

policies of the CB Fund and the Partnership. The board considered each aspect of the Exchange, including (i) the method of valuing the portfolio securities to be acquired from the Partnership; (ii) the net asset value of the shares to be delivered to the Partnership; (iii) the procedure for selecting among the portfolio securities of the Partnership; (iv) the possibility of incurring excessive brokerage costs as a result of redemptions of CB Fund shares by former partners of the Partnership; (v) the allocation of the costs of the Exchange; (vi) the possibility of adverse tax consequences to future shareholders of the CB Fund; and (vii) the benefits from the Exchange accruing to CIC and Conley.

6. The Exchange will not be effected unless: (a) The registration statement of the CB Fund has been declared effective; (b) the Plan has been approved by a majority in interest of the limited partners of the Partnership; (c) the requested order has been granted; and (d) the limited partners have received an opinion of counsel that (i) the distribution of CB Fund shares, which will be in liquidation of the Partnership interests in the Partnership, will not cause taxable gain or loss to be recognized by the limited partners; (ii) the basis of the limited partners in CB Fund shares will be equal to the adjusted basis of the limited partners' interests in the Partnership; and (iii) the limited partners' holding periods with respect to CB Fund shares will include the Partnership's holding period with respect to such shares.

7. The Adviser will assume the costs of the Exchange, except for registration and filing fees of the CB Fund shares, and will assume the legal fees and expenses relating to the requested order and the obtaining of the opinion of counsel on certain tax matters. No brokerage commission, fee, or other remuneration will be paid in connection with the Exchange.

8. After the Exchange is accomplished, the Adviser intends for the foreseeable future to manage the assets of the CB Fund in substantially the same manner as the Partnership's assets were managed, except as may be necessary or desirable (a) to qualify the CB Fund as a regulated investment company under the Internal Revenue Code of 1986, as amended; (b) to comply with the investment restrictions adopted by the CB Fund in accordance with the requirements of the Act or securities laws of states where CB Fund shares will be offered; or (c) in light of changed market conditions.

### Applicants' Legal Conclusions

1. Section 17(a) of the Act generally prohibits an affiliated person of a registered investment company from selling to or purchasing from such investment company any security. The Partnership may be an affiliated person of the Company because the Partnership and the Company may be deemed under the control of CIC (and, indirectly, Conley) because of its role as general partner of the Partnership, Conley's ownership of stock in the parent of the Adviser, and Conley's position as an officer of the Adviser. Thus, the proposed Exchange may be prohibited by section 17(a). Section 17(b) authorizes the SEC to exempt a proposed transaction from section 17(a) if evidence establishes that the terms of the transaction, including the consideration to be paid or received, are reasonable and fair and do not involve overreaching on the part of any person concerned, the transaction is consistent with the policies of the registered investment company, and the transaction is consistent with the general purposes of the Act.

2. Applicants believe that the proposed transaction satisfies the criteria of section 17(b). The investment objectives of the CB Fund and the Partnership are substantially similar. In addition, the CB Fund will acquire the Partnership portfolio securities at their independent "current market price." Applicants believe that the Exchange can be viewed as a change in the form in which the assets are held, rather than as a disposition giving rise to section 17(a) concerns.

For the Commission, by the Division of Investment Management, under delegated authority.

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 95-16926 Filed 7-10-95; 8:45 am]

BILLING CODE 8010-01-M

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Reports, Forms and Recordkeeping Requirements

**AGENCY:** Department of Transportation (DOT), Office of the Secretary.

**ACTION:** Notice.

**SUMMARY:** This notice lists those forms, reports, and recordkeeping requirements imposed upon the public which were transmitted by the Department of Transportation to the Office of Management and Budget (OMB) for its

approval in accordance with the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35).

**DATES:** July 6, 1995.

**ADDRESSES:** Written comments on the DOT information collection requests should be forwarded, as quickly as possible, to Edward Clarke, Office of Management and Budget, New Executive Office Building, Room 10202, Washington, DC 20503. If you anticipate submitting substantive comments, but find that more than 10 days from the date of publication are needed to prepare them, please notify the OMB official of your intent immediately.

**FOR FURTHER INFORMATION CONTACT:** Copies of the DOT information collection requests submitted to OMB may be obtained from Susan Pickrel or Gemma deGuzman, Information Resource Management (IRM) Strategies Division, M-32, Office of the Secretary of Transportation, 400 Seventh Street SW., Washington, DC 20590, (202) 366-4735.

**SUPPLEMENTARY INFORMATION:** Section 3507 of Title 44 of the United States Code, as adopted by the Paperwork Reduction Act of 1980, requires that agencies prepare a notice for publication in the **Federal Register**, listing those information collection requests submitted to OMB for approval or renewal under that Act. OMB reviews and approves agency submissions in accordance with criteria set forth in that Act. In carrying out its responsibilities, OMB also considers public comments on the proposed forms and the reporting and recordkeeping requirements. OMB approval of an information collection requirement must be renewed at least once every three years.

### Items Submitted to OMB for Review

The following information collection requests were submitted to OMB on July 6, 1995:

*DOT No.:* 4074.

*OMB No.:* 2125-New.

*Administration:* Federal Highway Administration (FHWA).

*Title:* National Highway User Customer Survey.

*Need for Information:* Executive Order No. 12862 requires agencies to set customer service standards.

*Proposed Use of Information:* This information will be used by FHWA to provide quantitative measurements that can be used in the development of National performance in an overall effort of the Federal-aid highway program.

*Frequency:* On occasion.

*Burden Estimate:* 750.

*Respondents:* Individuals and households.

*Form(s):* None.

*Average Burden Hours per Response:* 0.3 hours.

*DOT No.:* 4075.

*OMB No.:* 2120-0568.

*Administration:* Federal Aviation Administration.

*Title:* FAA Flight Standards Customer Survey.

*Need for Information:* Executive Order No. 12862 requires agencies to set customer service standards.

*Proposed Use of Information:* This information will be used by office managers and staff to identify areas where service performance can be improved.

*Frequency:* Once every 18 months.

*Burden Estimate:* 4200 hours.

*Respondents:* Users of Flight Standards services who are surveyed.

*Form(s):* None.

*Average Burden Hours per Response:* 5-7 minutes.

*DOT No.:* 4076.

*OMB No.:* 2120-0524.

*Administration:* Federal Aviation Administration (FAA).

*Title:* High Density Traffic Airports; Slot Allocation and Transfer Methods.

*Need for Information:* 49 U.S.C. Section 40103, authorizes FAA to develop plans for and to formulate policy with respect to the use of navigable airspace.

*Proposed Use of Information:* This information will be used by the FAA to allocate and withdraw takeoff and landing slots at the high density airports, and to confirm transfers of slots made among the operators.

*Frequency:* Semi-annually, and every other month.

*Burden Estimate:* 1862 hours.

*Respondents:* Air Carriers and commuter operators or other persons holding a slot at High Density Traffic Airports.

*Form(s):* None.

*Average Burden Hours per Response:* 1.5 hours.

*DOT No.:* 4077.

*OMB No.:* 2115-0596.

*Administration:* United States Coast Guard.

*Title:* Claims Under the Oil Pollution Act of 1990.

*Need for Information:* 33 U.S.C. 2713 and 2714 gives the United States Coast Guard the authority for this collection in order to ensure fair and reasonable payments to claimants and to protect the interests of the federal government.

*Proposed Use of Information:* This information will be used by the United States Coast Guard to determine

whether claims submitted to the Oil Spill Liability Trust Fund (Fund) are compensable and to ensure the correct amount of reimbursement of costs are made from the Fund.

*Frequency:* Once.

*Burden Estimate:* 10,163 hours.

*Respondents:* Claimants of oil spills and responsible parties of oil spills.

*Form(s):* None.

*Average Burden Hours per Response:* 4 hours per claimant and 1.5 hours for responsible parties.

*DOT No.:* 4078.

*OMB No.:* 2115-0557.

*Administration:* United States Coast Guard.

*Title:* Advance Notice of Vessel Arrival, Departure and Waiver.

*Need for Information:* The Ports and Waterways Safety Act of 1972, as amended by the Port and Tanker Safety Act of 1978, authorizes the Coast Guards to require receipt of notice from any vessel destined for or departing from a port or place under the jurisdiction of the U.S.

*Proposed Use of Information:* This information will be used by the Coast Guard Captain of the Port for vessel traffic control, denying entry to unsafe vessels, targeting vessels for boarding and examination, planning for oil and hazardous substance spills, counterterrorism, and firefighting contingencies, and controlling the port entry of vessels which may constitute a threat to the safety or security of U.S. ports.

*Frequency:* On occasion.

*Burden Estimate:* 15,716 hours.

*Respondents:* Vessel Operators.

*Form(s):* None.

*Average Burden Hours per Response:* .0185 hours per reporting.

*DOT No.:* 4079.

*OMB No.:* 2115-0527.

*Administration:* United States Coast Guard.

*Title:* Appeal Process for Requirements Under Ports and Waterways Safety Control of Vessel Operations and Cargo Transfers.

*Need for Information:* Title 33 CFR 160.7, Coast Guard has the authority to establish "safety zones" and issue Captain of the Port orders in order to protect vessels, harbors, ports and waterfront facilities from destruction, loss or injury due to marine safety hazard.

*Proposed Use of Information:* This information will be used by the Coast Guard to give individuals affected by safety zone regulations an opportunity to appeal to the Coast Guard for relief from certain safety zone requirements without jeopardizing the safety of

vessels, harbors and waterfront facilities.

*Frequency:* On occasion.

*Burden Estimate:* 150 hours.

*Respondents:* Businesses.

*Form(s):* None.

*Average Burden Hours per Response:* 1.5 hours reporting.

*DOT No.:* 4080.

*OMB No.:* 2115-0503.

*Administration:* United States Coast Guard.

*Title:* Plan Approval and Records for U.S. Vessels Carrying Oil in Bulk.

*Need for Information:* Title 46 U.S.C. 3703 gives the Coast Guard general authority to regulate the design, construction, alteration, repair, maintenance, operation and the equipping of U.S. vessels which carry or are adapted to carry oil in bulk. Title 46 U.S.C. 3703a, requires new tank vessels carrying oil be fitted with double hulls and that existing tank vessels be retrofitted with double hulls or be retired.

*Proposed Use of Information:* This information will be used by the Coast Guard to determine if a vessel's construction, arrangement and/or equipment meet the applicable standards as promulgated by the regulations.

*Frequency:* On occasion.

*Burden Estimate:* 25 hours.

*Respondents:* Vessel Owners.

*Form(s):* None.

*Average Burden Hours per Response:* .43 hours reporting and .32 hours recordkeeping.

*DOT No.:* 4081.

*OMB No.:* 2115-0056.

*Administration:* United States Coast Guard.

*Title:* Various International Agreement Safety Certificates.

*Need for Information:* Executive Order 12234, the Coast Guard is responsible for the issuance of certificates as required by the International Convention for Safety of Life at Sea (SOLAS), 1974.

*Proposed Use of Information:* This information will be used by the Coast Guard to issue certificates to vessels that meet applicable requirements of SOLAS.

*Frequency:* Annually or biannually.

*Burden Estimate:* 600 hours.

*Respondents:* Owners of U.S. flag ships engages in international voyages.

*Form(s):* CG-3347, G3347B, CG4359, CG967, CG968, CG968A, and CG969.

*Average Burden Hours per Response:* 41 minutes recordkeeping.

*DOT No.:* 4082.

*OMB No.:* 2115-0576.

*Administration:* United States Coast Guard.

*Title:* Identification and Instructional Material for Lifesaving, Fire Protection and Emergency Equipment.

*Need for Information:* Under 46 U.S.C. 3306, the Coast Guard is required to prescribe regulations for lifesaving, fire protection and other emergency equipment and its use on inspected vessels. These regulations will also require the equipment to have identification markings and instructional material on the proper use of this equipment.

*Proposed Use of Information:* This information will be used by the Coast Guard to ensure that merchant vessels of the U.S. on international voyages are equipped with lifesaving equipment and that this equipment have identification markings as required by the applicable regulations.

*Frequency:* On occasion.

*Burden Estimate:* 50,500.

*Respondents:* Manufacturers and vessel operators.

*Form(s):* None.

*Average Burden Hours per Response:* .35 for reporting and 2 hours for recordkeeping.

*DOT No:* 4083.

*OMB No:* 2120-0001.

*Title:* Notice of Proposed Construction or Alteration, Notice of Actual Construction, Project Status.

*Need for Information:* 49 U.S.C. 40101, et. seq. states that the Secretary of Transportation shall require by rules and regulations that all persons give adequate public notice of the construction or alteration of the proposed construction or alteration of any structure where notice will promote safety in air commerce as well as the efficient use and preservation of the navigable airspace and airport traffic capacity at public-use airports.

*Proposed Use of Information:* This information will be used by the FAA to establish minimum flight altitudes and procedures to ensure that aircraft are operated at safe distances from persons and property on the ground, to protect established minimum flight altitudes and procedures from unannounced or unknown structure that would have collision potential, to protect electronic air navigational aids from electromagnetic interference, to provide accurate charting and other notification to airmen of the construction or alteration, and to recommend appropriate obstruction marking and lighting to improve the consciousness of surface objects to help pilots see and avoid them.

*Frequency:* On occasion.

*Burden Estimate:* 16,816 hours.

*Respondents:* Individuals, large corporations, state institutions.

*Form(s):* FAA Forms 7460-1, 7460-2, and 7460-11.

*Average Burden Hours per Response:* 1 hour and 1 minute for FAA Form 7460-1, 13 minutes for FAA Form 7460-2, and 5 minutes for FAA Form 7460-11.

Issued in Washington, DC on July 6, 1995.

**Paula R. Ewen,**

*Manager, Information Resource Management (IRM), Strategies Division.*

[FR Doc. 95-16955 Filed 7-10-95; 8:45 am]

BILLING CODE 4910-62-P

## Federal Aviation Administration

### Noise Exposure Map Notice; Boise Air Terminal; Boise, ID

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice.

**SUMMARY:** The Federal Aviation Administration (FAA) announces its determination that the noise exposure maps submitted by Boise Air Terminal (BOI) under the provisions of Title I of the Aviation Safety and Noise Abatement Act of 1979 (Pub. L. 96-193) and 14 CFR Part 150 are in compliance with applicable requirements.

**EFFECTIVE DATE:** The effective date of the FAA's determination on the Boise Air Terminal noise exposure maps is June 30, 1995.

**FOR FURTHER INFORMATION CONTACT:** Dennis Ossenkop, FAA, Airports Division, ANM-611, 1601 Lind Avenue, S.W., Renton, Washington, 98055-4056.

**SUPPLEMENTARY INFORMATION:** This notice announces that the FAA finds that the noise exposure maps for Boise Air Terminal are in compliance with applicable requirements of Part 150, effective June 30, 1995.

Under Section 103 of Title I of the Aviation Safety and Noise Abatement Act of 1979 (herein after referred to as "the Act"), an airport operator may submit to the FAA a noise exposure map which meets applicable regulations and which depicts noncompatible land uses as of the date of submission of such maps, a description of projected aircraft operations, and the ways in which such operations will affect such maps. The Act requires such maps to be developed in consultation with interested and affected parties in the local community, government agencies and persons using the airport.

An airport operator who has submitted a noise exposure map that has been found by FAA to be in compliance with the requirements of Federal Aviation Regulation (FAR) Part

150, promulgated pursuant to Title I of the Act, may submit a noise compatibility program for FAA approval which sets forth the measures the operator has taken or proposes for the reduction of existing noncompatible uses and for the prevention of the introduction of additional noncompatible uses.

The FAA has completed its review of the noise exposure maps and related descriptions submitted by BIO. The specific maps under consideration are Exhibits 1 and 2 in the submission. The FAA has determined that these maps for Boise Air Terminal are in compliance with applicable requirements. This determination is effective on June 30, 1995. FAA's determination on an airport operator's noise exposure maps is limited to the determination that the maps were developed in accordance with the procedures contained in Appendix A of FAR Part 150. Such determination does not constitute approval of the applicant's data, information or plans, or a commitment to approve a noise compatibility program or to fund the implementation of that program.

If the questions arise concerning the precise relationship of specific properties to noise exposure contours depicted on noise exposure maps submitted under Section 103 of the Act, it should be noted that the FAA is not involved in any way in determining the relative locations of specific properties with regard to the depicted noise contours, or in interpreting the noise exposure maps to resolve questions concerning, for example, which properties should be covered by the provisions of Section 107 of the Act. These functions are inseparable from the ultimate land use control and planning responsibilities of local government. These local responsibilities are not changed in any way under Part 150 or through FAA's review of noise exposure maps. Therefore, the responsibility for the detailed overlaying of noise exposure contours onto the maps depicting properties on the surface rests exclusively with the airport operator which submitted those maps, or with those public agencies and planning agencies with which consultation is required under Section 103 of the Act. The FAA has relied on the certification by the airport operator, under Section 150.21 of the FAR Part 150, that the statutorily required consultation has been accomplished.

Copies of the noise exposure maps and of the FAA's evaluation of the maps are available for examination at the following locations: