

APL Co. PTE Ltd.  
Hapag-Lloyd Container Linie GmbH  
Kawasaki Kisen Kaisha, Ltd.  
Mitsui O.S.K. Lines, Ltd.  
Nippon Yusen Kaisha  
Orient Overseas Container Line, Inc.  
P&O Nedlloyd B.V.  
P&O Nedlloyd Limited  
Sea-Land Service, Inc.

**Synopsis:** The proposed modification revises Article 5.1(d) of the Agreement to provide for flexibility in the way the members' tariffs are published.

**Agreement No.:** 203-011325-018

**Title:** Westbound Transpacific Stabilization Agreement

**Parties:**

American President Lines, Ltd.  
China Ocean Shipping (Group) Co.  
Evergreen Marine Corp. (Taiwan) Ltd.  
Hanjin Shipping Co., Ltd.  
Hapag-Lloyd Container Linie GmbH  
Hyundai Merchant Marine Co., Ltd.  
Kawasaki Kisen Kaisha, Ltd.  
A.P. Moller-Maersk Line  
Mitsui O.S.K. Lines, Ltd.  
Nippon Yusen Kaisha  
Orient Overseas Container Line, Inc.  
P&O Nedlloyd Limited  
P&O Nedlloyd B.V.  
Sea-Land Service, Inc.

**Synopsis:** The proposed modification provides that any party may enter into individual service contracts in the agreement trade and authorizes any two or more parties to negotiate and enter into joint service contracts, to become effective on or after May 1, 1999, with one or more shippers. The modification would also authorize adoption of voluntary contracting guidelines.

**Agreement No.:** 202-011579-004

**Title:** Inland Shipping Service Association

**Parties:**

Crowley American Transport, Inc.  
Dole Ocean Liner Express  
King Ocean  
A.P. Moller-Maersk Line  
Sea-Land Service, Inc.  
Seaboard Marine, Ltd.  
Seaboard Marine of Florida, Inc.

**Synopsis:** The proposed agreement amendment adds an admission fee of \$12,000 for any new member admitted after April 8, 1999.

**Agreement No.:** 217-011651

**Title:** The Maersk/Samskip Space Charter and Sailing Agreement

**Parties:**

A.P. Moller-Maersk Line ("Maersk")  
Samskip Incorporated ("Samskip")

**Synopsis:** The proposed Agreement would permit Maersk to charter space aboard its vessels to Samskip on an "as needed" basis in the trade

between United States Atlantic and California ports and ports in the United Kingdom, France, Germany, Belgium, the Netherlands, and Scandinavia.

Dated: February 25, 1999.

By Order of the Federal Maritime Commission.

**Bryant VanBrakle,**

*Secretary.*

[FR Doc. 99-5083 Filed 3-1-99; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL MARITIME COMMISSION

### Ocean Freight Forwarder License Applicants

Notice is hereby given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarders, Federal Maritime Commission, Washington, DC 20573.

International Freight Forwarding, 10734  
Russett Avenue, Sunland, CA 91040,  
Jose G. Otero, Sole Proprietor  
Green Peace Shipping Lines, LLC, 20162  
Highway 18, Suite G-260, Apple  
Valley, CA 92307, Officers: Monwar  
Hussain, President, M.D. Najmul  
Huda, Director

Dated: February 25, 1999.

**Bryant L. VanBrakle,**

*Secretary.*

[FR Doc. 99-5082 Filed 3-1-99; 8:45 am]

BILLING CODE 6730-01-M

## FEDERAL RESERVE SYSTEM

### Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the

Board, are available for immediate inspection at the Federal Reserve Bank indicated. The application also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than March 26, 1999.

**A. Federal Reserve Bank of Chicago** (Philip Jackson, Applications Officer)  
230 South LaSalle Street, Chicago,  
Illinois 60690-1413:

1. *Capitol Bancorp, Ltd.*, Lansing, Michigan, and Sun Community Bancorp Limited, Phoenix, Arizona; to acquire 51 percent of the voting shares of East Valley Community Bank, Chandler, Arizona.

Board of Governors of the Federal Reserve System, February 24, 1999.

**Robert deV. Frierson,**

*Associate Secretary of the Board.*

[FR Doc. 99-5062 Filed 3-1-99; 8:45 am]

BILLING CODE 6210-01-F

## FEDERAL TRADE COMMISSION

### Agency Information Collection Activities; Submission for OMB Review; Comment Request

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice.

**SUMMARY:** The Federal Trade Commission (FTC) has submitted to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act information collection requirements contained in its Appliance Labeling Rule ("Rule"), promulgated pursuant to the Energy Policy and Conservation Act of 1975 ("EPCA"). OMB provisionally extended the expiration for clearance from September 30, 1998 to March 31, 1999. The FTC proposes that OMB extend its approval for the Rule an additional three years from the prior expiration date of September 30, 1998.

**DATES:** Comments must be submitted on or before April 1, 1999.

**ADDRESSES:** Send written comments to: Secretary, Federal Trade Commission,

Room H-159, 600 Pennsylvania Ave., NW, Washington, D.C. 20580. All comments should be identified as responding to this notice.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the proposed information requirements should be addressed to James Mills, Attorney, Bureau of Consumer Protection, Division of Enforcement, Room 4616, Federal Trade Commission, 601 Pennsylvania Ave., NW, Washington, D.C. 20580 (202-326-3035).

**SUPPLEMENTARY INFORMATION:** The FTC has submitted a request to OMB to extend the existing clearance to collect information associated with the Appliance Labeling Rule. A Federal Register Notice with a 60-day comment period soliciting comments on this collection of information was published on December 29, 1998 (63 FR 71645). No comments were received.

*Description of the collection of information and proposed use:* The Rule requires manufacturers of major household appliances (refrigerators, freezers, water heaters, clothes washers, dishwashers, window air conditioners, furnaces, central air conditions, and heat pumps) to disclose energy consumption and water usage data relating to those appliances. The Rule establishes testing, reporting, recordkeeping, and labeling requirements for these disclosures. The Rule's testing and disclosure requirements enable consumers purchasing appliances to compare the

energy use of efficiency of competing models. In addition, EPCA and the Rule require manufacturers to submit relevant data to the Commission regarding energy or water usage in connection with the products they manufacture. The Commission uses this data to compile the ranges of comparability for covered appliances for publication in the **Federal Register**. The Commission may use submissions, along with required records for testing data, for comparison purposes in enforcement actions involving alleged misstatements on labels or in advertisements.

*Estimated annual hours burden:* Section 324 of EPCA and the Commission's Rule impose burdens for testing (620,713 hours); reporting (1,178 hours); recordkeeping (789 hours); labeling (91,735 hours); and retail catalog disclosures (*de minimis*). The total burden for these activities is 715,000 hours (rounded).

The following estimates of the time needed to comply with the requirements of the Rule are based on census data, Department of Energy figures and estimates, general knowledge of manufacturing practices, and trade association advice and figures. Because the burden of compliance falls almost entirely on manufacturers and importers (with a *de minimis* burden relating to retailers), burden estimates are calculated on the basis of the number of domestic manufacturers and/or the number of units shipped domestically in the various product categories.

**A. Testing**

Under the Rule, manufacturers of covered products must test each basic model they produce to determine energy usage (or, in the case of plumbing fixtures, water consumption). The burden imposed by this requirement is determined by the number of basic models produced, the average number of units tested per model, and the number of hours required to conduct the applicable test. The figures for numbers of basic models that staff received from the industry represent all of the basic models in a given product category.

Manufacturers need not subject each basic model to testing annually; they must retest only if the product design changes in such a way as to affect energy consumption. However, industry representatives state that manufacturers generally test each model at least once a year. Staff have conservatively assumed that this annual testing means all basic models were either replaced or subject to design changes during the year that necessitated testing under the Rule. The burden estimates in this Notice, which assume annual testing for all models, are accordingly conservative and likely are somewhat overstated to the extent manufacturers are actually carrying out annual tests for reasons unrelated to the Rule. The testing burden for the different categories of products covered by the Rule is estimated as follows:

Category of manufacturer	Number of basic models	Avg. number of units tested per model	Hours per unit tested	Total annual testing burden hours
Refrigerators, Refrigerator-freezers, and Freezers .....	360	2	4	2,880
Dishwashers .....	78	2	1	156
Clothes washers .....	150	2	2	600
Water heaters .....	650	2	24	31,200
Room air conditioners .....	520	2	8	8,320
Furnaces .....	1,900	2	8	30,400
Central A/C .....	1,095	2	24	52,560
Heat pumps .....	831	2	72	119,664
Pool heaters .....	75	2	12	1,800
Fluorescent lamp ballasts .....	975	4	3	11,700
Lamp products .....	2,100	12	14	352,800
Plumbing fittings .....	1,700	2	2	6,800
Plumbing fixtures .....	22,000	1	.0833	1,833
				620,713

**B. Reporting**

Reporting burden estimates are based on information from industry representatives. Manufacturers of some products, such as appliances and HVAC equipment (furnaces, boilers, central air conditioners, and heat pumps), indicate that, for them, the reporting burden is

best measured by the estimated time required to report on each model manufactured, while others, such as makers of fluorescent lamp ballasts and lamp products, state that an estimated number of annual burden hours by manufacturer is a more meaningful way to measure. The figures below reflect

these different methodologies as well as the varied burden hour estimates provided to staff by manufacturers of the different product categories that use the latter methodology.

*Appliances, HVAC Equipment, and Pool Heaters*

Staff estimate that the average reporting burden for these manufacturers is approximately two minutes per basic model. Based on this estimate, multiplied by a total of 5,659 basic models of these products, the annual reporting burden for the

appliance, HVAC equipment, and pool heater industry is an estimated 188 hours (2 minutes × 5,659 models ÷ 60 minutes per hour).

*Fluorescent Lamp Ballasts, Lamp Products, and Plumbing Fixtures*

The total annual reporting burden for manufacturers of fluorescent lamp

ballasts, lamp products, and plumbing fixtures is based on the estimated average annual burden for each category of manufacturers, multiplied by the number of manufacturers in each respective category, as shown below:

Category of manufacturer	Annual burden hours per manufacturer	Number of manufacturers	Total annual reporting burden hours
Fluorescent lamp ballast .....	6	20	120
Lamp products .....	15	50	750
Plumbing fixtures .....	1	120	120

*Total Reporting Burden Hours*

The total reporting burden for industries covered by the Rule is 1,178 hours annually (188+120+750+120).

**C. Recordkeeping**

EPCA and the Commission's Rule require manufacturers to keep records of the test data generated in performing the tests to derive information included on labels and required by the Rule. As in Section B., above, burden is calculated by number of models for appliances, HVAC equipment, and pool heaters, and by number of manufacturers for

fluorescent lamp ballasts, lamp products, and plumbing fixtures.

*Appliances, HVAC Equipment, and Pool Heaters*

The recordkeeping burden for manufacturers of appliances, HVAC equipment, and pool heaters varies directly with the number of tests performed. The total number of tests performed for these product categories, based on the number of basic models within each category and the average number of units tested per model, is 11,318. Staff estimate total recordkeeping burden of approximately 189 hours for these manufacturers,

based on an estimated average of one minute per record stored (whether in electronic or paper format), multiplied by 11,318 tests performed annually (1 × 11,318 ÷ 60 minutes per hour).

*Fluorescent Lamp Ballasts, Lamp Products, and Plumbing Fixtures*

The total annual recordkeeping burden for manufacturers of fluorescent lamp ballasts, lamp products, and plumbing fixtures is based on the estimated average annual burden for each category of manufacturers (derived from industry sources), multiplied by the number of manufacturers in each respective category, as shown below:

Category of manufacturer	Annual burden hours per manufacturer	Number of manufacturers	Total annual recordkeeping burden hours
Fluorescent lamp ballasts .....	2	20	40
Lamp products .....	10	50	500
Plumbing fixtures .....	.5	120	60

*Total Recordkeeping Burden Hours*

The total recordkeeping burden for industries covered by the Rule is 789 hours annually (189+40+500+60).

**D. Labeling**

EPCA and the Rule require that manufacturers of covered products provide certain information to consumers, through labels, fact sheets, or permanent markings on the products. The burden imposed by this requirement consists of (1) the time needed to prepare the information to be provided, and (2) the time needed to provide it, in whatever form, with the products. The applicable burden for each category of products is described below:

*Appliances, HVAC Equipment, and Pool Heaters*

EPCA and the Rule specify the content, format, and specifications for the required labels, so manufacturers need only add the energy consumption figures derived from testing. In addition, most larger companies use automation to generate labels, and the labels do not change from year to year. Given these considerations, staff estimate that the time to prepare labels for appliances, HVAC equipment, and pool heaters is no more than four minutes per basic model. Thus, for appliances, HVAC equipment, and pool heaters, the approximate annual drafting burden involved in labeling is 377 hours per year [5,659 (all basic models) × four minutes (drafting time per basic model ÷ 60 (minutes per hour))]

Industry representatives and trade associations have estimated that it takes

between 4 and 8 seconds to affix each label to each product. Based on an average of six seconds per unit, the annual burden for affixing labels to appliances, HVAC equipment, and pool heaters is 74,222 hours [six (seconds) × 44,533,465 (the number of total products shipped in 1997) divided by 3,600 (seconds per hour)].

The Rule also requires that HVAC equipment manufacturers disclose energy usage information on a separate fact sheet or in an approved industry-prepared directory of products. Staff have estimated the preparation of these fact sheets requires approximately 30 minutes per basic model. Manufacturers producing at least 95 percent of the affected equipment, however, are members of trade associations that produce approved directories (in connection with their certification programs independent of the Rule) that

satisfy the fact sheet requirement. Thus, the drafting burden for fact sheets for HVAC equipment is approximately 96 hours annually [3,826 (all basic models)  $\times$  .5 hours  $\times$  .05 (proportion of equipment for which fact sheets are required)].

The Rule allows manufacturers to prepare a compendium of fact sheets for each retail establishment as long as there is a fact sheet for each basic model sold. Assuming that six HVAC manufacturers (i.e., approximately 5% of HVAC manufacturers), produce fact sheets instead of having required information shown in industry directories, and each spends approximately 16 hours per year distributing the fact sheets to retailers and in response to occasional consumer requests, the total time attributable to this activity would also be approximately 96 hours.

The total annual labeling burden for appliances, HVAC equipment, and pool heaters is 377 hours for preparation plus 74,222 hours for affixing, or 74,599 hours. The total annual fact sheet burden is 96 hours for preparation and 96 hours for distribution, or 192 hours. The total annual burden for labels and fact sheets for the appliance, HVAC, and pool heater industries is, therefore, estimated to be 74,791 hours (74,599  $\times$  192).

#### *Fluorescent Lamp Ballasts*

The statute and the Rule require that labels for fluorescent lamp ballasts contain an "E" within a circle. Since manufacturers label these ballasts in the ordinary course of business, the only impact of the Rule is to require manufacturers to reformat their labels to include the "E" symbol. Thus the burden imposed by the Rule for labeling fluorescent lamp ballasts is *de minimis*.

#### *Lamp Products*

The burden imposed for labeling of lamp products is also *de minimis*, for similar reasons. The Rule requires certain disclosures on packaging for lamp products. Since manufacturers were already disclosing the substantive information required under the Rule prior to its implementation, the practical effect of the Rule was to require that manufacturers redesign packaging materials to ensure they include the disclosures in the manner and form prescribed by the Rule. Because this effort is now complete, there is no ongoing labeling burden imposed by the Rule for lamp products.

#### *Plumbing Fixtures*

The statute and the Rule require that manufacturers disclose the water flow rate for plumbing fixtures. Manu-

facturers may accomplish this disclosure by attaching a label to the product, through permanent markings imprinted on the product as part of the manufacturing process, or by including the required information on packaging material for the product. While some methods might impose little or no additional incremental time burden and cost on the manufacturer, other methods (such as affixing labels) could. Thus, staff estimate an overall blended average burden associated with this disclosure requirement of one second per unit sold. Staff also estimate that there are approximately 9,000,000 covered fixtures and 52,000,000 fittings sold annually in the country. Therefore, the estimated annual burden to label plumbing fixtures is 16,944 hours [61,000,000 (units)  $\times$  1 (seconds)  $\div$  3,600 (seconds per hour)].

#### *Total Burden for Labeling*

The total labeling burden for all industries covered by the Rule is 91,735 hours (74,791 + 16,944) annually.

#### **E. Retail Sales Catalogs Disclosures**

The Rule requires that sellers offering covered products through retail sales catalogs (i.e., those publications from which a consumer can actually order merchandise) disclose in the catalog energy (or water) consumption for each covered product. Because this information is supplied by the product manufacturers, the burden on the retailer consists of incorporating the information into the catalog presentation.

Staff estimate that there are approximately 100 sellers who offer covered products through retail catalogs. While the Rule initially imposed a burden on catalog sellers by requiring that they draft disclosures and incorporate them into the layouts of their catalogs, catalog sellers now have substantial experience with the Rule and its requirements. Energy and water consumption information has obvious relevance to consumers, so sellers are likely to disclose much of the required information with or without the Rule. Accordingly, given the small number of catalog sellers, their experience with incorporating energy and water consumption data into their catalogs, and the likelihood that many of the required disclosures would be made in the ordinary course of business, staff believe that any burden the Rule imposes on catalog sellers is *de minimis*.

Estimated annual cost burden: \$16,479,000 (\$13,351,000 in labor costs and \$3,128,000 in non-labor costs).

*Labor Costs:* Staff have derived labor costs by applying appropriate estimated hourly cost figures to the burden hours described above. In calculating the cost figures, staff have estimated that test procedures are conducted by skilled technical personnel at an hourly rate of \$20.00, and that recordkeeping and reporting, as well as labeling, marking, and preparation of fact sheets, are, on average, done by clerical personnel at a rate of \$10.00 per hour.

On this basis, the total annual labor costs for the five different categories of burden under the Rule, as applied to all the products covered by the Rule, is \$13,351,000 (rounded), which is derived as follows:

1. \$12,414,260 for testing all products covered by the Rule, based on 620,713 hours [620,713  $\times$  \$20.00 per hour].
  2. \$11,780 for complying with the reporting requirements of the Rule, based on 1,178 hours [1,178  $\times$  \$10.00 per hour].
  3. \$7,890 for complying with the recordkeeping requirements of the Rule, based on 789 hours [789  $\times$  \$10.00 per hour].
  4. \$917,350 for complying with the labeling, marking, and fact sheet requirements of the Rule, based on 91,735 hours [91,735  $\times$  \$10.00 per hour].
  5. *De minimis* for retail catalog disclosures, for the reasons previously noted with respect to burden hours.
- Capital or other non-labor costs:* \$3,127,500 (\$2,500 for reporting requirements and \$3,125,000 for labeling requirements), rounded to \$3,128,000.

In considering how to estimate the capital or other non-labor costs associated with compliance with the Rule, staff have examined the five distinct burdens imposed by EPCA through the Rule—testing, reporting, recordkeeping, labeling, and retail catalog disclosures—as they affect the 11 groups of products that the Rule covers. Staff have concluded that there are no current start-up costs associated with the Rule. Manufacturers have in place the capital equipment necessary—especially equipment to measure energy and/or water usage—to comply with the Rule.

Manufacturers that submit required reports to the Commission directly (rather than through trade associations) incur some nominal costs for paper and postage. Staff estimates that these costs do not exceed \$2,500. Manufacturers must also incur the cost of procuring labels and fact sheets used in compliance with the Rule. Based on estimates of 44,533,465 units shipped

and 109,500 fact sheets prepared,<sup>1</sup> at an average cost of seven cents for each label or fact sheet, the total (rounded) labeling cost is \$3,125,000.

**Debra A. Valentine,**  
General Counsel.

[FR Doc. 99-5095 Filed 3-1-99; 8:45 am]

BILLING CODE 6750-01-M

## GENERAL SERVICES ADMINISTRATION

### Governmentwide Policy Advisory Board

**AGENCY:** General Services  
Administration.

**ACTION:** Advisory Committee Renewal  
Notice.

*Renewal of Advisory Board.* This notice is published in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92-463), and advises of the renewal of the GSA Governmentwide Policy Advisory Board. The Administrator of the General Services Administration has determined that the renewal of the Board is in the public interest.

*Purpose of the Advisory Board.* The Board provides advice and recommendations on a broad range of policy issues dealing with the acquisition, management and disposal of Governmentwide assets within GSA's areas of responsibility. Such assets include motor vehicles, aircraft, real property, and personal property. The Board also provides advice regarding policies and guidance on such issues as the deployment of smart card technologies, electronic commerce, information technology, public participation, and intergovernmental coordination.

In addition, the Board will provide advice and recommendation on such other matters as may be assigned or delegated to GSA or the Office of Governmentwide Policy.

**FOR FURTHER INFORMATION CONTACT:** The Office of Governmentwide Policy is the

organization within GSA that is sponsoring this board. For additional information, contact Michael Neff, Committee Management Secretariat (MC), 1800 F Street, NW., Washington, DC 20405. The telephone number is (202) 273-3564.

**David J. Barram,**  
Administrator.

[FR Doc. 99-5063 Filed 3-1-99; 8:45 am]

BILLING CODE 6820-34-M

## OFFICE OF GOVERNMENT ETHICS

### Submission for OMB Review; Comment Request: Proposed Slightly Revised OGE Form 450 Executive Branch Confidential Financial Disclosure Report

**AGENCY:** Office of Government Ethics  
(OGE).

**ACTION:** Notice.

**SUMMARY:** The Office of Government Ethics has submitted a slightly revised version of its OGE Form 450 for confidential financial disclosure reporting under its existing executive branch regulations for review and three-year approval by the Office of Management and Budget (OMB) under the Paperwork Reduction Act.

**DATES:** Comments by the agencies and the public on this proposal are invited and should be received by April 1, 1999.

**ADDRESSES:** Comments should be sent to Mr. Joseph F. Lackey, Jr., Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Mr. William E. Gressman at the Office of Government Ethics, telephone: 202-208-8000, ext. 1110; TDD: 202-208-8025; FAX: 202-208-8037. A copy of the proposed slightly revised OGE Form 450 and the rest of the OGE submission package to OMB may be obtained, without charge, by contacting Mr. Gressman.

**SUPPLEMENTARY INFORMATION:** The Office of Government Ethics has submitted a proposed slightly revised version of the OGE Form 450 Executive Branch Confidential Financial Disclosure Report for three-year approval (reclearance) by OMB under the Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35. The OGE Form 450 (OMB control # 3209-0006) collects information from covered department and agency officials as required under OGE's executive branchwide regulatory provisions in subpart I of 5 CFR part 2634, which underlying provisions are

also the subject of this request for paperwork approval (reclearance). The revised OGE Form 450 will serve as the uniform report form for collection, on a confidential basis, of financial information required by the OGE regulation from certain new entrant and incumbent regular and special Government employees of the Federal Government executive branch departments and agencies in order to allow ethics officials to conduct conflict of interest reviews and to resolve any actual or potential conflicts found.

The basis for the OGE regulation and the report form is two-fold. First, section 201(d) of Executive Order 12674 of April 12, 1989 (as modified by Executive Order 12731 of October 17, 1990) makes OGE responsible for the establishment of a system of nonpublic (confidential) financial disclosure by executive branch employees to complement the system of public financial disclosure under the Ethics in Government Act of 1978 (the "Ethics Act"), as amended, 5 U.S.C. appendix. Second, section 107(a) of the Ethics Act, 5 U.S.C. appendix, § 107(a), further provides authority for OGE as the supervising ethics office for the executive branch of the Federal Government to require that appropriate executive agency employees file confidential financial disclosure reports, "in such form as the supervising ethics office may prescribe." The current OGE Form 450, adopted in early 1996, together with the underlying OGE 5 CFR part 2634 regulation issued in 1992 and modified since, constitute the basic format OGE has prescribed for such confidential financial disclosure in the executive branch.

The relatively minor updating revisions OGE now proposes to make to the OGE Form 450 will bring it up-to-date and will not require any rule changes to accomplish. First, OGE proposes to make a couple of revisions to the Privacy Act and public burden information statements on page 3 of the instructions to the form. The proposed revisions include addition to the Privacy Act statement of a reference to the underlying executive branchwide Privacy Act system of records, OGE/GOVT-2, for confidential disclosure reports that OGE issued in 1990 upon its separation from the Office of Personnel Management. See 55 FR 6327-6331 (February 22, 1990). Also, the indication of routine use six for such reports in judicial or administrative proceedings would be revised to more closely track the wording of the underlying routine use "f" in the OGE/GOVT-2 records system notice. Under the public burden information statement, OGE proposes to

<sup>1</sup> The units shipped total is based on combined actual or estimated industry figures for 1997 across all of the product categories, except for fluorescent lamp ballasts, lamp products, and plumbing fixtures. Staff has determined that, for those product categories, there are little or no costs associated with the labeling requirements. The fact sheet estimation is based on the previously noted assumption that five percent of HVAC manufacturers produce fact sheets on their own. Based on total HVAC units shipped (8,759,907), five percent amounts to 437,995 HVAC units. Because manufacturers generally list more than one unit on a fact sheet, staff have estimated that manufacturers independently preparing them will use one sheet for every four of these 437,995 units. Thus, staff estimate that HVAC manufacturers produce approximately 109,500 fact sheets.