

Rebating Agents' Commissions, issued on October 4, 1995, and requests public comments on rebating of insurance agents' commissions to consumers under the National Flood Insurance Program (NFIP).

**DATES:** We invite your comments which should be submitted within March 14, 1996.

**ADDRESSES:** Please submit your comments to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (facsimile) (202) 646-4536.

**FOR FURTHER INFORMATION CONTACT:** Charles M. Plaxico, Jr., Chief, Claims and Underwriting Division, the Federal Insurance Administration, 500 C Street SW., Washington, DC 20472, (202) 646-3422.

**SUPPLEMENTARY INFORMATION:** Where the practice is permitted by State law, licensed insurance agents may rebate a portion of the commission they earn for the sale of a given policy to the insured. This practice typically is used as a sales incentive and marketing tool. While the practice is prohibited in most States, a few States permit the practice. With more insurance producers and agents beginning to sell flood insurance policies, FIA wants the comments of as large a number of interested parties as possible in order to set policy on this issue.

During the past year, FIA received a number of inquiries from producers and Write Your Own (WYO) Companies concerning the rebating of insurance agents' commissions on NFIP policies. FIA consulted with the following three committees that advise the FIA on insurance-related issues: the Flood Insurance Producers National Committee; the Insurance Institute for Property Loss Reduction Flood Insurance Committee; and the Write Your Own Marketing Committee. The Insurance Institute for Property Loss Reduction Flood Insurance Committee did not comment as a committee, but two member companies on that committee responded as individual companies.

On October 4, 1995, FIA issued National Flood Insurance Program (NFIP) Policy Issuance 5-95 which prohibited, under the NFIP, the practice of agents' rebating commissions to consumers. We now rescind Policy Issuance 5-95. Since October 4 interested parties from within and outside the insurance industry have expressed divergent views on how FIA should treat the issue of rebating agents' commissions. In light of the diversity of opinion on this issue, FIA has decided

to increase the circle of its advisers and to solicit comments and recommendations from a wider audience than before on the most appropriate policy on the rebating issue.<sup>1</sup>

Dated: December 12, 1995.

Elaine A. McReynolds,

*Federal Insurance Administrator.*

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**BILLING CODE 6718-03-P**

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## FEDERAL MARITIME COMMISSION

### Notice of Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, D.C. Office of the Federal Maritime Commission, 800 North Capitol Street, NW., 9th Floor. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after the date of the Federal Register in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No.: 202-010776-095.

**Title:** Asia North America Eastbound Rate Agreement.

**Parties:** American President Lines, Ltd., Hapag-Lloyd Aktiengesellschaft, Kawasaki Kisen Kaisha, Ltd., A.P. Moller-Maersk Line, Mitsui O.S.K. Lines, Ltd., Nedlloyd Lijnen B.V., Neptune Orient Lines, Ltd., Nippon Yusen Kaisha Line, Orient Overseas Container Line, Inc., Sea-land Service, Inc.

**Synopsis:** The proposed amendment modifies Article 8.5—Voting and Quorum Requirements to provide that service contracts entered into on or after January 5, 1996, may be amended by majority vote, rather than by unanimous less one vote as currently required for service contract amendments.

Agreement No.: 232-011321-003.

**Title:** Maersk/Sea-Land Pacific Agreement.

**Parties:** A.P. Moller-Maersk Line, Sea-Land Service, Inc.

**Synopsis:** The proposed amendment expands the foreign geographic scope of the Agreement to include all of Asia,

excluding Asia Mediterranean ports. It also increases the maximum number of line-haul vessels, and revises Articles 9.2 and 9.3 respectively—Duration and Termination by (1) redefining the "initial period" of the Agreement to a time which will expire four years after the effective date of this amendment and (2) increases the notice period required for withdrawal from 9 months to 12 months.

Agreement No.: 224-200133-004.

**Title:** Port Authority of New York & New Jersey/Sea-Land Service, Inc. Terminal Agreement.

**Parties:** Port Authority of New York & New Jersey, Sea-Land Service, Inc. ("Sea-Land").

**Synopsis:** The proposed amendment provides for the incorporation of a sub-surface environmental baseline at Sea-land's Elizabeth, New Jersey Container Terminal.

Agreement No.: 224-200963.

**Title:** Alabama State Docks Department/Middle Gulf Stevedoring, Inc. Terminal Agreement.

**Parties:** Alabama State Docks Department ("Port"), Middle gulf Stevedoring, Inc. ("Middle Gulf").

**Synopsis:** The proposed Agreement permits Middle Gulf to provide freight handling services at the Port.

Dated: December 12, 1995.

By order of the Federal Maritime Commission.

Joseph C. Polking,

*Secretary.*

[FR Doc. 95-30582 Filed 12-14-95; 8:45 am]

**BILLING CODE 6730-01-M**

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Change in Marriage and Divorce Data Available From the National Center for Health Statistics

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (DHHS).

**ACTION:** Notice.

**SUMMARY:** Beginning January 1, 1996, the availability of marriage and divorce data collected by the National Center for Health Statistics (NCHS), CDC, will change. NCHS will continue to collect marital status in all of its population surveys, will continue to obtain detailed information on out-of-wedlock births, and will work with States to obtain summary counts of marriages and divorces. However, detailed data from

<sup>1</sup> Not published in the Federal Register.

States participating in the marriage and divorce components of the Vital Statistics Cooperative Program (VSCP) will no longer be obtained. This change is being made to prioritize programs in a period of tightened resource constraints.

**DATES:** Written comments regarding these changes in the collection of marriage and divorce data must be received on or before January 15, 1996.

**ADDRESSES:** Written comments can be sent to the Centers for Disease Control and Prevention (CDC), National Center for Health Statistics, Attention: FR Response, Division of Vital Statistics, Room 840, 6525 Belcrest Road, Hyattsville, MD 20782.

**FOR FURTHER INFORMATION CONTACT:** Mary Anne Freedman, Director, Division of Vital Statistics, NCHS, CDC, telephone (301) 436-8951, ext. 112.

**SUPPLEMENTARY INFORMATION:** Viewed at either the individual level or the population level, marital status is a key variable in health, demographic, and policy research. As a result, data on current marital status and on change in marital status have been collected through a variety of Federal surveys and data systems. Among these systems are health surveys conducted by NCHS, the Current Population Survey conducted by the U.S. Bureau of the Census, and the records-based vital registration system conducted as a cooperative venture (the VSCP) between NCHS and the States. Within the VSCP, current marital status data are collected from birth certificates in the birth registration system, resulting, for example, in data on out-of-wedlock births. Marital status is also collected from death certificates in the death registration system. Data on change in marital status are obtained from marriage and divorce certificates.

NCHS plans to discontinue payments to the States and other vital registration areas for the collection of detailed data from marriage and divorce certificates, but will continue to request counts of marriages performed and divorces granted from all vital registration areas of the U.S. All other NCHS efforts to collect marital status information, including marital status for mothers on birth certificates, will continue.

NCHS data systems are continually being reviewed in light of resource constraints to assure that efforts are focused on the highest priority data needs. At a time when policy issues related to families are of great interest, NCHS has exercised caution to assure that data systems will be available to support monitoring and research interests in key priority areas. Over the last year, NCHS has systematically

reviewed the availability and uses of detailed data on marriages and divorces. This review has led to the conclusion that the data most needed for setting policy (e.g., information on family formation, out-of-wedlock births, children living in single parent families) can be obtained through other sources, such as the birth registration system, other NCHS surveys, and the Current Population Survey.

The discontinuation of collection of detailed data from marriage and divorce certificates will result in a loss of data to researchers who currently rely on this data source for information on annual changes in the collective marriage and divorce behavior of the population, including trends and differentials in the propensity to marry, to divorce, and to remarry after divorce or widowhood. However, much of this information is available on a five year cycle from the June Marital History Supplement of the Current Population Survey.

Long-standing concerns about the completeness and quality of detailed marriage and divorce data from the VSCP were an important consideration in reaching the conclusion to discontinue payments to the States. Although the United States Government has collected marriage and divorce data through various methods since 1867, it was not until 1957 that a formal Registration Area was created for reporting detailed marriage data to NCHS; a similar Registration Area was created for divorces in 1958. These Registration Areas include States with adequate programs for collecting marriage and divorce statistics and which meet specific registration and reporting criteria for participation. More recently, NCHS has included marriage and divorce statistics in the VSCP, a contractual arrangement by which NCHS provides support to the State vital statistics programs and through which NCHS receives vital statistics data for analysis and dissemination at the national level.

Working with State vital registration offices and with various users of marriage and divorce data, NCHS has established standard certificates of marriage and divorce. These certificates contain selected data items about marriages and divorces, and certain of these items are required for admission to the registration areas. Due to variation in State laws on registration of marriage and divorce, not all States obtain these basic required items, and not all States have central registration facilities for marriages or divorces or both. At present, 41 States, the District of Columbia, Puerto Rico, and the Virgin Islands participate in the Marriage

Registration Area and 31 States, the District of Columbia, and the Virgin Islands participate in the Divorce Registration Area. Detailed data are currently obtained from relatively small systematic samples of marriage and divorce records for these Areas. Although this system has been in place for many years, it has never been completed. Detailed data represent approximately 77 percent of marriages in the nation and 49 percent of divorces. For this reason, in addition to the detailed data, NCHS obtains counts of the number of marriages performed and the number of divorces granted from all States, the District of Columbia, Puerto Rico, and the Virgin Islands.

Fiscal constraints on State vital statistics programs have put stress on state-level quality assurance programs. As a result, in addition to the problem of coverage completeness, the quality of detailed marriage and divorce data has deteriorated. This deterioration is reflected mostly by the fact that, in some States, the response rates for certain key variables have fallen well below the minimum level acceptable to NCHS.

These coverage and quality concerns, the lack of identified resources to upgrade the system, and the availability of marital status data for high-priority needs from other sources have led NCHS, in consultation with data users, to conclude that resources currently devoted to the marriage and divorce component of the VSCP should be redirected to other priority uses.

Dated: December 8, 1995.

Claire V. Broome,

*Deputy Director, Centers for Disease Control and Prevention (CDC).*

[FR Doc. 95-30566 Filed 12-14-95; 8:45 am]

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## Food and Drug Administration

[Docket No. 95M-0394]

### Datascope Corp.; Premarket Approval of the VasoSeal Vascular Hemostasis Device

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) is announcing its approval of the application by Datascope Corp., Montvale, NJ, for premarket approval, under the Federal Food, Drug, and Cosmetic Act (the act), of the VasoSeal Vascular Hemostasis Device (VHD). FDA's Center for Devices and Radiological Health (CDRH) notified the applicant, by letter of