

applying any part of the proceeds therefrom that is in excess of the amount required to assure payment of any loss sustained by the United States related to the purpose of the bond to satisfy any claim of the United States Government against the obligor.

(b) [Reserved]

§ 225.9 Return of Government obligations to obligor.

(a) *General.* Except as provided in subsection (b) of this section, the bond official will return the Government obligations, and any interest retained therefrom, to the obligor, without written application from the obligor, when the bond official determines that the Government obligations are no longer required under the terms of the bond.

(b) *Miller Act Payment Bonds.* The bond official will not return Government obligations to an obligor who has furnished to the bond official a payment bond, if:

(1) A person, who supplied the obligor with labor or materials and whom the obligor has not paid, files with the agency head the application and affidavit provided for in the Miller Act (Act), as amended (40 U.S.C. 270a-270d), and the time provided in the Act for the person to commence suit against the obligor on the payment bond has not expired; or

(2) A person commences a suit against the obligor within the time provided for in the Act, in which case the bond official will hold the Government obligations subject to the order of the court having jurisdiction of the suit; or

(3) The bond official has actual knowledge of a claim against the obligor on the basis of the payment bond, in which case the bond official may return the Government obligations to the obligor when the bond official deems appropriate.

(c) *Claim of the United States unaffected.* Nothing in this section shall affect or impair the priority of any claim of the United States against Government obligations, or any right or remedy granted by the Miller Act or by this part to the United States in the event of an obligor's default on any term, condition, or stipulation of a bond.

(d) *Return of definitive Government obligations; risk of loss.* Definitive Government obligations to be returned to the obligor will be forwarded at the obligor's risk and expense, either by the bond official, or by a custodian upon receipt of a bond official's authenticated instruction.

§ 225.10 Other agency practices and authorities.

(a) *Agency practices.* Nothing in this part shall be construed as modifying the existing practices or duties of agencies in handling bonds, except to the extent made necessary under the terms of this part by reason of the acceptance of bonds secured by Government obligations.

(b) *Agency authorities.* Nothing contained in this part shall affect the authority of agencies to receive Government obligations for security in cases authorized by other provisions of law.

§ 225.11 Courts.

(a) *General.* Nothing contained in this part shall affect the authority of a court over a Government obligation given as security in a civil action.

(b) [Reserved]

Dated: November 7, 1996.

Russell D. Morris,
Commissioner.

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DEPARTMENT OF TRANSPORTATION

Saint Lawrence Seaway Development Corporation

33 CFR Parts 404 and 407

Seaway Regulations and Rules: Great Lakes Pilotage Rates

AGENCY: Saint Lawrence Seaway Development Corporation, DOT.

ACTION: Extension of comment period.

SUMMARY: This document extends the comment period of the notice of proposed rulemaking and hearing (NPRM) published in the Federal Register on September 25, 1996, (61 FR 50258) which proposed to increase Great Lakes Pilotage Rates. The comment period for this NPRM was scheduled to end on November 12, 1996. This document extends that comment period by 15 days, to November 27, 1996. The extension is necessary to allow commenters additional time to analyze the rulemaking and prepare their comments.

DATES: Any party wishing to present views on the NPRM published on September 25, 1996, (61 FR 50258) may file comments with the Saint Lawrence Seaway Development Corporation

(SLSDC) on or before November 27, 1996.

ADDRESSES: Send comments to Marc C. Owen, Chief Counsel, Saint Lawrence Seaway Development Corporation, 400 Seventh Street, S.W., Suite 5424, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Scott A. Poyer, Chief Economist, Saint Lawrence Seaway Development Corporation, Office of Great Lakes Pilotage, United States Department of Transportation, 400 7th Street SW., Suite 5424, Washington, DC 20590, room 5421, 1-800-785 2779, or Marc C. Owen, Chief Counsel, Saint Lawrence Seaway Development Corporation, 400 Seventh Street, S.W., Suite 5424, Washington, D.C. 20590, (202) 366-6823.

SUPPLEMENTARY INFORMATION: On September 25, 1996, the SLSDC published a notice of proposed rulemaking and hearing (NPRM) in the Federal Register (61 FR 50258), which proposed to increase Great Lakes pilotage rates. The comment period for the NPRM was scheduled to end on November 12, 1996.

A public hearing announced in the NPRM was held on October 22, 1996, at the Crowne Plaza at Detroit Metro Airport, 8000 Merriman Road, Romulus, MI. During the hearing several commenters requested additional time to analyze the NPRM and file comments. Subsequent to the hearing, the SLSDC received written comments asking for an extension of the comment period. A number of commenters requested the extension because they believe an increase in Great Lakes pilotage rates may have a potentially large effect on commerce in the Great Lakes region and that they needed more time to complete a thorough analysis of the NPRM and its possible effects.

Because additional time is needed for commenters to complete their analysis and prepare their comments, the comment period for the NPRM published on September 25, 1996, (61 FR 50258) is extended 15 days, and will now end on November 27, 1996.

Issued at Washington, D.C. on November 12, 1996.

Saint Lawrence Seaway Development Corporation.

Gail C. McDonald,
Administrator.

[FR Doc. 96-29386 Filed 11-14-96; 8:45 am]
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