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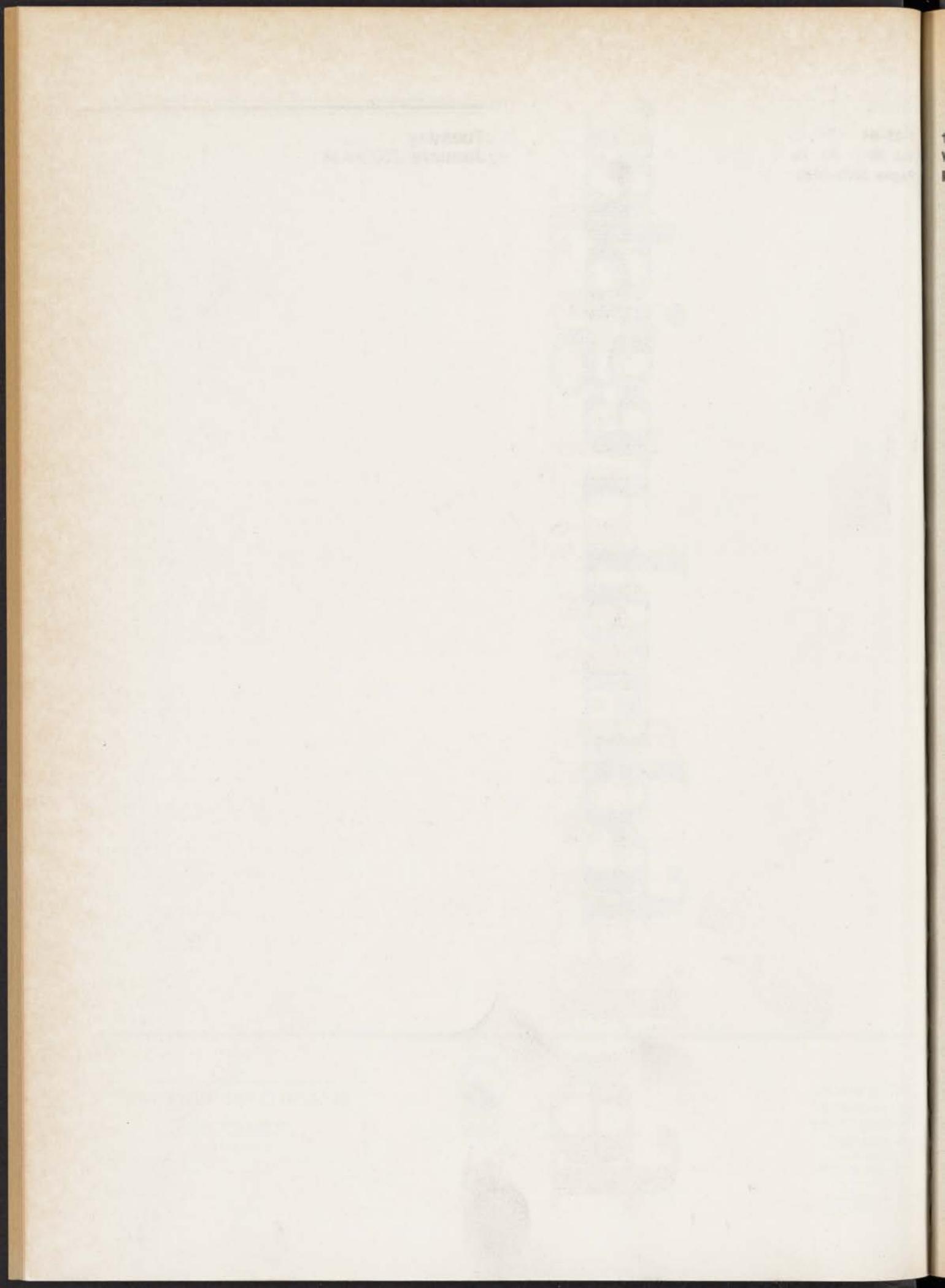
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Federal Register





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Contents

Federal Register

Vol. 59, No. 16

Tuesday, January 25, 1994

Army Department

NOTICES

Meetings:

Armament Retooling and Manufacturing Support Public/
Private Task Force, 3638

Patent licenses; non-exclusive, exclusive, or partially
exclusive:

Reactive bed plasma air purification, 3638

Commerce Department

See National Oceanic and Atmospheric Administration

Defense Department

See Army Department

Energy Department

See Federal Energy Regulatory Commission

Federal Aviation Administration

PROPOSED RULES

Airworthiness directives:

Jetstream, 3636

Federal Communications Commission

RULES

Regulatory Flexibility Act plan; rules and regulations
review, 3633

Federal Deposit Insurance Corporation

NOTICES

Coastal Barrier Improvement Act; property availability;
Bear Island, MN, 3639

Federal Election Commission

NOTICES

Meetings; Sunshine Act, 3647

Federal Energy Regulatory Commission

NOTICES

Meetings; Sunshine Act, 3647

Federal Mine Safety and Health Review Commission

NOTICES

Meetings; Sunshine Act, 3648

Federal Reserve System

NOTICES

Meetings; Sunshine Act, 3649

Federal Trade Commission

NOTICES

Prohibited trade practices:

Nu Skin International, Inc., et al., 3639

Interior Department

See Land Management Bureau

International Trade Commission

NOTICES

Meetings; Sunshine Act, 3649

Land Management Bureau

NOTICES

Withdrawal and reservation of lands;
California, 3645

Mine Safety and Health Federal Review Commission

See Federal Mine Safety and Health Review Commission

National Highway Traffic Safety Administration

NOTICES

Meetings:

Motor Vehicle Titling, Registration and Salvage Advisory
Committee, 3646

National Oceanic and Atmospheric Administration

NOTICES

Permits:

Endangered and threatened species, 3638

National Transportation Safety Board

NOTICES

Meetings; Sunshine Act, 3649

Nuclear Regulatory Commission

NOTICES

Meetings; Sunshine Act, 3649

Transportation Department

See Federal Aviation Administration

See National Highway Traffic Safety Administration

Reader Aids

Additional information, including a list of public laws,
telephone numbers, and finding aids, appears in the Reader
Aids section at the end of this issue.

Electronic Bulletin Board

Free Electronic Bulletin Board service for Public Law
numbers and Federal Register finding aids is available on
202-275-1538 or 275-0920.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue

14 CFR**Proposed Rules:**

39.....3636

47 CFR

Ch. I.....3633

Rules and Regulations

Federal Register

Vol. 59, No. 16

Tuesday, January 25, 1994

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.

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

Regulatory Flexibility Act Plan for Periodic Review of the Commission's Rules and Regulations

AGENCY: Federal Communications Commission.

ACTION: Plan for Periodic Review of Rules and Regulations.

SUMMARY: This action establishes a plan for the review of FCC regulations pursuant to the requirements of the Regulatory Flexibility Act of 1980. The Appendix specifies the Commission's rules that will be reviewed during calendar year 1994. Any revision to this plan will be published in the Federal Register.

DATES: Comments must be submitted within 60 days from January 25, 1994.

ADDRESSES: Comments should be submitted to: Secretary, Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Terry Johnson, Office of Managing Director (202) 632-0923.

SUPPLEMENTARY INFORMATION: Pursuant to the published plan, specific regulations which may require amendment or rescission will be published and provision will be made for comments by interested parties.

1. Pursuant to the Regulatory Flexibility Act of 1980, 5 U.S.C. 610, the Commission hereby publishes this plan for the review of all rules issued by the agency in calendar year 1984 which have, or will have, a significant economic impact on a substantial number of small entities. The purpose of the review will be to determine whether such rules should be continued without change, or should be amended or rescinded, consistent with the stated objectives of applicable statutes, to

minimize any significant economic impact of such rules upon a substantial number of small entities.

2. The accompanying Appendix lists the FCC regulations to be reviewed during calendar year 1994. In succeeding years, lists will be published for the review of regulations promulgated ten years preceding the year of review.

3. In reviewing each rule under this plan to minimize significant economic impact on small entities consistent with the stated objectives of applicable statutes, the FCC will consider the following factors:

- (1) The continued need for the rule;
- (2) The nature of complaints or comments received concerning the rule from the public;
- (3) The complexity of the rule;
- (4) The extent to which the rule overlaps, duplicates or conflicts with other Federal rules, and, to the extent feasible, with State and local governmental rules; and
- (5) The length of time since the rule has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule.

4. Appropriate information has been provided for each rule including a brief description of the rule and the need for and legal basis of the rule. Pursuant to the Regulatory Flexibility Act, the public is invited to comment on the rules chosen for review within 60 days from January 25, 1994. All relevant and timely comments will be considered by the Commission before final action is taken in this proceeding. To file formally in this proceeding, participants must file an original and four copies of all comments. If participants wish each Commissioner to have a personal copy of their comments, an original plus nine copies must be filed. Comments should be sent to the Office of the Secretary, Federal Communications Commission, Washington, DC 20554. Comments will be available for public inspection during regular business hours in the FCC Reference Center (Room 239) of the Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

5. It is ordered that, the Secretary shall send a copy of this notice to the Chief Counsel for Advocacy of the Small Business Administration pursuant to the Regulatory Flexibility Act. Pub. L. No.

96-354, Stat. 1164, 5 U.S.C. 601 *et seq.* (1981).

Federal Communications Commission.
William F. Caton,
Acting Secretary.

Appendix—List of Rules for Review Pursuant to Section 610(c) of the Regulatory Flexibility Act of 1980, 5 U.S.C. 610(c) For 1994

Common Carrier Bureau

PART 21—DOMESTIC PUBLIC FIXED RADIO SERVICES

Subpart C—Technical Standards

Need: These rules prescribe technical operating standards for stations in the Domestic Public Fixed Radio Services.

Legal Basis: 47 U.S.C. 154, 303, 307-310.

Section Number and Title Description:

- 21.105 Bandwidth.
- 21.107 Transmitter power.
- 21.120 Authorization of transmitters.

Subpart J—Local Television Transmission Service

Need: These rules describe operating parameters for Local Television Transmission Service licensees.

Legal Basis: 47 U.S.C. 154, 303, 307-310.

Section Number and Title Description:

- 21.804 Bandwidth and emission limitations.

Subpart K—Multipoint Distribution Service

Need: These rules describe operating parameters for Multipoint Distribution Service licensees.

Legal Basis: 47 U.S.C. 154, 303, 307-310.

Section Number and Title Description:

- 21.905 Emissions and bandwidth.

PART 61—TARIFFS

Need: These rules prescribe the framework for the initial establishment of and subsequent revisions to tariff publications.

Legal Basis: 47 U.S.C. 154(i), 154(j) and 5 U.S.C. 553.

Section Number and Title Description:

- 61.1 Purpose and application.
- 61.2 Clear and explicit explanatory statements.

Definitions

- 61.11 Act.
- 61.12 Carriers.
- 61.13 Change in rate structure.
- 61.14 Charges.

- 61.14 Commercial Contractor.
- 61.16 Commission.
- 61.17 Corrections.
- 61.18 New service offering.
- 61.19 Rate.
- 61.20 Rate increase.
- 61.21 Regulations.
- 61.22 Supplement.
- 61.23 Tariff.
- 61.24 Tariff publication, or publication.
- 61.25 Text change.
- 61.26 United States.

General Rules

- 61.32 Method of filing publications.
- 61.33 Letters of transmittal.
- 61.35 Delivered free of charges.
- 61.36 Tariff publications not returned.
- 61.38 Supporting information to be submitted with letters of transmittal.
- 61.40 Private Line Rate Structure Guidelines.

Specific Rules for Tariff Publications

- 61.52 Form, size, type, legibility, etc.
- 61.53 Consecutive numbering.
- 61.54 Composition of tariffs.
- 61.56 Supplements.
- 61.57 Cancellations.
- 61.58 Notice requirements.
- 61.59 Effective period required before changes.
- 61.67 New or discontinued telephone, telegraph, teletypewriter service points; mileages.
- 61.68 Special notations.
- 61.69 Rejection.
- 61.71 Reissued matter.
- 61.72 Posting.
- 61.73 Duplication of rates and regulation.
- 61.74 References to other instruments.

Concurrences

- 61.131 Scope.
- 61.132 Method of filing concurrences.
- 61.133 Format of concurrences.
- 61.134 Concurrences for through services.
- 61.135 Concurrences for other purposes.
- 61.136 Revocation of concurrences.

Applications for Special Permission

- 61.151 Scope.
- 61.152 Terms of applications and grants.
- 61.153 Method of filing applications.

Adoption of Tariffs and Other Documents of Predecessor Carriers

- 61.171 Adoption notice.
- 61.172 Changes to be incorporated in tariffs in successor carrier.

Suspensions

- 61.191 Carrier to file supplement when notified of suspension.
- 61.192 Contents of supplement announcing suspension.
- 61.193 Vacation of suspension order; supplements announcing same; etc.

PART 63—EXTENSION OF LINES AND DISCONTINUANCE, REDUCTION, OUTAGE AND IMPAIRMENT OF SERVICE BY COMMON CARRIERS; AND GRANTS OF RECOGNIZED PRIVATE OPERATING AGENCY STATUS*Extensions and Supplements*

Need: These rules prescribe the practices and procedures to be observed for the construction, operation and discontinuance of telecommunications services.

Legal Basis: 47 U.S.C. 151, 154, 201-205, 218 and 403.

Section Number and Title Description:

- 63.07 Special procedures for non-dominant domestic common carriers.
- 63.08 Lines outside of a carrier's exchange telephone service area.

PART 68—CONNECTION OF TERMINAL EQUIPMENT TO THE TELEPHONE NETWORK**Subpart A—General**

Need: These rules prescribe uniform standards to protect the telephone network from harm, and for the compatibility of hearing aids and telephones.

Legal Basis: 47 U.S.C. 151, 154, 201-205, 215.

Section Number and Title Description:

- 68.1 Purpose.
- 68.2 Scope.

Subpart C—Registration Procedures

Need: These rules prescribe filing requirements, application forms and procedures for the registration of terminal equipment and protective circuitry.

Legal Basis: 47 U.S.C. 154, 201-205, 215.

Section Number and Title Description:

- 68.200 Application for equipment registration.
- 68.218 Responsibility of grantee of equipment registration.

Subpart D—Conditions for Registration

Need: These rules prescribe the tests to be conducted and criteria to be met in order to register terminal equipment and protective circuitry.

Legal Basis: 47 U.S.C. 154, 155, 157.

Section Number and Title Description:

- 68.316 Hearing aid compatibility; technical standards.

Subpart E—Complaint Procedures

Need: These rules prescribe complaint procedures; and the enforcement thereof by the Commission and the states.

Legal Basis: 47 U.S.C. 154, 155, 157.

Section Number and Title Description:

- 68.414 Hearing aid compatibility; enforcement.

*Mass Media Bureau***PART 73—RADIO BROADCAST SERVICES****Subpart B—FM Broadcast Stations**

Need: These rules establish operating procedures for the FM broadcast radio services.

Legal Basis: 47 U.S.C. 154 and 303.

Section Number and Title Description:

- 73.204 International agreements and other restrictions on use of channels.

Subpart E—Television Broadcast Stations

Need: These rules establish operating procedures for television broadcast stations.

Legal Basis: 47 U.S.C. 154 and 303.

Section Number and Title Description:

- 73.665 Use of TV aural baseband subcarriers.
- 73.667 TV subsidiary communications services.
- 73.669 TV stereophonic aural and multiplex subcarrier operation.

Subpart H—Rules Applicable to All Broadcast Stations

Need: These rules establish operating procedures for all broadcast services.

Legal Basis: 47 U.S.C. 154 and 303.

Section Number and Title Description:

- 73.1400 Remote control authorizations.
- 73.1410 Remote control operation.
- 73.1695 Changes in transmission standards.
- 73.1735 AM Station operation pre-sunrise and post-sunset.
- 73.3555 Multiple ownership.
- 73.3562 Staff consideration of applications not requiring action by the Commission.

PART 74—EXPERIMENTAL, AUXILIARY, AND SPECIAL BROADCAST AND OTHER PROGRAM DISTRIBUTIONAL SERVICES**Subpart A—Experimental Broadcast Stations**

Need: These rules establish operating procedures for the experimental broadcast stations.

Legal Basis: 47 U.S.C. 154, 158 and 303.

Section Number and Title Description:

- 74.101 Experimental broadcast stations.
- 74.102 Uses of experimental broadcast stations.
- 74.132 Power limitations.
- 74.134 Multiple ownership.
- 74.161 Frequency tolerances.
- 74.162 Frequency monitors and measurements.
- 74.163 Time of operation.
- 74.181 Station records.
- 74.183 Station identification.
- 74.184 Rebroadcasts.

Subpart D—Remote Pickup Broadcast Stations

Need: These rules establish operating procedures for remote pickup broadcast stations.

Legal Basis: 47 U.S.C. 154 and 303.

Section Number and Title Description:

74.402 Authorized frequencies.

Subpart F—Television Broadcast Auxiliary Stations

Need: These rules establish operating procedures for television broadcast auxiliary stations.

Legal Basis: 47 U.S.C. 154 and 303.

Section Number and Title Description:

74.655 Authorization of equipment.

[FR Doc. 94-1329 Filed 1-24-94; 8:45 am]

BILLING CODE 6712-01-M

Proposed Rules

Federal Register

Vol. 59, No. 16

Tuesday, January 25, 1994

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. 93-NM-200-AD]

Airworthiness Directives; Jetstream Model 4101 Airplanes

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 certain Jetstream Model 4101 airplanes. This proposal would require a visual inspection of an area beneath the flooring for foreign objects and debris, removal of any foreign object or debris found, and installation of a protective guard on the rear cabin attendant seat. This proposal would also require a revision to the FAA-approved maintenance program to include repetitive visual inspections of the area above the protective guard for foreign objects and debris, and removal of any foreign object or debris found. This proposal is prompted by reports that foreign objects and debris have been found in the area around the elevator and rudder trim cables below the floor. The actions specified by the proposed AD are intended to prevent foreign objects and debris from lodging in the control circuits and jamming the elevator and rudder trim systems.

DATES: Comments must be received by March 22, 1994.

ADDRESSES: Submit comments in triplicate to the Federal Aviation Administration (FAA), Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 93-NM-200-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056. Comments may be inspected at this location between 9 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

The service information referenced in the proposed rule may be obtained from Jetstream Aircraft, Inc., P.O. Box 16029, Dulles International Airport, Washington, DC 20041-6029. This information may be examined at the FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington.

FOR FURTHER INFORMATION CONTACT: William Schroeder, Aerospace Engineer, Standardization Branch, ANM-113, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (206) 227-2148; fax (206) 227-1320.

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 shall 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 93-NM-200-AD." 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, Transport Airplane Directorate, ANM-103, Attention: Rules Docket No. 93-NM-200-AD, 1601 Lind Avenue, SW., Renton, Washington 98055-4056.

Discussion

The Civil Aviation Authority (CAA), which is the airworthiness authority for the United Kingdom, recently notified the FAA that an unsafe condition may exist on certain Jetstream Model 4101 airplanes. The CAA advises that it has received reports that foreign objects and debris (in these cases, forks and crushed soft drink cans) have been found in the area around the elevator and rudder trim cables below the floor. The foreign objects and debris passed through a vent via a gap between the cushion and back of the rear cabin attendant seat. These foreign objects and debris can lodge in the elevator and rudder trim control circuits. This condition, if not corrected, could result in jamming of the elevator and rudder trim systems.

Jetstream has issued Series 4100 Alert Service Bulletin J41-A25-034, Revision 1, dated October 30, 1993, that describes procedures for a visual inspection of an area beneath the flooring for foreign objects and debris, and removal of any foreign object or debris found. The alert service bulletin also describes procedures for installation of a protective guard on the rear cabin attendant seat. Installation of this guard will prevent any foreign object or debris from passing through the floor vent. In addition, the alert service bulletin describes procedures for revising regularly scheduled maintenance procedures to include repetitive visual inspections of the area above the protective guard for foreign objects and debris, and removal of any foreign object or debris found. The CAA classified this service bulletin as mandatory and issued CAA Airworthiness Directive 003-10-93 in order to assure the continued airworthiness of these airplanes in the United Kingdom.

This airplane model is manufactured in the United Kingdom and is type certificated for operation in the United States under the provisions of Section 21.29 of the Federal Aviation Regulations and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the CAA has kept the FAA informed of the situation described above. The FAA has examined the findings of the CAA, reviewed all available information, and determined that AD action is necessary for products of this type design that are

certificated for operation in the United States.

Since an unsafe condition has been identified that is likely to exist or develop on other airplanes of the same type design registered in the United States, the proposed AD would require a visual inspection of an area beneath the flooring for foreign objects and debris, removal of any foreign object or debris found, and installation of a protective guard on the rear cabin attendant seat. The proposed AD would also require a revision to the FAA-approved maintenance program to include repetitive visual inspections of the area above the protective guard for foreign objects and debris, and removal of any foreign object or debris found. The actions would be required to be accomplished in accordance with the alert service bulletin described previously.

The FAA estimates that 7 airplanes of U.S. registry would be affected by this proposed AD, that it would take approximately 2 work hours per airplane to accomplish the proposed actions, and that the average labor rate is \$55 per work hour. Required parts would be supplied by the manufacturer at no cost to operators. Based on these figures, the total cost impact of the proposed AD on U.S. operators is estimated to be \$770, or \$110 per airplane. This total cost figure assumes that no operator has yet accomplished the proposed requirements of this AD action.

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 "significant regulatory action" under Executive Order 12866; (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:

Jetstream Aircraft Limited: Docket 93-NM-200-AD.

Applicability: Model 4101 airplanes; constructors numbers 41004 through 41023 inclusive; certificated in any category.

Compliance: Required as indicated, unless accomplished previously.

To prevent jamming of the elevator and rudder trim systems, accomplish the following:

(a) Within 30 days after the effective date of this AD, accomplish paragraphs (a)(1) and (a)(2) of this AD in accordance with Jetstream Series 4100 Alert Service Bulletin J41-A25-034, Revision 1, dated October 30, 1993.

(1) Perform a visual inspection of the underfloor area for foreign objects and debris in accordance with the alert service bulletin. Prior to further flight, remove any foreign object or debris found during the inspection.

(2) Install a protective guard on the rear cabin attendant seat in accordance with the alert service bulletin.

(b) Within 30 days after the effective date of this AD, revise the FAA-approved maintenance program to require repetitive visual inspections of the area above the protective guard for foreign objects and debris, and removal of any foreign object or debris found, in accordance with the times and procedures specified in paragraph 2.C.(7) of Jetstream Series 4100 Alert Service Bulletin J41-A25-034, Revision 1, dated October 30, 1993, as applicable.

(c) 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, ANM-113.

Note: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Standardization Branch, ANM-113.

(d) 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 Renton, Washington, on January 20, 1994.

Darrell M. Pederson,

Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 94-1583 Filed 1-24-94; 8:45 am]

BILLING CODE 4910-13-U

Notices

Federal Register

Vol. 59, No. 16

Tuesday, January 25, 1994

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.

DEPARTMENT OF COMMERCE

Endangered Species; Permits

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

ACTION: Notice of receipt of a revision to a modification request for scientific research Permit 747 (P45H).

On August 8, 1991 (56 FR 40312), the U.S. Fish and Wildlife Service (USFWS) was issued Permit 747 under the authority of the Endangered Species Act of 1973 (U.S.C. 1531-1543) and the NMFS regulations governing listed fish and wildlife (50 CFR parts 217-227). Notice was published on August 13, 1992 (57 FR 36386) that the USFWS had applied in due form for a modification to Permit 747. Notice is hereby given that the USFWS has revised their application for a modification to conduct scientific research and enhancement on listed Sacramento River winter chinook salmon.

Written data or views, or requests for a public hearing on this application should be submitted to the Director, Office of Protected Resources, National Marine Fisheries Service, 1335 East-West Highway, Silver Spring, MD 20910, within 30 days of the publication of this notice. Those individuals requesting a hearing should set forth the specific reasons why a hearing on this particular application would be appropriate. The holding of such hearing is at the discretion of the Assistant Administrator for Fisheries. All statements and opinions contained in the application and revision request summaries are those of the Applicant and do not necessarily reflect the views of NMFS.

Documents submitted in connection with the above application and revision are available for review by interested persons in the following offices by appointment:

Office of Protected Resources,
National Marine Fisheries Service,

NOAA, 1335 East-West Highway, Silver Spring, MD 20910 (301-713-2232); and Director, Southwest Region, National Marine Fisheries Service, NOAA, 501 West Ocean Blvd., suite 4200, Long Beach, CA 90802-4213 (310-908-4016).

Dated: January 14, 1994.

Herbert W. Kaufman,

Acting Director, Office of Protected Resources
[FR Doc. 94-1563 Filed 1-24-94; 8:45 am]

BILLING CODE 3510-22-M

DEPARTMENT OF DEFENSE

Department of the Army

Armament Retooling and Manufacturing Support (ARMS) Public/Private Task Force (PPTF)

AGENCY: U.S. Army Materiel Command, DOD.

ACTION: Meeting notice.

SUMMARY: In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the next meeting of the Armament Retooling and Manufacturing Support (ARMS) Public/Private Task Force (PPTF).

The PPTF is chartered to develop new and innovative methods to maintain the government-owned, contractor-operated ammunition industrial base and retain critical skills for a national industrial emergency. The purpose of this meeting is to evaluate and offer recommendations regarding the ARMS Program; loan guarantee program; additional ARMS initiative incentives; regulatory waivers, deviations, or changes; and ARMS initiative legislative supplements or changes. This session is open to the public.

DATES: February 16-18, 1994.

PLACE: Holiday Inn, Oakland Park, 4505 Woodson Way, St. Louis, Missouri.

ADDRESSES: Commander, U.S. Army Materiel Command, ARMS Task Force, 5001 Eisenhower Avenue, Alexandria, VA 22333.

FOR FURTHER INFORMATION CONTACT: Mr. R. B. Auger, (703) 274-9838.

SUPPLEMENTARY INFORMATION: Reservations should be made directly with the Holiday Inn; telephone 1-800-426-4700. Please be sure to mention that you will be attending the ARMS meeting to get in the block of rooms set aside for this meeting. Request you

contact Donna Ponce in the ARMS Team Office at Rock Island Arsenal; telephone (309) 782-3058/4040, if you will be attending the meeting, so that our roster of attendees is accurate. This number may also be used if other assistance regarding the ARMS meeting is required.

Kenneth L. Denton,

Army Federal Register Liaison Officer
[FR Doc. 94-1596 Filed 1-24-94; 8:45 am]

BILLING CODE 3710-08-M

Availability of U.S. Patents for Non-exclusive, Exclusive or Partially Exclusive Licensing

AGENCY: U.S. Army Armament Research, Development and Engineering Center, DOD.

ACTION: Notice.

SUMMARY: In accordance with 37 CFR 404.6, announcement is made of the availability of the following U.S. patent for non-exclusive, exclusive or partially exclusive licensing. Patent Number 4,954,320 issued 9/4/90 to Birmingham et al., for Reactive Bed Plasma Air Purification.

The technology is applicable to controlling gaseous/chemical/biological pollution contamination.

In addition to the U.S. patent licensing opportunity, the Government is willing to file patents in foreign countries corresponding to the U.S. application, subject to negotiation with potential licensees to assume the costs of such foreign patent filings.

DATES: February 24, 1994.

ADDRESSES: Commander, U.S. Army Armament Research, Development and Engineering Center, Picatinny Arsenal, NJ 07806-5000.

FOR FURTHER INFORMATION CONTACT: Mr. Edward Goldberg, Chief Patent Counsel, (508) 651-6590.

Kenneth L. Denton,

Army Federal Register Liaison Officer
[FR Doc. 94-1566 Filed 1-24-94; 8:45 am]

BILLING CODE 3710-08-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Coastal Barrier Improvement Act; Property Availability. Bear Island, St. Louis County, MN, et al.

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice.

SUMMARY: Notice is hereby given that approximately 120 acres of vacant land consisting of a 22 lot subdivision located on the island commonly known as Bear Island, St. Louis County, Minnesota is affected by section 10 of the Coastal Barrier Improvement Act of 1990, as specified below. A second parcel of land consisting of an approximately 1.33 acre lake-side lot on the southern shoreline of Bear Island Lake commonly known as Lot 7, Block 1, the Park Shores Subdivision is also available for purchase.

DATES: Written notices of Serious Interest to purchase or effect other transfer of the property may be mailed to the Federal Deposit Insurance Corporation until April 25, 1994.

ADDRESSES: All written notices of Serious Interest must be submitted to Jennifer Gantner, Federal Deposit Insurance Corporation, 30 South Wacker Drive, Chicago, Illinois, 60606, (312) 207-0200.

SUPPLEMENTARY INFORMATION: The property, Bear Island, is approximately 120 acres in size, has been subdivided into 22 residential lots and appears to be unimproved except for a wood shack and landing strip. It is located in Bear Island Lake, St. Louis County, Minnesota, approximately 7 or 8 miles south of Ely, Minnesota. A second parcel of land consisting of an approximately 1.33 acre lake-side lot on the southern shoreline of Bear Island Lake, commonly known as Lot 7, Block 1 of the Park Shores Subdivision is also available for purchase. Both parcels are heavily timbered. There are several private resorts located on the southern shoreline of Bear Island Lake in the vicinity of the second parcel.

Written notice of Serious Interest to purchase the property must be received on or before April 25, 1994 by Jennifer Gantner at the above address and in substantially the following form:

Notice of Serious Interest

Re: Vacant Land (approximately 120 acres) located at Bear Island, St. Louis County, Minnesota.

This notice of Serious Interest is tendered in accordance with section 10 of the Coastal Barrier Improvement Act and publication in the **Federal Register**

of a notice of Availability on January 25, 1994 with respect to that property located at Bear Island, Bear Island Lake, St. Louis County, Minnesota consisting of approximately 120 acres.

The (*Name and Address of the Agency or Other Qualified Organization*) is eligible to submit this notice under criteria set forth in Public Law 101-591, section 10(b)(2).

The (*Name of the Agency or Other Qualified Organization*) intends to use this property primarily for wildlife refuge, sanctuary, open space, recreational, historical, cultural or natural resource conservation purposes.

The proposed terms of purchase or transfer are as follows: [Insert Terms of Purchase].

Dated: January 18, 1994.
Federal Deposit Insurance Corporation
Patti C. Fox,
Acting Deputy Executive Secretary
[FR Doc. 94-1564 Filed 1-24-94; 8:45 a.m.]
BILLING CODE 6714-01-M

FEDERAL TRADE COMMISSION

[File No. 912 3071]

Nu Skin International, Inc., et al; Proposed Consent Agreement With Analysis To Aid Public Comment

AGENCY: Federal Trade Commission.

ACTION: Proposed consent agreement.

SUMMARY: In settlement of alleged violations of federal law prohibiting unfair acts and practices and unfair methods of competition, this consent agreement, accepted subject to final Commission approval, would prohibit, among other things, a Provo Utah-based multi-level marketing company and its principals from making deceptive claims about its purported baldness treatment, purported wrinkle lotion, purported burn cream, or substantially similar products, and require them to possess scientific evidence to substantiate a variety of product performance, benefits, efficacy, or safety claims for those and other products. The respondents would also be required to make certain disclosures in connection with future earnings claims to prospective distributors, and disgorge a total of \$1.225 million.

DATES: Comments must be received on or before March 28, 1994.

ADDRESSES: Comments should be directed to: FTC/Office of the Secretary, room 159, 6th St. and Pa. Ave., NW., Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: C. Steven Baker or Nicholas J. Franczyk, Chicago Regional Office, Federal Trade

Commission, 55 East Monroe Street, suite 1437, Chicago IL 60603, (312) 353-8156.

SUPPLEMENTARY INFORMATION: Pursuant to Section 6(f) of the Federal Trade Commission Act, 38 Stat. 721, 15 U.S.C. 46 and § 2.34 of the Commission's Rules of Practice (16 CFR 2.34), notice is hereby given that the following consent agreement containing a consent order to cease and desist, having been filed with and accepted, subject to final approval, by the Commission, has been placed on the public record for a period of sixty (60) days. Public comment is invited. Such comments or views will be considered by the Commission and will be available for inspection and copying at its principal office in accordance with § 4.9(b)(6)(ii) of the Commission's Rules of Practice (16 CFR 4.9(b)(6)(ii)).

In the Matter of Nu Skin International Inc., CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, Clara McDermott, individually and as an officer and director of CJM, Inc., Craig Tillotson, individually and as an officer and director of CST Management, Inc., and Craig Bryson, individually and as an officer and director of CK&C, Inc.

Agreement Containing Consent Order To Cease and Desist

The Federal Trade Commission having initiated an investigation of certain acts and practices of Nu Skin International, Inc., CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations; Clara McDermott, individually and as an officer and director of CJM, Inc., Craig Tillotson, individually and as an officer and director of CST Management, Inc.; Craig Bryson, individually and as an officer and director of CK&C, Inc., (hereinafter sometimes collectively referred to as "proposed respondents"), and it now appears that the proposed respondents are willing to enter into an agreement containing an order to cease and desist from the use of the acts and practices being investigated,

It is hereby agreed by and between Nu Skin International, Inc., CJM, Inc., CST Management, Inc., and CK&C, Inc., by their duly authorized officers, and Clara McDermott, Craig Tillotson, and Craig Bryson, individually or by their respective counsel, and counsel for the Federal Trade Commission that:

1. Proposed respondent Nu Skin International, Inc. ("Nu Skin"), is a corporation organized, existing, and doing business under and by virtue of the laws of the state of Utah, with its principal office or place of business located at 75 West Center, Provo, Utah 84601.

2. Proposed respondent CJM, Inc., is a corporation organized, existing, and doing business under and by virtue of the laws of the state of Utah, with its principal office or place of business located at 1565 East 3300 South, Salt Lake City, Utah 84106.

3. Proposed respondent Clara McDermott is an officer and director of proposed corporate respondent CJM, Inc. Individually or in concert with others, she formulates, directs, and controls the acts and practices of CJM, Inc., including the acts and practices alleged in the draft of the complaint attached hereto. Her principal office or place of business is the same as that of CJM, Inc.

4. Proposed respondent CST Management, Inc., is a corporation organized, existing, and doing business under and by virtue of the laws of the state of Utah, with its principal office or place of business located at 11 Northridge Way, Sandy, Utah 84092.

5. Proposed respondent Craig Tillotson is an officer and director of proposed corporate respondent CST Management, Inc. Individually or in concert with others, he formulates, directs, and controls the acts and practices of CST Management, Inc., including the acts and practices alleged in the draft of the complaint attached hereto. His principal office or place of business is the same as that of CST Management, Inc.

6. Proposed respondent CK&C, Inc., is a corporation organized, existing, and doing business under and by virtue of the laws of the state of Utah, with its principal office or place of business located at 3800 Sherwood Drive, Provo, Utah 84604.

7. Proposed respondent Craig Bryson is an officer and director of proposed corporate respondent CK&C, Inc. Individually or in concert with others, he formulates, directs, and controls the acts and practices of CK&C, Inc., including the acts and practices alleged in the draft of the complaint attached hereto. His principal office or place of business is the same as that of CK&C, Inc.

8. Proposed respondents admit all the jurisdictional facts set forth in the draft of the complaint attached hereto.

9. Proposed respondents waive:

(a) Any further procedural steps;

(b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law;

(c) All rights to seek judicial review or otherwise to challenge or contest the validity of the order entered pursuant to this agreement; and

(d) All claims under the Equal Access to Justice Act, 5 U.S.C. 504.

10. This agreement shall not become part of the public record of the proceeding unless and until it is accepted by the Commission. If this agreement is accepted by the Commission, this agreement, together with the draft of the complaint contemplated hereby, will be placed on the public record for a period of sixty (60) days and information in respect thereto publicly released. The Commission thereafter may either withdraw its acceptance of this agreement and so notify the proposed respondents, in which event it will take such action as it may consider appropriate, or issue and serve its complaint (in such form as the circumstances may require) and decision, in disposition of the proceeding.

11. This agreement is for settlement purposes only and does not constitute an admission by proposed respondents of facts, other than jurisdictional facts, or of violations of law as alleged in the draft of complaint here attached.

12. This agreement contemplates that, if it is accepted by the Commission, and if such acceptance is not subsequently withdrawn by the Commission pursuant to the provisions of § 2.34 of the Commission's Rules, the Commission may, without further notice to proposed respondents, (1) issue its complaint corresponding in form and substance with the draft of the complaint here attached and its decision containing the following order to cease and desist in disposition of the proceeding and (2) make information public in respect thereto. When so entered, the order to cease and desist shall have the same force and effect and may be altered, modified or set aside in the same manner and within the same time provided by statute for other orders. The order shall become final upon service. Delivery by the U.S. Postal Service of the complaint and decision containing the agreed-to order to proposed respondents' addresses as stated in this agreement shall constitute service. Proposed respondents waive any right they may have to any other manner of service. The complaint may be used in construing the terms of the order, and no agreement, understanding, representation, or interpretation not contained in the order or the agreement may be used to vary or contradict the terms of the order.

13. Proposed respondents have read the complaint and the order contemplated hereby. They understand that once the order has been issued, they will be required to file one or more

compliance reports showing that they have fully complied with the order. Proposed respondents further understand that they may be liable for civil penalties in the amount provided by law for each violation of the order after it becomes final.

ORDER

Definitions

For purposes of this Order:

1. "Substantially similar hair loss treatment product or service" shall mean any product or service that is advertised or intended for sale over-the-counter to treat, cure or curtail hair loss and which contains or purportedly contains polysaccharides or any extract thereof.

2. "Substantially similar facial treatment product or service" shall mean any product or service that is advertised or intended for sale over-the-counter to remove facial wrinkles and that contains or purportedly contains albumin or any extract thereof.

3. "Substantially similar skin treatment product or service" shall mean any product or service that is advertised or intended for sale over-the-counter to treat or promote the healing of burns that would otherwise require skin grafting and that contains or purportedly contains aloe vera and/or avian collagen or any extract thereof.

4. "Competent and reliable scientific evidence" shall mean tests, analyses, research, studies, or other evidence based on the expertise of professionals in the relevant area, that has been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results.

I

It is ordered, That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, their successors and assigns, and their officers; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; Craig Bryson, individually and as an officer and director of CK&C, Inc., and respondents' agents, representatives and employees, directly or through any partnerships, corporation, subsidiary, division, or other device, do forthwith cease and desist from:

A. Representing, in any manner, directly by implication, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of Nutriol Hair

Fitness Preparation ("Nutriol"), or any substantially similar hair loss treatment product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, that:

1. The use of the product or service can or will stop, prevent, cure, relieve, reverse or reduce hair loss;
2. The use of the product or service can or will promote the growth of hair where hair has already been lost;
3. The product or service is as effective drug Minoxidil in the treatment of hair loss; or
4. Competent and reliable data show that the product or service is effective in stopping hair loss and promoting hair growth.

B. Representing, in any manner, directly or by implication, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of any other product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, that:

1. The use of the product or service can or will stop, prevent, cure, relieve, reverse or reduce hair loss;
2. The use of the product or service can or will promote the growth of hair when hair has already been lost;
3. The product or service is as effective as, or more effective than, any other product or service in the treatment of hair loss; or
4. Competent and reliable data show that the product or service is effective in stopping loss and promoting hair growth,

unless such representation is true and, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

C. Advertising, packaging, labeling, promoting, offering for sale, selling, or distributing any product that is represented as promoting hair growth or preventing hair loss, unless the product is the subject of an approved new drug application for such purpose under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 301 *et seq.*, provided that, this subpart shall not limit the requirements of part I.A and B herein.

II

It is further ordered. That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, their successors and assigns, and their officers; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and a director of CST Management, Inc.; Craig Bryson, individually and as an officer and

director of CK&C, Inc., and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division, or other device, do forthwith cease and desist from:

A. Representing, in any manner, directly or by implication, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of Fact Lift with Activator ("Face Lift"), or any substantially similar facial treatment product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, that:

1. The use of the product or service can or will permanently remove facial wrinkles; or
2. The product or service is as effective as, or more effective than, the prescription drug Tretinoin (currently marketed as Retin-A) in the removal of facial wrinkles.

B. Representing, in any manner, directly or by implication, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of any other product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act:

1. The efficacy of the product or service in the treatment of facial wrinkles; or
2. That the product or service is as effective as, or more effective than, any other product or service in the treatment of facial wrinkles, unless such representation is true and, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

III

It is further ordered. That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, their successors and assigns, and their officers; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; Craig Bryson, individually and as an officer and director of CK&C, Inc., and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division, or other device do forthwith cease and desist from:

A. Representing, in any manner, directly or by implication, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of Celltrex or any substantially similar skin treatment

product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, that the product or service will promote the healing of third degree burns.

B. Representing, in any manner, directly or by implication, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of any other product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, that the product or service will promote the healing of, or is otherwise an effective treatment for burns, unless such representation is true and, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representations.

IV

It is further ordered. That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, their successors and assigns, and their officers; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; Crain Bryson, individually and as an officer and director of CK&C, Inc., and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division, or other device, in connection with the advertising, packaging, labeling, promotion, offering for sale, sale or distribution of any product or service in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Making any representation, directly or by implication, regarding the performance, benefits, efficacy or safety of any food, or device, as those terms are defined in section 15 of the Federal Trade Commission Act, 15 U.S.C. 55, unless at the time of making such representation respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

B. Making any representation, directly or by implication, regarding the performance, benefits, efficacy or safety of any product or service (other than a product or service covered under Part IV.A. herein), unless at the time of making such representation respondents possess and rely upon competent and reliable evidence, which when appropriate must be competent and reliable scientific evidence, that substantiates the representation.

V

It is ordered. That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, their successors and assigns, and their officers; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; Craig Bryson, individually and as an officer and director of CK&C, Inc., and respondents' agents, representatives and employees, directly or through any partnership, corporation, subsidiary, division, or other device, in connection with inducing or seeking to induce the participation of any person in any distribution, sales, or marketing plan, in or affecting commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Misrepresenting, in any manner, the past, present, or future profits, earnings, income, or sales from such participation; and

B. Representing, in any manner, directly or by implication, by use of hypothetical examples or otherwise, that distributors earn or achieve from such participation any stated amount of profits, earnings, income, or sales in excess of the average profits, earnings, income, or sales of all distributors in any time period respondents may select, unless in conjunction therewith such average profits, earnings, income, or sales are clearly and conspicuously disclosed, and the percent of all distributors who actually achieved such stated profits, earnings, income, or sales in such time period is clearly and conspicuously disclosed.

VI

It is further ordered. That respondent Nu Skin shall:

A. Within thirty (30) days from the effective date of this Order deliver a dated and signed notification letter in the form set forth in Appendix A to this Order to each of its current officers, agents, representatives, employees, and distributors.

B. For a period of five (5) years from the effective date of this Order deliver signed notification letter in the form set forth in Appendix A to this Order to each of its future officers, agents, representatives, employees, and distributors within three (3) days after the person assumes such position. Respondent Nu Skin shall be in compliance with this subparagraph with respect to notifying future distributors if such notification letter is included in each starter kit provided to each future distributor.

C. Institute a reasonable program of continuing surveillance adequate to reveal whether the practices of each person described in Part VI.A. and B. conform to the requirements of this Order, and promptly investigate any complaints about any such person received by Nu Skin and maintain records of any such complaint, investigation and disposition of the complaint for five (5) years from the date of the complaint, such records to be furnished to the Commission upon request.

D. Discontinue dealing with any person described in Part VI.A. and B.:

1. Who engages in the acts or practices prohibited by Parts I.A., II.A. or III.A. of this Order; or

2. Once respondent Nu Skin has actual knowledge, or knowledge fairly implied on the basis of objective circumstances, that such person is engaged in acts or practices prohibited by any other part of this Order, unless such person immediately ceases engaging in such acts or practices.

VII

It is further ordered. That respondents CJM, Inc., CST Management, Inc., CK&C, Inc., Clara McDermott, Craig Tillotson, and Craig Bryson shall:

A. Within thirty (30) days from the effective date of this Order deliver a dated and signed notification letter in the form set forth in Appendix A of this Order to each of their officers, agents, representatives, employees, and present distributors, other than those persons whom Nu Skin is required to notify pursuant to Part VI.A and B above.

B. For a period of five (5) years from the effective date of this Order deliver a dated and signed notification letter in the form set forth in Appendix A to this Order to each of their future officers, agents, representatives, employees, and distributors who are engaged in the advertising, promotion, offering for sale, sale or distribution of any food, drug, device or cosmetic within the meaning of Section 15 of the Federal Trade Commission Act, 15 U.S.C. 55, or who are engaged in any multilevel marketing plan or business, other than those persons whom Nu Skin is required to notify pursuant to Part VI.A and B above, within three (3) days after the person assumes such position.

VIII

It is further ordered. That respondents shall, within sixty (60) days after service of this Order, and at such other times as the Federal Trade Commission may require, file with the Commission a report, in writing, setting forth in detail

the manner and form in which they have complied with this Order.

IX

It is further ordered. That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., shall notify the Federal Trade Commission at least thirty (30) days prior to any proposed change in their corporate structures, including but not limited to dissolution, assignment or sale resulting in the emergence of a successor corporation, the creation or dissolution of subsidiaries or affiliates, the planned filing of a bankruptcy petition or any other corporate change, that may affect compliance obligations arising under this Order

X

It is further ordered. That respondents Clara McDermott, Craig Tillotson, and Craig Bryson shall, for a period of five (5) years from the date this Order becomes final, notify the Commission within thirty (30) days of the discontinuance of their present business or employment and of each affiliation with a new business or employment. Each notice of affiliation with any new business or employment shall include the individual respondent's new business address and telephone number, current home address, and a statement describing the nature of the business or employment and the duties and responsibilities. The expiration of the notice provision of this Part X shall not affect any other obligation arising under this Order.

XI

It is further ordered. That respondents Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations, their successors and assigns, and their officers; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; Craig Bryson, individually and as an officer and director of CK&C, Inc., shall, for five (5) years after the last date of dissemination of any representation covered by this Order, maintain and upon request make available to the Federal Trade Commission or its staff for inspection and copying:

A. All materials which come into their possession from a distributor or any other source that were relied upon in disseminating such representation; and

B. All tests, reports, studies, surveys, demonstrations, or other evidence in their possession or control that contradict, qualify, or call into question

such representation, or the basis relied upon for such representation, including complaints from consumers.

XII

It is further ordered. That respondent Nu Skin, its successors and assigns, shall pay to the Federal Trade Commission, by cashier's check or certified check made payable to the Federal Trade Commission and delivered to the Regional Director, Federal Trade Commission, 55 East Monroe Street, suite 1437, Chicago, Illinois 60603, the sum of one million dollars (\$1,000,000). Respondent shall make this payment on or before the tenth day following the date that this Order becomes final. In the event of default on any obligation to make payment under this section, interest, computed pursuant to 28 U.S.C. 1961(a), shall accrue from the date of default to the date of payment. The funds paid by respondent shall, in the discretion of the Federal Trade Commission, be used by the Commission to provide direct redress to purchasers of the Nutriol, Face Lift, and Celltrex products. If the Federal Trade Commission determines, in its sole discretion, that redress to purchasers of these products is impracticable or otherwise unwarranted, any funds not so used shall be paid to the United States Treasury. Respondent shall be notified as to how the funds are distributed, but shall have no right to contest the manner of distribution chosen by the Commission.

XIII

It is further ordered. That respondents CJM, Inc., CST Management, Inc., and CK&C, Inc., their successors and assigns, and their officers, and Clara McDermott, Craig Tillotson and Craig Bryson, individually and as officers and directors of said corporations, shall pay to the Federal Trade Commission, by cashier's check or certified check made payable to the Federal Trade Commission and delivered to the Regional Director, Federal Trade Commission, 55 East Monroe Street, suite 1437, Chicago, Illinois 60603, the sum of two hundred twenty-five thousand dollars (\$225,000). The respondents shall make this payment on or before the tenth day following the date this Order becomes final. In the event of default on any obligation to make payment under this section, interest, computed pursuant to 28 U.S.C. 1961(a), shall accrue from the date of default to the date of payment. The funds paid by the individual respondents shall, in the discretion of the Federal Trade Commission, be used

by the Commission to provide direct redress to purchasers of the Nutriol, Face Lift, and Celltrex products. If the Federal Trade Commission determines, in its sole discretion, that redress to purchasers of these products is impracticable or otherwise unwarranted, any funds not so used shall be paid to the United States Treasury. The respondents shall be notified as to how the funds are distributed, but shall have no right to contest the manner of distribution chosen by the Commission.

Appendix A

Dear Officer, Agent, Representative, Employee, Distributor: The Federal Trade Commission ("FTC") has conducted an investigation to determine whether Nu Skin International, Inc. ("Nu Skin"), and certain of its distributors may have engaged in acts or practices which violate section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, as amended, including, but not limited to, false and unsubstantiated product claims and earnings representations for Nu Skin products and distributorships. As a result of its investigation, the FTC has alleged that Nu Skin, CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; and Craig Bryson, individually and as an officer and director of CK&C, Inc., (herein collectively referred to as "respondents"), have made false and unsubstantiated representations in connection with the advertising, promotion, offering for sale, sale, and distribution of Nutriol Hair Fitness Preparation ("Nutriol"), Face Lift with Activator ("Face Lift"), and Celltrex and the recruitment of Nu Skin distributors.

As a result of recent discussions with the FTC, the respondents have agreed to a Consent Order ("Order") with the FTC. The Order is for settlement purposes only and does not constitute an admission of violations of law by any of the respondents. Pursuant to the Order, the respondents have agreed not to make certain claims for the Nutriol, Face Lift, and Celltrex products or any substantially similar products or services. In addition, the respondents have agreed not to make certain claims for any other products or services unless they can substantiate those claims. The respondents have also agreed not to make certain claims about the past or potential earnings of their distributors. Finally, the respondents are obligated by the Order to discontinue dealing with any person who engages in the acts or practices prohibited by the Order.

Specifically, the Order prohibits the respondents from claiming that:

1. Nutriol or any substantially similar product or service (a) can or will stop, prevent, cure, relieve, reverse or reduce hair loss; (b) can or will promote the growth of hair where hair has already been lost; or (c) is as effective as, or more effective than, the prescription drug Minoxidil in the treatment of hair loss;

2. Competent and reliable data show that Nutriol or any substantially similar product or service is effective in stopping hair loss and promoting hair growth;

3. Face Lift or any substantially similar product or service (a) can or will permanently remove facial wrinkles; or (b) is as effective as, or more effective than, the prescription drug Tretinoin (currently marketed as Retin-A) in the removal of facial wrinkles; and

4. Celltrex or any substantially similar product or service will promote the healing of third degree burns.

In connection with any other product or service, the Order prohibits the respondents from representing:

1. That the product or service: (a) Can or will stop, prevent, cure, relieve, reverse or reduce hair loss; (ii) can or will promote the growth of hair where hair has already been lost; (iii) is as effective as, or more effective than, any other product or service in the treatment of hair loss; (iv) is as effective as, or more effective than, any other product or service in the treatment of facial wrinkles, or (v) will promote the healing of, or is otherwise an effective treatment for burns;

2. That competent and reliable data show that the product or service is effective in stopping hair loss and promoting hair growth; and

3. The efficacy of the product or service in the treatment of facial wrinkles, unless the claim is true and, at the time of making the claim, it possesses and relies upon competent and reliable scientific evidence that substantiates the claim.

The Order also prohibits the respondents from advertising, packaging, labeling, promoting, offering for sale, selling, or distributing any product that is represented as promoting hair growth or preventing hair loss, unless the product is the subject of an approved new drug application for such purpose under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 301 *et seq.*

The Order also prohibits the respondents from making any representation regarding the performance, benefits, efficacy or safety of any food, drug, or device unless at the time of making such representation respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation. Similarly, the Order prohibits the respondents from making any representation regarding the performance, benefits, efficacy or safety of any product or service (other than any food, drug, or device), unless at the time of making such representation respondents possess and rely upon competent and reliable evidence, which when appropriate must be competent and reliable scientific evidence, that substantiates the representation.

Finally, the Order prohibits the respondents from:

1. Misrepresenting the past, present, or future profits, earnings, income, or sales of any person in any distribution, sales or marketing plan; and

2. Representing that distributors earn or achieve any stated amount of profits, earnings, income, or sales in excess of the average profits, earnings, income, or sales of all distributors unless in conjunction

therewith the average profits, earnings, income, or sales are clearly and conspicuously disclosed, and the percent of all distributors who actually achieved such stated profits, earnings, income, or sales is clearly and conspicuously disclosed.

In addition to the Order's prohibitions, the Order requires the respondents to provide a copy of this notice to each of their current and future officers, agents, representatives, employees, and distributors. The Order also requires Nu Skin to discontinue dealing with any person who makes any of the representations for Nutriol, Face Lift, Celltrex, or any substantially similar products or services, that are expressly prohibited by the Order. Nu Skin must also discontinue dealing with any person who Nu Skin knows is engaged in any other acts or practices prohibited by the Order, unless the person immediately ceases engaging in such acts or practices.

If you have any questions or would like a copy of the Order, you can contact us at [redacted].

Very truly yours,

[Respondent's name]

Analysis of the Proposed Consent Order To Aid Public Comment

The Federal Trade Commission has accepted an agreement to a proposed Consent Order from Nu Skin International, Inc., CJM, Inc., CST Management, Inc., and CK&C, Inc., corporations; Clara McDermott, individually and as an officer and director of CJM, Inc.; Craig Tillotson, individually and as an officer and director of CST Management, Inc.; and Craig Bryson, individually and as an officer and director of CK&C, Inc.

The proposed Consent Order has been placed on the public record for sixty (60) days for receipt of comments by interested persons. Comments received during this period will become part of the public record. After sixty (60) days, the Commission will again review the agreement and the comments received and will decide whether it should withdraw from the agreement and take other appropriate action, or make final the proposed Order contained in the agreement.

This matter concerns advertisements and promotional practices for three Nu Skin International, Inc. products: Nutriol Hair Fitness Preparation ("Nutriol"), Face Lift with Activator ("Face Lift"), and Celltrex. This matter also concerns the advertisements and promotional practices for the recruitment of persons to be Nu Skin International, Inc. distributors.

The Commission's proposed Complaint alleges that the advertisements expressly or impliedly claim that Nutriol will stop hair loss, stimulate hair growth, and is as effective as, or more effective than, the

prescription drug Minoxidil in the treatment of hair loss. These claims are alleged to violate section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, because they are false and the proposed respondents did not possess adequate substantiation for the claims at the time they were made.

The proposed Complaint also alleges that the advertisements expressly or impliedly claim that Face Lift will permanently remove facial wrinkles and is as effective as, or more effective than, the prescription drug tretinoin (currently known as Retin-A) in the removal of facial wrinkles. These claims are alleged to violate section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, because they are false and the proposed respondents did not possess adequate substantiation for the claims at the time they were made.

The proposed Complaint also alleges that the advertisements expressly or impliedly claim that Celltrex will promote the healing of third degree burns. This claim is alleged to violate section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, because it is false and the proposed respondents did not possess adequate substantiation for the claim at the time it was made.

The proposed Complaint also alleges that the advertisements expressly or impliedly claim that the amount of money represented in the advertisements is representative, or typical, of what individuals who become Nu Skin distributors will generally achieve on a monthly or annual basis. This claim is alleged to violate section 5 of the Federal Trade Commission Act, 15 U.S.C. 45, because it is false and the proposed respondents did not possess adequate substantiation for the claim at the time it was made.

Finally, the proposed Complaint alleges that the advertisements expressly or impliedly claim that using Nutriol, Face Lift, and Celltrex will result in physiological changes in the body, as well as cosmetic changes in appearance. These claims are alleged to violate sections 5 and 12, 15 U.S.C. 45 and 52, because they are false advertisements which induced, or will likely induce, the purchase of drugs or cosmetics.

The proposed Consent Order prohibits the proposed respondents from representing, directly or by implication, that: (1) Nutriol, or any substantially similar product or service, (a) can or will stop, prevent, cure, relieve, reverse or reduce hair loss; (b) can or will promote the growth of hair where hair has already been lost; or (c) is as effective as, or more effective than, the prescription drug Minoxidil in the

treatment of hair loss; and (2) competent and reliable data show that Nutriol, or any substantially similar product or service, is effective in stopping hair loss and promoting hair growth. In addition, the proposed Consent Order prohibits the proposed respondents from making these representations, directly or by implication, for any other product or service, unless such representations are true and at the time of making such representations, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representations. The proposed Consent Agreement also prohibits the proposed respondents from advertising, packaging, labeling, promoting, offering for sale, selling, or distributing any product that is represented as promoting hair growth or preventing hair loss, unless the product is the subject of an approved new drug application for such purpose under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 301 *et seq.*

The proposed Consent Order also prohibits the proposed respondents from representing, directly or by implication, that Face Lift, or any substantially similar product or service, (1) can or will permanently remove facial wrinkles; or (2) is as effective as, or more effective than, the prescription drug Tretinoin (currently marketed as Retin-A) in the removal of facial wrinkles. In addition, the proposed Consent Order prohibits the proposed respondents from representing, directly or by implication, the efficacy of any other product or service in the treatment of facial wrinkles, or that such other product or service is as effective as, or more effective than, any other product or service in the treatment of facial wrinkles, unless such representation is true and, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

The proposed Consent Order also prohibits the proposed respondents from representing, directly or by implication, that Celltrex, or any substantially similar product or service, can or will promote the healing of third degree burns. In addition, the proposed Consent Order prohibits the proposed respondents from representing, directly or by implication, that any other product or service will promote the healing of, or is otherwise an effective treatment for burns, unless such representation is true and, at the time of making such representation, respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation.

The proposed Consent Order also prohibits the proposed respondents from making any representation, directly or by implication, (1) regarding the performance, benefits, efficacy or safety of any food, drug, or device, unless at the time of making such representation respondents possess and rely upon competent and reliable scientific evidence that substantiates the representation; and (2) regarding the performance, benefits, efficacy or safety of any other product or service, unless at the time of making such representation respondents possess and rely upon competent and reliable evidence, which when appropriate must be competent and reliable scientific evidence, that substantiates the representation.

The proposed Consent Order also prohibits the proposed respondents from, (1) misrepresenting, in any manner, the past, present, or future profits, earnings, income, or sales from participation of any person in any distribution, sales, or marketing plan; and (2) representing, in any manner, directly or by implication, by use of hypothetical examples or otherwise, that distributors earn or achieve from participation in any distribution, sales, or marketing plan any stated amount of profits, earnings, income, or sales in excess of the average profits, earnings, income, or sales of all distributors, unless in conjunction therewith such average profits, earnings, income, or sales are clearly and conspicuously disclosed, and the percent of all distributors who actually achieved such stated profits, earnings, income, or sales in such time period is clearly and conspicuously disclosed.

The proposed Consent Order also contains provisions requiring proposed respondent NU Skin International, Inc., to discontinue dealing with any person who makes any of the representations for Nutriol, Face Lift, Celltrex, or any substantially similar products or services, that are expressly prohibited by the Order. Nu Skin must also discontinue dealing with any person who Nu Skin knows is engaged in any other acts or practices prohibited by the Order, unless the person immediately ceases engaging in such acts or practices.

The proposed Consent Order also contains provisions requiring distribution of the Order or a summary of the Order to all current and future officers, agents, representatives, employees, and distributors of the proposed respondents; record retention demonstrating compliance with the Order; and notification to the Commission of any changes in the

structure of the proposed corporate respondents or the employment of the individual respondents.

Finally, the proposed Consent Order requires proposed respondent Nu Skin International, Inc., to pay the Federal Trade Commission \$1,000,000, and proposed respondents CJM, Inc., CST Management, Inc., CK&C, Inc., Clara McDermott, Craig Tillotson, and Craig Bryson to pay the Federal Trade Commission \$225,000. The funds paid by the proposed respondents shall, in the discretion of the Federal Trade Commission, be used to provide direct redress to consumers. If the Federal Trade Commission determines that consumer redress is impracticable or otherwise unwarranted, any funds not so used shall be paid to the United States Treasury.

The purpose of this analysis is to facilitate public comment of the proposed Order. It is not intended to constitute an official interpretation of the agreement and proposed Order or to modify in any way their terms.

Donald S. Clark,

Secretary.

[FR Doc. 94-1561 Filed 1-24-94; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-017-4331-05; CACA 16951; 4-00160]

Opening of Land in a Proposed Withdrawal; California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: The temporary 2-year segregation of a proposed withdrawal of 110.00 acres of public land to protect the archaeological, historical, and recreational integrity of the historic mining site of Dog Town expires on February 26, 1994, by operation of law. The public land will become open to the operation of the public land laws, subject to valid existing rights, the provisions of existing withdrawals, other segregations of record, and the requirements of applicable law. The majority of the public land will remain segregated from location and entry under the public mining laws pursuant to a previous segregation of record. The public land has been and will remain open to the mineral leasing laws.

EFFECTIVE DATE: February 27, 1994.

FOR FURTHER INFORMATION CONTACT: Duane Marti, BLM California State Office, 2800 Cottage Way, rm E-2845, Sacramento, CA 95825, (916) 978-4820.

SUPPLEMENTARY INFORMATION: A notice of Proposed Withdrawal was published in the **Federal Register** on February 27, 1992 (57 FR 6736), and corrected on April 7, 1992 (57 FR 11797), which segregated the land described therein for up to 2 years from location and entry under the general land laws, including the mining laws, subject to valid existing rights, but not from mineral leasing. The 2-year segregation expires February 26, 1994. The withdrawal application will continue to be processed unless it is canceled or denied. The land is described as follows:

Mount Diablo Meridian

T. 4 N., R. 25 E.,

Sec. 26, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 27, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 34, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,

E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$.

The area described contains 110.00 acres in Mono County.

At 10 a.m. on February 27, 1994, the land will be opened to location and entry under the United States general land laws, including the mining laws, subject to valid existing rights, the provisions of existing withdrawals, and other segregations of record. 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.

Under a previous segregation of record, the following described public land remained segregated as described below:

Mount Diablo Meridian

T. 4 N., R. 25 E.,

Sec. 26, SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35, NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Fifty feet either side of centerline of Virginia Creek beginning in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of sec. 35, T. 4 N., R. 25 E., thence southerly through secs. 2, 11, and 14 of T. 3 N., R. 25 E., ending at the patented land in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of sec 14.

The area described contains approximately 208 acres in Mono County.

Pursuant to the following classification made under the Classification and Multiple Use Act of September 19, 1964 (43 U.S.C. 1411-18): S-3579—published in the *Federal Register*, October 24, 1970 (35 FR 16598) and as amended on September 21, 1984 (49 FR 37183), the above described public land remains segregated (a) from appropriation under the agricultural land laws (43 U.S.C. Parts 7 and 9; 25 U.S.C. sec. 334), (b) from sales under section 2455 of the Revised Statutes (43 U.S.C. 1171), and (c) from appropriation under the mining laws (U.S.C. ch. 2). The public land has been and remains open 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.

Dated: January 6, 1994.

Nancy J. Alex,

Chief, Lands Section.

[FR Doc. 94-980 Filed 1-24-94; 8:45 am]

BILLING CODE 4310-84-P

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Announcing the Fifth Meeting of the Motor Vehicle Titling, Registration, and Salvage Advisory Committee

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Meeting announcement.

SUMMARY: This notice announces the fifth meeting of the Motor Vehicle Titling, Registration, and Salvage Advisory Committee. The Committee was established as required by Section 140 of the Anti Car Theft Act of 1992, Public Law 102-519, and in accordance with the Federal Advisory Committee Act, for the purpose of studying problems related to motor vehicle titling, registration, and controls over motor vehicle salvage which may affect the motor vehicle theft problem. The Committee will develop and submit a report to the President, the Congress, and the chief executive of each State concerning the results of this study, which will include recommendations to solve these problems. At this meeting the Committee will review and approve the final report.

DATE AND TIME: The meeting is scheduled to begin at 10 a.m. on Thursday, February 10, 1994, and conclude at 3 p.m.

ADDRESSES: The meeting will be held in room 2230, of the Department of Transportation Building, which is located at 400 Seventh Street SW., Washington, DC.

SUPPLEMENTARY INFORMATION: In April 1993, the Motor Vehicle Titling, Registration, and Salvage Advisory Committee was established as required by Section 140 of the Anti Car Theft Act of 1992, Public Law 102-519. The purpose of the Committee is to study problems which relate to motor vehicle titling, registration, and vehicle salvage

controls, including the lack of uniformity in State laws, which may contribute to motor vehicle theft and fraud problems.

The Committee will prepare a report containing the results of the study, including appropriate recommendations to solve the problems identified. The report shall be submitted to the President, the Congress, and to the chief executive office of each State not later than April 1994.

This meeting is open to the public; however, participation will be determined by the Committee Chairperson.

A public reference file (P.F. 93-001) has been established to contain products of the Committee and will be open to the public during the hours of 9:30 a.m. to 4 p.m. at the National Highway Traffic Safety Administration's Technical Reference Division in room 5108 at 400 Seventh Street SW., Washington, DC 20590, telephone (202) 366-2768.

FOR FURTHER INFORMATION CONTACT: Richard C. Morse, Odometer Fraud Staff, Office of the Associate Administrator for Enforcement, National Highway Traffic Safety Administration, NEF-20, room 5321, 400 Seventh Street SW., Washington, DC 20590, Phone: 202-366-4761.

Issued on: January 19, 1994.

William A. Boehly,

Associate Administrator for Enforcement.

[FR Doc. 94-1562 Filed 1-24-94; 8:45 am]

BILLING CODE 4910-59-M

Sunshine Act Meetings

Federal Register

Vol. 59, No. 16

Tuesday, January 25, 1994

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

DATE AND TIME: Tuesday, January 25, 1994 at 10:00 a.m.

PLACE: 999 E Street, NW., 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, January 27, 1994 at 10:00 a.m.

PLACE: 999 E Street, NW., Washington, DC (Ninth Floor.)

STATUS: This meeting will be open to the public.

ITEMS TO BE DISCUSSED:

Correction and Approval of Minutes Advisory Opinion 1993-25: Mr. Robert T. Welch

Draft Notice of Proposed Rulemaking on Communications Disclaimer Requirements Directive on Documenting Member Input for the Record Administrative Matters

PERSON TO CONTACT FOR INFORMATION: Press Officer, Telephone: (202) 219-4155.

Delores Hardy,

Administrative Assistant.

[FR Doc. 94-1670 Filed 1-21-94; 3:59 pm]

BILLING CODE 6715-01-M

FEDERAL ENERGY REGULATORY COMMISSION

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. No. 94-409), U.S.C. 552b:

DATE AND TIME: January 26, 1994, 10 a.m.

PLACE: 825 North Capitol Street N.E., room 9306, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Lois D. Cashell, Secretary, Telephone

(202) 208-0400. For a recording listing items stricken from or added to the meeting, call (202) 208-1627.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Reference and Information Center.

Consent Agenda—Hydro, 993rd Meeting—January 26, 1994; Regular Meeting (10 a.m.)

CAH-1.

Project No. 10661-005, Indiana Michigan Power Company

CAH-2.

Omitted

CAH-3.

Project No. 2916-012, East Bay Municipal Utility District

Consent Agenda—Electric

CAE-1.

Docket No. QF83-161-002, Calceiner Industries, Inc. and Superior Graphite, Inc.

CAE-2.

Docket No. ER94-24-001, Enron Power Marketing, Inc.

CAE-3.

Docket No. ER93-777-001, Commonwealth Edison Company

CAE-4.

Docket Nos. ER93-150-003 and EL93-10-003, Boston Edison Company

CAE-5.

Docket Nos. ER93-507-001 and ER93-465-003, Florida Power & Light Company

CAE-6.

Docket No. EL93-14-001, Western Resources, Inc.

CAE-7.

Omitted

CAE-8.

Docket Nos. ER93-523-001 and ER93-533-001, Western Resources, Inc. and Kansas Gas & Electric Company

CAE-9.

Docket No. ER93-219-001, Western Massachusetts Electric Company

CAE-10.

Docket No. EG94-13-000, Brooklyn Energy Limited Partnership

CAE-11.

Omitted

CAE-12.

Docket Nos. EL93-62-000 and QF92-54-005, Polk Power Partners, LP

CAE-13.

Docket No. EL94-11-000, Ogden Martin Systems of Clark, et al.

Consent Agenda—Oil and Gas

CAG-1.

Docket Nos. RP93-204-002 and 003, Texas Eastern Transmission Corporation

CAG-2.

Docket No. RP94-91-000, Granite State Gas Transmission, Inc.

CAG-3.

Docket No. RP94-98-000, Granite State Gas Transmission, Inc.

CAG-4.

Docket No. RP94-99-000, Texas Eastern Transmission Corporation

CAG-5.

Docket No. RP94-101-000, Carnegie Natural Gas Company

CAG-6.

Docket No. RP94-102-000, Carnegie Natural Gas Company

CAG-7.

Docket No. RP94-106-000, Pacific Gas Transmission Company

CAG-8.

Docket Nos. RP94-107-000 and 001, Northwest Pipeline Corporation

CAG-9.

Docket Nos. RP94-108-000, RP93-161-004 and RP94-1-004, Columbia Gas Transmission Corporation

CAG-10.

Docket No. TM94-4-16-000, National Fuel Gas Supply Corporation

CAG-11.

Docket No. TM94-4-17-000, Texas Eastern Transmission Corporation

CAG-12.

Omitted

CAG-13.

Docket No. RP94-84-000, Viking Gas Transmission Company

CAG-14.

Docket No. RP94-93-000, K N Interstate Gas Transmission Company

CAG-15.

Docket No. RP94-96-000, CNG Transmission Corporation

CAG-16.

Docket No. RP94-100-000, Viking Gas Transmission Company

CAG-17.

Docket No. RP94-104-000, Overthrust Pipeline Company

CAG-18.

Omitted

CAG-19.

Docket Nos. RP94-97-000, RS92-87-002, 004 and 012, Transwestern Pipeline Company

CAG-20.

Docket No. PR93-14-000, Humble Gas Pipeline Company

CAG-21.

Docket No. RP92-171-003, Texas Eastern Transmission Company

CAG-22.

Docket No. RP94-31-001, CNG Transmission Corporation

CAG-23.

Docket No. TM93-2-17-001, Texas Eastern Transmission Corporation

CAG-24.

Docket No. RP91-203-036, Tennessee Gas Pipeline Company

CAG-25.

Docket Nos. RP93-166-000 and 001, Tennessee Gas Pipeline Company
 CAG-26. Docket No. RP93-167-000, Trunkline Gas Company
 CAG-27. Docket No. RP94-82-000, Florida Gas Transmission Company
 CAG-28. Docket No. RP93-175-000, Williston Basin Interstate Pipeline Company
 CAG-29. Docket No. RP94-33-002, Texas Eastern Transmission Corporation
 CAG-30. Docket No. TM94-2-17-002, Texas Eastern Transmission Corporation
 CAG-31. Docket No. RP93-161-003, Columbia Gas Transmission Corporation
 CAG-32. Docket Nos. RP94-48-003 and RS92-13-009, Williston Basin Interstate Pipeline Company
 CAG-33. Docket No. RP93-109-009, Williams Natural Gas Company
 CAG-34. Docket No. RP94-43-002, ANR Pipeline Company
 CAG-35. Docket No. RP94-37-002, Alabama-Tennessee Natural Gas Company
 CAG-36. Docket Nos. GP83-11-003 and RI83-9-004, Colorado Interstate Gas Company
 CAG-37. Docket No. RP94-39-002, Tennessee Gas Pipeline Company
 CAG-38. Omitted
 CAG-39. Docket No. RP89-185-007, Panhandle Eastern Pipe Line Company
 CAG-40. Docket No. RP93-192-003, Texas Eastern Transmission Corporation
 CAG-41. Docket No. RP94-18-002, Texas Eastern Transmission Corporation
 CAG-42. Docket No. GP93-7-001, Railroad Commission of Texas, Unit Petroleum Company, Sell No. 2 Well, FERC JD93-13959B
 Docket No. GP94-1-000, Snyder Oil Corporation
 CAG-43. Docket No. RP93-174-001, Northwest Pipeline Corporation
 Docket No. RP93-168-000, LFC Gas Company v. Northwest Pipeline Corporation
 CAG-44. Docket Nos. RP94-16-001 and RP85-177-116, Texas Eastern Transmission Corporation
 CAG-45. Omitted
 CAG-46. Docket Nos. OR92-8-003 and OR93-5-001, SFPP, L.P.
 CAG-47. Docket No. RP93-14-011, Algonquin Gas Transmission Company
 CAG-48.

Omitted
 CAG-49. Docket Nos. RP93-200-001, RP93-150-003 and RP94-8-001, Northern Natural Gas Company
 CAG-50. Docket Nos. RP94-3-001 and RP94-7-001, Northern Natural Gas Company
 CAG-51. Docket No. IS94-1-001, Phillips Pipe Line Company
 Docket No. OR94-1-000, Sinclair Oil Corporation v. Phillips Pipe Line Company
 CAG-52. Omitted
 CAG-53. Docket Nos. IS93-40-000 and OR93-7-000, ARCO Pipe Line Company
 CAG-54. Docket No. RO89-5-000, Bayport Refining Company
 CAG-55. Docket No. RO92-1-000, Kenco Refining, Inc.
 CAG-56. Docket Nos. RS92-33-007 and TM94-3-2-000, East Tennessee Natural Gas Company
 CAG-57. Docket No. RS92-11-016, Texas Eastern Transmission Corporation
 Docket Nos. CP80-223-003 and CP84-306-003, CNG Transmission Corporation
 CAG-58. Docket Nos. RS92-22-012 and 013, Panhandle Eastern Pipe Line Company
 CAG-59. Docket Nos. CP92-580-002, CP92-581-002, CP93-252-001 and CP93-253-001, El Paso Natural Gas Company
 CAG-60. Omitted
 CAG-61. Docket No. CP92-182-006, Florida Gas Transmission Company and Florida Gas Transmission Company
 Docket No. CP92-415-004, Transcontinental Gas Pipe Line Corporation
 CAG-62. Docket No. CP93-41-003, K N Energy, Inc. and K N Interstate Gas Transmission Company
 Docket No. CP93-42-003, K N Gas Gathering, Inc.
 CAG-63. Docket No. CP93-75-001, Sunrise Energy Company v. Transwestern Pipeline Company
 CAG-64. Docket No. CP93-748-000, Raton Gas Transmission Company
 CAG-65. Docket Nos. CP93-141-000, 001 and 002, Iroquois Gas Transmission System, L.P.
 Docket No. CP93-145-000 and 001, Tennessee Gas Pipeline Company
 CAG-66. Docket No. CP93-441-000, Black Marlin Pipeline Company
 CAG-67. Docket No. CP92-595-000, Great Lakes Gas Transmission Limited Partnership
 CAG-68. Docket No. CP92-606-000, Great Lakes Gas Transmission Limited Partnership

Hydro Agenda
 H-1. Docket No. RM93-7-000, Charges and Fees for Hydroelectric Projects. Notice of Proposed Rulemaking.
Electric Agenda
 E-1. Docket No. TX94-1-000, Minnesota Municipal Power Agency. Order on complaint under section 211 of the Federal Power Act.
 E-2. Docket No. TX93-2-000, City of Bedford, Virginia, City of Danville, Virginia, City of Martinsville, Virginia, Town of Richlands, Virginia, and Blue Ridge Power Agency. Opinion on initial decision.
 E-3. Docket No. TX93-2-001 and EL93-19-000, City of Bedford, Virginia, City of Danville, Virginia, City of Martinsville, Virginia, Town of Richlands, Virginia, and Blue Ridge Power Agency. Proposed order and order on further proceedings.
Oil and Gas Agenda
I. Pipeline Rate Matters
 PR-1. Reserved
II. Restructuring Matters
 RS-1. Docket Nos. RS92-49-007, RP92-74-014 and RP92-204-003, South Georgia Natural Gas Company. Order on compliance filing and rehearing.
 RS-2. Docket Nos. RS92-27-007, 008 and 009, Alabama-Tennessee Natural Gas Company
 Docket No. RS92-27-009, Alabama-Tennessee Gas Company. Order on revised Order No. 636 compliance filing and on request for rehearing and clarification.
III. Pipeline Certificate Matters
 PC-1. Reserved
 Dated: January 19, 1994.
Linwood A. Watson, Jr.,
Acting Secretary.
 [FR Doc. 94-1662 Filed 1-21-94; 3:48 pm]
BILLING CODE 6717-01-P

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION.
TIME AND DATE: 10:00 a.m., Thursday, January 20, 1994.
PLACE: Room 600, 1730 K Street, N.W., Washington, D.C.
STATUS: Open.
MATTERS TO BE CONSIDERED: The Commission will consider and act upon the following:
 1. *W.J. Bokus Industries, Inc.,* Docket No. YORK 92-106-M, etc. (Issues include whether the judge erred in finding that certain items of equipment were not subject to the jurisdiction of the Federal Mine Safety

and Health Act of 1977, 30 U.S.C. § 801 et seq.)

Any person attending this meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject to 29 CFR 2706.150(a)(3) and 2706.160(e).

CONTACT PERSON FOR MORE INFO: Jean Ellen (202) 653-5629/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

Dated: January 13, 1994.

Jean H. Ellen,

Agenda Clerk.

[FR Doc. 94-1569 Filed 1-21-94; 2:24 pm]

BILLING CODE 6735-01-M

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

TIME AND DATE: 11:00 a.m., Monday, January 31, 1994.

PLACE: Marriner S. Eccles Federal Reserve Board Building, C Street entrance between 20th and 21st Streets, N.W., Washington, DC 20551.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Personnel actions (appointments, promotions, assignments, reassignments, and salary actions) involving individual Federal Reserve System employees.
2. Any items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION: Mr. Joseph R. Coyne, Assistant to the Board; (202) 452-3204. You may call (202) 452-3207, beginning at approximately 5 p.m. two business days before this meeting, for a recorded announcement of bank and bank holding company applications scheduled for the meeting.

Dated: January 21, 1994.

Jennifer J. Johnson,

Associate Secretary of the Board.

[FR Doc. 94-1669 Filed 1-21-94; 3:55 pm]

BILLING CODE 6210-01-P

UNITED STATES INTERNATIONAL TRADE COMMISSION

[USITC SE-94-02; Emergency Notice]

TIME AND DATE: January 24, 1994 at 5 p.m.

PLACE: Room 101, 500 E Street S.W., Washington, DC 20436.

STATUS: Open to the public.

MATTER TO BE CONSIDERED:

1. Agenda for future meetings.
2. Minutes.
3. Ratification List.
4. Inv. Nos. 731-TA-639-640 (Final) (Steel Flanges from India and Taiwan)—briefing and vote.

5. Outstanding action jacket requests: None.

CONTACT PERSON FOR MORE INFORMATION: Donna R. Koehnke, Secretary (202) 205-2000.

Dated: January 19, 1994.

Donna R. Koehnke,

Secretary

[FR Doc. 94-1622 Filed 1-21-94; 2:24 pm]

BILLING CODE 7020-02-P

NUCLEAR REGULATORY COMMISSION

DATE: Weeks of January 24, 31, February 7, and 14, 1994.

PLACE: Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

STATUS: Public and Closed.

MATTERS TO BE CONSIDERED:

Week of January 24

Monday, January 24

9:30 a.m.

Briefing on Final Report of Regulatory Review Task Force (Public Meeting)
(Contact: Frank Gillespie, 301-504-1275)

2:00 p.m.

Briefing on Options for Agreement States Compatibility Policy (Public Meeting)
(Contact: Cardelia Maupin, 301-504-2312)

Tuesday, January 25

10:00 a.m.

Briefing on Status of TVA Nuclear Programs (Public Meeting)

1:30 p.m.

Briefing on Activities of the Center for Nuclear Waste Regulatory Analyses (CNWRA) (Public Meeting)
(Contact: Malcolm Knapp, 301-504-3324)

Wednesday, January 26

9:00 a.m.

Discussion of Management Issues (Part 1: Closed—Ex. 2 & 9; Part 2: Closed—Ex. 2 & 6)

10:00 a.m.

Briefing by GE on Status of ABWR Application for Design Certification (Public Meeting)

11:30 a.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

2:00 p.m.

Briefing by NARUC Nuclear Waste Program Office (Public Meeting)
(Contact: Olga Kruger, 301-347-4314)

Thursday, January 27

1:30 p.m.

Periodic Briefing on Operating Reactors and Fuel Facilities (Public Meeting)
(Contact: Bill Bateman, 301-504-1711)

Friday, January 28

10:00 a.m.

Briefing on Progress of Design Certification Review and Implementation (Public Meeting)
(Contact: Dennis Crutchfield, 301-504-1199 or Richard Borchardt, 301-504-1118)

Week of January 31—Tentative

Monday, January 31

10:00 a.m.

Briefing on Report and Plan for Implementation of PRA Working Group Report (Public Meeting)
(Contact: Joe Murphy, 301-492-3980)

1:30 p.m.

Briefing on NRC Actions Vis-a-Vis Allegers (Public Meeting)
(Contact: James Lieberman, 301-504-2741)

3:00 p.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

Week of February 7—Tentative

Tuesday, February 8

2:00 p.m.

Briefing by Agreement States on Their Activities (Public Meeting)
(Contact: Richard Bangart, 301-504-3340)

3:30 p.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

Thursday, February 10

9:30 a.m.

Periodic Meeting with the Advisory Committee on Reactor Safeguards (ACRS) (Public Meeting)
(Contact: John Larkins, 301-492-4516)

Week of February 14—Tentative

Monday, February 14

11:30 a.m.

Affirmation/Discussion and Vote (Public Meeting) (if needed)

Note: Affirmation sessions are initially scheduled and announced to the public on a time-reserved basis. Supplementary notice is provided in accordance with the Sunshine Act as specific items are identified and added to the meeting agenda. If there is no specific subject listed for affirmation, this means that no item has as yet been identified as requiring any Commission vote on this date.

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (Recording)—(301) 504-1292.

CONTACT PERSON FOR MORE INFORMATION: William Hill, (301) 504-1661.

Dated: January 21, 1994.

William M. Hill, Jr.,

SECY Tracking Officer, Office of the Secretary.

[FR Doc. 94-1639 Filed 1-21-94; 2:58 pm]

BILLING CODE 7590-01-M

NATIONAL TRANSPORTATION SAFETY BOARD

Agenda

TIME AND DATE: 9:30 a.m., Tuesday, February 1, 1994.

PLACE: The Board Room, 5th Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20594.

STATUS: The first item is open to the public. The last four items are closed to

the public under Exemption 10 of the Government in Sunshine Act.

MATTERS TO BE CONSIDERED:

- 6065A Marine Accident Report: Collision Between U.S. Offshore Supply Vessel GALVESTON and Panamanian Bulk Carrier ATTICOS in Lower Mississippi River, near Venice, Louisiana, March 24, 1993
- 6144 Opinion and Order: Administrator v. Swafford and Coleman, Dockets SE-11803 and 11804; disposition of Administrator's appeal

- 6193 Opinion and Order: Administrator v. Baehr, Docket SE-11105; disposition of respondent's appeal
- 6199 Opinion and Order: Administrator v. Fox, Docket SE-11422; disposition of respondent's appeal
- 6223 Opinion and Order: Administrator v. Gabour, Docket SE-12075; disposition of respondent's appeal

NEWS MEDIA CONTACT: Telephone (202) 382-0660.

FOR MORE INFORMATION CONTACT: Bea Hardesty, (202) 382-6525.

Dated: January 21, 1994.

Bea Hardesty,

Federal Register Liaison Officer.

[FR Doc. 94-1641 Filed 1-21-94; 3:06 pm]

BILLING CODE 7533-01-M

Reader Aids

Federal Register

Vol. 59, No. 16

Tuesday, January 25, 1994

INFORMATION AND ASSISTANCE

Federal Register

Index, finding aids & general information	202-523-5227
Public inspection desk	523-5215
Corrections to published documents	523-5237
Document drafting information	523-3187
Machine readable documents	523-3447

Code of Federal Regulations

Index, finding aids & general information	523-5227
Printing schedules	523-3419

Laws

Public Laws Update Service (numbers, dates, etc.)	523-6641
Additional information	523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the Presidents	523-5230
Weekly Compilation of Presidential Documents	523-5230

The United States Government Manual

General information	523-5230
---------------------	----------

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Data base and machine readable specifications	523-3447
Guide to Record Retention Requirements	523-3187
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Privacy Act Compilation	523-3187
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---	---------------------------

FEDERAL REGISTER PAGES AND DATES, JANUARY

1-240	3
241-498	4
499-652	5
653-946	6
947-1262	7
1263-1446	10
1447-1616	11
1617-1888	12
1889-2280	13
2281-2518	14
2519-2724	18
2725-2924	19
2925-3312	20
3313-3512	21
3513-3632	24
3633-3650	25

CFR PARTS AFFECTED DURING JANUARY

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

3 CFR	1106	1273
Proclamations:	1464	1274
6644	1468	2283
6645	1710	494
6646	1773	657
6647		
Executive Orders:		
11063 (Revoked in part by EO 12892)	13	2307
12259 (Revoked by EO 12892)	51	1490
12864 (Amended by EO 12890)	319	3002
12890	273	2779
12891	701	1293
12892	723	1493
	1005	1305
	1007	1305
	1011	1305
	1030	260
	1046	1305
	1065	260
	1068	260
	1076	260
	1079	260
	1094	1307
	1941	2307
	1943	2307
	1945	2307
	1951	2307
Administrative Orders:		
Memorandums:		
January 1, 1994	653	
Presidential Determinations:		
No. 94-7 of December 18, 1993	1	
No. 94-9 of January 5, 1994	2929	
No. 94-10 of January 5, 1994	2931	
No. 94-12 of January 16, 1994	2933	
5 CFR	110	2945
1620		1889
7 CFR	2	2725
25		2686
54		1890
58		1263
201		655
210		1890
215		1890
220		1890
253		1447
254		1447
272		2725
273		2725
276		2725
277		2725
301		2281, 3313
322		656
906		1266, 1449, 1450
907		241, 1268
908		241, 1268
910		1269
925		3316
928		1266
932		1270
944		1270
955		1894
959		1452
966		1453
984		1453
8 CFR	3	1896
103		1455, 1896
204		501
212		1467, 1992
214		1455, 1468
223		1455
223a		1455
238		1617
242		1896
245a		1470
248		1455
264		1455
292		1455, 1896
Proposed Rules:		
103		1308, 1317
211		1317
216		1317
235		1317
242		1317
9 CFR	94	2285
78		2649
Proposed Rules:		
Ch. III		1499
78		2312
94		3029
318		550
381		551
10 CFR	20	1900
26		502
30		1618

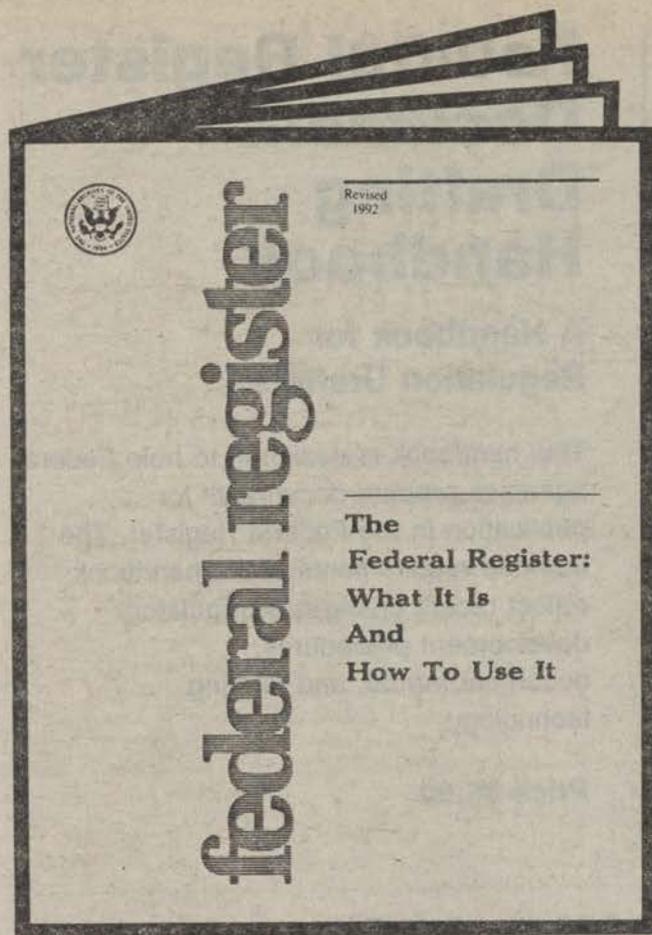
34.....	1900	229.....	1509	41.....	1473	68.....	2548
40.....	1618	240.....	1509			81.....	37
50.....	1618	275.....	3033	23 CFR		540.....	2668
70.....	1618	279.....	3033	Proposed Rules:		543.....	2668
72.....	1618			1204.....	2320	545.....	1240
73.....	661	18 CFR		1205.....	2337	550.....	1240
Proposed Rules:		161.....	243			570.....	3512
50.....	979	250.....	243	24 CFR			
51.....	2542	284.....	516	44.....	2735	29 CFR	
12 CFR		341.....	12	45.....	2735	504.....	874
935.....	2945	342.....	12	85.....	2735	1650.....	23
1102.....	1900	343.....	12	92.....	2735	1915.....	146
Proposed Rules:		344.....	12	104.....	1642	1926.....	146
230.....	1921	345.....	12	207.....	2735	1952.....	2294
960.....	1323	347.....	12	213.....	2735	2610.....	2295
13 CFR		360.....	12	221.....	2735	2619.....	2296
Proposed Rules:		361.....	12	232.....	2735	2622.....	2295
116.....	2782	375.....	12, 1917	236.....	2735	2644.....	2299
121.....	1360	385.....	1628	242.....	2735	2676.....	2296
14 CFR		Proposed Rules:		251.....	1474	Proposed Rules:	
39.....	3, 4, 507, 509, 511, 514, 1471, 1903, 1904, 1905, 1906, 1907, 1909, 1910, 1912, 1913, 2519, 2950, 2952	141.....	1687, 1690	252.....	1474	2530.....	1692
71.....	662, 947, 1472 1619, 1620, 1621, 1623, 2953, 2954, 3409	161.....	268	255.....	1474	30 CFR	
91.....	2918	250.....	268	277.....	2735	904.....	540
97.....	1623, 1625	375.....	1687	280.....	2735	906.....	2739
121.....	1780	385.....	1687	570.....	2735	914.....	1919
125.....	1780	388.....	1690	572.....	2735	936.....	2300
135.....	1780	19 CFR		575.....	2735	950.....	3513, 3521
Proposed Rules:		4.....	1918	576.....	2735	Proposed Rules:	
Ch. I.....	31, 554, 1362, 2783	12.....	110	577.....	2735	870.....	278
21.....	2783	102.....	110	578.....	2735	886.....	278
23.....	2784	123.....	1918	579.....	2735	887.....	278
27.....	554	175.....	1992, 2292	597.....	2700	888.....	278
29.....	554	134.....	110	880.....	2735	914.....	3528
33.....	703, 704, 984	356.....	228	881.....	2735	917.....	1921
39.....	35, 265, 266, 555, 556, 1500, 1501, 1503, 1505, 1676, 3527, 3636	Proposed Rules:		883.....	2735	935.....	3325
71.....	706, 1677, 1679, 1680, 1681, 1683, 1684, 1686, 1687, 2316, 2454, 3032, 3409	4.....	141	884.....	2735	944.....	3530
91.....	3409	10.....	141	885.....	2735	32 CFR	
15 CFR		12.....	141	886.....	2735	40a.....	1645
295.....	663	102.....	141	889.....	2735	312.....	2745
1180.....	8	134.....	141	890.....	2735	806b.....	2745
Proposed Rules:		177.....	141	907.....	3626	Proposed Rules:	
990.....	1062, 1189, 1190	20 CFR		3280.....	2456	199.....	3046
16 CFR		209.....	2292	3282.....	2456	323.....	2786
Ch. I.....	2955	404.....	670, 1274, 1416, 1629	Proposed Rules:			
305.....	1626, 1627	416.....	1274, 1629	945.....	1244	33 CFR	
453.....	1592	617.....	906	960.....	1244	2.....	947
500.....	1862	621.....	874	25 CFR		3.....	947
17 CFR		655.....	874	23.....	2248	100.....	673
30.....	1915	Proposed Rules:		67.....	3290	147.....	674
1.....	2286	Ch. III.....	3040	Proposed Rules:		165.....	675, 676, 948, 949
5.....	2286	200.....	2317, 2318	900.....	3166	334.....	2916
239.....	242	422.....	1363	26 CFR		402.....	2985
Proposed Rules:		21 CFR		1.....	12, 947, 1476, 2956, 2958, 3318	Proposed Rules:	
1.....	1506	20.....	350, 395, 531		12, 2958, 3318	117.....	988
30.....	1506	76.....	2293	602.....		34 CFR	
33.....	1506	100.....	536	Proposed Rules:		319.....	1651
190.....	1506	101.....	350, 354, 378, 395, 423, 436	1.....	807, 1690, 3045	429.....	1651
201.....	1509	109.....	1638	27 CFR		462.....	1418
202.....	1509	178.....	2733	9.....	537	472.....	1418
		510.....	1918, 1919	70.....	2521	644.....	2658
		520.....	1918, 1919, 3317	Proposed Rules:		674.....	1651
		1308.....	671	4.....	2548	682.....	1651
		Proposed Rules:		9.....	1510	685.....	472
		Ch. I.....	3040, 3042, 3043	28 CFR		Proposed Rules:	
		101.....	427	36.....	2674	75.....	2480, 2549
		176.....	3322	301.....	2666	76.....	2480
		178.....	3322	570.....	3510	600.....	2714
		211.....	2542	571.....	1238	601.....	2714
		347.....	2319	572.....	1238	602.....	3578
		22 CFR		Proposed Rules:		667.....	3604
		171.....	2521	65.....	558	682.....	2486

Proposed Rules:	201-20.....952	67.....725	25.....544
292.....2787	Proposed Rules:	114.....1994	52.....544
37 CFR	201-1.....39	115.....1994	225.....1288
2.....256	201-3.....39	116.....1994	252.....1288
Proposed Rules:	201-20.....39	117.....1994	Proposed Rules:
251.....2550	201-39.....39	118.....1994	Ch. III.....3040
252.....2550	42 CFR	119.....1994	519.....2345
253.....2550	60.....3409	120.....1994	552.....2345
254.....2550	401.....108	121.....1994	49 CFR
255.....2550	405.....1278	122.....1994	173.....1784
256.....2550	410.....1278	123.....1994	180.....1784
257.....2550	412.....1654	124.....1994	391.....1366
258.....2550	413.....1278, 1654	125.....1994	392.....1366
259.....2550	414.....1278	126.....1994	396.....1366
301.....2550	421.....679	127.....1994	571.....2755, 3164
302.....2550	435.....1659	128.....1994	1051.....2303
303.....2550	436.....1659	129.....1994	1053.....2303
304.....2550	488.....108	130.....1994	1056.....2304
305.....2550	489.....108	131.....1994	1312.....2303
306.....2550	493.....682	132.....1994	Proposed Rules:
307.....2550	Proposed Rules:	133.....1994	195.....2802
308.....2550	Ch. I.....3040	134.....1994	212.....3051
309.....2550	Ch. II.....3040	135.....1994	234.....3051
310.....2550	Ch. III.....3040	136.....1994	393.....1706, 2811
311.....2550	Ch. IV.....3040	137.....1994	571.....281
38 CFR	Ch. V.....3040	138.....1994	1312.....2347
4.....677, 2523, 2529	406.....714	139.....1994	50 CFR
Proposed Rules:	43 CFR	160.....2575	222.....440
3.....278, 3532	4.....1486	170.....1994	227.....440
39 CFR	Public Land Orders:	171.....1994	611.....685
962.....2987	6986.....108	173.....1994	625.....257, 3320
Proposed Rules:	7025.....2301	175.....1994	641.....966
111.....1512	7026.....1489	176.....1994	642.....257
40 CFR	7027.....3000	177.....1994	650.....2757, 2777
13.....650	Proposed Rules:	178.....1994	651.....26
52.....1476, 1485, 2530,	12.....2343	179.....1994	663.....258, 685, 698
2532, 2535, 2537, 2540,	403.....40	180.....1994	675.....3000
2649, 2747, 2988, 2991, 2994	426.....997	181.....1994	676.....701
61.....542	3160.....718	182.....1994	678.....3321
63.....1992	44 CFR	183.....1994	Proposed Rules:
152.....2748	10.....953	184.....1994	17.....44, 48, 53, 288, 852,
180.....950, 951, 1652,	59.....2754	185.....1994	862, 869, 997, 3067, 3326
2751	45 CFR	514.....1515	222.....3068
260.....458	233.....3319	571.....1923	227.....3067, 3068
261.....458	Proposed Rules:	572.....1923	285.....2813
271.....1275, 2752, 2998	Ch. II.....3040	580.....1515	301.....2649
305.....25	Ch. III.....3040	581.....1515	630.....3328
600.....677	Ch. IV.....3040	47 CFR	638.....2347
707.....2999	Ch. X.....3040	Ch. I.....3633	661.....3327
799.....1992	Ch. XIII.....3040	0.....542	672.....2817
Proposed Rules:	2510.....1194	1.....542	675.....2817
Ch. I.....1923, 3047	2513.....1194	22.....1285	
52.....278, 707, 988, 1513,	2515.....1194	73.....2301, 2302	
1693, 1695, 1698, 2795,	2516.....1194	80.....1285	
3047, 3534, 3540, 3544	2517.....1194	87.....1285	
55.....994	2518.....1194	90.....1285	
63.....1515	2519.....1194	95.....1285	
81.....707	2520.....1194	97.....542	
131.....810	2521.....1194	99.....1285	
180.....1700, 1702, 1704,	2522.....1194	Proposed Rules:	
2799, 2800	2523.....1194	1.....3050	
186.....2800	2524.....1194	15.....280	
261.....709	2530.....1194	73.....41, 42, 43, 44, 726,	
300.....714, 2568	2531.....1194	1365, 1366, 2343, 2344	
372.....1788	2532.....1194	76.....1706	
430.....1515	2540.....1194	90.....280	
721.....38	46 CFR	97.....558	
41 CFR	501.....954	48 CFR	
105-57.....1277	Proposed Rules:	5.....544	
201-17.....952	25.....2575	14.....544	
		15.....544	
		17.....544	

LIST OF PUBLIC LAWS

Note: The list of Public Laws for the first session of the 103d Congress has been completed and will resume when bills are enacted into law during the second session of the 103d Congress, which convenes on January 25, 1994.

A cumulative list of Public Laws for the first session of the 103d Congress was published in Part IV of the Federal Register on January 3, 1994.



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Grating

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