company involved; and (c) the proposed transaction is consistent with the general provisions of the Act. Applicants request an exemption under sections 6(c) and 17(b) to permit the Public Funds to purchase shares of the Small Cap Fund, and the Small Cap Fund to redeem such shares.[3] Applicants believe that the proposed transactions meet the standards of sections 6(c) and 17(b).

Applicants' Conditions

Applicants agree that any order of the SEC granting the requested relief shall be subject to the following conditions:

1. The Public Funds and the Small Cap Fund will be part of the same ''group of investment companies,'' as defined in rule 11a–3 under the Act.

2. The Small Cap Fund shall not acquire securities of any other investment company in excess of the limits contained in section 12(d)(1)(A) of the Act.

3. A majority of the trustees of the Public Funds will not be ''interested persons,'' as defined in section 2(a)(19) of the Act.

4. VKACAM will not charge any advisory fee for managing the Small cap Fund.

5. Any sales charges or service fees charged with respect to securities of the Public Funds, when aggregated with any sales charges or service fees paid by the Public Funds with respect to securities of the Small Cap Fund, shall not exceed the limits set forth in Article II, section 26, of the Rules of Fair Practice of the National Association of Securities Dealers, Inc.

6. Applicants agree to provide the following information, in electronic format, to the Chief Financial Analyst of the SEC's Division of Investment Management: monthly average total assets for each Public Fund's portfolio and the Small Cap Fund's portfolio; monthly purchases and redemptions (other than by exchange) for each Public Fund's portfolio and the Small Cap Fund's portfolio; annual expense ratios for each Public Fund's portfolio and the Small Cap fund's portfolio; and a description of any vote taken by the shareholders of the Small Cap Fund, including a statement of the percentage of votes cast for and against the proposal by the Public funds and by any other shareholders of the Small Cap Fund if any. Such information will be provided as soon as reasonably practicable following each fiscal year-end of each of the Public Funds (unless the Chief Financial Analyst shall notify applicants in writing that such information need no longer be submitted).

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–11671 Filed 5–9–96; 8:45 am]

BILLING CODE 8010–01–M

[3] Section 17(b) applies to a specific proposed transaction, rather than an ongoing series of future transactions. *See* Keystone Custodian Funds, 21 S.E.C. 295, 298–99 (1945). Section 6(c), along with section 17(b), is frequently used to grant relief from section 17(a) to permit an ongoing series of transactions.

[Release No. 34–37169; File No. SR–NASD–96–15]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by National Association of Securities Dealers, Inc. Relating to Schedule A to the By-Laws To Amend the Allowable Exclusions and Deductions From the Definition of Gross Revenue for Member Assessment Purposes

May 6, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] notice is hereby given that on April 4, 1996, the National Association of Securities Dealers (''NASD'' or ''Association'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the NASD. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

Following is the text of the proposed rule change. Proposed new language is italicized; deletions are in brackets.

NASD By-Laws

Schedule A

* * * * *

Section 5 Gross Revenue for Assessment Purposes

(a) Gross revenue is defined for assessment purposes as total income as reported on FOCUS form Part II or IIA with the following exclusions:

[•] *(1)* Other income unrelated to the securities business;

[•] [Interest and dividends;]

[•] *(2)* Commodities income;

[•] *(3)* Advisory fees, investment management fees and finders' fees not directly involving the offering of securities; proxy fees; vault service fees; safekeeping fees; transfer fees; and fees for financial advisory services for municipalities;

[•] *(4)* Commissions derived from transactions executed on a registered national securities exchange or a foreign securities exchange (Note 1);

[•] *(5)* Profits or losses derived from transactions of which both the purchase and sale are executed on a registered national securities exchange, including arbitrage (Note 1); and

[•] *(6)* Profits and losses derived from transactions in certifications of deposit and commercial paper, which is defined to include drafts, bills of exchange, and bankers acceptances.

(b) In addition, members may deduct:

[•] *(1)* Any commissions, concessions or other allowances paid to another member in connection with the execution or clearance of transactions included in reported revenue. For example, a member acting as a clearing agent for another member shall deduct net amounts allowed to the non-clearing member; [and]

[•] *(2)* 25% of gross wrap fees charged to and received from customers and paid or allocated to investment managers or advisors[.]; *and*

[•] *(3) Interest and dividend expense but not in excess of related interest and dividend revenue or, alternatively, the member may deduct 40% of interest earned by the member on customer securities accounts; provided, however in addition the member may deduct the first $50,000 of net interest and dividend revenue.*

Note 1: Income not subject to exclusion for members for whom the NASD is the designated examining authority.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

[1] 15 U.S.C. 78s(b)(1)

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

Gross revenue is defined for member assessment purposes under Section 5 of Schedule A to the NASD By-Laws (''Section 5'') as total income reported on FOCUS form Part II or IIA. Members, however, are allowed certain exclusions. Income derived from interest and dividends is currently an allowable exclusion under Section 5.

The NASD surveyed members' FOCUS filings for 1994 and conducted discussions with a number of member firm representatives, from which the NASD determined that, along with the normal interest income from customer margin accounts and interest and dividends from trading and investment positions, a significant portion of interest revenue for certain members is associated with the member's trading strategies involving, for example, repurchase, reverse repurchase, and stock loan/borrow transactions, which are considered over-the-counter revenues from the securities business.

The NASD is proposing to amend Section 5 of Schedule A by deleting a provision which currently allows a member to exclude its interest and dividends from gross revenue for assessment purposes. The proposed rule change, however, would add a new provision to allow a member to deduct from gross revenue for assessment purposes either: (i) its interest and dividend expenses but not in excess of related interest and dividend revenue; or, alternatively, (ii) 40% of interest earned by the member on customer securities accounts. The first deduction is intended to allow the member to subtract directly-related expenses from interest and dividend revenue to be included in the definition of gross revenue. The alternative deduction is intended to eliminate the potential for inequitable allocation of assessments on those members whose interest and dividend revenue is obtained without significant expenses related to trading strategies, (*e.g.*, if a member derives interest revenue primarily from margin accounts and finances this lending through its own capital). It would also be consistent with the assessment of interest and dividend revenue by the Securities Investor Protection Corporation (''SIPC''), which permits an alternative offset to gross interest and dividend revenue consisting of 40% of interest earned on customer securities accounts. The proposed rule change, in addition, would allow a member to deduct from its gross revenue the first $50,000 of net interest and dividend revenue in order to continue to encourage the accumulation of net capital, particularly by smaller members.

Based on NASD data, the NASD estimates that the proposed rule change, if adopted for 1995, would have generated assessment revenue of $3 million based on the budgeted level of assessment revenue of $39 million for that year.

The proposed rule change would also amend Section 5 to provide alphabetical references to its two primary subsections and by replacing all bullets referencing its secondary subsections with numerical references.

The NASD is proposing that the proposed rule change take effect for the 1996 assessment based on revenues generated in calendar year 1995.

2. Statutory Basis

The NASD believes that the proposed rule change is consistent with the provisions of Section 15A(b)(5) of the Act[2] which requires that the rules of the association provide for the equitable allocation of reasonable dues, fees and other charges among members in that the proposed rule change would recognize interest and dividend revenue as a part of a member's gross revenue for assessment purposes, while recognizing that expenses incurred in connection with such interest and dividend revenue should be allowed to be deducted from such revenue (*e.g.* as part of ''matched transactions''). It would also allow members whose business incurs less direct expense in connection with interest and dividend revenue to alternatively deduct 40% of interest earned by the member on customer securities accounts. It would, in addition, allow members to deduct from their gross revenue the first $50,000 of net interest and dividend revenue for assessment purposes in order to continue to encourage the accumulation of net capital. The proposed rule change also would be consistent with the SIPC's assessment of such revenue.

B. Self-Regulatory Organization's Statement on Burden on Competition

The NASD published for comment in Notice to Members 95–94 (October 27, 1995) (''NTM 95–94'') a proposal to include net interest and dividends in the definition of gross revenue for assessment purposes under Section 5.[3] One commentor argued that the proposed rule change contained in NTM 95–94 discriminates against fixed income firms which finance mostly liquid collateral (*i.e.*, governments and mortgages) and will make the small, match-book spreads of these firms even smaller, thereby forcing certain firms to move their match-book business and proprietary trading accounts to a non-regulated entity. The commentor also argued that the proposed rule change would be unfair to small members whose ratio of ''other qualified revenue'' to ''revenue from sales of shares'' may be higher than large companies. The NASD modified the proposed rule change published for comment to address such concerns by allowing a member to choose from one of two alternative deductions relating to its interest and dividend revenue and, in addition, to deduct from its gross revenue the first $50,000 of net interest and dividend revenue.

Based on the foregoing, the NASD does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Twenty comment letters were received in response to NTM 95–94.[4] Of the twenty commentors, four commentors supported but expressed certain concerns, and sixteen opposed the proposed rule change. The commentors are referenced by the number attached to their comment letter in the list of comment letters attached at Exhibit 3.

1. Definition of Non-Securities Business Revenue

Commentors (Nos. 1, 4, 11, 13, and 14) argue that dividends from a member's pure investment account are not revenue generated from the securities business but the fruit of hard work from previous years. The NASD believes that a member's proprietary investment account is retained business capital maintained to generate gross revenue for the member's securities business. Such proprietary accounts play an integral part in the member's securities business and are subject to NASD regulatory oversight. Revenue from such proprietary accounts are part of the member's securities business and,

[2] 15 U.S.C. 78o–3.

[3] A copy of NTM 95–54 was submitted as Exhibit 2 to the NASD's proposal and is available for inspection and copying in the Commission's Public Reference Room.

[4] Copies of the comment letters were submitted as Exhibit 3 to the NASD's proposal and are available for inspection and copying in the Commission's Public Reference Room.

therefore, are appropriate for inclusion in the definition of gross revenue for assessment purposes.

One insurance commentor (No. 12) argues that it should only be assessed for interest and dividend revenue relating to the interest and dividends attributable to the capital necessary to operate its securities business. The NASD's position is that an insurance company's interest and dividend revenue from its insurance business will not be included in the definition of gross revenue for assessment purposes.

2. Effect on Net Capital

Commentors (Nos. 1, 3, 4, 11 and 20) argue that the NTM 95–94 proposal would discourage members from accumulating passive investments that increase the firm's net capital and protect public investors. The NASD amended the proposed rule change contained in NTM 95–94 to address such concerns by allowing a member to deduct from its gross revenue the first $50,000 of net interest and dividend revenue in addition to allowing the member to deduct one of two other alternative deductions provided by the proposed rule change.

3. Equitable Allocation of Dues, Fees and Assessments

NTM 95–94 stated that the proposed rule change was partially intended to fund the increased costs associated with implementing the recommendations of the Rudman Committee. Commentors (Nos. 1, 10, 12 and 19) argue that the proposed rule change inequitably allocates the regulatory costs resulting from the Rudman Committee recommendations to firms with significant passive investments which are not used by such firms in their securities business. One commentor recommends that, in order to equitably allocate such Rudman Committee related-costs, the NASD should determine the interest assessment on a firm-by-firm basis by considering such factors as the firm's standing with the NASD, the historical audit performance, the risks and liquidity associated with a firm's trading and collateral positions, whether or not a firm has significant customer or institutional business, and the firm's credit and risk management policies.

The NASD notes that the proposed rule change is only partially intended to fund certain Rudman recommendations and its overall intent is to fund the NASD's broader regulatory budget requirements. The NASD believes that using gross revenue for assessment purposes has historically provided for the equitable allocation of reasonable assessments among members. The proposed rule change's inclusion of interest and dividends from retained capital and certain trading situations in the definition of gross revenue is appropriate because the NASD is required to oversee the related-securities activity. The proposed rule change, therefore, is part of the same assessment approach that has historically been followed by the NASD and the securities industry. The proposed rule change, as already noted, would also be consistent with current SIPC assessment provisions. The NASD, therefore, believes that the members' arguments for changing the basis of such assessments are not justified.

4. Discrimination Against Certain Members

As previously noted, one commentor (No. 10) argues that the proposed rule change contained in NTM 95–94 discriminates against fixed income firms which finance mostly liquid collateral (*i.e.*, governments and mortgages) and will make the small, match-book spreads of these firms even smaller, thereby forcing certain firms to move their match-book business and proprietary trading accounts to a non-regulated entity. The commentor also argues that it would be unfair to small members whose ratio of ''other qualified revenue'' to ''revenue from sales of shares'' is higher than large companies. The NASD has modified the proposed rule change published for comment to address such concerns by allowing a member to deduct from its gross revenue the first $50,000 of net interest and dividend revenue in addition to allowing the member to deduct one of two other alternative deductions provided by the proposed rule change.

The NASD further believes that a member could not use a non-regulated entity to handle its U.S. match-book business because this would subject such an entity to registration as a broker/dealer under Section 15 of the Act. This would also be true for the handling of the member's proprietary trading accounts.

5. Clearing Capital

Commentors (No. 6, 8, and 15) expressed concerns regarding potential assessments on their clearing capital. Two commentors (6 and 8) argue that members that put up clearing capital to be in business should not be assessed on the interest on this capital, or alternatively assessed only on yearly income above some amount, perhaps $100,000. One commentor (No. 15) only supports the proposed rule change because it believes its security deposits with clearing brokers would be exempt. It is the position of the NASD that a member's clearing capital serves the function of capital in any business, *i.e.*, to run the business and increase gross revenue for the business. Further, the requirements for clearing capital are subject to NASD regulatory oversight and, therefore, justified for inclusion in gross revenue for assessment purposes. The NASD, however, has amended the proposed rule change contained in NTM 95–94 to allow a member to deduct from its gross revenue the first $50,000 of net interest and dividend revenue in order to address the concerns of smaller members regarding this matter.

6. NASD Assessment Discounts

One Commentor (No. 19) argues that the NASD currently ''discounts'' member assessments, presumably because the current system, without change, already provides more funds than is necessary for operations. The commentor, therefore, argues that the NASD does not need a new funding category. The NASD believes that its practice of discounting member assessments provides the NASD with the flexibility to equitably return to its members a portion of assessments during business cycles wherein the aggregate gross revenue of the securities industry is normal or better, while ensuring the NASD with sufficient funds to meet the regulatory mandates of the Act during business cycles in which gross revenue of the securities industry has significantly decreased. This practice of discounting member assessments has proven to be an effective funding method for oversight of the securities industry and, therefore, has proven itself to be an important part of the investor protections provided by the NASD to the securities markets. In addition, the NASD's definition of gross revenue for assessment purposes should equitably include all categories of revenue from a member's securities business. The NASD believes that the inclusion of net interest and dividend revenue from the member's retained capital and trading strategies, in the definition of gross revenue for assessment purposes, is appropriate in assessing all gross revenue from the securities business regulated by the NASD.

7. NASD SIPC Rationale

One commentor (No. 19) argues that the administrative and compliance activity of the NASD is separated too far in its nature from the insurance activity of the SIPC to provide a compelling argument that NASD's fund raising be consistent with SIPC. The NASD notes

that in further conforming its assessment policy to SIPC's, the Association is not intending to imply that its business is equivalent to SIPC's, but rather that the proposed rule change is based on assessment policy that has already been found to be an equitable allocation of reasonable assessments among members of the securities industry.

8. Net Interest Revenue Derived From Exchange-Listed Securities

One commentor (No. 7) states that a substantial amount of its net interest revenue is derived from margin loans secured by exchange-listed securities and securities lending activities involving exchange-listed securities. The commentor notes that Schedule A, Section 5 of the NASD By-Laws excludes income from the sale of exchange-listed securities, and therefore, argues that net interest revenue from such exchange listed securities should also be excluded. The commentor also notes that it would be extremely difficult, if not impossible, to break out net interest revenue as to its source of origin, *i.e.,* exchange versus non-exchange securities. The NASD believes that interest derived from margin loans and securities lending activities, involving exchange-listed securities or customer accounts including such securities, does not itself represent an exchange transaction but rather a regulated over-the-counter transaction. Such non-exchange activity is significantly different than the current Section 5 exclusion from gross revenue regarding member commissions, trading or investment gains derived from transactions executed on a registered national securities exchange or a foreign securities exchange. The NASD also acknowledges and agrees with the impracticality of segregating such income between exchange and non-exchange business.

9. Request for NASD Audited Annual Financial Income Statement and Balance Sheet/Simplified Revenues Assessment

Two commentors (Nos. 2 and 5) argue that the NASD should provide a detailed accounting to demonstrate the need for additional revenues. One commentor (No. 2) argues for an audited annual financial income statement and balance sheet of the NASD corporate body to erase misperceptions that a surplus may already exist. The NASD, in response to the first comment, notes that an audited financial accounting of the association's activities is provided annually to the membership and the interested public in the organization's annual report. With respect to the second comment, the NASD maintains a level of working capital and equity which is prudent in its business judgment in order to ensure that the NASD is able to fulfill its regulatory mandates.

One commentor (No. 2) argues that if the need for additional assessment revenues exists, then the additional revenues can be obtained ''by simply increasing the current assessment by 7.7%.'' The NASD believes it is more appropriate and equitable to include interest and dividends revenue in gross revenue as provided by the proposed rule change before increasing the assessment percentage on gross revenue for all members. The NASD believes that the proposed rule change enhances the equitable allocation of assessments by adding certain interest and dividend revenue derived from retained capital and certain trading practices to the definition of gross revenue for assessment purposes.

A commentor (No. 5) argues that if the need for additional revenue is shown to be temporary, then the assessment should be temporary. The NASD does not intend the proposed rule change to be temporary and notes that the purpose of the proposed rule change is to meet ongoing budgetary requirements.

10. Member Vote

One commenter (No. 1) argues that the inclusion of any new revenue category should be subject to membership vote. The NASD notes that Article VI, Section1 of the By-Laws permits the Board of Governors to make changes in member assessments without recourse to the membership for approval. This provision of the By-Laws was adopted by the Board of Governors and approved by the Commission as an appropriate regulatory function of the NASD under the Act. The proposed rule change is, however, subject to publication for comment by the SEC and the SEC will exercise its independent review function in determining whether to approve or disapprove the proposed rule change.

11. Other Comments

Four commentors (Nos. 9, 16, 17, and 18) supported the proposed rule change contained in NTW 95–94 as providing more consistent treatment of net interest and dividend revenue. The commentors argue, however, that since additional revenue will be received by the NASD under the proposed rule change, an offset should take place through a reduction in other member charges. They argue that the proposed rule change comes at a time when firms are looking to eliminate costs, increase efficiency and protect capital. Another commentor (No. 3) argues that the NASD should attempt to meet its budgetary challenges as its membership is doing, *i.e.,* investigating more efficient ways of accomplishing objectives and cutting costs. The NASD concurs with the latter commentor and continues to address budgetary challenges by increasing the efficiency of oversight of the broker/dealer industry. However, increased efficiencies of NASD operations alone, as suggested by the former commentors, do not meet the budgetary challenges required to fund the commitment of greater resources to the NASD's broker/dealer regulation activities in compliance with the regulatory mandate of the Act, as amended.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying to the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to the file number in the caption above and should be submitted by May 31, 1996.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30–(a)(12).

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–11747 Filed 5–9–96; 8:45 am]

BILLING CODE 8010–01–M

DEPARTMENT OF STATE

[Public Notice No. 2375]

Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea Working Group on Fire Protection; Notice of Meeting

The U.S. Safety of Life at Sea (SOLAS) Working Group on Fire Protection will conduct an open meeting on May 29, 1996, at 9:30 AM, in Room 4315, at U.S. Coast guard Headquarters, 2100 Second Street SW., Washington, DC 20593. The purpose of the meeting will be to prepare for discussions anticipated to take place at the Forty-first Session of the International Maritime Organization's Subcommittee on Fire Protection, scheduled for September 30, 1996.

The meeting will focus on proposed amendments to the 1974 SOLAS Convention for the fire safety of commercial vessels. Specific discussion areas include: the new mandatory Fire Test Procedures Code, proposed restructuring of Chapter II–2, halon fire extinguishing systems, emergency escape breathing devices, fire-retardant materials for fishing vessel lifeboats, criteria for maximum fire loads, fire safety measures for deep fat cooking equipment, interpretations to SOLAS 74, role of the human element in maritime casualties, safety of passenger submersible craft, recognition of test laboratories, fixed fire detection and alarm systems for new and existing cargo ships, and shipboard safety emergency plans.

Interested members of the public are encouraged to attend. For further information regarding the meeting of the SOLAS Working Group on Fire Protection contact Mr. Jack Booth at (202) 267–2997.

Dated: May 1, 1996.

Charles A. Mast,

Chairman, Shipping Coordinating Committee.

[FR Doc. 96–11804 Filed 5–9–96; 8:45 am]

BILLING CODE 4710–07–M

DEPARTMENT OF TRANSPORTATION

Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: Department of Transportation (DOT), Federal Aviation Administration.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The FAA requested and received an emergency clearance through June 30, 1996 under OMB control number 2120–0595. This request is for the three year clearance. The ICR describes the nature of the information collection and its expected cost and burden.

DATES: Comments must be submitted by June 7, 1996.

FOR FURTHER INFORMATION CONTACT: FAA Hotline number (202) 267–7029, or the Internet Home Page: http://www.faa.gov/asu/asu100/acq-reform/acq__home.htm.

SUPPLEMENTARY INFORMATION:

Title: Federal Aviation Administration Acquisition Management System (FAAMS).

Abstract: This document contains policy guidance that implements the FY 1996 Transportation Appropriation Bill, that gave FAA an exemption from acquisition laws and provided authority to create a flexible, more cost effective system. Guidance is focused on the acquisition management system, the life cycle acquisition process, the procurement system and process, and an acquisition work force learning system Acquisitions are handled by integrated product teams who provide support through all stages of the process.

Need: Pursuant to section 348 of Public Law 104–50, the FAA hereby develops and implements a new acquisition management system that addresses the unique needs of the agency. This document establishes the policies, guiding principles, and internal procedures for FAA's new acquisition system.

Respondents: The respondents are individuals and businesses who do or wish to do business under contract with the FAA. We estimate approximately 3,300 respondents.

Frequency: The frequency is on occasion and monthly with an estimated 1 to 12 responses per respondent.

Burden: The estimated burden is 333,292 hours annually. Comments on this collection should be submitted to the Office of Information and Regulatory Affairs, OMB, New Executive Office Bldg., 725 17th St. NW., Washington, DC 20503, Attention: Desk Officer for FAA.

Issued in Washington, D.C. on May 7, 1996.

Phillip A. Leach,

Clearance Officer, United States Department of Transportation.

[FR Doc. 96–11787 Filed 5–9–96; 8:45 am]

BILLING CODE 4910–13–P

Coast Guard

[CGD 96–019]

Waterfront Facilities; Marine Transportation Related Pipeline Testing

AGENCY: Coast Guard, DOT.

ACTION: Request for comments.

SUMMARY: The Coast Guard is conducting a study to evaluate several alternative methods, in addition to those presently approved, for testing marine transfer pipelines on facilities capable of transferring oil or hazardous material, in bulk, to or from a vessel with a capacity of 250 barrels or more. These methods may provide suitable alternatives for facility operators while maintaining an equivalent level of safety.

DATES: Comments must be received on or before July 9, 1996.

ADDRESSES: Comments may be mailed to Commandant (G–MCO–3), Port and Facilities Compliance Branch, 2100 Second Street, SW, Washington, DC 20593–0001.

FOR FURTHER INFORMATION CONTACT: Lieutenant (junior grade) David Deaver, Port and Facilities Compliance Branch, Commandant (G–MCO–3), room 1104, (202) 267–0502, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: The Coast Guard is responsible for ensuring compliance for marine transportation related (MTR) facilities, including requirements for transfer pipeline systems. The scope of this study concerns possible testing alternatives for the transfer pipeline system from the dock loading arm or manifold of the Coast Guard inspected MTR facility up to the first valve encountered after the pipe enters the Spill Prevention Control and Countermeasure (SPCC) area or the first valve encountered after the pipe enters the secondary containment