

to speak and outlines of oral comments should be received by Tuesday, June 21, 1994.

The location of the public hearing has changed. The hearing is being held in room 2615 on Thursday, January 4, 1996, beginning at 10:00 a.m. The requests to speak and outlines of oral comments should be received by Thursday, December 14, 1995. Because of controlled access restrictions, attenders cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

Copies of the agenda are available free of charge at the hearing.

Michael L. Slaughter,

Acting Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

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EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1602

Elementary-Secondary Staff Information Report EEO-5

AGENCY: Equal Employment Opportunity Commission.

ACTION: Proposed rule.

SUMMARY: The Equal Employment Opportunity Commission (EEOC) has voted to discontinue the requirement for filing the Elementary-Secondary Staff Information Report EEO-5 for individual schools and annexes within school systems or districts. This proposed rule amends the school filing requirement in subpart M of 29 CFR Part 1602. The recordkeeping requirements for elementary and secondary public school systems and districts, including individual schools and annexes, remain unchanged. This action is being taken in the interest of streamlining the survey process and reducing the burden on respondents, while maintaining sufficient data to meet the EEOC's program needs. The change is planned to become effective beginning with the 1996 EEO-5 survey.

DATES: Written comments on this proposed rule must be submitted on or before February 6, 1996.

ADDRESSES: Comments should be submitted to Frances M. Hart, Executive Officer, Executive Secretariat, Equal Employment Opportunity Commission, 10th Floor, 1801 L Street, NW., Washington, DC 20507. As a convenience to commentators, the Executive Secretariat will accept comments transmitted by facsimile ("FAX") machine. The telephone

number of the FAX receiver is (202) 663-4114. (This is not a toll free number.) Only comments of six or fewer pages will be accepted via FAX transmittal. This limitation is necessary to assure access to the equipment. Receipt of FAX transmittals will not be acknowledged, except that the sender may request confirmation of receipt by calling the Executive Secretariat staff at (202) 663-4078 (voice) or (202) 663-4077 (TDD). (These are not toll-free numbers.) Copies of comments submitted by the public will be available for review at the EEOC's library, Room 6502, 1801 L Street, NW., Washington, DC between the hours of 9:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663-4958 (voice) or (202) 663-7063 (TDD).

SUPPLEMENTARY INFORMATION: Section 709(c) of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e-8(c), requires employers to make and keep records relevant to a determination of whether unlawful employment practices have been or are being committed and to make reports therefrom as required by the EEOC. Accordingly, the EEOC has issued regulations which set forth the reporting requirements for various kinds of employers. Elementary and secondary public school systems and districts have been required to submit EEO-5 reports to the EEOC since 1974 (biennially in even numbered years since 1982). Two types of EEO-5 reports have been used: EEOC Form 168A, covering the entire public school system or district; and EEOC Form 168B, covering each individual school and annex within the system or district.

EEO-5 data are used by the EEOC to investigate charges of employment discrimination against elementary and secondary public school systems and districts. The data are used to support EEOC decisions and conciliations, and in systemic program activities. The data also enhance the Commission's ability to perform research, analysis, technical assistance, and public education. In addition, data are shared with the Department of Education (Office for Civil Rights and the National Center for Education Statistics) and the Department of Justice. EEO-5 data also are shared with approximately 23 state and 56 local Fair Employment Practice Agencies.

On October 5, 1995, the EEOC voted to discontinue the EEO-5 Report 168B for individual schools and annexes. The primary reason for the discontinuance

of the reporting requirement for individual schools is to reduce the reporting burden on respondents and to streamline the collection of information required for enforcement purposes. The recordkeeping requirements of subpart L of 29 CFR 1602, however, remain in effect and unchanged.

Paperwork Reduction Act

This action will result in a reduced expense and reporting burden for school systems and districts as required under the Paperwork Reduction Act of 1995, 44 U.S.C. 3502(1). The reporting burden for this collection is based upon an average estimate per response and takes into consideration the large number of school systems and districts that submit their reports on diskettes or magnetic tapes. Burden hours for any particular school system or district may differ from this average estimate depending on the accessibility of information and the degree of automation. The burden estimate includes the time needed for reviewing instructions, searching existing data sources, gathering and maintaining the data, and completing and reviewing the collection of information. Public comments on the accuracy of the burden estimates as well as suggestions for further reducing the burden are welcome. The EEOC has encouraged and will continue to encourage the use of magnetic media (diskettes, computer tapes, etc.) as a means of submitting information on the EEO-5 report.

(1) Type of review: Extension (Discontinuance of individual school reports).

(2) Agency: Equal Employment Opportunity Commission.

(3) Title: Elementary-Secondary Staff Information (EEO-5).

(4) OMB Number: 0346-0003.

(5) Frequency: Biennially.

(6) Affected Public: State and Local Government.

(7) Number of Respondents: 5,000.

(8) Estimated Time Per Respondent: 5 Hours during a survey year.

(9) Total Burden Hours: 25,000 Hours.

The Office of Management and Budget (OMB) approval of the current EEO-5 collection of information, OMB Control Number 0346-0003, will expire on January 31, 1996. In order to comply with new information collection clearance procedures that OMB has instituted pursuant to the act, set forth at 29 CFR 1320.8, .9, and .11, the EEOC has obtained a 90 day extension of the current OMB collection approval in which to notice the proposed change in the EEO-5 collection and also to notice the extension.

Pursuant to 29 CFR 1320.8(d)(1), the EEOC solicits public comment to enable it to:

- (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the EEOC's functions, including whether the information will have practical utility;
- (2) Evaluate the accuracy of the EEOC's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- (3) Enhance the quality, utility, and clarity of the information to be collected; and
- (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Regulatory Flexibility Act

The Commission certifies pursuant to 5 U.S.C. 605(b), enacted by the Regulatory Flexibility Act, Pub. L. No. 96-354, that this proposed change will not result in significant impact on small employers or other entities because the change involves elimination of reporting requirements, and that a regulatory flexibility analysis therefore is not required. The Commission hereby publishes this proposed rule for public information and comment. The rule appears below.

List of Subjects in 29 CFR Part 1602

Reporting and recordkeeping requirements.

Dated: November 30, 1995.

For the Commission.

Gilbert F. Casellas,
Chairman.

Accordingly, it is proposed to amend 29 CFR Part 1602 as follows:

1. The authority citation for part 1602 continues to read as follows:

Authority: 42 U.S.C. 2000e-8, 2000e-12; 44 U.S.C. 3501 *et seq.*; 42 U.S.C. 12117.

§ 1602.41 [Amended]

2. Section 1602.41 is amended as follows:

(a) In the introductory text, in the first sentence, delete the phrase "and individual schools within such systems or district".

(b) In the concluding text, in the first sentence, delete the phrase, " , or the individual school which is the subject of the report, where more convenient,"

3. Section 1602.43 is revised to read as follows:

§ 1602.43 Commission's remedy for school systems' or districts' failure to file report.

Any school system or district failing or refusing to file report EEO-5 when required to do so may be compelled to file by order of a U.S. district court, upon application of the Commission or the Attorney General.

4. Section 1602.44 is revised to read as follows:

§ 1602.44 School systems' or districts' exemption from reporting requirements.

If it is claimed that the preparation or filing of the report would create undue hardship, the school system or district may apply to the Commission for an exemption from the requirements set forth in this part by submitting to the Commission or its delegate a specific proposal for an alternative reporting system prior to the date on which the report is due.

[FR Doc. 95-29552 Filed 12-7-95; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250, 251, and 256

RIN 1010-AB92

Revision of Requirements Governing Surety Bonds for Outer Continental Shelf Leases

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of proposed rulemaking.

SUMMARY: The proposed rule would establish a deadline of 2 years for all Outer Continental Shelf (OCS) oil and gas and sulphur lessees to bring their bond coverage into compliance with the new levels of coverage established in 1993; clarify MMS's position that assignees, assignors, and co-lessees are jointly and severally liable for compliance with OCS oil and gas and sulphur leases; establish a regulatory framework for lease-specific abandonment accounts and acceptance of a third-party guarantee; and update the bond coverage required of right-of-way holders and Geological and Geophysical (G&G) exploration permittees. These changes are needed to reduce the risk of default by an underfunded company operating a lease or holding a right-of-way.

DATES: Comments must be received or postmarked no later than March 7, 1996 to be considered in this rulemaking.

ADDRESSES: Written comments must be mailed or hand-carried to the Department of the Interior; Minerals Management Service; 381 Elden Street; Mail Stop 4700; Herndon, Virginia 22070-4817; Attention: Chief, Engineering and Standards Branch.

FOR FURTHER INFORMATION CONTACT: Gerald D. Rhodes, Engineering and Technology Division, telephone (703) 787-1609.

SUPPLEMENTARY INFORMATION: The MMS regulations at 30 CFR Part 250, Subpart G, Abandonment of Wells, Subpart I, Platforms and Structures, and Subpart J, Pipelines and Pipeline Rights-of-Way, specify that OCS lessees, right-of-way holders, and G&G exploration permittees are liable for all end-of-lease financial obligations including unpaid royalties; costs of well plugging and abandonment; removal of pipe, equipment, platform(s), and facilities; and clearance of obstructions to other uses of the sea. The levels of bond coverage required by the regulations do not limit the obligations of OCS oil and gas or sulphur lessees, holders of an OCS pipeline right-of-way, or exploration permittees conducting deep stratigraphic tests.

The transfer of OCS leases from large producing companies to smaller producers, some of which are marginally financed, has increased the risk that the responsible party will not be able to satisfy end-of-lease obligations.

The MMS continues to investigate ways to provide more flexibility to lessees in meeting bonding requirements. For example, MMS has allowed third-party guarantees and escrow accounts as alternatives to traditional bonds. These methods would be specifically addressed in regulations to facilitate their use. The MMS encourages lessees to suggest other alternatives to traditional bonds. The regulations provide flexibility to the Regional Director to consider alternate forms of surety.

Oil and Gas and Sulphur Lease Bond Coverage Requirements: To reduce the number of cases of underfunded liabilities, MMS published revised rules on August 27, 1993 (58 FR 45255), increasing the bond coverage required for OCS oil and gas or sulphur leases.

The MMS is phasing in the increases in the minimum levels of bond coverage as part of the process of reviewing requests for approval of lease assignments, Exploration Plans (EP), Development and Production Plans