of alcoholism prevention and treatment services; (7) maintains continuing relationships with institutions and professional associations and with international, national, State, and local officials, and voluntary agencies and organizations engaged in alcohol related work; (8) conducts policy studies and activities which have broad implications for alcoholism treatment, prevention, and rehabilitation activities; (9) supports public education activities to inform the public of the risks and consequences associated with alcohol abuse and alcoholism; and (10) collaborates with SAMHSA on services research issues as well as on other programmatic issues.

Office of the Director (HN51)

(1) Provides leadership, coordination, and direction in the development and implementation of Institute policies, goals, and priorities; (2) plans, directs and provides overall administration of the program and management activities of the Institute; (3) serves as the focal point for the Department's efforts on alcohol abuse and alcoholism; (4) conducts and coordinates interagency, intergovernmental, international and public affairs activities of the Institute; and (5) monitors the conduct of the equal employment opportunity activities of the Institute.

Office of Policy Analysis (HN512)

(1) Works cooperatively with program offices of the Institute to develop and recommend to the Director, NIAAA, program policies for potential application at the national, State or local level; (2) monitors broad policy issues surrounding the field of alcohol abuse and alcoholism; (3) analyzes current alcoholism programs and policies and conducts special studies and analyses in areas related to alcoholism policies and programs; (4) serves as the Institute focal point for the development and analysis of service financing programs designed to improve and increase the financing of alcoholism services; and (5) conducts legislative analyses and provides legislative services.

Office of Planning and Resource Management (HN513)

(1) Coordinates Institute planning activities and participates in the preparation of Institute-wide program plans; (2) analyzes program plans developed within the Divisions, and monitors implementation of the plans; (3) provides administrative management support to the Institute in the areas of: (a) financial management, (b) grants and contracts management, (c) administrative services, and (d) personnel operations; (4) develops administrative management policies, procedures, and guidelines, and conducts management studies of Institute programs and operations; (5) maintains liaison with the management staff of the Office of the Director, NIH, and implements within the Institute general management policies prescribed by NIH and higher authorities; and (6) provides correspondence control services for the Institute.

Office of Scientific Affairs (HN514)

(1) Provides advice and guidance to the Director regarding the Institute's research programs and other scientific activities; (2) provides a continuing assessment of current Institute research activities in relation to broad research goals and objectives, and recommends changes to basic alcohol research policy where needed; (3) administers the peer and objective review of grant applications and contract proposals; (4) coordinates and assures the development of, and adherence to, program policies and rules relating to Institute extramural activities; (5) assists the Director in obtaining expert advice to conduct evaluations of NIAAA research programs and scientists; (6) administers the committee management function; (7) collects, abstracts, stores, and disseminates program and scientific information on alcohol abuse and alcoholism; (8) prepares and disseminates the Alcohol and Health Report and other special reports in response to congressional, departmental, and programmatic needs for information; and (9) conducts conferences and workshops for the purpose of conveying up-to-date knowledge on alcoholism prevention, early intervention, treatment and rehabilitation to State and local governments, the private and voluntary sectors, and others engaged in alcohol-related work.

Division of Basic Research (HN52)

(1) Plans, stimulates, develops, and supports programs of basic research on the multiple determinants and consequences of alcohol abuse and alcoholism, including biological, behavioral, biochemical, and neurological research; (2) collaborates with outside organizations in the conduct of basic studies related to alcohol abuse and alcoholism; (3) supports programs of training to increase the number and improve the competence and utilization of research scientists; (4) sponsors, develops, and participates in scientific conferences, meetings, and symposia to exchange information and to disseminate new knowledge; (5) prepares reports, summaries, and other materials concerned with various scientific aspects of alcohol abuse; and serves as a repository for special research materials; and (6) supports a full range of grants and contracts, including research centers.

Division of Biometry and Epidemiology (HN53)

(1) Plans and conducts studies and surveys on the incidence and prevalence of alcohol abuse and alcoholism, both nationally and in specific population groups; (2) conducts national surveillance activities to collect and analyze alcohol-related program data through various information systems including the Alcohol Epidemiology Data System, the National Drug and Alcoholism Treatment Utilization Survey, and the State Alcoholism Program Information Systems; (3) develops and maintains information systems to collect and analyze alcohol-related data; (4) collaborates with other organizations engaged in alcohol data collection activities, such as State-based information systems, in order to exchange pertinent data and to utilize existing data systems where appropriate; and (5) supports a full range of grants and contracts, including research centers.

Division of Clinical and Prevention Research (HN54)

(1) Plans, stimulates, develops, and supports clinical programs on alcohol abuse and alcoholism which design and

test the effectiveness of various prevention, early intervention, and treatment approaches; (2) collaborates with outside organizations in the conduct of studies related to prevention and treatment of alcohol abuse and alcoholism; (3) supports programs of training to increase the number and improve the competence and utilization of clinical and prevention research scientists; (4) sponsors, develops, and participates in scientific conferences, meetings, and symposia to exchange information and to disseminate new knowledge; (5) prepares reports, summaries, and other materials concerned with various clinical and prevention aspects of alcohol abuse and alcoholism, and serves as a repository for special research materials; and (6) supports a full range of grants and contracts, including research centers and services research.

Division of Intramural Clinical and Biological Research (HN55)

(1) Plans, develops and conducts a program of basic and applied alcohol research, including metabolic, preclinical and clinical investigations, on the multiple determinants and processes of alcoholism and other alcohol-related problems and in the areas of prevention, diagnosis, treatment and rehabilitation; (2) provides in-house research scientist training in a variety of disciplines for work in alcohol-related research; (3) collaborates with other agencies, universities, and scientific organizations in the conduct of basic and applied research on alcohol and its effects; and (4) operates a clinical research facility for the purpose of conducting research on alcohol-related illnesses and diseases, and developing improved methods of clinical care.

National Institute on Drug Abuse (HN6)

(1) The Institute provides national leadership and conducts and supports biomedical and behavioral research, health services research, research training, and health information dissemination with respect to the prevention of drug abuse and treatment of drug abusers; (2) plans, conducts, fosters, and supports a comprehensive program of research and research training relating to the causes, prevention, treatment, patterns, and consequences of drug abuse and addiction, through research performed in its own laboratories and through contracts and grants to scientific institutions and to individuals; (3) supports training in fundamental sciences and clinical disciplines relating to drug abuse by individual and institutional research training awards; (4) coordinates with other research Institutes and with other Federal health and other agencies in activities relevant to drug abuse and addiction; (5) conducts and fosters health information dissemination activities, including the collection and dissemination of research findings and related educational materials for health professionals and the lay public; (6) coordinates with institutions and professional associations and with international, national, State, and voluntary agencies working in these areas; and (7) collaborates with SAMHSA on services research issues as well as on other programmatic issues.

Office of the Director (HN61)

(1) Provides leadership, direction, and policy in the development of Institute goals, priorities, policies and programs, and (2) coordinates Institute interagency activities.

Office of Planning and Resource Management (HN612)

(1) Provides all administrative and management support services to the Institute in such areas as: Financial planning, analysis, and management; administrative services; personnel management; information resources management; grants and contracts management; and management analysis; (2) develops, implements, and monitors administrative management policies, procedures, and guidelines; (3) develops and monitors the implementation of program policies and plans, and evaluates progress in meeting established Institute objectives; (4) develops data requirements pertinent to short- and long-range program planning and develops Institute's program evaluation policy; (5) administers the Institute's program evaluation system for all Institute employees; and (6) maintains responsibility for all management and administrative policy studies, reports, analyses, and program objectives.

Office of Extramural Program Review (HN613)

(1) Provides advice and guidance to the Director regarding the Institute's peer and objective review processes; (2) provides scientific analyses of the Institute's extramural research program, assessing the breadth and scope of the Institute's research activities; (3) administers the peer and objective review of all extramural grant applications; (4) administers the concept and peer review of all contract proposals; (5) administers the National Advisory Council on Drug Abuse second level review of extramural support mechanisms and advises on overall NIDA program and policy matters; (6) coordinates and assures the development of program policies and rules relating to the Institute's extramural activities, including Institute responsibility for inquiries and investigations into misconduct in science; (7) coordinates Institute activities under the Privacy Act, including supervision of issuance of Confidentiality Certificates; and (8) administers the Institute's committee management function under the Federal Advisory Committee Act.

Office of Science Policy, Education, and Legislation (HN614)

(1) Provides leadership and direction in evaluating, coordinating, analyzing, and planning the Institute's scientific research programs; (2) represents the Institute's research programs to other government agencies, the Congress, professional organizations, and the public; (3) evaluates, analyzes, and develops policy options in regard to the Institute's scientific and research activities; (4) prepares briefing materials and testimony for congressional hearings, and serves as liaison with the Congress, the White House, and other significant Federal and governmental agencies; (5) prepares reports, develops responses, and provides information on legislative efforts, responds to congressional inquiries, and analyzes legislative proposals for the Director; (6) advises the Director on national drug abuse policy issues; (7) conducts relevant public affairs activities, writes scientific articles, deals with the press, media and related efforts, and collaborates with a variety of agencies both public and private to further knowledge and awareness of the Institute, its programs and findings; and (8) provides liaison with professional groups and private organizations, coordinates technical assistance to other governmental agencies, and coordinates analytical studies requested by other governmental agencies.

Office on AIDS (HN615)

(1) Coordinates and provides leadership to Institute activities with respect to AIDS research related to the spread of HIV infection associated with drug abuse; (2) coordinates AIDS-related research to develop new intervention strategies; develop more effective treatments for HIV-infected drug abusers, and better understand the interactions between drugs of abuse, the immune system, and the development and course of AIDS; (3) coordinates

AIDS-related activities with other Institutes at the NIH and with SAMHSA, CDC, and OASH; (4) coordinates the development of policy regarding AIDS-related drug abuse research; and (5) represents the Institute's position and research findings to OASH and the National Commission on AIDS, and to scientific, public, and health professional organizations.

Division of Clinical Research (HN62)

(1) Plans, stimulates, develops, and supports a broad extramural program of medical, applied, services and outcome research focusing on drug abuse treatment; (2) supports studies designed to describe and address the problem of human medical conditions that may be associated with drug abuse and the strategies to prevent such complications; (3) supports research including community-based research designed to assess the efficacy of new and existing treatment intervention techniques and treatment modalities/services; (4) supports research which focuses on developing and evaluating methodology for recruiting drug abusers into treatment, retaining them, and preventing recidivism to drug use; (5) supports research which focuses on the impact of alternative financing, organizational, and staffing patterns on the cost, quality, access, utilization, and outcome of drug abuse services; (6) supports studies of the impact of prescription drug regulatory mechanisms on medical practice and patient care; (7) supports development and evaluation of standards of medical maintenance and detoxification; and (8) supports research training to increase the skills, quantity, quality, and utilization of research investigators in the clinical, psychological, and behavioral science disciplines in the field of drug abuse.

Division of Epidemiology and Prevention Research (HN63)

(1) Plans and directs a broad-based grant and contract research program, including field studies, population based research surveys, and ethnographic research on the nature, pattern, extent and consequences of drug abuse among general, special, and underserved populations; (2) plans and directs a broad-based grant and contract research program on prevention and early intervention; (3) designs and supports surveys and develops sampling, data collection and analytic methodologies for epidemiologic and prevention research areas; (4) works cooperatively with Federal and other governmental agencies and private organizations to encourage sharing of drug abuse epidemiology information and prevention models; (5) provides consultation and technical assistance in the areas of epidemiology field studies, surveys, methodologies, statistical methods and prevention research issues; and (6) develops training programs and supports individuals in the areas of drug abuse epidemiologic and prevention research.

Addiction Research Center (HN64)

(1) Plans, develops, and conducts intramural preclinical and clinical research on the causes, hazards, treatment, and prevention of drug abuse and addiction, the nature of the addiction process, and the addiction liability of new drugs drawing on the biomedical, neuroscience, psychological, and behavioral sciences; (2) provides inhouse research scientist training in a variety of disciplines for work in drug abuse-related research; and (3) develops preclinical and clinical research studies and procedures for protection of human subjects from research risks and monitors the provision of medical care to these subjects.

Division of Basic Research (HN65)

(1) Plans, develops, and administers an extramural program of biomedical and behavioral research which seeks to develop new knowledge concerning the mechanisms and sites of action underlying drug abuse; (2) supports studies to develop new methodologies for testing the abuse potential of new compounds; (3) supports studies designed to determine the neurological, biological, behavioral effects of drugs of abuse and those components that may be related to drugs of abuse; (4) supports research training to increase the skills, quantity, quality and utilization of research investigators in the biomedical and behavioral disciplines in the drug abuse field; (5) supports studies designed to describe and understand drug abusing behavior and to ascertain the effects of drugs and environment on behaviors; (6) supports research into the synthesis of new compounds, new methods development, and drug metabolism; and (7) manages the distribution of controlled substances, research drugs, and chemicals.

Medications Development Division (HN66)

(1) Plans and directs studies necessary to identify, evaluate, develop, and obtain the Food and Drug Administration (FDA) marketing approval for new medications for the treatment of drug dependence and addiction and other brain and behavioral disorders related to drug abuse; (2) develops and administers a national program of basic and clinical pharmaceutical research to develop innovative biological and pharmacological treatment approaches; (3) supports training in the fundamental sciences and clinical disciplines related to the pharmacotherapeutic treatment of drug abuse; (4) collaborates with: (a) the pharmaceutical and chemical industry in the United States and other Nations and, (b) the Federal medications development programs; and (5) works closely with FDA in assuring that research designed to show the clinical efficacy of new compounds is evaluated and approved in the most expeditious manner possible.

National Institute of Mental Health (HN7)

(1) Provides leadership for a national program to increase knowledge and advance effective strategies to deal with problems and issues in the promotion of mental health and the prevention and treatment of mental illness; (2) conducts and supports research and research training on the biological, psychological, behavioral, epidemiological, legal and social science aspects of mental health and illness; (3) conducts and supports mental health services research concerned with the impact of the organization, financing, and management of health services on the quality, cost, access to, and outcomes of care; (4) provides assistance to, and encourages other Federal agencies and national, foreign, State, and local organizations, hospitals, professional associations, and volunteer groups to facilitate and extend programs to promote mental health and prevent mental illness; (5) collects, analyzes, and disseminates scientific findings and data on the incidence, prevalence, and resources for the treatment of mental illness; and (6) conducts educational activities, including the collection and dissemination of educational materials concerned with mental health issues for health professionals and the lay public.

Office of the Director (HN71)

(1) Provides leadership in the planning, development, and management of Institute goals, priorities, policies, and programs, including equal employment opportunity, and is the focal point for the Department's efforts in fields related to mental health; (2) oversees and promotes: (a) research, training, and other activities designed to more effectively diagnose, treat, and prevent the spread of HIV infection, (b) research on conditions specific to the mental health of rural area residents,

and (c) research concerned with special populations, including both women and minorities; (3) provides leadership in the areas of prevention, science education, and technology/knowledge transfer; (4) collaborates with SAMHSA on services research issues as well as on other programmatic issues; and (5) conducts and coordinates interagency, intergovernmental, and international activities.

Office of Prevention (HN712)

Promotes Institute research programs concerning the prevention of mental disorders and the promotion of mental health by developing, planning, executing, and assessing national programs to set Institute goals and priorities in areas such as AIDS, international activities, and training.

Office on Equal Employment Opportunity (HN713)

(1) Provides advice to Institute management on compliance with EEO-related laws, policies, and regulations; (2) plans, coordinates, monitors, and evaluates the Institute's progress in meeting Affirmative Action objectives; (3) coordinates with the Institute's personnel component; (4) serves as the focal point for EEO-related activities concerning women, minorities, and individuals with disabilities; (5) monitors contract compliance with civil rights requirements; and (6) maintains liaison with other National Institutes of Health (NIH) components concerned with EEO, minority, and women's affairs.

Office of Rural Mental Health Research (HN714)

(1) Directs, plans, coordinates, and supports research activities and information dissemination on conditions unique to those living in rural areas, including research on the delivery of mental health services in such areas; and (2) coordinates related Departmental research activities and related activities of public and nonprofit entities.

Office for Special Populations (HN715)

(1) Develops and coordinates research policies and programs to assure increased emphasis on the mental health needs of women and minority populations; (2) supports programs of basic and applied social and behavioral research on the mental health problems of women and minorities; (3) studies the effects of discrimination on institutions and individuals, including majority institutions and individuals; (4) supports and develops research designed to eliminate institutional discrimination; and (5) provides increased emphasis on the concerns of women and minority populations in the Institute's training and research programs.

Office on AIDS (HN716)

(1) Plans, directs, coordinates, and supports biomedical and behavioral research designed to develop better understanding of the biological and behavioral causes of HIV (AIDS virus) infection and more effective mechanisms for the diagnosis, treatment, and prevention of AIDS; (2) analyzes and evaluates national needs and research opportunities to identify areas warranting either increased or decreased program emphasis; and (3) consults and cooperates with voluntary and professional health organizations, as well as other NIH components and Federal agencies, to identify and meet AIDS-related needs.

Office of Legislative Analysis and Coordination (HN717)

(1) Advises the Institute Director and staff and provides leadership and direction for NIMH legislative analysis, development, and liaison; (2) keeps abreast of legislative developments relevant to NIMH programs and activities; (3) stimulates interaction and information exchange with professional and constituent groups; (4) coordinates and controls NIMH congressional communications, in conjunction with the Executive Secretariat; (5) provides coordination on NIMH legislative matters with NIH, the Executive Branch, and the private sector; (6) coordinates the preparation of congressional testimony and reports for the Institute; (7) oversees the development of special reports, staff documents, and other studies concerning NIMH interests, activities, and relationships; and (8) initiates, coordinates, and implements special projects concerning advancement of NIMH national leadership activities.

Office of Scientific Information (HN718)

(1) Administers the Institute's public communication, scientific information dissemination, and media relations activities for both professionals and the public; and (2) provides for technical information services.

Office of Resource Management (HN719)

Directs and coordinates the Institute's resource allocation and management improvement process by overseeing: (1) program planning and financial management, (2) grant and acquisition activities, (3) information resource management, (4) program analysis, (5) management policy and procedure development, interpretation, and implementation, (6) the provision of general administrative services throughout the Institute, and (7) personnel operations.

Office of Program Planning and Science Policy (HN71B)

(1) Plans and directs a comprehensive program of strategic and program planning, science policy research, science program and related policy evaluation, technology/knowledge transfer, and special science programs; (2) plans and directs a program of activities related to science education, designed to both inform the public about mental health issues and encourage youth to enter careers in the biomedical and behavioral sciences; and (3) provides correspondence control services for the Institute.

Division of Neuroscience and Behavioral Science (HN72)

Directs, plans, and supports programs of basic and applied research, research training, and resource development to further understand the etiology, treatment, and prevention of mental disorders with a focus on: behavioral and social sciences; cognitive sciences; neuroimaging and neurosciences; and psychopharmacology.

Division of Clinical and Treatment Research (HN73)

(1) Directs, plans, conducts, and supports programs of research, research training, and resource development in psychopathology, classification, assessment, etiology, genetics, clinical course, outcome, and treatment of mental disorders with emphasis on schizophrenic disorders, affective and anxiety disorders, and mental disorders of children and adolescents, the elderly, minorities, and other special populations; and (2) coordinates the Institute's medications development program.

Division of Epidemiology and Services Research (HN74)

Directs, plans, supports, and conducts programs of research, research demonstrations, research training, and resource development in prevention, services research, epidemiology, psychopathology, assessment, classification, violence and traumatic stress, and health and behavior.

Division of Extramural Activities (HN75)

(1) Provides leadership and advice in developing, implementing, and

coordinating extramural programs and policies; (2) represents the Institute on extramural program and policy issues within the Department and with outside organizations; (3) provides scientific and technical peer and objective review of applications for grants, cooperative agreements, and contracts; (4) provides information and guidelines for grant applications; and (5) oversees National Advisory Mental Health Council activities and provides committee management services.

Division of Intramural Research Programs (HN76)

(1) Plans and administers a comprehensive long-term intramural research program dealing with the causes, diagnosis, treatment, and prevention of mental disorders, as well as the biological and psychosocial factors that determine human behavior and development; (2) operates and physically maintains an independent, clinical care facility in the William A. White Building for the study of mental illnesses; and (3) provides a focus for national attention in the area of mental health research.

These organizational changes are effective October 1, 1992.

Dated: November 2, 1992.

Louis W. Sullivan,

Secretary.

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DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Community Planning and Development

[Docket No. N-92-1917; FR-3350-N-05]

Federal Property Suitable as Facilities to Assist the Homeless

AGENCY: Office of the Assistant Secretary for Community Planning and Development, HUD.

ACTION: Notice.

SUMMARY: This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

ADDRESSES: For further information, contact James N. Forsberg, room 7262, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; telephone (202) 708-4300; TDD number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with 56 FR 23789 (May 24, 1991) and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property. This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless* v. *Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD:

(1) Its intention to make the property available for use to assist the homeless.

(2) Its intention to declare the property excess to the agency's needs, or

(3) A statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days from the date of this Notice. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Judy Breitman, Division of Health Facilities Planning, U.S. Public Health Service, HHS, room 17A-10, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 56 FR 23789 (May 24, 1991).

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to James N. Forsberg at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (i.e., acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: U.S. Air Force: John Carr, Realty Specialist, HQ-AFBDA/BDR, Pentagon, Washington, DC 20330-5130; (703) 693-0674; (This is not a toll-free number).

Dated: November 6, 1992

Paul Roitman Bardack,

Deputy Assistant Secretary for Economic Development.

Title V, Federal Surplus Property Program Federal Register Report For 11/13/92

Arizona—Williams Air Force Base

Williams Air Force Base is located in Mesa, Arizona, 85240-5000. All the properties will be excess to the needs of the Air Force on or about September 30, 1993. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The Base consists of approximately 4,072 acres, 179 Government-owned buildings and 700 residential buildings that have been reviewed by HUD for suitability for use to assist the homeless. The properties that HUD has determined suitable and which are available include

various types of housing; office and administrative buildings; recreational, maintenance, and storage facilities; and other more specialized structures.

Suitable/Available Properties

Property Number: 199210096
Type Facility: Housing—700 units of military family housing; 1-story with 2 to 5 bedrooms.
Property Number: 199210097
Type Facility: Temporary Living Quarters—15 buildings; 1-, 2-, and 3-story structures including dorms and lodging.
Property Number: 199210098
Type Facility: Support and Service Facilities—5 buildings; one 3-story fire station, one 1-story brick chapel, a gate house, a post office and an education center.
Property Number: 199210099
Type Facility: Miscellaneous Facilities—24 buildings; 1- and 2-story structures including a library, bowling center, gym, child care, youth and recreation centers, theater, commissary and stores.
Property Numbers: 199210100–199210101
Type Facility: Recreation—20 facilities including golf club bldgs., bathhouses, swimming pools, baseball, softball and soccer fields, tennis courts, track, golf course, driving range and a camp.
Property Number: 199210102
Type Facility: Medical Facilities—6 buildings; 1-story block and concrete structures including a hospital, clinics and pharmacy.
Property Number: 199210103
Type Facility: Laboratories—9 buildings; eight 1-story and one 3-story metal and concrete/block structures.
Property Number: 199210104
Type Facility: Flight Training and Admin. Facilities—36 buildings; 1- to 3-story concrete block, wood and metal structures including law centers, offices, classrooms and flight training facilities.
Property Number: 199210105
Type Facility: Warehouse and Storage Facilities—12 buildings; 1-story concrete, wood and steel structures including warehouses and storage bldgs.
Property Number: 199210106
Type Facility: Base Support and Flight Maintenance Facilities—52 buildings; 1-story concrete/steel, concrete/block and steel structures including hangars, maintenance and jet engine shops.
Property Number: 199210107
Type Facility: Hazardous and Explosive Storage—14 buildings; 1-story concrete and concrete/metal structures.

Arkansas—Eaker Air Force Base

Eaker Air Force Base is located in Blytheville, Arkansas 72317–5000. All the properties will be excess to the needs of the Air Force on or about December 15, 1992. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The base covers 2,700 acres and contains 928 housing units and 199 government-owned buildings. The properties that HUD has determined suitable and which are available include various types of housing; office and administration buildings; indoor and outdoor recreational facilities; warehouses and multi-use buildings; child care centers; maintenance, storage and other more specialized structures.

Suitable/Available Properties

Property Numbers: 199210040–199210042
Type Facility: Housing—818 duplex units with two, three and four bedrooms; wood with brick veneer fronts; 10 single family houses with four and five bedrooms; and 25 four unit buildings with two story four bedroom units; four playgrounds.
Property Number: 199210044
Type Facility: Security Related Facilities—13 buildings; 30 to 2,400 sq. ft., 1 story; metal, concrete block or wood frame; includes traffic check houses, kennels, guard towers, alert shelters.
Property Number: 199210045
Type Facility: Office/administration—26 buildings; 188 to 49,000 sq. ft.; one and two story; concrete block, metal, shingle or masonry construction.
Property Numbers: 199210046–199210047
Type Facility: Recreation—20 outdoor areas which includes athletic fields (track, softball, baseball), swimming pools, golf courses, volleyball court, basketball courts, tennis court. Eight indoor facilities which includes gym, theatre, library, bowling, youth and recreation centers, hobby shop; concrete block, masonry or metal/brick construction.
Property Numbers: 199210048–199210055
Type Facility: Temporary living quarters and dorms—8 buildings; 3,414 to 41,000 sq. ft.; one and two story; wood/brick veneer and brick masonry buildings.
Property Number: 199210056
Type Facility: Warehouses/multi-use buildings—36; metal, concrete block, shingle, wood or plywood frame; one and two story; 64 to 45,960 sq. ft.; includes cold storage facilities, maintenance shops, traffic management facility, storage shed, thrift shops and other specialty type facilities.
Property Numbers: 199210057–199210059
Type Facility: Hospitals—3 buildings; one story concrete block; 1,084 sq. ft. animal clinic; 5,249 sq. ft. dental clinic; and 54,089 sq. ft. composite medical bldg.
Property Numbers: 199210060, 199210062
Type Facility: Child care centers—2 buildings; 2,098 to 8,365 sq. ft.; brick, concrete block and hadite block construction.
Property Numbers: 199210063–199210065, 199210073
Type Facility: Stores and services—4 buildings; 4,299 sq. ft. exchange service station; 32,925 sq. ft., one story concrete block exchange sales store; 3,370 sq. ft., one story wood frame packaging store; 38,575 sq. ft., one story concrete block/metal commissary.
Property Number: 199210066
Type Facility: Airfield related buildings—9; 96 to 49,000 sq. ft.; shingle, metal or concrete block structures, e.g. hangars, aircraft general purpose bldgs., jet engine maintenance shops, control centers.
Property Number: 199210068
Type Facility: Vehicle maintenance facilities—3; 2,032 to 29,350 sq. ft.; one story metal frame buildings.
Property Number: 199210069
Type Facility: Fuels/related storage facilities—33 buildings; steel, fiberglass and porcelain type; e.g. service stations, diesel storage, pump stations, jet fuel storage.
Property Number: 199210070
Type Facility: Hazardous storage buildings—4; 96 to 3,000 sq. ft.; one story metal structures.
Property Number: 199210071
Type Facility: Munitions facilities—10 buildings; 412 to 4,864 sq. ft.; concrete block; storage igloos and magazines.
Property Number: 199210075
Type Facility: Chapel—Building 525; 17,602 sq. ft.; one story frame with brick veneer.
Property Numbers: 199210076–199210077
Type Facility: Laboratories—2 buildings; 4,200 sq. ft. precision measurement equipment lab; and 3,775 sq. ft. audio-visual photo lab.
Property Number: 199210078
Type Facility: Bank; 2,367 sq. ft.; one story concrete block; lease restrictions.
Property Number: 199210079
Type Facility: Land; 1,962 acres; restrictive agricultural lease.

Suitable/Unavailable Properties

Property Number: 199210074

Type Facility: Fire Station—Building 100; 15,717 sq. ft.; concrete masonry/ asbestos cement shingles frames.
Property Number: 199210061
Type Facility: Child Care Center—Building 527; 2,098 sq. ft., 1 story hadite block frame.
Property Number: 199210072
Type Facility: Cold Storage—Building 435; 3,195 sq. fr., 1 story concrete block frame.

Unsuitable Properties

Property Number: 199210067
Type Facility: Detached latrines—3; 264 sq. ft. concrete block structures.
Property Number: 199210043
Type Facility: Housing—23 buildings; cracked foundations, therefore, structural deficiencies.

California—George Air Force Base

George Air Force Base is located in San Bernardino, California, 92394–5000. All the properties will be excess to the needs of the Air Force on or about December 31, 1992. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The Base covers 5,340 acres and contains 732 individual properties that have been reviewed by HUD for suitability for use to assist the homeless. The 668 properties that HUD has determined suitable include various types of housing; office and administrative buildings; recreational, maintenance, and storage facilities; and other more specialized structures. The Air Force has determined that all suitable properties are available for use to assist the homeless.

Extensive assistance, including maps, tours, and details on specific properties, is available for interested homeless assistance providers at the Base; interested parties should contact Lt. Col. Zernow at (619) 269–2020.

Suitable/Available Properties

Property Numbers: 199120001–199120420
Type Facility: Housing—400 buildings with a total of 1,525 dwelling units; buildings have 1, 2, 3, 4, 6, or 8 units each; wood/stucco frame construction; possible asbestos
Property Number: 199120506–199120547
Type Facility: Temporary living quarters, dorms, lodges, and ancillary sheds—42 buildings; 1 and 2 story wood, concrete, and concrete block structures; 4,700 sq. ft. to 25,000 sq. ft. for living quarters; 380 sq. ft. to 2,400 sq. ft. for sheds; possible asbestos

Suitable/Unavailable Properties

Property Number: 199120421–199120473
Type Facility: Office/administration—53 buildings ranging in size from 200 sq. ft. on 1 floor to 56,600 sq. ft. on 3 floors; wood or concrete block construction; several trailers; possible asbestos
Property Numbers: 199120474–199120505
Type Facility: Recreation—22 buildings including theatre, recreation center, bowling center, gym, library, craft center, shop, youth center, golf course buildings, pools, bathhouses; 7 baseball, softball, and soccer fields; track; golf course; driving range; possible asbestos.
Property Numbers: 199120548–199120587
Type Facility: Aircraft and airport related facilities—40 structures including hangers, shops, tower, terminal, lab, docks, storage, control center, navigation station, runways; sizes up to 86,000 sq. ft.; possible asbestos.
Property Numbers: 199120588–199120608
Type Facility: Maintenance and engineering facilities—21 buildings; concrete and wood; 200 sq. ft. to 17,000 sq. ft.; possible asbestos.
Property Numbers: 199120609–199120618
Type Facility: Training facilities—10 buildings; education center and 9 classroom buildings; concrete and wood; 1,200 sq. ft. to 16,800 sq. ft.; possible asbestos.
Property Numbers: 199120619–199120630
Type Facility: Stores and services—12 buildings; 10 stores and 2 gas stations; wood and concrete; 1,800 sq. ft. to 30,700 sq. ft.; possible asbestos.
Property Numbers: 199120631–199120632
Type Facility: Chapels—2 buildings; 4,800 sq. ft. wood; 24,100 sq. ft. concrete; possible asbestos.
Property Number: 199120633
Type Facility: Hospital—3 story, concrete block, 147,000 sq. ft.; possible asbestos.
Property Numbers: 199120634–199120635
Type Facility: Fire facilities—2 buildings; fire station and command center; possible asbestos.
Property Numbers: 199120636–199120638
Type Facility: Audio visual and photo lab—3 buildings; wood and concrete; 1,800 sq. ft. to 2,300 sq. ft.; possible asbestos.
Property Numbers: 199120639–199120645
Type Facility: Vehicle shops—7 buildings; concrete; 74 sq. ft. to 33,000 sq. ft.; possible asbestos.
Property Numbers: 199120646–199120655
Type Facility: Misc.—10 buildings; wood and concrete; 1 story; dining halls, mess halls, food service, child care centers; 1,800 sq. ft. to 19,000 sq. ft.; possible asbestos.
Property Numbers: 199120656–199120666
Type Facility: Communications/ electronic—11 buildings; concrete block and wood; 1 story shops and sheds; 108 sq. ft.; possible asbestos.
Property Numbers: 199120667–199120678
Type Facility: Warehouse—12 buildings; 1,124 sq. ft. to 70,000 sq. ft.; wood, concrete, and concrete block; possible asbestos.

Unsuitable Properties

Property Numbers: 199120679
Type Facility: Small arms.
Reason: Within 2,000 ft. of flammable or explosive material.
Property Numbers: 199120680–199120687
Type Facility: Hazardous storage facilities—8 buildings
Reason: Within 2,000 ft. of flammable or explosive material.
Property Numbers: 199120688–199120713
Type Facility: Explosives and munitions facilities—26 buildings.
Reason: Within 2,000 ft. of flammable or explosive materials.
Property Numbers: 199120714–199120732
Type Facility: Fuel facilities—19 structures.
Reason: Within 2,000 ft. of flammable or explosive materials.

California—Mather Air Force Base

Mather Air Force Base is located in Sacramento County, California, 95655–5000. All the properties will be excess to the needs of the Air Force on or about September 30, 1993. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The Base consists of approximately 5715 acres, 315 Government-owned buildings and 1271 housing units that have been reviewed by HUD for suitability for use to assist the homeless. The properties that HUD has determined suitable and which are available include various types of housing; office and administrative buildings; recreational, maintenance, and storage facilities; and other more specialized structures.

Suitable/Available Properties

Property Number: 199210022
Type Facility: Office/Administration—60 buildings; one, two and three story structures; presence of asbestos.
Property Number: 199210024
Type Facility: Aircraft and Airport Related Facilities—33 buildings; one to two story structures including hangars, storage facilities and maintenance shops; presence of asbestos.
Property Number: 199210025
Type Facility: Maintenance and Engineering Facilities—36 buildings, one story structures including storage, shop and maintenance buildings; presence of asbestos.

Property Number: 199210027
Type Facility: Stores and Services—7 buildings; one story structures including stores, service station exchange and cold storage building; presence of asbestos.
Property Number: 199210028
Type Facility: Chapels—2 buildings; one story concrete block and masonry concrete structures; presence of asbestos.
Property Number: 199210029
Type Facility: Fire Facilities—2 fire facilities and 2 fire stations; presence of asbestos.
Property Number: 199210030
Type Facility: Audio Visual—3 buildings; one story photo lab and training aid shops; presence of asbestos.

Suitable/Unavailable

Property Numbers: 199210017–199210020
Type Facility: Housing—207 buildings/414 units Wherry duplexes (two to three bedrooms); 857 family houses (one to four bedrooms); buildings have reinforced concrete block, wood and stucco frame construction; presence of asbestos.
Property Number: 199210021
Type Facility: Temporary Living Quarters—18 buildings; one, two, and three story wood, concrete block and stucco structures; presence of asbestos.
Property Number: 199210023
Type Facility: Recreation—32 facilities including theater, gymnasium, library, bowling alley, recreation center, arts and crafts center, youth center, pools, bath houses, museum buildings; presence of asbestos.
Property Number: 199210026
Type Facility: Training Facilities—15 buildings; one to two story concrete, wood and metal classroom/education buildings; presence of asbestos.
Property Number: 199210031
Type Facility: Miscellaneous—6 buildings; one story child care centers, correction facility, dining and mess halls; presence of asbestos.
Property Number: 199210032
Type Facility: Storage Facilities—61 buildings; one story metal, steel, wood or concrete storage buildings or sheds; presence of asbestos.
Property Number: 199210033
Type Facility: Warehouses—7 buildings; one to two story structures; presence of asbestos.
Property Number: 199210034
Type Facility: Vehicle Shops—6 buildings; one story concrete block, wood, steel frame and metal shops; presence of asbestos.
Property Number: 199210035
Type Facility: Traffic Check House—1 building; two story concrete block structure.
Property Number: 199210036
Type Facility: Fuel Facilities—8 buildings; one story structures.
Property Number: 199210037
Type Facility: Explosives and Munitions Facilities—5 buildings; one story concrete or concrete block storage structures.
Property Number: 199210038
Type Facility: Hazardous Storage Facilities—11 buildings; one story metal storage structures.
Property Number: 199210039
Type Facility: Land—Recreation Areas and Airfield Properties including softball/football/soccer fields, running track, riding stables, golf course, taxiway and runways, (approximately 5,716 acres).

Illinois—Chanute Air Force Base

Chanute Air Force Base is located in Champaign, Illinois, 61868. All the properties will be excess to the needs of the Air Force on or about September 30, 1993. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The Base consists of approximately 2,174 acres, 164 Government-owned buildings and 463 residential buildings that have been reviewed by HUD for suitability for use to assist the homeless. The properties that HUD has determined suitable and which are available include various types of housing; office and administrative buildings; recreational, maintenance, and storage facilities; and other more specialized structures.

Suitable/Available Properties

Property Number: 199210139
Type Facility: Housing—463 houses with 1 to 8 units, brick and wood structure, possible asbestos.
Property Number: 199210140
Type Facility: Temporary Living Quarters—24 buildings; 1 to 4-story dormitories and temporary living facilities, possible asbestos.
Property Number: 199210141
Type Facility: Medical Facilities—2 buildings; 4-story concrete hospital and a 1-story concrete dental clinic, possible asbestos.
Property Number: 199210142
Type Facility: Storage/Warehouses—28 buildings; concrete block, brick, metal and wood structures including supply and training bldgs., need repairs.
Property Number: 199210143
Type Facility: Maintenance Bldgs.—15 buildings; 1-story maintenance facilities and shops, possible asbestos.
Property Number: 199210144
Type Facility: Engine Test Cells/Warehouse—2 buildings; 1-story concrete storage/maintenance facilities, possible asbestos.
Property Number: 199210145
Type Facility: Gas Stations—2 buildings; 1-story gas stations.
Property Number: 199210146
Type Facility: Training Facilities—22 buildings; 1 to 4-story structures including training bldgs., classrooms, and labs, possible asbestos.
Property Number: 199210147
Type Facility: Retail Stores—5 buildings; 1-story brick and wood structures including 4 branch exchanges and 1 commissary, possible asbestos.
Property Number: 199210148
Type Facility: Chapel/Chapel Center—3 buildings; one 2-story brick chapel center and two 1-story wood chapels, possible asbestos.
Property Number: 199210149
Type Facility: Fire Station—1 building; 2-story brick fire station, possible asbestos.
Property Number: 199210150
Type Facility: Recreation—48 facilities; including gym, library, theater, golf bldgs., youth, child, bowling and recreation centers, track, softball fields, tennis courts, golf course and driving range.
Property Number: 199210152
Type Facility: Administration—26 facilities; wood, brick and concrete structures including a band center, an education center, admin. bldgs., and offices, needs rehab, possible asbestos.
Property Number: 199210153
Type Facility: Bldg. 386/Band Bldg.—31,803 sq. ft., 2-story concrete block/wood band center, needs rehab.

Louisiana—England Air Force Base

England Air Force Base is located in Alexandria, Louisiana 71311–5000. All the properties will be excess to the needs of the Air Force on or about December 15, 1992. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The base covers 2,282 acres and contains 568 housing units and 193 government-owned buildings. The properties that HUD has determined suitable and which are available included one and two story family housing; office and administration buildings; recreational facilities and areas; educational, business and commercial buildings; maintenance, storage and other specialized structures.

Suitable/Available Properties

Property Numbers: 199210080–199210081

Type Facility: Housing—286 buildings with 568 dwelling units; one and two story; wood or masonry frame; 1,190, to 6,701 sq. ft.
Property Number: 199210082
Type Facility: Office and administration—28 buildings; 228 to 40,006 sq. ft.; one and two story; wood, brick, block or masonry frame; presence of asbestos in several structures.
Property Number: 199210094
Type Facility: Land, airfield, runways—25 parcels; 10 to 398,099 square yards; concrete or asphalt.

Suitable/Unavailable Properties

Property Numbers: 199210083–199210084
Type Facility: Recreation—18 facilities and 10 parcels of land; i.e. swimming pools, gym, theatre, riding stables, bowling, library, golf course, arts and crafts center, baseball, soccer, and softball fields, track and tennis court; presence of asbestos in some structures.
Property Number: 199210085
Type Facility: Dorms and dining areas—14 buildings; 3,902 to 25,715 sq. ft.; brick or masonry frame; one, two, and three story; presense of asbestos in some structures; includes dorms, officers club, NCO club and dining hall.
Property Number: 199210086
Type Facility: Educational/training—14 buildings; 740 to 45,716 sq. ft.; wood or masonry frame; one and two story; presence of asbestos in a few structures; includes classrooms, child care center, school, educational office and field training facility.
Property Number: 199210087
Type Facility: Hospitals—3 related buildings—medical storage, hospital and bio environment; metal or masonry frame; presence of asbestos in hospital.
Property Number: 199210088
Type Facility: Business and Commercial—6 buildings; 1,925 to 34,326 sq. ft.; masonry frame and possible asbestos in the commissary; other structures include mini mall, photo lab, post office, service station and base package store.
Property Number: 199210089
Type Facility: Storage/Warehouses—38 buildings including igloos, supply and equipment warehouses, records storage, commissary warehouse, retail exchange warehouse, cold storage and open storage facilities; 225 to 60,960 sq. ft.; one story; wood, block, metal, brick or concrete construction; presence of asbestos in several structures.
Property Number: 199210090
Type Facility: Maintenance shops—20 buildings; 228 to 34,176 sq. ft.; one story; block, metal or steel construction; presence of asbestos in several structures.
Property Number: 199210091
Type Facility: Airfield related facilities—36 buildings including vehicle fuel station, petroleum operations building, aircraft general purpose, control center, shop avionics, air freight terminal, etc.; 240 to 79,537 sq. ft.; block, metal, wood, concrete or masonry frame; presence of asbestos in some structures.
Property Number: 199210092
Type Facility: Fire facility—Building 500; 13,658 sq. ft.; one story masonry frame; presence of asbestos.
Property Number: 199210093
Type Facility: Chapel—Building 1801; 11,484 sq. ft.; one story masonry frame.

Unsuitable Properties

Property Number: 199210095
Type Facility: Fuel storage containers—14 hazardous storage containers.

Michigan—Wurtsmith Air Force Base

Wurtsmith Air Force Base is located in Oscoda, Michigan 48753. All the properties will be excess to the needs of the Air Force on or about June 30, 1993. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The base consists of approx. 5,221 acres with 62 government-owned buildings and 1,349 units of housing. The suitable/available properties include various types of housing; office buildings; recreational facilities; dining and child care facilities; stores; warehouses and other more specialized structures.

Suitable/Available Properties

Property Numbers: 199240001–199240005
Type Facility: Housing—1,349 units and 13 dormitories; 1, 2, 4, 6, 7 and 8 unit buildings; 1073 to 90501 sq. ft.
Property Numbers: 199240006–199240007, 199240015–199240018, 199240022–199240025
Type Facility: Recreational—18 facilities; includes swim bath house; recreation center; library; bowling alley; running track; softball, baseball, football, and soccer fields; theatre.
Property Number: 199240008
Type Facility: Dining—3 buildings; 13388 to 15062 sq. ft.; includes open mess.
Property Number: 199240009
Type Facility: Stores—4 buildings; 4208 to 40701 sq. ft.; includes sales store; service outlet exchange; exchange branch; and base package store.
Property Number: 199240010
Type Facility: Warehouses—4; 7856 to 104213 sq. ft.; includes commissary; supply and equipment base; and traffic facility.
Property Numbers: 199240011, 199240014, 199240021
Type Facility: Miscellaneous—11 buildings; includes storage facilities; vehicle maintenance shops; arts & crafts center; radar building.
Property Numbers: 199240012–199240013; 199240020
Type Facility: Offices—15 buildings; includes admin offices; child care centers; education facility; headquarters group; family housing management offices; environmental health.
Property Number: 199240019
Type Facility: Chapel—19977 sq. ft.; roof leaks.
Property Number: 199240026
Type Facility: Air Force Land—56 acres; portion located in airport runway area.

New Hampshire—Pease Air Force Base

Pease Air Force Base is located in Rockingham County, New Hampshire, 03803. The Base consists of approximately 4,257 acres, numerous Government-owned buildings and residential buildings that have been reviewed by HUD for suitability for use to assist the homeless. The New Hampshire Air National Guard is expected to continue operations on a portion of the Base. All suitable/available properties listed below are vacant.

Suitable/Available Properties

Property Number: 189040321–189040323
Type Facility: 2 open mess and 1 dining hall.
Property Number: 189040326
Type Facility: 1 bachelor quarters building.
Property Number: 189040327
Type Facility: Hospital heat plant.
Property Number: 189040328
Type Facility: Hospital.
Property Number: 189040329
Type Facility: Trailer (hospital office space).
Property Number: 189040330–189040332
Type Facility: 3 training facilities.
Property Number: 189040333–189040334
Type Facility: 2 child care facilities.
Property Number: 189040335
Type Facility: Fire station.
Property Number: 189040059–189040148, 189040304–189040319
Type Facility: 106 4-unit residences.
Property Number: 189040352
Type Facility: 1 chapel.
Property Numbers: 189040387–189040394

Type Facility: 8 dormitories.
Property Number: 189040395–189040404
Type Facility: 10 residences with detached garage.
Property Numbers: 189040405–189040467
Type Facility: 63 2-unit residences with detached garage.
Property Numbers: 189040468–189040471
Type Facility: 4 6-unit residences with attached garage.
Property Numbers: 189040472–189040561
Type Facility: 90 detached housing storage sheds.
Property Numbers: 189040737–189040740
Type Facility: 4 recreational facilities.
Property Number: 189040748
Type Facility: 1 small concrete munitions storage building.
Property Numbers: 189040763–189040768, 189040770–189040771
Type Facility: 9 administrative facilities.
Property Numbers: 189040774–189040775, 189040777–189040778, 189040787, 189040790, 189040795–189040805
Type Facility: 17 miscellaneous buildings used for office, administrative, educational, laboratory, traffic check, storage, maintenance, and other purposes.
Property Number: 189010535
Type Facility: Temp. lodging facility, Bldg. 94, Rockingham Drive.

Unsuitable Properties

Property Number: 189040360
Type Facility: Golf course.
Reason: Within airport runway clear zone.
Property Number: 189010536
Type Facility: Vehicle fuel station.
Reason: Within 2000 ft. of flammable or explosive material.
Property Numbers: 189010537, 189010538
Type Facility: Jet fuel pumphouses.
Reason: Within 2000 ft. of flammable or explosive material.
Property Number: 189010539
Type Facility: Weapons storage area.
Reason: Within 2000 ft. of flammable or explosive material.
Property Numbers: 189040354–189040359
Type Facility: Bldgs. 399–401, 403, 405, 407
Reason: Within airport runway clear zone.
Property Numbers: 189040361, 189040369, 189040373
Type Facility: Industrial facilities.
Reason: Within 2000 ft. of flammable or explosive material.
Property Number: 189040717
Type Facility: Utility plant.
Reason: Other.
Property Numbers: 189040772, 189040794
Type Facility: Bus shelters.
Reason: Other.
Property Numbers: 189040806, 189040825–189040829
Type Facility: Sewage pump stations.
Reason: Other.
Property Numbers: 189040820, 189040822–189040824
Type Facility: Pump stations.
Reason: Other.
Property Numbers: 189040830–189040851
Type Facility: Power stations.
Reason: Other.

South Carolina—Myrtle Beach Air Force Base

Myrtle Beach Air Force Base is located in Horry County, South Carolina 29579–5000. All the properties will be excess to the needs of the Air Force on or about March 31, 1993. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The base covers approximately 3,800 acres, 190 Government-owned buildings and 448 residential buildings with 800 units of housing that have been reviewed by HUD for suitability for use to assist the homeless. The properties that HUD has determined suitable and which are available include various types of housing; office and administrative buildings; recreational, maintenance, and storage facilities; and other more specialized structures.

Suitable/Available Properties

Property Number: 199210001
Type Facility: Housing—448 buildings with a total of 800 dwelling units; two, three, and four bedrooms single family dwellings and duplexes with attached carports.
Property Number: 199210002
Type Facility: Dormitories/Quarters—13 buildings; two to three story masonry and block structures.
Property Number: 199210003
Type Facility: Miscellaneous—12 buildings; one to two story structures including a chapel, theater, recreation center, child care centers, retail sales stores and dining hall.
Property Number: 199210004
Type Facility: Six one-story medical support buildings.
Property Number: 199210005
Type Facility: Office/Administration—50 buildings; one to two story modular, block, wood and brick structures.
Property Numbers: 199210006–199210008
Type Facility: Recreation—12 buildings and land including bath houses, bowling center, gymnasium, golf course buildings, three soccer fields, six tennis courts, three softball fields, four youth ball fields, track, campground, golf course and driving range.
Property Number: 199210009
Type Facility: Utility Type Facilities—38 buildings; one story structures including warehouses, shops and sheds.
Property Number: 199210010
Type Facility: Security—3 police buildings; one story masonry structures including a jail.
Property Number: 199210011
Type Facility: Storage—15 buildings; one story metal, concrete and masonry ammunition storage structures.
Property Numbers: 199210014–199210015
Type Facility: Land—approximately 17 acres used as a mobile home park and 1678 acres of forest.

Suitable/Unavailable Properties

Property Numbers: 199210012–199210013
Type Facility: Airfield and Related Properties—15 support buildings and land including hangars, maintenance shops, fire station, eight-story control tower, runways, taxiways and aprons.

Unsuitable Properties

Property Number: 199210016
Type Facility: Small Arms Building
Reason: Extensive Deterioration

Texas—Carswell Air Force Base

Carswell Air Force Base is located in Tarrant County, Texas, 76127. All the properties will be excess to the needs of the Air Force on or about September 30, 1993. Properties shown below as suitable/available will be available at that time. The Air Force has advised HUD that some properties may be available for interim lease for use to assist the homeless prior to that date.

The Base consists of approximately 2,308 acres, 214 Government-owned buildings and 352 residential buildings that have been reviewed by HUD for suitability for use to assist the homeless. The properties that HUD has determined suitable and which are available include various types of housing; office and administrative buildings; recreational, maintenance, and storage facilities; and other more specialized structures.

Suitable/Available Properties

Property Numbers: 199210108–199210122
Type Facility: Housing—352 military family residences; 1 and 2-story wood frame, concrete and brick/wood buildings.
Property Number: 199210123
Type Facility: Dormitories—7 buildings; 3 and 4-story concrete block dorms.
Property Number: 199210124
Type Facility: Temporary Living Quarters—6 buildings; 1 and 2-story brick and frame lodging facilities.
Property Number: 199210125

Type Facility: Administration Facilities—45 buildings; 1 to 4-story concrete block, brick, metal and wood structures including education centers, child care, clinics and admin. bldgs.
Property Number: 199210126
Type Facility: Recreation Facilities—13 buildings; metal, concrete block, brick and wood structures including golf club equip. houses, bathhouse, gym, bowling, youth and recreation centers and NCO clubs.
Property Number: 199210127
Type Facility: Recreation Areas—14 areas; approximately 172 acres including golf course, riding stables, playground and picnic area, camps and tennis courts.
Property Numbers: 199210128–199210130
Type Facility: Miscellaneous Facilities—80 buildings; 1-story metal, concrete, block, wood, and brick structures including maintenance and storage bldgs., shops, warehouses, sheds and a commissary.
Property Number: 199210131
Type Facility: Facility 1506—24,000 sq. ft., 1-story brick dining hall.
Property Number: 199210132
Type Facility: Facility 3000—345,186 sq. ft., 5-story concrete hospital.
Property Number: 199210133
Type Facility: Bank/Credit Union—2 buildings; a 1-story concrete bank and a 2-story brick credit union.
Property Number: 199210134
Type Facility: Facility 1838—8790 sq. ft., 1-story brick chapel.
Property Number: 199210135
Type Facility: Facility 1845—9967 sq. ft., 1-story brick theater.
Property Number: 199210136
Type Facility: Fuel Stations—2 buildings; 1-story metal and brick/metal vehicle fuel and exchange service stations.
Property Number: 199210137
Type Facility: Hazardous Storage and Igloos—40 buildings; 4 metal and concrete block hazardous storage bldgs. and 36 concrete igloo storage bldgs.
Property Number: 199210138
Type Facility: Airport Related Areas—26 areas; approximately 205 acres including runways, aprons, taxiways and pads.

Suitable/Unavailable Properties

Property Number: 189120235
Type Facility: #237

Unsuitable Properties

Property Number: 189030043–189030218
Type Facility: Kings Branch Housing
Reason: Extensive deterioration

Maine—Loring Air Force Base

Suitable/Available Properties

Buildings

Bldgs. 1–16
Family Housing Annex, Loring Air Force Base
U.S. Route #1
Caswell, ME. Aroostook, Zip: 04750–
Federal Register Notice Date: 01/31/92
Property Numbers: 189010590–189010605
Status: Excess
Comment: 1116 sq. ft. each; 1 story frame residence; no utilities; asbestos and radon tests pending; fuel tanks removed; sewage line needs repair.

Colorado—Lowry Air Force Base

Suitable/Available properties

Land

NTMU—Partial Area
Lowry Air Force Base
Denver, CO, Denver, Zip: 80230 5000
Federal Register Notice Date: 01/31/92
Property Number: 189010254
Status: Excess
Location: West of Aspen Terr. housing area and South of (AFAFC) along the base boundary
Comment: Approximately 20 acres; sloping parts in the area.

[FR Doc. 92–27421 Filed 11–12–92; 8:45 am]
BILLING CODE 4210–29–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA–050–03–4333–12]

Samoa Dunes Recreation Area and Mad River Slough and Dunes Closure Order

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Notice is hereby given related to the emergency temporary closure of Bureau of Land Management (BLM) administered lands to vegetative gathering from November 1 to May 1 of each year in accordance with regulations contained in 43 CFR 8364.1(A). This action affects approximately 412 acres of public land located in the Samoa Dunes Recreation Area and Mad River Slough and Dunes Cooperative Management Area (T.5N., R.1W., Section 31; T.4N., R.1W., Section 6; and T.6N., R.1W., Sections 26, 27, 34, and 35, Humboldt Meridian). These public lands will be temporarily closed to gathering of all vegetative material to protect two federally listed endangered plants, the Menzies' Wallflower and Beach Layia, and their habitat. During the temporary closure period, the BLM will analyze methods that can be used to protect these resource values. Until this is completed, however, vegetative gatherers will be prevented from meandering throughout the fragile habitat areas, as these plants are extremely difficult to identify during the winter months and unintentional trampling results in resource damage.

DATES: This closure order is effective beginning November 1 and ending May 1 of each year.

ADDRESSES: Maps and supporting documentation of the areas temporarily closed to vegetative gathering are available for review at the following location: Bureau of Land Management, Arcata Resource Area, 1125 16th Street, room 219, Arcata, CA 95521.

FOR FURTHER INFORMATION CONTACT: Lynda J. Roush, Area Manager, at the Arcata address given above. Telephone: (707) 822–7648.

SUPPLEMENTARY INFORMATION: The purpose of temporarily closing the Samoa Dunes Recreation Area and Mad River Slough and Dunes Cooperative Management Area to gathering of vegetative material is to prevent visitors from inadvertently trampling Menzies Wallflower and Beach Layia seedlings as they like through these plant habitats. Both plant species are listed as endangered by the U.S. Fish and Wildlife Service. The authority for this closure is 43 CFR 8364.1(A). Any person who fails to comply with this order is subject to arrest and a fine of up to $100,000 and/or imprisonment not to exceed 12 months.

Dated: October 8, 1992.

Lynda J. Roush,

Area Manager

[FR Doc. 92–27537 Filed 11–12–92; 8:45 am]
BILLING CODE 4310–40–M

[CO–920–03–4120–03; COC 53356]

Coal Lease Offering by Sealed Bid; COC 53356

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of competitive coal lease sale.

SUMMARY: Bureau of Land Management, Colorado State Office, Lakewood, Colorado, hereby gives notice that certain coal resources in the lands hereinafter described in Delta County, Colorado, will be offered for competitive lease by sealed bid in accordance with the provisions of the Mineral Leasing

Act of 1920, as amended (30 U.S.C. 181 *et seq.*).

DATES: The lease sale will be held at 11 a.m., Friday, December 18, 1992. Sealed bids must be submitted no later than 10 a.m., Friday, December 18, 1992.

ADDRESSES: The lease sale will be held in the Conference Room, Fourth Floor, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado. Sealed bids must be submitted to the Cashier, First Floor, Colorado State Office, 2850 Youngfield Street, Lakewood, Colorado 80215.

FOR FURTHER INFORMATION CONTACT: Karen Purvis at (303) 239-3795.

SUPPLEMENTARY INFORMATION: The tract will be leased to the qualified bidder submitting the highest offer, provided that the high bid meets the fair market value determination of the coal resource. The minimum bid for this tract is $100 per acre or fraction thereof. No bid less than $100 per acre or fraction thereof will be considered. The minimum bid is not intended to represent fair market value.

Sealed bids received after the time specified above will not be considered.

In the event identical high sealed bids are received, the tying high bidders will be requested to submit follow-up sealed bids is received. All tie-breaking sealed bids must be submitted within 15 minutes following the Sale Official's announcement at the sale that identical high bids have been received.

Fair market value will be determined by the authorized officer after the sale. *Coal Offered*: The coal resource to be offered is limited to coal recoverable by underground mining methods in the following lands:

Sixth Principal Meridian

T. 13 S., R. 92 W.,
Sec. 10, lots 1 to 3, inclusive, and lots 6 to 9, inclusive;
Sec. 11, NW¼ and N½SW¼

The land described contains 521 78 acres, more or less.

Total recoverable reserves are estimated to be 1,290,000 tons. The D seam underground minable coal is ranked as high volatile B bituminous coal. The estimated coal qualify for the D seam on an as-received basis is as follows:

Btu—11,894 Btu/lb.
Moisture—8.57%
Sulfur Content—0.47%
Ach Content—7.23%

Rental and Royalty: The lease issued as a result of this offering will provide for payment of an annual rental of $3,00 per acre or fraction thereof and a royalty payable to the United States of 8 percent of the value of coal mined by underground methods. The value of the coal will be determined in accordance with 30 CFR part 206.

Notice of Availability: Bidding instructions for the offered tract are included in the Detailed Statement of Coal Lease Sale. Copies of the statement and the proposed coal lease are available upon request in person or by mail from the Colorado State Office at the address given above The case file is available for inspection in the Public Room, Colorado State Office, during normal business hours at the address given above.

Dated: November 5, 1992.

Richard D. Tate,

Chief, Mining Law and Solid Minerals Adjudication Section.

[FR Doc. 92-27535 Filed 11-12-92; 8:45 am]

BILLING CODE 4310-JB-M

[AZ-040-5410-10-A014; AZA 26183]

Receipt of Application for the Conveyance of Federally-Owned Mineral Interests; Safford District, Arizona

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of receipt of conveyance of mineral interest application in Pima County, Arizona.

SUMMARY: Notice is hereby given that pursuant to section 209 of the Act of October 21, 1976, 90 Stat. 2757, Park Company, an Ohio general partnership, has applied to purchase the mineral estate within the following legal descriptions:

Gila and Salt River Meridian, Arizona

T. 17 S., R. 13 E.,
Sec. 27, SE¼;
Sec. 34, E½.
T. 18 S., R. 13 E.,
Sec. 3, lot 3, SE¼NW¼;
Sec. 4, E½SE¼, SW¼SE¼.

Containing 525 acres, more or less.

Upon publication of this notice in the **Federal Register**, the mineral interests within the legal description given above will be segregated to the extent that they well not be open to appropriation under the public land laws including the mining laws and the mineral leasing laws. The segregative effect of the application shall terminate either upon issuance of a patent or other document of conveyance of such mineral interest, upon final rejection of the allication or two years from the date of filing of the application, September 9, 1991, whichever occurs first.

FOR FURTHER INFORMATION CONTACT: Additional information cocerning this application may be obtained from the District Realty Specialist, Safford District Office, 425 E. 4th Street, Safford, Arizona 85546.

Dated: November 5, 1992.

William T. Civish,

District Manager.

[FR Doc. 92-27536 Filed 11-12-92; 8:45 am]

BILLING CODE 4310-32-M

[CO-034-03-4410-03-1610]

Public Comment Period for the Proposed San Miguel River ACEC

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of public comment period.

SUMMARY: Notice is hereby given in accordance with 43 CFR subpart 1610.7-2 that a 60-day public comment period for the proposed San Miguel River Area of Critical Environmental Concern (ACEC) opens on November 10, 1992.

DATES: The comment period opens on November 13, 1992, and comments must be received by the close of business, January 11, 1993.

ADDRESSES: Mail all comments to the Manager, Uncompahgre Basin Resource Area, 2505 South Townsend, Montrose, CO 81401.

SUPPLEMENTARY INFORMATION: In 1989, The Nature Conservancy submitted an ACEC nomination for the San Miguel River Canyon to BLM's Uncompahgre Basin Resource Area Manager. The San Miguel River has its headwaters in the San Juan Mountains of southwestern Colorado and is one of the last free-flowing rivers remaining in Colorado.

In accordance with BLM Manual 1613 the nominated area was evaluated for its relevance and importance, and as a result, BLM determined that the area met the requirements for designation as an ACEC. Because an ACEC can only be designated through BLM's resource management planning process, a Notice of Intent to Amend the Uncompahgre Basin Resource Management Plan (RMP) was published in the **Federal Register** on February 28, 1991.

As a result of internal scoping, public participation, and coordination with The Nature Conservancy, an alternative was developed that would designate 20,964 acres of Public Lands in the San Miguel River Canyon between the towns of Placerville and Pinon as an ACEC.

Resource use limitations that would occur if the area was designated as an ACEC include: (1) Off-highway vehicle use would be limited to designated roads and trails except for Beaver

Creek, Saltado Creek, and the San Miguel River Canyon between the Sanborn Park Road and Horsefly Creek which would be closed to off-highway vehicles; (2) Beaver Creek, Saltado Creek, and the San Miguel River Canyon between the Sanborn Park Road and Horsefly Creek would be managed for primitive, non-motorized recreation; (3) camping along the river between Placerville and the Sanborn Park Road would be limited to two designated campsites; (4) a 14-day camping limit would be enforced, with an additional requirement that 30 days must elapse before camping in the ACEC again; (5) the area from the Sanborn Park Road to Horsefly Creek could be closed to public use from November 16 to April 30 if warranted to protect wintering bald eagles; (6) the ACEC would be managed under Visual Resource Management (VRM) Class II guidelines, except for three commercial forest management areas carried forward from the RMP as valid existing management, which would be managed under VRM Class IV guidelines; (7) the area from the Sanborn Park Road to Horsefly Creek would be closed to oil and gas activities from November 16 to April 30 if warranted to protect wintering bald eagles (also carried forward from the RMP as valid existing management); (8) crucial big game winter range would be closed to all discretionary actions from December 1 to April 30; (9) existing unalloted areas and any acquired lands would be closed to livestock grazing; (10) with the exception of the three existing forest management areas, the ACEC would be closed to forest product disposal; (11) the ACEC would be closed to mineral material disposal; (12) the ACEC would be closed to the development of major utility rights-of-way except for one pending overhead transmission line; (13) relic riparian communities would be closed to all Bureau authorized actions, and the remainder of the ACEC would be open only to those Bureau authorized actions with an overriding public need that would not cause long-term visual impacts or damage riparian systems; and (14) Public Lands within the ACEC would not be available for disposal unless the disposal would enhance the management of the ACEC and then the disposal could only be authorized through the Recreation and Public Purposes Act or exchange.

Copies of the Proposed San Miguel River ACEC plan amendment and environmental assessment are available for public review at the following locations:

BLM Offices

—Colorado State Office, Public Room, 2850 Youngfield, Lakewood, Colorado.
—Montrose District Office, 2465 South Townsend, Montrose, Colorado.
—Uncompahgre Basin Resource Area Office, 2505 South Townsend, Montrose, Colorado.
—San Juan Resource Area Office, Federal Building, 701 Camino Del Rio, Durango, Colorado.
—Gunnison Resource Area Office, 216 North Colorado, Gunnison Colorado.

Forest Service Office

—Uncompahgre National Forest, Norwood Ranger District, 1760 Grand Avenue, Norwood, Colorado.

Public Libraries

—Montrose Public Library, 434 South 1st, Montrose, Colorado.
—San Miguel County Public Library, 134 South Spruce, Telluride, Colorado.

FOR FURTHER INFORMATION: Contact Jim Ferguson, Bureau of Land Management (BLM), Montrose District Office, 2465 South Townsend Avenue, Montrose, Colorado 81401; Telephone (303) 249–7791.

Dated: November 2, 1992.

Allan J. Belt,

Area Manager.

[FR Doc. 92–27522 Filed 11–12–92; 8:45 am]

BILLING CODE 4310–JB–M

[CA–059–4350–03; CACA 26934]

Order Opening Land Acquired in Exchange; California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The purpose of this exchange was to acquire non-Federal lands which have high public values for deer winter range in the Horseshoe Ranch Habitat Management Area. The United States acquired the land from Sisikiyou Ranch Shareholders Association, Inc. and Siskiyou Agricultural Cooperative. The public interest was well served. The land will be opened to surface entry, mining, and mineral leasing.

EFFECTIVE DATE: December 14, 1992.

FOR FURTHER INFORMATION CONTACT: Viola Andrade, BLM California State Office, 2800 Cottage Way, room E–2845, Sacramento, California 95825, 916–978–4820.

SUPPLEMENTARY INFORMATION: The aforenamed corporations will receive consideration for the land from The Trust for Public Land. The value of the non-Federal land was appraised at $60,000 and will be credited to The Trust for Public Land under the terms of the Cooperative Land Exchange Agreement between the Bureau of Land Management and The Trust for Public Land. When appropriate, the public lands involved in this exchange will be conveyed to The Trust for Public Land. The land is described as follows:

Mount Diablo Meridian

T. 48 N., R. 6 W.,
Sec. 21, E½.

The area described above contains 320 acres in Siskiyou County.

A description of the easements acquired with the land is available in the above listed case file which is located in the California State Office.

At 10 a.m. on December 14, 1992, the land will be opened to the operation of the public land laws generally, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on December 14, 1992 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

At 10 a.m. on December 14, 1992, the land will be opened to location and entry under the United States mining laws and to the operation of the mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. Appropriation of any of the land described in this order under the general mining laws prior to the date and time of restoration is unauthorized. any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 38 (1988) shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Dated: November 3, 1992.

Nancy J. Alex,

Chief, Lands Section.

[FR Doc. 92–27523 Filed 11–12–92; 8:45 am]

BILLING CODE 4310–40–M

[CO-930-4210-05; C-086289]

Order Providing for Opening of Public Lands; CO

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This action will open 120 acres of reconveyed land to surface entry and to entry under the general mining laws. The land has been and continues to be open to the mineral leasing.

EFFECTIVE DATE: December 15, 1992.

FOR FURTHER INFORMATION CONTACT: Andrew J. Senti, Bureau of Land Management, Colorado State Office (303) 239-3713).

SUPPLEMENTARY INFORMATION: Notice is hereby given that pursuant to the Recreation and Public Purposes Act of June 14, 1926 (44 Stat. 741), as amended and supplemented (43 U.S.C. 869 et seq.) the following described land has been voluntarily reconveyed to the United States:

Sixth Principal Meridian, Colorado

T. 9 N., R. 79 W.,
Sec. 19, N½N½SE¼, N½SW¼NW¼SE¼, E½NE¼NE¼SW¼ and NE¼SE¼NE¼SW¼;
Sec. 20, NE¼SW¼SW¼, E½NW¼SW¼SW¼, E½SE¼SW¼SW¼ and NW¼SE¼SW¼SW¼;
Sec. 29, E½NE¼NW¼NW¼, S½NW¼NW¼ and N½SW¼NW¼, containing 120.00 acres in Jackson County.

At 9 a.m. on December 15, 1992, the land described above will be opened to operation of the public land laws generally, subject to valid existing rights, the provision of existing withdrawals, and segregation of record and the requirements of applicable law.

All valid applications received at or prior to 9 a.m. on December 15, 1992 shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing. At 9 a.m. on December 15, 1992, the lands described above will be opened to location and entry under the United States mining laws, subject to the provisions of exiting withdrawals.

Appropriation of land under the general mining laws prior to the date and time of restoration is unauthorized. Any such attempted appropriation, including attempted adverse possession under 30 U.S.C. 1716, section 38, shall vest no rights against the United States. Acts required to establish a location and to initiate a right of possession are governed by State law where not in conflict with Federal law. The Bureau of Land Management will not intervene in disputes between rival locators over possessory rights since Congress has provided for such determinations in local courts.

Dated: October 30, 1992.

Robert S. Schmidt,

Chief, Branch of Realty Programs.

[FR Doc. 92-27451 Filed 11-12-92; 8:45 am]

BILLING CODE 4310-JB-M

[ES-030-93-4210-06; MIES-019445]

Realty Actions, Sales, Leases, etc.; Michigan

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: Notice is hereby given that the U.S. Coast Guard (USCG) intends to relinquish custody, accountability, and control of 10.0± acres of unimproved land determined excess to the needs of navigational assistance located at the Round Island Lighthouse Reservation, Saint Marys River, Chippewa County, Michigan. The land is no longer needed for the purpose for which it was withdrawn.

DATES: Until December 14, 1992, interested parties may submit comments about this voluntary relinquishment to the District Manager, Bureau of Land Management, P.O. Box 631, Milwaukee, Wisconsin 53201-0631.

FOR FURTHER INFORMATION CONTACT: Duane Marti, Realty Specialist, Bureau of Land Management, P.O. Box 631, Milwaukee, Wisconsin 53201-0631; telephone number (414) 297-4429.

SUPPLEMENTARY INFORMATION: The proposed action is to revoke the Executive Order of April 4, 1853, which reserved, for lighthouse purposes, Round Island situated in the Saint Marys River, Chippewa County, Michigan. The island was described as follows:

T. 47N., R. 1W.,
Secs. 16 and 17, Michigan Meridian, Chippewa County, Michigan (containing approximately 10± acres).

However, this withdrawal was invalid because the land described above is actually located in the Province of Ontario, Canada and not in the United States of America. Round Island, which is the island apparently intended to be reserved by this Executive Order, is located approximately 3.5 miles to the southwest of the land described in that order. Round Island was patented to the State of Michigan in fee simple on September 21, 1931 under provisions of the Act of July 31, 1912 (37 Stat. 241). Round Island has remained in state ownership since that date.

Recognizing this error, USCG notified the Bureau of Land Management of their intent to relinquish custody, accountability, and control of Round Island. Their notice of intent was contained in a letter dated June 22, 1978.

Ordinarily, the major decision to be made in the revocation of a withdrawal is the determination whether the subject land is suitable for return to the public domain for management under public land laws or whether the land should be reported to the General Services Administration for disposal as excess government property. In this case, however, the proposed action will be essentially administrative and not involve the conveyance of land either in or out of public ownership. This will be a record clearing action only. A Public Land Order revoking the original Executive Order will clear the official land records of an unnecessary withdrawal.

In compliance with the National Environmental Policy Act, an environmental review is being completed for this proposed action. The proposed action has been categorically excluded pursuant to 516 Department of the Interior Manual (DM) chapter 6, appendix 5.4E(2), and none of the exceptions listed in 516 DM chapter 2, appendix 2 are applicable to this action. There would be no significant change in the human environment as a result of this action for the foreseeable future.

The case file and environmental documentation concerning this withdrawal is available for review at the Milwaukee District Office, Bureau of Land Management, 310 West Wisconsin Avenue, suite 225, Milwaukee, Wisconsin 53203.

Dated: November 5, 1992.

Gary D. Bauer,

District Manager.

[FR Doc. 92-27538 Filed 11-12-92; 8:45 am]

BILLING CODE 4310-GJ-M

[UT-040-03-4210-04; UTU-70752]

Washington County, Utah; Realty Action

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action.

SUMMARY: The Utah Division of State Lands and Forestry has made application with the United States of America, Bureau of Land Management to acquire by exchange the following described public lands in Washington

County, Utah, all Salt Lake Meridian: T42S R14W, Sec. 18, Lots 8–10; T42S R15W, Sec. 13, E2NESE, S2SWNESE, NESWNESE, SENWNESE, SESE, S2N2SWSE, S2SWSE; comprising 165.27 acres. In exchange, the United States will acquire the surface and mineral estate of the following described lands in Washington and Kane Counties, Utah, all Salt Lake Meridian, from the State of Utah. T43S, R1E, Sec. 36, W2SESW, SWSW, SESESW, S2SWSE; T43S, R1W, Sec. 25, SWSE, SWNWSE, SWSESE; T43S, R2W Sec. 36, All; T43S, R17W, Sec. 32 and 36, All; T43S, R18W, Sec. 36, All; T44S, R1E, Sec. 2, S2; Sec. 8, Lots 1 & 2; comprising 2,391.93 acres.

SUPPLEMENTARY INFORMATION: The purpose of this exchange is to acquire the Utah State lands which are inholdings in the Paria Canyon/ Vermilion Cliffs and Beaver Dam Mountain Wilderness Areas. By eliminating these inholdings the wilderness character and other values of the wilderness areas will be better preserved. The public lands described are hereby segregated from the operation of the federal mining laws pending disposition of this action.

ADDRESSES: Additional information concerning this exchange may be obtained from the Bureau of Land Management, Cedar City District Office, 176 East DL Sargent Drive, Cedar City, Utah 84720, (801) 586–2401.

Dated: November 5, 1992.

Gordon R. Staker,

District Manager.

[FR Doc. 92–27539 Filed 11–12–92; 8:45 am]

BILLING CODE 4310–DQ–M

[UT–080–4210–04; U–65199]

Realty Action, Proposed Land Exchange; Uintah County, UT

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of realty action; proposed disposal by exchange of public lands, U–65199.

SUMMARY: The following described public lands, located in Uintah County, Utah are being considered for disposal by exchange under section 206 of the Federal Land Policy and Management Act of October 21, 1976 (43 U.S.C. 1716):

Note: Not all of the public lands described in this notice may be disposed of by land exchange. Some may be retained in federal ownership to eliminate possible conflicts that may be identified during preparation of an environmental assessment on the proposed land exchange

SUPPLEMENTARY INFORMATION: Notice is hereby given that the Bureau of Land Management's (BLM) Vernal District, is preparing an environmental assessment (EA) as part of a land exchange initiative involving public lands located within the Vernal District's Diamond Mountain Resource Area and the Book Cliffs Resource Area. The land exchange is in support of the Book Cliffs Conservation Initiative, a cooperative proposal involving the Utah Division of Wildlife Resources (UDWR), Rocky Mountain Elk Foundation (RMEF) and the BLM. The RMEF has proposed an exchange of privately-owned lands they intend to acquire in the Book Cliffs area in exchange for selected public lands within the BLM's Vernal District.

The selected public lands, described below, have been examined and identified as potentially suitable for exchange with RMEF.

Salt Lake, Meridian, Utah

T 1 N., R. 23 E.,
Sec. 1. NW¼SE¼.
T .1 N., R. 24 E.,
Sec. 7: SE¼NE¼.
T .1 S., R. 23 E.,
Sec. 8: SE¼SW¼;
Sec. 22: SE¼SE¼;
Sec. 23: SE¼SW¼, SW¼SE¼;
Sec. 24: NW¼NW¼;
Sec. 26: Lot 1, N½NE¼, NE¼NW¼;
Sec. 27: E½NE¼.
T. 1 S., R. 24 E.,
Sec. 29: S½SW¼;
Sec. 30: Lot 5 through 7, SE¼NE¼, E½SE¼;
Sec. 31: Lots 5 though 14.
T. 2 S., R. 24 E.,
Sec. 5: S½NW¼, N½SW¼, SE¼;
Sec. 6: Lot 1 through 3, S½NE¼, SE¼NW¼, E½SE¼.
T. 3 S., R. 19 E.,
Sec. 7: W½NE¼SE¼;
Sec. 19: SE¼SE¼SW¼NE¼;
Sec. 26: SW¼NW¼, SW¼;
Sec. 27: Lots 1 through 3, NE¼NW¼.
Sec. 28: Lots 1; and 2
Sec. 29: Lot 1.
T. 3 S., R. 22 E.,
Sec. 14: NE¼NE¼, E½W½, SW¼SE¼;
Sec. 23: W½NE¼NE¼NE¼, NW¼NE¼NE¼, S½NE¼NE¼, NW¼NE¼;
Sec. 24: SW¼NW¼.
T. 4 S., R. 22 E.,
Sec. 12: W½NE¼;
Sec. 13: E½E½, W½W½, SW¼SE¼;
Sec. 23: E½NE¼;
Sec. 24: W½NW¼, W½NE¼NW¼SW¼, W½NW¼SW¼, SE¼NW¼SW¼, SW¼SW¼, E½;
Sec. 25: NE¼, W½NW¼, N½SE¼, SE¼SE¼;
Sec. 28: N½S½.
T. 4 S., R. 23 E.,
Sec. 31: Lot 1, NE¼, NE¼NW¼, N½SE¼,
Sec. 33: NW¼SE¼.
T. 5 S., R. 22 E.,
Sec. 1: Lots 1 through 4, S½N½;
Sec. 3: N½SE¼, SE¼SE¼;
Sec. 10: NE¼NE¼, N½SE¼NE¼, NE¼SW¼SE¼NE¼, SE¼SE¼NE¼.
Sec. 11: NE¼SW¼, E½SE¼SW¼, N½NW¼SE¼SW¼, SE¼NW¼S E¼SW¼;
Sec. 22: W½SE¼, N½SE¼SE¼, SW¼SE¼SE¼, N½SE¼SE¼SE¼;
Sec. 25: W½NW¼NW¼, W½SE¼N W¼NW¼, SW¼NW¼;
Sec. 26: NE¼, N½NW¼, SE¼NW¼;
Sec. 27: NE¼NE¼.
T 5 S., R. 23 E.,
Sec. 5: S½SW¼, SW¼SE¼;
Sec. 6: Lots 5 through 7, SE¼NW¼, E½SW¼, W½SE¼, SE¼SE¼;
Sec. 7: Lots 1 through 4, NE¼, E½W½, W½SE¼, N½N½NE¼SE¼, SW¼NW¼NE¼SE¼, W½SW¼N E¼SE¼.
T. 6 S., R. 22 E.,
Sec. 17: NW¼NE¼, SE¼NE¼, NE¼NW¼.
T. 6 S., R. 25 E.,
Sec. 13: Lots 7 and 12;
Sec. 15: SE¼NE¼
Sec. 24: Lots 1, 6 and 7.
T. 12 S., R. 20 E.,
Sec. 33: All;
Sec. 34: All.

Total public lands amount to 8,179.59 acres, more or less.

In exchange for the public lands, the United States would acquire from RMEF private lands located within the Book Cliffs area of the Book Cliffs Resource Area. Acquisition of these lands would protect critical wildlife habitat, reestablish and enhance native fisheries, assure public access and recreational opportunities for future generations and would thereby serve the public interest.

Issues to be considered in the preparation of the environmental assessment will include, but not be limited to the following resources: wildlife habitat, recreation, watershed, riparian values, water quality, land uses, paleontological and cultural resources, and threatened and endangered plants and animals. An interdisciplinary team will be used to prepare the environmental assessment.

Disposal of the selected public lands would be subject to a reservation to the United States of a right-of-way for ditches and canals. The federal mineral estate would also be conveyed unless following completion of a mineral potential report, BLM determines that the mineral interests will need to be reserved to the United States. Disposal of the selected public lands will be subject to valid existing rights.

Publication of this notice in the **Federal Register** segregates the public lands from the operation of the public land laws and the mining laws, except for mineral leasing. This segregative effect will expire upon issuance of a

patent or two (2) years from the date of publication, whichever occurs first.

For a period of 45 days after publication of this notice in the **Federal Register**, interested parties may submit written comments to the District Manager, Vernal District Office, 170 South 500 East, Vernal, Utah 84078. For further information contact Peter A. Kempenich, Natural Resource Specialist, at (801) 789–1362.

Dated: October 27, 1992.

David E. Little,

District Manager.

[FR Doc. 92–26876 Filed 11–12–92; 8:45 am]

BILLING CODE 4310–DQ–M

(NM–920–4210–06; NMNM 86230)

Proposed Withdrawal and Opportunity for Public Meeting; New Mexico; Correction

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: This notice will correct the error in the Date for Comments in the Notice of Proposed Withdrawal and Opportunity for Public Meeting related to public land in Taos County, New Mexico.

DATES: Comments and requests for a public meeting must be received by January 9, 1993.

ADDRESSES: Comments and meeting requests should be sent to the New Mexico State Director, BLM, P.O. Box 27115, Santa Fe, New Mexico 87502–7115.

FOR FURTHER INFORMATION CONTACT: Georgiana E. Armijo, BLM New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico 87502–01115, 505–438–7594.

By virtue of the authority vested in the Secretary of the Interior by Section 204 of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1714 (1988), it is ordered as follows:

The comment date in the Notice of Proposed Withdrawal and Opportunity for Public Meeting, 57 FR 46404–46405, October 8, 1992 is hereby corrected as follows:

In the Date for Comments on page 46404, second column, line 3, which reads "November 9, 1992" is hereby corrected to read "January 9, 1993".

Dated: November 2, 1992.

Larry L. Woodard,

State Director.

[FR Doc. 92–27524 Filed 11–12–92; 8:45 am]

BILLING CODE 4310–FB–M

Fish and Wildlife Service

Receipt of Applications for Permit

The following applicants have applied for a permit to conduct certain activities with endangered species. This notice is provided pursuant to Section 10(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531, et seq.):

PRT–772902.

Applicant: Caldwell Schools, Inc, Tyler, TX.

The applicant requests a permit to import one pair of cheetahs (*Acinonyx jubatus*) born in captivity at the DeWildt Breeding Center, from the National Zoological Gardens of South Africa, Pretoria, South Africa, for the enhancement of propagation of the species in captivity.

PRT–752111.

Applicant: Consultants in Wildlife & Environmental Services Agency, Sanger, CA.

The applicant requests a permit to live-trap the Fresno kangaroo rat (*Dipodomys nitratoides exilis*), the Stephen's kangaroo rat (*Dipodomys stephensi*) and the Tipton kangaroo rat (*Dipodomys nitratoides nitratoides*) in Fresno, Tulare, and Kern counties, CA, to verify distribution of the species for enhancement of survival of the species.

PRT–767914.

Applicant: Red McCombs Ranches, Johnson City, TX.

The applicant requests a permit to purchase in interstate commerce three captive-born male slender-horned gazelle (*Gazella leptoceros*) from the Greater Baton Rouge Zoo, LA, for enhancement of propagation of the species.

PRT–773602.

Applicant: Walter B. Sturgeon, Lee, NH.

The applicant requests a permit to import two captive-bred male Nene geese (*Branta sandvicensis*) from the Provincial Wildlife Park, Shubenacadie, Nova Scotia, Canada, for captive breeding purposes.

Written data or comments should be submitted to the Director, U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, VA 22203 and must be received by the Director within 30 days of the date of this publication.

Documents and other information submitted with these applications are available for review by any party who submits a written request for a copy of such documents to, or by appointment during normal business hours (7:45 a.m. to 4:15 p.m.) in the following office within 30 days of the date of publication of this notice: U.S. Fish and Wildlife Service, Office of Management Authority, 4401 North Fairfax Drive, room 432, Arlington, VA 22203. Phone: (703) 358–2104); FAX: (703) 358–2281).

Dated: November 6, 1992.

Margaret Tieger,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 92–27484 Filed 11–12–92; 8:45 am]

BILLING CODE 4310–55–M

Notice of Availability of a Draft Recovery Plan for the Yellow-Blotched Map Turtle, (Graptemys flavimaculata) for Review and Comment

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of document availability.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces the availability for public review of a draft recovery plan for the yellow-blotched map turtle, (*Graptemys flavimaculata*). This species occurs in the Pascagoula River system of Mississippi. The Service solicits review and comment from the public on this draft plan.

DATES: Comments on the draft recovery plan must be received on or before January 12, 1993, to receive consideration by the Service.

ADDRESSES: Persons wishing to review the draft recovery plan may obtain a copy by contacting the Jackson Field Office, U.S. Fish and Wildlife Service, 6578 Dogwood View Parkway, Jackson, Mississippi 39213. Written comments and materials regarding the plan should be addressed to the Field Supervisor at the above address. Comments and materials received are available on request for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Jim Stewart at the above address (601/965–4900).

SUPPLEMENTARY INFORMATION:

Background

Restoring endangered or threatened animals and plants to the point where they are again secure, self-sustaining members of their ecosystems is a primary goal of the U.S. Fish and Wildlife Service's endangered species program. To help guide the recovery effort, the Service is working to prepare recovery plans for most of the listed species native to the United States. Recovery plans describe actions considered necessary for conservation of the species, criteria for recognizing

the recovery levels for downlisting or delisting them, and initial estimates of times and costs to implement the recovery measures needed.

The Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*) requires the development of recovery plans for listed species unless such a plan would not promote the conservation of a particular species. Section 4(f) of the Act as amended in 1988, requires that a public notice and an opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing approved recovery plans.

The primary species considered in this draft recovery plan is the yellow-blotched map turtle, (*Graptemys flavimaculata*). This species occurs in the Pascagoula River system, Mississippi, where it is threatened by water quality degradation, habitat loss, and collecting. The primary goal of the recovery plan is to recover this species to the point where it can be delisted.

Recovery efforts will focus on assessing the population, characterizing habitat, investigating water quality, and developing educational materials for public distribution. Recovery tasks include working with regulatory agencies to protect existing populations, conducting life history research, possible restoration of habitat, and monitoring of populations.

Public Comments Solicited

The Service solicits written comments on the recovery plan described. All comments received by the date specified above will be considered prior to approval of the plan.

Authority

The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: November 2, 1992.

Robert Bowker,

Complex Field Supervisor.

[FR Doc. 92-27534 Filed 11-12-92; 8:45 am]

BILLING CODE 4310-55-M

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32179]

KKR Associates and TW Associates—Control Exemption—Proficient Food Company and DFC Trucking Company; Notice

AGENCY: Interstate Commerce Commission.

ACTION: Notice of Exemption.

SUMMARY: Pursuant to 49 U.S.C. 10505, the Commission exempts KKR Associates and TW Associates from the prior approval requirements of 49 U.S.C. 11343 to acquire control of Proficient Food Company and DFC Trucking Company. KKR, a noncarrier, controls TW Associates and indirectly controls various motor carriers and two railroads. TW Associates, a newly formed noncarrier holding company will purchase 47.2 percent of the stock of TW Holdings, Inc., a noncarrier. TW Holdings, Inc. control TW Services, noncarrier, which in turns control TW Recreational Services, Inc., a motor common and contract passenger carrier. TW Services also control Denny's, Inc., a noncarrier, which in turn controls Proficient Food Company and DFC Trucking Company. The exemption is subject to standard labor protective conditions.

DATES: This exemption will be effective on November 16, 1992. Petitions to revoke may be filed at any time.

ADDRESSES: Send pleadings referring to Finance Docket No. 32179 to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

and

(2) Petitioner's representative: Peter M. Shannon, Jr., 77 West Wacker Drive, Chicago, IL 60601-1693.

FOR FURTHER INFORMATION CONTACT: Richard B. Felder (202) 927-5610 (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. Telephone: (202) 289-4357/4359. (Assistance for the hearing impaired is available through TDD services (202) 927-5721.)

Decided: November 6, 1992.

By the Commission, Chairman Philbin, Vice Chairman McDonald, Commissioners Simmons, Philips, and Emmett. Commissioner Emmett did not participate in the disposition of this proceeding.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92-27647 Filed 11-12-92; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. AB-303; Sub-No. 11X]

Wisconsin Central Ltd.—Abandonment Exemption—in Douglas, Washburn and Barron Counties, WI

Wisconsin Central Ltd. (WCL) has filed a notice of exemption under 49 CFR part 1152 subpart F—*Exempt Abandonments* to abandon its 56.9-mile line of railroad between milepost 56.0, at Rice Lake, WI, and milepost 25.8, north of Gordon, WI, in Douglas, Washburn and Barron Counties, WI.[1]

WCL has certified that: (1) No local traffic has moved over the line for at least 2 years; (2) any overhead traffic on the line can be rerouted over other lines; (3) no formal complaint filed by a user of rail service on the line (or by a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) that the requirements at 49 CFR 1105.12 (newspaper publication) and 49 CFR 1152.50 (d)(1) (notice to governmental agencies) have been met.

As a condition to this exemption, any employee adversely affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen,* 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

This exemption will be effective on December 13, 1992, unless stayed or a formal expression of intent to file an offer of financial assistance (OFA) is filed. Petitions to stay that do not involve environmental issues,[2] formal

[1] The milepost numbering system changes at Trego, WI. The milepost at Rice Lake is 56.0 and the numbers increase as the line goes north to Trego, which is milepost 87.13/0.0. The numbers again increase from 0.0 to 25.8 north of Gordon.

[2] A stay will be issued routinely where an informed decision on environmental issues, whether raised by a party or by the Commission's Section of Energy and Environment (SEE), cannot be made before the effective date of the notice of exemption. See Exemption of Out-of-Service Rail Lines, 5 I.C.C. 2d 377 (1989). Any entity seeking a stay on environmental grounds is encouraged to file promptly so that the Commission may act on the request before the effective date.

expressions of intent to file an OFA under 49 CFR 1152.27(c)(2),[3] and trail use/rail banking requests under 49 CFR 1152.29 must be filed by November 23, 1992.[4] Petitions to reopen and requests for public use conditions under 49 CFR 1152.28 must be filed by December 3, 1992, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to WCL's representative: Janet H. Gilbert, Assistant General Counsel, Wisconsin Central Ltd., 6250 N. River Road, Suite 9000, Rosemont, IL 60018.

If the notice of exemption contains false or misleading information, use of the exemption is void *ab initio*.

WCL has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. SEE will prepare and issue an environmental assessment (EA) by November 18, 1992. Interested persons may obtain a copy of the EA by writing to SEE (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser, Chief of SEE, at (202) 927–6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA is available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: November 3, 1992.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Sidney L. Strickland, Jr.,

Secretary.

[FR Doc. 92–27573 Filed 11–12–92; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF JUSTICE

Lodging of Consent Decree Pursuant to Clean Air Act; Certified Abatement Technologies, Inc., et al.

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that on October 21, 1992, a proposed consent decree in *United States* v. *Certified Abatement Technologies, Inc., Cooper Industries, Inc. and CRS, Inc.*, Civil Action No. 92–4453 (D. N.J.) was lodged with the United States District Court for the District of New Jersey. The proposed consent decree concerns a complaint filed by the United States that alleged violations of section 112 of the Clean Air Act, 42 U.S.C. 7412, and the National Emission Standard for Hazardous Air Pollutants ("NESHAP") for asbestos. The complaint alleges that defendants violated the NESHAP for asbestos during demolition activities by failing to adequately wet regulated asbestos containing material ("RACM") and failing to ensure that RACM remained wet until disposal. The proposed consent decree requires defendants to comply fully with the Clean Air Act and with the asbestos NESHAP in future operations and obligates them to pay a total of $39,025 in civil penalties. The Department of Justice will receive for a period of thirty (30) days from the date of the publication comments relating to the proposed consent decree. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530, and should refer to *United States* v. *Certified Abatement Technologies, Inc., Cooper Industries, Inc. and CRS, Inc.*, D.O.J. Ref. 90–5–2–1–1707.

The proposed Consent Decree may be examined at the Region II office of the Environmental Protection Agency, Jacob K. Javits Federal Building, 26 Federal Plaza, New York, NY, 10278; and at the Consent Decree Library, 601 Pennsylvania Avenue, NW., Washington, DC 20004 (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 20004. In requesting a copy, please enclose a check in the amount of $4.25 (25 cents per page reproduction charge) payable to the "Consent Decree Library." In requesting a copy, please refer to the referenced case name and the D.O.J. Ref. number.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 92–27519 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Clean Water Act

In accordance with Department policy, 28 CFR 50.7, notice is hereby given that on October 15, 1992, a proposed Consent Decree as to Defendant General Mills, Inc. ("Consent Decree"), in *United States* v. *General Mills, Inc.*, Civil Action No. 89–2205–Y, was lodged with the United States District Court for the District of Massachusetts. The proposed Consent Decree concerns the failure of the Gortons division of General Mills, Inc., to comply with federal and local pretreatment standards in violation of the Clean Water Act.

Under the terms of the Consent Decree, General Mills will pay a civil penalty of $480,000 for its past violations, and must come into compliance with national and local discharge limitations, and comply with certain monitoring and reporting requirements. The Consent Decree provides for stipulated penalties in the event that General Mills violates the terms of the Consent Decree.

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. *General Mills, Inc.*, D.J. Ref. 90–5–1–1–3407.

The proposed Consent Decree may be examined at the office of the United States Attorney, District of Massachusetts, 1107 J.W. McCormack P.O. & Courthouse, Boston, MA 02109 and at the Region I Office of the Environmental Protection Agency, One Congress Street, Boston, MA 02203. The proposed Consent Decree may also be examined at the Consent Decree Library, 601 Pennsylvania Ave., NW., Box 1097, Washington, DC 20004, (202) 347–2072. A copy of the proposed Consent Decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please refer to the referenced case and enclose a check in the amount of $10.75 (25 cents per page reproduction cost), made payable to Consent Decree Library.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 92–27446 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Clean Air Act

In accordance with Departmental policy, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States* v. *Theodore Murnick, et al.*, Civil Action No. 90–5027, was lodged on October 26, 1992 with the United States District Court for District of New Jersey. The complaint in this action involves violations of the National Emission Standards for Hazardous Air

[3] See Exempt. of Rail Abandonment—Office of Finan. Assist., 4 I.C.C. 2d 164 (1987).

[4] The Commission will accept a late-filed trail use request as long as it retains jurisdiction to do so.

Pollutants for asbestos, promulgated pursuant to section 112 of the Clean Air Act, 42 U.S.C. 7412, and codified at 40 CFR part 61, subpart M, in connection with the removal and disposal of asbestos during the renovation and/or demolition operation at 500 Bond Street, Asbury Park, New Jersey. Under the proposed consent decree, Defendant Murnick agrees to pay to the United States a civil penalty of $25,000 and to implement the injunctive relief specified in the proposed consent decree.

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. *Theodore Murnick et al.*, DOJ Ref. #90–5–2–1–1466.

The proposed consent decree may be examined at the Office of the United States Attorney, 970 Broad Street, Newark, New Jersey; the Region II Office of the Environmental Protection Agency, 26 Federal Plaza, New York, New York; and at the Consent Decree Library, 601 Pennsylvania Avenue, NW., Washington, DC 200444 (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 $5.00 (25 cents per page reproduction costs), payable to the Consent Decree Library. In requesting a copy, please refer to the referenced case name and the DOJ Reference number.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 92–27447 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Notice is hereby given that on October 29, 1992 a proposed Consent Decree in *United States* v. *City of Newport et al.*, Civil Action No. 89–88, was lodged with the United States District Court for the Eastern District of Kentucky. The Complaint, brought pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. 9607, seeks recovery of response costs incurred by the United States in connection with the Newport Dump Site, Wilder, Kentucky (the "Site"). The Site is situated approximately four miles south of the City of Newport, Kentucky, and occupies approximately 41.9 acres. The Site began operation in the 1950's and was used as a municipal landfill. The Newport Dump has no restrictions as to type or quantity of waste material that could be disposed.

In the early 1980's EPA conducted investigations at the Site which detected numerous organic and inorganic contaminants in the surface soils of the landfill area, and the leachate discharge to the Licking River. The Newport Dump is situated adjacent to the Licking River, a source of drinking water for neighboring counties. Leachate flowed directly from the Site into the Licking River and also into an unnamed stream south of the landfill which drained into the Licking River. The main raw water intake for the Kenton County water treatment plant is located approximately 250 feet downstream of the Newport Dump. As a result of these investigations, the Site was placed on the National Priorities List in 1983.

Pursuant to the proposed Consent Decree, the settling defendants will pay $2,400,000 in past costs incurred by EPA at the Site.

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 National Resources Division, Department of Justice, Washington, DC 20530. Comments should refer to *United States* v. *City of Newport et al.*, D.O.J. Ref. 90–11–3–452.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Kentucky, Covington, Kentucky; at the Region IV Office of the United States Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia; and at the Consent Decree Library, 601 Pennsylvania Avenue Building, NW., Washington, DC 20004 (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 by mail, please enclose a check in the amount of $13.00 (25 cents per page reproduction cost; payable to Consent Decree Library.

Roger Clegg,

Acting Assistant Attorney General, Environment and Natural Resources Division.

[FR Doc. 92–27449 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980

Notice is hereby given that on October 29, 1992 a proposed Consent Decree in *United States* v. *City of Newport et al.*, Civil Action No. 89–88, was lodged with the United States District Court for the Eastern District of Kentucky. The Complaint, brought pursuant to section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended by the Superfund Amendments and Reauthorization Act of 1986 ("CERCLA"), 42 U.S.C. 9607, seeks recovery of response costs incurred by the United States in connection with the Newport Dump Site, Wilder, Kentucky (the "Site"). The Site is situated approximately four miles south of the City of Newport, Kentucky, and occupies approximately 41.9 acres. The Site began operation in the 1950's and was used as a municipal landfill. The Newport Dump had no restrictions as to type or quantity of waste material that could be disposed.

In the early 1980's, EPA conducted investigations at the Site which detected numerous organic and inorganic contaminants in the surface soils of the landfill area, and the leachate discharge to the Licking River. The Newport Dump is situated adjacent to the Licking River, a source of drinking water for neighboring counties. Leachate flowed directly from the Site into the Licking River and also into an unnamed stream south of the landfill which drained into the Licking River. The main raw water intake for the Kenton County water treatment plant is located approximately 250 feet downstream of the Newport Dump. As a result of these investigations, the Site was placed on the National Priorities List in 1983.

Pursuant to the proposed Consent Decree, the City of Newport, Kentucky, will pay $100,000 in five equal annual installments in pasts costs incurred by EPA at the Site and will conduct operations and maintenance at the Site.

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 of the Environment and Natural Resources Division, Department of Justice, P.O. Box 7611, Washington, DC 20044. Comments should refer to *United States* v. *City of Newport et al.*, D.O.J. Ref. 90–11–3–452.

The proposed Consent Decree may be examined at the Office of the United States Attorney, Eastern District of Kentucky, Covington, Kentucky; at the Region IV Office of the United States Protection Agency, 345 Courtland Street, NE., Atlanta, Georgia; and at the Environmental Enforcement Section Document Center, 601 Pennsylvania Ave Building, NW., Washington, DC 20004 (202–347–2072). A copy of the proposed Consent Decree may be obtained in person or by mail from the Environmental Enforcement Section Document Center, 601 Pennsylvania Avenue, NW., Washington, DC 20044. In requesting a copy by mail, please enclose a check in the amount of $13 (25 cents per page reproduction cost) payable to Consent Decree Library.

Roger Clegg,

Acting Assistant Attorney General, Environmental and Natural Resources Division.

[FR Doc. 92–27450 Filed 11–12–92; 8:45 am]

BILLING CODE 4910–01–M

Lodging of Consent Decree Pursuant to the Comprehensive Environmental Response, Compensation and Liability Act

In accordance with the policy of the Department of Justice, 28 CFR 50.7, notice is hereby given that a proposed consent decree in *United States* v. *Western Processing Co., et al.*, Civ. No. C83–252M, was lodged with the United States District Court for the Western District of Washington, on October 7, 1992. That action was brought against defendants pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) for payment of past costs incurred, and future costs to be incurred, by the United States at the Western Processing Superfund Site in Kent, Washington. (The site is being cleaned up and some past costs have already been recovered pursuant to three prior settlements.) This decree requires the settlors to pay $3,636,955 in satisfaction of the United States claims against them for response costs incurred in connection with the site prior to December 31, 1991. Defendants remain liable for response costs incurred after that date.

The Department of Justice will receive comments relating to the proposed consent decree for a period of 30 days from the date of this publication. Comments should be addressed to the Assistant Attorney General of the Environment and Natural Resources Division, Department of Justice, Washington, DC 20530. All comments should refer to *United States* v. *Western Processing Co., et al.*, D.J. Ref. 90–7–1–233.

The proposed consent decree may be examined at the office of the United States Attorney for the Western District of Washington, 3600 Seafirst 5th Avenue Plaza, 800 5th Avenue, Seattle, Washington 98104; at the Region X office of the Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101; and at the Consent Decree Library, 601 Pennsylvania Avenue, NW., Box 1097, Washington, DC 20004, 202–347–2072. A copy of the proposed consent decree may be obtained in person or by mail from the Consent Decree Library. In requesting a copy, please enclose a check in the amount of $5.75 for the Gold Coast decree (25 cents per page reproduction costs) payable to the Consent Decree Library. When requesting a copy, please refer to *United States* v. *Western Processing Co., et al.*, D.J. Ref. 90–7–1–233.

John C. Cruden,

Chief, Environmental Enforcement Section, Environment and Natural Resources Division.

[FR Doc. 92–27448 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Antitrust Division

Notice Pursuant to the National Cooperative Research Act of 1984; the Frame Relay Forum

Notice is hereby given that, on October 6, 1992, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301 *et seq.* ("the Act"), The Frame Relay Forum ("FRF") has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership.

The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, the identities of the additional members of FRF are: Cincinnati Bell, Cincinnati, OH; and Deutsche Bundepost Telekom, Darmstadt, Germany.

No other changes have been made in either the membership or planned activities of FRF. Membership remains open, and FRF intends to file additional written notifications disclosing all changes in membership.

On April 10, 1992, FRF filed its original notification pursuant to section 6(a) of the Act. The Department of Justice (the "Department") published a notice in the **Federal Register** pursuant to section 6(b) of the Act on July 2, 1992 (57 FR 29537).

The last notification was filed with the Department on July 31, 1992. A notice was published in the **Federal Register** pursuant to section 6(b) of the Act on August 19, 1992 (57 FR 37557).

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92–27520 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Notice Pursuant to the National Cooperative Research Act of 1984; Petroleum Environmental Research Forum

Notice is hereby given that, on October 8, 1992, pursuant to section 6(a) of the National Cooperative Research Act of 1984, 15 U.S.C. 4301, *et seq.* ("the Act"), the participants in the Petroleum Environmental Research Forum ("PERF") Project No. 92–07, titled "In-Place, Slurry-Phase Production Pit Bioremediation," have filed written notifications simultaneously with the Attorney General and with the Federal Trade Commission disclosing (1) the identities of the parties and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Pursuant to section 6(b) of the Act, the identities of the parties and the general area of planned activity are: Oryx Energy Company, Dallas, TX; and, ARCO Oil & Gas Company, Plano, TX. The nature and objective of the research program performed in accordance with PERF Project No. 92–07 is to evaluate the effectiveness of bioremediation of oil field production pits in a pilot field study.

Joseph H. Widmar,

Director of Operations, Antitrust Division.

[FR Doc. 92–27521 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated September 3, 1992, and published in the **Federal Register** on September 11, 1992, (57 FR 41785), Abbott Laboratories, 14th Street and Sheridan Road, Attn: Customer Service D–345, North Chicago, Illinois 60064, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Dextropropoxyphene, bulk (non-dosage forms) (9273).	II
Fentanyl (9801)	II

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations Section 1301.54(e), the Deputy Assistant Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27552 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated September 3, 1992, and published in the **Federal Register** on September 11, 1992, (57FR41785), Abbott Laboratories, Attn: D–209, Abbot Park, Abbott Park, Illinois 60064, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of Ecgonine (9180), a basic class of controlled substance listed in Schedule II.

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations Section 1301.54(e), the Deputy Assistant Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27553 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated September 3, 1992, and published in the **Federal Register** on September 11, 1992 (57 FR 41785), Applied Science Labs Division of Alltech Associates Inc., 2701 Carolean Industries Drive, P.O. Box 440, State College, Pennsylvania 16801, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
N-Ethylamphetamine (1475)	I
N,N-dimethylamphetamine (1480)	I
cis-4-Methylaminorex (1590)	I
Lysergic acid diethylamide (7315)	I
Tetrahydrocannabinols (7370)	I
Mescaline (7381)	I
3,4-methylenedoxyamphetamine (MDA) (7400).	I
N-hydroxy-3,4-methylenedioxyamphetamine (7402).	I
3,4-methylenedioxy-N-ethylamphetamine (7404).	I
3,4-methylenedioxymethamphetamine (MDMA) (7405).	I
Psilocybin (7437)	I
Psilocyn (7438)	I
Ethlyamine analog of phencyclidine (7455).	I
Pyrrolidine analog of phencyclidine (7458).	I
1-[1-(2-Thienyl)cyclohexyl]piperidine (7470).	I
Dihydromorphine (9145)	I
Normorphine (9313)	I
Amphetamine (1100)	II
Methamphetamine (1105)	II
1-Phenylcyclohexylamine (7460)	II
Phencyclidine (7471)	II
Phenylacetone (8501)	II
1-Piperidinocyclohexanecarbonitrile (8603).	II
Cocaine (9401)	II
Codeine (9050)	II
Dihydrocodeine (9120)	II
Benzoylecogonine (9180)	II
Morphine (9300)	II
Oxymorphone (9652)	II

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations § 1301.54(e), the Deputy Assistant Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27555 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated September 3, 1992, and published in the **Federal Register** on September 11, 1992 (57 FR 41786), Arenol Chemical Corporation, 189 Meister Avenue, Somerville, New Jersey 08876, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
3,4-Methylenedioxyamphetamine (7400).	I
Amphetamine (1100)	II
Methamphetamine (1105)	II

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations, section 1301.54(e), the Deputy Assistant Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27558 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Importer of Controlled Substances; Notice of Registration

By Notice dated September 3, 1992, and published in the Federal Register on September 14, 1992, (57 FR 41954), Arenol Chemical Corporation, 189 Meister Avenue, Somerville, New Jersey 08876, made applicable to the Drug Enforcement Administration to be registered as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Methamphetamine (1105)	II
Phenylacetone (8501)	II

No comments or objections have been received. Therefore, pursuant to section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21, Code of Federal Regulations 1311.42, the above firm is granted registration as an importer of the basic classes of controlled substances listed above.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27559 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated September 11, 1992, and published in the **Federal Register** on September 21, 1992, (57 FR 43469), Cambridge Isotope Lab, 20 Commerce Way, Woburn, Massachusetts 01801, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Amphetamine (1100)	II
Methamphetamine (1105)	II
Phencyclidine (7471)	II
Cocaine (9041)	II
Codeine (9050)	II
Oxycodone (9143)	II
Hydromorphone (9150)	II
Morphine (9300)	II

A registered manufacturer did file an objection with respect to amphetamine (1100), the firm subsequently withdrew its objection; therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations Section 1301.54(e), the Deputy Assistant Administrator hereby orders that the application for registration submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27554 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated September 11, 1992, and published in the **Federal Register** on September 21, 1992, (57 FR 43470), Celgene Corporation, 7 Powder Horn Drive, Warren, New Jersey 07059, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of 2,5-Dimethoxyamphetamine (7396), a basic class of controlled substance listed in Schedule 1.

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations section 1301.54(e), the Deputy Assistant Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27556 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Importer of Controlled Substances; Notice of Registration

By Notice dated September 11, 1992, and published in the **Federal Register** on September 21, 1992, (57 FR 43470), Diagnostic Products Corporation, 5700 W. 96th Street, Los Angeles, California 90045, made application to the Drug Enforcement Administration to be registered as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Methaqualone (2565)	I
Tetrahydrocannabinols (7370)	I
Amphetamine (1100)	II
Secobarbital (2315)	II
Phencyclidine (7471)	II
Codeine (9050)	II
Methadone (9050)	II
Morphine (9300)	II

No comments or objections have been received. Therefore, pursuant to section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21, Code of Federal Regulations 1311.42, the above firm is granted registration as an importer of the basic classes of controlled substances listed above.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27561 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Registration

By notice dated September 11, 1992, and published in the **Federal Register** on September 21, 1992, (57 FR 43470), Eli Lilly Industries, Inc., Chemical Plant, Kilometer 146–7, State Road 2, Mayaguez, Puerto Rico 00708, made application to the Drug Enforcement Administration to be registered as a bulk manufacturer of Dextropropoxyphene, bulk (non-dosage forms) (9273), a basic class of controlled substance listed in Schedule II.

No comments or objections have been received. Therefore, pursuant to section 303 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 and Title 21, Code of Federal Regulations section 1301.54(e), the Deputy Assistant Administrator hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic class of controlled substance listed above is granted.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92–27557 Filed 11–12–92; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Application

Pursuant to section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on October 1, 1992, Hoffman-LaRoche Inc., 340 Kingsland Street, Nutley, New Jersey 07110, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Tetrahydrocannabinols (7370)	I
Levorphanol (9220)	II

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application and

may also file a written request for a hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR 1316.47.

Any such comments, objections, or requests for a hearing may be addressed to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than 30 days from publication.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92-27565 Filed 11-12-92; 8:45 am]

BILLING CODE 4410-09-M

Manufacturer of Controlled Substances; Notice of Application

Pursuant to section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on September 14, 1992, Johnson Matthey Inc., Custom Pharmaceuticals Department, 2002 Nolte Drive, West Deptford, New Jersey 08066, requested by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule II controlled substance Methylphenidate (1724).

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application and may also file a written request for a hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR 1316.47.

Any such comments, objections, or requests for a hearing may be addressed to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than 30 days from publication.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92-27562 Filed 11-12-92; 8:45 am]

BILLING CODE 4410-09-M

Manufacturer of Controlled Substances; Notice of Application

Pursuant to section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on September 23, 1992, Norac Company Inc., 405 S. Motor Avenue, Azusa, California 91702, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule I controlled substance Tetrahydrocannabinols (7370).

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application and may also file a written request for a hearing thereon in accordance with 21 CFR 1301.54 and in the form prescribed by 21 CFR 1316.47.

Any such comments, objections, or requests for a hearing may be addressed to the Deputy Assistant Administrator, Office of Division Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than 30 days from publication.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92-27564 Filed 11-12-92; 8:45 am]

BILLING CODE 4410-09-M

Importer of Controlled Substances; Notice of Registration

By Notice dated September 9, 1992, and published in the **Federal Register** on September 17, 1992, (57 FR 43027), Stanford Seed Company, 340 South Muddy Creek Road, Denver, Pennsylvania 17517, made application to the Drug Enforcement Administration to be registered as an importer of marihuana (7360), a basic class of controlled substance listed in Schedule I.

No comments or objections have been received. Therefore, pursuant to section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21, Code of Federal Regulations 1311.42, the above firm is granted registration as an importer of the basic class of controlled substance listed above.

Dated: November 5, 1992.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 92-27560 Filed 11-12-92; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment Standards Administration

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be

impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedeas decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue NW., room S–3014, Washington, DC 20210.

New General Wage Determination Decisions

The numbers of the decisions added to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" are listed by Volume, State, and page number(s).

Volume I

Pennsylvania:
PA91–28 (Nov. 13, 1992)..... p. All.
PA91–30 (Nov. 13, 1992)..... p. All.

Volume II

Texas:
TX91–40 (Nov. 13, 1992)..... p. All.
TX91–41 (Nov. 13, 1992)..... p. All.
TX91–42 (Nov. 13, 1992)..... p. All.
TX91–44 (Nov. 13, 1992)..... p. All.

Modifications to General Wage Determination Decisions

The numbers of the decisions listed in the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume, State, and page number(s). Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Delaware:
DE91–2 (Feb. 22, 1991)..... p. All.
DE91–5 (Feb. 22, 1991)..... p. All.
Florida:
FL91–9 (Feb. 22, 1991)..... p. 121, p. 122
New York:
NY91–1 (Feb. 22 1991)..... p. 773, pp. 774–775.
Pennsylvania:
PA91–8 (Feb. 22, 1991)..... p. All.
PA91–10 (Feb. 22, 1991)..... p. All.
PA91–19 (Feb. 22, 1991)..... p. All.
PA91–21 (Feb. 22, 1991)..... p. All.
PA91–25 (Feb. 22, 1991)..... p. All.
Rhode Island:
RI91–1 (Feb. 22, 1991)..... p. 1149, pp. 1150–1152, p. 1155.

Volume II

Illinois:
IL91–9 (Feb. 22, 1991)..... p. 153, p. 154.
Iowa:
IA91–3 (Feb. 22, 1991)..... p. All.
IA91–18 (Feb. 22, 1991)..... p. All.
IA91–20 (Feb. 22, 1991)..... p. All.
IA91–22 (Feb. 22, 1991)..... p. All.
Michigan:
MI91–2 (Feb. 22, 1991)..... p. All.
Missouri:
MO91–3 (Feb. 22, 1991)..... p. All.
Ohio:
OH91–1 (Feb. 22, 1991)..... p. All.
OH91–2 (Feb. 22, 1991)..... p. All.
OH91–3 (Feb. 22, 1991)..... p. All.
OH91–28 (Feb. 22, 1991)..... p. All.
OH91–29 (Feb. 22, 1991)..... p. All.
OH91–34 (Feb. 22, 1991)..... p. All.
OH91–35 (Feb. 22, 1991)..... p. All.
OH91–36 (Feb. 22, 1991)..... p. All.

Volume III

South Dakota:
SD91–2 (Feb. 22, 1991)..... p. All.
Utah:
UT91–3 (Feb. 22, 1991)..... p. 409, p. 410.

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country. Subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, (202) 783–3238.

When ordering subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the three separate volumes, arranged by State. Subscriptions include an annual edition (issued on or about January 1) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 6th day of November 1992.

Alan L. Moss,

Director, Division of Wage Determinations.

[FR Doc. 92–27419 Filed 11–12–92; 8:45 am]

BILLING CODE 4510–27–M

Employment and Training Administration

[TA–W–27,575]

Dailey Petroleum Services, Conroe, TX; Affirmative Determination Regarding Application for Reconsideration

By a letter postmarked October 20, 1992, one of the workers requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance for workers at the subject firm. The Department's Negative Determination was issued on September 23, 1992 and published in the **Federal Register** on October 6, 1992, (57 FR 46049).

Its claimed that the Department did not investigate Dailey Directional Drilling, a division of Dailey Petroleum Services under petition TA–W–27,575.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 2nd day of November 1992:

Stephen A. Wandner,

Deputy Director, Office of Legislation & Actuarial Services, Unemployment Insurance Service.

[FR Doc. 92–27575 Filed 11–12–92; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–27,925]

Deer Park Baking Co., Hammonton, NJ; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was

initiated on October 26, 1992 in response to a worker petition which was filed by the Retail, Wholesale, and Department Store Union, Local Shop No. 262, on behalf of former workers at Deer Park Baking Company, Hammonton, New Jersey.

The petitioner has requested that the petition be withdrawn (TA-W-27,925). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 2nd day of November 1992.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 92-27576 Filed 11-12-92; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-27,488]

Unocal Corporation, North American Oil and Gas Division, Mid-Continent Region, Headquartered in Oklahoma City, OK and Operating Out of the Following Districts and Locations

TA-W-27,489

Rocky Mountain District, headquartered in Casper, WY and operating out of the following locations:

TA-W-27,478A	Cut Bank, MT
TA-W-27,489B	Antler, ND
TA-W-27,489C	Worland, WY
TA-W-27,489D	Gillette, WY
TA-W-27,489E	Lander, WY
TA-W-27,489F	Mills, WY

TA-W-27,490

Southern Mid-Continent District, headquartered in Oklahoma City, Oklahoma and operating out of the following locations:

TA-W-27,490A	Woodward, OK
TA-W-27,490B	Sayre, OK
TA-W-27,490C	Farnsworth, TX
TA-W-27,490D	Hominy, OK
TA-W-27,490E	Ardmore, OK
TA-W-27,490F	Madill, OK
TA-W-27,490G	Healdton, OK
TA-W-27,490H	Nacona, TX
TA-W-27,490I	Pauls Valley, OK

TA-W-27,491

Northern Mid-Continent District, headquartered in East Lansing, Michigan and operating out of the following locations:

TA-W-27,491A	Olney, IL
TA-W-27,491B	Clay City, IL
TA-W-27,491C	Comfort, WV
TA-W-27,491D	Noble, IL
TA-W-27,491E	West Liberty, IL
TA-W-27,491F	Grayling, MI
TA-W-27,491G	Breckenridge, MI

Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on August 28, 1992, applicable to all workers of UNOCAL Corporation, North American Oil and Gas Division, Mid-Continent Region, headquartered in Oklahoma City, Oklahoma. The notice will soon be published in the Federal Register.

At the request of the State Agency, the Department is amending that part of the certification (TA-W-27,491F) to read: Grayling, Michigan instead of Grayling, Illinois.

The amended notice applicable to TA-W-27,491 is hereby issued as follows:

All workers of UNOCAL Corporation, North American Oil and Gas Division, Mid-Continent Region, headquartered in Oklahoma City, Oklahoma (TA-W-27,488) and the below cited operations who became totally or partially separated from employment on or after July 1, 1991 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974; and

TA-W-27,489

Rocky Mountain District, headquartered in Casper, Wyoming and operating out of the following locations:

TA-W-27,489A	Cut Bank, MT
TA-W-27,489b	Antler, ND
TA-W-27,489C	Worland, WY
TA-W-27,489D	Gillette, WY
TA-W-27,489E	Lander, WY
TA-W-27,489F	Mills, WY

TA-W-27,490

Southern Mid-Continent District, headquartered in Oklahoma City, Oklahoma and operating out of the following locations:

TA-W-27,490A	Woodward, OK
TA-W-27,490B	Sayre, OK
TA-W-27,490C	Farnsworth, TX
TA-W-27,490D	Hominy, OK
TA-W-27,490E	Ardmore, OK
TA-W-27,490F	Madill, OK
TA-W-27,490G	Healdton, OK
TA-W-27,490H	Nacona, TX
TA-W-27,490I	Pauls Valley, OK

TA-W-27,491

Northern Mid-Continent District, headquartered in East Lansing, Michigan and operating out of the following locations:

TA-W-27,491A	Olney, IL
TA-W-27,491B	Clay City, IL
TA-W-27,491C	Comfort, WV
TA-W-27,491D	Noble, IL
TA-W-27,491E	West Liberty, IL
TA-W-27,491F	Grayling, MI
TA-W-27,491G	Breckenridge, MI

Signed in Washington, DC, this 3rd day of November 1992.

Marvin M. Fooks,

Director, Office of Trade Adjustment Assistance.

[FR Doc. 92-27574 Filed 11-12-92; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-27,371]

Yamato Lock Inspection Systems, Inc. (Formerly Barkley and Dexter Laboratories, Inc.), Fitchburg, MA; Notice of Revised Determination on Reconsideration

On October 6, 1992, the Department issued an Affirmative Determination Regarding Application for Reconsideration for workers and former workers engaged in employment related to the production of metal detectors at the subject firm. This notice was published in the **Federal Register** October 23, 1992 (57 FR 48048).

The workers produce inspection systems for the food and pharmaceutical industries. Metal detectors are a major component of the inspection systems.

The investigation findings show that on April 13, 1992, a new venture was organized with headquarters in Olden, England from a portion of the assets of Barkley & Dexter Laboratories in Fitchburg. The name of the new venture is Yamato Lock. Significant worker separations occurred in April, 1992.

Findings on reconsideration show that as a result of the new venture, metal detector production was discontinued at Fitchburg and replaced with purchased metal detectors from England. Prior to April 13, 1992 all the metal detectors were produced at Fitchburg. Metal detectors accounted for a substantial portion of the subject firm's sales. The findings show that the workers are not separately identifiable by product.

Conclusion

After careful consideration of the new facts obtained on reconsideration, it is concluded that increased imports of articles like or directly competitive with those formerly produced at Yamato Lock, Inc., (formerly Barkley and Dexter Laboratories, Inc.) in Fitchburg, Massachusetts contributed importantly to total or partial separation of workers at the subject firm in Fitchburg, Massachusetts. In accordance with the provisions of the Trade Act of 1974, I make the following revised determination:

All workers of Yamato Lock, Inc. (formerly Barkley and Dexter Laboratories, Inc.), in Fitchburg, Massachusetts who became totally or partially separated from employment on or

after April 1, 1992 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 3rd day of November 1992.

Stephen A. Wandner,

Deputy Director, Office of Legislation & Artuarial Services, Unemployment Insurance Service.

[FR Doc. 92–27577 Filed 11–12–92; 8:45 am]

BILLING CODE 4510–30–M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Advisory Committee on the Records of Congress; Meeting

AGENCY: National Archives and Records Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, the National Archives and Records Administration (NARA) announces a meeting of the Advisory Committee on the Records of Congress. The committee advises NARA on the full range of programs, policies, and plans for the Center for Legislative Archives in the Office of Special and Regional Archives.

DATES: December 15, 1992, from 8:30 a.m. to 10:30 a.m.

ADDRESSES: United States Capitol Building, Lyndon Johnson Room (room S211).

FOR FURTHER INFORMATION CONTACT: Michael L. Gillette, Director, Center for Legislative Archives, (202) 501–5350.

SUPPLEMENTARY INFORMATION:

Agenda

Center for Legislative Archives update (Mike Gillette, NARA)
JFK Legislation and the Records of Congress (John Constance, NARA)
Congressional Support Agencies (General discussion) "Task Force on Senate Coverage" (Brief report) Congressional Documentation Report (Karen Paul) House Members' Papers (Cynthia Miller) General discussion

The meeting is open to the public.

Dated: November 5, 1992.

Don W. Wilson,

Archivist of the United States.

[FR Doc. 92–27445 Filed 11–12–92; 8:45 am]

BILLING CODE 7515–01–M

NATIONAL SCIENCE FOUNDATION

Nominations for Membership November 13, 1992

The National Science Board (NSB) is the policymaking body of the National Science Foundation (NSF). The Board consists of 24 members appointed by the President, with the advice and consent of the Senate, for six-year terms, in addition to the NSF Director *ex officio*.

Section 4(c) of the National Science Foundation Act of 1950, as amended, states that: "The persons nominated for appointment as members of the Board (1) shall be eminent in the fields of the basic, medical, or social sciences, engineering, agriculture, education, research management, or public affairs; (2) shall be selected solely on the basis of established records of distinguished service; and (3) shall be so selected as to provide representation of the views of scientific and engineering leaders in all areas of the Nation."

Four of the members whose terms expire in May 1994 are eligible for reappointment. Current NSB membership is as follows:

Terms Expire May 10, 1994

Dr. Warren J. Baker, President, California Polytechnic State University, San Luis Obispo, CA
Dr. Arden L. Bement, Jr., Vice President, Science and Technology, TRW, Inc., 1900 Richmond Road, Cleveland, OH
Dr. W. Glenn Campbell, Counselor, Hoover Institution, Stanford University, Stanford, CA
Dr. Daniel C. Drucker, Graduate Research Professor, Department of Aerospace Engineering, Mechanics and Engineering Science, University of Florida, 231 Aerospace Building, Gainesville, FL
Dr. Charles L. Hosler, Senior Vice President for Research and Dean of Graduate School and Professor of Meterology-Emeritus, Department of Meterology, 617 Walker Building, The Pennsylvania State University, University Park, PA
Dr. Peter H. Raven, Director, Missouri Botanical Garden, P.O. Box 299, St. Louis, MO
Dr. Roland W. Schmitt, President, Rensselaer Polytechnic Institute, Pittsburgh Building, Troy, NY
Dr. Benjamin S. Shen, Reese W. Flower Professor, Department of Astronomy and Astrophysics, University of Pennsylvania, 209 S. 33rd Street, Philadelphia, PA

Terms Expire May 10, 1996

Dr. Perry L. Adkisson, Executive Director, George Bush Presidential Library Center, Texas A&M University, College Station, TX
Dr. Bernard F. Burke, William A. M. Burden Professor of Astrophysics, Massachusetts Institute of Technology, Cambridge, MA
Dr. Thomas B. Day, (Vice Chairman, National Science Board), President, San Diego State University, 5300 Campanile Drive, San Diego, CA
Dr. James J. Duderstadt (Chairman, National Science Board), President, The University of Michigan, 2074 Fleming Administration Building, Ann Arbor, MI
Dr. Marye Anne Fox, M. June and J. Virgil Waggoner Regents Chair in Chemistry, Department of Chemistry, University of Texas at Austin, Austin, TX
Dr. Phillip A. Griffiths, Director, Institute for Advanced Study, Olden Lane, Princeton, NJ
Mr. Jaime Oaxaca, Vice Chairman, Coronado Communications Corporation, 11340 West Olympic Boulevard, Suite 206, Los Angeles, CA
Dr. Howard E. Simmons, Jr., Du Pont Experimental Station, P.O. Box 80328, Wilmington, DE 19880–0328

Terms Expire May 10, 1998

Dr. F. Albert Cotton, W.T. Doherty-Welch Foundation Distinguished Professor of Chemistry and Director, Laboratory for Molecular Structure and Bonding, Texas A&M University, College Station, TX
Dr. Charles E. Hess, Professor and Director of International Programs, Department of Environmental Horticulture, University of California, Davis, CA
Dr. John E. Hopcrot, Associate Dean for College Affairs, College of Engineering, Cornell University, Ithaca, NY
Dr. James L. Powell, Chief Executive Officer, The Franklin Institute, Benjamin Parkway at 20th Street, Philadephia, PA
Dr. Frank H.T. Rhodes, President, Cornell University, 300 Day Hall, Ithaca, NY
Dr. Ian M. Ross, President-Emeritus, AT&T Bell Laboratories, Inc., 101 Crawfords Corner Road, P.O. Box 3030, Holmdel, NJ
Professor Richard N. Zare, Marguerite Blake Wilbur Professor, Department of Chemistry, Standford University, 121 Mudd Building, Stanford, CA
(One Vacancy)

Member Ex Officio

Dr. Walter E. Massey (Chairman, Executive Committee), Director, National Science Foundation, Washington, DC.

The Board and the Director solicit and evaluate nominations for submission to the President. Nominations accompanied by biographical information may be forwarded to the

Chairman, National Science Board, Washington, DC, 20550, no later than January 5, 1993.

Any questions should be directed to Mrs. Susan E. Fannoney, Staff Assistant, National Science Board (202/357–7512).

Dated: November 6, 1992.

James J. Duderstadt,

Chairman, National Science Board.

[FR Doc. 92–27485 Filed 11–12–92; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Atmospheric Sciences; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: December 5 and 6, 1992, 9 a.m. to 5 p.m.

Place: Stouffer Concourse Hotel, 3801 Quebec St., Denver, CO 80207.

Type of Meeting: Closed.

Contact Person: Jewel Prendeville, Program Manager, ATM, Rm. 644, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–9889.

Purpose of Meeting: To provide advice and recommendations concerning the renewal of a 5-year cooperative agreement with the University Corporation for Atmospheric Research.

Agenda: To review and evaluate the proposal of the University Corporation for Atmospheric Research to operate and manage the National Center for Atmospheric Research.

Reason for Closing: The materials being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposal. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Office.

[FR Doc. 92–27490 Filed 11–12–92; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Biological Instrumentation and Resources; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: Thursday, December 3, 1992 from 8:30 a.m. to 6 p.m., Friday, December 4, 1992 from 8:30 a.m. to 3 p.m.

Place: St. James Hotel, 950 24th Street, NW., Washington, DC 20037, rooms 118, 116, and the St. James Room.

Type of Meeting: Closed.

Contact Person: Dr. Gerald Selzer, Program Director, Graduate Research Traineeship Program, room 312, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–7652.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Graduate Research Traineeship proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92–27491 Filed 11–12–92; 8:45 am]

BILLING CODE 7555–01–M

Committee of Visitors of the Advisory Committee for Computer and Information Science and Engineering; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: November 30 and December 1, 1992; 10 a.m. to 5 p.m. and 9 a.m. to 1 p.m.

Place: National Science Foundation, 1800 G Street, NW., Washington, DC, room 436.

Type of Meeting: Closed.

Contact Person: John C. Cherniavsky, Head, (OCDA), National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–7349.

Purpose of Meeting: To carry out Committee of Visitors (COV) review, including examination of decisions on proposals, reviewer comments, and other privileged materials.

Agenda: To provide oversight review of the CISE Institutional Infrastructure awards and declinations.

Reason for Closing: The meeting is closed to the public because the Committee is reviewing proposal actions that will include privileged intellectual property and personal information that could harm individuals if they were disclosed. If discussions were open to the public, these matters that are exempt under 5 U.S.C. 552b(c) (4) and (6) of the Government in the Sunshine Act would be improperly disclosed.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92–27493 Filed 11–12–92; 8:45 am]

BILLING CODE 7555–01–M

Special Emphasis Panel in Cross-Disciplinary Activities; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: December 4, 1992.

Place: National Science Foundation, 1800 G. Street, NW., Washington, DC 20550 (rooms 523, 536).

Type of Meeting: Closed.

Contact Person: Gerald L. Engel, Program Director, CISE/OCDA room 436, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–7349.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Research Experience for Undergraduates (REU) proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92–27494 Filed 11–12–92; 8:45 am]

BILLING CODE 7555–01–M

Advisory Panel for Decision, Risk, and Management Science; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Name: Advisory Panel for Decision, Risk, and Management Science

Date and Time: December 3, 1992, 8:30 a.m. to 6 p.m. December 4, 1992, 8:30 a.m. to 6 p.m.

Place: Room 1242, National Science Foundation, 1800 G Street, NW., Washington, DC 20550

Type of Meeting: Part-Open

Contact Person: Dr. Robin Cantor, Program Director, Social and Economic Science, National Science Foundation, 1800 G Street, NW., room 336, Washington, DC 20550, Telephone: 202/357–7417.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice and recommendations concerning research proposals submitted to NSF for financial support.

Agenda: Open Session: December 4, 1992, 1:30–2:30 p.m.

Closed Session: December 3, 1992, 8:30–6 p.m.; December 4, 1992, 8:30–1:30 p.m.; 2:30–5 p.m. To review and evaluate Decision, Risk, and Management Science proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a priority or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with proposals. These matters are exempt under 5 U.S.C. 552 b. (c) (4) and (6) of the Government in the Sunshine Act.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 27488 Filed 11–12–92; 8:45 am]

BILLING CODE 7555-01-M

Digital Libraries Workshop

The National Science Foundation (NSF) will hold a two-day workshop on Digital Libraries on December 9, 8:30 a.m. to 5:30 p.m. and December 10, 1992 8:30 a.m. to 3 p.m. at Xerox Palo Alto Research Center (PARC), 3333 Coyote Hill Road, Palo Alto, California. This workshop is the second of a series on the subject being sponsored by the Foundation.

Digital Libraries is a generic term used to capture the various concepts of a future knowledge network, initially based on the National Research and Education Network (NREN) expected to be in place in the mid or late 1990's. It will enable the capture, store, distribution, and access of a variety of information and knowledge sources, tools, and materials—text, image, sound, software, scientific databases, special instruments, etc. for the enhancement of human endeavors. The first workshop, held in July in Washington, DC primarily concentrated on the topics of research and the roles that NSF can and should play to support the research and advance the field. The goal for the Palo Alto Workshop being held at Xerox/PARC is to look at the technological and social aspects of "digital libraries" as a potential business enterprise for the information industry.

Invited participants will include individuals from the computer, information and library sciences who are leaders in the field from academia, industry, and government. Although the workshop will concentrate on information gathering and not operate as an advisory committee, the public is invited to attend. To attend the workshop or for additional information, contact Dr. Y.T. Chien, Division Director, Information, Robotics and Intelligent Systems, National Science Foundation. Telephone: (202) 357–9572.

Dated: November 3, 1992.

Y.T. Chien,

Division Director, Information, Robotics and Intelligent Systems.

[FR Doc. 92–27486 Filed 11–12–92; 8:45 am]

BILLING CODE 7555-01-M

Special Emphasis Panel in Engineering Infrastructure Development; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: December 3, 1992: 8:30 a.m. to 5 p.m.

Place: 1110 Vermont Avenue, NW., Washington, DC, Room 500A and 500B.

Type of Meeting: Closed.

Contact Person: Dr. Lucy C. Morse, National Science Foundation, 1776 G St. NW., Washington, DC 20550. Telephone: (202) 786–9634.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate Research Experiences For Undergraduates proposals as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552(c), (4) and (6) of the Government in the Sunshine Act.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92–27492 Filed 11–12–92; 8:45 am]

BILLING CODE 7555-01-M

Advisory Committee for Mathematical and Physical Sciences; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting:

Date and Time: December 1, 1992: 8:30 a.m.–4 p.m.

Place: Wyndham Bristol Hotel, 2430 Pennsylvania Avenue, NW., Washington, DC 20037.

Type of Meeting: Open.

Contact Person: Ms. Rowena Peacock, National Science Foundation, room 512, 1800 G Street, NW., Washington, DC 20550. Telephone: (202) 357–5138. Anyone planning to attend this meeting should notify Ms. Peacock no later than Nov. 27, 1992.

Minutes: May be obtained from the contact person listed above.

Purpose of Meeting: To provide advice, recommendations, and oversight concerning NSF's Mathematical, Physics, Astronomy, Materials and Chemistry programs.

Agenda: Tuesday, December 1, 1992: 8:30 a.m.–4 p.m.

Welcome and Introductions
Concerns/Issues for NSF/US in the 1990s
NSB Commission
Organizational Barriers/Interdisciplinary Issues
Leadership/Vision

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92–27489 Filed 11–12–92; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

Nuclear Safety Research Review Committee; Meeting of Advanced Reactor Subcommittee

The NSRRC Advanced Reactor Subcommittee will hold a meeting on December 2 and 3, 1992, in the Twinbrook Room, Crowne Plaza Holiday Inn, 1750 Rockville Pike, Rockville, Md. 20852.

The entire meeting will be open to public attendance.

The agenda for the subject meeting will be as follows:

Wednesday, December 2, 1992, 8 a.m.–5:30 p.m.

The subcommittee will review an update on the AP600 (Westinghouse design) thermal–hydraulic research program (approximately 8–9 a.m.), the SBWR (General Electric design) thermal-hydraulic research program (approximately 9 a.m.–2 p.m.) and the NRC code development program for AP600 and SBWR (approximately 2–5:30 p.m.).

Thursday, December 3, 1992, 8 a.m.–3 p.m.

The subcommittee will review seismic considerations (approximately 8–10 a.m.); issues related to piping, reactor internals, modular construction, and containment structural integrity (approximately 10 a.m.–12 noon); and passive system reliability (approximately 1:30–3 p.m.). A detailed agenda will be made available at the meeting.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the subcommittee. Transcripts or recordings of the meeting will not be made. Questions may be asked only by members of the subcommittee and the staff. Persons desiring to make oral statements should notify the NRC staff

member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portion of the meeting, the subcommittee, along with other committee members or staff who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding this review.

Further information regarding topics to be discussed, the scheduling of sessions, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to Mr. George Sege (telephone 301/492–3904) between 8 a.m. and 4:30 p.m. (E.S.T.). Persons planning to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: November 5, 1992.

George Sege,

Technical Assistant to the Director, Office of Nuclear Regulatory Research.

[FR Doc. 92–27515 Filed 11–12–92; 8:45 am]

BILLING CODE 7590–01–M

NATIONAL SCIENCE FOUNDATION

Special Emphasis Panel in Research, Evaluation, and Dissemination; Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92–463, as amended), the National Science Foundation announces the following meeting.

Date and Time: December 3–5, 1992; 8:30 a.m. to 5 p.m.

Place: Learning Research and Development Center, 3993 O'Hara Street, Pittsburgh, PA.

Type of Meeting: Closed.

Contact Person: Ms. Beverly Hunter, Division of Research, Evaluation, and Dissemination, rm. 1227, National Science Foundation, 1800 G St. NW., Washington, DC 20550. Telephone: (202) 357–7064.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate research proposals submitted to the Applications Advanced Technologies Program as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are exempt under 5 U.S.C. 552b(c), (4) and (6) of the Government in the Sunshine Act.

Dated: November 9, 1992.

M. Rebecca Winkler,

Committee Management Officer.

[FR Doc. 92–27487 Filed 11–12–92; 8:45 am]

BILLING CODE 7555–01–M

NUCLEAR REGULATORY COMMISSION

Nuclear Safety Research Review Committee, Waste Subcommittee; Meeting

The NSRRC Waste Subcommittee will hold a meeting on December 1, 1992, in the Parkland Room, Crowne Plaza Holiday Inn, 1750 Rockville Pike, Rockville, MD 20852.

The entire meeting will be open to public attendance.

The agenda for the subject meeting will be as follows:

Tuesday, December 1, 1992—8:30 a.m.–5 p.m.

The subcommittee will review the High Level Waste Performance Assessment Research Program and an overview update of the High Level Waste Research Program. A detailed agenda will be made available at the meeting.

Oral statements may be presented by members of the public with the concurrence of the Subcommittee Chairman; written statements will be accepted and made available to the subcommittee. Transcripts or recordings of the meeting will not be made. Questions may be asked only by members of the subcommittee and the staff. Persons desiring to make oral statements should notify the NRC staff member named below as far in advance as is practicable so that appropriate arrangements can be made.

During the initial portion of the meeting, the subcommittee along with other committee members or staff who may be present, may exchange preliminary views regarding matters to be considered during the balance of the meeting.

The subcommittee will then hear presentations by and hold discussions with representatives of the NRC staff and other interested persons regarding this review.

Further information regarding topics to be discussed, the scheduling of sessions, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted therefor can be obtained by a prepaid telephone call to Mr. George Sege (telephone 301/492–3904) between 8 a.m. and 4:30 p.m. (EST). Persons planning to attend this meeting are urged to contact the above named individual one or two days before the scheduled meeting to be advised of any changes in schedule, etc., that may have occurred.

Dated: November 5, 1992.

George Sege,

Technical Assistant to the Director, Office of Nuclear Regulatory Research.

[FR Doc. 92–27512 Filed 11–12–92; 8:45 am]

BILLING CODE 7590–01–M

Office of State Programs; Receipt of Petition

Notice is hereby given that, by letter dated September 21, 1992, Anthony J. Thompson, Esq., on behalf of US Ecology, Inc., filed a "Petition of US Ecology, Inc. for Review and Suspension or Revocation of Utah's Agreement State Program for Failure to Require State or Federal Site Ownership at the Envirocare of Utah, Inc. Low-Level Radioactive Waste Facility" with the U.S. Nuclear Regulatory Commission staff. The Petition requests the NRC to revoke or suspend Utah's Agreement State status under section 274 of the Atomic Energy Act for failure to require Federal or State land ownership at the Envirocare of Utah, Inc. low-level radioactive waste (LLRW) disposal facility. As a basis for the request, the Petition alleges that:

(1) Under both Utah's Agreement State program and the Federal LLRW regulatory program, LLRW may not be disposed of on privately-owned land unless the state in which the site is located or the Federal government has formally expressed a willingness to accept title to the facility at site closure;

(2) The Envirocare site is located on privately-owned land; and

(3) Neither Utah nor the United States Department of Energy has agreed to or expressed any willingness to accept title to the site.

The NRC will take appropriate action on the Petition within a reasonable time. A copy of the Petition is available for inspection and copying in the Commission's Public Document Room, 2120 L Street, NW., Washington, DC 20037.

Dated at Rockville, Maryland, this 6th day of November, 1992.

For the Nuclear Regulatory Commission.
Vandy L. Miller,
Assistant Director for State Agreements Program, Office of State Programs.
[FR Doc. 92-27513 Filed 11-12-92; 8:45 am]
BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

Director's Advisory Committee on Law Enforcement and Protective Occupations; Open Meeting

AGENCY: Office of Personnel Management.

ACTION: Notice of open meeting.

SUMMARY: According to the provisions of section 10 of the Federal Advisory Committee Act (P.L. 92-463), notice is hereby given that the ninth meeting of the Director's Advisory Committee on Law Enforcement and Protective Occupations will be held at the time and place shown below.

DATE: November 18, 1992, 10 a.m.

PLACE: Washington Hilton and Towers, 1919 Connecticut Avenue, N.W., Washington, DC.

Due to the rapidly approaching statutory deadline for completion of this study, less than 15 days notice is given.

AGENDA: The focus of the November 18th meeting will be the soliciting of the views of the Advisory Committee members on the Office of Personnel Management staff proposal for law enforcement pay and classification reform before OPM makes a final decision on its recommendation.

FOR FURTHER INFORMATION CONTACT: Phyllis G. Foley, Director, Law Enforcement and Protective Occupations Task Force, Office of Compensation Policy, Personnel Systems and Oversight Group, Office of Personnel Management, room 7H30, 1900 E Street NW., Washington, DC 20415.

SUPPLEMENTARY INFORMATION: The meeting is open to the public. If time permits, an opportunity will be provided for members of the public in attendance at the meeting to provide their views. Persons wishing to address the Advisory Committee orally at the meeting should submit a written request no later than the close of business on November 16, 1992. The request must include the name and address of the person wishing to appear, the capacity in which the appearance will be made, a short summary of the intended presentation, and the amount of time desired.

Office of Personnel Management.
Douglas A. Brook,
Acting Director.
[FR Doc. 92-27663 Filed 11-12-92; 8:45 am]
BILLING CODE 6325-01-M

SECURITIES AND EXCHANGE COMMISSION

Forms Under Review by Office of Management and Budget

Agency Clearance Officer—Kenneth Fogash (202) 272-2142.

Upon written request copy available from: Securities and Exchange Commission, Office of Filings, Information and Consumer Affairs, Washington, DC 20549.

Revisions:
Regulation 14A—File No. 270-56
Regulation S-K—File No. 270-2
Regulation S-B—File No. 270-370
Form 10-K—File No. 270-48
Form 10-Q—File No. 270-49
Form 10-KSB—File No. 270-368
Form 10-QSB—File No. 270-369
Form SB-2—File No. 270-366
Form 10—File No. 270-51
Form S-1—File No. 270-58
Form S-4—File No. 270-287
Form S-11—File No. 270-64

Notice is hereby given pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), that the Securities and Exchange Commission ("Commission") has submitted for OMB approval proposed revisions to:

(1) Regulation 14A which sets forth rules governing the solicitation of proxies—Regulation 14A affects approximately 8,000 filers and causes filers to incur an average estimated burden of 90 hours;

(2) Regulation S-K which provides instructions for filing forms under the Securities Act of 1933, Securities Exchange Act of 1934 ("Exchange Act") and the Energy Policy and Conservation Act of 1975—Regulation S-K is assigned one burden hour for administrative convenience since it does not directly impose burden hours on respondents;

(3) Regulation S-B which provides instructions for filing forms under the Securities Act and Exchange Act by small business issuers—Regulation S-B is assigned one burden hour for administrative convenience since it does not directly impose burden hours on respondents;

(4) Form 10-K which is an annual report filed by issuers of securities registered under section 12 of the Exchange Act—Form 10-K affects approximately 6,261 filers and results in 1,711 burden hours;

(5) Form 10-Q which is a quarterly report filed by issuers of securities registered under section 12 of the Exchange Act—Form 10-Q affects approximately 3,236 filers and results in 190.5 burden hours;

(6) Form 10-KSB which is an optional annual report for small business issuers under the Exchange Act—Form 10-KSB affects approximately 3,225 filers and results in 1,272 burden hours;

(7) Form 10-QSB which is an optional quarterly report filed by small business issuers under the Exchange Act—Form 10-QSB affects approximately 3,516 filers and results in 131.5 burden hours;

(8) Form SB-2 which is a registration form under the Securities Act filed by small business issuers—Form SB-2 is filed by approximately 384 filers and results in 935 burden hours;

(9) Form 10 which is used to register securities under the Exchange Act—Form 10 affects approximately 110 filers and results in 12,980 burden hours;

(10) Form S-1 which is a registration statement under the Securities Act—Form S-1 affects approximately 1,039 filers and results in 1,295 burden hours;

(11) Form S-4 which is used to register under the Securities Act securities issued in business combination transactions—Form S-4 affects approximately 505 filers and results in 1,245 burden hours; and

(12) Form S-11 which is used to register under the Securities Act securities of certain real estate companies—Form S-11 affects approximately 340 filers and results in 870 burden hours.

The estimated average burden hours are made solely for purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules or forms. General comments regarding the estimated burden hours should be directed to Gary Waxman at the address below. Any comments concerning the accuracy of the estimated average burden hours for compliance with Commission rules and forms should be directed to Kenneth A. Fogash, Deputy Executive Director, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549 and Gary Waxman, (PRA Project Nos. 3235-0059, 0063, 0070, 0071, 0416, 0064, 0418, 0065, 0067, 0324 and 0420), Clearance Officer of Management and Budget, room 3208, New Executive Office Building, Washington, DC 20503.

Dated: October 30, 1992.
Jonathan G. Katz,
Secretary.
[FR Doc. 92-27518 Filed 11-12-92; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 34-31411; International Series Release No. 484; File No. SR-CBOE-92-21]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Chicago Board Options Exchange, Inc. Relating to the Listing of Options on Country Funds

November 5, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on September 11, 1992, the Chicago Board Options Exchange ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The CBOE proposes to list options on Brazil Funds, Inc. and Growth Fund of Spain, Inc., which are closed-end investment companies that invest in the securities of a specific country (*i.e.*, Brazil and Spain, respectively) ("Country Funds").

The text of the proposal is available at the Office of the Secretary, CBOE and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections (A), (B) and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

By order dated August 29, 1991, the Commission approved uniform proposals by the options exchanges to revise the criteria that a security must satisfy in order to be eligible to underlie a standardized individual equity options.[1] In footnote eleven of that order, the Commission stated that the "Exchanges must file separate rule changes pursuant to section 19(b) of the Act for options on securities other than common stock."

The purpose of the current proposal is to request Commission approval to list options on the following Country Funds: Brazil Funds, Inc. and Growth Fund of Spain, Inc. The Country Funds are traded on the New York Stock Exchange, Inc. and the CBOE states that it has determined that these funds meet the criteria and guidelines relating to securities appropriate for options trading set forth in CBOE rule 5.3.

In addition, the CBOE states that it has determined that the home markets for the stocks held in the portfolios of the Country Funds are located in a country with which the Commission has executed a memorandum of understanding with the appropriate foreign regulatory authority. Further, the CBOE states that it has surveillance sharing agreements in place with the exchanges in the home countries on which the stocks held in the portfolios of the Country Funds are traded.

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Securities Exchange Act of 1934, in general, and section 6(b)(5) in particular, in that it is designed to remove impediments to and perfect the mechanism of a free and open market and the national market system.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The CBOE believes that the proposed rule change will not impose an inappropriate burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments on the proposed rule change were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by December 4, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[2]

Jonathan G. Katz,

Secretary.

[FR Doc. 92-27472 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

[1] Securities Exchange Act Release No. 29628 (August 29, 1991), 56 FR 43949.

[2] 17 CFR 200.30-3(a)(12) (1992).

[Release No. 34-31414; File No. SR-OCC-92-22]

Self-Regulatory Organizations; The Options Clearing Corporation; Order Approving on an Accelerated Basis a Proposed Rule Change Establishing a Proprietary Cross-Margining Program With the Comex Clearing Association, Inc.

November 6, 1992.

On September 2, 1992, The Options Clearing Corporation ("OCC") filed with the Securities and Exchange Commission ("Commission") a proposed rule change (File No. SR-OCC-92-22) under section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") [1] to

[1] 15 U.S.C. 78(b)(1) (1988).

establish procedures for cross-margining certain options issued and cleared by OCC with certain futures cleared by the Comex Clearing Association, Inc. ("CCA").[2] Notice of the proposal was published in the **Federal Register** on November 4, 1992.[3] No comment letters were received. As discussed below, this order approves the proposal on an accelerated basis.

I. Description

OCC's proposal would establish a proprietary cross-margining program between OCC and CCA which would allow cross-margining of certain positions in eligible contracts.[4] At present, only those positions in eligible contracts that constitute proprietary positions under the rules of the Commodity Futures Trading Commission ("CFTC") [5] and that are not customer positions under the Act [6] will be includable in the program. The program is modelled after the proprietary cross-margining program that OCC established with the Chicago Mercantile Exchange ("CME").[7] Because the proposed OCC–CCA cross-margining program is patterned after the OCC–CME proprietary cross-margining program, this order will describe briefly the proposed OCC–CCA cross-margining program, focusing on those areas where there are differences between the proposed OCC–CCA and the existing OCC–CME proprietary cross-margining programs.

To implement the program, OCC and CCA have entered into a Cross-Margining Agreement ("Agreement"). Under the Agreement, the firms eligible for cross-margining include: (1) Firms that are Clearing Members of both OCC and CCA ("Joint Clearing Members") and (2) pairs of OCC-only Clearing Members and CCA-only Clearing Members that are affiliated with each other ("Affiliated Clearing Members"). The term Affiliate has been defined in the Agreement to conform to the definition set forth in Amendment No. 3 to SR–OCC–90–2.[8] The definition in the Agreement focuses on the relationship between the Affiliates as opposed to the status of an account carried by one Affiliate for the other.[9]

In order to participate in cross-margining, each Joint Clearing Member and each pair of Affiliated Clearing Members must establish a proprietary cross-margining account ("x-m account") [10] at each clearing organization. In addition, Proprietary Joint Custody Accounts and Proprietary Joint Settlement Account will be established under the OCC–CCA cross-margining-program.[11] Because of CCA's desire to eliminate participants' ability to designate it as the Designated Clearing Organization ("DCO"), each Joint Clearing Member and each pair of Affiliated Clearing Members must designate OCC as its DCO.[12] Pursuant to the Agreement, OCC and CCAa may jointly determine the margin requirements for each pair of x-m accounts or may use the margin calculation produced by the other.[13] The margin requirements for x-m accounts will be calculated only on a daily basis. OCC will use its Non-Equity Options ("NEO") margin system to calculate the premium and additional margin requirements for x-m positions.[14] OCC and CCA will retain authority to make intraday margin calls for additional margin when necessary. Settlement will occur on a daily basis through a joint OCC-CCA settlement account.[15]

The language of the Agreement respecting the valuation of securities in OCC's valued securities program has been changed to allow the valuation to be consistent with OCC rule 604(d). Currently, this language requires common stock deposited as margin to be valued at 50% but will allow the valuation to automatically increase to 70% without the need for an amendment to the Agreement should the Commission approve OCC's proposed rule change relating to rule 604(d).[16]

In the event of a Clearing Member default, OCC and CCA will work together to resolve the situation and, as discussed below, have established procedures in the Agreement to provide a framework for taking appropriate

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[2] CCA acts as the clearing organization for futures contracts and certain options on futures contracts for which the Commodity Exchange, Inc. ("COMEX") has been designated as the contract market.

[3] Securities Exchange Act Release No. 31359 (October 27, 1992), 57 FR 52661.

[4] Eligible contracts include OCC-cleared put and call options on the Eurotop 100 Stock Index and CCA-cleared futures on the Eurotop 100 Stock Index and put and call options on those futures. Any change to this list would require submission of a proposed rule change by OCC in accordance with section 19(b)(1) of the Act.

[5] 17 CFR 1.3 (y) (1991).

[6] 17 CFR 240.15c3–3 (1991).

[7] For a detailed discussion of the various legal, regulatory, and operational issues involved in the OCC–CME proprietary cross-margining program and of the OCC–CME Cross-Margining Agreement ("OCC–CME Agreement"), which is the contractual basis for such program, refer to Securities Exchange Act Release No. 27296 (September 26, 1989), 54 FR 41195 [File No. SR–OCC–89–01] (order approving OCC–CME Cross-Margining Program limited to proprietary positions). The OCC–CME cross-margining program was expanded to include certain options, futures, and options on futures of market professionals (non-proprietary cross-margining program). In accordance with this expansion, the original OCC–CME Agreement was amended ("OCC–CME Amended Agreement"). Securities Exchange Act Release No. 29991 (November 26, 1991), 56 FR 61404.

[8] Securities Exchange Act Release No. 27749 (March 7, 1990), 55 FR 8276 [File Nos. SR–OCC–90–2 and SR–ICC–90–1] (notice of proposed rule change relating to OCC–ICC cross-margining program).

[9] The definition of Affiliate as set forth in the OCC–CME Amended Agreement stated that each entity must be a person whose account with the other entity would not be the account of a customer. This definition was originally adopted in the context of proprietary cross-margining and was intended to insure the appropriateness under Commission and CFTC rules and regulations of commingling funds beneficially owned by each of the pair of affiliates in a proprietary cross-margining account. However, there is no legal necessity for this definition to focus on the status of an account (*i.e.*, proprietary or customer) carried by one affiliate for the other. Therefore, in order to eliminate confusion, the definition of Affiliate is based on the relationship of the entities (*i.e.*, control of one entity over the other or the entities being common control). Letter from James C. Yong, Vice President and Deputy General Counsel, OCC, to Jonathan Kallman, Associate Director, Division of Market Regulation, Commission (July 7, 1992).

[10] The Proprietary X–M Account is the account whose use is limited to cross-margin transactions and positions of Non-Customers (as defined in the Agreement) and carried by an OCC Clearing Member at OCC or a CCA Clearing Member at CCA.

[11] The Proprietary Joint Custody Account(s) is defined as one or more accounts established in the joint names of OCC and CCA at one or more X–M Clearing Banks for the purpose of holding U.S. Treasury securities deposited by Clearing Members as Initial Margin in respect of Proprietary X–M Accounts. The Proprietary Joint Settlement Account(s) is defined as one or more bank accounts established in the joint names of OCC and CCA at one or more X–M Clearing Banks for the purpose of making daily money settlement and holding cash Margin in respect of Proprietary X–M Accounts.

[12] Accordingly, Chapter VII, Rule 702 of OCC Rules has been changed to reflect that under such situations clearing members are required to choose OCC as their DCO. The DCO is responsible for such things as distributing margin and settlement reports, collecting and depositing margin, and collecting and paying settlement amounts.

[13] OCC and CCA have determined that initially both OCC and CCA will use OCC's margin system to determine the margin requirements for the x-m accounts. Telephone conversation between James C. Yong, Vice President and Deputy General Counsel, OCC, and Peter R. Geraghty, Attorney, Division of Market Regulation, Commission (November 3, 1992).

[14] For a detailed description of how OCC computes NEO margin, refer to Securities Exchange Act Release No. 23167 (April 22, 1986), 51 FR 16127 [File No. SR–OCC–85–21] (order approving OCC's Neo margin system).

[15] For a detailed account of how settlement will occur, refer to Securities Exchange Act Release Nos. 27296 and 29991, *supra* note 7.

[16] Securities Exchange Act Release No. 31169 (September 17, 1992), 57 FR 43041 [File No. SR–OCC–92–13] (publishing notice of a proposed rule change permitting OCC to value debt and equity securities deposited as margin at 70% of their current market value rather than at 50% as is currently the case.)

action.[17] The primary protection against losses arising from defaults in x-m accounts is OCC's and CCA's liens on and security interests in all positions in the x-m accounts, all funds and securities deposited to satisfy cross-margin collateral requirements, and all proceeds resulting from the liquidation of such positions or property held as cross-margin collateral.

The Agreement provides that either OCC or CCA may suspend a member in accordance with their respective rules (*e.g.*, OCC may suspend an OCC member who defaults on a cross-margining settlement obligation or margin payment obligation). Should OCC or CCA suspend a member, the clearing organization initiating the suspension will notify the other clearing organization of the suspension. Both OCC and CCA will liquidate the contracts in the suspended member's x-m accounts unless both clearing organization agree to delay liquidation of some or all of those contracts. OCC and CCA will coordinate the liquidation of the contracts so that both sides of spread or hedged positions can be closed out simultaneously to the fullest extent possible. Both OCC and CCA may use the proceeds from the liquidation of the contracts to offset liquidation expenses, and any remaining funds will be deposited in a cross-margining) liquidating account that is to be established at a bank jointly in both OCC's and CCA's names. The two clearing organizations also will convert to cash all non-cash margin deposits support positions in the x-m accounts and will deposit the funds in the liquidating account.[18]

Consistent with the requirements of the CFTC, the Agreement does not allow Clearing Members to designate their paired proprietary x-m accounts as cross-margin pledge accounts as contemplated by Section 3 of the OCC–CME Amended Agreement.[19] Therefore, Section 3 of the Agreement is intentionally left blank, and other references to cross-margin pledge accounts are omitted from the Agreement.

OCC and CCA have agreed to provide each other with information concerning that Clearing Members participating in the cross-margining program. The information sharing provisions of the Agreement mirror the counterpart provisions of the OCC–CME Amended Agreement except that the Agreement also requires each organization to notify the other upon receipt of information causing it significant concerns about the financial or operational capabilities of a Clearing Member. The OCC-CME Amended Agreement contains no such requirement.[20]

Section 9 of the Agreement generally requires each clearing organization to maintain the confidentiality of all information obtained in connection with the Agreement and cross-margining program.[21] The Agreement provides that both clearing organizations have the obligation to promptly notify the other if required by subpoena, court order, law, or regulations to disclose confidential information. The Agreement provides that in the event one clearing organization is required to disclose confidential information and the other determines to seek a protective order against disclosure, the clearing organization subject to the disclosure requirement is obligated to cooperate to a reasonable extent with the other.

The arbitration procedures in Section 16 of the Agreement and less cumbersome than the ones contained in the OCC–CME Amended Agreement. The right of each clearing organization to pick one of the three arbitrators and the requirement that the third arbitrator be agreed upon by both clearing organizations have been eliminated. The arbitration will be held in Chicago and the requirement that one of the arbitrators must be an attorney with not less than an aggregate of twelve years experience in legal practice, legal teaching, or adjudication and not be affiliated with either party to the dispute has been retained. Finally, the times throughout the Agreement reflect CCA's settlement times.[22]

II. Discussion

The Commission believes that the proposal is consistent with section 17A of the Act.[23] The Commission believes that the OCC–CCA cross-margining system will enhance the safe and efficient operation of the national system for the clearance and settlement of securities transactions.[24]

The Commission believes that the proposal will improve Clearing Member and systemic liquidity during normal market conditions and, particularly, during periods of market stress. In

[17] In the event of a default by a Joint Clearing Member or a pair of Affiliated Clearing Members that participate in multiple cross-margining programs with OCC (such as OCC–CME cross-margining and OCC–CCA cross-margining), the liquidation of the OCC–CME x-m accounts and OCC–CCA x-m accounts would be conducted separately, and the proceeds or the shortfall would be allocated in accordance with the applicable agreement. For example, if after liquidating the Clearing Member's x-m accounts, there is a shortfall, OCC would share in the loss with the appropriate cross-margining partner as agreed to in its agreement with that clearing organization (*e.g.*, in CCA's case, on an equal basis as contained in Section 8(e) of the Agreement). OCC's losses from both x-m accounts would be a charge against OCC's clearing fund in accordance with OCC rules to the extent necessary to satisfy those losses. Similarly, if there was a surplus in any of the relevant x-m accounts, OCC would share the surplus with the appropriate cross-margining partner as agreed to in its agreement with that clearing organization (*e.g.*), in CCA's case under Section 8(d) of the Agreement). In the event of a surplus in the OCC–CCA x-m accounts of a suspended Clearing Member, OCC would be entitled to apply 50% of the surplus to a deficit in that Clearing Member's other OCC accounts. If CCA suffered no net loss from the suspended Clearing Member's defaults on other obligations, OCC may be entitled to as much as 100% of the surplus in the OCC–CCA x-m accounts to offset deficits in other obligations of the suspended Clearing Member.

[18] For a detailed description of the actions to be taken and the method of account proceeds distribution upon a Clearing Member suspension, refer to Securities Exchange Act Release Nos. 27296 and 29991, *supra* note 7.

[19] *See also* letter from Don L. Horwitz, General Counsel, OCC, to Jonathan Kallman, Assistant Director, Division, Commission (September 5, 1989) respecting the proprietary cross-margining program between OCC and CME (File No. SR–OCC–89–01).

[20] In addition to the significant concern criteria, both the Agreement and the OCC–CME Amended Agreement require that notification be given to the other clearing organization if either clearing organization applies special surveillance procedures to a clearing member. The Agreement provides that OCC must inform CCA if OCC places a clearing member on "Watch Level III" or "Watch Level IV" and CCA must inform OCC if CCA or COMEX places a clearing member on its "Watch" list. For a detailed account of information sharing and notification obligations of the clearing organizations, refer to Securities Exchange Act Release Nos. 27296 and 29991, *supra* note 7.

[21] The Agreement specifically provides that it does not prohibit either OCC or CCA from furnishing confidential information to the Commission, CFTC, any self-regulatory organization, or any foreign government or regulatory body pursuant to any surveillance agreement to which OCC or CCA is a party.

[22] The time for the clearing organizations to furnish each other with information respecting: (i) The positions in each x-m account carried at such clearing organization reflecting the preceding business days' trading activity and any transfers or other position adjustments affecting such accounts; (ii) settlement amounts for each x-m account reflecting option premiums, exercise settlement amounts and any variation margin due to or from the clearing member in such account; (iii) daily futures settlement prices and option marking prices; and (iv) such other information as may reasonably be requested for the purpose of the Agreement is at or prior to 1 a.m. (C.S.T.). In the OCC–CME Amended Agreement, the time for furnishing such information is at or prior to 3 a.m. (C.S.T. The time for the DCO to instruct the clearing bank to transfer amounts due from the clearing member's designated proprietary bank account to the proprietary joint settlement account for cash settlement amounts due and also the time by which CCA must instruct the clearing bank to transfer amounts due to or from any proprietary joint settlement account from or to CCA's bank account for the net amount of all premiums and variation margin due to or from CCA is at or prior to 7 a.m. (C.S.T.). In the OCC–CME Amended Agreement, the time for issuing such instructions is at or prior to 6:40 a.m. (C.S.T.).

[23] 15 U.S.C. 78q–1.

[24] For a general discussion of the benefits of cross-margining, refer to Securities Exchange Act Release Nos. 27296 and 29991, *supra* note 7.

normal market conditions, lower initial margin deposits will benefit Clearing Members by increasing the amount of available cash to be used for other purposes. During times of market stress or price volatility, lower initial margin deposits could be important in maintaining Clearing Member liquidity. For example, during the market volatility experienced on October 13 and 16, 1989, the two firms participating in the OCC–CME proprietary cross-margining program paid $164 million less initial margin for their cross-margined positions than they would have been required to pay otherwise.[25] The Commission expects that the proposed OCC–CCA proprietary cross-margining program will have similar results.

Cross-margining also reduces market exposure to clearing organizations on open positions in Clearing Member accounts because it substitutes for cash margin deposits from Clearing Members assets that vary directly in value with those open positions. Cash deposits cannot directly appreciate in value, and therefore, when market conditions cause the cost of liquidating open short positions to increase, the means by which a clearing organization protects itself is to demand additional fixed assets, which the Clearing Member may not possess, to cover the increased cost of a potential liquidation. This can exacerbate Clearing Member liquidity in volatile markets. Cross-margining substitutes an asset that either pays cash on a daily basis or appreciates in value (*e.g.*, a long option on a future or a futures contract that entitles the holder to receive cash profits on a daily basis or a non-equity option or an option on a future that can appreciate in value) in a predictably direct relationship to the increasing liability of an open short position thereby reducing the market exposure of clearing organizations in volatile markets.[26]

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of the notice of filing thereof. Trading of options and warrants based on the Eurotop 100 began on the American Stock Exchange, Inc. on November 2, 1992. By granting accelerated approval, OCC and CCA will be able to implement the cross-margining program soon after the start of trading and, thereby, will enable traders of this product to reap the benefits, as described above, that cross-margining provides. Moreover, the Commission does not anticipate that it will receive any significant negative comment on the proposed rule change in view of the fact that OCC has established similar cross-margining programs with various other commodity clearing organizations, and comments have been few and insignificant.

III. Conclusion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and in particular with the requirements of section 17A of the Act. The Commission also finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing thereof.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[27] that the proposed rule change (File No. SR–OCC–92–22) be, and hereby is, approved on an accelerated basis.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[28]

Jonathan G. Katz,

Secretary.

[FR Doc. 92–27471 Filed 11–12–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–31399; File No. SR–DTC–92–03]

Self-Regulatory Organizations; The Depository Trust Company; Order Approving a Proposed Rule Change Relating to an Enhancement to the Collateral Loan Program

November 4, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),[1] the Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") a proposed rule change that will expand participation in DTC's Collateral Loan Program. Notice of the proposed rule change was published in the **Federal Register** to solicit comments from interested persons.[2] No comments were received. This order approves the proposal.

I. Description

The proposed rule change allows DTC participants to pledge securities on behalf of their non-participant customers with Federal Reserve Banks ("Reserve Banks") through the Collateral Loan Program ("CLP"). The CLP is a facility for making pledges to participating banks. The proposal will encourage DTC book-entry pledging to Reserve Banks by depository institutions that are not direct DTC participants. Depository institutions are required to pledge collateral to Reserve Banks to, among other things, secure drafts and intraday advances. The DTC participant making the pledge on behalf of a non-participant will be directly responsible to DTC for all fees and obligations related to the pledge.

Currently, DTC participants who are depository institutions can pledge securities through the CLP to the Reserve Banks.[3] Previously, non-participant depository institutions were unable to effect a pledge to the Reserve Banks through a DTC participant because the third party custody of collateral agreements between DTC and the Reserve Banks did not contain provisions for pledges by a fourth party non-participant, and because DTC's recordkeeping system was not equipped to identify the non-participant pledgor to the Reserve Banks.[4] Since the pledges could not be effected through DTC's CLP, the securities had to be withdrawn for physical presentation to the Reserve Banks.

The proposed rule change eliminates the need to withdraw securities for pledges made by non-participants. DTC and the Reserve Banks have modified the custody agreements to accommodate such pledges.[5] In addition, DTC has

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[25] Division of Market Regulation, U.S. Securities and Exchange Commission, *Market Analysis of October 13 and 16, 1989*, at 146 (December 1990).

[26] Behof, John P., Financial Markets Unit, Department of Supervision and Regulation, The Federal Reserve Bank of Chicago, *Issue Summary; Intermarket Cross-Margining for Futures and Options* at 1 (May 1989).

[27] 15 U.S.C. 78s(b)(2).

[28] 17 CFR 200.30–3(a)(12).

[1] 15 U.S.C. 78s(b)(1) (1988).

[2] Securities Exchange Act Release No. 30370 (February 13, 1992), 57 FR 6150.

[3] DTC requires, with limited exceptions, the use of an automated means for input of all participant-originated transactions. DTC will accept hard copy input only when the participant's automated means of input is not functioning. See DTC Participant Operating Procedures, Section G–100 and Securities Exchange Act Release No. 24166 (March 10, 1987), 52 FR 7360.

[4] DTC's procedures permit a non-participant pledgor to be identified on a hard copy pledge form or in the "comments" field of a pledge instruction over DTC's PTS. However, DTC's computer readable data bases and standard reports to Reserve Bank pledgees previously identified only the direct DTC participant.

[5] The Third Party Custody of Collateral Agreement has been modified so that it applies to pledges made on behalf of a customer of the DTC participant. The revised agreement provides, in pertinent part, that both the participant and the participant's customer must complete an agreement with the Reserve Bank when effecting a non-participant pledge. Letter from Patricia H. Trainor, Associate Counsel, DTC, to Sonia Burnett, Attorney, Commission (May 18, 1992).

modified its recordkeeping system so that DTC can report to the Reserve Bank the number of the non-participant pledgor and the purpose of the pledge.

The procedures for making pledges under the proposal will be substantially the same as DTC's current procedures. The DTC participant must verify that the balance of securities it is holding on behalf of the customer is sufficient for the pledge. The participant will enter the pledge instruction as usual, with the only changes being the inclusion of the non-participant's identification number, the purpose of the pledge, and the pledge purpose code. DTC will not accept a fourth party pledge unless the non-participant pledgor is identified in the pledge instruction. Only one pledge may be made per instruction. Most pledges will be made through DTC's Participant Terminal System ("PTS").[6]

When DTC receives the pledge instruction, DTC will confirm that the Reserve Bank is an eligible pledge recipient, and DTC will determine that the participant has sufficient positions available for the pledge.[7] DTC will then transmit the pledge ticket to the Reserve Bank. If the pledgee is a DTC participant, the pledge ticket will be sent to the pledgee's printer. If the pledgee is not a DTC participant and does not have access to PTS, the pledge ticket will be routed to DTC's Collateral Loan Department for transmission to the pledgee by facsimile. Upon receiving the pledge instruction, DTC will transfer securities from the participant's account where the pledgor is a non-participant to the Reserve Bank's pledgee account and make appropriate entries on its books reflecting the transfer. Once the pledge ticket is received by the Reserve Bank, the bank may release the pledge if the details differ from those the bank received from the pledgor.

DTC will maintain the securities in the pledgee's account until the pledgee instructs DTC to release the pledge. Neither DTC nor the participant will have access to the pledged securities until the Reserve Bank releases the pledge. The bank may terminate the pledge agreement by requesting that the pledged securities be moved back to the participant's account or to another location.

[6] This proposal does not govern the relationship between the Reserve Bank and the non-participant pledgor.

[7] DTC is unable to determine if those securities belong to the non-participant pledgor. Thus, any obligation arising from a non-participant pledgor's failure to deliver sufficient securities to the DTC participant is that of the DTC participant.

II. Discussion

The Commission believes that DTC's proposed rule change is consistent with section 17A of the Act and, specifically, with sections 17A(b)(3) (A) and (F).[8] Those Sections require a clearing agency to be organized and its rules designed to promote the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of securities and funds which are in its custody or control or for which it is responsible. The Commission further believes that the proposal will promote the objectives of section 17A(e) in which Congress directs the Commission to use its authority under Section 17A(e) to end the movement of certificates in connection with securities transactions.

DTC began designing the fourth party pledge system at the request of the Reserve Banks that participate in DTC's CLP.[9] DTC's Participant Services and Systems and Computing Development staff has designed the program in consultation with all twelve Reserve Banks to ensure that the design is satisfactory to each of them.[10]

The Commission believes the proposal provides a more efficient method of effecting pledges to Reserve Banks by non-participants of DTC. The proposed rule change will allow these non-participant depository institutions to pledge collateral with the Reserve Banks by book-entry through DTC's facilities. The Commission, therefore, believes that the proposal will promote the prompt and accurate clearance and settlement of securities transactions by eliminating the need for physical movement of securities certificates to effect those pledges.

Consistent with DTC's current procedures, the proposal is designed to protect pledgee banks and pledgors by assuring adequate collateral control. Because the pledgor must obtain the approval of the Reserve Bank prior to initiating the pledge, any unauthorized pledge of securities should be rejected by the Reserve Bank. In addition, only the pledgee will have the ability to release the pledge after the pledge position has been established. These requirements are designed to prevent the unauthorized movement of securities. The Commission believes that the required procedures and controls for effecting non-participant pledges are consistent with DTC's duty to facilitate the safeguarding of securities and funds which are in DTC's custody or control or for which it is responsible under the Act.

[8] 15 U.S.C. 78q–1(b)(3) (A) and (F).

[9] DTC received a letter from Thomas Hoenig, President of the Federal Reserve Bank in Kansas City, who at that time was the Chairman of the Subcommittee on Discounts and Credits, requesting the collateral loan enhancement. Letter to William T. Dentzer, Jr., Chairman and Chief Executive Officer, DTC, from Thomas M. Hoenig, Chairman, Subcommittee on Discounts and Credits, Federal Reserve Bank of Kansas City (August 1, 1991).

[10] Representatives of the Reserve Banks in Chicago and in New York and the Board of Governors of the Federal Reserve System have represented to the Commission that they believe DTC's proposal will accommodate the documentation needs of the Reserve Banks and is consistent with regulatory requirements. Telephone conversations between Sonia Burnett, Attorney, Commission, and Marion Marcinzak, Manager, Loans and Reserves, Chicago Federal Reserve Bank, and Elizabeth Midlin, New York Federal Reserve Bank, and Don Vinnedge, Manager, Trust Activities, Board of Governors of the Federal Reserve System (February 20, 1992).

III. Conclusion

For the foregoing reasons, the Commission finds that the proposal is consistent with the Act, particularly with section 17A of the Act, and the rules and regulations thereunder.

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.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–27473 Filed 11–12–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 31400; File No. SR–MSRB–92–06]

Self-Regulatory Organizations; the Municipal Securities Rulemaking Board; Notice of Filing of a Proposed Rule Change Relating to Book-Entry Delivery of Municipal Securities Between Dealers

November 4, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),[1] notice is hereby given that on August 27, 1992 the Municipal Securities Rulemaking Board ("Board") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared primarily by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1) (1988).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Board is filing a proposed rule change to Rule G–12, relating to book-entry delivery of municipal securities between dealers. The Board requests that the Commission delay the effectiveness of the proposed rule change until January 1, 1993, to allow dealers sufficient time to make any changes that may be necessary in their settlement practices.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Board included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Board has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) The proposed rule change is the first phase of the Board's overall plan to complete the transition of the municipal securities market to automated techniques of clearance and settlement. The proposed rule change relates to settlements of interdealer transactions in depository-eligible securities and will eliminate the current exemptions in rule G–12(f) that allow certain of these settlements to be accomplished with physical deliveries of securities certificates. The Board also has announced a timetable for additional rule changes relating to: (i) Book-entry settlement of "Delivery Versus Payment" and "Receipt Versus Payment" ("DVP/RVP") customer transactions; (ii) automated comparison of interdealer transactions; and (iii) automated confirmation and affirmation of DVP/RVP customer transactions. Within the next eighteen months, the Board intends to file these additional proposed rule changes with the Commission as part of the Board's overall plan on automated clearance and settlement.

Currently, rule G–12(f)(ii) requires an interdealer transaction to be settled by book-entry delivery under the following conditions:

(1) The transaction has been compared in the automated comparison system;

(2) Each party to the transaction is a member of a registered securities depository or its clearing agent for the transaction is a member; and,

(3) The securities are eligible for deposit at a depository of which both parties are members, or, if the parties are members of different depositories, the securities are eligible at each of the two depositories.

The purpose of the proposed rule change is to require book-entry settlements of interdealer transactions of essentially all depository-eligible securities. The primary effect of the proposed rule change would be to eliminate use of the current exemption which allows physical settlements of such transactions if at least one of the parties to the transaction is not a depository member.

The proposed rule change would provide only one narrow exception to the general requirement of book-entry settlement of all depository-eligible securities. The exception relates to municipal securities that are eligible at some, but not all, depositories. If the securities involved in a transaction are ineligible at the exclusive depository (or depositories) being used by one of the parties to the transaction, the proposed rule change would not require book-entry settlement, even though the securities may be eligible at other depositories. The Board believes that the number of issues that fit within this exception is relatively small, but that the exception is necessary to ensure that the proposed rule change is not construed as requiring all dealers to have access to all depositories in order to comply with the proposed rule change.

With respect to depository eligibility, it should be noted that there are programs now underway at depositories to make bearer municipal securities automatically eligible, based on the trade data submitted to automated comparison and automated confirmation and affirmation systems. To the extent that these programs result in a security being made depository-eligible between trade date and settlement date, the proposed rule change would require book-entry settlement of those transactions. The proposed rule change would not, however, require dealers to apply to make securities eligible at a depository to accomplish a book-entry delivery. Thus, the proposed rule change does not require an underwriter to accomplish the initial distribution of the issue through a depository unless the underwriter chooses to do so by making the issue eligible at a depository prior to the distribution. Once an issue is made eligible at a depository, all subsequent transactions would be subject to the requirement of book-entry delivery according to the provisions discussed above.

The Board is unaware of any dealer who does not have access to the book-entry settlement services of a securities depository, either directly or through a clearing agent. The Board also believes the great majority of interdealer transactions in depository-eligible securities already are being settled by book-entry and that there is relatively little use of the current exemption within rule G–12(f)(ii). However, to the extent that a small number of such transactions are being settled with physical certificates, the Board believes that the proposed rule change will facilitate the clearance and settlement of such transactions by eliminating the exception processing and delays associated with physical deliveries against payment. The Board believes that the proposed rule change generally will reduce the costs of clearance and settlement in the industry by allowing dealers to discontinue such exception processing and rely to a greater extent on book-entry settlement.

(b) As set forth in section 15B of the Act, the Board has the responsibility to "foster co-operation and coordination with persons engaging in * * * clearing, settling, processing information with respect to, and facilitating transactions in, municipal securities." [2]

The Board's role in this area is given additional direction by section 17A of the Act, which mandates the creation of a national system for automated clearance and settlement of securities transactions and the elimination of the physical movement of securities certificates between dealers.[3] Section 17A expressly includes municipal securities within its stated objectives.

The Board believes that the proposed rule change will facilitate clearance and settlement of municipal securities as required by section 15B of the Act and also serve one of the explicit purposes of section 17A of the Act to eliminate the physical movement of securities certificates between dealers.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Board does not believe that the proposed rule change would impose any burden on competition not necessary or

[2] 15 U.S.C. 78o–4.

[3] 15 U.S.C. 78q–1.

appropriate in furtherance of the purposes of the Act since it applies equally to all brokers, dealers, and municipal securities dealers.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

In August 1991, the Board published the proposed rule change for comment as well as other draft amendments to rules G–12(f) and G–15(d). Sixteen comment letters were received.

Twelve commentators supported the draft amendments. These included four industry operations groups, one trade organization representing New York banks, six dealers, and one bank that acts as a clearing agent for institutional customers. Two commentators opposed the draft amendments. The remaining two commentators, who did not express an opinion on the draft amendments, were securities firms. They addressed the application of the draft amendments to a trustee who purchases securities to retire a portion of an issue pursuant to a sinking fund provision.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within thirty five days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriated and publishes its reason for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Person making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the MSRB. All submissions should refer to file number SR–MSRB–92–06 and should be submitted by December 4, 1992.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–27475 Filed 11–12–92; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–31413; International Series Release No. 485; File No. SR–NASD–92–44]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc. Notice of Filing and Order Granting Accelerated Temporary Approval to Proposed Rule Change Relating to the Quotation Linkage Between the NASD and the London Stock Exchange

November 5, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on October 30, 1992, the National Association of Securities Dealers, Inc. ("NASD" or "Association") filed with the Securities and Exchange Commission ("Commission" or "SEC") the proposed rule change as described in items I, II, and III below, which Items have been prepared by the NASD. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

On October 2, 1987, the Commission issued an order approving operation of a market information linkage between the NASD and the London Stock Exchange ("LSE") (formerly, the International Stock Exchange of the United Kingdom and the Republic of Ireland) for a pilot term of two years.[1] This experimental linkage is designed to provide an interchange of quotation information ("linkage information") on about 740 securities ("linkage securities"); of that total, each marketplace has designated approximately half as its "pilot group" of linkage securities. NASD and LSE members that function as market makers in one or more of a subset of linkage securities that are quoted in both the Nasdaq and LSE dealer systems ("common issues") are authorized to access linkage information without paying a separate charge to receive it. Operation of the linkage in this fashion comports with the terms of the Commission's October 1987 Order. Most recently, the Commission authorized an extension of this pilot linkage through November 5, 1992, by approving File No. SR–NASD–92–15.[2]

Pursuant to section 19(b)(1) of the Act and Rule 19b–4 thereunder, the NASD submits this proposed rule change to obtain Commission approval of the NASD/LSE pilot linkage through May 5, 1993.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the NASD included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The NASD has prepared summaries, set forth in Sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of this rule filing is to obtain an interim extension of the Commission's temporary approval of the NASD/LSE linkage through May 5, 1993. Absent an extension, authorization for the linkage will expire as of November 5, 1992.

During the proposed extension, the NASD and LSE will continue to discuss possible options regarding the linkage's future structure and operational capabilities in relation to the needs of the international investment community. These discussions may lead to a substantive enhancement of the linkage, the pursuit of another joint initiative, or a decision to act independently in developing international systems that are responsive to the business needs of the sponsors' constituencies. Any decision to enhance the linkage or to jointly develop an alternative system will entail another Rule 19b–4 filing that will afford the Commission (and other interested parties) an opportunity to

[1] Securities Exchange Act Release No. 24979 (October 2, 1987), 52 FR 37684 (October 8, 1987), (the "October 1987 Order").

[2] Securities Exchange Act Release No. 30667 (May 5, 1992), 57 FR 20309 (May 12, 1992).

focus on the relevant policy and regulatory issues. Meanwhile, a continuation of the pilot linkage, as proposed, would be supportive of the NASD's and LSE's efforts to define systems capable of accommodating cross-border trading more efficiently.

The NASD submits that the statutory bases for the NASD/LSE pilot linkage and the requested extension thereof, are contained in sections 11A(a)(1) (B) and (C), 15A(b)(6), and 17A(a)(1) of the Act. Subsections (B) and (C) of section 11A(a)(1) set forth the Congressional goals of achieving more efficient and effective market operations, the availability of information with respect to quotations for securities and the execution of investor orders in the best market through the application of new data processing and communications techniques. Section 15A(b)(6) requires that the rules of the NASD be designed "to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market * * *." Section 17A(a)(1) sets forth the Congressional goal of linking all clearance and settlement facilities and reducing costs involved in the clearance and settlement process through new data processing and communications techniques. The NASD believes that the requested extension of the linkage's pilot operation is fully consistent with the policy goals articulated in the foregoing statutory provisions and with the Commission's efforts to advance the process of internationalization of the securities markets.

B. Self-Regulatory Organization's Statement on Burden on Competition

In its original release announcing interim approval of the NASD/LSE pilot linkage, the Commission referenced certain competitive concerns raised by Instinet Corporation ("Instinet") through counsel.[3] In response, the NASD, after consultation with the LSE, made a good faith effort to address those concerns by narrowing the universe of firms and terminals permitted access to linkage information at no cost. Those changes were reflected in File No. SR–NASD–87–20, which the Commission approved by issuing the October 1987 Order. Further, in File No. SR–NASD–89–44 (which resulted in extension of the linkage's authorization until December 1, 1990), the NASD submitted statistical and cost information relative to its participation in the pilot project. In the event that the NASD and LSE determine to seek permanent approval of, or materially enhance the linkage, every effort will be made to supply the Commission with the empirical data needed for its deliberations on the corresponding rule 19b–4 filing.

With respect to the instant filing, the NASD believes that the proposed extension of the pilot linkage will not create any competitive burden *vis-a-vis* Instinet or any other vendor of securities market information. Moreover, Instinet and other interested parties will have ample opportunity to comment on any subsequent rule 19b–4 filing involving permanent approval or substantive enhancement of the linkage. Finally, during the requested extension, the sponsoring markets will not use linkage information for purposes of operating an intermarket, automated execution system.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The NSAD requests that the Commission find good cause for approving this proposed rule change prior to the 30th day following publication of notice of the filing in the **Federal Register**, and, in any event, by November 5, 1992, the expiration of the linkage's present authorization. The NASD believes that the requested extension of the pilot period is fully consistent with the statutory provisions and policy goals referenced in section 3 of this rule 19b–4 filing. Moreover, the additional time will enable the sponsoring markets to consider various options and determine the future course of this experimental project. Those deliberations will focus on evaluating feasible enhancements to the linkage as well as alternative projects intended to advance the internationalization of securities markets through more efficient computerized systems. Under these circumstances, it would be counterproductive to allow the NASD/LSE linkage to cease operation. Accordingly, the NASD Believes that good cause exists to accelerate the effectiveness of this rule change to a date no later than November 5, 1992.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the NASD and, in particular, the requirements of sections 11A(a)(1) (B) and (C), 15A(b)(6), and 17A(a)(1) and the rules and regulations thereunder.

The Commission finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of notice of filing thereof. The Commission believes that accelerated approval will avoid an unnecessary interruption of the pilot linkage while allowing the NASD and LSE to consider feasible options for enhancing the linkage or defining other automation initiatives to facilitate the efficient handling of international order flow.

The requested extension will permit the NASD additional time to evaluate the need to determine if it should alter or terminate the pilot linkage in light of the introduction of the NASDAQ International Service ("SERVICE").[4] Given the SERVICE'S potential to support trading in U.S. registered securities by institutional investors (both foreign and domestic) during U.K. business hours, the Commission believes the NASD should be afforded a meaningful period of time to access the impact of the SERVICE on the NASD/LSE linkage. Accordingly, the Commission believes the NASD/LSE linkage should not be terminated while these efforts are ongoing.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in

[3] See Securities Exchange Act Release No. 23158 (April 21, 1986), 51 FR 15989 (April 29, 1986). See also letter from Daniel T. Brooks, Counsel for Instinet, to John Wheeler, Secretary, Securities and Exchange Commission, dated April 16, 1986.

[4] Essentially, the SERVICE extends the NASD's automated market-making systems to a European Session running from 3:30 to 9 a.m. (EST) on each U.S. business day. During this period, participating broker-dealers can utilize the SERVICE to quote markets in selected NASDAQ and exchange-listed securities by means of trading facilities located in the U.S. or U.K. See, Securities Exchange Act Release No. 29812 (October 11, 1991), 56 FR 52082 (October 17, 1991), approving implementation of the SERVICE.

accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to the file number in the caption above and should be submitted by December 4, 1992.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change be, and hereby is, temporarily approved thereby extending the NASD/LSE linkage until May 5, 1993.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(12).

Jonathan G. Katz,

Secretary.

[FR Doc. 92-27474 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 31402; File No. S7-9-90]

Self-Regulatory Organizations; Notice of Application for Extension of Temporary Registration as a Securities Information Processor and Order Granting Accelerated Approval to National Association of Securities Dealers, Inc. for Market Services, Inc.

November 4, 1992.

Pursuant to section 11A(b)(3) of the Securities Exchange Act of 1934 ("Act"),[1] notice is hereby given that on September 21, 1992, the National Association of Securities Dealers, ("NASD") filed [2] with the Securities and Exchange Commission ("Commission"), an application for a one-year extension of the temporary registration of its subsidiary, Market Services, Inc. ("MSI"),[3] as a securities information processor ("SIP"). The temporary registration covers MSI's activities as an exclusive SIP for the PORTAL Market, a screen-based system for primary placements and secondary trading of rule 144A securities.[4] The NASD filed its original application for registration as an SIP on March 28, 1990, pursuant to section 11A(b)(2) of the Act,[5] and rule 11Ab2-1 thereunder,[6] and the Commission issued an order granting temporary registration as an SIP to MSI for a one-year period.[7] On October 25, 1991 the Commission extended the registration of MSI as an SIP for another one-year period.[8] The Commission is publishing this notice to solicit comments from interested persons on the proposed extension and is simultaneously approving the proposal.

Section 11A(b)(1) of the Act provides that "it shall be unlawful for any securities information processor unless registered in accordance with this subsection, directly or indirectly, to make use of the mails or any means or instrumentality of interstate commerce to perform the functions of a securities information processor."[9] As part of its original application for registration, the NASD stated that it had considered the implications of the new system on the capacity of the NASD's other systems, the adequacy of the PORTAL system's capacity to process the expected traffic in PORTAL itself, and the adequacy of the PORTAL system's protection against unauthorized access, computer viruses and other internal or external intrusions. In the original application, the NASD represented that its capacity and security plans were designed to provide adequate protections that are comparable to those generally in use for similar systems. As part of its present application for an extension of MSI's registration, the NASD has restated this representation.

When it approved the original application for registration, the Commission also examined the information and documents contained in the NASD's submissions with regard to: (1) Standards and procedures for collection, processing, distribution, and publication of information with respect to quotations for, and transactions in, securities; (2) personnel qualifications; (3) financial condition of the NASD and MSI; and (4) such other matters as the Commission determined to be germane to the provisions of the Act and the rules and regulations thereunder. As part of the present application, the NASD has represented that there has been no material change in the PORTAL system's operational features or in the standards and procedures relating to that system since the Commission approved the original application.

Because the PORTAL system was the first NASD service operated on Stratus computers, the NASD did not develop the drivers and traffic generators required to conduct a formalized stress test of the PORTAL Market.[10] Moreover no backup system was available for the PORTAL Market.[11] In its approval of the temporary registration of MSI as an SIP, the Commission noted that it was concerned with this lack of a backup system and the inability of the NASD to perform a formalized stress test of the system. The Commission, however, believed that because of the low volume of trading expected during the first year of operation, and because the PORTAL Market provided institutional investors with an important trading mechanism to assist them in meeting the requirements of rule 144A, it would be appropriate to grant a temporary registration.

Given the continued low volume of trading in the PORTAL Market and the representations made by the NASD, the Commission believes that a temporary extension of the SIP registration for a one year period is appropriate. The Commission will continue to monitor the development of the PORTAL Market and assess whether the trading volume in the market is such that it necessitates the implementation of back-up and stress test capabilities.

The Commission, therefore, finds, pursuant to section 11A(b)(3) of the Act, that, based on the NASD's representations and on the performance of the PORTAL system to date, MSI is so organized, and has the capacity, to be able to assure the prompt, accurate, and reliable performance of its function as a securities information processor, comply with the provisions of the Act and the rules and regulations thereunder, carry out its functions in a manner consistent with the purposes of section 11A, and insofar as it is acting as an exclusive processor, operate fairly and efficiently.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions

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[1] 15 U.S.C. 78k-1 (1988).

[2] See Letter from Robert E. Aber, Vice President and Deputy General Counsel, NASD, to Elizabeth H. MacGregor, Branch Chief, National Market System Branch, Division of Market Regulation, SEC, dated September 18, 1992.

[3] MSI is a securities information processor within the definition of section 3(a)(22)(A) of the Act and an exclusive processor within the definition of section 3(a)(22)(B) of the Act.

[4] See Securities Exchange Act Release No. 27956 (April 27, 1990), 55 FR 18781.

[5] 15 U.S.C. 78k-1 (1988)

[6] See Letter from Frank J. Wilson, Executive Vice-President and General Counsel, NASD, to Jonathan G. Katz, Secretary, SEC, dated March 28, 1990. The Notice of Application for Registration was published in Securities Exchange Act Release No. 27957 (April 27, 1990), 55 FR 19138.

[7] See Securities Exchange Act Release 28581 (October 25, 1990), 55 FR 45897.

[8] See Securities Exchange Act Release No. 29862 (October 25, 1991), 56 FR 58438.

[9] 15 U.S.C. 78k-1(b)(1) (1988).

[10] Instead, the NASD conducted a capacity test by simulating actual operation of the PORTAL Market through manual input of typical transactions. Based on this simulated production test, the NASD represented that the system had sufficient capacity to support the PORTAL Market through early expansion and growth in user traffic. It further indicated that the system could be upgraded with little or no impact on continuous operation.

[11] The NASD noted, however, that all available system resources would be applied to handle potential PORTAL Market capacity.

should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing also will be available for inspection and copying at the principal office of the NASD. All submissions should refer to the file number in the caption above and should be submitted by December 4, 1992.

It is therefore ordered, pursuant to section 11A(b)(1) of the Act, that the application of the NASD for the registration of MSI as a securities information processor be, and hereby is, extended for a one-year period from the date of this order.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(49).

Jonathan G. Katz,

Secretary.

[FR Doc. 92-27469 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-31410; International Series No. 483; File No. SR-Phlx-92-23]

Self-Regulatory Organizations; Proposed Rule Change by the Philadelphia Stock Exchange, Inc., Relating to Limitations on the Dissemination of Bids and Offers for Foreign Currency Options

November 5, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on September 4, 1992, the Philadelphia Stock Exchange, Inc. ("PHLX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The PHLX, pursuant to Rule 19b-4 of the Act, proposes to amend PHLX Rule 1012—Series of Options Opened for Trading and to adopt Option Floor Procedure Advice ("OFPA") F-18—Adding FCO Expiration Months and Strike Prices to establish the criteria under which bids and offers in the Exchange's foreign currency options ("FCO") series are eligible for off-floor transmission to securities-data vendors. The text of the proposed rule change is available at the Office of the Secretary, PHLX and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The PHLX proposes to amend PHLX Rule 1012—Series of Options Opened for Trading and to adopt OFPA F-18—FCO Expiration Months and Strike Prices. The proposed rule change and the new OFPA establish criteria for the Exchange to determine for each FCO series whether its bid-ask quote is at any time during the trading day eligible for off-floor dissemination to securities-data vendors. The purpose for establishing such criteria is to provide public customer investors with more timely and accurate FCO quote displays in series of known or probable public investor interest by eliminating quote change disseminations in series with no known public investor interest or of improbable public investor interest. Adoption of these proposals shall serve to significantly unclog option data transmission lines and speed up the dissemination of FCO quote changes to public investors in the series of most interest.

There are, for example, over 5,000 FCO strike prices currently listed on the Exchange from which over 140,000 quote updates emanate each day. Each quote change must currently be processed through the Option Price Reporting Authority ("OPRA") for dissemination to securities-data vendors. In volatile trading periods, where quote changes in thousands of such series occur near simultaneously, delays in their dissemination are sometimes experienced.

These delays could be significantly reduced if the processing of quote changes in far-term and away-from-money series, where there is no or little discernible public interest, could be eliminated. Historically, the vast majority of public customer trading interest in FCO options has been in the near-term months with strike prices around the money or in other series for which open interest is already maintained. While FCO trades on any given day will normally occur in less than 10% of the over 5,000 available FCO series, an even lesser percent applies when considering only FCO public customer trades.

The instant proposal is designed to identify on a daily basis those series with investor interest and to only disseminate quote changes to OPRA in those series. This proposal will not affect the eligibility of trading in any listed series, but will only affect whether a quote update in any given series will be transmitted off-floor to vendors. It is expected that implementation of this proposal will result in a more than 50% reduction in the number of FCO quotes processed through OPRA.

Rule 1012 currently sets forth the conditions under which new option series may be added for trading on the Exchange. The present proposal is to add to rule 1012 a provision to allow the Exchange to classify each FCO option series open for trading on the Exchange as either an "update" series or a "non-update" series. The rule defines the update series category to be comprised at the minimum of (i) the four strike prices above and below the underlying price for the three nearest mid-month and three nearest month-end expirations of the American-style FCO and (ii) any other American-style or European style series which at the time maintains open interest.

Proposed OFPA F-18 provides additional detail regarding the process by which the classification of series defined above can under certain circumstances include additional series. Proposed OFPA F-18 requires that the list of update series be set at the commencement of each trading day and be continuously disseminated to OPRA and outside vendors throughout the trade day. Proposed OFPA F-18 contemplates that update series will change on a daily basis and intra-day basis, as investor interest in available series likewise changes from day to day and intra-day. Consequently, it allows

for update strikes to be activated on an intra-day basis at the initiative of the Exchange or in response to requests from either the specialist or from a FCO floor official.

In defining non-update series as listed series which are not update series, the proposed rule change and OFPA F-18 capture under this category the majority of FCO series normally available for trading on the Exchange. In order to distinguish for the public the appropriate status of a non-update series, the Exchange shall disseminate a set of zeroes (*e.g.*, 000-000) which will be reflected by the vendors as the disseminated bid/ask quotes for each series in the non-update category. For further assurance as to informing the public of the status of a non-update series, every non-update series shall carry the "I" identifier, which is the OPRA code letter that signals to investors that the series is an "inactive series."

The Exchange believes that the proposed rule change is consistent with section 6(b)(5) of the Exchange Act in that it is designed to promote just and equitable principles of trade as well as protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The PHLX does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by December 4, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-27477 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-31412; File No. SR-PHLX-92-28]

Self-Regulatory Organizations; Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc., Relating to an Increase in Transaction Fees for Equity Options Specialists and Registered Options Traders

November 5, 1992.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on September 24, 1992, the Philadelphia Stock Exchange, Inc. ("PHLX" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the PHLX. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Currently, PHLX equity options specialists and Registered Options Traders ("ROTs") pay an options transaction side charge of $0.06 per contract. The PHLX proposes to increase the per contract transaction fee by $0.01 to $0.07 per contract. The increased transaction fee shall become effective on the first day of the month following the effective date of the Joint Options Exchange Marketing Program ("Program"). At the conclusion of the Program, the Exchange intends to submit a filing to the Commission under section 19(b)(3)(A) of the Act to reduce the fee to the level in effect prior to the commencement of the Program.[1]

The text of the proposed rule change is available at the office of the Secretary, PHLX and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the PHLX included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The PHLX has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

Currently, PHLX equity options specialists and ROTs pay an options transaction side charge of $0.06 per contract. The PHLX proposes to increase the per contract transaction fee by $0.01 to $0.07 per contract, in order to fund the Program. The increased transaction fee shall become effective on the first day of the month following the effective date of the Program. At the conclusion of the Program, the Exchange intends to submit a filing to the Commission under section 19(b)(3)(A) of the Act to reduce the fee to the level in effect prior to the commencement of the Program.[2]

The transaction fee is being increased in order to fund an industry-wide options education and media program. All of the options exchanges and the Options Clearing Corporation are participants in the Program.

The PHLX believes that the proposal is consistent with section 6(b)(4) of the Act in that it provides for the equitable allocation of reasonable charges among

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[1] See letter from William W. Uchimoto, Vice President and General Counsel, PHLX, to Thomas Gira, Branch Chief, Options Regulation, SEC, dated October 6, 1992 ("PHLX Letter").

[2] See PHLX Letter, *supra* note 1.

its members and persons using its facilities.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The PHLX does not believe that the proposed rule change will impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

No written comments were solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing rule change establishes or changes a due, fee or other charge imposed by the Exchange, it has become effective pursuant to section 19(b)(3)(A) of the Act and subparagraph (e) of rule 19b–4 thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to the file number in the caption above and should be submitted by December 4, 1992.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92–27478 Filed 11–12–92; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–19083; 811–4330]

Fortress High Quality Stock Fund

November 4, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the "Act").

APPLICANT: Fortress High Quality Stock Fund.

RELEVANT ACT SECTIONS: Section 8(f).

SUMMARY OF APPLICATION: The Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATES: The application was filed on July 14, 1992, and amended on October 7, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Any interested person may request a hearing by writing to the SEC's Secretary and serving the 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 November 30, 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 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. Applicant, Federated Investors Tower, Pittsburgh, Pennsylvania 15222–3779.

FOR FURTHER INFORMATION CONTACT: Felicia H. Kung, Senior Attorney, at (202) 504–2803, 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 from the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is a Massachusetts business trust and an open-end, diversified management investment company registered under the Act. SEC records indicate that on June 19, 1985, applicant filed a notification of registration on Form N–8A pursuant to section 8(a) of the Act. On the same date, applicant filed a registration statement under the Securities Act of 1933 and section 8(b) of the Act. The registration statement was declared effective on December 3, 1985, and applicant's initial public offering began that same day.

2. On August 23, 1991, applicant's board of trustees approved an Agreement and Plan of Reorganization (the "Reorganization Plan") between applicant and American Leaders Fund, Inc. ("ALF") (File No. 811–1704) providing for the acquisition of all of applicant's net assets by ALF.

3. On October 25, 1991, applicant distributed to its shareholders proxy materials relating to the proposed reorganization.

4. On March 6, 1992, applicant had outstanding 1,018,738.40 net shares at no par value, each share with a net asset value of $15.55 per share. At a special meeting held that day, applicant's shareholders approved the Reorganization Plan.

5. Pursuant to the Reorganization Plan and in compliance with rule 17a–8, at the end of the business day on March 6, 1992, applicant transferred all of its assets to ALF in exchange for ALF shares to be distributed *pro rata* by applicant to its shareholders in complete liquidation and termination of applicant. As a result of the Reorganization Plan, each of applicant's record shareholders became the owner of ALF shares with a total net asset value equal to the total net asset value of his or her holdings in applicant.

6. Reorganization expenses, including accountants' fees, legal fees, registration fees, transfer taxes (if any), the fees of banks and transfer agents, the costs of preparing, printing, copying and mailing the proxy statement/prospectus with solicitation materials to applicant's shareholders, and the costs of holding the special meeting of applicant's shareholders regarding the Reorganization Plan, will be paid by Federated Advisers, applicant's investment adviser and the investment adviser to ALF.

7. At the time of the 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 Commission, by the Division of Investment Management, under delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-27479 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-19082; 811-5564]

Fortress Total Performance U.S. Treasury Fund, Inc.

November 4, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 (the "Act").

APPLICANT: Fortress Total Performance U.S. Treasury Fund, Inc.

RELEVANT ACT SECTIONS: Section 8(f).

SUMMARY OF APPLICATION: The Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATES: The application was filed on July 14, 1992, and amended on October 7, 1992.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Any interested person may request a hearing by writing to the SEC's Secretary and serving the 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 November 30, 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 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. Applicant, Federated Investors Tower, Pittsburgh, Pennsylvania 15222-3779.

FOR FURTHER INFORMATION CONTACT: Felicia H. Kung, Senior Attorney, at (202) 504-2803, 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 from the SEC's Public Reference Branch.

Applicant's Representations

1. Applicant is a Maryland corporation and an open-end, diversified management investment company registered under the Act. SEC records indicate that on May 19, 1988, applicant filed a notification of registration on Form N-8A pursuant to section 8(a) of the Act. On the same date, applicant filed a registration statement under the Securities Act of 1933 and section 8(b) of the Act. The registration statement was declared effective on June 30, 1988, and applicant's initial public offering began on July 22, 1988.

2. On August 22, 1991, applicant's board of directors approved an Agreement and Plan of Reorganization (the "Reorganization Plan") between applicant and Government Income Securities, Inc. ("GISI") (File No. 811-3266) providing for the acquisition of all of applicant's assets by GISI.

3. On October 30, 1991, applicant distributed to its shareholders proxy materials relating to the proposed reorganization.

4. On February 14, 1992, applicant had outstanding 1,579,567.744 net shares, each share with a net asset value of $10.30 per share. At a special meeting held that day, applicant's shareholders approved the Reorganization Plan.

5. Pursuant to the Reorganization Plan and in compliance with rule 17a-8, at the end of the business day on February 14, 1992, applicant transferred all of its assets to GISI in exchange for GISI shares to be distributed *pro rata* by applicant to its shareholders in complete liquidation and termination of applicant. As a result of the Reorganization Plan, each record shareholder of applicant received GISI shares having a total net asset value equal to the total net asset value of his or her holdings in applicant.

6. Reorganization expenses, including accountants' fees, legal fees, registration fees, transfer taxes (if any), the fees of banks and transfer agents, the costs of preparing, printing, copying and mailing the proxy statement/prospectus with solicitation materials to applicant's shareholders, and the costs of holding the special meeting of applicant's shareholders regarding the Reorganization Plan, will be paid by Federated Advisers, applicant's investment adviser and the investment adviser to GISI.

7. At the time of the 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 Commission, by the Division of Investment Management, under delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 92-27480 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

Members Service Corp. 500-1; Order of Suspension of Trading

November 6, 1992.

It appears to the Securities and Exchange Commission that questions have been raised about the adequacy and accuracy of publicly-disseminated information about Members Service Corporation concerning, among other things, the company's sale or distribution of securities, the method of sale or distribution of such securities, the recipient of such securities, and the use of the proceeds from the sale of such securities.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of Members Service Corporation.

Therefore, it is ordered, pursuant to section 12(k) of the Securities Exchange Act of 1934, that trading in the securities of Members Service Corporation is suspended for the period from 9 a.m. (EST), November 9, 1992 through 11:59 p.m. (EST) on November 20, 1992.

By the Commission.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 92-27517 Filed 11-12-92; 8:45 am]

BILLING CODE 8010-01-M

[Investment Company Act Rel. No. 19084; 811-3805]

SunAmerica Income Plus Fund, Inc.; Notice of Application

November 5, 1992.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for deregistration under the Investment Company Act of 1940 ("Act").

APPLICANT: SunAmerica Income Plus 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 September 23, 1992, and amended on October 29, 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 November 30, 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 Maryland corporation. On July 22, 1983, applicant filed a notification of registration pursuant to section 8(a) of the Act. On September 25, 1985, applicant filed a registration statement pursuant to the Securities Act of 1933. The registration statement became effective on October 14, 1986, and applicant commenced its initial public offering on October 28, 1986.

2. On March 4, 1992, applicant and SunAmerica Fund Group entered into an asset purchase agreement (the "Agreement"). The Agreement provided that applicant would transfer substantially all of its assets and liabilities to the SunAmerica High Income Fund in exchange for shares of SunAmerica High Income Fund.

3. On October 30, 1991, applicant's board of directors approved the reorganization. In accordance with rule 17a–8 of the Act, applicant's directors determined that the sale of applicant's assets to the SunAmerica High Income Fund was in the best interests of applicant's shareholders, and that the interests of the existing shareholders would not be diluted as a result. Definitive proxy materials soliciting shareholder approval of the reorganization were filed with the SEC on April 22, 1992, and were mailed to shareholders on or about that date. The reorganization was approved, in accordance with Maryland law, by applicant's shareholders at a meeting held on June 11, 1992.

4. On June 11, 1992, the reorganization was consummated and applicant exchanged all its assets and liabilities for shares of SunAmerica High Income Fund. The exchange was 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.

5. All expenses incurred in connection with applicant's reorganization were borne by applicant. Such expenses, which are not expected to exceed $50,000, included preparation of proxy materials, printing expenses, and legal and accounting fees.

6. 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. 92–27481 Filed 11–12–92; 8:45 am]

BILLING CODE 8010–01–M

SMALL BUSINESS ADMINISTRATION

[Licensee #06/10–0152]

Brittany Capital Co.; Notice of License Surrender

Notice is hereby given that *Brittany Capital Company*, ("BCC)", 1525 Elm Street, Dallas Texas 75201, has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended ("the Act"). BCC was licensed by the Small Business Administration on August 4, 1969.

Under the authority vested by the Act and pursuant to the regulations promulgated thereunder, the surrender of the license was accepted on October 22, 1992, and accordingly, all rights, privileges, and franchises derived therefore have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.011, Small Business Investment Companies)

Wayne S. Foren,

Associate Administrator for Investment.

[FR Doc. 92–27568 Filed 11–12–92; 8:45 am]

BILLING CODE 8025–01–M

Region III Advisory Council; Public Meeting

The U.S. Small Business Administration Region III Advisory Council, located in the geographical area of Pittsburgh, will hold a public meeting at 8:30 a.m. on Friday, November 20, 1992 at the U.S. Small Business Administration, 960 Penn Avenue, 6th Floor, Pittsburgh, Pennsylvania, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Mr. Joseph M. Kopp, District Director, U.S. Small Business Administration, 960 Penn Avenue, 5th Floor, Pittsburgh, Pennsylvania 15222, (412) 644–4306 or Joann Forrester, Chairperson, Pittsburgh District Advisory Council, (412) 828–2550.

Dated: November 6, 1992.

Caroline J. Beeson,

Assistant Administrator, Office of Advisory Councils.

[FR Doc. 92–27569 Filed 11–12–92; 8:45 am]

BILLING CODE 8025–01–M

THRIFT DEPOSITOR PROTECTION OVERSIGHT BOARD

Thrift Depositor Protection Oversight Board Meeting

AGENCY: Thrift Depositor Protection Oversight Board.

ACTION: Notice of meeting.

DATES: Tuesday, December 1, 1992, 3 to 4 p.m.

ADDRESSES: Federal Deposit Insurance Corporation, Board Room 6010, 550 17th Street, NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Bonnie Limbach, Director, Corporate Communications, 1777 F Street, NW., Washington, DC 20232, (202) 786–9672.

SUPPLEMENTARY INFORMATION:

Discussion Agenda:

- Review of RTC Operations.
- National Advisory Board Recommendations.
- National Housing Advisory Board Activities. Closed session to follow.

Dated: November 9, 1992.

Jill Nevius,

Committee Management Officer.

[FR Doc. 92-27592 Filed 11-12-92; 8:45 am]

BILLING CODE 2222-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Approval of Noise Compatibility Program; Bolton Field Airport, Columbus, OH

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its findings on the noise compatibility program submitted by the City of Columbus (New Sponsor is Columbus Municipal Airport Authority) under the provisions of title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150. These findings are made in recognition of the description of the Federal and nonfederal responsibilities in Senate Report No. 96-52 (1980). On April 6, 1992, the FAA determined that the noise exposure maps submitted by the Columbus Municipal Airport Authority under part 150 were in compliance with applicable requirements. On October 2, 1992, the Assistant Administrator for Airports approved the Bolton Field Airport noise compatibility program.

A total of sixteen (16) measures were included in the Columbus Municipal Airport Authority recommended program. Of the sixteen (16) measures three (3) are listed as Operational Control Measures, five (5) are listed as Land Use Management Measures and eight (8) are listed as Program Management Measures. The FAA has approved thirteen of the measures, partially approved two (2) and disapproved one (1).

EFFECTIVE DATE: The effective date of the FAA's approval of Bolton Field Airport noise compatibility program is October 2, 1992.

FOR FURTHER INFORMATION CONTACT: Robert H. Allen, Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, (313) 487-7296. Documents reflecting this FAA action may be reviewed at this same location.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA has given its overall approval to the noise compatibility program for Bolton Field Airport, effective October 2, 1992.

Under section 104(a) of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator who has previously submitted a noise exposure map may submit to the FAA a noise compatibility program which sets forth the measures taken or proposed by the airport operator for the reduction of existing noncompatible land uses and prevention of additional noncompatible land uses within the area covered by the noise exposure maps. The act requires such programs to be developed in consultation with interested and affected parties including local communities, government agencies, airport users, and FAA personnel.

Each airport noise compatibility program developed in accordance with Federal Aviation Regulations (FAR) part 150 is a local program, not a Federal program. The FAA does not substitute its judgment for that of the airport proprietor with respect to which measures should be recommended for action. The FAA's approval or disapproval of FAR part 150 program recommendations is measured according to the standards expressed in part 150 and the Act, and is limited to the following determinations:

a. The noise compatibility program was developed in accordance with the provisions and procedures of FAR part 150;

b. Program measures are reasonably consistent with achieving the goals of reducing existing noncompatible land uses around the airport and preventing the introduction of additional noncompatible land uses;

c. Program measures would not create an undue burden on interstate or foreign commerce, unjustly discriminate against types or classes of aeronautical uses, violate the terms of airport grant agreements, or intrude into areas preempted by the Federal Government; and

d. Program measures relating to the use of flight procedures can be implemented within the period covered by the program without derogating safety, adversely affecting the efficient use and management of the navigable airspace and air traffic control systems, or adversely affecting other powers and responsibilities of the Administrator prescribed by law.

Specific limitations with respect to FAA's approval of an airport noise compatibility program are delineated in FAR part 150, § 150.5. Approval is not a determination concerning the acceptability of land uses under Federal, state, or local law. Approval does not by itself constitute an FAA implementing action. A request for Federal action or approval to implement specific noise compatibility measures may be required, and an FAA decision on the request may require an environmental assessment of the proposed action. Approval does not constitute a commitment by the FAA to financially assist in the implementation of the program nor a determination that all measures covered by the program are eligible for grant-in-aid funding from the FAA. Where federal funding is sought, requests for project grants must be submitted to the FAA Detroit Airports District Office in Belleville, Michigan.

The Columbus Municipal Airport Authority submitted to the FAA on September 18, 1991, noise exposure maps, descriptions and other documentation. This documentation was produced during the Airport Noise Compatibility Planning (part 150) Study at Bolton Field Airport from September 1989 through September 1991. The Bolton Field Airport noise exposure maps were determined by FAA to be in compliance with applicable requirements on April 6, 1992. Notice of this determination was published in the **Federal Register** on April 29, 1992.

The Bolton Field Airport study contains a proposed noise compatibility program comprised of actions designed for phased implementation by airport management and adjacent jurisdictions from the date of study completion to the year 1994. It was requested that the FAA evaluate and approve this material as a noise compatibility program as described in section 104(b) of the Act. The FAA began its review of the program on April 6, 1992, and was required by a provision of the Act to approve or disapprove the program within 180 days (other than the use of new flight procedures for noise control). Failure to approve or disapprove such program within the 180-day period would have been deemed to be an approval of such program.

The submitted program proposed by the airport sponsor contained sixteen (16) measures for noise mitigation on and off the airport. The FAA completed its review and determined that the procedural and substantive requirements of the Act and FAR part 150 have been satisfied. The overall program, therefore, was approved by the Assistant Administrator for Airports effective October 2, 1992.

Three (3) of the sixteen measures submitted are listed as "Operational Control Measures". The three noise control measures were approved which deal with continued utilization of flight procedures, continued helicopter abatement procedures and equal

runway utilization for business jets and twin turboprops. Five of sixteen measures submitted are listed as "Land Use Management Measures". Of the five measures, two were approved dealing with building code requirements and noise easements, two were partially approved which deal with zoning restrictions and land acquisition, and one was disapproved regarding soundproofing. Eight of the sixteen measures submitted are listed as "Program Management Measures" which were approved outright. These eight measures include the appointment of a noise officer, establish complaint/response procedures, publish noise abatement procedures, consult and review program with appropriate parties, noise monitoring, program update and an on going public education program. These sixteen determinations are set forth in detail in a Record of Approval endorsed by the Assistant Administrator for Airports on October 2, 1992. The Record of Approval, as well as other evaluation materials and documents which comprised the submittal to FAA are available for review at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., room 617, Washington, DC 20591.
Federal Aviation Administration, Great Lakes Region, 2300 East Devon Avenue, room 261, Des Plaines, Illinois 60018.
Federal Aviation Administration, Detroit Airports District Office, Willow Run Airport, East 8820 Beck Road, Belleville, Michigan 48111.
Port Columbus International Airport, 4600 International Gateway, Columbus, OH 43219.
Bolton Field Airport, 2000 Norton Road, Columbus, OH 43228;

Questions may be directed to the individual named above under the heading. **FOR FURTHER INFORMATION CONTACT.**

Issued in Belleville, Michigan, October 19, 1992.

Dean C. Nitz,

Acting Manager, Detroit Airports District Office Great Lakes Region.

[FR Doc. 92-27588 Filed 11-12-92; 8:45 am]

BILLING CODE 4910-13-M

Noise Exposure Map Notice; Receipt of Noise Compatibility Program and Request for Review; Indianapolis International Airport, Indianapolis, IN

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice.

SUMMARY: The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by Indianapolis Airport Authority for Indianapolis International Airport under the provisions of title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR part 150 are in compliance with applicable requirements. The FAA also announces that it is reviewing a proposed noise compatibility program that was submitted for Indianapolis International Airport under part 150 in conjunction with the noise exposure map, and that this program will be approved or disapproved on or before April 27, 1993.

EFFECTIVE DATE: The effective date of the FAA's determination on the noise exposure maps and of the start of its review of the associated noise compatibility program is October 29, 1992. The public comment period ends December 28, 1992.

FOR FURTHER INFORMATION CONTACT: Melissa S. Wishy, Federal Aviation Administration, Chicago Airports District Office, CHI-ADO-640.8, 2300 East Devon Avenue, Des Plaines, Illinois 60018, (312) 694-7524.

SUPPLEMENTARY INFORMATION: This notice announces that the FAA finds that the noise exposure maps submitted for Indianapolis International Airport are in compliance with applicable requirements of part 150, effective October 29, 1992. Further, FAA is reviewing a proposed noise compatibility program for that airport which will be approved or disapproved on or before April 27, 1993. This notice also announces the availability of this program for public review and comment.

Under section 103 of title I of the Aviation Safety and Noise Abatement Act of 1979 (hereinafter referred to as "the Act"), an airport operator may submit to the FAA noise exposure maps which meet applicable regulations and which depict noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies, and persons using the airport.

An airport operator who has submitted noise exposure maps that are found by FAA to be in compliance with the requirements of Federal Aviation Regulations (FAR) part 150, promulgated pursuant to title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

Indianapolis Airport Authority submitted to the FAA on April 19, 1992 noise exposure maps, descriptions and other documentation which were produced during the Airport Noise Compatibility Planning (part 150) Study at Indianapolis International Airport from February 1991 to April 1992. It was requested that the FAA review this material as the noise exposure maps, as described in section 103(a)(1) of the Act, and that the noise mitigation measures, to be implemented jointly by the airport and surrounding communities, be approved as a noise compatibility program under section 104(b) of the Act.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by Indianapolis Airport Authority. The specific maps under consideration are Noise Exposure Maps: Official 1990 Noise Exposure Map and Official 1996 Noise Exposure Map. They are included along with supporting documentation found in the part I Noise Exposure Map Documentation of the part 150 Study in the submission. The FAA has determined that these maps for Indianapolis International Airport are in compliance with applicable requirements. This determination is effective on October 29, 1992. FAA's determination on an airport operator's noise exposure maps is limited to a finding that the maps were developed in accordance with the procedures contained in appendix A of FAR part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on a noise exposure map submitted under section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the map

depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under section 103 of the Act. The FAA has relied on the certification by the airport operator, under § 150.21 of FAR part 150, that the statutorily required consultation has been accomplished.

The FAA has formally received the noise compatibility program for Indianapolis International Airport, also effective on October 29, 1992. Preliminary review of the submitted material indicates that it conforms to the requirements for the submittal of noise compatibility programs, but that further review will be necessary prior to approval or disapproval of the program. The formal review period, limited by law to a maximum of 180 days, will be completed on or before April 27, 1993.

The FAA's detailed evaluation will be conducted under the provisions of 14 CFR part 150, § 150.33. The primary considerations in the evaluation process are whether the proposed measures may reduce the level of aviation safety, create an undue burden on interstate or foreign commerce, or be reasonably consistent with obtaining the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses.

Interested persons are invited to comment on the proposed program with specific reference to these factors. All comments, other than those properly addressed to local land use authorities, will be considered by the FAA to the extent practicable. Copies of the noise exposure maps, the FAA's evaluation of the maps, and the proposed noise compatibility program are available for examination at the following locations:

Federal Aviation Administration, 800 Independence Avenue, SW., room 617, Washington, DC 20591.

Federal Aviation Administration, Great Lakes Region, 2300 East Devon Avenue, room 261, Des Plaines, Illinois 60018.

Federal Aviation Administration, Chicago Airports District Office, 2300 East Devon Avenue, room 260, Des Plaines, Illinois 60018.

Indianapolis Airport Authority, Indianapolis International Airport, Indianapolis, Indiana 46251.

Questions may be directed to the individual named above under the heading, **FOR FURTHER INFORMATION CONTACT.**

Issued in Des Plaines, Illinois, October 29, 1992.

Louis H. Yates,

Manager, Chicago Airports District, Great Lakes Region.

[FR Doc. 92-27589 Filed 11-12-92; 8:45 am]

BILLING CODE 4910-13-M

[Summary Notice No. PE-92-33]

Petitions for Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATE: Comments on petitions received must identify the petition docket number involved and must be received on or before December 7, 1992.

ADDRESS: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-10), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-10), room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Mrs. Jeanne Trapani, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7624.

This notice is published pursuant to paragraphs (c), (e), and (g) of § 11.27 of part 11 of the Federal Aviation Regulations (14 CFR part 11).

Issued in Washington, DC, on November 5, 1992.

Denise D. Castaldo,

Manager, Program Management Staff.

Petitions for Exemption

Docket No.: 22690.
Petitioner: Boeing Commercial Airplane Company.
Sections of the FAR Affected: 14 CFR 61.57(c).
Description of Relief Sought: To extend Exemption No. 4779, which expires April 30, 1993, and which allows certain pilots employed by Boeing Commercial Airplane Company to satisfy the general recent flight experience requirements by alternate means.

Docket No.: 26029.
Petitioner: ABX Air, Inc.
Sections of the FAR Affected: 14 CFR 121.503(b).
Description of Relief Sought: To modify Exemption No. 5167 to allow 2-member crews employed by ABX Air, Inc., to complete any flight schedule that satisfies the requirements of § 121.505(a) before being provided at least 16 hours of rest. Currently, Exemption No. 5167 applies to 3-member crews and requires the flight to originate and terminate at a west coast and east coast city respectively.

Docket No.: 27006.
Petitioner: Bell Helicopter Textron, Inc.
Sections of the FAR Affected: 14 CFR 21.325(b)(3).
Description of Relief Sought: To allow Bell Helicopter Textron, Inc., to use export airworthiness approvals in the form of Airworthiness Approval Tags (FAA Form 8130-3) for Class II and III products located at non-U.S. locations.

Docket No.: 27013.
Petitioner: James T. McElree.
Sections of the FAR Affected: 14 CFR 121.383(c).
Description of Relief Sought: To allow Mr. James T. McElree to serve as a pilot in part 121 air carrier operations after his 60th birthday.

Dispositions of Petitions

Docket No.: 26504.
Petitioner: Arnold Aviation.
Sections of the FAR Affected: 14 CFR 43.3(g).
Description of Relief Sought/Disposition: To allow properly trained pilots employed by Arnold Aviation to convert the cabins of certain of its aircraft operated under FAR part 135 for passenger to cargo configurations, and the reverse, by removing and replacing passenger seats when such

aircraft are specifically designed for that purpose. *Grant, October 28, 1992, Exemption No. 5541.*

Docket No.: 26549.
Petitioner: Omniflight Helicopters, Inc.
Sections of the FAR Affected: 14 CFR 43.3.
Description of Relief Sought/ Disposition: To allow appropriately trained personnel, not holding a mechanic certificate, to remove and install liquid oxygen converters used in aircraft operated by Omniflight Helicopters, Inc., in emergency medical service. *Denial, November 3, 1992, Exemption No. 5545.*

Docket No.: 26710.
Petitioner: Skydive DeLand, Inc.
Sections of the FAR Affected: 14 CFR 105.43(a).
Description of Relief Sought/ Disposition: To allow nonstudent foreign nationals to participate in Skydive DeLand, Inc., sponsored parachuting events held at their facilities without having to comply with the equipment requirements. *Grant, November 2, 1992, Exemption No. 5542.*

Docket No.: 26743.
Petitioner: Air Treads, Inc.
Sections of the FAR Affected: 14 CFR 145.45(f).
Description of Relief Sought/ Disposition: To allow Air Treads, Inc., to keep a fixed number of sets of repair station procedures manuals in one central location in each of its certificated repair stations in lieu of providing a copy to each individual. The manuals would be available for review by all supervisory and inspection personnel. *Grant, November 2, 1992, Exemption No. 5543.*

Docket No.: 26945.
Petitioner: Seven Stars International, Inc.
Sections of the FAR Affected: 14 CFR 61.55(b)(2), 61.56(b)(1), 61.57 (c) and (d), 61.58 (c)(1) and (d), 61.63(d) (2) and (3), 61.67(d)(2), 61.157(d) (1) and (2) and (e) (1) and (2) and part 61 appendix A.
Description of Relief Sought/ Disposition: To allow Seven Stars International, Inc., and persons who contract for service from Seven Stars International, Inc., to use FAA-approved flight simulators to meet the training and testing requirements described by those sections of the FAR. *Grant, October 29, 1992, Exemption No. 5544.*

Docket No.: 26960.
Petitioner: Flight Standards, Inc.
Sections of the FAR Affected: 14 CFR 61.55(b)(2), 61.56(b)(1), 61.57 (c) and (d), 61.58 (c)(1) and (d), 61.63(d) (2) and (3), 61.67(d)(2), 61.157(d) (1) and (2) and (e)(1) and (2), and Appendix A of part 61.
Description of Relief Sought/ Disposition: To Permit Flight Standards, Inc., and persons who contract for service from Flight Standards, Inc., to use FAA-approved flight simulators to meet the training and testing requirements described by those sections of the FAR, subject to limits and conditions. *Grant, October 29, 1992, Exemption No. 5536.*

Docket No.: 27002.
Petitioner: Varig, S.A.
Sections of the FAR Affected: 14 CFR 91.805.
Description of Relief Sought/ Disposition: To allow the one-time operation of a noncomplying Stage 1 B–727–100 aircraft (Registration Number PP–VLT, Serial Number 19250) from Brazil to Miami, Florida, for sale and disposition as scrap. *Grant, October 22, 1992, Exemption No. 5537.*

[FR Doc. 92–27584 Filed 11–12–92; 8:45 am]
BILLING CODE 4910–13–M

Notice of Intent to Rule on Application to Impose a Passenger Facility Charge (PFC) at the Jackson International Airport, Jackson, Mississippi and use the PFC Revenue at Jackson International Airport and Hawkins Field Airport

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose a PFC at the Jackson International Airport and use the revenue at Jackson International and Hawkins Field Airports under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before December 14, 1992.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: FAA/Airports District Office, 120 North Hangar Drive, Suite B, Jackson, Mississippi 39208–2306.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Dirk B. Vanderleest, Executive Director of the Jackson Municipal Airport Authority at the following address: Post Office Box 98109, Jackson, Mississippi 39298–8109.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the Jackson Municipal Airport Authority under § 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Elton E. Jay of the FAA Airports District Office, 120 North Hangar Drive, Suite B, Jackson, Mississippi 39208–2306, telephone number 601–965–4628. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose a PFC at the Jackson International Airport and use the revenue at Jackson International and Hawkins Field Airports under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101–508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On November 3, 1992 the FAA determined that the application to impose and use the revenue from a PFC submitted by the Jackson Municipal Airport Authority was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than February 11, 1993.

The following is a brief overview of the application.

Level of the proposed PFC: $3.00.
Proposed charge effective date: April 1, 1993.
Proposed charge expiration date: April 1, 1995.
Total estimated PFC revenue: $2,558,855.
Brief description of proposed project(s):

1. Rehabilitate energy management system, terminal building (Jackson International Airport).
2. Airport master plan (Hawkins Field).
3. Fuel farm relocation, clean-up and restoration (Jackson International Airport).
4. Environmental assessment for runway extension (Jackson International Airport and Hawkins Field).
5. Rehabilitate Runway 15L/33R (Jackson International Airport). Class or classes of air carriers which the public

agency has requested not be required to collect PFCs: None.

Any person may inspect the application in person at the FAA office listed above under "FOR FURTHER INFORMATION CONTACT".

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Office of the Executive Director, Jackson Municipal Airport Authority, Jacksonville International Airport Terminal, room 401, 100 Airport Road, Jackson, Mississippi.

Issued in Atlanta, Georgia, on November 3, 1992.

Stephen A. Brill,

Manager, Airports Division, Southern Region.

[FR Doc. 92-27591 Filed 11-12-92; 8:45 am]

BILLING CODE 4910-13-M

Research and Special Programs Administration

Office of Hazardous Materials Safety; Notice of 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 December 14, 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	Applicant	Regulation(s) affected	Nature of exemption thereof
10903-N	National Medical Waste, Inc., Nashville, TN.	49 CFR 173.197	To authorize shipment of certain regulated medical waste contained in plastic bags overpacked in various size polyethylene carts not to exceed 269 gallons capacity. (Mode 1.)
10909-N	Hammermill Papers, Selma, AL	49 CFR 174.67(i) and (j)	To authorize chlorine filled tank cars to remain connected during unloading without the physical presence of an unloader. (Mode 2.)
10911-N	The Pallet Reefer Company, Seaford, DE.	49 CFR 49 CFR 173.24(g)	To manufacture, mark and sell a specially designed refrigeration unit equipped with four DOT specification 3AL1800 cylinders, containing carbon dioxide, refrigerated liquid, division 2.2, which are vented during transportation through a controlled release process for cooling purposes. (Mode 1.)
10912-N	Westvaco Corporation, New York, NY	49 CFR 173.31(c)(1), 173.31(c)(5)	To authorize the one-time shipment of an empty chlorine UTLX28349 tank car in need of retest. (Mode 2.)
10913-N	Aco-Assmann of Canada Ltd., Pickering, Ontario, Canada.	49 CFR 173.(f), 173.119, 173.125, 178.19, 178.253.	To authorize the manufacture, mark and sell of non-DOT specification rotationally molded, low density polyethylene portable tank enclosed with a protective steel cage for shipment of various classes of hazardous materials. (Modes 1, 2, 3.)
10914-N	Allied-Signal Aerospace Company, Tempe, AZ.	49 CFR 178.44	To authorize the manufacture, mark and sell of non-DOT specification welded pressure vessel comparable to a DOT Specification 3HT cylinder for use in transporting compressed gas. (Modes 1, 4.)
10915-N	Luxfer USA Limited, Riverside, CA	49 CFR 173.302(a)(1), 173.304(a)(d), 175.3.	To authorize the manufacture, mark and sell of non-DOT specification fiber reinforced plastic cylinders built to DOT FRP-1 standard for use in transporting various flammable and non-flammable gases. (Modes 1, 2, 3, 4, and 5.)
10916-N	Nalco Chemical Company, Naperville, IL.	49 CFR 178.251-2(a)	To authorize the use of a plastic discharge valve on DOT specification 57 portable tank for use in transporting various classes of hazardous materials authorized for shipment in DOT specifications 57 portable tanks. (Modes 1, 2.)
10917-N	Ford Motor Company, Dearborn, MI	49 CFR 172.101, 172.301, 172.400, 173.212, 173.213.	To authorize the transportation of certain batteries and cells containing sodium (liquid solid), and which may also contain sulfur (liquid or solid) and compounds of sodium and sulfur in specific packaging. (Modes 1, 2, 4.)
10918-N	Snyder Industries, Inc., Lincoln, NE	49 CFR 173.119, 173.125, 173.245, 173.249, 173.249(a), 173.250(a), 173.256, 173.257, 173.262, 173.263, 173.264, 173.265, 173.266, 173.269, 173.272, 173.276, 173.277, 173.283, 173.287, 173.288, 173.289, 173.292, 173.297, 173.299(a), 49 CFR Part 173.	To authorize the manufacture, mark and sell of rotationally molded, reusable polyethylene tank within a plastic frame designed for stacking equipped with screw-lid top closure for use in transporting corrosive and flammable liquids and oxidizers. (Modes 1, 2.)
10919-N	World Airways, Inc., Herndon, VA	49 CFR 172.101, 172.204(c)(3), 175.30(e)(1), 173.27(b)(2), (3) and 173.27(f) Table 2.	To authorize the transportation of Class A, B and C explosives which are forbidden for shipment by air or exceed quantity limitations authorized for shipment by air. (Mode 4.)
10920-N	Dodson International Air, Roswell, GA	49 CFR 172.101, 172.204(c)(3), 173.27(b)(2), (3) and 173.27(f) Table 2, 175.30(e)(1).	To authorize the transportation of Class A, B and C explosives which are forbidden or exceed the quantity limitations authorized for shipment by air. (Mode 4.)

NEW EXEMPTIONS—Continued

Application	Applicant	Regulation(s) affected	Nature of exemption thereof
10921-N	The Proctor & Gamble Company, Cincinnati, OH.	49 CFR parts 100-199	To authorize the transportation of limited quantities of solutions containing ethyl alcohol, not to exceed 70% in packaging consisting of plastic inner containers overpacked in strong outside fiberboard boxes. (Modes 1, 2, 3, 4, and 5.)
10922-N	FIBA, Westboro, MA	49 CFR 172.301(c), 173.34(e)	To authorize ultrasonic testing instead of hydrostatic testing of DOT-specification 3A and 3AA seamless steel cylinders for shipment of those materials authorized to be shipped in these cylinders. (Modes 1, 2, 3.)
10923-N	The Boeing Company, Boeing Defense & Space Group, Seattle, WA.	49 CFR 173.306(e), 173.307(a)(4)	To authorize the transportation of aircraft air conditioning units containing refrigerant classed as nonflammable liquefied gas. (Mode 1.)
10924-N	BF Goodrich Company, Culver City, KY.	49 CFR 172.101	To authorize the transportation of nitrogen trichloride in DOT 3AA one liter cylinders enclosed inside a plastic bag and placed inside insulated container having ice as the temperature control. (Mode 1.)

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 November 6, 1992.

J. Suzanne Hedgepeth,

Chief, Exemptions Branch, Office of Hazardous Materials Exemptions and Approvals.

[FR Doc. 92-27571 Filed 11-12-92; 8:45 am]

BILLING CODE 4910-60-M

Office of Hazardous Materials Safety; Notice of 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, packing 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 November 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
1479-X	U.S. Department of the Army, Kelly AFB, TX (See Footnote 1)	1479
10230-X	21st Century Containers, Ltd., Atlanta, GA (See Footnote 2)	10230
10262-X	Van Leer Tay Limited, Dundee, Scotland (See Footnote 3)	10262
10513-X	Great Lakes Chemical Corporation, West Lafayette, IN (See Footnote 4)	10513
10781-X	Mobil Chemical Company, Princeton, NJ (See Footnote 5)	10781
10783-X	Sun Refining and Marketing Company, Philadelphia, PA (See Footnote 6)	10783

(1) To renew and modify the operational emergency response plan requirement for drivers who transport liquid fluorine shipments.
(2) To modify exemption to authorize stacking of intermediate bulk containers based on additional test criteria for shipment of corrosive liquids, flammable liquids or oxidizers.
(3) To renew and modify exemption to provide for additional commodity classed as Poisonous material for transportation in bulk bags.
(4) To modify exemption to provide for a previously authorized bulk bag as an inside container for use in transporting various hazardous materials.
(5) To reissue an exemption originally issued on an emergency basis to authorize shipment of a pyrophoric solid materials, UN2846, division 4.2, with a nitrogen gas pad contained in DOT specification 4BA cylinders.
(6) To reissue exemption issued on an emergency basis to authorize certain DOT specification 111A100W1 tank cars which have defective interior heating coils containing various flammable or combustible liquids to be shipped to a repair facility.

Application No.	Applicant	Parties to exemption
6614-P	Inter Valley Pool Supply, Azusa, CA	6614
6971-P	Eastman Chemical Company, Kingsport, TN	6971
7052-P	Mine Safety Appliances Co., Sparks, MD	7052
7616-P	Canadian Pacific Limited, Montreal, Quebec, Canada	7616
7616-P	Delaware & Hudson Railway Company, Clifton Park, NY	7616
8196-P	Compagnie des Containers Reservoires, Paris la Defense, France	8196

Application No.	Applicant	Parties to exemption
8445-P	Alliance Transportation Services, Inc., Milwaukee, WI	8445
8445-P	Mineral Springs Corporation, Port Washington, WI	8445
8458-P	Welland Chemical Inc., Newell, PA	8458
9346-P	Texasgulf, Inc., Aurora, NC	9346
9381-P	Atlas Pacific Corporation, Colton, CA	9381
9723-P	Ozinga Transportation Systems, Inc., Alsip, IL	9723
9723-P	PWN Environmental, Vista, CA	9723
9736-P	Mineral Springs Corporation, Port Washington, WI	9736
9769-P	Brown Chemical Services, Inc., Barceloneta, PR	9769
9769-P	Advanced Environmental Technology Corporation, Flanders, NJ	9769
9953-P	BIRKO Corporation, Henderson, CO	9953
10107-P	AEG Corporation, Basking Ridge, NJ	10107
10346-P	James River Pennington Inc., Pennington, AL	10346
10475-P	General Cylinder, Ruffs Dale, PA	10475
10717-P	General American Transportation Corporation, Chicago, IL	10717

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 Transportation Act (49 U.S.C. 1806; 49 CFR 1.53(e)).

Issued in Washington, DC, on November 6, 1992.

J. Suzanne Hedgepeth,

Chief, Exemptions Branch, Office of Hazardous Materials Exemptions and Approvals.

[FR Doc. 92-27572 Filed 11-12-92; 8:45 am]

BILLING CODE 4910-60-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

November 6, 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 Office 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.

Comptroller of the Currency

OMB Number: 1557-0156.
Form Number: FFIEC 035.
Type of Review: Revision.
Title: (MA)—Monthly Consolidated Foreign Currency Report on Banks in the U.S.
Description: This information is needed to monitor foreign currency positions of major banking institutions and to detect changes in policy in individuals banks. Also used as an aid in the analysis of foreign exchange markets. All respondents are major U.S. banks or agencies of foreign banks.
Respondents: Businesses or other for-profit.
Estimated Number of Respondents: 29.
Estimated Burden Hours Per Respondent: 12 hours, 41 minutes.
Frequency of Response: Monthly.
Estimated Total Reporting Burden: 4,413 hours.
Clearance Officer: John Ference, (202) 874-4697, Comptroller of the Currency, 250 E Street SW., Washington, DC 20219.
OMB Reviewer: Gary Waxman, (202) 395-7340, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,

Departmental Reports Management Officer.

[FR Doc. 92-27550 Filed 11-12-92; 8:45 am]

BILLING CODE 4810-33-M

[16-33]

Recognition of Insurance Covering Tax and Loan Depositaries

November 5, 1992.

1. *Delegation.* By virtue of the authority granted to the Fiscal Assistant Secretary by Treasury Order (TO) 101-05, the authority in 31 Code of Federal Regulations 226.3 and 226.4 to grant, withhold and revoke recognition of the insurance covering Treasury tax and loan depositaries provided by insurance organizations, and to value their assets and liabilities, is delegated to the Commissioner, Financial Management Service. The Commissioner shall be responsible for referring to the Fiscal Assistant Secretary any matter on which action should appropriately be taken by the Fiscal Assistant Secretary.

2. *Redelegation.* Authority may be redelegated by the Commissioner, Financial Management Service, to subordinate officials.

3. *Cancellation.* Treasury Directive 16-33, "Recognition of Insurance Covering Tax and Loan Depositaries," dated September 22, 1986, is superseded.

4. *Authority.* TO 101-05, "Reporting Relationships and Supervision of Officials, Offices and Bureaus, Delegation of Certain Authority, and Order of Succession in the Department of the Treasury."

5. *Office of Primary Interest.* Office of the Fiscal Assistant Secretary.

Gerald Murphy,

Fiscal Assistant Secretary.

[FR Doc. 92-27551 Filed 11-12-92; 8:45 am]

BILLING CODE 4810-25-M

Internal Revenue Service

[Delegation Order No. 77 (Rev. 27)]

Delegation of Authority

AGENCY: Internal Revenue Service, Treasury.

ACTION: Delegation of authority.

SUMMARY: The Chief, Quality Measurement Staff for Examination and the Chief, Quality Assurance Staff for the Service Centers and Austin Compliance Center have been included among those authorized to sign statutory notices of deficiency and execute agreements to rescind such notices if necessary. The text of the delegation order appears below.

EFFECTIVE DATE: October 15, 1992.

FOR FURTHER INFORMATION CONTACT: Grace Robertson, EX:Q:Q, Room 108, AeroSpace Building, 901 D Street, SW., Washington, DC 20224, Telephone Number: (202) 401-4478. (Not a toll free call).

Authority To Issue or Execute Agreement To Rescind Notices of Deficiency

1. The authority granted to the Commissioner of Internal Revenue and District Directors, by 26 CFR 301.7701–9, 26 U.S.C. 6212, 26 CFR 301.6212–1, Treasury Order 150–10, and 26 CFR 301.6861–1 to sign and send to the taxpayer by registered or certified mail any notice of deficiency is hereby delegated to the officials listed below. These same officials are authorized by Treasury Order 150–10, 26 U.S.C. 6212(d) and section 1562 of the Tax Reform Act of 1986 to sign a written form or document rescinding any notice of deficiency.

a. Chief Counsel;

b. Regional Counsel;

c. Chief, Assistant Chiefs and Associate Chiefs of Appeals Offices;

d. Appeals Team Chiefs as to their respective cases;

e. Service Center Directors;

f. Director, Austin Compliance Center;

g. Assistant Commissioner (International);

h. Reviewers (grade GS–12 and higher) in Employee Plans and Exempt Organizations Divisions;

i. Tax Examiners (grade GS–7 and higher), Examination function; Chief, Quality Measurement Staff; Revenue Agent and Tax Auditor reviewers (grade GS–6 and higher) in the Examination Divisions and the Office of Taxpayer Service and Compliance, Assistant Commissioner (International);

j. Chiefs of Correspondence and Processing Sections; and Chief, Quality Assurance Staff;

k. Examination Tax Examiners/ Revenue Agents (grade GS–6 and higher), in Service Center Compliance Divisions and Austin Compliance Center Examination Division;

l. Revenue Officer Examiners (grade GS–11 and higher), in district Collection functions;

m. Technical Quality Reviewers (grade GS–12 and higher), and Tax Examiners (grade GS–6 and higher) in Collection Technical Review;

n. Tax Examiners (grade GS–6 and higher), in district Collection Support function;

o. Tax Examiners (grade GS–5 and higher), in Service Center Processing and Tax Accounts Divisions;

p. Tax Examiners (Reviewers) (grade GS–6 and higher), Quality Assurance and Management Support Division, Service Centers; and

q. Tax Examiners (grade GS–6 and higher), in Service Center Collection Branch and Austin Compliance Center Collection Division.

2. This authority may not be redelegated.

3. Delegation Order No. 77 (Rev. 26), effective April 3, 1991 is superseded.

Dated: October 15, 1992.

Approved:

David G. Blattner,

Chief Operations Officer.

[FR Doc. 92–27433 Filed 11–12–92; 8:45 am]

BILLING CODE 4830–01–M

DEPARTMENT OF VETERANS AFFAIRS

Advisory Committee on Readjustment of Vietnam and Other War Veterans; Notice of Meeting

The Department of Veterans Affairs (VA) gives notice under Public Law 92–463 that a meeting of the Advisory Committee on the Readjustment of Vietnam and Other War Veterans will be held December 3 through 5, 1992. This meeting will be a field meeting conducted primarily at VA facilities in Tomah and Superior, Wisconsin and Minneapolis and Duluth, Minnesota. The purpose of the meeting is to provide the Committee a first hand opportunity to review the provision and coordination of VA services for war-related post-traumatic stress disorder (PTSD) and other readjustment difficulties specific to war veterans. For this purpose the Committee will tour facilities, and engage in discussions with VA service providers ad veteran consumers.

The meeting on December 3 will begin at 8:30 a.m. and conclude at 4:30 p.m. The day's agenda will be conducted concurrently at different locations. Specifically the Committee will visit the Duluth, Minnesota, Vet Center, the Superior, Wisconsin, VA Outpatient Clinic, the Tomah, Wisconsin, VA Medical Center, and the Minneapolis, Minnesota, VA Medical Center. The day's agenda will consist of direct observations of VA readjustment counseling and mental health services with particular attention to the special inpatient post-traumatic stress disorder (PTSD) unit at the Tomah VA Medical Center and the PTSD Clinical Team at the Minneapolis VA Medical Center. An additional focus for the meeting is continuity of care and clinical follow-up between area VA medical centers and vet centers.

The meeting on December 4 will begin at 8:30 a.m. and conclude at 5 p.m. The morning portion of the agenda will consist of direct observations of VA Readjustment Counseling Service programs, facilities and staff at the St. Paul, Minneapolis Veterans Resource Center. The afternoon portion of the meeting will consist of a local community forum meeting and group discussion with non Va officials and service providers regarding the post-war readjustment and service needs of area war veterans with special emphasis on Native American and rural veterans. The meeting will be conducted at the Radisson Metrodome Hotel, 615 Washington Avenue, SE., Minneapolis, Minnesota 55414. The meeting on December 5 will begin at 8:30 a.m. and conclude at 1 p.m. The third day's agenda will consist of a Committee executive meeting regarding a review of findings, conclusions, recommendations and future work plans. The meeting will be conducted at the Radisson Metrodome Hotel.

The meeting will be closed from 8:30 a.m. to 4:30 p.m. on Thursday, December 3, and from 8:30 a.m. to 11:30 a.m. on Friday, December 4, in accordance with the provisions cited in 5 U.S.C. 552b(c)(6) pursuant to subsection 10(d) of the Federal Advisory Committee Act. During the portion of the meeting the Committee will be engaging in discussions with VA clinical service providers and veteran consumers. These discussions will disclose information of a personal nature for veteran patients which would constitute a clearly unwarranted invasion of personal privacy. The meeting on December 4 from 1:30 p.m. to 5 p.m. and on December 5 from 8:30 a.m. to 1 p.m. will be open to the public to the seating capacity of the room.

Anyone having questions concerning the meeting may contact Arthur S. Blank, Jr., M.D., Director, Readjustment Counseling Service, Department of Veterans Affairs Central Office at (202) 535–7554.

Dated: November 2, 1992.

Diane H. Landis,

Committee Management Officer.

[FR Doc. 92–27583 Filed 11–12–92; 8:45 am]

BILLING CODE 8320–01–M

Sunshine Act Meetings

Federal Register
Vol. 57, No. 220
Friday, November 13, 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 ELECTION COMMISSION:

"FEDERAL REGISTER" NUMBER: 92-26975.

PREVIOUSLY ANNOUNCED DATE AND TIME: Thursday, November 12, 1992, 10:00 a.m., Meeting Open to the Public.

The following item was added to the agenda:

Advisory Opinion 1992-39: Jay Velasquez on behalf of the National Republican Senatorial Committee
(Note: This is for preliminary discussion only).

DATE AND TIME: Tuesday, November 17, 1992 at 10:00 a.m.

PLACE: 999 E Street, N.W., Washington, DC.

STATUS: This Meeting Will Be Closed to the Public.

ITEMS TO BE DISCUSSED:

Compliance matters pursuant to 2 U.S.C. § 437g.
Audits conducted pursuant to 2 U.S.C. § 437g, § 438(b), and Title 26, U.S.C.
Matters concerning participation in civil actions or proceedings or arbitration
Internal personnel rules and procedures or matters affecting a particular employee

DATE AND TIME: Thursday, November 19, 1992 at 10:00 a.m.

PLACE: 999 E Street, N.W., Washington, DC (Ninth Floor.)

STATUS: This Meeting Will Be Open to the Public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes
Title 26 Certification Matters
Administrative Matters

PERSON TO CONTACT FOR INFORMATION: Mr. Fred Eiland, Press Officer, Telephone: (202) 219-4155.

Delores Hardy,

Administrative Assistant.

[FR Doc. 92-27737 Filed 11-12-92; 8:45 am]

BILLING CODE 6715-01-M

FEDERAL MARITIME COMMISSION

TIME AND DATE: 10:00 a.m., November 18, 1992.

PLACE: 1st Floor Hearing Room, Federal Maritime Commission, 800 North Capitol St., N.W., Washington, DC 20573-0001.

STATUS: Open.

MATTER(S) TO BE CONSIDERED:

1. Automated Tariff Filing and Information System—Implementation of the Davis Law; Docket No. 90-23—Consideration of Comments on the Interim Rule.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Secretary, (202) 523-5725.

Joseph C. Polking,

Secretary.

[FR Doc. 92-27700 Filed 11-12-92; 8:45 am]

BILLING CODE 6730-01-M

Corrections

Federal Register
Vol. 57, No. 220
Friday, November 13, 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 COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Parts 611 and 685

[Docket No. 920776-2256]

RIN 0648-AE36

Pelagic Fisheries of the Western Pacific Region

Correction

In rule document 92-25887 beginning on page 48564 in the issue of Tuesday, October 27, 1992, make the following corrections:

§ 611.81 [Corrected]

1. On page 48566, in the third column, in § 611.81(a), in the fifth and sixth lines, remove "in the Pacific Ocean except that part of the EEZ".

§ 685.2 [Corrected]

2. On page 48568, in the 1st column, in § 685.2, in the table under "Scientific name", in the 6th line, "Carcharkinidae" should read "Carcharhinidae" and in the 12th line "spp." should read "sp.".

BILLING CODE 1505-01-D

NATIONAL INSTITUTE FOR LITERACY

Board Meeting

Correction

In notice document 92-26593 appearing on page 49723 in the issue of Tuesday, November 3, 1992, in the second column, under **SUMMARY**, in the third paragraph, in the first line, "November 19, 1992" should read "November 21, 1992".

BILLING CODE 1505-01-D

OFFICE OF PERSONNEL MANAGEMENT

Renewal of the Federal Prevailing Rate Advisory Committee

Correction

In notice document 92-26711 beginning on page 52653 in the issue of Wednesday, November 4, 1992, in the third column, in the third line from the bottom, "547(a)(1)" should read "5347(a)(1)".

BILLING CODE 1505-01-D

federal register

Friday
November 13, 1992

Part II

Department of Transportation

Coast Guard

33 CFR Part 133

State Access to the Oil Spill Liability Trust Fund for Removal Costs Under the Oil Pollution Act of 1990; Interim Rule

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 133

[CGD 92-014]

RIN 2115-AE19

State Access to the Oil Spill Liability Trust Fund for Removal Costs Under the Oil Pollution Act of 1990

AGENCY: Coast Guard, DOT.

ACTION: Interim rule with request for comments.

SUMMARY: This rulemaking implements the provisions of the Oil Pollution Act of 1990 (OPA 90) concerning the procedures by which the Governor of a State can request payments of up to $250,000 from the Oil Spill Liability Trust Fund (the Fund) for removal costs required for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of a discharge, of oil.

This action is a temporary measure needed primarily to provide a procedure by which the Governor of a State can make a request for payments from the Fund. This interim rule will be replaced by a more comprehensive rule that addresses, in addition to requests by Governors, formal agreements between the States and the Coast Guard providing specific procedures for fund use.

DATES: This rule is effective on November 13, 1992. Comments must be received on or before February 11, 1993.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 92-014), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477. Comments on collection of information requirements also must be mailed to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, ATTN: Desk Officer, U.S. Coast Guard.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters.

FOR FURTHER INFORMATION CONTACT: Mr. Donald Taylor (Project Manager), National Pollution Funds Center, (703) 235-4805.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Comments are specifically requested on the effect the U.S. Department of Transportation regulations regarding cooperative agreements may have on State access to the Fund. These regulations are contained in 49 CFR parts 18, 20, 29, and 90. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD 92-014) and the specific section of the rule to which each comment applies, and give the reason for each comment. Each person wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this rule in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Marine Safety Council at the address under "**ADDRESSES**". If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register.**

Drafting Information

The principal person involved in drafting this document is Donald Taylor, Project Manager, National Pollution Funds Center.

Regulatory Information

This rule is being published as an interim rule and is being made effective on the date of publication to provide a procedure whereby funds for the immediate removal of an oil discharge, or the mitigation or prevention of a substantial threat of an oil discharge, may be made available as soon as possible. A delay in providing a procedure may delay the payment of the necessary funds. Such a delay would be contrary to the intent of Congress under the Oil Pollution Act of 1990 (OPA 90) and to the interests of the public. For these reasons, the Coast Guard for good cause finds, under 5 U.S.C. 553(b)(3)(B) and (d)(3), that notice and public procedure thereon before the effective date of the interim rule are unnecessary and that the interim rule should be made effective in less than 30 days after publication.

In addition to this rulemaking, the Coast Guard is developing a second, separate rule which will replace this rule. A notice of proposed rulemaking and opportunity for public comment will be provided. The second rulemaking will address not only requests by State Governors for payments from the Fund but also agreements between the States and the Coast Guard that may provide for advance payments to facilitate immediate removal of oil discharges, or the mitigation or prevention of substantial threats of oil discharges.

The Coast Guard consulted with representatives from the States at regional meetings held in December 1991 and January 1992. There was general support for the content of this rulemaking. A synopsis of the discussions that took place at those meetings is in the public docket for this rulemaking.

This rulemaking (CGD 92-014) is separate from the Coast Guard's ongoing claims regulations project (CGD 91-035). The State Access regulations concern payment to the States outside the normal claims process.

Discussion of the Regulations

This interim rule implements the provision under section 1012(d)(1) of the Oil Pollution Act of 1990 (Pub. L. 101-380; August 18, 1990) (OPA 90) which states that in accordance with regulations promulgated under section 1012(d)(1), the President, upon the request of the Governor of a State, may obligate the Fund for payment in an amount not to exceed $250,000 for removal costs consistent with the National Contingency Plan required for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of a discharge, of oil.

The objective of this rulemaking is to develop the basic request procedures. Elaboration of this procedure, if deemed necessary after further consultation with the States and consideration of the comments on this rule, will be handled in the second rulemaking discussed under "Regulatory Information" in this preamble.

The interim rule addresses only requests by Governors or their representatives. Requests are made directly to the On-Scene Coordinator (OSC). The OSC reviews the request for eligibility both under section 1012(d) and under the interim rule and approves or denies the Governor's request. To guide the OSC in making eligibility recommendations, the interim rule provides minimum standards. This provides consistency in applying the interim rule. The States are required to coordinate their removal actions with the OSC and retain records of

expenditures of the funds. The provisions of the Federal Grant and Cooperative Agreement Act and the regulations of the U.S. Department of Transportation regarding Federal assistance programs apply to payments from the Fund.

In developing this rule, the Coast Guard consulted with the Environmental Protection Agency.

Regulatory Evaluation

This rule is not major under Executive Order 12291. It is significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979). This rulemaking is considered significant because of the substantial interest by the States. The Coast Guard expects the economic impact of this rule to be so minimal that a separate Regulatory Evaluation is unnecessary. Though the Coast Guard expects the economic impact of this rule to be minimal, it specifically requests comments and data on this subject.

The impacts of this rule arise from the procedures the Governor of a State must follow in requesting payments for immediate removal costs from the Fund and from the recordkeeping by the State necessary to account for their expenditures. The cost of making a request is expected to be as little as the cost of making a telephone call or sending a facsimile. The cost of conforming with Federal cooperative agreement administrative requirements is expected to be minimal. This cost is intrinsic to all of the cooperative agreements a State may have with the Federal government. The costs of transferring and expending funds and keeping records of the expenditures of the payments obligated from the Fund would vary with the nature of the removal activity. Recordkeeping of removal activities and costs, however, is required already for actions consistent with the National Contingency Plan.

Small Entities

The entities affected by this rulemaking are State governments. This rulemaking does not affect "small entities," as the term is defined in the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

Federalism

The Coast Guard has analyzed this rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment. Though this rulemaking affects the States by providing a procedure whereby they may request money from the Fund, the implications of that procedure are not sufficient enough, under the Department of Transportation's federalism guide, to warrant the preparation of a Federalism Assessment. In addition, States are not preempted from utilizing their own funds in a removal activity.

Collection of Information

Under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) reviews each rule that contains a "collection of information requirement" to determine whether the practical value of the information is worth the burden imposed by its collection. Collection of information requirements include reporting, recordkeeping, notification, and other, similar requirements.

This rule prescribes requirements for requesting access to the Fund, for following up those requests with a confirmation, and for keeping records of expenditures. These requirements are discussed in the "Regulatory Evaluation" section of this preamble.

The Coast Guard has submitted the collection of information requirements to OMB for review under section 3504(h) of the Paperwork Reduction Act. Persons submitting comments on the requirements should submit their comments both to OMB and to the Coast Guard where indicated under "**ADDRESSES**".

For further information, contact the Information Requirements Division, M–34, Office of the Secretary of Transportation, 4400 Seventh Street, SW., Washington, DC 20590, (202) 366–4735; the Desk Officer, U.S. Coast Guard, at the Office of Management and Budget, 725 17th Street NW., Washington, DC 20503, (202) 395–7340; or the person under "**FOR FURTHER INFORMATION CONTACT**" in this preamble.

Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.B.2 of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation. This rule concerns procedures relating to a request for payments to expedite the removal of an oil discharge or the mitigation or prevention of a substantial threat of an oil discharge. This action concerns internal administrative procedure. A Categorical Exclusion Determination is available in the docket for inspecting or copying where indicated under "**ADDRESSES**".

List of Subjects in 33 CFR Part 133

Administrative practice and procedure, Intergovernmental relations, Oil pollution, Reporting and recordkeeping requirements.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR chapter I as follows:

1. Part 133 is added to read as follows:

PART 133—OIL SPILL LIABILITY TRUST FUND; STATE ACCESS

Sec.

133.1 Purpose.
133.3 Definitions.
133.5 Requests: General.
133.7 Requests: Amount.
133.9 Requests: Where made.
133.11 Requests: Contents.
133.13 Removal actions eligible for funding.
133.15 Determination of eligibility for funding.
133.17 Conduct of removal actions.
133.19 Recordkeeping.
133.21 Records retention.
133.23 Investigation to determine the source and responsible party.
133.25 Notification of Governor's designee.

Authority: 33 U.S.C. 2712(e); E.O. 12777 (3 CFR, 1991 Comp., p. 351); 49 CFR 1.46.

§ 133.1 Purpose.

This part prescribes procedures for the Governor of a State to request payments from the Oil Spill Liability Trust Fund (the Fund) for oil pollution removal costs under section 1012(d)(1) of the Oil Pollution Act of 1990 (the Act) (33 U.S.C. 2712(d)(1)).

§ 133.3 Definitions.

(a) As used in this part, the following terms have the same meaning as set forth in section 1001 of the Act (33 U.S.C. 2701): "discharge", "exclusive economic zone", "Fund", "incident", "National Contingency Plan", "navigable waters", "oil", "remove", "removal", "removal costs", "responsible party", "State", and "United States".

(b) As used in this part—

Act means Title I of the Oil Pollution Act of 1990 (33 U.S.C. 2701 through 2719).

Director, NPFC, means the person in charge of the U.S. Coast Guard National Pollution Funds Center or that person's authorized representative.

NPFC means the U.S. Coast Guard National Pollution Funds Center, 4200 Wilson Boulevard, suite 1000, Arlington, Virginia 22203–1804.

On-Scene Coordinator or *OSC* means the Federal official predesignated by the

Environmental Protection Agency or the U.S. Coast Guard to direct and coordinate all efforts for removal of a discharge, or the mitigation or the prevention of a substantial threat of a discharge, of oil.

Removal action means an incident-specific activity taken under this part to contain or remove a discharge, or to mitigate or prevent a substantial threat of a discharge, of oil.

§ 133.5 Requests: General.

(a) Upon a request submitted in accordance with this part by the Governor of a State or his or her designated State official, the OSC may obtain a Federal Project Number (FPN) and a ceiling not to exceed $250,000 per incident for removal costs. The removal costs must be for the immediate removal of a discharge, or the mitigation or prevention of a substantial threat of a discharge, of oil.

(b) Before a request under this part is made, the State official shall ensure that the procedures in the National Contingency Plan (40 CFR part 300) for notifying Federal authorities of the discharge or threat of discharge have been met.

(c) The Federal Grant and Cooperative Agreement Act of 1977 (31 U.S.C. 6301–6308) and 49 CFR parts 18, 20, 29, and 90 apply to Fund monies obligated for payment under this part.

§ 133.7 Requests: Amount.

(a) The amount of funds that may be requested under this part—

(1) Is limited to the amount anticipated for immediate removal action for a single oil pollution incident, but, in any event, may not exceed $250,000 per incident;

(2) Must be for removal costs consistent with the National Contingency Plan; and

(3) Must be reasonable for the removal actions proposed, considering such factors as quantity and composition of the oil, weather conditions and customary costs of similar services in the locale.

(b) The funds requested are obligated only to the extent they are determined to be for immediate removal actions which are reasonable and otherwise eligible for payment under this part.

§ 133.9 Requests: Where made.

Requests for access to the Fund under § 133.5 must be made by telephone or other rapid means to the OSC.

§ 133.11 Request: Contents.

In making a request for access to the Fund, the person making the request shall—

(a) Indicate that the request is a State access request under 33 CFR part 133;

(b) Give his or her name, title, department, and State;

(c) Describe the incident in sufficient detail to allow a determination of jurisdiction, including at a minimum the date of the occurrence, type of product discharged, estimated quantity of the discharge, body of water involved, and proposed removal actions for which funds are being requested under this part; and

(d) Indicate the amount of funds being requested.

§ 133.13 Removal actions eligible for funding.

To be eligible for funding under this part, each removal action must meet the following:

(a) Must be for an incident, occurring after August 18, 1990, which resulted in a discharge, or the substantial threat of a discharge, of oil into or upon the navigable waters or adjoining shorelines.

(b) Must comply with the National Contingency Plan.

(c) Must be an immediate removal action.

§ 133.15 Determination of eligibility for funding.

Upon receipt of the information under § 133.11 and, if necessary, from other sources determined to be appropriate at his or her discretion, the OSC will determine whether the proposed removal actions meet the requirements of § 133.13. If necessary, the OSC may seek further clarification of the proposed actions from the State official. The OSC shall expeditiously notify the State official and the Director, NPFC, of his or her decision.

§ 133.17 Conduct of removal actions.

Removal actions funded under this part must be coordinated with the OSC and conducted in accordance with the National Contingency Plan.

§ 133.19 Recordkeeping.

(a) The State official shall maintain detailed records of expenditures made from the funds provided under this part, including records of—

(1) Daily expenditures for each individual worker, giving the individual's name, title or position, activity performed, time on task, salary or hourly rate, travel costs, per diem, out-of-pocket or extraordinary expenses, and whether the individual is normally available for oil spill removal;

(2) Equipment purchased or rented each day, with the daily or hourly rate;

(3) Miscellaneous materials and expendables purchased each day; and

(4) Daily contractor or consultant fees, including costs for their personnel and contractor-owned or rented equipment, as well as that of any subcontractor.

(b) The State official shall submit a copy of these records and a summary document stating the total of all expenditures made to the NPFC official specified in § 133.25(c) within thirty days after completion of the removal actions. A copy of these documents shall also be submitted to the cognizant OSC.

(c) Upon request of the OSC or the NPFC, the State official shall make the original records available for inspection.

(d) If, after inspecting the records, the Director, NPFC, determines that expenditures by a State official from funds obligated under this part were not eligible for funding under this part and the expenditures were not made with the good faith understanding that they were eligible under this part, the Director, NPFC, may seek reimbursement to the Fund from the State.

§ 133.21 Records retention.

(a) The State official shall maintain all records for ten years following completion of the removal actions.

(b) If any litigation, claim, negotiation, audit, cost recovery, or other action involving the records has been started before the expiration of the ten-year period, the records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the regular ten-year period, whichever is later.

§ 133.23 Investigation to determine the source and responsible party.

(a) The State official shall promptly make a thorough investigation to determine the source of the incident and the responsible party.

(b) Upon completion of the investigation, the State official shall forward the results of the investigation and copies of the supporting evidence identifying the source and the responsible party to both the cognizant OSC and the NPFC official specified in § 133.25(c).

§ 133.25 Notification of Governor's designee.

(a) If the Governor of a State anticipates the need to access the Fund under this part, he or she must advise the NPFC in writing of the specific individual who is designated to make requests under this part.

(b) This designation must include the individual's name, address, telephone number, and title or capacity in which employed.

(c) The information required by paragraph (b) of this section must be forwarded to the Chief, Case Management Division, National Pollution Funds Center, Suite 1000, 4200 Wilson Boulevard, Arlington, Virginia 22203–1804.

Dated: November 5, 1992.

J.W. Kime,

Admiral, U.S. Coast Guard Commandant.

[FR Doc. 92–27392 Filed 11–12–92; 8:45 am]

BILLING CODE 4910–14–M

Federal Register

Friday
November 13, 1992

Part III

The President

Proclamation 6506—Vietnam Veterans Memorial 10th Anniversary Day, 1992

Proclamation 6507—National Adoption Week, 1992

Notice of November 11—Continuation of Emergency Regarding Chemical and Biological Weapons Proliferation

Federal Register
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Friday, November 13, 1992

Presidential Documents

Title 3—

The President

Proclamation 6506 of November 10, 1992

Vietnam Veterans Memorial 10th Anniversary Day, 1992

By the President of the United States of America

A Proclamation

The more than 3,000,000 Americans who served our country during the war in Southeast Asia between 1960 and 1975 deserve, like all of our veterans, the lasting respect and gratitude of the Nation. From hundreds of nameless rice paddies and jungles to places such as Dak To, A Shau Valley, and Khe Sanh, these individuals and their fallen comrades endured extraordinary hardships and sacrifices in the effort to thwart communist expansionism in Laos, Cambodia, and Vietnam. Theirs was a long, grueling struggle for freedom and international security, and however history may judge its execution and outcome, these individuals deserve a hero's recognition and thanks. Hence, we pause on this 10th anniversary of the Nation's Vietnam Veterans Memorial to offer a heartfelt salute to each of them.

While we usually think of walls as forms of division—"something there is that doesn't love a wall," wrote Robert Frost—the Vietnam Veterans Memorial is one such structure that has fostered unity and healing among millions of Americans. In the decade since its construction and dedication, which were made possible entirely by private contributions, our Nation has come to peace with itself; and today we join together in honoring the more than 58,000 Americans whose names are inscribed on "the Wall." We remember their names because we cherished them as individuals—as sons and daughters, brothers and sisters, spouses, neighbors, and friends. We remember their names because each of them taught us important lessons about duty, courage, and love of country.

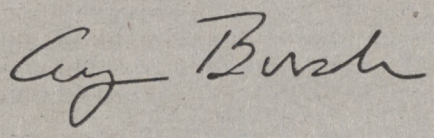
The lessons of the Vietnam War have, I believe, made the United States a better Nation, a stronger Nation. Just 2 years ago, when United States forces were called on to help liberate a small, defenseless country from the occupation of a ruthless dictator, the American people rallied behind our troops in a display of unity and resolve not seen since the days of World War II. The triumphant homecoming of our Persian Gulf veterans was, in many ways, a second homecoming for our Vietnam veterans, as hundreds of communities also offered a special salute to those who were all too often denied a hero's welcome some 25 years ago.

Today, as they commemorate the 10th anniversary of our Nation's memorial to their fallen comrades, Vietnam veterans stand proud—and rightfully so. Let all of us join them in remembering those of their comrades who never made it home—those who fell in the line of duty and those who are still missing. The United States has never forgotten our POWs/MIAs, and we remain fully committed to obtaining the fullest possible accounting for each of them. On this occasion we offer a special salute to their brave families, who have kept faith with America's missing service members and civilians and, in so doing, reminded us of the tremendous debt that we owe to our Vietnam veterans.

In honor of the Americans who served in Indochina and in grateful tribute to those who made the ultimate sacrifice in the defense of liberty, the Congress, by Senate Joint Resolution 318, has designated November 13, 1992, as "Vietnam Veterans Memorial 10th Anniversary 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 urge all Americans to join in observing November 13, 1992, as a special day in honor of our Nation's Vietnam veterans and their fallen comrades.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of November, 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. 92-27801
Filed 11-12-92; 11:08 am]
Billing code 3195-01-M

Presidential Documents

Proclamation 6507 of November 10, 1992

National Adoption Week, 1992

By the President of the United States of America

A Proclamation

During this week that includes our traditional observance of Thanksgiving, Americans will pause in prayer to thank Almighty God for their many blessings—in particular, for the gifts of life, home, and family. At a time when many of us enjoy being reunited with relatives and friends, it is fitting that we also remember the more than 40,000 children in the United States who long for loving, permanent homes and families of their own. These are children who wait to be adopted.

More than 50,000 children in the United States are adopted each year, and as any adult who has been blessed with an adopted child or grandchild well knows, these youngsters are as eager to give love and affection as they are to receive them. Yet, while adoption benefits everyone involved—including the biological mother who, for whatever reason, cannot care for her child and offers him a chance at life in a secure, loving environment—thousands of other children continue to wait. Among those who wait are children with special needs: older children, children with disabilities, members of minority groups, and children with siblings who must be adopted by the same family.

Early on in the Administration, I was pleased to propose legislation designed to encourage "special needs" adoption. Since that time, the Federal Government has continued to play a leading role in overcoming legal, financial, and attitudinal barriers to adoption. This week we salute the many dedicated men and women across America who make adoption work: concerned parents, social services professionals and counselors, State officials, attorneys, members of the clergy, and others. Recognizing that adoption is a tremendous act of courage and generosity under any circumstances, we salute especially each of the brave women who, when faced with a crisis pregnancy, chooses life for her unborn child and offers that child a chance to grow up in a stable, loving home.

As an unselfish, life-affirming, and lifelong commitment, adoption is rooted in the virtues that define and strengthen a family and that, in turn, enrich the lives of individuals and the communities in which they live. This week, let us acknowledge the importance of stable, loving families to children and to our Nation, and let us renew our support for adoption.

The Congress, by Public Law 102–174, has designated the week of November 22 through November 28, 1992, as "National Adoption Week" and has requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, GEORGE BUSH, President of the United States of America, do hereby proclaim the week of November 22 through November 28, 1992, as National Adoption Week. I urge all Americans to observe this week with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of November, 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.

George Bush

[FR Doc. 92-27802
Filed 11-12-92; 11:22 am]
Billing code 3195-01-M

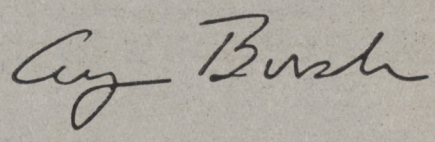
Presidential Documents

Notice of November 11, 1992

Continuation of Emergency Regarding Chemical and Biological Weapons Proliferation

On November 16, 1990, consistent with the authority provided me under the International Emergency Economic Powers Act (50 U.S.C. 1701, *et seq.*), I issued Executive Order No. 12735. In that order, I declared a national emergency with respect to the unusual and extraordinary threat to the national security and foreign policy of the United States posed by the proliferation of chemical and biological weapons. Because the proliferation of these weapons continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on November 16, 1990, must continue in effect beyond November 16, 1992. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing the national emergency declared in Executive Order No. 12735.

This notice shall be published in the **Federal Register** and transmitted to the Congress.



THE WHITE HOUSE,
November 11, 1992.

[FR Doc. 92-27789
Filed 11-12-92; 10:19 am]
Billing code 3195-01-M

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