

Direct all comments to Dorothy Conway, Federal Communications, Room 234, 1919 M St., NW., Washington, DC 20554 or via internet to dconway@fcc.gov.

For additional information or copies of the information collections contact Dorothy Conway at 202-418-0217 or via internet at dconway@fcc.gov.

OMB Approval Number: 3060-0329.

Title: Equipment Authorization Verification, Section 2.955.

Form No.: N/A.

Type of Review: Extension of existing collection.

Respondents: Businesses or other for-profit; Small businesses or organizations.

Number of Respondents: 5,655.

Estimated Time Per Response: 18 hours.

Total Annual Burden: 101,790

Needs and Uses: Equipment testing is performed, and data is gathered, to provide information to aid in controlling interference to radio communications. Data collected verifies compliance of equipment using the RF spectrum to the FCC rules. The information is retained by equipment manufactures, and made available to the Commission upon request.

OMB Approval Number: 3060-0384.

Title: Auditor's Certification Section 64.904.

Form No.: N/A.

Type of Review: Extension of existing collection.

Respondents: Businesses or other for-profit.

Number of Respondents: 19.

Estimated Time Per Response: 500 hours.

Total Annual Burden: 9,500.

Needs and Uses: Local exchange carriers required to file cost allocation manuals must have performed annually, by an independent auditor, and audit that provides a positive option on whether the applicable data shown in the carriers annual report presents fairly the information of the carrier required to be set forth in accordance with the carrier's cost allocation manual, the Commission's Joint Cost Orders and applicable Commission rules in Part 32 and 64 in force as of the date of the auditor's report. This requirement assist the Commission in effectively carrying out its responsibilities.

OMB Approval Number: 3060-0402.

Title: Application for a New or Modified Microwave Radio Station License under Part 21.

Form No.: FCC 494.

Type of Review: Extension of existing collection.

Respondents: Businesses or other for-profit; Small businesses or organizations.

Number of Respondents: 10,000.

Estimated Time Per Response: 2 hours.

Total Annual Burden: 20,000 hours.

Needs and Uses: The Commission requests this collection of information for telecommunications entities who wish to construct and operate a new or modified Microwave Radio Station facility under Part 21 of the Commission's Rules in the following radio services: point-to-point microwave; local television transmission service; multipoint distribution service; digital electronic message service; and fixed subsidiary communications authorizations. The data collected is necessitated by sections 308(a) and 309(i) of the Communications Act of 1934 as amended. The information collected is used by the Commission to determine if the applicant qualifies legally, technically and financially to be licensed to use microwave radio frequencies. The data is also used to issue authorizations and may be used for enforcement purposes.

OMB Approval Number: 3060-0289.

Title: Section 76.601 Performance Tests

Form No.: N/A.

Type of Review: Extension of existing collection.

Respondents: Businesses or other for-profit; Small businesses or organizations.

Number of Respondents: 12,000.

Estimated Time Per Response: 70 hours for the 4,390 cable systems conducting performance tests; 1 hour for the univers of 12,000 cable systems to maintain a list of current cable television channels.

Total Annual Burden: 319,300 hours.

Needs and Uses: Section 76.601 requires every cable system operator to maintain a current listing of cable television channels which that system delivers to its subscribers. Section 76.601(c) and (d) requires cable systems with over 1,000 subscribers to conduct semi-annual proof performance tests and triennial proof of performance tests for color testing. The data are used by FCC staff in field inspections and franchise authorities to ensure that an acceptable quality signal is being provided to cable subscribers, and to ensure that there are no signal leakage problems which could cause interference with over-the-air radio frequencies involving safety-of-life functions (i.e., police, fire, forestry, aeronautical, amateur radio). The lists of

channels would be used to determine what program services are carried on which class of cable channel.

OMB Approval Number: 3060-0520.

Title: 90.127(e) Submission and filing of applications.

Form No.: N/A.

Type of Review: Extension of existing collection.

Respondents: Businesses or other for-profit; State or local governments; Non-profit institutions; Small businesses or organizations.

Number of Respondents: 109,200.

Estimated Time Per Response: .083 hours.

Total Annual Burden: 9,100 hours.

Needs and Uses: Section 90.127(e) requires licensees to report the number of mobiles and pagers when license is modified or renewed. This information is used to maintain a database.

OMB Approval Number: 3060-0623.

Title: Application for Mobile Radio Service Authorization.

Form No.: FCC Form 600.

Type of Review: Revision to an existing collection.

Respondents: Businesses or other for-profit.

Number of Respondents: 193,186.

Estimated Time Per Response: 4 hours.

Total Annual Burden: 772,744 hours.

Needs and Uses: The information is used by the Commission to carry out its duties under the Communications Act. The information will be used by the Commission to determine whether the applicant is qualified legally, technically, and financially to be licensed. Without this information the Commission could not determine whether to issue the licenses to the applicants that provide telecommunications services to the public.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

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BILLING CODE 6712-01-F

FEDERAL LABOR RELATIONS AUTHORITY

Privacy Act of 1974; Notice to Amend Systems of Records

AGENCY: Federal Labor Relations Authority (FLRA).

ACTION: Notice to amend and delete systems of records.

SUMMARY: The FLRA is deleting two and amending another of its systems of records notices subject to the Privacy

Act of 1974 (5 U.S.C. 552a), as amended. Further, the FLRA is amending all of its systems of records notices to reflect its current address.

EFFECTIVE DATE: The deletions and amendments are effective September 28, 1995.

FOR FURTHER INFORMATION CONTACT: Solly Thomas, Executive Director, Federal Labor Relations Authority, 607 Fourteenth St., NW., Washington, DC 20424.

SUPPLEMENTARY INFORMATION: The FLRA's systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a) have been published and are available from the above address.

The FLRA is deleting FLRA/FSIP-1—"Personnel Files on Current, Past and Prospective Employees"—FLRA/FSIP; and FLRA/FSIP-2—"Travel Records—FLRA/FSIP." The maintenance of these systems is no longer necessary as all the records referenced therein are maintained in other published systems of records. The FLRA is amending all of its systems of records to change its address to: 607 Fourteenth Street, NW., Washington, DC 20424.

The categories affected are systems location, system manager(s) and address and notification procedures.

The FLRA is amending FLRA-INTERNAL-14—"Motor Vehicle Operators and Motor Vehicle Accident Report Cards."

The amendment reflects that the FLRA no longer maintains motor vehicle operators' records other than accident reports.

The amended notice for system FLRA/INTERVAL-14 is republished in its entirety below.

The amendments are not within the purview of subsection (r) of the Privacy Act (5 U.S.C. 552a) which requires the submission of an altered system report.

FLRA-INTERNAL-14—

SYSTEM NAME:

Motor Vehicle Accident Reports.

SYSTEM LOCATION:

Director, Administrative Services Division, Federal Labor Relations Authority, 607 Fourteenth St., NW., Washington, DC 20424.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Current and former employees of the Federal Labor Relations Authority. Categories of records in the system: This system contains reports, correspondence and fiscal documents concerning motor vehicle accidents occurring in Government owned or leased motor vehicles or privately owned motor vehicles while on official business.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Chapter 171 of Title 28, United States Code.

PURPOSE(S):

These records serve to document motor vehicle accident reports and related documents which may be used in claims settlement litigation regarding an accident involving a Government motor vehicle, or a leased or privately owned motor vehicle while being used on official business.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records and information in these records may be used:

a. To disclose pertinent information to the appropriate Federal, State or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the Federal Labor Relations Authority becomes aware of an indication of a violation or potential violation of a civil or criminal law or regulation.

b. To disclose information to any source from which additional information is requested (to the extent necessary to identify the individual, inform the source of the purpose of the request, and identify the type of information requested), where necessary to obtain information relevant to a Federal Labor Relations Authority decision concerning the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a grant or other benefit.

c. To provide information to a congressional office from the record of an individual in response to an inquiry from that congressional office made at the request of that individual.

d. To disclose information to another Federal agency or to a court when the Government is party to a judicial proceeding before the court.

e. By the National Archives and Records Administration (General Services Administration) in Records Management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

f. By the Office of Personnel Management in the production of summary description statistics and analytical studies in support of the function for which the records are collected and maintained, or for related work force studies. While published statistics and studies do not contain individual identifiers, in some instances

the selection of elements of data included in the study may be structured in such a way as to make the data individually identifiable by inference.

g. To disclose information to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation, the classifying of jobs, or the awarding of a contract, license, grant, or other benefit.

h. To disclose information to the General Services Administration about motor vehicle accidents involving Government-owned or leased motor vehicles.

i. To disclose information to insurance carriers about accidents involving privately owned motor vehicles.

j. To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in file folders and on indexed application cards.

RETRIEVABILITY:

These records are retrieved under subject file "Motor Vehicle Accident Reports."

SAFEGUARDS:

These records are maintained in a secured area with access limited to authorized personnel whose duties require access.

RETENTION AND DISPOSAL:

Motor vehicle accident reports are maintained for six years after the date of the report, except in cases involving litigation. In cases involving litigation, records are to be maintained for a period of seven years. Records to be destroyed are destroyed by shredding or burning.

SYSTEM MANAGER(S) AND ADDRESS:

Director, Administrative Services Division, Federal Labor Relations Authority, 607 Fourteenth St., NW., Washington, DC 20424.

NOTIFICATION PROCEDURE:

Individuals wishing to inquire whether this system of records contains information about them should contact the system manager.

Individuals must furnish the following information for their records to be located and identified:

a. Full name.

b. Date of birth.

Individuals making inquiries must comply with the Federal Labor Relations Authority's Privacy Act regulations regarding the existence of records (5 CFR 2412.4).

RECORD ACCESS PROCEDURES:

Individuals wishing to request an amendment to their records should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. Date of birth.

Individuals requesting amendment must also follow Federal Labor Relations Authority's Privacy Act regulations regarding amendment of records (5 CFR 2412.5).

CONTESTING RECORD PROCEDURES:

Individuals wishing to request access to records about them should contact the system manager. Individuals must furnish the following information for their records to be located and identified:

- a. Full name.
- b. Date of birth.

Individuals requesting access must comply with the Federal Labor Relations Authority's Privacy Act regulations regarding access to records (5 CFR 2412.5).

RECORD SOURCE CATEGORIES:

Information in this system of records is provided by:

- a. The individual to whom the record pertains.
- b. Federal Labor Relations Authority employees and other parties involved in the motor vehicle accident.
- c. Witnesses to the accident.
- d. Police reports and reports of investigations conducted by Federal Labor Relations Authority investigators.
- e. Officials of the Federal Labor Relations Authority and the General Services Administration.

Dated: September 22, 1995.

For the Authority.

Solly Thomas,

Executive Director, Federal Labor Relations Authority.

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BILLING CODE 6267-01-M

FEDERAL MARITIME COMMISSION

[Docket No. 95-14]

Michael A. Grant, doing business as Island Shipping Inc.; Order to Show Cause

This proceeding is instituted pursuant to sections 8, 11 and 23 of the Shipping

Act of 1984 ("1984 Act"), 46 U.S.C. app. 1707, 1710 and 1721, and the Commission's regulations governing the tariffing and bonding of non-vessel operating common carriers, 46 C.F.R. parts 514 and 580.

Michael A. Grant is a resident of the State of Maryland. Since at least October 1994, Mr. Grant maintained offices at 8605 Cameron Street, Suite M1, Silver Spring, Maryland, from which premises Mr. Grant operates a business under the trade name of Island Shipping Inc.¹

It appears that subsequent to November 1993, Michael A. Grant, doing business as Island Shipping, shipped or agreed to transport shipments of household goods, furniture and personal effects in the foreign commerce of the United States. In at least five (5) instances known to the Commission, Mr. Grant or his agents are alleged to have picked up the goods from various individuals or households within the Washington, D.C. area. A bill of lading in the name of Island Shipping was issued to the individual tendering the goods reflecting prospective delivery of the goods on behalf of the named shipper at overseas destinations.² A cash receipt, also known in the name of Island Shipping, was issued for compensation received with respect to the transportation.

In at least seventeen (17) additional instances, it appears Mr. Grant, doing business as Island Shipping, contracted for space aboard vessels by which the ocean transportation was to be provided. On each of these shipments via a vessel-operating common carrier, Island Shipping is identified on corresponding shipping documents, such as bills of lading, as the shipper.³ In most instances, Island Shipping also appear as the billing party for the payment of freight on the subject shipments.

Section 8 of the 1984 Act, 46 U.S.C. app. § 1707, provides that no common carrier may provide service in the United States foreign trades unless the carrier has first filed a tariff with the Federal Maritime Commission showing all of its rates, charges and practices. Section 23 of the 1984 Act further provides that each non-vessel-operating common carrier must furnish to the Commission a bond, proof of insurance or other surety, *inter alia*, to insure the financial responsibility of the carrier to

pay any judgment for damages arising from its transportation-related activities.⁴ According to a review of records maintained by the Commission's Bureau of Tariffs, Certification and Licensing, no tariff or bond has been filed with the Commission in the name of Island Shipping or Mr. Grant. Therefore, it would appear that Michael A. Grant, doing business as Island Shipping, by providing and holding himself out to the public to provide transportation by water of cargo for compensation and by contracting in the capacity as a shipper in relation to an ocean common carrier for the carriage of cargo of other persons, has acted as a non-vessel-operating common carrier without a tariff or bond on file with the Commission, in violation of sections 8 and 23 of the 1984 Act.

Now therefore, it is ordered That pursuant to section 11 of the Shipping Act of 1984, Michael A. Grant, doing business as Island Shipping, show cause why he should not be found to have violated section 8 of the Shipping Act of 1984 by acting as a non-vessel-operating common carrier in each of twenty-two (22) instances, specified above, without a tariff for such service on file with the Commission;

It is further ordered That pursuant to section 11 of the Shipping Act of 1984, Michael A. Grant, doing business as Island Shipping, show cause why he should not be found to have violated section 23 of the Shipping Act of 1984 by acting as a non-vessel-operating common carrier in each of twenty-two (22) instances, specified above, without a bond for such service on file with the Commission;

It is further ordered That Michael A. Grant, doing business as Island Shipping, show cause why an order should not be issued directing Michael A. Grant to cease and desist from providing or holding himself out to provide transportation as a common carrier and from obtaining from any common carrier transportation by water of the cargo of any other person between the U.S. and a foreign country unless and until such time as Mr. Grant or Island Shipping shall have filed a tariff and a bond for such service with the Commission.

⁴Based on information currently available to the Commission, see fn. 2, at least four individuals who have utilized the services of Island Shipping claim to have suffered financial injury due to the action or inaction of Island Shipping in the transportation of their shipments. Claims by these shippers include property damage to goods in shipment (Xenia Bruce), loss of cargo (Owen White; and Collin Bruce), and payment of additional freight to obtain release of cargo by the ocean common carrier whose vessel transported the goods (Ethel Phillips).

¹It appears that, in March 1990, a corporation by the name of Island Shipping Inc. ("Island Shipping") was established under the laws of Maryland. Its registered agent was Michael A. Grant of Silver Spring, Maryland. The corporate charter of Island Shipping was revoked by the State of Maryland in October 1992, for failure to file reports required by the State.