

Services, U.S. Department of Justice, 633 Indiana Avenue, N.W., Suite 300, Washington, DC 20531, telephone (202) 514-2058.

SUPPLEMENTARY INFORMATION: This order pertains to a matter of internal Department management, 5 U.S.C. 553(b)(A). It does not have a significant impact on a substantial number of small entities, 5 U.S.C. 605(b). It is not a significant regulatory action within the meaning of or subject to Executive Order 12866, and has not been reviewed by the Office of Management and Budget. Comments are invited as to whether any modifications to the existing Department of Justice hearing and appeal procedures set forth in 28 CFR part 18 should be made in connection with the grants to be awarded under the Violent Crime Control and Law Enforcement Act of 1994 (Pub. L. 103-322) by the new Office of Community Oriented Policing Services.

List of Subjects in 28 CFR Part 0

Authority delegations (Government agencies), Government employees, Organization and functions (Government agencies), Whistleblowing.

Accordingly, by virtue of the authority vested in me as Attorney General by 5 U.S.C. 301 and 28 U.S.C. 509, 510, part 0 of title 28 of the Code of Federal Regulations is amended as follows:

PART 0—AMENDED

1. The authority citation for part 0 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510, 515-519.

§ 0.1 [Amended]

2. Part 0, subpart A, § 0.1 is amended by adding at the end of the list under "Offices" the title "Office of Community Oriented Policing Services."

3. Subpart U-1 of part 0 is added, to read as follows:

Subpart U-1—Office of Community Oriented Policing Services

Sec.
0.119 Organization.
0.120 General functions.
0.121 Applicability of existing departmental regulations.

§ 0.119 Organization.

The Office of Community Oriented Policing Services shall be headed by a Director appointed by the Attorney General. The Director shall report to the Attorney General through the Associate Attorney General.

§ 0.120 General functions.

The Director, Office of Community Oriented Policing Services shall:
(a) Exercise the powers and perform the functions vested in the Attorney General by Title I and subtitle H of Title III of the Violent Crime Control and Law Enforcement Act of 1994 (Pub. L. 103-322); and

(b) Perform such other duties and functions relating to policing and law enforcement as may be specially assigned by the Attorney General or the Associate Attorney General.

§ 0.121 Applicability of existing departmental regulations.

Unless superseded by regulations promulgated by the Office of Community Oriented Policing Services, Departmental regulations set forth in part 18 of this title, applicable to grant programs administered through the Office of Justice Programs, shall apply with equal force and effect to grant programs administered by the Office of Community Oriented Policing Services, with references to the Office of Justice Programs and its components in such regulations deemed to refer to the Office of Community Oriented Policing Services, as appropriate.

Dated: February 3, 1995.

Janet Reno,

Attorney General.

[FR Doc. 95-3719 Filed 2-15-95; 8:45 am]

BILLING CODE 4410-01-M

DEPARTMENT OF THE TREASURY

Office of Foreign Assets Control

31 CFR Part 500

Foreign Assets Control Regulations; North Korean Travel and Financial Transactions; Information and Informational Materials

AGENCY: Office of Foreign Assets Control, Treasury.

ACTION: Final rule; amendments.

SUMMARY: The Treasury Department is amending the Foreign Assets Control Regulations (the "Regulations") consistent with commitments undertaken in the October 21, 1994 U.S.-Democratic People's Republic of Korea ("North Korea") Framework Agreement. In addition, the Regulations are also being amended to bring them into conformity with recent amendments to the Trading with the Enemy Act.

EFFECTIVE DATE: February 14, 1995.

FOR FURTHER INFORMATION CONTACT: Steven I. Pinter, Chief of Licensing (tel.:

202/622-2480), or William B. Hoffman, Chief Counsel (tel.: 202/622-2410), Office of Foreign Assets Control, Department of the Treasury, Washington, D.C. 20220.

SUPPLEMENTARY INFORMATION:

Electronic Availability

This document is available as an electronic file on *The Federal Bulletin Board* the day of publication in the **Federal Register**. By modem dial 202/512-1387 or call 202/512-1530 for disks or paper copies. This file is available in Postscript, WordPerfect 5.1 and ASCII.

Background

On October 21, 1994, the United States and North Korea agreed, in the context of broader negotiations, to begin reducing barriers to trade and investment. Based on these mutual commitments, the Regulations are being amended by (1) adding a new § 500.580 to authorize the clearing through the U.S. banking system of U.S. dollar transactions in which North Korea or a national thereof has an interest; (2) adding a new § 500.581 to authorize transactions related to the operation of certain U.S. and North Korean diplomatic missions in the United States and North Korea; (3) amending § 500.563 to authorize all U.S. persons' transactions with respect to travel to, from, and within North Korea, including removal of restrictions on group travel and travel service providers (including travel agents, carriers, ticket agents and commercial and noncommercial organizations that promote or arrange travel) and removal of the prior \$200 per diem ceiling on expenditures; (4) amending § 500.566, regarding the authorization of travel-related transactions by North Korean nationals in the United States; (5) amending § 500.579 to authorize the case-by-case unblocking of certain funds which came into the possession or control of U.S. banking institutions through wire transfer instructions or check remittances in which North Korea or a national thereof has or has had an interest, provided no funds are transferred directly to the Government of North Korea, entities controlled by the Government of North Korea, or to persons in North Korea; and (6) removing § 500.564, regarding reimbursement of travel costs by foreign subsidiaries, and § 500.569, regarding group travel to North Korea, as no longer necessary.

Section 500.582 is added to the Regulations to provide a statement of licensing policy noting that specific licenses may be issued for the

importation into the United States of North Korean-origin magnesite or magnesia, because the absence of North Korea as a supplier subjects U.S. importers to unreasonably high prices due to otherwise limited foreign sources. Section 500.583 is added to the Regulations to provide that specific licenses may be issued to authorize transactions necessary to establish offices in North Korea of U.S. news organizations and for offices in the United States of North Korean news organizations. Finally, § 500.584 is added to the Regulations to provide that specific licenses may be issued to authorize U.S. persons to participate in certain types of energy sector projects in North Korea with respect to the replacement of existing nuclear reactors with light-water reactor power plants.

Section 525(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Pub. L. No. 103-236, 108 Stat. 474 (the "FRAA"), amended section 5(b)(4) of the Trading with the Enemy Act, 50 U.S.C. App. 5(b)(4) ("TWEA"), to expand the list of items defined as categories of informational materials to include compact discs, CD ROMs, artworks, and news wire feed. In addition, section 5(b)(4) of TWEA, as amended, exempts from the authority granted to the President pursuant to TWEA the authority to regulate or prohibit, directly or indirectly, the exportation or importation, whether commercial or otherwise, of information or informational materials regardless of format or medium of transmission, except exportations that would be controlled pursuant to national security, nonproliferation, or antiterrorism provisions of the Export Administration Act of 1979, 50 U.S.C. App. 2401-2420, or espionage provisions of 18 U.S.C. chapter 37. Section 500.571 of the Regulations is being amended to reflect the exemption from regulation of all transmissions of noncontrolled information over existing telecommunications circuits, including current settlement of telecommunications fees between the United States and North Korea.

Note: The FRAA exemption applies to transmissions of information, not telecommunications facilities and equipment used to transmit information. Exportation from the United States of equipment to enhance gateway-to-gateway telecommunications service with North Korea is subject to licensing requirements of the Department of Commerce, in conjunction with the general license in § 500.533 of the Regulations. Exportation or reexportation of such equipment to North Korea from a third country by a U.S. person requires a specific license from FAC and may also be subject to

Commerce Department licensing provisions set forth in the Export Administration Regulations, 15 CFR parts 768-799.

Section 500.206 is amended to reflect the FRAA exemption that applies to transactions concerning exportation and importation of information and informational materials. The definition of the term "informational materials" contained in § 500.332 is amended to conform the section to amended section 5(b)(4) of TWEA. Conforming amendments are also made to § 500.550, which authorizes transactions related to the importation and exportation of information and informational materials.

Because the Regulations involve a foreign affairs function, Executive Order 12866 and the provisions of the Administrative Procedure Act, 5 U.S.C. 553, requiring notice of proposed rulemaking, opportunity for public participation, and delay in effective date, are inapplicable. Because no notice of proposed rulemaking is required for this rule, the Regulatory Flexibility Act, 5 U.S.C. 601-612, does not apply.

List of Subjects in 31 CFR Part 500

Administrative practice and procedure, Banks, Banking, Cambodia, Exports, Fines and penalties, Finance, Foreign investment in the United States, Foreign trade, Imports, Information and informational materials, International organizations, North Korea, Reporting and recordkeeping requirements, Securities, Services, Travel restrictions, Trusts and estates, Vietnam.

For the reasons set forth in the preamble, 31 CFR part 500 is amended as set forth below:

PART 500—FOREIGN ASSETS CONTROL REGULATIONS

1. The authority citation for part 500 continues to read as follows:

Authority: 50 U.S.C. App. 1-44; E.O. 9193, 7 FR 5205, 3 CFR, 1938-1943 Comp., p. 1174; E.O. 9989, 13 FR 4891, 3 CFR, 1943-1948 Comp., p. 748.

Subpart B—Prohibitions

2. The section heading and paragraphs (a) and (b) of § 500.206 are revised to read as follows, the words "information or" are added before the words "informational materials" in each place they appear in paragraph (c) of § 500.206, and the word "synchronization" and the comma following it are removed from Example #4 of § 500.206:

§ 500.206 Exemption of information and informational materials.

(a) The importation from any country and the exportation to any country of information or informational materials as defined in § 500.332, whether commercial or otherwise, regardless of format or medium of transmission, are exempt from the prohibitions and regulations of this part.

(b) All transactions of common carriers incident to the importation or exportation of information or informational materials, including mail, between the United States and any foreign country designated under § 500.201, are exempt from the prohibitions and regulations of this part.

* * * * *

Subpart C—General Definitions

3. Section § 500.332 is revised to read as follows:

§ 500.332 Information and informational materials.

(a) For purposes of this part, the term *informational materials* includes, without limitation:

(1) Publications, films, posters, phonograph records, photographs, microfilms, microfiche, tapes, compact disks, CD ROMs, artworks, and news wire feeds.

(2) To be considered informational materials, artworks must be classified under chapter subheading 9701, 9702, or 9703 of the Harmonized Tariff Schedule of the United States.

(b) The terms *information* and *informational materials* with respect to U.S. exports do not include items:

(1) that would be controlled for export pursuant to section 5 of the Export Administration Act of 1979, 50 U.S.C. App. 2401-2420 (1979) (the "EAA"), or section 6 of the EAA to the extent that such controls promote the nonproliferation or antiterrorism policies of the United States, including "software" that is not "publicly available" as these terms are defined in 15 CFR Parts 779 and 799.1 (1994); or

(2) with respect to which acts are prohibited by 18 U.S.C. chapter 37.

Subpart E—Licenses, Authorizations, and Statements of Licensing Policy

4. The section heading and paragraph (a) of § 500.550 are revised to read as follows, and the words "information or" are added before the words "informational materials" in each place they appear in the first sentence of paragraph (b) of § 500.550:

§ 500.550 Transactions related to information and informational materials.

(a) All financial and other transactions directly incident to the importation or exportation of information or informational materials as defined in § 500.332 of this part are authorized.

* * * * *

5. The section heading and text of § 500.563 are revised to read as follows:

§ 500.563 Transactions incident to travel to and within North Korea.

(a) All transactions of persons subject to U.S. jurisdiction, including travel service providers, ordinarily incident to travel to, from, and within North Korea and to maintenance within North Korea are authorized. This authorization extends to transactions with North Korean carriers and those involving group tours, payment of living expenses, the acquisition of goods in North Korea for personal use, and normal banking transactions involving currency drafts, charge, debit or credit cards, traveler's checks, or other financial instruments negotiated incident to personal travel.

(b) The purchase of merchandise in North Korea by persons subject to U.S. jurisdiction, and importation as accompanied baggage, is limited to goods with a foreign market value not to exceed \$100 per person for personal use only. Such merchandise may not be resold. This authorization may be used only once in every six consecutive months. As provided in § 500.206 of this part, information and informational materials are exempt from this restriction.

(c) This section does not authorize any debit to a blocked account.

§ 500.564 [Reserved]

6. Section 500.564 is removed and reserved.

7. Paragraph (b) of § 500.566 is removed, paragraph (c) is redesignated as paragraph (b), and the section heading and the introductory text of paragraph (a) and paragraph (a)(1) are revised to read as follows:

§ 500.566 Certain transactions authorized on behalf of North Korean nationals incident to their travel and maintenance expenses.

(a) Except as provided in paragraph (b) of this section, the following transactions are authorized by or on behalf of a national of North Korea who enters the United States on a visa issued by the Department of State:

(1) All transactions ordinarily incident to travel to, from, and within the United States are authorized, including the importation into the

United States of accompanied baggage for personal use;

* * * * *

§ 500.569 [Reserved]

8. Section 500.569 is removed and reserved.

§ 500.571 [Amended]

9. Section 500.571 is amended by removing the word "Vietnam" and adding the words "North Korea" wherever it appears.

10. Section 500.579 is amended by designating the current text as paragraph (a), and by adding the following paragraph (b) to the end of the section to read as follows:

§ 500.579 Authorization for release of certain blocked transfers by banking institutions subject to U.S. jurisdiction.

* * * * *

(b) Specific licenses may be issued authorizing the return to the remitting party of funds that were blocked by banking institutions subject to the jurisdiction of the United States pursuant to this part because of an interest of North Korea or a national thereof and that came into the banking institution's possession or control by wire transfer or check remittance, provided that no funds are released to the Government of North Korea, any entity controlled by the Government of North Korea, or any person located in, controlled from, or organized under the laws of North Korea.

11. Section 500.580 is added to read as follows:

§ 500.580 Authorization of U.S. dollar clearing transactions involving North Korea.

Banking institutions organized under the laws of or located in the United States are authorized to process the transfer of funds in which North Korea or a national thereof has an interest. Persons subject to U.S. jurisdiction who are originators or ultimate beneficiaries of funds transfers, however, including U.S. banking institutions that are themselves originators or beneficiaries, may not initiate or receive such transfers if the underlying transactions to which they relate are prohibited pursuant to this part.

12. Section 500.581 is added to read as follows:

§ 500.581 Financial transactions related to diplomatic missions authorized.

All financial transactions related to activities of North Korean diplomatic missions in the United States and U.S. diplomatic missions in North Korea are authorized, with the exception of

transactions involving the North Korean mission to the United Nations in New York, which are subject to approval by specific license.

13. Section 500.582 is added to read as follows:

§ 500.582 Importation of North Korean-origin magnesite and magnesia.

Specific licenses may be issued authorizing the importation into the United States of North Korean-origin magnesite or magnesia.

14. Section 500.583 is added to read as follows:

§ 500.583 News organization offices.

(a) Specific licenses may be issued authorizing all transactions necessary for the establishment and operation of news bureaus in North Korea by U.S. organizations whose primary purpose is the gathering and dissemination of news to the general public.

(b) Transactions that will be authorized include but are not limited to those incident to the following:

(1) leasing office space and securing related goods and services;

(2) hiring North Korean nationals to serve as support staff;

(3) purchasing North Korean-origin goods for use in the operation of the office; and

(4) paying fees related to the operation of the office in North Korea.

(c) Specific licenses may be issued authorizing transactions necessary for the establishment and operation of news bureaus in the United States by North Korean organizations whose primary purpose is the gathering and dissemination of news to the general public.

(d) The number assigned to a specific license issued pursuant to this section should be referenced in all import documents, and in all funds transfers and other banking transactions through banking institutions organized or located in the United States, in connection with the licensed transactions to avoid the blocking of goods imported from North Korea and the interruption of the financial transactions with North Korea.

15. Section 500.584 is added to read as follows:

§ 500.584 Energy sector projects in North Korea.

Specific licenses may be issued to permit persons subject to U.S. jurisdiction to participate in certain energy sector projects in North Korea in connection with that country's transition to light-water reactor ("LWR") power plants. Transactions that may be licensed include those related to LWR

power plant design, site preparation, excavation, delivery of essential nonnuclear components including turbines and generators, building construction, the disposition of spent nuclear fuel, and the provision of heavy oil to North Korea for heating and electricity generation pending completion of the first LWR unit.

Dated: February 7, 1995.

R. Richard Newcomb,

Director, Office of Foreign Assets Control.

Approved: February 8, 1995.

John Berry,

Deputy Assistant Secretary (Enforcement).

[FR Doc. 95-3984 Filed 2-14-95; 9:15 am]

BILLING CODE 4810-25-F

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Part 40a

Defense Contracting; Reporting Procedures on Defense Related Employment

AGENCY: Office of the Secretary, DoD.

ACTION: Final rule.

SUMMARY: This rule is the fiscal year 1994 revision of the section listing DoD contractors receiving contract awards of \$10 million or more. This part is published to comply with the provisions of section 1, Public Law 97-295, October 12, 1982; 10 U.S.C. 2397.

EFFECTIVE DATE: September 30, 1994.

FOR FURTHER INFORMATION CONTACT: Mr. R.S. Drake, Director, Directorate for Information Operations and Reports, Washington Headquarters Services, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Telephone (703) 604-4569.

List of Subjects in 32 CFR Part 40a

Armed forces, Conflict of interests, Government employees, Government procurement, Reporting and recordkeeping requirements.

Accordingly, 32 CFR part 40a is revised to read as follows:

PART 40a—DEFENSE CONTRACTING; REPORTING PROCEDURES ON DEFENSE RELATED EMPLOYMENT

Authority: 10 U.S.C. 2397.

§ 40a.1 Department of Defense contractors receiving awards of \$10 million or more.

Fiscal Year 1994

A C S Construction Co. of Mississippi
A G Marketing Inc.
A I L Systems Inc.
A W D Technologies, Inc.

AAI Corp.
AAR Manufacturing Inc.
ABB Business Services (DEL)
ACC Construction Co., Inc.
AEL Industries Inc.
AM General Corp.
ARC Professional Services Group
AT&T Corp.
AT&T Global Information Solutions Co.
Abacus Technology Corp.
Absher Construction Co., Inc.
Addison, L & Associates Inc.
Adler & Stern (1968), Ltd.
Adminastar Inc.
Advance Electronic Co., Ltd.
Advance Ratio Design Co., Inc.
Advance, Inc.
Advanced Communications Systems
Advanced Integrated Technology, Inc.
Advanced Marine Enterprises
Advanced Resource Technologies
Aepco, Inc.
Aerojet Electro Systems
Aerojet-General Corp.
Aeroquip Corp.
Aerospace Corp.
Aetna Casualty & Surety Co., Inc.
Agip SPA
Air Cruisers Co., Inc.
Air Transport International
Air Treads, Inc.
Aksarben Foods, Inc.
Alabama Power Co.
Alder Construction Co.
Alenia Aeritalia E Selenia SPA
Alisud SPA
Alliant Techsystems, Inc.
Allied Petro, Inc.
Allied Signal Avionics Inc.
Allied Signal Technical Services
Allied Signal, Inc.
Allison Engine Co., Inc.
AllStar/SAB
Alpha Marine Services, Inc.
Amdura Corp.
Amerada Hess Corp.
American Apparel, Inc.
American Auto Carriers Inc.
American Automar Inc.
American Engineering Corp.
American International Airways
American Management Systems Inc.
American President Lines Ltd.
American Renovation Construction Co.
American Systems Corp.
Amerind, Inc.
Ames Construction, Inc.
Amoco Corp.
Amtec Corp.
Analysis & Technology, Inc.
Analytic Services, Inc.
Analytical Systems Engineering Corp.
Anderson-Tully Co.
Andrulic Research Corp.
Applied Construction Technology
Applied Data Technology, Inc.
Applied Ordnance Technology
Applied Research Associates, Inc.
Aquidneck Management Association, Ltd.
Arbel Fauvent Rail
Arctic Slope Regional Corp.
Arinc, Inc.
Arinc Research Corp.
Arrow Air Inc.
Asea Brown Boveri Inc.
Assurance Technology Corp.

Astra Holdings Corp.
Astra Resources Inc.
Astronautics Corporation of America
Atherton Construction, Inc.
Atkins, Claude E. Enterprises
Atkinson, Guy F., Co. NV
Atlantic Marine Inc.
Atlantic Richfield Co.
Austin Co., The
Autec Range Services
Avoc Corp.
Avondale Industries, Inc.
B A M S I Inc.
B B A Equity Inc
B D S Inc.
B O C Holdings
B P International, Ltd.
BBDO Worldwide Inc.
BDM International Inc.
BHP Petroleum International PT
BICC USA., Inc.
BKM Enterprises Inc.
BTG Inc.
BTR Dunlop Holdings Inc.
Baker Michael Corp.
Baker Support Services, Inc.
Ball Corp.
Banes General Contractors Inc.
Barrett Refining Corp.
Bates & Associates Inc.
Bath Holding Corp.
Battelle Development Corp.
Battelle Memorial Institute
Bay Tankers, Inc.
Bean, C.F. Corp.
Bechtel Corp.
Beech Aircraft Corp.
Bell Atlantic Network Services, Inc.
Bell Atlantic-Virginia Inc.
Bell BCI Co.
Bell Corporation of Rochester
Bell Helicopter Textron, Inc.
Bender, Allen L., Inc.
Beneco Enterprises, Inc.
Bergen Brunswick Corp.
Berliner Elektro Holding AG
Binghamton Simulator Co.
Black & Veatch Holding Co.
Blinderman Construction Co.
Blue Cross & Blue Shield of South Carolina
Boeing Aerospace Operations
Boeing Company, The
Boeing Sikorsky LHX Program Office
Bolander, David, Inc.
Bollinger Machine Shop & Shipyard
Bolt Beranek & Newman, Inc.
Bombardier Corp.
Bombardier International BV
Booz Allen & Hamilton, Inc.
Bozell Jacobs Kenyon Eckhardt Inc.
Brantley Construction Co.
Braswell Services Group Inc.
British Aerospace Inc.
Brown & Root Holdings Inc.
Brown, Dayton T., Inc.
Brunswick Corp.
Buckner & Moore, Inc.
Buffalo Airways Inc.
Bull Data Systems Inc.
Burns & McDonnell Inc.
C & P Corp.
C C I Construction Co., Inc.
C Construction Co., Inc.
C D M Federal Programs Corp.
C E R Inc.
C Q Construction Corp.