

VCD0016, inspect in accordance with the following schedule:

(i) For shafts which have not been previously inspected and have 6,500 CSN or greater on the effective date of this AD, inspect within the next 2,500 CIS after the effective date of this AD.

(ii) For shafts which have not been previously inspected and have less than 6,500 CSN on the effective date of this AD, inspect prior to accumulating 9,000 CSN.

(iii) For shafts that have been previously inspected and have 3,500 CSLI or less on the effective date of this AD, reinspect within 6,000 CSLI, or before accumulating 9,000 CSN, whichever occurs later.

(iv) For shafts that have been previously inspected and have greater than 3,500 CSLI on the effective date of this AD, reinspect within the next 2,500 CIS from the effective date of this AD, or before accumulating 9,000 CSN, whichever occurs later.

(v) Remove from service, HPC rear shaft turn-around bolts identified in paragraph (a)(2) of this AD, after any inspection performed in accordance with paragraph (a)(2) of this AD, and replace with new tapered turn-around bolts, P/N 1375M69P01 or VCD0016.

Note: Information concerning the tapered turn-around bolt noted in paragraph (a) of this AD can be found in GE SB No. 72-877.

(b) Remove from service, prior to further flight, any shafts found cracked at inspection.

(c) Thereafter, for shafts which have been inspected in accordance with paragraph (a) of this AD, reinspect in accordance with the Accomplishment Instructions of GE SB No. 72-958, Revision 1, dated October 18, 1990, at intervals not to exceed 6,000 CSLI.

(d) Compliance with paragraph (a) of AD 91-10-03 satisfies the corresponding requirements of paragraph (a) of this AD.

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

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

(f) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the aircraft to a location where the requirements of this AD can be accomplished.

(g) The actions required by this AD shall be done in accordance with the following service document:

Document No.	Pages	Revision	Date
GE SB No. 72-958 .....	1-2 3-6	1 ..... Original ..	Oct. 18, 1990. Aug. 15, 1990.
Total pages: 6.			

This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51 as of June 17, 1991. Copies may be obtained from General Electric Company, Technical Publications Department, 1 Neumann Way, Cincinnati, OH 45215. Copies may be inspected at the FAA, New England Region, Office of the Assistant Chief Counsel, 12 New England Executive Park, Burlington, MA; or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment becomes effective on April 28, 1995.

Issued in Burlington, Massachusetts, on April 4, 1995.

James C. Jones,

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

[FR Doc. 95-9133 Filed 4-11-95; 11:45 am]

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## DEPARTMENT OF COMMERCE

### Bureau of Export Administration

#### 15 CFR Parts 771 and 779

[Docket No. 950407090-5090-01]

RIN 0694-AB18

### Establishment of New General License G-BETA for Exports of Certain Beta Test Software

**AGENCY:** Bureau of Export Administration, Commerce.

**ACTION:** Interim rule.

**SUMMARY:** This rule amends the Export Administration Regulations (EAR) by establishing a new General License G-BETA for certain exports of beta test software under the jurisdiction of the Department of Commerce. Under the provisions of this new General License, beta test software programs may be exported to all destinations except Country Groups S and Z, Iran, Iraq, Sudan, and Syria. Exporters are advised that certain restrictions apply, and should consult the EAR before using General License G-BETA.

This new General License eligibility will greatly reduce the number of validated license applications for certain software intended for mass-market distribution.

**DATES:** This rule is effective April 13, 1995. Comments must be received by May 30, 1995.

**ADDRESSES:** Written comments (six copies) should be sent to Nancy Crowe, Bureau of Export Administration, Department of Commerce, P.O. Box 273, Washington, DC 20044.

**FOR FURTHER INFORMATION CONTACT:** Nancy Crowe, Regulatory Policy Division, Office of Exporter Services, Bureau of Export Administration, Telephone: (202) 482-2440.

**SUPPLEMENTARY INFORMATION:** This rule amends Part 771 of the Export Administration Regulations (EAR) by establishing a new General License G-BETA for certain exports of beta test software. This change will allow exports, under certain conditions, of software controlled by the Department

of Commerce on the Commerce Control List (Supplement No. 1 to Part 799.1 of the EAR), and under Commerce licensing jurisdiction, which would otherwise require a validated license to all destinations except Country Groups S and Z, Iran, Iraq, Sudan, and Syria.

This rule will allow shipment under General License G-BETA of beta test software programs that: (a) Are intended for export and reexport under the provisions of the General Software Note (Supplement No. 2 to Part 799.1 of the EAR) after completion of testing; (b) are provided free-of-charge or at a price that does not exceed the cost of reproduction and distribution; and (c) are designed for user-installation. In addition, the exporter must obtain a statement from each testing consignee prior to shipment certifying that the beta test software will only be used for beta testing purposes, and will not be rented, leased, sold, sublicensed, assigned, or otherwise transferred. Further, the statement must certify that the testing consignee will not transfer or export any product, process, or service that is the direct product of the beta test software. Software shipped under General License G-BETA must be destroyed abroad or returned to the exporter within 30 days of the end of the beta test period as defined by the software producer or, if the software producer does not define a test period, within 30 days of completion of the consignee's role in the test.

The following is a brief description of the development of this rule. In the Fall

of 1994, BXA hosted a large seminar for exporters. At that meeting, BXA invited the exporting community to provide input on administrative changes that might be made to the EAR without the passage of new legislation. In response to that invitation, several of the major exporters of mass market software provided suggestions on a new general license to authorize the export of software for beta testing. BXA also gathered the views of industry on a new general license for beta test software through BXA's Telecommunications Technical Advisory Committee, Regulations & Procedures Technical Advisory Committee, and Computer Systems Technical Advisory Committee. The industry views served as a basis for BXA's development of a regulation on General License G-BETA.

BXA shared with industry its view of the possible changes in the draft regulation and sought information from certain software exporters to determine the industry's best practices for exporting software to Beta testers. For example, BXA collected samples of end-use clauses regularly used by software producers for commercial purposes. BXA then shaped General License G-BETA so that certifications required under the rule are consistent with the standard practices of many members of the industry. This has the benefit of achieving the objectives of the export control system with the least intrusive impact on the exporting community. The industry input provided by the advisory committees and by the companies was highly valuable to BXA in developing General License G-BETA. This new General License eligibility will reduce the number of validated license applications for certain software intended for distribution to the general public.

#### Rulemaking Requirements

1. This interim rule has been determined to be not significant for purposes of E. O. 12866.

2. This rule involves collections of information subject to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). These collections have been approved by the Office of Management and Budget under control numbers 0694-0005, 0694-0007, and 0694-0010.

3. This rule does not contain policies with Federalism implications sufficient to warrant preparation of a Federalism assessment under Executive Order 12612.

4. Because a notice of proposed rulemaking and an opportunity for public comment are not required to be given for this rule by section 553 of the Administrative Procedure Act (5 U.S.C.

553) or by any other law, under section 3(a) of the Regulatory Flexibility Act (5 U.S.C. 603(a) and 604(a)) no initial or final Regulatory Flexibility Analysis has to be or will be prepared.

5. The provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public participation, and a delay in effective date, are inapplicable because this regulation involves a military and foreign affairs function of the United States. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule.

However, because of the importance of the issues raised by these regulations, this rule is issued in interim form and comments will be considered in the development of final regulations. Accordingly, the Department encourages interested persons who wish to comment to do so at the earliest possible time to permit the fullest consideration of their views.

The period for submission of comments will close May 30, 1995. The Department will consider all comments received before the close of the comment period in developing final regulations. Comments received after the end of the comment period will be considered if possible, but their consideration cannot be assured. The Department will not accept public comments accompanied by a request that a part or all of the material be treated confidentially because of its business proprietary nature or for any other reason. The Department will return such comments and materials to the person submitting the comments and will not consider them in the development of final regulations. All public comments on these regulations will be a matter of public record and will be available for public inspection and copying. In the interest of accuracy and completeness, the Department requires comments in written form.

Oral comments must be followed by written memoranda, which will also be a matter of public record and will be available for public review and copying. Communications from agencies of the United States Government or foreign governments will not be made available for public inspection.

The public record concerning these regulations will be maintained in the Bureau of Export Administration Freedom of Information Records Inspection Facility, Room 4525, Department of Commerce, 14th Street and Pennsylvania Avenue, N.W., Washington, DC 20230. Records in this facility, including written public

comments and memoranda summarizing the substance of oral communications, may be inspected and copied in accordance with regulations published in Part 4 of Title 15 of the Code of Federal Regulations. Information about the inspection and copying of records at the facility may be obtained from Margaret Cornejo, Bureau of Export Administration Freedom of Information Officer, at the above address or by calling (202) 482-5653.

#### List of Subjects

##### 15 CFR Part 771

Exports, Reporting and recordkeeping requirements.

##### 15 CFR Part 779

Computer technology, Exports, Reporting and recordkeeping requirements, Science and technology.

Accordingly, Parts 771 and 779 of the Export Administration Regulations (15 CFR Parts 730-799) are amended as follows:

#### PART 771—[AMENDED]

1. The authority citation for 15 CFR Part 771 continues to read as follows:

Authority: 50 U.S.C. App. 5, as amended; Pub. L. 264, 59 Stat. 619 (22 U.S.C. 287c), as amended; Pub. L. 90-351, 82 Stat. 197 (18 U.S.C. 2510 *et seq.*), as amended; sec. 101, Pub. L. 93-153, 87 Stat. 576 (30 U.S.C. 185), as amended; sec. 103, Pub. L. 94-163, 89 Stat. 877 (42 U.S.C. 6212), as amended; secs. 201 and 201(11)(e), Pub. L. 94-258, 90 Stat. 309 (10 U.S.C. 7420 and 7430(e)), as amended; Pub. L. 95-223, 91 Stat. 1626 (50 U.S.C. 1701 *et seq.*); Pub. L. 95-242, 92 Stat. 120 (22 U.S.C. 3201 *et seq.* and 42 U.S.C. 2139a); sec. 208, Pub. L. 95-372, 92 Stat. 668 (43 U.S.C. 1354); Pub. L. 96-72, 93 Stat. 503 (50 U.S.C. App. 2401 *et seq.*), as amended; sec. 125, Pub. L. 99-64, 99 Stat. 156 (46 U.S.C. 466c); Pub. L. 102-484, 106 Stat. 2575 (22 U.S.C. 6004); E.O. 11912 of April 13, 1976 (41 FR 15825, April 15, 1976); E.O. 12002 of July 7, 1977 (42 FR 35623, July 7, 1977), as amended; E.O. 12058 of May 11, 1978 (43 FR 20947, May 16, 1978); E.O. 12214 of May 2, 1980 (45 FR 29783, May 6, 1980); E.O. 12851 of June 11, 1993 (58 FR 33181, June 15, 1993); E.O. 12867 of September 30, 1993 (58 FR 51747, October 4, 1993); E.O. 12918 of May 26, 1994 (59 FR 28205, May 31, 1994); E.O. 12924 of August 19, 1994 (59 FR 43437 of August 23, 1994); and E.O. 12938 of November 14, 1994 (59 FR 59099 of November 16, 1994)

#### PART 779—[AMENDED]

2. The authority citation for 15 CFR Part 779 continues to read as follows:

Authority: Pub. L. 90-351, 82 Stat. 197 (18 U.S.C. 2510 *et seq.*), as amended; Pub. L. 95-223, 91 Stat. 1626 (50 U.S.C. 1701 *et seq.*); Pub. L. 95-242, 92 Stat. 120 (22 U.S.C. 3201 *et seq.* and 42 U.S.C. 2139a); Pub. L. 96-72,

93 Stat. 503 (50 U.S.C. App. 2401 *et seq.*), as amended; Pub. L. 102-484, 106 Stat. 2575 (22 U.S.C. 6004); E.O. 12002 of July 7, 1977 (42 FR 35623, July 7, 1977), as amended; E.O. 12058 of May 11, 1978 (43 FR 20947, May 16, 1978); E.O. 12214 of May 2, 1980 (45 FR 29783, May 6, 1980); E.O. 12730 of September 30, 1990 (55 FR 40373, October 2, 1990), as continued by Notice of September 25, 1992 (57 FR 44649, September 28, 1992); E.O. 12924 of August 19, 1994 (59 FR 43437, August 23, 1994); and E.O. 12938 of November 14, 1994 (59 FR 59099 of November 16, 1994).

## PART 771—[AMENDED]

3. Part 771 is amended by adding a new § 771.27 to read as follows:

### § 771.27 General license G-BETA; Exports of beta test software.

(a) *Scope.* A General License designated G-BETA is established subject to the provisions of this section authorizing exports and reexports to eligible countries of beta test software intended for distribution to the general public.

(b) *Eligible countries.* The countries that are eligible to receive exports and reexports under this General License are all countries except those listed in Country Groups S and Z, Iran, Iraq, Sudan, and Syria.

(c) *Eligible software.* All software that is controlled by the Commerce Control List (see Supplement No. 1 to Part 799.1 of this subchapter), and under Commerce licensing jurisdiction, is eligible for export and reexport under General License G-BETA, subject to the restrictions set forth in this section.

(d) *Conditions for use.* Any beta test software program may be exported or reexported to eligible countries if all of the conditions under this section are met:

(1) The software producer intends to market the software to the general public after completion of the beta testing, as described in the General Software Note found in Supplement No. 2 to Part 799.1 of this subchapter;

(2) The software producer provides the software to the testing consignee free-of-charge or at a price that does not exceed the cost of reproduction and distribution; and

(3) The software is designed for installation by the end-user without further substantial support from the supplier.

(e) *Importer statement.* Prior to shipping any eligible software under General License G-BETA, the exporter or reexporter must obtain the following statement from the testing consignee, which may be included in a contract, non-disclosure agreement, or other document that identifies the importer,

the software to be exported, the country of destination, and the testing consignee:

We certify that this beta test software will only be used for beta testing purposes, and will not be rented, leased, sold, sublicensed, assigned, or otherwise transferred. Further, we certify that we will not transfer or export any product, process, or service that is the direct product of the beta test software.

(f) *Use limitations.* Only testing consignees that provide the importer statement required by paragraph (e) of this section may execute any software received under General License G-BETA.

(g) *Return or disposal of software.* All beta test software exported under General License G-BETA must be destroyed abroad or returned to the exporter within 30 days of the end of the beta test period as defined by the software producer or, if the software producer does not define a test period, within 30 days of completion of the consignee's role in the test. Among other methods, this requirement may be satisfied by a software module that will destroy the software and all its copies at or before the end of the beta test period.

## PART 779—[AMENDED]

4. Part 779.2 is amended in the last sentence by revising the phrase "exports to Canada<sup>7,8</sup>" to read "exports to Canada<sup>7,8</sup>, and exports of beta test software eligible for General License G-BETA."

Dated: April 10, 1995.

Sue E. Eckert,  
Assistant Secretary for Export  
Administration.

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## DEPARTMENT OF THE TREASURY

### Office of the Under Secretary for Domestic Finance

### 17 CFR Parts 400, 403, 405 and 449

### Form G-405

**AGENCY:** Office of the Under Secretary for Domestic Finance, Treasury.

**ACTION:** Adoption of form amendments.

**SUMMARY:** The Department of the Treasury ("Department" or "Treasury") is adopting amendments to Form G-405 (Report on Finances and Operations of Government Securities Brokers and Dealers, or the "FOGS Report"), which is the form that registered government securities brokers and dealers are required to file pursuant to §§ 405.2 and

449.5 of the regulations issued under the Government Securities Act of 1986 (the "Government Securities Act" or "GSA"). The amendments revise Schedule I of the FOGS Report filed with the Securities and Exchange Commission ("SEC") to require registered government securities brokers and dealers to disclose their affiliations, if any, with U.S. banks. The Department is adopting the amendments unchanged from their proposed form.

**EFFECTIVE DATE:** June 12, 1995.

**FOR FURTHER INFORMATION CONTACT:** Ken Papaj (Director) or Lee Grandy (Government Securities Specialist) at 202-219-3632. (TDD for hearing impaired: 202-219-3988.)

### SUPPLEMENTARY INFORMATION:

#### Background and Analysis

The Department adopted Form G-405 in the implementing regulations for the GSA issued on July 24, 1987 (52 FR 27910). Sections 405.2 and 449.5<sup>1</sup> of the GSA regulations require that registered government securities brokers and dealers use the form to make the required monthly, quarterly and annual financial reports to the SEC or to their self-regulatory organization in accordance with a plan approved by the SEC. Pursuant to the regulations, registered government securities brokers and dealers are required to file financial reports which include information on their assets, liabilities, liquid capital, total haircuts, and ratio of liquid capital to total haircuts as determined in accordance with § 402.2, among other items, on Form G-405.

To supplement either Part II or IIA of the FOGS Report, registered government securities brokers and dealers are also required to file Schedule I at the end of each calendar year. The purpose of this schedule is to obtain information about the economic and financial characteristics of the reporting government securities broker or dealer.

The Department published the amendments to Form G-405 in proposed form on January 30, 1995,<sup>2</sup> and the comment period closed on March 1, 1995. Treasury received no comments and these final changes to the form are identical to the proposed changes.

The amendments to Form G-405 add a new item 15 to request information about an affiliation with, or control by, a U.S. bank. Current items 15 through 18 become items 16 through 19, respectively. The new inquiry requires a yes or no response, and if the response

<sup>1</sup> 17 CFR 405.2 and 17 CFR 449.5, respectively.

<sup>2</sup> 60 FR 5602 (January 30, 1995).