AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

3-23-87
Vol. 52 No. 55
Pages 9107-9280

federal register

Monday
March 23, 1987

Briefings on How To Use the Federal Register—
For information on briefings in Atlanta, GA, and Washington, DC, see announcement on the inside cover of this issue.

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers for $340.00 per year, or $170.00 for 6 months, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

There are no restrictions on the republication of material appearing in the **Federal Register**.

Questions and requests for specific information may be directed to the telephone numbers listed under INFORMATION AND ASSISTANCE in the READER AIDS section of this issue.

How To Cite This Publication: Use the volume number and the page number. Example: 52 FR 12345.

THE FEDERAL REGISTER
WHAT IT IS AND HOW TO USE IT

FOR: Any person who uses the Federal Register and Code of Federal Regulations.

WHO: The Office of the Federal Register.

WHAT: Free public briefings (approximately 2 1/2 hours) to present:

1. The regulatory process, with a focus on the Federal Register system and the public's role in the development of regulations.
2. The relationship between the Federal Register and Code of Federal Regulations.
3. The important elements of typical Federal Register documents.
4. An introduction to the finding aids of the FR/CFR system.

WHY: To provide the public with access to information necessary to research Federal agency regulations which directly affect them. There will be no discussion of specific agency regulations.

ATLANTA, GA

WHEN: March 26; at 9 am.
WHERE: L.D. Strom Auditorium, Richard B. Russell Federal Building, 75 Spring Street, SW., Atlanta, GA.
RESERVATIONS: Call the Atlanta Federal Information Center, 404–331–2170.

WASHINGTON, DC

WHEN: March 31; at 9 am.
WHERE: Office of the Federal Register, First Floor Conference Room, 1100 L Street NW., Washington, DC.
RESERVATIONS: Beverly Fayson, 202–523–3517

Contents

Federal Register

Vol. 52, No. 55

Monday, March 23, 1987

Agricultural Marketing Service
RULES
Lemons grown in California and Arizona, 9111
Oranges (navel) grown in Arizona and California, 9110
PROPOSED RULES
Nectarines, pears, plums and peaches grown in California, 9173

Agriculture Department
See Agricultural Marketing Service; Animal and Plant Health Inspection Service; Farmers Home Administration; Food and Nutrition Service; Food Safety and Inspection Service

Air Force Department
NOTICES
Meetings:
Scientific Advisory Board, 9209

Animal and Plant Health Inspection Service
RULES
Viruses, serums, toxins, etc.:
Pasteurella multocida bacterin, avian isolate; standard requirements, 9116

Arts and Humanities, National Foundation
See National Foundation on the Arts and the Humanities

Coast Guard
RULES
Drawbridge operations:
Florida, 9163
Regattas and marine parades:
National Sweepstakes Regatta, 9162
NOTICES
Committees; establishment, renewals, terminations, etc.:
Towing Safety Advisory Committee, 9235

Commerce Department
See International Trade Administration; National Oceanic and Atmospheric Administration

Committee for the Implementation of Textile Agreements
NOTICES
Cotton, wool, and man-made textiles:
China, 9205–9207
(3 documents)
Jamaica, 9206
Textile consultation; review of trade:
Bangladesh, 9207

Defense Department
See also Air Force Department
PROPOSED RULES
Acquisition regulations:
Contractor self-governance programs and debarment and suspension; President's Blue Ribbon Commission recommendations; implementation, 9187
NOTICES
Meetings:
DIA Scientific Advisory Committee, 9208
(2 documents)

Drug Enforcement Administration
NOTICES
Applications, hearings, determinations, etc.:
Brewer, Thomas E., M.D., 9223

Education Department
NOTICES
Grants; availability, etc.:
Postsecondary education improvement fund—
Drug prevention program competition, 9209

Energy Department
See Energy Information Administration; Energy Research Office; Federal Energy Regulatory Commission

Energy Information Administration
NOTICES
Natural gas, high cost; alternative fuel price ceilings and incremental price threshold, 9209

Energy Research Office
NOTICES
Superconducting Super Collider (SSC) site solicitation, 9211

Environmental Protection Agency
RULES
Air programs; State authority delegations:
California, 9164
North Carolina, 9164
PROPOSED RULES
Pesticide chemicals in or on raw agricultural commodities; tolerances and exemptions, etc.:
Paraquat
Correction, 9241
NOTICES
Meetings:
National Drinking Water Advisory Council, 9214

Executive Office of the President
See Presidential Documents

Farmers Home Administration
RULES
Loan and grant programs:
Real estate security servicing, 9111

Federal Aviation Administration
RULES
Airworthiness directives:
Mechanical Products, Inc., 9119
Control zones, 9121
PROPOSED RULES
Airworthiness directives:
Fairchild, 9181
OMAC Model Laser 300 Series Airplanes; special conditions in novel and unusual design features, 9176
Transition areas, 9182–9184
(3 documents)

Federal Deposit Insurance Corporation
NOTICES
Agency information collection activities under OMB review, 9214

Meetings; Sunshine Act, 9238, 9239
(2 documents)

Federal Energy Regulatory Commission
RULES
Public Utility Regulatory Policies Act:
Hydroelectric applicants seeking benefits for projects located at new dam or diversion, 9161
NOTICES
Meetings; Sunshine Act, 9237
Applications, hearings, determinations, etc.:
ANR Production Co., 9211
Delhi Gas Pipeline Corp., 9212
Faulconer, Vernon E., 9213
Louisiana Land & Exploration Co. et al., 9212
Seagull Marketing Services, Inc., et al., 9213
Shreveport Intrastate Gas Transmission Ltd., 9213
Yankee Resources, Inc., 9214

Federal Highway Administration
PROPOSED RULES
Motor carrier safety regulations:
Blood alcohol concentration standard for commercial vehicle operators, 9192
NOTICES
Environmental statements; notice of intent:
Tompkins County, NY, 9235

Federal Maritime Commission
NOTICES
Freight forwarder licenses:
American Freight Services, Inc., et al., 9215

Federal Reserve System
NOTICES
Applications, hearings, determinations, etc.:
Chase Manhattan Corp. et al., 9215
Maryland National Corp., 9215
RepublicBank Corp.; correction, 9216
Schrage, Michael E., 9216
SouthTrust Corp. et al., 9217

Food and Drug Administration
NOTICES
Biological product licenses:
Del Rio Plasma Donor Center, Inc., 9217
Human drugs:
New drug applications—
Merrell Dow Pharmaceuticals, Inc., et al.; correction, 9218

Food and Nutrition Service
RULES
Child nutrition programs:
National school lunch program—
Whole milk requirement, 9109

Food Safety and Inspection Service
NOTICES
Meat and poultry inspection:
Accredited laboratory program; rules of practice and delegations of authority, 9202

Health and Human Services Department
See Food and Drug Administration; National Institutes of Health; Public Health Service

Health Resources and Services Administration
See Public Health Service

Housing and Urban Development Department
RULES
Low income housing:
Pet ownership in assisted rental housing for elderly or handicapped; correction, 9161

Interior Department
See also Land Management Bureau
RULES
Archaeological resources protection; supplemental regulations, 9165

Internal Revenue Service
RULES
Income taxes:
Capital gains tax and passive investment income tax with respect to S corporations; correction, 9161
PROPOSED RULES
Income taxes:
Domestic International Sales Corp. (DISCs); interest charge
Correction, 9185

International Trade Administration
RULES
Export licensing:
Foreign products containing parts, components, and materials of U.S. origin, 9147
PROPOSED RULES
Export licensing:
General license for low level exports to free world countries, etc.
Correction, 9241
NOTICES
Committees; establishment, renewals, terminations, etc.:
Textile Advisory Committees, 9205

Interstate Commerce Commission
PROPOSED RULES
Motor carriers
Embargoes; CFR Part removed, 9201
NOTICES
Agreements under sections 5a and 5b; applications for approval, etc.:
California Motor Carrier Tariff Bureau, Inc., 9221
Southern Illinois Motor Rate Conference, 9222
Motor carriers; control, purchase, and tariff filing exemptions, etc.:
ConAgra, Inc., 9221

Justice Department
See also Drug Enforcement Administration
RULES
Independent Counsel Offices:
General powers; and establishment Counsel-Iran/Contra
Correction, 9241
PROPOSED RULES
Unfair immigration-related employment practices; Immigration Reform and Control Act implementation, 9274
NOTICES
U.S. Trustee System; certification of judicial districts:
Texas, 9222

Labor Department
See Occupational Safety and Health Administration

Land Management Bureau
NOTICES
Environmental statements; availability, etc.:
Arizona Interconnection Project, AZ and NM, 9219
Meetings:
Canon City District Advisory Council, 9221
Realty actions; sales, leases, etc.:
Utah, 9220
Survey plat filings:
Illinois, 9220

National Aeronautics and Space Administration
NOTICES
Meetings:
Space Systems and Technology Advisory Committee, 9223
(2 documents)

National Foundation on the Arts and the Humanities
NOTICES
Grants; availability, etc.:
National Capital arts and cultural affairs program, 9224

National Highway Traffic Safety Administration
PROPOSED RULES
Motor vehicle safety standards:
Child restraint systems—
Add-on child restraints, 9194

National Institutes of Health
NOTICES
Meetings:
National Cancer Institute, 9218

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
Gulf of Alaska groundfish, 9171
Tuna, Atlantic fisheries, 9170

Nuclear Regulatory Commission
NOTICES
Environmental statements; availability, etc.:
Tennessee Valley Authority, 9224
Reports availability, etc.:
Seismic qualification of equipment in operating nuclear power plants (USI A-46), etc., 9225
Applications, hearings, determinations, etc.:
U.S. Ecology, Inc., 9224

Occupational Safety and Health Administration
RULES
State plans; development, enforcement, etc.:
Oregon; correction, 9162
PROPOSED RULES
State plans; development, enforcement, etc.:
Nevada, 9185

Occupational Safety and Health Review Commission
PROPOSED RULES
Procedure rules, 9187

Personnel Management Office
NOTICES
Meetings:
Federal Prevailing Rate Advisory Committee, 9225
Senior Executive Service:
Career reserved positions; list, 9244

Presidential Documents
ADMINISTRATIVE ORDERS
Nicaraguan Democratic Resistance; U.S. assistance (Presidential Determination No. 87-10 of March 5, 1987), 9107

Public Health Service
See also Food and Drug Administration; National Institutes of Health
NOTICES
Organization, functions, and authority delegations:
Administrator, Health Resources and Services Administration, 9218
Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration, 9219

Research and Special Programs Administration
RULES
Aviation proceedings:
Uniform system of accounts and reports for large certificated air carriers, 9122
PROPOSED RULES
Pipeline safety:
Pipeline operator qualifications, 9189

Securities and Exchange Commission
RULES
Securities:
Electronic disclosure system (Edgar); Form 13F reports, 9151
NOTICES
Meetings; Sunshine Act, 9239
(2 documents)
Self-regulatory organizations; proposed rule changes:
Midwest Clearing Corp., 9230
Midwest Securities Trust Co., 9230
National Association of Securities Dealers, Inc., 9232
Applications, hearings, determinations, etc.:
GS Mortgage Securities Corp., 9226
Prudential Bache Securities Inc. et al., 9228
Starplan Limited Partnership, 9233

Textile Agreements Implementation Committee
See Committee for the Implementation of Textile Agreements

Transportation Department
See also Coast Guard; Federal Aviation Administration; Federal Highway Administration; National Highway Traffic Safety Administration; Research and Special Programs Administration
RULES
Aviation proceedings:
Uniform system of accounts and reports for large certificated air carriers (**Editorial Note:** For a document on this subject see entry under Research and Special Programs Administration)

Treasury Department
See Internal Revenue Service

Separate Parts In This Issue

Part II
Office of Personnel Management, 9244

Part III
Department of Justice, 9274

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

3 CFR

Administrative Orders:

Presidential Determinations:

No. 87-10 of March 5, 1987 9107

7 CFR

210 9109
907 9110
910 9111
1944 9111
1951 9111
1965 9111

Proposed Rules:

916 9173
917 9173

9 CFR

113 9116

14 CFR

39 9119
71 9121
241 9122

Proposed Rules:

21 9176
23 9176
39 9181
71 (3 documents) 9182-9184

15 CFR

373 9147
376 9147
385 9147

Proposed Rules:

399 9241

17 CFR

240 9151
249 9151

18 CFR

292 9161
389 9161

24 CFR

243 9161
511 9161
842 9161
942 9161

26 CFR

1 9161

Proposed Rules:

1 9185

28 CFR

601 9241

Proposed Rules

44 9274

29 CFR

1952 9162

Proposed Rules:

1952 9185
2200 9187

33 CFR

100 9162
117 9163

40 CFR

60 (2 documents) 9164
61 9164

Proposed Rules:

180 9241

43 CFR

7 9165

48 CFR

Proposed Rules:

203 9187
209 9187

49 CFR

Proposed Rules:

192 9189
195 9189
391 9192
571 9194
1059 9201

50 CFR

285 9170
672 9171

Federal Register
Vol. 52, No. 55
Monday, March 23, 1987

Presidential Documents

Title 3—

The President

Presidential Determination No. 87–10 of March 5, 1987

Further Assistance to Nicaraguan Democratic Resistance

Memorandum for the Secretary of State

In accordance with Title II, Section 211(e) of the act making appropriations for military construction for the Department of Defense for the fiscal year ending September 30, 1987, as contained in Public Law 99–500, approved on October 18, 1986 ("the act"), I hereby determine that the conditions set forth in that Section with respect to provision of assistance to the Nicaraguan democratic resistance have been met, specifically:

(a) that the Central American countries have not concluded a comprehensive and effective agreement based on the Contadora Document of Objectives;

(b) that the Government of Nicaragua is not engaged in a serious dialogue with representatives of all elements of the Nicaraguan democratic opposition, accompanied by a cease-fire and an effective end to the existing constraints on freedom of speech, assembly, religion, and political activity, leading to regularly scheduled free and fair elections and the establishment of democratic institutions; and

(c) that there is no reasonable prospect of achieving such agreement, dialogue, cease-fire, and end to constraints described above through further diplomatic measures, multilateral or bilateral, without additional assistance to the Nicaraguan democratic resistance.

You are hereby directed to report this determination to the Congress. This memorandum shall be published in the **Federal Register.**

Ronald Reagan

THE WHITE HOUSE,
Washington, March 5, 1987.

[FR Doc. 87–6336
Filed 3–19–87; 2:44 pm]
Billing code 3195–01–M

Rules and Regulations

Federal Register
Vol. 52, No. 55
Monday, March 23, 1987

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

7 CFR Part 210

National School Lunch Program; Whole Milk Requirement

AGENCY: Food and Nutrition Service, USDA.

ACTION: Final rule.

SUMMARY: This final rule amends the regulations governing the milk component of National School Lunch Program meals to require that schools offer students: (1) fluid whole milk; and (2) fluid unflavored lowfat milk, skim milk, or buttermilk. Pub. L. 99–500 and 99–591 require that whole milk be offered as a school lunch beverage.

DATES: This rule is effective March 23, 1987. Comments concerning the retention of the unflavored and lowfat requirements must be postmarked on or before May 22, 1987.

ADDRESS: Comments should be sent to: Mr. Lou Pastura, Chief, Policy and Program Development Branch, Child Nutrition Division, Food and Nutrition Service, USDA, 3101 Park Center Drive, Alexandria, Virginia 22302.

FOR FURTHER INFORMATION CONTACT: Mr. Pastura at the above address or telephone (703) 756–3620.

SUPPLEMENTARY INFORMATION:

Classification

This final rule implements a revision of the milk requirement in Part 210, which is retroactive to July 1, 1986, as specifically prescribed by Pub. L. 99–500 and 99–591 and therefore is nondiscretionary. For this reason, the Administrator of the Food and Nutrition Service has determined, in accordance with 5 U.S.C. 553(b) and 553(d), that prior notice and comment are unnecessary and contrary to the public interest and that good cause exists for making the rule effective upon publication. In addition, since this rule merely implements cited statutory provisions, it constitutes an interpretative rule for which notice and comment rulemaking and a 30-day period before taking effect are not required by 5 U.S.C. 553.

This final rule has been reviewed under Executive Order 12291 and has been classified as not major because it does not meet any of the three criteria identified under the Executive Order. This action will not have an annual effect on the economy of $100 million or more, nor will it result in major increases in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. Furthermore, it will not have significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

This rule has been reviewed with regard to the requirements of the Regulatory Flexibility Act (5 U.S.C. 601–612). The Administrator of the Food and Nutrition Service has certified that this rule will not have a significant economic impact on a substantial number of small entities.

No new reporting or recordkeeping requirement is included which would require Office of Management and Budget (OMB) approval under the Paperwork Reduction Act of 1980 (44 U.S.C. 3501–3520). The current OMB number assigned to the National School Lunch Program is 0584–0006.

The National School Lunch Program is listed in the Catalog of Federal Domestic Assistance Under No. 10.555 and is subject to the provisions of Executive Order 12372, which requires intergovernmental consultation with State and local officials (7 CFR Part 3015, Subpart V and 48 FR 29112, June 24, 1983).

Background

On August 17, 1979, the Department published a final rule at 44 FR 48149 which required schools to offer a form of unflavored fluid lowfat milk, skim milk or buttermilk in an effort to decrease the level of fat and sugar in school lunches. At local discretion, schools could also offer whole and/or flavored milk, provided that an unflavored form of fluid lowfat milk was offered. Instrumental in the adoption of the lowfat milk requirement was the National Academy of Sciences' identification of the 1974 Recommended Dietary Allowances of the over-consumption of fat as a national dietary concern.

In the February 12, 1985 proposed rewrite of Part 210, the National School Lunch Program regulations, no changes were made, nor comments solicited on the lowfat milk requirement. However, during the subsequent public comment period, over 850 predominantly negative comments were received on the lowfat milk requirement. Over 90 percent of those commenters advocated the "return" of whole milk to the lunch program, either as the required type of milk or as a beverage choice along with lowfat milk.

Since no specific revision to the milk requirement had been proposed, the interim rewrite of Part 210, published on September 30, 1986 at 51 FR 34864 retained the lowfat milk requirement without change. By way of clarification, the Department reminded all interested parties that the milk requirement did not restrict local officials from offering whole milk as long as an unflavored lowfat form of fluid milk was also offered. In § 210.10(f), the Department also reiterated the recommendation that schools, "whenever possible, provide a selection of foods and milk from which children may make choices."

An essential reason for retention of the lowfat milk requirement was the lack of compelling nutritional evidence supporting a revision of the regulations. In regard not only to calcium, but also the B vitamins and a number of key nutrients, lowfat skim milk are nutritionally comparable, if not superior, to whole milk. More importantly, the 1985 edition of the *Dietary Guidelines for Americans*, jointly issued by the United States Departments of Agriculture and Health and Human Services, advises Americans "to avoid too much fat, saturated fat, and cholesterol" and "use skim or lowfat milk and milk products."

Legislation

Congress, in section 322 of Pub. L. 99–500 and 99–591 amended section 9(a) of the National School Lunch Act (42

U.S.C. 1758(a)) to require that "In addition to such other forms of milk as the Secretary may determine, the lunches shall offer whole milk as a beverage." In response to this provision, this final rule revises § 210.10 of program regulations to require schools to offer students fluid whole milk in addition to the currently required fluid unflavored lowfat, skim milk or buttermilk. It should be noted that whole milk may be either flavored or unflavored.

Request for comments

The Department has made every effort to weigh nutrition concerns against the administrative difficulties of serving more than one type of milk. However, the Department recognizes that the service of both whole milk and unflavored lowfat milk may present administrative problems for some schools, especially those in rural areas. Therefore, the Department is soliciting comments on possible improvements to the requirements set forth in this rule. The law now requires that whole milk be offered in schools, however, the Department could revise the requirements for unflavored lowfat milk. Comments are particularly solicited on the possibility of dropping the requirement for *unflavored* milk. Such an approach is being considered to provide school food authorities with added flexibilitty and to help ease any administrative burden that might result from maintaining inventories of different types of milk. Commenters' recommendations will be considered in formulating a proposed rule, should the Department determine that additional changes are necessary.

List of Subjects in 7 CFR Part 210

Food assistance programs, National School Lunch Program, Commodity School Program, Grant programs—social programs, Nutrition, Children, Reporting and recordkeeping requirements, Surplus agricultural commodities.

Accordingly, Part 210 is amended as follows:

PART 210—NATIONAL SCHOOL LUNCH PROGRAM

1. The authority citation for Part 210 continues to read as follows:

Authority: Secs. 2–12, 60 Stat. 230, as amended; Sec. 10, 80 Stat. 889, as amended; 84 Stat. 270; 42 U.S.C. 1751–1760, 1779, unless otherwise noted.

§ 210.10 [Amended]

2. In § 210.10:

a. Paragraph (c), the "School Lunch Pattern—Per Lunch Minimums" table is amended by revising under the column, "Food Items", the first description regarding milk to read "Fluid whole milk and fluid unflavored lowfat milk, skim milk or buttermilk must be offered."

b. Paragraph (d)(1) is amended by removing the first two sentences and adding one new sentence in its place.

c. Paragraph (i)(6)(i) is amended by removing the words "unflavored fluid lowfat milk, skim milk or buttermilk" and adding the words "fluid milks" in their place.

d. Paragraph (i)(6)(ii) is amended by: (1) revising the first sentence; and (2) in the third sentence by removing the words "such types of."

The revisions specified in b and d above read as follows:

* * * * *

(d) * * *

(1) *Milk.* Schools shall offer students fluid whole milk and fluid unflavored lowfat milk, skim milk or buttermilk.

* * * * *

(i) * * *

(6) *Insufficient milk supply.* * * *

(ii) If a school is unable to obtain a supply of fluid whole milk and fluid unflavored lowfat milk, skim milk, or buttermilk on a continuing basis, the State agency may approve the service of either fluid whole milk or fluid unflavored lowfat milk, skim milk or buttermilk. * * *

* * * * *

Dated: March 18, 1987.

S. Anna Kondratas,

Acting Administrator.

[FR Doc. 87–6179 Filed 3–20–87; 8:45 am]

BILLING CODE 3410-30-M

Agricultural Marketing Service

7 CFR Part 907

[Navel Orange Regulation 652]

Navel Oranges Grown in Arizona and Designated Part of California; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Regulation 652 establishes the quantity of California-Arizona navel oranges that may be shipped to market during the period March 20, 1987, through March 26, 1987. Such action is needed to balance the supply of fresh navel oranges with the demand for such period, due to the marketing situation confronting the orange industry.

DATE: Regulation 652 (§ 907.952) is effective for the period March 20, 1987, through March 26, 1987.

FOR FURTHER INFORMATION CONTACT: James M. Scanlon, Acting Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250, telephone: 202–447–5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

The purpose of the RFA is to fit regulatory action to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their behalf. Thus, both statutes have small entity orientation and compatibility.

This rule is issued under Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendation and information submitted by the Navel Orange Administrative Committee and upon other available information. It is found that this action will tend to effectuate the declared policy of the act.

This action is consistent with the marketing policy for 1986–87 adopted by the Navel Orange Administrative Committee. The committee met publicly on March 17, 1987, in Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended by a 7 to 4 vote a quantity of navel oranges deemed advisable to be handled during the specified week. The committee reports that the market for navel oranges continues to improve.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective

date necessary to effectuate the declared policy of the act. To effectuate the declared purposes of the act, it is necessary to make this regulatory provision effective as specified, and handlers have been apprised of such provision and the effective time.

List of Subjects in 7 CFR Part 907

Marketing agreements and orders, California, Arizona, Oranges (Navel).

PART 901—[AMENDED]

1. The authority citation for 7 CFR Part 907 continues to read:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. Section 907.952 Navel Orange Regulation 652 is added to read as follows:

§ 907.952 Navel Orange Regulation 652.

The quantities of navel oranges grown in California and Arizona which may be handled during the period March 20, 1987, through March 26, 1987, are established as follows:

(a) District 1: 1,857,522 cartons;
(b) District 2: Unlimited cartons;
(c) District 3: Unlimited cartons;
(d) District 4: Unlimited cartons.

Dated: March 18, 1987.

Ronald L. Cioffi,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87–6310 Filed 3–19–87; 2:41 pm]

BILLING CODE 3410–02–M

---

7 CFR Part 910

[Lemon Regulation 553]

Lemons Grown in California and Arizona; Limitation of Handling

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

SUMMARY: Regulation 553 establishes the quantity of fresh California-Arizona lemons that may be shipped to market at 330,000 cartons during the period March 22–28, 1987. Such action is needed to balance the supply of fresh lemons with market demand for the period specified, due to the marketing situation confronting the lemon industry.

DATES: Regulation 553 (§ 910.853) is effective for the period March 22–28, 1987.

FOR FURTHER INFORMATION CONTACT: James M. Scanlon, Acting Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250, telephone: (202) 447–5697.

SUPPLEMENTARY INFORMATION: This final rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service has determined that this action will not have a significant economic impact on a substantial number of small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their behalf. Thus, both statutes have small entity orientation and compatibility.

This regulation is issued under Marketing Order No. 910, as amended (7 CFR Part 910) regulating the handling of lemons grown in California and Arizona. The order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). This action is based upon the recommendation and information submitted by the Lemon Administrative Committee and upon other available information. It is found that this action will tend to effectuate the declared policy of the Act.

This regulation is consistent with the marketing policy for 1986–87. The committee met publicly on March 17, 1987, in Los Angeles, California, to consider the current and prospective conditions of supply and demand and recommended by an 8 to 2 vote (with 1 abstention) a quantity of lemons deemed advisable to be handled during the specified week. The committee reports that the market is good.

It is further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking, and postpone the effective date until 30 days after publication in the **Federal Register** (5 U.S.C. 553), because of insufficient time between the date when information became available upon which this regulation is based and the effective date necessary to effectuate the declared purposes of the Act. Interested persons were given an opportunity to submit information and views on the regulation at an open meeting. It is necessary to effectutate the declared purposes of the act to make these regulatory provisions effective as specified, and handlers have been apprised of such provisions and the effective time.

List of Subjects in 7 CFR Part 910

Marketing agreements and orders, California, Arizona, & Lemons.

PART 910—[AMENDED]

1. The authority citation for 7 CFR Part 910 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. Section 910.853 is added to read as follows:

§ 910.853 Lemon Regulation 553.

The quantity of lemons grown in California and Arizona which may be handled during the period March 22 through March 28, 1987, is established at 330,000 cartons.

Dated: March 18, 1987.

Ronald L. Cioffi,

Acting Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87–6309 Filed 3–19–87; 2:41 pm]

BILLING CODE 3410–02–M

Farmers Home Administration

7 CFR Parts 1944, 1951, and 1965

Security Servicing

AGENCY: Farmers Home Administration, USDA.

ACTION: Final rule.

SUMMARY: On September 30, 1985, in 50 FR, page 39636, the Farmers Home Administration (FmHA) published a final rule on security servicing for single family housing (SFH) loans. FmHA is now making changes to clarify its intent, reconcile conflict with another regulation, comply with law, and make certain changes determined to be within the scope of internal management.

EFFECTIVE DATE: March 23, 1987.

FOR FURTHER INFORMATION CONTACT: David J. Villano, Senior Realty Specialist or Frances B. Calhoun, Director, Single Family Housing Servicing and Property Management Division, FmHA, USDA, Room 5315 South Agriculture Building, Washington, DC 20250, Telephone (202) 382–1452.

SUPPLEMENTARY INFORMATION: This final action has been reviewed under USDA procedures established in Departmental Regulation 1512–1 which implements Executive Order 12291 and has been determined to be exempt from those requirements because it involves only corrections or internal agency

management. It is the policy of this Department to publish for comment rules relating to public property, loans, grants, benefits, or contracts, notwithstanding the exemption in 5 U.S.C. 553 with respect to such rules. This action, however, is not published for proposed rulemaking since it involves only corrections, clarifications or matters involving management, making publication for comment unnecessary and impractical.

This program is listed in the Catalog of Federal Domestic Assistance under No. 10.410—Low Income Housing Loans and No. 10.417—Very Low Income Housing Repair Loans and Grants. For the reasons set forth in the Final Rule related Notice(s) to 7 CFR Part 3015, Subpart V, this program is excluded from the scope of Executive Order 12372 which requires intergovernmental consultation with State and local officials.

This document has been reviewed in accordance with 7 CFR Part 1940, Subpart G, "Environmental Program." It is the determination of FmHA that this action does not constitute a major federal action significantly affecting the quality of the human environment, and, in accordance with the National Environmental Policy Act of 1969, Pub. L. 91-190, an Environmental Impact Statement is not required.

In addition to correction of typographical errors and minor additional changes for clarity, the primary changes are:

(1) In Exhibit D to Subpart A of Part 1944, Item 19 is revised to remove language indicating that nonoccupancy or leasing of the property are defaults which may result in liquidation of the loan and substitute wording that occupancy is required in order to receive certain program benefits. This change is necessitated by Pub. L. 97-320, known as the Garn-St Germain Depositary Institutions Act of 1982, which provides that a lender may not liquidate a loan when certain conditions or reasons exist. Among these reasons is leasing the property for a term of less than 3 years where the lease does not contain a provision for sale of the property. Since leasing a property normally entails nonoccupancy by the borrower, nonoccupancy is also removed as a forecloseable default.

(2) In Subpart C of Part 1965, § 1965.105 is amended to allow property to be sold at foreclosure sale subject to outstanding real estate taxes where State law permits, and to provide for a State Supplement to be issued setting forth the manner in which it is to be handled in each State.

(3) Section 1965.106 is expanded to allow for subordination of an FmHA lien when necessary to enable the borrower to graduate to other credit. Repayment of subsidy recapture is deferred until the borrower conveys title to the property, and in many cases, a lender would not extend credit to refinance the FmHA debt unless a first-lien position is available. Section 1965.106 is further expanded to allow FmHA to accept an appraisal from another lender if it is considered to adequately reflect market value in subordination cases.

(4) In § 1965.111, one of the conditions for FmHA consenting to a junior lien and entering into a foreclosure notice agreement is removed. The condition removed was that "The total debt against the security will not exceed its market value." In some instances, particularly relating to credit for business purposes, some lenders require a junior lien on the borrower's residence, even though there may be little or no equity at the time. Since FmHA's security position is not impaired by such a junior lien, this condition is removed.

(5) Section 1965.112(b) is revised to allow the State Director to consent to a lease of security property for a term of more than 3 years or with an option to purchase.

(6) Section 1965.113 is amended to permit the County Supervisor to subordinate FmHA's lien(s) to a mineral lease. This type subordination does not entitle the leaseholder to any part of the proceeds from sale of the security property but simply prevents the lease interest from being extinguished should FmHA foreclose. A reference to the Agency's environmental program regulations is added to ensure compliance with FmHA's environmental requirements. Provision is also made for a State form and a State Supplement, when needed.

(7) Section 1965.116(b) is revised to provide for placing the account in the name of the individual who will be paying the loan and to clarify that sale of undivided interest in property among inheritors is not considered as a sale which could result in liquidation of the loan.

(8) Section 1965.117(b)(5) is revised to remove the requirement that all proofs of claim must be sent to the Office of General Counsel for filing, and instead require a State Supplement outlining how proofs of claim are to be handled in each State. Additional guidance is also provided on when proofs of claim are required.

(9) Section 1965.117(e) is expanded to clarify that if a decision is made not to continue with a borrower directly after bankruptcy, that the account must have been serviced in accordance with Subpart G of Part 1951 of this chapter prior to the borrower filing bankruptcy.

(10) Section 1965.117(g) is revised to clarify the point at which normal loan servicing may be resumed after a borrower files a petition in bankruptcy.

(11) A new paragraph (h) is added to § 1965.117 to permit the State Director to authorize appraisals required in connection with servicing a bankruptcy case to be obtained by contract from a private-sector source.

(12) Section 1965.118(c) is expanded to provide guidance in settling the indebtedness remaining after release of a lien determined to be valueless.

(13) Section 1965.118(d) is added to provide guidance on releasing FmHA liens where there is no evidence of indebtedness.

(14) Section 1965.125(a)(2) is revised to cover cases where the proposed sale price is not less than the market value or the FmHA debt, but is nonetheless inadequate to pay the FmHA debt plus prior liens, if any, and customary selling expenses. Section 1965.125(a)(3) is clarified to define what are customary selling expenses and reference § 1965.125(a)(2).

(15) In § 1965.126, the introductory paragraph is expanded to include a basic policy statement that persons assuming a loan under the provisions of § 1965.126(b)(12) or (c)(2) are not required to meet eligibility requirements.

(16) Section 1965.126(b)(2) is amended by removing the list of forms used in connection with assumptions and placing them in Exhibit B (available in any FmHA office) of this subpart.

(17) Section 1965.126(b)(3) is expanded to clarify the policy on suitability of a dwelling located on more than a minimum adequate site, in that the entire property must be modest in cost when compared to a similar house on a minimum-adequate site in the area.

(18) Section 1965.126(b)(5) is revised to clarify that for cases where "same-terms" assumptions are authorized [§ 1965.126(b)(12) or (c)(2)], the amount of debt will be unchanged.

(19) Section 1965.126(c)(1) is expanded to state if the assuming party is to receive interest credit, the term must be at least 25 years and should be the maximum legal limit.

(20) Section 1965.126(c)(2) is revised for clarification and to include in paragraph (c)(2)(i) the spouse or child to whom title is conveyed by a living FmHA borrower as well as persons who acquire title to or an interest in the property by virtue of a borrower's death or through divorce.

(21) Section 1965.126(e)(4) is expanded to clarify FmHA's policy on flood insurance when an existing loan is assumed, which is not clearly set forth in Subpart B of Part 1806 of this chapter (FmHA Instruction (426.2).

(22) A new paragraph designated as §1965.126(b)(13) is added to provide guidance on how the cost of repairs are to be handled in transfer cases.

(23) Section 1965.137 is revised to allow an exception by the Administrator in cases where a borrower is inequitably affected as well as when the Government's interest is adversely affected.

List of Subjects

7 CFR Part 1944

Home improvement, Loan programs—Housing and community development, Low and moderate income housing—Rental, Mobile homes, Mortgages, Rural housing, Subsidies.

7 CFR Part 1951

Account servicing, Interest credit, Recapture of subsidy.

7 CFR Part 1965

Administrative practice and procedure, Loan programs—Housing and community development, Low and moderate income housing—Rental, Mortgages, Rural areas.

Therefore, Chapter XVIII, Title 7, Code of Federal Regulations is amended as follows:

PART 1944—HOUSING

1. The authority citation for Part 1944 continues to read as follows:

Authority: 42 U.S.C. 1480, 7 CFR 2.23, 7 CFR 2.70.

Subpart A—Section 502 Rural Housing Loan Policies, Procedures, and Authorizations

2. In Exhibit D, Item 19 is revised to read as follows:

Exhibit D of Subpart A—Rural Housing Applicant Interview

* * * * *

19. *Occupancy:* Borrowers must personally occupy the dwelling as one of the eligibility requirements for interest credit or moratorium.

* * * * *

PART 1951—SERVICING AND COLLECTIONS

3. The authority citation for Part 1951 continues to read as follows:

Authority: 7 U.S.C. 1989; 42 U.S.C. 1480; 5 U.S.C. 301; 7 CFR 2.23; 7 CFR 2.70.

Subpart I—Recapture of Section 502 Rural Housing Subsidy

§ 1951.407 [Amended]

4. In § 1951.407(c), the last sentence is amended by changing the reference "§ 1951.408(c)" to "§ 1965.106(b) of Subpart C of Part 1965 of this chapter."

§ 1951.408 [Removed and Reserved]

5. Section 1951.408 is removed and reserved.

PART 1965—REAL PROPERTY

6. The authority citation for Part 1965 continues to read as follows:

Authority: 7 U.S.C. 1989, 42 U.S.C. 1480, 42 U.S.C. 2942, 5 U.S.C. 301, 7 CFR 2.23, 7 CFR 2.70, 29 FR 14764, 33 FR 9850.

Subpart C—Security Servicing for Single Family Rural Housing Loans

§ 1965.103 [Amended]

7. In § 1965.103, introductory text of paragraph (b), the second sentence is revised to read as follows: "Authority of County Supervisors in this subpart applies to Area Loan Specialists in Alaska and Area Supervisors in the Western Pacific Territories and American Samoa."

8. Section 1965.105(b)(1) is amended by revising the last sentence to read as follows: "When a voucher is submitted in more than two consecutive years, prior concurrence of the District Director is required."

9. Section 1965.105(c) is revised to read as follows:

§ 1965.105 Servicing real estate taxes.

* * * * *

(c) *Foreclosure-pending cases.* Where State law permits, property wil be sold at foreclosure sale subject to outstanding taxes. Where taxes must be paid up to the foreclosure sale date, payment should be deferred until the date for the public sale is set unless the taxing authority schedules a tax sale sooner. This permits a single voucher to be processed and allows flexibility for a management decision if it is later determined, due to such considerations as high tax rate, delinquent taxes at the time foreclosure is initiated, length of time required to foreclose and possible vandalism or other loss, there is no recovery to be made. If a tax sale is scheduled while foreclosure is pending and the conditions of § 1965.104(c)(3)(i) and (c)(3)(ii) of this subpart are met, FmHA may bid at the tax sale; or the taxes will be paid by voucher when it is determined to be in the Government's best financial interest and foreclosure action continues. The State Supplement to FmHA Instruction 1955–A required by Part 1955, Supbart A, of this chapter which sets forth the foreclosure process in the State should be explicit on handling of taxes.

* * * * *

10. In § 1965.106 the heading paragraph (a) is revised, paragraphs (b) and (c) are redesignated as paragraph (c) and (d), the last sentence of paragraph (d) is removed and three new sentences are added, and a new paragraph (b) is added to read as follows:

§ 1965.106 Subordination of FmHA lien.

(a) *Subordination of lien for purposes other than graduation.* * * *

* * * * *

(b) *Subordination of lien to enable a borrow to graduate.* When a borrower can graduate to other credit pursuant to Subpart F of Part 1951 of this chapter, and elects not to pay recapture at that time, the FmHA lien may be subordinated to secure the recapture receivable only. The amount of such subordination will not exceed the amount required to pay the FmHA debt (exclusive of recapture) plus reasonable closing costs and an amount not to exceed one percent for loan servicing costs if required by the lender. Further subordination of a lien securing a recapture receivable only is not authorized.

* * * * *

(d)* * *A new appraisal will not be required when the lender will provide a copy of their appraisal to FmHA and a designated FmHA appraiser considers the appraisal to adequately reflect market value. Form FmHA 460–2, "Subordination by the Government," or other form approved by OGC will be used to subordinate FmHA's lien. A State Supplement may be prepared, with the advice of OGC, on processing and approving subordinations.

11. Section 1965.110(a)(1)(ii) is amended by inserting the phrase "as determined by a current appraisal" before the semi-colon.

12. Section 1965.110 is amended by adding paragraph (a)(4) to read as follows:

§ 1965.110 Release of security.

(a)* * *

(4) If applicable, the requirements of § 1940.310(e)(2) of Subpart G of Part 1940 of this chapter must be met.

* * * * *

§ 1965.111 [Amended]

13. Section 1965.111 is amended by adding the word "and" as the last word of paragraph (a); changing the semi-colon to a period and removing the word

"and" at the end of paragraph (b); and by removing paragraph (c) in its entirety.

14. Section 1965.112(b) is revised to read as follows:

§ 1965.112 Lease of security property.

* * * * *

(b) If a borrower leases or proposes to lease security property for a term of more than 3 years, or with an option to purchase, FmHA should normally initiate liquidation action, preferably voluntary. However, if under unusual circumstances the County Supervisor believes FmHA should consent to such a lease arrangement, prior approval of the State Director is required.

15. In § 1965.113 paragraph (a) is amended by adding two sentences at the end of the paragraph, and paragraph (c) is revised to read as follows:

§ 1965.113 Mineral leases.

(a) *Authority.* * * * If requested, the County Supervisor may subordinate FmHA's lien(s) to the lessee's rights and interest in the mineral activity so that in the event FmHA should foreclose, the mineral lease woudl not be extinguished by the foreclosure. Such a subordinate to a lease interest does not entitle the leaseholder to any proceeds from sale of the security property.

* * * * *

(c) *Processing.* Form FmHA 465–1 will be used to process requests under this section. The County Supervisor should carefully document the facts to support the determinations reached concerning the effects of a mineral lease on value. When FmHA is subordinating its lien(s) to the lessee's rights and interests in mineral activity, OGC may be requested to provide a State form for this purpose which will be prescribed in a State Supplement. When required, assignment of income will be taken by use of Form FmHA 443–16, "Assignment of Income from Real Estate Security," or other form approved by OGC which is necessary to comply with State law. If applicable, the requirements of § 1940.310(e)(2) of Subpart G of Part 1940 of this chapter must be met.

16. Section 1965.116(b) is revised to read as follows:

§ 1965.116 Deceased borrower.

* * * * *

(b) *Continue with relative, joint tenant, or tenant by the entirety.* When a relative, joint tenant, or tenant by the entirety who inherits title to (or an interest in) the security property by devise, descent, or operation of law upon the death of a borrower makes payments as scheduled in the promissory note (or assumption agreement), FmHA may not take action to liquidate the loan as long as the property is adequately maintained, real estate taxes and assessments are paid when due, and the dwelling is not known to be uninsured. Assumption of the indebtedness is not required, and occupancy of the dwelling is subject only to the restrictions on leasing outlined in § 1965.112 of this subpart. Form FmHA 450–10 will be submitted to change the name, address and case number on the account to that of the individual who will be making the payments. Interest credit may be granted only to a *borrower* (obligor by virtue of a note or assumption agreement); therefore, interest credit may be granted only when at least one borrower is occupying the dwelling except as provided in § 1965.126(c)(2)(ii) of this subpart. The loan remains subject to graduation requirements set forth in Subpart F of Part 1951 of this chapter. Continuation with a relative, joint tenant, or tenant by the entirety under the provisions of this paragraph applies only to the transfer of title resulting from the death of the borrower; it *does not* apply to any subsequent transfer of title by the inheritor(s) *except* by devise, descent, or operation of law upon the death of the inheritor(s) or sale of interests among inheritors to consolidate title. Any other subsequent transfer of title will be treated as a sale and is subject to the requirements of § 1965.126 of this subpart.

* * * * *

§ 1965.117 [Amended]

17. Section 1965.117 is amended by revising the last sentence of the introductory paragraph to read: "SFH borrowers who file petitions for bankruptcy under Chapter 11 (reorganization) will be handled under a State Supplement approved by OGC or on a case-by-case basis as advised by OGC."

18. Section 1965.117(b)(5) is amended by removing the third and fourth sentences in their entirety and adding the following sentence in its place: "A proof of claim need not be filed in no asset Chapter 7 cases or, with the concurrence of OGC, in Chapter 7 cases where the FmHA claim (exclusive of recapture) is clearly fully secured, but otherwise it should be filed even if the FmHA does not wish to continue with the borrower." Additionally, the following sentence is added to the end of the paragraph (b)(5): "Proofs of claim will be handled according to a State Supplement approved by OGC."

19. In § 1965.117 paragraph (d)(2) is amended by adding a sentence at the end of the paragraph, paragraph (e) is revised and paragraph (h) is added to read as follows:

§ 1965.117 Bankruptcy

* * * * *

(d) * * *

(2) * * * This includes entitlement to all program benefits for which the borrower may be eligible including but not limited to interest credit, moratorium and appeal rights.

(e) *Not continuing with borrower.* If a decision is made not to continue with a secured loan, liquidation action, either voluntary or foreclosure, may be initiated provided the account was serviced in accordance with Subpart G of Part 1951 of this chapter prior to the borrower filing bankruptcy as soon as one of the following has occured:

* * * * *

(h) *Appraisals.* If an FmHA appraiser is not available to make an appraisal required in connection with servicing a bankruptcy case, the State Director may authorize an appraisal to be obtained by contract from a qualified appraiser outside FmHA.

20. Section 1965.117(g) is amended in the third sentence by changing the word "may" to "will" and by removing the words "the discharge" and inserting in their place "one of the situations outlined in paragraph (e)(1), (e)(2), or (e)(3) of this section has occurred."

21. Section 1965.118(c) is revised and a new paragraph (d) is added to read as follows:

§ 1965.118 Release of FmHA lien without monetary consideration.

* * * * *

(c) *Valueless lien.*

(1) The State Director may approve and authorize release of an FmHA lien which is determined to have no present or prospective value or when enforcement would be ineffectual or uneconomical. This does not include judgment liens or statutory redemption rights except with the consent of OGC. When recommending release of an FmHA lien as valueless, the County Supervisor will forward to the State Director the case file and the following:

(i) Current appraisal report reflecting market value of the property (as is);

(ii) The name(s) of prior lienholder(s) and the amount secured by each lien which is prior to FmHA;

(iii) Amount of real estate taxes and/or assessments which are or will become a prior lien on the property; and

(iv) Facts which substantiate that the lien is valueless.

(2) After release of a valueless lien, the debt must be settled according to Subpart B of Part 1956 of this chapter.

(d) *No evidence of indebtedness.* The FmHA mortgage may be released by the County Supervisor in situations where there is no evidence of an existing indebtedness secured by the mortgage in the records of the FmHA County, District, State, or Finance Office.

22. In § 1965.125 introductory text of paragraph (a)(1) is amended after the fourth sentence by inserting a new sentence to read as follows: "If a loan is subject to recapture of subsidy, the borrower should be reminded that a portion of the equity will be recaptured."

23. § 1965.125(a)(2) and (a)(3) are revised to read as follows:

§ 1965.125 Liquidation.

(a) * * *

(2) *Consent to sale when the FmHA debt and authorized selling expenses exceed market value.* If a borrower proposes to sell the property for an amount which will be insufficient to pay the FmHA debt, prior lien(s), if any, and authorized selling expenses, the County Supervisor will appraise the property and may consent to the sale if the proposed sale price is not less than the market value. When consent under this paragraph is given and payment in an amount at least equal to the market value of the security property (less prior liens if paid separately and/or allowable costs authorized in paragraph (a)(3) of this section) is received by FmHA in cash, money order, certified check, or Cashier's Check, the County Supervisor is authorized to release the FmHA security instrument(s). When necessary to comply with State law, a State supplement approved by OGC will prescribe procedures for releasing security instruments when the debt evidenced therein is not satisfied in full. Release of the borrower from liability for the deficiency is covered in § 1965.127(b) of this subpart.

(3) *Distribution of proceeds.* When consent to sale in accordance with § 1965.125(a)(2) is authorized, the entire sales proceeds minus prior liens, if any, and authorized selling expenses must be applied to the FmHA debt. Authorized selling expenses are those which the seller customarily or legally must pay to convey title and include but are not limited to: a real estate broker's commission, no more than 3 discount points to enable the buyer to obtain credit from another lender provided they are not being paid to reduce the purchaser's interest rate, real estate taxes, preparation of the deed, abstract fees, termite inspection, and deed or other revenue stamps. A real estate commission allowed under this subparagraph must not exceed the prevailing rate for the sale of similar property in the area.

* * * * *

24. Section 1965.126 is amended by revising the introductory text; revising paragraphs (b)(2), (b)(5), (c)(1), (c)(2) introductory text, (c)(2)(i) and (ii), and (e)(4); and adding a new paragraph (b)(13) to read as follows:

§ 1965.126 Transfer of property with assumption of indebtedness.

When a borrower proposes to sell real estate security, assumption of the loan(s) may be approved on eligible or ineligible terms, as applicable, subject to the provisions of paragraphs (c) and (d) of this section. Assumptions under paragraphs (b)(12) and (c)(2) of this section *only* are authorized on existing terms without considering the assuming party's eligibility for program assistance. When security property is sold (or title is otherwise conveyed), whether by full conveyance or by land contract, contract-for-deed, or other similar instrument, and the FmHA account is not assumed by the purchaser (or new owner), the loan must be liquidated except as provided in paragraph (b)(12) of this section or § 1965.116 of this subpart.

* * * * *

(b) * * *

(2) *Forms.* See Exhibit B (available in any FmHA office).

* * * * *

(5) *Amount of assumption.* Except for transfers covered in paragraphs (b)(12) and (c)(2) of this section, the transferee will assume the entire FmHA indebtedness unless the indebtedness plus prior liens exceeds the market value of the property, in which case the transferee will assume an amount equal to the market value of the property, less the amount of prior liens, if any. In the situations outlined in paragraphs (b)(12) and (c)(2) of this section, the amount of debt will not be changed. When the buyer and seller have agreed upon transfer for "amount of debt," recapture of subsidy due based on market value of the security property must be calculated and included as part of the total indebtedness.

* * * * *

(13) *Repairs.* When a loan is to be assumed on eligible terms, repairs necessary to bring the property to program standards will be accomplished with a subsequent loan in accordance with Subpart A of Part 1944 of this chapter, unless the transferee has sufficient funds to make the repairs with his/her own resources. In no case will FmHA require the transferor to make necessary repairs as a condition for the transfer.

(c) * * *

(1) Except as provided in paragraph (b)(12) or (c)(2) of this section, the applicant may request the interest rate charged by FmHA to be the lower of the rate in effect at either the time the assumption is approved or closed. If the applicant does not indicate a choice, the assumption will be closed at the rate in effect at the time of approval. Interest rates are specified in Exhibit B of FmHA Instruction 440.1 (available in any FmHA office) for the type loan involved. The repayment period may be up to the maximum legal limit for the type loan involved. If the assuming party is to receive interest credit, the term must be at least 25 years and should be the maximum legal limit.

(2) In the situations outlined in paragraphs (b)(12) and (c)(2)(i), (c)(2)(ii), and (c)(2)(iii) of this section *only*, the assuming party will execute Form FmHA 460–9, "Assumption Agreement (Same Terms)." The Finance Office will not process the assumption, and will be involved only by submission of Form FmHA 450–10 to change the name and case number on the account being assumed. Assumptions under this paragraph are authorized without considering the assuming party's eligibility for program assistance. The interest rate, final due date, payment date, account status (current, delinquent, ahead of schedule), and whether or not the loan is subject to recapture will not be changed by virtue of the assumption. After assumption, compliance with loan conditions is required. Eligibility for interest credit will be considered or reevaluated at the time of assumption. Situations where these terms are authorized are:

(i) An individual who acquires title to or an interest in the security property by virtue of death, divorce, or deed from a spouse or parent, but is not liable for the debt and who wishes to assume the loan may do so. Any subsequent transfer of title, except between inheritors to consolidate title, will be treated as a sale and is not covered by these provisions. Individuals in this category are:

(A) A deceased borrower's surviving spouse.

(B) A divorced borrower's ex-spouse.

(C) A joint tenant with right of survivorship or relative of a deceased borrower.

(D) The spouse or child of a living borrower to whom title to the security property has been conveyed by spouse or parent.

(ii) A person other than the deceased borrower's spouse who wishes to continue with the loan under conditions outlined in § 1965.116 (b) or (d) of this subpart may do so. In the type situation outlined in § 1965.116(d), interest credit may be considered based on the income of only the occupants of the security property, whether or not the assuming party is one of the occupants, if the loan is otherwise eligible for interest credit.

* * * * *

(e) * * *

(4) *Insurance.* (i) Fire/Hazard insurance is required in accordance with Subpart A of Part 1806 of this Chapter (FmHA Instruction 426.1).

(ii) Flood insurance is required on any house located in an identified flood or mudslide hazard area where flood insurance is available. If the house was built prior to implementation of the flood insurance program and flood insurance has never been available or is no longer available, assumption on eligible or ineligible terms may be approved without flood insurance provided the house is determined by the County Supervisor to be safe (that is, any hazard that exists would not likely endanger the safety of dwelling occupants). If not safe, or if water rises inside the living space of the house frequently, it should be determined by the County Supervisor to be unsuitable for retention in the program and therefore subject to assumption on ineligible terms only. If the house is located in an identified flood or mudslide hazard area and flood insurance is not available when the assumption is approved, the County Supervisor will note the appropriate space on Form FmHA 1940–1 that approval is subject to the requirement for having flood insurance if it becomes available in the future.

* * * * *

§ 1965.126 [Amended]

25. Section 1965.126(b)(3) is amended at the end of the fourth sentence by changing the period to a comma and adding the following: "provided the entire property is modest in cost compared to a similar house on a minimum-adequate site in the area."

26. Section 1965.126(b)(4)(i) is amended in the fourth sentence by removing "than 1400" and adding at the end "according to Subpart A of Part 1944 of this chapter."

27. Section 1965.126(b)(12) is amended in the third sentence by removing the comma after "paragraph (c)(2)(i)" and removing the phrase "(c)(2)(ii), or (c)(2)(iii)."

28. Section 1965.126(e)(5) is amended in the first sentence by removing the words "from the Inquiry Station of the Finance Office," in the second sentence by removing the words "Inquiry Station," and in the third sentence by inserting the words "Finance Office" in place of the words "Inquiry Station."

29. Section 1965.127 is amended by revising the introductory text of paragraph (a)(3), and revising paragraphs (b)(1)(i) and (b)(2) to read as follows:

§ 1965.127 Release from liability.

(a) * * *

(3) A person who is jointly liable for a loan may be released from liability by the County Supervisor provided:

* * * * *

(b) * * *

(1) * * *

(i) In the case of sale outside the FmHA program, a memorandum from the County Supervisor requesting satisfaction of the transferor's account balance, with a copy of Form FmHA 1965–8 attached indicating release from liability. The note will be marked "Satisfied and Borrower Released from Liability" and returned to borrower.

* * * * *

(2) When the transferor (and co-signer, if any) is not released from liability, the transferor's account balance after the assumption is processed, or cash proceeds are applied, will be settled according to Subpart B of Part 1956 of this chapter or reclassified to collection-only.

30. Section 1965.137 is revised to read as follows:

§ 1965.137 Exception authority.

The Administrator may, in individual cases, make an exception to any requirement or provision of this subpart or address any omission of this subpart which is not inconsistent with the authorizing statute or other applicable law if the Administrator determines that application of the requirement or provision, or failure to take an action in the case of an omission, would adversely affect the Government's interest and/or have an inequitable effect on a borrower while not benefiting the Government. The Administrator will exercise this authority upon the request of the State Director with the recommendation of the Assistant Administrator for Housing; or upon request initiated by the Assistant Administrator for Housing. Request for exception must be made in writing and supported with documentation to explain the adverse effect, propose alternative courses of action, and show how the adverse effect will be eliminated or minimized if the exception is granted.

Dated: February 17, 1987.

Eric P. Thor,

Acting Administrator, Farmers Home Administration.

[FR Doc. 87–6232 Filed 3–20–87; 8:45 am]

BILLING CODE 3410–07–M

Animal and Plant Health Inspection Service

9 CFR Part 113

[Docket No. 86–116]

Viruses, Serums, Toxins, and Analogous Products; Standard Requirements for Pasteurella Multocida Bacterin, Avian Isolate

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Final rule.

SUMMARY: This amendment revises the regulations by reducing the number of birds required to conduct the potency test for Pasteurella Multocida Bacterin, Avian Isolates, Types 1, 3, and 4. The regulations currently require at least 60 birds to complete a potency test for each of the three types. Licensees producing bacterins containing all three types must use 180 birds to complete the potency test for each serial of the product. This amendment reduces the number of birds in the potency test by 50 percent without reducing the validity of the potency test and with little additional risk of unsatisfactory test results due to an undetected overchallenge.

EFFECTIVE DATE: This amendment becomes effective April 22, 1987.

FOR FURTHER INFORMATION CONTACT: Dr. Peter L. Joseph, Senior Staff Veterinarian, Veterinary Biologics Staff, VS, APHIS, USDA, Room 838, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, 301–436–6332.

SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

This rule contains no new or amended recordkeeping, reporting, or application requirements or any type of information collection requirement subject to the Paperwork Reduction Act of 1980.

Executive Order 12291

This action has been reviewed under USDA procedures established in Department Regulation 1512–1 to implement Executive Order 12291 and has been classified as a "Nonmajor Rule."

The rules will not have a significant effect on the economy and will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment productivity, innovation, or on the ability of the United States-based enterprises to compete with foreign-based enterprises, in domestic markets.

Certification Under the Regulatory Flexibility Act

The Administrator of the Animal and Plant Health Inspection Service has determined that this action will not have a significant economic impact on a substantial number of small entities. Its purpose is to reduce regulatory burdens on the affected industry by reducing the number of birds required to be used in potency tests without compromising the validity and reliability of such tests.

Background

Standard requirements consist of test methods, procedures, and criteria established by Veterinary Services (VS) for evaluating biological products for purity, safety, potency, and efficacy. When standard requirements for Pasteurella Multocida Bacterins, Avian Isolates, Types 1, 3, and 4, were developed, the knowledge available at that time supported the need to employ at least 60 birds in potency test procedures for each of the three types. The potency test currently requires that 20 birds be vaccinated with the test bacterin according to label recommendations; that 20 birds (positive controls) be vaccinated with two doses of a reference bacterin available from Veterinary Services; and that 20 birds be retained as unvaccinated or negative controls. Under current regulations a licensee manufacturing a bacterin containing all three types of isolates must utilize at least 60 birds per type in potency tests for each serial of product. Each group of test birds is challenged 14 days after the second injection. As noted above, the 20 birds injected with the reference bacterin act as positive controls in each group. The purpose of the positive controls is to assure that an overchallenge has not occurred.

Manufacturers of these bacterins petitioned the Agency to reduce the number of birds required for the potency tests. In response to this request, the Agency conducted a statistical analysis of data from at least 225 potency tests representing each of the three avian isolate types. Although there were differences in overall test results between firms, the actual rate of failure was very low in each case. The data were also examined to determine the effect of reducing the total number of birds, and the best alternative to reducing the number of birds. From this evaluation it appeared that an acceptable reduction in the number of birds can be achieved by making changes in the two control groups. The results obtained in the negative control groups indicate that each challenge has been at least 80 percent effective in almost every case. The data indicate that there would be little additional risk in meeting the validity requirements with 10 rather than 20 negative controls. Although the reference bacterin, used in the positive controls, occasionally fails to protect at least 12 of the 20 birds, the result is seldom used to declare the test invalid due to an overchallenge. The reason for this is the low incidence of test bacterins failing to protect the required number of vaccinated birds. This suggests that overchallenge is not a significant problem in this test and that the reference bacterin test could be eliminated or made optional. More specifically, this revision of the regulations provides for the deletion of the use of the reference bacterin from the Standard Requirements. Manufacturers will be allowed to retain the option of including the reference bacterin if they desire to validate a test. This option can be retained through provisions in the Outline of Production.

Current knowledge and experience with testing these products are the basis for these changes. Therefore, by deleting the reference bacterin test which uses 20 birds as positive controls and by reducing the unvaccinated (negative) control group from 20 to 10 birds, the total number of birds currently required for the potency test will be reduced by 50 percent. This reduction will result in a significant decrease in the cost of testing without compromising the validity of the potency test and with only a minimum risk of unsatisfactory test results due to an undetected overchallenge.

On August 25, 1986, a notice of proposed rulemaking was published in the **Federal Register** at 51 FR 30222 discussing this revision and soliciting comments. Three responses were received, all supporting the proposed change in the Standard Requirements.

After consideration of all relevant matters, including the proposal set forth in the above notice, and under the authority of the Virus-Serum-Toxin Act of March 4, 1913, and amended in the Food Security Act, 1985 (21 U.S.C. 151–159), the amendment of Part 113, Subchapter E, Chapter I, Title 9 of the Code of Federal Regulations, as modified from the above notice, is adopted as follows:

List of Subjects in 9 CFR Part 113

Animal biologics.

PART 113—STANDARD REQUIREMENTS

Accordingly, 9 CFR Part 113 is amended as follows:

1. The authority citation for Part 113 continues to read as follows:

Authority: 21 U.S.C. 151–159; 7 CFR 2.17, 2.51 and 371.2(d).

2. Section 113.101, Pasteurella Multocida Bacterin, Avian Isolates, is amended by removing paragraph (c)(2), redesignating paragraphs (c)(3) through (c)(7) as paragraphs (c)(2) through (c)(6) and revising them to read as follows:

§ 113.101 Pasteurella Multocida Bacterin, Avian Isolate, Type 4

* * * * *

(c) * * *

(2) *Unvaccinated controls.* Each of not more than 11 turkeys shall be held as controls.

(3) *Challenge.* Not less than 14 days after the second dose, each of 20 vaccinates, and each of 10 unvaccinated controls shall be challenged intramuscularly with virulent *Pasteurella multocida*, Strain P–1662, Type 4 (Little and Lyons classification) and observed daily for a 14-day postchallenge period. Only dead birds shall be considered in evaluating the product.

(4) *Validity requirements.* Eight or more unvaccinated controls must die for the test to be valid. If this requirement is met, the potency test results are evaluated according to stage one of the following table. The test is inconclusive and may be repeated if the validity requirement is not met, but the serial is unsatisfactory if the test is not repeated.

Stage	Number of vaccinates	Cumulative number of vaccinates	Cummulative total number of dead vaccinates for—	
			Satisfactory serial	Unsatisfactory serial
1	20	20	6 or less	9 or more.
2	20	40	15 or less	16 or more.

(5) The serial shall pass or fail based on the stage one results of the potency test. However, the second stage may be conducted if seven or eight vaccinates die in stage one, but the serial is unsatisfactory if the second stage is not conducted.

(6) The second stage shall be conducted in a manner identical to the first stage. The serial shall be evaluated according to stage two of the table. On the basis of accumulated results from the data of both stage tests, a serial shall either pass or fail the second stage.

2. Section 113.102, Pasteurella Multocida Bacterin, Avian Isolate, Type 1, is amended by removing paragraph (c)(2), redesignating paragraphs (c)(3) through (c)(7) as paragraphs (c)(2) through (c)(6) and revising them to read as follows:

§ 113.102 Pasteurella Multocida Bacterin, Avian Isolate, Type1.

* * * * *

(c) * * *

(2) *Unvaccinated controls.* Each of not more than 11 chickens shall be held as controls.

(3) *Challenge.* Not less than 14 days after the second injection, each of 20 vaccinates, and each of 10 unvaccinated controls shall be challenged intramuscularly with a minimum of 250 colony-forming units of virulent *Pasteurella multocida,* Strain X–73, Type 1 (Little and Lyons classification) and observed daily for a 14-day postchallenge period. Only dead birds shall be considered in evaluating the product.

(4) *Validity requirements.* Eight or more unvaccinated controls must die for the test to be valid. If these requirement are met, the potency test results are evaluated according to stage one of the following table. The test is inconclusive and may be repeated if the validity requirements are not met, but the serial is unsatisfactory if the test is not repeated.

Stage	Number of vaccinates	Cumulative number of vaccinates	Cummulative total number of dead vaccinates for—	
			Satisfactory serial	Unsatisfactory serial
1	20	20	6 or less	9 or more.
2	20	40	15 or less	16 or more.

(5) The serial shall pass or fail based on the stage one results of the potency test. However, the second stage may be conducted if seven or eight vaccinates die in stage one, but the serial is unsatisfactory if the second stage is not conducted.

(6) The second stage shall be conducted in a manner identical to the first stage. The serial shall be evaluated according to stage two of the table. On the basis of accumulated results from the data of both stage tests, a serial shall either pass or fail the second stage.

3. Section 113.103 Pasteurella Multocida Bacterin, Avian Isolate, Type 3, is amended by removing paragraph (c)(2), redesignating paragraphs (c)(3) through (c)(7) as paragraphs (c)(2) through (c)(6) and revising them to read as follows:

§ 113.103 Pasteurella Multocida Bacterin Avian Isolate, Type 3.

* * * * *

(c) * * *

(2) *Unvaccinated controls.* Each of not more than 11 turkeys shall be held as controls.

(3) *Challenge.* Not less than 14 days after the second injection, each of 20 vaccinates, and each of 10 unvaccinated controls shall be challenged intramuscularly with a minimum of 150 colony-forming units of virulent *Pasteurella multocida,* Strain P–1059, Type 3 (Little and Lyons Classification) and observed daily for a 14-day postchallenge period. Only dead birds shall be considered in evaluating the product.

(4) *Validity requirements.* Eight or more unvaccinated controls must die for the test to be valid. If these requirements are met, the potency test results are evaluated according to stage one of the following table. The test is inconclusive and may be repeated if the validity requirements are not met, but the serial is unsatisfactory if the test is not repeated.

Stage	Number of vaccinates	Cumulative number of vaccinates	Cummulative total number of dead vaccinates for—	
			Satisfactory serial	Unsatisfactory serial
1	20	20	6 or less	9 or more.
2	20	40	15 or less	16 or more.

(5) The serial shall pass or fail based on the stage one results of the potency test. However, the second stage may be conducted if seven or eight vaccinates die in stage one, but the serial is

unsatisfactory if the second stage is not conducted.

(6) The second stage shall be conducted in a manner identical to the first stage. The serial shall be evaluated according to stage two of the table. On the basis of accumulated results from the data of both stage tests, a serial shall either pass or fail the second stage.

Done at Washington, DC, this 18th day of March, 1987.

J.K. Atwell,

Deputy Administrator, Veterinary Services.

[FR Doc. 87-6231 Filed 3-20-87; 8:45 am]

BILLING CODE 3410-34-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 86-CE-58-AD; Amendment 39-5585]

Airworthiness Directives; Mechanical Products 4001, 4200, 4310, and 8500 Series Circuit Breakers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new Airworthiness Directive (AD), applicable to certain Mechanical Products, Inc., circuit breakers installed in any aircraft. The AD requires the removal from service of the applicable circuit breakers. This action is prompted by reports of electrical short circuiting within the circuit breakers which may cause loss of essential equipment, an electrical fire, or an electrical shock hazard on aircraft.

EFFECTIVE DATE: April 27, 1987.

Compliance: Required as indicated in the body of the AD, unless already accomplished.

ADDRESSES: Mechanical Products Service Instruction (identified on the back page with the date 10/86), applicable to this AD may be obtained from Mechanical Products, Inc., 1824 River Street, P.O. Box 729, Jackson, Michigan 49204; Telephone (517) 782-0391. This information may be examined at the Rules Docket, FAA, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

FOR FURTHER INFORMATION CONTACT: Mr. Donald P. Michal, FAA, Chicago Aircraft Certification Office, ACE-130C, 2300 East Devon Avenue, Des Plaines, Illinois 60018; Telephone (312) 694-7127.

SUPPLEMENTARY INFORMATION: A proposal to amend Part 39 of the Federal Aviation Regulations to include an AD requiring that certain applicable Mechanical Products circuit breakers be removed from service and returned to the manufacturer was published in the **Federal Register** on November 18, 1986 (51 FR 41638). The proposal resulted from a 1984 design change made to certain Mechanical Products 4001, 4200, 4310, and 8500 Series circuit breakers which inadvertently allowed an internal part to be assembled incorrectly, resulting in the possible rotation of the part which can cause a short circuit which may result in loss of essential equipment, an electrical fire, or an electrical shock hazard on aircraft.

Two field failures have been reported. One occurred during a pre-installation panel assembly test on a unit which had not been in service, and another failed in an airplane after approximately 250 flight hours and an estimated 200 manual actuations. The later failure caused an electrical arc between the circuit breaker and the airplane mounting panel of sufficient duration to melt the surrounding panel material.

Interested persons have been afforded an opportunity to comment on the proposal. Several commenters responded.

Three commenters suggested that the FAA had underestimated the time requirements and the total cost impact of the AD. The FAA does not fully concur with these comments. The estimate of 0.5 hour per unit for inspection and replacement contained in the proposal was an average based on the entire spectrum of civil aircraft which may vary from one unit to 400 units per aircraft. Number, location, arrangement, and accessibility of the circuit breakers in the aircraft will have a large effect on the per unit inspection and replacement time. Also, the Mechanical Products Service Instruction method of identifying suspect (or non-suspect) breakers from the front of the panel will reduce the inspection/replacement time on many aircraft. One commenter stated that a significant cost increase could be incurred if the inspection was done in accordance with the Mechanical Products Instructions. The FAA agrees with this comment if it is assumed that the "front of the panel" inspection does not eliminate any installed circuit breakers as being non-suspect. In this case, all breakers would then have to be re-inspected from the back of the panel. In response to this comment, the final rule has been revised to make the Mechanical Products Service Instruction an optional rather than a mandatory means of compliance.

One commenter compared this AD to two previous situations where the FAA considered rulemaking on circuit breakers then determined that rulemaking was unnecessary because of an ATA test program which showed that the risks involved did not warrant mandatory action. The FAA does not agree with this comment in that the previous situations concerned out of tolerance trip times as opposed to short circuiting, pertained only to aircraft which had upstream current limiting protection, were not used in essential circuits, and did not pose an electrical shock hazard. The final rule has not been withdrawn because of this comment.

One commenter stated that disturbing breaker panels and wire bundles could cause initially undetected damage to the panels and bundles and, therefore, be undesirable when inspecting for defective units, when less than 1% of them would be found to be bad. The FAA agrees that disturbing electrical wiring and components is not desirable, especially in older aircraft. It does not agree, in this case, that safety would be enhanced by not doing the behind the panel inspections required by the AD. The front of the panel inspections and showing compliance through the use of aircraft records were intended to minimize the disturbance of the panels and wire bundles. The final rule has not been changed because of this comment.

One commenter advised that the reject rate for suspect breakers has been confirmed at 0.2% by tests at Mechanical Products, Boeing, and McDonnell-Douglas, and that most ATA members are in the process of purging the air carrier fleet. The FAA considers this comment as informational only and thus would not affect the final rule.

One commenter advised that, except for 56 McDonnell-Douglas Model MD-80 airplanes which are likely to have installed suspect circuit breakers, most of the air carrier fleet has been voluntarily purged, and an AD would likely result in the removal of a few hundred more. The FAA agrees that voluntary efforts reported so far are encouraging, but concludes that an AD would have little impact on those who have participated in voluntary programs. There is no assurance to date, however, that the majority of aircraft owners/operators have participated in such programs, as evidenced by reports that less than 40% of the suspect breakers have been returned to Mechanical Products since their recall began in September 1986. The final rule has not been changed because of this comment.

One commenter cited several factors which serve to minimize risks involved with the defective circuit breakers; a short circuit would only occur when the

breaker was manually opened in flight, a short circuit would melt and fuse in an open circuit mode without damage to wire, and a short circuit breaker would pose a shock hazard to personnel only as a secondary failure in association with a defective circuit breaker panel ground connection. The FAA does not fully agree with this comment. Test reports from Mechanical Products indicate that the short circuit will most likely occur upon closure of the breaker which occurs after a manual or electrical trip, and could happen on the ground or in flight. The FAA feels that the manual closure of a circuit breaker in an aircraft with its electrical system turned on is not an unusual occurrence and a shock hazard could be present if the circuit breaker is installed in a conductive panel with a faulty ground connection, or in a non-conductive/ ungrounded panel, as is the case with the pilot's and co-pilot's circuit breaker panels in DC–10 airplanes. Test reports from Boeing indicate that Mechanical Products circuit breakers P/N 4310–002 Series will fuse open when subjected to a 500% or greater current overload, and that modern high performance electrical wire insulation will not be damaged in this situation. The FAA feels that the Boeing tests may not be applicable to this AD in that the circuit breakers tested are not affected by the AD and may be of a different internal design. Also, the majority of U.S. civil aircraft do not contain the high performance wire insulation materials currently used by Boeing. The field failure cited earlier in this AD wherein the circuit breaker melted the panel material before fusing open internally indicates a more serious hazard than the Boeing tests suggest. The final rule has not been changed because of this comment.

One commenter advised that ATA members have been removing the defective breakers from service for three months and will continue to do so. They feel that the risks do not justify an AD and the associated expense. The FAA does not agree with this comment. The voluntary efforts of ATA members serve to indicate their agreement that the suspect breakers should be identified and removed from the fleet. An AD would only make mandatory for all aircraft what ATA members are now doing. The final rule has not been changed because of this comment.

One commenter requested that the proposed AD be withdrawn and, if the FAA is concerned that the general aviation industry has not been voluntarily removing suspect breakers as have ATA members, that an AD be directed at general aviation (FAR 23) aircraft only, which also have less redundancy in their electrical systems. The FAA does not agree with this comment. Not all transport (FAR 25 and 29) aircraft owners/operators are ATA members. There is no evidence to date which indicates, for example, that business/corporate owners of FAR 25 airplanes operating under FAR Part 91 are participating in voluntary compliance efforts. The final rule has not been changed because of this comment.

Two commenters recommended that the compliance time be changed. A comment on behalf of ATA members stated that compliance time be extended to at least one year to lessen expenses to operators. Comments made on behalf of ATA members (discussed above) indicated that ATA members have voluntarily been removing suspect circuit breakers since October, 1986. The six-month compliance time required by this AD would effectively give all aircraft owners/operators until approximately September 1987 to comply. For ATA members, this would provide nearly the one year's time suggested, minimizing the expense of unscheduled inspections. The final rule will not be changed because of this comment.

The other comment concerning compliance time recommended that compliance be changed to 1,800 flight hours to allow operators to comply with the AD during their normal inspections, thus reducing overall economic impact. The example cited in the comment that Part 91 operators would accrue as little as 100 flight hours in a six-month period would give them nine years to comply with the AD. The FAA feels this is far too long a compliance time for the air safety risks involved. In September 1986, Mechanical Products notified all known purchasers of these circuit breakers in an effort to make the problem known and asked for a recall.

In October 1986, the FAA notified the various industry associations of the problem and the manufacturer's recall. It was hoped at that time that a voluntary purging of the civil fleet would negate the need for an AD. The return results to date of 38% indicate a need for mandatory rulemaking action. The six-month compliance time required by this AD will expire approximately September 1987, affording about half of the operators who have not participated in voluntary programs to coincide removal of the suspect breakers with annual inspections. Those who have participated voluntarily will likely have incurred a lesser economic burden. The final rule has not been changed because of this comment.

One commenter suggested that the AD be revised to allow compliance by a determination of records which would show that no suspect breakers were ever installed in the aircraft. The FAA agrees with this comment as evidenced by the wording in the proposed rule which intended that this be allowed. The final rule has been reworded for clarity as the commenter suggested.

One commenter suggested that the requirement in the proposed rule for returning suspect circuit breakers to the manufacturer be deleted. The FAA agrees with this comment at this point in time. The requirement was placed in the proposed rule to enhance the availability of replacement parts to the field. Since the proposed rule was published, it is estimated that the manufacturer has produced enough new units and tested returned units to assure an adequate supply to aircraft owners/ operators. The final rule has been revised to make the return of suspect breakers optional rather than mandatory.

One commenter stated that the AD will be very difficult to comply with because it is unknown which airframe manufacturers may have installed the suspect circuit breakers and that the FAA should work toward identifying which aircraft may contain the defective breakers. Another commenter suggested that the FAA recommend to those aircraft manufacturers who installed suspect circuit breakers that appropriate service information be issued. The FAA disagrees with these comments. Regardless of whether or not suspect breakers have been installed by airframe manufacturers, a determination will have to be made that each civil aircraft is free of the suspect breakers which may have been installed during an aircraft modification or as a replacement part. The final rule has not been changed because of this comment.

One commenter agreed with the proposed rule but suggested that the two field failures cited were unusual situations. He then asked if it is likely that only low time circuit breakers would fail. The FAA's best information is that the breakers are likely to fail when they are either electrically or mechanically opened and then closed (reset), but it is now known how long a defective breaker could be operational before failure. The final rule has not been changed because of this comment.

One commenter stated that the log book of every civil aircraft would have to be reviewed to determine whether or not a circuit breaker had been replaced

or added since July 23, 1984. The FAA does not agree in total with this comment. Log book examination is one way to comply with the AD. The other way is to physically inspect the circuit breakers in the aircraft in accordance with instructions in the AD or in accordance with the Mechanical Products Service Instruction referenced in the AD. The final rule has not been changed because of this comment.

One commenter suggested that an inspection of distributors' stock should be required by FAA. The FAA disagrees with this comment. To date, the best response to the Mechanical Products customer notifications and recall requests has been from distributors. The FAA is satisfied that distributor stock will be purged in a timely manner on a voluntary basis. In addition, in January 1987 the FAA published an Airworthiness Alert, AC No. 43-16, on this subject to further disseminate this information to FAA field offices. The final rule has not been changed because of this comment.

Accordingly, the final rule will reflect the changes heretofore noted.

The FAA had determined that approximately 163,000 circuit breakers of the type described in this AD could be used in commercial aircraft. Of the total 163,000 units, approximately 74,000 units were for civil aircraft customers, and 89,000 units went to distributors and had unknown destinations. Mechanical Products, Inc., has initiated a recall which has resulted in the return of approximately 38% of the units to date. The reject rate of returned units has been approximately 0.2%. The estimated time to inspect and replace each unit was 0.5 hour for an estimated cost, assuming $40 per hour, of $20 per unit. A total cost, based on 100,000 units still unaccounted for, is $2,000,000. The total cost of compliance with the AD is so small that the expense of compliance will not have a significant financial impact on any small entities using these circuit breakers.

Therefore, I certify that this action (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the regulatory docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "ADDRESSES".

List of Subjects in 14 CFR Part 39

Air transportation, Aviation safety, Aircraft, Safety.

Adoption of the Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the FAR as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new AD:

Mechanical Products, Inc.: Applies to the following 4001, 4200, 4310, and 8500 Series circuit breakers:

Mechanical products designation	Military designation	Ampere rating	Date code
4001 Series	MS22073	1 thru 5	8501 thru 8636.
4200 Series	MS26574	½ thru 5	8430 thru 8636.
4300-001, -019 Series	MS3320	1 thru 5	8605 thru 8636.
8500 Series	(None)	1 thru 5	8514 thru 8636.

This AD does not apply to circuit breakers produced or installed prior to July 23, 1984, (the thirtieth week of 1984), or to circuit breakers which have been inspected by the manufacturer, found free of defect, marked with a white inverted Z or a T painted on the terminal end, and have an additional date code with an "R" prefex.

Note 1: As an aid in identification, the bodies of these circuit breakers are blue or black in color.

Note 2: The date codes listed above are used to identify the year and week of manufacture; i.e., 8430 indicates the thirtieth week of 1984, and 8636 indicates the thiry-sixth week of 1986. These date codes may be found on the top, side, or bottom of the circuit breakers.

Note 3: As an example, the unit may have the additional date code of R8642, where "R" designates a retest by Mechanical Products, 86 indicates the year 1986, and 42 indicates the 42nd week of 1986.

Compliance: Required as indicated after the effective date of this AD. To prevent possible loss of essential equipment, electrical fire, or electrical shock hazard on aircraft, accomplish the following:

(a) Within six months after the effective date of this AD, accomplish the following:

(1) Visually inspect for installation in aircraft of any of the applicable circuit breakers and prior to further flight remove all units from service, or

(2) Visually inspect for installation in aircraft of any of the applicable circuit breakers in accordance with the instructions contained in Mechanical Products Service Instruction (identification on the back page with the date 10/86) and, prior to further flight, remove all units from service, or

(3) Determine that none of the applicable circuit breakers are installed in aircraft by an examination of maintenance and/or purchasing records.

Note.—Return of all affected circuit breakers to Mechanical Products, Inc., 1824 River Street, P.O. Box 729, Jackson, Michigan 49204, is recommended and may enhance replacement part availability.

(b) Aircraft may be flown in accordance with FAR 21.197 to a location where the AD may be accomplishd.

(c) An adjustment to the compliance time or an equivalent means of compliance with this AD may be used if approved by the Manager, Chicago Aircraft Certification Office, ACE-115C, 2300 East Devon Avenue, Des Plaines, Illinois 60018.

All persons affected by this directive may obtain copies of the document(s) referred to herein upon request to Mechanical Products, Inc., 1824 River Street, P.O. Box 729, Jackson, Michigan 49204; or may examine the document(s) referred to herein at FAA, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

This amendment becomes effective on April 27, 1987.

Issued in Kansas City, Missouri, on March 12, 1987.

Kenneth E. Geier,
Acting Director, Central Region.

[FR Doc. 87-6136 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 71

[Airspace Docket No. 87-ANM-1]

Alteration of Troutdale Control Zone, Troutdale, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action revises the Troutdale, Oregon, Control Zone by reducing the size of controlled airspace for the Portland-Troutdale, Oregon, Airport to ease the burden imposed by controlled airspace to visual flight rules operations.

EFFECTIVE DATE: 0901 UTC, June 4, 1987.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, ANM-534, Federal Aviation Administration, Docket No. 87-ANM-1, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, Telephone: (206) 431-2534.

SUPPLEMENTARY INFORMATION:

History

On January 26, 1987, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to reduce the size of controlled airspace designated for the Portland-Troutdale Airport (52 FR 2722). This action will reduce the burden imposed by controlled airspace to visual flight rules operations.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.171 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations reduces the size of controlled airspace designated for the Portland-Troutdale, Oregon, Airport to ease the burden imposed by controlled airspace to visual flight rules operations.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in CFR Part 71

Aviation safety, Control zones.

Adoption of the Amendment

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, Part 71 of the Federal Aviation Regulations (14 CFR Part 71) is amended as follows:

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.171 [AMENDED]

2. Section 71.171 is amended as follows:

Troutdale, Oregon, [Revised]

Within a 5 mile radius of the Portland-Troutdale Airport (lat. 45°33'30" N, long. 122°23'49" W), excluding the portion within the Portland, Oregon, Control Zone. This control zone is effective during the specific days and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Issued in Seattle, Washington, on March 10, 1987.

Temple H. Johnson, Jr.,

Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 87-6139 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-13-M

Research and Special Programs Administration

14 CFR Part 241

[Docket No. 43351; Amendment No. 241-56]

Aviation Economic Regulations; Uniform System of Accounts and Reports for Large Certificated Air Carriers

AGENCY: Department of Transportation, Research and Special Programs Administration.

ACTION: Final rule.

SUMMARY: This final rule reduces for large certificated air carriers the financial and statistical reporting requirements contained in RSPA Form 41 "Report of Financial and Operating Statistics for Large Certificated Air Carriers," by eliminating three schedules and significantly decreasing the level of detailed air carrier operating expenses reported on Form 41. This action aligns the data collected with the data needed by the Department to fulfill its aviation responsibilities.

EFFECTIVE DATE: July 1, 1987.

FOR FURTHER INFORMATION CONTACT: Jack M. Calloway or M. Clay Moritz, Jr., Office of Aviation Information Management, DAI-1, Research and Special Programs Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-4385 or 366-4383.

SUPPLEMENTARY INFORMATION:

Background

In a notice of proposed rulemaking issued August 15, 1985, the Department proposed to reduce the reporting requirements contained in Part 241 of its Economic Regulations (Notice 85-11, 50 FR 34366, August 23, 1985). This proposal was intended to reduce the level of financial and statistical data collected from large certificated air carriers by aligning the collection with the information the Department requires to effectively and efficiently administer its incumbent aviation responsibilities as well as those recently inherited from the Civil Aeronautics Board.

Essentially, the Department proposed to:

1. Eliminate Form 41 Schedule G-41 "Persons Holding More Than 5 Percentum of Respondent's Capital Stock or Capital,"

2. Reduce significantly the level of detailed operating expense data reported on Form 41 Schedules P-6 "Maintenance, Passenger Service and General and Administrative Expense Functions," P-7 "Aircraft and Traffic Servicing, and Promotion and Sales Expense Functions—Group II and Group III Air Carriers," and P-8 "Aircraft and Traffic Servicing, and Promotion and Sales Expense Subfunctions—Group III Air Carriers," by eliminating Schedule P-8 and collecting more highly summarized data on revised Schedules P-6 and P-7, and

3. Reduce the amount of data reported on several of the remaining Form 41 schedules.

The above reporting reductions were based on a zero base review of the Department's need for the Form 41 data collection which was transferred to DOT on January 1, 1985, following the sunset of the Civil Aeronautics Board. In order to identify the underlying rationale of the Department's need for and use of the data contained in the current twenty-eight Form 41 schedules, detailed review meetings were held with senior aviation program managers in DOT's Office of the Secretary, Office of the General Counsel, and Federal Aviation Administration. Interviews were also conducted with the various DOT staff members that use Form 41 in administering various Departmental

aviation programs. This process culminated in the Department's issuance of the proposed rule.

In drafting the notice of proposed rulemaking, Form 41 data users were asked to indicate what information is currently needed, what information is absolutely necessary to carry out their program, and how the information is used. The various interviewees were not questioned whether the data used are in fact necessary to carry out the program in a policy sense.

Form 41 Task Force

This policy aspect of the data collection was subsequently addressed by a Form 41 task force. The task force was organized by the Administrator, Research and Special Programs Administration under the auspices of the Secretary. It was comprised of representatives from the Research and Special Programs Administration's Office of Aviation Information Management and the Office of the Secretary's Office of the General Counsel and Office of the Assistant Secretary for Policy and International Affairs. The task force was charged with examining whether the Form 41 data which the Departmental program managers consider necessary are in fact necessary in a policy sense to carry out the program, and to determine whether there are alternative data sources or alternative program approaches that would negate the need for Form 41 collections.

The task force conducted in-depth interviews of senior DOT policy level officials who are charged with administering the Department's various aviation responsibilities. During the interviews the task force thoroughly explored and questioned the Department's need to continue the post sunset collection from large certificated air carriers of information on (1) domestic operations and (2) international operations by geographic entities: Atlantic, Pacific and Latin American. The task force also questioned the need to continue recurrent reporting of air carrier financial and statistical data and analyzed the availability and utility or alternative sources of data. Finally, the task force examined the data collection frequencies of each Form 41 schedule to ensure that collection intervals are based on a valid regulatory requirement.

This review determined that present DOT program approaches are necessary and the Form 41 data collection should be continued because there are no viable alternative sources. Specific findings of the task force are reflected in the following discussion of the proposed rule and public comment submissions.

Comments

Fifteen comments were received in response to the rulemaking notice. Of the fifteen, four were from Federal agencies [1], three from airlines trade associations [2], two from certificated air carriers [3], two from airline labor organizations [4], and one each from Air Canada, Aerospace Industries Association of America, Inc. Airport Operators Council International, and Systems Analysis and Research Corporation. The Air Transport Association's comments were filed on behalf of nineteen member airlines.[5] The Regional Airlines Association's (RAA) comments were filed on behalf of its members holding certificated authority who file Form 41 data with the Department. The National Air Carrier Association filed comments on behalf of two of its member airlines; Transamerica Airlines and World Airways.

While the Federal Aviation Administration, Regional Airline Association, and the Airport Operators Council International support the proposed reporting reductions, the remainder of the comments generally object to the proposed changes in air carrier operating expense reporting and/or suggest certain other modifications to Form 41 reporting. These objections and modifications are discussed under separate captions below.

Need for Form 41 Data

The Air Transport Association (ATA), Northwest Airlines (Northwest) and United Air Lines (United) have expressed certain fundamental concerns over the continuation of Form 41 as proposed. ATA commented that the nineteen member airlines it has filed for object to reporting information beyond the minimum required by DOT to perform its statutory responsibilities. While Northwest commented that it supports, as a minimum, ATA's comments, the carrier goes on to state that it believes there is no longer a need for data on the domestic operations of large certificated air carriers as currently reported on Form 41. Besides participating in ATA's comments, United also urges the Department to re-examine all Form 41 date elements for the rationale supporting their collection. United further states that only those data elements required because of international treaty, statutory requirements or foreign policy should be reported.

The Department believes that these concerns over the relationship between the amount of data collected and the minimum amount of data it needs to administer its aviation responsibilities have been effectively addressed by the Department's review that preceded issuance of the proposed rule and by the substantial efforts of the previously mentioned Form 41 policy task force. The task force worked with senior policy officials from each of the Department's aviation programs to determine the mininum data requirements of each program. The task force found that the effective administration of the Department's aviation responsibilities requires the continuation of a recurrent Form 41 data collection. The task force also found that data on air carrier domestic operations are an integral part of aviation program administration. Evaluations and analysis of the status of individual air carriers and the overall air transportation industry would be impossible without domestic information. This is especially true in the Department's administration of its airport program responsibilities which affect domestic airports. As examples, domestic data are used to evaluate the reasonableness of carrier cost allocations between entities in setting international fares and rates and to allocate entitlement funds under the Airport Improvement Program to operators of primary airports.

In its comments, ATA questioned the inclusion of the Aircraft Loan Guarantee and the Essential Air Service programs as requiring Form 41 data. ATA further stated that neither of these programs can justify the collection of Form 41 data from all large certificated air carriers. The Form 41 task force reached a similar conclusion. Neither of these programs has a recurrent need for universal Form 41 data and each could continue without its collection. While both programs do,

---

[1] Department of Defense, Military Airlift Command; Department of Commerce, Bureau of Economic Analysis; Department of Labor, Bureau of Labor Statistics and Department of Transportation, Federal Aviation Administration.

[2] Air Transport Association of America, National Air Carrier Association, Inc., and Regional Airline Association.

[3] Northwest Airlines, Inc. and United Air Lines, Inc. (United was also listed as concurring carrier with the comments filed by the Air Transport Association).

[4] Airline Pilots Association, International and Association of Flight Attendants, AFL-CIO.

[5] Alaska Airlines, Inc.; Aloha, Inc.; American Airlines, Inc.; Braniff, Inc.; Continental Airlines; Delta Air Lines, Inc.; Eastern Air Lines, Inc.; The Flying Tiger Line; Frontier Airlines, Inc.; Midway Airlines; Ozark Airlines, Inc.; Pacific Southwest Airlines; Pan American World Airways, Inc.; Piedmont Aviation, Inc.; Republic Airlines; Trans World Airlines, Inc.; United Air Lines, Inc.; USAir, Inc. and Western Air Lines, Inc.

on occasion, use certain Form 41 data for a limited number of carriers, this use does not warrant an industry-wide recurrent reporting requirement. Nevertheless, the remaining Departmental aviation program overwhelmingly support the Form 41 data requirements. Exhibit A to this rule indicates the task force's recent determination of which DOT programs now require the continued collection of Form 41 along with the specific schedules used. Also indicated are whether the program requires data on domestic operations, international operations by entity or total system operations.

As mentioned above, United commented that the Department should collect only those data elements required because of international treaty, statutory requirements or foreign policy. United further stated that the proposed rule did not state specifically any legal right to collect Form 41 data. As an example, United questions the Federal Aviation Administration's (FAA) use of carrier financial information in allocating safety inspection resources. The carrier considers that this may be a reasonable use of the data but believes the data are not required for that purpose.

The Department outlined in the proposed rule its legal right to collect Form 41 by pointing out that among the duties of the Secretary, DOT, contained in section 329(b) of Title 49 of the United States Code is the collection and dissemination of information on civil aeronautics. The rule further pointed out that the Secretary is specifically authorized under section 407(a) of the Federal Aviation Act of 1958, as amended, to require recurrent and special reports from any air carrier when the information is needed for regulatory purposes. This provision enables the Secretary to collect the aviation data that the Department requires to effectively administer its assigned aviation responsibilities. As to United's second question concerning the FAA's use of financial information in its air carrier safety program, the FAA has studied the relationship between a carrier's financial position and its safety record and found that there is a correlation between the two.[6] As a result, FAA uses air carrier financial information as one of several monitoring and predictive factors in the Department's safety program. As United suggested, this illustrates that the Department has focused its attention on the *need* for Form 41 data and not on the convenience of its use.

United also asserts that the Department, in conducting international negotiations and selecting carriers to serve international routes, does not need the Form 41 data used for these purposes on a recurrent basis and from all carriers. For example, United suggests that data be collected on an *ad hoc* basis before entering into international negotiations and then only from carriers wanting to serve the foreign country involved.

When international negotiations are conducted, the Department calculates the current and projected balance of benefits between the countries involved. Once an agreement is reached, the Department monitors the affects of each negotiated agreement by examining changes in the balance of benefits. In selecting carriers for international route authority, the Department uses historical applicant data (when available) and industry data to verify the reasonableness of operating cost proposal contentions such as that fuel costs will be a certain percentage of operating expenses. To do these analyses, the task force found that the Department requires recurrent Form 41 data.

Aircraft Inventory Data

ATA, in its comments, suggests using the FAA aircraft registration file in lieu of collecting aircraft inventory data on annual Schedule B–43 "Aircraft Inventory Data." This alternative has been previously considered, but was explored again by the task force and ultimately rejected because FAA's aircraft registry provides information on who owns the aircraft, but not necessarily who operates it. The registry does not identify the operators of aircraft obtained under an operating, capital or sub-lease arrangement. The FAA data also does not provide a breakdown between operating and nonoperating aircraft. These aircraft inventory categories enable the Department to evaluate individual air carrier fitness by facilitating reviews of carrier operating plans and aircraft fleet utilization.

As indicated in the proposed rule, the FAA uses Schedule B–43 in administering the War Air Service Program (WASP), which requires the maintenance of an inventory of the total available airlift capacity for each large certificated air carrier. Over the years, the FAA has used Form 41, not the aircraft registry, for information on specific air carrier fleet composition.

In order to maintain a reasonably current aircraft inventory, Form 41 Schedules B–7 "Airframes and Aircraft Engines Acquired" and B–8 "Flight Equipment Retired" provide quarterly updates of the annual Schedule B–43 inventory by providing data on aircraft acquisitions and retirements.

Beyond its suggestion that the FAA aircraft registry be used in lieu of Schedule B–43, ATA has questioned the need for collecting aircraft cost, depreciation, residual value and estimated useful life data on Schedule B–43. ATA also questioned the need for cost and cost/depreciation data on Schedules B–7 and B–8, respectively. Schedules B–7, B–8 and B–43 cost data are used in (1) analyzing the reasonableness of carrier operating plans for international route authority by reviewing aircraft utilization and depreciation rates and (2) computing a carrier's investment base in setting international and intra-Alaska mail rates.

ATA has stated that the Department should consider making Schedules B–7 and B–8 annual instead of quarterly and combining both schedules with the annual inventory data reported on Schedule B–43. This option was specifically addressed by the task force in reviewing the Department's need for aircraft inventory data.

Essentially, the task force concluded that the Department needs to maintain an up-to-date inventory of the aircraft fleet operated by each large certificated air carrier. For example, WASP utilizes the inventory of aircraft capacity operationally controlled by each carrier to develop plans for allocating civil air transport, by individual aircraft, in the event of a national emergency. Under WASP, each aircraft is inventoried and tracked by airframe license number. Quarterly reporting is required to maintain a reasonably current inventory data base. In emergency planning, the timeliness of the data is critical. ATA's suggestion that airframes be reported in aggregate rather than by license number is negated by the need for individual airframe license numbers.

The Department did, however, take a second look at the overall aircraft inventory reporting system and determined that additional reductions in reporting burden can be achieved by consolidating Schedules B–7 and B–8. This would enable air carriers to report airframe and aircraft engine acquisitions and retirements on a single schedule and eliminate the filing of a schedule. A copy of the revised Schedule B–7 is provided as Exhibit B to this rule.

[6] National Air Transportation Inspection Program, March 4, 1984—June 5, 1984, Report for the Secretary, Federal Aviation Administration, pps. 31–32.

Operating Expense Reporting (Schedules P–6, P–7 and P–8)

The Department has proposed to reduce the operating expense detail reported on Schedules P–6, P–7 and P–8, since that level of detail is no longer needed, by summarizing and consolidating these schedules into revised Schedules P–6 "Operating Expenses by Objective Groupings" and P–7 "Operating Expenses by Functional Groupings—Group III Air Carriers." While the Regional Airline Association's (RAA) comments supported this reduction, ATA, National Air Carrier Association (NACA), Department of Defense, Military Airlift Command, Airline Pilots Association, and the Association of Flight Attendants have filed comments objecting to the changes.

In general, ATA and NACA object to the proposed changes as being too burdensome. In particular, they stated that the cost allocations required to consolidate operating expense data for submission in the revised format would actually increase reporting burden. ATA has also expressed its concern that the required allocations would adversely affect the comparability of Form 41 data between air carriers.

The Department acknowledges that there is a burden associated with any change in reporting; however, once the system is established, the overall reporting burden should actually decrease since the allocations involved do lend themselves to standardized processing routines and a resulting computerization. It should be kept in mind that the changeover eliminates Schedule P–8, one of the current detailed operating expense schedules.

As to comparability between carriers, the Department believes that the proposed P–6 and P–7 schedules would not materially affect carrier comparisons. Of the two schedules, the allocation of operating expenses applies only to Schedule P–7, which is applicable only to the twenty-four Group III (largest) air carriers. Six of these carriers did not object to the proposed simplified reporting. As a group, the accounting systems of these carriers are automated and in some cases more detailed than the Department's prescribed uniform system of accounts for large certificated air carriers. Because of this, a number of the allocations are based on expenses that can be directly assigned or are directly attributable to a specific service (such as passenger or cargo service) based on the carrier's own detailed system of accounts. This allocation methodology is intended to enable carriers to rely on their own accounting systems for providing the operating expense data needed by the Department. This reliance on carrier accounting systems should result in a more accurate portrayal of actual carrier expenses by functional expense grouping.

The Department has decided to finalize the changes to Schedules P–6 and P–7 and eliminate Schedule P–8 as proposed, because the Department, in fulfilling its aviation responsibilities, does not have a need for the level of detailed operating expense data currently reported; the fact that no Group I or Group II air carrier (except for Aloha and Midway Airlines that concurred in ATA's comments) that would be affected by the proposed revisions has filed comments objecting to the changes; and the fact that the RAA, on behalf of its large certificated air carrier members, filed comments supporting the proposed changes.

In deciding to finalize the proposed revision of operating expense reporting, the Department notes that its semiannual regulatory agenda (51 FR 38736, October 27, 1986) included a projected notice of proposed rulemaking to more closely align the airline uniform system of accounts contained in Part 241 of its Economic Regulations (14 CFR Part 241) with generally accepted accounting principles. This rulemaking could result in a less detailed system of accounts which could, in turn, affect the degree to which account totals are used as specific financial data elements in the Form 41 report.

Recognizing that a significant number (18 of 24 or 75%) of Group III air carriers have objected, on the basis of increased burden, to the Schedule P–6, P–7 and P–8 simplifications and reporting reductions, the Department will, until the projected accounting system revisions are finalized, look favorably upon requests from Group III air carriers for a waiver from the revised Schedules P–6 and P–7 reporting. In lieu of the revised reporting, such carriers would continue their present level of reporting. It is important to note that such waivers may be affected by the Department's above mentioned review of the uniform accounting system.

Since not all carriers may choose to revise their reporting at the same time, a problem will arise as to data comparability during this interim period. In order to maintain comparability among individual carriers, the Department will, for those carriers granted waivers, generate the revised Schedule P–6 and P–7 formats from data submitted in the old Schedule P–6, P–7 and P–8 reports. This generation would be accomplished using the Version 6 costing methodology development in the fare level phase of the Domestic Passenger Fare Investigation (Civil Aeronautics Board Docket 21866–7). This methodology is fully supported by independent research and study and geared specifically to the expense data available in the RSPA Form 41 Report. The methodology was developed after an extensive review of all major existing and relevant costing methodologies. The cost/volume relationships selected are common to many other methodologies. Moreover, the validity of the cost/volume relationships selected rests on the fact that these relationships are logical, proper and fully supportable in their own right.

While the costing methodology was initially developed in the era of stringent regulation of the air transportation industry, it remains valid and essential in today's changed regulatory environment. For example, Version 6 costing is used for estimating carrier operating expenses in: (1) Calculating the balance of benefits of international agreements, (2) reviewing carrier applications for international routes, (3) calculating costs of service in evaluating and setting international fares and rates, and (4) preparing airline financial status reports for senior Department officials. This last usage is extremely important because the airline industry is involved in a period of rapid structural change.

Group III carriers that decide to request a waiver from the Schedule P–6, P–7 and P–8 reporting changes should be aware of the fact that the use of the Version 6 costing methodology to generate revised Schedule P–7 will not produce any data on lines 17 (not directly assignable traffic servicing expenses), 22 (not directly assignable reservation and sales expenses) and 27 (institutional advertising expenses). This happens because the revised Schedule P–7 contains a number of cost allocations that are based on the reporting carrier's assignment of costs within its own detailed accounting system. Recognizing that a carrier may not be able to directly assign a particular expense to either passenger or cargo service, the revised Schedule P–7 was designed to handle such situations. When the Version 6 methodology is used, all costs (traffic servicing, reservation and sales, etc.) will be allocated to either passenger or cargo, resulting in the absence of "not directly assignable" expenses.

To assist air carriers in making the changeover from the current level of operating expense reporting to the revised Schedule P–6 and P–7 level, Exhibit H to this rule is an Instructional

Directive that provides detailed instructions for accomplishing this conversion.

In view of the above discussion and the fact this final rule does represent a significant change in the reporting of air carrier operating expenses, the Department plans to re-explore in the future the methodology of collecting such data for the purpose of identifying any additional data consolidations or simplifications that may be possible.

In a related matter, ATA commented that the breakdown of operating expenses between passengers and baggage and cargo is burdensome and unnecessary. It is assumed that the "traffic servicing expense" category on revised Schedule P-7 is the one to which ATA's comment applies since it is the only category that breaks down expenses between passenger and baggage and cargo.

The allocation of traffic servicing expenses in this manner enables the Department to analyze the costs of service in the provision of passenger and baggage and cargo service. The ability to analyze the cost of service is important for a number of the Department's aviation programs. For example, being able to distinguish between passenger and baggage and cargo operating costs is necessary in order to establish international passenger fares and cargo rates. It is also important in investigating allegations of predatory pricing in domestic and international markets.

Finally, the allocation of costs in this manner is consistent with: (1) The current reporting of operating expenses between passenger and cargo on Schedules P-7 and P-8 and (2) the Version 6 costing methodology.

Operating Expense Reporting (Schedule P-5.2)

The Department has proposed to reduce the level of detailed aircraft operating expense data that carriers are required to report on Schedule P-5.2. Significant reductions were proposed in the area of flying operations (Account 5100). Aircraft operating expenses are an integral part of an air carrier's total operating expenses and, as such, are: (1) Allocated within the operating expense categories included on the revised Schedule P-6 and (2) included in total as a single line item on the revised Schedule P-7.

The Department has decided, for the present time, to continue essentially the current level of reporting on Schedule P-5.2, except for the elimination of the distinction between general services purchased (airframe repairs, aircraft engine repairs and interchange charges) from associated companies (Accounts 42.1, 42.2 and 42.7) and outside companies (Accounts 43.1, 43.2 and 43.7). In order to give Group III carriers the option of filing either the current Schedules P-6, P-7 and P-8 or the revised Schedules P-6 and P-7, the Department has to have the more detailed aircraft operating expense data, which are required by the Version 6 costing methodology. ATA concurred with this change in its comments.

Besides revising the format of Schedule P-5.2, the Department has included in the final rule ATA's suggestion that the uniform system of accounts be revised to eliminate the accounts for airframe repairs, engine repairs and interchange services purchased from associated companies. This change revises the accounting system to coincide with the Schedule P-5.2 format changes.

It should be noted that the Department's decision to basically retain the present Schedule P-5.2 level of reporting will render moot the objections of the Aerospace Industries Association, ATA, Association of Flight Attendants, Airline Pilots Association, Military Airlift Command and NACA to the proposed changes. These organizations objected to the changes based on their own use of and perceived need for Schedule P-5.2 data.

To maintain continuity in the uniform system of accounts, the final rule also revises the accounting system by eliminating the distinction between flight equipment repairs and other services purchased from associated and outside companies (accounts 42.6/43.6 and 42.9/43.9, respectively).

While this final rule reduces the present level of reporting on Schedule P-5.2, the Department does plan, however, to further review its need for continuing the collection of detailed aircraft operating expense data. This review would be concurrent with the above-mentioned re-examination of operating expense reporting on Schedules P-6 and P-7. This will enable the Department to perform a complete analysis of its use of air carrier cost data in administering its aviation responsibilities.

Income Statement, Employment and Fuel Data

ATA stated that carriers are opposed to reporting monthly financial statement data on Schedule P-1(a) "Interim Operations Report" unless the carrier also releases its monthly results to the public. ATA further commented that the employment data on Schedule P-1(a) should be reported quarterly on Schedule P-1.2 "Statement of Operations" so that it can be available to the public and deleted from Schedule P-1(a) if the monthly reporting is continued.

The Department has decided not to adopt either of these suggestions. Schedule P-1(a) contains six key financial indicators: total operating revenues, total operating expenses, operating profit or loss, net income, scheduled passenger revenues and subsidy. This information is required to monitor the continuing fitness of air carriers. The data are also used in FAA's safety surveillance program to monitor carrier financial condition as one element in allocating the safety inspection program resources.

As to employment data, the Department is required under the employee protection program to determine whether a major contraction in air carrier employment has occurred within a twelve-month period. The Department looks at the current month and preceding eleven months in assessing whether a major contraction has occurred. In order to make this determination, monthly reporting of employment data is required. It should be noted that the continued collection of monthly employment data on Schedule P-1(a) will result in the same degree of public availability that would be provided by ATA's alternative since Schedule P-1(a) is made publicly available once the quarterly Schedule P-1.2 is filed or is due to be filed.

In a related matter, the Department has reviewed the employment data collected on Schedule P-10 "Employment Statistics by Labor Category" to determine whether its aviation programs still require the collection of labor categories by functional account. For example, passenger handling personnel (account 26.3) are reported based on the following functional accounts: (1) Traffic servicing (account 6226.3), (2) aircraft and traffic servicing (account 6426.3), (3) reservations and sales (account 6526.3) and (4) promotion and sales (account 6726.3). Each of these functional accounts (6200, 6400, 6500 and 6700) is based on the Department's uniform air carrier accounting system for Group I, Group II and Group III air carriers. Accounts 6400 and 6700 apply to Group II air carrier and accounts 6200 and 6500 apply to Group III air carriers.

It has been determined that there is no longer a need for requiring air carriers to report employee labor categories by function for the following categories: (1) General aircraft and traffic handling personnel (2) aircraft control personnel, (3) passenger handling personnel and (4) cargo handling personnel. This final rule

eliminates the functional categorization of each of these labor categories. The rule also combines the reporting of account 24 "other flight personnel" for functions 5500 "passenger service" and 6900 "general services and administration". For its internal control purposes, the Department has assigned "account" numbers to each line item on Schedule P–10. This numbering of the lines has no effect on the Department's Uniform System of Accounts and, therefore, results in no burden impact on the reporting air carriers. The revised Schedule P–10 is provided as Exhibit C to this rule.

ATA also questioned the Department's need for collecting monthly fuel cost and consumption data by type of service and entity. The Airline Deregulation Act of 1978 (Pub. L. 95–504) requires the Department to adjust the Standard Foreign Fare Level for fuel cost not less than every sixty days. Quarterly reporting would not enable the Department to meet its statutory responsibilities in this area. The ability to make timely fare adjustments also enables carriers to more quickly adjust fares to changes in costs.

Reporting of Mail Transported

ATA stated in its comments that it believes that there is no longer a need to continue separate priority and nonpriority mail classifications for reporting the volume of mail transported on Schedules T–1(a), T–1(b), T–1(c), T–3(a) and T–3(c) since the U.S. Postal Service has discontinued the airmail rate for domestic mail. While ATA's observation is true regarding the transportation of domestic mail by air, the categories of priority and nonpriority are used for setting intra-Alaska and international (by geographic entity) mail rates, which the Department is responsible for administering. Based on this usage, carriers should, for reporting purposes, categorize U.S. mail in the domestic entity, except intra-Alaska mail, as "priority" mail. The Department's need for the separate reporting of priority and nonpriority U.S. mail in the international entities is currently under examination, the results of which will be included in a forthcoming notice of proposed rulemaking.

Schedule Formats

In a general comment, ATA noted that if the Form 41 schedules were formatted for standard size paper, 8½ by 11 or 14 inch, and if the Department would eliminate its requirement to use preprinted forms and instead allow computer printouts, a significant amount of Form 41 reporting could be accomplished using personal computers with an accompanying reduction in the recordkeeping, preparation and reporting burden.

First of all, the Department's regulations do provide in section 21(e) of Part 241 that air carriers, upon DOT approval, may supply their own computer prepared forms. The authority to grant such approval has been delegated to the Director, Office of Aviation Information Management, Research and Special Programs Administration under § 385.27(1) of the Department's regulations (14 CFR Part 385.27(1)).

At the present time, the majority of the Group III air carriers have already availed themselves of the opportunity to request approval of their own computer-generated report forms and are filing such forms in lieu of several of the Department's preprinted Form 41 statistical schedules.

As suggested by ATA, the Department has attempted, wherever possible, to standardize the size of the report forms; however, several schedules do not lend themselves to downsizing due to the volume of information that is required. It should be pointed out the preprinted Form 41 schedules are somewhat oversized to permit hole punching for placement in binders for user access. Evidence of the Department's efforts in this area is its proposal to reduce the detailed operating expense data collected from large certificated air carriers, with an accompanying significant reduction in schedule size.

Transmission of Data

Besides downsizing the Form 41 schedules, the Department is exploring the possibility of accepting computer-generated floppy disks in lieu of the hardcopy Form 41 schedules. In the future, the Department plans to actively review the feasibility of introducing electronic data transmission of Form 41 data as an alternative reporting method. The Department believes both initiatives have the potential for significantly reducing carrier burden.

A pilot project is currently being organized to test the feasibility of submitting Form 41 schedules on floppy disks. Volunteer carriers are being solicited for this project. Interested carriers should write to Mr. Robin Caldwell, Director, Office of Aviation Information Management, DAI–1, RSPA, at the address listed in the "For Further Information Contact" section of this rule. Mr. Caldwell can also be contacted by telephone on (202) 366–9059.

Preliminary Year-End Form 41 Schedules

Under current regulations (14 CFR 241.22(b)(1)), carriers are given the option of filing a preliminary balance sheet and income statement for the final quarter or semi-annual period of the calendar year by February 10 and being granted an extension to March 30 for filing their final quarter or semi-annual Form 41 Schedules B–1, B–1.1, B–7, B–8, B–12, P–1.1, P–1.2, P–2, P–5.1, P–5.2, P–6, P–7, P–8 and P–10, which are due by February 10.

ATA has commented that air carriers consider the requirement for filing preliminary schedules to be onerous and that the end of calendar year due dates should recognize year-end closing requirements and allow reporting 90 days after close of the year. The purpose of the above option is to minimize the reporting burden on the carriers in recognition of the year-end closing requirements and still provide the Department with the timely preliminary information it needs to administer its program responsibilities. As noted, carriers need only file two preliminary schedules to extend the due dates for fourteen schedules. The Department believes this is a reasonable balance between its information needs and carrier burden.

Other Federal and Private Sector Users of Form 41 Data

The Department of Commerce's Bureau of Economic Analysis (BEA) and Department of Labor's Bureau of Labor Statistics (BLS) commented that they use Form 41 data to represent the activity levels of the air transportation industry in preparing various economic analyses including the preparation of monthly personal outlays, quarterly and annual Gross National Product (GNP), annual constant-dollar GNP by industry, international transactions accounts, and input-output tables of the United States. Both BEA's and BLS' comments identified the specific Form 41 data that are used in the above analyses.

Both BEA's and BLS' data requirements have been reviewed and found, with one exception, not to be among the Form 41 data proposed for elimination. The one exception is the reporting of whether a particular aircraft acquisition on Schedule B–7 is new or used. BEA stated that it needs this information for calculating a price index for purchased aircraft which it uses to deflate several components of the GNP. It has been determined that this information can be discovered by analyzing the cost of the acquisition and

from whom it was acquired, both of which will still be reported on Schedule B–7. When a question does arise, the affected air carrier can be contacted directly. In summary, the Department believes that neither BEA nor BLS will be adversely affected by this final rule.

On the other hand, the Department of Defense's Military Airlift Command (MAC) has commented that the Form 41 data represent, in many instances, its only means of verifying carrier cost data to determine fair and reasonable rate levels for military charters. While the Department's decision to modify its proposed revision of Schedule P–5.2 in this final rule would continue the collection of the aircraft operating expense data MAC states it needs for ratemaking, the final revision to Schedules P–6, P–7 and P–8 would aversely affect, according to MAC, its needs for detailed operating expense data. MAC stated it uses such data to identify costs that are considered either unallowable for ratemaking or not applicable to MAC operations.

In addition to reviewing the Form 41 data for carrier's participating in the rate review, MAC stated that it also reviews industry data to analyze trends in MAC service and the industry. MAC further stated that its rates are based on a sample of carriers from the industry. In this process, MAC develops an industry model and examines MAC rates as a component of the industry. MAC's analysis includes reviews of statistical elements such as: industry debt to equity ratios, industry interest expense and investment, utilization by entity and aircraft type, unit cost increases and comparison of scheduled versus charter service.

The Form 41 changes contained in this rule would not preclude MAC from making the above industry comparisons. The changes will, however, preclude MAC from identifying certain costs that it does not allow participating carriers to include in their cost pool. Participating carriers could be required by MAC to provide, subject to audit, such information as part of each rate review.

The Department wishes to point out that it cannot, under the Paperwork Reduction Act of 1980, collect any information from the airline industry unless the Director, Office of Management and Budget determines that the information is necessary for the proper performance of the Department's functions, including whether the information will have practical utility. The Department does not need the current level of reported operating expense data. Some of MAC's data requirements may be temporarily met for those Group III carriers requesting a waiver from the changes in operating expense reporting; however, if MAC decides it still requires detailed expense data, it should immediately approach OMB for data collection authority to either designate the Department to continue the collection or collect the data on its own behalf. If immediately pursued by MAC, the potential for gaps in the data series could be minimized.

The Airline Pilots Association (ALPA) filed comments objecting to the proposed revision of Schedules P–5.2, P–6, P–7 and P–8. ALPA indicated it needs these Form 41 schedules to be retained, as is, to make accurate assessments of air carrier financial health for developing its labor agreement bargaining posture. ALPA also commented that it believes the Department needs the current reporting level as input to macro-economic models of the airline industry to assess the impact of deregulation under the Employee Protection Program.

The Association of Flight Attendants (AFA) also filed comments objecting to the revision to Schedules P–6, P–7 and P–8. AFA stated that the revised Schedule P–6 would diminish the usefulness of operating expense data by eliminating labor cost distinctions between functional groups and restricting the ability of AFA to analyze labor costs or trends in employee productivity. AFA further stated that line 5 "Flight Attendant Expense" of revised Schedule P–7 is misleading because it contains expenses other than flight attendant salaries. For example, it includes expenses for communications personnel and recordkeeping personnel.

While the Department notes ALPA's and AFA's use of Form 41 data, it must reiterate that it is prohibited, without OMB approval, from collecting information it does not need. As to ALPA's comment that the more detailed operating expense data are needed to support the Employee Protection Program, the Form 41 task force extensively reviewed this program and concluded that the proposed reporting revisions would not impair its administration. As to AFA's comment about the categorization of "Flight Attendant Expense" on Schedule P–7, the accumulation of costs in this category is consistent with the Version 6 costing methodology, which includes not only flight attendant salaries but also those in other personnel categories that directly support flight attendant personnel. This final rule is consistent with Version 6 costing and retains the proposed allocation of costs to "Flight Attendant Expense."

Other Matters

Air Canada filed a comment objecting to the Department's policy of using U.S. carrier Form 41 domestic operating data to compute the bi-monthly Standard Foreign Fare Level for Canadian transborder operations. Specifically, Air Canada asserts that this is contrary to Article XIII of the January 17, 1966, bilateral Air Transport Services Agreement between Canada and the United States. Air Canada recommends that U.S. carriers be required to isolate and separately report their Canadian transborder operating costs. This is a policy matter, however, that is not germane to this proceeding and will not be addressed here.

Form 41 Schedule T–7 "Statistical Market Report" was eliminated on July 8, 1982 by the Civil Aeronautics Board in Economic Regulation ER–1297 (Docket 39077); however, its reporting instructions still remain in Part 241 of the Department's Economic Regulations (14 CFR Part 241). This editorial oversight is corrected by this final rule.

In its comments, ATA requested that the Department publish in this rulemaking its total air carrier accounting and reporting requirements rather than just the changes. ATA stated that this would help individual airlines to determine their current reporting requirements and the status of the various accounting rules and regulations.

Individual airlines can obtain, at a nominal cost, a softcover edition of Title 14 Parts 200 to 1199 of the Code of Federal Regulations. This edition is updated annually and is available for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20420. The publication contains the Department's Economic Regulations that affect air transportation, including air carrier accounting, reporting and recordkeeping requirements.

Alternatives to Form 41 Data

During its review of the Department's requirements for Form 41 data, the task force was unable to identify any viable alternative sources for the financial and statistical data reported on Form 41.

Regulatory Evaluation and Regulatory Flexibility Act Determination

This final rule was evaluated under

Executive Order 12291, "Federal Regulation," dated February 17, 1981, and the Department of Transportation's Regulatory Policies and Procedures dated February 26, 1979. The rule is not considered to be "major," as defined by E.O. 12291, because it will not have an annual effect on the economy of $100 million or more; it will not cause a major increase in costs or prices for consumers, individual industries, government agencies, or regions; and it will not have a significant adverse effect on competition or any other aspect of the economy. In fact, the economic impact is expected to be so minimal as not to warrant a full regulatory evaluation. The rule is considered to be significant under DOT's Regulatory Policies and Procedures because it concerns a matter in which there is substantial public interest. The rule should have no environmental impact.

It is certified that this rule will not have a significant economic impact on a substantial number of small entities. The rule affects only large certificated air carriers. The net effect of this rule is a reduction in reporting burden.

List of Subjects in 14 CFR Part 241

Air carriers, Uniform system of accounts and reports.

Final Rule

PART 241—[AMENDED]

Accordingly, the Department of Transportation amends 14 CFR Part 241, *Uniform System of Accounts and Reports for Large Certificated Air Carriers* as follows:

1. The authority for Part 241 continues to read as follows:

Authority: Sections 204, 401, 407, 416, 417, 901, 902, 1002 of the Federal Aviation Act of 1958, as amended; 49 U.S.C. 106, 1324, 1371, 1377, 1386, 1387, 1471, 1472 and 1482.

2. The Table of Contents of the *Uniform System of Accounts and Reports for Large Certificated Air Carriers* is amended by:

A. Revising the center heading, *Traffic and Corporate Reporting Requirements,* to read as follows:

Traffic Reporting Requirements

B. Removing Section 26, General Corporate Elements.

3. Section 7 is amended by eliminating accounts 42, 42.1, 42.2, 42.6, 42.7, 42.8 and 42.9; and revising accounts 41, 43, 43.1, 43.2, 43.6, 43.7, 43.8 and 43.9 to read as follows:

PROFIT AND LOSS CLASSIFICATION

[Section 7—Chart of Profit and Loss Accounts]

Objective classification of profit and loss elements	Functional or financial activity to which applicable (00)		
	Group I carriers	Group II carriers	Group III carriers
* *	*	*	*
41 Professional and technical fees and expenses.	51, 53, 69	51, 53, 55, 64, 67, 68	51, 53, 55, 61, 62, 63, 65, 66, 68
43 General services purchased:			
43.1 Airframe and other flight equipment repairs.	.....	52	52
43.2 Aircraft engine repairs.	52	52	.....
43.6 Flight equipment repairs.	52	.....	.....
43.7 Aircraft interchange charges.	51, 52	51, 52	51, 52
43.8 General interchange service charges.	52, 69	52, 55, 64, 67, 68	52, 55, 61, 62, 63, 65, 66, 68
43.9 Other services.....	52, 53, 69	52, 53, 55, 64, 67, 68	52, 53, 55, 61, 62, 63, 65, 66, 68
* *	*	*	*

4. Section 12, *Objective Classification—Operating Revenues and Expenses,* is amended by:

A. Removing the account title and description and center headings for accounts 42, 42.1, 42.2, 42.6, 42.7, 42.8 and 42.9.

B. Revising the account title and description for accounts 43, 43.1, 43.2, 43.6, 43.7, 43.8 and 43.9 to read as follows:

43 General Services Purchased.

(a) Record here charges for services performed for the air carrier by outside and associated companies which are not identifiable with services provided for in profit and loss accounts 37 through 41, inclusive, or which are not expressly identified with other objective expense accounts.

(b) Charges from outside and associated companies for services provided the air carrier under aircraft interchange agreements or other agreements embracing a complete activity or service, such as the operating of jointly used ground facilities, shall be included in this account for each operating function to which the services contribute. Charges for providing aircraft capacity, including charges for depreciation and interest on the capital related to the flight equipment provided, shall be included in function 5100 Flying Operations.

(c) This account shall be subdivided by each air carrier group, as follows:

Group II and Group III Air Carriers

43.1 *Airframe and Other Flight Equipment Repairs.*

Record here charges for maintenance or repair of airframes and spare parts related to airframes owned or leased by the air carrier. Charges for maintenance or repair of other flight equipment (including instruments) owned or leased by the air carrier, excluding aircraft engines and spare parts related to aircraft engines, shall also be recorded here. Instruments shall include all gauges, meters, measuring devices, and indicators, together with appurtenances thereto for installation in aircraft and aircraft engines, which are maintained separately from airframes and aircraft engines. Charges by outside and associated companies for maintenance of flight equipment provided under aircraft interchange agreements shall not be included in this subaccount but in subaccount 43.7 Aircraft Interchange Charges.

43.2 *Aircraft Engine Repairs.*

Record here charges for maintenance of repair or aircraft engines, including spare parts related to aircraft engines owned or leased by the air carrier. Charges by outside and associated companies for maintenance of aircraft engines provided under aircraft interchange agreements shall not be included in this subaccount but in subaccount 43.7 Aircraft Interchange Charges.

Group I Air Carriers

43.6 *Flight Equipment Repairs.*

Record here charges for maintenance or repair of flight equipment of all types and classes owned or leased by the air carrier. Charges by outside and associated companies for maintenance of flight equipment provided under aircraft interchange agreements shall not be included in this subaccount but in subaccount 43.7 Aircraft Interchange Charges.

All Air Carrier Groups

43.7 *Aircraft Interchange Charges.*

Record here charges by outside and associated companies for providing aircraft capacity or services related to the direct operation or maintenance of flight equipment under aircraft interchange agreements.

43.8 *General Interchange Service Charges.*

Record here charges by outside and associated companies for services provided the air carrier under aircraft interchange agreements, other than charges related to the direct operation or maintenance of flight equipment, including all charges for maintenance and repair of group properties, as well as fees or charges for traffic solicitation and sales, or supervision and administration covered by the aircraft interchange agreements. Charges for depreciation or interest on capital related to flight equipment provided under interchange agreements shall not be included in this subaccount but in subaccount 43.7 Aircraft Interchange Charges.

43.9 *Other Services.*

Record here charges for maintenance and repair of ground property and equipment of all types and classes and other charges for services performed by outside and associated companies not provided for elsewhere. This subaccount shall include only those charges for services not provided for elsewhere in

profit and loss accounts 37 to 41, inclusive, and subaccounts 43.1 to 43.8, inclusive, embracing a complete activity or service provided by outside and associated companies such as the operation of traffic offices or other facilities used jointly with the air carrier which do not represent reimbursement of specific expense elements incurred expressly for the benefit of the air carrier. Reimbursement of expenses incurred expressly for the benefit of the air carrier shall be entered in appropriate personnel compensation or other objective expense accounts. The cost of services received in the repair of general ground properties shall be charged to subfunction 5200 Direct Maintenance; and services received in the repair of maintenance buildings and equipment shall be charged to subfunction 5300 Maintenance Burden.

* * * * *

5. Section 21 is amended by revising paragraphs (b), (d) and (l) to read as follows:

Section 21 Introduction to Systems of Reports

* * * * *

(b) The system prescribed provides for the submission by each air carrier of four classes of financial and operating statistics, on individual schedules of the CAB Form 41 Report, grouped as follows:

A. Certification.
B. Balance Sheet Elements.
P. Profit and Loss Elements.
T. Traffic and Capacity Elements.

* * * * *

(d) Each schedule of the prescribed CAB Form 41 Report has been assigned a specific code. The prefix alphabetical codes A, B, P and T, respectively, have been employed to denote certification, balance sheet, profit and loss, and traffic and capacity. The digits immediately following the alphabetical prefix designate the particular schedule.

* * * * *

(1) When and as required in the national interest, any air carrier which performs nonscheduled transport services for the Department of Defense shall, when directed by the Department, make separate reports for such services as if they were conducted by a physically separate transport entity, such reports shall consist of Schedules P-1 through P-7, T-1, and T-2. The letter "D" shall be inserted on such reports, following the schedule number of each P and T schedule. When a carrier has more than one reporting entity, nonscheduled transport and nonscheduled Defense services shall be assigned to the reporting entity to which more closely related.

6. Section 22 is amended by revising the List of Schedules in CAB Form 41 Report and the Due Dates of Schedules in CAB Form 41 Report in paragraph (a) to read as follows:

Section 22 General Reporting Instructions

(a) * * *

LIST OF SCHEDULES IN CAB FORM 41 REPORT

Schedule No.	Title	Filing frequency	Applicability by carrier group		
			I	II	III
A	Certification	Q	(1)	X	X
B-1	Balance Sheet	Q	(1)	X	X
B-1.1	Balance Sheet	S-A	(2)		
B-7	Airframe and Aircraft Engine Acquisitions and Retirements.	Q		X	X
B-12	Statement of Changes in Financial Position.	Q	(1)	X	X
B-43	Inventory of Airframes and Aircraft Engines.	A	X	X	X
P-1.1	Statement of Operations	S-A	(2)		
P-1.2	Statement of Operations	Q	(1)	X	X
P-1(a)	Interim Operations Report	M	X	X	X
P-2	Notes to CAB Form 41 Report	Q	(1)	X	X
P-5.1	Aircraft Operating Expenses	Q(1)/S-A(2)	X		
P-5.2	Aircraft Operating Expenses	Q		X	X
P-6	Operating Expenses by Objective Groupings.	Q	(1)	X	X
P-7	Operating Expenses by Functional Groupings—Group III Air Carriers.	Q			X
P-10	Employment Statistics by Labor Category	A	(1)	X	X
P-12(a)	Fuel Consumption by Type of Service and Entity.	M	(1)	X	X
T-1(a)	Traffic and Capacity Statistics by Class of Service.	M	X	X	X
T-1(b)	Traffic and Capacity Statistics by Class of Service-Scheduled Services.	M		X	X
T-1(c)	Traffic and Capacity Statistics by Class of Service-Nonscheduled Services.	M		X	X
T-2	Traffic, Capacity, Aircraft Operations and Miscellaneous Statistics by Type of Aircraft.	Q	X	X	X
T-3(a)	Airport Activity Statistics—Scheduled Revenue Service.	Q	X	X	X
T-3(b)	Airport Activity Statistics—Scheduled Revenue Service.	Q	X	X	X
T-3(c)	Airport Activity Statistics—Nonscheduled Revenue Service.	Q	X	X	X
T-8	Report of All-Cargo Operations	A	(3)	(3)	(3)
T-9	Nonstop Market Report	M	X	X	

M=Monthly.
Q=Quarterly.
X=All Carriers.
S-A=Semiannually.
A=Annually.
(1) Applicable to Group I air carriers with annual operating revenues of $10 million or more.
(2) Applicable to Group I air carriers with annual operating revenues below $10 million.
(3) Applicable to carriers conducting Section 418 all-cargo operations.

DUE DATES OF SCHEDULES IN CAB FORM 41 REPORT

Due Dates[1]	Schedule No.
January 20	P-12(a).
January 30	P-1(a), T-1, T-2, T-3, T-9.
February 10[2]	A, B-1, B-1.1, B-7, B-12, P-1.1, P-1.2, P-2, P-5.1, P-5.2, P-6, P-7, P10.
February 20	P-12(a).
March 1	P-1(a), T-1, T-9.

DUE DATES OF SCHEDULES IN CAB FORM 41 REPORT—Continued

Due Dates[1]	Schedule No.
March 20	P-12(a).
March 30	B-43, P-1(a), T-1, T-8, T-9.
April 20	P-12(a).
April 30	P-1(a), T-1, T-2, T-3, T-9.
May 10	A, B-1, B-7, B-12, P-1.2, P-2, P-5.1, P-5.2, P-6, P-7.

DUE DATES OF SCHEDULES IN CAB FORM 41 REPORT—Continued

Due Dates[1]	Schedule No.
May 20	P-12(a).
May 30	P-1(a), T-1, T-9.
June 20	P-12(a).
June 30	P-1(a), T-1, T-9.
July 20	P-12(a).
July 30	P-1(a), T-1, T-2, T-3, T-9.
August 10	A, B-1, B-1.1, B-7, B-12, P-1.1, P-1.2, P-2, P-5.1, P-5.2, P-6, P-7.
August 20	P-12(a).
August 30	P-1(a), T-1, T-9.
September 20	P-12(a).
September 30	P-1(a), T-1, T-9.
October 20	P-12(a).
October 30	P-1(a), T-1, T-2, T-3, T-9.
November 10	A, B-1, B-7, B-12, P-1.2, P-2, P-5.1, P-5.2, P-6, P-7.
November 20	P-12(a).
November 30	P-1(a), T-1, T-9.
December 20	P-12(a).
December 30	P-1(a), T-1, T-9.

[1] Due dates falling on a Saturday, Sunday or national holiday will become effective the first following work day.

[2] B and P reporting due dates are extended to March 30 if preliminary schedules are filed at DOT by February 10.

7. Section 23, *Certification and Balance Sheet Elements,* is amended by:

A. Revising the title and reporting instructions for Schedule B-7, *Airframes and Aircraft Engines Acquired,* to read as follows:

Schedule B-7 Airframe and Aircraft Engine Acquisitions and Retirements

(a) This schedule shall be filed by all Group II and Group III air carriers.

(b) Data applicable to acquisitions and data applicable to retirements shall be grouped and reported separately. The data reported within each group (acquisitions; retirements) shall be further subgrouped and reported as follows:

(1) Acquisitions: the indicated data shall be reported for each individual airframe, identified by type, model, and design of cabin as to use for passengers exclusively, cargo exclusively, or both passengers and cargo in combination. Data pertaining to aircraft engines shall be reported in aggregate for each type or model; however, leased aircraft engines shall be separately reported under captions entitled: Capital Leases—Aircraft Engines; and Operating Leases—Aircraft Engines. Airframe units leased from others for a period of more than 90 days shall be reported in a separate subsection of this schedule, captioned as follows: Capital Leases—Airframe Units; and Operating Leases—Airframe Units. In addition, a notation shall be made by license number of airframe units of the air carrier returned after lease to others for a period of more than 90 days. Airframe units obtained through interchange lease arrangements shall not be so reported.

(2) Retirements: The indicated data shall be reported for the sale or retirement of each airframe, each type of aircraft engine (stating the number of units retired) and, to the extent retired along with airframes and engines, in aggregates by accounts, operating property and equipment included in accounts 1607 and 1608 and nonoperating property and equipment included in accounts 1707 and 1708. Disposition of properties in accounts 1608 and 1708 not related to airframe and aircraft engine retirements shall be reported in a separate group for each account. Airframe units leased from others for a period of more than 90 days shall be reported, upon return to the lessor, in a separate subsection of this schedule and captioned as follows: Capital Leases—Airframe Unites; and Operating Leases—Airframe Units. In addition, a notation shall be made by license number and name of lessee of airframe units leased to others for a period of more than 90 days; moreover, airframe units leased to others under sales-type or direct financing leases shall be separately captioned and reported on this schedule. Airframe units leased under interchange arrangements shall not be so reported. Aircraft engines leased from others for a period of more than 90 days shall be reported, upon return to the lessor, in a separate subsection of this schedule and captioned as follows: Capital Leases—Aircraft Engines; and Operating Leases—Aircraft Engines. In addition, a notation shall be made by model number, number of units, and name of lessee of aircraft engines leased to others for a period of more than 90 days; moreover, aircraft engines leased to others under sales-type or direct financing leases shall be separately captioned and reported on this schedule. Aircraft engines leased under interchange arrangements shall not be so reported.

(c) All dates shall indicate the day, the month and the year; shall be provided on a unit basis for airframes only, and, shall be reported for each aircraft engine group by date of transaction.

(d) Column 2, "Acquisition or Retirement" shall be used to indicate, for each item entered, whether it represents an acquisition or a retirement. This shall be indicated by inserting in column 2 either an "A" for acquisition or an "R" for retirement.

(e) Column 6, "Maximum Seating Capacity" shall reflect the number of passenger seats installed in each airframe acquired. When the configuration of airframes provides sleeping accommodations, the passenger capacity shall be shown in terms of a sleeper version and non-sleeper version. When airframes are designed for multiple adjustable seating configurations, the maximum number of seats for which designed shall be reported. When the seating configuration of airframes is modified subsequent to original acquisition, the revised passenger capacity of each airframe shall be reported in the quarter in which modified and referenced to identify original capacity reported.

(f) Column 7, "Cost" shall reflect the book cost of reported airframe and aircraft engine acquisitions and retirements.

(g) Column 8, "Amortization/Depreciated Cost" shall reflect the book cost, less amortization or depreciation expense, for airframes and aircraft engines that have been retired.

(h) Column 9, "Realization" shall reflect the proceeds from the disposition of airframes and aircraft engines, including any insurance proceeds.

(i) Column 10, "Acquired From or Disposition" shall reflect: (1) for acquisitions: the name of the person or organization from which airframes and aircraft engines are acquired and (2) for dispositions (retirements): the name of the person or organization to which airframes and aircraft engines are sold or a notation as to the nature of the retirement and the account to which any depreciated cost has been charged, if not sold. Items included in accounts 1607, 1608, 1707, and 1708, sold as a part of an airframe or aircraft sales transaction, shall also be identified by the name of the buyer. Other sales of items included in these accounts shall be reported in a separate group in aggregate for each property account affected.

B. Removing the title and reporting instructions for Schedule B-8, *Flight Equipment Retired.*

8. Section 24, *Profit and Loss Elements,* is amended by:

A. Revising paragraph (a) of the reporting instructions for Schedule P-5.1 to read as follows:

Schedule P-5.1—Aircraft Operating Expenses

(a) This schedule shall be filed by all Group I air carriers. Group I air carriers that have annual operating revenues of

$10 million or more shall file this schedule quarterly and only report direct operating expense data (lines 1 thru 9). Group I air carriers that have annual operating revenues below $10 million shall file this schedule semiannually and report both direct and indirect operating expense data (lines 1 thru 16).

* * * * *

B. Removing and reserving paragraph (f) and revising paragarph (h) of the reporting instructions for Schedule P–5.2 to read as follows:

Schedule P–5.2—Aircraft Operating Expenses

* * * * *

(f) (Reserved).

* * * * *

(h) The total of function 5100 "Flying Operations" reported on this schedule shall agree with corresponding amounts reported on Schedule P–1.2.

C. Revising the title and reporting instructions for Schedule P–6, *Maintenance, Passenger Service and General Services and Administration Expense Functions*, to read as follows:

Schedule P–6—Operating Expenses by Objective Groupings

(a) This schedule shall be filed by all Group II and Group III air carriers and Group I air carriers that have annual operating revenues of $10 million or more.

(b) Route and charter air carriers shall file this schedule for each separate operating entity.

(c) Line 36 "Total Operating Expenses" shall agree with the corresponding amount reported on Schedule P–1.

D. Revising the title and reporting instructions for Schedule P–7, *Aircraft and Traffic Servicing, Promotion and Sales, and General and Administrative Expense Functions*, to read as follows:

Schedule P–7—Operating Expenses by Functional Groupings—Group III Air Carriers

(a) This schedule shall be filed by all Group III air carriers.

(b) Route and charter air carriers shall file this schedule for each operating entity of the air carrier.

(c) Line 38 "Total Operating Expenses" shall agree with the corresponding amount reported on Schedule P–1.2.

E. Removing the title and reporting instructions of Schedule P–8, *Aircraft and Traffic Servicing, and Promotion and Sales Expense Subfunctions.*

9. Section 25, *Traffic and Capacity Elements*, is amended by removing the title and reporting instructions for Schedule T–7, *Statistical Market Report.*

10. The title and contents of Section 26, *General Corporate Elements*, are removed.

11. The center heading "Traffic and Corporate Reporting Requirements" is revised to read "Traffic Reporting Requirements."

12. Everywhere the OMB Control "3024–0013" appears change it to "2138–0013."

13. RSPA Form 41 Report is amended as shown in Exhibits B through G attached.

Issued in Washington, DC on March 13, 1987.

M. Cynthia Douglass,

Administrator, Research and Special Programs Administration, DOT.

Editorial Note: The following exhibits will not appear in the Code of Federal Regulations.

BILLING CODE 4910–62–M

Exhibit A

SUMMARY OF FORM 41 DATA NEEDS BY PROGRAM

Schedules	Description	Fequency	Filing Group	OST Programs (1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	FAA Programs (11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)
A	Cert.	Q	I-Q II & III	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
B-1	B/S	Q	I-Q II & III	X	X	X	X			X	X/1	X	X	X	X	X				X			
B-1.1	B/S	SA	I-U	X	X	X	X			X	X/1	X	X	X	X	X				X			
B-7	A/F & A/C Eng. Acq.	Q	II & III	X	X/1		X			X	X/1	X											X
B-8	Flt. Equ. Ret.	Q	II & III	X	X/1		X				X/1	X											X
B-12	Chgs. in Fin.Pos.	Q	I-Q II & III	X/1	X/1					X		X		X	X	X		X					
B-43	Inv.-A/F & A/C Engs.	A	ALL	X	X		X				X/1	X											X
P-1.1	Stmt of Operations	SA	I-U	X	X	X	X	X		X	X/1	X	X	X	X	X	X	X		X			
P-1.2	Stmt of Operations	Q	I-Q II & III	X	X	X	X	X		X	X/1	X	X	X	X	X	X	X		X			
P-1(a)	Int. Operations Rpt.	M	ALL	X/1			X			X	X	X	X		X	X/2		X/1					
P-2	Notes	Q	I-Q II & III	X		X	X					X	X										
P-5.1	A/C Operating Exps.	Q	I-Q	X	X	X	X	X		X	X/1	X	X	X	X	X		X/1		X			
		SA	I-U	X	X	X	X	X		X	X/1	X	X	X	X	X		X/1		X			
P-5.2	A/C Operating Exps.	Q	II & III	X	X	X	X	X		X	X/1	X	X	X	X	X		X/1		X			
P-6	Main., Pass. Svc, & G & A	Q	I-Q II & III	X	X	X	X	X	X/1	X/1	X/1	X	X										
P-7	A/C & Tfc & Pro. & Sales	Q	II & III	X	X	X	X	X	X/1	X/1	X/1	X	X										
P-8	A/C & Tfc & Pro. & Sales	Q	III	X	X	X	X	X	X/1	X/1	X/1	X	X										
P-10	Empl. Stats.	A	I-Q II & III	X/1					X	X/1		X	X		X	X	X						
P-12(a)	Fuel Report	M	I-Q II & III	X/1	X	X	X		X/1				X/2										
T-1(a)	Tfc. & Cpty Stst.-Summary	M	ALL	X	X/2	X/2	X/2				X	X	X/2	X		X	X/2	X		X	X/2		
T-1(b)	Tfc. & Cpty Stst.-Sch.	M	II & III	X/2	X/2	X/2					X						X/2	X					
T-1(c)	Tfc. & Cpty Stst.-Nonsch.	M	II & III	X/2	X/2	X/2					X						X/2	X					
T-2	Tfc. & Cpty by A/C Type	Q	ALL	X	X	X	X			X	X	X	X	X		X	X	X		X		X/2	X
T-3(a)	Enpl. Stats.-Sch.	Q	ALL		X	X	X				X	X	X				X	X	X	X	X		
T-3(b)	Enpl. Stats.-Sch.	Q	ALL		X	X	X			X	X	X					X	X	X	X		X/2	
T-3(c)	Enpl. Stats.-Nonsch.	Q	ALL			X	X			X		X					X	X	X	X	X	X/2	
T-8	All-cargo Operations	A	Only 418 Cert.	X/1	X	X/1	X/1			X							X						
T-9	Nonstop Market Report	M	I & II	X	X	X/2			X		X	X							X			X/2	
G-41	Stock Ownership-5%	A	I-Q II & III																				
Needs Domestic Data				X	X	X	X	X	X	X	X	X	X				X	X					
Needs International Data				X	X	X	X	X	X	X	X	X	X				X	X					
Needs Data by Entity				X	X	X	X	X	X	X	X	X	X				X	X					
Needs System Data Only														X	X	X			X	X	X	X	X

NOTES: X Data usage justified based on DOT policy considerations.
1/ Used occasionally.
2/ Filing frequency could be reduced.

PROGRAM INDEX:

(1) International Negotiations
(2) International Routes
(3) International Fares & Rates
(4) International/Alaska Mail Rates
(5) Review of IATA Agreements
(6) Foreign Carrier Applications
(7) Air Carrier Fitness
(8) Acquisitions and Mergers
(9) Airline Industry Status Evaluations
(10) Employee Protection
(11) Air Carrier Certification
(12) Safety Surveillance and Inspection
(13) Safety Analysis (Operational)
(14) Safety Forecasting/Regulatory Analysis
(15) National Plan of Integrated Airport Systems
(16) Systems Planning at Airports
(17) Airport Capacity Analysis
(18) Airport Improvement
(19) Airport Development/Environmental (Noise)
(20) War Air Service

EXHIBIT B

AIRFRAME AND AIRCRAFT ENGINE ACQUISITIONS AND RETIREMENTS

Air Carrier _____

Quarter Ended _____, 19___

Line	Date Acquired/ Retired (1)	Acquisition or Retirement "A" or "R" (2)	Airframe License Number (3)	Number of Engines Acquired/ Retired (4)	Type, Model, and Cabin Design (5)	Maximum Seating Capacity (6)	Cost (7)	Amortized/ Depreciated Cost (8)	Realization (9)	Acquired From / Disposition (10)
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										
19										
20										
21										
22										
23										
24										
25										
26										
27										
28										
29										
30										
31										
32										
33										
34										
35										
36										
37										
38										
39										
40										
41										
42										
43										
44										
45										

RSPA Form 41 Schedule B-7

EXHIBIT C

EMPLOYMENT STATISTICS
BY LABOR CATEGORY

Air Carrier: _____

Operation: _____

Calendar Year Ended: _____

Acct. No.	Description	Weighted Average Number of Full-time Employees
21	General management personnel	
23	Pilots and copilots	
24	Other flight personnel:	
24.1	Flying operations[1]	
24.2	Passenger/General services and administration[2]	
25	Maintenance labor[3]	
26	Aircraft and traffic handling personnel[4]	
26.1	General aircraft and traffic handling personnel	
26.2	Aircraft control personnel	
26.3	Passenger handling personnel	
26.4	Cargo handling personnel	
28.1	Trainees and instructors	
31	Record keeping and statistical personnel	
33	Traffic solicitors	
99.1	Other personnel	
99.2	Transport-related	
99	Total	

[1] Include personnel in Function 5100.
[2] Include personnel in Functions 5500 and 6900.
[3] Include unallocated maintenance shop labor.
[4] Group I air carriers.

RSPA Form 41 Schedule P-10

EXHIBIT D

AIRCRAFT OPERATING EXPENSES Group II and Group III Air Carriers	Air Carrier _____ Operation _____ Total—All Aircraft Types Quarter Ended _____, 19 ___		Aircraft Type _____ Aircraft Code _____		Aircraft Type _____ Aircraft Code _____		Aircraft Type _____ Aircraft Code _____	
FLYING OPERATIONS	5100		5100		5100		5100	
Pilots and copilots	23		23		23		23	
Other flight personnel	24		24		24		24	
Trainees and instructors	28.1		28.1		28.1		28.1	
Personnel expenses	36		36		36		36	
Professional and technical fees and expenses	41		41		41		41	
~~Aircraft interchange charges—ass. co's~~	~~42.7~~		42.7		42.7		42.7	
Aircraft interchange charges—~~outside~~	43.7		43.7		43.7		43.7	
Aircraft Fuels	45.1		45.1		45.1		45.1	
Aircraft oils	45.2		45.2		45.2		45.2	
Rentals	47		47		47		47	
Other supplies	53		53		53		53	
Insurance purchased—general	55.1		55.1		55.1		55.1	
Employee benefits and pensions	57		57		57		57	
Injuries, loss and damage	58		58		58		58	
Taxes—payroll	68		68		68		68	
Taxes—other than payroll	69		69		69		69	
Other expenses	71		71		71		71	
Total flying operations (per sch. P-1)	*5199*		*5199*		*5199*		*5199*	
DIRECT MAINTENANCE—FLIGHT EQUIP.	5200		5200		5200		5200	
Labor—airframes	25.1		25.1		25.1		25.1	
Labor—aircraft engines	25.2		25.2		25.2		25.2	
~~Airframe repairs—associated companies~~	~~42.1~~		42.1		42.1		42.1	
~~Aircraft engine repairs—associated co's~~	~~42.2~~		42.2		42.2		42.2	
~~Aircraft inter. charges—associated co's~~	~~42.7~~		42.7		42.7		42.7	
Airframe repairs—~~outside~~	43.1		43.1		43.1		43.1	
Aircraft engine repairs—~~outside~~	43.2		43.2		43.2		43.2	
Aircraft interchange charges—~~outside~~	43.7		43.7		43.7		43.7	
Maintenance materials—airframes	46.1		46.1		46.1		46.1	
Maintenance materials—aircraft engines	46.2		46.2		46.2		46.2	
Airworth. allow. provs.—airframes	72.1		72.1		72.1		72.1	
Airframe overhauls def. (cr.)	72.3		72.3		72.3		72.3	
Airworth. allow. provs.—aircr. eng.	72.6		72.6		72.6		72.6	
Aircraft eng. overhauls def. (cr).	72.8		72.8		72.8		72.8	
Total dir. maint.—flt. equip. (to sch. P-6)	78		78		78		78	
AP. MT. BURDEN—FLT. EQP. (per sch P-6)	79.6		79.6		79.6		79.6	
Total flight equip. maintenance (Memo)	*5299*		*5299*		*5299*		*5299*	
OSBOL. & DETERIOR'N.—EXP. PARTS	7073		7073		7073		7073	
Net obsol. & deterior'n.—exp. parts	*7073.9*		*7073.9*		*7073.9*		*7073.9*	
DEPRECIATION—FLIGHT EQUIPMENT	7000		7000		7000		7000	
Depreciation—airframes	75.1		75.1		75.1		75.1	
Depreciation—aircraft engines	75.2		75.2		75.2		75.2	
Depreciation—airframe parts	75.3		75.3		75.3		75.3	
Depreciation—aircraft engine parts	75.4		75.4		75.4		75.4	
Depreciation—other flight equipment	75.5		75.5		75.5		75.5	
~~Total depr. flight equip.~~	~~75.6~~		75.6		75.6		75.6	
Amortization Expense—Capital Leases-Flt. Eqp.	76.1		76.1		76.1		76.1	
EXP. OF INTERCHANGE AIRCRAFT								
Flying operations	98.1	x x x x x x x x	98.1		98.1		98.1	
Maintenance	98.2	x x x x x x x x	98.2		98.2		98.2	
TOTAL AIRCRAFT OP. EXPENSES	*7098.9*		*7098.9*		*7098.9*		*7098.9*	

OTHER DEPRECIATION AND AMORTIZATION	7000	
Amoritization—developmental and preop. exp.	*74.1*	
Amoritzation—other intangibles	*74.2*	
Depreciation—maint. equip. and hangars	*75.8*	
Depreciation—general ground property	*75.9*	
Amortization—capital leases	*76.2*	

*Denotes inverse amount

RSPA Form 41 Schedule P-5.2 (1-85)
Formerly CAB Form 41 Schedule P-5.2

Exhibit E

US Department of Transportation
Research and Special Programs Administration

OPERATING EXPENSES BY OBJECTIVE GROUPINGS

CARRIER: _____ OPERATION: _____

QUARTER ENDING: _____

Line 1	**SALARIES AND RELATED FRINGE BENEFITS:**	
Line 2	SALARIES:	
Line 3	General management personnel	
Line 4	Flight personnel	
Line 5	Maintenance labor	
Line 6	Aircraft and traffic handling personnel	
Line 7	Other personnel	
Line 8	Total Salaries	
Line 9	RELATED FRINGE BENEFITS:	
Line 10	Personnel expense	
Line 11	Employee benefits and pensions	
Line 12	Payroll taxes	
Line 13	Total Related Fringe Benefits	
Line 14	Total Salaries and Related Fringe Benefits	
Line 15	**MATERIALS PURCHASED:**	
Line 16	Aircraft fuel and oil	
Line 17	Maintenance material	
Line 18	Passenger food	
Line 19	Other materials	
Line 20	Total Materials	
Line 21	**SERVICES PURCHASED:**	
Line 22	Advertising and other promotion	
Line 23	Communication	
Line 24	Insurance	
Line 25	Outside flight equipment maintenance	
Line 26	Traffic commissions - Passenger	
Line 27	Traffic commissions - Cargo	
Line 28	Other services	
Line 29	Total Services	
Line 30	LANDING FEES	
Line 31	RENTALS	
Line 32	DEPRECIATION	
Line 33	AMORTIZATION	
Line 34	OTHER	
Line 35	TRANSPORT RELATED EXPENSE	
Line 36	TOTAL OPERATING EXPENSES	

RSPA Form 41 Schedule P-6 (11-85)
Formally CAB Form 41 Schedule P-6

Exhibit F

OPERATING EXPENSES BY FUNCTIONAL GROUPINGS
GROUP III AIR CARRIERS

CARRIER:_____ OPERATION:_____

QUARTER ENDING:_____

Line 1	AIRCRAFT OPERATING EXPENSES (DIRECT OPERATING COSTS):	
Line 2	Total*	
Line 3	SERVICING, SALES, AND GENERAL OPERATING EXPENSES (INDIRECT COSTS):	
Line 4	PASSENGER SERVICE EXPENSES	
Line 5	Flight attendants expense	
Line 6	Food expense	
Line 7	Other in-flight expense	
Line 8	Total Passenger Service Expense	
Line 9	AIRCRAFT SERVICING EXPENSE:	
Line 10	Line servicing expense	
Line 11	Control expense	
Line 12	Landing fees	
Line 13	Total Aircraft Servicing Expense	
Line 14	TRAFFIC SERVICING EXPENSE:	
Line 15	Directly assignable to passenger	
Line 16	Directly assignable to baggage and cargo	
Line 17	Not directly assignable	
Line 18	Total traffic servicing expense	
Line 19	RESERVATION AND SALES EXPENSE:	
Line 20	Directly assignable to passenger	
Line 21	Directly assignable to cargo	
Line 22	Not directly assignable	
Line 23	Total reservation and sales expense	
Line 24	ADVERTISING AND PUBLICITY EXPENSE:	
Line 25	Directly assignable to passenger	
Line 26	Directly assignable to cargo	
Line 27	Institutional advertising expense	
Line 28	Total Advertising and Publicity Expense	
Line 29	GENERAL AND ADMINISTRATIVE EXPENSE	
Line 30	MAINTENANCE AND DEPRECIATION--GROUND PROPERTY AND EQUIPMENT:	
Line 31	Maintenance	
Line 32	Depreciation	
Line 33	Total Maintenance and Depreciation--Ground Property and Equipment	
Line 34	DEPRECIATION EXPENSE--MAINTENANCE EQUIPMENT	
Line 35	AMORTIZATION (OTHER THAN FLIGHT EQUIPMENT)	
Line 36	TOTAL SERVICING, SALES, AND GENERAL OPERATING EXPENSES	
Line 37	TRANSPORT RELATED EXPENSES	
Line 38	TOTAL OPERATING EXPENSES	

* Detail by aircraft type on Schedule P-5.

RSPA Form 41 Schedule P-7

EXHIBIT G

U.S. Department of Transportation
Research and Special Programs Administration

TRAFFIC, CAPACITY, AIRCRAFT OPERATIONS, AND MISCELLANEOUS STATISTICS BY TYPE OF AIRCRAFT

Air Carrier _____
Operating Entity _____
Quarter Ended _____

		ALL Types	Type: Code:	Type: Code:	Type: Code:	Type: Code:
SCHEDULED SERVICES						
Revenue passengers-miles (000)						
First Class/Mixed Passenger-Cargo	A140, E141					
Coach/Mixed Passenger-Cargo	C140, E142					
Cargo	G140					
Total	K140					
Available seat-miles (000)						
First Class/Mixed Passenger-Cargo	A320, E321					
Coach/Mixed Passenger-Cargo	C320, E322					
Cargo	G320					
Total	K320					
Revenue ton-miles	K240					
Available ton-miles	K280					
Revenue aircraft miles flown:						
Passenger-cargo	A, C410					
Cargo	G410					
Total	K410					
ALL SERVICES						
Revenue passengers-miles (000)	Z140					
Available seat-miles (000)	Z320					
Revenue ton-miles	Z240					
Available ton-miles	Z280					
Revenue aircraft miles flown	Z410					
AIRCRAFT HOURS FLOWN						
Revenue aircraft hours (airborne)	Z610					
Nonrevenue aircraft hours (airborne)	Z620					
Total aircraft hours (airborne)	Z650					
MISCELLANEOUS OPERATING FACTORS						
Aircraft days assigned to service-carrier's equipment	Z810					
Aircraft days assigned to service-carrier's routes	Z820					
~~Nonrevenue aircraft miles flown~~	~~Z420~~					
Carrier's interchange equipment:						
Hours on others (airborne)	Z830					
Aircraft hours (ramp-to-ramp)	Z630					
Aircraft fuels issued (gallons)	Z921					
Aircraft oils issued (gallons)	Z922					

RSPA Form 41 Schedule T-2 (1-85)
Formerly CAB Form 41 Schedule T-2(a) & (b)

BILLING CODE 4910-62-C

Exhibit H—Department of Transportation Research and Special Programs Administration Office of Aviation Information Management Instructional Directive No. 1

Reporting of Air Carrier Operating Expenses on RSPA Form 41 Schedules P–6 and P–7

Attachments A and B explain the accounting methodology for accumulating the operating expense data to be reported on Form 41, Schedules P–6 "Operating Expenses by Objective Groupings" and P–7 "Operating Expense by Functional Groupings—Group III Air Carriers," respectively.

Schedule P–6 is filed by Group I air carriers with total annual operating revenues of over $10 million, Group II air carriers, and Group III air carriers. Schedule P–7 is filed by only Group III air carriers.

Any questions regarding this directive can be addressed to Donald Bright, who can be contacted on (202) 366–4384.

Robin A. Caldwell,

Director.

Attachments

BILLING CODE 4910–62–M

Attachment A

OPERATING EXPENSES BY OBJECTIVE GROUPINGS

CARRIER:_____ OPERATION:_____

QUARTER ENDING:_____

Line 1	SALARIES AND RELATED FRINGE BENEFITS:	
Line 2	SALARIES:	
Line 3	General management personnel	
Line 4	Flight personnel	
Line 5	Maintenance labor	
Line 6	Aircraft and traffic handling personnel	
Line 7	Other personnel	
Line 8	Total Salaries	
Line 9	RELATED FRINGE BENEFITS:	
Line 10	Personnel expense	
Line 11	Employee benefits and pensions	
Line 12	Payroll taxes	
Line 13	Total Related Fringe Benefits	
Line 14	Total Salaries and Related Fringe Benefits	
Line 15	MATERIALS PURCHASED:	
Line 16	Aircraft fuel and oil	
Line 17	Maintenance material	
Line 18	Passenger food	
Line 19	Other materials	
Line 20	Total Materials	
Line 21	SERVICES PURCHASED:	
Line 22	Advertising and other promotion	
Line 23	Communication	
Line 24	Insurance	
Line 25	Outside flight equipment maintenance	
Line 26	Traffic commissions - Passenger	
Line 27	Traffic commissions - Cargo	
Line 28	Other services	
Line 29	Total Services	
Line 30	LANDING FEES	
Line 31	RENTALS	
Line 32	DEPRECIATION	
Line 33	AMORTIZATION	
Line 34	OTHER	
Line 35	TRANSPORT RELATED EXPENSE	
Line 36	TOTAL OPERATING EXPENSES	

RSPA Form 41 Schedule P-6

INSTRUCTIONS FOR
SCHEDULE P-6

Line 1 Salaries and related fringe benefits shall be reported in the following categories:

Line 2 Salaries shall be subdivided as follows:

Line 3 General Management Personnel = Sum of objective Account 21 for all functions

Line 4 Flight Personnel = Sum of objective Accounts 23 and 24 for all functions

Line 5 Maintenance Labor = Sum of objective Accounts 25.1 + 25.2 + 25.3 + 25.6 + 25.9 + 28.2 for all functions + proration for Line 5 (See footnote 2/)

Line 6 Aircraft and Traffic Handling Personnel = Sum of objective Accounts 26 + 26.1 + 26.2 + 26.3 + 26.4 for all functions

Line 7 Other Personnel = Sum of objective Accounts 28.1 + 30 + 31 + 32 + 33 + 34 + 35 for all functions

Line 8 Total Salaries = Sum of Line 3 + 4 + 5 + 6 + 7

Line 9 Related fringe benefits shall be subdivided as follows:

Line 10 Personnel Expense = Sum of objective Account 36 for all functions

Line 11 Employee Benefits and Pensions = Sum of objective Account 57 for all functions

Line 12 Payroll Taxes = Sum of objective Account 68 for all functions

Line 13 Total Related Fringe Benefits = Sum of Lines 10 + 11 + 12

Line 14 Total Salaries and Related Fringe Benefits = Sum of Lines 8 + 13

Line 15 Materials purchased shall be reported in the following categories:

Line 16 Aircraft Fuel and Oil = Sum of objective Accounts 45 + 45.1 + 45.2 for all functions + objective Account 69 for 5100 function only

Line 17 Maintenance Material = Sum of objective Accounts 46.1 + 46.2 + 46.3 + 46.6 + 46.9 + 49 + 54 for all functions + proration for Line 17 (See footnote 2/)

Line 18 Passenger Food = Sum of objective Account 51 for all functions

Line 19 Other Materials = Sum of objective Accounts 38 + 50 + 53 for all functions

Line 20 Total Materials = Sum of Lines 16 + 17 + 18 + 19

Line 21 Services purchased shall be reported in the following categories:

Line 22 Advertising and Other Promotion = Sum of objective Accounts 59 + 60 + 62 for all functions

Line 23 Communications = Sum of objective Account 37 for all functions

Line 24 Insurance = Sum of objective Accounts 55 + 56 for all functions

Line 25 Outside Flight Equipment Maintenance = Sum of objective Accounts 43.1 + 43.2 + 43.3 + 43.6 + 43.7 + 43.8 + 43.9 for 5200 function only + proration for Line 25 (See footnote 2/)

Line 26 Traffic Commissions - Passenger = Sum of objective Accounts 39 (See footnote 1/) + 39.1 for all functions

Line 27 Traffic Commissions - Cargo = Sum of objective Accounts 39 (See footnote 1/) + 39.2 for all functions

Line 28 Other Services = Sum of objective Accounts 40 + 41 for all functions + objective Accounts 43.7 + 43.8 + 43.9 for all functions except 5200

Line 29 Total Services = Sum of Lines 22 + 23 + 24 + 25 + 26 + 27 + 28

Line 30 Landing Fees = Sum of objective Account 44 for all functions

Line 31 Rentals = Sum of objective Account 47 for all functions

Line 32 Depreciation = Sum of objective Accounts 73.1 + 73.2 + 75.1 + 75.2 + 75.3 + 75.4 + 75.5 + 75.8 + 75.9 for 7000 function

Line 33 Amortization = Sum of objective Accounts 74.1 + 74.2 + 76 for 7000 function

Line 34 Other = Sum of objective Accounts 58 + 61 + 63 + 64 + 65 + 66 + 67 + 71 + 77.8 + 77.9 for all functions + 69 for all functions except 5100

Line 35 Transport Related Expenses = Total of 7100 function

Line 36 Total Operating Expenses = Sum of Lines 14 + 20 + 29 + 30 + 31 + 32 + 33 + 34 + 35

FOOTNOTES

1/ Under this Schedule P-6, Group I carriers are required to report a separate amount for Traffic Commissions - Passenger (6939.1) and Traffic Commissions - Cargo (6939.2). Previously, this group reported only Total Traffic Commissions (6939).

2/ For all groups, proration for Lines 5 and 17 and 25.

Step 1:	Net of accounts	5272.1	5372.1
		5272.2	5372.2
		5272.3	5372.3
		5272.4	5372.4
		5272.6	5372.6
		5272.7	5372.7
		5272.8	5372.8
		5272.9	5372.9
	Net		

Step 2: Sum of Lines 5 + 17 + 25 before proration of amount in Step 1.

For proration applicable to Line 5

Step 3: Line 5 before proration - Sum of Lines 5 + 17 + 25 before proration

Step 4: Proration = Net (Step 1) X Ratio (Step 3)

For proration applicable to Line 17

Step 3A: Line 17 before proration - Sum of Lines 5 + 17 + 25 before proration

Step 4A: Proration = Net (Step 1) X Ratio (Step 3A)

For proration applicable to Line 25

Step 3B: Line 25 before proration - Sum of Lines 5 + 17 + 25 before proration

Step 4B: Proration = Net (Step 1) X Ratio (Step 3B)

Attachment B

OPERATING EXPENSES BY FUNCTIONAL GROUPINGS
GROUP III AIR CARRIERS

CARRIER:_____ OPERATION:_____

QUARTER ENDING:_____

Line 1	AIRCRAFT OPERATING EXPENSES (DIRECT OPERATING COSTS):	
Line 2	Total*	
Line 3	SERVICING, SALES, AND GENERAL OPERATING EXPENSES (INDIRECT COSTS):	
Line 4	PASSENGER SERVICE EXPENSES	
Line 5	Flight attendants expense	
Line 6	Food expense	
Line 7	Other in-flight expense	
Line 8	Total Passenger Service Expense	
Line 9	AIRCRAFT SERVICING EXPENSE:	
Line 10	Line servicing expense	
Line 11	Control expense	
Line 12	Landing fees	
Line 13	Total Aircraft Servicing Expense	
Line 14	TRAFFIC SERVICING EXPENSE:	
Line 15	Directly assignable to passenger	
Line 16	Directly assignable to baggage and cargo	
Line 17	Not directly assignable	
Line 18	Total traffic servicing expense	
Line 19	RESERVATION AND SALES EXPENSE:	
Line 20	Directly assignable to passenger	
Line 21	Directly assignable to cargo	
Line 22	Not directly assignable	
Line 23	Total reservation and sales expense	
Line 24	ADVERTISING AND PUBLICITY EXPENSE:	
Line 25	Directly assignable to passenger	
Line 26	Directly assignable to cargo	
Line 27	Institutional advertising expense	
Line 28	Total Advertising and Publicity Expense	
Line 29	GENERAL AND ADMINISTRATIVE EXPENSE	
Line 30	MAINTENANCE AND DEPRECIATION--GROUND PROPERTY AND EQUIPMENT:	
Line 31	Maintenance	
Line 32	Depreciation	
Line 33	Total Maintenance and Depreciation--Ground Property and Equipment	
Line 34	DEPRECIATION EXPENSE--MAINTENANCE EQUIPMENT	
Line 35	AMORTIZATION (OTHER THAN FLIGHT EQUIPMENT)	
Line 36	TOTAL SERVICING, SALES, AND GENERAL OPERATING EXPENSES	
Line 37	TRANSPORT RELATED EXPENSES	
Line 38	TOTAL OPERATING EXPENSES	

* Detail by aircraft type on Schedule P-5.

RSPA Form 41 Schedule P-7

BILLING CODE 4910-62-C

Instructions for Schedule P-7—(Group III Carriers Only)

Line 1—Aircraft operating expenses (direct operating costs) shall be reported as follows:

Line 2—Total = Account 7098.9 for total aircraft types from Schedule P-5.2.

Line 3—Servicing, sales and general operating expenses (indirect operating costs) shall be reported in the following categories:

Line 4—Passenger service expense shall be subdivided as follows:

Line 5—Flight Attendant Expense = Sum of Accounts 5521 + 5524 + 5528.1 + 5530 + 5531 + 5535 + 5536 + 5557 + 5568.

Line 6—Food Expense = Account 5551.

Line 7—Other In-flight Expense = Account 5599 – (Line 5 + Line 6).

Line 8—Total Passenger Service Expense = Sum of Lines 5 + 6 + 7.

Line 9—Aircraft servicing expense shall be subdivided as follows:

Line 10—Line Servicing Expense = Account 6126.1.

PLUS an allocation of the balance in the aircraft servicing expense function (Account 6100) after the following accounts have been excluded: Accounts 6126.1, 6126.2, 6130, 6137 and 6144. This allocation to Line 10 is based on the ratio of Account 6126.1 to the total of Accounts 6126.1 + 6126.2 + 6130.

PLUS an allocation of the servicing administration expense function (Account 6300), based on the ratio of total salary expenses included in Line 10 (both directly assigned and allocated as above) to total salary expenses in both the aircraft servicing expense function (Account 6100) and the traffic servicing expense function (Account 6200).

Line 11—Control Expense = Accounts 6126.2 + 6130 + 6137.

PLUS an allocation of the balance in the aircraft servicing expense function (Account 6100) after the following accounts have been excluded: Accounts 6126.1, 6126.2, 6130, 6137 and 6144. This allocation to Line 11 is based on the ratio of the total of Accounts 6126.2 + 6130 to the total of Accounts 6126.1 + 6126.2 + 6130.

PLUS an allocation of the servicing administration expense function (Account 6300), based on the ratio of total salary expenses included in Line 11 (both directly assigned and allocated as above) to total salary expenses in both the aircraft servicing expense function (Account 6100) and the traffic servicing expense function (Account 6200).

Line 12—Landing Fees = Account 6144.

Line 13—Total Aircraft Servicing Expense = Sum of Lines 10 + 11 + 12.

Line 14—Traffic servicing expense shall be subdivided as follows:

Line 15—Directly Assignable to Passenger = Account 6226.3.

PLUS all other expenses in the traffic servicing expense function (Account 6200), that can be directly assigned or is directly attributable to passenger service based on the carrier's own detailed system of accounts.

PLUS an allocation of the servicing administration expense function (Account 6300), based on the ratio of total salary expenses included in Line 15 (before allocation) to total salary expenses in both the aircraft servicing expense function (Account 6100) and the traffic servicing expense function (Account 6200).

Line 16—Directly Assignable to Baggage and Cargo = Accounts 6226.4 + 6256.

PLUS all other expenses in the traffic servicing expense function (Account 6200) that can be directly assigned or is directly attributable to baggage and/or cargo service based on the carrier's own detailed system of accounts.

PLUS an allocation of the servicing administration expense function (Account 6300), based on the ratio of total salary expenses included in Line 16 (before allocation) to total salary expenses in both the aircraft servicing expense function (Account 6100) and the traffic servicing expense function (Account 6200).

Line 17—Not Directly Assignable = The total of the traffic servicing expense function (Account 6200) less all 6200 related amounts in Lines 15 and 16.

PLUS an allocation of the servicing administration expense function (Account 6300), based on the ratio of total salary expenses included in Line 17 (before allocation) to total salary expenses in both the aircraft servicing expense function (Account 6100) and the traffic servicing expense function (Account 6200).

Line 18—Total Traffic Servicing Expense = Sum of Lines 15 + 16 + 17.

Line 19—Reservation and sales expense shall be subdivided as follows:

Line 20—Directly Assignable to Passenger = Accounts 6526.3 + 6539.1 + 6563.

Plus all other expenses in the reservations and sales expense function (Account 6500) that can be directly assigned or is directly attributable to passenger service based on the carrier's own detailed system of accounts.

Line 21—Directly Assignable to Cargo = Accounts 6526.4 + 6539.2.

Plus all other expenses in the reservations and sales expense function (Account 6500) that can be directly assigned or is directly attributable to cargo service based on the carrier's own detailed system of accounts.

Line 22—Not Directly Assignable = The total of the reservations and sales expense function (Account 6500) less Lines 20 + 21.

Line 23—Total Reservation and Sales Expense = Sum of Lines 20 + 21 + 22.

Line 24—Advertising and publicity expense shall be subdivided as follows:

Line 25—Directly Assignable to Passenger = All expenses in the advertising and publicity expense function (Account 6600) that can be directly assigned or is directly attributable to passenger service based on the carrier's own detailed system of accounts.

Line 26—Directly Assignable to Cargo = All expenses in the advertising and publicity expense function (Account 6600) that can be directly assigned or is directly attributable to cargo service based on the carrier's own detailed system accounts.

Line 27—Institutional Advertising Expense = The total of advertising and publicity expense function (Account 6600) less Lines 25 + 26.

Line 28—Total Advertising and Publicity Expense = Sum of Lines 25 + 26 + 27.

Line 29—General and Administrative Expense = Total of 6800 function.

Line 30—Maintenance and depreciation—ground property and equipment shall be subdivided as follows:

Line 31—Maintenance = The total of the maintenance expense function (Account 5400) less Account 5299 for total all aircraft types from Schedule P-5.2.

Line 32—Depreciation = Account 7075.9.

Line 33—Total Maintenance and Depreciation—Ground Property and Equipment = Sum of Lines 31 + 32.

Line 34—Depreciation Expense—Maintenance Equipment—Account 7075.8.

Line 35—Amortization (other than flight equipment) = Accounts 7074.1 + 7074.2 + 7076 (less Account 7076 for total all aircraft types from Schedules P-5.2).

Line 36—Total Servicing, Sales and General Operating Expenses = Sum of Lines 8 + 13 + 18 + 23 + 28 + 29 + 3 3 + 34 + 35.

Line 37—Transport Related Expenses = Total of 7100 function.

Line 38—Total Operating Expenses = Sum of Lines 2 + 36 + 37.

[FR Doc. 87-6080 Filed 3-20-87 8:45 am]

BILLING CODE 4910-62-M

DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Parts 373, 376 and 385

[Docket No. 60480-7050]

Revision of Controls on Foreign Products Incorporating U.S. Origin Parts, Components, and Materials

AGENCY: Export Administration, International Trade Administration, Commerce.

ACTION: Final rule.

SUMMARY: Export Administration is revising the Parts and Components provision of the Export Administration Regulations. This revision provides guidance on when authorization is required for shipments of foreign products with U.S. origin content, provides a standard format for submission of requests for authorization, and establishes new criteria for exempting shipments from authorization requirements.

EFFECTIVE DATE: This rule is effective March 23, 1987.

FOR FURTHER INFORMATION CONTACT: John Black or Patricia Muldonian, Office of Technology and Policy Analysis, Export Administration, Department of Commerce, Washington, DC 20230 (Telephone: (202) 377-2440).

SUPPLEMENTARY INFORMATION:

Background

A proposed rule to revise the Parts and Components regulations was published in the **Federal Register** of July 7, 1986 (51 FR 24533), with a request for public comments. The Department received comments from 27 firms and associations. The general tone of the comments was favorable, but most saw room for further improvement.

The main feature of the proposal was an exemption from control if the U.S. content did not exceed 20% by value and the destination was listed in Supplement No. 2 or 3 to Part 373. Most of the comments suggested either a higher percentage or broader country coverage.

The final rule increases the exemption to 25% for Supplement Nos. 2 and 3 and adds a 10% and $10,000 exemption for destinations not listed in Supplement Nos. 2 and 3. Nothing in this rule authorizes any exemptions whatsoever from license requirements for direct

exports from the United States to any country of U.S. origin parts, components, or materials.

Without exception, prior written approval of the Office of Export Licensing will continue to be required for export from a foreign country of foreign made supercomputers containing U.S. origin parts, components, or materials.

The percentages chosen—25% and 10% (with a dollar limit)—are consistent with national security considerations and, at the same time, should provide enough leeway to make U.S. origin parts and components manufacturers competitive in foreign markets. We had considered providing for higher percentages for COCOM countries (to acknowledge the superiority of their export controls over those of Supplement No. 3 countries). In the end, however, we decided to make the program as easy as possible for foreign companies to administer. We believe these levels will greatly reduce the disincentive to use U.S. origin parts and components in foreign manufactures.

The formula for calculating percentage compares the price of the U.S. content to the manufacturer with the export selling price of the finished product. To avoid artificial inflation of the selling price, we had specified that the selling price used in the formula should not include value added taxes or excise taxes. Several commenters suggested that taxes should also be excluded from the purchase price of the U.S. components. The Department concluded that taxes included in the parts price are not normally known to the purchaser, unless buying from an affiliate, so that adopting this suggestion would be impractical and inequitable.

Some comments mentioned inconsistencies between parts and components requirements and permissive reexports. This rule removes those inconsistencies. It also continues the exemption from parts and components control (regardless of U.S. content value) for foreign made products that receive unanimous approval for export from a COCOM country to controlled countries (see § 374.2(i) and § 374.3(e).

A frequent comment discussed the need for foreign manufacturers to furnish U.S. origin parts to service their products that incorporate U.S. components. The final rule responds to this need by allowing such manufacturers to include spare parts with their shipments of products. We will deal with the question of subsequent replacement parts in a future rule on that subject.

The proposal provided an exemption for U.S. content that did not exceed the authorized dollar value for shipment under General License GLV. Several commenters raised questions on how to calculate this exemption, and this is clarified in the final rule.

Finally, several exporters indicated a preference for submitting requests on a form, rather than by letter. The Office of Export Licensing has agreed with this suggestion. As a result, the final rule gives instructions for submitting parts and components requests on Form ITA-699P, Request to Dispose of Commodities or Technical Data Previously Exported.

Rulemaking Requirements

1. Because this rule concerns a foreign and military affairs function of the United States, it is not a rule or regulation within the meaning of section 1(a) of Executive Order 12291, and it is not subject to the requirements of that Order. Accordingly, no preliminary or final Regulatory Impact Analysis has to be or will be prepared.

2. Section 13(a) of the Export Administration Act of 1979, as amended (50 U.S.C. App. 2412(a)), exempts this rule from all requirements of section 553 of the Administrative Procedure Act (APA) (5 U.S.C. 553), including those requiring publication of a notice of proposed rulemaking, an opportunity for public comment, and a delay in effective date. This rule also is exempt from these APA requirements because it involves a foreign and military affairs function of the United States. Further, no other law requires that a notice of proposed rulemaking and an opportunity for public comment be given for this rule. Nevertheless, to help ascertain the economic impact of the regulation upon the general public, the regulation was issued in proposed form and public comment was solicited.

3. Because a notice of proposed rulemaking and an opportunity for public comment were not required to be given for this rule by section 553 of the Administrative Procedure Act (5 U.S.C. 553), or by any other law, under sections 603(a) and 604(a) of the Regulatory Flexibility Act (5 U.S.C. 603(a) and 604(a)) no initial or final Regulatory Flexibility Analysis has to be or will be prepared.

4. This rule contains collections of information subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*). The collections have been approved by the Office of Management and Budget under OMB numbers 0625–0001, 0625–0009, 0625–0038, and 0625–0135.

List of Subjects in 15 CFR Parts 373, 376 and 385

Communist countries, Exports, Reporting, Recordkeeping requirements.

Accordingly, the Export Administration Regulations (15 CFR Parts 368–399) are amended as follows:

PARTS 373, 376, AND 385— [AMENDED]

1. The authority citation for Parts 373 and 385 continues to read as follows:

Authority: Pub. L. 96–72, 93 Stat. 503, 50 U.S.C. App. 2401 *et seq.*, as amended by Pub. L. 97–145 of December 29, 1981 and by Pub. L. 99–64 of July 12, 1985; E.O. 12525 of July 12, 1985 (50 FR 28757, July 16, 1985); Pub. L. 95–223, 50 U.S.C. 1701 *et seq.*; E.O. 12532 of September 9, 1985 (50 FR 36861, September 10, 1985) as affected by notice of September 4, 1986 (51 FR 31925, September 8, 1986); Pub. L. 99–440 (October 2, 1986); E.O. 12571 of October 27, 1986 (51 FR 39505, October 29, 1986).

2. The authority citation for Part 376 continues to read as follows:

Authority: Pub. L. 96–72, 93 Stat. 503, 50 U.S.C. App. 2401 *et seq.*, as amended by Pub. L. 97–145 of December 29, 1981 and by Pub. L. 99–64 of July 12, 1985; E.O. 12525 of July 12, 1985 (50 FR 28757, July 16, 1985).

3. In Supplement No. 6 to Part 373, the second sentence of paragraph (g) is revised to read as follows:

Supplement No. 6 to Part 373— Instructions for Distribution License Applicants When Completing Form ITA–6052P

* * * * *

(g) Item 5b: * * * Destinations to which the products are intended to be exported may be expressed as country listings, geographic groupings, or Country Groups. OEL may exclude destinations in granting approval.

* * * * *

4. Section 376.12 is revised to read as follows:

§ 376.12 Parts, components, and materials in foreign-made products.

Parts, components, materials, or other commodities exported from the United States and incorporated abroad into a manufactured or produced foreign-made product are subject to United States export controls. This § 376.12 applies only when U.S. content is incorporated in a foreign origin product. United States parts, components, materials, or other commodities that are not incorporated into a manufactured or produced foreign made product are subject to the reexport provisions of Part 374. For example, U.S. origin peripheral or accessory devices that are merely rack mounted with or cable connected into foreign equipment are not deemed to be incorporated components even though intended for use with foreign made products. Rather, such items are treated as U.S. items that retain their identity and remain subject to the reeexport provisions of Part 374. The Department of Commerce asserts control over incorporated commodities by placing limits on their use abroad in foreign-made products that will be exported. These controls are necessary in order to prevent the use of such U.S. origin parts, components, or materials in a manner detrimental to the national security or foreign policy of the United States. These controls do not apply if either the U.S. content or the foreign-made product is subject to control only for short supply reasons.

(a) *Determining approval requirements.* The prior written approval of the Office of Export Licensing is required for the export from a foreign country of a foreign-made supercomputer containing U.S. origin parts, components, or materials, *without exception.* Such prior written approval also is required for any other foreign-made product incorporating U.S. origin parts, components, or materials, *except:*

(1) If at the time of export of the foreign-made product to the new country of destination, the export of the foreign-made product meets any of the conditions of § 374.2 (permissive reexports); or

(2) If at the time of export of the foreign product to the new country of destination:

(i) The U.S. content could be exported from the United States to the new destination under General License *G–DEST* or to an eligible country under *G–COM;* or

(ii) The total U.S. content value in a single unit of the foreign product does not exceed the highest General License *GLV* dollar value limit for Country Groups T and V that applies to the content, regardless of the new country of destination (*i.e.*, if the product contains parts that are in two or more CCL entries, it is not the cumulative GLV values that apply, but rather the highest of the various GLV values. For instance, if some parts are in a CCL entry with $1,000 GLV, and others are in a CCL entry with $500 GLV, the total value of U.S. origin controlled parts cannot exceed $1,000 under this exception.); or

(3) If either of the following exemptions applies—

(i) The ultimate destination of the foreign product is a country listed in Supplement Nos. 2 or 3 to Part 373, excluding Ethiopia, Lebanon, and Nicaragua (for which the 10% rule below shall apply), *and* the U.S. content value is 25% or less; or

(ii) The U.S. content value is both 10% or less *and* $10,000 or less.[1]

Note.—See § 376.12(g) for other controls that may apply even if the export would be excepted by this paragraph (a).

(b) *Applicability of exceptions to approval requirements.* The exceptions to the approval requirements in paragraph (a) of this section apply only if the U.S. content is normal and usual for the product being exported and is not physically incorporated in the foreign product as a device to evade the requirement for reexport authorization.

(c) *Spare parts.* Shipments of foreign-made items that incorporate U.S. origin components may be accompanied by U.S. origin spare parts, provided they do not exceed the value of the U.S. content.

(d) *Calculation of values.* Use the following guidelines in determining values for establishing exemptions or for submission of a request for authorization:

(1) U.S. content value is the delivered cost to the foreign manufacturer of the U.S. origin parts, components, or materials. (When affiliated firms have special arrangements that result in lower than normal pricing, the cost should reflect "fair market" prices that would normally be charged to similar, unaffiliated customers.)

(2) The foreign-made product value is the normal export selling price f.o.b. factory (excluding value added taxes or excise taxes).

(e) *How to request approval*—(1) *Request on license application.* Prior to exporting from the U.S., exporters may obtain approval by submitting a license application on Form ITA–622P, indicating that the parts, components, or materials covered by the application will be incorporated abroad into products that will then be sent to designated third countries. When approval is sought on the application, the description of end use should include a general description of the commodities to be manufactured, their typical end-use, and the countries where those commodities will be marketed. The countries may be listed specifically or may be identified by Country Groups, geographic areas, etc. OEL may exclude certain destinations, consignees, or uses in granting approval. Unless specific restrictions are placed on the license by OEL, the issuance of the export license constitutes approval of the designated use of U.S. origin, parts, components or commodities. Further, when use of U.S. parts, components or materials has been approved on Form ITA–6052P, no further approval is necessary under this parts and components procedure for such use.

(2) *Individual requests.* When it is not practical for the U.S. exporter to obtain approval under paragraph (e)(1) of this section, then approval may be obtained by submitting an individual request on Form ITA–699P with the following information:

(i) In Item 2(a), insert "P & C" following the applicant's reference number;

(ii) In Item 5, insert the foreign party who will be receiving the end-product;

(iii) In Item 6, insert the foreign party who will be exporting the end product incorporating U.S. origin parts, components or materials;

(iv) In Item 7, check "Other" and insert "P & C";

(v) In Item 8(b), briefly describe the end product that will be exported, specifying quantity, type, and model or part number. Attach brochures or specifications, if available. Show as part of the description in Item 8(b) the value in U.S. dollars of the end product. Also include in Item 8(b) a description of the U.S. content and its value in U.S. dollars. Provide sufficient supporting information to explain the basis for the stated values. To the extent possible, explain how much of the value of the end product represents foreign origin parts, components, or materials, as opposed to labor, overhead, etc. When the U.S. content varies and cannot be specified in advance, provide a range of percentage and value that would indicate the minimum and maximum U.S. content;

(vi) Enter the Export Control Commodity Numbers (ECCN) for both the U.S. content and the foreign end product in Item 8(c), opposite the description of each. Leave Item 8(d) (dollar value) blank;

(vii) Include separately in Item 8(b) a description of any U.S. origin spare parts to be reexported with the foreign origin commodity, if they exceed the amount allowed by paragraph (c) of this section. Enter the ECCN for the spare parts in Item 8(c) and show the value of the spare parts in Item 8(d);

(viii) In Item 9, describe the activity of the end-user (new ultimate consignee) and the end-use of the foreign-made product. Indicate the final configuration if the product is intended to be incorporated in a larger system. If end-use is unknown, state "unknown" and describe the general activities of the end-user;

(ix) If the foreign origin end product is the direct product of U.S. origin

[1] In calculating the U.S. content value for these exemptions, do not include parts, components, or materials that could be exported from the United States to the new country of destination under General License *G–DEST*.

technical data that was exported subject to written assurance, a request for waiver of that assurance, if necessary, may be made in Item 10. If U.S. origin technical data will accompany a shipment to Country Groups Q, S, W, Y or Z, or the People's Republic of China, explain in Item 10 what type of data and how it will be used.

(3) *Multiple requests.* OEL will consider requests on Form ITA–699P for authorization to export to multiple consignees or multiple countries. Such requests will not be approved for Country Groups S or Z and may be approved only in limited circumstances for Country Groups Q, W, Y, and the People's Republic of China. To submit such a request, insert "various" in Item 5 of Form ITA–699P and list the countries or country groups where the commodities will be marketed in item 9 or 10.

(4) *Letter requests.* OEL recognizes the difficulty of obtaining U.S. forms abroad and will accept letter requests from foreign parties when Form ITA–699P cannot be obtained. If a letter request, rather than a Form ITA–699P, is submitted, the request should be clearly labeled on the envelope as a parts and components request and should be sent to:

Parts & Components, Office of Export Licensing, P.O. Box 273, Washington, DC 20044

The letter request should include the following information:

(i) The designation "Parts and Components Request" prominently displayed on the envelope and on the top of the first page;

(ii) A description of the product or products being manufactured abroad (with brochure if available);

(iii) Types of U.S. origin parts, components, or materials that will be incorporated into the foreign product;

(iv) Types of customers and end-uses that are typical for the product, and specific end use if known;

(v) Percentage (or range of percentage) of the product's value that constitutes U.S. origin parts, components, or materials; and

(vi) Destinations to which the products are intended to be exported, if this is a multiple request (country listing, geographic groupings, or Country Groups).

(5) *Supporting documentation.* The supporting documentation otherwise required for a license application need not be submitted with a Parts and Components request, except that Form ITA–6031P should be furnished when a computer system is being exported to Country Group Q, W, or Y, or the People's Republic of China.

(f) *Action on requests.* If the request is inadequate, or if the export may be made without written approval, OEL will notify the applicant. Contacts on problems can be facilitated by including applicable telephone, telex, and facsimile numbers on the request. OEL will review properly submitted requests and will validate the request or will notify the applicant of reasons for denial. While Parts and Components authorizations are generally valid for an indefinite period, OEL may impose a specific validity period.

(g) *Other requirements.* Whether or not authorization is required under this § 376.12, approval may be required for certain foreign made direct products of U.S. origin technical data (see § 379.8). When authorization is necessary under both § 376.12 and § 379.8, both requests may be made on the Parts and Components request. In addition, U.S. persons should be aware of controls administered by the Office of Foreign Assets Control, Department of the Treasury, which may limit certain transactions.

5. The fourth and fifth sentences of § 385.1(b)(2) are revised to read as follows:

§ 385.1 Country Group Z: North Korea, Vietnam, Cambodia, and Cuba.

* * * * *

(b) * * *

(2) * * * Requests for authorization for the use of U.S. origin parts, components, or materials amounting to more than 20% by value of a foreign made product to be exported to Cuba generally will not be approved. See § 376.12(e) for instructions on submission of requests for authorization.

Dated: March 17, 1987.

Vincent F. DeCain,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 87–6133 Filed 3–20–87; 8:45 am]

BILLING CODE 3510-DT-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 240 and 249

[Release No. 34–24206; File No. S7–27–86]

Temporary Rule and Form for Form 13F Reports

AGENCY: Securities and Exchange Commission.

ACTION: Adoption of rule and form.

SUMMARY: The Commission is adopting a temporary rule and form to facilitate the use of the Commission's Pilot electronic disclosure system, Edgar, by institutional investment managers filing reports on Form 13F.

EFFECTIVE DATE: July 1, 1987.

FOR FURTHER INFORMATION CONTACT: With respect to filings, Patsy W. Mengiste, Financial Analyst, Edgar Pilot Branch (202) 272–7715, or Anthony A. Vertuno, Senior Special Counsel, Edgar Project (202) 272–7710; with respect to the temporary rule and form, Gerald T. Lins, Attorney, Office of Chief Counsel, (202) 272–2030, Division of Investment Management, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549.

SUPPLEMENTARY INFORMATION: The Securities and Exchange Commission ("Commission") today is adopting a temporary rule and form to facilitate the voluntary participation of institutional investment managers ("Managers") in the Commission's Pilot electronic disclosure system ("Edgar"). To permit electronic filing through magnetic tape by Managers who are required by section 13(f)(1) [15 U.S.C. 78(f)(1)] of, and Rule 13f–1 [17 CFR 240.13f–1] under, the Securities Exchange Act of 1934 [15 U.S.C. 78a–78jj] ("Exchange Act") to file quarterly reports on Form 13F [17 CFR 249.325], the Commission is adopting temporary Rule 13f–2(T) [17 CFR 240.13f–2(T)] under the Exchange Act and temporary Form 13F–E [17 CFR 249.326(T)].

This release briefly describes the temporary rule and form and summarizes the main points raised by commenters. The background of, and reasons for, the temporary rule and form are discussed in more detail in the proposing release. See Securities Exchange Act Rel. No. 23694 (Oct. 8, 1986) [51 FR 37291].

Discussion

Form 13F reports are filed by institutional investment managers to report securities holdings of their managed accounts. These reports consist of large amounts of data, presented in tabular format, making them suitable for development of a uniform filing format through the Edgar Pilot. A uniform format would allow rapid automated processing of the filings and data and simplify the preparation of these reports by filers. Data included in the filings will be the minimum required to respond to the items of the form. Non-data items, such as data captions, page numbers, and column titles for each page, will be inserted automatically during Edgar processing of the filing.

A set of temporary rules and forms are in place to govern Edgar filings under the various federal securities laws. Rule 12b–37(b) [17 CFR 240.12b–37(b)] under the Exchange Act, by reference to Rule 499(b) [17 CFR 230.499(b)] under the Securities Act of 1933, defines several terms relevant to Edgar filings. Rule 13f–2(T) incorporates these definitions for purposes of electronic filing on Form 13F–E and suspends or replaces other requirements under the Exchange Act or its rules regarding certain procedural filing requirements. In addition, the rule sets forth various definitions and procedures to accommodate electronic filing under section 13(f)(1) and Rule 13f–1.

Electronic filing of Form 13F reports will be voluntary. However, reports filed under Rule 13f–2(T) will be filed on magnetic tape *exclusively*, not by direct transmission or diskette. As with other tape filings, a signature page will be filed on paper through the use of Form ET [17 CFR 274.401]. Form 13F–E includes instructions for filing, and a more complete explanation of the technical requirements is available in the Edgar User Manual for filers.[1]

If a Manager requests confidential treatment for certain securities holdings, they should not be included in the filing on Form 13F–E. Rather, those requests will continue to be handled by filing paper copies of the request and a hard copy report of the securities holdings for which confidential treatment is requested.

Although the effective date of the temporary rule and form is July 1, 1987, the Commission is making public at this time a supplement to the Edgar User Manual relating to the preparation and submission of filings on Form 13F–E. This is being done so that filers expecting to use the form may begin preparations. As with other parts of the User Manual, the instructions contained in this supplement may be amended from time to time by the Commission. Any amendments will be published and sent to Edgar filers.

Comments

The Commission received nine comment letters on the proposed rule and form. In general, the commenters supported the Commission's efforts to allow Managers to file Form 13F reports electronically. In addition, the commenters addressed the following points.

[1] Form 13F–E and the relevant portions of the Edgar User Manual are Appendices A and B respectively.

(1) Filing Form 13F Reports and Confidential Materials on Paper

Several commenters recommended that electronic filing of Form 13F reports be optional, not mandatory. In addition, one commenter suggested that if electronic filing of Form 13F reports were made mandatory, the filing should not be required as of the close of each calendar quarter, but as of a date during the last month of the quarter, which could be selected by the Manager.

Under the rule and form, as adopted, Managers will retain the option of filing their Form 13F reports on paper, at least for the duration of the Edgar Pilot, although it is the Commission's expectation, as stated in its Request for Proposals for the operational system, that electronic filing of Form 13F reports will eventually be mandatory. Commission action in this regard will reflect its experience with voluntary filing under this temporary rule and form. If mandatory electronic filing of Form 13F reports is proposed at a later date, filers will have the opportunity to comment.

No change is being made in the prescribed periods to be covered by the reports. Calendar quarterly reporting, adopted when the reporting requirements were first adopted,[2] provides a standard point of comparison for all reporting Managers. If mandatory electronic filing of Form 13F is proposed, filers will have an opportunity to comment on its impact on the choice of reporting periods.

Commenters also asked that confidential materials continue to be filed on paper. Under the rule and form, as proposed and adopted, confidential materials will continue to be filed on paper. Similarly, a signature page will continue to be filed on paper through the use of Form ET [17 CFR 272.401].

(2) Alternative Electronic Filing Formats

A number of commenters believed that, instead of accepting only magnetic tape filings of Form 13F reports, the Commission should also allow Managers to use diskette and direct transmission to file Form 13F reports electronically. These commenters endorsed the concept of permitting electronic filing, but believed that requiring electronic filings to be exclusively on magnetic tape would limit Managers' flexibility and might impose hardships on smaller Managers.

The Commission originally proposed using magnetic tape for filing on Form 13F–E in order to best allocate Edgar Pilot system resources. Because these reports consist of large numbers of similar data records, magnetic tape filings provide the most efficient means to standardize the filing format and facilitate the speedy transfer and manipulation of the reported data. For example, because these filings will contain only data records of specified types, certain steps of the receipt and acceptance processes needed for text filings can be eliminated for Form 13F–E filings on tape. Because of the current Pilot system configuration, similar streamlining of receipt and acceptance processes for direct transmission and diskette filings is not being addressed at this time. For these reasons, the Commission continues to believe that, at least initially during the Pilot, Form 13F.E reports should be submitted only on magnetic tape, and no change in this respect is being made from the rule and form as proposed. However, the Commission will evaluate the experience of electronic Form 13F filing in the Pilot, will further explore the possibility of electronic filing on diskette and by direct transmission, and may amend the rule in the future to permit other types of electronic submission.[3]

Because direct transmission for Form 13F filings will not be used, Rule 13f–2(T) omits paragraph (c)(1) of the proposed rule, pertaining to incorporation by reference with directly transmitted electronic filings.

(3) Filing Form 13F Reports Electronically With Other Regulatory Agencies

Commenters suggested that other regulatory agencies with whom Form 13F reports must be filed (*i.e.*, banking regulators) also develop a system to accept electronic filings of these reports. One commenter proposed, as an alternative, that the Commission and the banking regulators coordinate their reporting requirements to enable Managers to file one report for all regulatory agencies. The Commission's discussions with those agencies reveals that none has the capacity at present to receive and process electronic filings of these reports. The rule therefore permits electronic filing of Form 13F with those

[2] The Commission adopted quarterly reporting on Form 13F reports in 1979. *See* Securities Exchange Act Rel. No. 14561 (Jan. 5, 1979).

[3] Temporary rules adopted during the Pilot are intended to facilitate Pilot operations. Procedures implemented during the Pilot may be continued in the operational system; however, permanent rules governing procedures to be used in the operational system must be consistent with, among other things, the ultimate configuration of the operational system. Rulemaking procedures for these permanent rules will include opportunity for public comment. *See* Securities Act Rel. No. 6651 (June 26, 1986) [51 FR 24155].

agencies only if they have made provisions to receive electronic filings. However, the banking regulatory agencies have informed the Commission's staff that they will accept computer printouts of the electronic Form 13F reports filed with the Commission.[4] Thus, Managers required to file with banking regulators will not be subjected to an extra burden if they elect to file Form 13F electronically with the Commission.

(4) Modification of the Cover and Signature Page

Two commenters suggested that the textual material included on the cover and signature page of the filing be eliminated from the electronic form and filed only on paper. The form has been modified to simplify substantially cover and signature page information required in the electronic filing, while retaining in the filing all essential signature page data. Because the cover page contains representations as to the accuracy of the report and the authority of the person submitting the report to make the filing, the text of those representations has also been retained in the electronic filing.

(5) Technical Changes to the Form

One of the commenters recommended changes in some of the technical aspects of the form and the Commission is implementing several of these recommendations. For example, filers will be able to submit tape filings written in either the EBCDIC or ASCII character set, rather than exclusively in EBCDIC. Also, a number of changes in field sizes have been incorporated and a number of clarifying changes have been made in the text of the form and the Edgar User Manual Supplement.

List of Subjects in 17 CFR Parts 240 and 249

Reporting and recordkeeping requirements, Securities.

Text of Temporary Rule: Text of Temporary Form Amendments

In accordance with the foregoing, Title 17, Chapter II of the Code of Federal Regulations is amended as follows:

[4] Questions regarding filing Form 13F reports with banking regulators should be directed to the appropriate agency, as follows: Office of the Comptroller of the Currency, Investment Securities (202/447-1901); Federal Reserve System, Division of Banking Supervision and Regulation (202/452-2893); and Federal Deposit Insurance Corporation, Division of Bank Supervision (202/898-6762).

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for Part 240 is amended by adding the following citation:

Authority: Section 23, 48 Stat. 901 as amended, 15 U.S.C. 78W * * * § 240.13f-2[T] also issued under section 13(f)(1) [15 U.S.C. 78m(f)(1)].

2. By adding § 240.13f-2[T] to read as follows:

§ 240.13f-2[T] Edgar Filing of Form 13F Reports by Institutional Investment Managers.

(a) An institutional investment manager required by section 13(f)(1) [15 U.S.C. 78m(f)(1)] of and Rule 13f-1 [§ 240.13f-1 of this Chapter] under the Exchange Act to file a report on Form 13F [§ 249.325 of this Chapter] with the Commission may file that report on magnetic tape in the format described in Form 13F-E [§ 249.326[T] of this Chapter]. The cover page of such form, which includes the signature of the institutional investment manager, must be filed on paper.

(b) *Definitions.* Unless otherwise specifically provided, the terms used in this rule have the same meaning as in the Exchange Act and in the rules and regulations prescribed under the Exchange Act. In addition, the definitions of terms provided in Rule 12b-37(b) [17 CFR 240.12b-37(b)] under the Exchange Act of 1934 and Rule 499(b) [17 CFR 230.499(b)] under the Securities Act of 1933 shall define those terms wherever they appear in this rule or form, unless the context otherwise requires.

(c) *Suspended or substituted requirements; Number of copies required.* One copy of a document, or any portion thereof, which is filed in an electronic format, shall satisfy any requirement that more than one copy of such document or portion thereof must be filed with or provided to the Commission.

PART 249—FORMS PRESCRIBED UNDER THE SECURITIES EXCHANGE ACT OF 1934

3. The authority citation for Part 249 is amended by adding the following citation:

Authority: The Securities Exchange Act of 1934, 15 U.S.C. 78a *et seq.*, unless otherwise noted. Section 249.326[T] also issued under section 13(f)(1) [15 U.S.C. 78m(f)(1)].

4. By adding § 249.326[T] as follows:

§ 249.326(T) Form 13F–E, for filing of Form 13F reports on magnetic tape.

This form shall be used by institutional investment managers electing to file their Form 13F reports on magnetic tape.

By the Commission.

Dated: March 12, 1987.

Shirley E. Hollis,

Assistant Secretary.

Appendix A

Note.—The following appendix will not be published in the Code of Federal Regulations.

Exchange Act Forms

Form 13F–E

Information Required of Institutional Investment Managers Pursuant to Section 13(f) of the Securities Exchange Act of 1934 and Rules Thereunder

General Instructions

A. *Rules as to use of Form 13F–E.* Form 13F–E shall be used by institutional investment managers ("Managers") to file electronically the Security Holdings Reports required by section 13(f) of the Securities Exchange Act of 1934 [15 U.S.C. 78m(f)] and Rule 13f-1 [17 CFR 240.13f-1] thereunder.

B. *Rules To Prevent Duplicate Reporting.* If two or more Managers, each of which is required by Rule 13f-1 to file a Security Holdings Report for the reporting period, exercise investment discretion with respect to the same securities, only one Manager shall include information regarding such securities in its reports.

A Manager reporting holdings subject to shared investment discretion shall name the other Managers with respect to which the filing is made in the manner described in Special Instruction i.

A Manager exercising investment discretion over security holdings reported by another Manager or Managers shall identify the Manager or Managers reporting on its behalf in the following manner:

(1) If all of the securities with respect to which a Manager has investment discretion are reported by another Manager, the Manager shall make a filing on either Form 13F (paper) or on Form 13F–E (electronic) identifying the Manager or Managers reporting on its behalf.

(2) If only part of the securities with respect to which a Manager has investment discretion is reported by another Manager, the Manager shall file a Security Holdings Report with respect to securities not otherwise reported, and shall identify in its filing the Manager or Managers reporting on its behalf.

C. *Filing of Form 13F–E.* A Manager required to file a Security Holdings Report pursuant to Rule 13f–1 that elects to file its Report electronically shall file Form 13F–E with the Commission in accordance with the timing requirements set forth in Form 13F General Instruction C. As required by section 13(f)(4) of the Act [15 U.S.C. 78m(f)(4)] a Manager which is a bank and is required to file with other regulatory agencies, shall file a copy of the Security Holdings Report with the other regulatory agencies in any of the following manners:

i. on Form 13F (used by Managers filing on paper with the Commission);

ii. on Form 13F–E in computer printout format; or

iii. on Form 13F–E in electronic format if the regulatory agency with which the filing is being made has made provisions to receive filings in electronic format.

Reference is made to Form 13F General Instruction C for additional information on other regulatory agency filing requirements.

D. *Confidentiality.* All requests for and information subject to the request for confidential treatment filed pursuant to section 13(f)(3) of the Act [15 U.S.C. 78m(f)(3)], shall be filed on paper in accordance with General Instruction D of Form 13F.

E. *List of Section 13(f) Securities.* The list of section 13(f) securities can be obtained for a fee from the Securities and Exchange Commission. 450 Fifth Street, NW., Washington, DC 20549.

F. *Preparation of the Electronic Filing.* The data records for Form 13F–E have a uniform format with specific fields corresponding to the items of information required by the form. Accordingly, references to fields in the items discussed below refer to fields in these data records. Reference is made to the Edgar User Manual, Form 13F–E Special Electronic Filing Instructions, for formatting and submission requirements for this form, including identification of the field(s) associated with each item.

Special Instructions

i. If this form is used to report with respect to more than one Manager, the Managers other than the one filing this form shall be listed in alphabetical order and numbered consecutively with two-digit numbers, starting with 01.

ii. The Manager filing the report must report holdings of all classes of securities appearing in the most recently published list of Section 13(f) securities, except that holdings of fewer than 10,000 shares (or less than $200,000 principal amount in the case of convertible debt securities) and less than $200,000 aggregate fair market value (and options holdings to purchase only such amounts) need not be reported.

Holdings of options must be reported only if the options themselves are section 13(f) securities. For purposes of the $100,000,000 reporting threshold, only the value of the options should be considered, not the value of the underlying shares. However, the responses to Items 1–5 and 7–8 shall be given in terms of the securities underlying the options. Item 6 shall be answered in terms of the discretion to exercise the option. The designation "PUT" or "CALL" shall follow the response to Item 5. No response to Item 8 is required for securities subject to reported call options.

iii. In responding to Items 4–8, list securities of the same issuer and class with respect to which the Manager exercises sole investment discretion separately from those with respect to which investment discretion is shared. The instructions for Item 6 describe in detail how to report shared investment discretion.

iv. Instructions for each Item.

Item 1. *Name of Issuer.* Provide in the "NAME OF ISSUER" field the name of the issuer of each class of security reported as it appears in the current list of section 13(f) securities published by the Commission.

Item 2. *Title of Class.* Provide in the "TITLE OF CLASS" field the type of the security reported as it appears in the current list of section 13(f) securities published by the Commission.

Item 3. *CUSIP Number.* Provide the CUSIP number of the security, including the 6-digit issuer number, the 2-digit issue number suffix, and the 1-digit check digit, in the "CUSIP" field.

Item 4. *Market Value.* Provide the market value of the holding of a particular class of security. Use the value of the security on the last trading day of the calendar quarter to determine market value. Values must be expressed in the nearest thousands of dollars, with 000 omitted.

Item 5. *Amount and Type of Security.* Provide the total number of shares of a class of security or principal amount of such class in the "SHARES/PRN AMT" field, and designate "SH" for shares and "PRN" for principal amount in the "SH/PRN" field. If the securities are subject to a put or call option, designate "PUT" or "CALL", as appropriate, in the "PUT/CALL" field.

Item 6. *Investment Discretion.* Segregate the holdings of securities of a class according to the nature of the investment discretion held by the Manager. Investment discretion shall be designated in the "INVSTMT DSCRETN" field as "SOLE", "DEFINED", or "OTHER" as described below.

1. *Sole.* Shares over which sole investment discretion is exercised shall be designated "SOLE".

2. *Defined.* Segregate securities over which investment discretion is shared into the following categories according to the type of person with whom investment discretion is shared:

(1) Controlling and controlled companies (such as bank holding companies and their subsidiaries);

(2) Investment advisers and investment companies advised by the advisers; and

(3) Insurance companies and their separate accounts.

Each category shall be further divided into two subcategories: (i) those securities over which investment discretion is shared with another Manager on whose behalf this report is being filed, and (ii) those securities over which investment discretion is shared with any other person, other than a Manager on whose behalf this report is being filed.

Each segregation of a securities holding in accordance with this instruction shall be reported in a separate record. Designate "DEFINED" in the "INVSTMT DSCRETN" field for any entries made according to this instruction.

3. *Other.* For any class of securities over which investment discretion is shared in a manner other than that described in 2 above, segregate the class into two categories: (i) those securities over which investment discretion is shared with another Manager on whose behalf this report is being filed, and (ii) those securities over which investment

discretion is shared with any other person, other than a Manager on whose behalf this report is being filed. Each category for which information is being reported for a class of security shall be a separate record. Designate "OTHER" in the "INVSTMT DSCRETN" field for any entries made according to this instruction.

Item 7. *Other Managers.* The reporting Manager shall identify other Managers as to any reported holding with respect to which investment discretion is shared with other Managers on whose behalf the report is being filed. Those Managers shall be identified in the "MANAGERS" field by entering the two-digit number assigned to them in the list of other Managers. The conditions of sharing of discretion with other Managers must be consistent for all holdings reported in a single record.

Item 8. *Voting Authority.* The Manager shall report the number of shares for which the Manager exercises sole, shared, or no voting authority in the "SOLE VOTING AUTHORITY", "SHARED VOTING AUTHORITY" or "NO VOTING AUTHORITY" fields. A Manager exercising sole voting authority over specified "routine" matters and no authority to vote in "non-routine" issues, is deemed for this report to have no voting authority. "Non-routine" issues would include a contested election of directors, a merger, a sale of substantially all the assets, a change in the articles of incorporation affecting the rights of shareholders or a change in fundamental investment policy; while "routine" issues would include selection of an accountant, uncontested election of directors, or approval of an annual report. If voting authority is shared only in a manner similar to a sharing of investment discretion which would call for a "DEFINED" response under Item 6, report voting authority as "SOLE". The number of shares in each category should be placed in the appropriate field.

v. Summary Record. The final record in the filing shall be a summary record that includes:

(1) The number of data records included in the report;

(2) The total of the entries for Item 4 ("VALUE") for all data records in the report; and

(3) The number of other Managers on whose behalf the report is filed.

vi. Signature Page. A paper signature page, in the form shown below, must be manually signed and submitted under Form ET with the magnetic tape filing. The electronic filing shall include, at the beginning of the filing, the data and representations from the paper signature page and the conformed signature of the person signing the report.

[Sample Signature Page Accompanying Filing]

Securities and Exchange Commission
Washington, DC 20549

Information Required of Institutional Investment Managers Pursuant to Section 13(f) of the Securities Exchange Act of 1934 and Rules Thereunder

Name of Institutional Investment Manager

13F File Number

Business Address: (Street, City, State and Zip Code)

Report for the Calendar Year or Quarter Ended: _____

If amended report check here:_____

Attention—Intentional misstatements or omissions of facts are Federal Criminal Violations. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

I represent that I am authorized to submit this Form and that all information in this Form and the attachments to it is true, correct and complete, and I understand that all required items, statements and schedules are integral parts of this Form and that the submission of any amendment represents that all unamended items, statements and schedules remain true, correct and complete as previously submitted.

I am signing this report as required by the Securities Exchange Act of 1934.

Name, Title and Phone No. of Person Submitting this Report

Manual Signature of Person Submitting This Report

Place Signed (City and State)

Date Signed

Appendix B

Note.—The following appendix will not be published in the Code of Federal Regulations.

Supplement to Edgar User Manual

Form 13F–E Special Electronic Filing Instructions.

The following instructions relate solely to the requirements for preparation of electronic filings made on Form 13F–E. Reference is made to Form 13F–E for filing and content requirements of the form.

Prior to filing Form 13F–E a filer must obtain a CIK and Password by completing and submitting Form ID. See Appendix A–3 for a sample of Form ID. For additional instructions on preparing and making electronic filings on magnetic tape see Chapters II and V.

i. Tape Specifications

Tracks	9.
Density (bpi)	1600 or 6250.
Code (character set)	EBCDIC or *ASCII.
Label	IBM standard or no label.
Logical record size	132 bytes.
Blocking factor	10.
Numeric storage	Display.

* Filings made using the ASCII character set must indicate this fact by inserting "ASCII" in Item 1 of Part I of the Form ET that accompanies the filing.

ii. General Formatting Instructions

Because Form 13F–E electronic filings will be uniformly formatted, certain requirements for other Edgar filings are omitted; document headers, page headers, and the EOFEOFEOF record are omitted, and the usual multiple record submission header is replaced by a single submission header record at the beginning of the filing.

Upon receipt of a Form 13F–E filing, in the processing stage, the Edgar system will paginate the entire filing, provide certain data captions and insert column headings at the top of each page.

Required Records. Form 13F–E contains several types of fixed field records. The filing must include the following records, arranged in the order in which they are listed:

Submission header (one record);
Form type and period record (one record);
Reporting Manager's records (eleven records):
- Identification record (one record);
- Address record (one record);
- Textual representations (seven records);
- Name, title, and telephone number record (one record);
- Conformed signature record (one record)
- Managers filing on behalf of Reporting Manager (one record for each Manager; omitted if no other Managers are reporting securities on behalf of the Reporting Manager);
- Other Manager's records (one record for each other Manager whose holdings are being reported in this filing; omitted if no other Manager's holdings are being reported);
- Security holding data records (one record for each holding reported); and
- Report Summary (one record).

All filers must adhere to the format specified in part iii, below, for these mandatory records.

Optional Records. The filer may at its option, include optional textual records such as column headings, data captions, or blank lines, in the file to assist persons reading a printout of the file. These optional textual records, indicated by a blank in the first column, will *not* be considered part of the filing and will not be included in the filing on the Edgar system, although the Edgar system may add standardized records of this type when formatting the filing for storage and display on the system. (For example, the system will add column headings at the top of each page.) Format specifications for column headings are provided in part iii, below. Filers are encouraged to include a set of column heading records immediately preceding the first data record, especially when it is expected that a printout of the file will be made available to others, as in the case of submitting a file printout to another regulatory agency to satisfy a filing requirement.

iii. Specific Formatting Instructions for Individual Records

The record formats set forth below specify the fields required, their size and location within the record, and the data types to be entered in the fields.

If a response for a numeric field requires more space than allotted, the data shall be divided into two or more records.

Where a response for an alpha field requires more characters than allotted,

appropriate abbreviations should be used. Text shown in quotes must be submitted as it appears, without the quotation marks.

When entering data into:

Numeric value fields (designated as "N"), data must be right-justified with leading zeros suppressed (replaced with blanks) and the data must be unpunctuated. If a numeric field requires a zero response, it may be left blank.

Alpha fields (designated as "A"), leading blanks are not permitted.

The first column of each record shall contain one of the following record type indicators:

Indicator	Type of record
H	Submission header.
F	Form type and period record.
R	Reporting Manager's identification record.
A	Reporting Manager's address record.
T	Required text.
N	Name, title, and telephone number of the person submitting the report.
C	Conformed signature of person signing report, date and place signed.
K*	Manager filing on behalf of Reporting Manager (name and 13F File Number).
M**	Other Manager's record (name and 13F file number of each other Manager on whose behalf this report is filed).
[blank]	Optional textual records, such as column headings.
D	Security holdings (data) record.
S	Report summary.

* When securities with respect to which the Reporting Manager exercises investment discretion have been reported by one or more Managers on another Security Holdings Report, list the names of the Manager or Managers in alphabetical order. A separate type "K" record must be included for each Manager.

** When filing the Security Holdings Report on behalf of other Managers, list the names of the other Managers in alphabetical order and number them consecutively starting with "01" through "99". Insert "0" before the numerals 1 through 9. A separate type "M" Other Manager's record must be included for each Other Manager.

Submission Header Record

The first record in the filing must be the submission header record in the following format:

Field	Column	Characters	Description
1	1	1	"H" (A).
2	2	1	Blank.
3	3-8	6	Filer's CIK (A).
4	9	1	Blank.
5	10-15	6	Filer's Password (A).
6	16	1	Blank.
7	17-23	7	Form Type ("13F-E" or "13F-E/A" if amendment) (A).
8	24	1	Blank.
9	25-32	8	Ending date of period covered by report (MM/DD/YY) (A).
10	33	1	Blank.
11	34-63	30	Name of Filer (A).
12	64	1	Blank.
13	65-84	20	Filer's contact person for filing (A).
14	85	1	Blank.
15	86-98	13	Telephone number of contact person (A).
16	99-132	34	Blank.

The telephone number should include the area code and should be provided in (xxx)xxx-xxxx format.

The information provided in the submission header record is not part of the 13F Report. Therefore, information contained in this record must be provided in other records where required (*e.g.*, report period and name of filer).

Form Type and Period Record

Field	Column	Characters	Description
1	1	1	"F" (A).
2	2	1	Blank.
3	3-7	5	Form type "13F-E" (A).
4	8-24	17	Blank.
5	25-32	8	Date (MM/DD/YY) (A).
6	33-39	7	Blank.
7	40-48	9	Insert "AMENDMENT" if filing is an amendment, otherwise leave blank (A).
8	49-132	84	Blank.

Reporting Manager's Records

(1) Reporting Manager's Identification Record

Field	Column	Characters	Description
1	1	1	"R" (A).
2	2	1	Blank.
3	3-52	50	Name of Reporting Manager (A).
4	53-54	2	Blank.
5	55-61	7	Reporting Manager's 13F file number (including hyphen) (A).
6	62-132	71	Blank.

If the Reporting Manager is a new filer, the corresponding field for the 13F file number should be left blank.

(2) Address Record

The Reporting Manager's identification record is to be followed by the Address record. This record must contain the street, city, state, and zip code. The state must be abbreviated using the two character designation used by the U.S. Postal Service. At the option of the filer, the zip code may include the nine digit code referred to by the U.S. Postal Service as "ZIP+4". If the nine digit code is used, the filer must include a hyphen as a separator in the zip code field.

Field	Column	Characters	Description
1	1	1	"A" (A).
2	2	1	Blank.
3	3-32	30	Street (A).
4	33	1	Blank.
5	34-53	20	City (A).
6	54	1	Blank.
7	55-56	2	State (A).
8	57-59	3	Blank.
9	60-69	10	Zip Code (A).
10	70-132	63	Blank.

(3) Required Textual Records

The Reporting Manager's Address record is to be followed by seven text records containing the following text included in the file as shown below. Filers may use all upper case characters.

T I represent that I am authorized to submit this Form and that all information
T in this Form and the attachments to it is true, correct and complete, and I
T understand that all required items, statements and schedules are integral
T parts of this Form and that the submission of any amendment represents that
T all unamended items, statements and schedules remain true, correct and
T complete as previously submitted.
T I am signing this report as required by the Securities Exchange Act of 1934.

Field	Column	Characters	Description
1	1	1	"T" (A).
2	2	1	Blank.
3	3-80	78	Text (A).
4	81-132	52	Blank.

(4) Name, Title and Telephone Number Record

The Textual records are to be followed by the Name, title and telephone number record, giving information about the person

submitting the report. The telephone number should include the area code and should be provided in (xxx)xxx-xxxx format.

Field	Column	Characters	Description
1	1	1	"N" (A).
2	2	1	Blank.
3	3-32	30	Name (A).
4	33	1	Blank.
5	34-58	25	Title (A).
6	59-60	2	Blank.
7	61-73	13	Telephone number including area code (A).
8	74-132	59	Blank.

(5) Conformed Signature Record

The Name, title and telephone number record is to be followed by the Conformed signature record, containing the conformed signature of the person signing the report and the place and date of signing.

Field	Column	Characters	Description
1	1	1	"C" (A).
2	2	1	Blank.
3	3-32	30	Conformed signature (A).
4	33	1	Blank.
5	34-53	20	City where report was signed (A).
6	54	1	Blank.
7	55-56	2	State where report was signed (A).
8	57-60	4	Blank.
9	61-68	8	Date report was signed (A).
10	69-132	64	Blank.

Managers filing on behalf of Reporting Manager

Field	Column	Characters	Description
1	1	1	"K" (A).
2	2	1	Blank.
3	3-52	50	Name of Manager (A).
4	53-54	2	Blank.
5	55-61	7	Manager's 13F file number (including hyphen) (A).
6	62-132	71	Blank.

Repeat this record for each Manager other than the Reporting Manager filing on behalf of the Reporting Manager. Where no Manager other than the Reporting Manager is reporting securities holdings over which the Reporting Manager exercises investment discretion, this record shall be omitted.

Other Managers' Records

Field	Column	Characters	Description
1	1	1	"M" (A).
2	2	1	Blank.
3	3-4	2	Two digit numerical code assigned to other Manager (A).
4	5	1	Blank.
5	6-53	48	Name of Other Manager (A).
6	54	1	Blank.
7	55-61	7	Other Manager's 13F Number (including hyphen) (A).
8	62-132	71	Blank.

Repeat this record for each other Manager. Where the filing is made only on behalf of the Reporting Manager, the Other Managers' record shall be omitted.

Column Heading Records (optional):

Record 1

Field	Column	Characters	Description
1	1-61	61	Blank.
2	62-66	5	"Value" (A).
3	67-70	4	Blank.
4	71-77	7	"SHARES/" (A).
5	78-	1	Blank.
6	79-81	3	"SH/" (A).
7	82	1	Blank.
8	83-86	4	"PUT/" (A).
9	87	1	Blank.
10	88-94	7	"INVSTMT" (A).
11	95-106	12	Blank.
12	107-132	26	"-----VOTING AUTHORITY-----" (A).

Record 2

Field	Column	Characters	Description
1	1-2	2	Blank.
2	3-16	14	"NAME OF ISSUER" (A).
3	17-33	17	Blank.
4	34-49	16	"-TITLE OF CLASS-" (A).
5	50	1	Blank.
6	51-59	9	"--CUSIP--" (A).
7	60	1	Blank.
8	61-68	8	"(x$1000)" (A).
9	69-70	2	Blank.
10	71-77	7	"PRN AMT" (A).
11	78	1	Blank.
12	79-81	3	"PRN" (A).
13	82	1	Blank.
14	83-86	4	"C ALL" (A).
15	87	1	Blank.
16	88-94	7	"DSCRETN" (A).
17	95	1	Blank.
18	96-105	10	"-MANAGERS-" (A).
19	106-110	5	Blank.
20	111-114	4	"SOLE" (A).
21	115-117	3	Blank.
22	118-123	6	"SHARED" (A).
23	124-128	5	Blank.
24	129-132	4	"NONE" (A).

Security Holdings (Data) Records

Field	Column	Characters	Description
1	1	1	"D" (A).
2	2	1	Blank.
3	3-32	30	Item 1: Name of Issuer (A).
4	33	1	Blank.
5	34.49	16	Item 2: Title of Class (Type) (A).
6	50	1	Blank.
7	51-59	9	Item 3: CUSIP number (issuer, issue and check digit 975862090) (A).
8	60	1	Blank.
9	61-68	8	Item 4: Fair market value expressed in the nearest thousands of dollars (000 omitted) (N).
10	69	1	Blank.
11	70-77	8	Item 5(a): Indicate the number of Shares or Principal amount of holdings (N).
12	78	1	Blank.
13	79-81	3	Item 5(b): Indicate Shares by inserting "SH" or Principal amount by inserting "PRN" (A).
14	82	1	Blank.
15	83-86	4	Item 5(c): Indicate "CALL" or "PUT", if applicable, otherwise leave blank (A).
16	87	1	Blank.
17	88-94	7	Item 6: Investment Discretion: Indicate "SOLE", "DEFINED", or "OTHER" (A).
18	95	1	Blank.
19	96-105	10	Item 7: Managers (up to 5 Managers) (A).
20	106	1	Blank.

Field	Column	Characters	Description
21	107–114	8	Item 8(a): Number of Shares over which the Manager exercises Sole Voting Authority (N).
22	115	1	Blank.
23	116–123	8	Item 8(b): Number of Shares over which the Manager exercises Shared Voting Authority (N).
24	124	1	Blank.
25	125–132	8	Item 8(c): Number of Shares over which the Manager exercises no voting Authority (N).

Where possible, the information in Field 3 ("NAME OF ISSUER") and Field 5 ("TITLE OF CLASS") should correspond to that supplied in the Commission's Official List of section 13(f) Securities.

The information in Field 19 ("MANAGERS") will consist of the two-digit code assigned to the other Managers. If more than one Manager's code is included in a response to this item, DO NOT insert spaces or punctuation between codes.

Repeat Security Holdings (Data) records as necessary.

Summary Record

Field	Column	Characters	Description
1	1	1	"S" (A).
2	2	1	Blank.
3	3–16	14	"REPORT SUMMARY" (A).
4	17–29	13	Blank.
5	30–35	6	Number of Data records included in the report (N).
6	36	1	Blank.
7	37–48	12	"DATA RECORDS" (A).
8	49–58	10	Blank.
9	59–68	10	Total market value for all holdings included in the report (total of entries for Item 4) expressed in the nearest thousands of dollars (000 omitted) (N).
10	69–79	11	Blank.
11	80–81	2	Number of other Managers on whose behalf the report is filed (N).
12	82	1	Blank.
13	83–128	46	"OTHER MANAGERS ON WHOSE BEHALF REPORT IS FILED" (A).
14	129–132	4	Blank.

iv. Signature Page

A paper signature page, as prescribed in Form 13F–E, must be manually signed and submitted under Form ET with the magnetic tape filing. See Appendix A–1 for a sample of Form ET.

v. Form 13F–E Sample Filing

A sample of a file prepared on tape in accordance with these directions appears on the following page.

Note.—Column numbers are included only for illustration in the sample, and should not be included in the filing.

BILLING CODE 8010–01–M

[Form 13F-E Sample Filing]

```
         1         2         3         4         5         6         7         8         9         0         1         2         3
1234567890123456789012345678901234567890123456789012345678901234567890123456789012345678901234567890123456789012345678901234567890123456789012
H 253964 133455 13F-E   12/31/86 XYZ MANAGEMENT & RESEARCH CORP JOHN DOE            (202)272-1122
F 13F-E                 12/31/86       AMENDMENT
R XYZ MANAGEMENT & RESEARCH CORPORATION              28-123
A 1700 Maryland Ave. N.W.        Arlington           VA   20594-1234
T I represent that I am authorized to submit this Form and that all information
T in this Form and the attachments to it is true, correct and complete, and I
T understand that all required items, statements and schedules are integral
T parts of this Form and that the submission of any amendment represents that
T all unamended items, statements and schedules remain true, correct and
T complete as previously submitted.
T I am signing this report as required by the Securities Exchange Act of 1934.
N John Levin III                 Vice President--Legal      (202)272-1234
C John Levin III                 Arlington           VA   02/14/87
K ABC MANAGEMENT COMPANY                             28-135
M 01 APPLE MANAGEMENT & RESEARCH CORP                28-134
M 02 AUGUST INVESTMENT SERVICES
M 03 EDWARDS MANAGEMENT SERVICES                     28-456
M 04 FRANKLIN MANAGEMENT CORP
M 05 GOODWIN MANAGEMENT & RESEARCH CORP              28-167
                                                     VALUE    SHARES/ SH/ PUT/ INVSTMT              -----VOTING AUTHORITY-----
  NAME OF ISSUER              -TITLE OF CLASS-  --CUSIP-- (x$1000) PRN AMT PRN CALL DSCRETN -MANAGERS-    SOLE    SHARED      NONE
D AFG                         SUB DEB CV 8.4%  001054AB1     3054  3116000 PRN      DEFINED 0102                          316000
D AFG                         DEB CONV 8.375%  001054AB1      809   826000 PRN      DEFINED 03                            826000
D AIR FLA SYS INC             COM              000911410      138    69000 SH       DEFINED 01       69000
D AIR FLA SYS INC             COM              000911410       50    25000 SH       SOLE             25000
D ALUMINUM CO OF AMERICA      COM              022249106      983    29800 SH       DEFINED 0105                          29800
D COMDATA NETWORK INC.        COM              200324101      139    12500 SH       DEFINED 0104                          12500
D COMDATA NETWORK INC.        COM              200324101      445    40000 SH       DEFINED 03       40000
D COMERICA CORP               PFD-ADJ          200340107     3583    65000 SH       DEFINED 01                            65000
D COMERICA CORP               PFD-ADJ          200340107     2205    40000 SH       DEFINED 0102                          40000
D COMPUTER SCIENCES CORP      COM              205363104      998     4000 SH       DEFINED 05       4000
D GENERAL MOTORS              COM              370442105      718    10713 SH       DEFINED 0103     10713
D GENERAL MOTORS              COM              370442105    34478   514600 SH       DEFINED                    514600
D NUMERICA FINCL CORP         COM-RIGHTS       007547102        5      100 SH       DEFINED 03                              100
D RELIANCE GROUP              PFD-CV SER A $15 007903107      311     3000 SH       DEFINED 03                             3000
D WESTERN AIR                 PFD-CV SER A $2  975862090      294    14000 SH       DEFINED 0105                          14000
D WESTERN AIR                 PFD-CV SER A $2  975862090      195     9300 SH       SOLE                                   9300
S REPORT SUMMARY              16 DATA RECORDS               48405          5 OTHER MANAGERS ON WHOSE BEHALF REPORT IS FILED

1234567890123456789012345678901234567890123456789012345678901234567890123456789012345678901234567890123456789012345678901234567890123456789012
         1         2         3         4         5         6         7         8         9         0         1         2         3
```

[FR Doc. 87-6119 Filed 3-20-87; 8:45 am]
BILLING CODE 8010-01-C

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Parts, 292 and 389

[Docket No. RM87-8-000]

Hydroelectric Applicants Seeking Benefits Under Section 210 of the Public Utility Regulatory Policies Act of 1978 for Projects Located at a New Dam or Diversion

Issued March 19, 1987.

AGENCY: Federal Energy Regulatory Commission.

ACTION: Interim Rule; Confirmation of effective date and OMB control number.

SUMMARY: On February 13, 1987, the Federal Energy Regulatory Commission issued an interim rule in Docket No. RM87-8-000, 52 Fed. Reg. 5276 (Feb. 20, 1987) amending its regulations governing hydroelectric applicants seeking benefits under Section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA). This notice states the OMB control number for § 292.209 promulgated in this docket and confirms the effective date of the interim rule.

EFFECTIVE DATE: March 23, 1987.

FOR FURTHER INFORMATION CONTACT: Robert C. Fallon, Rulemaking and Legislative Analysis Division, Office of the General Counsel, Federal Energy Regulatory Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, (202) 357-8540.

SUPPLEMENTARY INFORMATION: The Paperwork Reduction Act, 44 U.S.C. 3501-3520 (1982) and the Office of Management and Budget's (OMB) Regulations, 5 CFR Part 1320 (1986) require that OMB approve certain information collection requirements imposed by agency rule. On March 18, 1987, OMB approved the information collection requirements of §292.209 and issued Control Numbers 19020058 and 19020115 for that section. Therefore, the final rule in Docket No. RM87-8-000 will become effective on March 23, 1987.

Accordingly, Part 389, Chapter 1, Title 18, *Code of Federal Regulations* is amended as set forth below.

1. The authority citation for Part 389 continues to read as follows:

Authority: Paperwork Reduction Action of 1980, 44 U.S.C. 3501-3520 (1982).

§ 389.101 [Amended]

2. The table of OMB Control Numbers in § 389.101(b) is amended by inserting "292.209" in numerical order in the Section column, and "0058, 0115" in the corresponding position in the OMB Control Number column.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-6343 Filed 3-20-87; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

24 CFR Parts 243, 511, 842 and 942

[Docket No. R-87-1152; FR-1936]

Pet Ownership in Assisted Housing for Elderly or Handicapped; Correction

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule; correction.

SUMMARY: This document corrects a final rule that appeared in the **Federal Register** on Monday, December 1, 1986 (51 FR 43270). It corrects typographical errors in the preamble and the rule text.

FOR FURTHER INFORMATION CONTACT: Grady J. Norris, Assistant General Counsel for Regulations, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410. Telephone (202) 755-7055. (This is not a toll-free number.)

Accordingly, the Department is correcting FR Document 86-25747, published December 1, 1986 (51 FR 43270) as follows:

1. On page 43281, second column, first paragraph, line 19, the reference to "942(b)(2)" is corrected to read "942.20(b)(2)."

2. On page 43281, third column, fourth paragraph, line 2, "homes" is corrected to read "home".

PART 842—[CORRECTED]

3. On page 43302, first column, the title "Part 842—Pet Ownership in Housing for the Elderly and Handicapped" is corrected to read "Part 842—Pet Ownership in Housing for the Elderly or Handicapped."

PART 942—[CORRECTED]

4. On page 43302, second column, the title, "Part 942—Pet Ownership in Public Housing for the Elderly and Handicapped" is corrected to read "Part 942—Pet Ownership in Public Housing for the Elderly or Handicapped."

§942.20 [Corrected]

5. In § 942.20(b)(2)(ii), on page 43303, third column, first full paragraph, second line, "group home for the handicapped" is corrected to read "group home".

Dated: March 18, 1987.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 87-6216 Filed 3-20-87; 8:45 am]

BILLING CODE 4210-32-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8104]

Capital Gains Tax and Passive Income Tax With Respect to Certain S Corporations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Corrections to final regulations.

SUMMARY: This document contains corrections to final regulations that were published in the **Federal Register** for Friday, September 26, 1986 (51 FR 34200) as Treasury Decision 8104. The rules relate to a tax imposed on capital gains of certain S corporations and a tax imposed on the excess net passive income of certain S corporations that have accumulated earnings and profits from Subchapter C years.

FOR FURTHER INFORMATION CONTACT: John G. Schmalz, 202-566-3297 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections conform the existing regulations to section 2 of the Subchapter S Revision Act of 1982 (as amended by section 305(d)(3) of the Technical Corrections Act of 1982 and sections 102(d)(1), 474(r) and 721 (u) and (v) of the Tax Reform Act of 1984).

Need For Corrections

As published, Treasury Decision 8104 contains some typographical errors. This document corrects those errors. In addition, intended text was inadvertently omitted in two locations. The missing text is supplied.

Corrections of Publication

Accordingly, the publication of Treasury Decision 8104, which was the subject of FR. Doc. 86-21723, is corrected as follows:

Paragraph 1. On page 34201, first column, the heading that reads "§§ 1.1361-1 through 1.1361-16 [Removed]" is corrected to read

"§§ 1.1361–1 through 1.1378–3 [Removed]".

Par. 2. In the instructional paragraph that is designated Par. 2., page 34201, first column, the language "1.1361–16" is corrected to read "1.1378–3".

§ 1.1361–0A [Corrected]

Par. 3. In § 1.1361–0A, paragraph (b), page 34201, first column, the language ", as contained in 26 CFR Part 1 as revised on April 1, 1986, shall continue to" is added immediately following the language "1.1378–3" and before "apply".

§ 1.1374–1A [Corrected]

Par. 4. In § 1.1374–1A, paragraph (d)(1), page 34202, second column, in the sentence that follows subparagraphs (i) and (ii), the language "this paragraph (d) and instructions to Form 1120S" is corrected to read "this paragraph (d) and the instructions to Form 1120S".

§ 1.1375–1A [Corrected]

Par. 5. In § 1.1375–1A, paragraph (d)(2), page 34203, third column, the line that reads "to the district director request and shall" is corrected to read "to the district director and shall".

Par 6. On page 34204, first column, the *Examples* paragraph is designated paragraph "(f)" and the missing text of *Example (2)* is added immediately following *Example (1),* to read as follows:

Example (2). Assume an S corporation with subchapter C earnings and profits has tax-exempt income of $400, its only passive income, gross receipts of $1,000 and taxable income of $250 and there are no expenses associated with the tax-exempt income. The corporation's excess net income for the taxable year would total $150 [400 × ((400 − 250/400)). This amount is subject to the tax imposed by section 1375, notwithstanding that such amount is otherwise tax-exempt income.

Donald E. Osteen,

Director, Legislation and Regulations Division.

[FR Doc. 87–6229 Filed 3–20–87; 8:45 am]

BILLING CODE 4830–01–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

Oregon State Plan; Approval of Supplements to the Oregon State Plan; Notice of Amendment to the Level of Federal Enforcement; Corrections

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Approval of Supplements to the Oregon State Plan; Notice of Amendment to the Level of Federal Enforcement; Corrections.

SUMMARY: In FR Doc. 86–16995 published July 29, 1986 [51 FR 27023] OSHA approved supplements to the Oregon State plan and announced an amendment to the level of Federal enforcement within the State. The document revised existing § 1952.107, and added a new section titled "Changes to approved plans," incorrectly designated as § 1952.110. Subpart E of 29 CFR Part 1952, relating to the Utah State plan, already includes a § 1952.110. This notice, which will not affect the text of the revised § 1952.107, nor the text of the erroneously numbered "Changes to approved plans", will correct the error by redesignating under Subpart D, § 1952.105, 1952.106, 1952.107, 1952.108 and 1952.109 as § 1952.100, 1952.101, 1952.102, 1952.103, and 1952.104. The new section "Changes to approved plans", previously misdesignated as § 1952.110, in the July 29, 1986 notice, is redesignated as § 1952.105.

EFFECTIVE DATE: March 23, 1987.

FOR FURTHER INFORMATION CONTACT: James Foster, Director, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3637, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone (202) 523–8148.

SUPPLEMENTARY INFORMATION:

PART 1952—[AMENDED]

Accordingly 29 CFR Part 1952 is hereby amended as follows:

1. The authority citation for Part 1952 continues to read as follows:

Authority: Secs. 8, 18, Occupational Safety and Health Act of 1970 (29 U.S.C. 657, 667); Secretary of Labor's Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059) or 9–83 (48 FR 35736), as applicable.

§§ 1952.105 through 1952.109 [Redesignated as §§ 1952.100 through 1952.104]

2. Sections 1952.105, 1952.106, 1952.107, 1952.108, and 1952.109 are redesignated as § 1952.100, 1952.101, 1952.102, 1952.103, and 1952.104.

§1952.105 [Correctly designated]

3. The section entitled *Changes to approved plans,* published at 51 FR 27025, July 29, 1986, is correctly added and designated as § 1952.105.

Signed at Washington, DC this 16th day of March, 1987.

John A. Pendergrass,

Assistant Secretary of Labor.

[FR Doc. 87–6102 Filed 3–20–87; 8:45 am]

BILLING CODE 4510–26–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD3 87–04]

Temporary Regatta Regulation; National Sweepstakes Regatta, Redbank, NJ

AGENCY: Coast Guard, DOT.

ACTION: Temporary regulation with request for comments.

SUMMARY: The Coast Guard is temporarily changing the effective dates for the regulation governing the annual National Sweepstakes Regatta. Until last year this powerboat race was normally held on the third weekend in August. This year, as in 1986, it has been scheduled for the second weekend in July (July 11 and 12). These dates have been selected by the sponsor in order to coordinate this event with the schedule of the American Power Boat Association which sanctions this and other races across the country.

DATES: This temporary regulation becomes effective on July 11, 1987 and terminates on July 12, 1987. Comments on this regulation must be received on or before May 7, 1987.

ADDRESSES: Comments should be mailed to Commander (b), Third Coast Guard District, Governors Island, New York, NY 10004–5098. The comments will be available for inspection and copying at the Boating Safety Office, Building 110, Governors Island, New York, NY. Normal office hours are between 8:00 a.m. and 4:30 p.m., Monday through Friday, except holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Mr. Lucas A. Dlhopolsky (212) 668–7974.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for this regulation. Following normal rulemaking procedures is unnecessary. The permanent regulation for this regatta (33 CFR 100.307) provides notice that the dates may be changed by publication in the **Federal Register.** In addition, the change of dates should have little or no economic impact

and no adverse comments are anticipated. This race was conducted during this same weekend last year (1986) with no adverse impact reported. Although this regulation is published as a final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure that the regulation is both reasonable and workable. Accordingly, persons wishing to comment may do so by submitting written comments to the office listed under "ADDRESSES" in this preamble. Commenters should include their names addresses, identify this docket number (CGD3 87–04) for this regulation, and give reasons for their comments. Based upon comments received, the regulation may be changed.

Drafting information: The drafters of this notice are Mr. Lucas A. Dlhopolsky, Project Officer, Boating Safety Office, and Ms. MaryAnn Arisman, Project Attorney, Third Coast Guard District Legal Office.

Discussion of regulation: The National Sweepstakes Regatta is a powerboat race event which is held annually on the Navesink River near Redbank, NJ. The event is sponsored by the National Sweepstakes Regatta Association of Redbank, NJ. Since this two day event is traditionally held each year in the same location, involving the same kind of racing vessels, a permanent amendment to Part 100 of Title 33, Code of Federal Regulations, § 100.307, was promulgated in 1985. As stated in that section, the effective period for this event year was to be the third weekend (Saturday and Sunday) in August unless otherwise specified in the Third District Local Notice to Mariners and in a **Federal Register** Notice. Announcements in these publications would provide the public with full and adequate notice of the dates and times of this annual powerboat race. The race is sanctioned by the American Powerboat Association and is well known to the boaters and residents of the area. The 1987 running of this event will be on July 11 and 12 instead of the third weekend in August in order to select those qualified to participate in the national competition which will be held later in the season. In all other respects, this event will be the same as it has been in past years. The oval race course will be approximately 1.25 miles in length. Races will be held on both days on a section of the Navesink River just east of the N.J. Route 35 Bridge. Race heats will be run both days from approximately 10:00 a.m. to 6:00 p.m. with up to 100 hydroplane powerboats participating each day. The sponsor will place several temporary buoys on the river to mark both the race course and spectator areas. There will be two race committee boats anchored within the oval course, one on each end with turn judges and press onboard. The U.S. Coast Guard will assist the sponsor and local authorities in providing a safety patrol during this event. In order to provide for the safety of life and property, the Coast Guard will restrict vessel movement and establish spectator areas prior to and during the races. Vessels desiring to transit the area will be given the opportunity to do so several times during each day in between race heats as directed by the Coast Guard Patrol Commander.

List of Subjects in 33 CFR Part 100

Marine Safety, Navigation (water).

Temporary Regulation:

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations is amended as follows:

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Section 100.307(b) is revised to read as follows for the period July 11 through July 12, 1987. Because this is a temporary rule, this revision will not appear in the Code of Federal Regulations: § 100.307 *National Sweepstakes Regatta, Redbank, NJ.*

* * * * *

(b) *Effective period:* This regulation will be effective from 8:00 a.m. to 6:00 p.m. on both July 11 and 12, 1987.

* * * * *

Dated: March 13, 1987.

G.D. Passmore Jr.,

Rear Admiral, U.S. Coast Guard, Commander, Third Coast Guard District.

[FR Doc. 87–6215 Filed 3–20–87; 8:45 am]

BILLING CODE 4910–14–M

---

33 CFR Part 117

[CGD7–87–1]

Drawbridge Operation Regulations; Outer Clam Bay, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of Collier County, Florida, the Coast Guard is changing the regulations governing the Clam Bay Boardwalk, Outer Clam Bay, mile 0.3, at Clam Pass Park by requiring that requests for bridge openings be made in advance during certain periods. This change is being made because it will relieve the bridgeowner of the burden of having a person constantly available to open the draw yet still provide for the reasonable needs of navigation.

EFFECTIVE DATE: This regulation becomes effective on April 22, 1987.

FOR FURTHER INFORMATION CONTACT: Mrs. Zonia C. Reyes, (305) 536–4103.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a Notice of Proposed Rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days from the date of publication. The boardwalk is scheduled to be opened to pedestrian traffic in the near future. Following normal rulemaking procedures would not be practical because it would put an unreasonable burden on the bridgeowner to provide a full time bridge tender on this little-used waterway during the rule making process.

Drafting Information

The drafters of these regulations are Mrs. Zonia C. Reyes, project officer, and Lieutenant Commander S.T. Fuger, Jr., project attorney.

Discussion of Regulations

The Clam Bay Boardwalk is a pedestrian structure that allows access to Clam Pass Park near North Naples, Florida. The boardwalk includes a small, manually-operated drawspan over Outer Clam Bay. A Coast Guard public notice describing the project was distributed in October, 1985, during processing of Collier County's bridge permit application. The notice stated that the county proposed to open the draw on signal from 9 a.m. to 5 p.m., daily, if a least one-hour advance notice was given. At all other times, the draw span would be placed in the open position. No objections to this proposed method of operation were received.

There is very little navigation on the waterway at the bridge site and the advance-notice requirement would provide for the reasonable needs of existing and prospective navigation.

Economic Assessment and Certification

These regulations are considered to be non-major under Executive Order 12291 on Federal Regulation and nonsignificant under the Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact of these regulations is expected to be so minimal that a full regulatory evaluation is unnecessary. We conclude this because there is no known commercial use of the waterway. Since the economic impact of

these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, is amended as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for Part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46 and 33 CFR 1.05–1(g).

2. Part 117 amended by adding a new § 117.321 to read as follows:

§ 117.321 Outer Clam Bay.

The draw of the Clam Bay Boardwalk shall open on signal between 9 a.m. and 5 p.m., if at least one-hour advance notice is given. Between 5 p.m. and 9 a.m., the draw will be left in the open position.

Dated: March 11, 1987.

M.J. O'Brien,

Captain, U.S. Coast Guard; Acting Commander, Seventh Coast Guard District.

[FR Doc. 87–6214 Filed 3–20–87; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[A–4–FRL–3172–9]

Standards of Performance for New Stationary Sources; Delegation of Additional Standards to North Carolina

AGENCY: Environmental Protection Agency.

ACTION: Delegation of Authority.

SUMMARY: On February 25, 1986, and October 14, 1986, the North Carolina Division of Environmental Management requested that EPA delegated to the State the authority to implement and enforce EPA's new source performance standards (NSPS) for a total of six categories of air pollution sources. (These are listed below under "**SUPPLEMENTARY INFORMATION**".) Since EPA's review of pertinent North Carolina laws, rules, and regulations showed them to be adequate to implement and enforce these federal standards, the Agency has delegated authority for them to North Carolina. Affected sources are now under the jurisdiction of the State.

EFFECTIVE DATE: June 16, 1986, and December 19, 1986.

ADDRESSES: Copies of the State's requests and EPA's letter of delegation are available for public inspection at EPA's Region IV office, 345 Courtland Street, NE., Atlanta, Georgia 30365. All reports required pursuant to the newly delegated standards (listed below) should be submitted to the Air Quality Section, North Carolina Division of Environmental Management, Post Office Box 27687, Raleigh, North Carolina 27611.

FOR FURTHER INFORMATION CONTACT: Bob Peddicord of the EPA Region IV Air Programs Branch at the above address, telephone (404) 347–2864 or FTS 257–2864.

SUPPLEMENTARY INFORMATION: Section 111 of the Clean Air Act authorizes EPA to delegate authority to implement and enforce the Standards of Performance for New Stationary Sources (NSPS) to any state which has adequate implementation and enforcement procedures.

On November 24, 1976, EPA delegated to North Carolina authority to implement and enforce most of the NSPS then extant. Since that date, EPA has updated the State's delegation several times. On February 25, 1986, the North Carolina Division of Environmental Management requested a delegation of authority for the following recently promulgated NSPS.

- 40 CFR Part 60, Subpart AAa: Steel Plants—Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after 08/17/83
- 40 CFR Part 60, Subpart JJJ: Petroleum Dry Cleaners
- 40 CFR Part 60, Subpart KKK: Equipment Leaks of VOC from Onshore Natural Gas Processing Plants
- 40 CFR Part 60, Subpart OOO: Nonmetallic Mineral Processing Plants
- 40 CFR Part 60, Subpart PPP: Wool Fiberglass Insulation Manufacturing Plants

Then on October 14, 1986, the North Carolina Division of Environmental Management requested a delegation of Authority for another recently promulgated NSPS.

- 40 CFR Part 60, Subpart LLL: Onshore Natural Gas Processing: SO_2 Emissions

After a thorough review of the request, I determined that such delegation was appropriate with the conditions set forth in the original delegation letter of November 24, 1976, and granted the State's requests in a letter dated June 16, 1986, for AAa, JJJ, KKK, OOO and PPP, and December 19, 1986, for LLL. North Carolina sources subject to the NSPS listed above are now under the jurisdiction of the State of North Carolina.

I certify, pursuant to 5 U.S.C. section 605(b), that this delegation will not have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Authority: Sec. 111 of the Clean Air Act (42 U.S.C. 7411).

Dated: March 9, 1987.

Lee A. DeHihns III,

Acting Regional Administrator.

[FR Doc. 87–6195 Filed 3–20–87; 8:45 am]

BILLING CODE 6560–50–M

40 CFR Parts 60 and 61

[A–9–FRL–3171–5]

Delegation of New Source Performance Standards (NSPS), and National Emission Standards for Hazardous Air Pollutants (NESHAPS) State of California

AGENCY: Environmental Protection Agency (EPA).

ACTION: Authority delegation.

SUMMARY: The EPA hereby places the public on notice of its delegation of NSPS and NESHAPS authority to the California Air Resources Board (CARB) on behalf of the South Coast Air Quality Management District (SCAQMD). This action is necessary to bring the NSPS and NESHAPS program delegations up to date with recent EPA promulgations and amendments of these categories. This action does not create any new regulatory requirements affecting the public. The effect of the delegation is to shift the primary program responsibility for the affected NSPS and NESHAPS categories from EPA to State and local governments.

EFFECTIVE DATE: December 9, 1986.

ADDRESS: South Coast Air Quality Management District, 9150 Flair Drive, El Monte, CA 91731.

FOR FURTHER INFORMATION CONTACT: Julie A. Rose, State Implementation Plan Section (A–2–3), Air Programs Branch, Air Management Division, EPA, Region 9, 215 Fremont Street, San Francisco, CA 94105, Tel: (415) 974–8066, FTS 454–8066.

SUPPLEMENTARY INFORMATION: The CARB has requested authority for delegation of certain NSPS and NESHAPS categories on behalf of the SCAQMD. Delegation of authority was granted by a letter dated December 9,

1986 and is reproduced in its entirety as follows:

Mr. James D. Boyd,
Executive Officer, California Air Resources Board, 1102 Q Street, P.O. Box 2815, Sacramento, CA 95812.

Dear Mr. Boyd: In response to your request of November 13, 1986, I am pleased to inform you that we are delegating to your agency authority to implement and enforce certain categories of New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAPS) on behalf of the South Coast Air Quality Management District (SCAQMD). We have reviewed your request for delegation and have found the SCAQMD's programs and procedures to be acceptable. This delegation includes authority for the following source categories:

NSPS	40 CFR part 60 subpart
Onshore Natural Gas Processing: SO_2 Emissions.	LLL

In addition, we are redelegating the following NSPS and NESHAPS categories since the SCAQMD's revised programs and procedures are acceptable:

NSPS	40 CFR part 60 subpart
Sewage Treatment Plants.	O
Kraft Pulp Mills	BB
Metal Coil Surface Coating.	TT
Petroleum Dry Cleaners.	JJJ

NESHAPS	40 CFR part 61 subpart
General Provisions	A

Acceptance of this delegation constitutes your agreement to follow all applicable provisions of 40 CFR Parts 60 and 61, including use of EPA's test methods and procedures. The delegation is effective upon the date of this letter unless the USEPA receives written notice from you or the District of any objections within 10 days of receipt of this letter. A notice of this delegated authority will be published in the Federal Register in the near future.

Sincerely,

Judith E. Ayres,
Regional Administrator.

cc: South Coast Air Quality Management District.

With respect to the areas under the jurisdiction of the SCAQMD, all reports, applications, submittals, and other communications pertaining to the above listed NSPS and NESHAPS source categories should be directed to the SCAQMD at the address shown in the ADDRESS section of this notice.

The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

I certify that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act.

This Notice is issued under the authority of secs. 111 and 112 of the Clean Air Act, as amended (42 U.S.C. 1857, *et seq.*).

Dated: March 10, 1987.

John Wise,
Acting Regional Administrator.

[FR Doc. 87-6196 Filed 3-20-87; 8:45 am]
BILLING CODE 6560-50-M

DEPARTMENT OF THE INTERIOR

Office of the Secretary

43 CFR Part 7

Archaeological Resources Protection Act; Supplemental Regulations

AGENCY: Office of the Secretary, Interior.

ACTION: Final rule.

SUMMARY: These final regulations supplement the uniform regulations in 43 CFR Part 7, implementing the Archaeological Resources Protection Act of 1979, and are in response to direction in section 10(b) of that Act. The supplementation consists of adding Subpart B to the regulations, including §§ 7.31 to 7.37, and renaming the uniform regulations as Subpart A. The additional regulations for the Department of the Interior in Subpart B provide supplemental definitions, procedures for determining loss or absence of archaeological interest regarding certain material remains, detail on permitting for Indian lands, procedures for permit appeals and disputes, and supplemental civil penalty procedures.

EFFECTIVE DATE: April 22, 1987.

FOR FURTHER INFORMATION CONTACT: Dr. Bennie C. Keel, Department, Consulting Archaeologist, Rm. 4127, 1100 L St. NW., National Park Service, P.O. Box 37127, Washington, DC 20013-7127, 202-343-4101.

SUPPLEMENTARY INFORMATION:

Background

These regulations implement provisions of the Archaeological Resources Protection Act of 1979 ("Act"; Pub. L. 96-95; 93 Stat. 721; 16 U.S.C. 470aa-*ll*). They were prepared by a Departmental task force composed of representatives of the National Park Service, the Bureau of Land Management, the Fish and Wildlife Service, the Bureau of Indian Affairs, the Bureau of Mines, the Bureau of Reclamation, the Office of Surface Mining, the Geological Survey, the Minerals Management Service, the Office of Environmental Project Review, and the Office of the Solicitor.

The Act was enacted "to secure, for the present and future benefit of the American people, the protection of archaeological resources and sites which are on public lands and Indian lands, and to foster increased cooperation and exchange of information between governmental authorities, the professional archaeological community, and private individuals having collections of archaeological resources and data which were obtained before the date of enactment of the Act" (Section 2(b)).

Section 10(a) of the Act required the Secretaries of the Interior, Agriculture and Defense and the Chairman of the Board of the Tennessee Valley Authority, after consultation with other Federal land managers, Indian tribes, representatives of concerned State agencies, and after public notice and hearings, to promulgate uniform rules and regulations as may be appropriate to carry out the purpose of the Act. These rules and regulations were promulgated after consideration of the provisions of the American Indian Religious Freedom Act (92 Stat. 469; 42 U.S.C. 1996). The uniform regulations were published at 48 FR 1016 on January 6, 1984, and became effective 30 days later.

They can be found at 43 CFR Part 7 (Department of the Interior), 36 CFR Part 296 (Department of Agriculture), 18 CFR Part 1312 (Tennessee Valley Authority), and 32 CFR Part 229 (Department of Defense).

Section 10(b) of the Act provides that "each Federal land manager shall promulgate such rules and regulations, consistent with the uniform rules and regulations, . . as may be appropriate for the carrying out of his functions and authorities under this Act." In order to treat land management conditions specific to its bureaus effectively, the Department of the Interior finds it appropriate to promulgate supplemental regulations under the Act and uniform regulations.

The five areas included in this rulemaking are (1) supplemental definitions, (2) the determination of loss or absence of archaeological interest, (3)

permitting procedures relating to Indian lands, (4) permit appeals and disputes, and (5) hearings and appeals procedures. These topics are covered by adding Subpart B, §§ 7.31 through 7.37 as the Department's supplemental regulations to the uniform regulations, 43 CFR Part 7. The uniform regulations, 43 CFR 7.1 through 7.19, become Subpart A as a result of this rulemaking.

Public comment was sought for a 60-day period following publication of the proposed rules on November 14, 1985 (50 FR 47073). Written comments were received from four Federal agencies, six Indian councils and associations, three mining associations, and one educational institution. Section 7.33 was addressed in 11 comments, § 7.32 was addressed in seven comments, and § 7.35 was addressed in six comments. Each of the other sections received comments by at least two but not more than three respondents.

Most of the comments were concerns about the consultation and review process to determine loss or absence of archaeological interest. Several of the comments were directed toward clarification or correction of the supplemental definitions. Some comments were directed toward clarification of consultation and permitting procedures with the appropriate tribal authorities for Indian lands.

All the comments were considered, and most contributed to the rulemaking process. In the discussions which follow, the changes made in response to public comments are described and expressed concerns which did not result in changes are addressed.

Changes in Response to Public Comments

One commentor noted a redundancy in the related authority citations, and this was removed.

Section 7.31 Scope and authority.

One commentor cited the language in section 10(b) of the Act which requires that appropriate regulatory action is taken by Federal land managing agencies to carry out the purpose of the Act. The revised section reproduces this language. A second commentor suggested including reference to the American Indian Religious Freedom Act (AIRFA). As noted above, these supplemental regulations are promulgated under section 10(b) of the Act, which relates to land management activities. It should be noted, however, that regulations promulgated under section 10(b) must be consistent with the uniform regulations, which included consideration of the provisions of AIRFA pursuant to section 10(a) of the Act.

Section 7.32 Supplemental definitions.

Four definitions were proposed for this section. In response to comments and after consideration of the scope of definitions provided in the uniform regulations, it was found that two definitions were sufficient for the purposes of this subpart.

Several commentors observed that the specific Departmental definitions of "Federal land manager" and "public lands" were both redundant and imprecise, particularly with regard to the distinction between public lands and Indian lands. These definitions are removed from the supplemental regulations to avoid confusion. The definitions for these two terms as given in the uniform regulations are recognized as sufficient.

The definition of a "site of religious or cultural importance" received the widest range of comments. Some felt that the definition was too broad, especially given the difficulty of describing boundaries, establishing temporal and spatial continuities as characteristics of traditional significance, and interpreting locations as religious or cultural. Others felt that the definition was too narrow, that insufficient consideration was given to subgroups within Indian tribes, and that certain materials such as human remains possess spiritual importance not easily circumscribed. Most felt that the definition was basically sound and woud serve to prevent harm to locations so identified as well as provide guidance to Federal land managers as to when notification to Indian tribes is necessary.

With regard to important religious or cultural sites, the uniform regulations provide that Federal land managers may communicate with Native American groups that may not meet the definition of Indian tribe, but who nevertheless have aboriginal or historic ties to lands within Federal jurisdiction (§ 7.7(b)(2)). The Federal land manager may enter into notification agreements with such groups regarding the relevant sites (§ 7.7(b)(3)).

It is important to clarify the distinction between consultation and notification regarding sites of religious or cultural importance. Federal land managers shall seek to identify Indian tribes having aboriginal or historic ties to the lands under their jurisdiction and may consult with Indian tribes or persons as to the location and nature of specific sites. Pursuant to the Act, notifications about possible harm to or destruction of important religious or cultural sites as a result of issuance of permits shall be given to the appropriate Indian tribes. The only alternative for notification, as provided in § 7.7(b)(3) of the uniform regulations, is for Native American groups which have entered into notification agreements with the Federal land manager.

Several commentors stressed the significance of material remains associated in human burials as important religious or cultural sites that may be harmed by the issuance of archaeological permits and determinations of loss or absence of archaeological interest. Human remains are defined in section 3(1) of the Act and § 7.3(a) of the uniform regulations as being of archaeological interest, and as such they are protected as archaeological resources. It was found necessary to clarify human burials as locations likely to be of religious or cultural importance for the purposes of § 7.7. As recognized in Departmental policy (which is available upon request from the Departmental Consulting Archeologist, National Park Service, P.O. Box 37127, Washington, DC 20013-7127) and demonstrated in several public comments, human remains and associated materials often retain cultural significance that requires proper and sensitive treatment to avoid unnecessary disturbance. The definition in § 7.32(a) is expanded to include locations of life-cycle rituals, with human burials listed as an example of this context.

Section 7.33 Determination of loss or absence of archaeological interest.

Though this section received the most comments, they were generally addressed to two main concerns. These were concerns about the responsibilities of particular officers in making determinations and about consultation in establishing the bases for determinations. The resultant changes were made to clarify procedures and the roles of individuals in making determinations.

Comments about individual responsibilities concerned the relative roles of the Federal land manager and the Departmental Consulting Archeologist. Some were concerned that the process of archaeological evaluation of materials in an area under consideration constituted the determination. It was felt that advisory personnel were being provided decision-making responsibility contrary to the uniform regulations. In addition, the role of the Departmental Consulting Archeologist was questioned to the extent that the Federal land manager's decision-making authority may be

usurped or that reviews of determinations may be conducted by the same office which made the initial determinations.

Determinations for purposes of this section are the responsibility of the Federal land manager. The procedures for making determinations pursuant to § 7.33 (c)–(d) consist of an evaluation of materials in the area under consideration and the determination with its basis fully documented. Phrases are removed from the section which implied that the responsibility of the Federal land manager was dispersed. The responsibility of the office of the Departmental Consulting Archeologist to provide technical assistance when such is required in the absence of a principal bureau archeologist is preserved in § 7.33(c)(2) by inserting language consistent with the advisory nature of the professional archaeological evaluation.

Several commentors observed that materials in areas considered under determinations pursuant to this section may retain religious or cultural importance regardless of any evaluation based upon the extent of archaeological interest. It was found that the uniform regulations provide sufficient protection for such materials and obligate Federal land managers to seek to identify these resources. However, in order to clarify the need for full evaluation of materials in areas under consideration, § 7.33(d) is expanded to require documentation on appropriate consultation with Indian tribes regarding sites of religious or cultural importance.

Some commentors observed that the determination procedures pursuant to § 7.33 may interfere with determinations under section 106 of the National Historic Preservation Act, particularly where the proposed language stated evaluations would be made regarding questions of national, regional, or local importance. To eliminate confusion about these separate procedures and responsibilities, such language is replaced with terms drawn from the definition of archaeological interest in § 7.3(a)(1) of this part. It should also be emphasized that § 7.33(a) provides for determinations to be made pursuant to the uniform regulations (§ 7.3(a)(5)), which uphold the Federal land manager's obligations under other applicable laws and regulations. Section 7.33(g) is added to restate these obligations.

Two comments addressed reporting about determinations. The first suggested the professional archaeological evaluation include the requirement for a report, and the second suggested publishing determinations in the **Federal Register**. In both cases it was found that the language requiring the Federal land manager to make full documentation and public notice of any determination was sufficient.

Additional comments were made about typographical errors and cumbersome phrasing. Each of these were found to be valid observations and are incorporated into the final text.

Section 7.34 Procedural information for securing permits.

One commentor observed that information regarding permitting procedures could be obtained directly from Indian tribal authorities, particularly where approved tribal ordinances provide the basis for issuance or denial of permits. The section is expanded to include these sources.

Section 7.35 Permitting procedures for Indian lands.

Several commentors noted that the most important step in applications for permits to remove archaeological resources from Indian lands is obtaining the consent of appropriate Indian tribal authorities or individual landowners. It was recommended that permitting procedures reflect this consideration and insure that adequate consultation with Indian tribal authorities and landowners is provided. The section is revised to establish that Indian consent is the primary basis upon which a permit for Indian lands is issued. The applicant should consult with Indian tribal authorities and the Bureau of Indian Affairs regarding procedures for obtaining such consent, and the Bureau of Indian Affairs must insure that consultation includes informed consideration of terms or conditions for the permit by appropriate Indian tribal authorities or persons.

Some commentors suggested that submitting an application to the Bureau of Indian Affairs for a permit under the Act according to these regulations was duplicative or burdensome given that some Indian tribes maintain permitting procedures. It should be clarified that issuance of ARPA permits according to these regulations is the responsibility of the appropriate Federal land manager, pursuant to section 4 of the Act. However, § 7.35(d) is included to preserve the authority for permits which may otherwise be required by Indian tribal law.

Two commentors observed that the Act (section 4(g)(2)) provides for consent to permit applications, extensions or modifications for removal of archaeological resources from Indian lands to be obtained from either the Indian landowner or tribal authority having jurisdiction. Section § 7.35(b)–(c) is revised to recognize this provision and clarify the separate jurisdictions. In addition, if an applicant seeks a permit for Indian tribal lands, it is important that the applicant should give notification to those Indian persons actually in residence, even though consent for the permit is obtained from the Indian tribal authority

One commentor observed that rules governing permits for excavation of archaeological resources on Indian lands are contained in 25 CFR Part 261, and these rules are rendered obsolete subsequent to enactment of ARPA. Additionally, it was stated that as a practical matter, Title 25 of the Code of Federal Regulations is widely available on Indian lands, whereas Title 43 is not. It was suggested that permitting regulations appear in 25 CFR Part 261 as a separate document or as revisions to correct contradictions. It is beyond the scope of the Departmental supplemental regulations to address conflicts with Title 25. However, the comments were recognized as valid and brought to the attention of the Bureau of Indian Affairs by the Departmental Consulting Archeologist.

Section 7.36 Permit reviews and disputes.

One commentor observed that the right to request review of permitting decisions should be provided for cases of both issuance and denial. This was found to be consistent with the uniform regulations (§ 7.11). Section 7.36(a) is expanded to include these provisions.

One commentor suggested established review periods within which disputants would be required to have made their claims. After consultation with counsel, these were found to be inconsistent with the uniform regulations, and no changes were made.

Two other comments related to the role of the Department Consulting Archeologist in review procedures. While these concerns raised valid questions as to the extent to which decisions may be arbitrated, it was found that the regulation provides for appropriate professional recommendations on professional issues by the Departmental Consulting Archeologist. These recommendations are to be submitted to the head of the bureau involved in the permitting decision. Any review of disputed permits remains the responsibility of the bureau.

Section 7.37 Civil penalty hearings procedures.

One commentor questioned the need for additional regulations on hearings and appeals beyond those provided in § 7.15 of this part. Section 7.37 is promulgated to provide detail specific to the Department of the Interior regarding procedures. Whereas the uniform regulations describe in general terms the right to a hearing, the supplemental regulations provide necessary procedures for hearings conducted by the Department.

One commenter suggested changes in the formats and titles of this and the previous section to clarify the distinction between reviews of permits and hearings regarding civil penalty assessments. These were found to be valid, and the appropriate changes were made.

Compliance with Other Authorities

Environmental Effects

The Secretary of the Interior has prepared an Environmental Assessment on this rulemaking and has made a Finding of No Significant Impact pursuant to regulations of the Council on Environmental Quality implementing the National Environmental Policy Act (42 U.S.C. 4332). Copies of the Environmental Assessment and Finding of No Significant Impact are available for public review in the National Park Service's Washington Office.

Economic Impact

The Secretary of the Interior has determined that this rulemaking is not a "major rule" within the meaning of Executive Order 12291 (46 FR 13193, February 17, 1981), and would not have a "significant economic impact on a substantial number of small entities" within the meaning of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). These determinations are based on findings that a major portion of the rulemaking is primarily directed toward the management of Federal resources, with negligible impact on the general public. Furthermore, the rulemaking generally adds detail to provisions already found in the uniform regulations and does not have any economic impact above and beyond that imposed by the uniform rules, which were found not to be a major rule and not to have a significant economic impact on a substantial number of small entities.

Information Collection Requirements

The permitting provisions of this rule do not contain information collection requirements which require approval by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* Information collection requirements for the issuance of permits were promulgated on February 6, 1984, in existing 43 CFR 7.6, were previously reviewed by the Office of Management and Budget, and were given clearance number 1024–0037.

List of Subjects in 43 CFR Part 7

Administrative practice and procedure, Historic preservation, Indian-lands, Penalties, Public lands, Reporting and recordkeeping requirements.

For the reason set out in the preamble, Title 43, Subtitle A of the Code of Federal Regulations is amended as follows:

PART 7—PROTECTION OF ARCHAEOLOGICAL RESOURCES

1. The authority citation for Part 7 is revised to read as follows:

Authority: 16 U.S.C. 470aa–*ll*. Related authority: 16 U.S.C. 432, 433; 16 U.S.C. 469, as amended, 16 U.S.C. 470a–t, as amended, 42 U.S.C. 1996.

2. The heading for Part 7 is revised to read as set forth above.

3. Sections 7.1 through 7.19 are designated as Subpart A—Uniform Regulations, and a new Subpart B is added to read as follows:

Subpart A—Uniform Regulations

* * * * *

Subpart B—Department of the Interior Supplemental Regulations

Sec.

7.20—7.30 [Reserved]
7.31 Scope and authority.
7.32 Supplemental definitions.
7.33 Determination of loss or absence of archaeological interest.
7.34 Procedural information for securing permits.
7.35 Permitting procedures for Indian lands.
7.36 Permit reviews and disputes.
7.37 Civil penalty hearings procedures.

* * * * *

Subpart B—Department of the Interior Supplemental Regulations

§§ 7.20—7.30 [Reserved]

§ 7.31 Scope and authority.

The regulations in this subpart are promulgated pursuant to section 10(b) of the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470ii), which requires agencies to develop rules and regulations for carrying out the purposes of the Act, consistent with the uniform regulations issued pursuant to section 10(a) of the Act (Subpart A of this part).

§ 7.32 Supplemental definitions.

For purposes of this subpart, the following definitions will be used:

(a) "Site of religious or cultural importance" means, for purposes of 7.7 of this part, a location which has traditionally been considered important by an Indian tribe because of a religious event which happened there; because it contains specific natural products which are of religious or cultural importance; because it is believed to the be dwelling place of, the embodiment of, or a place conducive to communication with spiritual beings; because it contains elements of life-cycle rituals, such as burials and associated materials; or because it has other specific and continuing significance in Indian religion or culture.

(b) "Allotted lands" means lands granted to Indian individuals by the United States and held in trust for those individuals by the United States.

§ 7.33 Determination of loss or absence of archaeological interest.

(a) Under certain circumstances, a Federal land manager may determine, pursuant to § 7.3(a)(5) of this part, that certain material remains are not or are no longer of archaeological interest, and therefore are not to be considered archaeological resources under this part.

(b) The Federal land manager may make such a determination if he/she finds that the material remains are not capable of providing scientific or humanistic understandings of past human behavior, cultural adaptation, and related topics.

(c) Prior to making a determination that material remains are not or are no longer archaeological resources, the Federal land manager shall ensure that the following procedures are completed:

(1) A professional archaeological evaluation of material remains and similar materials within the area under consideration shall be completed, consistent with the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation (48 FR 44716, September 29, 1983) and with 36 CFR Parts 60, 63, and 65.

(2) The principal bureau archaeologist or, in the absence of a principal bureau archaeologist, the Department Consulting Archeologist, shall establish whether the material remains under consideration contribute to scientific or humanistic understandings of past human behavior, cultural adaptation and related topics. The principal bureau archaeologist or the Department Consulting Archeologist, as appropriate, shall make a recommendation to the Federal land manager concerning these material remains.

(d) The Federal land manager shall make the determination based upon the

facts established by and the recommendation of the principal bureau archaeologist or the Departmental Consulting Archeologist, as appropriate, and shall fully document the basis therefor, including consultation with Indian tribes for determinations regarding sites of religious or cultural importance.

(e) The Federal land manager shall make public notice of the determination and its limitations, including any permitting requirements for activities associated with the materials determined not to be archaeological resources for purposes of this part.

(f) Any interested individual may request in writing that the Departmental Consulting Archeologist review any final determination by the Federal land manager that certain remains, are not, or are no longer, archaeological resources. Two (2) copies of the request should be sent to the Departmental Consulting Archeologist, National Park Service, P.O. Box 37127, Washington, DC 20013–7127, and should document why the requestor disagrees with the determination of the Federal land manager. The Departmental Consulting Archeologist shall review the request, and, if appropriate, shall review the Federal land manager's determination and its supporting documentation. Based on this review, the Departmental Consulting Archeologist shall prepare a final professional recommendation, and shall transmit the recommendation and the basis therefor to the head of the bureau for further consideration within 60 days of the receipt of the request.

(g) Any determination made pursuant to this section shall in no way affect the Federal land manager's obligations under other applicable laws or regulations.

§ 7.34 Procedural information for securing permits.

Information about procedures to secure a permit to excavate or remove archaeological resources from public lands or Indian lands can be obtained from the appropriate Indian tribal authorities, the Federal land manager of the bureau that administers the specific area of the public lands or Indian lands for which a permit is desired, or from the state, regional, or national office of that bureau.

§ 7.35 Permitting procedures for Indian lands.

(a) If the lands involved in a permit application are Indian lands, the consent of the appropriate Indian tribal authority or individual Indian landowner is required by the Act and these regulations.

(b) When Indian tribal lands are involved in an application for a permit or a request for extension or modification of a permit, the consent of the Indian tribal government must be obtained. For Indian allotted lands outside reservation boundaries, consent from only the individual landowner is needed. When multiple-owner allotted lands are involved, consent by more than 50 percent of the ownership interest is sufficient. For Indian allotted lands within reservation boundaries, consent must be obtained from the Indian tribal government and the individual landowner(s).

(c) The applicant should consult with the Bureau of Indian Affairs concerning procedures for obtaining consent from the appropriate Indian tribal authorities and submit the permit application to the area office of the Bureau of Indian Affairs that is responsible for the administration of the lands in question. The Bureau of Indian Affairs shall insure that consultation with the appropriate Indian tribal authority or individual Indian landowner regarding terms and conditions of the permit occurs prior to detailed evaluation of the application. Permits shall include terms and conditions requested by the Indian tribe or Indian landowner pursuant to § 7.9 of this part.

(d) The issuance of a permit under this part does not remove the requirement for any other permit required by Indian tribal law.

§ 7.36 Permit reviews and disputes.

(a) Any affected person disputing the decision of a Federal land manager with respect to the issuance or denial of a permit, the inclusion of specific terms and conditions in a permit, or the modification, suspension, or revocation of a permit may request the Federal land manager to review the disputed decision and may request a conference to discuss the decision and its basis.

(b) The disputant, if unsatisfied with the outcome of the review or conference, may request that the decision be reviewed by the head of the bureau involved.

(c) Any disputant unsatisified with the higher level review, and desiring to appeal the decision, pursuant to § 7.11 of this part, should consult with the appropriate Federal land manager regarding the existence of published bureau appeal procedures. In the absence of published bureau appeal procedures, the review by the head of the bureau involved will constitute the final decision.

(d) Any affected person may request a review by the Departmental Consulting Archeologist of any professional issues involved in a bureau permitting decision, such as professional qualifications, research design, or other professional archaeological matters. The Departmental Consulting Archeologist shall make a final professional recommendation to the head of the bureau involved. The head of the bureau involved will consider the recommendation, but may reject it, in whole or in part, for good cause. This request should be in writing, and should state the reasons for the request. See § 7.33(f) for the address of the Departmental Consulting Archeologist.

§ 7.37 Civil penalty hearings procedures.

(a) *Requests for hearings.* Any person wishing to request a hearing on a notice of assessment of civil penalty, pursuant to § 7.15(g) of this part, may file a written, dated request for a hearing with the Hearing Division, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203–1923. The respondent shall enclose a copy of the notice of violation and the notice of assessment. The request shall state the relief sought, the basis for challenging the facts used as the basis for charging the violation and fixing the assessment, and respondent's preference as to the place and date for a hearing. A copy of the request shall be served upon the Solicitor of the Department of the Interior personally or by registered or certified mail (return receipt requested), at the address specified in the notice of assessment. Hearings shall be conducted in accordance with 43 CFR Part 4, Subparts A and B.

(b) *Waiver of right to a hearing.* Failure to file a written request for a hearing within 45 days of the date of service of a notice of assessment shall be deemed a waiver of the right to a hearing.

(c) *Commencement of hearing procedures.* Upon receipt of a request for a hearing, the Hearing Division shall assign an administrative law judge to the case. Notice of assignment shall be given promptly to the parties, and thereafter, all pleadings, papers, and other documents in the proceeding shall be filed directly with the administrative law judge, with copies served on the opposing party.

(d) *Appearance and practice.* (1) Subject to the provisions of 43 CFR 1.3, the respondent may appear in person, by representative, or by counsel, and may participate fully in those proceedings. If respondent fails to appear and the administrative law judge determines such failure is without good cause, the administrative law judge

may, in his/her discretion, determine that such failure shall constitute a waiver of the right to a hearing and consent to the making of a decision on the record made at the hearing.

(2) Departmental counsel, designated by the Solicitor of the Department, shall represent the Federal land manager in the proceedings. Upon notice to the Federal land manager of the assignment of an administrative law judge to the case, said counsel shall enter his/her appearance on behalf of the Federal land manager and shall file all petitions and correspondence exchanges by the Federal land manager and the respondent pursuant to § 7.15 of this part which shall become part of the hearing record. Thereafter, service upon the Federal land manager shall be made to his/her counsel.

(e) *Hearing administration.* (1) The administrative law judge shall have all powers accorded by law and necessary to preside over the parties and the proceedings and to make decisions in accordance with 5 U.S.C. 554–557.

(2) The transcript of testimony, the exhibits, and all papers, documents and requests filed in the proceedings, shall constitute the record for decision. The administrative law judge shall render a written decision upon the record, which shall set forth his/her findings of fact and conclusions of law, and the reasons and basis therefor, and an assessment of a penalty, if any.

(3) Unless a notice of appeal is filed in accordance with paragraph (f) of this section, the administrative law judge's decision shall constitute the final administrative determination of the Secretary in the matter and shall become effective 30 calendar days from the date of this decision.

(4) In any such hearing, the amount of civil penalty assessed shall be determined in accordance with this part, and shall not be limited by the amount assessed by the Federal land manager under § 7.15 of this part or any offer of mitigation or remission made by the Federal land manager.

(f) *Appeal.* (1) Either the respondent or the Federal land manager may appeal the decision of an administrative law judge by the filing of a "Notice of Appeal" with the Director, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203–1923, within 30 calendar days of the date of the administrative law judge's decision. Such notice shall be accompanied by proof of service on the administrative law judge and the opposing party.

(2) Upon receipt of such a notice, the Director, Office of Hearings and Appeals, shall appoint an *ad hoc* appeals board to hear and decide an appeal. To the extent they are not inconsistent herewith, the provision of the Department of Hearings and Appeals Procedures in 43 CFR Part 4, Subparts A, B, and G shall apply to appeal proceedings under this Subpart. The decision of the board on the appeal shall be in writing and shall become effective as the final administrative determination of the Secretary in the proceeding on the date it is rendered, unless otherwise specified therein.

(g) *Report service.* Copies of decisions in civil penalty proceedings instituted under the Act may be obtained by letter of request addressed to the Director, Office of Hearings and Appeals, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203–1923. Fees for this service shall be as established by the Director of that Office.

Dated: January 26, 1987.

William P. Horn,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 87–6212 Filed 3–20–87; 8:45 am]

BILLING CODE 4310-70-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 285

[Docket No. 50329–5115]

Atlantic Tuna Fisheries; Closure

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Notice of closure.

SUMMARY: NOAA issues this notice to close the fishery for Atlantic bluefin tuna conducted by vessels permitted in the incidental longline category in the area south of 36°00′ N. latitude. Closure of this fishery is necessary because the annual catch quota of 115 short tons (st) for this area will be attained by the effective date. The intent of this action is to prevent exceeding the annual quota established for this segment of the fishery and thereby maintain the United States' obligations under the International Commission for the Conservation of Atlantic Tunas.

EFFECTIVE DATES: 0001 hours local time, March 23, 1987, through December 31, 1987.

FOR FURTHER INFORMATION CONTACT: William C. Jerome, Jr., 617–281–3600, ext. 262; or David S. Crestin, 617–281–3600, ext. 253.

SUPPLEMENTARY INFORMATION: Regulations promulgated under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971–971h) regulating the take of Atlantic bluefin tuna by persons and vessels subject to U.S. jurisdiction were published in the **Federal Register** on October 25, 1985 (50 FR 43396).

Section 285.22(f)(1) of the regulations provides for an annual quota of 145 st of Atlantic bluefin tuna to be taken by vessels permitted in the Incidental longline category in the regulatory area. Of this amount, no more than 115 st may be taken in the area south of 36°00′ N. latitude. The Assistant Administrator for Fisheries, NOAA (Assistant Administrator), is required under § 285.20(b)(1) to monitor the catch and landing statistics and, on the basis of these statistics, to project a date when the total catch of Atlantic bluefin tuna will equal any quota under § 285.22. The Assistant Administrator, further, is required under § 285.20(b)(1) to prohibit the fishing for, or retention of, Atlantic bluefin tuna by the type of vessels subject to the quotas. The Assistant Administrator has determined, based on the reported catch of Atlantic bluefin tuna of 90 st, and the recent catch rate, that the annual quota of Atlantic bluefin tuna allocated to vessels permitted in the Incidental longline category fishing south of 36°00′ N. latitude will be attained by the effective date. Fishing for and retention of any Atlantic bluefin tuna by these vessels in this area must cease at 0001 hours, local time, on March 23, 1987.

Vessels permitted in the Incidental longline category fishing north of 36°00′ N. latitude may continue to fish for and retain Atlantic bluefin tuna until the total annual quota of 145 st is achieved.

Notice of this action has been mailed to all Atlantic bluefin tuna dealers and vessel owners holding a valid vessel permit for this fishery.

Other Matters

This action is taken under the authority of 50 CFR 285.20, and is taken in compliance with Executive Order 12291.

List of Subjects in 50 CFR Part 285

Fisheries, Penalties, Reporting and recordkeeping requirements, Treaties.

(16 U.S.C. 971 *et seq.*)

Dated: March 17, 1987.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Service.

[FR Doc. 87-6180 Filed 3-20-87; 8:45 am]

BILLING CODE 3510-22-M

50 CFR Part 672

[Docket No. 70354-7054]

Groundfish of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency interim rule.

SUMMARY: The Secretary of Commerce (Secretary) has determined that an emergency exists in the 1987 hook-and-line sablefish fishery in the Gulf of Alaska, because a significant increase is expected in the numbers of fishing vessels participating in the fishery, which will increase the risk of overharvesting the sablefish quotas allocated to hook-and-line gear. The Secretary, therefore, is implementing an area registration system that requires operators of hook-and-line vessels, before fishing, to notify the Director, Alaska Region, NMFS (Regional Director) and provide essential data, including the date and regulatory area and regulatory district in which they intend to fish for sablefish. This requirement is necessary to allow the Regional Director to estimate fishing effort to avoid exceeding the hook-and-line harvest quotas and is intended as a conservation and management measure that will prevent the overharvest of sablefish and will promote orderly fishing while providing for full utilization of the sablefish resource.

EFFECTIVE DATE: From March 18, 1987, through June 16, 1987.

ADDRESS: Copies of the environmental assessment may be obtained from Robert W. McVey, Director, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802. Comments on the collection of information requirements should be directed to the Office of Information and Regulatory Affairs of OMB, Washington, DC 20503. Attention: Desk Officer for NOAA.

FOR FURTHER INFORMATION CONTACT: Ronald J. Berg (Fishery Biologist NMFS), 907-586-7230.

SUPPLEMENTARY INFORMATION:

Background

The domestic and foreign groundfish fisheries in the exclusive economic zone (3-200 miles offshore) of the Gulf of Alaska are managed under the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). The FMP was prepared by the North Pacific Fishery Management Council (Council) under the Magnuson Fishery Conservation and Management Act (Magnuson Act) and is implemented by regulations at 50 CFR Parts 611 and 672.

Target quotas of sablefish are established for the Southeast Outside/East Yakutat and West Yakutat Districts of the Eastern Regulatory Area and for the Central and Western Regulatory Areas, in the Gulf of Alaska. Shares of the target quotas are allocated to hook-and-line gear. In 1986, each of these quotas was substantially exceeded. The potential for hook-and-line vessels again exceeding harvest quotas in each of the above management areas remains as severe in 1987 as in 1986 and could possibly worsen.

This fishery has been growing rapidly in recent years, displacing the foreign fishery completely in 1986. Numbers of hook-and-line vessels making landings in each of the management areas increased markedly in 1986 compared to 1985 (see table of vessels making landings). The greatest percent increase, 111 percent, occurred in the Southeast Outside/East Yakutat District where directed fishing for sablefish with hook-and-line gear has been conducted for several years. Numbers of hook-and-line vessels fishing sablefish in 1987 will almost certainly increase markedly from the numbers fishing in 1986. The increase is likely, because expected high prices for sablefish will attract effort into the fishery. Also, the Council has identified this fishery as a candidate for limited entry. Increased effort usually occurs in fisheries where limited entry is being considered so that fishermen can gain recognized rights in whatever limited entry scheme is adopted.

The season for hook-and-line gear will start April 1 and will likely be finished throughout the Gulf of Alaska by the middle of July, depending on the amount of fishing effort. Projecting fishing effort in 1987 cannot be done with precision by any other method. Information on the actual amount of effort is critically needed to predict when quotas will be taken. The only alternatives to area registration are estimates of effort based on: (1) Enumeration of vessels which are Federally permitted to fish groundfish with hook-and-line gear in 1987; (2) physically counting vessels in ports; (3) surveying processors to obtain an estimate of the number of vessels buying ice and/or bait; or, (4) projecting numbers of vessels based on the increase from 1985 to 1986. Enumerating Federally permitted hook-and-line vessels would not provide accurate estimates of effort by management area. Physically counting vessels in port or surveying processors is labor intensive, costly, and prone to error. Projecting effort from past effort changes assumes some kind of predictable relationship, e.g. liner, in the increase in numbers of vessels. Effort will increase, but the extent of the increase is not known.

TABLE OF HOOK-AND-LINE VESSELS MAKING LANDINGS DURING 1985 AND 1986

	1985	1986	Percent increase
Southeast Outside/East Yakutat District	115	243	111
West Yakutat District	80	131	64
Central Area	121	218	80
Western Area	53	63	19

Area registration of hook-and-line vessels includes vessels fishing for other groundfish species, such as rockfish and Pacific cod, that are targeted by hook-and-line gear in the Gulf of Alaska. Imposition of area registration on all hook-and-line fishermen during the sablefish seasons is necessary to facilitate enforcement of area registration. Otherwise, no practical means exist to differentiate whether a hook-and-line fisherman is fishing for sablefish or some other species of groundfish regulated under 50 CFR Part 672. As a practical matter, however, the economic return to fishermen fishing for sablefish is so great during the short sablefish seasons that few hook-and-line fishermen will be fishing for any groundfish species other than sablefish.

Area registration was designed to minimize burdens on fishermen. Information will be submitted by fishermen either by registering in person at one of the three NMFS addresses at § 672.5(a)(5)(i) in this rule, or by calling one of the three NMFS telephone numbers or two NMFS toll-free telephone numbers at § 672.5(a)(5)(i) in this rule. Registration hours are from 8:00 a.m. to 4:30 p.m., Monday through Friday. After April 1, the beginning of the sablefish season for hook-and-line gear, registration hours are extended to Saturday and Sunday as specified in this rule. Fishermen should note that Sitka and Kodiak NMFS Law Enforcement Division Offices may not be continuously staffed for all of the scheduled registration hours.

The only information that the Regional Director will require to be submitted is the name of the person who is registering, the vessel's Federal permit number, the regulatory area or regulatory district being registered for, and the date he will start fishing. All groundfish fishermen using hook-and-

line gear who are regulated under 50 CFR Part 672 must register before fishing in any of the regulatory areas or districts in the Gulf of Alaska that the open to fishing for sablefish with hook-and-line gear. Implementation of area registration by emergency rule is necessary, since area registration cannot be implemented by FMP amendment in time before the sablefish season for hook-and-line gear begins on April 1, and because alternative methods of obtaining effort data are not reliable.

Classification

The Assistant Administrator for Fisheries, NOAA, has determined that this rule is necessary to respond to an emergency situation and that it is consistent with the Magnuson Act and other applicable law. This rule is implemented for 90 days under section 305(e) of the Magnuson Act.

The Assistant Administrator also finds for good cause that the reasons justifying promulgation of this rule on an emergency basis also make it impractical and contrary to the public interest to provide prior notice and opportunity for comment or to delay for 30 days its effective date, under provisions of section 553(b) and (d) of the Administrative Procedure Act. This rule must be implemented by April 1, 1987, the beginning of the new fishing year for hook-and-line gear, to obtain the necessary information on fishing effort as intended.

The National Marine Fisheries Service prepared an environmental assessment for this action and concluded that no significant impact on the human environment would result from this rule. You may obtain a copy of this document from the address above.

This emergency interim rule is exempt from the normal review procedures of Executive Order 12291 provided in section 8(a)(1) of that order. It is being reported to the Director of the Office of Management and Budget, with an explanation of why it is not possible to follow the regular procedure of that order.

This emergency interim rule is exempt from the requirements of the Regulatory Flexibility Act, because it is issued without opportunity for prior public comment.

This rule contains a collection of information requirement subject to the Paperwork Reduction Act. The request to collect this information has been approved by the Office of Management and Budget under Control No. 0648–0182 for a limited period of time ending June 12, 1987.

The Assistant Administrator has determined that this rule will be implemented in a manner that is consistent to the maximum extent practicable with the approved coastal zone management program of the State of Alaska. This determination has been submitted for review by the responsible State agencies under section 307 of the Coastal Zone Management Act.

List of Subjects in 50 CFR Part 672

Fisheries.

Dated: March 17, 1987.

Carmen J. Blondin,

Deputy Assistant Administrator for Fisheries Resource Management, National Marine Fisheries Services.

For the reasons set out in the preamble, Part 672 is amended as follows:

PART 672—GROUNDFISH OF THE GULF OF ALASKA

1. The authority citation for Part 672 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 672.2, the definition of "Regulatory district" is revised to read as follows:

§ 672.2 Definitions.

* * * * *

Regulatory district means any of two districts of the Eastern Regulatory Area as follows:

(1) Southeast Outside/East Yakutat District—all waters of the EEZ east of 140°00′00″ W. longitude.

(2) West Yakutat District—all waters of the EEZ between 140°00′00″ W. longitude and 147°00′00″ W. longitude.

* * * * *

3. In § 672.5, a new paragraph (a)(5) is added to read as follows:

§ 672.5 Reporting requirements.

(a) * * *

(5) Area registration.

(i) The operator of any fishing vessel regulated under this Part must register that vessel with the Regional Director and be issued a registration number before fishing for groundfish with hook-and-line gear in any regulatory area or regulatory district (as those terms are defined at § 672.2 of this Part) that is open to sablefish hook-and-line fishing. Registrants must provide the following information:

(A) The name of the vessel operator:

(B) The name of the vessel:

(C) The vessel's Federal Gulf of Alaska groundfish permit number:

(D) The date the vessel will begin fishing for groundfish in the selected regulatory area or regulatory district with hook-and-line gear: and

(E) The regulatory area or regulatory district in which such hook-and-line fishing will take place.

(ii) For each registration, registrants must select only one regulatory area or regulatory district from the following list: the Western Regulatory Area, the Central Regulatory Area, the Southeast Outside/East Yakutat Regulatory District, or the West Yakutat Regulatory District.

(iii) Any registration under this section will have the effect of cancelling any previous registration as of the date specified under paragraph (a) (5)(i)(D) of this section.

(iv) The information required by paragraph (a)(5)(i) of this section must either be submitted at—

(A) One of the following three NMFS locations in person or by telephone at one of the following numbers during business hours, 8:00 a.m. to 4:30 p.m., local time, Monday through Friday:

Fishery Management Operations Division, National Marine Fisheries Service, 709 W. 9th Street, Juneau, Alaska, Toll-free telephone
(In Alaska) 800–478–7644
(Outside Alaska) 800–334–7865
Enforcement Division, National Marine Fisheries Service, 1211 Gibson Cove Road, Kodiak, Alaska, Tel. (907) 486–3298
Enforcement Division, National Marine Fisheries Service, Sitka, Alaska, Tel. (907) 747–6940

or

(B) At one of the following numbers between the hours of 8:00 a.m. to 12:00 noon and 1:00 p.m. to 4:30 p.m., local time, Saturday and Sunday:

Fishery Management Operations Division, National Marine Fisheries Service, Juneau, Alaska, Toll-free telephone
(In Alaska) 800–478–7644
(Outside Alaska) 800–334–7865

(v) It will be unlawful for any person to fish for groundfish from a vessel regulated under this Part with hook-and-line gear in any regulatory area or regulatory district (as those terms are defined at § 672.2 of this Part) that is open to sablefish hook-and-line fishing unless that vessel has been registered in accordance with this section and is in receipt of a registration number.

* * * * *

[FR Doc. 87–6043 Filed 3–18–87; 10:50 am]

BILLING CODE 3510-22-M

Proposed Rules

Federal Register
Vol. 52, No. 55
Monday, March 23, 1987

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Parts 916 and 917

[Nectarine Reg. 14, Amdt. 9; Plum Reg.17, Amdt. 4; Plum Reg. 19, Amdt. 10; Peach Reg.14, Amdt. 9]

Nectarines, Pears, Plums, and Peaches Grown in California; Proposed Amendment of Container and Pack Regulations; Proposed Amendment of Grade and Size Regulations

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule with request for comments.

SUMMARY: This proposed rule invites comments on several changes to the size requirements for nectarines, plums; and peaches, and to the container and pack requirements for plums grown in California. This proposal would change the coverage of the size requirements by adding several new varieties of nectarines, plums and peaches, and by deleting others. It would, in addition, remove a pack requirement which is no longer practicable because of changes in packaging material, exempt Apache nectarines from the weight–count requirements when packed in tray packs in recognition of problems handlers experienced last season when packing this variety, and modify the weight–count standard for Catalina plums to better reflect the sizing characteristics of those plums. Furthermore, this proposed rule would require that all nectarine varieties not subject to variety–specific size requirements be subject to minimum size requirements. It would, finally, delete a requirement for plums that subjects them to a two-pound subsample test. The proposals were recommended by the Nectarine Administrative Committee and the Plum and Peach Commodity Committees.

DATES: Comments are due by April 7, 1987.

ADDRESSES: Comments should be sent to: Docket Clerk, Room 2085–South Building, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, DC 20250. Three copies of all written material shall be submitted, and they will be made available for public inspection in the office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Ronald L. Cioffi, Chief, Marketing Order Administration Branch, F&V, AMS, USDA, Washington, DC 20250; (202) 447–5697.

SUPPLEMENTARY INFORMATION: This proposed rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has determined that this action would not have a significant economic impact on a substantial number of small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (the Act, 7 U.S.C. 601–674), and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

It is estimated that approximately 649 handlers will be subject to regulation under the Marketing Orders for California nectarines, pears, peaches, and plums (7 CFR Parts 916 and 917) during the course of the current season. In addition, there are about 2,032 growers of these fruits in California. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having average annual gross revenues for the last three years of less than $100,000, and agricultural service firms which would include handlers are defined as those whose gross annual receipts are less than $3,500,000. The majority of these growers and handlers may be classified as small entities.

Inspected shipments, in packages, of California nectarines, peaches, and plums for the 1986 season totaled 15,066,800, 13,472,700, and 11,043,300, respectively, and they were primarily marketed in the fresh market. In 1986, the combined total production value of California nectarines, peaches, and plums was about $244 million.

This proposal would remove the plum container and pack requirement that requires top pads of tight-fill containers to contain wood excelsior or redwood bark. In addition, the proposal would change the size requirements for nectarines, plums, and peaches by adding several new varieties now produced in commercially significant quantities to the variety specific (named variety) size requirements, and by deleting from the variety-specific size requirements certain varieties no longer produced in significant quantities. The proposed rule also would change the weight-count standard (i.e., the maximum number of fruit permitted in an 8-pound sample) for the Catalina plum variety so the requirements more accurately reflect its sizing tendencies. Additionally, the proposal would exempt one variety of nectarines (the Apache) from the weight-count requirements (i.e. the maximum number of fruit permitted in a 16-pound sample) when packed in tray packs (molded forms). Last season, this variety met the size requirements regarding maximum number of fruit permitted in the tray pack, but had a difficult time meeting the weight-count requirements. The proposed exemption is expected to lessen the problems handlers experienced last season while committee considers what course of action should be recommended to correct this problem.

Another proposed change would subject all nectarine varieties not subject to variety-specific size requirements to minimum size requirements. Many new varieties of nectarines have been developed in recent years. The Nectarine Administrative Committee has determined that these unspecified varieties account for a large enough segment of the market to warrant some level of quality control. This proposal would help assure the quality of these nectarine varieties in the marketplace and thereby maintain the fruit's high quality image. Finally, this proposal

would delete a requirement for plums that subjects them to a two-pound subsample test.

Although this rule would impose requirements on additional fruit varieties, there would also be exemptions provided under 7 CFR 916.110 and 917.143 and 917.149 from the inspection and certification requirements for nectarines, peaches, pears, and plums. These exemptions include provisions for the shipment of minimum quantities without regard to program regulations.

It is the Department's view that the proposals adding several new varieties of nectarines, plums, and peaches now produced in commercially significant quantities to the variety-specific (named variety) size requirements, and those deleting certain varieties no longer produced in commercially significant quantities from those requirements, and the addition of a size requirement for all varieties of nectarines not subject to variety-specific requirements would not be detrimental to small entities. These changes are expected to improve the quality of the applicable fruits in the fresh market which would be beneficial in maintaining current markets and developing new ones. The proposals to remove an outdated plum packing requirement, to exempt the Apache variety of nectarines from weight-count requirements when packed in tray packs, and to delete requirements subjecting plums to a two-pound subsample test relieve restrictions on handlers and, as such, would not result in additional costs. Similarly, the proposal to change the weight-count standards for the Catalina plum variety to recognize that this plum is larger than the current standards reflect would not result in additional costs.

The proposed rule is issued under the marketing agreements, as amended, and Marketing Orders 916 and 917, as amended (7 CFR Parts 916 and 917), regulating the handling of nectarines, pears, plums, and peaches grown in California. The agreements and orders are effective under the Act. Shipments of these fruits are regulated by container and pack under Nectarine Regulation 8 (7 CFR 916.350; as amended and published in the **Federal Register** on September 27, 1985, 50 FR 39074), Plum Regulation 17 (7 CFR 917.454; as amended and published in the **Federal Register** on May 6, 1986, 51 FR 16671), and Peach Regulation 8 (7 CFR 917.442; as amended and published in the **Federal Register** on September 27, 1985, 50 FR 39074), and by grade and size under Nectarine Regulation 14 (7 CFR 916.356; as amended and published in the **Federal Register** on April 8, 1986, 51 FR 11901 and corrected on June 2, 1986, 51 FR 19748), Plum Regulation 19 (7 CFR 917.460; as amended and published in the **Federal Register** on July 9, 1986, 51 FR 24807), and Peach Regulation 14 (7 CFR 917.459; as amended and published in the **Federal Register** on April 8, 1986, 51 FR 11901 and corrected on June 2, 1986, 51 FR 19748). Because these regulations do not change substantially from season to season, they have been issued on a continuing basis subject to amendment, modification or suspension as may be recommended by the applicable committee and approved by the Secretary.

The Nectarine Administrative Committee, Plum Commodity Committee, and the Peach Commodity Committee recommended amendment of the size requirements for nectarines, plums, and peaches. In addition, the Plum Commodity Committee recommended amendment of the container and pack requirements for plums. This proposed rule is based upon those recommendations, information submitted by the committees, and other available information. The proposed changes reflect crop and market conditions experienced last season and expected conditions in 1987.

With respect to Plum Regulation 17, § 917.454(b)(4) would be deleted to remove the requirement that plum containers have top pads containing wood excelsior or redwood bark, and present paragraph (b)(5) would be redesignated as paragraph (b)(4). The packing requirement in paragraph (b)(4) is outdated and no longer necessary. There are materials better than wood excelsior and redwood bark available today and the committee believes handlers should be given the opportunity to use the packing material they prefer.

Variety-specific size regulations for varieties of nectarines, plums, and peaches are implemented when they are produced in commercially significant quantities which has been viewed as shipments exceeding 10,000 packages during a season. When varieties are no longer produced in significant quantities they are deleted from variety-specific size regulations. Shipments of the below-named nectarine, plum, and peach varieties that would be regulated under the variety-specific size requirements exceeded 10,000 packages during the prior season, and shipments of the below-named varieties that would be eliminated from variety-specific size regulation fell below 5,000 packages during the prior season.

With respect to Nectarine Regulation 8, §§ 916.356 (a)(2), (a)(3), and (a)(4) would be amended to add new varieties to the minimum size requirements. Specifically, the Early Diamond variety would be added to § 916.356(a)(2), the Pacific Star variety would be added to § 916.356(a)(3), and the Flaming Red, Grand Diamond, July Red, Scarlet Red, Spring Diamond: Star Bright, Summer Diamond, Summer Red, and 61–61 varieties would be added to § 916.356(a)(4). In addition, § 916.356(a)(3) would be amended to delete the Tina Red and Zee Gold varieties. Section 916.356(a)(3)(ii) would be amended to exempt the Apache variety from the weight-count requirements (i.e., the maximum number of fruit permitted in a 16-pound sample) when packed in tray packs (molded forms).

In addition, § 916.356(a) would be amended by adding a new paragraph and designating it as § 916.356(a)(5). This paragraph would require all varieties not subject to the variety-specific requirements to be subject to minimum size requirements. Currently, all varieties of nectarines are not subject to the size requirements of Nectarine Regulation 14 (§ 916.356). Although shipments of individual varieties of these nectarines do not exceed 10,000 packages each per year, total shipments of these nectarines have become increasingly significant: i.e., in 1985, shipments totalled over 119,000 packages of the approximately 16 million packages of nectarines shipped. These varieties in the aggregate account for a significant enough segment of the market to warrant some level of quality control. This proposed action would assure the quality of these variety nectarines in the marketplace and would, in addition, help the industry maintain its high quality image for all varieties of nectarines. A similar situation has existed in the California peach industry, and, under this marketing order (Marketing Order No. 917) both variety-specific and non-variety-specific size regulations are presently in effect for peaches. For shipments made during the period January 1 through May 31 of each year, the minimum size would be not more than 108 nectarines in a No. 22D standard lug box, and not more than 95 nectarines in a representative 16-pound sample. For shipments during the period June 1 through June 30 of each year, the minimum size would be not more than 96 nectarines in a No. 22D standard lug box, and not more than 87 nectarines in a representative 16-pound sample. For shipments during the period July 1

through December 31 of each year, the minimum size would be not more than 84 nectarines in a No. 22D standard lug box, and not more than 75 nectarines in a representative 16-pound sample. Varieties of nectarines maturing during the first five months of the year are generally smaller than those maturing later in the year. Hence, the proposed progression to tighter size requirements later in the year is designed to assure consumers of the best quality possible throughout the year, while recognizing the different size characteristics and harvest times of the various varieties which would be covered by the regulation.

With respect to Plum Regulation 19, § 917.460(b) would be amended to add new varieties to the minimum size requirements. Specifically, the Black Gold, d'Agen Sugar Prune, French Prune, Moyer Prune, and Sharron's Plum would be added to § 917.460(b). In addition, in that paragraph the maximum number of plums per 8-pound sample for the Catalina variety would be changed from 59 to 56 to more accurately reflect that variety's sizing characteristics. In recent seasons this plum has been larger than the current requirements reflect. Also, § 917.460(b) would be amended to delete the Amazon, Ambra, and Black Jewel varieties. Finally, § 917.460 (b) and (c) would be amended to delete the requirement that subjects plums to a two-pound subsample test. Requiring the two-pound subsample test in addition to the 8-pound sample test was intended to increase the accuracy of determining compliance with the minimum size requirements. However, this test requires additional inspection and time and thereby increases costs to handlers. The committee has reviewed this matter and has concluded that it needs additional time to evaluate the merits of requiring this second test. Therefore, the committee recommended that the two-pound subsample test not be required during the 1987 season.

With respect to Peach Regulation 14, §§ 917.459 (a)(4), and (a)(5) would be amended to add new varieties to the minimum size requirements. Specifically, the Golden Crest and Kern Sun varieties would be added to § 917.459(a)(4), the Fairmont (Belmont), Mary Ann, and Sprague Last Chance varieties would be added to § 917.459(a)(5). In addition, § 917.459(a)(2) would be amended to delete the Armgold, Royal April, and Royal Gold varieties, § 917.459(a)(4) would be amended to delete the JJK–1 variety, and § 917.459(a)(5) would be amended to delete the Halloween, Mardigras, Rio Oso Gem, and Royal Flame varieties.

A comment period of 15 days is deemed appropriate because the shipping season for the 1987 crops of nectarines and peaches is expected to begin in mid-April and it is desirable to implement the changes, if adopted, as soon as possible so that such changes would apply to this shipping season. In addition, a prompt decision on this proposal is necessary so that handlers may have sufficient time to adjust and plan their operations prior to or as early in the shipping season as practicable, in response to any changes that may result from this rulemaking.

List of Subjects in 7 CFR Parts 916 and 917

Marketing agreements and orders, Nectarines, Pears, Plums, Peaches from California.

For the reasons set forth in the preamble, it is proposed that 7 CFR Parts 916 and 917 be amended as follows:

1. The authority citation for 7 CFR Parts 916 and 917 continues to read as follows:

Authority: Secs. 1-19, 48 Stat.31, as amended; 7 U.S.C.601-674.

2. Section 916.356 (51 FR 11901, April 8, 1986; as corrected 51 FR 19748, June 2, 1986) is hereby further amended by revising paragraphs (a)(2) introductory text, (3) introductory text, (3)(ii), and (4) introductory text, and by adding new paragraphs (a)(5) through (a)(7) to read as follows:

§ 916.356 Nectarine Regulation 14.

(a) * * *

(2) Any package or container of Aurelio Grand, Early Diamond, Mayfair, Maybelle, MayGlo, or Royal Delight variety nectarines unless: * * *

(3) Any package or container of Ama Lyn, Apache, Armking, Early May, Early May Grand, Mike Grand, Early Star, Gee Red, June Belle, June Glo, June Grand, May Grand, Pacific Star, Red June, Spring Grand, Star Brite, Sunfre variety nectarines unless:

(i) * * *

(ii) Such nectarines, when packed in any container, except for the Apache variety of nectarines when packed in tray packs, are of a size that a 16-pound sample, representative of the nectarines in the package or container, contain not more than 87 nectarines.

(4) Any package or container of Autumn Delight, Autumn Grand, Bob Grand, Clinton-Strawberry, Early Sun Grand, Fairlane, Fantasia, Firebrite, Flamekist, Flaming Red, Flavortop, Flavortop I, Gold King, Grand Diamond, Granderli, Hi-Red, Independence, July Red, Kent Grand, Late Le Grand, Le Grand, Moon Grand, Niagara Grand, P–R Red, Red Diamond, Red Free, Red Grand, Regal Grand, Richards Grand, Royal Giant, Ruby Grand, September Grand, Tasty Free, Tom Grand, Larry's Grand, Scarlet Red, Son Red, Spring Diamond, Spring Red, Late Tina Red, Red Jim, Summer Beaut, Sparkling Red, Star Bright, Star Grand, Summer Diamond, Summer Grand, Summer Red, Sun Grand, Sherri Red, Super Star, Rio Red, or 61–61 variety nectarines unless: * * *

(5) During *January 1* through *May 31*, of each fiscal period, no handler shall handle any package or container of any variety of nectarines not specifically named in paragraphs (a) (2), (3), or (4) of this section unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 108 nectarines in the lug box; and (ii) Such nectarines, when packed in any container, are of a size that a 16-pound sample, representative of the nectarines in the package or container, contains not more than 95 nectarines.

(6) During *June 1* through *June 30*, of each fiscal period, no handler shall handle any package or container of any variety of nectarines not specifically named in paragraphs (a) (2), (3), or (4) of this section unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 96 nectarines in the lug box; and

(ii) Such nectarines, when packed in any container, are of a size that a 16-pound sample, representative of the nectarines in the package or container, contains not more than 87 nectarines.

(7) During *July 1* through *December 31*, of each fiscal period, no handler shall handle any package or container of any variety of nectarines not specifically named in paragraphs (a) (2), (3), or (4) of this section unless:

(i) Such nectarines, when packed in molded forms (tray pack) in a No. 22D standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 84 nectarines in the lug box; and

(ii) Such nectarines, when packed in any container, are of a size that a 16-pound sample, representative of the

nectarines in the package or container, contains not more than 75 nectarines.

* * * * *

3. Section 917.454 (51 FR 16670, May 6, 1986) is hereby further amended by removing paragraph (b)(4) and redesignating paragraph (b)(5) as (b)(4).

4. Section 917.459 (51 FR 11901, April 8, 1986; as corrected 51 FR 19748, June 2, 1986) is hereby further amended by revising paragraphs (a)(2) introductory text, (4) introductory text, and (5) introductory text as follows:

§ 917.459 Peach Regulation 14.

(a) * * *

(2) Any package or container of Desertgold variety peaches unless: * * *

* * * * *

(4) Any package or container of Babcock, Coronet, Early Coronet, Firecrest, First Lady, Flavorcrest, Flavor Red, Golden Crest, Golden Lady, Honey Red, June Crest, June Lady, Kern Sun, May Crest, May Lady, Merrill Gem, Merrill Gemfree, Ray Crest, Redhaven, Redtop, Regina, Royal May, Springcrest, Spring Lady, Willie Red, or 50–178 variety of peaches unless:

* * * * *

(5) Any package or container of Angelus, August Sun, Autumn Crest, Autumn Gem, Autumn Lady, Belmont, Berenda Sun, Blum's Beauty, Cassie, Cal Red, Carnival, Early O'Henry, Elberta, Elegant Lady, Fairmont, Fairtime, Fay Elberta, Fayette, Fire Red, Flamecrest, Fortyniner, Franciscan, July Lady, July Sun, Kings Lady, Lacey, Mary Ann, O'Henry, Pacifica, Parade, Preuss Suncrest, Red Cal, Redglobe, Red Lady, Ryan's Sun, Scarlet Lady, Sparkle, Sprague Kast Chance, Summerset, Suncrest, Sun Lady, Toreador, or Windsor variety of peaches unless:

* * * * *

5. Section 917.460 (51 FR 24807, July 9, 1986) is hereby further amended by revising paragraphs (b) and (c) as follows:

§ 917.460 Plum Regulation 19.

* * * * *

(b) No handler shall ship any package or other container of any variety of plums listed in Column A of the following Table I unless such plums are of a size that an eight-pound sample, representative of the sizes of the plums in the package or container, contains not more than the number of plums listed for the variety in Column B of said table:

Table I

Column A, variety	Column B, plums per sample
Andys Pride	69
Angeleno	67
Angee	67
Autumn Rosa	72
Bee Gee	65
Blackamber	56
Black Beaut	69
Black Diamond	59
Black Gold	63
Black Knight	58
Carolyn Harris	61
Casselman	63
Cataiina	56
d'Agen Sugar Prune	139
Durado	74
Early Hawaiian Ann	60
Ebony	66
El Dorado	68
Empress	57
Freedom	56
French Prune	139
Friar	56
Frontier	61
Gar-Rosa	71
Grand Rosa	54
July Red	64
July Santa Rosa	69
Kelsey	47
King David	50
King Richard	54
King's Black	58
Laroda	58
Late Santa Rosa (including improved Late Santa Rosa and Swall Rosa)	64
Linda Rosa	63
Mariposa	61
Midsummer	63
Moyer Prune	139
Nubiana	56
President	57
Prima Black	69
Queen Ann	50
Queen Rosa	53
Red Beaut	74
Red Rosa	64
Redroy	58
Rich Red	74
Rosa Ann	69
Rosemary	50
Rose Ann	60
Royal Red	74
Roysum	74
Santa Rosa	69
Sharron's Plum	61
Simka, Arrosa, New Yorker	50
Spring Beaut	74
Standard	83
Wickson	51

(c) No handler shall ship any package or container of any variety of plums not specifically named in paragraph (b) of this section, unless such plums are of a size that an eight pound sample representative of the sizes of the plums in the package or container contains not more than 139 plums.

* * * * *

Dated: March 16, 1987.

Joseph A. Gribbin,

Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 87-6063 Filed 3-20-87; 8:45 am]

BILLING CODE 3410-02-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 21 and 23

[Docket No. 029CE, Notice No. 23-ACE-28]

Special Conditions; OMAC Model Laser 300 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed special conditions.

SUMMARY: This notice proposes special conditions for the OMAC Model Laser 300 Series Airplanes. The airplane will have novel and unusual design features when compared to the state of technology envisaged in the airworthiness standards of 14 CFR Part 23 of the Federal Aviation Regulations (FAR). These novel and unusual design features include the aerodynamic configuration of the airplane, the location of the engine and propeller, and an outward opening, main entry door in the pressurized cabin, for which the regulations do not contain adequate or appropriate airworthiness standards. This notice contains the additional safety standards which the Administrator considers necessary to establish a level of safety equivalent to that provided by the airworthiness standards of Part 23.

DATE: Comments must be received on or before April 22, 1987.

ADDRESS: Comments on this proposal may be mailed in duplicate to: Federal Aviation Administration, Office of the Regional Counsel, ACE-7, Attention: Rules Docket Clerk, Docket No. 029CE, Room No. 1558, 601 East 12th Street, Kansas City, Missouri 64106. All comments must be marked: Docket No. 029CE. Comments may be inspected in the Rules Docket weekdays, except Federal holidays, between 7:30 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Bobby W. Sexton, Aerospace Engineer, Standards Office (ACE-110), Aircraft Certification Division, Central Region, Federal Aviation Administration, Room

1656, 601 East 12th Street, Federal Office Building, Kansas City, Missouri 64106; telephone (816) 374–5688.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of these special conditions by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Administrator before taking further rulemaking action on this proposal. Commenters wishing the FAA to acknowledge receipt of their comments submitted in response to this notice must include a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. 029CE." The postcard will be date stamped and returned to the commenter. The proposals contained in this notice may be changed in light of the comments received. All comments received will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested parties. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Type Certification Basis

The type certification basis for the OMAC Model Laser 300 Airplane is as follows: Part 23, effective February 1, 1965, as amended by amendments 23–1 through 23–31 and §§ 23.2 and 23.785 (g) and (h) as amended by amendment 23–32, effective December 12, 1985; Special Federal Aviation Regulations (SFAR) No. 27, effective February 1, 1974, as amended by amendments 27–1 through 27–4; Part 36, effective December 1, 1969, as amended by amendments 36–1 through the amendment effective on the date of type certification; exemptions, if any; and the special conditions that may result from this proposal.

Background

On August 26, 1985, OMAC, Inc., Post Office Box 3530, Albany, Georgia 31708, made application to the FAA for a type certificate for the OMAC Model Laser 300 Airplane. The OMAC Model Laser 300 will be an all metal, canard-configured airplane with a single pusher Pratt & Whitney PT–61–135A turbine engine of 750-shaft-horsepower driving a three-bladed, 106-inch diameter propeller. The main wing has winglets with rudders which provide directional control. The forward wing (canard) has a trailing edge flap which provides pitch control. The airplane will be pressurized to maintain a maximum cabin pressure altitude of 8,000 feet at a flight altitude of 25,000 feet and will have a maximum seating capacity of eight, excluding pilot seats. The airplane will be designed to the normal category airplane load factor requirements at a maximum design takeoff weight of 7,200 pounds.

Special conditions may be issued and amended, as necessary, as part of the type certification basis if the Administrator finds that the airworthiness standards designated in accordance with § 21.17(a)(1) do not contain adequate or appropriate safety standards because of novel or unusual design features of an airplane. Special conditions, as appropriate, are issued in accordance with § 11.49, after public notice as required by §§ 11.28 and 11.29(b), effective October 14, 1980, and will become part of the type certification basis, as provided by § 21.17(a)(2).

The proposed type design of the OMAC Model Laser 300 Airplane contains a number of novel or unusual design features not envisaged by the applicable Part 23 airworthiness standards. Special conditions are considered necessary because the airworthiness standards of Part 23 do not contain adequate or appropriate safety standards for the novel or unusual design features of the OMAC Model Laser 300 Airplane.

The Laser 300 has been designed using new National Aeronautics and Space Administration (NASA) wing design technology which is novel and unusual relative to the wing designs envisaged when the requirements of § 23.221 were promulgated.

The current provisions of § 23.221 requires spin testing for single engine airplanes and satisfactory recovery characteristics for either a one-turn spin, a six-turn spin, or the airplane must be shown characteristically incapable of spinning. After significant research, NASA, in cooperation with the General Aviation Manufacturers Association (GAMA), has developed new wing design technology which provides airplane control characteristics at minimum flight speeds which they believe are far superior to current airplane designs. NASA and GAMA believe this new wing design, commonly described as a "partial-span, drooped leading edge with a sharp discontinuity", provides considerably improved protection against inadvertent loss of control at slow speeds than does the present § 23.221 requirement to demonstrate recovery from a one-turn spin.

Since the earliest of civil certification standards, the phenomena of loss of control at minimum speed has been recognized and criteria established to avoid hazardous results therefrom. The basic tenet was that airplanes would stall and if stalled, they could spin. Therefore, spin recovery qualifications were established for both pilot and airplane. Subsequent history and accident records proved that just providing spin recovery capabilities did not prevent airplanes from inadvertently spinning. If a spin occurs near the ground recovery is highly improbable.

After several iterations, the standards of present § 23.221 were set forth in Civil Air Regulations (CAR) Part 03–0 in 1945 and further clarified in Amendment 3–7 of CAR 3 in May 1962. The preamble to these standards in CAR 3 clearly indicates that the objective was "spin prevention" rather than "spin recovery" for normal category airplanes. The one turn spin tests were intended to be investigations of the ability to regain control of the airplane after delaying recovery or abusing the controls during stalls rather than true spin tests. Concurrent with changes to the airplane spin certification requirements, the pilot licensing rules, CAR Part 20, were changed in 1949 to eliminate spin proficiency demonstrations stating that emphasis on the recognition of, and recovery from, stalls would contribute more effectively to safety.

By strengthening stall criteria in airplane and airman certification and by relaxing spin requirements for both airplane and airman certification, the stated intent was to provide an incentive for manufacturers to build, and operators of schools to use, spin-resistant or spin-proof airplanes. The technology to meet those objectives has been slow in coming. In the extensive NASA research program conducted to develop suitable technology, NASA has coordinated closely with FAA in establishing criteria that would provide equal or better potential for avoiding loss of control at the stall or minimum flight speed. It is emphasized that the intent was not to design an airplane that is absolutely spin-proof, but rather one that would be virtually impossible to accidently spin so that normal use of flight controls would recover or regain straight flight. The emphasis is on "normal" use of flight controls such that no special training or unique flight control movements are necessary to regain control. AIAA Paper No. 86–9812 presented by NASA personnel to the American Institute of Aeronautics and Astronautics (AIAA) serves as a good reference for the technical background

for the NASA/GAMA proposed spin-resistance criteria as well as the historical aspect of the spin problem in airplanes.

The current requirements of § 23.221 may not be adequate or appropriate for the unique wing design of the Laser 300. Therefore, in accordance with § 21.16, a special condition is proposed to establish adequate safety criteria relative to spin requirements.

The forward-mounted lifting surface; i.e., canard, of the OMAC, Model Laser 300 incorporates aerodynamic control surfaces which function as elevators for longitudinal (pitch) control of the airplane, and which have a significant effect on the lift distribution of the main wing. Part 23 does not currently provide strength requirements which adequately or appropriately address this forward/main wing configuration. In addition, Part 23 does not adequately or appropriately address requirements for longitudinal control surfaces attached to the trailing edge of the forward wing. An airplane with a forward lifting surface is subject to different structural loads than an airplane with an aft-mounted empennage. Existing Part 23 requirements specifically address horizontal tail surfaces. The forward-mounted horizontal lifting surface, like the one chosen for the OMAC Model Laser 300 Airplane was not envisaged when Part 23 was promulgated. A special condition is proposed to clarify and broaden the existing Part 23 requirements to account for the airplane loads associated with the forward lifting surface design.

Additionally, the OMAC, Model Laser 300 has vertical extensions at the end of each main wing which act as vertical stabilizers and includes rudders. The unusual aerodynamic configuration resulting from the use of these vertical stabilizers and the forward wing lifting surface; i.e., forward wing, is novel and unusual when compared to the aerodynamic configuration envisioned by the airworthiness standards of Part 23. Depending upon the preferred terms of "winglets", "tip fins", or "tip sails" of a particular manufacturer, the vertical surfaces at the ends of the main wing perform substantially the same functions of directional stability, and, in some cases, directional control. OMAC, Inc. prefers the term "tip fin" for describing these vertical surfaces on the Model Laser 300. Part 23 does not adequately or appropriately address requirements for vertical surfaces providing directional stability and control when these surfaces are located at the ends of the main wing. Therefore, the FAA is proposing a special condition to ensure adequate strength requirements for this design feature.

The fuselage design for the OMAC, Model Laser 300 incorporates outward-opening doors in the pressurized cabin. If this type of door is not properly closed and locked, or if a failure in the door or its locking mechanism occurs, the pressure in the cabin can blow the door open resulting in an explosive decompression of the cabin and possible injury to its occupants. The high cabin differential pressure and outward-opening doors are novel and unusual design features when compared to the state of technology envisaged in the applicable airworthiness standards of Part 23 because the current requirements do not contain any airworthiness standards for the door latching and locking mechanism nor for a means to warn the crew when doors are not properly closed and locked. Accordingly, the FAA is proposing a special condition to apply appropriate design standards to the door and latching and locking mechanism and to require a means to warn the crew when doors are not fully closed and locked.

OMAC, Inc. has selected an airplane configuration with a rear-mounted pusher propeller which may be susceptible to foreign object impingement on the propeller from the engine, possible damage from rocks, debris, or landing gear water spray during takeoffs and landings, and ice shed from the fuselage. In addition, the propeller will be subject to pressure and thermal pulses from the turbine engine exhaust plus possible vibratory effects from the airplane surfaces forward of the propeller. This is an unusual design feature differing from the tractor configuration typical of small airplanes. A special condition is proposed to ensure adequate consideration of the unusual design features not specifically addressed in the airworthiness standards of Part 23.

The propeller of the selected configuration may be susceptible to contact with the runway surface at the maximum pitch attitude attainable during takeoff and landing. This is an unusual design feature different from the tractor configuration envisioned by the airworthiness standards of Part 23. Therefore, a special condition is proposed to provide adequate ground clearance for the propeller. If a tail wheel or energy absorbing device is provided to show compliance with the special condition, the FAA proposes to require that appropriate design loads be established for the energy absorbing device and that the energy absorbing device and its supporting structure be designed to support those loads.

Since the aft location of the propeller on the OMAC Model Laser 300 is an unconventional design feature, passenger and ground personnel may be less aware of the proximity of the propeller blades. A special condition is proposed to require the necessary visibility of the propeller disc corresponding to similar requirements of Parts 27 and 29 concerning the conspicuity of the tail rotor.

The aft-mounted single turbine engine does not permit the pilot to visually detect an engine fire. Early detection of a powerplant fire for a fuselage aft-mounted single turbine engine installation is unlikely since the installation is not visible from the cockpit area. There is likely to be an unwarranted delay in the closure of flammable fluid line valves to prevent continuation of the fire. The turbine engine being separated from the aft cabin by a firewall, a properly designed fire detection system is considered necessary to provide an adequate fire warning to the pilot. The airworthiness standards of Part 23 did not envisage a single aft-mounted turbine engine. Therefore, the FAA is proposing a special condition addressing this novel or unusual design feature in the OMAC Model Laser 300 Airplane by requiring a fire detector system substantially the same as that applicable to certain multiengine small airplanes.

List of Subjects in 14 CFR Parts 21 and 23

Aviation safety, Aircraft, Air transportation, Safety, Tires.

The authority citation for these special conditions is as follows:

Authority: Secs. 313(a), 601, and 603 of the Federal Aviation Act of 1958; as amended (49 U.S.C. 1354(a), 1421, and 1423); 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 21.16 and 21.17; and 14 CFR 11.28 and 11.49.

The Proposed Special Conditions

Accordingly, the Federal Aviation Administration proposes the following special conditions as a part of the type certification basis for the OMAC Model Laser 300 Series Airplanes:

1. Spin Resistant Requirement

In lieu of the provisions of § 23.221, the following apply:

The airplane must be shown to have spin-resistant safety features by complying with the following:

(a) During the stall maneuvers contained in § 23.201, the pitch control must be pulled back and held against

the stop. Then, using ailerons and rudders in the proper sense of direction, it must be possible to maintain wings-level flight within 15 degrees of bank and to roll the airplane from a 30-degree bank in one direction to a 30-degree bank in the other direction.

(b) Reduce the airplane speed using pitch control at a rate of approximately one knot per second until the pitch control reaches the stop. With the pitch control pulled back and held against the stop, full rudder control must be applied, in a manner to promote spin entry, for a period of seven (7) seconds or through a 360-degree heading change, whichever occurs first. If the 360-degree heading change is reached first, it must have taken no less than four (4) seconds. This maneuver must be performed with the ailerons in neutral position, and with the ailerons deflected opposite the direction of turn or in the most adverse manner. Power or thrust and airplane configuration must be set in accordance with § 23.201(f) without change during the maneuver. At the end of seven (7) seconds or a 360-degree change, as appropriate, the airplane must respond immediately and normally to primary flight controls applied to regain coordinated, unstalled flight without reversal of control effect and without exceeding the temporary control forces specified by § 23.143(c).

(c) Compliance with §§ 23.201 and 23.203 must be demonstrated with the airplane in uncoordinated flight, corresponding to one-ball-width displacement on a slip-skid indicator, unless one-ball-width displacement cannot be obtained with full rudder, in which case, the demonstration must be with full rudder applied.

2. Forward Wing and Vertical Stabilizer Loads

(a) In addition to the requirements of § 23.301(b), the following shall be required: Methods used to determine load intensities and distribution over the various aerodynamic lifting and control surfaces must be validated by flight test measurement unless the methods used for determining those loads are shown to be reliable or conservative for the configuration under consideration.

(b) In lieu of § 23.301(d), the following applies: The forward lifting surface of the tandem wing configuration must meet all of the requirements of Part 23, Subpart C—Structure, applicable to a wing.

(c) In lieu of § 23.331, the following apply:

(1) The appropriate balancing loads must be accounted for in a rational or conservative manner when determining forward and main wing loads and linear inertia loads corresponding to any of the symmetrical flight conditions specified in §§ 23.333 through 23.341.

(2) The incremental forward wing loads due to maneuvering and gusts must be reacted by the angular inertia of the airplane in a rational or conservative manner.

(3) Mutual influence of the aerodynamic surfaces must be taken into account when determining flight loads.

(d) In addition to the gust load requirements of § 23.341, the following applies:

The gust load factors for the tandem wing configuration must be computed using a rational analysis considering the gust criteria of § 23.333(c), or may be computed in accordance with § 23.341 provided the resulting load factors are shown to be conservative with respect to the gust criteria of § 23.333(c).

(e) In lieu of the balancing loads requirements of § 23.421, the following apply:

(1) A horizontal surface balancing load is a load necessary to maintain equilibrium in any specified flight condition with no pitching acceleration.

(2) Horizontal balancing surfaces must be designed for balancing loads occurring at any point on the limit maneuvering envelope and in the flap conditions specified in § 23.345. The distribution in figure B6 of Appendix B of Part 23 may be used only on aft-mounted horizontal stabilizing surfaces unless its use elsewhere is shown to be conservative.

(f) In lieu of the maneuvering load requirements of § 23.423, the following apply:

(1) Each horizontal surface with pitch control must be designed for maneuvering loads imposed by the following conditions:

(i) A sudden movement of the pitching control at V_A, to (1) the maximum aft movement, and (2) to the maximum forward movement, as limited by the control stops, or pilot effort, whichever is critical. The average loading of B23.11 of Appendix B and the distribution in figure B7 of Appendix B may be used only on aft-mounted horizontal stabililzing surfaces unless its use elsewhere is shown to be conservative.

(ii) A sudden aft-movement of the pitching control at speeds above V_A, followed by a forward movement of the pitching control resulting in the following combinations of normal and angular acceleration:

Condition	Normal acceleration ($\underline{n}$)	Angular acceleration, ($\frac{\text{radian}}{\text{sec.}^2}$)
Nose up pitching	1.0	$+\frac{39}{V}\,\underline{n}_m\,(\underline{n}_m - 1.5)$
Nose down pitching	$\underline{n}_m$	$-\frac{39}{V}\,\underline{n}_m\,(\underline{n}_m - 1.5)$

where

(A) n_m = positive limit maneuvering load factor used in the design of the airplane; and

(B) V = initial speed in knots

(2) The conditions in this section involve loads corresponding to the loads that may occur in a "checked maneuver", (a maneuver in which the pitching control is suddenly displaced in one direction and then suddenly moved

in the opposite direction). The deflection and timing of the "checked maneuver" must avoid exceeding the limit maneuvering load factor. The total horizontal surface load for both down-load and up-load conditions is the sum of the balancing loads at V and the specified value of the normal load factor n, plus the manuevering load increment due to the specified value of the angular acceleration. The maneuvering load increment in figure B2 of Appendix B and the distribution in figure B7 (for nose-up pitching) and in figure B8 (for nose-down pitching) of Appendix B may be used only on airplane configurations with aft-mounted surfaces unless their use elsewhere is shown to be conservative.

(g) In lieu of the gust loads requirements of § 23.425, the following apply:

(1) Each horizontal surface, other than the main wing, must be designed for loads resulting from—

(i) Gust velocities specified in § 23.333(c) with the flaps retracted; and

(ii) Positive and negative gusts of 25 feet per second (f.p.s.) nominal intensity at V_F corresponding to the flight conditions specified in § 23.345(a)(2).

(2) When determining the total load on the horizontal surfaces for the conditions specified in paragraph (g)(1) of this special condition, the initial balancing loads for steady unaccelerated flight at the pertinent design speeds, V_F, V_C, and V_D must first be determined. The incremental load resulting from the gusts must be added to the initial balancing load to obtain the total load.

(h) In lieu of the unsymmetrical load requirements of § 23.427, the following apply:

(1) Horizontal surfaces other than the main wing and their supporting structure must be designed for unsymmetrical loads arising from yawing and slipstream effects, in combination with the loads prescribed for the flight conditions set forth in paragraphs (e) through (g) of this special condition.

(2) In the absence of more rational data:

(i) 100 percent of the maximum loading from the symmetrical flight conditions may be assumed on the surface on one side of the plane of symmetry; and

(ii) The following percentage of that loading must be applied to the opposite side:

Percent = 100 − 10 (n−1), where n is the specified positive maneuvering load factor, but this value may not be more than 80 percent.

(3) The vertical and horizontal surfaces and their supporting structures must be designed for combined vertical and horizontal surface loads resulting from each prescribed flight condition taken separately.

(i) In the absence of specific requirements for wing mounted vertical stabilizers, the following apply: Vertical stabilizers mounted on the wing must meet the applicable requirements of §§ 23.441, 23.443, and in lieu of a more rational method, § 23.445 for vertical tail surfaces. The effect of these surfaces on the spanwise loading of the wing must also be accounted for.

3. Doors and Exits

In addition to the requirements of §§ 23.783 and 23.807, each external door and exit in the pressurized fuselage for which the initial opening movement is not inward must comply with the following:

(a) There must be a means to lock and safeguard each external door and exit against opening in flight either inadvertently by persons or as a result of a mechanical failure or failure of a single structural element, either during or after closure.

(b) There must be a provision for direct visual inspection of the locking mechanism by a crewmember to determine, under operational lighting conditions, or by using a flashlight or equivalent lighting source, that all external doors and exits are fully locked.

(c) There must be a visual warning means to signal a flight crewmember if any external door or exit is not fully closed and locked. The means must be designed such that any failure or combination of failures that would result in an erroneous closed and locked indication is improbable.

4. Propeller Ground Clearance.

In addition to the propeller clearance requirements of § 23.925, the following apply:

(a) The airplane must be designed such that the propeller will not contact the runway surface when the airplane is in the maximum pitch attitude attainable during normal takeoffs and landings; and

(b) If a tail wheel, bumper, or an energy absorption device is provided to show compliance with paragraph (a) of this special condition, the following apply:

(1) Suitable design loads must be established for the tail wheel, bumper, or energy absorption device; and

(2) The supporting structure of the tail wheel, bumper, or energy absorption device must be designed to withstand the loads established in paragraph (b)(1) of this special condition and inspection/replacement criteria must be established for the tail wheel, bumper, or energy absorbing device and provided as a part of the information required by § 23.1529.

5. Propeller Marking

In the absence of specific regulations, the propeller must be marked so that the disc is conspicuous under normal daylight ground conditions.

6. Propeller Ice and Exhaust Gas Impingement Protection

In the absence of protection requirements for a rear-mounted pusher propeller, the following apply:

(a) Ice impingement on the propeller. All areas of the airplane forward of the propeller that are likely to accumulate and shed ice into the propeller disc during any operating condition must be suitably protected to prevent ice formation, or it must be shown that any ice shed into the propeller disc will not create a hazardous condition.

(b) Exhaust gas impingement on the propeller. If the engine exhaust gases are discharged into the propeller disc, it muat be shown by tests, or analysis supported by tests, that the propeller material is capable of continuous safe operation.

7. Fire Detection System.

In the absence of a specific requirement for rear-mounted, single-engine, turbine powered airplanes, the following applies:

(a) There must be a means which ensures the prompt detection of a fire in the engine compartment.

(b) Each fire detector must be constructed and installed so as to withstand the vibration, inertia, and other loads to which it may be subjected in the operation.

(c) No fire detector may be effected by any oil, water, or other fluids, or fumes that might be present.

(d) There must be a means to allow the flightcrew to check, in flight, the functioning of each fire detector electric circuit.

(e) Wiring and other components of each fire detector system in the engine compartment must be at least fire resistant.

Issued in Kansas City, Missouri, on March 10, 1987.

Jerold M. Chavkin,

Acting Director, Central Region.

[FR Doc. 87-6134 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 39

[Docket No. 87-CE-08-AD]

Airworthiness Directives; Fairchild Aircraft Corporation Models SA26-T, SA26-AT, SA226-T, SA226-T(B), SA226-AT, SA226-TC Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: This Notice proposes to adopt a new Airworthiness Directive (AD), applicable to Fairchild Aircraft Corporation Model SA26-T, SA26-AT, SA226-T, SA226-T(B), SA226-AT, and SA226-TC airplanes, which would require modification of the landing gear selector lever system and a one-time inspection and removal of center pedestal map, chart, or approach plate holders. Service history has shown that the landing gear selector lever mechanism is subject to wear, thereby allowing the selector lever to be displaced from the selected position and the chart, map, or approach plate holders can obstruct the view of the pedestal switches and landing gear selector lever. The proposed actions will provide clear access to the landing gear selector lever and will prevent inadvertent landing gear retractions.

DATES: Comments must be received on or before May 11, 1987.

ADDRESSES: Fairchild Aircraft Corporation Service Bulletin (S/B) for the Model SA26, S/B 26-32-30-39, dated February 13, 1987, and for the Model SA226, S/B 226-32-048, revised February 13, 1987, applicable to this AD may be obtained from Fairchild Aircraft Corporation, P.O. Box 790490, San Antonio, Texas 78279-0490; or may be examined at the Rules Docket at the address below.

Send comments on the proposal in duplicate to Federal Aviation Administration, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 87-CE-08-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106. Comments may be inspected at this location between 8 a.m. and 4 p.m., Monday through Friday, holidays excepted.

FOR FURTHER INFORMATION CONTACT: Mr. Mark R. Schilling, Airplane Certification Branch, ASW-150, Southwest Region, FAA, P.O. Box 1689, Fort Worth, Texas 76101; Telephone (817) 624-5163.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the regulatory docket or notice number and be submitted in duplicate to the address specified above. All communications received on or before the closing date for comments specified above will be considered by the Director before taking action on the proposed rule. The proposals contained in this notice may be changed in the light of comments received. Comments are specifically invited on the overall regulatory, economic, environmental and energy aspects of the proposed rule. All comments submitted will be available both before and after the closing date for comments in the Rules Docket for examination by interested persons. A report summarizing each FAA public contact concerned with the substance of this proposal will be filed in the Rules Docket.

Availability of NPRMs.

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Central Region, Office of the Regional Counsel, Attention: Rules Docket No. 87-CE-08-AD, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Discussion

Since 1969, there have been at least seven accidents involving Fairchild Aircraft Corporation Model SA26 and SA226 airplanes in which inadvertent landing gear actuation was found to be a contributing factor. Subsequent investigations revealed that the landing gear selector lever detents are subject to wear and, once worn, the selector lever can easily be displaced from the selected position. Fairchild Aircraft Corporation issued Service Bulletin (S/B) 226-32-048 in March 1984 that alerted owners/operators of SA226 aircraft of the availability of improved detents made of a material that would be less subject to wear. The parts were offered to the operators at no charge; however, very few operators took advantage of the S/B.

As a result of National Transportation Safety Board Recommendations, the FAA has evaluated the location and design of the landing gear selector. The FAA has found that the landing gear selection means for positive latching is susceptible to wear and that it is possible to place the gear handle in an intermediate position so that it is neither in the up nor down position. In addition, some Fairchild airplanes that were evaluated had modifications to the sides of the center pedestal that provided storage for charts, maps, or approach plates.

These storage provisions are not part of the approved Fairchild type design and when used for the storage of charts, maps, etc., block the clear view of pedestal controls and switches and can also cause the inadvertent actuation of various controls and switches on the pedestal.

Since the condition described is likely to exist or develop in other Fairchild Aircraft Corporation Models SA26 and SA226 airplanes of the same design, the proposed AD would require installation of a new landing gear selector lever which incorporates material which is less prone to wear, has deeper up and down detents, and incorporates a new cam mechanism that assures that the gear selector is either up or down and would require an inspection of the center pedestal to determine that no storage means or brackets for the storage of maps, charts, and approach plates are installed.

The FAA has determined there are approximately 495 airplanes affected by the proposed AD. The cost of inspecting for and removing storage provisions on the center pedestal and replacement of the landing gear selector lever as required by the proposed AD is estimated to average $560 per airplane. The total cost is estimated to be $276,793.80 to the private sector. The cost of compliance with this proposal for each airplane is so small and the distribution of the airplanes among the entities owning them is such that the cost to any small entities owning these airplanes will not be a significant amount under the criteria of the Regulatory Flexibility Act.

Therefore, I certify that this action (1) is not a "major rule" under the provisions of Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) if promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action has been placed in the public docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption "**ADDRESSES**".

List of Subjects in 14 CFR Part 39

Air transportation, Aviation safety, Aircraft, Safety.

The Proposed Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend § 39.13 of Part 39 of the FAR as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

§ 39.13 [Amended]

2. By adding the following new AD:

Fairchild Aircraft Corporation: Applies to Models SA26-T, SA26-AT, SA226-T, SA226-T(B), SA226-AT, SA226-TC (all serial numbers) airplanes certificated in any category.

Compliance: Required as indicated, unless already accomplished.

To prevent inadvertent landing gear selector movement, accomplish the following:

(a) On or before December 1, 1987, accomplish the following:

(1) Visually inspect the sides and end of the center pedestal for installation of brackets, holders, or any sort of provision for the storage of maps, charts, and approach charts and, prior to further flight, remove any such devices.

(2) Modify the landing gear selector lever in accordance with Fairchild Aircraft Corporation Service Bulletin (S/B) 26-32-30-39, dated February 13, 1987 (for the Model SA26 airplanes), or S/B 226-32-048, revision dated February 13, 1987 (for the Model SA226 airplanes), as applicable.

(b) Airplanes may be flown in accordance with FAR 21.197 to a location where this AD may be accomplished.

(c) An equivalent means of compliance with this AD may be used if approved by the Manager, Airplane Certification Branch, ASW-150, FAA, Southwest Regional Office, 4400 Blue Mound Rd., Fort Worth, Texas 76106; Telephone (817) 624-5150.

All persons affected by this directive may obtain copies of the documents referred to herein upon request to the Fairchild Aircraft Corporation, P.O. Box 790490, San Antonio, Texas 78279-0490; or may examine the documents referred to herein at FAA, Office of the Regional Counsel, Room 1558, 601 East 12th Street, Kansas City, Missouri 64106.

Issued in Kansas City, Missouri, on March 11, 1987.

Jerold M. Chavkin,

Acting Director, Central Region.

[FR Doc. 87-6135 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 71

[Airspace Docket No. 87-ASW-7]

Proposed designation of Transition Area: Brady, TX

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to designate a transition area at Brady, TX. The intended effect of the proposed action is to provide adequate controlled airspace for aircraft executing a new standard instrument approach procedure (SIAP) to the Curtis Field Airport. This action is necessary since there is a proposed nondirectional radio beacon (NDB) SIAP to the Curtis Field Airport using the Brady NDB (BBD). This action is necessary to ensure segregation of aircraft operating to and from the airport under instrument flight rules (IFR) and other aircraft operating under visual flight rules (VFR). Coincident with this proposed action, the airport will be changed from VFR to IFR.

DATES: Comments must be received on or before May 10, 1987.

ADDRESSES: Send comments on the proposal in triplicate to: Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Docket No. 87-ASW-7, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101.

The official docket may be examined in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

An informal docket may also be examined during normal business hours at the Airspace and Procedures Branch, Air Traffic Division, Southwest Region, Federal Aviation Administration, 4400 Blue Mound Road, Fort Worth, TX.

FOR FURTHER INFORMATION CONTACT: Robert P. Wheeler, Airspace and Procedures Branch, ASW-534, Air Traffic Division, Southwest Region, Federal Aviation Administration, P.O. Box 1689, Fort Worth, TX 76101; telephone: (817) 624-5561.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting; such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 87-ASW-7." The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Regional Counsel, 4400 Blue Mound Road, Fort Worth, TX, both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Manager, Airspace and Procedures Branch, Air Traffic Division, Southwest Region, P.O. Box 1689, Fort Worth, TX 76101. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) by designating a 700-foot transition area at Brady, TX. To enhance airport usage, a new instrument approach procedure is being developed for the Curtis Field Airport, Brady, TX. utilizing the Brady NDB as a navigational aid. This NDB will provide new navigational guidance for aircraft utilizing the airport. The development of a new instrument approach procedure, based on this navigational aid, entails designation of a transition area at Brady, TX, at and above 700 feet above ground level within which aircraft are provided air traffic control services. Transition areas are designed to contain IFR operations in controlled airspace

during portions of the terminal operation and while transiting between the terminal and en route environment. The intended effect of this action is to ensure segregation of aircraft using the approach procedure under IFR and other aircraft operating under VFR. This proposed action will change the airport status from VFR to IFR. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Control zones, Transition areas.

The Proposed Amendment

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, the FAA proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

Section 71.181 is amended as follows:

Brady, TX [New]

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Curtis Field Airport, (latitude 31°11'00" N., longitude 99°19'27" W.) and within 3 miles each side of the 355 bearing from the Brady nondirectional radio beacon (NDB) (latitude 31°10'42.6" N., longitude 99°19'22.4" W.), extending from the 6.5-mile radius area to 8 miles north of the Curtis Field Airport.

Issued in Fort Worth, TX, on March 11, 1987.

Michael R. Thompson,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 87-6140 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-13-M

---

14 CFR Part 71

[Airspace Docket No. 87-ANM-5]

Proposed Alteration of Transition Area, The Dalles, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to alter the 700 foot transition area for The Dalles Municipal Airport, The Dalles, Oregon, in order to wholly contain the Standard Instrument Approach Procedures (SIAP's) for the airport in controlled airspace.

DATE: Comments must be received on or before May 15,1987.

ADDRESS: Send comments on the proposal to: Manager, Airspace & System Management Branch, ANM-530, Federal Aviation Administration, Docket No. 87-ANM-5, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

The official docket may be examined in the Office of Regional Counsel at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, ANM-534, Federal Aviation Administration, Docket No. 87-ANM-5, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168. Telephone: (206) 431-2534.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 87-ANM-5". The postcard will be datetime stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking any action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Airspace & System Management Branch, 17900 Pacific Highway South, C-68966, Seattle, Washington, 98168. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisoy Circular 11-2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish additional controlled airspace to wholly contain the VOR/DME-A Standard Instrument Approach Procedures to The Dalles Municipal Airport. Specifically, a 700 foot transition area needs to be designated along the 15 NM DME ARC between The Dalles VORTAC 121(T) degree and 206(T) degree radials.

Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore— (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is

certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

The Proposed Amendment

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, the Fderal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. § 71.181 is amended as follows:

The Dalles [Amended]

After the words, ". . . 11.5 mile radius circle centered on The Dalles Municipal Airport;" add the words, ". . . and 5 miles either side of a 17.3 mile ARC of The Dalles VORTAC between the 121(T) degree radial and the 206(T) degree radial of The Dalles VORTAC.

Issued in Seattle, Washington, on March 6, 1987.

Temple H. Johnson, Jr.,

Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 87–6137 Filed 3–20–87; 8:45 am]

BILLING CODE 4910–13–M

---

14 CFR Part 71

[Airspace Docket No. 86–ANM–24]

Proposed Establishment of Pinedale, WY, Transition Area

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to establish transition areas to accommodate arrival and departure procedures to Wenz Airport, Pinedale, Wyoming.

DATES: Comments must be received on or before May 15, 1987.

ADDRESSES: Send comments on the proposal to: Manager, Airspace & System Management Branch, ANM–530, Federal Aviation Administration, Docket No. 86–ANM–24, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168.

The official docket may be examined in the Office of Regional Counsel, at the same address.

An informal docket may also be examined during normal business hours at the address listed above.

FOR FURTHER INFORMATION CONTACT: Robert L. Brown, ANM–534, Federal Aviation Administration, Docket No. 86–ANM–24, 17900 Pacific Highway South, C–68966, Seattle, Washington 98168. Telephone: (206) 431–2534.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, economic, environmental, and energy aspects of the proposal. Communications should identify the airspace docket and be submitted in duplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Airspace Docket No. 86–ANM–24". The postcard will be date/time stamped and returned to the commenter. All communications received before the specified closing date for comments will be considered before taking any action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination at the address listed above both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Airspace & System Management Branch, 17900 Pacific Highway South, C–68966, Seattle, Washington, 98168. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular 11–2 which describes the application procedure.

The Proposal

The FAA is considering an amendment to § 71.181 of Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish transition areas at Pinedale, Wyoming, to accommodate arrival and departure procedures to the Wenz Municipal Airport. The instrument approach procedures would use the nondirectional beacon (NDB) presently located on the airport.

Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6C dated January 2, 1987.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Aviation safety, Transition areas.

The Proposed Amendment

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) as follows:

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97–449, January 12, 1983); 14 CFR 11.69.

§ 71.181 [Amended]

2. § 71.181 is amended as follows:

Pinedale, Wyoming, Transition Area [New]

That airspace extending upward from 700 feet above the surface within 5 miles either side of a direct line between the Big Piney, Wyoming VOR/DME and the Wenz NDB extending from the VOR/DME to a point 5 miles northeast of the NDB, and within 3.5 miles either side of the 323° bearing to the Wenz NDB, extending to 11.5 miles southeast of the NDB, excluding the Big Piney, Wyoming, 700 feet transition area. That

airspace extending upward from 1,200 feet above the surface within 7.5 miles northeast and 11.5 miles southwest of the 323° bearing to the Wenz NDB, extending from a point 22 miles southeast of the NDB to a point 9.5 miles northwest of the NDB, excluding the Big Piney, Wyoming, 1,200 feet transition area.

Issued in Seattle, Washington, on March 6, 1987.

Temple H. Johnson, Jr.,

Manager, Air Traffic Division, Northwest Mountain Region.

[FR Doc. 87-6138 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[INTL-43-86]

Interest Charge; Domestic International Sales Corporation (DISCs)

AGENCY: Internal Revenue Service, Treasury.

ACTION: Corections to notice of proposed rulemaking.

SUMMARY: This document contains corrections to a notice of proposed rulemaking that was published in the Federal Register on Tuesday, February 3, 1987 (52 FR 3256). The proposed rules relate to the taxation of income allocable to a Domestic International Sales Corporation (DISC) for taxable years beginning after 1984.

FOR FURTHER INFORMATION CONTACT: Joseph M. Rosenthal, 202-566-6276 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The proposed rules that are the subject of these corrections would provide DISCs and DISC shareholders with guidance needed to comply with the Tax Reform Act of 1984 and the Technical Corrections Title of the Tax Reform Act of 1986. The proposed rules would affect all DISCs and DISC shareholders.

Need for Corrections

As published, the notice of proposed rulemaking (INTL-43-86) contains several typographical errors that, if not corrected, would cause confusion to taxpayers and practitioners.

Corrections of Publication

Accordingly, the publication of proposed rules (INTL-43-86), which were the subject of FR Doc. 87-2015, is corrected as follows:

§ 1.991-1 [Corrected]

Paragraph 1. In § 1.991-1, paragraph (a), page 3259, second column, the line that reads "pay an annual deductible interest charge" is removed and the lanugage "pay an annual interest charge" is added in its place.

Par. 2. In § 1.991-1, paragraph (f), page 3259, third column, the line that reads "Of a DISC shall pay a deductible interest" is removed and the language "of a DISC shall pay an interest" is added in its place.

§ 1.992-1 [Corrected]

Par. 3. In § 1.992-1, paragraph (j)(2)(iii), *Example* (ii)(B), page 3260, third column, the date "July 3, 1987" is removed and the date "July 31, 1987" is added in its place.

§ 1.995-2 [Corrected]

Par. 4. In § 1.995-2, paragraph (b)(2), page 3261, second column, the date "December 31, 1986" is removed and the date "December 31, 1987" is added in its place.

§ 1.995-8 [Corrected]

Par. 5. In § 1.995-8, paragraph (d), page 3265, third column, in the last sentence of that paragraph the language "unless the gross receipts" is removed and the language "unless all of the gross receipts" is added in its place.

§ 1.995(f)-1 [Corrected]

Par. 6. In § 1.995(f)-1, paragraph (d)(8), page 3269, first column, in the last sentence of that paragraph the reference "section 904(d)(1)(B)" is removed and the reference "section 904(d)(1)(F)" is added in its place.

Par. 7. In § 1.995(f)-1, paragraph (g)(3), *Example (2)*(iv), page 3271, first column, the last sentence which reads "See § 1.441-(h)(3)." is removed and the sentence "See § 1.441-1(h)(3)." is added in its place.

§ 1.996-9 [Corrected]

Par. 8. In § 1.996-9, paragraph (a)(2), page 3272, third column, at the conclusion of the last sentence of that paragraph, the language "section 992 (b)(2)" is removed and the language "section 995 (b)(2)" is added in its place.

Par. 9. In § 1.996-9, paragraph (f), page 3273, second column, in the parenthetical expression in the first sentence of that paragraph, the language "including a corporation" is removed and the language "including a corporation" is added in its place.

Graham G. Clark,

Chief, Branch 4, Associate Chief Counsel (International).

[FR Doc. 87-6230 Filed 3-20-87; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1952

[Docket No. T-021]

Nevada State Plan; Proposed Revision to State Staffing Benchmarks; Request for Comments

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Proposed revision to State compliance staffing benchmarks; request for written comments.

SUMMARY: This document gives notice of the proposed revision of compliance staffing benchmarks applicable to the Nevada State plan which were originally established in April 1980 in response to the U S. Court of Appeals decision in *AFL-CIO* v. *Marshall,* 570 F. 2d 1030 (D.C. Cir. 1978). OSHA is soliciting written public comment to afford interested persons an opportunity to present their views regarding whether or not the revised benchmarks for Nevada should be approved.

DATE: Written comments must be received by April 30, 1987.

ADDRESS Written comments should be submitted, in quadruplicate, to the Docket Officer, Docket No. T-021, Room N-3670, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 523-7894.

FOR FURTHER INFORMATION CONTACT: James Foster, Director Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3637, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 523-8148.

SUPPLEMENTARY INFORMATION:

Background

Section 18 of the Occupational Safety and Health Act of 1970 (the "Act", 29 U.S.C. 651 et seq.) provides that States which desire to assume responsibility for developing and enforcing occupational safety and health standards may do so by submitting, and obtaining Federal approval of, a State plan. Section 18(c) of the Acts sets forth the statutory criteria for plan approval, and among these criteria is the requirement that the State's plan provide satisfactory assurances that the State agency or agencies responsible for implementing the plan have ". . . the qualified personnel necessary for the enforcement of . . . standards," 29 U.S.C. 667(c)(4).

A 1978 decision of the U.S. Court of Appeals and the resultant implementing order issued by the U.S. District Court for the District of Columbia (*AFL–CIO* v. *Marshall*, C.A. No. 74–406) interpreted this provision of the Act to require States operating approved State plans to have sufficient compliance personnel necessary to assure a "fully effective" enforcement effort. The Assistant Secretary of Labor for Occupational Safety and Health (Assistant Secretary) was directed to establish "fully effective" compliance staffing levels, or benchmarks, for each State plan.

In 1980, OSHA submitted a *Report to the Court* containing these benchmarks and requiring Nevada to allocate 7 safety and 9 health compliance personnel to conduct inspections under the plan. Attainment of the 1980 benchmark levels or subsequent revision thereto is a prerequisite for State plan final approval consideration under section 18(e) of the Act.

Both the 1978 Court Order and the 1980 *Report to the Court* explicitly contemplate subsequent revision to the benchmarks in light of more current data, including State-specific information, and other relevant considerations. In August 1983 OSHA together with State plan representatives initiated a comprehensive review and revision of the 1980 benchmarks and developed a formula and procedures for the revision of the 1980 benchmarks. (A complete discussion of both the 1980 benchmarks and the present revision process is set forth in the January 16, 1985 **Federal Register** (50 FR 2491) on the Wyoming occupational safety and health plan.) The State of Nevada participated in this benchmark revision process and, in July 1986, requested that the Assistant Secretary approve revised compliance staffing levels for a "fully effective" program responsive to the occupational safety and health needs and circumstances in the State.

The Nevada plan, which was granted initial State plan approval on December 28, 1973 (39 FR 1008, January 4, 1974), is administered by the Nevada Department of Industrial Relations. The plan was certified as having satisfactorily completed all its developmental commitments on August 13, 1981. Concurrent Federal enforcement jurisdiction was suspended on December 9, 1981, with the signing of an Operational Status Agreement (47 FR 25323, June 11, 1982).

Proposed Revision of Benchmarks

In July 1986, the Nevada Department of Industrial Relations (the designated agency or "designee" in the State) in conjunction with OSHA completed a review of the compliance staffing benchmarks established for Nevada. Pursuant to an initiative begun in August 1983 by the State plan designees as a group with OSHA, and in accord with the formula and general principles established by the joint Federal/State task group for the revision of the 1980 benchmarks, Nevada reassessed the staffing necessary for a "fully effective" occupational safety and health program in the State. This reassessment resulted in a proposal, contained in comprehensive documents, of revised compliance staffing benchmarks of 11 safety and 5 health compliance officers.

The proposed revised safety benchmark contemplates biennial general schedule inspection of all private sector manufacturing establishments with greater than 10 employees in Standard Industrial Classifications whose State-specific Lost Workday Case Injury Rate is higher than the overall State private sector rate (as determined by the Bureau of Labor Statistics' (BLS) Annual Occupational Injury and Illness Survey). The State has historically spent an average of 9 hours on such inspections, and each State safety inspector is able to devote 1,353 hours annually to actual inspection activity, based on State personnel practices. Establishments have been added to this initial, general schedule universe based on the State's analysis of past injury and inspection experience to identify those employers or groups of employers most likely to have hazards which could be eliminated by inspection. In addition, inspection resources are allocated to coverage of mobile and public employee (State and local government) worksites, response to complaints and accidents, and follow-up inspections to ascertain compliance, based on historical experience and an assessment of proper safety coverage in the State of Nevada.

The proposed revised health benchmark contemplates general schedule inspection coverage once every three years of all private sector manufacturing establishments with greater than 10 employees in the 150 Standard Industrial Classifications in the State having the highest likelihood of exposure to health hazards. These are determined by a health ranking system utilizing data from the National Occupational Hazards Survey (NOHS), as published in 1977, which assesses the potency and toxicity of substances in use in the State. The State has historically spent an average of 13 hours on such inspections, and each health compliance officer is able to devote 1,353 hours annually to actual inspection activity, based on State personnel practices. Establishments have been added to this initial general schedule universe based on the State's knowledge gained from inspection experience and other data on the extent of employee exposure to and use of toxic substances and harmful physical agents by individual employers or groups of employers, and the extent to which hazardous exposures can be eliminated by inspection. In addition, inspection resources are allocated to coverage of mobile and public employee (State and local government) worksites, response to complaints and accidents, and follow-up inspections to ascertain compliance, based on historical experience and an assessment of proper health coverage in the State of Nevada.

OSHA has reviewed the State's proposed revised benchmarks and supporting documentation, prepared a narrative describing the State's submission, and determined that the proposed compliance staffing levels appear to meet the requirements of the Court in *AFL–CIO* v. *Marshall* and provide staff sufficient to ensure a "fully effective enforcement program."

Effect of Benchmark Revision

Consistent with the 1978 Court Order in *AFL–CIO* v. *Marshall* and the procedures for implementation of benchmarks described by OSHA in the 1980 *Report to the Court*, if the proposed revised benchmarks are approved by OSHA, the State must allocate a sufficient number of safety and health enforcement staff to meet the revised benchmarks in order to be eligible for final approval under section 18(e) of the Act. Approval of the revised benchmarks would be accompanied by an amendment to 29 CFR Part 1952, Subpart W, which generally describes the Nevada plan, setting forth the State's revised safety and health benchmark levels.

Documents of Record

A comprehensive document containing the proposed revision to Nevada's benchmarks, including a narrative of the State's submission and supporting statistical data has been made part of the record in this proceeding and is available for public inspection and copying at the following locations:

Docket Office, Room N–3670, Docket No. T–021, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Regional Administrator—Region IX, U.S. Department of Labor, OSHA, 11349 Federal Building, 450 Golden Gate

Avenue, P.O. Box 36017, San Francisco, California 94102.

Nevada Department of Industrial Relations, Division of Occupational Safety and Health, Capitol Complex, 1370 South Curry Street, Carson City, Nevada 89710.

In addition, to facilitate informed public comment, an informational record has been established in a separate docket, Docket T-018, containing background information relevant to the benchmark issue in general and the current benchmark revision process. This informational docket includes, among other material, the 1978 Court of Appeals decision in *AFL-CIO* v. *Marshall*, the 1978 implementing Court Order, the 1980 *Report to the Court*, and a report describing the 1983-84 benchmark revision process. It is also available for public inspection and copying at the following location: Docket Office, Room N-3670, Docket No. T-018, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

Public Participation

OSHA is soliciting public participation in its consideration of the approval of the revised Nevada benchmarks to assure that all relevant information, views, data and arguments are available to the Assistant Secretary during this proceeding. Members of the public are invited to submit written comments in relation to whether the proposed revised benchmarks will provide for a fully effective enforcement program for Nevada in accordance with the Court Order in *AFL-CIO* v. *Marshall*. Comments must be received on or before April 30, 1987, and be submitted in quadruplicate to the Docket Office, Docket No. T-021, Room N-3670, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington DC 20210. Written submissions must be directed to the specific benchmarks proposed for Nevada and must clearly identify the issues which are addressed and the positions taken with respect to each issue.

All written submissions as well as other information gathered by OSHA will be considered in any action taken. The record of this proceeding, including written comments and all material submitted in response to this notice, will be made part of the record and will be available for public inspection and copying in the Docket Office, Room N-3670, at the previously mentioned address, between the hours of 8:15 a.m. and 4:45 p.m.

List of Subjects in 29 CFR Part 1952

Intergovernmental relations, Law enforcement, Occupational safety and health.

(Sec. 18, 84 Stat. 1608 (29 U.S.C. 667); 29 CFR Part 1902, Secretary of Labor's Order No. 9-83 (43 FR 35736))

Signed at Washington, DC, this 17th day of March, 1987.

John A. Pendergrass,

Assistant Secretary of Labor.

[FR Doc. 87-6103 Filed 3-20-87; 8:45 am]

BILLING CODE 4510-26-M

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

29 CFR Part 2200

Rules of Procedure; Simplified Proceedings

AGENCY: Occupational Safety and Health Review Commission.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The Occupational Safety and Health Review Commission recently proposed several amendments to its procedural rules for simplified adjudicative proceedings before the Commission and its Administrative Law Judges. 52 FR 4917-4921, February 18, 1987. The Commission invited public comment on or before March 20, 1987. More recently, representatives of the U.S. Department of Labor have requested the Commission to extend the comment period. In response, the Commission has agreed to extend the comment period by two weeks. This document extends the comment period.

DATE: Comments must be submitted on or before April 3, 1987.

ADDRESS: Comments may be mailed to—Earl R. Ohman, Jr., General Counsel, Occupational Safety and Health Review Commission, Room 402-A, 1825 K Street, NW., Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: Earl R. Ohman, Jr. at (202) 634-4015.

List of Subjects in 29 CFR Part 2200

Hearing and appeal procedures, Administrative practice and procedure.

Dated: March 18, 1987.

Earl R. Ohman, Jr.,

General Counsel.

[FR Doc. 87-6187 Filed 3-20-87; 8:45 am]

BILLING CODE 7600-01-M

DEPARTMENT OF DEFENSE

48 CFR Parts 203 and 209

Federal Acquisition Regulation Supplement (DFARS); Implementation of Recommendations Made by the President's Blue Ribbon Commission on Defense Management

AGENCY: Department of Defense (DOD).

ACTION: Proposed rule and request for comments.

SUMMARY: The Defense Acquisition Regulatory (DAR) Council invites public comment concerning proposed amendments to the Defense Federal Acquisition Regulation Supplement (DFARS) implementing certain recommendations made by the President's Blue Ribbon Commission on Defense Management (the Packard Commission). The proposed rule adopts a policy in DFARS Subpart 203.70 promoting establishment of contractor management controls to improve compliance with contractual commitments and procurement standards, and amends DFARS Subpart 209.4 to provide additional criteria for responsibility determinations in connection with debarment and suspension decisions.

DATE: Comment on the proposed rule should be submitted in writing to the Executive Secretary, DAR Council, at the address below, not later than May 22, 1987, to be considered in formulation of a final rule. Please cite DAR Case 86-157 in all correspondence related to this issue.

ADDRESS: Interested parties should submit written comments to: Defense Acquisition Regulatory Council, ATTN: Mr. Charles W. Lloyd, Executive Secretary, DAR Council, ATTN: DASD(P)/DARS, c/o OASD (A&L), Room 3C841, The Pentagon, Washington, DC 20310-3062.

FOR FURTHER INFORMATION CONTACT: Mr. Charles W. Lloyd, Executive Secretary, DAR Council, Telephone: (202) 697-7266.

SUPPLEMENTARY INFORMATION:

A. Background

On June 30, 1986, the President's Blue Ribbon Commission on Defense Management (the Packard Commission) rendered a Final Report to the President concerning its study of defense management and acquisition practices. The Commission's Report has been strongly endorsed by the Department of Defense (DOD). The purpose of this proposed rule is to implement

recommendations contained in sections I and III.C.2. of Chapter Four of the Report which concern contractor self-governance programs and debarment and suspension regulations, respectively.

In section I, Chapter Four of the Report, the Commission recommended that DOD act to hasten progress by defense contractors toward improved self-governance by fostering adoption of internal management controls designed to eliminate fraud, waste and abuse in defense procurement. Specific recommendations of the Commission include the adoption of written standards of ethical business conduct, with provision for vigilant enforcement; instructional systems which ensure that standards of conduct are clearly articulated and understood by all corporate personnel; procedures for employees to report apparent misconduct without fear of reprisal; systems which monitor compliance with standards of conduct and evaluate their continuing efficacy; internal and external audit reviews to ensure adherence to law, regulation and contractual commitments; and, voluntary disclosure practices, affording the government timely notice of irregularities and misconduct discovered in the self-review process.

Additional recommendations contained in section III.C.2, Chapter Four, of the Report concern the improvement of regulations governing the conditions under which a contractor may be suspended or debarred. The Commission recommended regulatory amendments to provide specific criteria for determining the necessity for debarment or suspension, especially in cases involving criminal misconduct, and amendments to provide guidance to debarment officials in determining actions necessary to protect the public interest. Criteria suggested include the extent of a contractor's efforts to implement ethical standards of conduct and the presence of internal control systems monitoring compliance with those standards; the extent to which misconduct is symptomatic of systemic problems; the nature and extent of voluntary disclosure and cooperation offered by the contractor in identifying and investigating the misconduct; and, the sufficiency of remedial measures taken to eliminate the causes of the misconduct.

The proposed rule would implement Commission recommendations by amendment of DFARS Parts 203 and 209. In order to hasten and encourage contractor initiatives toward improved corporate governance, a policy statement is proposed for incorporation at Subpart 203.70 concerning the types of management controls, suitable to the size of the company, deemed essential by the DOD. The Department has recommended to the Civilian Agency Acquisition Council that a similar provision be included in Part 3 of the FAR. Finally, additional criteria and guidance are proposed for Subpart 209.4 concerning debarment and suspension decisions.

Recently, on November 21, 1986, the DAR Council published (51 FR 42,113) a Notice of Proposed Rulemaking concerning DAR Case 84–164, entitled "Fraud, Waste and Abuse Awareness Programs". Public comments were invited. In view of the similarities between DAR Case 84–164 and the present rulemaking, the DAR Council will consider both cases simultaneously following completion of the public comment process.

Commenters are also encouraged to express their views concerning whether, and to what extent, the present rulemaking contains coverage appropriate for inclusion in the Federal Acquisition Regulation.

B. Regulatory Flexibility Act

Consistent with section 603(c)(1) of the Act (5 U.S.C. 603(c)(1)) concerning flexible alternatives to uniform rules and recommendations made by the Packard Commission (Final Report, p. 81), the policy proposed as an amendment to DFARS Part 203 does not detail specific internal control systems and permits small businesses to institute such systems as are responsive to their unique circumstances. Similarly, the criteria and guidance added to DFARS Subpart 209.4 should not have a monetary impact upon small firms. Accordingly, the proposed rule is not expected to have a significant economic impact upon a substantial number of small entities within the meaning of the Regulatory Flexibility Act of 1980, and an initial regulatory flexibility analysis has therefore not been performed. Comments are invited from small businesses and other interested parties.

Comments from small entities concerning existing coverage within DFARS Part 203 and Subpart 209.4 will also be considered in accordance with section 610 of the Act. Such comments must be submitted separately and cite DAR Case 87–610 in correspondence.

C. Paperwork Reduction Act

The proposed rule does not impose information collection requirements within the meaning of the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), as implemented by regulations prescribed at 5 CFR Part 1320, and OMB approval of the proposed rule is not required. Comments are invited.

List of Subjects in 48 CFR Parts 203 and 209

Government procurement.

Charles W. Lloyd,

Executive Secretary, Defense Acquisition Regulatory Council.

Therefore, 48 CFR Parts 203 and 209 are proposed to be amended as follows:

1. The authority citation for 48 CFR Parts 203 and 209 continues to read as follows:

Authority: 5 U.S.C. 301, 10 U.S.C. 2202, DoD Directive 5000.35 and DoD FAR Supplement 201.301.

PART 203—IMPROPER BUSINESS PRACTICES AND PERSONAL CONFLICTS OF INTEREST

2. The Table of Contents of Part 203 is proposed to be amended by adding at the end thereof, the following new subpart and section title, as follows:

Subpart 203.70—Contractor Responsibility to Avoid Improper Business Practices

203.7000 Policy.

3. Subpart 203.70, consisting of section 203.7000 is proposed to be added to read as follows:

Subpart 203.70—Contractor Responsibility to Avoid Improper Business Practices.

203.7000 Policy.

It is essential that companies with whom the government contracts conduct themselves only with the highest degree of integrity and honesty. Therefore, contractors with the Government must have effective systems of management standards and controls, suitable to the size of the company, that are designed to promote such standards and to facilitate the timely discovery and disclosure of improper conduct in connection with Government contracts and to assure that corrective measures are promptly instituted and carried out. This system of management controls shall, at a minimum, provide for—

(a) A written Code of Business Ethics and Conduct and an ethics training program for all employees;

(b) Periodic reviews of company business practices, procedures, and policies;

(c) A mechanism, such as a hotline, by which employees may report suspected instances of improper conduct, including a program of instruction that encourages employees to make such reports;

(d) Internal and external audits;

(e) A program for discipline for improper conduct;

(f) Timely reporting to appropriate Government officials of any improper action in connection with Government contracts; and

(g) Full cooperation with Government agencies responsible for investigation and correction.

Part 209—CONTRACTOR QUALIFICATIONS

4. Section 209.406–1 is proposed. to be amended by adding paragraphs (d) (1) and (2), to read as follows:

209.406–1 General.

(d) * * *

(1) Although the contractor has been convicted of a felony the debarring official may determine that debarment is not warranted where the contractor can demonstrate to the debarring official's complete satisfaction that—

(i) The contractor had effective review and control procedures in place at the time of the activity on which the felony conviction was based. The contractor's review and control systems may be considered effective if the activity on which the felony conviction was based was discovered by the contractor through the operation of the contractor's review and control systems;

(ii) The contractor made timely disclosure to the appropriate government agency of the improper activity;

(iii) The contractor cooperated fully with the government agency during the investigation and any Court or administrative action;

(iv) The contractor has paid or has agreed to pay all criminal and civil liability for the improper activity;

(v) The contractor has made or has agreed to make full restitution, including any investigatory and administrative costs incurred by the Government;

(vi) The contractor has dismissed or has agreed to dismiss all individuals responsible for the activity on which the conviction was based, or the contractor has taken such other disciplinary action as the debarring official determines to be appropriate; and

(vii) The contractor has implemented or agreed to implement remedial measures, including an ethics training program for all contractor personnel.

(2) Where the contractor did not have effective review and control procedures in place at the time the activity on which the conviction was based occurred, the debarring official may, with the approval of the Secretary concerned or the Assistant Secretary of Defense (A&L) in the case of the defense agencies, enter into an agreement with the contractor in lieu of debarring the contractor if the debarring official determines that such an agreement will protect the interests of the government. At a minimum in such an agreement, the contractor shall agree to—

(i) Subscribe to a written code of ethics in a form approved by the Department.

(ii) Institute an ethics training program for all contractor employees, without charge to the Department of Defense under any contract;

(iii) Institute review and control procedures, without charge to the Department of Defense under any contract;

(iv) Make full settlement of all criminal and civil liability arising out of the conviction; and

(v) Make full restitution to the Department of Defense, including any investigatory and administrative costs incurred by the Department of Defense.

5. Subpart 209.4 is proposed to be amended by adding after section 209.406–4 the following new section:

209.407–3 Procedures.

(d)(3) If the cause for suspension as listed in FAR 9.407–2 is based upon an indictment, the suspending official, in determining whether a suspension should be terminated, shall consider the factors set forth in § 209.406–1(d).

[FR Doc. 87–6154 Filed 3–20–87; 8:45 am]
BILLING CODE 3810–01–M

DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Parts 192 and 195

[Docket No. PS–94; Notice 1]

Pipeline Operator Qualifications

AGENCY: Office of Pipeline Safety (OPS), Research and Special Programs Administration, DOT.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: This notice, issued in advance of a proposed rule, invites public comment on the need for additional regulations or a certification program regarding the qualification of personnel who design, construct, operate, or maintain gas or hazardous liquid pipelines. The comments are to assist OPS in developing a final position on various recommendations from Congressional, Federal, and State sources.

DATE: Interested persons are invited to submit written comments in triplicate before May 7, 1987. Late filed comments will be considered if practical.

ADDRESS: Send comments to the Dockets Unit, Office of Hazardous Materia Transportation, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590. Identify the docket and notice numbers stated in the heading of this notice. All comments and docketed material will be available for inspection and copying in Room 8426 between 8:30 a.m. and 5:00 p.m. each business day.

FOR FURTHER INFORMATION CONTACT: L.M. Furrow, (202) 366–2392, regarding the subject matter of this notice, or Sandra Cureton, (202) 366–5046, for copies of this notice or other material in the docket.

SUPPLEMENTARY INFORMATION:

I. Introduction

OPS is considering the need to develop additional regulations governing the training and qualification of persons that operators hire or otherwise engage to design, construct, operate, or maintain pipeline facilities used in the transportation of gas or hazardous liquids. These persons are hereafter referred to as "operator personnel." The regulations would apply to operators of gas pipeline systems (other than LNG facilities) subject to the Natural Gas Pipeline Safety Act of 1968 (NGPSA) (49 U.S.C. 1671 *et seq.*) and the safety standards in 49 CFR Part 192, and to operators of hazardous liquid pipeline systems subject to the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2001 *et seq.*) and the safety standards in 49 CFR Part 195. The regulations would be similar to the existing personnel qualifications and training requirements (cited in Part IV of this Notice), but enlarged in scope or detail to cover areas of personnel performance where deficiencies are recognized.

Alternatively, a program of licensing or certification of operator personnel is being considered. Such a program would require the development of standards for the skills, knowledge, or experience needed to perform various pipeline functions. Certificates would be awarded on the basis of tests or evaluation. Either OPS, State agencies, an approved private entity, or the pipeline operators themselves would grant the certificates. If OPS were to issue such certificates, DOT would probably need to acquire licensing authority through new legislation or amendments to the NGPSA and HLPSA.

In furtherance of these additional regulations or certification program, OPS also intends to develop more comprehensive requirements governing the operation and maintenance (O&M) plans of gas pipeline operators. Adequate O&M plans and procedures are needed to provide a sound basis for measuring qualifications. Written O&M plans for gas pipelines are now required by regulation (49 CFR 192.605) in accordance with Section 13 of the NGPSA (49 U.S.C. 1680), but the regulation is written in performance language rather than in specific language. In contrast, detailed regulations (49 CFR 195.402) governing the procedures that operators of hazardous liquid pipelines must follow for pipeline operation and maintenance are in effect under Section 210 of the HLPSA (49 U.S.C. 2009). OPS anticipates that the expanded O&M requirements for gas operators would parallel those in effect for operators of hazardous liquid pipelines, changed as appropriate for the different commodities and systems involved.

II. Background

Several sources have recommended that DOT take action to regulate the qualifications of pipeline operators, or operator personnel Most notably, the House Committee on Energy and Commerce in its August 11, 1986, report to accompany H.R. 4426 (a bill to authorize appropriations for 1987) recommended that the Department require the certification or licensing of *all* pipeline operators. (*Pipeline Safety Reauthorization*, H.R. Rep No. 99–779, Part 1, 99th Congress, 2d Sess., 7).

In making this recommendation the Committee noted that "[c] ertification of operators and inspectors is required for similar professions, such as boiler operators and inspectors," and that "pipelines are the only form of transportation that do not already require a licensed operator." The full Committee recommendation came after Congressman Philip R. Sharp, Chairman, Subcommittee on Fossil and Synthetic Fuels, had suggested in a May 8, 1986, letter to M. Cynthia Douglass, Administrator, Research and Special Programs Administration (RSPA), that a licensing program be started for pipeline operators.

Preceding the House Committee recommendation, in December 1982 the DOT Inspector General (IG) recommended in a memorandum to the RSPA Administrator that RSPA require licensing and certification of managers/superintendents of gas distribution systems. The IG said—

> State safety inspectors have indicated that operators of small municipal and privately owned gas distributors are frequently unaware of the federal safety standards or lack the know-how to implement them. Managers or superintendents of gas distribution systems should demonstrate a basic knowledge and understanding of federal safety standards before they are allowed to operate/manage the systems. Licensing or certification of natural gas distribution operators would improve compliance and enable state safety inspectors to provide greater coverage by reducing the amount of time expended in explaining standards to operators. Many states already require the operators of other utility systems to be licensed.

Because of the local nature of the problems seen by the State inspectors, RSPA has taken the position that any needed licensing or certification should be done by State governments and not the Federal government. This position was consistent with the policy of the NGPSA and the HLPSA, which permits States to add compatible safety regulations to the minimum Federal standards for intrastate pipelines when needed to meet local problems.

In addition, the Minnesota Commission on Pipeline Safety in a November 20, 1986, report recommended that OPS study the need for certification of pipeline design and construction personnel. OPS opened this issue to public discussion along with various other proposals in an advance notice of proposed rulemaking published in the **Federal Register** on February 11, 1987. (52 FR 4361).

An alternative approach to government licensing or certification of operator personnel was recommended in 1986 by the National Association of Pipeline Safety Representatives (NAPSR), an association of State pipeline safety inspectors. As one of its annual recommendations submitted to the RSPA Administrator, NAPSR urged DOT "to initiate a rulemaking to establish regulations which would require natural gas operator personnel qualification." NAPSR made this recommendation after finding that "[i]t would be in the best interest of public safety, and as a general standard for the natural gas industry, that all natural gas system operations be under the direction of a person who is qualified by test, experience, and training in natural gas work."

The National Transportation Safety Board (NTSB) also sees the need for regulatory action with regard to qualification of personnel. Like NAPSR, it recommends a rulemaking approach rather than Federal licensing or certification of operators. In a recently issued report (NTSB–Par–87–1) on two Texas Eastern Gas Pipeline accidents in Kentucky, NTSB asked RSPA to:

> Amend 49 CFR Parts 192 and 195 to require that operators of pipelines develop and conduct selection, training, and testing programs to annually qualify employees for correctly carrying out each assigned responsibility which is necessary for complying with 49 CFR Part 192 and 195 as appropriate. (Rec. No. P–87–2)

Comments on this advance notice of proposed rulemaking will assist RSPA in properly responding to this recommendation as required by Section 307 of the Independent Safety Board Act of 1974 (49 U.S.C. 1906).

RSPA also prepared an investigative report on the operations and mantenance procedures of Texas Eastern (*Texas Eastern Gas Pipeline Company Operations and Maintenance Procedures Evaluation*, November 1986). Although personnel qualifications were not questioned, the report concluded that the company's O&M plan was not sufficiently detailed—particularly in regard to corrosion control—to provide proper guidance to field personnel. One of the report's recommendations was that—

> OPS should revise § 192.605, "Essentials of operating and maintenance plan," to provide more guidance" (simlar to § 192.615 regarding emergency plans, and § 195.402 regarding liquid pipeline procedural manuals).

III Analysis of the Problem

The primary evidence that pipeline operators do not always use qualified personnel comes from the testimony State inspectors gave to the IG and at the annual RSPA/State regional meetingss. The focus of the State inspectors' concern has been small gas distribution systems. These systems are often characterized as master meter systems serving mobile home parks or housing complexes, and as private or municipal systems serving fewer than 10,000 customers. Also, for purposes of the Regulatory Flexibility Act (5 U.S.C. 601–612), RSPA has determined that small liquid operators are independently owned and operated with less than $1 milliion annual cash flow.

Based on its own field experience, OPS agrees with the State inspectors' view. It is apparent that, in general, operator personnel of small gas systems do not have the same level of technical competency and understanding of the Federal safety standards as do operator personnel of the larger distribution systems and interstate transmission facilities. RSPA had previously published this opinion with regard to master meter operators in a report titled *Exercise of Jurisdiction Over Master*

Meter Operators (March 1984), prepared as required by Section 111 of the Pipeline Safety Act of 1979 (49 U.S.C. 1682 note). At page 12 of this report, RSPA noted that "[m]ost master meter gas operators have limited knowledge of the hazards, proper materials, maintenance or operation of a safe gas system."

At the same time, the master meter report found it probable that even though the risk is ill defined, master meter failures, fatalities, and injuries are slight in comparison to total significant gas distribution failures and resulting fatalties and injuries. For this reason and because of the NGPSA policy that States enforce all intrastate pipeline safety regulations, the report affirmed DOT's policy of continuing to apply the minimum Federal safety standards, while encouraging the States to take a greater role in master meter safety. State actions recommended included establishing State-wide training courses or inducing larger utilities to assume the master meter functions. With this policy the enormity of the potential master meter problem (considering the estimated 81,000 master meter operators compared to the 1,491 other distribution operators) would not unduly drain the limited RSPA pipeline safety resources, and yet uniform standards of safety would be maintained.

In view of the House Committee's recommendation that "all pipeline operators be certified or licensed, RSPA sought the advice of its two advisory committees, representing government agencies, pipeline operators, and the public: the Technical Pipeline Safety Standards Committee and the Hazardous Liquid Pipeline Safety Standards Committee. At a joint meeting in Washington, DC, on December 4, 1986, the two committees concluded that there is not a lack of qualified personnel in most large companies, but that there could be a lack in small distribution, municipal, and master meter companies. It was agreed there is no need to certify all operators, but there could be safety improvement with respect to small distribution, municipal, and master meter operators. As to who shoud be certified, the consensus was that this could vary depending on the layering of administration in each company, but that emphasis should be on persons in charge of O&M activities. When asked about the Federal role in any certification program, the majority felt it should be one of guidance, coordination and oversight, but not direct involvement.

In addition to this more or less empirical evidence that small operators lack qualified personnel, many accidents have been reported that are attributable, in part, to poor performance by operator personnel. These accidents are not limited to small gas distribution systems. For example, a recent interstate pipeline accident was, in part, due to improper matching of pipe ends by operator personnel in preparation for welding. Other examples involve cases where operator personnel repair or tap plastic pipe without guarding against static electricity; unwittingly enter gas-rich areas; or suffocate inside pipe believed to be purged, manholes not vented or inside unvented storage tanks. Also, operator personnel have caused accidents by improper use of pigging apparatus and failed to properly respond to indications of line ruptures. It would be difficult to determine the full extent of accidents attributable to poor personnel performance since numerous cases reported as non-personnel related, such as equipment failure or corrosion, actually may have been set in motion by poor maintenance practices or installation techniques.

Of course, there is no certainty that these reported instances could have been avoided or mitigated by additional regulations governing the training or qualifications of operator personnel or by a government licensing program for the operator personnel involved. No doubt regulations or licensing would result in some improvement in safety, but errors by otherwise qualified personnel probably account for some of the poor performance that led to or exacerbated the reported accidents. Also, the effectiveness of any remedial effort regarding qualifications is unclear. Thus, it is questionable whether the accidents that can be tied to poorly qualified operator personnel are sufficiently numerous and widespread or the proposed remedies sufficiently effective to warrant the cost of the extensive Federal effort that would be required to certify the personnel qualifications of all operators.

Another difficulty (besides accidents) that poorly trained or qualified operator personnel present is their inability to apply or understand the performance type safety standards in Parts 192 and 195. Better qualifications could lead to a higher level of compliance, which should mean fewer opportunities for accidents. Still it is not clear whether safety improvements could be achieved which would be worth the expenditures required for their accomplishment.

To understand the complexities and potential costs of certifying just the key personnel of all pipeline operators or imposing on these operators additional regulations for personnel qualifications, it is useful to know the numbers of jurisdictional operators in each major category. These are tabulated below based on current OPS data:

Category	Number of Operators	
	Less than 10,000 services	Total
Gas distribution:		
Master meter	81,000	81,000
Municipal	873	902
Private utility	392	589
Gas transmission	N/A	[1]425
Hazardous liquid	N/A	170

[1] Includes distribution companies that own transmission lines.

The number of operator personnel that would be affected by new reguations or certification would depend in large part on the size of the systems involved.

IV. Status of Federal and State Actions Regarding Operator Qualifications

The Part 192 and Part 195 safety standards already contain many specific requirements regarding personnel qualification and training. They are listed below:

- § 192.11, Petroleum gas systems.—Incorporation by reference of NFPA 58 and 59 requires that all persons employed in handling LP-gas be properly trained in handling and operating procedures.
- § 192.227.& § 195.222, Qualifications of welders.—Incorporation by reference of API 1104 and the ASME Boiler Code provides welding tests that persons must pass before welding on pipelines.
- § 192.241(b), Inspection and test of welds.—Certain welds that are visually inspected by a qualified welding inspector need not be nondestructively tested.
- § 192.243(b)(2) & § 195.234(b)(2), Nondestructive testing. Nondestructive testing of welds must be performed by persons who are trained and qualified in the test procedures and equipment.
- § 192.285, Plastic pipe; qualifying persons to make joints.—Persons joining plastic pipe must be qualified by training and tests of specimen joints.
- § 192.287, Plastic pipe; inspection of joints.—Persons inspecting plastic pipe joints must be qualified by training or experience in evaluating joint acceptability.
- § 192.453, General [corrosion control].—Corrosion control procedures must be carried out by, or under the

direction of, a person qualified by experience and training in corrosion control methods.

• § 192.615(b)(2), Emergency plans.—Each operator must train personnel to know the emergency procedures and verify that the training is effective.

• § 195.204, Inspection—general.—Pipeline construction must be inspected by persons trained and qualified in the phase being inspected.

• § 195.403, Training.—Each operator must instruct operating and maintenance personnel to carry out the O&M procedures, know the characteristics of hazards, recognize emergencies, control accidental releases, use fire fighting equipment, and safely repair facilities. Annual reviews of personnel performance and training effectiveness are required.

In addition to its regulatory efforts, RSPA continues to play a direct role in operator personnel training. Through its varied courses in system safety offered by the Transportation Safety Institute in State-sponsored 2-day seminars, RSPA is increasing the knowledge of operator personnel throughout the country about proper application of the Federal safety standards. Further, RSPA has published and disseminated several documents on pipeline safety, including over 24,000 copies of the widely used "Guidance Manual for Operators of Small Gas Systems."

State agencies have also been active on their own to train operator personnel, working with industry trade associations in many cases. At least 5 States have attempted to develop certification programs, although none has established a working program. One problem has been the reluctance of State trade associations to participate in proposed certification programs because of the potential legal liabilities involved in conducting the actual training and licensing.

V. Summary and Request for Comments

OPS believes that the competency of operator personnel is a problem that is generally limited to small municipal and privately owned gas distribution utilities and to master meter systems. Even with the large number of master meter operators, the competency problem does not appear to pose a substantial threat to public safety because the number of persons exposed to small systems is low by comparison with the larger systems, and the degree of hazard attributable to incompetent operation of small systems is not clearly established.

Improved operator personnel qualifications through additional regulations or licensing could enhance safety to some extent. Precisely how much is difficult to predict, though, because of the uncertain effectiveness of any training or qualification program in reducing accidents, and the difficulty of relating the lack of qualifications in particular areas to accident causes.

OPS has not projected the costs of imposing new regulations or starting a certification program. Any data that would quantify such costs is solicited. No doubt the costs would be extensive, particularly if every pipeline operator had to comply. Costs could be reduced significantly, however, if the scope of any new rules or program were reduced to maximize the benefits, and if the problem areas could be more specifically defined and related to accident causes.

In the face of the numerous requests for action, OPS is requesting public comment on the need for action, and if more should be done than at present, what the form of that action should be. The following questions are intended to focus public discussion on factors relevant to these issues:

1. Does the competency level of operator personnel pose a significant enough threat to public safety to warrant further governmental action? (Provide explanation of response).

2. If you answer "yes" to question 1:

(a) Should the governmental action be applied industry-wide or just to operators of master meter and other small gas distribution systems?

(b) Who should be responsible for taking the necessary action: DOT or State agencies?

(c) What should be the appropriate governmental action:

(i) Further regulation of personnel training and qualifications like that now in Parts 192 and 195;

(ii) A licensing/certification program applicable to operator personnel; or

(iii) Stepped-up direct training and preparation of guidance material for operator personnel?

3. If additional regulations for personnel training or qualifications like those now in Parts 192 and 195 are developed:

(a) In what areas (design, construction, operation, or maintenance) should they apply?

(b) Which areas should require testing of personnel qualifications?

(c) What would be the cost of compliance per operator affected?

(d) How would safety be improved in terms of accidents prevented or mitigated?

4. If a State or Federal government licensing/certification program is started:

(a) For what job functions should certified personnel be required, and should all personnel be certified or just managers or supervisors of those functions?

(b) What standards (experience, training, testing, physical capabilities) should be applied to determine competency in that job function?

(c) Should personnel certificates be granted directly by the government (State or Federal); by a government approved private entity; or by operators subject to government oversight and enforcement?

(d) What would be the cost of compliance per operator affected?

(e) Who should provide the training needed to qualify personnel for certificates?

(f) What benefits might be expected from a certification program in terms of accidents prevented or mitigated, and would these benefits be more or less than could be achieved through additional qualification or training regulations?

(g) Under what circumstances should action be taken to revoke a certificate, and what procedures should apply to such revocation?

5. How should O&M regulations for gas operators differ from the Part 195 O&M regulations?

Issued in Washington, DC on March 18, 1987.

Richard L. Beam,

Director, Office of Pipeline Safety.

[FR Doc. 87-6162 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-60-M

Federal Highway Administration

49 CFR 391

[OMCS Docket No. 128; Notice. No. 87-04]

Blood Alcohol Concentration Standard for Commercial Vehicle Operators

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The FHWA is requesting comments from interested parties concerning the establishment of a commercial driver blood alcohol concentration (BAC) standard. This action is in response to Congress' enactment of the Commercial Motor Vehicle Safety Act of 1986 (the Act). Section 12008 of the Act calls for the National Academy of Sciences (NAS) to conduct a study of the appropriateness of reducing the BAC level (from 0.10 to 0.04 percent or some other level less than 0.10 percent) at or above which a person operating a commercial motor

vehicle would be deemed to be driving under the influence of alcohol. Based on the results of the study and the rulemaking comments, the Secretary of Transportation must promulgate a commercial driver BAC standard. States would be required to enact laws providing that any driver who operates a commercial motor vehicle at the Federal BAC level or above is deemed to be driving under the influence of alcohol. States not enacting a BAC level law for commercial motor vehicle drivers risk the loss of Federal-aid highway funds. The comments received in response to this advance notice of proposed rulemaking (ANPRM) will be made available to the NAS.

DATE: Comments must be received on or before May 22, 1987.

ADDRESS: All written comments should refer to the docket number and notice number that appear at the top of this document and should be submitted (preferably in triplicate) to Room 3404, Office of Motor Carrier Standards, 400 Seventh Street SW., Washington, DC 20590. All comments received will be available for examination at the above address from 7:45 to 4:15 p.m., ET, Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. John Viner, Traffic Safety Research Division, (703) 285–2031; or Mr. Thomas P. Holian, Office of Chief Counsel, (202) 366–1350, Federal Highway Administration, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590. Office hours are from 7:45 to 4:15 p.m., ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: Section 12008 of the Commercial Motor Vehicle Safety Act of 1986 (Pub. L. 99–570; October 27, 1986) requires the FHWA to contract with the NAS to conduct a study to determine the appropriate blood alcohol concentration (BAC) level by which a person operating a commercial motor vehicle would be deemed to be driving under the influence of alcohol. The Secretary of Transportation, guided by the study's results and rulemaking comments, will then promulgate a commercial motor vehicle driver BAC standard. Drivers who operate commercial motor vehicles in violation of this standard will be subject to disqualification and possible civil or criminal penalties. States would be required to enact similar laws providing that any driver who operates a commercial motor vehicle at the Federal BAC level or above is deemed to be driving under the influence of alcohol. States not enacting such a BAC level law mandating licensing suspension for violators risk the loss of Federal-aid highway funds. Failure by the Secretary to establish a BAC standard under section 12008 by October 27, 1988, will result in the adoption of a 0.04 percent standard as the applicable Federal standard.

Background

National accident statistics suggest that large trucks are less frequently involved in accidents than passenger cars on a per-mile-of-travel basis. However, accidents involving large trucks generally result in more severe consequences. In addition, according to Fatal Accident Reporting System data compiled from the States by the National Highway Traffic Safety Administration (NHTSA) for 1985, 4 percent of the fatal accidents involving heavy trucks (> 26,000 pounds) had alcohol involvement (BAC=0.10 percent or greater). The same data show that over 25 percent of the fatal accidents involving automobiles had alcohol involvement.

The task of reducing losses from commercial motor vehicle accidents can be approached through the use of safer vehicles, better road design, and more stringent controls on the qualifications of drivers, or a combination of these. In the Commercial Motor Vehicle Safety Act of 1986, attention was focused on drivers. The Act, among other things, requires the establishment of minimum national standards for the issuance of a commercial motor vehicle driver's license; prohibits commercial motor vehicle drivers from holding more than one license; and requires the establishment of national standards for defining driving under the influence of alcohol by commercial motor vehicle operators. During deliberations before passage of the Act, the Senate Bill (S. 1903) proposed to set the national commercial motor vehicle operator standard at 0.04 percent BAC, while the House Bill (H.R. 5568) contained a 0.10 percent BAC standard. In conference, the provision was inserted which required rulemaking by the Secretary of Transportation, with advice from the NAS, to decide the appropriate BAC standard.

Currently, 40 States plus the District of Columbia have laws which provide that any person with a blood alcohol concentration of 0.10 percent or greater when driving a motor vehicle shall be deemed to be driving under the influence. Two States set the illegal per se level at 0.08 percent, but in no State is it as low as 0.04. No State imposes different limits on commercial motor vehicle operators. Two States set BAC levels higher than 0.10 as the illegal per se standard. The remaining six States do not have illegal per se statutes but provide that specified BAC levels establish a rebuttable presumption of driving under the influence.

Federal rules currently establish a 0.04 percent BAC level as defining "under the influence" for railroad train (49 CFR 219.101) and any crewmember of a civil aircraft (14 CFR 91.11). No Federal BAC standard currently exists specifically for commercial motor vehicle operators.

Although the evidence is substantial that impairment begins at BAC levels well below the 0.10 percent standard found in most State laws,[1] the BAC provision provoked considerable controversy during congressional debate over the new Act. Some States object in principle to the method of enforcement (i.e., withholding a portion of Federal aid highway funds from States which fail to enact the necessary legislation), and predicted high administrative costs with minimum safety payoff. The motor carrier industry expressed concern that the standard might appear to give approval to drivers working with a BAC above zero but below the limit established, which would be contrary to motor carrier management policy. Driver representatives objected that a double standard for commercial and noncommercial drivers was unfair and unnecessary.

The NAS study, mandated by Congress to be completed by October 27, 1987, seeks:

1. To estimate the accident risks associated with commercial motor vehicle drivers operating their motor vehicles at various blood alcohol concentration (BAC) levels and to study the appropriateness of reducing the BAC level from 0.10 to 0.04 percent or some other level below 0.10 percent.

2. To identify administrative and enforcement problems and to estimate the administrative and enforcement costs associated with the implementation of alternative BAC levels.

3. To estimate the overall benefits and costs of imposing alternative commercial motor vehicle operator BAC levels.

Comments are requested concerning the BAC standard for commercial motor vehicle operators at or above which they should be deemed to be operating their commercial motor vehicles under the influence of alcohol. The FHWA

[1] Hurst, P. M., "Epidemiological Aspects of Alcohol and Driver Crashes and Citations," *Alcohol, Drugs and Driving*; ed. Perrine, M.W., National Highway Traffic Safety Administration, Tech. Rept. DOT HS 801 096 (1974).

seeks detailed information and supporting data concerning this issue. Information which provides a rationale for a particular position is very important, as is data which estimate the cost impacts and benefits of the action under consideration.

The FHWA has determine that this document does not contain a major rule under Executive Order 12291. Pursuant to Executive Order 12498, this rulemaking actions has been included in the Regulatory Program for significant rulemaking actions. This rulemaking action is being initiated in order to implement a statutory mandate. A regulatory evaluation is not required because of the ministerial nature of this action. However, potential regulatory impacts will be assessed as a necessary part of developing a commercial driver BAC standard.

Based on the information available to the FHWA at this preliminary stage of the rulemaking, it does not appear that this action will have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act (Pub. L. 96–354).

List of Subjects in 49 CFR Part 391

Driver qualifications-driving under the influence of alcohol, Highways and roads, Highway safety, Motor carriers.

(Catalog of Federal Domestic Assistance Program Number 20.217, Motor Carrier Safety)

Authority: 49 U.S.C. 3102 and App. 2505; secs. 12008 and 12009 of Pub. L. 99–570; 49 CFR 1.48)

Issued on: March 17, 1987.

R.A. Barnhart,

Federal Highway Administrator, Federal Highway Administration.

[FR Doc. 87–6261 Filed 3–20–87; 8:45 am]

BILLING CODE 4910–22–M

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 87–05; Notice 1]

Federal Motor Vehicle Safety Standards—Child Restraint Systems

AGENCY: National Highway Traffic Safety Administration [NHTSA], DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This notice proposes to amend Standard No. 213, *Child Restraint Systems*, to permit the installation of built-in child restraint systems in passenger cars, in response to a petition for rulemaking submitted by Mr. Verne L. Freeland. The standard currently specifies performance requirements which apply mainly to add-on (portable) child restraints.

DATE: Comments must be received on or before May 22, 1987. If adopted, this proposal would become effective immediately upon publication of a final rule in the **Federal Register.**

ADDRESS: Comments should refer to the docket and notice number stated above and be submitted to Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590. The docket is open on weekdays from 8 a.m. to 4 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Vladislav Radovich, Office of Vehicle Safety Standards, NRM–12, National Highway Traffic Safety Administration, 400 Seventh Street SW., Washington, DC 20590 (202–366–4924).

SUPPLEMENTARY INFORMATION: Mr. Verne L. Freeland submitted a petition to amend Standard No. 213, *Child Restraint Systems*, to permit the production and installation of built-in child restraint systems, i.e., child restraint systems that form an integral part of vehicle seats. The standard currently specifies performance requirements that apply to add-on child restraints (i.e., child restraints that are not integral parts of vehicle seats, but are placed on vehicle seats and held in position by vehicle lap belts. The requirements were directed mainly toward add-on child restraints because they were the only type of child restraint being produced when the standard was first issued in 1970.

The agency tentatively concludes that built-in child restraint systems could provide a level of safety at least equal to that provided by add-on child restraint systems. In addition, a built-in child restraint system could be easier to use because, unlike add-on child restraints, it might not have to be secured by a vehicle lap belt.

Therefore, the agency is proposing to amend Standard No. 213 so that its requirements are appropriate for both add-on and built-in child restraint systems. Changes would be made to the existing provisions of Standard No. 213 only to the extent necessary to accommodate built-in child restraints. In the case of some existing requirements, no changes would be necessary. In the case of others, the proposal would create two versions, one for each type of restraint.

This proposal defines an "add-on child restraint system" to mean a portable system. When necessary for clarity, the phrase, "add-on," has been inserted before "child restraint system" in the existing requirements so that they would continue to be applicable only to that type of child restraint system.

A "built-in child restraint system" is defined as one which is an integral part of a passenger car. The agency is proposing test procedure requirements for child restraint systems that are built into passenger car seats or seat backs, and that like the petitioner's seat for example, can be folded away when not in use The definition of "built-in child restraint system" does not apply to systems that are placed on a vehicle seat and fastened by the vehicle safety belt or additional tethering devices or anchorages The agency requests comments on the feasibility of manufacturing built-in child restraint systems as integral parts of other types of vehicles. If manufacturers wish to install built-in systems as integral parts of other vehicle types, comments are requested on broadening the definition to permit this practice and on permitting their installation in vehicles and vehicle structures other than seats.

Dynamic Performance Requirements

Standard No. 213 currently places limits on the excursion of the test dummy head and knees. The standard also limits head and chest acceleration. The proposal would modify these limits for built-in systems so that head excursion would not need to be measured. For add-on systems, measuring head excursion in addition to head acceleration is necessary since the test procedure does not include a representative vehicle interior which can be struck during the test. Due to this limitation, the head acceleration measurement alone cannot ensure that the child restraint user would be protected against impacts with the vehicle interior. To prevent such impacts, head excursion must also be measured. The head acceleration test procedure for built-in systems would not have this limitation since the system would be tested in either a complete vehicle or in a vehicle shell that includes the surrounding vehicle interior.

For forward facing, built-in child restraint systems, the agency would retain the requirement for knee excursion limits to avoid the possibility of submarining. As explained in the preamble to the December 13, 1979 final rule on Standard No. 213 (44 FR at 72133), the purpose of the knee excursion limit is to prevent manufacturers from controlling the amount of head excursion by designing their restraints so that their occupants submarine excessively during a crash (i.e., so that their bodies slide too far

downward and forward, legs first). However, the agency proposes to modify the method of measuring compliance with the 36 inch knee excursion limit. For add-on child restraint systems, the 36-inch limit is measured from the hinge point of the standard seat assembly which is designated Point Z (see Figure 1A of the standard). For built in child restraint systems, a point equivalent to Point Z, which represents the point where the frame of the vehicle seat back attaches to the frame of the vehicle seating surface, would be used as the starting point for measuring knee excursion. The proposal would provide that neither knee pivot shall pass through a vertical transverse plane that is 36 inches forward of the hinge point of the specific vehicle seat into which the child restraint system is built.

Head Support and Impact Protection

Standard No. 213 currently requires child restraint manufacturers to provide head padding for infant restraints. In addition manufacturers must provide head support for all child restraints, unless a child's head will be adequately restrained by the back of the vehicle's seat. Built-in child restraint manufacturers would also have to provide similar padding and a separate head restraint if the design does not use the vehicle's seat to provide adequate restraint

The circumstances covering the applicability of the requirement for a minimum head support surface in S5.2.1 would be modified to refer to the horizontal plane tangent to the top of the vehicle seat in which the built-in child restraint system is installed, instead of referring to the plane tangent to the top of the standard seat assembly which is used in testing add on restraint systems. A built-in child restraint system would comply with, the minimum head support surface requirements in S5.2.1.1, if the target point on either side of the dummy's head is below the horizontal plane tangent to the top of the vehicle seat.

Torso Impact Protection

Standard No. 213 currently prohibits placing any structure in front of a child unless the structure, such as a shield, helps to protect the child during a crash. The same requirement would be applied to built-in child restraints.

Thus, the requirements for torso impact protection in S5.2.2 would be retained so that each forward-facing, built-in child restraint system has no fixed or movable surface that is directly forward of the dummy and intersected by a horizontal line parallel to the longitudinal centerline of the vehicle seat, and passing through any portion of the dummy, except for surfaces which restrain the dummy when the system is tested dynamically. The agency requests comments on the feasibility of designing and manufacturing a built-in child restraint system which would meet these requirements.

Labeling

The labeling requirements of S5.5 would be modified so that built-in child restraint systems would be subject to specifications derived from those for add-on systems. Each built-in system would be required to be permanently labeled with the manufacturer's certification statement: "This child restraint system conforms to all applicable Federal motor vehicle safety standards." In addition, the manufacturer's recommendations for the maximum weight and height of children who could safely occupy the system would be stated on the label. To avoid possible misuse problems, this portion of the label would also state that an infant should be placed in a rear-facing position if the restraint can be used in a rear-facing position. Finally, a warning would be required that failure to follow the manufacturer's instructions in the use of this child restraint, or, if safety belts are provided, to snugly adjust these belts around the child, can result in a child striking the vehicle's interior during a sudden stop or crash.

This label would be required to be visible only when the system is activated for use, not when the system is in a stowed position, so that a label would not be required on the top of a car seat. A manufacturer could put this information on a label which would be permanently attached to the restraint or, if provided, a restraint belt. For example, a fabric tag could be stitched to the seating surface of the restraint or, if provided, the restraint belt.

Instructions

Under the proposal, each built-in child restraint would be accompanied by instructions and diagrams which would be attached to the restraint system and provide a step-by-step procedure for activating the built-in child restraint system, positioning the child in the system, and adjusting the restraint or the restraint's harness to fit the child. This information would be required to be repeated in the vehicle owner s manual, or, in the case of aftermarket-supplied, built-in child restraint systems, furnished for insertion into the vehicle owner's manual.

Child Restraint System Integrity

Current child restraint system integrity requirements would apply to built-in, as well as add-on, restraints. As explained in the 1978 notice of proposed rulemaking (43 FR 21473, May 18, 1978) to amend Standard No. 213, one purpose of these requirements is to prevent the system from fracturing or separating during dynamic testing in such a way as to harm the child. Regarding built-in restraints, the agency intends that each restraint maintain its structural integrity when tested dynamically, so that it does not become deformed or crushed during a frontal impact. The purpose is to reduce the likelihood that a child using a built-in system would be injured by the collapse or disintegration of the system or by contact with the interior of the passenger car compartment.

The integration of a built-in child restraint system into a new vehicle could also affect the safety performance of the vehicle seat or the vehicle seat back. Vehicle manufacturers choosing to manufacture built-in restraints would have to ensure that the fabrication of a child restraint system into a passenger car seat or seat back does not affect the safety performance of that vehicle structure. For example, if a built-in system is manufactured in a passenger car seat, that seat must continue to meet the strength requirements of Standard No. 207, *Seating Systems*, to minimize the possibility of failure by forces acting on that seat as a result of vehicle impact. In addition, a vehicle manufacturer must ensure that the seat belt anchorages for adult seating positions continue to meet the location and strength requirements of Standard No 210. *Seat Belt Assembly Anchorages*.

Belt Restraint

The belt restraint requirements would be modified to provide similar protection in built-in child restraint systems. Currently, each belt that is part of an add-on child restraint system and that is designed to restrain a child using the system and to attach the system to the vehicle, when tested dynamically, must impose no loads on the child that result from the mass of the system or the mass of the seat back of the standard seat assembly. As stated in the May 18, 1978 (43 FR at 21475) preamble to a proposal to amend Standard No. 213, the purpose of this requirement is to prohibit any restraint system belt which contacts the dummy during the test procedure from also being used for attachment of the restraint to the vehicle if it allows inertial forces from the child

seat or vehicle seat back to impose a load on the child.

A similar requirement is proposed for built-in child restraint systems. S5.4.3.2 is amended to state that each belt that is part of a built-in child restraint system and that is designed to restrain a child using the system and to attach the system to the vehicle must impose no loads on the child that result from the mass of the system or the mass of any part of the vehicle into which the system is built.

Flammability

Section 5.7 of Standard No. 213 requires that each material used in a child restraint system must meet the flammability requirements of S4 of Standard No. 302. This notice proposes to amend S5.7 to make it clear that a built-in child restraint system must comply in both the stowed and deployed positions. Thus, a built-in child restraint system would have to comply with the requirements of Standard No. 302 that any portion of its materials which are within ½ inch of the air space when the restraint is in either the stowed or deployed position meet the flammability requirements of Standard No. 302.

Test Procedures

In section S6.1.1.1, the test conditions of the dynamic testing provisions would be amended to state that, in the case of a built-in child restraint system, the test device is the specific vehicle or specific vehicle shell into which the system is built. A specific vehicle shell would be defined as the actual vehicle model part into which the built-in child restraint system is fabricated, including the complete surroundings of the system. These surroundings include the parts of the vehicle interior which the test dummy, positioned in the system, could contact during a frontal barrier impact. If a built-in system were part of a rear seat, these parts would include, for example, the back of the front seat, the rear seat, the rear doors, and the B and C pillars. If a built-in system were part of a front seat, these parts would include, for example, the dashboard, the front seat, the side doors, and the A pillar.

This notice seeks comments on alternate proposals for testing built-in child restraint systems. A manufacturer would have the option of choosing one of two test procedures (i.e., a specific vehicle shell test or a specific vehicle test) on which to base its certification. The agency would test for compliance using the procedure selected by a manufacturer. The first alternative test procedure would be to mount the specific vehicle shell, as described above, on a test platform and conduct a frontal barrier test. The second alternative procedure would be to test a built-in child restraint system in a complete vehicle during a 30-mph frontal barrier crash. The purpose of the second alternative procedure would be to allow vehicle manufacturers to combine Standard No 213 compliance testing with the 30-mph frontal barrier testing for Standard No. 208, *Occupant Crash Protection*, Standard No. 212, *Windshield Mounting*, Standard No. 219, *Windshield Zone Intrusion*, and Standard No. 301, *Fuel System Integrity*. If the built-in child restraint is installed in the right front outboard seat, it would be impossible to combine the Standard 213 test with the other tests. The test dummy's head and thorax acceleration levels and knee excursion would be measured under either alternative.

In section S6. 1.2.1, Test Configurations I and II would be amended to state that a built-in child restraint system is activated in accordance with the manufacturer's instructions provided in the vehicle owner's manual. The requirements for positioning the 3-year-old dummy and the 6-month-old dummy would be amended to include necessary modifications for a built-in child restraint system, in addition to the existing ones for add-on systems.

The reference to the Society of Automotive Engineers (SAE) recommended practice for the instrumentation of the test platform in Test Configuration I has been updated to specify SAE Recommended Practice J211 JUN80 "Instrumentation for Impact Tests."

The requirements for the buckle release test procedure in S6.2.3 would be amended to include appropriate instructions for testing a built-in child restraint system.

Paperwork Reduction Act

The proposed requirements for instructions in the vehicle owner's manual are considered to be information collection requirements, as that term is defined by the Office of Management and Budget (OMB) in 5 CFR Part 1320. Accordingly, these proposed requirements are being submitted to the OMB for its approval, pursuant to the requirements of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*). Comments on the proposed information collection requirements should be submitted to: Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503, Attention: Desk Officer for NHTSA. It is requested that comments sent to the OMB also be sent to the NHTSA rulemaking docket for this proposed action.

Regulatory Impacts

The agency has prepared a Preliminary Regulatory Evaluation, and has entered it in the docket. NHTSA has considered costs and other impacts of this proposal and has determined that the proposal is not major within the meaning of Executive Order 12291 or significant within the meaning of the Department of Transportations's regulatory procedures. This proposal does not require the use of built-in child restraint systems but only provides such an option to manufacturers. The agency has no data on the cost of built-in child restraint systems. An increase in testing costs is anticipated, compared to the current testing procedure, as a result of the requirement to conduct more sophisticated sled tests or a full-scale crash test. The cost to the consumer would depend on the volume of vehicles, engineering and development costs, the number of tests and other factors. On a per vehicle basis, testing costs are expected to be minor for large vehicle manufacturers; however, they may be significant for low volume manufacturers or aftermarket suppliers. Of course, manufacturers have the option of certifying their products without utilizing a full scale test, if they can be sure that the system will pass a NHTSA compliance test.

The agency envisions several possibilities for built-in child safety seats, which could be folded out of the way when not in use and located in different places in the rear seat of passenger cars. This proposal would permit built-in restraints only in passenger cars. The agency invites comment on whether NHTSA should consider permitting built-in child restraints in other types of vehicles. The agency has tentatively concluded that such built-in child restraint systems could potentially provide a level of safety equivalent to that afforded by add-on child restraints, and thus, is proposing to make provisions for their future use. Built-in child restraints may also be more readily available and convenient which may increase child restraint usage in the vehicles which are equipped with them.

The agency has considered the environmental effects of this proposal and tentatively determined that they would not significantly impact the human environment.

Initial Regulatory Flexibility Analysis

The Regulatory Flexibility Act of 1980 (Public law 96–354) requires agencies to

evaluate the potential effects of their proposed and final rules on small businesses, small organizations and small governmental jurisdictions. The agency's initial regulatory flexibility analysis discusses the impacts of this proposal on child safety seat manufacturers, some of which are small businesses.

Because State laws currently require child restraint use, and children also ride in cars other than their parents' cars, there would have to be widespread availability of built-in child restraints before many parents stop purchasing add-on child restraints. If in the future, motor vehicle manufacturers begin offering built-in child safety seats in passenger cars, and consumers start purchasing those safety seats in large numbers, then there could be a negative effect on the sale of add-on child restraints.

Effective Date

If adopted, this rule would make manufacturing child restraint systems less restrictive by permitting a new type of system that the current Standard does not contemplate. Further, the proposed Standard for built-in systems does not require a manufacturer to include the system in its product line, but rather expands manufacturer options. Therefore, because this rule would relieve a restriction by letting a manufacturer produce a type of system that the present Standard precludes, if NHTSA adopts this rule, the agency intends to make it effective immediately.

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR Part 512.

All comments received before the close of business on the comment closing date indicated above for the proposal will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. Comments on the proposal will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

PART 571—[AMENDED]

In consideration of the foregoing, it is proposed that Title 49, § 571.213, *Child Restraint Systems*, be amended as set forth below.

1. The authority citation for Part 571 would continue to read as follows:

Authority: 15 U.S.C. 1392, 1401, 1403, 1407; delegation of authority at 49 CFR 1.50.

Standard No. 213

2. S4 of 49 CFR 571.213 would be amended to include three new definitions as follows:

"Add-on child restraint system" means any portable child restraint system.

"Built-in child restraint system" means any child restraint system which is an integral part of a passenger car.

"Specific vehicle shell" means the actual vehicle model part into which the built-in child restraint system is fabricated, including the complete surroundings of the built-in system. If the built in child restraint system is manufactured as part of the rear seat, these surroundings include the back of the front seat, the interior rear side door panels and trim, the rear seat, the floor pan, the B and C pillars, and the ceiling. If the built-in system is manufactured as part of the front seat, these surroundings include the dashboard; the steering wheel, column, and attached levers and knobs; the "A" pillars; any levers and knobs installed in the floor or on a console; the interior front side door panels and trim; the front seat; the floor pan; and the ceiling.

3. S5 of 49 CFR 571.213 would be revised to read as follows:

S5 *Requirements for child restraint systems certified for use in motor vehicles.* Each child restraint system certified for use in motor vehicles shall meet the requirements in this section when, as specified, tested in accordance with S6.1.

4. S5.1.3.1 of 49 CFR 571.213 would be revised to read as follows:

S5.1.3.1 *Child restraint systems other than rear-facing ones and car beds.* Each child restraint system, other than a rear-facing child restraint system or a car bed, shall retain the test dummy's torso within the system.

(a) In the case of an add-on child restraint system, no portion of the test dummy's head shall pass through a vertical transverse plane that is 32 inches forward of point z on the standard seat assembly, measured along the center SORL (as illustrated in figure IB), and neither knee pivot point shall pass through a vertical, transverse plane that is 36 inches forward of point z on the standard seat assembly, measured along the center SORL.

(b) In the case of a built-in child restraint system, neither knee pivot shall pass through a vertical, transverse plane that is 36 inches forward of the hinge point of the specific passenger car seat into which the system is built, measured along a horizontal line parallel to the vehicle's longitudinal center line and the center line of the passenger car seat.

5. S5.2.1 2 of 49 CFR 571.213 would be revised to read as follows:

S5 2.1.2 A front-facing child restraint system is not required to comply with S5.2.1.1 if the target point on either side of the dummy s head is below a horizontal plane tangent to the top of—

(a) The standard seat assembly, in the case of an add-on child restraint system, when the dummy is positioned in the system and the system is installed on the assembly in accordance with S6.1.2.

(b) The passenger car seat, in the case of a built-in child restraint system, when the system is activated and the dummy is positioned in the system in accordance with S6.1.2.

6. S5.2.2.2 of 49 CFR 571.213 would be revised to read as follows:

S5.2.2.2 Each forward-facing child restraint system shall have no fixed or movable surface—

(a) Directly forward of the dummy and intersected by a horizontal line—

(1) Parallel to the SORL, in the case of the add-on child restraint system, or

(2) Parallel to a vertical plane through the longitudinal center line of the passenger car seat, in the case of the built-in child restraint system, and

(b) Passing through any portion of the dummy, except for surfaces which restrain the dummy when the system is tested in accordance with S6.1.2.1.2. so that the child restraint system shall conform to the requirements of S5.1.2 and S5.1.3.1.

7. S5 3.1 and S5.3.2 of 49 CFR 571.213 would be revised to read as follows:

S5.3.1 Each add-on child restraint system shall have no means designed for attaching the system to a vehicle seat cushion or vehicle seat back and no component (except belts) that is designed to be inserted between the vehicle seat cushion and vehicle seat back.

S5.3.2 When installed on a vehicle seat, each add-on child restraint system, other than child harnesses, shall be capable of being restrained against forward movement solely by means of a Type I seat belt assembly (defined in § 571.209) that meets Standard No. 208 (§ 571.208), or by means of a Type I seat belt assembly plus one additional anchorage strap that is supplied with the system and conforms to S5.4.

8. S5.4.3.2 of 49 CFR 571.213 would be revised to read as follows:

S5.4.3.2 *Direct restraint.* Each belt that is part of a child restraint system and that is designed to restrain a child using the system and to attach the system to the vehicle shall, when tested in accordance with S6.1, impose no loads on the child that result from the mass of the system, or

(a) in the case of an add-on child restraint system, from the mass of the seat back of the standard seat assembly specified in S7.3, or

(b) in the case of a built-in child restraint system, from the mass of any part of the vehicle into which the child restraint system is built.

9. S5.5.1 of 49 CFR 571.213 would be revised to read as follows:

S5.5.1 Each add-on child restraint system shall be permanently labeled with the information specified in S5.5.2 (a) through (l).

10. S5.5.3 of 49 CFR 571.213 would be revised to read as follows:

S5.5.3 The information specified in S5.5.2 (g) through (k) shall be located on the add-on child restraint system so that it is visible when the system is installed as specified in S5.6.1.

11. A new paragraph S5.5.4 would be added to 49 CFR 571.213 which would read as follows:

S5.5.4 Each built-in child restraint system shall be permanently labeled with the information specified in S5.5.5 (a) through (j), so that it is visible when the system is activated for use as specified in S5.6.2.

12. A new paragraph S5.5.5 would be added to 49 CFR 571.213 which would read as follows:

S5.5.5 The information specified in paragraphs (a) through (j) of this section shall be stated in the English language and lettered in letters and numbers which are not smaller than 10-point type and are on a contrasting background. This information shall be printed in the vehicle owner's manual.

(a) The model name or number of the system.

(b) The manufacturer's name. A distributor's or dealer's name may be used instead if the distributor or dealer assumes responsibility for all duties and liabilities imposed on the manufacturer with respect to the system by the National Traffic and Motor Vehicle Safety Act, as amended.

(c) The statement: "Manufactured in _____," inserting the month and year of manufacture.

(d) The place of manufacture (city and State, or foreign country). However, if the manufacturer uses the name of the distributor or dealer, then it shall state the location (city and State, or foreign country) of the principal offices of the distributor or dealer.

(e) The statement: "This child restraint system conforms to all applicable Federal motor vehicle safety standards."

(f) One of the following statements, inserting the manufacturer's recommendations for the maximum weight and height of children who can safely occupy the system:

(i) This infant restraint is designed for use by children who weigh ____ pounds or less and whose height is ____ inches or less;

(ii) This child restraint is designed for use only by children who weigh between ____ and ____ pounds and whose height is ____ inches or less and who are capable of sitting upright alone; or

(iii) This child restraint is designed for use by children who weigh between ____ and ____ pounds and are between ____ and ____ inches in height.

(g) The following statement:

WARNING! FAILURE TO FOLLOW THE MANUFACTURER'S INSTRUCTIONS ON THE USE OF THIS CHILD RESTRAINT SYSTEM CAN RESULT IN YOUR CHILD STRIKING THE VEHICLE'S INTERIOR DURING A SUDDEN STOP OR CRASH.

(h) In the case of each built-in child restraint system that has belts designed to restrain children using them:

SNUGLY ADJUST THE BELTS PROVIDED WITH THIS CHILD RESTRAINT AROUND YOUR CHILD.

(i) In the case of each built-in child restraint which can be used in a rear-facing position, the following statement:

PLACE AN INFANT IN A REAR-FACING POSITION IN THIS CHILD RESTRAINT.

(j) A diagram or diagrams showing the fully activated child restraint system in infant and/or child configurations.

13. S5.6 of 49 CFR 571.213 would be revised to read as follows:

S5.6 *Printed Instructions for Proper Use.*

S5 6.1 *Add-on child restraint systems.* Each add-on child restraint system shall be accompanied by printed installation instructions in the English language that provide a step-by-step procedure, including diagrams, for installing the system in motor vehicles, securing the system in the vehicles, positioning a child in the system, and adjusting the system to fit the child.

S5.6.1.1 In a vehicle with rear designated seating positions, the instructions shall alert vehicle owners that, according to accident statistics, children are safer when properly restrained in the rear seating positions than in the front seating positions.

S5.6.1.2 The instructions shall specify in general terms the types of vehicles, the types of seating positions, and the types of vehicle safety belts with which the add-on child restraint system can or cannot be used.

S5.6.1.3 The instructions shall explain the primary consequences of not following the warnings required to be labeled on the child restraint system in accordance with S5.5.2 (g) through (k).

S5.6.1.4 The instructions for each car bed shall explain that the car bed should position in such a way that the child's head is near the center of the vehicle.

S5.6.1.5 The instructions shall state that add-on child restraint systems should be securely belted to the vehicle, even when they are not occupied, since in a crash an unsecured child restraint system may injure other occupants

S5.6.1.6 Each add-on child restraint system shall have a location on the restraint for storing the manufacturer's instructions.

S5.6.2 *Built-in child restraint systems.* Each built-in child restraint system shall be accompanied by printed instructions in the English language that provide a step-by-step procedure, including diagrams, for activating the built-in child restraint system,

positioning a child in the system, adjusting the restraint and, if provided, the restraint harness to fit the child. This information and the information specified in S5.5.5, shall be included in the vehicle owner's manual.

S5.6.2.1 The instructions shall explain the primary consequences of not following the manufacturer s warnings for proper use of the child restraint system in accordance with S5.5.5 (f) through (i).

14. S5.7 of 49 CFR 571.213 would be revised to read as follows:

S5.7 *Flammability.* Each material used in a child restraint system shall conform to the requirements of S4 of FMVSS No. 302 (571.302). In the case of a built-in child restraint system, the requirements of S4 of FMVSS No. 302 shall be met in both the "in-use" and "stowed" positions.

15. S6.1.1.1 of 49 CFR 571.213 would be revised to read as follows:

S6.1.1.1(a) The test device for add on child restraint systems is the standard seat assembly specified in S7.3. The assembly is mounted on a dynamic test platform so that the center SORL of the seat is parallel to the direction of the test platform travel and so that movement between the base of the assembly and the platform is prevented. The test device for built-in child restraint systems is either the specific vehicle shell or the specific vehicle. The specific vehicle shell, if selected for testing, is mounted on a dynamic test platform so that the longitudinal center line of the shell is parallel to the direction of the test platform travel and so that movement between the base of the shell and the platform is prevented.

(b) The platform is instrumented with an accelerometer and data processing system having a frequency response of 60 Hz channel class as specified in Society of Automotive Engineers Recommended Practice J211 JUN80 "Instrumentation for Impact Tests." The accelerometer sensitive axis is parallel to the direction of test platform travel.

(c) For built-in child restraint systems, an alternate test device is the specific vehicle into which the built-in system is fabricated. Activate the system in accordance with the manufacturer's instructions provided in the vehicle owner's manual in accordance with S5.6.2. When the complete vehicle traveling longitudinally forward at any speed up to and including 30 mph, impacts a fixed collision barrier that is perpendicular to the line of travel of the vehicle, the built-in child restraint system shall meet the injury criteria of S5.1.2. The following test conditions apply to this alternate test device.

(i) The vehicle is loaded to its unloaded vehicle weight plus its rated cargo and luggage capacity weight, secured in the luggage area, plus the appropriate child test dummy and, at the option of the manufacturer, an anthropomorphic test dummy which conforms to the requirements of Subpart B or Subpart E of Part 572 of this title for a 50th percentile adult male dummy placed in the front outboard seating position. If the built-in child restraint system is installed at one of the seating positions otherwise requiring the placement of a Part 572 test dummy, then in the frontal barrier crash specified in S6.1.1.2, the appropriate child test dummy shall be substituted for the Part 572 test dummy, but only at that seating position. The fuel tank is filled to any level from 90 to 95 percent of capacity.

(ii) Adjustable seats are in the adjustment position midway between the forwardmost and rearmost positions, and if separately adjustable in a vertical direction, are at the lowest position. If an adjustment position does not exist midway between the forwardmost and rearmost positions, the closest adjustment position to the rear of the midpoint is used.

(iii) Adjustable seat backs are in the manufacturer's nominal design riding position. If a nominal position is not specified, the seat back is positioned so that the longitudinal center line of the child test dummy's neck is vertical, and if an anthropomorphic test dummy is used, the accelerometer surfaces in the test dummy's head and thorax, as positioned in the vehicle, are horizontal. If the vehicle is equipped with adjustable head restraints, each is adjusted to its highest adjustment position.

(iv) Movable vehicle windows and vents are, at the manufacturer's option, placed in the fully closed position.

(v) Convertibles and open-body type vehicles have the top, if any, in place in the closed passenger compartment configuration.

(vi) Doors are fully closed and latched but not locked.

(vii) All instrumentation and data reduction is in conformance with SAE J211 JUN80.

15*a*. S6.1.1.2 would be revised to read as follows:

S6.1.1.2 The tests are frontal barrier impact simulations of the test platform or frontal barrier crashes of the specific vehicles as specified in S5.1 (571.208) and for:

(a) Test Configuration I specified in S6.1.2.1.1, are at a velocity change of 30 mph with the acceleration of the test platform entirely within the curve shown in Figure 2, or for the specific vehicle test with the deceleration produced in 30 mph frontal barrier crash.

(b) Test Configuration II specified in S6.1.2.1.2 are set at a velocity change of 20 mph with the acceleration of the test platform entirely within the curve shown in Figure 3, or for the specific vehicle test with the deceleration produced in 20 mph frontal barrier crash.

16. S6.1.1.3 of 49 CFR 571.213 would be revised to read as follows:

S6.1.1.3 In the case of add-on child restraint systems, Type 1 seat belt assemblies meeting the requirements of Standard No. 209 (§ 571.209) and having webbing with a width of not more than 2 inches are attached, without the use of retractors or reels of any kind, to the seat belt anchorage points (illustrated in Figure 1B) provided on the standard seat assembly.

17. S6.1.2.1 of 49 CFR 571.213 would be revised to read as follows:

S6.1.2.1 *Test configuration.*

S6.1.2.1.1 *Test configuration I.* (a) In the case of each add-on child restraint system other than a child harness, a booster seat with a top anchorage strap, or a restraint designed for use by physically handicapped children, install a new add-on child restraint system at the center seating position of the standard seat assembly in accordance with the manufacturer's instructions provided with the system pursuant to S5.6.1, except that the add-on restraint shall be secured to the standard vehicle seat using only the standard vehicle lap belt. A child harness, a booster seat with a top anchorage strap, or a restraint designed for use by physically handicapped children shall be installed at the center seating position of the standard seat assembly in accordance with the manufacturer's instructions provided with the system pursuant to S5.6.1

(b) In the case of each built-in child restraint system, activate the restraint in the specific vehicle shell or the specific vehicle, in accordance with the manufacturer's instructions provided in the vehicle owner's manual in accordance with S5.6.2.

S6.1.2.1.2 *Test configuration II.* (a) In the case of each add-on child restraint system which is equipped with a fixed or movable surface described in S5.2.2.2, or a booster seat with a top anchorage strap, install a new add-on child restraint system at the center seating position of the standard seat assembly using only the standard seat lap belt to secure the system to the standard seat.

(b) In the case of each built-in child restraint system which is equipped with a fixed or movable surface described in S5.2.2.2, or a built in booster seat with a top anchorage strap, activate the system in the specific vehicle shell or the specific vehicle in accordance with the manufacturer's instructions provided in the vehicle owner's manual in accordance with S5.6.2.

18. S6.1.2.2 of 49 CFR 571.213 would be revised to read as follows:

S6.1.2.2 Tighten all belts used to attach the add-on child restraint system to the standard seat assembly to a tension of not less than 12 pounds and not more than 15 pounds, as measured by a load cell used on the webbing portion of the belt. Tighten all manual vehicle belts used to secure the built-in child restraint system or a child to the specific vehicle shell or specific vehicle to one of the following tensions:

(a) For a seat equipped with a manual adjuster or automatic locking retractor, not less than 12 pounds and not more than 15 pounds, as measured by a load cell used on the webbing portion of the belt;

(b) For a seat equipped with an emergency locking retractor, as specified in S4.3 of Standard 209.

19. S6.1.2 3.1 of 49 CFR 571.213 would be revised to read as follows:

S6.1.2.3. 1 When placing the 3-year-old test dummy in add-on or built-in child restraint systems other than car beds, position the test dummy according to the instructions for child positioning provided by the manufacturer with the system in accordance with S5.6.1 or S5.6.2 while conforming to the following:

(a) Holding the test dummy torso upright until it contacts the system's design seating surface, place the test dummy in the seated position within the system with the midsagittal plane of the test dummy head—

(1) Coincident with the center SORL of the standard seating assembly, in the case of the add-on child restraint system, or

(2) Vertical and parallel to the longitudinal center line of the specific vehicle shell or the specific vehicle, in the case of a built-in child restraint system.

(b) Extend the arms of the test dummy as far as possible in the upward vertical direction. Extend the legs of the dummy as far as possible in the forward horizontal direction, with the dummy feet perpendicular to the centerline of the lower legs.

(c) Using a flat square surface with an area of 4 square inches, apply a force of 40 pounds, perpendicular to:

(i) The plane of the back of the standard seat assembly in the case of an add-on child restraint system, or

(ii) the back of the vehicle seat in the specific vehicle shell or the specific vehicle in the case of a built-in child restraint system, first against the dummy crotch and then at the dummy thorax in the midsagittal plane of the dummy. For a child restraint system with a fixed or movable surface described in S5.2 2 2, which is being tested under the conditions of test configuration II, do not attach any of the child restraint belts unless they are an integral part of the fixed or movable surface. For all other child restraint systems and for a child restraint system with a fixed or movable surface which is being tested under the conditions of test configuration I, attach all appropriate child restraint belts and tighten them as specified in S6.1 2.4. Attach all appropriate vehicle belts and tighten them as specified in S6.1.2.2. Position each movable surface in accordance with the manufacturer's instructions provided in accordance with S5.6.1 or S5.6.2.

(d) After the steps specified in paragraph (c) of this section, rotate each dummy limb downwards in the plane parallel to the dummy's midsagittal plane until the limb contacts a surface of the child restraint system or the standard seat assembly in the case of an add on system, or the specific vehicle shell or specific vehicle in the case of a built-in system, as appropriate. Position the limbs, if necessary, so that limb placement does not inhibit torso or head movement in tests conducted under S6.

20. S6.1.2 3.2 of 49 CFR 571.213 would be revised to read as follows:

S6.1.2.3.2 When placing the 6-month-old dummy in add-on or built-in child restraint systems other than car beds, position the test dummy according to the instructions for child positioning provided with the system by the manufacturer in accordance with S5.6.1 or S5.6.2 while conforming to the following:

(a) With the dummy in the supine position on a horizontal surface, and while preventing movement of the dummy torso by placing a hand on the center of the torso, rotate the dummy legs upward by lifting the feet until the legs contact the upper torso and the feet touch the head, and then slowly release the legs but do not return them to the flat surface.

(b) Place the dummy in the child restraint system so that the back of the dummy torso contacts the back support surface of the system. For a child restraint system which is equipped with a fixed or movable surface described in S5.2.2.2, which is being tested under the conditions of test configuration II, do not attach any of the child restraint belts unless they are an integral part of the fixed or movable surface. For all other child restraint systems and for a child restraint system with a fixed or movable surface which is being tested under the conditions of test configuration I, attach all appropriate child restraint belts and tighten them as specified in S6.1.2.4. Attach all appropriate vehicle belts and tighten them as specified in S6.1.2.2. Position each movable surface in accordance with the manufacturer's instructions provided in accordance with S5.6.1 or S5.6.2. If the dummy's head does not remain in the proper position, it shall be taped against the front of the seat back surface of the system by means of a single thickness of ¼-inch-wide paper masking tape placed across the center of the dummy face.

(c) Position the dummy arms vertically upwards and then rotate each arm downward toward the dummy's lower body until the arm contacts a surface of the child restraint system or the standard seat assembly in the case of an add-on child restraint system, or the specific vehicle shell or the specific vehicle in the case of a built-in child restraint system, ensuring that no arm is restrained from movement in other than the downward direction, by any part of the system or the belts used to anchor the system to the standard seat assembly, the specific vehicle shell, or the specific vehicle.

21. S6.1.2 6 of 49 CFR 571.213 would be revised to read as follows:

S6.1.2.6 For add-on child restraint systems, measure dummy excursion and determine conformance with the requirements specified in S5.1 as appropriate. For built-in child restraint systems, measure dummy knee excursion and determine conformance with the requirements specified in S5.1 as appropriate.

22. S6.2.3 of 49 CFR 571.213 would be revised to read as follows:

S6.2.3 Pull the sling horizontally in the manner illustrated in figure 4 and parallel to the center SORL of the standard seat assembly, in the case of an add-on child restraint system, or parallel to the longitudinal center line of either the specific vehicle shell or the specific vehicle, in the case of a built-in child restraint system, and apply a force of 20 pounds in the case of a system tested with a 6-month-old dummy and 45 pounds in the case of a system tested with a 3-year-old dummy.

23. S7.3 of 49 CFR 571.213 would be revised to read as follows:

S7.3 *Standard test devices.* (a) The standard test devices used in testing add-on child restraint systems under this standard are:

(1) For testing for motor vehicle use, a standard seat assembly consisting of a simulated vehicle bench seat, with three seating positions, which is described in Drawing Package SAS–100–1000 (consisting of drawings and a bill of materials); and

(2) For testing for aircraft use, a standard seat assembly consisting of a representative aircraft passenger seat.

(b) The standard test devices used in testing built-in child restraint systems under this standard are either a specific vehicle shell or a specific vehicle.

Issued on: March 18, 1987.

Barry Felrice,

Associate Administrator for Rulemaking.

[FR Doc. 87–6188 Filed 3–18–87; 3:01 pm]

BILLING CODE 4910–59–M

INTERSTATE COMMERCE COMMISSION

49 CFR Part 1059

[Ex Parte No. MC–186]

Elimination of Embargo Regulations; Motor Carriers

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed removal of rules.

SUMMARY: As part of an effort to review and streamline our regulations, the Commission proposes to eliminate 49 CFR Part 1059 governing notification requirements for the placing of embargoes and any other delay in performing service by motor common carriers of property. These regulations were adopted in their present form on March 2, 1943 (8 FR 3003, March 11, 1943). They were intended to provide instructions for emergencies, and set forth procedures for a carrier to give notice when it must refuse to receive or transport certain freight. The Commission has preliminarily determined that these regulations are obsolete and unnecessary. We believe that abuses, should they occur, can best be corrected on a case-by-case basis without the need for the existing regulations in 49 CFR Part 1059.

DATE: Comments are due May 22, 1987.

FOR FURTHER INFORMATION CONTACT: Richard L. Gagnon (202) 275–7711 or Mark Shaffer (202) 275–7292.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's full decision. A copy may be purchased from T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call toll-free (800) 424–5403, or (202) 289–4357 in the Washington, DC, metropolitan area.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources. We also preliminarily conclude that this action will have no adverse effect on small entities because it will remove a rule that ceased to have purpose under current Commission regulatory policy. Comments are invited on these issues.

List of Subjects in 49 CFR Part 1059

Motor carriers.

Authority: 49 U.S.C. 10101 and 10922; 5 U.S.C. 553.

Decided: March 16, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Lamboley.

Noreta R. McGee,

Secretary.

Appendix

Title 49 of the Code of Federal Regulations is proposed to be amended as follows:

PART 1059—[REMOVED]

The regulations at 49 CFR 1059, *Embargoes* would be removed.

[FR Doc. 87–6169 Filed 3–20–87; 8:45 am]

BILLING CODE 7035–01–M

Notices

Federal Register
Vol. 52, No. 55
Monday, March 23, 1987

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket Number 80-009N]

Accredited Laboratory Program; Rules of Practice and Delegations of Authority

On January 20, 1987, the Food Safety and Inspection Service (FSIS) published a final rule in the **Federal Register** (52 FR 2176) establishing the Accredited Laboratory Program. The rule amended the Federal meat and poultry products inspection regulations by providing standards and procedures for accrediting non-Federal chemistry laboratories for the analysis of meat and poultry samples for specific chemical residues and for moisture, protein, fat, and salt content.

Under the Accredited Laboratory Program, the Administrator, FSIS, may, under certain conditions, refuse, suspend, or revoke the approval for accreditation of any laboratory (9 CFR 318.21(h) and 381.153(h)). All conditions which lead to refusals, suspensions, and revocations are described in § 318.21 (d), (f), and (g) of the Federal meat inspection regulations (9 CFR 318.21 (d), (f), and (g)) and § 381.153 (d), (f), and (g) of the poultry products inspection regulations (9 CFR 381.153 (d), (f), and (g)). In such cases, § 318.21(h) of the Federal meat inspection regulations (9 CFR 318.21(h)) and § 381.153(h) of the poultry products inspection regulations (9 CFR 381.153(h)) provide an opportunity for the laboratory owner or operator to present, within 30 days of the date of notification of any refusal, suspension, or revocation of accreditation, a statement challenging the merits or validity of such action and to request an oral hearing with respect to the denial, suspension, or revocation decision. An oral hearing will be granted if there is any dispute of material fact joined in such responsive statement. The regulations further provide that any hearing shall be conducted in accordance with applicable rules of practice which shall be adopted for such proceeding. FSIS provides in this notice applicable Rules of Practice which FSIS has adopted for use in any proceeding to be conducted concerning the refusal, suspension, or withdrawal of the approval of accreditation of any laboratory pursuant to §§ 318.21(h) and 381.153(h) of the Federal meat and poultry inspection regulations (9 CFR 318.21(h) and 381.153(h)). Additionally, this notice advises the public that the Administrator, pursuant to his authority appearing at 7 CFR 2.55, has delegated to the Deputy Administrator, Science, FSIS, the Administrator's authority to refuse, suspend, or revoke the approval for laboratory accreditation. In so delegating this authority, this notice adds to the duties of the Deputy Administrator, Science, FSIS, as provided in an FSIS Notice in the April 8, 1983, **Federal Register** (48 FR 15284).

Rules Of Practice

Sec. 1 Definitions.

As used in these Rules of Practice, the terms as defined in the statute under which the proceeding is conducted and in the regulations thereunder shall apply with equal force and effect. In addition:

(a) "Complainant" means the party instituting the proceedings.

(b) "Deputy Administrator" means the Deputy Administrator, Science, Food Safety and Inspection Service, United States Department of Agriculture.

(c) "Final decision and order" means the Deputy Administrator's final decision made in accordance with the provisions of Sec. 8(n) of these Rules of Practice.

(d) "Hearing" means that part of the proceeding which involves the submission of evidence before the Hearing Officer for the record in the proceeding.

(e) "Hearing Officer" means the individual appointed by the Deputy Administrator of the Food Safety and Inspection Service, United States Department of Agriculture, to preside at the hearing and take other actions authorized by these Rules of Practice.

(f) "Notice" means the formal, written notice (telegram or letter) by virtue of which a proceeding is instituted.

(g) "Opposing party" means the party proceeded against.

Sec. 2 Notice of refusal, suspension, or revocation of accreditation.

The Chief, Planning, Review, and Evaluation Branch, Chemistry Division, Science, Food Safety and Inspection Service (hereinafter referred to as the complainant), shall transmit to the owner or operator of the accredited laboratory (hereinafter referred to as the respondent) written notice (telegram or letter) which shall set forth briefly the reasons for the refusal, suspension, or revocation, including allegations of fact which constituted a basis for the proposed refusal, suspension, or revocation. The notice shall offer the respondent the opportunity to submit a specific written statement by way of answer and the right to request an oral hearing at which evidence may be presented in support of the respondent's position and shall state the time within which the answer by the respondent must be made, which shall not be more than 30 days after service of the notice.

Sec. 3 Answer.

(a) *General.* The respondent shall file an answer to the allegations of the notice with the complainant signed by the respondent or the respondent's attorney, within the period of time for answering set forth in the notice.

(b) *Contents.* The answer shall (1) contain a concise statement of the facts which constitute the grounds of defense, and shall specifically admit, deny, or explain each of the allegations in the notice unless the respondent is without knowledge, in which case the answer shall so state; (2) state that the respondent admits all of the facts alleged in the notice, or state that the respondent admits the jurisdictional allegations of the complaint and neither admits nor denies the remaining allegations and consents to the issuance of an order without further proceedings. The answer may contain a request for an oral hearing or an express waiver of such hearing.

(c) *Default.* Failure to file an answer within the time provided under Sec. 2 of these Rules of Practice shall be deemed, for purposes of the proceeding, an admission of the allegations in the notice, and failure to deny or otherwise respond to an allegation of the notice shall be deemed, for purposes of the proceeding, an admission of said allegation, unless the parties have

agreed to a consent order pursuant to Sec. 6 of these Rules of Practice.

Sec. 4 Amendments.

At any time prior to the close of the hearing, the notice or answer may be amended; but, in case of an amendment adding new provisions' the hearing shall, on the request of either party, be adjourned for a period not exceeding 15 days, if the Hearing Officer determines that such an adjournment is necessary to avoid prejudice to the respondent.

Sec. 5 Motion and requests.

(a) *General.* All motions and requests shall be filed with the Deputy Administrator, except that if a hearing has been requested by the respondent, such motions and request shall be filed with the Hearing Officer, unless made during the course of an oral hearing, in which case they may be stated orally and made a part of the transcript. The Deputy Administrator shall rule upon all motions and requests filed, except that if a hearing has been requested by the respondent, the Hearing Officer is authorized to rule upon all motions and requests filed or made prior to the filing of the Hearing Officer's report as hereinafter provided, except motions to dismiss and motions for discovery.

(b) *Motions entertained.* Any motion will be entertained except a motion to dismiss on the pleadings and motion for discovery.

(c) *Contents.* All written motions shall state the particular order, ruling, or action desired and the grounds therefor.

(d) *Answers to motions.* Within 15 days after service of any written motion, or within any longer period fixed by the Deputy Administrator or Hearing Officer, the opposing party shall file an answer to the motion or shall be deemed to have no objection to the granting of the relief asked for in the motion. Unless permitted by the Deputy Administrator or Hearing Officer, the moving party shall have no right to reply to the answer.

Sec. 6 Consent orders.

At any time after the institution of a proceeding, the respondent may file an answer consenting to an order. Such an answer shall contain an admission of all jurisdictional facts, an express waiver of further procedural steps, and the order consented to by the respondent. Within 15 days after service of such an answer, the complainant shall file his or her recommendation. The Deputy Administrator may, in his or her discretion, enter the order consented to by the respondent, which shall have the same force and effect as other orders issued hereunder.

Sec. 7 Procedure upon admission of facts.

(a) *General.* The admission, in the answer or by failure to file an answer, within the time allowed therefor, of all the material allegations of fact contained in the notice shall constitute a waiver of oral hearing. Upon such admission of facts, the Deputy Administrator, without further investigation or hearing, shall issue a tentative decision and order, in which he or she shall adopt as his or her tentative findings of fact the material facts alleged in the notice. The tentative decision and order shall be served upon the respondent and the complainant.

(b) *Exceptions.* The parties shall be given a period of not less than 15 days in which to file with the Deputy Administrator exceptions to the tentative decision and order and briefs in support thereof.

(c) *Final order.* Within a reasonable time after the expiration for the period for filing exceptions and briefs, the Deputy Administrator shall issue and cause to be served upon the parties his or her final decision and order, including his or her ruling on any exceptions received from the parties.

Sec. 8 Procedure for hearing.

(a) *Notice of time and place of hearing.* A hearing shall be held whenever any material allegation of fact is joined by the pleadings. When a hearing is to be held, a copy of the notice and answer of the respondent shall be filed with the Hearing Officer, who shall, when the time and place of hearing have been fixed, serve the parties with notice thereof.

(b) *Time and place of hearing.* The Hearing Officer, after careful consideration of the convenience of the parties, shall set a time and place of hearing and shall serve upon the parties a notice stating the time and place of hearing. If any change in the time or place of the hearing is made, the Hearing Officer shall serve a notice of such change upon the parties, unless it is made during the course of an oral hearing and made a part of the transcript.

(c) *Appearances.* The parties may appear in person or by counsel or other representative. Persons who appear as counsel or in a representative capacity for a respondent must conform to the standards of ethical conduct required of practitioners before the courts of the United States.

(d) *Failure to appear.* If any party to a proceeding, after being duly notified, fails to appear at the hearing, such party shall be deemed to have waived the right to an oral hearing in the proceeding. In the event that a party appears at the hearing and no party appears for the opposing side, the party who is present shall have an election whether or not to present his or her evidence, in whole or in part, in the form of affidavits or by oral testimony before the Hearing Officer. Failure to appear at a hearing shall not be deemed to be a waiver of the right to be served with a copy of the Hearing Officer's report and to file exceptions as hereinafter provided.

(e) *Order of proceeding.* Except as may be determined otherwise by the Hearing Officer, the complainant shall proceed first at the hearing.

(f) *Powers of Hearing Officer.* The Hearing Officer shall have the power to:

(i) Rule upon motions and requests;

(ii) Set the time and place of hearing, adjourn the hearing from time to time, and change the time and place of hearing;

(iii) Administer oaths and affirmations and take affidavits;

(iv) Examine witnesses;

(v) Admit or exclude evidence;

(vi) Hear oral argument of facts or law; and

(vii) Do all acts and take all measures necessary for the maintenance of order at the hearing and for the efficient, fair, and impartial conduct of the proceeding.

(g) *Who may act in the absence of the Hearing Officer.* In case of the absence of the Hearing Officer or the Hearing Officer's inability to act, the powers and duties to be performed by the Hearing Officer under these rules of practice in connection with a proceeding assigned to the Hearing Officer may, without abatement of the proceeding unless otherwise directed by the Deputy Administrator, be assigned to any other Hearing Officer.

(h) *Evidence.*

(i) *General.* The testimony of witnesses at a hearing shall be upon oath or affirmation and subject to cross-examination. Any witness may, in the discretion of the Hearing Officer, be examined separately and apart from all other witnesses except those who may be parties to the proceeding. The Hearing Officer shall admit all relevant and material evidence, except evidence which is unduly repetitious.

(ii) *Objections.* If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, such party shall state briefly the grounds for such objection, whereupon an automatic exception will follow if the objection is overruled by the Hearing Officer. Only objections

made before the Hearing Officer may subsequently be relied upon in the proceeding.

(iii) *Records of the Department.* A true copy of every written entry in the records of the Department, made by an officer or employee thereof in the course of official duties and relevant and material to the issues involved in the hearing, shall be admissible as prima facie evidence of the facts stated therein, without the production of such officer or employee.

(iv) *Exhibits.* Except where the Hearing Officer finds that the furnishing of copies is impracticable, copies of each exhibit, in addition to the original, shall be filed with the Hearing Officer for the use of the other parties to the proceeding: *Provided, That* a true copy of an exhibit may be substituted for an original.

(v) *Official notice.* Official notice may be taken of such matters as are judicially noticed by the courts of the United States and of any other matter of technical or scientific fact of established character: *Provided, That* the parties shall be given adequate notice, at the hearing or by reference in the Hearing Officer's report or otherwise, of matters so noticed, and shall be given adequate opportunity to show that such facts are erroneously noticed.

(vi) *Offer of proof.* Whenever evidence is excluded from the record, the party offering such evidence may make an offer of proof, which shall be included in the transcript. The offer of proof shall consist of a brief statement describing the evidence to be offered. If the evidence consists of a brief oral statement or of an exhibit, it shall be inserted into the transcript in toto. In such event, it shall be considered a part of the transcript if the Deputy Administrator decides that the Hearing Officer's ruling in excluding the evidence was erroneous. The Hearing Officer shall not allow the insertion of such evidence in toto if the taking of such evidence will consume a considerable length of time at the hearing. In the latter event, if the Deputy Administrator decides that the Hearing Officer's rule in excluding the evidence was erroneous, the hearing shall be reopened to permit the taking of such evidence.

(i) *Certification of evidence.* As soon as practicable after the close of the hearing, the Hearing Officer shall attach to the original transcript of the evidence a certificate stating that the transcript is a true transcript of the testimony offered or received at the hearing, except in such particulars as the Hearing Officer shall specify, and that the exhibits attached to the transcript are all the exhibits introduced at the hearing, with such exceptions as the Hearing Officer shall specify. A copy of such certificate shall be attached to each of the copies of the transcript.

(j) *Transcripts.* Parties to the proceeding who desire a copy of the transcript of the hearing may place orders at the hearing with the reporter who will furnish and deliver such copies directly to the purchaser upon payment therefor at the rate per page provided by the contract between the reporter and the Department for such reporting service.

(k) *Proposed findings of fact, conclusions, and orders.* At the request of the Hearing Officer, each party may file with the Hearing Officer proposed findings of fact and conclusions of law, and a brief in support thereof, within such time as the Hearing Office may prescribe. The Hearing Officer may request such proposed findings of fact and conclusions of law be filed before, during, or after the hearing. A copy of each such document filed by a party shall be served upon the other party by the Hearing Officer.

(l) *Hearing Officer's report.* The Hearing Officer, within a reasonable time after the hearing and any time for filing proposed findings of fact and conclusions of law, shall prepare a report containing his or her recommended findings of fact and conclusions of law, but no recommended order. A copy of such report shall be served by the Hearing Officer upon each of the parties.

(m) *Exception; proposed orders; objections.* The complainant and the respondent, within 20 days after service of the Hearing Officer's report, may take exception to any matter set out in such report and in such case shall file exceptions in writing with the Deputy Administrator referring to the relevant pages of the transcript, and suggesting corrected findings of fact and conclusions of law. Complainant and respondent within such period of time shall file their proposed orders, whether or not exceptions are filed. Within the same period of time, each party shall file with the Deputy Administrator a brief statement in writing concerning each of the objections taken to the action of the Hearing Officer at the hearing, as set forth herein in sec. 8(h)(ii), upon which the party wishes to reply, referring, where relevant, to the pages of the transcript. If a party files exceptions or a statement of objections, such party may file a brief in support of such exceptions or objections within the time allowed for such exceptions or objections.

(n) *Final decision and order.* Within a reasonable time after the expiration of the period for filing exceptions, proposed orders, and objections, the Deputy Administrator shall issue and cause to be served upon the parties a final decision and order, including a ruling on any exception or objection filed by the parties.

Sec. 9 Filing; number of copies.

All documents or papers required or authorized to be filed shall be filed in triplicate: *Provided, That* where there are more than two parties to the proceeding, a sufficient number of copies shall be filed so as to provide copies for service upon all the parties to the proceeding.

Sec. 10 Service; Proof of service.

Copies of all documents or papers required or authorized by these rules of practice to be served on any party to a proceeding shall be served by the Hearing Officer, Deputy Administrator, or by some other employee of the Department. Except as provided otherwise by these rules of practice, service shall be made either (a) by delivering a copy of the document or paper to the individual to be served or to a member of the partnership to be served or to the president, secretary, or other executive officer or any director of the corporation, organization, or association to be served, or to the attorney, or agent of record of such individual, partnership, corporation, organization, or association to be served; (b) by leaving a copy of the document or paper at the principal office or place of business of such individual, partnership, corporation, organization, or association or of his or her or its attorney or agent of record; (c) by registering or certifying and mailing a copy of the document or paper, addressed to such individual, partnership, corporation, organization, or association, or to his or her or its attorney or agent of record, at his or her or its last known residence or principal office or place of business; or (d) in the case of service upon an attorney or agent of record, by mailing, by regular mail, a copy of the document or paper, addressed to him or her at his or her address or record. Proof of service hereunder shall be made by the affidavit of the person who actually made the service: *Provided, That* if the service is made by the Hearing Officer by regular mail, proof of service shall be made by certification of the Hearing. Officer, and if the service is made by registered or certified mail, proof of service shall be made by the returned post office receipt. The affidavit or post office receipt contemplated thereby shall be filed with

the Deputy Administrator or with the Hearing Officer (after an oral hearing has been requested) and the fact of filing thereof shall be noted in the record of the proceeding.

Sec. 11 Computation of time.

Saturdays, Sundays, and holidays shall be included in computing the time allowed for the filing of any document or paper: *Provided, That,* when such time expires on Saturday, Sunday, or legal holiday, such period shall be extended to include the next following business day.

Sec. 12 Extensions of time.

The time for filing any document or paper required or authorized by these rules of practice to be filed may be extended by the Deputy Administrator or the Hearing Officer (after an oral hearing has been requested and before the Hearing Officer's report is filed), if the request for such extension of time is made prior to or on the final date allowed for such filing, and if in the judgment of the Deputy Administrator or Hearing Officer, as the case may be, after notice to and consideration of the views of the other party when practicable, there is good reason for the extension.

Done at Washington, DC, on: March 17, 1987.

Donald L. Houston,

Administrator, Food Safety and Inspection Service.

[FR Doc. 87-6164 Filed 3-20-87; 8:45 am]

BILLING CODE 3410-DM-M

DEPARTMENT OF COMMERCE

International Trade Administration

Renewal of Textile Advisory Committees

The delegate of the Secretary of Commerce renewed the Exporters' Textile Advisory Committee (ETAC), Importers and Retailers' Textile Advisory Committee (IRTAC), and Management-Labor Textile Advisory Committee (MLTAC), after consultation with the General Services Administration. The committees were renewed March 6, 1987 in accordance with the Federal Advisory Committee Act, 5 U.S.C. App. 2, and 41 CFR 101.6, as amended, Federal Advisory Committee Management Interim Rule.

ETAC was established by the Secretary of Commerce on March 24, 1966 to advise Department of Commerce officials on the identification and surmounting of barriers to the expansion of textile exports, and on methods of encouraging textile firms to participate in export expansion.

IRTAC was established by the Secretary of Commerce on August 13, 1963 to advise Department of Commerce officials of the effects on import markets and retailing of cotton, wool, and man-made fiber textile agreements.

MLTAC was established by the Secretary of Commerce on October 18, 1961 to advise Department of Commerce officials on problems and conditions in the textile and apparel industry and to provide information on world trade in textiles and apparel.

The Committees function as advisory bodies in accordance with the Federal Advisory Committee Act. Additional information may be obtained from Alfreda Burton, (202) 377-3737.

Dated: March 18, 1987.

Ronald I. Levin,

Acting Deputy Assistant Secretary for Textiles and Apparel.

[FR Doc. 87-6200 Filed 3-20-87; 8:45am]

BILLING CODE 3510-DR-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Amending Export Licensing System for Certain Cotton, Wool and Man-Made Fiber Textile Products Produced or Manufactured in the People's Republic of China

March 18, 1987.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on March 24, 1987. For further information contact Diana Solkoff, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212.

Background

A CITA directive was published in the **Federal Register** (49 FR 7269) on February 28, 1984, which announced an export licensing system for certain cotton, wool and man-made fiber textiles and textile products, produced or manufactured in the People's Republic of China. Under the terms of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of August 19, 1983 as amended, the Governments of the United States and the People's Republic of China have agreed to amend the existing export licensing system to include the use of visas for shipments classified in part Categories 317-S, 317-O, 320-N, 320-P, 320-O, 338-X, 338-O, 359-C, 359-I, 359-V, 359-O, 369-L, 369-O, 605-T, 605-O, 613-C, 613-R, 613-O, 651-B, 651-O, 659-C, 659-H, 659-I, 659-S, 659-O, 669-P and 669-O, produced or manufactured in the People's Republic of China and exported to the United States during the period which begins on March 24, 1987 and until further notice. Shipments classified in these part categories and exported on an after March 24, 1987 not visaed in accordance with this directive will be denied entry. The part categories are described by T.S.U.S.A. numbers in the enclosure to the letter to the Commissioner of Customs which follows this notice.

A description of the cotton, wool and man-made fiber textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), and in Statistical Headnote 5, Schedule 3 of the Tariff Schedules of the United States Annotated (1986).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

March 18, 1987.

Commissioner of Customers,
Department of the Treasury,
Washington, DC 20229.

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on February 23, 1984 by the Chairman, Committee for the Implementation of Textile Agreements, which established an export licensing system for certain cotton, wool and man-made fiber textile and textile products, produced or manufactured in the People's Republic of China.

Effective on March 24, 1987 and until further notice, the existing export licensing system is hereby amended to include the following part Categories 317-S, 317-O, 320-N, 320-P, 320-O, 338-X, 338-O, 359-C, 359-I, 359-V, 359-O, 369-L, 369-O, 605-T, 605-O, 613-C, 613-R, 613-O, 651-B, 651-O, 659-C, 659-H, 659-I, 659-S, 659-O, 669-P and 669-O, as described in the enclosure to this letter. Shipments classified in part categories not visaed in accordance with this directive will be denied entry.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

List of Part Categories—China

Category and T.S.U.S.A. Numbers

317–S: 320.—, 331.—, (w/suffixes 50, 87 and 93)
317–O: All T.S.U.S.A. Numbers in Category 317 except those in 317–S, 320.—, 331.—, (w/suffixes 50, 87 and 93)
320–P: 320.—, 321.—, 322.—, 326.—, 327.—, 328.—, (w/suffixes 21, 22, 24, 31, 38, 49, 57, 74, 80 and 98)
320–N: 320.—, 321.—, 322.—, 326.—, 327.—, 328.—, (w/suffixes 31, 38, 49, 57, and 98)
320–O: All T.S.U.S.A. numbers in Category 320 except those in 320–P, 320.—, 321.—, 322.—, 326.—, 327.—, 328.—, (w/suffixes 21, 22, 24, 31, 38, 49, 57, 74, 80 and 98)
338–X: 381.0240, 381.4130
338–O: All T.S.U.S.A. numbers except 381.0240 and 381.4130
359–C: 381.0822, 381.6510, 384.0928, 384.5222
39–I: 384.0439, 384.0441, 384.0442, 384.0444, 384.0805, 384.0810, 384.0815, 384.0820, 384.0825, 384.3451, 384.3452, 384.3453, 384.3454, 384.5162, 384.5163, 384.5167, 384.5169, 384.5172
539–V: 381.0258, 381.0554, 381.3949, 381.5800, 381.5920, 384.0451, 384.0648, 384.0650, 384.0651, 384.0652, 384.3449, 384.3450, 384.4300, 384.4421, 384.4422
359–O: All T.S.U.S.A. numbers except those in 395–C, 359–I and 359–V.
369–H: 706.3640, 706.4106
369–L: 706.3210, 706.3650, 706.4111
369–O: All T.S.U.S.A. numbers except 706.3640, 706.4106, 706.3210, 706.3650 and 706.4111
605–T: 310.9500
605–O: All T.S.U.S.A. numbers except 310.9500
613–C: 338.5039, 338.5042, 338.5043, 338.5047, 338.5059, 338.5048, 338.5053, 338.5054, 338.5058
613–R: 338.5044, 338.5050, 338.5055, 338.5060, 338.5063, 338.5064, 338.5067, 338.5068, 338.5071, 338.5074, 338.5078, 338.5083, 338.5086, 338.5091, 338.5094, 338.5097
613–O: All T.S.U.S.A. numbers except those in 613–C and 613–R
651–B: 384.2222, 384.8632
651–O: All T.S.U.S.A. numbers except 384.2222 and 384.8632
659–C: 381.3325, 381.9805, 384.2205, 384.2530, 384.8606, 384.8607, 384.9310
659–H: 703.0510, 703.0520, 703.0530, 703.0540, 703.0550, 703.0560, 703.1000, 703.1610, 703.1620, 703.1630, 703.1640, 703.1650
659–I 384.2105, 384.2115, 384.2120, 384.2125, 384.2646, 384.2647, 384.2648, 384.2649, 384.2652, 384.8651, 384.8652, 384.8653, 384.8654, 384.9356, 384.9356, 384.9357, 384.9358, 384.9359, 384.9365
659–S: 381.2340, 381.3170, 381.9100, 381.9570, 384.1920, 384.2339, 384.8300, 384.8400, 384.9353
659–O: All T.S.U.S.A. numbers except those in 659–C, 659–H, 659–I and 659–S
669–P: 385.5300
669–O: All T.S.U.S.A. numbers except 385.5300

[FR Doc. 87–6203 Filed 3–20–87; 8:45 am]

BILLING CODE 3510–DR–M

Cancelling Staged Entry for Certain Cotton Textile Products Produced or Manufactured in the People's Republic of China

March 18, 1987.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 3, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on March 24, 1987. For further information contact Diana Solkoff, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377–4212.

Background

On December 30, 1986, a notice was published in the **Federal Register** (51 FR 47041), which, among other things, established staged entry periods for imports of cotton textile products in Categories 313 and 339, produced or manufactured in the People's Republic of China and exported during the period which began on January 1, 1986 and extends through December 31, 1986. Inasmuch as it has been determined that these staged entry periods are no longer needed, they are being cancelled.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983 (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), July 14, 1986 (51 FR 25386) and in Statistical Headnote 5, Schedule 3 of the Tariff Schedules of the United States Annotated (1987).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

March 18, 1987.

Commissioner of Customs,
Department of Treasury,
Washington, DC 20229.

Dear Mr. Commissioner: To facilitate implementation of the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement, effected by exchange of notes dated August 19, 1983, as amended, between the Governments of the United States and the People's Republic of China, I request that, effective on March 24, 1987, you cancel the staged entry periods established in the directive of December 23, 1986 for cotton textile products in Categories 313 and 339, produced or manufactured in the People's Republic of China.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 533(a)(1).

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 87–6205 Filed 3–20–87; 8:45 am]

BILLING CODE 3510–DR–M

Announcing Establishment of Guaranteed Access Levels for Cotton, Man-Made and Other Vegetable Fiber Textiles and Textile Products from Jamaica

March 17, 1987.

On February 27, 1987 a notice was published in the **Federal Register** (52 FR 6049) announcing, among other things, the establishment of guaranteed access levels under the Special Access Program and in accordance with the Bilateral Cotton, Wool and Man-Made Fiber Textile Agreement of August 27, 1986 for certain properly certified textile products assembled in Jamaica from fabric formed and cut in the United States.

The purpose of this notice is to advise the public that during recent consultations, under the terms of the bilateral agreement of August 27, 1986, the Governments of the United States and Jamaica signed Memoranda of Understanding establishing guaranteed access levels for properly certified textile products assembled in Jamaica from fabric formed and cut in the United States in Categories 341/641 (cotton and man-made fiber shirts and blouses,not knit), 345/845 (sweaters of cotton and other vegetable fibers), 352/652 (cotton and man-made fiber underwear) and 632 (man-made fiber hosiery), exported from Jamaica during the period which begins on June 1, 1987 and extends through December 31, 1987; and Categories 338/339/638/639 (cotton and man-made fiber shirts and blouses), 340/640 (cotton and man-made fiber shirts, not knit) and 347/348/647/648 (cotton and man-made fiber trousers, slacks and shorts), exported from Jamaica during the retroactive period which began on September 1, 1986 and extends through December 31, 1987. The established levels will be published in the **Federal**

Register upon the exchange of diplomatic notes.

Participating firms doing business in Jamaica are advised to take all necessary steps to ensure that textile products in the foregoing categories, produced or manufactured in Jamaica, which are to be entered into the United States for consumption, or withdrawn from warehouse for consumption, that are exported from Jamaica on or after March 1, 1987 for Categories 338/339/638/639, 340/640 and 347/348/647/648 and June 1, 1987 for the remaining Categories, are accompanied by a certification issued by the appropriate Jamaican authorities and a properly completed and certified CBI Export Declaration (Form ITA-370-P). Each shipment of textile products of Jamaica not accompanied by a properly issued certification and CBI Export Declaration must be accompanied by a properly issued visa.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212.

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 87-6201 Filed 3-20-87; 8:45 am]

BILLING CODE 3510-DR-M

Establishing Import Limits for Certain Silk Blends and Vegetable Fibers (Other than Cotton) in Categories 835 and 842 Produced or Manufactured in the People's Republic of China

March 18, 1987.

The Chairman of the Committee for the Implementation of Textile Agreements (CITA), under the authority contained in E.O. 11651 of March 31, 1972, as amended, has issued the directive published below to the Commissioner of Customs to be effective on March 24, 1987. For further information contact Diana Solkoff, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, Washington, DC, (202) 377-4212. For information on the quota status of these limits, please refer to the Quota Status Reports which are posted on the bulletin boards of each Customs port or call (202) 566-6828. For information on embargoes and quota re-openings, please call (202) 377-3715. For information on categories on which consultations have been requested call (202) 377-3740.

Background

A CITA directive published in the **Federal Register** on February 13, 1987 (52 FR 4645) which announced that, on December 31, 1986, the United States, under Article 3 of the Arrangement Regarding International Trade in Textiles and in accordance with Section 204 of the Agricultural Adjustment Act of 1956, had requested the Government of the People's Republic of China to enter into consultations concerning exports to the United States or coats (category 835) and skirts (Category 842) of silk blends and vegetable fibers (other than cotton).

The United States has decided, inasmuch as no solution has been reached with the Government of the People's Republic of China on mutually satisfactory limits for these categories, to control imports of silk blends and vegetable fibers (other than cotton) in Categories 835 and 842, produced or manufactured in China and exported during the twelve-month period which began on December 31, 1986 and extends through December 30, 1987, at levels of 49,357 dozen (Category 835) and 33,636 dozen (Category 842).

Accordingly, in the letter published below, the Chairman of the Committee for the Implementation of Textile Agreements directs the Commissioner of Customs to prohibit entry into the United States for consumption, or withdrawal from warehouse for consumption, of textile products in Categories 835 and 842 during the twelve-month period which began on December 31, 1986 and extends through December 30, 1987, in excess of the designated levels of restraint.

The United States remains committed to finding a solution concerning these categories. Should such a solution be reached in consultations with the Government of the People's Republic of China, further notice will be published in the **Federal Register**.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on July 29, 1986 (51 FR 27068).

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

March 18, 1987.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Mr. Commissioner: Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854), and the Arrangement Regarding International Trade in Textiles done at Geneva on December 20, 1973, as further extended on July 31, 1986; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on March 24, 1987, entry into the United States for consumption and withdrawal from warehouse for consumption of textile products in Categories 835 and 842, produced or manufactured in the People's Republic of China and exported during the twelve-month period which began on December 31, 1986 and extends through December 30, 1987, in excess of the following limits.[1]

Category	Twelve-month restraint limit
835	49,357 dozen.
842	33,636 dozen.

Textile products in Categories 835 and 842 which have been exported to the United States prior to December 31, 1986 shall not be subject to this directive.

Textile products in Categories 835 and 842 which have been released from the custody of the U.S. Customs Service under the provisions of 19 U.S.C. 1448(b) or 1484(a)(1)(A) prior to the effective date of this directive shall not be denied entry under this directive.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on July 29, 1986 (51 FR 27068).

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553.

This letter will be published in the **Federal Register**.

Sincerely,

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 87-6202 Filed 3-20-87; 8:45 am]

BILLING CODE 3510-DR-M

Requesting Public Comment on Bilateral Consultations with the Government of Bangladesh on Category 338/339

March 18, 1987.

On February 28, 1987, the United States Government, under Article 3 of the Arrangement Regarding International Trade in Textiles and in accordance with section 204 of the Agricultural Act of 1956, requested the Government of Bangladesh to enter into consultations concerning exports to the

[1] The limits have not been adjusted to account for any imports exported after December 30, 1986.

United States of certain cotton textile products in Category 338/339, produced or manufactured in Bangladesh.

The purpose of this notice is to advise that, if no solution is agreed upon in consultations with Bangladesh, the Committee for the Implementation of Textile Agreements may later establish limits for the entry and withdrawal from warehouse for consumption of cotton shirts and blouses in Category 338/339, produced or manufactured in Bangladesh and exported to the United States during the twelve-month period which began on February 28, 1987 and extends through February 27, 1988, at a level of 275,474 dozen.

A summary market statement for this category follows this notice.

A description of the textile categories in terms of T.S.U.S.A. numbers was published in the **Federal Register** on December 13, 1982 (47 FR 55709), as amended on April 7, 1983 (48 FR 15175), May 3, 1983 (48 FR 19924), December 14, 1983, (48 FR 55607), December 30, 1983 (48 FR 57584), April 4, 1984 (49 FR 13397), June 28, 1984 (49 FR 26622), July 16, 1984 (49 FR 28754), November 9, 1984 (49 FR 44782), July 14, 1986 (51 FR 25386) and in Statistical Headnote 5, Schedule 3 of the Tariff Schedules of the United States Annotated (1987).

Anyone wishing to comment or provide data or information regarding the treatment of Category 338/339 or to comment on domestic production or availability of textile products included in the category, is invited to submit such comments or information in ten copies to Mr. Ronald I. Levin, Acting Chairman, Committee for the Implementation of Textile Agreements, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230. Because the exact timing of the consultations is not yet certain, comments should be submitted promptly. Comments or information submitted in response to this notice will be available for public inspection in the Office of Textiles and Apparel, Room 3100, U.S. Department of Commerce, 14th and Constitution Avenue NW., Washington, DC, and may be obtained upon request.

Further comment may be invited regarding particular comments of information received from the public which the Committee for the Implementation of Textile Agreements considers appropriate for further consideration.

The solicitation of comments regarding any aspect of the agreement or the implementation thereof is not a waiver in any respect of the exemption contained in 5 U.S.C. 553(a)(1) relating to matters which constitute "a foreign affairs function of the United States."

The United States remains committed to finding a solution concerning this category. Should such a solution be reached in consultations with the Government of Bangladesh, further notice will be published in the **Federal Register.**

FOR FURTHER INFORMATION CONTACT: Kathryn Cabral, International Trade Specialist, Office of Textile and Apparel, U.S. Department of Commerce, (202) 377–4212. For information on categories on which consultations have been requested call (202) 377–3740.

Ronald I. Levin,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Market Statement—Bangladesh

Category 338/339—Cotton Knit Shirts and Blouses

February 1987.

Summary and Conclusions

U.S. imports of Category 338/339 from Bangladesh were 326,865 dozen during 1986, more than four times the 76,265 dozen imported in 1985.

The U.S. market for Category 338/339 has been disrupted by imports. The sharp and substantial increase of imports from Bangladesh has contributed to this disruption.

U.S. Production and Market Share

U.S. production of cotton knit shirts and blouses declined seven percent from 24,138 thousand dozen in 1983 to 22,468 thousand dozen in 1985. The U.S. manufacturers' share of this market declined from 60 percent in 1983 to 55 percent in 1985.

U.S. Imports and Import Penetration

U.S. imports of Category 338/339 grew from 16,116 thousand dozen in 1983 to 18,457 thousand dozen in 1985, a 15 percent increase. During 1986, imports of Category 338/339 reached 25,237 thousand dozen, 37 percent higher than the level imported during 1985. The ratio of imports to domestic production increased from 67 percent in 1983 to 82 percent in 1985.

Employment

Total employment in the U.S. industry which produces women's and misses' shirts and blouses (SIC 2331) and men's and boys' shirts and nightwear (SIC 2321) declined 10 percent from 153 thousand employees in 1983 to 138 thousand employees in 1986. The decline in production worker employment was also 10 percent over this time period.

Duty-Paid Value and U.S. Producers' Price

Approximately 78 percent of Category 338/339 imports from Bangladesh during 1986 entered under three TSUSA numbers: 381.4130—men's and boys' cotton knit shirts, excluding T-shirts, sweatshirts, and tank tops, not ornamented; 384.2806—women's cotton knit tank tops, not ornamented; 384.2815—women's cotton knit blouses, not ornamented. TSUSA number 384.2806 alone represents 63 percent of Category 338/339 imports from Bangladesh. These garments entered the U.S. at duty-paid landed values below U.S. producers' prices for comparable garments.

[FR Doc. 87–6204 Filed 3–20–87; 8:45 am]

BILLING CODE 3510-DR-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Intelligence Agency Scientific Advisry Committee; Meeting

AGENCY: Defense Intelligence Agency Scientific Advisory Committee.

ACTION: Notice of Closed Meeting.

SUMMARY: Pursuant to the provisions of subsection (d) of section 10 of Pub. L. 92–463, as amended by section 5 of Pub. L. 94–409, notice is hereby given that a closed meeting of the DIA Scientific Advisory Committee has been scheduled as follows:

DATES: Tuesday and Wednesday, 5–6 May 1987, 9:00 a.m. to 5:00 p.m. each day.

ADDRESS: The DIAC, Bolling AFB, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel John E. Hatlelid, USAF, Executive Secretary, DIA Scientific Advisory Committee, Washington, DC 20340 (202/373–4930).

SUPPLEMENTARY INFORMATION: The entire meeting is devoted to the discussion of classified information as defined in section 552b(c)(1), title 5 of the U.S. Code and therefore will be closed to the public. The Committee will receive briefings on and discuss several current critical intelligence issues and advise the Director, DIA on related scientific and technical intelligence matters.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

March 17, 1987.

[FR Doc. 87–6177 Filed 3–20–87; 8:45 am]

BILLING CODE 3810-01-M

Defense Intelligence Agency Scientific Advisory Committee; Meeting

AGENCY: Defense Intelligence Agency Scientific Advisory Committee.

ACTION: Notice of closed meeting.

SUMMARY: Pursuant to the provisions of subsection (d) of section 10 of Pub. L. 92–463, as amended by section 5 of Pub. L. 94–409, notice is hereby given that a

closed meeting of a panel of the DIA Scientific Advisory Committee has been scheduled as follows:

DATE: Thursday, 7 May 1987, 9:00 a.m. to 5:00 p.m.

ADDRESS: The DIAC, Bolling AFB, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Lieutenant Colonel John E. Hatlelid, USAF, Executive Secretary, DIA Scientific Advisory Committee, Washington, DC 20301 (202/373–4930).

SUPPLEMENTARY INFORMATION: The entire meeting is devoted to the discussion of classified information as defined in section 552b(c)(1), title 5 of the U.S. Code and therefore will be closed to the public. Subject matter will be used in a special study on Wing-in-Ground Effect vehicle developments.

Patricia H. Means,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 87–6178 Filed 3–20–87; 8:45 am]

BILLING CODE 3810–01–M

Department of the Air Force

USAF Scientific Advisory Board; Meeting

March 14, 1987.

The site for the meeting of the USAF Scientific Advisory Board Ad Hoc Committee on Air Base Performance, announced March 6, 1987, 52 FR 7009, has been changed. The Committee will meet at the Center for Naval Analyses, 4401 Ford Ave, Alexandria VA. Dates and times previously announced are unchanged.

The purpose of these meetings is to receive briefings on and to discuss factors and Air Force programs affecting air base operability, survivability, and basing posture.

This meeting will involve discussions of classified defense matters listed in section 552b(c) of Title 5, United States Code, specifically subparagraph (1) thereof, and accordingly will be closed to the public.

For further information, contact the Scientific Advisory Board Secretariat at (202) 697–4648.

Patsy J. Conner,

Air Force Federal Register Liaison Officer.

[FR Doc. 87–6143 Filed 3–20–87; 8:45 am]

BILLING CODE 3910–01–M

DEPARTMENT OF EDUCATION

Inviting Applications for New Awards To Be Made in Fiscal Year 1987 (CFDA 84.183A–A) Under the Drug Prevention Program Competition Conducted by the Director of the Fund for the Improvement of Postsecondary Education

Purpose: To make grants to institutions of higher education to develop, implement, operate, and improve drug abuse education and prevention programs for students enrolled in institutions of higher education.

Deadline for transmittal of applications: May 21, 1987

Applications availabale: March 31, 1987

Available funds: $7,780,000

Estimated size of awards: $5,000 to $125,000 each year for up to two years.

Project period: Not to exceed 24 months.

Applicable regulations: The Education Department General Administrative Regulations, 34 CFR Parts 74, 75, 77, and 78.

For applications or information contact: Dr. Ronald Bucknam, Fund for the Improvement of Postsecondary Education, 7th & D Streets, SW., Room 3100, ROB–3, Washington, DC 20202, (202) 245–8091 or 245–8100.

Program authority: The Anti-Drug Abuse Act of 1986, Pub. L. 99–570, Section 4131(d).

This competition involves only grants authorized under section 4131 of Pub. L. 99–570. Title IV, Subtitle B, of Pub. L. 99–570 authorizes the Secretary to conduct several other grant competitions involving efforts to promote drug prevention in schools. These additional competitions will be announced in forthcoming issues of the **Federal Register.**

Dated: March 17, 1987.

C. Ronald Kimberling,

Assistant Secretary for Postsecondary Education.

[FR Doc. 87–6208 Filed 3–20–87; 8:45 am]

BILLING CODE 4000–01–M

DEPARTMENT OF ENERGY

Energy Information Administration

Publication of Alternative Fuel Price Ceilings and Incremental Price Threshold for High Cost Natural Gas

The Natural Gas Policy Act of 1978 (NGPA) (Pub. L. 95–621) signed into law on November 9, 1978, mandated a new framework for the regulation of most facets of the natural gas industry. In general, under Title II of the NGPA, interstate natural gas pipeline companies are required to pass through certain portions of their acquisition costs for natural gas to industrial users in the form of a surcharge. The statute requires that the ultimate costs of gas to the industrial facility should not exceed the cost of the fuel oil which the facility could use as an alternative.

Pursuant to Title II of the NGPA, section 204(e), the Energy Information Administration (EIA) herewith publishes for the Federal Energy Regulatory Commission (FERC) computed natural gas ceiling prices and the high cost gas incremental pricing threshold which are to be effective April 1, 1987. These prices are based on the prices of alternative fuels.

FOR FURTHER INFORMATION CONTACT: Leroy Brown, Jr., Department of Energy, Energy Information Administration, 1000 Independence Avenue, SW., Room BE–034, Washington, DC 20585, Telephone: (202) 586–6077.

Section I

As required by FERC Order No. 50, computed prices are shown for the 48 contiguous States. The District of Columbia's ceiling is included with the ceiling for the State of Maryland. FERC, by an Interim Rule issued on April 2, 1981, in Docket No. RM79–21, revised the methodology for calculating the monthly alternative fuel price ceilings for State regions. Under the revised methodology, the applicable alternative fuel price ceiling published for each of the contiguous States shall be the lower of the alternative fuel price ceiling for the State or the alternative fuel price ceiling for the multistate region in which the State is located.

The price ceiling is expressed in dollars per million British Thermal Units (BTU's). The method used to determine the price ceilings is described in Section III.

State:	*Per million BTU's*
Alabama	$2.06
Arizona [1]	1.88
Arkansas [1]	2.39
California	1.86
Colorado [2]	1.92
Connecticut [1]	2.18
Delaware [1]	2.29
Florida	2.15
Georgia	2.28
Idaho [2]	1.92
Illinois	1.71
Indiana [1]	2.05
Iowa [1]	2.02
Kansas [1]	2.02

	Per million BTU's
Kentucky [1]	2.05
Louisiana [1]	2.39
Maine [1]	2.18
Maryland [1]	2.29
Massachusetts	2.11
Michigan [1]	2.05
Minnesota	1.96
Mississippi	2.25
Missouri [1]	2.02
Montana [2]	1.92
Nebraska [1]	2.02
Nevada [1]	1.88
New Hampshire [1]	2.18
New Jersey [1]	2.29
New Mexico [1]	2.39
New York	2.27
North Carolina [1]	2.29
North Dakota [1]	2.02
Ohio	1.99
Oklahoma [1]	2.39
Oregon	1.83
Pennsylvania	2.27
Rhode Island [1]	2.18
South Carolina [1]	2.29
South Dakota [1]	2.02
Tennessee [1]	2.29
Texas	2.31
Utah [2]	1.92
Vermont [1]	2.18
Virginia	2.13
Washington [1]	1.88
West Virginia [1]	2.05
Wisconsin [1]	2.05
Wyoming [2]	1.92

[1] Region based price as required by FERC Interim Rule, issued on April 2, 1981, in Docket No. RM–79–21.

[2] Region based price computed as the weighted average price of Regions E, F, G and H.

Section II. Incremental Pricing Threshold for High Cost Natural Gas

The EIA has determined that the volume-weighted average price for No. 2 distillate fuel oil landed in the greater New York City Metropolitan area during January 1987 was $20.51 per barrel. The EIA has implemented a procedure to partially compensate for the two-month lag between the end of the month for which data are collected and the beginning of the month for which the incremental pricing threshold becomes effective. The prices found in *Platt's Oilgram Price Report* are given for each trading day in the form of high and low prices for No. 2 fuel oil in Metropolitan New York and Northern New Jersey. A lag adjustment factor was calculated using the average of the low posted price for these two areas for the ten trading days ending March 13, 1987, and dividing that price by the corresponding average price computed from prices published by Platt's for the month of January 1987. This lag adjustment factor was applied to the January price yielding $18.40 per barrel. In order to establish the incremental pricing threshold for high cost natural gas, as identified in the NGPA, Title II, section 203(a)(7), this price was multiplied by 1.3 and converted to its equivalent in millions of BTU's by dividing by 5.8. Therefore, the incremental pricing threshold for high cost natural gas, effective April 1, 1987, is $4.12 per million BTU's.

Section III. Method Used to Compute Price Ceilings

The FERC, by Order No. 50, issued on September 29, 1979, in Docket No. RM79–21, established the basis for determining the price ceiling required by the NGPA. FERC also, by Order No. 167, issued in Docket No. RM81–27 on July 24, 1981, made permanent the rule that established that only the price paid for No. 6 high sulfur content residual fuel oil would be used to determine the price ceilings. In addition, the FERC, by Order No. 181, issued on November 6, 1981, in Docket No. RM81–28, established that price ceilings should be published for only the 48 contiguous States on a permanent basis.

A. Data Collected

The following data were required from all companies identified by the EIA as sellers of No. 6 high sulfur content (greater than 1 percent sulfur content by weight) residual fuel oil: for each selling price, the number of gallons sold to large industrial users in the months of November 1986, December 1986, and January 1987.[3] All reports of volume sold and price were identified by the State into which the oil was sold.

B. Method Used To Determine Alternative Price Ceilings

(1) Calculation of Volume-Weighted Average Price

The prices which will become effective April 1, 1987, (shown in Section I) are based on the reported price of No. 6 high sulfur content residual fuel oil, for each of the 48 contiguous States, for each of the 3 months, November 1986, December 1986, and January 1987. Reported prices for sales in November 1986 were adjusted by the percent change in the nationwide volume-weighted average price from November 1986 to January 1987. Prices for December 1986 were similarly adjusted by the percent change in the nationwide volume-weighted average price from December 1986 to January 1987. The volume-weighted 3-month average of the adjusted November 1986 and December 1986, and the reported January 1987 prices were then computed for each State.

(2) Adjustment for Price Variation

States were grouped into the regions identified by the FERC (see Section III.C.). Using the adjusted prices and associated volumes reported in a region during the 3-month period, the volume-weighted standard deviation of prices was calculated for each region. The volume-weighted 3-month average price (as calculated in Section III.B.(1) above) for each State was adjusted downward by two times this standard deviation for the region to form the adjusted weighted average price for the State.

(3) Calculation of Ceiling Price

The lowest selling price within the State was determined for each month of the 3-month period (after adjusting up or down by the percent change in oil prices at the national level as discussed in Section III.B.(1) above. The products of the adjusted low price for each month times the State's total reported sales volume for each month were summed over the 3-month period for each State and divided by the State's total sales volume during the 3 months to determine the State's average low price. The adjusted weighted average price (as calculated in Section III.B.(2)) was compared to this average low price, and the higher of the values was selected as the base of determining the alternative fuel price ceiling for each State. For those States which had no reported sales during one or more months of the 3-month period, the appropriate regional volume-weighted alternative fuel price was computed and used in combination with the available State data to calculate the State alternative fuel price ceiling base. The State's alternative fuel price ceiling base was compared to the alternative fuel price ceiling base for the multistate region in which the State is located and the lower of these two prices was selected as the final alternative fuel price ceiling base for the State. The appropriate lag adjustment factor (as discussed in Section III.B.(4) was then applied to the alternative fuel price ceiling base. The alternative fuel price (expressed in dollars per gallon) was multiplied by 42 and divided by 6.3 to estimate the alternative fuel price ceiling for the State (expressed in dollars per million BTU's).

There were insufficient sales reported in Region G for the months of November

[3] Large Industrial User—A person/firm which purchases No. 6 fuel oil in quantities of 4,000 gallons or greater for consumption in a business, including the space heating of the business premises. Electric utilities, governmental bodies (Federal, State, or Local), and the military are excluded.

1986, December 1986, and January 1987. The alternative fuel price ceilings for the States in Region G were determined by calculating the volume-weighted average price ceilings for Region E, Region F, Region G, and Region H.

(4) Lag Adjustment

The EIA has implemented a procedure to partially compensate for the two-month lag between the end of the month for which data are collected and the beginning of the month for which ceiling prices become effective. It was determined that *Platt's Oilgram Price Report* provides timely information relative to the subject. The prices found in *Platt's Oilgram Price Report* are given for each trading day in the form of high and low prices for No. 6 residual oil in 19 cities throughout the United States. The low posted prices for No. 6 residual oil in these cities were used to calculate a national and a regional lag adjustment factor. The national lag adjustment factor was obtained by calculating a weighted average price for No. 6 high sulfur residual fuel oil for the ten trading days ending March 13, 1987, and dividing that price by the corresponding weighted average price computed from prices published by Platt's for the month of January 1987. A regional lag adjustment factor was similarly calculated for four regions. These are: one for FERC Regions A and B combined; one for FERC Region C; one for FERC Regions D, E, and G combined; and one for FERC Regions F and H combined. The lower of the national or regional lag factor was then applied to the alternative fuel price ceiling for each State in a given region as calculated in Section III.B.(3).

Listing of States by Region

States were grouped by the FERC to form eight distinct regions as follows:

Region A

Connecticut
Maine
Massachusetts
New Hampshire
Rhode Island
Vermont

Region B

Delaware
Maryland
New Jersey
New York
Pennsylvania

Region C

Alabama
Florida
Georgia
Mississippi
North Carolina
South Carolina
Tennessee
Virginia

Region D

Illinois
Indiana
Kentucky
Michigan
Ohio
West Virginia
Wisconsin

Region E

Iowa
Kansas
Missouri
Minnesota
Nebraska
North Dakota
South Dakota

Region F

Arkansas
Louisiana
New Mexico
Oklahoma
Texas

Region G

Colorado
Idaho
Montana
Utah
Wyoming

Region H

Arizona
California
Nevada
Nevada
Oregon
Washington

Issued in Washington, DC, March 18, 1987.

L.A. Pettis,

Deputy Administrator, Energy Information Administration.

[FR Doc. 87-6388 Filed 3-20-87; 8:45 am]

BILLING CODE 6450-01-M

Office of Energy Research

Superconducting Super Collider (SSC); Site Solicitation

AGENCY: Office of Energy Research, SSC Site Task Force, DOE.

ACTION: Notice of Invitation for Site Proposals (ISP) soliciting proposals from States and others for providing a site for the SSC.

SUMMARY: Included in the President's Fiscal Year 1988 budget is a request to initiate the design and construction of the world's largest and most advanced particle accelerator, called the Superconducting Super Collider or SSC. The SSC will be used for the study of the fundamental nature of matter and energy. Consisting primarily of a 53-mile circumference, racetrack-shaped tunnel that is 10 feet in cross-section diameter, the total project cost of the SSC facility is estimated to be $4.4 billion in fiscal year 1988 dollars. Because of the need to determine the SSC site at the earliest possible time, and the long lead time necessary to competitively select an SSC site, the DOE plans to issue an Invitation for Site Proposals (Invitation) on or about April 1, 1987, while Congress is considering the President's budget request. Congressional action on this request should be completed by October 1, 1987. Further, the site will be located within the United States and the land for the site must be provided at no cost to the Federal Government. Further information regarding the Solicitation will not be available until the Invitation is issued. The Invitation will essentially describe the information which will be needed from proposers and the criteria under which the proposals will be evaluated. Also, a preproposal conference will be held approximately one month after the Invitation is issued.

SUPPLEMENTARY INFORMATION: Each State Governor automatically will be provided with a copy of the Invitation when it is released on or about April 1, 1987. Others interested in receiving a copy of the Invitation when it becomes available must submit a written request to: U.S. Department of Energy, Office of Energy Research, SSC Site Task Force, Washington, DC 20545.

FOR FURTHER INFORMATION CONTACT: Ms. Judy Virts, Ph. (301) 353-6570, U.S. Department of Energy, Office of Energy Research, ER-65, Washington, DC 20545.

James F. Decker,

Deputy Director, Office of Energy Research.

[FR Doc. 87-6320 Filed 3-20-87; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket No. CI87-361-000]

ANR Production Co.; Application for Limited-term Blanket Abandonment and Limited-term Blanket Certificate with Pre-granted Abandonment

Issued: March 17, 1987.

Take notice that on March 11, 1987, ANR Production Company (ANR) filed an Application pursuant to sections 4 and 7 of the Natural Gas Act (NGA) and Parts 154 and 157 and § 2.77 of the Regulations, requesting: (1) Limited-term blanket authorization to abandon sales by ANR (or its co-owners in the same production) of certificated gas released by the original pipeline-purchaser; and (2) limited-term blanket certificate authorization with pre-granted abandonment for sales for resale in interstate commerce of gas released by the original pipeline-purchaser and covered by such blanket limited-term abandonment. The authorizations requested would be for a three-year term without supply or market restrictions and without limitation on vintage of gas, as more fully described in the Application which is on file with the Commission and open for public inspection.

Similar authorizations (limited to certain NGPA vintages) were granted to ANR in Docket No. CI84-554-006 and are due to expire March 31, 1987. ANR

states that the authorizations sought herein, if granted, will enable ANR (and its co-owners) to sell on a short-term and spot basis natural gas that remains subject to the Commission's NGA jurisdiction, but has been released by the original pipeline-purchasers. The authorizations requested in this proceeding, it is alleged, would enable ANR to continue and to expand its ability to sell gas on an expeditious basis to meet market needs. Sales volumes, prices, purchasers and delivery points will vary from sale to sale.

Further, ANR has requested a waiver of Commission rules and regulations to the extent necessary to implement the authorizations requested including, without limitation, filings required under §§ 154.94(h) and 154.94(k), and Part 271 of the regulations.

ANR asserts that the authorizations requested herein are consistent with the Commission's recent orders in *NICOR Exploration Company*, Docket No. CI87–708–000 (issued December 22, 1986); *Sonat Exploration Company*, Docket No. CI86–403–000 (issued December 29, 1986); and *ANR Pipeline Company, et al.*, Docket Nos. CI86–637–00, *et al.* (issued January 21, 1987).

It appears reasonable and consistent with the public interest in these cases to prescribe a period shorter than the normal for the filing of protests and motions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should, on or before March 30, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding herein must file a motion to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87–6220 Filed 3–20–87;8:45 am]

BILLING CODE 6717–01–M

[Docket Nos. ST86–2687–000, ST86–2688–000, ST86–2690–000, ST86–2699–000, ST86–2701–000, ST86–2706–000, ST86–2707–000, ST84–773–000]

Delhi Gas Pipeline Corp.; Staff Panel

March 16, 1987.

Pursuant to the Commission's order [1] in the above-captioned dockets, a Staff Panel (Panel) shall be convened to allow opportunity for written comments and for the oral presentation of views, data, and arguments regarding Delhi's facilities in north Louisiana. The Panel will not be a judicial or evidentiary-type hearing and there will be no cross-examination of persons presenting statements. Members participating on the Panel before whom the presentations are made may ask questions. If time permits, Panel members may also ask such relevant questions as are submitted to them by participants. Other procedural rules relating to the Panel will be announced at the time the proceeding commences.

The Staff Panel will be held on Monday, March 30, 1987 at 10:30 a.m. in a room to be designated at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426. Any questions regarding these proceedings should be directed to J. Bradford Ramsay, Esquire at (202) 357–9158. All interested persons and staff may attend the proceeding.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87–622 Filed 3–20–87; 8:45 am]

BILLING CODE 6717–01–M

[Docket No. CI87–375–000]

The Louisiana Land and Exploration Company and LLOXY Holdings, Inc.; Application for Limited-Term Blanket Abandonment and Limited-Term Blanket Certificate With Pre-Granted Abandonment

Issued: March 17, 1987.

Take notice that on March 13, 1987, The Louisiana Land and Exploration Company and LLOXY Holdings, Inc. (herein referred to collectively as "LL&E") filed an Application pursuant to sections 4 and 7 of the Natural Gas Act (NGA) and Parts 154 and 157 and §2.77 of the Regulations, requesting: (1) Limited-term blanket authorization to abandon sales by LL&E (or its co-owners in the same production) of certificated gas released by the original pipeline-purchaser; and (2) limited-term blanket certificate authorization with pre-granted abandonment for sales for resale in interstate commerce of gas released by the original pipeline-purchaser and covered by such blanket limited-term abandonment. The authorizations requested would be for a three-year term without supply or market restrictions and without limitation on vintage of gas, as more fully described in the Application which is on file with the Commission and open for public inspection.

Similar authorizations (limited to certain NGPA vintages) were granted to LL&E in Docket No. CI86–237–000 and are due to expire March 31, 1987. LL&E states that the authorizations sought herein, if granted, will enable LL&E (and its co-owners) to sell on a short-term and spot basis natural gas that remains subject to the Commission's NGA jurisdiction, but has been released by the original pipeline-purchasers. The authorizations requested in this proceeding, it is alleged, would enable LL&E to continue and to expand its ability to sell gas on an expeditious basis to meet market needs. Sales volumes, prices, purchasers and delivery points will vary from sale to sale.

Further, LL&E has requested a waiver of Commission rules and regulations to the extent necessary to implement the authorizations requested including, without limitation, filings required under §§154.94(h) and 164.94(k), and Part 271 of the regulations.

LL&E asserts that the authorizations requested herein are consistent with the Commission's recent orders in *NICOR Exploration Company*, Docket No. CI87–708–000 (issued December 22, 1986); *Sonat Exploration Company*, Docket No. CI86–403–000 (issued December 29, 1986); and *ANR Pipeline Company, et al.*, Docket Nos. CI86–637–000, *et al.* (issued January 21, 1987).

It appears reasonable and consistent with the public interest in these cases to prescribe a period shorter than the normal for the filing of protests and motions to intervene. Therefore, any person desiring to be heard or to make any protest with reference to said application should, on or before March 30, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding.

[1] Delhi Gas Pieipline Corp., 38 FERC ¶61,118 (1987).

Any person wishing to become a party to the proceeding herein must file a motion to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-6223 Filed 3-20-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI86-7-002]

Seagull Marketing Services, Inc. and Seagull Energy E&P Inc.; Request for Extension and Amendment of Limited-Term Abandonment and of Blanket Sales Certificate Authority

March 16, 1987.

Take notice that on March 6, 1987, Seagull Marketing Services, Inc. (Seagull Marketing) and Seagull Energy E&P Inc. (Seagull E&P) (collectively Applicants), pursuant to sections 4 and 7 of the Natural Gas Act and Part 157 of the Commission's regulations, filed a request for the Commission to extend by three years the limited-term abandonment and blanket sales certificate authority granted to them in Docket No. CI86-7-001 on March 31, 1986, which will expire on March 31, 1987. In addition, Applicants requested that the Commission extend the authorization granted therein to all Natural Gas Act gas, including gas whose maximum lawful price is equal to or below the maximum lawful price for NGPA section 109 gas.

Any person desiring to be heard or to make any protest with reference to said application shuld on or before March 30, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR §§ 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party in any proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-6224 Filed 3-20-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. ST86-2660-000 and ST82-296-000, et al.]

Shreveport Intrastate Gas Transmission Ltd.; Staff Panel

March 16, 1987.

Pursuant to the Commission's order [1] in the above-capitioned dockets, a Staff Panel (Panel) shall be convened to allow opportunity for written comments and for the oral presentation of views, data, and arguments regarding Shreveport Intrastate Gas Transmission Ltd.'s proposed rates. The Panel will not be a judicial or evidentiary-type hearing and there will be no cross-examination of persons presenting statements. Members participating on the Panel before whom the presentations are made may ask questions. If time permits, Panel members may also ask such relevant questions as are submitted to them by participants. Other procedural rules relating to the Panel will be announced at the time the proceeding commences.

The Staff Panel will be held on Monday, March 23, 1987 at 10:30 a.m. in a room to be designated at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washongton, DC 20426. Any questions regarding these proceedings should be directed to J. Bradford Ramsay, Esquire at (202) 357-9158. All interested persons and staff may attend the proceeding.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-6225 Filed 3-20-87; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. CI87-232-000]

Vernon E. Faulconer; Application for Abandonment

March 17, 1987.

Take notice that on January 20, as supplemented on March 10, 1987, Vernon E. Faulconer, P.O. Box 7995, Tyler, Texas, 75711 (Faulconer), a small producer certificate holder in Docket No. CS74-147, filed an application for abandonment pursuant to Section 7 of the Natural Gas Act. Faulconer's gas is NGPA section 108 gas produced from the Engelman Community Nos. A-2, A-3 and A-5 Wells, Las Mastenas Grant, San Salvador Field, Hidalgo County, Texas. The gas is dedicated to Tennessee Gas Pipeline Company, A Division of Tenneco Inc. (Tennessee) under a May 10, 1955, contract. The term of the contract expired on May 10, 1985.

In support of its application Faulconer states it is subject to substantially reduced takes without payment. The wells have been reworked. Prior to this work, deliverability of the A-2 and A-3 Wells was zero and deliverability of the A-5 Well was approximately 90 Mcf/d. Since reworking the wells, Faulconer anticipates deliverability of 200 Mcf/d per well. By letter dated November 21, 1986, Tennessee informed Faulconer that it could neither purchase nor receive any of the gas to be produced from the subject wells after December 1, 1986, and that future purchases, if any, would be on a best efforts basis. Faulconer is negotiating with Corpus Christi Gas Gathering Company and Valero Transmission Company for the purchase and sale of this gas.

The circumstances presented in the application meet the criteria for consideration on an expedited basis, pursuant to § 2.77 of the Commission's rules as promulgated by Order Nos. 436 and 436-A, issued October 9, and December 12, 1985, respectively, in Docket No. RM85-1-000, all as more fully described in the application which is on file with the Commission and open to public inspection.

Accordingly, any person desiring to be heard or to make any protest with reference to said application should on or before 15 days after the date of publication of this notice in the Federal Register, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 385.211, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-6222 Filed 3-20-87; 8:45 am]

BILLING CODE 6717-01-M

---

[1] Shreveport Intrastate Gas Transmission Ltd., 38 FERC ¶ 61,119 (1987) and 21 FERC ¶ 61,023 (1982).

[Docket No. CI86-26-003]

Yankee Resources, Inc.; Application

March 16, 1987.

Take notice that on March 4, 1987, Yankee Resources, Inc. ("Yankee") filed an application in accordance with sections 4 and 7 of the Natural Gas Act ("NGA"), 15 U.S.C. 717–717z, and Part 157 of the rules of practice and procedure of the Federal Energy Regulatory Commission (Commission), requesting that the Commission amend its Order Permitting and Approving Limited-term Abandonments and Granting Certificates for the Yankee Exchange Service-Plus program ("YES-PLUS"), issued on November 1, 1985, in Docket Nos. CI86-19, *et al.* and amended March 31, 1986, so as (1) to extend the term thereof at least through March 31, 1990 and (2) to expand the authorization to cover all categories of gas under the NGPA of 1978, subject to NGA jurisdiction. Absent such extension, Yankee will be without authority, as of March 31, 1987, to make self-implementing, spot market sales of gas which remains subject to the NGA's certificate abandonment requirements. The requested extension and expanded authorization will permit Yankee to continue making spot market sales. Yankee's request is consistent with Commission orders authorizing limited term abandonments in *ANR Pipeline Company, et al.*, 37 FERC ¶ 61, ——— (January 21, 1986).

Any person desiring to be heard or to make any protests with reference to said application should on or before March 30, 1987, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 385.21, 385.214). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties in the proceeding. Any person wishing to become party in the proceeding herein must file a petition to intervene in accordance with the Commission's Rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or to be represented at the hearing.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87-6226 Filed 3-20-87; 8:45 am]

BILLING CODE 6717-01-M

ENVIRONMENTAL PROTECTION AGENCY

[FRL-3173-5]

National Drinking Water Advisory Council; Open Meeting

Under section (10)(a)(2) of Pub. L. 92-423, "The Federal Advisory Committee Act," notice is hereby given that a meeting of the National Drinking Water Advisory Council established under the Safe Drinking Water Act, as amended, will be held at 9:00 a.m. on April 9, 1987 and 8:30 a.m. on April 10, 1987, in the Ivy Room, Clarion Hotel, 141 West 6th Street, Cincinnati, Ohio 45202. Council Subcommittees will be meeting at the U.S. EPA Laboratory, 26 West St. Clair, Cincinnati, Ohio on November 7 and 8, 1987.

The main purpose of the meeting will be to consult the Council on the implementation of the Safe Drinking Water Act Amendments. There will also be a presentation on the National Pesticides Pilot Survey.

This meeting will be open to the public. The Council encourages the hearing of outside statements and will allocate a portion of its meeting time for public participation. Oral statements will be limited to ten minutes. It is preferred that there be one presenter for each statement. Any outside parties interested in presenting an oral statement should petition the Council by telephone (202) 382-5533. The petition should include the topic of the proposed statement, the petitioner's telephone number and should be received by the Council before April 3, 1987.

Any person who wishes to file a written statement can do so before or after a Council meeting. Accepted written statements will be recognized at the Council meeting and will be part of the permanent meeting record.

Any member of the public wishing to attend the Council meeting, present an oral statement, or submit a written statement, should contact Charlene E. Shaw, Executive Secretary, National Drinking Water Advisory Council, Office of Drinking Water, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460.

The telephone number is: (202) 382-5533.

Dated: March 16, 1987.

Lawrence J. Jensen,

Assistant Administrator for Water.

[FR Doc. 87-6192 Filed 3-20-87; 8:45 am]

BILLING CODE 6560-50-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Information Collection Submitted to OMB for Review

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of Information Collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of information collection: Summary of Deposits (Commercial and Mutual Savings Banks) (OMB No. 3064-0061).

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a request for OMB review for the information collection system identified above.

Address: Written comments regarding the submission should be addressed to Robert Fishman, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 and to John Keiper, Assistant Executive Secretary (Administration), Federal Deposit Insurance Corporation, Washington, DC 20429.

Comments: Comments on this collection of information should be submitted on or before April 7, 1987.

FOR FURTHER INFORMATION CONTACT: Requests for a copy of the submission should be sent to John Keiper, Assistant Executive Secretary (Administration), Federal Deposit Insurance Corporation, Washington, DC 20429, telephone (202) 898-3810.

Summary: The FDIC is requesting OMB approval to extend, for a three-year period, the use of Form FDIC 8020/05 to collect Summary of Deposits data as of the close of business on June 30 of each year. The Summary of Deposits collection system is an annual survey to obtain the amount of deposits of various types and categories held at all offices of all banks with branches in the United States. The survey includes both commercial and savings banks as well as domestic branches of foreign banks. Deposit data for banks without branch offices are obtained from the quarterly Consolidated Reports of Condition and Income (Call Reports). The survey data provides the Federal banking agencies with a basis for measuring the competitive impact of bank mergers and has additional use in research in banking. It is estimated that the survey creates an annual reporting burden of

54,000 hours on the respondents collectively.

Dated: March 17, 1987.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 87-6163 Filed 3-20-87; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION

Ocean Freight Forwarder License Applicants; American Freight Services, Inc., et al.

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

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

American Freight Services, Inc., 7303 N.W. 79th Terrace, Miami, FL 33166. Officers: Yolanda Roque, President

Marina Perez and Edgar Machuca (a Partnership), dba Air-Ocean International, c/o 139 Mitchell Avenue, South San Francisco, CA 94080

Ram International Incorporated, 4514 Woodson Road, St. Louis, MO 63134. Officers: Jan C. Goris, President; Sharon L. Rancilio, Vice President; Christina D. Mickelson, Director of Ocean Services

Flamingo International, Inc., 7350 N.W. 12th Street, Suite #200, Miami, FL 33126. Officers: Humberto Estevez, President; Nicetas H. Estevez, Secretary

Royale International Transport, Inc., c/o Star Route Box 8, South Sterling, PA 18460. Officers: Richard Marcheski, President; Albert Sherwin, Vice President; William Dwyer, Secretary.

Dated: March 18, 1987.

Joseph C. Polking,

Secretary.

[FR Doc. 87-6206 Filed 3-20-87; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

The Chase Manhattan Corporation, et al.; Applications to Engage de Novo in Permissible Nonbanking Activities

The companies listed in this notice have filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 10, 1987.

A. **Federal Reserve Bank of New York** (William L. Rutledge, Vice President) 33 Liberty Street, New York, New York 10045:

1. *The Chase Manhattan Corporation*, New York, New York; to acquire Freedom Mortgage Company, Tampa, Florida, and thereby engage in making, acquiring, and servicing loans or other extensions of credit for the company's account or for the account of others pursuant to § 225.25(b)(1) of the Board's Regulation Y. Comments on this application must be received by April 7, 1987.

B. **Federal Reserve Bank of Chicago** (David S. Epstein, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Illinois Regional Bancorp, Inc.*, Elmhurst, Illinois; to engage *de novo* through its subsidiary, Illinois Regional Mortgage Corporation, Elmhurst, Illinois, in mortgage banking activities pursuant to § 225.25(b)(1)(iii) of the Board's Regulation Y.

C. **Federal Reserve Bank of Minneapolis** (James M. Lyon, Vice President) 250 Marquette Avenue, Minneapolis, Minnesota 55480:

1. *Montana Community Banks, Inc.*, Ronan, Montana; to engage *de novo* in equity and debt investments in such corporations and projects designed primarily to promote community welfare pursuant to § 225.25(b)(6) of the Board's Regulation Y. These activities will be conducted in the State of Montana.

Board of Governors of the Federal Reserve System, March 17, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-6156 Filed 3-20-87; 8:45 am]

BILLING CODE 6210-01-M

Maryland National Corp.; Application to Engage de Novo in Permissible Nonbanking Activities

The company listed in this notice has filed an application under § 225.23(a)(1) of the Board's Regulation Y (12 CFR 225.23(a)(1)) for the Board's approval under section 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.21(a) of Regulation Y (12 CFR 225.21(a)) to commence or to engage *de novo*, either directly or through a subsidiary, in a nonbanking activity that is listed in § 225.25 of Regulation Y as closely related to banking and permissible for bank holding companies. Unless otherwise noted, such activities will be conducted throughout the United States.

The application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the

evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal.

Unless otherwise noted, comments regarding the application must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than April 10, 1987.

A. **Federal Reserve Bank of Richmond** (Lloyd W. Bostian, Jr., Vice President) 701 East Byrd Street, Richmond, Virginia 23261:

1. *Maryland National Corporation*, Baltimore, Maryland; to acquire American Security Corporation, Washington, DC, and American Security Insurance Corporation of Maryland, Washington, DC, and thereby engage in acting as agent for all forms of insurance, except life insurance, pursuant to § 225.25(b)(8)(iv) of the Board's Regulation Y.

Board of Governors of the Federal Reserve System, March 17, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-6157 Filed 3-20-87; 8:45 am]

BILLING CODE 6210-01-M

RepublicBank Corp; Correction

This notice corrects a previous **Federal Register** notice (FR Doc. 87-3920) published at page 5834 of the issue for Thursday, February 26, 1987.

Under the Federal Reserve Bank of Dallas, the entry for RepublicBank Corporation, is revised to read as follows:

A. **Federal Reserve Bank of Dallas** (W. Arthur Tribble, Vice President) 400 South Akard Street, Dallas, Texas 75222:

1. *RepublicBank Corporation*, Dallas, Texas; to acquire the successor by merger of InterFirst Corporation, Dallas, Texas, and thereby indirectly acquire InterFirst Bank Delaware, New Castle, Delaware; InterFirst Bank Abilene, N.A., Abilene, Texas; InterFirst Bank South Abilene, Abilene, Texas; InterFirst Bank Addison, Addison, Texas; InterFirst Bank Alamo Heights, N.A. Alamo Heights, Texas; InterFirst Bank SW Arlington, N.A., Arlington, Texas; InterFirst Bank Arlington, N.A., Arlington, Texas; InterFirst Bank Northwest, N.A., Austin, Texas; InterFirst Bank Westlake, N.A., Austin, Texas; InterFirst Bank Austin, N.A., Austin, Texas; InterFirst Bank North Austin, N.A., Austin, Texas; InterFirst Bank Baytown, Baytown, Texas; InterFirst Bank Beaumont, Beaumont, Texas; InterFirst Bank SW-Houston, N.A., Bellaire, Texas; InterFirst Bank Brownwood, Brownwood, Texas; InterFirst Bank Carrollton, Carrollton, Texas; InterFirst Bank Cleburne, N.A., Cleburne, Texas; InterFirst Bank Clifton, Clifton, Texas; InterFirst Bank Conroe, N.A., Conroe, Texas; InterFirst Bank Corsicana, N.A., Corsicana, Texas; InterFirst Bank Oak Cliff, Dallas, Texas; InterFirst Bank Dallas, N.A., Dallas, Texas; InterFirst Bank Pleasant Grove, Dallas, Texas; InterFirst Bank Galleria, N.A., Dallas, Texas; InterFirst Bank Park Cities, Dallas, Texas; InterFirst Bank Denison, N.A., Denison, Texas; InterFirst Bank El Paso, N.A., El Paso, Texas; InterFirst Bank Chelmont, N.A., El Paso, Texas; InterFirst Bank Ennis, N.A., Ennis, Texas; InterFirst Bank Forney, Forney, Texas; InterFirst Bank Fort Worth, N.A., Forth Worth, Texas; InterFirst Bank Gateway, N.A., Fort Worth, Texas; InterFirst Bank River Oaks, Fort Worth, Texas; InterFirst Bank South Fort Worth, Fort Texas, Texas; InterFirst Bank University, Fort Worth, Fort Worth, Texas; InterFirst Bank Galveston, N.A., Galveston, Texas; InterFirst Bank Greenville, N.A., Greenville, Texas; InterFirst Bank Harlingen, N.A., Harlingen, Texas; InterFirst Bank Hillsboro, Hillsboro, Texas; InterFirst Bank Fannin, Houston, Texas; InterFirst Bank Post Oak, Houston, Texas; InterFirst Bank East Houston, Houston, Texas; InterFirst Bank Greenspoint, Houston, Texas; InterFirst Bank Houston, N.A., Houston, Texas; InterFirst Bank San Felipe, N.A., Houston, Texas; InterFirst Bank Hutchins, Hutchins, Texas; InterFirst Bank D/FW Freeport, N.A., D/FW Freeport, Texas; InterFirst Bank Las Colinas, Irving, Texas; InterFirst Bank Irving, Irving, Texas; InterFirst Bank Malakoff, Malakoff, Texas; InterFirst Bank Mount Pleasant, N.A., Mount Pleasant, Texas; InterFirst Bank Nassau Bay, N.A., Houston, Texas; InterFirst Bank Nederland, Nederland, Texas; InterFirst Bank Richland, N.A., Richland Hills, Texas; InterFirst Bank Oak Hill, N.A., Oak Hill, Texas; InterFirst Bank Odessa, N.A., Odessa, Texas; InterFirst Bank Paris, Paris, Texas; InterFirst Bank Pasadena, Pasadena, Texas; InterFirst Bank San Antonio, N.A., San Antonio, Texas; InterFirst Bank Stephenville, N.A., Stephensville, Texas; InterFirst Bank SW Temple, N.A., Temple, Texas; InterFirst Bank Temple, N.A., Temple, Texas; InterFirst Bank Tomball, Tomball, Texas; InterFirst Bank Tyler, N.A., Tyler, Texas; InterFirst Bank Victoria, Victoria, Texas; InterFirst Bank Waco, N.A., Waco, Texas; InterFirst Bank Witchita Falls, N.A., Wichita Dallas, Texas; and InterFirst Bank NW San Antonio, N.A., San Antonio, Texas.

In connection with this application, RB-IF Merger Company, Dallas, Texas, has applied to become a bank holding company by merging with InterFirst Corporation, Dallas, Texas.

RepublicBank has also applied to acquire InterFirst Funding Corporation, InterFirst Mortgage Company, InterFirst Financial Corporation, and InterFirst Lending Corporation, all of Dallas, Texas, and thereby engage in commercial, consumer, and mortgage lending activities pursuant to § 225.25(b)(1) of the Board's Regulation Y; InterFirst Investment Management, Inc., Dallas, Texas, and thereby engage in investment advisory services pursuant to § 225.25(b)(4) of the Board's Regulation Y; InterFirst Services Corporation, and InterFirst Services Corporation in Houston, both of Dallas, Texas, and thereby engage in data processing pursuant to § 225.25(b)(7) of the Board's Regulation Y; InterFirst Insurance Company, InterFirst Life Insurance Company, InterFirst Finance Company, all of Dallas, Texas, and thereby engage in insurance agency and underwriting activities related to extensions of credit made by the banks and the bank holding company pursuant to § 225.25(b)(8) of the Board's Regulation Y; and InterFirst Securities Company, Dallas, Texas, and thereby engage in discount brokerage activities pursuant to § 225.25(b)(15) of the Board's Regulation Y.

Comments on this application must be received by March 27, 1987.

Board of Governors of the Federal Reserve System, March 17, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-6158 Filed 3-20-87; 8:45 am]

BILLING CODE 6210-01-M

Michael E. Schrage; Change in Bank Control Notice; Acquisition of Shares of Banks or Bank Holding Companies

The notificant listed below has applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. Once the notices have been accepted for processing, they will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of

Governors. Comments must be received not later than April 7, 1987.

A. **Federal Reserve Bank of Chicago** (David S. Epstein, Assistant Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Michael E. Schrage*, Munster, Indiana; to retain 23.62 percent of the voting shares of First Bancshares, Inc., Highland, Indiana.

Board of Governors of the Federal Reserve System, March 17, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-6159 Filed 3-20-87; 8:45 am]

BILLING CODE 6210-01-M

SouthTrust Corporation, et al., Formations of; Acquisitions by; and Mergers of Bank Holding Companies

The companies listed in this notice have applied for the Board's approval under section 3 of the Bank Holding Company Act (12 U.S.C. 1842) and § 225.14 of the Board's Regulation Y (12 CFR 225.14) to become a bank holding company or to acquire a bank or bank holding company. The factors that are considered in acting on the applications are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

Each application is available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank or to the offices of the Board of Governors. Any comment on an application that requests a hearing must include a statement of why a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute and summarizing the evidence that would be presented at a hearing.

Unless otherwise noted, comments regarding each of these applications must be received not later than April 10, 1987.

A. **Federal Reserve Bank of Atlanta** (Robert E. Heck, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *SouthTrust Corporation*, Birmingham, Alabama; to acquire 80 percent of the voting shares of Central Bank of Volusia County, South Daytona, Florida.

2. *SunTrust Banks, Inc.*, Atlanta, Georgia, and Third National Corporation, Nashville, Tennessee; to merge with Loudon County Bancshares, Inc., Lenior City, Tennessee, and thereby indirectly acquire Bank of Loudon County, Lenior City, Tennessee.

3. *The Tampa Banking Company*, Tampa, Florida; to become a bank holding company by acquiring 80 percent of the voting shares of The Bank of Tampa, Tampa, Florida.

B. **Federal Reserve Bank of Kansas City** (Thomas M. Hoenig, Vice President) 925 Grand Avenue, Kansas City, Missouri 64198:

1. *Galva Bancshares, Inc.*, Galva, Kansas; to acquire 26.4 percent of the voting shares of Geneseo Bancshares, Inc., Geneseo, Kansas, and thereby indirectly acquire The Citizens State Bank, Geneseo, Kansas.

Board of Governors of the Federal Reserve System, March 17, 1987.

James McAfee,

Associate Secretary of the Board.

[FR Doc. 87-6160 Filed 3-20-87; 8:45 am]

BILLING CODE 6210-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

[Docket No. 87N-0044]

Biological Product Licenses; Del Rio Plasma Donor Center, Inc.; Revocation of U.S. License No. 801

AGENCY: Food and Drug Administration.

ACTION: Notice.

SUMMARY: The Food and Drug Administration (FDA) is announcing the revocation of establishment license (U.S. License No. 801) and product licenses issued to the Del Rio Plasma Donor Center, Inc., for the manufacture of Source Plasma and Source Leukocytes. In a letter dated May 16, 1986, the firm requested that its establishment and product licenses be revoked and waived an opportunity for a hearing. DATE: The revocation of the establishment license and product licenses was effective on June 11, 1986.

FOR FURTHER INFORMATION CONTACT: Adele Seifried, Center for Drugs and Biologics (HFN-362), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-295-8046.

SUPPLEMENTARY INFORMATION: FDA has revoked the establishment license (U.S. License No. 801) and product licenses issued to the Del Rio Plasma Donor Center, Inc., for the manufacture of Source Plasma and Source Leukocytes. The Del Rio Plasma Donor Center, Inc., was located at 829 South Main, Del Rio, TX 78840.

On February 19 through 22 and 26, 1986, FDA inspected the Del Rio facility and found significant deviations from the applicable biologics regulations. These deviations included, but were not limited to: (1) On or about April 10, 1985, a donor received another donor's red blood cells; (2) the donor who received the wrong red blood cells was not deferred from donating Source Plasma for 6 months; (3) on or about November 22, 1985, one donor was set up to receive another donor's red blood cells; (4) donors were accepted for plasmapheresis before the requirements of the regulations were met; and (5) reports of 4-month serum protein electrophoresis determinations were dated prior to review by a physician.

The agency conducted an investigation that included interviews with individuals knowledgeable about the daily operations of Del Rio Plasma Donor Center, Inc. The investigation indicated that numerous deficiencies routinely occurred in significant areas of the plasmapheresis operation including: (1) Donor suitability determinations (21 CFR 640.63); (2) blood collection (21 CFR 640.64); and (3) whole blood centrifugation and plasma processing (21 CFR 640.65(b)(7) and 640.68).

FDA investigators learned that donor screening procedures were routinely abbreviated or not performed for employees who served as donors. Critical steps in determining donor suitability, such as asking medical history questions or determining hematocrit, temperature, or total protein, were not always completed.

In addition, plasmapheresis donors were overbled. When overbleeds occurred, whole blood collected in excess of the maximum allowed was reportedly diverted into second blood collection bags when possible. Employees in the centrifuge area stated to FDA investigators that management personnel advised them not to record the accurate weight of units of blood that weighed more than the maximum allowed. Employees did not record the true weight of units of blood that weighed more than the maximum allowed, but rather recorded an acceptable weight in the whole blood log.

FDA investigators also learned that at times donors would donate two units of blood before receiving the red blood cells from the first unit.

FDA's review of the wrong cell infusion that occurred on April 10, 1985, indicated the following significant deviations from the approved standard operating procedures: (1) Failure to have an adequate donor identification system that positively identified each donor and related such donor directly to the

donor's blood and its components; (2) failure to stop all infusions when a wrong cell infusion was discovered; (3) failure to notify the center physician immediately when a wrong cell infusion occurred: and (4) failure to defer the donors involved.

FDA's investigation also indicated that the individuals serving in management positions at Del Rio Plasma Donor Center, Inc., did not adequately demonstrate their ability to operate the establishment in a manner that assured compliance with the federal regulations and the firm's standard operating procedures. Accordingly, FDA suspended the establishment license (U.S. License No. 801) for the Del Rio Plasma Donor Center, Inc., on March 28, 1986, because the deviations represented a serious danger to health.

In summary, the actions of Del Rio Plasma Center, Inc., represented significant and continued noncompliance with the standards established in the firm's licenses and with the applicable standards in the regulations. FDA also concluded that a number of these actions represented intentional and willful disregard for the prescribed standards. Therefore, FDA initiated revocation proceedings without providing the establishment further opportunity to demonstrate or achieve compliance.

As provided in 21 CFR 601.5(b), FDA issued a letter on May 9, 1986, notifying the licensee of FDA's intention to revoke U.S. License No. 801, setting forth grounds for the revocation, and offering an opportunity for a hearing on the proposed revocation. In a letter dated May 16, 1986, Del Rio Plasma Donor Center, Inc., requested that its establishment and product licenses be revoked and waived an opportunity for a hearing. The agency granted the licensee's request. In a letter to the firm dated June 11, 1986, issued under 21 CFR 601.5(a), FDA revoked the establishment license (U.S. License No. 801) and product licenses of Del Rio Plasma Donor Center, Inc. FDA has placed copies of the letters dated March 28, May 9, May 16, and June 11, 1986, on file with the Dockets Management Branch (HFA–305), Food and Drug Administration, Rm. 4–62, 5600 Fishers Lane, Rockville, MD 20857.

Accordingly, under 21 CFR 12.38 and the Public Health Service Act (sec. 351, 58 Stat. 702 as amended (42 U.S.C. 262)) and under authority delegated to the Commissioner of Food and Drugs (21 CFR 5.10) and redelegated to the Director, Office of Biologics Research and Review (21 CFR 5.68), the establishment license (U.S. License No. 801) and product licenses issued to Del Rio Plasma Donor Center, Inc., for the manufacture of Source Plasma and Source Leukocytes were revoked effective June 11, 1986.

This notice is issued and published under 21 CFR 601.8 and the redelegation at 21 CFR 5.67.

Dated: March 13, 1987.

Paul Parkman,

Acting Director, Center for Drugs and Biologics.

[FR Doc. 87–6151 Filed 3–20–87; 8:45 am]

BILLING CODE 4160-01-M

[Docket No. 87N–0035]

Merrell Dow Pharmaceuticals, Inc., et al.; Withdrawal of Approval of New Drug Applications; Correction

AGENCY: Food and Drug Administration.

ACTION: Notice; correction.

SUMMARY: The Food and Drug Administration (FDA) is correcting the title of Paul Parkman, Acting Director, Center for Drugs and Biologics that appeared in a previously published **Federal Register** notice withdrawing approval of 13 new drug applications.

FOR FURTHER INFORMATION CONTACT: Rada Proehl, Regulations Editorial Staff (HFC–222), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301–443–2994.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of Monday, February 9, 1987, appearing on page 4060 (FR Doc. 87–2597) Paul Parkman's title was incorrectly stated as, "Acting Director, Office of Compliance, Center for Veterinary Medicine". By this **Federal Register** notice Paul Parkman's title is corrected to read "Acting Director, Center for Drugs and Biologics".

Dated: March 13, 1987.

Paul Parkman,

Acting Director, Center for Drugs and Biologics.

[FR Doc. 87–6150 Filed 3–20–87; 8:45 am]

BILLING CODE 4160-01-M

National Institutes of Health

National Cancer Institute; Meetings

Pursuant to Pub. L. 92–463, notice is hereby given of the meetings of the Subcommittees of the Board of Scientific Counselors, Division of Cancer Prevention and Control, National Cancer Institute, National Institutes of Health.

Mrs. Winifred Lumsden, the Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892–3100 (301/496–5708) will provide summaries of the meetings and rosters of members upon request. Other information pertaining to the meetings can be obtained from the Executive Secretary, Linda M. Bremerman, National Cancer Institute, Blair Building, Room 1A07, National Institutes of Health, Bethesda, Maryland 20892–4200 (301/427–8630).

Name of committee:

Centers and Community Oncology Subcommittee.

Date of meeting: April 13, 1987, 8:30 a.m.–4 p.m.

Place of meeting: Building 31, Conference Room 7, 9000 Rockville Pike, Bethesda, Maryland 20892–3100.

Agenda: Discuss current and future programs of the Centers and Community Oncology Program.

Name of committee: Cancer Control Science Subcommittee.

Date of meeting: April 15, 1987, 9 a.m.–4 p.m.

Place of meeting: Building 31, Conference Room 8, 9000 Rockville Pike, Bethesda, Maryland 29892–3100.

Agenda: Discuss current and future programs of the Cancer Control Science Program.

Dated: March 16, 1987.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 87–6199 Filed 3–20–87; 8:45 am]

BILLING CODE 4140-01-M

Public Health Service

Administrator, Health Resources and Services Administration; Delegation of Authority

Notice is hereby given that in furtherance of the delegation of November 23, 1981, by the Secretary of Health and Human Services to the Assistant Secretary for Health, the Assistant Secretary for Health has delegated to the Administrator, Health Resources and Services Administration, with authority to redelegate, the authorities under Title IX, Subtitle J of the "Omnibus Budget Reconciliation Act of 1981," Pub. L. 97–35, (42 U.S.C. 248b. note *et seq.*), as amended, concerning orderly closure, transfer, and financial self-sufficiency of Public Health Service Hospitals and Clinics.

This delegation excludes the authority to (1) determine the feasibility of the proposals for transfer or achievement of financial self-sufficiency, and (2) execute and implement the transfer of HHS-owned real property and related personal property of the Public Health Service hospitals and clinics.

This delegation was effective on March 13, 1987.

Military Construction Authorization Act, 1982

Notice is hereby given that in furtherance of the delegation of April 20, 1982, by the Secretary of Health and Human Services to the Assistant Secretary for Health, the Assistant Secretary for Health has delegated to the Administrator, Health Resources and Services Administration, with authority to redelegate, the authorities under section 911 of Pub. L. 97–99, the "Military Construction Act, 1982, (42 U.S.C. 248c), as amended, concerning the continued use of certain former Public Health Service facilities.

This delegation was effective on March 13, 1987.

Dated: March 13, 1987.

Robert E. Windom,

Assistant Secretary for Health.

[FR Doc. 87–6210 Filed 3–20–87; 8:45 am]

BILLING CODE 4160–17–M

Conversion of Public Health Service Hospitals and Clinics

The Assistant Secretary for Health has administratively transferred the Medical Facilities Conversion Staff from the Office of the Assistant Secretary for Health to the Bureau of Health Care Delivery and Assistance, Health Resources and Services Administration (BHCDA/HRSA), PHS. The new organization location combines similar activities of the Medical Facilities Conversion Staff with those in the HRSA.

The Medical Facilities Conversion Staff was established in 1981 in response to section 987 of Pub. L. 97–35, the "Omnibus Budget Reconciliation Act of 1981." This branch-level organization was given responsibility to direct, supervise and manage activities related to the transfer of, closure of, or achievement of financial self-sufficiency of the Public Health Service Hospitals and Clinics. The Assistant Secretary for Health has transferred the Staff function to HRSA to complete the hospital closure work that is closely related to ongoing health resources and services activities of HRSA. This activity is continued in accordance with satisfying section 987 of Public Law 97–35.

Dated: March 13, 1987.

Wilford J. Forbush,

Director, Office of Management/PHS.

[FR Doc. 87–6211 Filed 3–20–87; 8:45 am]

BILLING CODE 4160–17–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM–930–07–5101–09–FG25]

Arizona Interconnection Project; 345 kV Transmission Line

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Availability of the Proposed Plan Amendment (PA) and Final Environmental Impact Statement (EIS).

SUMMARY: This notice is to advise the public of the availability of the proposed PA and final EIS on the proposed Arizona Interconnection Project—a 345 kV transmission line proposed by El Paso Electric Company. El Paso Electric proposed to build and operate a 210-mile long single circuit 345 kV transmission line from the existing Springerville switchyard near Springerville, Arizona, to the Luna substation near Deming, New Mexico. Major components of the project would include the transmission line and installation of more substation equipment at the existing Luna substation. It should be noted that the final EIS is an abbreviated document. The draft and final EIS's collectively provide the complete description and analysis of all alternatives that were considered.

SUPPLEMENTARY INFORMATION: The Bureau of Land Management in conjunction with the U.S. Forest Service has prepared the document to assess El Paso Electric's application for granting a Right-of-Way to construct a 345 kV transmission line. A regional study was completed prior to the draft PA/EIS being completed. The draft was filed on November 7, 1986. A 90-day public comment period starting November 14, 1986, was provided. As a result of public comments and an internal review, alternative D which crosses approximately 56.0 miles of National Forest lands and 79.0 miles of BLM land, has been selected as the proposed plan.

The BLM's protest period on the proposed PA and final EIS will begin on March 27, 1987, and will end May 4, 1987. Any person who participated in the planning process and who has an interest which is or may be adversely affected by adoption of the proposed plan may protest its approval. A protest may raise only those issues pertaining to lands administered by the BLM submitted for the record during the planning process.

Protest must be sent in writing to Director (760), Premier Building, Room 909, Bureau of Land Management, 18th & C Street NW, Washington, DC 20240 and be postmarked on or before May 4, 1987. The protest must contain:

1. The name, mailing address, telephone number, and interest of the person filing the protest.

2. A statement of the issue or issues being protested.

3. A statement of the part or parts of the plan being protested.

4. A copy of all documents addressing the issue or issues that were submitted during the planning process by the protesting party, or an indication of the date the issue or issues were discussed for the record.

5. A concise statement explaining why the proposed plan is believed to be wrong.

Following the protest period ending on May 4, 1987, the BLM portion of the proposed plan, excluding any portion under protest, will be approved and a Record of Decision will be prepared. Approval will be withheld on any portion of the plan under protest until final action on the protest has been completed.

The Forest Service decision on the National Forest portion of the proposed plan is subject to administrative review in accordance with the provisions of the Forest Service Appeal Regulations set forth in 36 CFR 211.18. Notice of appeal must be made in writing and submitted to Sotero Muniz, Regional Forester, Southwestern Region, USDA Forest Service, 517 Gold Avenue, SW, Albuquerque, NM 87102, within 45 days from the date of the Regional Forester's decision.

A Statement of Reasons to support the appeal and any request of oral presentations must be filed within the 45-day period for filing a notice of appeal. The end of the appeal period is May 4, 1987.

A BLM protest and/or Forest Service appeal must be filed separately if reviewer wishes to document concerns on lands administered by BLM or Forest Service.

Those people not wishing to protest the proposed plan but wishing to comment may send comments to Bureau of Land Management, Las Cruces District Office, 1800 Marquess Street, Las Cruces, NM 88005. Comments will be considered in preparing the Record of Decision.

FOR FURTHER INFORMATION CONTACT: Juan Padilla, Bureau of Land Management, Las Cruces District Office, 1800 Marquess Street, Las Cruces, NM 88005, (505) 525–8228 or FTS 571–8312.

SUPPLEMENTARY INFORMATION: Public reading copies are available for review at the main public libraries in Tucson,

Arizona, El Paso, Texas, and in New Mexico: Las Cruces, Socorro, Silver City, Alamogordo, Albuquerque, Deming, Truth or Consequences, Santa Fe, and at the High School Library in Reserve.

In addition, copies of the draft MFPA/EIS may be inspected at the following locations:

Bureau of Land Management, Public Affairs, Interior Bldg., 18th & C Street, NW, Washington DC 20240

Bureau of Land Management, New Mexico State Office, Ark Plaza, Bldg. C, 2025 Pacheco Street, Santa Fe, NM 87501

Bureau of Land Management, Las Cruces District Office, 1800 Marquess Street, Las Cruces, NM 88005

Forest Service, Gila National Forest, 2610 North Silver Street, Silver City, NM 88061

Larry L. Woodward,

State Director.

[FR Doc. 87-6148 Filed 3-20-87; 8:45 am]

BILLING CODE 4310-FB-M

[ES-940-07-4520-13; ES-037222, Group 18]

Illinois; Filing of Plats of Dependent Resurvey, Subdivisions of Sections and Survey of Rend Lake Acquisition Boundary

March 16, 1987.

1. The plat, in four sheets, of the dependent resurvey of a portion of the south boundary, Township 3 South, Range 3 East, a portion of the east boundary, Township 3 South, Range 2 East, a portion of the subdivisional lines and the survey of the subdivision of sections 19, 29, 30 and 31, and the Rend Lake acquisition boundary, Township 3 South, Range 3 East, Third Principal Meridian, Illinois, will be officially filed in the Eastern States Office, Alexandria, Virginia at 7:30 a.m., on April 30, 1987.

2. The dependent resurvey and survey were made at the request of the Corps of Engineers.

3. All inquiries or protests concerning the technical aspects of the survey must be sent to the Deputy State Director for Cadastral Survey and Office Engineering, Eastern States Office, Bureau of Land Management, 350 South Pickett Street, Alexandria, Virginia 22304, prior to 7:30 a.m., April 30, 1987.

4. Copies of the plats will be made available upon request and prepayment of the reproduction fee of $4.00 per copy.

Joseph W. Beaudin,

Acting Deputy State Director for Cadastral Survey and Office Engineering.

[FR Doc. 87-6144 Filed 3-20-87; 8:45 am]

BILLING CODE 4310-GJ-M

Salt Lake District; Sale of Public Lands in Box Elder County, Utah; Realty Action

[UT-020-07-4214-14; U-53684, U-53685, U-53686, U-53687, U-53688]

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of Realty Action—Sale of Public Lands.

SUMMARY: The following described land has been examined and identified as suitable for disposal under section 203 of the Federal Land Policy and Management Act of 1976 (90 Stat. 2750, 43 U.S.C. 1713), at no less than the appraised fair market value shown:

Tract No.	Legal description	Acreage	Appraised value
U-53684 (A)	T. 14N., R. 8W., SLM Section 26, Lots 1 & 7 (NE¼NE¼, SW¼SW¼)	78.38	$7,860
U-53684 (B)	T. 14N., R. 8W., SLM Section 26, Lots 2-6 (SE¼NE¼, SE¼SW¼, NE¼,SE¼, S½SE¼) NW¼SE¼	216.93	14,300
U-53685	T. 11N., R. 5W., SLM Section 12, SW¼SW¼	40.00	3,000
U-53686	T. 11N., R. 6W., SLM. Section 14, S½SE¼	80.00	6,000
U-53687	T. 11N., R. 7W., SLM Section 26, E½SE¼	80.00	6,000
U-53688	T. 14N., R. 7W., SLM Section 20, SE¼NE¼, NE¼SE¼	80.00	6,000

The above described land will be sold in order to dispose of lands which because of location and other characteristics are difficult and uneconomical to manage. The sale is consistent with the Bureau's planning system and the public interest will be served by offering these lands for sale.

The lands described are hereby segregated from appropriation under the public land laws, including the mining laws, pending disposition of this action.

The above described land will be offered for sale on June 15, 1987, by sealed bid. All bids must be received by 10 a.m. on June 15, 1987, at the Bureau of Land Management (BLM) Salt Lake District Office at 2370 South 2300 West, Salt Lake City, Utah 84119. Bids will be opened and a high bidder declared at 11 a.m. on June 15, 1987. No bids will be accepted for less than the appraised fair market value shown above.

Bids may be made by a principal or duly qualified agent. Qualified bidders include: citizens of the United States 18 years of age or over; a corporation subject to the laws of any state or of the United States; a state, instrumentality or political subdivision authorized to hold property; and any entities capable of holding lands or interests therein under the laws of the state within which the lands to be conveyed are located. Entities include, but are not limited to, associations, partnerships, and other legal entities.

Each bid shall be accompanied by a certified check, postal money order, bank draft or cashier's check, made payable to the Department of the Interior, BLM for not less than one-third of the amount bid and shall be enclosed in a sealed envelope clearly marked "Bid for Public Land, Tract Number U____" (tract numbers are shown above). If two or more bids for the same amount are received, the apparent high bidder shall be determined by supplemental biddings pursuant to 43 CFR 2711.3-1(c).

The terms and conditions applicable to the sale are:

1. The apparent high bidder shall submit the remainder of the full bid amount within 180 days from date of sale. Failure to submit the full bid price prior to, but not including the 180th day following the sale, shall result in the disqualification of the bidder and the deposit shall be forfeited.

2. The authorized officer may reject the highest qualified bid and release the bidder from his obligation and withdraw the tract for sale, if he determines that consummation of the sale would be inconsistent with provisions of any existing law or collusive or other activities have hindered or restrained free and open bidding or consummation of the sale would encourage or promote speculation in public lands.

3. The patent will contain a reservation for ditches and canals and be subject to all valid existing rights.

4. All minerals will be reserved to the United States including the right of ingress or egress for mineral development.

5. The United States does not, by the terms of this sale, guarantee to any party physical or legal access to the tract of land being sold.

6. In the event that any of the lands offered for sale are not sold on the date of the sale, they shall continue to be offered for sale at the appriased fair market value on the third Wednesday of each succeeding month after that date until sold or until further notice. Any person wishing to purchase any of these lands after the initial date of sale must present his/her bid at the BLM office shown above accompanied by a certified check, postal money order, bank draft or cashier's check for not less than one-third of the amount bid. All applicable terms and conditions as listed above will continue to apply regardless of when the land is actually sold.

For a period of 45 days from the date of this notice, interested parties may submit comments to the District Manager, BLM, 2370 South 2300 West, Salt Lake City, Utah 84119. Any adverse comments will be evaluated by the State Director who may vacate or modify this realty action and issue a final determination. In the absence of any action by the State Director, this realty action will become the final determination of the Department of the Interior.

Deane H. Zeller,

District Manager.

[FR Doc. 87-6149 Filed 3-20-87; 8:45 am]

BILLING CODE 4310-DQ-M

[CO-050-4820-12]

Canon City District Advisory Council Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

SUMMARY: Notice is hereby given in accordance with Pub. L. 94-579 that the Canon City District Advisory Council Meeting will be held on Wednesday, April 22, 1987, 10 a.m. to 4:30 p.m. and on Thursday, April 23, 1987, 8 a.m. to 2 p.m., at the Holiday Inn, 333 Santa Fe Avenue, Alamosa, Colorado.

The meeting agenda will include:

1. Information on the San Luis Resource Management Plan and workshop on alternatives.

2. Update on the Quail Mountain Joint Review Process.

3. Advisory Council project.

4. Information on the Arkansas River Recreation Activity Management Plan.

5. Reports from Area Managers on current programs.

6. Public presentations to the council (open invitation).

The meeting is open to the public. Persons interested may make oral presentations to the council at 10 a.m. on Thursday or they may file written statements for the council's consideration. The District Manager may limit the length of oral presentations depending on the number of people wishing to speak.

ADDRESS: Anyone wishing to make an oral or written presentation to the council should notify the District Manager, Bureau of Land Management, P.O. Box 311, 3080 East Main, Canon City, Colorado 81212 by April 21, 1987.

SUPPLEMENTARY INFORMATION: Summary minutes of the meeting will be available for public inspection and reproduction during regular working hours at the District Office approximately 30 days following the meeting.

FOR FURTHER INFORMATION CONTACT: Ken Smith, (303) 275-0631.

Donnie R. Sparks,

District Manager.

[FR Doc. 87-6218 Filed 3-20-87; 8:45 am]

BILLING CODE 4310-JB-M

INTERSTATE COMMERCE COMMISSION

[Section 5a Application No. 117]

California Motor Carrier Tariff Bureau, Inc.; Agreement

AGENCY: Interstate Commerce Commission.

ACTION: Notice of institution of show-cause proceeding.

SUMMARY: The Commission has made preliminary findings relating to the 1979 application of California Motor Carrier Tariff Bureau, Inc. (Bureau) for approval of its collective ratemaking agreement and directed the Bureau to show cause: (1) Why it and its member carriers should not be directed to cease and desist from engaging in certain collective ratemaking activity; and (2) why any claimed antitrust immunity should not be revoked. This action is taken to update the record in this proceeding in light of the statutory changes made by the Motor Carrier Act of 1980 and to ensure compliance with all requirements for rate bureaus continuing to receive antitrust immunity for collective activity.

DATES: The Bureau's response to the show cause order is due April 22, 1987. Comments from other parties are due May 22, 1987. The Bureau's rebuttal is due June 11, 1987.

FOR FURTHER INFORMATION CONTACT: Paul Markoff, (202) 275-7960

or

Andrew L. Lyon, (202) 275-7291.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's full decision. A copy may be purchased from T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call toll-free (800) 424-5403, or (202) 289-4357 in the Washington, DC, metropolition area.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

[49 U.S.C. 11701, 10706, and 10321.]

Decided: March 13, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Simmons.

Noreta R. McGee,

Secretary.

[FR Doc. 87-6168 Filed 3-20-87; 8:45 am]

BILLING CODE 7035-01-M

[Docket No. MC-F-18138]

ConAgra, Inc.; Control Exemption; Miller Bros. Co., Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of proposed exemption.

SUMMARY: ConAgra Inc. (ConAgra), a noncarrier, seeks an exemption from the requirement of prior regulatory approval for its acquisition of stock control of Miller Bros. Co., Inc. (Miller), a motor carrier holding authority in No. MC-117699. ConAgra has filed a separate application seeking approval for the change in control of Miller's property broker authority under the same docket series.

Under the terms of the transaction, Miller's noncarrier parent, Ernest J. Miller Enterprises, Inc., will merge into a first tier, noncarrier subsidiary of ConAgra, Milent Acquisition, Inc., with the latter entity surviving. ConAgra presently controls, directly or indirectly, six motor carriers: Armour Food Express Company (MC-140364 and MC-152245); Balcom Chemicals, Inc. (MC-174324); Lynn Transportation Company, Inc. (MC-133604); U.S. Tire, Inc. (MC-

170511); Yellowstone Valley Chemicals, Inc. (Yellowstone) (MC–185117); and ConAgra Transportation, Inc. (Transportation) (MC–150422). Yellowstone also holds property broker authority and Transportation holds water carrier authority in No. W–1333.

Under 49 U.S.C. 11343(a)(5), the Commission's prior approval is required for the acquisition of control of a carrier by a person that is not a carrier but that controls any number of carriers. Here, ConAgra already controls six carriers. Therefore, its proposed acquisition of Miller is subject to the Commission's jurisdiction and can be carried out only under Commission regulation or an exemption from regulation.

ConAgra argues that its acquisition of control of Miller will promote the National Transportation Policy by bringing Miller into a corporate family possessing a well established identity and already providing high quality specialized motor carrier service. ConAgra asserts that the transaction is of limited scope in that it involves the addition of only a single carrier to an existing system whose affiliation already has been approved by the Commission. Finally, petitioner states that the transportation will not threaten shippers with an abuse of market power because of the competitive structure of the motor carrier industry.

DATE: Comments must be received by April 22, 1987.

ADDRESSES: Send comments (an original and 10 copies), referring to Docket No. MC–F–18138, to:

(1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423
(2) Petitioner's representative: Peter A. Greene, Esq., Thompson, Hine and Flory, 1920 N Street NW., Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: Warren C. Wood, (202) 275–7977.

SUPPLEMENTARY INFORMATION: Petitioner seeks an exemption under 49 U.S.C. 11343(e) and the Commission's regulations in *Procedures—Handling Exemptions Filed by Motor Carriers*, 367 I.C.C. 113 (1982).

A copy of the petition may be obtained from petitioner's representative, or it may be inspected at the Washington, DC office of the Interstate Commerce Commission during normal business hours.

Decided: March 13, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Simmons.

Noreta R. McGee,

Secretary.

[FR Doc. 87–6167 Filed 3–20–87; 8:45 am]

BILLING CODE 7035–01–M

[Section 5a Application No. 37]

Southern Illinois Motor Rate Conference; Agreement

AGENCY: Interstate Commerce Commission.

ACTION: Notice of institution of show-cause proceeding.

SUMMARY: The Commission has made preliminary findings relating to the 1978 application of Southern Illinois Motor Rate Conference (SIMRC) for approval of its collective ratemaking agreement and directed SIMRC to show cause: (1) why it and its member carriers should not be directed to cease and desist from engaging in certain collective ratemaking activity; and (2) why any claimed antitrust immunity should not be revoked. This action is taken to update the record in this proceeding in light of the statutory changes made by the Motor Carrier Act of 1980 (MCA) and to ensure compliance with all requirements for rate bureaus continuing to received antitrust immunity for collective activity. SIMRC failed to submit changes to its agreement as required by the MCA.

DATES: SIMRC's response to the show cause order is due April 22, 1987. Comments from other parties are due May 22, 1987. The Bureau's rebuttal is due June 11, 1987.

FOR FURTHER INFORMATION CONTACT: Paul Markoff, (202) 275–7960 or Andrew L. Lyon, (202) 275–7291.

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's full decision. A copy may be purchased from T.S. InfoSystems, Inc., Room 2229, Interstate Commerce Commission Building, Washington, DC 20423, or call toll-free (800) 424–5403, or (202) 289–4357 in the Washington, DC, metropolitan area.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

(49 U.S.C. 11701, 10706 and 10321.)

Decided: March 13, 1987.

By the Commission, Chairman Gradison, Vice Chairman Lamboley, Commissioners Sterrett, Andre, and Simmons.

Noreta R. McGee,

Secretary.

[FR Doc. 87–6390 Filed 3–20–87; 8:45 am]

BILLING CODE 7035–01–M

DEPARTMENT OF JUSTICE

Certification; Fifth Circuit

The Attorney General pursuant to section 303 of the Bankruptcy Judges, United States Trustees, and Family Farmer Act of 1986, Pub. L. No. 99–554, hereby certifies to the United States Court of Appeals for the Fifth Circuit on this date that, in the region specified in paragraph 581(a)(6) of title 28, United States Code, composed of the federal judicial districts for the Northern and the Eastern Districts of Texas, the amendments made by section 113 and subtitle A of title II of the Act and section 1930(a)(6) of title 28, United States Code, will apply 30 days after this date as to all cases commenced under chapter 7, 11, 12, or 13 of title 11, United States Code, on or after November 26, 1986. The amendments will also apply in cases commenced prior to November 26, 1986, one year after this certification, unless a final report and account of the administration of the estate required under section 704 of title 11, United States Code, has been filed, or a plan has been confirmed under section 1129, 1225, or 1325 of title 11.

The amendments cited above implement the United States Trustee system in the region and also impose quarterly fees in chapter 11 cases commenced on or after November 26, 1986. The implementation of the United States Trustee system and the imposition of quarterly fees in those chapter 11 cases commenced prior to November 26, 1986, in which a plan has not been confirmed, will become effective one year after the date of this certification.

The United States Trustee presently serving for the Northern District of Texas is responsible, pursuant to section 301(a) of the Act, for implementing the amendments made by the Act in the region hereby certified.

Dated: March 12, 1987.

Edwin Meese III,

Attorney General.

[FR Doc. 87–6184 Filed 3–20–87; 8:45 am]

BILLING CODE 4410–01–M

Drug Enforcement Administration

Thomas E. Brewer, M.D.; Revocation of Registration

On October 23, 1986, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Thomas E. Brewer, M.D., 1059 Miller Street, Winston-Salem, North Carolina 27103. The Order to Show Cause sought to revoke Dr. Brewer's DEA Certificate of Registration AB2719562. The statutory predicate for seeking the revocation is that Dr. Brewer's medical license is revoked in the State of North Carolina. As a result, he is not authorized to handle controlled substances in that state.

The Order to Show Cause was sent to Dr. Brewer by registered mail on October 23, 1986. There was no response to the Order to Show Cause. A DEA Diversion Investigator contacted Dr. Brewer who stated that he had received the Order to Show Cause but failed to respond since he was no longer practicing medicine. Therefore, the Administrator finds that Dr. Brewer has waived his opportunity for a hearing. Accordingly, the Administrator now enters his final order based on the record as it appears. 21 CFR 1301.54(d) and 1301.54(e).

The Administrator finds that on July 3, 1986, the Board of Medical Examiners of the State of North Carolina revoked Dr. Brewer's license to practice medicine. Therefore, Dr. Brewer is not authorized to handle controlled substances in the State of North Carolina. The revocation of Dr. Brewer's medical license resulted from his indictment on June 10, 1985, by a Grand Jury in Forsyth County, North Carolina on charges of felonious possession of cocaine and possession of cocaine with intent to sell. He subsequently pled guilty to the reduced charges of misdemeanor possession of cocaine and was placed on probation for three years. Furthermore, on various occasions Dr. Brewer personally used, consumed and ingested the controlled substances marijuana and cocaine for no medical need or reason, and actively encouraged others to use, consume, and ingest marijuana and cocaine for no medical need or reason.

The Administrator has consistently held that when a DEA registrant is not authorized to handle controlled substances in the state in which he practices, DEA is without lawful authority to maintain his registration. See: *Avner Kauffman, M.D.*, Docket No. 85-8, 50 FR 34208 (1985); *Kenneth K. Birchard, M.D.*, 48 FR 33778 (1983); and *Thomas E. Woodson, D.O.*, Docket No. 81-4, 47 FR 1353 (1982). Therefore, since Dr. Brewer is not currently authorized to handle controlled substances in the State of North Carolina, the Administrator cannot maintain his DEA Certificate of Registration in that state.

Accordingly, the Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824, and 28 CFR 0.100(b), orders that DEA Certificate of Registration AB2719562, previously issued to Thomas E. Brewer, M.D., be, and it hereby is, revoked. This order is effective April 22, 1987.

Dated: March 16, 1987.

John C. Lawn,

Administrator.

[FR Doc. 87-6190 Filed 3-20-87; 8:45 am]

BILLING CODE 4410-09-M

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (87-26)]

NASA Advisory Council (NAC), Space Systems and Technology Advisory Committee (SSTAC); Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Systems and Technology Advisory Committee, Reliability, Diagnostics and Quality Assurance Ad Hoc Task Team.

DATE AND TIME: April 1, 1987, 8:30 a.m. to 4:30 p.m.

ADDRESS: Ames Research Center, Building N239, Room B39, Moffett Field, CA 94035.

FOR FURTHER INFORMATION CONTACT: Mr. John Smith, Office of Aeronautics and Space Technology, National Aeronautics and Space Administration, Washington, DC 20546, 202/453-2834.

SUPPLEMENTARY INFORMATION: The NAC Space Systems and Technology Advisory Committee was established to provide overall guidance and direction to the space systems research and technology activities in the Office of Aeronautics and Space Technology (OAST). The ad hoc team on Reliability, Diagnostics and Quality Assurance, chaired by Mr. Adrian P. O'Neal, is comprised of eight members.

The purpose of the team is to ensure that the technology program has the necessary design base to support development of the predictive techniques, design tools, and test methods required for future spaceflight missions. It is imperative that the meeting be held on this date to accommodate the scheduling priorities of the key participants. The meeting will be open to the public up to the seating capacity of the room (approximately 30 persons including the task team members and other participants).

Type of Meeting: Open.

Agenda

April 1, 1987.

8:30 a.m.—Briefings by Ames Research Center on development of predictive techniques, design tools, and test methods for support of future spaceflight missions.

4:30 p.m.—Adjourn.

Richard L. Daniels,

Advisory Committee Management Officer, National Aeronautics and Space Administration.

March 16, 1987.

[FR Doc. 87-6181 Filed 3-20-87; 8:45 am]

BILLING CODE 7510-01-M

[Notice (87-27)]

NASA Advisory Council (NAC), Space Systems and Technology Advisory Committee (SSTAC); Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a forthcoming meeting of the NASA Advisory Council, Space Systems and Technolgy Advisory Committee, Ad Hoc Review Team on Use of Space Station as an Engineering Laboratory.

DATE AND TIME: April 14, 1987, 10 a.m. to 5 p.m.

ADDRESS: National Aeronautics and Space Administration, Federal Building 10, Room 647, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Mr. James Romero, Code RS, Office of Aeronautics and Space Technology, National Aeronautics and Space Administration, Washington, DC 20546, 202/453-2738.

SUPPLEMENTARY INFORMATION: The NAC Space Systems and Technology Advisory Committee has established an ad hoc team to identify in-space derived experimental data that are needed by the aerospace engineering community to enhance its capability to design and operate future space systems. The ad

hoc team on the Use of Space Station as an Engineering Laboratory, chaired by Mr. Robert W. Hager, is comprised of eight members. The team's recommendations will be factored into the selection process for in-space research and techology experiments using the space station as a laboratory facility. The meeting will be open to the public up to the seating capacity of the room (approximately 20 persons including the task team members and other participants).

Type of Meeting: Open.

Agenda

April 14, 1987.

10 a.m.—Chairperson's Remarks.
10:30 a.m.—Draft Report Review.
1 p.m.—Final Report Generation.
5 p.m.—Adjourn.

Richard L. Daniels,

Advisory Committee Management Officer, National Aeronatics and Space Administration.

March 16, 1987.

[FR Doc. 87-6182 Filed 3-20-87; 8:45 am]

BILLING CODE 7510-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Grant Application Procedures Under the National Capital Arts and Cultural Affairs Program

AGENCY: National Endowment for the Humanities.

ACTION: Notice.

SUMMARY: Agency notice of grant application procedures under the National Capital Arts and Cultural Affairs Program.

SUPPLEMENTARY INFORMATION: The National Endowment for the Humanities (NEH) has available the application materials for the National Capital Arts and Cultural Affairs Program ("NCACAP") for fiscal year 1987. NCACAP was established by Congress in 1985 to provide operating support for qualifying institutions in the Nation's Capital. To be eligible to receive a NCACAP grant, organization must be located in the District of Columbia, be not-for-profit, non-academic institutions of demonstrated national repute, have as their primary purpose performing, exhibiting and/or presenting the arts, and have annual income exclusive of federal funds in excess of $1 million for each of the three years prior to October 1, 1986. The grant period will be from October 1, 1986 through September 30, 1987. The deadline for receipt of applications is April 20, 1987.

FOR FURTHER INFORMATION CONTACT: Ms Edythe Manza, National Endowment for the Humanities, Room 429, 1100 Pennsylvania Avenue NW., Washington, DC 20506, (202) 786-0361 from whom copies of the application materials are available.

Susan Metts,

Assistant Chairman of Administration.

[FR Doc. 87-6770 Filed 3-20-87; 8:45 am]

BILLING CODE 7536-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 27-39]

U.S. Ecology, Inc.; Sheffield, Illinois Low-Level Waste Disposal Site; Reconstitution of Atomic Safety and Licensing Appeal Board

Notice is hereby given that, in accordance with the authority conferred by 10 CFR 2.787(a), the Chairman of the Atomic Safety and Licensing Appeal Panel has reconstituted the Atomic Safety and Licensing Appeal Board for this proceeding. As reconstituted, the Appeal Board for this proceeding will consist of the following members:

Alan S. Rosenthal, Chairman
Thomas S. Moore
Howard A. Wilber

Dated: March 17, 1987.

C. Jean Shoemaker,

Secretary to the Appeal Board.

[FR Doc. 87-6209 Filed 3-20-87; 8:45 am]

BILLING CODE 7590-01-M

[Docket Nos. 50-327 and 50-328]

Tennessee Valley Authority; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the Type C testing requirements of Appendix J to 10 CFR Part 50 to the Tennessee Valley Autority (the licensee) for the Sequoyah Nuclear Plan, Units 1 and 2, located at the licensee's site in Hamilton County, Tennessee. The exemption was requested by the licensee by letter dated December 31, 1986.

Environmental Assessment

Identification of proposed action: The exemption will permit the licensee to exclude from Type C leak rate testing valves located in the residual heat removal (RHR), upper head injection (UHI), and pressure relief piping in the chemical volume and control system (CVCS). Appendix J requires that the licensee perform leak rate testing of valves that serve as containment isolation valves. The need for the exemption arose because the licensee redesignated the affected valves as remote-manual containment isolation valves.

Type C testing cannot be performed due to the lack of manual or remote-manual block valves in the line that are necessary to allow such testing. With respect to the CVCS, block valves cannot be installed because the American Society of Mechanical Engineers' Code prohibits block valves in pressure relief lines.

The need for the proposed action: The proposed exemption is needed to permit the licensee to operate the plant without being in violation of the Commission's requirements.

Environmental impact of the proposed action: The proposed exemption is from the testing requirements of Appendix J. The need for such testing is to ensure that once the valves close they do not leak following an accident. However, if leakage should occur, the leakage would be into closed systems which are not open to the environment. Therefore, the exemption does not involve a significant environmental impact.

Alternative to the proposed action: Because the staff has concluded that there is no significant impact associated with the proposed exemption, any alternative to the exemption will have either no environmental impact or greater environmental impact.

Alternative use of resources: This action does not involve the use of resources not previously considered in connection with the "Final Environmental Statement Related to the Operation of sequoyah Nuclear Plant, Units 1 and 2," dated July 1974.

Agencies and persons consulted: The NRC staff reviewed the licensee's request that supports the proposed exemption. The NRC staff did not consult other agencies or persons.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For details with respect to this action, see the request for exemption dated December 31, 1986, which is available for public inspection at the Commission's Public Document Room,

1717 H Street, NW., Washington, DC, and at the Chattanooga-Hamilton County Bicentennial Library, 1001 Broad Street, Chattanooga, Tennessee 37401.

Dated at Bethesda, Maryland, this 17th day of March 1987.

For the Nuclear Regulatory Commission.

B.J. Youngblood,

Director, PWR Project Directorate #4, Division of PWR Licensing-A, Office of Nuclear Reactor Regulation.

[FR Doc. 87-6227 Filed 3-20-87; 8:45 am]

BILLING CODE 7590-01-M

Issuance and Availability, Generic Letter 87-02, "Verification of Seismic Adequacy of Mechanical and Electrical Equipment in Operating Reactors, Unresolved Safety Issue (USI) A-46", NUREG-1211 "Regulatory Analysis for the Resolution of Unresolved Safety Issue A-46" and NUREG-1030, "Seismic Qualification of Equipment in Operating Nuclear Power Plants"

The U.S. Nuclear Regulatory Commission (NRC) staff is issuing generic letter 87-02 entitled "Verification of Seismic Adequacy of Mechanical and Electrical Equipment in Operating Reactors, Unresolved Safety Issue (USI) A-46." Attached to Generic letter 87-02 are a report entitled "Regulatory Analysis for the Resolution of Unresolved Safety Issue A-46" (NUREG-1211), and a report entitled "Seismic Qualification of Equipment in Operating Nuclear Power Plants" (NUREG-1030). These documents are issued as the staff's final resolution of the NRC's USI A-46, "Seismic Qualification of Equipment in Operating Nuclear Power Plants." This issue was identified as an "Unresolved Safety Issue" in the 1980 Annual Report pursuant to section 210 of the Energy Reorganization Act of 1974.

The safety issue in USI A-46 is the concern that the margins of safety provided by equipment in operating nuclear power plants under seismically induced loads may vary considerably, due to the significant changes in criteria and methods for seismic qualification of equipment since these plants were reviewed for their operating license. The objective of USI A-46 was to develop methods and/or acceptance criteria to assess the seismic capability of mechanical and electrical equipment in older operating nuclear power plants to assure that the plant can be brought to a safe shutdown condition when subjected to a design basis seismic event. These methods would be used in lieu of requiring qualification to current licensing requirements as defined in Standard Review Plan section 3.10, Regulatory Guide 1.100 and IEEE Standard-344/1975.

The NRC has concluded from its A-46 investigations (which included use of seismic experience data supplemented by seismic test data) that licensees of nuclear power plants that were not reviewed to current licensing requirements must perform a seismic adequacy review of equipment needed for safe shutdown, with emphasis on equipment anchorages and supports, and relay functional capability. Methods and procedures for such review are outlined in generic letter 87-02 to be issued to each licensee of a nuclear power plant which has not been reviewed to current licensing requirements. The seismic adequacy review and the correction of deficiencies as required by the generic letter are backfits as defined in 10 CFR 50.109. Detailed implementation procedures are currently under development by the Seismic Qualification Utilities Group (SQUG) with the help of the Electric Power Research Institute (EPRI) and their contractors. Each utility receiving the generic letter is required to respond within 60 days of receipt providing a proposed schedule for implementation. The implementation schedule will be negotiated with utility groups or individual utilities in accordance with the NRC policy on integrated schedules for plant modifications (see Generic Letter 83-20, May 9, 1983). Utilities not participating in a generic review may be allowed some additional time to respond to the letter and complete the review.

Copies of these documents will be available after March 10, 1987. Copies will be sent directly to utilities, utility industry groups and associations and environmental and public interest groups. Other copies will be available for review at the NRC Public Document Room, 1717 H Street, NW, Washington, DC; and the Commission, Washington, DC. 20555, telephone (301) 492-7536. Free single copies of the draft documents may be requested by writing to the Publication Services Section, Division of Technical Information and Document Control, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

Dated at Bethesda, Maryland, this 17th day of March 1987.

For the Nuclear Regulatory Commission.

Themis P. Speis,

Director, Division of Safety Review and Oversight, Office of Nuclear Reactor Regulation.

[FR Doc. 87-6228 Filed 3-20-87; 8:45 am]

BILLING CODE 7590-01-M

OFFICE OF PERSONNEL MANAGEMENT

Federal Prevailing Rate Advisory Committee; Open Meeting

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that meetings of the Federal Prevailing Rate Advisory Committee will be held on—

Wednesday, April 1, 1987
Wednesday, April 29, 1987

These meetings will start at 10 a.m. and will be held in Room 5A06A, Office of Personnel Management Building, 1900 E Street, NW., Washington, DC.

The Federal Prevailing Rate Advisory Committee is composed of a Chairman, representatives from five labor unions holding exclusive bargaining rights for Federal blue-collar employees, and representatives from five Federal agencies. Entitlement to membership of the Committee is provided for in 5 U.S.C. 5347.

The Committee's primary responsibility is to review the Prevailing Rate System and other matters pertinent to establishing prevailing rates under Subchapter IV, Chapter 53, 5 U.S.C., as amended, and from time to time advise the Office of Personnel Management.

These scheduled meetings will start in open session with both labor and management representatives attending. During the meeting either the labor members or the management members may caucus separately with the Chairman to devise strategy and formulate positions. Premature disclosure of the matters discussed in these caucuses would unacceptably impair the ability of the Committee to reach a consensus on the matters being considered and would disrupt substantially the disposition of its business. Therefore, these caucuses will be closed to the public because of a determination made by the Director of the Office of Personnel Management under the provisions of section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C. 552b(c)(9)(B). These caucuses may, depending of the issues involved, constitute a substantial portion of the meeting.

Annually, the Committee publishes for the Office of Personnel Management, the President, and Congress a comprehensive report of pay issues discussed, concluded recommendations, and related activities. These reports are available to the public, upon written request to the Committee's Secretary.

The public is invited to submit material in writing to the Chaiman on Federal Wage System pay matters felt to be deserving of the Committee's attention. Additional information on these meetings may be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 1340, 1900 E Street, NW., Washington, DC 20415, (202) 632–9710.

Thomas E. Anfinson,

Chairman, Federal Prevailing Rate Advisory Committee.

March 11, 1987.

[FR Doc. 87–6183 Filed 3–20–87; 8:45 am]

BILLING CODE 6325–01–M

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC–15623; 812–6579]

GS Mortgage Securities Corp.; Collateralized Mortgage Obligations

March 13, 1987.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "1940 Act").

Applicant: GS Mortgage Securities Corp., on behalf of itself and certain trusts ("Trusts") it may establish.

Relevant 1940 Act Sections: Exemption requested under section 6(c) from all provisions of the 1940 Act.

Summary of Application: Applicant seeks a conditional order exempting it and certain Trusts from all provisions of the 1940 Act in connection with the Trust's issuance of collateralized mortgage obligations and the Applicant's proposed sale of beneficial ownership interests in such Trusts.

Filing Date: The application was filed on December 29, 1986, and an amendment thereto on March 12, 1987.

Hearing or Notification of Hearing: If no hearing is ordered, the application will be granted. Any interested person may request a hearing on this application, or ask to be notified if a hearing is ordered. Any requests must be received by the SEC by 5:30 p.m., on April 6, 1987. Request a hearing in writing, giving the nature of your interest, the reason for the request, and the issues you contest. Serve the Applicant with the request, either personally or by mail, and also send it to the Secretary of the SEC, along with proof of service by affidavit, or, for attorneys, by certificate. Request notification of the date of a hearing by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 5th Street NW., Washington, DC 20549. GS Mortgage Securities Corp., Exchange Place, 53 State Street, Boston, Massachusetts 02109.

FOR FURTHER INFORMATION CONTACT: Sherry A. Hutchins, Staff Attorney at (202) 272–2799 or Brion R. Thompson, Special Counsel, (202) 272–3016, Office of Investment Company Regulation, Division of Investment Management.

SUPPLEMENTARY INFORMATION: Following is a summary of the apllication; the complete application is available for a fee from either the SEC's Public Reference Branch in person or the SEC's commercial copier (800) 231–3282 (in Maryland (301) 258–4300)).

Applicant's Representations

1. Applicant, a Delaware corporation, is a direct, wholly-owned limited purpose subsidiary of Goldman, Sachs & Co., a registered broker-dealer. Applicant was formed primarily for the purpose of (1) issuing and selling, or establishing one or more Trusts to issue and sell, one or more series of debt obligations ("Bonds") collateralized by Mortgage Certificates (as defined below); and selling equity interests in such Trusts; (2) forming one or more pools of Mortgage Certificates ("REMIC Pools") and selling one or more series of participation certificates in such REMIC Pools; and (3) transferring its rights to any amounts remitted or to be remitted to it under any idenfure relating to a series of debt obligations issued by it. The exemption requested in this application pertains only to the business activities of the Applicant in connection with the organization of the Trusts, the Trusts proposed issue and sale of Bonds (as described below) and the proposed sale of beneficial interests in such Trusts.

2. Each Trust will be established as a common law trust pursuant to a trust agreement between an independent bank, trust company or other fiduciary acting as owner trustee (the "Owner Trustee") and Applicant, as depositor (the "Trust Agreement"). Under the terms of each Trust Agreement, the Applicant will convey trust property to the related Trust in return for beneficial ownership of such Trust. Once organized, each Trust, acting through the Owner Trustee, will issue one or more series of Bonds ("Series") and, simultaneously with the sale of each such Series, purchase the Mortgage Certificates [1] that will secure such Series. The Mortgage Certificates pledged will have been obtained through open-market purchases or privately negotiated transactions.

3. Each Trust will pledge the Mortgage Certificates and other collateral for each Series of Bonds issued by it to an independent trustee (the "Bond Trustee") under an indenture (the "Indenture"), as supplemented by a supplemental indenture with respect to such series (a "Series Supplement"), each between such Trust and Bond Trustee. The Indenture will be qualified under the Trust Indenture Act of 1939 unless an appropriate exemption is available.

4. In the case of each Series of Bonds: (a) Each Trust will hold no substantial assets other than the Mortgage Certificates; (b) the Bonds will be secured by Mortgage Certificates having a collateral value, determined under the Indenture and the applicable Series Supplement, at the time of issuance of the Bonds and following each payment date, at least equal to the outstanding principal amount or balance of the Bonds; (c) distributions of principal and interest received on the Mortgage Certificates securing the Bonds and any applicable reserve funds, plus reinvestment income thereon, will be sufficient to pay all interest on the Bonds and to retire each class of Bonds by its stated maturity; and (d) the Mortgage Certificates will be assigned by the Owner Trustee to the Bond Trustee and will be subject to the lien of the related Indenture and the applicable Series Supplement.

5. Each Series of Bonds to be issued may contain one or more classes of variable or floating interest rate Bonds which will have a fixed maximum rate of interest ("interest rate cap") that will be payable on the Bonds (or the minimum rate of interest, in the case of an inverse-floating rate Bond). Any

[1] By definition, the "Mortgage Certificates" collateralizing the Bonds will consist of (1) "fully-modified pass-through" mortgage-backed certificates guaranteed by the Government National Mortgage Association ("GNMA Certificates"), (2) Mortgage Participation Certificates issued by the Federal Home Loan Mortgage Corporation ("FHLMC Certificates"), and (3) Guaranteed Mortgage Pass-Through Certificates and Stripped Mortgage-Backed Securities issued by the Federal National Mortgage Association ("FNMA Certificates"). All or a portion of the Mortgage Certificates securing a Series of Bonds may be "partial pool" Mortgage Certificates. In addition to the Mortgage Certificates, the collateral pledged to secure the Bonds will include, a separate collection account for each Series of Bonds and may include a reserve fund, or a debt service reserve fund in the event the Mortgage Certificates are backed by graduated payment mortgage loans.

Series of Bonds containing one or more classes of variable or floating interest rate Bonds will be structured with reference to the interest rate caps for that particular Series, to insure that the cash flow scheduled to be received by the Bond Trustee from the Mortgage Certificates pledged to secure the Bonds will be sufficient to make all payments of principal and interest on the Bonds, even if the interest rate on any class of variable or floating interest rate Bonds in such Series climbed to the interest rate cap in the first interest period and remained constant throughout the life of the Bonds.

6. In addition, Applicant intends to sell certificates representing the beneficial interests in each Trust ("Trust Certificates") to a limited number, in no event more than one hundred, of sophisticated institutional investors in transactions exempt from the registration requirements of the Securities Act of 1933 ("1933 Act") under section 4(2) thereof. Such institutional investors may include one or more banks, thrift institutions, insurance companies, and pension funds or other investors that traditionally engaged in investing in mortgage related instruments ("Owners"). These types of institutions have such knowledge and experience in financial business matters as to be capable of evaluating risks and volatility of interest rate fluctuations as they affect the value of mortgages, mortgage related securities and residual interests in mortgage related securities, such as those represented by Trust Certificates. Each Owner will be required to represent that it is purchasing such Trust Certificates for investment purposes. In addition, the Trust Agreement relating to each Trust will prohibit the transfer of Trust Certificates representing such beneficial interests if such transfer would result in there being more than one hundred Owners of such Trust Certificates at any time.

7. None of the Trusts, Applicant, Owner Trustee, Bond Trustee or the Owners of any of the Trusts will be able to impair the security afforded by the Mortgage Certificates to the holders of the Bonds. That is, without the consent of each Bondholder of a Series to be affected, none of the Trusts, the Applicant, the Owners, the Owner Trustee nor the Bond Trustee will be able to: (1) Change the stated maturity on any Bonds; (2) reduce the principal amount or the rate of interest on any Bonds; (3) change the priority of repayment on any class of the Bonds of such Series; (4) impair or adversely affect the Mortgage Certificates securing a Series; (5) permit the creation of a lien ranking prior to or on a parity with the lien of the related Indenture with respect to Mortgage Certificates securing a Series or (6) otherwise deprive the Bondholders of the security afforded by the lien of the Indenture.

8. The sale of the Trust Certificates will not alter the payment of cash flows under the Indenture, including the amounts to be deposited in the collection account or any reserve fund created pursuant to the Indenture to support payments of principal and interest on the related Series of Bonds.

9. No holder of a controlling interest in a Trust (as the term "control" is defined in Rule 405 under the 1933 Act), will be affiliated with either the custodian or the statistical rating agency rating the Bonds. None of the Owners of a Trust will be affiliated with the Bond Trustee.

10. The interests of the Bondholders will not be compromised or impaired by the ability of the Applicant to sell beneficial interests in each Trust, and there will not be a conflict of interest between the Bondholders and the Owners for several reasons: (a) The Mortgage Certificates which initially will be deposited into each Trust to secure the Bonds issued by such Trust will not be speculative in nature because it will consist solely of GNMA Certificates, FNMA Certificates or FHLMC Certificates, which Mortgage Certificates are guaranteed as to timely payment of interest and timely or ultimate payment of principal by each respective agency; (b) the Bonds will only be issued provided an independent nationally recognized statistical rating agency has rated such Bonds in the highest rating category, which by definition means that the capacity of the issuing Trust to repay principal and interest on the Bonds is extremely strong; (c) the Indenture under which the Bonds will be issued subjects the collateral pledged to secure the Bonds, all income distributions thereon and all proceeds from a conversion, voluntary or involuntary, of any such collateral to a first priority perfected security interest in the name of the Bond Trustee[2] and (d) the Owners will be entitled to only receive current distributions representing the residual payments on the collateral from each Trust in accordance with the terms of the applicable Trust Agreement, which distributions are analogous to dividends payable to a shareholder of a corporate issuer of collateralized mortgage obligations. Furthermore, except in the case of a Series of Bonds issued by a Trust which elects to qualify as a real estate mortgage investment conduit ("REMIC") for federal income tax purposes, the Owners of each Trust will be liable for the expenses, taxes and other liabilities of such Trust (other than the principal and interest on the Bonds) to the extent not previously paid from the trust estate. The choice of the form of issuer for the Bonds and the identity of the Owners of such issuer, however, will not alter in any way the payments to be made to the holders of the Bonds, which payments are governed by the Indenture.

11. The election by any Trust to be treated as a REMIC will have no effect on the level of the expenses that would be incurred by any such Trust. Applicant further represents that any Trust that elects to be treated as a REMIC will provide for the payment of administrative fees and expenses by one or more of the four methods which are set forth in the application. Each Trust will insure that the anticipated level of fees and expenses will be more than adequately provided for regardless of which or all of the methods selected by such Trust.

12. The aggregate interests of the Owners in the collateral and the expected returns by such Owners will be far less than the payments made to Bondholders. Applicants do not intend to deposit Mortgage Certificates to secure a Series of Bonds the collateral value of which exceeds 110% of the gross proceeds of the Bonds of such Series.

13. Except to the extent permitted by the limited right to substitute Mortgage Certificates it will not be possible for the Owners to alter the composition of the Mortgage Certificates initially deposited into a Trust, and in no event will such right to substitute Mortgage Certificates result in a diminution in the value or quality of such Mortgage Certificates. Although it is possible that any Mortgage Certificates substituted for Mortgage Certificates initially

[2] The Indenture for each Series of Bonds will further specifically provide that no amounts may be released from the lien of such Indenture to be remitted to the Trust (and any Owner of Trust Certificates therefor) until (i) the Bond Trustee has made the required payment of principal and interest on the Bonds, (ii) the Bond Trustee has received all fees currently owed to it, (iii) the firm of independent accountants has received all fees owed it for services rendered under such Indenture, and (iv) to the extent required by such Indenture, deposits have been made to reserve funds. Once amounts have been released from the lien of the Indenture, the Trust Agreement for each Trust will provide that the Owner Trustee under the Trust Agreement will have a lien superior to that of the Owners of the beneficial interests of the Trust to the remaining cash flow.

deposited into a Trust may have a different prepayment experience than the original collateral, the interests of the Bondholders will not be impaired because: (a) The prepayment experience of any Mortgage Certificates will be determined by market conditions beyond the control of the Owners of the beneficial interests, which market conditions are likely to affect all Mortgage Certificates of similar payment terms and maturities in a similar fashion; (b) the interests of the Owners are not likely to be greatly different from those of the Bondholders as a whole with respect to collateral prepayment experience; and (c) to the extent that it may be possible for the Owners to cause the substitution of Mortgage Certificates which have a different prepayment experience than the original Mortgage Certificates, this situation is no different for the Bondholders than the traditional collateralized mortgage obligation structure where Bonds are issued by an entity that is a wholly-owned subsidiary. Further, due to the fact that there usually will be more than one Owner of a Trust, it appears less likely that the Owners will be able to agree on any desired substitution of collateral than if there were a single owner who could unilaterally decide on the timing and execution of the substitution.

14. For additional representations concerning the Bonds and the payment of Trust expenses in the event REMIC status is elected, see the application.

15. The requested order is necessary and appropriate in the public interest because: (a) The Applicant and the Trusts are not the type of entities, and their activities are not the type of activities, intended to be regulated by the 1940 Act; (b) the Applicant and the Trusts may enabled to proceed with their proposed activities if the uncertainties concerning the applicability of the 1940 Act are not removed; (c) granting of the requested order will be consistent with the protection of investors because they will be protected during the offering and sale of the Bonds by the registration or exemption provisions of the 1933 Act and thereafter by the Bond Trustee representing their interests under the Indenture; (d) the Applicants' activities are intended to serve a recognized and critical public need; and (e) the disclosure to Owners of a Trust and the limitation of the Owners of each Trust to no more than 100 sophisticated institutional investors provide safeguards adequate to assure that such potential Owners do not require the protection of the 1940 Act.

Applicant's Conditions: Applicant agrees that if an order is granted it will be expressly conditioned on the following:

1. Each Series of Bonds will be registered under the 1933 Act, unless offered in a transaction exempt from registration pursuant to section 4(2) of the 1933 Act.

2. The Bonds will be "mortgage related securities" within the meaning of section 3(a)(41) of the Securities Exchange Act of 1934, as amended. In addition, the Mortgage Certificates securing the Bonds will be limited to GNMA Certificates, FNMA Certificates, or FHLMC Certificates.

3. If new Mortgage Certificates are substituted, the substitute Mortgage Certificates must: (i) Be of equal or better quality than the Mortgage Certificates replaced; (ii) have similar payment terms and cash flow as the Mortgage Certificates replaced; (iii) be insured or guaranteed to the same extent as the Mortgage Certificates replaced; and (iv) meet the conditions set forth in paragraphs (2) and (4). In addition, new Mortgage Certificates may not be substituted for more than 40% of the aggregate face amount of the Mortgage Certificates initially pledged as security for a Series of Bonds. In no event may any new Mortgage Certificates be substituted for any substitute Mortgage Certificates.

4. All Mortgage Certificates, funds, accounts or other collateral securing a Series of Bonds (collectively, "Bond Collateral") will be held by the Bond Trustee, or on behalf of the Bond Trustee by an independent custodian. The custodian may not be an affiliate (as the term "affiliate" is defined in Rule 405 under the 1933 Act, 17 CFR 230.405) of the Applicant, any Trust, or the Owner Trustee. The Bond Trustee will be provided with a first priority perfected security or lien interest in and to all Bond Collateral.

5. Each Series of Bonds will be rated in the highest bond rating category by at least one nationally recognized statistical rating agency that is not affiliated with any of the Trusts or the Applicant. The Bonds will not be considered "redeemable securities" within the meaning of section 2(a)(32) of the 1940 Act.

6. No less often than annually, an independent public accountant will audit the books and records of each Trust and, in addition, will report on whether the anticipated payments of principal and interest on the Mortgage Certificates continue to be adequate to pay the principal and interest on the Bonds in accordance with their terms. Upon completion, copies of the auditor's reports will be provided to the Bond Trustee.

7. In addition, the above representations regarding the equity interests in the Trusts, floating or variable rate Bonds, and the payment of expenses upon the election of REMIC status will be express conditions to the requested order.

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

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 87-6172 Filed 3-20-87; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-15622; 812-6616]

Prudential-Bache Securities; Unit Investment Trust Exemptions

DATE: March 13, 1987.

AGENCY: Security and Exchange Commission ("SEC").

ACTION: Notice of Application for Exemption under the Investment Company Act of 1940 (the "1940 Act").

Applicants: Prudential-Bache Securities Inc. ("Prudential-Bache"), Prudential Unit Trusts, Prudential Equity Trust Series 1 and on behalf of all future similar unit investment trusts for which Prudential-Bache serves as the sponsor or co-sponsor (collectively, "Trusts").

Relevant 1940 Act Sections: Exemption request under section 6(c) from Sections 14(a), 19(b) and Rule 19b-1.

Summary of Application: Applicants seek an order exempting existing and future Trusts having to take for their own account or place with others $100,000 worth of units under an investment letter and enabling such Trusts to distribute capital gain dividends within a reasonable time after receipt.

Filing Date: The Application was filed on February 5, 1987.

Hearing or Notification of Hearing: If no hearing is ordered, the requested order will be granted. Any interested person may request a hearing on this application, or ask to be notified if a hearing is ordered. Any requests must be received by the SEC by 5:30 p.m., on April 6, 1987. Request a hearing in writing, giving the nature of your interest, the reason for the request, and the issues you contest. Serve Applicants with the request, either personally or by mail, and also send it to the Secretary of the SEC, along with proof of service by affidavit, or, for lawyers, by certificate.

Request notification of the date of a hearing by writing to the Secretary of the SEC.

ADDRESS: Secretary, SEC, 450 5th Street, Washington, DC 20549. Prudential-Bache Securities Inc., 100 Gold Street, New York, N.Y.

FOR FURTHER INFORMATION CONTACT: Thomas C. Mira, Staff Attorney (202) 272–3033 or Brion R. Thompson, Special Counsel (202) 272–3016 (Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: Following is a summary of the Application; the complete Application is available for a fee from either the SEC's Public Reference Branch in person or the SEC's commercial copier (800) 231–3282 (in Maryland (301) 253–4300).

Applicant's Representations

1. The exemptive order is requested for Prudential-Bache, and existing and subsequent similar Trusts sponsored by Prudential-Bache and meeting the description of such Trusts in the application. With respect to relief sought on behalf of future Trusts, such relief shall be availed of only under the same or substantially similar facts and circumstances that are set forth in the application. Each existing and future Trust will be governed by a trust indenture for that Trust (hereinafter called the "Indenture") to be entered into prior to the registration of the Trust with the SEC. The Trust Indenture for each Trust will contain standard terms and conditions of trust common to all trusts. Pursuant to the Indenture, Prudential-Bache will deposit with the Trustee more than $100,000 aggregate value of debt securities, common stock, preferred stock or other equity interests or any combination of or contracts such securities (the "Securities") which Prudential-Bache has accumulated for such purpose. Simultaneously with such deposit, the Trustee will deliver to Prudential-Bache registered certificates for Units which will represent the entire ownership of the Trust. These Units are in turn to be offered for sale by Prudential-Bache to the public at the public offering price as described in the final prospectus.

2. Each Trust will consist of the Securities, additional Securities, if any, deposited into or acquired by the Trust subsequent to the initial Date of Deposit, such securities as may continue to be held from time to time in exchange or substitution for any of the Securities upon certain refundings, accrued and undistributed income and undistributed cash. Certain of the Securities may from time to time be sold under the limited circumstances set forth in the Indenture or may be exchanged. The proceeds from such dispositions will be distributed to Unitholders.

3. Following the deposit of Securities for each Trust by Prudential-Bache with the Trustee, and following the effectiveness of that Trust's registration statement under the Securities Act of 1933 and clearance by the securities authorities of the various States, Prudential-Bache will offer the Units of that Trust to the public at the public offering price set forth in the prospectus. While Prudential-Bache has no obligation to do so, it undertakes to maintain a market for the Units and to continuously offer to purchase such Units at prices based on the net asset value which is the same as the redemption price for such units.

4. Units will remain outstanding until redeemed or until the termination of the Trust. The Indenture provides that the Trust may be terminated by agreement of 51% of the Unitholders of the Trust, or, in the event that the value of the Securities shall fall below 40% of the principal amount of Securities originally or subsequently deposited in the Trust, upon direction of Prudential-Bache to the Trustee.

5. It is the position of Applicants that, since each Trust will have an initial net worth in excess of $100,000 invested in Securities prior to the date on which effectiveness is requested for the Trust under the 1933 Act, Applicant will comply fully with Section 14(a). Applicants recognize, however, that by withdrawing certificates representing the entire beneficial ownership of a Trust Prudential-Bache may be deemed to be reducing each Trust's net worth below the requirements of section 14(a). Applicants request an exemption to the extent that section 14(a) would require it Prudential-Bache to take for its own account or place with others $100,000 worth of Units under an investment letter, on the ground that such exemption is appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act. Applicants intend to comply in all respects with the requirements of Rule 14a–3 which provides an exemption from section 14(a) under the 1940 Act, except that the Trusts would not restrict their portfolio investments to "eligible trust securities".

6. In connection with the requested exemption from section 14(a), Prudential-Bache has agreed to distribute to each investor his or her pro rata share of the net worth of the applicable Trust and to refund on demand and without deduction the sales load to purchasers of Units, if within 90 days after the registration of a Trust under the Securities Act of 1933 becomes effective, the net worth of that Trust shall be reduced to $100,000 or if the Trust is terminated. In addition, Prudential-Bache has agreed to instruct the Trustee on the date the securities are deposited with the Trustee that if, as a result of redemption by Prudential-Bache of the Units constituting a part of the unsold Units, the Trust shall have a net worth of less than 40% of the principal amount of securities originally deposited in the Trust, the Trustee shall terminate the Trust in the manner provided in the Indenture. Prudential-Bache will distribute any securities or other assets deposited with the Trustee to the Unitholders on a pro rata basis pursuant to the Indenture; Prudential-Bache will also refund any sales load on demand and without any deduction to any purchaser of Units purchased from Prudential-Bache.

7. With respect to the requested exemption from the prohibitions in section 19(b) of the 1940 Act and Rule 19b–1 thereunder against distributing realized capital gains more than once a year, Applicants acknowledge that the purpose was to ensure that no registered investment company could make a distribution of realized capital gains to shareholders in a manner that would indicate that they are part of regular dividends from investment income and that distributions of capital gains other than at fiscal year ends, or soon thereafter, could have such an effect.

8. The Trust does not qualify for either exception to the Rule 19b–1 stated in subparagraphs (b) or (c). Nevertheless, Applicants submit that the dangers of manipulation of capital gains and confusion between capital gains and regular income distribution, which Rule 19b–1 is designed to prevent does not exist in the Trust since the Trust, like a trust consisting of "eligible trust securities," and its Sponsor have substantially no control over events, other than the selection of the portfolio, which might trigger capital gains (i.e., the tendering of Units for redemption or credit factors affecting the Securities). Also, as principal distributions are clearly indicated in accompanying reports to Unitholders as a return of principal and are relatively small in comparison to normal dividend distributions, the danger of confusion is not present in the operations of the Trust. Furthermore, even if the Trust were comprised of "eligible trust securities," there would not be a greater degree of protection of Unitholders since Prudential-Bache has no greater control over the realization of capital gains, and

since principal distributions are clearly indicated and capital gains would be readily identifiable in the same manner as unit investment trusts exempted by Rule 19b–1(c). For the above-stated reasons, Applicants contend the granting of the exemption requested would be consistent with the purposes and policies of the Act and such an exemption would be in the best interest of the Unitholders.

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

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 87–6173 Filed 3–20–87; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–24219; File No. SR–MSTC–87–3]

Self-Regulatory Organizations; Proposed Rule Change by Midwest Securities Trust Company Relating to Fee Changes for Processing Redemptions, Maturities and Reorganizations; Notice of Filing and Immediate Effectiveness

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on March 5, 1987, the Midwest Securities Trust Company filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. 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

Attached as Exhibit A is the Midwest Securities Trust Company's fee changes for processing Redemptions, Maturities and Reorganizations.

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. 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.

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

Because of the significant increase in the volume of calls and partial calls of municipal bonds, MSTC has had to both significantly increase the number of employees in its Capital Structures Department and begin a major redesign of its computer support systems for the processing of such calls. Based on these new procedures, as well as an analysis by management of the costs of providing service in the call bond processing area, MSTC's Board of Directors has approved a revised fee structure for calls, redemptions and maturities in the Registered and Bearer Systems. In particular, fees associated with bearer call and maturity fees have been increased to more accurately reflect actual costs to MSTC's Depository Division.

The new fees will become effective on April 1, 1987.

The proposed fee changes are consistent with section 17A of the Securities Exchange Act of 1934 in that it provides for the equitable allocation of reasonable dues, fees and other charges among MSTC's Participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Midwest Securities Trust Company does not believe that the proposed fee schedule will impose any burdens on competition.

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

Comments have neither been solicited nor received.

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

The foregoing rule change has become effective pursuant to section 19(b)(3) of the Securities Exchange Act of 1934 and subparagraph (e) of Securities Exchange Act Rule 19b–4. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such aciton is necessary or appropriate in the public interest for the protection of investors, or otherwise in furtherance of the purposes of the Securities Exchange Act of 1934.

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, NW., Washington, DC 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 in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-referenced self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by April 13, 1987.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Dated: March 16, 1987.

Shirley E. Hollis,

Assistant Secretary.

Exhibit A

Service	Old	New
Full Call:		
Registered	$26.50	$25.00
Bearer	1.50	25.00
	.03/$1000	.05/$1000
		100.00 Max
Partial Call:		
Registered	26.50	28.00
Bearer	1.50	28.00
	.03/$1000	.05/$1000
		100.00 Max
Maturities:		
Registered	26.50	20.00
Bearer	1.50	20.00
Mandatory Reorganizations	26.50	28.00
Non-Mandatory Reorganizations	26.50	28.00

These New Fees will become effective April 1, 1987.

[FR Doc. 87–6171 Filed 3–20–87; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–24218; File No. SR–MCC–87–1]

Self-Regulatory Organizations; Proposed Rule Change by Midwest Clearing Corporation Relating to Automated Account Transfer Service

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), notice is hereby given that on February 27, 1987, the Midwest

Clearing Corporation filed with the Securities and Exchange Commission the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

Article VI, Rule 3 of the Rules of the Midwest Clearing Corporation is hereby amended by the addition of a new section, 4, as follows:

Transfers of a Participant's Customer Securities Account

Sec. 4. the Corporation may establish procedures for the automated transfer and processing of a customer's securities account for or on behalf of a Participant. Such procedures may include the establishment of time periods and regulations with respect to the automated transfer or a Participant's customer securities account, including transfer initiation forms, instructions or procedures, reports to Participants, and any information required by the Corporation in order to transfer a customer's securities account. The Corporation shall also prescribe such Procedures and regulations concerning acceptances or rejections of a customer securities account transfer and the transfer of items in a customer securities account through the CNS System, as provided under Article III, or through the Trade-by-Trade System, as provided under Article IV.

The Corportion shall not be liable for the completeness or accuracy of information contained in a Participant's documentation or request to transfer a customer's securities account through the facilities of the Corporation or otherwise. The Corporation shall assume no responsibility for the completeness or accuracy of any documentation necessary for any Participant to transfer a customer's securities account or any validity of information regarding any particular asset contained in a customer securities account. The corporation's sole responsibility shall be to make any transfer initiation documentation or information, as established by the Corporation, available to the delivering Participant who is to transfer the account or to return such form to the receiving Participant to whom the account is to be transferred.

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 statement 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 section (A), (B) and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Propoed Rule Change

Proposed new section 4 of MCC Article VI, Rule 3 authorizes MCC to establish a procedure for the automated account transfer service, including applicable forms, reports, instructions or other necessary information and data. Such procedures are currently being developed and are expected to be filed shortly after this rule filling.

The rule specifically exempts MCC from liability for the completeness or accuracy of informtion contained in a Participant's documentation or request to transfer securities and MCC assumes no responsibility for the completeness or accuracy of documentation necessary for the transfer of a customers account or the validity of information contained therein. MCC's sole responsibility is to make transfer initiation forms or information avialable to the delivering or transferor Participant or to return such form to the receiving or transferee Participant.

The purpose of the proposed rule change is to allow both transfers of customer securities accounts among MCC Participants and between a MCC Participant and a participant in another registered clearing agency that has established an automated account transfer service, National Securities Clearing Corporation (NSCC) has preliminarily agreed to serve as facilities manager of the account transfer service, and it is expected that in mid-March 1987, MCC will begin to implement the automated customer securities transfer service on a pilot basis.

The proposed rule change is consistent with section 17A of the Securities Exchange Act of 1934 in that it is designed to provide for the prompt and accurate clearance and settlement of securities transactions and foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions by providing an efficient mechanism for the transfer of customer securities accounts with participants of registered clearing agencies.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Midwest Clearing Corporation does not believe that the proposed rule change will impose any burdens on competition.

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

Comments were neither solicited nor received.

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 the 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, NW., Washington, DC 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 in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-referenced self-regulatory organization. All submissions should refer to the file

number in the caption above and should be submitted by April 13, 1987.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

Dated: March 16, 1987.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 87-6176 Filed 3-20-87; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-24221; File No. SR-NASD-87-14]

Self-Regulatory Organizations; Proposed Rule Change by National Association of Securities Dealers Relating to Amendments to Code of Arbitration Procedure

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on March 5, 1987, the National Association of Securities Dealers, Inc. ("Association" or "NASD") 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 self-regulatory organization. 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

The proposed rule change amends the Resolution of the Board of Governors following section 43 of Part III of the Code of Arbitration Procedure of the NASD. It provides that it shall be considered conduct inconsistent with just and equitable principles of trade and a violation of Article III, section 1 of the NASD's Rules of Fair Practice for a member to require its associated persons to waive the arbitration of disputes arising out of their association with the member.

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 changes and discussed any comments it received on the proposed rule changes. 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.

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

It has come to the NASD's attention that certain broker/dealers have been including in their agreements with registered representatives language that purports to waive the representative's right to obtain arbitration of any disputes arising out of the agreement. An example of such language is the following:

> Sales representative hereby waives all rights to arbitration which may be provided by any federal, state or self regulatory organization rule or regulation for the resolution of any dispute arising out of this contract or the termination thereof, including but not limited to, NASD Manual-Code of Arbitration Procedure Sec. 8.

This language conflicts with the NASD's Code of Arbitration Procedure, which requires industry disputes to be arbitrated at the instance of either party. The language of section 8 of the Code is as follows:

> (a) Any dispute, claim or controversy eligible for submission under Part I of this Code between or among members and/or associated persons, and/or certain others, arising in connection with the business of such member(s) or in connection with the activities of such associated person(s), shall be arbitrated under this Code, at the instance of:
>
> (1) A member against another member;
>
> (2) A member against a person associated with a member or a person associated with a member against a member; and,
>
> (3) A person associated with a member against a person associated with a member.

Thus, the parties could agree to submit a dispute to court, rather than to arbitration, after it arose, but there is no provision for waiving the Code requirement in advance.

A Resolution of the Board of Governors adopted effective May 1, 1973, and reprinted in the Code, states as follows:

> It may be deemed conduct inconsistent with just and equitable principles of trade and a violation of Article III, Section 1 of the Rules of Fair Practice for a member or a person associated with a member to fail to submit a dispute for arbitration under the Code of Arbitration Procedure as required by that Code, or to fail to appear or to produce any document in his possession or control as directed pursuant to provisions of the Code of Arbitration Procedure, or to fail to honor an award of arbitrators properly rendered pursuant to the Code of Arbitration Procedure where a timely motion has not been made to vacate or modify such award pursuant to applicable law.

The use of the word "may" in the first line of the resolution has caused at least one court to hold that arbitration of a dispute by members or associated persons is not mandatory. *First Jersey Securities, Inc.* v. *Jablonski*, No. C-4427-85 (N.J. Super. Ct. Nov. 27, 1985). While this is the view of only one court, it may be cited as persuasive authority in other jurisdictions and could lead to more widespread adoption of such provisions. This would have the effect of denying registered representatives access to the NASD's arbitration facilities in case of an employment dispute between them and a member firm, and forcing them to begin more costly and time-consuming litigation in the courts.

For these reasons, the NASD's Board of Governors has determined to interpret actions by members requiring associated persons to waive the arbitration of disputes as conduct inconsistent with just and equitable principles of trade and thus a violation of Article III, section 1 of the Rules of Fair Practice.

These changes are consistent with section 15A(b)(6) of the Securities Exchange Act of 1934, which requires that the Association's rules be designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanism of a free and open market and, in general, protect investors and the public interest.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Association 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.

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

Comments werre neither solicited nor received.

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 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 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 5th Street, NW., Washington, DC 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 in the Commission's Public Reference Section. Copies of such filing also will be available for inspection and copying at the principal office of the NASD. All submissions should refer to SR–NASD–87–14 and should be submitted by April 13, 1987.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30–3(a)(12).

Dated: March 16, 1987.

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 87–6175 Filed 3–20–87; 8:45 am]

BILLING CODE 8010–01–M

[Rel. No. IC–15624; 813–78]

Starplan Limited Partnership; Employees' Securities Company Application

Dated: March 16, 1987.

AGENCY: Securities and Exchange Commission ("SEC").

ACTION: Notice of application for exemption under the Investment Company Act of 1940 ("the 1940 Act").

Applicant. Starplan Limited Partnership ("the Second Partnership" or the "Applicant"). The Second Partnership and its affiliate, Star Reachers Limited Partnership, are collectively referred to herein as the "Partnership".

Relevant 1940 Act Sections. Exemption is requested under sections 6(b) and 6(e) of the 1940 Act as set forth below and confidential treatment is requested under section 45(a).

Summary of Application. Applicant seeks an order as an employees' securities company within the meaning of section 2(a)(13) of the 1940 Act exempting it from sections 8(b), 8(e), 10(a), 12(d)3), 13(a)(2), 15(a), 15(e), 16(a), 17(a), 17(f), 17(g), 18(i), 19(b), 21(b), 23(a), 23(b), 23(c) and 30 of the 1940 Act and certain rules and regulations thereunder, and granting it confidential treatment for certain documents. The requested relief would supplement an earlier order issued to Star Reachers Limited Partnership, (Investment Company Act Release No. 15529, January 12, 1987) (the "Initial Partnership") which granted exemption to the Initial Partnership in connection with its operation as an employees' securities company.

Filing Date. The application was filed on January 14, 1987 and amended on January 28, 1987.

Hearing or Notification of Hearing. If no hearing is ordered, the application will be granted. Any interested person may request a hearing on this application, or ask to be notified if a hearing is ordered. Any requests must be received by the SEC by 5:30 p.m., on April 8, 1987. Request a hearing in writing, giving the nature of your interest, the reason for the request, and the issues you contest. Serve the Applicant with the request, either personally or by mail, and also send it to the Secretary of the SEC, along with proof of service by affidavit, or, for lawyers, by certificate. Request notification of the date of a hearing by writing to the Secretary of the SEC.

ADDRESS: Secretary, SEC 450 5th Street NW., Washington, DC 20549. Applicant, Prudential Plaza, Chicago, Illinois 60601, with a copy to Jerome W. Jakubik, Baker & McKenzie, Prudential Plaza, Chicago, Illinois 60601.

FOR FURTHER INFORMATION CONTACT: Denis R. Molleur, Staff Attorney (202) 272–2363 or Brion R. Thompson, Special Counsel (202) 272–3016 (Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: Following is a summary of the application; the complete application is available for a fee from either the SEC's Public Reference Branch in person or the SEC's commercial copier (800) 231–3282 (in Maryland (301) 258–4300).

Applicant's Representations

1. The Second Partnership is an employees' securities company within the meaning of section 2(a)(13) of the 1940 Act designed, like the Initial Partnership, to provide a vehicle for Leo Burnett Company, Inc. an its affiliates (the "Company") to make available to certain key employees a growth investment program as a compensation incentive. The difference between the Partnership is that the Second Partnership will provide special high achievement bonus awards to a narrower group of key employees of the Company who may also be partners in the Initial Partnership. The Company desires to make available to such key employees a program that is funded by contributions by the Company to the Second Partnership of profits of the Company in which the employees can share through limited partnership interests in the Second Partnership. By pooling individual incentive compensation payments in the Second Partnership, the Company can provide to its employees the advantages of the returns available for investments in larger amounts than otherwise would be obtainable for the individual allocations.

2. The Second Partnership initially will have approximately 120 limited partners. The employees receiving interests in the Second Partnership would generally be those employees in the highest levels of the Company, who share a community of interests with each other and with the Company. All of the limited partners of the Second Partnership (together with the general partners of the Second Partnership) will be "accredited investors" with respect to the Company within the meaning of Rule 501(a) under the Securities Act of 1933 and, thus, have considerable financial sophistication. The amount of the contributions to the Second Partnership by the Company and the employees to receive such contributions as compensation will be determined solely by the Company for the purpose of retaining and rewarding certain of its key employees. No such employee who is a recipient of limited partnership interests in the Second Partnership under the compensation plan will have any discretion as to whether such employee will receive such interests or the timing of the distributions. The Second Partnership will serve as an investment vehicle by the Company for the benefit of such employees, but will not involve any investment decisions by them.

3. The general partners of the Second Partnership will be from five to fifteen individuals, all of whom are directors and executive officers of the Company and all of whom also will be the general partners of the Initial Partnership. The general partners will at all times own at least an aggregate interest of one percent of the Second Partnership and, accordingly, will be making investment decisions with respect to their own funds when they invest the assets of the Second Partnership. The general partners will keep minutes of their meetings which will be available at any

reasonable time for inspection by any limited partner of the Second Partnership, and any investment committee determination or other investment advice also will be in writing and similarly available for inspection. It is anticipated that any such investment determination will utilize the advice of independent and qualified professional investment advisors. Each general partner shall have all powers and rights necessary, proper, convenient or advisable to effectuate and carry out the purpose, business and objective of the Second Partnership. No compensation will be paid to the general partners for their services other than for out-of-pocket expenses incurred during the course of conducting the business of the Second Partnership. Such out-of-pocket expenses include mailing costs, travel expenses on behalf of the Second Partnership, telephone charges applicable to the Second Partnership's business and similar costs.

4. The Second Partnership will operate as a non-diversified, closed-end, management investment company within the meaning of the 1940 Act. The investment objective of the Second Partnership is to seek investments offering growth of capital. The Second Partnership may seek long term growth of capital through investments with high potential for long term appreciation, but also involving speculation and risk. The Second Partnership's investments may include bank certificates of deposit, shares or other securities of any issuer, foreign or domestic, including interests in mutual funds, and other types of financial investments. The nature and amount of such investments would be determined solely by the general partners, or an investment committee of general partners.

5. The Second Partnership requests an exemption from the requirement of filing registration statements under sections 8(b) and 8(e); from section 10(a) to permit all of the general partners of the Second Partnership also to be directors and officers of the Company; from section 12(d)(3) to permit the Second Partnership to enter into repurchase agreements with broker-dealers; from the requirement in section 13(a)(2) of obtaining the consent of a majority of the partners for substantial changes in the Second Partnership's investment policy; from sections 15(a) and 15(e) to permit the general partners and employees of the Company to analyze and review proposed investments without a written contract and to permit the general partners to retain investment advisors unrelated to the Second Partnership without a vote of the limited partners; from section 16(a) to permit the Company to designate the general partners of the Second Partnership without a vote of the partners; from section 17(a) to permit transactions with affiliated persons; from the custodial requirements of section 17(f) and the rules and regulations thereunder; from the bonding requirements of section 17(g) and the rules and regulations thereunder; from section 18(i) to permit partners in the Second Partnership to have only such voting rights as stated in the Limited Partnership Agreement; from section 19(b) to permit the Second Partnership to distribute to its partners long-term capital gains more frequently than once every twelve months; and from section 21(b) to permit the Second Partnership to make loans to the Company. Applicant further requests an exemption from section 23(a) to the extent it would prohibit the company from making capital contributions to the Second Partnership on behalf of such individuals' "services" as employees of the Company, and from section 23(b) to the extent that any valuation must be made within any minimum period of time prior to the Company's contribution of capital to the Second Partnership and the distribution of interests therein; and an exemption from section 23(c) and Rule 23c–1 to permit the Second Partnership to purchase, in accordance with the terms of the Limited Partnership Agreement, the Partnership interests of partners who withdraw from the Second Partnership. The Second Partnership asserts that it is unable to comply with paragraphs (a) (4), (6), (7), (10) and (11) of Rule 23c–1 under the 1940 Act, which recites the conditions under which a closed-end investment company may repurchase its shares without having to obtain an exemptive order under section 23(c)(3).

6. The Second Partnership submits that the exemptions requested are appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policies and provisions of the Act because: (i) The Second Partnership is an "employees' securities company" under the 1940 Act; (ii) no sales load and no compensation is payable to the general partners, or any affiliated person; (iii) there is a clear and substantial community of economic and other interests among the officers or employees of the Company as the partners of the Second Partnership and there is no broad public group of investors in the Second Partnership; (iv) all investments in the Second Partnership, other that investments by the general partners, will be made by the Company as employee compensation payments for the purpose of rewarding and retaining employees, and such recipients will not be making any individual investment decisions; (v) the proposed investment operations to be conducted by the Second Partnership were conceived and organized by the Company and will be conducted by persons who by reason of being directors and executive officers of the Company are responsible for supervising the limited partners as employees of the Company, and who also will have interests in the Second Partnership, and will not be promoted or conducted by persons outside the Company seeking to profit from fees for investment advice or from the distribution of securities; and (vi) certain aspects of compliance with the provisions of the Act are potentially burdensome and unnecessary under the circumstances, particularly the imposition of unnecessary expenditures both of money and time and the part of the Second Partnership, and to some extent on the part of the SEC staff. The Second Partnership requests an exemption from the above listed sections of the 1940 Act, the reasons for which are fully set forth in the application.

7. The Second Partnership may enter into an investment, loan or other financial accommodation with the Company or any corporation or other entity affiliated with the Company only to the extent the general partners of the Second Partnership find the return to the Second Partnership from any such transaction to be reasonable and fair to the Second Partnership, such transaction does not involve overreaching on the part of any person concerned and such transaction is no less favorable to the Second Partnership than similar arms length transactions with non-affilliated persons. Section 17(a) of the 1940 Act will still preclude the Second Partnership from engaging in any transactions (other than those involving the Company) with entities in which the general partners own a "controlling" interest (as described in section 2(a)(9) of the 1940 Act). The Second Partnership covenants that no general partner, directly or indirectly (other than an employee or shareholder or the Company or as a partner in the Second Partnership), may benefit in such general partner's individual capacity in any investment or asset of the Second Partnership. The Second Partnership also represents that no broker's commissions or expenses for the foregoing transactions will be paid to an affiliate. The Second Partnership

specifically represents and concedes that the general partners are subject to section 9, 36 and 37 of the 1940 Act, and will, at all times, comply with the requirements of such Sections and of sections 57(f)(3) and 57(h) of the 1940 Act.

8. The Second Partnership states that because of the strong community of interest among the partners of the Second Partnership and the Company, and particulary since the contributions to the Second Partnership in almost all cases will be made by the Company, the general partners may deem an investment, loan or other financial accommodation to the Company or any other person (including those with which the Company is affiliated) to be in the best interests of the employee partners and should be able to enter into such transaction without further application or approval. It is not anticipated that such transasctions will be frequent nor that all of the investment porfolio of the Second Partnership would be so invested. The circumstances of such transactions if they arise, however, are unlikely to permit the time necessary to obtain specific SEC approvals. It is submitted that such transactions are consistent with the nature of the Second Partnership that Company-interested investments be permitted.

9. The Second Partnership will be funded with Company profits and were the Company to be in financial difficulty it would simply not make further contributions, rather than making such contributions and borrowing such funds back from the Second Partnership. Moreover, earlier profits deposited in the Second Partnership by the Company could be loaned to the Company in such circumstances only if such loan is found by the general partners to be in the best interests of the Second Partnership. The general partners who will determine whether such transactions are made will not be removed from the investment company, but will be deciding the investment of their own capital contributions, as well as those of the limited partners. In addition, the limited partners of the Second Partnership will be key employees of the Company most of whom are "accredited investors", will be in daily contact with one or more of the general partners, and thereby will be able to have access to the general partners to question their decisions. Moreover, if the general partners abuse their authority, they may be removed by the limited partners.

10. An exemption is requested from section 30 to permit the Second Partnership to report annually to the limited partners in the manner prescribed by the Limited Partnership Agreement. The Second Partnership submits that providing annual rather than semi-annual reports to the limited partners is consistent with the protection of investors and the policies fairly intended by the 1940 Act. For similar seasons, it is further requested that filings under section 30 made by the Second Partnership be afforded confidential treatment under section 45(a) of the 1940 Act.

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

Shirley E. Hollis,

Assistant Secretary.

[FR Doc. 87-6174 Filed 3-20-87; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 87-018]

Towing Safety Advisory Committee; Charter Renewal

SUMMARY: The Secretary of Transportation has approved the renewal of the Charter for the Towing Safety Advisory Committee.

The Committee was established in accordance with Pub. L. 96-380 and was reauthorized by Pub. L. 98-557.

The purpose of this Committee is to advise the Secretary of Transportation on matters relating to shallow-draft inland and coastal navigation and towing safety.

FOR FURTHER INFORMATION CONTACT: Captain J. H. Parent, USCG, Executive Director, Towing Safety Advisory Committee, U.S. Coast Guard (G-CMC/21), Washington, DC 20593-0001, (202) 267-1477.

Dated: March 17, 1987.

W. P. Hewel,

Captain, U.S. Coast Guard, Acting Chief, Office of Boating, Public, and Consumer Affairs.

[FR Doc. 87-6213 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-14-M

Federal Highway Administration

Environmental Impact Statement and Section 4(f) Evaluation; Tompkins County, NY

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent.

SUMMARY: The FHWA is issuing this notice to advise the public that an Environmental Impact Statement and Section 4(f) Evaluation will be prepared for a proposed highway project in Tompkins County, New York.

FOR FURTHER INFORMATION CONTACT:

Roger H. Edwards, Director, Facilities Design Division, New York State Department of Transportation, State Campus, 1220 Washington Avenue, Albany, New York 12232, Telephone: (518) 457-6452

or

Victor E. Taylor, Division Administrator, Federal Highway Administration, New York Division, Leo W. O'Brien Federal Building, 9th Floor, Clinton Avenue and North Pearl Street, Albany, New York 12207, Telephone: (518) 472-3616.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the New York State Department of Transportation (NYSDOT) will prepare an Environmental Impact Statement and section 4(f) Evaluation [EIS/4(f)] on a proposal to improve New York Route 96 in Tompkins County, New York. The proposed improvement would extend northerly from Meadow Street (N.Y. Routes 13 and 34) in the city of Ithaca to the vicinity of Duboise Road in the town of Ithaca. Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. Also included in this proposal is the provision of a one-way pair utilizing Meadow and Fulton Streets within the city of Ithaca.

Alternatives under consideration include (1) taking no action; (2) constructing a low-scale facility providing improvements only within the city of Ithaca: (3) constructing a two-lane plus climbing lane facility on new location; and (4) constructing a four-lane divided facility on new location. Incorporated into and studied with the various build alternatives will be design variations of grade and alignment.

Letters describing the proposed action and soliciting comments have been sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed interest in this proposal. The scoping process has included an informational meeting with local officials in April 1985; Public Informational Meetings in April and November 1985; and an extensive series of meetings with local citizen, neighborhood, business and other interest groups, plus city, town and county officials during the summer of 1985. In addition, a Public Hearing will

be held. Public notice will be given of the time and place of the hearing.

The Corps of Engineers will participate as a cooperating agency. The Draft EIS/4(f) will be sent to them as well as other Federal and State agencies who have an interest in the project. The scoping process began with a meeting with U. S. Fish and Wildlife Service and NYS Department of Environmental Conservation on June 12, 1985.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS/4(f) should be directed to the NYSDOT or FHWA at the addresses provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Research, Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: March 10, 1987.

Victor E. Taylor,

Division Administrator, Federal Highway Administration, Albany, NY.

[FR Doc. 87-6145 Filed 3-20-87; 8:45 am]

BILLING CODE 4910-22-M

Sunshine Act Meetings

Federal Register
Vol. 52, No. 55
Monday, March 23, 1987

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

FEDERAL ENERGY REGULATORY COMMISSION

March 18, 1987.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. No. 94–409), 5 U.S.C. 552B:

DATE AND TIME: March 25, 1987, 10:00 a.m.

PLACE: 825 North Capitol Street, NE., Room 9306, Washington, DC 20424.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

Note.—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Kenneth F. Plumb, Secretary, Telephone (202) 357–8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Public Reference Room.

Consent Power Agenda, 853rd Meeting—March 25, 1987, Regular Meeting (10:00 a.m.)

CAP–1.
Project No. 5756–009, Mega Hydro, Inc.
CAP–2.
Project Nos. 233–013 and 014, Pacific Gas and Electric Company
CAP–3.
Project No. 8863–001, Northeast Hydrodevelopment Corporation
CAP–4.
Project No. 8620–001, Bath County, Kentucky and Eastern State Energy and Resources
CAP–5.
Project No. 3228–005, Atlantic Power Development Corporation
CAP–6.
Project No. 6367–003, Western Hydro Electric, Inc.
CAP–7.
Project No. 9401–004, Halecrest Company
CAP–8.
Project No. 10202–001, Larry Lewis
CAP–9.
Project No. 5601–003, Oroville-Wyandotte Irrigation District
CAP–10.
Docket Nos. EL86–56–002, 003 and Project Nos. 4885–014 and 015, South Fork Resources, Inc.
CAP–11.
Project No. 2713–004, Niagara Mohawk Power Corporation
CAP–12.
Project No. 8162–000, Manlius Associates
Project No. 8774–000, Limestone Hydro Associates
CAP–13.
Omitted
CAP–14.
Docket No. QF84–147–010, Alcon (Puerto Rico), Inc.
CAP–15.
Docket No. ER87–122–002, Boston Edison Company
CAP–16.
Docket Nos. ER86–645–003, 004, ER87–140–002, ER87–159–002 and ER87–160–002, Boston Edison Company
CAP–17.
Docket Nos. ER81–177–004 and 005 (Phase I), Southern California Edison Company
CAP–18.
Docket No. ER80–363–010, Delmarva Power and Light Company
CAP–19.
Docket Nos. ER82–769–006 and 007, Minnesota Power & Light Company
CAP–20.
Docket No. ER87–183–000, Boston Edison Company
CAP–21.
Docket Nos. ER87–232–000 and ER87–122–001, Boston Edison Company
CAP–22.
Docket No. ER87–240–000, Carolina Power & Light Company
CAP–23.
Docket No. ER87–178–000, Utah Power & Light Company
CAP–24.
Docket No. ER85–459–001, Consolidated Edison Company of New York, Inc.
CAP–25.
Docket No. ER83–437–005, Commonwealth Edison Company
CAP–26.
Docket Nos. ER86–368–006, 007, 008, 012, 015, ER86–638–001, 002, 003, 004, 005 and ER86–709–003, El Paso Electric Company
CAP–27.
Docket No. ER85–720–001, Connecticut Light and Power Company
Docket No. ER85–689–001, Holyoke Water Power Company and Holyoke Power & Electric Company
Docket No. ER85–707–004, Western Massachusetts Electric Company

Consent Miscellaneous Agenda

CAM–1.
Docket No. RM87–7–000, Information to be made Available by Hydroelectric Licenses Under Section 4(a) of Electric Consumers Protection Act of 1986
CAM–2.
Docket No. RO86–34–000, Thriftway Company

Consent Gas Agenda

CAG–1.
Docket No. RP87–43–000, MIGC, Inc.
CAG–2.
Docket No. RP87–45–000, Transcontinental Gap Pipe Line Corporation
CAG–3.
Docket Nos. TA87–2–7–000 and 001 (PGA87–2), Southern Natural Gas Company
CAG–4.
Docket Nos. TA87–2–41–000 and 001, Southwest Gas Corporation
CAG–5.
Docket Nos. TA87–3–5–000, 001 and RP87–48–000, Midwestern Gas Transmission Company
CAG–6.
Docket Nos. TA87–3–33–000 and 001, El Paso Natural Gas Company
CAG–7.
Docket Nos. TA87–3–42–000 and 001, Transwestern Pipeline Company
CAG–8.
Docket Nos. TA87–4–21–000 and 001, Columbia Gas Transmission Corporation
CAG–9.
Docket Nos. TA87–4–34–000 and 001 (PGA87–3 and IPR87–3), Florida Gas Transmission Company
CAG–10.
Docket Nos. TA87–4–37–000 and 001, Northwest Pipeline Corporation
CAG–11.
Docket Nos. TA87–2–31–000 and 001 (PGA87–2 and IPR87–2), Arkla Energy Resources, a Division of Arkla, Inc.
CAG–12.
Docket No. RP87–42–000, Texas Gas Transmission Corporation
CAG–13.
Docket Nos. TA87–2–17–002 and 003, Texas Eastern Transmission Corporation
CAG–14.
Docket No. RP87–30–002, Colorado Interstate Gas Company
CAG–15.
Docket Nos. RP85–175–008 through 012, Transwestern Pipeline Company
CAG–16.
Docket No. TA87–1–29–003, Transcontinental Gas Pipe Line Corporation
CAG–17.
Docket No. RP87–17–000, East Tennessee Natural Gas Company
CAG–18.
Docket Nos. TA87–1–31–000 and 002, Arkla Energy Resources, a Division of Arkla, Inc.
CAG–19.
Docket No. RP85–209–008, United Gas Pipe Line Company
CAG–20.
Docket No. RP86–99–000, Granite State Gas Transmission, Inc.
CAG–21.
Docket Nos. ST86–1498–000, ST85–354–001 and ST87–310–000, SNG Intrastate Pipeline, Inc.

CAG–22.
Docket No. ST87–350–000, Cabot Pipeline Corporation
CAG–23.
Docket No. ST87–452–000, Five Flags Pipe Line Company
CAG–24.
Docket Nos. ST87–466–000, ST87–475–000 and ST86–2681–000, *et al.*, Delhi Gas Pipeline Corporation
CAG–25.
Docket No. CI86–372–001, Chevron U.S.A. Inc. and Texas Eastern Transmission Corporation
CAG–26.
Docket No. CI86–514–000, Mobil Oil Exploration and Producing Southeast Inc.
Docket No. CI86–675–000, Sun Exploration and Production Company
CAG–27.
Omitted
CAG–28.
Docket No. CI85–29–007, Odeco Oil & Gas Company
Docket No. CP83–452–048, Columbia Gas Transmission Corporation
Docket No. CI87–240–000, Diamond Shamrock Exploration Company and Diamond Shamrock Offshore Partners Limited Partnership
Docket No. CI86–33–002, Sun Exploration and Production Company
Docket No. CI86–19–004, Amoco Production Company
Docket No. CI87–265–000, Mesa Operating Limited Partnership
Docket No. CP85–710–005, Northern Natural Gas Company, Division of Enron Corporation
Docket No. CI87–292–000, Mobil Oil Corporation, Mobil Oil Exploration & Producing Southeast Inc., Mobil Producing Texas & New Mexico Inc. and Mobil Exploration and Producing North America, Inc.
Docket No. CI85–692–002, Cities Service Oil and Gas Corporation, CanadianOxy Offshore Production Company and Oxy Cities Service NGL Inc.
Docket Nos. CI86–371–001 and CI86–392–001, Southern Natural Gas Company
Docket No. CI87–301–000, Marathon Oil Company
Docket No. CI86–429–001, Phillips Petroleum Company
Docket No. CI85–695–003, TXP Operating Company
Docket No. CI87–308–000, ARCO Oil and Gas Company
Docket No. CI87–310–000, Shell Offshore Inc. and Shell Western E&P Inc.
Docket No. CI85–685–002, Exxon Corporation
Docket Nos CI86–278–002 and CI86–296–002, Transcontinental Gas Pipe Line Corporation and Transco Gas Supply Company
Docket No. CI86–22–002, Fina Oil and Chemical Company, Petrofina Delaware, Incorporated, Fina Oil & Gas, Inc. and Fina Exploration, Inc.
Docket Nos. CI86–370–002 and CI86–373–002 Texas Gas Transmission Corporation
Docket No. CI87–337–000, Pelto Oil Company
Docket No. CI86–535–001, Zapata Exploration Company
Docket No. CI87–348–000, Anadarko Petroleum Corporation, Pan Eastern Exploration Company, Matagorda Island Development Corporation, Matagorda Island Exploration Corporation and Pan Western Exploration Company
Docket No. CI86–39–002, Conoco Inc.
Docket No. CI86–46–002, Chevron U.S.A. Inc.
CAG–29.
Docket No. CP87–37–002, Philadelphia Electric Company, Complainant v. Transcontinental Gas Pipe Line Corporation, Respondent and Columbia Gas Transmission Corporation, Complainant v. Transcontinental Gas Pipe Line Corporation, Respondent
CAG–30.
Docket No. CP87–128–001, Transcontinental Gas Pipe Line Corporation
CAG–31.
Docket Nos. CP79–444–003 and CP81–474–003, Tennessee Gas Pipeline Company, a Division of Tenneco Inc.
CAG–32.
Docket Nos. CP76–492–041 through 044, CP85–282–002 through 004 and CP85–845–006 through 009, Penn-York Energy Corporation and National Fuel Gas Supply Corporation
CAG–33.
Docket No. CP84–252–001, Trans-Appalachian Pipeline, Inc.
CAG–34.
Docket No. CP82–342–003, Consolidated Gas Company of Florida v. Florida Gas Transmission Company
CAG–35.
Docket No. CP87–59–000, National Fuel Gas Supply Corporation
CAG–36.
Docket No. CP87–157–000, Iowa Public Service Company

I. Licensed Project Matters

P–1.
Reserved

II. Electric Rate Matters

ER–1.
Docket Nos. ER82–553–000 and ER82–554–000, Ohio Power Company. Opinion on recovery of cost of affiliate coal purchases.
ER–2.
Docket No. EL87–22–000, Vermont Yankee Nuclear Power Corporation. Order concerning reasonableness of a formula rate which includes a fixed equity return component.
ER–3.
Docket No. EL87–23–000, Connecticut Yankee Atomic Power Company. Order concerning reasonableness of a formula rate which includes a fixed equity return component.
ER–4.
Docket No. EL87–21–000, Yankee Atomic Electric Company. Order concerning reasonableness of a formula rate which includes a fixed equity return component.

Miscellaneous Agenda

M–1.
Reserved
M–2.
Reserved
M–3.
Docket No. GP87– ———, Conoco, Inc. Review of NGPA well category determination by the Minerals Management Service.
M–4.
Docket No. GP83–35–000, Southern Natural Gas Company. Petition for declaratory order concerning whether payments for deregulated gas constituted consideration for sales of regulated gas.

I. Pipeline Rate Matters

RP–1.
Docket No. RP82–56–000, Northwest Pipeline Corporation. Order on initial decision concerning Commission jurisdiction over gathering rates and proper rate for gathering services.
RP–2.
Omitted

II. Producer Matters

CI–1.
Docket Nos. CP73–184–002 and CI73–485–002, Colorado Interstate Gas Company and CIG Exploration, Inc. Order on initial decision concerning proper NGPA rate.
CI–2.
Docket Nos. CI87–132–000 and CI87–142–000, Tenneco Oil Company. Application for permanent and limited-term abandonments and blanket limited-term certificate.
CI–3.
Docket No. RI87–1–000, Exxon Corporation. Petition for declaratory order concerning deferral of recovery of contract price until market price exceeds maximum lawful price.

III. Pipeline Certificate Matters

CP–1.
Docket No. CP86–688–000, Iowa-Illinois Gas and Electric Company. Request for NGA section 7(f) service area determination; request for blanket certificate for transportation within that service area; and request for determination of status as local distribution company under NGPA section 311.
CP–2.
Docket No. GP87–16–000, Yukon Pacific Corporation. Request for declaratory order on NGA section 3 and 7 jurisdiction over proposed project to export Alaskan natural gas.

Kenneth F. Plumb,

Secretary.

[FR Doc. 87–6295 Filed 3–19–87; 11:28 am]

BILLING CODE 6717–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its open meeting held at 2:00 p.m. on Tuesday, March 17, 1987, the Corporation's Board

of Directors determined, on motion of Chairman L. William Seidman, seconded by Director C.C. Hope, Jr. (Appointive), concurred in by Director Robert L. Clarke (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of the following matter:

Recommendation regarding the liquidation of a bank's assets acquired by the Corporation in its capacity as receiver, liquidator, or liquidating agent of those assets:

Case No. 46,982-L
Republic Bank, Blanchard, Louisiana

By the same majority vote, the Board further determined that no earlier notice of this change in the subject matter of the meeting was practicable.

The Board further determined, by the same majority vote, that Corporation business required the withdrawal from the agenda for consideration in open session and the addition to the agenda for consideration at the Board's closed meeting held at 2:30 p.m. the same day, of a memorandum regarding proposed delegations of authority (Case No. 46,915-M)

In voting to move this matter from open session to closed session, the Board further determined, by the same majority vote, that the public interest did not require consideration of the matter in a meeting open to public observation; that the matter could be considered in a closed meeting by authority of subsection (c)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(c)(2)), and that no earlier notice of this change in the subject matter of the meeting was practicable.

Dated: March 18, 1987.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 87-6264 Filed 3-19-87; 10:59 am]

BILLING CODE 6714-01-M

FEDERAL DEPOSIT INSURANCE CORPORATION

Pursuant to the provisions of subsection (e)(2) of the "Government in the Sunshine Act" (5 U.S.C. 552b(e)(2)), notice is hereby given that at its closed meeting held at 2:30 p.m. on Tuesday, March 17, 1987, the Corporation's Board of Directors determined, on motion of Chairman L. William Seidman, seconded by Director C.C. Hope, Jr. (Appointive), concurred in by Director Robert L. Clarke (Comptroller of the Currency), that Corporation business required the addition to the agenda for consideration at the meeting, on less than seven days' notice to the public, of matters relating to the Corporation's corporate activities and to the possible closing of an insured bank.

The Board further determined, by the same majority vote, that no earlier notice of these changes in the subject matter of the meeting was practicable; that the public interest did not require consideration of the matters in a meeting open to public observation; and that the matters could be considered in a closed meeting by authority of subsections (c)(2), (c)(4), (c)(8), (c)(9)(A)(ii), and (c)(9)(B) of the "Government in the Sunshine Act" (5 U.S.C. 552b (c)(2), (c)(4), (c)(8), (c)(9)(A)(ii), and (c)(9)(B)).

Dated: March 18, 1987.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 87-6265 Filed 3-19-87; 10:59 am]

BILLING CODE 6714-01-M

SECURITIES AND EXCHANGE COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: [52 FR 6906 March 5, 1987]

STATUS: Closed meetings.

PLACE: 450 Fifth Street NW., Washington, DC.

DATE PREVIOUSLY ANNOUNCED: Friday, February 27, 1987.

CHANGE IN THE MEETING: Additional meetings.

The following item was considered at a closed meeting on Monday, March 9, 1987, at 5:30 p.m.:

Institution of injunctive action.

The following items were considered at a closed meeting on Wednesday, March 11, 1987, at 4:00 p.m.:

Report of investigation.
Regulatory matter bearing enforcement implications.

The following item was considered at a closed meeting on Thursday, March 12, 1987, at 5:30 p.m.:

Report of investigation.

Commissioner Grundfest, as duty officer, determined that Commission business required the above changes.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Patrick Daugherty at (202) 272-2149.

Jonathan G. Katz,

Secretary.

March 17, 1987.

[FR Doc. 87-6233 Filed 3-18-87; 4:09 pm]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of March 23, 1987:

Open meetings will be held on Monday, March 23, 1987, at 1:30 p.m. and on Thursday, March 26, 1987, at 10:00 a.m., in Room 1C30. A closed meeting will be held on Tuesday, March 24, 1987, at 2:30 p.m.

The Commissioners, Counsel to the Commissioners, the Secretary of the Commission, and recording secretaries will attend the closed meeting. Certain staff members who are responsible for the calendared matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at a closed meeting.

Commissioner Grundfest, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the open meeting scheduled for Monday, March 23, 1987, at 1:30 p.m., will be:

The Commission will hold a hearing as a part of its study of the use of the exemption in section 3(a)(2) of the Securities Act of 1933 for securities guaranteed by banks and the use of insurance policies to guarantee securities. That study is being conducted pursuant to section 105 of the Government Securities Act of 1986.

Interested individuals and organizations will discuss: (1) The use of the exemption in Section 3(a)(2) and its impact on investor protection and the public interest; (2) the impact of that exemption on competition among banks and insurance companies and domestic and foreign guarantors; and (3) whether and under what circumstances debt securities guaranteed by insurance policies should be exempt from registration. For further information, please contact Joan McKown at (202) 272-7526.

The subject matter of the closed meeting scheduled for Tuesday, March 24, 1987, at 2:30 p.m., will be:

Settlement of administrative proceeding of an enforcement nature.

Institution of administrative proceeding of an enforcement nature.

The subject matter of the open meeting scheduled for Thursday, March 26, 1986, at 10:00 a.m., will be:

1. Consideration of whether to adopt amendments to Rule 6e-3(T) under the Investment Company Act of 1940. The amendments would modify and clarify the conditions under which insurance company separate accounts are permitted to offer flexible premium variable life insurance contracts. For further information, please contact Joseph R. Fleming at (202) 272-3017.

2. Consideration of whether to issue a release to propose amendments to the shareholder communications rules to extend from 3 to 5 business days the time period in which a bank is to execute and provide notice of the execution of an omnibus proxy to respondent banks. Also, the Commission will consider whether to propose certain technical and clarifying changes to the shareholder communications rules. For further information, please contact Sarah A. Miller or Barbara J. Green at (202) 272-2589.

3. Consideration of whether to publish for comment proposed amendments to Regulation S-X that would require certified financial statements included in Commission filings to have been examined by an independent accountant who within the last three years has undergone a peer review of its accounting and auditing practice. For further information, please contact John Heyman at (202) 272-2130.

At times changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: Ida Wurczinger at (202) 272-2014.

Jonathan G. Katz,

Secretary.

March 16, 1987.

[FR Doc. 87-6234 Filed 3-18-87; 4:09 pm]

BILLING CODE 8010-01-M

Corrections

Federal Register
Vol. 52, No. 55
Monday, March 23, 1987

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents and volumes of the Code of Federal Regulations. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF COMMERCE

International Trade Administration

15 CFR Part 399

[Docket No. 70347-7047]

General License for Low Level Exports to Certain Free World Countries and Expansion of General License G-COM

Correction

In proposed rule document 87-5712 beginning on page 8265 in the issue of Tuesday, March 17, 1987, make the following correction:

§ 399.1 [Corrected]

On page 8267, in the second column, in amendatory instruction 9., in the second line of the third paragraph, "NOTE" should read "NOT".

BILLING CODE 1505-01-D

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[PP 5E3247/P409; FRL-3145-5]

Pesticide Tolerance for Paraquat

Correction

In proposed rule document 87-1356 beginning on page 2953 in the issue of Thursday, January 29, 1987, make the following corrections:

1. On page 2954, in the first column, in the fifth line, "1981" should read "1921".
2. On the same page, in the first column, in the 17th line from the bottom, "paraquate" should read "paraquat".
3. On the same page, in the second column, in the 12th line, "non-" should read "no-".
4. On the same page, in the second column, in the 17th line, after "12.5" insert "ppm (1.87 mg paraquat cation/kg/bw) (12.5, 37.5".
5. On the same page, in the second column, in the second paragraph, in the first line, "rate" should read "rat".
6. On the same page, in the second column, in the second paragraph, in the 11th line, after "as" insert ",".
7. On the same page, in the second column, in the 20th line from the bottom, "rates" should read "rat".
8. On the same page, in the second column, in the 18th line from the bottom, "though" should read "thought".
9. On the same page, in the second column, in the 17th line from the bottom, "contract" should read "contact".

BILLING CODE 1505-01-D

DEPARTMENT OF JUSTICE

28 CFR Part 601

Correction

In rule document 87-5064 beginning on page 7270 in the issue of Tuesday, March 10, 1987, make the following corrections:

1. On page 7271, in the first column, in the chapter heading, "Chapter V" should read "Chapter VI".

§ 601.1 [Corrected]

2. On page 7272, in the third column, the section designation "§ 601" should read "§ 601.1".

BILLING CODE 1505-01-D

federal register

Monday
March 23, 1987

Part II

Office of Personnel Management

Senior Executive Service Positions That Were Career Reserved During 1986; Notice

OFFICE OF PERSONNEL MANAGEMENT

Senior Executive Service Positions That Were Career Reserved During 1986

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: As required by the Civil Service Reform Act of 1978, this gives notice of all positions in the Senior Executive Service (SES) that were career reserved during 1986.

FOR FURTHER INFORMATION CONTACT: Charles Vaughn, Office of Executive Personnel, (202) 632–4486.

SUPPLEMENTARY INFORMATION: Below is a list of titles of SES positions that were career reserved any time in calendar year 1986, whether or not they were still career reserved on December 31, 1986. Section 3132(b)(4) of title 5, United States Code, requires that the head of each agency publish the list by March of the following year. OPM is publishing a consolidated list of all agencies.

U.S. Office of Personnel Management

James E. Colvard,

Deputy Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986

Agency/Organization	Career reserved positions
ACTION	
Office of Assistant Director Compliance.	Inspector General.
Office of Assistant Director for Financial Management.	Asst Dir for Financial Management.
Administrative Conference of the U.S	
Administrative Conference of the U.S.	Executive Director.
	General Counsel.
	Research Director.
Advisory Council on Historic Preservation	
OFC of the Exec Director.	Executive Director.
Department of Agriculture	
OFC of the Inspector General.	Asst Inspector General for Investigations.
Dep Asst Inspector General for Investigation.	
	Asst Inspector General for Audit.
	Asst Inspector General for Sec & Spec Oper.
	Asst Inspector General for Analysis and Eval.
Office of Operations	Director Office of Operations.
Farmers Home Administration.	Deputy Administrator for Management.
	Assistant Administrator, Finance Office.
	Asst Admr for Automated Info Services.
	Asst Admin for Planning, Budgeting & Finance.
	Asst Admr, Community and Business Programs.
Federal Crop Insurance Corporation.	Asst Mgr for Actuarial & Underwriting Services.
Agricultural Marketing Service	Deputy Administrator, Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, Fruit & Vegetable Division.
	Director, Cotton Division.
	Director, Dairy Division.
	Director, Livestock Division.
	Director, Tobacco Division.
	Agricultural Marketing SVC, Dir Poultry Div.
	Assoc. Deputy Administrator for Compliance.
	Director.
Animal & Plant Health Inspection Service.	Deputy Administrator for Management & Budget.
	Assoc Dep Administrator for Mgt. & Budget.
Veterinary Services	Asst Deputy Administrator, Domestic Programs.
	Asst Dep Admr, Inrnatl Prog, Vet Services.
	Dir Natl Veterinary Services Labs, Ames.
	Asst Dep Admr, Prog Plnng & Development.
	Director, Northern Region.
	Dir, S E Region, Veterinary Services.
	Director, Western Region.
	Director, South Central Region.
	Assistant Deputy Administrator.
	Dep Admr, Animal Damage Control.
Plant Protection & Quarantine Service.	Dir, Nat Prog Plan Staff, Plant Prot & Quarantine.
	Assist Dep Admin for International Programs.
	Director Northeastern Region.
	Director, South Central Region.
	Director, Western Region.
	Director, Southeastern Region.
Food Safety and Inspection Service.	Asst Deputy Admin Technical Services.
	Dep Admir-Administratrve Mgmt.
	Dir Northeast Region, Phila., PA.
	Regl Director, Atlanta Georgia.
	Dir, North Central Region, Des Moines, Iowa.
	Director, Southwestern Region, Dallas, Texas.
	Dir, Western Region, Alameda, California.
	Asst Dep Admr Comp & Staff Operations.
	Asst Deputy Admin Regional Operations.
	Assistant Deputy Admr Science FSQS.
	Deputy Administrator, Science.
	Dep Admr Interni Programs.
	Asst Dep Admr Administrative Management.
	Associate Deputy Administrator.
Food & Nutrition Service	Deputy Admin for Financial Management.
	Deputy Admr for Management.
Agricultural Stabilization & Conservation Service.	Accounting Officer.
Foreign Agricultural Service.	Asst Administrator, Management.
	Dir, Grain & Feed Div.
	Dir, Oilseeds & Prod Div.
	Deputy Assistant Administrator Export Credits.
	Dep Asst Admr, Interni Agric Statistics.
Agricultural Research Service.	Dep Admr for Adm Mgmt.
	Assoc Dep Admin for Administrative Management.
	Asst Adm for Cooperative Interactions.
National Program Staff Office.	Deputy Administrator National Program Staff.
	Assoc Dep Admr.
	Assoc Dep Admr. Natl Prog Staff.
Beltsville Area Office	Dir, Beltsville Human Nutrition Research Ctr.
	Director Beltsville Area Office.
North Atlantic Area Office.	Director, Eastern Regl Research Center.
	Dir, Plum Island Animal Disease Ctr.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, North Atlantic Area.
South Atlantic Area Office.	Research Leader-Forage and Turf Research.
	Res Leader-Plant Physio & Photosynthesis Res.
	Director South Atlantic Area.
Midwest Area Office	Dir, Northern Regional Research Center.
	Director, Natl Soil Erosion Res Laboratory.
	Dir Midwest Area.
	Dir Northern Regional Research Ctr.
Midsouth Area Office	Dir, Southern Regional Res Center, New Orleans.
	Director, Mid-South Area.
Northern States Area Office.	Dir, Grand Forks Human Nutrition Res Ctr.
	Director, Northern States Area.
Central Plains Area Office.	Dir Nat :L Animal Disease Ctr.
	Research Leader, Wheat Research.
	Director Central Plains Area.
Southern Plains Area Office.	Director, Southern Plains Area.
	Director, Conservation & Production Res Lab.
Mountain States Area Office.	Director, USDA Honey Bee Research Laboratory.
	Director Mountain States Area.
Northwest Area Office	Director, Northwest Region.
Pacific Basin Area Office.	Director, Western Regional Research Center.
	Research Leader—Fruit & Vegetable Chem Research.
	Director, U.S. Salinity Laboratory.
	Res Leader Natural Products Chemistry Res.
	Dir, Western Human Nutrition Research Center.
	Dir, Pacific Basin Area.
	Director, Plant Gene Expression Center.
Extension Service	Deputy Admin Management.
	Dep Admr, Home Economics & Human Nutrition.
	Dep Admr, Natural Resources and Rural Dev.
Office of Grants and Program Systems.	Administrator, Ofc of Grants & Prog Systems.
Soil Conservation Service.	Director, Engineering Division.
	Dir Ecological Sciences and Technology Divisi.
	Dep Chf for Administration.
	Dir, Consv Planning and App.
	Dir, Project Dev and Maint.
	Dir, Basis & Area Planning (Soil Conserv).
	Assoc Dep Chief for Administration.
	Dir, Soils (Soil Scientist).
	Dir, Land Treatment Program.
	Dir Information Resources Management.
	Dir South National Technical Center.
	Special Asst for Science & Technol.
	Dir Midwest National Technical Center.
Forest Service	Dep Chf for Administration.
	Associate Deputy Chief—Administration.
	Dir Forest Pest Mgmt Staff.
	Dir Fiscal and Accouting management.
	Director, Cooperative Fire Protection.
	Associate Deputy Chief for Administrator.
	Director, Fire and Aviation Staff.
Research	Director, Timber Mgmt Research Staff.
	Dir Insect and Disease Research Staff.
	Dir Forest Environment Research Staff.
	Director, Forest Resource Economics Staff.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Dir Forest Prod & Harvesting & Research Staff.
	Dir, Forest Fire & Atmos Sciences Res Staff.
Nat'l Forest System	Dir, Range Management Staff.
	Dir, Recreation, Mgmt Staff.
	Dir Timber Management Staff.
	Director, Engineering Staff.
	Director, Aviation and Fire Management Staff.
	Director Lands Staff.
	Dir Land Management Planning Staff.
	Dir, Wildlife & Fisheries Mgmt Staff.
	Dir, Minerals & Geology Staff.
	Dir, Watershed Mgt Staff.
State and Private Forestry	Dir of Area Planning & Dev Staff.
	Dir Cooperative Forestry.
Filed Units	NE Area Dir, State Private Forestry, U Darb.
	Dir Intermountain Forest & Range Exp Stat, Ogd.
	Dir N Eastern Forest Experiment Station.
	Dir, North Central Forest Exp Station.
	Dir, Pacific NW Forest & Range Exp Station.
	Dir, Pacific SW For & Range Exper Sta.
	Director Rocky Mt Forest & Range Exper Stat.
	Dir, S Eastern Forest Experiment Station.
	Dir, S. Forest Experiment Station, New Orleans.
	Director, Forest Products Laboratory.
	Dep Dir Forest Products Lab.
Economic Research Service.	Admr. Economic Research Service.
	Associate Administrator-Economic Rsch Svc.
	Director International Economics Division.
	Director National Economics Division.
	Dir, Natural Resource Economics Div.
	Director, Economic Development Division.
	Dep Admr/Planning & Organizational Relations.
	Deputy Administrator for Situation & Outlook.
Economics Management Staff.	Director, Economics Management Staff.
National Agricultural Statistics Services.	Admr. National Agricultural Statistics Serv.
	Deputy Administrator for Operations.
	Dir Estimates Div.
	Dir, Research and Applications Division.
	Dir. State Statistical Division.
	Deputy Administrator for Programs.
World Agricultural Outlook Board.	Chairperson.
Board for International Broadcasting	
Board Members	Dir for Research & Engineering.
Board Staff	Exec Director.
	Foreign Information Officer.
	Dep Exec Director/Director of Program Review.
Department of Commerce	
Office of the General Counsel.	Asst General Counsel for Finance & Litigation.
Ofc of Asst Secy for Administration.	Dep Asst Secy for Special Programs.
	Dir, Ofc of Finance & Federal Assistance.
Director for Management and Information.	Dir, Ofc of Information Resources Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Director for Procurement & Administrative Services.	Director for Procurement & Admin Services.
	Dep Dir for Procurement & Admin Services.
	Dir Ofc of Adm Serv.
	Dir, Ofc of Admin Services Operations.
Director Personnel and Civil Rights.	Director for Personnel and Civil Rights.
	Deputy Director of Personnel.
Director for Planning Budget and Evaluation.	Director, Office of Budget.
Ofc of the Under Secy for Economic Affairs.	Statistical Coord for the Under Sec/Eco Aff.
	Dir Office of Business Analysis.
	Supervisory Economist.
Bureau of Economic Analysis.	Director.
	Dep Dir, Bur of Economic Analysis.
	Assoc Dir for Natl Economic Accounts.
	Assoc Dir for Natl Analysis & Projections.
	Assoc Dir Regional Economics.
	Assoc Dir for Internat'l Economics.
	Chief Economist.
	Chf Statistician.
	Asst to the Director for Econometrics.
	Chf, Nat'l Income & Wealth Div.
	Chief, Current Business Analysis Div.
	Chief, Business Outlook Div.
Bureau of the Census	Dep Dir.
	Asst Director for ADP.
	Chief Data User Services Division.
	Chief, Technical Services Division.
	Assoc Dir for Management Services.
	Senior Program Analyst.
	Asst Dir for Administration.
	Chief Counsel.
	Chief Data User Services Division.
	Chief, Computer Services Division.
Demographic Fields	Associate Director for Demographic Fields.
	Asst Dir for Demographic Censuses.
	Chf, Population Div.
	Chf, Statistical Methods Div.
	Chief Demographic Surveys Division.
	Asst Dir for International Programs.
	Chief, Decennial Planning Division.
	Chief, Decennial Operations Division.
	Chf, International Statistical Programs Ctr.
Statistical Standards and Methodology.	Assoc Dir for Statistical Standards & Methodo.
	Chief Statistical Research Division.
Field Operations	Assoc Dir for Field Operations.
	Chf, Geography Div.
	Chief, Field Div.
	Chief Data Preparation Division.
Economic Fields	Associate Director for Economic Fields.
	Asst Dir for Economic & Agric Censuses.
	Chief, Agriculture Div.
	Chf, Business Div.
	Chf, Construction Statistics Div.
	Chf, Econ Surveys Div.
	Chf, Foreign Trade Div.
	Chf, Government Div.
	Chf, Industry Div.
	Chief Center for Economic Studies.
	Asst Dir for Economic Surveys.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Chf, Census Programming Division.
Institute for Telecommunications Sciences.	Assoc Admr for Telecomunications Science.
	Deputy Dir for Systems & Networks.
	Special Technology Liaison.
	Deputy Director for Spectrum.
Economic Development Administration.	Dir, Off of Public Works.
	Deputy Asst Secretary for Management Support.
	Director, Ofc of Plan, Techn Asst, Res & Eval.
	Deputy Director for Grant Programs.
Ofc of the Inspector General.	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigations.
	Deputy Assistant Inspector Gen for Auditing.
	Asst Insp Gen for Plng, Eval and Inspections.
	Counsel to the Inspector General.
	Dep Asst Insp Gen for Investigations.
	Technical Advisor to the Inspector General.
	Asst Inspector General for Auto Info Sys.
Ofc Dep Asst Secy for Cap Goods & Intl Const.	Dir, Office of Special Industrial Machinery.
Ofc of Dep Asst Secy for Basic Industries.	Dir, Ofc of Metals, Minerals and Commodities.
Ofc of Dep Asst Secy for Automotive Aff & Cons Gds.	Director Office of Consumer Goods.
Office of Controller	Director, Office of Budget and Finance.
	Dep Dir, Office of Budget and Finance.
Office of Administrative & Management Services.	Chief, Personnel Division.
National Marine Fisheries Service.	Chief, Management and Budget Staff.
Fisheries Centers	Dir NE Fisheries Ctr.
	Dir-SE Fisheries Ctr.
	Dir SW Fisheries Center.
	Dir NW and Alaska Fisheries Ctr.
Natl Environ Satellite, Data & Info Services.	General Physical Scientist.
	Chief, Systems Planning and Development Staff.
Dep Asst Admr for Information Services.	Dir, Natl Oceanographic Data Center.
	Dir, Assessment and Information Services.
	Deputy Director.
	Director, National Climatic Data Center.
	Dir, National Geophysical Data Center
Office of Sea Grant & Extramural Programs.	Dep Dir, OFC of Sea Grant & Extramural Progr.
Environmental Research Laboratories.	Dep Dir, Environmental Research Laboratories.
	Dir, Space Environment Laboratory.
Atlantic Oceanographic and Meteorological Labs.	Dir, Atlantic Oceanographic & Meteorological.
	Depy Dir Atlantic Oceanographic & Meteorologi.
Wave Propagation Lab	Director.
Aeronomy Lab	Director, Aeronomy Laboratory.
	Senior Scientist/Deputy Director.
Geophysical Fluid Dynamics Laboratories.	Director.
	Supervisory Rsch Meteorologist.
	Supervisory Rsch Meteorologist.
	Supervisory Rsch Meteorologist.
Great Lakes Environmental Research Lab.	Dir Great Lakes Environmental Research Lab.
National Severe Storms Laboratory.	Dir Nat'l Severe Storms Lab.
Air Resources Laboratory.	Director Air Resources Laboratory.
Pacific Marine Environmental Lab.	Dir Pacific Marine Environmental Lab

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Ocean Services & Coastal Zone Management.	Special Assistant to the Chief Scientist.
Ocean and Coastal Resources Management.	Spec Asst to Dir Ofc of Ocean & Coastal Res.
	Dir, National Maine Polution Programs Ofc.
Oceanography & Marine Services.	Chief, Ocean Systems Division.
	Chief, Ocean Resources Assessment Division.
	Chief, Ocean Services Division.
	Chf, Physical Oceanography Division.
National Ocean Service	Dir Geodetic Research & Development Lab.
	Assoc Dir Ofc of Aeronautical Charting & Cart.
	Chf, NOAA Charting Res & Devel Laboratory.
	Chief Geodesist.
National Weather Service.	Director, NOAA Data Buoy Office.
	Chief, International Affairs Staff.
	Dir, Transition Program Office.
	Dir, Nexrad Joint Systems Programs Ofc.
	Chief, Management and Budget Staff.
	Chf, External Relat & Indus Meteorology Staff.
	Chief, International Affairs Division.
	Chf, Ofc of the Fed Coordinator for Meteorolg.
	Chief, Policy and Long Range Planning Staff.
Office of Meteorology	Dir, Office of Meteorology.
	Chief Operations Division.
	Chf, Prog Requirements & Plng Division.
Office of Hydrology	Director, Office of Hydrology.
	Chief, Hydrologic Services Division.
	Chief, Hydrologic Research Laboratory.
Office of Systems Operations.	Dir, Ofc of Technical Services.
	Chf, Communications Division.
	Chief, Engineering Division.
	Chief AFOS Operations Division.
	Chief, Systems Operations Center.
	Chief, Systems Integration Division.
	Dir, Office of Systems Operations.
Office of Systems Development.	Director, Office of Systems Development.
	Chief, Integrated Systems Laboratory.
	Chief, Techniques Devel Laboratory.
	Chief, Advanced Systems Laboratory.
	Dep Dir, Office of Systems Development.
	Chf/Awi Interactive Processing System/1990's.
National Meteorological Ctr.	Director National Meteorological Center.
	Deputy Director.
	Director, Climate Analysis Center.
	Chief, Automation Division.
	Chief, Development Div.
	Chief Meteorological Operations Division.
Regional Offices & Centers.	Dir Southern Region, Ft Worth.
	Dir, Salt Lake City Region.
	Dir, Alaska Region, Anchorage.
	Dir Eastern Region Nws.
	Director Central Region.
	Dir, Natl Severe Storms Forecast Center.
	Director, Nat'l Hurricane Center.
National Bureau of Standards.	Assoc Dir for International Affairs.
	Tech Advisor to the Director.
	Chief, Program Office.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, Planning Ofc.
	Assoc Dir for Programs, Budget, and Finance.
	Dep Assoc Dir for International Affairs.
	Deputy Dir Office of Product Standards Policy.
National Measurement Lab.	Senior Science Advisor.
	Senior Mathematical Statistician.
	Group Leader Surface and Structure Kinetics.
	Chief, Molecular Spectroscopy Division.
	Chief Inorganic Analytical Research Division.
	Chief Gas and Particulate Science Division.
Deputy Director for Programs.	Deputy Director for Programs.
	Chief, Off of Environmental Mgmts.
	Director, Standard Reference Data.
	Prog Manager, Industrial Process Data.
	Director, Measurement Services.
	Chief, Office of Standard Reference Materials.
Center for Basic Standards.	Dir, Center for Basic Standards.
	Senior Research Fellow.
	Chief, Electricity Division.
	Mgr, Tech Applications of Measurement Stds.
Quantum Physics Dvision.	Senior Scientist & Fellow of Jila.
	Senior Research Scientist.
	Senior Scientist.
	Senior Scientist & Fellow of Jila.
	Senior Scientist & Fellow of Jila.
Time and Frequency Division.	Chief, Time and Frequency Division.
	Group Leader & Senior Scientist.
Center for Analytical Chemistry.	Director—Center for Analytical Chemistry.
	Deputy Director, Ctr for Analytical Chemistry.
	Scientific Asst to the Dir Ctr for Analytical.
Center for Radiation Reserach.	Dir Center for Radiation Research.
	Dep Dir, Ctr for Radiation Research.
	Chief, Atomic and Plasma Radiation Division.
	Chf, Radiation Source & Instrumentation Div.
	Chief Radiometric Physics Division.
Ionizing Radiation Division.	Chf, Nuclear Radiation Division.
	Physicist (Nuclear).
	Prin Scientist Nuclear Radiation Division.
Center for Radiation Research.	Physicist (Nuclear).
	Principal Scientist in X-Ray Physics.
	Group Leader for Far Ultraviolet Physics.
Institute for Materials Science & Engineering.	Dir Institute for Materials Science & Eng.
	De Dir, Institute for Materials Science & Eng.
	Senior Scientist.
	Group Leader for Fiberous Systems.
	Chf, Ofc of Nondestructive Evaluation.
	Chief, Metallurgy Div.
	Scientific Assistant to the Director.
	Manager, Cold Neutron Program.
	A/D for R/O, Instit for M/S and Engineering.
Fracture and Deformation Division.	Chf Fracture and Deformation Division.
	Chief Inorganic Materials Division.
Ceramics Division	Group Leader for Crystallography.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Grp Leader for Glass Tech Inorganic Materl Dv.
	Group Leader, Mechanical Properties.
	Chief Ceramics Division.
Polymer Science and Standards Division.	Physicist (Solid State).
	Chief, Polymers Division.
Reactor Radiation Division.	Chief, Reactor Radiation Division.
	Group Leader Neutron Condensed Matter Science.
Center for Chemical Physics.	Director Center for Chemical Physics.
	Deputy Director, Center for Chemical Physics.
	Quantum Chemistry Group Leader.
	Group Leader for Environ Chemical Process.
	Chief, Surface Science Div.
National Engineering Lab.	Assoc Dir for Technical Evaluation.
	Chief, Office of Sponsored Programs.
	Deputy Director for Nel Programs.
Center for Fire Research.	Director—Center for Fire Research.
	Chief, Fire Safety Techology Division.
	Chief, Fire Measurement & Research Division.
	Chief, Office of Fire Research Resources.
Center for Building Technology.	Dir, Center for Building Technology.
	Deputy Director, Center for Building Tech.
	Chief, Structures Division.
	Chief Building Physics Division.
	Chf, Building Materials Div.
	Chief, Building Equipment Division.
Ctr for Manufacturing Engring.	Dir, Center for Manufacturing Engineering.
	Chief, Precision Engineering Division.
	Chief Mechanical Production Metrology Div.
	Manager Ofc of Auto Manufacturing Tech Transf.
	Chief, Fabrication Technology Division.
	Chf, Thermophysical Properties Div.
	Chief, Thermophysics Division.
Center for Applied Mathematics.	Director, Center for Applied Mathematics.
	Deputy Director.
	Chf Statistical Engineering Division.
	Chief, Statistical Engineering Division.
	Chief, Scientific Computer Division.
	Assoc Dir for Computing.
	Chief, Operations Research Division.
	Chief, Mathematical Analysis Division.
Center for Electronics and Electrical Engring.	Dir, Ctr for Electronics & Electrical Eng.
	Chief, Electrosyterns Division.
	Chf-Electromagnetic Technology Division.
	Senior Research Scientist.
	Chief, Electromagnetic Fields Division.
	Chief, Semiconductor Electronics Division.
	Dep Dir, Ctr for Electronics & Electrical Eng.
Center for Chemical Engineering.	Deputy Director Ctr for Chemical Engineering.
	Director Center for Chemical Engineering.
	Chief Thermophysics Division.
Inst for Computer Sciences and Technology.	Dir Center for Programming Science & Techn.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Dir Center for Computer Systems Engineering.
	Chief, Systems & Network Architecture Div.
	Chief, Information Systems Engineering Div.
Patent and Trademark Administration.	Asst Commissioner for Finance and Planning.
	Assistant Commissioner for External Affairs.
Office of Assistant Commissioner for Patents.	Adm'r for Documentation.
Chemical	Group Director 110.
	Group Director 120.
	Group Director for 130.
	Group Director 150.
	Group Director for 260.
Electrical	Group Director 210.
	Group Director for 220/290.
	Group Director—230.
	Group Director 240.
	Group Director 250.
Mechanical	Group Director—310.
	Group Director—320.
	Group Director—330.
	Group Director—340.
	Group Director—350.
Office of Assistant Commissioner for Trademarks.	Chairman, Trademark Trail & Appeal Board.
	Deputy Asst Commissioner for Trademarks.
	Director, Trademark Examining Operation.
Commodity Futures Trading Commission	
Office of the General Counsel.	Assoc Gen Counsel (Opinions & Review).
	Deputy General Counsel (Litigation).
	Deputy General Counsel (Reg & Adm).
Office of the Executive Director.	Dep Exec Dir.
	Dir, Ofc in Information Resources Mgmt.
Division of Economics Analysis.	Dep Chf Economist.
	Chf, Analysis Section.
	Associate Director for Surveillance.
Division of Enforcement	Deputy Director (Western Operations).
	Deputy Director (Eastern Operations).
Division of Trading and Markets.	Deputy Director (Contract Markets).
	Chief Counsel.
Consumer Product Safety Commission	
Ofc of Executive Dir	Dir, Ofc of Prog Mgt.
	Director, Ofc of Budget, Prog Plan & Eval.
	Associate Executive Dir for Field Operations.
	Dir, Office of Program Management & Budget.
Office of Aed for Epidemiology.	Associate Exec Dir for Epidemiology.
Ofc of Aed for Compliance & Administrative Litigation.	Assoc Exec Dir for Compl & Admin Litigation.
Ofc of Aed for Administration.	Assoc Exec Dir for Adm.
Ofc of the Aed for Economics.	Associate Executive Director for Economics.
Ofc Secy of Defense	
Office of the Secretary	Asst to the Secy of Defense (Intel Oversight).
Ofc of Deputy Under Secy for Policy.	Dir, Counter Intel & Investigative Prog.
	Dir, Information Security.
	Dir, C/I Programs.
Ofc of Dep Asst Secy (Policy Analysis).	Assistant Director for Geophysical Science.
Director Operational Test and Evaluation.	Asst Dep Dir, Tactical & Elec Warfare Systems.
	Asst Dep Dir, Strategic, Space & C31 Systems.
	Deputy Director for Plans and Programs.
Ofc of Inspector General	Deputy Inspector General.
	Asst Inspector General for Audit Follow-up.
	Asst Inspector General for Investigations.
	Dir Internal Audit Oversight & Evaluation.
	Dir, Contract & Ext O/Sight and Evaluation.
	Dep Asst Inspector Gen for GAO Reports Analy.
	Director Major Acquisition Programs.
	Director Contract Audits.
	Asst Inspector General for Auditing.
	Asst Insp Gen for Criminal Invest Pol & Ovsht.
	Asst Inspector Gen for Audit Policy & Oversht.
	Dep Inspector Gen Prog Plng. Review & Mgt.
	Asst Dep IG for Prog Planning, Review & Mgnt.
	Dep Asst Inspector General (Audit-Followup).
	Dep Asst Inspector General for Auditing.
	Dir Financial Manpower & Security Asst Audits.
	Dep Asst Inspector Gen for Investigations.
	Assoc Director-Special Program Audits.
	Assoc Dir Intelligence and Communications Aud.
	Assoc Dir, Systems & Logistics Audits.
	Assoc Dir, Resources & Overseas Audits.
Ofc Dep Asst Sec (Civilian Personnel Policy & Req).	Dir Personnel Management.
	Deputy Director for Labor Management Relation.
	Dep Dir Compensation & Overseas Emply Policy.
	Dir for W/R, Training & Staffing Policy.
	Director, Personnel Management.
	Dep Dir C/E Stability, N/F Speical Projects.
Ofc of Dep Assist Secy (Force Management & Personnel).	Director, Accession Policy.
Office of Dep Assistant (EO & Safety).	Dir for Civilian Equal Opportunity Programs.
Ofc of Dir of DOD Dependents Schools.	Dir Pacific Region DODDS.
	Director, Germany Region.
Director, Planning & Evaluation.	Dir, Planning and Evaluation.
ODASD (Mobilization Planning & Requirements).	Assistant Director for Engineering.
Office Assistant Sec Health Affairs.	Dir, Defense Medical Systems Support Center.
	Das of Defense for Medical Resource Adm.
	Dep Dir, Def Medical Systems Support.
Ofc Director Weapons Support.	Dep Director Weapons Support.
	Dir Computer Aided Logistics Support Office.
Ofc Asst Secy (Production Support).	DASD (Production Support).
	Dir Standardization & Acquisition Support.
	Dir Industrial Resources.
	Dir Industrial Productivity.
	Dir, Industrial Productivity & Quality.
Ofc Dep Asst Secy (Procurement).	Dep Asst Sec of Defense (Procurement).
	Director Cost Pricing and Finance.
	Dir, Defense Acquisition Regulatory Systems.
	Director Major Systems Acquisition.
	Dir DOD Contract Studies & Mgmt Spt Services.
	Dir, Contract Policy and Administration.
	Deputy Director, Major Systems Acquisition.
Office of Assistant Secretary, Public Affairs.	Dir, Freedom of Information & Security Review.
Ofc of Dep Dir (Theater Assessments & Planning).	Assistant for Planning.
Ofc of Dep Director (Strategic Programs).	Dir Strat Def and Theater Nuclear Forces Div.
Washington Headquarters Services.	Director of Personnel and Security.
DASD Contract Audit Cost Control.	Dep Comptroller for Audit Policy.
	Director for Contract Audit Management.
Ofc of Under Secretary for Research and Engineering.	Spec Asst for Assessment & Exec Officer—DSB.
	Director, Program Control and Administration.
	Asst U/S of Def (Conv In) & Dir Conv In Prog.
	Exec Dir of the Def Science Board.
Ofc of Dep Under Secy (International Programs and Tech).	Asst Dep Under Secy of Def (Interni Progs).
	Special Assistant for Technology Transfer.
	Director, NATO Affairs.
	Dir Far East & Southern Hemisphere Affairs.
	Spec Asst for Internl Coop Matters & S T E.
	Asst Dep Under Secy of Def.
	ADUSD (Technology Cooperation & Planning).
	Spec Asst for MCTL & Long-Range Plnng Matters.
	ADUSD (NATO/European Affairs).
	ADUSD (Asia/Southern Hemisphere Affairs).
	ADUSD (International Programs & Technology).
Organization Abolished	Chairman, Defense Acquisition Subcouncil.
Office of the DUSD (Devel, Test & Evaluation).	Dep Dir (Strategic & Naval Sys Div).
	Dep Dir for Test Facilities and Resources.
	Staff Spec for Strategic & Naval Warfare Sys.
	Deputy Director, Test Facilities & Resources.
	Deputy Director, Strategic Naval & C3I Syst.
	Asst Deputy Under Secretary of Defense (LFT).
Ofc of Dep Under Secy for Research and Advanced Tech.	Dir (Engineering Technology)
	Staff Specialist for Vehicle Propulsion.
	Staff Specialist for Materials & Structures.
	Staff Spec for Elec Warfare and Target ACQ.
	Staff Specialist for Weapons Technology.
	Staff Specialist for Search and Surveillance.
	Staff Specialist for Research.
	Dir, Very High Speed Integrated Cir & Elec De.
	Dir, Environmental & Life Sciences.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Staff Spec/Mobility, Logistics & Adv Concepts.
	Dir, Research & Laboratory Management.
	Adusd (Research and Advanced Technology).
	Dir, Computer & Electronics Technology.
Organization Abolished	Dir, Research & Technical Information Ofc.
Organization Abolished	Director, Cumputer Software and Systems.
	Staff Specialist for Software Tech (A&RS).
Ofc of Dep U/Secy Strategic & Theater Nuclear Forces.	A/D Under S/D (Offensive & Space Systems).
	A/D Under S/D (Defensive Systems).
	A/D Under S/D (Strategic Aeron & Theater N/S.
	Staff Specialist for Space & Advanced Systems.
	Staff Spec for Techn & Analysis (Off Sys).
	A/D Under S/D (Start & Arms Control).
	Staff Spec for Ball Missile Def Sys.
	A/D Under Secy of Def (F/A, Concepts & Plans).
Ofc of Dep Under Secy Tactical Warfare Progs.	Asst Dep Under Secy of Def (Land Warfare).
	Asst Dep Under Secy of Def (Air Warfare).
	Asst Dep Under Secy of Def (NW and Mobility).
	Staff Spec, for Interdiction/Naval Strike.
	Staff Specialist for Ground Air Defense Sys.
	Staff Spec Close Air Sup/Battlefield Int.
	Staff Specialist for Antisub & Mine Systems.
	Staff Specialist for Air Mobility.
	Stf Spec for Naval Proj & Anti-Air Systems.
	Director, Office of Munitions.
	Staff Spec Intertheater & Intertheater Mobil
	Staff Specialist for Propulsion.
	Asst Dep Under Secy of Def (Land Warfare).
	Dir, Ofc of Conventional Initiatives.
	Spec Asst for C/F Modernization Assessment.
Office of Dep Asst Secy of Defense (C3).	Staff Spec for Switched & Spec Purpose Comm S.
	Staff Specialist for Tactical Command & Contr.
	Director, Information Systems.
	Dir Theater & Tactical Commun Command & Contr.
	Dir Strategic & Theater Nuclear Forces C3.
	Assistant Director, Electronic Combat Systems.
	Dir Special Warfare Systems.
	Asst Director, Special Operations Technology.
	Asst Dir for Elec Combat C3 Countermeasures.
	Director, Special Operations.
	Dir, Electronic Combat & Special Systems.
	Staff Asst S/C, Control & Communications.
	Spec Asst for C3 Mobilization.
Office of Dep Asst Secy of Defense (Intelligence).	Director, Tactical Intelligence Systems.
	Director National Intelligence Systems.
	Sr Scientist for Natl Intelligence Systems.
	Senior Scientist for Tactical Intell Systems.
	Director Tactical Intelligence.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Ofc of Asst Dep Under Secy of Def (Systems Integration).	Director, Intelligence Resources.
Defense Advanced Research Projects Agency.	Special Assistant to the Director, DARPA.
	Deputy Director, Darpa.
	Chief Scientist.
Technology Assessment & Long Range Planning Office.	Dir, Technol Assessment & Long Range Plng Ofc.
	D/Dir, Tech Assessment & Long Range Plnng Ofc.
Tactical Technology Office.	Dir-Tactical Technology Office.
	Dep Dir Tactical Technology Office.
	Assistant Director for Air Warfare.
	Assistant Director for Land Warfare.
Aero Space Technology	Director, Aero-Space Technology Office.
	Deputy Director Aero-Space Technology Office.
Information Science & Technology Office.	Assistant Director, Electronics Sciences.
	Deputy Director IPTO.
	Assistant Director for Computer Systems.
	Spec Asst Strategic C/E Dir, I/S & Techn OFC.
Organization Abolished	Dir, Engineering Applications Office.
	Deputy Director, Engineering Applications OFC.
Naval Technology Offices.	Dir, Naval Technology Office.
Defense Sciences Office	Dir Defense Sciences Office.
	Assistant Director for Materials Sciences.
	Asst Dir for Advanced Systems Technology.
Strategic Technology Office.	Dir-Strategic Technology Office.
	Dep Dir, Strategic Techn OFC.
	Assistant Director for Geophysical Sciences.
	Asst Dir for Advanced Systems Research
Office of the Joint Chiefs of Staff.	Director, Defense Plans Division.
	Dep Joint Requir Inttegrat Mgr/Sci Tech Adv.
Strategic Defense Initiative Organization.	Asst Dir for Concepts & Integration.
	Asst Dir for Technology.
	Assistant Director for Interceptors.
	Assistant Director for Technology.
	Asst Dir for Syst Concepts & Architecture.
	Asst Dir for Sensors Demonstrations.
	Assistant Director for Sensor Technology.
	Asst Dir for Intelligence.
	Deputy Director, Resource Management.
Defense Contract Audit Agency.	Director, DCAA.
	Director, DCAA.
	Deputy Director, DCAA.
	Asst Dir. Operations & Professional Deve.
	Asst Dir. Policy & Plans.
	Director, Field Detachment.
Regional Managers	Regional Director, Atlanta.
	Regional Director, Boston.
	Regional Director, Chicago.
	Regional Director, Los Angeles.
	Regional Director, Philadelphia.
	Regional Director, San Francisco.
Defense Logistics Agency.	Special Asst for Integrity in Contracting.
	Chief Actuary.
Directorate for Contract Management.	Executive Directive, Contract Management.
	Chief, Plans, Policies & Systems Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Directorate of Quality Assurance.	Dep Exec Dir, Quality Assurance.
Ofc of Staff Dir-Small & Disadvantaged Business Util.	Staff Dir, Small & Disadv Busin Utilization.
Office of Civilian Personnel.	Staff Director, Personnel.
	Deputy Staff Director, Personnel.
Ofc of Telecommunications & Information Systems.	Chief, Adp & Telecomm Technology Division.
	Chief, AIS Development & Control Division.
Directorate of Contracting.	Executive Director, Contracting.
	Chief, Contracts Division.
Directorate of Tech & Logistics Services.	Chf, Property Disposal Div.
Defense Personnel Support Center.	Exec Dir, Acquisition Mgmt, Plan & Supp.
Ofc of Associated Director for Eng and Technology.	Chief Engineer.
Special Programs Organization.	Dep Dir, Special Programs Organization.
	Spec Asst to the Dir, Spec Prog Organization.
	Dir, Special Programs Organization.
National Communications System.	Deputy Manager, Natl Communications Systems.
	Asst Mgr, NCS, for Technology & Standards.
	Asst Mgr, NCS, Plans & Operations.
	Scientific Advisor for Operations Research.
Center for Command Control & Communications (C3) Sys.	Deputy WWMCCS Engineer—Europe.
	Dep Dir, MTL Satellite Communication System.
	Deputy Director Switched Network Engineering.
	Dir, Planning & Systems Integration Center.
	Assoc Dir NMCS/WWMCCS Engineering Integration.
	Dep Dir, Command & Control Sys Organization.
	S/A to the Dir, CPSI for Satellite Com Sys.
	S/A to the Dir, CPSI for NATO & Intern'l C3.
	Asst Dir For Prog Development & Coordination.
	Spec Asst to Dir, Ctr for C3 Int Dig Arch.
Defense Communications System Organization.	Dep Dir, Comm System Organization.
	Program Manager, Defense Switched Network.
	Deputy Director for DCS Integration.
	Assoc Deputy Director, DCS Data Systems.
Defense Communications Engineering Center.	Chf Interoperability & Standards Div.
	Associate Deputy Director, Switched Systems.
	Dir, Def Communications Engineering Center.
Office of Comptroller	Deputy Director, Resource Management.
Joint Data Systems Support Center.	Director, Joint Data Systems Support Center.
	Tech Dir, WWMCCS Adp Technical Supt Direct.
	Asst Dep Dir for Computer Services.
	Deputy Director, NMCS Adp Directorate.
Office of the Director	Dir, Acquisition Management.
Office of Deputy Director Science & Technology.	Dep Dire (Science & Technology)

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
	Scientific Asst to Dep Dir (Science and Tech).
	Asst to Dep Dir (Sci & Tec) for Theoretical R.
	Asst to the D/D (Sci & Technol) for Exper Res.
	Chf, Strategic Structures Division.
	Chf, Aerospace Sys Div.
	Chief, Atmospheric Effects Division.
	Scientific Advisor to Director (AFRRI).
	Chf, Electromagnetic Pulse Eff Div.
	Chief, Lethality Hardening Division.
	Chief, Electronics Vulnerability Division.
D M A Headquarters	Dep Dir for Systems & Techniques.
	Dep Dir, Mngmt & Technology.
	Dep Dir for Progs, Prod & Opers.
	Asst Dep Dir for Plans and Requirements.
	Chief, Advanced Technology Division.
	Director of Personnel.
	Asst Deputy Dir for Programming.
	Asst Deputy Dir for Production and Distributi.
	Dir, Spec Prog Ofc for Exploitation Modern.
	Associate Deputy Director for Hydrography.
	Dep Dir, Spec Prog Ofc Exploit Modernization.
	Director for Acquisition.
	Chief, Advanced Technology Division.
	Dep Dir for Progs, Production & Operations.
Dma Field Activities	Tech Dir, DMA Aero Center.
	Tech Dir, DMA Hydrographic Topographic Center.
	Dep Dir for Prog, Prod & Operations DMA Htc.
	Dep Dir for Progs, Production and Operations.
	Dir, DMA Ofc of Telecommunications Services.
	Dir, DMA Special Production Program Office.
	Chief, Data Services Department.
	Chief, Data Services Department.
	Chief, Technical Integration Division.
	Tech Dir, Dep Ofc of Distribution Serv.
Defense Investigative Service.	Dir, Defense Investigative Service.
	Deputy Director (Investigations).
	Dep Dir (Industrial Security).
Department of Air Force	
Office of the Secretary	Administrative Assistant to the Secy.
	Dep Adm Asst.
Ofc of Small & Disadv Bus Utilization.	Dir, Ofc of Small & Disadv Bus Utilization.
Office of Special Projects.	Deputy for Contracting.
ODAS M/P Res & Military Pers.	Dep for Air Force Review Boards.
ODAS Installations Environment & Safety.	Deputy for Installations Management.
ODAS Acquisition Management.	Dep for Acquisition.
	Dep for Programs & Production.
ODAS Logistics & Communications.	Dep for Supply & Maintenance.
	Dep for Transportation & Civil Aviation.
Office of Assistant Secretary, Financial Management.	Deputy Assistant Secretary (Acct and Audit).
Office, Asst Vice Chief of Staff.	Chief Office of Air Force History.
Director of Administration.	Chief, Publishing Div.

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
Asst Chief of Staff for Information Systems.	Associate Director (Technical).
	Asst to the ACS Sys for Command Comm & Comput.
Ofc of Dep Chief of Staff, Logistics and Engineering.	Assoc Dir for Logistics Plans & Programs.
	Assoc Dir of Maintenance Engineering & Supply.
	Assoc Dir for Engineering & Services.
	Chief Modification & O&M Programs Division.
	Chief Combat Support Programs Division.
	Deputy Director for Programs.
	Deputy Director for Construction.
Office of Dep Chf of Staff, Res & Dev and Acquisition.	Assoc Dir Contracting & Manufacturing Pol.
	Deputy Competition Advocate General.
Special Advisory Group	Special Advisor.
Office of the Inspector General.	Dep Asst Inspector Gen/Spec Investigations.
Director of Civilian Personnel.	Dir of Civilian Personnel.
	Deputy Director of Civilian Personnel.
	Deputy Director of Personnel Management.
	Deputy Director for Plans and Requirements.
	Dep Dir for Work Force Effectiveness.
Office of Deputy Chief of Staff, Comptroller.	Dep Comptroller.
Director of Management Analysis.	Assoc Dir of Mgmt Analysis.
Director of Budget	Deputy Director of Budget.
	Asst Dep Dir of Budget (Operations).
	Chief Budget Management Division.
	Chf, Investment Appropriation Div.
Air Force Cost Center	Dep Director of the Cost Cntr & Research.
National Guard Bureau	Spec Asst to the Chief, Ngb.
Office of the Commander.	Command Competition Advocate.
DCS Contracting & Manufacturing.	Prin Asst/Contracting & Manufacturing.
	Technical Director, Manufacturing & Ind Prep.
	Dir Contract Clearance & Policy Development.
DCS Personnel	Director of Civilian Personnel.
DCS/Product Assurance and Acquisition Logistics.	Technical Director, Product Assurance.
Deputy Chief of Staff/ Comptroller.	Asst to the DCS/Comptroller.
DCS/Development Plans	Asst Dep Chief of Staff/Plans and Programs.
DCS/Systems	Tech Dir, Dep Chf of Staff/Systems.
AF Ofc of Scientific Research.	Tech Director AF Ofc of Scientific Research.
Air Force Space Technology Center.	Asst Dep for Procurement & Manufacturing.
Air Force Weapons Laboratory.	Techn Dir (Physical Optics, Lasers, Prototype).
Aeronomy Division	Ch. Atmospheric Structure Br.
Space Physics Division	Dir, Space Physics Div. AFGL.
Optical Physics Division	Dir Optical Physics Division.
Air Force Rocket Propulsion Laboratory.	Dir, Solid Rocket Div.
Air Force Space Technology Center.	Deputy Director (AFSTC).
Electronic Systems Division.	Deputy (Acquisition Logistics & Techn Oper).
	Asst Dep for Contracting & Maufacturing.
	Assistant Deputy Commander/ Tactical Systems.
	Asst Dep for Strategic Systems.
	Dep Comm for Intel C3 Countermeas & Supp Sys.
Rome Air Development Center.	Director (Plans).

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
	Techn Dir (Intelligence & Reconnaissance).
	Technical Director (Communications).
	Technical Dir (Surveillance).
	Technical Director (Command & Control).
Aeronautical Systems Division.	Deputy Comptroller.
	Director (Mission Analysis).
Dep for Proc and Manufacturing, ASD.	Asst Deputy for Contracting & Manufacturing.
Deputy for Tactical Systems.	Asst Deputy (Deputy for Tactical Systems).
Deputy for Propulsion	Asst Dep for Prog (Dep for Propulsion).
Dep for Engineering, ASD.	Technical Dir Support Systems Engineering.
	Technical Dir Avionics Engineering.
	Technical Director, Deputy for Avionics.
	Techn Dir, Flt Systems Engineering.
	Director of Engineering Tactical Systems.
	Engineering Advisor Product Assurance Engr.
	Dir Engineering Propulsion Systems.
Systems Engineering Office, ASD.	Director of Engineering (F-16).
	Dir of Eng Reconnaissance & Elec Warfare Sys.
	Director of Engineering (Airlift Trainer Sys).
	Director of Engineering (Strategic Systems).
	Dir of Engineering (Advanced Technol Bomber).
Materials Laboratory, AFWAL.	Dir, Metals & Ceramics Div.
	SR Sci Organic Chemistry.
	Dir Manufacturing Technology Division.
	Dir, Nonmetallic Materials Dn.
Aero Propulsion Laboratory, AFWAL.	Dir, Turbine Engine Div.
Armament Division	Technical Advisor.
Foreign Technology Division.	Technical Director (Aerospace Systems).
	Technical Director (Senoir Data).
	Technical Director (Technology and Threat).
USAF School of Aerospace Medicine.	Research Director (Crew Technology)
Aerospace Medical Research Lab.	Dir, Toxic Hazards Div.
	Director Human Engineering.
Air Force Human Resources Lab. AMD.	Chief Scientist.
Air Force Flight Test Center.	Techn Dir (Engineering).
Hq Air Force Contract Management Division.	Assistant for Contract Administration Service.
Air Force Logistics Command.	Asst DCS-Comptroller.
	Asst Dep Chf of Staff, Maintenance.
	Chairman AF Logistics Command Procur Committ.
	Assistant DCS/Plans & Programs.
	Director of Civilian Personnel.
	Asst Deputy Chief of Staff.
	Deputy Asst to the Commdr-Interni Logistics.
	Asst Deputy Chief of Staff, Material Mgt.
	Director Acquisition Logistics.
	Asst Deputy Chief of Staff Logis Magnt System.
AF Acquisition Logistics Div.	Asst to the Commander AFALD.
	Asst to the Commander, Logistics Oper Center
	A/D Aeronautical Prog AF Acquisition Log Ctr
Air Logistics Center, San Antonio.	Dep Dir, Directorate of Maintenance

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Dep Dir, Material Mgt. San Antonio Log. Ctr.
	Dep Director, Contracting and Manufacturing.
Air Logistics Center, Oklahoma City.	Dep Dir, Directorate of Materiel Mgmt.
	Dep Dir, Directorate of Maintenance.
	Dep Director, Contracting and Manufacturing.
Air Logistics Center, Warner Robins.	Deputy Director, Directorate of Materiel Mgt.
	Deputy Dir, Dir of Maintenance.
	Dep Director, Contracting and Manufacturing.
Air Logistics Center, Ogden.	Dep Dir, Directorate of Maintenance.
	Deputy Director, Directorate of Materiel Mgt.
	Dep Dir Contracting & Manufacturing.
Air Logistics Center, Sacramento.	Dep Dir Directorate of Materiel Management.
	Dep Dir, Directorate of Maintenance.
	Dep Director Contracting & Manufacturing.
Organization Abolished	Dep to the Commdr Aerospace Guid Metro Ctr.
Air Force Audit Agency	The Auditor General of the Air Force.
	Director of Field Activities.
	Director of Operations.
	Director of Forces and Support Management.
	Dir, Acquisition & Logistics Systems.
Air Force Electronic Security Command.	Asst to the Commander.
Air Force Communications Command.	Technical Director.
Military Airlift Command	Asst Dep Chf of Staff/Air Transportation.
Strategic Air Command	Chief, Operations Analysis Division.
	Chief, Applied Reseearch Division.
Tactical Air Command	Chief Scientist Tactical Air Warfare Ctr.
Headquarters, Pacific Air Force.	Chief, Operations Analysis.
U.S. Air Forces in Europe.	Director of Civilian Personnel.
SHAPE Technical Center.	Chief, Information Systems Division, NATO.
	Director, SHAPE Technical Centre.
	Deputy Director.
Space Command/ NORAD.	Senior Space Scientist.
Dep Chf of Staff, Plans & Programs.	Senior Scientific and Technical Advisor.
AF Operational Test and Eval Center (AF OTEC).	Scientific Advisor (Test & Evaluation).
Air University	Director of Academic Affairs.
Joint Electronic Warfare Center (JEWC).	Technical Director.
Air Force Commissary Service.	Deputy to the Commander, AF Commissary Serv.
Directorate of Accounting & Finance.	Dep Dir, Acctng & Finance.
	Director of Plans & Systems.
Joint Program Management Office (JPMO).	Technical Director.
AF Engrg and Services Center (Field).	Technical Director.
	Technical Director.
Organization Abolished	Chf Ofc of Civilian Personnel Opers.
U.S. Central Command	Scientific Advisor.
Department of Army	
Office of the Under Secretary.	Operations Research Analyst.
	Chf, Opers Res Grp for Forces & Readiness.
	Operations Research Analyst for Systems.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Opers Research Analyst for Cmd, Cont. C & I.
Ofc of the Administrative Assistant.	Adm Asst to the Secy of the Army.
	Dep Administrative Assistant.
	Director, Defense Supply Service—Washington.
OASA Research Development and Acquisition.	Director Acquisition Management Review Agency.
ODASA Acquisition	Dep for Materiel Acq Mgmt.
	Dep for Procurement Policy.
ODASA Management and Programs.	Deputy for Program Evaluation.
	Dep for Management and Programs.
	Deputy for Programs.
	Deputy Asst Secretary (Systems Management).
Ofc of Asst Secretary (Installations & Logistics).	Deputy Assistant Secretary of Army (Log).
	Dep/Prog & Commer Activ/ Commer Activ Agency.
Off of Asst Secretary, Manpower & Reserve Affairs.	Dep A/S of the Army (Rev Bds & Personnel Sec).
Ofc of Asst Secretary Civil Works.	Dep for Program Planning Review & Evaluation.
	Deputy for Management and Budget.
	Dep for Policy, Plng & Legislative Affairs.
Office, Assistant Chief of Staff, Intelligence.	Spec Asst to the Acsi.
	Dep Director Foreign Sci & Technology Center.
	Director Missle Intelligence Agency.
Ballistic Missle Def Sys Command.	Chief, Contracts Office.
	Project Manager, ER-VIS Project Office.
	Project Manager.
	D/S Lethality & Key Technologies Directorate.
Ballistice Missile Def Adv Techn Ctr.	Dir Technology Analysis Directorate.
	Dir Discrimination Directorate.
	Dir Missle Directorate.
	Director Radar Directorate.
	Dir-Data Processing Directorate.
	Director Optics Directorate.
	Director, Directed Energy Weapons Directorate.
Chf Scientist & Director of Army Research.	Asst Director for Research Programs.
	RDA Analysis Officer.
	Asst Dir Technology Planning.
	Director of Army Research & Technology.
	Assistant Director, Laboratory Management.
	Assistant Director, Research.
Dir of Combat Support Systems.	Assistant Director Technology Assessment.
	Assistant Director Threat Integration.
Dir of Weapons Systems	Physical Scientist (Aerospace Engr).
Office, Dep Chief of Staff for Personnel.	S/A to Dep Chf of Staff/Personnel/Manprint.
Directorate of Civilian Personnel.	Director of Civilian Personnel.
	Dep Director Ofc Civ Personnel.
	Chief, Staffing, Career Mgmt & Training Ofc.
Civilian Personnel Center.	Chief, Civilian Personnel Center.
Army Research Institute for Behavioral & Social Sciences.	Dir, Systems Rsch Lab & Assoc Dir Ari.
	Dir, Trng Res Lab & Assoc Dir, Ari.
	Dir, Manp & Pers Res Lab & Assoc Dir, Ari.
Dir Manpower Plans and Budget.	Dep Dir Manpower Plans and Budget.
Office, Deputy Chief of Staff for Logistics.	Asst Director for Supply Mgmt.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Asst Dir of Resources and Mgmt.
	Asst Dir for Maintenance Mgmt.
	Spec Asst to Dcslog & Chf Av Log Ofc.
	Chief Security Assistance Policy Coord Ofc.
	Asst Dir for Transportation.
	Asst Dir for Energy & Troop Support.
	Chief, Contracting Policies and Procedures.
	Dep to the Commander, Troop Support Agency.
	Chf, Contracting Policies & Procedures.
Office of the Comptroller of the Army.	Dep Comptroller.
	Director of Cost Analysis.
	Deputy Director of Operations & Maintenance.
	Director of Resource Management.
	Director, Resource Management Systems.
Finance and Accounting Center.	Dep Cmdr US Army Finance & Acctng Ctr.
	Army Internal Control Program Administrator.
Director of Army Budget	Deputy Director.
	Dep Dir of Army Budget for Budget Management.
Army Audit Agency	The Auditor General, U.S. Army.
	Deputy Auditor General.
	Director, Logistical & Financial Audits.
	Director, Acquisition & Systems Audits.
	Dir Personnel and Force Management Audits.
	Dir Audit Policy Plans and Resources.
	Regional Auditor General (European Region).
Ofc Dep Chf of Staff for Operations & Plans.	Tech Adv to Dep Chf of Staff for Opers & Plan.
Directorate of Command, Control, Comms & Computers.	Dep Asst of Staff Automation and Comms.
	Army Spectrum Manager.
US Army Computer Systems Command.	Dir, Army Mgmt Systems Support Agency.
US Army Nuclear & Chemical Agency.	Technical Director.
Concepts Analysis Agency (OCSA).	Assistant Dir for Res and Analysis Support.
Army Center of Military History.	Chief Historian.
Army War College	Director of Academic Affairs.
U.S. Army Med Res Inst of Infectious Dis, Ft Detrick MD.	Deputy for Science.
Training and Doctrine Command (TRADOC).	Scientific Advisor.
	Scientific Advisor.
	Dep Chief of Staff for Persnl Admin Logistics.
	Asst Deputy Chief of Staff for Resources Mgmt.
Combat Developments Experimentation Command.	Dir, USA Combat Develop Experimentation Ctr.
TRADOC Operations Research Activity.	Director, TRADOC Operations Research Activity.
US Army TRADOC Systems Analysis Activity.	Dir US Army TRADOC Systems Analysis Activity.
TRADOC Combined Arms Test Facility.	Scientific Advisor.
Military Traffic Mgmt Commd.	Special Assistant for Transportation Engr.
U.S. Army Forces Command.	Civilian Personnel Director.
	Deputy Comptroller.
U.S. Army Corps of Engineers.	Chief, Office of Personnel.
	Spec Asst. to the Chf of Engin for Internl Aff.
	Deputy Director, Resource Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Ofc. Asst Chf of Engineers.	Chief, Programming Div, Ace.
Directorate of Civil Works.	Chf-Ofc of Policy.
	Chf, Programs Div.
	Chf-Planning Division.
	Chief Operations & Readiness Division.
Water Resources Support Center.	Chief Dredging Division.
Directorate of Engineering & Construction.	Dep/Dir Engineering and Construction.
	Chf, Operations & Maintenance Div.
	Deputy Chief Construction Division.
	Chief Construction Division.
	Chief Engineering Division.
Board of Engineers for Rivers and Harbors.	Tech Dir, Bd Engr Rivers and Harbors.
Institute for Water Resources.	Director Institute for Water Resources.
Planning Divisions, COE	Chf Planning Div, Ohio River Div.
	Chf Planning Div, No Pacific Div.
	Chf Planning Div, South Atlantic Div.
	Chief, Planning Div Lower Miss Valley Div.
	Chf Planning Div, Mo River Div.
	Chf, Planning Div, South Pacific.
	Chief Planning Div, N. Atlantic Div.
	Chf Planning Div-Southwestern Div.
	Chf Planning Dir North Central Div.
Engineering Divisions, COE.	Chief, Engineering Div., Ohio River Div.
	Chief, Engineering Div, Southwestern Div.
	Chief, Engineering Div., N. Central Div.
	Chief, Engineering Div., S. Pacific Div.
	Chief, Engineering Div, N. Atlantic Div.
	Chief, Engineering Div, S. Atlantic Div.
	Chief Engineering Division.
	Chief, Engineering Div Middle East.
	Chief, Engineering Div, Missouri River Div.
	Chief, Engineering Div, North Pacific Div.
	Chief, Engineering Div, Pacific Ocean Div.
	Chief, Engineering Div, Europe Div.
	Chief, Engineering Div, Huntsville Div.
	Chief Construction Operating Division.
Construction Divs-COE	Chf Construction Div, Middle East.
	Chief, Construction-Operation Div.
	Chief, Construction-Operations Div S. Western.
	Chief, Construction-Operations Div Ohio River.
	Chief, Construction-Operations Div, Lr. Ms. Val.
	Chief, Construction Operations Division.
	Chf, Construction-Operations Division.
	Chief, Construction-Operations Division.
Office of Dcs for Information Management.	Deputy Chief of Staff for Information Mgmt.
Office of Dcs Supply Maintenance & Transportation.	Asst Dcs for Supply Maintenance & Trans.
Office of the Chief of Staff.	Dep Chief of Staff for Product Assur/Testing.
	Deputy Director of Product Assurance and Test.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Ofc Dep Cmdg Gen Material Dev Darcom.	Prin Asst Dep For Res Develop and Acquisition.
	Asst Dep For Science & Technology.
	Asst Dep Int'l Programs & Technical Transfer.
	Dir Technolgy Planning Management.
Dir for Devel Engineering & Acquisition.	Dep Dir of Develop Engineering & Acquisition.
	Deputy for Systems Management.
	Deputy for Program Management.
Office of Manufacturing Technology.	Dir of Manufacturing Technology.
Ofc Dep CMDG MAT:L Readiness.	Asst Dep for Material Readiness
Direc for Internat'l Logistics.	Dep Dir of Security Assistance.
Direc for Material Management.	Deputy for Weapon Systems Management.
	Asst Dep Chf of Staff for Policy & Procedures.
Office of DCS for Procurement.	Asst DCS for Readiness.
Office of DCS for Procurement.	Dep Dir Procurement and Production.
	Assoc Dir for Procurement.
Direc for Test, Measurement & Diag Eq.	Deputy Executive Director for TMDE.
Ofc Dep Commanding General for Resource Management.	Asst Deputy for Resource Management.
Direc for Personnel Tng & Force Dev.	Asst Deputy Chf of Staff for Personnel.
Office of Comptroller DARCOM HQ.	Deputy Comptroller.
	Assistant Deputy for Cost Analysis.
Program Analysis & Evaluation Directorate.	Director for Program Analysis & Evaluation.
Automated Logistics Management Systems Activity.	Dir Automated Logistics Mgt. Systems Activity.
Armament Material Readiness Command (ARRCOM).	Comptroller.
	Deputy for Procurement and Production.
	Deputy for Logistics Readiness.
	Dep for Indust Preparedness & Installations.
	Dep for Indust Preparedness & Installations.
Office of Commander ARRADCOM.	A/Tech/Dir/(Sys Development & Engineering).
	Director of Product Assurance.
	Assoc Tech Dir (Producib & Process Technol).
Large Caliber Weapon Systems Lab ARRADCOM.	Chf—Energetic Materials Div.
	Chief Munitions Systems Division.
	Chief Applied Sciences Division.
Chemical Sys Lab ARRADCOM.	Chf Munitions Division.
	Chief Research Division.
Aviation Systems Command (AVSCOM).	Dir of Procurement and Production.
	Deputy Avionics Research & Development Act.
Aviation Research Development & Engineering Center.	Director, US Army Aviation Res & Techn Lab
	Director of Engineering.
	Director Aeroflight Dynamics.
	Director, Aerostructures Directorate.
	Director Propulsion Directorate.
	Dep Proj Manager, Light Helicopter Family.
	Director Structures, Laboratory.
Communications & Elect Comd (CECOM).	Comptroller, CERCOM.
	Dir of Procurement and Production.
	Dir. of Product Assurance and Test.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Assistant Dep for Procurement and Readiness.
US Army Communication Electronics Comm.	Assoc Tech Dir (Engineering & Acquisition).
	Assoc Techn Dir (Research & Technology).
Communications Res & Dev Command (CORADCOM).	Director, Communications Systems Center.
	Dir Systems Engineering and Integration.
Program Mgr Army Tactical Data Systems (CORADCOM).	Assoc Techn Dir (Command, Control & Commun).
Depot Systems Command (DESCOM).	Deputy for Command Operations.
	Senior Technical Director (JTC3A).
US Army Laboratory Command.	Assoc Technical Dir for Res & Technology.
	Assoc Tech Dir for Elec Warfare and Intel.
Harry Diamond Labs (USALC).	Director, Harry Diamond Laboratories.
	Director Harry Diamond Laboratories.
	Chf. Dev & Eng. Div.
Army Research Office (AMC).	Dir. Engr Sci Div.
US Army Ballistic Research Laboratory.	Chf, Sys Engineering & Concepts Analysis Div.
	Chief Interior Ballistics Division.
	Chf—Launch and Flight Division.
	Chf Terminal Ballistics Div.
	Chf Vulnerability Lethality Division.
Research Development & Engineering Center.	Director for Procurement.
	Dir, Missile Logistics Ctr.
	Director of Product Assurance.
Project Management Offices (MICOM).	Deputy Director for Directed Energy.
Engineering Lab (MICOM).	Dir for System Engineering & Production.
	Dep Dir Systems Simulation & Development.
Research Development & Engineering Center.	Dir for Test and Evaluation.
	Director for Advanced Sensors.
	Chief, Advanced Technology Function.
	Asst Dep for Readiness.
	Associate Director for Systems.
	Dep Director, Applied Technology Directorate.
Troop Support Command (TROSCOM).	Director of Procurement and Production.
Belvoir Research & Development Center.	Assoc Techn Div for Research & Dev.
	Assoc Tech Dir for Engineering and Acqui.
	Dir, Combat Engineering Directorate.
Natick Research Development & Engineering Center.	Director Individual Protection Laboratory.
	Director, Science & Adv Tech Directorate.
	Director, Food Engineering Directorate.
Tank-Automotive Comd (TACOM).	Comptroller, TARCOM.
	Dir for Procurement and Production.
	Director of Product Assurance.
Tank-Automotive Res & Dev CMD (TARADCOM).	Asst Deputy for Procurement and Readiness.
Aberdeen Proving Ground, MD. T&E Command.	Technical Director Combat Syst Test Activity.
Patriot Project Office	Dep Project Manager, Patriot.
	Deputy Air Defense PM.
XM-1 Tank Project Office.	Chf Engineer/Chf, Systems Engineering Div.
Fighting Vehicle Systems Project Ofc.	Dep Program Mgr-Fighting Vehicle Systems.
Advanced Attack Helicoper Project Office.	Dep/Prog/Mgr Advanced Attack Helicopter.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Army Material Systems Analysis Agency DARCOM.	Chf Combat Support Div AMSAA.
	Chf Air Warfare Div.
	Chf, Reliability, Availability & Maintanabil.
	Chf Ground Warfare Division-AMSAA.
	Chf, Logistics Readiness & Analysis Division.
Army communications Command.	Comptroller.
Headquarters, US Army, Europe.	Asst Dep Chf of Staff, Personnel (Civ Pers).
	Asst Dep Chief of Staff Eng for Eng & Housing.
	Asst Dep Chf of Staff, Resource Mgmt USAREUR.
Headquarters US Army Intelligence Agency.	Deputy Director.
Army Intel and Security Command.	Deputy for Policy & Development.
NICSMA, NATO	Asst Dir, Command, Control and Comms Syst.
Joint Tactical Command, Control & Comms Agency.	Deputy Director for Architecture.
	Deputy Director for Plans, Progs and Analysis.
	Associate Director, JTC3A.
DOD Wage Fixing Authority.	Director, Technical Staff.
Department of Navy	
Office of the Under Secretary of the Navy.	Assistant for Administration.
Office of the Auditor General.	Auditor General of the Navy.
	Auditor General of the Navy.
Naval Audit Service Headquarters.	Director, Plans and Policy.
	Director, Audit Operations.
Ofc of the Asst Secy of Navy (Manpwr & Res Affs).	Staff Dir Director, Manpower Analysis.
Office of Civilian Personnel Management.	Asst Dep Chf of Naval Opers (Civilian Personn).
	Dir Wrk Force Mgmt Labor & Emp Rel Prog Deprt.
	Director, Naval Civilian Personnel Command.
	Dir Wrk Force Effectiveness & Spec Prog Deprt.
	Dir, Ofc of Civilian Personnel Management.
	Director Skills Acquisition Department.
	Dir Wrk Force Info Eval & Classif Prog Depart.
	Director Mgmt and Assessment Department.
OCPM-Pacific Region	Director Pacific Region.
Ofc of the Asst Secy of Navy (Shp Bldg & Logs).	Exec Dir for Contracts and Business Management.
	Asst Dep Chf Nav Mat (Reliability and Eng).
	Director, Financial Management Office.
	Dir, Procurement Control & Clearance Div.
	Director of Acquisition for Special Programs.
	Specification Control Advocate General.
Ofc of the Asst Secy of Navy (Rsch Engrng & Syst).	Dep Dir, Submarine/Anti-Submarine W/P.
Naval Center for Cost Analysis.	S/A/Cost Anal/Tech Dir, Naval Ctr/cost Anal.
Office of the Comptroller of the Navy.	Assoc Dir, Budget & Reports/Fiscal Manag Div.
	Exec Asst Compt for Financial Mgmt Systems.
	Exec Asst Comp Bank, Cash Mgmt, Cont Fin, Comp S.
	Counsel.
	Dir, investment & Dev Div.
	Assoc Dir for Finance.
	Dir, Budget & Mgmt, Policy and Procedures Div.
	Exec Asst Comptroller for Accounting Systems.
	Dir, Budget Evaluation Group.
	Dir, Finance Control Division.
	Director, Civilian-Contractor Manpower Div.
Navy Comptroller Standard System Activity.	Dir, Navy Comptroller Standard Sys Activity.
Office of the General Counsel	Asst General Counsel (Acquisition).
	Asst Gen Counsel (Civilian Personel Law).
Director-Naval Administration/Asst Vice Cno.	Deputy Director, Long Range Planning Group.
	Dir Naval History/Dir, Naval Historical Ctr.
Director, Navy Program Planning.	Head, Studies & Analysis Branch.
	Asst Dir for Readiness Appraisal.
	Chairman Resources & Cost Analysis.
	Dep. Director, Strategic Sealift Division.
	Deputy Director for Programming.
	Head, Logistics & Fleet Support Branch.
Director Command and Control.	Dir, Electromagnetic Spectrum Management.
	Assoc Director, Information Systems Division.
Director, Naval Warfare	Advanced Technology Advisor.
	Technical Advisor.
Office of the Oceanographer of the Navy.	Technical Director.
Director, R&D Test and Evaluation.	Asst for RDT & E Aquisition Mgmt.
	Director R&D Programming & Budgeting Division.
Director, Naval Intelligence.	Spec Asst to Dir of Naval Intel.
	Technical Director.
	Advisor for Research & Development Programs.
	Sr Adv to the Dir of Naval Intel for Sov Doc.
DCNO (Manpower, Personnel & Training).	Dir, Total Force Info Res & Sys Mgmt Div.
	Head, Staffing and Pay Systems Branch.
	Dir, Civilian Personnel Programs Division.
Office DCNO (Submarine Warfare).	Tech Dir, Submarine & SSBN Security Program.
	Technical Director of Research & Development.
Office DCNO (Logistics)	Dep Dir, Logistics Plans Division.
	Dir, Acquisition Logistics and Assessments.
	Dep Dir, Strategic Sealift Division.
	D/Dir Joint Operatnl Logis Plans & Progs Div.
	Coord for Prod & Industrial Mobilization.
	Director Strategic Sealift Division.
Office DCNO (Air Warfare).	Spec Asst for Aviation Budget and Acquisition.
	Special Asst for Technology and Analysis.
Office DCNO (plans, Policy & Operations).	Assoc Dir Op-63/Dir, Intern'l Prog, Pol & Neg.
Naval Military Personnel Command.	Dir Military Pay Financial Mgmt Directorate.
Naval Observatory	Dir, Time Service Div.
Naval Data Automation Command Headquarters.	Technical Director.
	Dir, Naval Data Automation Command.
	Comptroller.
Naval Security and Investig Comm.	Dir, Naval Investigative Service.
Naval War College	Science and Technology Advisor.
Naval Security Group Command.	Special Assistant for Threat Assessment.
Naval Intelligence Support Center.	Technical Director.
	Director of Threat Assessments.
Naval Medical Research and Development Command.	Dir of Prog & Scientific Advisor.
Organization Abolished	Spec Asst, Scien Progs & Hd, Psychophysiology.
Naval Medical Research Institute.	Scientific Director.
Organization Abolished	Hd, Medical Zoology Dept, Cairo, Egypt.
Military Sealift Command	Deputy Commander.
	Counsel.
	Engineering Officer.
	Comptroller.
Naval Tactical Support Activity.	Dir Navy Tactical Support Acty.
Naval Space Command	Technical Director.
Office of the Commander-in-Chief Pacific.	Scientific Advisor.
Ofc of the Chief of Naval Education and Training.	Comptroller.
	Prin Adv Edu Tng/Deputy Cnet Edu Dev and R&D.
	Director NROTC Selection and Placement.
Defense Training Data & Analysis Center.	Dir, Def Training Data & Analysis Center.
Executive Development Cadre.	Director, Civilian Resources Management Dir.
	Technology Assessment Consultant.
	Asst for RDT&E/Acquisition Management.
	Spec Asst to the Inspector General.
	Spec Asst for Long Range Strategic Planning.
	Special Advisor for Mpt RE&S.
Strategic Systems Program Office.	Director, Plans & Programs Division.
	Hd, Guidance Section.
	Head Fire Control Section.
	Head Operations Engineering Section.
	Test & Instrumentation Branch Engineer.
	Branch Engr, Launcher Branch.
	Sec Engr, Engrg Section.
	Hd, Navigation Equip Sect.
	Chf Engr, Missile Branch.
	Chf Engr.
	Br Engr Fire Control & Guidance Br.
	Branch Engr, Ship Installation & Design Br.
	Sect Head, Reentry Systems Sect, Missile Br.
	Deputy Logistics Support Coordinator.
	Deputy Director, Plans & Programs Division.
	Head, Resources Branch.
	Branch Engineer, Navigation Branch.
	Asst for Systems Integration & Compatibility.
Naval Air Systems Command Headquarters.	Deputy Dir Logistics/Fleet Support & Group.
	Executive Director, Management, Plans & Progr.
	Exec Dir for Acquisition Management.
	Exec Dir. Procurement Management.
	Deputy Comptroller.
	Counsel, Naval Air Systems Command.
	Director, Surveillance Division.
	Technical Director, Weapons Engineering Div
	Aerodynamics & Structures Tech Admin.
	Dir, Engineering Sup & Prod Integ Mgmt Div.
	Techn Dir, Computer Resources & Avionics Div.
	Director, Weapons Division.
	Dir, Evaluation Div.
	Director, Avionics Division.
	Techn Dir, Res & Techn.
	Technical Director Air Vehicle Division.
	Asst Dir Logistics Mgmt Div.
	Dir Aircraft Weapons Systems Purchase Div.
	Asst Dep Commander for Anti-Air Warfare R&EWP.
	Prog Dir/Air For EW & Mission Support Prog.

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
	ADC/For Anti-Submarine Warfare & Support Proj.
	Dir, Missile Weapons Systems Contracts Div.
	Dir, Systems Acquisition Directorate.
	Director Cost Analysis Division.
	Chief Scientist.
	Dir, Surveillance and Avionics Division.
	Dir, Systems Alternatives Directorate.
	Techn Dir, Navy Ranges & Field Activity Mgmt.
	Dir Mission and Effectiveness Analysis Div.
	Director, Aircraft Division.
	Asst Dir Propulsion & Power Division.
	Assoc Dir Systems Engineering Mgmt.
	Deputy Commander, Naval Air Sys Command.
	Director Airborne Weapons Logistics Division.
	Director Logistics Resources Division.
	Director, Corporate Management Directorate.
	Dir, ASW/Support A/A Components Contracts Div.
Organization Abolished	Assoc Techn Dir. for Res & Technology.
	Director, Operations & Management Directorate.
Organization Abolished	Tech Dir, Test & Evaluation.
	Director Resources Division.
Joint Cruise Missile Program Office.	Exec Dir, Acquisition Directorate.
	Chief Engineer, Joint Cruise Missiles Program.
	Technical Dir Joint Cruise Missile Program.
Naval Air Engineering Center.	Executive Director.
	Technical Director.
Naval Air Test Center	Technical Director, NATC, Patuxent Riv, MD.
	Dir, Range Directorate.
Naval Avionics Center	Executive Director.
	Dir of Applied Research.
	Director of Engineering.
Pacific Missile Test Centr.	Assoc Dir and Assoc TD (Ranges and Tests).
	Director, Weapons Evaluation Directorate.
	Technical Director.
	Dir Elec Warfare Dir/Assoc Tech Dir (Elec/WF).
Navy Aviation Logistics Center.	Exec Dir.
Naval Training Systems Center.	Technical Director.
	Director of Engineering.
Space & Naval Warfare Systems Command.	Director, Office of Naval Laboratories.
	Associate Director of Naval Laboratories.
	Exec Dir, Contracts.
	Asst Proj Mgr, Ship & Shore Communications Dv.
	Deputy Prog Director/Technical Director.
	Tech Dir. Navy Space Project Ofc.
	Asst Project Mgr for ELF Communications.
	Asst Proj Manager for Submarine Commun Syst.
	Assoc Deputy Program Manager/Technical Dir.
	Dep Program Mgr Directed Energy Laser Weapons.
	Dir, Independent Research and Development.
	Deputy Comptroller.
	Counsel.
	Dep Commander for Fin, Contracts & Management.
	Tech Dir.
	ADC-Life Cycle (Engring & Pid).

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
	Project Manager for Communications Systems.
	Deputy Project Mgr/Tech Dir Com Sys Proj Ofc.
	Techn Dir, C3I Systems & Techn Directorate.
	Executive Director for Systems Engineering.
	Deputy Director Research and Technology Group.
	Executive Director, Life Cycle Support Group.
	Technical Dir, C3 Software Dev & Support.
	Tech Dir Info Transfer Sys Program Directo.
	Exec Dir, C3I Requirements Analysis Group.
Navy Management Systems Support Office.	Technical Director.
Naval Air Development Center.	Dir Comm and Navigation Tech Direc.
	Dir Sensors & Avionics Technology Directorate.
	Head-Computer Department.
	Dir-Systems Directorate.
	Dir Aircraft and Crew Systems Technology Dire.
	Dir-Planning Assessment Resources Staff.
	Technical Director/Consultant.
	Technical Director/Consultant.
	Dir, Software/Computer Technology Directorate.
	Head, Aero Analysis Division.
	Weapons Systems Technology Manager.
Naval Coastal Systems Center.	Tech Dir/Consultant.
	Head, Research & Technology Department.
	Head Enginering & Test/Evaluation Department.
	Head Systems Department.
Naval Ocean Systems Center.	Head, Surveillance Dept.
	Dir, Undersea Weapon Systems Department.
	Head, Engineering & Computer Sciences Dept.
	Chf Res Scientist (Arctic Submarine Tech.
	Technical Director/Consultant.
	Deputy Technical Director.
	Head, Marine Sciences & Technology Dept.
	Head, Command and Control Department.
	Head Electronics Engineering & Sciences Dept.
	Head, Communication Department.
Naval Personnel Res & Dev Center.	Technical Director, NPRDC.
	Dep Techn Dir for Manpower & Personnel.
	Director Training Research Laboratory.
David W Taylor Naval Ship Res & Dev Center.	Associate Tech Dir for Sys Development.
	Dir for Long Range Plans & Programs.
	Asst Tech Dir (Research Consultant).
	Head Submarine Division.
	Assoc Tech Dir for Areodynamics.
	Tech Dir Consultant.
	Associate Technical Director for Structures.
	Assoc Tech Dir, Computation & Mathematics.
	Assoc Tech Dir for Ship Acoustics.
	A/T Dir for Propulsion & Auxiliary Systems.
	Assoc Tech Dir for Ship Performance.
	Assoc Techn Dir for Materials Sci & Technology.

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
Naval Surface Weapons Center.	Tech Dir Consultant.
	Dept Hd/Dep Tech Dir/Assoc Tech Dir.
	Dept Hd/Dep Tech Dir/Assoc Tech Dir.
	Dept Hd/Dep Tech Dir/Assoc Tech Dir.
	Dept Hd/Dep Tech Dir/Assoc Tech Dir.
	Dept Hd/Dep Tech Dir/Assoc. Tech Dir.
	Dept Hd/Dep Techn Dir/Assoc Techn Dir.
	Dept Hd/Dep Tech Dir/Assoc Tech Dir.
	Dept Hd/Dep Tech Dir/Assoc Tech Dir.
	Dept Hd/Dep Tech Dir/Associate Tech Dir.
	Dept H/D Tech Dir/Assoc Tech Director.
	Head, Protective Systems Department.
Naval Underwater Systems Center.	Head, Submarine Sonar Department.
	Hd Weapons Sys Dept.
	Head, Surface Ship Sonar Department.
	Assoc Tech Dir for Technology.
	Tech Dir, Consultant.
	Head Undersea Ranges Department.
	Assoc Tech Dir for Submar Combat Control Acou.
	Assoc Techn Dir for Submarine Warfare Systs.
	Hd, Submarine Electromagnetic Sys Dept.
	Head Combat Control Systems Department.
	Senior Advisor for Submarine Warfare Systems.
Naval Weapons Center	Laboratory Dir/Deputy Tech Dir.
	Asst Tech Dir Deve (E/W)/Hd Elec Warfare Dept.
	Asst Tech Dir Deve (Ord Sys) & Dept Head.
	Tech Dir/Consultant.
	Asst Tech Dir for Res & Head Res Dept.
	Test & Eval Dir/Asst Tech Dir for Test & Eval.
	Asst Tech Dir for Aircraft Wpns Integration.
	Asst Tech Dir for Engrn & Head Engnr Dept.
	Asst Tech Dir for Plans & Hd Weapons Plan Grp.
	Asst Tech Dir for Fuzes/Hd Fuzes Dept.
	Head Aerothermochemistry Division.
	Asst Tech Dir for Weapons & Head Weapons Dept.
Naval Facilities Engineering Command.	Counsel.
	Dep Dir of Programs & Comptroller.
	Assistant Commander for Contracts.
	Chief Engineer.
	Techn Advisor-Real Property Management.
	Deputy Assistant Commander for Construction.
	Asst Commander for Engineering & Design.
	Asst Commander for Facilities & Transp.
Naval Civil Engineering Lab.	Technical Director.
Naval Sea Systems Command.	Dir. Research Techn & Assessment Ofc.
	Exec Dir, Ship Systems Directorate.
	Executive Dir for Combat Sys Engineering.
	Asst Dep Chf of Naval Material (Oper & Logist).
	Executive Dir for Electronic Warfare.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Counsel.
	Asst Dep Commander for Contracts.
	Dep Proj Mgr & Tech Dir.
	Dep Dir, Submarine Logistics Div.
	Asst Dep Commdr, Plans, Prog Financ Mgt/Dep Com.
	Dep Proj Mgr, Guided Miss Frig Ship Acq Proj.
	Dep Proj Mgr/Tech Dir Nucl Power Aircraft Lab.
	Dep Prod Mgr, SSN21 Acquis Prog Directorate.
	Deputy Dir. Surface Warfare Systems Group.
	Dir, Ship Systems Res & Technology Office.
	Dir, Shp Des Res & Tech Ofc (Sea-03R).
	Dep Asst (Techn) for ASW & Undersea Wf Sys.
	Director-S5w Submarine Systems Division.
	Director-Reactor Materials Division.
	Head Advanced Design Branch.
	Head, Improved Reactor Design Branch.
	Dir-Secondary Plant Components Division.
	Asst Dir React Engr Div, Hd Adv Reactor Br.
	Dir, P/D Div/Asst Dep Dir, Ship Design Group.
	Dir, Structural Integrity Subgroup.
	Director, Naval Architecture Subgroup.
	Deputy Dir Hull Systems Sub Group.
	Dir Combat Systems Design & Test Subgroup.
	Deputy Director, Auxiliary System Subgroup.
	Deputy Director, Ship Design Group.
	Dep Director, Hull Engineering Group.
	Director Cost Estimating & Analysis.
	Dir, Corporate Planning Office.
	Dir Shipbldg & Overhaul Contracts Div.
	Asst Dep Cmdr, Ind/Fac Mgmt Directorate.
	Executive Director, Surface Ship Directorate.
	Exec Dir Submarine Directorate.
	Dep Proj Mgr/Tech Dir Aux & Spec Mission Ship.
	Exec Dir/Dep Ofc Dir/Dep Grp Dir/Div Dir.
	Dep Program Mgr Amphibious Ship Acq Program.
	D/C Engineer, Design & Manufacturing Quality.
	Tech Dir Theater Nuclear Warfare Prog Office.
	Asst Deputy Commander for Logistics.
	D/P Mgr, Gas Turbine Combatant Ship Prog Ofc.
	Dir, Nuclear Propulsion Logistics Division.
	Director Reactor Plant Valve Division.
	Deputy Director for Submarines.
	Dir Surface Ship Systems Division.
	Technical Assistant for Surface Ship Systems.
	Dir, Propulsion Systems Subgroup.
	Exec. Director, Combat Systems Directorate.
	Director, Machinery Group.
	Director, Materials Engineering Office.
	D/D D/T Dir, Amph & Combat S/S Logistic Div.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Dep Dir, Electrical Systems Subgroup.
	Exec Dir, Anti-Air & Surface Warfare Systems.
	Torpedo MK 48/Adcp Deputy Program Manager.
	Asst Dep C/T Dir, Ship Design & Engin Direc.
	Director Naval Shipyard Operations Group.
	Dir, Surface Warfare, Elec & R&D Contract Div.
	Exec Dir, Amph, Aux, Mine & Sealift Ships Dir.
	Deputy Counsel.
	Exec Dir, Aegis Shipbuilding Program.
	Project Manager, Deep Submergence Sys Project.
	Deputy Commander.
	S/A Dir Combat Sys Oper and Ord Support Group.
Organization Abolished	Deputy Director, Propulsion Systems Subgroup.
	Deputy Director, Electrical Systems Group.
Organization Abolished	Executive Director Acquisition Directorate.
Organization Abolished	Dep Techn Dir, Technical Division.
Consolidate Civilian Personnel Office/ Crystal City.	Dir/ Consolidated Civ Pers Ofc/ Crystal City.
Naval Ship Systems Engineering Station.	Technical Director.
Naval Weapons Section, Seal Beach.	Technical Director.
Naval Undersear Warfare Engineering Station.	Technical Director.
Naval Ship Weapons Systems Engineering Station.	Technical Director.
Naval Ordnance Station	Technical Director.
Naval Supply Systems Command Hdqtrs.	Spec Asst to Dir Res Mgmt/Dir Fin Mgmt Sys Di.
	Counsel.
	Asst Dep Commander for Plans, Policy & Syst D.
	Asst Dep Cmdr for Fin Mgmt/ Comp.
	Asst Dep Commander, Contracting Management.
	Director Breakout Division.
	A/D Commander, Inventory & Info Syst Dev.
	Dir Advanced Logis Tech Div.
	Prog Mgt and Technology Program Mgt Office.
Navy Ships Parts Control Center.	Exec Dir Acquisition & Logistics Plng & Suppt.
Navy Aviation Supply Office.	Executive Dir Logistics Planning & Support.
Navy Fleet Material Support Office.	Exec Dir, Adp System Planning and Development.
Planning & Resources Office.	Executive Director, Planning and Resources.
U.S. Marine Corps Headquarters Office.	Fiscal Dir of the Marine Corps.
	Asst Dcs for Installations and Logistics.
	Dir Contracts Division.
	Counsel for the Commandant.
	Chief Scientist.
	Accounting Officer of Marine Corps.
	Special Assistant to the Dir of Intelligence.
	Deputy Director Materiel Division.
	Asst Dep Chief or Staff Requirements Program.
Office of Naval Research.	Technical Director.
	Dir of Planning and Assessment.
	Dep Dir for Technology Programs.
	Counsel, Office of Naval Research.
	Science Advisor.
	Director, Ocean Science & Technology.
Ofc of the Comptroller	Dir, Fin Mgmt/Compt/Spec Asst (Fm) to Asn (R, E&S).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Dep to the Spec Asst (FM) to the Asn (RE&S).
Ofc of Assistant Chief for Patents.	Dir, Navy Patent Prog/Patent Counsel of Navy.
	Field Dir, Navy Patents.
	Departmental Director, Navy Patents.
	Deputy Counsel (Patents).
Office of Procurement Services.	Director, Acquisition.
Office of the Assistant Chief for Research.	Dir of Research Programs.
	Director, Computer Sciences Division.
	Director, Mechanics Division.
	Director, Physics Division.
	Director, Chemistry Division.
	Dir. Cognitive & Neural Sciences Div.
	Director, Life Sciences Directorate.
	Director, Biological Sciences Division.
	Dir. Mathematical & Physical Sciencies Dir.
	Dir. Mathematical Sciences Division.
	Dir. Engineering Sciences Directorate.
	Director, Electronics Division.
	Director, Geophysical Sciences Division.
	Director, Ocean Sciences Division.
	Director, Materials Division.
Assistant Chief for Technology.	Dir Mgnt & Manpower.
Ocean Science and Technology Division.	Dir. Environmental Sciences Directorate.
Office of Naval Technology.	Dir Anti/Air Anti/Surf WARF & Aerspace Tec DV.
	Dep Tech Dir/Dir. Tech Plan'g & Assess Group.
	Dir. Office of Naval Technology.
	Director, Support Technology Division.
	Chief Scientist.
	Dir Anti Submarine Warfare & Undersea Tech.
Office of University Affairs.	Director, Office of University Affairs.
Naval Ocean Research and Development Activity.	Tech Dir.
	Assoc Tech Dir&Dir, Ocean Science Directorate.
	Assoc Tech Dir&Dir Ocean Acoustics & Tech Dir.
Naval Research Laboratory.	Assoc Dir of Res & Dir of Space & Comm Techn.
	Supt. Chemistry Div.
	Superintendent, Optical Sciences Div.
	Supt Materials Sci and Tech Division.
	Superintendent, Plasma Physics Div.
	Supt Condensed Matter & Radiation Sci Div.
	A/D Res & Dir M/S & Component Technology.
	Superintendent, Communications Sciences Div.
	Head Thermostructural Materials Branch.
	Head, Space Technology Br.
	Head Combustion and Fuels Branch.
	Chf Sci. Lab for Structure of Matter.
	Dir of Research.
	Superintendent Space Science Div.
	Superintendent Marine Technology Division.
	Supt. Radar Div.
	Cont Therm Res Coord/Hd. Exp Plas Physics Br.
	Assoc Dir of Res & Dir of Gen Sci and Tech.
	Assoc Dir of Res & Dir of Sys Res and Tech.
	Supt. Acoustics Div.

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
	Superintendent Electronics Technology Div.
	Supt. Tactical Electronic Warfare Div.
	Supt Underwater Sound Reference Division.
	Chief Sci Lab for Computational Physics.
	C/S for Telecoms & Head, Transm Technol Br.
	Head Opt Tech Strategic Planning Organization.
	Director NATO Saclant ASW Research Center.
	Superintendent, Space Syst & Techn Division.
	Head Elect Warfare Strategic Planning Org.
	Assoc. Dir of Res & Dir of Tech Services.
Organization Abolished	Chf Scient. Nv Ctr for Appl Res In Art Intel.
Organization Abolished	Superintendent Environmental Sciences Div.
Organization Abolished	Executive Director, for Acquisition.
Organization Abolished	Dep Dir. Surface Combatant Ship Logisitics Div.
Organization Abolished	Asst Dep Comd for Acquisition & Admin
Department of Education	
Management	Dir Admin Resource Management Service.
	Director Personnel Management Service.
	Dir. Assistance Management & Procurement Serv.
	Director Financial Management Service.
Inspector General	Deputy Inspector General.
	Assistant Inspector General for Audits.
	Asst Insp Gen for Policy Plng & Mgmt Serv.
	Asst Inspector General for Investigation.
	Dep Asst Insp Gen for Audit Operations.
General Counsel	Associate General Counsel.
Post-Secondary Education.	Dir, Div of Grants & Loan Management.
Educational Research and Improvement.	Research Coordinator.
	Senior Advisory on Library Programs.
National Center for Education Statistics.	Asst Admr Postsecondary & Voc Ed Stats.
	Adm, National Ctr for Educational Research.
	Asst Admr for Research and Analysis.
Department of Energy	
Office of Hearings & Appeals.	Dep Dir for Legal Analysis.
	Dep Dir for Financial Analysis.
	Dep Dir for Econ Analysis.
Albuquerque Operations Office.	Director Quality Assurance Division.
	Dir Fac and Const Mgmt Div.
	Asst Mgr for Administration.
	Dir Transportation Sfgds Div.
	Dir Ofce of Strategic planning & Analysts.
	Dir Budget & Resources MGNT Div.
	Director, Production Operations Div.
	Director, Weapon Programs Division.
	Wipp Project Manager.
Chicago Operations Office.	Asst Manager for Administration.
	Area Manager Batavia Area Office.
	Asst Mgr for Acquisition and Assistance.
	Asst Mgr for Laboratory Management.
Idaho Operations Office	Assistant Manager for Administration.
	Dir Reactor Ops & Prgrms.
Nevada Operations Office.	Chief Counsel.
	Assistant Manager for Administration.
Oak Ridge Operations Office.	Assistant Manager for Administration.
Richland Operations Office.	Asst Mgr for Admin.
	Asst Mgr Commercial Nuclear Waste & Projects.
	Asst Mgr for Safety, Safeguards & Qual Assur.
San Francisco Operations Office.	Asst Mgr for Admin.
	Director, Livermore Site Office.
Savannah River Operations Office.	Asst Mgr for Admin.
	Dwpf Project Manager.
Bonneville Power Administration.	Asst Admr for Pwr Mgmt.
Western Area Power Administration.	Asst Admr for Mgmt Svcs.
Ofc of Asst Insp Gen for Audits.	Manager, Western Regional Audit Office.
	Director Program Development Division.
	Manager, Eastern Regional Audit Office.
	Director Audit Management Division.
	Dir Capitol Regional Audit Office.
Ofc of Asst Insp Gen for Inspections.	Asst Insp Gen for Inspec.
Ofc of Asst Insp Gen for Investigations.	Asst Inspector General for Investigations.
	Deputy Asst Inspector Gen for Investigations.
Energy Information Administration.	Director, Eia-Adp Services Staff.
Office of Oil & Gas	Dir, Ofc of Oil and Gas.
	Dep Dir, Ofc of Oil and Gas.
	Director, Petroleum Supply Division.
	Chief Data Analysis and Support Branch.
	Dir Reserves and Natural Gas Division.
	Director Petroleum Marketing Division.
Ofc of Coal, Nuclear, Electric & Alternate Fuels.	Dir, Ofc of Coal Nucl Elec & Altern Fuels.
	Dir Coal Division/Dep Dir Ofc.
	Director Electric Power Division.
	Dir, Nuclear and Alternate Fuels Division.
Office of Energy Markets & End Use.	Director, Ofc of Energy Markets & End Use.
	Director, Energy End Use Division.
	Director Economics & Statistics Division.
	Dir Interni & Contingency Planning Division.
	Dir, Energy Analysis & Forecasting Division.
Office of Statistical Standards.	Dir Ofc of Statistical Standards.
	Director Quality Assurance Division.
Asst. Sec. for Conservation & Renewable Energy.	Dir Photovoltail Energy Technology Div.
Office of State & Local Assistance Programs.	Dir Weatherization Assistance Programs Div.
Office or Renewable Technology.	Dir, Geothermal Technology Div.
	Dir, Biofuel & Municipal Waste Tech Div.
	Dir, Solar Thermal Technology Div.
Deputy Asst Sec for Environment Safety & Health.	Dir, Ofc of Environmental Audit & Compliance.
Office of Nuclear Safety	Chf, Environmental Protection & Pub Safe Br.
Office of Resource Management.	Dep Dir, Ofc of Plans & Resource Management.
Office of Security & Quality Assessment.	Dir, Inspection & Evaluation Div.
Office of Military Application.	Dir, Prog Analysis & Resource Management Div.
	Dep Dir, Div of Safty, Envr & Emergy Action.
	Associate Director of Military Applications.
	Dir Div of Weapons Research Dev & Testing.
Deputy Assistant Secretary for Intelligence.	Dir Div of Scien & Technological Intelligence
Dep Asst Sec for Energy Emergencies.	Dir, Ofc of Energy Emergency Pol & Eval.
Office of Energy Research.	Scientific Computing Staff.
Office of Management	Director, Fiscal Management Division.
	Deputy Dir for Management.
	Deputy for Management.
	Deputy Dir for Nuclear Safety Safeguard.
Office of Health & Environmental Research.	Director, Human Health & Assessment Div.
	Dir, Health Efects Research Division
Office of Fusion Energy	Dir, International Programs Staff.
	Dir, Confinement Systems Div.
Office of Basic Energy Sciences.	Dir, Engr. Math and Geo Sci Div.
	Dir Chem Sci Div.
	Dir Adv Egy Proj Div.
	Dir Mat Sci Div.
	Career Reserved Positions.
	Chf Processes and Tech Br.
	Chf Solid St Phy and Mat Chemistry Branch.
Office of High Energy & Nuclear Physics.	Chf, Physics Research Branch.
	Dir High En Physics Div.
Assistant Secretary for Fossil Energy.	Dir, Office of Clean Coal Technology.
Assistant Secretary for Nuclear Energy.	Deputy Director for Naval Reactors.
Deputy Assistant Secretary for Naval Reactors.	Program Manager for Commissioned Submarines.
	Dir Reactor Safety & Computation Div.
	Dir Surbmarine Systems Div.
	Dir Instrumentation & Control Div.
	Director Office of Resources Management.
	H/L R/P, Budgeting, Upgrading & A/D Section.
	Director Reactor Refueling Div.
	Dep Dir Kesseling/Windsor/Site/Cgn/S6G Rec Sv.
	Hd Surface Ship Section.
	Sr Naval Reactors Rep (W Milton).
	Asst Program Manager for Surface Ships.
	Prog Mgr for Prototypes & Sapso.
	Career Reserved Positions.
	Asst Chief Physcist.
	Director Nuclear Technology Div.
	Dir, Reactor Engineering Division.
	Head, Core Manufacturing Branch.
	Dep Director Reactor Materials Division.
	Director, Fiscal Division.
	Program Manager for Shipyard Matters.
	Dir Nuclear Components Division.
	Prog Mgr for Surface Ship/Adv Submarine Proj.
	Senior Naval Reactors Representative.
	Manager, West Milton Field Ofc.
	Prog Manager for Advanced Submarines.
	Program Manager for Surface Ships.
Schnectady Naval Reactors Office.	Asst Manager for Operations.
	Manager, Idaho Branch Office.
Pittsburgh Naval Reactors Office.	Sr Naval Reactors Rep (Portsmith).
	Sr Naval Reactor Rep (Nwpt News).
	Senior Naval Reactors Rep (Pearl Harbor).
	Career Reserved Positions.
	Senior Naval Reactors Representative.
Dep. Asst. Secretary for Uranium Enrichment.	Dir, Ofc of Techn Development & Strategic Plng.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Asst. Secretary for Management & Administration.	Spec Asst to the Princ Das for Mgmt & Adm.
Directorate of Administration.	Dir Ofc of Org and Mgmt Sys.
Office of Personnel	Dir Ofc of Personnel.
	Director, Personnel Policies and Programs.
	Dir Empl Dvlmt & Trng Div.
	Dir Hq Personnel Operations Div.
Office of Organization & Management Services.	Dep Dir Ofc of Org and Mgmt.
	Dir Management Sys Analysis Div.
	Dir Manpwr Res Mgmt Div.
	Dir Org Plng and Mgmt Div.
Office of Project & Facilities Management.	Dir Prog/Const Mgm, Proce & Operations Div.
	Dep Dir Ofc of Project and Facilities Mgmt.
	Director, Policy Development Division.
Office of Administrative Services.	Dir Ofc of Admin Svcs.
	Dep Dir Ofc of Admin Serv.
Office of Adp Management.	Dir Ofc of Adp Mgmt.
	Dep. Dir. Ofc. of Adp. Mgmt.
Office of Computer Services & Telecommun Mgmt.	Dir. Ofc. of Comp. Serv. and Tel. Mgmt.
	Dep. Dir. Ofc. of Comp. Serv. and Tele. Mgmt.
	Dir. Div. of Telecommunications.
	Director, Operations Division.
	Dir. Information Systems Division.
	D/Adp. Telecomm. Plning. & Integrity Division.
Office of Industrial Relations.	Dir. Ofc. of Industrial Relations.
	Dir. Cont. Psnl. Mgmt. Div.
	Dir. Prgm. Mgmt. and Asmt. Div.
Procurement & Assistance Management Directorate.	Director, Procurement Management Rev. Div.
	Director, Policy & Procedures Division.
	Assoc. Dir. of Procurement for Competition.
Ofc. of Small & Disadvantaged Business Utilization.	Dir. of Sm. and Disadv. Bus. Utilz.
Office of Policy	Dir. Ofc. of Policy.
Office of Procurement Support.	Dir. Ofc. of Procurement Support.
Office of Procurement Review.	Dir. Cont. Bus. Ctrnce. Div.
Office of Procurement Operations.	Dir. Ofc. of Procurement Operations.
	Dep. Dir. Ofc. of Procur. Op.
Controller	Director Office of Compliance Programs.
Asst Controller for Budget Policy & Compliance.	Dir. Ofc. of Budget.
	Dep. Dir. Ofc. of Budget.
	Director, Budget Analysis Division.
	Director, Budget Operations Division.
Asst. Controller for Financial Sys. & Accounting.	Dir. Ofc. of Headquarters Accounting Operations.
	Director, Ofc. of Departmental Accounting.
	Dir. Ofc. of Financial Policy.
Office of Geologic Repositories.	Dir. Rep. Coordination Division.
	Director Siting Division.
	Director, Engineering & Geotechnology Div.
	Dir. Licensing & Regulatory Division.
	Div. Siting Licesing & Quality Assur. Div.
Office of Storage & Transportation Systems.	Dir. Transportation and Waste Systems Div.
	Director Storage Division.
Environmental Protection Agency	
Office of the Assoc Admr For Internatl Activities.	Sr. Advisor for Intern'tl Chemical Affairs.
Ofc of the Asst Admr for Admin & Resources Management.	Asso. to Asst. Adm. for Prog. Mgmt. and Policy.
	Spc. Asst. to Asst. Admin. for Admin. & Resc. Mgmt.
Office of the Comptroller	Dir. Ofc. of the Comptroller.
	Dir. Financial Mgmt. Div.
	Associate Comptroller

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, Budget Division.
	Dir. Resource Systems Staff.
Office of Administration	Dir. Ofc. of Administration.
	Deputy Dir. Ofc. of Administration.
	Dir. Occupational Health & Safety Staff.
	Dir. Grants Admin. Div.
	Director, Personnel Management Div.
	Dir. Management and Organization Division.
	Dir. Procurement & Contracts Mgmt. Division.
	Asso. Dir. for Mgmt. Planning & Evaluation.
Office of Information Resources Management.	Dir. Ofc. of Information Resources Management.
Office of Administration-Cincinnati, OH.	Dir. Ofc. of Admin.-Cincinnati, OH.
Office of Adminsitration-Rtp, NC.	Director Office of Administration Res. Mgmt.
	Director, Office of Data Processing.
Office of Human Resource Management.	Director, Office of Human Resource Mgmt.
	Director, Senior Executive Service Staff.
Ofc Asst Admr for Enforcement & Compliance Monitoring.	Dir. Ofc. Compliance Analysis Prog. Operations.
National Enforcement Investigations Ctr-Denver.	Dir. Nat'l. Enforcement Investigations Center.
Office of Policy Analysis	Dir. Regulatory Intergration Division.
Office of Standards and Regulations.	Dir. Chemical & Statistical Policy Division.
Office of Management Systems and Evaluation.	Dir. Ofc. of Management Systems & Evaluation.
	Director, Program Evaluation Division.
	Dir. Management Systems Div.
Office of the Inspector General.	Assist. Inspector Gen. for Investigations.
	Asst. Inspector General for Audits.
	Dep. Asst. Inspector General for Audits.
	Dep. Asst. Inspector General for Investigations.
	Asst. Inspector Gen. for Mgmt. & Tech. Assessment.
	Deputy Inspector General.
Office of Water Enforcement and Permits.	Director Enforcement Division.
	Director, Permits Division.
Office of Water Regulations and Standards.	Director, Effluent Guidelines Division.
	Director, Monitoring & Data Support Div.
	Dir, Analysis and Evaluation Division.
	Dir, Criteria and Standards Division.
Office of Water Program Operations.	Director, Municipal Facilities Division.
	Director Municipal Construction Division.
Office of Drinking Water	Director, State Programs Division.
	Dir Ofcv of Program Development & Evaluation.
	Director, Criteria and Standards Division.
Office of Ground-water Protection.	Sr Adv for Ground-water Policy & Management.
Office of Waste Programs Enforcement.	Dep Dir, Office of Waste Programs Enforcement.
	Dir, Cercla Enforcement Division.
	Director, Rcra Enforcement Division.
Office of Solid Waste	Dir Waste Mgmt and Economics Division.
	Dir. Characterization & Assessment Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, Permits & State Programs Division.
	Dir. Ofc of Policy, Planning & Information.
Office of Emergency and Remedial Response.	Dir. Hazardous Response Support Div.
	Dir. Emergency Response Div.
	Director, Hazardous Site Control Division.
Ofc of the Asst Admr for Air and Radiation.	Director, Ofc of Program Mgmt Operations.
	Director, Standards & Regulation Div.
	Senior Science Advisor.
Office of Air Quality Planning and Standards.	Dir-stationary Source Enforcement Div.
	Director, Monitoring & Data Analysis Division.
	Assoc Dir for Intermedia & Intgovt Prog.
Office of Mobile Sources	Director, Emission Control Technology Div.
	Director, Certification Division.
	Dir Manufacturers Operations Division.
	Dir Field Operations & Support Division.
Ofc of Asst Admr for Pesticides & Toxic Substances.	Western Regional Compliance Representative.
	Dir Ofc of Program Management Operations.
Office of Pesticides Programs.	Dir, Ofc of Pesticides Programs.
	Dir-Registration Division.
	Director-Program Support Division.
	Dir-Hazard Evaluation Division.
	Dir Benefits and Field Studies Div.
	Sr Science Advisor/Nat'l Laboratory Aud Prog.
Office of Toxic Substances.	Director Exposure Evaluation Division.
	Dir, Existing Chemicals Assessment Division.
	Dir, Health & Environmental Rev Div.
	Dir Toxic Subs Control Act Assistance Ofc.
	Director, Economics & Technology Division.
	Director, Chemical Control Division.
	Director, Information Management Division.
Ofc of the Asst Admr for Research And Development.	Dir, Ofc of Exploratory Research.
	Dir, Office of Regulatory Support.
Ofc of Research Program Management.	Dep Dir for Technical Information.
	Dep Dir for Operations.
Center for Environmental Research Info-Cincinnati.	Dir Environmental Research Information Center.
Office of Health and Environmental Assessment.	Director, Carcinogen Assessment Group.
	Director Reprod Effects Assessment Group.
	Director Exposure Assessment Group.
Environmental Criteria & Assessment Ofc (RTP).	Director, Env Criteria & Assessment Ofc (AIR)-RTP.
Ofc of Monitoring Systems and Quality Assurance.	Dir Air Toxics & Radiation Monitoring Res Div.
	Dir, Acid Deposition & Atomspheric Res Div.
Environmental Monitoring Systems Lab-Rtp.	Dir Envir Monitoring & Systems Laborartory.
Environmental Monitoring & Support Lab-Cincinnati.	Dir Environmental Monitoring & Support Lab Cin.
Ofc of Environmental Engineering and Technology.	Dir Energy Processes Division.
Industrial Environmental Research Laboratory-Rtp.	Dir Industrial Environmental Research Lab Rtp.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Industrial Environmental Research Lab-Cincinnati.	Dir, Hazardous Waste Engin Res Lab-Cincinnati.
	Dep Dir-Industrial Env Res Lab Cincinnati.
Municipal Environmental Research Lab-Cincinnati.	Director Municipal Environmental Research Lab.
	Dir Water Supply Research Div.
Office of Environmental Process and Effects Res.	Director, Water and Land Division.
Environmental Sciences Research Laboratory-Rtp.	Dir, Environmental Sciences Res Lab-Rtp.
Environmental Research Laboratory-Corvallis.	Dir Env Research Laboratory Corvallis.
Environmental Research Laboratory-Athens.	Dir Environmental Research Lab Athens Ga.
Robert B Kerr Environmental Res Laboratory—Ada.	Dir, Robert S Kerr Environmental Res Lab.
Environmental Research Laboratory-Duluth.	Dir Environmental Research Lab-Duluth.
Environmental Research Laboratory-Narragansett.	Dir, Environmental Res Lab, Narragansett.
Environmental Research Laboratory-Gulf Breeze.	Dir Env Res Lab Gulf Breeze.
Health Effects Research Laboratory-Rtp.	Dir-Health Effects Research Lab-Rtp.
Region I—Boston	Director, Water Management Division.
	Dir Waste Management Division.
	Regional Counsel.
Region II—New York	Director, Environmental Services Division.
	Director, Water Management Division.
	Asst Regl Admr for Policy and Management.
	Dir Air & Waste Management Division.
	Regional Counsel, Region II, New York.
	Dir, Office of Emergency & Remedial Response.
Region III—Philadelphia	Director, Manager Division Reg III.
	Regional Counsel.
	Asst Reg Admin for Policy & Management.
	Director, Hazardous Waste Mgmt Div.
	Director, Environmental Services Division.
Region IV-Atlanta	Dir Water Management Division Region IV.
	Dir Air & Waste Management Division.
	Dir Environmental Services Division Region IV.
	Asst Regional Admin for Policy and Mgmt.
	Regional Counsel, Reg IV, Atlanta, Georgia.
	Director Waste Management Division.
Region V—Chicago	Dir Air Management Div Region V.
	Dir Envir Services Div Region V.
	Dir Water Management Div Region V.
	Asst Regional Admr for Policy & Management.
	Regional Counsel.
	Director, Waste Management Division.
Region VI—Dallas	Dir Air & Waste Management Div.
	Dir Water Management Division.
	Director, Environmental Services Division.
	Asst Regional Admr for Management.
	Regional Counsel.
Region VII—Kansas City	Dir Water Management Division
	Dir Air & Waste Management Division.
	Regional Counsel.
Region VIII—Denver	Dir Water Management Division.
	Regional Counsel.
	Dir Air Toxics Division.
Region IX—San Francisco.	Director, Water Management Division.
	Director, Air Management Division.
	Regional Counsel, Reg IX, San Fran, Cal.
	Dir, Toxics & Waste Management Div.
	Asst Regional Admr for Policy & Management.
Region X—Seattle	Dir-Water Div Reg X.
	Regional Counsel.
	Director Air and Toxics Division.
	Director, Hazardous Waste Division.
Equal Employment Opportunity Commission	
Office of the Chairman	Director, Office of Review and Appeals.
Region I	Dist Dir (Baltimore).
	Dist Dir (New York).
	Dist Dir (Atlanta).
	Dist Dir (Miami).
	Dist Dir-(Birmingham).
	Dist Dir-(Charlotte).
	Dist Dir-(Philadelphia).
Region II	District Director (Detroit).
	Dist Dir (Chicago).
	Dist Dir-(St Louis).
	Dist Dir-(Indianapolis).
	Dist Dir (Memphis).
	Dist Dir-(New Orleans).
	Dist Dir-(Cleveland).
Region III	Dist Dir (Houston).
	Dist Dir (San Francisco).
	Dist Dir (Dallas).
	District Director (Los Angeles).
	Dist Dir-(Denver).
	Dist Dir-(Phoenix).
	Dist Dir-(Seattle).
Farm Credit Administration	
Office of the Board	Senior Deputy Governor.
Office of Examination	Associate Deputy Governor.
	Division Director.
	Division Director.
	Division Director.
	Assistant Chief Examiner.
	Chief Examiner.
Ofc of Administration	Director, Records and Projects Division.
Ofc of Internal Audit	Director of Internal Audit.
Office of Analysis & Supervision.	Assistant Deputy Governor.
	Associate Deputy Governor & Chief Economist.
	Chief, Finance & Operations Division.
	Asst Dir Ofc of Anal & Supervision.
	Dir, Office of Analysis & Supervision.
	Deputy Dir Office of Analysis & Supervision.
Federal Communications Commission	
Mass Media Bureau	Chief Audio Services Division.
	Chief Video Services Division.
	Chf, Enforcement Div.
Private Radio Bureau	Chief Land Mobile & Microwave Division.
Field Operations Bureau	Chief Enforcement Division.
Common Carrier Bureau	Chief, Tariff Division.
	Asst Bureau Chief (International).
	Chief Domestic Facilities Division.
	Chief, Accounting and Audits Division.
Ofc of Engineering Technology.	Chief Spectrum Management Division.
	Chief Technical Analysis Division.
	Chief Authorization & Standards Div.
	Chief, Spectrum Engineering Division.
	Chief, Authorization and Evaluation Division.
Federal Emergency Management Agency	
Office of the Director	Inspector General.
	Comptroller.
Emergency Operations Directorate.	Deputy Associate Director.
	Asst Assoc Dir Opers, Anal & Control.
	Asst Assoc Dir Operating Systems Mgmt.
	Asst. Assoc. Director of Facilities Mgmt.
	Asst Assoc Dir Readiness Plng & Ops.
	Asst. Assoc. Dir. of Emerg Coord & Support.
	Dep Asst Assoc Dir/Chf, Field Ops Division.
Organization Abolished	Asst Assoc Dir, Off Resource Prep.
	Career Reserved Positions.
Office of Civil Preparedness.	Chief Mobilization Resources Div.
Office of Natural and Technological Hazards Programs.	Chief, Technological Hazards Division.
Federal Insurance Administration.	Deputy Administrator.
Federal Energy Regulatory Commission (DOE)	
Ofc of Chief Accountant	Deputy Chief Accountant.
	Dir Division of Audits.
Ofc of Pipeline and Producer Regulation.	Dir, Div of Producer Rates and Certifications.
Ofc of Hydropower licensing.	Dir, Div of Inspection.
Federal Home loan Bank Board	
Office of Administration	Director Administration.
Office of Examinaitons & Supervision.	Dep Dir Examinations/Field Operations.
	Deputy Director—Examinations/Policy.
Office of Enforcement	Director, Office of Enforcement.
Ofc of Internal Eval and Compliance.	Dir Internal Evaluation and Compliance Ofc.
Federal Labor Relations Authority	
Office of the Chairman	Chief Counsel.
Office of Member	Chief Counsel.
Office of Member	Chief Counsel.
Federal Service Impasses Panel.	Exec Director FSIP.
Ofc of the Executive Director.	Executive Director/Administrator.
	Solicitor.
	Career Reserved Positions.
	Dir Case Management.
Organization Abolished	Chief Counsel.
	Asst Chief Counsel for Negotiability.
	Asst Chf Coun/Rep and Unfair Labor Practices.
	Assistant Chief Counsel for Arbitration.
Ofc of the General Counsel.	Deputy General Counsel.
	Assoc General Counsel.
	Asst General Counsel (Field Management).
	Asst General Counsel (Appeals).
	Asst Counsel (Field Mgmt/Legal Policy).
Regional Offices	Regional Director—Washington, D.C.
	Regional Director—Boston.
	Regional Director—New York.
	Regional Director—Atlanta.
	Regional Director—Dallas.
	Regional Director, Chicago, Illinois.
	Regional Director—Los Angeles.
	Regional Director, San Fancisco.
	Regional Director, Denver.
Federal Maritime Commission	
Office of the Members	Secretary.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Office of the General Counsel.	Dep Gen Coun for Reports Opinions and Decisions.
Office of the Managing Director.	Director of Programs.
	Director, Bureau of Administration.
	Dir. Bureau of Agreements & Trade Monitoring.
	Dir. Bureau of Tariffs.
	Dir. Bureau of Investigations.
	Dir. Bureau of Hearing Counsel.
Federal Trade Commission	
Ofc of Executive Director.	Deputy Exec Dir for Management.
	Dep Exec Dir for Planning & Information
General Services Administration	
Office of the Administrator.	Dir. Ofc of Small & Disadvantaged Bus Utiliz.
Office of Associate Administrator for Administration.	Director, Office of Administrative Services.
	Dir of Audit Resolution & Internal Controls.
	Director of Personnel.
	Deputy Director of Personnel.
Office of the Inspector General.	Deputy Inspector General.
	Asst. Inspector Gen for Auditing.
	Deputy Asst Inspector General for Auditing.
	Asst I/G for Investigations.
	Counsel to the Inspector General.
	Asst Insp for Policy, Plans & Mgmt Sys.
Office of Acquisition Policy.	Asst Admr for Acquisition Policy.
	Deputy Assistant Admr for Aquisition Policy.
	Dir of Acquis Mgmt and Contract Clearance.
	Policy Advr to the Asst Admr for Acq Policy.
	Director Federal Acquisition Institute.
Office of the Comptroller..	Dir of Finance.
	Director of Budget.
	Deputy Director of Finance.
	Director, of Transportation Audits.
Federal Property Resources Service.	Asst Comm for Real Estate Policy/Sales (Fprs).
	Asst Commr for National Defense Stockpile.
	Asst Commissioner for Stockpile Transactions.
Public Buildings Service....	Asst Commissioner for Buildings Management.
	Asst Commr For Design and Construction.
	Asst Comm for Fed Protection & Safety.
	Assistant Commissioner for Public Utilities.
	Dir. Law Enforcement Division.
	Asst Comr for Procurement.
	Dep Asst Comr for Procurement.
	Asst Comr for Real Property Development.
	Dep Asst Comr for Real Property Development.
	Dir Safety & Environmental Division.
	Asst Commissioner for Facility Planning.
	Asst Comm Govt Wide Real Prop Pol Oversight.
	Director, Facility Mgmt Division.
Office of Information Resources Management.	Dir of Fed Domes Asst Ctlg Staff (Irms) NCR.
	Director of Information Resources Procurement.
	Asst Commissioner for Network Services.
	Asst Commissioner for Info Res Mgmt Policy.
	Assistant Commissioner for Ofc Info Systems.
	Asst Commissioner for Regional Info Services.
	Director of GSA Information Systems.
	Dir of Systems and Technology Assessment.
	Dir of Wash Interagency Telecomm Systems.
	Director of Fed Domestic Asst Catalog Staff.
	Director of Technical Assistance.
	Dir of Regional Telecommunications Services.
Office of Federal Supply and Services.	Asst Comm for Policy and Agency Liaison.
	Dir of Transportation.
	Asst Commr for Quality and Contract Admn.
	Asst Commissioner for Commodity Management.
	Asst Commissioner for Customer Support Mgmt.
	Dep Asst Commr for Customer Support Mgmt.
	Asst Commissioner for Transportation Audits.
Region 1—Boston.....	Asst Reg Admr for Public Bldg & Real Property.
Region 2—New York.....	Dep Regional Admr.
	Asst Reg Admr for Public Blds & Real Property.
	Asst Reg Admr for Administration.
	Asst Reg Admr for Federal Supply & Services.
Region 3—Philadelphia.....	Asst Regl Admr for Public Bldng & Real Proty.
	Asst Reg Admr for Info Reso Mgmt Ser, NE Zone.
National Capital Region....	Asst Regional Admr for Administration, NCR.
	Asst Regl Admr for Pub Bldgs & Real Property.
	Asst Regl Admr for Info Resources Mgmt.
	Asst Reg Admr for Federal Supply & Services.
	Asst Regl Administrator for Operations.
	Asst Reg Admr for Real Estate & Devel, NCR.
Region 4—Atlanta.....	Asst Reg Admr for Public Blds & Real Pro R-4.
	Assistant Reg Admin for Inform Res Mgmt R-4.
	Asst Reg Admr for Federal Supply & Services.
Region 5—Chicago.....	Asst Regional Admr for Administration, R-5.
	Asst Regl Admr for Pub Bldgs & Real Prop R-5.
Region 6—Kansas City.....	Asst Regional Admr for Administration, R-6.
	Asst Reg Admr for Public Blds & Real Property.
Region 7—Fort Worth.....	Asst Regl Admr for Pub Buildings & Real Prop.
	Asst Regl Admr for Info Resources Mgmt R-7.
	Asst Reg Admr for Federal Supply Service.
Region 8—Denver.....	Asst Reg Admr for Public Blds & Real Property.
Region 9—San Francisco.	Asst Regl Admr for Pub Bldgs & Real Property.
	Asst Reg Admr for Federal Supply & Services.
	Asst Reg Admr for Information Res Management.
Region 10—Auburn, Washington.	Asst Regl Admr for Public Build & Real Prop.
Department of Health and Human Services	
OAS for Management and Budget.	Dep Asst Sec, Finance.
	Dir, Div of Accounting Systems & Procedures.
	Dep Asst Secy for Procurement, Asst and Log.
	Dir Ofc of Procurement & Asst Policy.
	Dir Off Procurement & Asst Financial Mgmt.
	Dep to the Dep Asst Secretary Finance.
OAS for Personnel Administration.	Asst Sec for Personnel Administration.
	Dir, Ofc of Human Relations.
Office of the General Counsel.	Assoc Gen Coun, Business & Adm Law Division.
	Dep Assoc Gen Counl, Bus & Adm Law Div.
Office of the Inspector General.	Asst Inspector General for Audit.
	Dep Asst Inspector General for Audit.
	Asst Inspector General for Investigations.
	Dep Asst Inspector Gen for Investigations.
	Sr Asst Insp Gen for Audit & Systems.
	Asst Inspector Gen for Health Fin Integrity.
	Dir, Health Care Financing Audit Division.
	Dep Asst Insp Gen for Criminal Investigation.
	Director Grants Intnal Sys Audit Division.
	Dep Asst Inspector Gen for Civil Fraud.
	Director, Social Security Audit Division.
	Dep/Asst/Insp/Gen for Headquarters Operations.
	Asst/Dep/Insp/Gen for Info Res Management.
	Asst Inspect General for Program Inspections.
	Asst Insp Gen for Analysis & Inspections.
	Dep Asst Insp Gen for Anal & Inspections.
	Dep Asst Insp Gen for Audit, Social Security.
	Dep Asst Insp G/A Grant, Int Syst & Edp.
	Dep Asst Insp Gen for Audit, Health Care Fin.
	Dep Asst Insp G/A Mgmt, Ops & Eval.
OAA for Management and Support Services.	Dir Ofc of Financial Mgmt & Admin Systems.
	Chief Actuary.
	Dir, Bureau of Data Management and Strategy.
	Dep Dir, Bureau of Data Management & Strategy.
OAA for Operations.....	Dir Ofc of Prog Adm, Bur of Prog Operations.
	Deputy Director Bureau of Quality Control.
OAA for Policy	Dir Office of Demonstrations and Evaluations.
	Director, Ofc of Research.
OAS for Health	Dep Dir, Office of Administrative Management.
	Director, Office of Resource Management.
National Center for Health Statistics.	Assoc Dir for Analysis & Epidemiology.
	Assoc Dir for Research & Methodology.
	Assoc Dir Ofc of Prog Plng Eval & Coord.
Natl Center Health Svcs Rsch/Tech Assmt.	Dir, Div of Intramural Research.
	Dir, Div of Extramural Research.
Alcohol, Drug Abuse & Mental Health Admin.	Assoc Admin for Extramural Programs.
Natl Inst of Alcohol Abuse & Alcoholism.	Chief Laboratory of Clinical Studies.
	Dir Division of Extramural Research.
	Dir, Div of Intramural Clinical & Bio Res.
	Dir Dvi of Biometry & Epidemiology.
	Director, Office of Scientific Affairs.
National Institute on Drug Abuse.	Director Addiction Research Center.
	Dir Div of Preclinical Research.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director Division of Clinical Research.
	Dir, Div of Epidemiology & Statistical Analy.
Nat'l Inst of Mental Health.	Dir Division of Extramural Research Programs.
	Dir, Div of Scientific & Techn Info.
	Chf, Theoretical Statistics & Mathematics Bran.
	Dir Div of Mental Health SVC Programs.
	Assoc Dir Extramural Programs.
	Dep Dir, Div of Extramural Research Programs.
	Executive Officer NIMH.
	Director, Division of Basic Sciences.
	Dir, Div of Educ & Serv Syst Liaison.
	Director, Division of Extramural Activities.
	Dir Division of Biometry & Applied Sciences.
Saint Elizabeths Hospital	Director John F Marr Division.
	Director Richardson Division.
	Chief Department of Medicine.
Intramural Research	Dir, Intramural Research Programs.
	Dir Division of Special Mental Health Researc.
	Chf, Lab of Cerebral Metabolism.
	Chief, Section on Myelin Chemistry.
	Chf, Lab of Neurochemistry.
	Chf Lab of Gen & Comparative Biochemistry.
	Chief, Lab of Brain Evolution & Behavior.
	Chief Lab of Neurobiology.
	Chf, Lab of Neurophysiology.
	Chf Lab of Socio-Environmental Studies.
	Chf Lab of Developmental Psychology.
	Chf-Clinical Neuropharmacology Branch.
	Chief Lab of Psychology and Psychopathology.
	Chief Laboratory of Neuropsychology DCBR.
	Chief Section Histopharmacology.
	Chief, Biological Psychiatry Branch.
Centers for Disease Control.	Deputy Director, NIOSH 126.
	Director Div of Tech Evaluation & Assistance.
	Dir Clinical Chemistry Div.
	Assistant to the Director.
	Asst Dir for Laboratory Science.
	Director, Division of Viral Diseases.
	Chief Retrovirus Branch.
	Director, Division of Reproductive Health.
Food and Drug Administration.	Director Parklawn Computer Center.
	Director Orphan Products Development.
Office of Regulatory Affairs.	Regl Food & Drug Dir, Reg I, Boston.
	Regional Director, FDA, Reg II, New York.
	Regl Food & Drug Dir, Reg III, Philadelphia.
	Reg:L Dir, Food & Drug Adm, Reg IV, Atlanta.
	Regl Food and Drug Director, Reg V, Chicago.
	Regional Food & Drug Dir, Reg VI, Dallas.
	Regl Food & Drug Dir Reg VII, Kansas City.
	Regl Food and Drug, Reg VIII, Denver.
	Reg:L Dir, Food & Drug Adm, Reg IX (San Franc). 127.
	Regl Food & Drug Dir, Reg X, Seattle.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director Contaiminants Policy Staff.
National Center for Toxicological Research.	Director, Division of Biometry.
	Assoc Dir for Research.
Center for Food Safety & Applied Nutrition.	Dir Division of Toxicology.
	Dir, Div of Chemistry & Physics.
	Dir Ofc of Physical Sciences.
	DDir, Div of Food Technology.
	Deputy Dir Ofc of Physical Sciences.
	Dir Olc of Nutrition & Food Sciences.
	Assoc Dir for Laboratory Investigations.
	Dir, Div of Nutrition.
	Dir Ofc of Compliance.
	Dir, Div of Microbiology.
	Director, Division of Regulatory Guidance.
	Dep Dir, Ofc of Nutrition & Food Sciences.
	Dir Div of Chemical Technology.
	Director Ofc of Toxicological Sciences 128.
	Dir Div of Food & Color Additives.
	Director Division of Mathematics.
Center for Drugs and Biologics.	Dir Div Oncology & Radiopharmaceutical Drug P.
	Dir Div of Scientific Investigations.
	Dir Div of Cardio-Renal Drug Products.
	Dir Office of Compliances.
	Dir Div of Drug Biology.
	Director-Division of Drug Chemistry.
	Dep Dir Ofc of Epidemiology & Biostatistics.
	Dir Div of Biometrics.
	Dir Div/Drugs & Biological Product Experience.
	Director Div of Biopharmaceutics.
	Dir, Div of Neuropharmacological Drug Prod.
	Dir Div of Surgical Dental Drug Products.
	Dir, Div of Metabolism & Endocrine Drug Prod.
	Dir Div Biological Product Compliance.
	Dep Dir for Prog Management
	Dir, Div of Product Quality Control.
	Dep Dir Ofc of Biologics Research & Review.
	Deputy Director for Medical Activities.
	Director, Division of Biochem & Biophysics.
	Director, Division of Otc Drug Evaluation.
	Dir Ofc of Drug Research & Review Ctr.
	Associate Director for Program Coordination.
	Director, Office of Drug Standards.
	Deputy Dir, Ofc of Drug Standards.
	Director, Division of Bacterial Products.
	Director, Division of Generic Drugs.
Center for Veterinary Medicine.	Dir-Div of Thera Drugs for non-Food Animals.
	Dir Ofc of Surveillance & Compliance.
	Director, Ofc of New Animal Drug Evaluation.
	Director, Office of Science.
	Director Office of Human Food Safety.
	Dir Div of Biometrics & Production Drugs.
	Dir Div of Therapeutic Drugs for Food Animals.
	Dir Div of Veterinary Medical Research.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Assoc Dir Scientific Infor & Education.
	Director, Division of Animal Feeds.
Center for Devices & Radiological Health.	Dir Ofc of Device Evaluation.
	Dir Ofc of Standards & Regulations.
	Dir Office of Science & Technology.
	Deputy Director, Office of Compliance.
	Dep Dir Office of Device Evaluation.
Immediate Office of the Director.	Director, Div of Financial Management.
	Director, Division of Contracts & Grants.
	Associate Dir for Med Applications of Resch.
	Dir Ofc of Protection From Reseach Risk.
	Assoc Dir for Intramural Research.
	Associate Director for Disease Prevention.
	Sr Adv to Dep Dir for Extramural Res & Trng.
Nat'l Heart, Lung & Blood Institute.	Assoc Director for Review.
	Assoc Dir Epidemiology & Biometry Program.
	Chief, Sickle Cell Disease Br.
	Dir Div of Lung Diseases.
	Dep Dir Div of Lung Diseases.
	Dir Div of Blood Diseases & Resources.
	Dir, A/Sclerosis, Hypertension & Lip Met Prog.
	Dep Director Div of Extramural Affairs.
	Assoc Dir, Clinical Appls Prevention Prog.
	Dep Dir Div of Blood Diseases & Resources.
	Director, Division of Extramural Affairs.
Intramural Research	Chf Lab of Biochemical Genetics.
	Chf Lab of Biochemistry.
	Chief Lab of Molecular Hematology.
	Hd, Section on Chemistry.
	Chief, Laboratory of Chemical Pharmacology.
	Sr Rsch Chemist, Sect on Cell Biology.
	Chief Macromolecules Section.
Division of Cancer Biology & Diagnosis.	Dep Dir Div of Cancer Biology & Diagnosis.
	Chief, Laboratory of Cell Biology.
	Hd Biochemical Genetics Section.
	Hd, Protein Chemistry Section.
	Chief Laboratory of Biochemistry.
	Director, Extramural Research Program.
	Chf, Macromlecular Interactions Section.
	Chief, Dermatology Branch.
	Head, Cellular Immun of Mod Self Antigens Gr.
	Chief, Gene Regulation Section.
	Chief Laboratory of Immunobiology.
Division of Cancer Etiology.	Dir, Div of Cancer Etiology
	Chief Lab of Biology
	Chf Biometry Branch
	Chief Clinical Epidemiology Branch.
	Chief Laboratory of Molecular Carcinogenesis.
	Chf Lab of Experimental Pathology.
	Head, Math Statistics & Applied Mathematics S.
	Head in Vitro Carcinogenesis Section.
	Associate Dir for Biological Carcinogenis.
	Assoc Dir for Chem & Physical Carcinogenisis.
Division of Cancer Prevention & Control.	Dep Dir, Div of Cancer Prevention & Control.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Associate Director, Prevention Program.
	Assoc Dir. Centers & Community Oncology Prog.
	Associate Dir, Cancer Control Science Program.
Division of Extramural Activities.	Dir, Div of Extramural Activities.
	Deputy Dir, Div of Extramural Activities.
Divison of Cancer Treatment.	Chf-Radiation Oncology Br.
	Chf-Drug Evaluation Branch.
	Chf-Lab of Medicinal Chemistry & Biology.
	Assoc Dir Radiation Research Program.
	Assoc/Dir Biological Response Modifiers Prog.
Natl Institute of Diabetes & Digestive & Kidney Dis.	Dir Div Kidney, Urologic & Hematologic Diseases.
	Dir Division of Extramural Activities.
	Assoc Dir for Diabetes, Endocrin & Metab Dis.
	Associate Director for Digestive Diseases.
	Assoc Director for Research & Assessment.
	Assoc Dir Disease Prevention Technol Transfer.
Intramural Research	Chf Section on Intermediary Metobolism.
	Chief Section on Biochemical Mechanisms.
	Chf Sec on Biochemistry.
	Ch Sect Biochemistry of Amino Acids.
	Chf, Section on Spectroscopy & Structure.
	Chf Sect on Metabolic Enzymes.
	Chf Sect on Physical Chemistry.
	Chief, Section on Molecular Structure.
	Sr Res Physicist, Mathematical Research Br.
	Sr Chemist, Clinical Endocrionology Br.
	Senior Research Chemist.
	Chief Lab of Chemistry.
	Senior Research Chemist.
	Chief, Laboratory of Bio-Organic Chemistry.
	Chief Oxidation Mechanisms Section L B C.
	Chief Laboratory of Biochemistry & Metabolism.
Natl Institute of Arth Musculoskeletal & Skin Diseases.	Chf, Lab of Physical Biology.
	Assoc Dir for Arthritis, Bone, Skin Diseases.
National Library of Medicine.	Dep Dir, Natl Lib of Medicine.
	Dep Dir for Res and Education.
	Associate Director for Library Operations.
	Assoc Dir for Extramural Programs.
	Dir, LHNC for Biomedical Commun.
	Assoc Dir, Specialized Info Services.
	Asst Dir for International Programs.
	Dep Dir Lister Hill Natl Ctr for Biomed Comms.
	Associate Director for Planning.
	Director, Information Systems.
Natl Inst of Allergy & Infectious Diseases.	Dir-Immunology-Allergic & Immunologic Disease.
	Chf, Lab of Parasitic Diseases.
	Chf, Lab of Biology of Viruses.
	Chf, Laboratory of Microbial Immunity.
	Spec Asst for Biometry, Off Sci Dir.
	Hd, Molecular Virology Section.
	Director, Microbiology & Infectious Dis Progs.
	Chief, Lab of Immunogenetics.
	Director, Extramural Activities Program.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Ch, Lab of Microbial Structure and Function.
	Chief Lab of Molecular Microbiology.
	Head Malaria Section.
Nat'l Inst on Aging	Scientific Dir NIA.
	Natl Inst on Aging.
	Chief, Lab of Molecular Aging.
	Chief Lab of Cellular & Molecular Biology.
	Associate Dir for Behavioral Sciences Res.
	Assoc Dir Biomed Res & Clinical Medicine Prog.
	Assoc Dir, Office of Extamural Affairs.
	Assoc Dir, Epidemi, Demo, & Biometry Program.
Nat'l Inst of Child Health & Human Development.	Chief, Laboratory of Molecular Genetics.
	Dep Dir Center for Population Res.
	Chf, Endocrinology & Reproduction Research Br.
	Dir Epidemiology & Biometry Res Program.
	Director Ctr Forres for Mothers & Children.
	Director Cntr for Population Research.
	Chf, Lab of Neurochemistry & Neuroimmunology.
	Chief, Section on Growth Factors.
Nat'l Institute of Dental Research.	Chief Lab of Microbiology & Immunology.
	Chf, Laboratory of Dev Biology & Anomalies.
	Chf, Enzyme Chemistry Section.
	Assoc Dir, Extramural Research Program.
	Chief Mineralized Tissue Research Branch.
	Dir, Epidemiology & Oral Disease Prevent Prog.
	Chief, Epidemiology Branch.
Nat'l Institute of Environmental Health Sciences.	Scientific Dir, NIEHS.
	Chf Lab of Pulmonary Pathobiology.
	Hd, Cell Pharmacology section.
	Chief, Lab of Genetics.
	Head Mutagenesis Section.
	Head Mammalian Mutagenesis Section.
	Dir Biometry & Risk Assessment Program.
	Dir Toxicology Research & Testing Programs.
Nat'l Inst of General Medical Sciences.	Dir, Cell & Molec Basis of Disease Prog.
	Dir Genetics Program.
	Assoc Dir for Program Activities.
	Dir. Pharmacological Sciences Program Branch.
	Dir Bio Phys Sciences Program Branch.
Nat'l Inst of Neuro & Comm Disorders & Stroke.	Dir Fundamental Neurosciences Program.
	Director, Communicative Disorders Program.
	Director, Stroke and Trauma Program.
Intramural Research	Chief Lab of Central Nervous System Studies.
	Chf, Devel & Metab Neurology Branch.
	Chf Lab of Molecular Biology.
	Deputy Chief, Lab of Central Nervous Sys Stud.
	Hd Cellular Neuropathology Section.
	Chief, Section on Neuroradiology.
	Chief, Lab of Biophysics.
	Chf, Lab of Neuropathology & Neuroanatomical S.
	Chf Lab of Neurochemistry.
	Chief, Neuronal Interactions Section.
	Chf, Surgical Neurology Branch.
	Chf, Lab of Neuro-Otolaryngology.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Chief Laboratory of Molecular Genetics.
	Chief Biometry & Field Studies Branch.
Nat'l Eye Institute	Clinical Director NEI.
	Chf, Lab of Vision Research.
	Dir, Intramural Research Program, NEI.
	Chief, Lab of Molecular & Dev. Biology.
	Chief, Laboratory of Sensorimotor Research.
	Chief, Lab of Ophthalmic Pathology.
	Assoc Dir, Biometry & Epidemiology Prog.
	Dep Assoc Dir. Biometry & Epidemiology Prog.
NIH Clinical Center	Assoc Dir for Clinical Care/Dir, Clinical Ctr.
	Health Systems Administrator.
	Associate Director for Planning.
Division of Computer Research & Tech.	Chief, Computer Center Branch.
	Chief, Physical Science Lab.
	Chief, Data Management Branch.
Division of Research Resources.	Dir. Div of Research Resources.
	Dep, Dir, Dir of Res Resources.
	Dir, Gen Clinical Res Center Program Branch.
Division of Research grants.	Chief, Referral & Review Branch.
Division of Research Services.	Chf Biomedical Engineering & Instrumentation.
National Center for Nursing Research.	Director National Cntr for Nursing Research.
Ofc of Actuary	Chf Actuary.
	Dep Chief Actuary (Long-Range).
	Dep Chief Actuary Short Range SSA.
Ofc of Systems Integration.	Director, Office of Programmatic Systems.
Ofc of Systems Operations.	Dir, Ofc of Computer Processing Operations.
Ofc of Systems Requirements.	Dir, Office of Claims & Payment Requirements.
	Dir. Ofc. of Planning Control & Validation.
	Dir, Ofc. of Pre-Claims Requirement.
Ofc of Assessment	Asoc. Commr. for Assessment.
	Deputy Associate Commissioner Assessment.
Ofc of Mgmt, Budget, and Pers.	Dir Ofc of Materiel Resources.
	Dir Ofc of Financial Resources.
	Director, Office of Acquisition and Grants.
Family Support Administration.	Assoc Admin Ofc of Financial Management.
	Assoc Admr, Ofc of Mgmt and Info Systems.
Department of Housing and Urban Development	
Office of the Inspector General.	Deputy Inspector General.
	Asst Inspector General for Investigations.
	Assistant Inspector General for Audit.
	Asst IG for Fraud Control & Mgmt Operations.
	Deputy Asst Inspector Gen for Audit Operation.
	Dep Asst Insp Gen for Plng & Qlty Assurance.
Assistant Secretary for Administration.	Deputy Director, Ofc. of Personnel & Training.
	Director, Office of Finance & Accounting.
	Dir Mortgage Insurance Accounting Serv Group.
	Director Ofc of Procurements & Contracts.
	Director, General & Program Accounting Group.
	Deputy Director Office of Finance & Accountg.
	Dep Dir for Accounting policy & Planning.
	Special Projects Officer.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Asst Secy for Policy Development and Research.	Dir Building Technology Division.
Assistant Secretary for Housing.	Dir. Interstate Land Sales Registration Div.
	Director, Field Monitoring Staff.
Asst Secy for Fair Housing and Equal Opportunity.	Dir Ofc of HUD Program Compliance.
	Dir Ofc of Fair Housing Enforce and Sec 3.
Asst Secy for Community Planning and Development.	Dir Office of Environment and Energy.
Region II New York	Manager.
Region III Philadelphia	Manager.
Region IV Atlanta	Manager.
Region V Chicago	Manager.
	Manager.
	Manager.
	Manager.
Region VI Dallas	Manager.
	Manager.
Region IX San Francisco	Manager.
Department of the Interior	
Ofc of the Inspector General.	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigations.
Office of Hearings and Appeals.	Special Counsel.
Ofc of the Solicitor	Deputy Assoc Solicitor, General Law.
	Asst Solicitor Bureau of Parks and Recreation.
	Spec Asst to the Assoc Solicitor, Indian Affr.
	Special Asst to the Assoc Solicitor—Gen Law.
	Dep Associate Solicitor—Energy & Resources.
Asst Secy for Policy, Budget & Administration.	Chief, Division of Acquisition and Grants.
	Asst Dir for Economics.
	Asst Dir for Studies.
	Chief, Div of Budget Operations (A).
	Asst Dir for Special Analysis.
	Chief Division of Budget Operations (B).
Natl'l Park Service	Senior Scientist.
	Superintendent Great Smoky Mtns Natl Park.
	Asst Dir Minority Business Enterprise.
U.S. Fish & Wildlife Service.	Deputy Assoc Dir—Federal Assistance.
	Dep Assoc Dir—Natl Wildlife Refuge Sys.
	Deputy Associate Director—Research.
	Assoc Dir, Planning and Budget.
	Dep Asst Dir—Fish & Wildlife Enhancement.
	Deputy Associate Director—Fishery Resources.
	Deputy Assoc Dir—Wildlife Resources.
	Deputy Associate Director—Environment.
	Dep Asst Dir—Pol, Budget, & Administration.
	Dep Asst Dir—Fishers.
	Dep Asst Dir—Research & Development.
	Dep Asst Dir—Fish & Wildlife Enhancement.
Bureau of Mines	Resch Dir, Pittsburgh Research Center.
	Research Dir, Twin Cities Research Ctr.
	Research Director, Albany Research Ctr.
	Chf. Div of Minerals Informations Systems.
	Chief Div of Materials & Recycling Technology.
	Chief Division of Minerals Availability.
	Chief Div of Extraction Metallurgy Technology.
	Chief Div of Health & Safety Technology.
	Chief, Division of Mining Technology.
	Chief, Division of State Activities.
	Staff Asst to Asst Dir—Mineral Data Analysis.
	Assistant Director—Finance and Management.
Bureau of Reclamation	Chief, Division of Atmospheric Water Resources Mgm.
	Chief Div of Research & Lab Services.
	Chief Division of Planning.
	Deputy Asst Commissioner Eng & Research.
	Chief Division of Water & Land.
	Project Manager/Arizona Projects Office.
	Chief Div Prog Coordination & Finance
US Geological Survey	Deputy Asst Dir for Information Systems.
	Staff Geologist for NPRA/Alaska Activities.
National Mapping Div	Chief, National Mapping Division.
	Associate Chief, National Mapping Division.
	Chief, EROS Data Center.
	Asst Division Chief for Plans Operations.
	Chief Western Mapping Center.
	Chief Mid-Continent Mapping Center.
	Chief Rocky Mountain Mapping Center.
	Digital Cartography Program Manager.
	Asst Div Chief for Information & Data Svc.
	Chief Eastern Mapping Center.
	Asst Div Chf for Research.
Water Resources Div	Chief Hydrologist.
	Assoc Chief Hydrologist.
	Regl Hydrologist Central Reg Lakewood.
	Chief Branch of Surface Water.
	Chief, Branch of Ground Water.
	Regl Hydrologist Southeastern Region.
	Asst Chief Hydrologist, Res & Tech Coordinati.
	Regional Hydrologist, Western Region.
	Regional Hydrologist, Northeastern Region.
	Chief Branch of Water Quality.
	Chf, Water Data Coordn.
	Asst Chf Hydrologist for Operations.
	Asst Chief Hydrologist for Scien Info Mgmt.
	Dep Asst Chf Hydrologist for Res & Tech Coord.
	Chf. Ofc Natl Water Summary & Long Range Plng.
	Asst Chf Hydro for Res & Extrnl Coordination.
	Asst Chf Hydrologist/Prog Coord & Tech Supp.
	Career Reserved Positions.
	Chf, Ofc of Atmospheric Deposition Analysis.
	Chf, Ofc of Hydrologic Research.
	Chief, WRSIC Program.
	Chief Office of Water Quality.
	Chf, Br of Water Information Transfer.
	Water Research Program Manager.
Geologic Div	Chief Geologist.
	Chief, Ofc of Earthquakes, Volcanoes & Engr.
	Chief, Ofc of Scientific Publications.
	Assoc Chf Geologist.
	Chf Ofc of Mineral Resources.
	Chief, Office of Energy & Marine Geology.
	Chief Office of International Geology.
	Chief, Office of Regional Geology.
	Asst Chief, Ofc of Energy and Marine Geology.
	Assistant Chief Geologist for Programs.
	Staff Assistant to Chief Geologist.
Bureau of Land Management.	Asst Dir-Technical Services.
	Asst Dir—Renewable Resources.
	Dep Asst Dir. Lands & Renewable Resources.
	Asst Dir Fluid Leasable Minerals.
	A/D/D Ener&Min Res & A/D Min Res & Mining Law.
	Asst Dir Solid Leasable Minerals.
	Special Liaison for Tribal & Indian Lands.
Ofc of Surface Mining Reclam & Enforcement.	Administrator-Technical Center-East.
	Administrator-Technical Center-West.
	Spec Asst to the Asst Dir. Tech Servs & Res.
	Spec Asst to the Asst Dir. Tech Servs & Res.
	Spec Asst to the Asst Dir Prog Opers & Inspec.
	Dep Asst Dir Program Oper & Inspection (East).
	Spec Asst to the Asst Dir for Prog Operations.
	Spec Asst to the Dep Dir for Oper/Tech Scv.
	Spec Asst to the Asst Dir for Eastn Fld Oper.
	Assistant Director, Western Field Operations.
Minerals Management Service.	Regional Director, Gulf of Mexico Ocs Region.
	Dep Associate Director for Offshore Leasing.
	Career Reserved Positions.
	Chief, Leasing Management Division.
	Regional Manager, Atlantic Ocs Region.
	Regional Manager, Alaska Ocs Region.
	Assistant Assoc Dir for Offshore Minerals Mgt.
	Regional Manager, Pacific Ocs Region.
	Dep Associate Dir for Royalty Management.
	Dep Associate Dir for Offshore Operations.
	Prog Dir Ofc of Strat & Inter Minerals Mgmt.
	Staff Economist.
Bureau of Indian Affairs	Deputy Dir-Indian Education Programs.
	Director of Administration.
	Dir Facilities Management Operations.
International Development Cooperation Agency	
Ofc of the General Counsel.	Deputy General Counsel.
Office of the Inspector General.	Asst Inspector General for Security.
	Asst Inspector General for Investigations.
	Assistant Inspector General for Audit.
	Counsel to the Inspector General.
	Deputy Inspector General.
	Career Reserved Positions.
Office of Equal Opportunity Programs.	Dir Ofc of Equal Opportunity Programs
Bureau for Management	Assistant to the Administrator for Management.
Office of Financial Management.	Controller and Senior Financial Officer.
	Deputy Controller.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Office of Personnel Management.	Dep. Dir. Office of Personnel Management.
Directorate for Program and Management Services.	Associate Director for Management.
	Dir Commodity Management.
	Dir Office of Information Resource Management.
	Deputy Dir for Program Operations.
	Dir, Ofc of Acquisition & Asst Management.
	Director Office of Procurement.
	Dir, Ofc of Management Operations.
Interstate Commerce Commission	
Office of the General Counsel.	Assoc Gen Counsel—Litigation.
	Dep Gen Counsel Research & Legislation.
Office of the Secretary	Secretary.
Ofc of the Managing Director.	Dir of Personnel.
Bureau of Accounts	Director, Bureau of Accounts.
	Dep Dir. Bureau of Accounts.
	Career Reserved Positions.
	Deputy Director.
Bureau of Traffic	Dir. Bureau of Traffic
Office of Compliance & Consumer Assistance.	Deputy Director for Enforcement.
	Deputy Director/Chief Section of Operations.
	Assoc Dir. of Compliance & Consumer Asst.
	Director.
Regional Offices	Regional Director (Boston).
	Regional Director (Philadelphia).
	Regional Director (Atlanta).
	Regional Director (Chicago).
	Regional Director (San Francisco).
	Regional Director.
Office of Proceedings	Associate Dir.
	Deputy Director.
	Deputy Director.
	Assistant Deputy Director.
	Assistant Deputy Director.
Department of Justice	
Office of the Attorney General.	Counsel on Professional Responsibility.
	Dep Counsel on Professional Responsibility.
Justice Management Division.	Asst Attorney General for Administration.
	Prin Dep Asst Atty General for Administration.
	Dir Audit Staff.
	Director Security Staff.
	Special Asst to the Asst Attorney Gen for Adm.
	Dir Library Staff.
	Deputy Director Audit Staff.
	Senior Management Counsel.
	Senior Management Counsel.
	Gen Coun to the Asst Attorney Gen for Admin.
	Senior Advisor.
	Counselor to the Asst Attorney Gen for Admin.
	Associate Assistant Attorney General.
	Associate Assistant Attorney General.
	Associate Assistant Attorney General.
Office of the Controller	Deputy Assistant Attorney General.
	Dir Finance Staff.
	Director, Evaluation Staff.
	Special Projects Officer.
Office of Personnel and Administration.	Deputy Assistant Attorney General.
	Director Personnel Staff.
	Director Administrative Services Staff.
	Director General Services Staff.
Office of Information Technology.	Deputy Assistant Attorney General.
	Dir Computer Techn & Telecommunications Staff.
	Director, Systems Policy Staff.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, Litigation Systems Staff.
	Director, Information Systems Staff.
Executive Office for Immigration Review.	Chief Immigration Judge.
	Assistant to the Director.
Antitrust Division	Chief Economic Litigation Section.
Immigration and Naturalization Service.	Comptroller.
	Asst Commissioner for Detention & Deportation.
	Assistant Commissioner for Border Patrol.
Associate Commissioner for Information Systems.	Assistant Commissioner for Records Systems.
	Assistant Commissioner for Data Systems.
Associate Commissioner for Examinations.	Asst Commissioner for Adjudication & Natural.
	Asst Comm for Inspections.
Associate Commissioner for Enforcement.	Assistant Commissioner for Investigations.
Associate Commissioner for Management.	Asst Commissioner for Administration.
Community Relations Service.	Regl Director, Region V, Chicago.
	Regl Director, Region IX, San Francisco.
	Regl Director, Region III, Philadelphia.
Executive Ofc for U.S. Attorneys.	Dir Ofc of Mgnt Information Systems Support.
	Senior Management Advisor.
Federal Prison System	Asst Dir For Planning and Development.
	General Counsel.
	Assoc Commr. Fed Prisons Industries, Unicor.
	Dep Assoc Commr-Sec. Fed Prison Industries, I
	Dep Assoc Comm for Fed Prison Industries.
	Dep Asst Dir for Edu and Vocational Training.
	Deputy Asst Dir for Admin.
	Deputy Associate Commissioner.
	Dep Asst Dir Medical Servs Div PD# Q5002463.
	Deputy Director.
Office of Correctional Programs.	Dep Asst Dir for Correctional Programs.
	Asst Dir Correctional Programs Div.
Northest Region	Regional Director.
	Warden, Lewisburg, PA.
	Warden, Otisville, New York.
	Warden.
	Warden.
	Warden Ft Worth Texas.
Southeast Region	Regional Director.
	Warden Atlanta.
	Warden.
	Warden, Lexington Kentucky.
	Warden Butner North Carolina.
North Central Region	Regional Director.
	Warden Leavenworth Kansas.
	Warden.
	Warden, Terre Haute, IN.
	Warden, Rochester, MN.
South Central Region	Regional Director.
	Warden, El Reno, OK.
Western Region	Regional Director.
	Warden, Terminal Island, CA.
	Warden, Lompoc, CA.
Office Justice Assistance.	Gen Counsel.
	Comptroller, Ofc of the Comptroller.
National Institute of Justice.	Asst Dir, Ofc of Research Programs.
	Asst Dir, Ofc of Dev Testing & Dissemination.
Bureau of Justice Statistics.	Deputy Dir, Bureau of Justice Statistics.
U.S. Marshals Service	Associate Director for Administration.
	Associate Director for Operations.
	Assistant Director for Inspections.
	Assistant Director for Financial Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Department of Labor	
Ofc of the Inspector General.	Deputy Inspector General.
	Asst Inspector Gen for Investigations.
	Asst Inspector Gen for Audit.
	Deputy Assistant Inspector General for Audit.
	Dir, Ofc Resource Mgnt & Legislative Assmt.
	Asst Inspector Gen for Labor Racketeering.
	Dep Asst Insp Gen for Labor Racketeering.
	Dir, Ofc of Resource Mgmt & Legislative Assmt.
Office of the Solicitor	Deputy Solicitor (Regional Operations).
	Associate Solicitor for Labor-Management Laws.
	Assoc Solicitor for Plan Benefits Security.
	Assoc Solicitor for Civil Rights.
	Assoc Solicitor for Occupational Safety & Hlt.
	Assoc Solicitor for Mine Safety & Health.
	Assoc Solicitor for Fair Labor Standards.
	Assoc Solicitor for Employee Benefits.
	Associate Solicitor for Spec Litigation.
	Assoc Sol for Spec Appel & Sup Court Lit.
	Dep Solicitor for Planning and Coordination.
	Dir, Office of Management.
	Associate Solicitor for Fair Labor Standards.
Regional Solicitors	Regional Solicitor.
	Regional Solicitor, Region IV—Atlanta.
	Regl Solicitor, Boston.
	Regl Solicitor, New York.
	Regional Solicitor, Philadelphia.
	Regl Solicitor, Dallas.
	Regl Solicitor, Kansas City.
	Regl Solicitor, San Francisco.
OAS for Administration and Management.	Asst Sec'y for Admin & Mgmt.
	Dep Asst Sec for Adm and Mgmt.
	Dir, Admin Serv & Safety & Health Programs.
	Dir, Ofc of Budget.
	Dir, Ofc Labor Mgmt Relations.
	Dir of Management Policy and Systems.
	Comptroller for the Department.
	Dir of Personnel Management.
	Dep Dir of Personnel Management.
	Deputy Comptroller.
	Dir, Ofc of Information Technology.
	Dir, Ofc of Civil Rights.
	Dir of Procurement & Grants Management.
	Dir, Natl Capital Service Center.
	Director of Information Resources Management.
	Dir, Administrative & Procurement Programs.
Office of Management, Administration and Planning.	Dir, Ofc of Mgmt, Administration and Planning.
Ofc of Federal Contract Compliance Programs.	Director, Division of Programs Operations.
Wage and Hour Division	Asst Admin for Program Operations.
	Asst Admin for Policy Planning & Review.
Ofc of Workers Compensation Programs.	Dir, Federal Employees Compensation.
	Dir, Coal Mine Workers Compensation.
Organization Abolished	Asst Admr for Field Operations.
Organization Abolished	Director, Office of Management.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Pension & Welfare Benefits Administration.	Associate Director for Enforcement.
	Dep Administrator for Program Operations.
	DAssoc Dir for Regulations & Interpretations.
	Associate Director for Program Services.
	Deputy Associate Director for Program Serv.
	Director of Policy Development & Evaluation.
	Director of Program Operations.
Office of Labor Management Standards.	Asst Director for Compliance & Enforcement.
	Dir Ofc of Standards, Tech Asst & Disclosure.
	Dir Ofc of Elect Trustshp/Intern'l Union Audt.
Bureau of Labor Statistics.	Assoc Commr for Field Operations.
Date Analysis	Assoc Commr. Occ Safety & Health Stat.
	Assoc Commr. Economic Growth.
	Assoc Commr for Prices and Living Conditions.
	Assoc Commr Productivity & Technology.
	Assoc Commr for Wages & Industrial Relations.
	Assoc Commr for Research & Evaluation.
	Assoc Comm for Employment & Unempl Statistics.
	Dep Assoc Commr for Prices & Living Cond.
	Asst Commr for Consumer Prices & Price Indexes.
	Asst Commr for Indust Prices & Price Indexes.
	Dep Assoc Comm for Empl & Unempl Statistics.
	Asst Commissioner for Mathematical Statistics.
	Assistant Commissioner for Economic Research.
	Asst Commissioner for Federal-State Programs.
	Asst Commissioner for Current Employ Analysis.
Administrative and Internal Operations.	Dep Comm for Adm and Internal Operations.
	Assistant Commissioner for Administration.
	Assistant Commissioner for Survey Processing .
	Asst Commissioner for Tech & Operations Rev.
Regional Commissioners	Reg Commr-BLS (Chicago).
Employment and Training Admin.	Adm. Office of Program & Fiscal Integrity.
Office of Employment Security.	Director, OFC of Trade Adjustment Assistance.
Office of Financial Control and Management Systems.	Admin Ofc of Financial Control & Mgmt Sys.
	Dep Admr Ofc of Fin Control & Mgmt Systems.
	Dir Ofc of Management & Information Sys.
	Comptroller.
	Admr. Ofc of Financial & Administrative Mgmt.
	Dep Admr, Ofc of Financial & Adm Management.
Administrate Programs	Dir, Adm Progs.
Health Standards Programs.	Dir Health Standards Programs.
Safety Standards Programs.	Director Safety Standards Programs.
Federal/State Operations.	Director, Federal/State Operations.
Technical Support	Dir Tech Support.
Mine Safety and Health Administration.	C-HF of Standards, Regulations & Variances.
	Director of Administration and Management.
	Director of Technical Support.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Merit Systems Protection Board	
Ofc of Managing Director.	Managing Dir.
	Assistant managing Director for Management.
	Asst Managing Dir for Regional Operations.
	Dep Asst Managing Director for Management.
Ofc of General Counsel	Depty General Counsel.
	Associate General Counsel for Litigation.
Office of Appeals Counsel.	Associate Director Office of Appeals Counsel.
Regional Offices	Regional Director, New York.
	Regional Director, San Francisco.
	Regional Director, Chicago.
	Regional Director, Atlanta.
	Regional Director, Philadelphia.
	Regional Director, Dallas.
	Regional Director, Washington, D.C.
National Aeronautics and Space Administration	
Office of the Comptroller	Asst Compt for Prog Status Rev & Cost Assess.
Institutional Analysis Division.	Director Institutional Analysis Division.
Financial Management Division.	Dir Financial Mgmt Div.
	Dep Dir. Financial Management Div.
Resources Analysis Division.	Spec Asst to the Comproller.
	Dir Resources Analysis Division.
Budget Operations Division.	Dir, Budget Operations Div.
Congressional Liaison Division.	Director, Congressional Liaison Division.
Ofc of Chief Engineer, NASA.	Director, Safety Division.
	Dir, Reliability & Quality Assurance Division.
	Deputy Chief Engineer.
	Director, Engineering Division.
Information Systems Office.	Manager, Information Systems Office.
Environmental Observations Division.	Dep/Dir Earth Science & Applications Division.
	Chief, Atmospheric Processes Branch.
	Chief, Oceanic Processes Branch.
	Discipline Scientist Interplanetary Physics.
	Chf, Atmospheric Dynamics and Radiation Br.
	Chief Land Processes Branch.
Communications Division	Deputy Director Communications Division.
Life Sciences Division	Dep Dir Life Sciences Division.
	Chf, Res & Tech Development Branch.
	Manager Operational Medicine.
	Chief, Flight Programs Branch.
Administration and Resources Management Division.	Deputy Dir Admin & Resources Mgnt Division.
Earth and Planetary Exploration Division.	Dep/Dir Solar System Exploration Division.
	Chief Scientist (Geodynamics Program).
	Chief, Geodynamics Branch.
	Chief, Planetary Science Branch.
Shuttle Payload Engineering Division.	Mgr, Advanced Instrumentation & Sensor Engineer.
	Chief Astrophysics Payload Branch.
Astrophysics Division	Dep Dir, Astrophysics Division.
	Manager, Advanced Programs & Technology.
	Chf, High Energy Astrophysics Br.
	Chief, Astronomy/Relativity Branch.
	Chief, Observatories Development Branch.
	Chf, Solar & Heliospheric Physics Br.
	Asst Director, Astrophysics Div (Technical).
	Chief, Flight Programs Branch

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Space Telescope Development Division.	Dir Space Telescope Development Division.
Office of Procurement	Asst Admr for Procurement.
	Deputy Asst Admr for Procurement.
	Director, Program Operations Division.
	Director, Procurement Policy Division.
	Dir Procurement Management Division.
	Dir Contract Pricing & Finance Office.
Ofc of Asst Admr for Commercial Programs.	Dep Dir, Commercial Development Div.
	Dir, Plans, Policy & Evaluation Division.
	Director, Program Support Office.
	Deputy Assistant Administrator (Programs).
	Dir, Small Business Innovation Res Office.
Ofc of the Assoc Admr Space Flight.	Spec Asst to the Assoc Admr for Space Flight.
	Spec Asst to the Dep Assoc Admr (Tech).
	Director, Special Programs.
	Tech Asst to the Asst Assoc Admn (Space Shut).
Advanced Programs & Plans.	Chf, Platforms & Services Branch.
Resources and Institutions Office.	Deputy Dir Resources & Institutions Ofc
	Chief Sts Program Budget and Control.
Space Transportation Support Program Division.	Chief, Sts/Centaur Program Branch.
	Dep Dir, Space Transp Support Prog Div.
Spacelab Division	Chief, Development Branch.
	Chief, Operations Branch.
Customer Services Division.	Chf, Commercial & Foreign Utilization Branch.
	Chief, DOD Utilization Branch.
	Chief, NASA Utilization Branch.
	Chief, Policy/Business Development Branch.
	Spec Asst to Dir, Customer Services Div.
	Deputy Director, Customer Services Division.
Space Shuttle Operations Office.	Director, Shuttle Operations Division.
	Deputy Director, Shuttle Operations Division.
	Chief, Operations Integration.
Orbiter Programs Division.	Director Shuttle Orbiter Division.
Propulsion Division	Deputy Director, Shuttle Propulsion Division.
	Chief, External Tank Programs.
	Mgr, Spc Shuttle Propulsion Pro/Oper Support.
	Director, Shuttle Propulsion Division.
Flight & Turnaround Operations.	Dir, Flight & Turnaround Operations Div.
Office of the Associate Administrator, Management.	Dir Aircraft Management Ofc.
Headquarters Administration Division.	Dep Dir Headquarter Administration Division.
Facilities & Engineering and Computer Management Div.	Dir Facilities Engineering Div.
	Dep Director Facilities Eng Div.
Logistics Management and Information Programs Division.	Dir, Logistics Mgmt & Info Programs Division.
	Chf Scientific and Tech Info Br.
	Dep Dir, Logistics Mgmt & Info Prog Div.
Personnel Programs Division.	Dir Personnel Programs Div.
	Dep Dir Personnel Progs Div.
Information Systems Division.	Director Automated Information Systems Div.
Ofc of Director for Aeronautics.	Dep Dir for Aeronautics (Program Development).
	Asst Dir for Aeronautics (Rotorcraft).

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	A/D for Aeronaut (Gen Aviat & Trans Aircraft).
	Dir for Aeronautics (High-Perf Aircraft).
Ofc of Dir for Space	Deputy Director for Space.
	Asst Dir for Space (Space Station Technology).
	Dep Dir for Space (Program Development).
Ofc of Dir for Institutions	Deputy Director for Institutions.
	Deputy Director for Resources.
	Assistant Director for Facilities.
	Director for Institutions.
Aerodynamics Division	Deputy Director, Aerodynamics Division.
Information Sciences & Human Factors Division.	Deputy Director Info Sci & Mgmt. Human Factors Div.
Materials & Structures Division.	Director, Materials and Structures.
	Deputy Director, Materials and Structures.
Propulsion, Power, & Energy Division.	Dir, Propulsion, Power and Energy Division.
	Deputy Director (Aeronautics).
Flight Projects Division	Deputy Director, Flight Projects Division.
National Aerospace Plans Office.	Director, National Aero-Space Plane Office.
	Natl Aero-Space Plane Dir for NASA (Darpa).
	Dep Dir, National Aero-Space Plane Office.
Ofc of Assoc Admr for Space Station.	Special Asst for Strategic Plan Space Station.
	Special Asst for International Affairs.
	Special Asst for Space Station Utilization.
Policy & Plans Office	Chief, Plans Integration Branch.
	Deputy Dir Policy & Plans Office.
	Chief Cooperative Programs Plans Branch.
Engineering Division	Chief Sys/Management Engineering Branch.
	Deputy Dir Engineering Division.
Ofc of the Assoc Admr, Space Tracking and Data Systems.	D/A/A Space Tracking & Data Systems (Networks).
Network System Division	Dep Director Network Systems Division.
Communications and Data Systems Division.	Dir, Communications & Data Systems Div.
	Assoc Dir, Communications & Data Systems Div.
Deep Space Network Operations Programs.	Manager, Deep Space Network Operations Progra.
TDRSS Division	Deputy Director TDRSS Division.
	Chief, TDRSS Operations.
	Manager Tracking & Data Relay Satel Sys Prog.
Discrimination Complaints Division.	Director, Discrimination Complaints Division.
Office of the Inspector General.	Assist Inspector General for Investigation.
	Assistant Inspector General for Auditing.
	Asst Inspector General for Technical Services.
Ames Research Center	Assoc Dir, NASA Ames Res Ctr.
	Chief Engineer.
Aerospace Systems Directorate.	Chief, Aerodynamics Division.
	Chf, Ames Res Aircraft Operations Division.
	Chf Flight Systems & Simulation Rsch Div.
	Chf, Rotocraft & Powered-Lift Flight Proj Div.
	Deputy Dir Aerospace Systems Directorate.
Space Research Directorate.	Deputy Director of Space Research.
	Chief, Cardiovascular Research Office.
	Chief, Life Sciences Division.
	Chief Aero-Space Human Factors Research Div.
Engineering and Technical Services Directorate.	Dep Director Engineering & Tech Svcs.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Aerophysics Directorate	Chief, Airborne Mission & Applications Div.
	Chief, Space Science Division.
	Chief Computational Fluid Dynamics Branch.
	Chf, Systems Engineering Div.
	Chief, Information Sciences Office.
	Deputy Director of Aerophysics.
	Chief Full Scale Aerodynamics Research Center.
	Chief, Fluid Dynamics Division.
	Chief Computer Systems & Research Division.
	Chief Thermoscience Division.
	Mgr Numerical Aerodynamic Simulation Prog Ofc.
Flight Operation and Research Directorate.	Chief, Science & Applications Aircraft Div.
	Chf Engineer.
	Chf Dryden Research Aircraft Operations Div.
	Deputy Chief Dryden Research Aircraft Oper Di.
	Chief Shuttle Project Office.
	Chief, Research Engineering Division.
Goddard Space Flight Center.	Comptroller.
	Chief Counsel.
Management Opers Directorate.	Dep Dir of Management Operations.
	Procurement Officer.
	Associate Director for Acquisition.
Flight Assurance Directorate.	Director of Flight Assurance.
Flight Projects Directorate.	Deputy Director of Flight Projects.
	Dep Dir Flight Proj Space Telescope Goddard.
	Assoc Dir of Flight Proj for User Systems.
	Assoc Dir of Flight Proj for Sys Mgmt.
	Project Mgr, Tracking&Data Relay Satellite Sy.
	Assoc Dir of Flight Proj for Mission Systems.
	Manager Adv Land Obser Sys Studies OFC.
	De Dir Flight Proj Plng Business Management.
	Proj Mgr, Tracking & D/R Satel Syst (TDRSS).
	Dep Dir of Flight Proj for Space Stat-Goddard.
	Mgt. GSFC Work Package, Space Station Project.
	Project Mgr, Upper Atmosphere Res satelite.
	Project Manager, MetSat Project.
	Assoc Dep Dir of Flt Proj/Space Sta Proj—Gdd.
Mission Operations & Data Systems Directorate.	Assoc Dir of Mission Operations & Data Syst.
	Deputy Dir of Mission Operations & Data Sys.
	Chief Networks Division.
Space & Earth Sciences Directorate.	Deputy Director (Projects).
	Head, Electrodynamics Branch.
	Chief, Lab for High Energy Astrophysics.
	Chief, Lab for Astronomy and Solar Physics.
	Chief, Lab for Extraterrestrial Physics.
	Asst Dir for Space Station (Mission Planning).
	Chief Laboratory for Atmospheres.
	Chief, Space Data and Computing Division.
	Special Assistant to the Director.
	Special Assistant to the Director.
	Chief, Laboratory for Terrestrial Physics.
	Dep Dir, Space and Earth Sciences.
	Chief Laboratory for Oceans.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Associate Director for Program Planning.
	Associate Director for Space Station.
	Chief, Goddard Institute for Space Studies.
Engineering Directorate	Dep Dir of Engineering.
	Chief, Instrument Division.
	Chief, Applied Engineering Div.
	Chief, Space Technology Division.
	Asst Dir of Engineering for Development Proj.
	Assistant Director for Technical Resources.
Johnson Space Center	Assistant Director (Plans).
	Dir of Public Affairs.
	Technical Asst to the Director.
	Special Assistant to the Director.
Center Support	Deputy Dir Center Operations.
	Deputy Dir Admin.
	Dir Admin.
	Dir of Procurement.
	Deputy Director, Administration.
	Dir Center Operations.
	Assistant Director, Administration.
Space Oerations	Assistant to the Director of Space Operations.
	Chief, Astronaut Office.
	Chief, Aircraft Operations Division.
	Chief Training Division.
	Assistant to the Director of Space Operations.
	Director, Mission Operations.
	Deputy Director, Mission Support.
	Assistant Director for Operations.
	Asst Dir for Systems.
	Chief, Flight Director Office.
Research & Engineering	Deputy Director, Engineering.
	Assistant Director, Space & Life Sciences.
	Chief, Tracking & Communications Division.
	Chief, Avionics Systems Div.
	Chief, Propulsion & Power Division.
	Chief Structures and Mechanics Division.
	Chief, Systems Engineering Division.
	Chief, Crew & Thermal Systems Division.
	Chief Solar System Exploration Division.
	Chief, Medical Sciences Division.
	Director, Engineering.
Natl Space Transp Sys Prog Ofc.	Dep Manager Natl Space Trans System Office.
	Manager Systems Integration.
	Manager Orbiter Engineering Office.
	Manager Sts Integration & Operations Office.
	Dep Manager Sts Integration & Operations Ofc.
	Manager Sts Orbiter & Gfe Projects Office.
	Deputy Manager Sts Orbiter & Gfe Projects Ofc.
Space Station Project Office.	Manager, Data Management & Operations Office.
	Deputy Manager, Space Station Projects Office.
	Manager Project Engineering Office.
Space Shuttle Projects ofc.	Asst Manager, Space Shuttle Projects Ofc.
Safety, Reliability & Quality Assurance.	Dir, Safety, Reliability, & Quality Assurance.
	Dep Dir. Safety, Reliability & Qual Assurance.
Sts Operations Program Office.	Manager, Customer Integration Office.
	Dep Manager, Space Station Program Office.
	Manager, Sys Engineering & Integration Office.
	Manager, Integration & External Affairs Ofc.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
NASA White Sands Test Facility.	Manager, NASA White Sands Test Facility.
Kennedy Space Center	Dir, Exec Management Ofc.
	Associate Deputy Director.
Comptroller	Deputy Comptroller.
Biomedical Office	Chf, Biomedical Office.
Public Affairs	Dir Public Affairs.
Safety, Reliability and Quality Assurance.	Dir., Safety, Reliability & Quality Assurance.
Shuttle Management Operations.	Manager Space Station Projects Office.
KSC Off Site Operations Shuttle Project.	Manager, KSC Off-Site Operations Shuttle Proj.
Shuttle Processing	Director, Launch and Landing Operations.
Launch Support Services.	Deputy Director of Shuttle Operations.
Information Systems	Director, Information Systems.
Center Support Operations.	Director of Center Support Operations.
	Deputy Director of Center Support Operations.
Engineering Development.	Deputy Director of Engineering Development.
Project Management	Director, Project Management.
Mechanical and Facilities Engineering.	Dir., Mechanical & Facilities Engineering.
Electronic Engineering	Director, Electronic Engineering.
Cargo Management and Operations.	Dep Dir Payload Mgmt and Operations.
Sts Cargo Operations	Director, Sts Payload Operations.
Deployable Payloads	Director, Deployable Payloads.
Shuttle Logistics	Dir, Shuttle Logistics.
Shuttle Engineering	Director of Shuttle Engineering.
Langley Research Center.	Assoc. Dir, NASA Langley Res Center.
Electronics Directorate	Chf., Analysis & Computation Division.
	Chf., Flight Electronics Division.
	Chf., Instrument Research Division.
Structures Directorate	Chf., Acoustics & Noise Reduction Div.
	Chief, Structures and Dynamics Division.
	Chf., Materials Division.
	Chief, Loads and Aeroelasticity Division.
Aeronautics Directorate	Manager, Aeronautical Systems Office.
	Chief Transonic Aerodynamics Div.
	Chief, Low-Speed Aerodynamics Division.
	Deputy Director for Aeronautics.
	Chief, High Speed Aerodynamics Division.
Space Directorate	Chief, Space Systems Division.
	Chief Atmospheric Science Division.
	Deputy Manager, Space Station Office.
	Manager Evolutionary Definition Office.
Systems Engineering and Operations Directorate.	Dep Dir for Syst Engineering & Operations.
	Chief Facilities Engineering Division.
	Chief Systems Engineering Div.
Flight Systems Directorate.	Chief Information Systems Division.
	Chf, Guidance and Control Division.
	Chief, Flight Management Division.
Lewis Research Center	Dep Dir Ofc of Rsch & Technology Assessment.
Administration & Computer Services.	Chief, Computer Services Division.
	Adp Planning and Acquisitions Officer.
Aeronautics Directorate	Chief Internal Fluid Mechanics Division.
	Chf, Propulsion Systems Div.
	Chief Aeropropulsion Facilities & Exper Div.
	Deputy Director of Aeronautics.
Space Station Systems Directorate.	Dep. Dir of Space Station Systems.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Chief, Photovoltaic Power Module Division.
	Chief, Power Technology Division.
Aero Space Technology Directorate.	Dep Dir of Aerospace Technology.
	Chief, Space Propulsion Technology Division.
	Chief, Materials Division.
	Chief, Structures Division.
Space Flight Systems Directorate.	Manager, Atlas Centaur Project Office.
	Manager Shuttle/Centaur Project Office.
	Manager, Acts Project Office.
	Chief, Space Transportation Engineering Div.
	Chief, Space Communications Division.
Engineering & Technical Services Directorate.	Chief, Engineering Design Division.
	Director of Engineering.
	Deputy Director of Engineering.
Marshall Space Flight Center.	Center Comptroller, NASA MSFC.
	Executive Assistant to the Director.
	Dir Admin Operations Office.
Office of Sfty, Rel & Quality Assurance.	Director, Quality Assurance Office.
	Director, Sfty Rel & Quality Assurance Ofc.
Science and Engineering	Dep Dir, Science & Engineering.
	Assoc Dir for Engineering.
	Chf Engineer, Solid Rocket Booster Integration.
	Chf, Engineer, Space Shuttle Main Engineer.
	Chf Engineer, Space Telescope.
	Dir, Materials & Processes Laboratory.
	Director, Space Sciences Lab.
	Chf, Atmospheric Sciences.
	Director, Structures & Propulsion Laboratory.
	Dep Dir Structures and Propulsion Lab.
	Director, Syst Anal & Integration Laboratory.
	Dep Dir Sys Analysis and Integration Lab.
	Chf Mission Analysis Division.
	Director, Systems Dynamics Laboratory.
	Chf, Aerophysics Div.
	Dir-Test Laboratory.
	Deputy Director Materials and Processes Lab.
	Deputy Associate Director for Engineering.
	Dep Dir, Systems Dynamics Laboratory.
	Director Information & Electronic Sys Lab.
	Dep Dir Information & Electronic Systems Lab.
	Assistant to the Director Sciences & Eng.
Spacelab Payload Project.	Dep Mgr, Spacelab Payload Proj Ofc.
	Manager Applications & Technology Missions.
	Manager, Science Payload Projects.
Space Station Projects Office.	Manager, Space Station Projects Office.
Spacelab Program Office.	Deputy Manager, Spacelab Program Office.
Program Development	Depty Director, Program Development.
	Director, Preliminary Design Office.
Shuttle Projects Office	Manager, External Tank Project Office.
	Manager, Solid Rocket Booster Project Office.
	Manager, Flight Engine Project.
	Deputy Manager Shuttle Projects Office.
	Manager, Development Engine Project.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Deputy Manager, for Production & Logistics.
	Manager, Systems Management Office.
	Mgr Space Shuttle Maine Engine Project.
Space Telescope Project Office.	Deputy Manager, Space Telescope Project.
	Manager Optical Telescope Project Office.
	Dep Mgr for Sys Engineering & Integration.
	Manager Support System Module Project Office.
Administration and Program Support.	Dep Dir, Administration & Program Support.
	Director, Procurement Office.
National Space Technology Laboratories.	Deputy Manager.
	Dir, Earth Resources Laboratory.
National Archives & Records Administration	
National Archives & Records Administration.	Deputy Archivist of the United States.
	Asst Archivist for Federal Records Centers.
	Asst Archivist for Records Administration.
	Director, Lyndon B. Johnson Library.
	Director, Harry S. Truman Library.
	Director Dwight D. Eisenhower Library.
National Capital Planning Commission	
National Capital Planning Commission Staff.	Assoc Exec Dir Regional Affairs.
	Executive Director.
	Assoc Exec Dir D.C. Affairs.
	Assistant Executive Director for Operations.
National Endowment for the Arts	
National Endowment for the Arts.	Director of Program Coordination.
	Deputy Chairman for Management.
National Endowment for the Humanities	
National Endowment for the Humanities.	Assistant Chairman for Administration.
National Labor Relations Board	
Ofc of the Board Members.	Executive Secy.
	Deputy Executive Secretary.
Div of Enforcement Litigation.	Deputy Assoc. Gen. Counsel Appellate Court BR.
	Director, Office of Appeals.
Div of Advice	Associate Gen Counsel, Div of Advice.
	Deputy Assoc Gen Counsel.
Div of Administration	Director of Administration.
	Deputy Director of Administration.
Div of Operations Management.	Assoc General Counsel, Div of Operation-Mgmt.
	Dep Asso Gen Counsel, Div of Operations-Mgmt.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Assistant General Counsel.
	Asst to the General Counsel.
Regional Offices	Regl Dir Reg 1 Boston.
	Regional Director, Reg. 2, New York.
	Regional Director, Reg. 3, Buffalo.
	Regl Dir Reg 4 Philadelphia
	Regional Director, Reg. 5, Baltimore.
	Regional Director, Reg. 6, Pittsburgh.
	Regl Dir Region 7, Detroit Mich.
	Regional Director, Reg. 8, Cleveland.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Regional Director, Reg. 9, Cincinnati.
	Regl Dir Reg 10 Atlanta.
	Regl. Dir., Reg. 11, Winston Salem.
	Regional Director, Reg 12, Tampa.
	Regional Director, Reg. 13, Chicago.
	Regl Dir Reg. 14 St Louis.
	Regl Dir Reg. 15 New Orleans.
	Regl Dir Reg. 16 Ft Worth.
	Regl Dir Reg. 17 Kansas City.
	Regl Dir Reg. 18 Minneapolis.
	Regl Dir Reg. 19 Seattle.
	Regional Dir. Reg 20, San Francisco.
	Regional Director, Reg. 21, Los Angeles.
	Regional Director, Reg 22 Newark.
	Regional Director, Reg 23 Houston Texas.
	Regional Director, Reg 24 Hato Rey Puerto Rico.
	Regl Dir. Reg 25, Indianapolis.
	Regl Dir Reg 26 Memphis.
	Regl Dir Reg 27 Denver.
	Regl Dir Reg 28 Phoenix.
	Regl Dir Reg 29 Brooklyn.
	Regl Dir Reg 30 Milwaukee.
	Regl Dir Reg 32 Oakland.
	Regional Director, Reg 33 Peoria, Ill.
	Regl Dir Reg 31 Los Angeles.
National Science Foundation	
Office of the Director	Senior Staff Assoc. For Inter-Agency Affairs.
	Senior Staff Associate.
	Special Assistant.
	Special Assistant.
	Special Assistant.
	Special Assistant.
	Special Assistant.
Office of Information Systems.	Dir of Information Management.
Office of the General Counsel.	Deputy General Counsel.
Office of Budget, Audit, and Control.	Director, Evaluation Staff.
Division of Audit and Oversight.	Division Director.
Division of Budget	Division Director.
Office of Legislative and Public Affairs.	Executive Assistant to Director.
Directorate for Geosciences.	Executive Officer.
Division of Atmospheric Sciences.	Section Head Grant Program Section.
	Section Head-Ctrs and Facilities Program Sec.
Division of Ocean Sciences.	Sec. Hd. Oceanographic & Facilities Sec.
	Section Head Ocean Sciences Research Section.
Division of Polar Programs.	Deputy Division Director.
	Manager Polar Ops Section.
	Exec/Assoc/Arctic Science Policy and Research.
	Head, Polar Coordinator & Info Section.
Directorate for Engineering.	Senior Staff Associate.
Div of Electrical, Communications & Systems Engineering.	Deputy Division Director.
Div of Mechanics, Structures, and Materials Engineering.	Deputy Division Director.
Office for Engineering Infrastructure Development.	Office Head.
Directorate for Biological, Behavioral Social Sciences.	Executive Officer.
Office of Interdirectorate Research Coordination.	Office Head.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Division of Behavioral and Neural Sciences.	Deputy Division Director.
Division of Social and Economic Sciences.	Sect Head Political & Policy Sciences Sect.
	Deputy Division Director.
	Senior Scientist.
Division of Cellular Biosciences.	Deputy Division Director.
Division of Molecular Biosciences.	Deputy Division Director.
Directorate for Mathematical and Physical Sciences.	Executive Officer.
	Senior Staff Associate for Planning.
Division of Physics	Section Head, Nuclear Science Section.
	Senior Staff Associate.
	Division Director.
Division of Astronomical Sciences.	Section Head—Astronomy Centers.
	Section Head—Astronomy Research.
Division of Mathmatical Sciences.	Deputy Division Director.
Division of Materials Research.	Sect Head, Metallurgy, Polymers, & Ceramics.
	Sect Hd Cond Matter Science.
	Senior Staff Scientist.
Division of Chemistry	Sect Hd Chem Syn and Analy.
	Sect Hd Phy Chem and Dynam.
	Head Special Projects Office.
Office of College Sciences Instrumentation.	Office Head.
Organization Abolished	Senior Staff Assoc for Strategic Plan Asses.
Division of Policy Research and Analysis.	Section Head, Science & Innovation Pol. Sec.
	Section Head, Policy Sciences Section.
	Section Head, Technology & Resource Policy Sec.
Division Odf Sciences Resources Studies.	Section Head, R & D Economic Studies Section.
	Section Head, Sci & Tech Pers.
	Section Head, Survey and Analysis Section.
	Section Head, Special Analytical Studies Sect.
Division of International Programs.	Deputy Division Director.
	Head, Special Program Section.
	Head, Industrial Countries Section.
	Head, Developing Countries Section.
Division of Industrial Sciences & Technolog Innvation.	Section Head Industrial Support Section.
	Senior Staff Associate.
Division of Research Initiation & Improvement.	Senior Staff Associate.
Directorate for Administration.	Senior Staff Associate.
Division of Grants and Contracts.	Division Director.
Division of Financial Management.	Division Director.
Division of Administrative Services.	Division Director.
Division of Personnel and Management.	Division Director.
Directorate for Computer & Info Science & Engineering.	Executive Officer.
Div of Computer and Computation Research.	Deputy Division Dir.
National Transportation Safety Board	
Office of the Managing Director.	Deputy Managing Director.
Bureau of Administration	Dir Bureau of Administration.
Bureau of Accident Investigation.	Director Bureau of Accident Investigation.
	Deputy Director.
Bureau of Field Operations.	Director.
Bureau of Technology	Dir Bureau of Technology.
	Deputy Director of Technology.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Bureau of Safety Programs.	Director, Bureau of Safety Programs.
	Deputy Director.
Nuclear Regulatory Commission	
Atomic Safety and Licensing Brd Panel.	Chairman, ASLBP
	Deputy Chief Administrative Judge Executive.
Atomic Safety and Licensing Appeal Panel.	Chairman, ASLAP.
Office of Inspector and Auditor.	Director, Office of Inspector & Auditor.
	Dir, OIA.
	Deputy Director, Ofc of Inspector & Auditor.
Office of Assistant GC for Hearings.	Deputy Assistant GC for Hearings (Section I).
	Deputy Asst GC/Antitrust Counsel (Section II).
	Dep Asst GC for Hearings (Section III).
	Dep Asst GC for Hearings (Section IV).
Ofc for ANA and EVA Oper Data.	Chief Reactor Operations Analysis Branch.
	Chief, Program Technology Branch.
Div of Contracts	Director Division of Contracts.
Div of Security	Director, Div of Security.
Organization Abolished	Assistant Chief Hearing Counsel III.
	Assistant Chief Hearing Counsel I.
	Assistant Chief Hearing Counsel IV.
	Asst Chf Hearing Counsel II/Antitrust Counsel.
Division of Accounting and Finance.	Dir Division of Accounting and Finance.
Ofc of Small and Disadv Bus Utilization/Civil Rights.	Director.
Pwr-A Project Directorates.	Project Dir, Pwr Project Directorate #1.
	Project Dir, Pwr Project Directorate #2.
	Project Dir, Pwr Project Directorate #3.
	Project Director, Pwr Project Directorate #4.
	Project Dir, Pwr Project Directorate #5.
Assistant Director for Pwr/A.	Chief, Engineering Branch (Pwr-A).
	Chief, Plant Systems Branch (Pwr-A).
	Chf, Electr Instr & Ctl Syst Branch (Pwr-A).
	Chf, Reactor Systems Branch (Pwr-A).
	Chf, Facility Operations Branch (Pwr-A).
Pwr-B Projects Directorates.	Project Dir, Pwr Project Directorate #6.
	Project Dir, Pwr Project Directorate #7.
	Project Dir, Pwr Project Directorate #8.
	Proj Dir, Std & Spec Proj Directorate.
	Proj Dir, Integrated Safety Asses Proj Dir.
	Proj Dir, TIM-2 Clean Up Project Directorate.
	Dep Proj Dir, TIM-2 Clean Up Proj Directorate.
Assistant Director For Pwr-B.	Chf, Engineering Branch (Pwr-B).
	Chf, Plt Elect Instr? Ctl Syst Branch (Pwr-B).
	Chf, Reactor Syst Branch (Pwr-B).
	Chf, Facility Operations Branch (Pwr-B).
Bwr Project Directorates	Project Dir, Bwr Project Directorate #1.
	Project Dir, Bwr Project Directorate #2.
	Project Dir, Bwr Project Directorate #3.

Positions That Were Career Reserved During Calendar Year 1986—Continued

Agency/Organization	Career reserved positions
	Project Dir, Bwr Project Directorate #4.
Assistant Director for Bwr.	Chief, Engineering Branch (Bwr).
	Chief, Plant Systems Branch (Bwr).
	Chf, Elec Instr & Control Syst Branch (Bwr).
	Chief, Reactor Systems Branch (Bwr).
	Chief, Facility Operations Branch (Bwr).
Division of Human Factors Technology.	Chief Human Factors Issues Branch.
	Chf, Maintenance & Training Branch.
	Chief, Technical Spec Coordination Branch.
	Chf, Operator Licensing Branch.
	Special Assistant for Audits.
Division of Safety Review & Oversight.	Chf, Regulatory Improvements Branch.
	Chf, Reliability & Risk Assessment Branch.
	Chief Reactor Safety Issues Branch.
	Chief Engineering Issues Branch.
Office of Nuclear Matrial Safety and Safeguards.	Dir NMSS.
Division of Safeguards	Chief Material Transfer SG Licensing Branch.
	Chief Fuel Facility SG Licensing Branch.
	Chief Power Reactor SG Licensing Branch.
	Chf, Licensing Policy and Programs Br.
	Chief Safeguards Special Projects Branch.
	Chf, Facility Assessment & Standardization Bh.
	Chf, SG Matl Licensing & Enternatl Act Brch.
	Chf SG Reactor & Transp Licensing Bch.
Division of Fuel Cycle and Material Safety.	Chief, Transportation Certification Branch.
	Chf Uranium Fuel Licensing Br.
	Chief Procedures and Certification Br.
	Chf Advanced Fuel & Spent Fuel Licensing Br.
	Chief Materials Licensing Branch.
Division of Waste Management.	Chief Repository Projects Branch.
	Chief, Policy & Program Control Branch.
	Chief Geotechnical Branch.
	Chief Engineering Branch.
	Chief Low Level Waste & Uranium Rec P Branch.
Division of Engineering Safety.	Chief, Engineering Branch.
	Chief, Materials Branch.
	Chief Chemical Engineering Branch.
	Chief Waste Management Branch.
	Chief Elec Engr & Instrumentation Control Sta.
Division of Reactor System Safety.	Chief Fuel Systems Research Branch.
	Chief Risk Analysis Branch.
	Chief Reactor Systems Branch.
	Chief Containment Sys Research Branch.
	Chief Accident Evaluation Branch.
Organization Abolished	Chief Regulatory Analysis & Matls Risk Branch.
	Chief Human Factors & Safeguards Branch.
Division of Regulatory Applications.	Chief Occupational Radiation Protection Br.
	Chief Earth Sciences Branch.
	Chief Health Effects Branch.
	Chf, Radiation Risk Asses & Mgmt Branch.
	Chief Safety Research Application Branch.
	Chief Regulation Development Branch.
Office of Inspection and Enforcement.	Director Enforcement Staff.
Division of Inspection Programs.	Chief, Operating Reactor Programs Branch.
	Chief, Reactor Construction Programs Branch.
	Chief, Safeguards & Materials Programs Brch.
Div of Quality Assurance, Vendor & Tech Trng Ctr Progs.	Chief Quality Assurance Branch.
	Chief, Vendor Program Branch.
Div of Emergency Preparedness & Engineering Response.	Chief, Events Analysis Branch.
	Chief, Engineering Generic Communication Brnch.
	Chief Incident Response Branch.
	Chief Emergency Preparedness Branch.
Region I	Deputy Regional Administrator.
	Dir. Div of Radiation Safety & Safeguards.
	Director Division of Reactor Safety.
	Dep Dir, Div of Reactor Safety.
	Director, Division of Reactor Projects.
	Deputy Director, Division of Reactor Projects.
Region II	Deputy Regional Administrator Region II.
	Dir, Div of Radiation Safety & Safeguards.
	Director, Division of Reactor Projects.
	Deputy Director, Division of Reactor Projects.
	Director, Division of Reactor Safety.
	Dep Dir, Div of Reactor Safety.
	Director, TVA Projects.
Region III	Dep Regional Administrator Region III.
	Director, Division of Reactor Safety.
	Director, Division of Reactor Projects.
	Dep Dir, Div of Reactor Safety.
	Deputy Director Division of Reactor Projects.
	Dir, Div of Radiation Safety & Safeguards.
Region IV	Deputy Regional Administrator Region IV.
	Director Uranium Recovery Field Office.
	Director, Division of Reactor Safety & Projs.
	Dep Dir Div Of Reactor Safety and Projects.
	Dir, Div of Radiation Safety & Safeguards.
	Deputy Regional Administrator Region V.
Region V	Dir Div of Reactor Safety and Projects.
	Dep Dir Div of Reactor Safety and Projects.
	Dir, Div of Radiation Safety & Safeguards.
Office of Management and Budget	
Office of the Director	Assistant Director for Administration.
	Deputy Associate Dir for Economic Policy.
Office of Special Counsel/Civil Rights.	Dep Gen Counsel for Reg Affr & Litigation.
Legislative Reference Division.	Asst Dir Legislative Reference.
	Dep/Asst/Dir For Legislative Reference.
	Chief, Economics, Science & Govt. Branch.
	Chief, Resources-Defense-International Branch.
Office of Federal Procurement Policy.	Principal Assoc Admr for Procurement.
	Assoc. Administrator for Management Control.
Office of Information and Regulatory Affairs.	Chief Information Policy Branch.
	Chief Reports Management Branch.
	Chief Regulatory Policy Branch.
	Chief Statistical Policy Branch.
	Deputy Chief, Information Policy Branch.
	Chief Regulatory Analysis Branch.
Planning and Communications Management Div.	Deputy Associate Director.
Financial Management Division.	Dep Assoc Dir for Finance and Accounting.
Management Improvement Division.	Dep Assoc Dir Mgmt Improvement Div.
Budget Review Division	Asst Dir for Budget Review.
	Dep Assistant Director for Budget Review.
	Chief Fiscal Analysis Branch.
	Dep Chief Fiscal Analysis Branch.
	Chf, Budget Preparation Branch.
	Chief, Resources Systems Branch.
	Deputy Chief Budget Preparation Branch.
Assoc Dir for National Security and International Affs.	Dep Assoc Dir for Management.
International Affairs Division.	Dep Assoc Dir for Internatl Affairs.
	Dep Chief, International Affairs Division.
	Chief, State—ICA Branch.
	Chief, Economic Affairs Branch.
	Chief International Security Affairs Branch.
National Security Division.	Dep Assoc Dir for National Security.
	Dep Chief.
	Chf., Intelligence Community Branch.
	Chief, Navy Branch.
	Chief, Air Force Branch.
	Chief, Army Branch.
	Chief, Manpower, Pay & Policy Branch.
Assoc Dir for Human Resources, Veterans and Labor.	Dep Assoc Dir for Speciasl Studies.
Health and Income Maintenance Division.	Dep. Assoc. Dir. for Health & Income Maintena.
	Chf, Income Maintenance Branch.
	Chief Health & Social Services Branch.
	Chief Health & Financing Branch.
Labor, Veterans, and Education Division.	Deputy Associate Director for Labor, Vet & Ed.
	Dep Div Chf-Labor.
	Chief, Education Branch.
	Chf Veteran Affairs Branch.
Associate Director for Economics and Government.	Dep Assoc Dir for Special Studies.
Transportation, Commerce, and Justice Division.	Dep Assoc Dir for Transp Commerce & Justice.
	Chief Commerce & Justice Branch.
	Chief Transport General Services Branch.
Housing, Treasury and Personnel Division.	Chief, Housing Branch.
	Dep Assoc Dir for Housing, Treas & Personnel.
	Chief Treasury & Personnel Branch.
Assoc Dir for Natural Resources, Energy, and Science.	Dep Assoc Dir for Spec Studies.
Natural Resources Division.	Dep. Associate Dir. for Natural Resources.
	Chief, Water Resources Branch.
	Chief, Agricultural Branch.
	Chief, Environment Branch.
	Chief, Interior Branch.
Energy and Science Division.	Dep. Assoc. Dir for Energy & Science.
	Chief, Nuclear Energy Branch.
	Chief Science and Space Programs Branch.
	Deputy Div Chief.
	Chief Non-Nuclear Energy Branch.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Office of Personnel Management	
Office of the Inspector General.	Inspector General.
Office of Finance and Administrative Services.	Assistant Director for Finance & Admin Serv.
Office of Information Management.	Executive for Adp Operations.
Organization Abolished	Exec Asst Dir for Actuarial Analysis & Ins.
Office of the Actuary	Chief Actuary.
Office of Insurance Programs.	Asst Dir for Insurance Program.
Office of Retirement Programs.	Asst Dir for Retirement Programs.
Office of Staffing Policy	Chief, Examining Policy Analysis Division.
Office of Agency Compliance & Evaluation.	Asst Dir for Agency Compliance & Evaluation.
Office of Standards Development.	Assistant Dir for Standards Development.
Office of Federal Investigations.	Asst Dir for Federal Investigations.
Office of the Special Counsel (MSPB)	
Headquarters, Office of the Special Counsel.	Assoc Spec Counsel (Investigation).
	Assoc Special Counsel (Prosecution).
	Deputy Associate Spec Counsel for Prosecution.
	Managing Director for Operations.
	Ass Special Counsel Planning and Oversight.
Railroad Retirement Board	
Railroad Retirement Board.	Assistant Inspector General for Audit.
Board Staff	Executive Director.
	Assoc Exec Dir for Unempl & Sickness Insur.
	Assoc Exec Director for Fiscal Operations.
	Associate Executive Dir for Data Processing.
	Associate Executive Dir for Program Analysis.
	Assoc Exec Dir for Legal & Adm Serv & Gen Cou.
	Assoc Exec Dir for Retirement Claims.
	Chief Actuary.
	Assoc Exec Director—Field Services.
Securities and Exchange Commission	
Office of the Chairman	Dep Chf Accountant.
Office of the Executive Director.	Dep Exec Director.
Div of Corporation Finance.	Assoc Dir (Operations).
Selective Service System	
Selective Service System.	Assoc Dir Information Management.
	Associate Director, Ofc of Mgt. Services.
Small Business Administration	
Ofc of the Inspector General.	Assistant Inspector General for Audits.
	Asst Inspector General for Investigations.
	Counsel to the Inspector General.
Office of the General Counsel.	Associate General Counsel for General Law.
	Assoc Gen Counsel Litigation.
	Associate General Counsel for Financial Law.
Office of EEO and Compliance.	Dir Ofc of Equal Employment Opport & Complian.
Office of Hearings and Appeals.	Asst Administrator for Hearings and Appeals.
Office Procurement Assistance.	Director of Prime Contracts.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Ofc of Minority Small Business & Capital Ownership Dev.	Dir of Business Development.
Office of Administration	Asst Admin for Information Resources.
Office of Personnel	Director of Personnel.
Office of Comptroller	Comptroller.
District Directors	District Dir Phila.
	District Dir, Reg IX, Los Angeles.
	District Director, Region V, Chicago.
	District Director, New York.
	District Director.
Department of State	
Foreign Policy Planning Council.	Member, Planning & Coordination Staff.
Bureau of Economic & Business Affairs.	Dir, Office of East-West Trade.
Bureau of Intelligence and Research.	Dir, Ofc of Resources Policy.
	Dir Ofc of Research & Analysis Soviet Affrs.
	Dep Dir. Ofc of Economic Analysis.
International Boundary & Water Commission.	Supervisory Civil Engineer.
Department of Transportation	
Office of Inspector General.	Asst Insp General for Auditing.
	Asst I/G for Policy, Planning and Resources.
	Asst Inspector General for Investigations.
	Dir Ofc of Surface Transportation Programs.
	Dir, Ofc of Aviation Marine & Research Progs.
	Dep Asst Inspector General for Auditng.
	Dir, Office of ADP Audits & Technical Support.
Asst Sec for Administration.	Asst Secy for Administration.
Office of Acquisition & Grant Management.	Director Ofc of Acquisition & Grant Mgnt.
	Dep Dir, Ofc of Installations & Logistics.
Assoc Adm'r for Research & Dev.	Dir, Office of Research and Development.
Assoc Adm'r for Safety	Assoc Admr for Safety.
Ofc of Pipeline Safety Regulation.	Associate Dir, Ofc of Pipeline Safety Reg.
Ofc of Pipeline Safety	Dir, Ofc of Pipeline Safety.
Maritime Administration	Assoc Admr for Marketing & Domestic Enterprise.
Office of Assoc Admr for Shipbuilding Opers & Research.	Dir/Ofc of Naval Architecture & Engineering.
	Dir Office of Shipbuilding Costs & Production.
Office of Associate Administrator for Maritime Aids.	Associate Administrator for Maritime Aids.
Assoc Admr for Budget and Policy.	Dir, Ofc of Budget & Financial Management.
Office of Aviation Safety	Dir Ofc of Aviation Safety, Ofc Aviation Saf.
	Mgr, Safety Regulations Division.
Asst Administrator/ Sciences & Advanced Technology.	Asst Administrator/Science & Advanced Tech.
	Manager Science and Technology Division.
Office of Accounting	Dir Office of Accounting.
Acquisition and Materiel Service.	Dir Acquisition & Materiel Service.
	Deputy Dir Acquisition & Materiel Service.
	Mgr, Contracts Division.
Assoc Admr for Air Traffic.	Assoc. Administrator for Air Traffic.
	Dep Assoc Admin for Air Traffic.
	Manager Quality Assurance Staff.
Air Traffic Plans & Requirements Service.	Manager, System Plans & Programs Division.
	Dir, Air Traffic Plans & Requirements Serv.
	Manager Automation Software Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Air Traffic Operations Service.	Manager, Procedures Division.
	Mgr. Airspace-Rules & Aeronaturical Inf. Div.
	Manager, Operations Division.
	Dir Air Traffic Operations Service.
Advanced Automation Program Office.	Dir, Advanced Automation Program Office.
	Dep Dir Advanced Auto Program Office.
	Mgr, System Engineering Division.
	Manager System Development Division.
Office of Airport Planning & Programming.	Dir., Office of Airport Planning & Program.
	Mgr, Grants-in-Aid Division.
Assoc Admr for Aviation Standards.	Assoc Admr for Aviation Standards.
	Deputy Assoc Admr for Aviation Standards.
Office of Program & Regulation Management.	Dir, Ofc of Prog and Regulations Mgt.
Office of Airworthiness	Director Office of Airworthiness.
	Deputy Director Office of Airworthiness.
	Manager, Aircraft Engineering Division.
	Manager Aircraft Maintenance Division.
Office of Civil Aviation Security.	Director, Office of Civil Aviation Security.
Office of Flight Operations.	Dir Ofc of Flight Operations.
	Deputy Director Office of Flight Operations.
	Mgr, General Aviation and Commercial Div.
	Mgr, Air Transportation Div.
Aviation Standards-National Field Office.	Dir, Aviation Standards Natl Field OFC.
	Deputy Director.
Office of Aviation Medicine.	Fed Air Surgeon.
	Deputy Federal Air Surgeon.
	Mgr, Aeromedical Stds Div.
	Mgr, Civil Aeromed Institute.
Great Lakes Region—Chicago.	Manager, Air Traffic Division.
	Manager, Flight Standards Division.
New England Region—Burlington, MA.	Mgr, Flight Standards Division.
	Mgr, Aircraft Certification Division.
Northwest Mountain Region—Seattle.	Mgr, Aircraft Certification Division.
	Mgr, Los Angeles Area Aircraft Cert Ofc.
	Mgr, Seattle Area Aircraft Cert Office.
	Mgr, Flight Standards Div.
	Mgr, Air Traffic Division.
Central Region—Kansas City.	Mgr, Flight Standards Div.
	Mgr, Aircraft Certification Division.
	Manager, Air Traffic Division.
Eastern Region—New York.	Mgr, Air Traffic Division.
	Mgr, Flight Standards Div.
Southern Region—Atlanta.	Mgr, Flight Standards Division.
	Mgr, Air Traffic Division.
Southwest Region—Fort Worth.	Mgr, Air Traffic Div.
	Mgr, Flight Standards Div.
	Mgr, Aircraft Certification Division.
Western Pacific Region—Los Angeles.	Mgr, Flight Standards Div.
	Mgr, Air Traffic Division.
Federal Highway Administration.	Executive Director.
Assoc Admr for Admin	Director, Office of Fiscal Services.
	Director, Office of Contracts and Procurement.
Associate Administrator for Safety & Operations.	Assoc Administrator for Safety & Operations.
Office of Highway Safety	Dir, Office of Highway Safety.
Assoc Admr for Right of Way and Environment.	Assoc Admr for Right-of-Way & Environment.
Off of Environmental Policy.	Dir Ofc of Environmental Policy.
	Chief Environmental Operations Division.
Off of Right of Way	Director, Office of Right-of-Way.
	Chief, Real Estate Division.
	Chief Relocation Division.
Bureau of Motor Carrier Safety.	Dir, Bureau of Motor Carrier Safety.
	Dep Dir.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Dir, Ofc of Motor Carrier Standards.
Office of Motor Carrier Safety Field Operations.	Dir, Ofc of Motor Carrier S/F Operations.
Natl Center for Statistics and Analysis.	Chf, Accident Investigation Div.
Vehicle Research and Test Ctr.	Chf Safety Research Lab.
Ofc of Vehicle Safety Standards.	Chf Crash Avoidance Division.
	Chf Crashworthiness Division.
US Coast Guard	Technical Director.
Department of Treasury	
Office of the Secretary	Senior National Intelligence Adviser.
Office of the General Counsel.	Chief Counsel.
Ofc of the Inspector General.	Asst Inspector General (Fiscal SVC/ADP).
	Assistant Inspector General.
	Assistant Inspector General (TOSCA).
	Asst Inspector General for Investigations.
Ofc of Tax Analysis	Assistant Director (Revenue Forecasting).
	Senior Advisor (Economics).
	Dep Dir (Economics Mod & Computer Applicat).
Ofc of Asst Secy (Economic Policy).	Asst Dir for Economic Forecasting.
	Senior Adv for Bal of Payments Anal & Proj.
	Sr Economist.
Ofc of the Fiscal Asst Secy.	Fiscal Assistant Secretary.
	Deputy Fiscal Asst Secy.
	Assistant Fiscal Assistant Secretary.
Bureau of Governmental Financial Operations Financial.	Commr of Financial Management Service.
	Dep Com Financial Management Service.
	Assistant Commissioner, Information Systems.
	Asst Commissioner Federal Finance.
	Assistant Commissioner, Comptroller.
	Asst Commissioner Headquarters Operations.
	Asst Commissioner Field Operations.
	Director, Check Claims Group.
	Director Operations Group.
	Director, Accounting Group.
	Asst Commissioner Administration.
	Director, Systems Development Group.
	Dir, Technology & Information Group.
	Director, Working Capital Group.
Bureau of Public Debt	Commissioner.
	Dep Commr of the Public Debt.
	Asst Commissioner (Savings Bond Operations).
	Assistant Commissioner (Washington).
	Asst Commr (Financing).
	Asst Commr (Administration).
	Asst Commr/Securities & Accounting Services.
	Asst Commissioner (Automated Info Systems).
Federal Finance	Dir, Ofc of Finance and Market Analysis.
Dep Asst Secy for Developing Nations.	Dir Ofc of International Debt Policy.
Ofc of Foreign Exchange Operations.	Dir Ofc of Foreign Exchange Operations.
Ofc of the Comptroller of the Currency.	Dep Comptroller for Sys and Financial MGMT.
Ofc of the Chief Counsel	Dir, Enforcement & Compliance.
	Dir, Litigation Div.
	Dir Legal Advisory Services Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Sr Dep Comptroller (Policy & Planning).	Dep Comp for Bank Organization and Structure.
	Dep Comptroller, Bank Org & Structure.
Sr Dep Comptroller (Bank Supervision).	Senior Deputy Comptroller (Bank Supervision).
	Dep Comptroller for Internatl Rel & Fin Eval.
	Dep Compt Internal Rel & Finan Evaluation.
Special Surveillance	Dep Comptroller for Special Surveillance.
	Deputy Comptroller for Supervisory Analysis.
	Dir for Spec Projects.
	Deputy Comptroller, Special Supervision.
	Deputy Comptroller for Supervisory Systems.
Chief National Bank Examiner.	Deputy Comptroller for Trust and Securities.
	Chf National Bank Examiner.
	Assistant Chief National Bank Examiner.
	Deputy Comptroller for Compliance.
Sr Dep Comptroller (National Operations).	Deputy Comptroller for Operations.
	Senior Deputy Comptroller for Natl Operations.
	Senior Deputy Comptroller for Administration.
District Officers	Deputy Comptroller (Northeastern District).
	Deputy Comptroller of the Currency.
	District Administrator (Midwestern District).
	District Administrator.
	Deputy Comptroller (Southeastern District).
	Deputy Comptroller (Southwestern District).
	District Administrator.
	Deputy Comptroller (Western District).
	District Administrator (Northeastern District).
	District Administrator (Central District).
	Sr Dep Comptroller—Bank Supervision Opers.
	Sr Dep Comptroller—Bank Supervision Policy.
Ofc of Asst Sec Admin	Director, Office of Procurement.
Ofc of Personnel	Dep Dir of Personnel.
	Asst Dir (Exec Manpower and Emp).
Bur of Alcohol, Tobacco, Firearms.	Assistant Director Internal Affairs.
	Midwest Regl Counsel.
	Southeast Regl Counsel.
	Chief, Program Planning & Analysis Staff.
	North-Atlantic Regional Counsel.
Deputy Director (Compliance Operations).	Deputy Director (Compliance Operations).
	Dep Associate Dir (Compliance Operations).
Deputy Director (Law Enforcement).	Deputy Director (Law Enforcement).
	Deputy Assoc Dir (Law Enforcement).
	Special Agent in Charge, Chicago Dist Off.
Comptroller	Director, Laboratory Services.
US Customs Service	Area Dir, Newark.
Ofc of the Chief Counsel	Asst Chief Counsel (Customs Court Litigat).
	Miami Regl Counsel.
	Chicago Regl Counsel.
	New York Regl Counsel.
	Regional Counsel (Pacific Region).
Office of the Comptroller	Dir Ofc of Financial Mgmt & Prog Analysis.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Director, Ofc of Data Systems.
	Dir Budget and Planning.
	Director, Office of Human Resources.
	Dir Ofc of Human Resources.
Ofc of Asst Commr for Internal Affairs.	Asst Commissioner for Internal Affairs.
Ofc of Asst Commr for Enforcement.	Deputy Assistant Commissioner (Enforcement).
	Dir Ofc of Patrol.
Ofc of Asst Commr for Inspection & Control.	Asst Commr (Inspection & Control).
	Deputy Asst Commr (Inspection & Control).
Ofc of Asst Commr for Commercial Operations.	Director, Technical Services Div.
	Director Duty Assessment Division.
	Director, Classification and Value Division.
	Dir Ofc of Regulations and Rulings.
	Director, Entry Procedures & Penalties Div.
	Dir Duty Assessment Div.
	Dir Ofc of Trade Operations.
	Director, Commercial Compliance Division.
Regional Offices	Regl Commr Reg 2 NY.
	Dir, Ofc of Investigations.
	Reg Commr, Reg 1, Boston.
	Asst Regn Commr Operations Reg II New York.
	Regl Commr, Reg 4, Miami.
	Regl Comm R, Reg V, New Orleans.
	Reg Commr of Customs Reg VI.
	Regional Commissioner, Chicago.
	Asst Regional Commr (Operations).
	Asst Regl Commr (Operations).
	Asst Regl Commr (Operations).
	Asst Regl Commr (Operations).
	Asst Regional Commr (Operations).
	Asst Regional Commissioner L.A. (Enforcement).
	Asst Regional Commissioner Enforcement.
	Deputy Regional Commissioner, Pacific Region.
	Area Director, JFK Airport.
	Area Director, New York Seaport.
	Asst Regl Commr—Houston (Enforcement).
	Asst Regl Commr—Miami (Enforcement).
	District Director, Los Angeles.
	Asst Regl Commr (Enforcement).
	Asst Regional Commissioner (Enforcement).
U.S. Secret Service	Director of the Secret Service.
	Deputy Director U.S. Secret Service.
	Asst to the Dir, Training.
	Asst to the Dir, Pub Affs.
Ofc of Administration	Assistant Director, Administration.
Ofc of Inspection	Assistant Director Inspection.
Ofc of Protective Research.	Asst Dir (Protective Research).
	Dep. Asst. Dir. (Protective Research).
	Spec Agent in Charge—Tech Sec Div.
	Spec Agent in Charge—Intelligence Div.
Ofc of Protective Operations	Asst Dir (Protective Operations).
	Dep Asst Dir (Protective Operations).
	Spec Agent in Charge—Presidential Protective.
	Dad Protective Opers (Uniformed Div).
	Spec Agent in Charge—VP Protect Div.
	Deputy Asst Dir Protective Operations.
	Spec Agent in Charge Dignitary Protective Div.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Deputy Special Agent in Charge Pres Prot Div.
	Deputy Special Agent in Charge.
Office of Investigations	Asst Director, Investigations.
	Dep Asst Dir Investigations.
	Special Agent in Charge, New York Office.
	Special Agent in Charge, Chicago.
	Special Agent in Charge, Los Angeles Office.
	Spec Agent in Charge—Washington Field Office.
	Spec Agent in Charge—Philadelphia Field Offic.
Ofc of the Treasurer of the U.S.	Dir of Special Projects (Manufacturing).
Bureau of the Mint	Associate Director of Operations.
	Associate Director for Marketing.
	Assoc Dir of Pol & Management.
	Associate Director for Marketing.
Ofc of the Commissioner	Deputy Commissioner.
	Asst to the Deputy Commissioner.
	Director, Legislative Analysis Division.
	Asst to the Commissioner (Equal Opportunity).
	Taxpayer Ombudsman.
	Executive Secretary.
Appeals Division	Director, Appeals Division.
	Regl Dir of Appeals-Central Region.
	Reg Dir of Appeals, Mid-Atlantic Region.
	Reg:L Dir of Appeals-Southwest Reg.
	Regl Dir of Appeals-Southeast Reg.
	Regional Dir of Appeals North Atlantic Region.
	Regl Dir of Appeals, Midwest Reg.
	Regional Director of Appeals-Western Region.
	Chief Appeals Office New York City.
Data Processing	Assoc Commr (Data Processing).
	Director, Taxpayer Service Division.
	Director, National Computer Center.
	Dir, Returns Processing and Accounting Div.
	Director Planning and Control Staff.
	Dir, Program Planning & Review Staff.
	Asst Dir Returns Processing & Accounting Div.
	Dep Asst Commissioner (Computer Services).
	Director, Statistic of Income Division.
	Assistant Commissioner (Tax System Redesign).
	Dep Asst Commr (Returns & Info Processing).
	Director, Management Systems Division.
	Assistant Dir, Taxpayer Service Division.
	Asst Commissioner (R & IP).
	Dep Asst Comr (Returns & Info Processing).
	Director, Hardware Division.
	Assistant Director Software Division.
	Director, Software Division.
	Asst Commr (Computer Services).
Ofc of Asst Comm:R, Inspection.	Assistant Commissioner (Inspection).
	Dep Asst Commr (Inspection).
	Director, Internal Audit Div.
	Assistant Director Internal Audit Division.
	Director, Internal Security Division.
	Asst Dir, Internal Security Division.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Regional Inspector, Midwest Reg.
	Regional Inspector, North Atlantic.
	Regional Inspector Western Region.
	Regional Inspector, Southwest Reg.
	Regional Inspector, Mid-Atlantic Reg.
	Regional Inspector, Central.
	Regional Inspector, Southeast.
Policy and Management	Associate Commissioner (Policy and Mgmt).
	Dir, Tax Forms & Publications Div.
	Dir, IRS Data Center Detroit.
	Dir Finance Division.
	Dir, Facilities Mgt Div.
	Dir, Natl Ofc Resources Management Division.
	Director, Tax Administration Adv Serv Div.
	Asst Commr (Planning, Finance & Research).
	Dep Asst Commissioner (Support and Services).
	Dep Asst Commr (Planning, Finance, & Resch).
	Asst Dir, Disclosure & Security Division.
	Director Centralized Service Division.
	Director, Human Resources Technology Staff.
	Director, Personnel Division.
	Assistant Commissioner (Support & Services).
	Director, Training and Dev Div.
	Director, Planning and Analysis Division.
	Director, Disclosure and Security Division.
	Dep Asst Commr (Human Resources).
	Director, Planning Division.
	Director, Human Resources Division.
	Dir, Contracts & Acquisitions Division.
	Director, Research Division.
	Assistant Dir, Tax Forms & Publications Div.
	Asst Fiscal Management Officer.
	Assistant Commissioner (Human Resources).
Central Region	Regional Commr.
	ARC (Examination) Central Region.
	Asst Regional Commissioner (Criminal Investi).
	Asst RegL Comm Resource Management).
	Assistant Regional Commissioner (Collection).
	Asst Regl Commissioner (Data Processing).
	Dir Service Ctr Cincinnati.
	District Dir (Cleveland).
	District Director Detroit.
	District Director (Parkersburg).
	District Director, Indianapolis.
	District Director, Louisville.
	District Dir, Cincinnati.
	Asst District Director, Cleveland.
	Assistant District Director Detroit
Mid-Atlantic Region	Regl Commissioner.
	ARC (Examination) Mid-Atlantic.
	ARC (Criminal Investigation) Mid Atlantic Reg.
	Asst Regl Commr (Collection).
	Assistant Regional Commissioner (Data Proc).
	Service Center Dir. Philadelphia.
	District Dir, Newark.
	District Dir, Philadelphia.
	District Dir, Pittsburgh.
	District Director Richmond District.
	Asst District Dir, Philadelphia.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Asst District Director (Newark).
	Assistant District Director—Baltimore, Md.
	District Director, Wilmington.
	District Dir, Baltimore.
	Director, Foreign Operations District.
	Assist Regl Commissioner (Resources Mgmt).
Midwest Region	Regional Commr, Midwest Region.
	Asst Regl Commr (Resources Mgmt).
	ARC (Criminal Investigation) Midwest Region.
	Assistant Regional Commissioner (Data Proc).
	ARC (Examination), Midwest Region.
	ARC (Collection) Midwest Region.
	Srve Ctr Dir, Kansas City.
	District Dir, Chicago.
	District Director St Louis.
	District Dir, Des Moines.
	District Dir, St Paul.
	District Dir, Omaha.
	District Dir, Springfield.
	District Dir, Milwaukee.
	Asst District Dir, Chicago.
	Asst District Dir, St Louis.
	District Director, Fargo.
	District Director, Aberdeen.
	Chief, Examination Division.
	District Director, Helena.
North Atlantic Region	Regl Commr.
	Asst Regl Commr (Exam) North Atlantic Reg.
	ARC (Criminal Investigation).
	ARC (Resources Mgmt).
	ARC (Collection) North Atlantic Region.
	Assistant Regional Commissioner (Data Proc).
	Service Center Director, Andover, Mass.
	Srvc Ctr Dir, Brookhaven.
	District Dir, Manhattan.
	District Dir, Brooklyn.
	District Dir, Boston.
	Chief Examination Div Manhattan.
	District Dir, Albany.
	Dist Dir (Hartford).
	District Dir, Buffalo.
	Asst Dist Dir, Brooklyn.
	Assistant District Director Manhattan.
	Asst District Dir, Boston.
	District Director Providence.
	Dist Dir, Augusta.
	District Director, Portsmouth.
	District Director, Burlington.
Southeast Region	Regl Commr.
	ARC (Examination) Southeast Region.
	Asst Reg Commissoner—Criminal Investigation.
	Asst Reg'l Commr (Resources Management).
	Asst Reg'l Commr (Collection)—Se Reg Atlanta.
	Assistant Regional Commissioner (Data Proc).
	Service Center Director, Memphis.
	Srvc Ctr Dir, Atlanta.
	District Dir, Jacksonville.
	District Dir, Atlanta.
	District Director, Greensboro.
	District Dir, Nashville.
	District Director, Birmingham.
	District Dir, New Orleans.
	District Director, Columbia.
	District Director Little Rock District.
	District Director, Jackson, Miss.
	Asst District Director, Jacksonville.
	Assistant District Director, Atlanta.
	Assistant District Director.
	District Director.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
Southwest Region	Regional Commr.
	Asst Regl Commr (Examination).
	ARC (Criminal Investigation) Sw Region.
	ARC (Resources Mgmt).
	Assistant Regional Commissioner (Collection).
	Assistant Regional Commissioner (Data Proc).
	Service Center Dir, Ogden.
	Service Center Director, Austin.
	District Dir, Austin.
	District Director, Dallas.
	District Director Wichita.
	District Director Oklahoma City.
	District Dir, Phoenix.
	District Dir, Denver.
	Asst Dist Dir, Austin.
	Assistant District Director, Dallas.
	District Director, Albuquerque.
	District Director, Cheyenne.
	District Director, Salt Lake City.
	Assistant District Director, Houston.
	District Director, Houston.
Western Region	Reg'l Commr.
	ARC (Criminal Investigation).
	Assistant Regional Commissioner (Data Proc).
	Asst Regional Commissioner (Examination).
	Asst Regl Commr (Collection).
	Asst Regl Commr/(Resources Management).
	Service Center Director, Fresno.
	District Dir, Los Angeles.
	District Dir, San Francisco.
	District Dir Reno.
	District Director Portland District.
	District Dir, Seattle.
	Asst District Dir, Los Angeles.
	Asst Dist Dir San Francisco.
	District Director, Honolulu.
	District Director, Anchorage.
	District Director, Boise.
	Chf, Examination Div, Los Angeles.
	District Director (Sacramento).
	District Director (Las Vegas).
	District Director, San Jose.
	Assistant District Director, Laguna Niguel.
	District Director, Laguna Niguel.
	Assistant Regional Commissioner (Data Proc).
	Assoc Commr (Operations).
Operations	
	Asst Comm'r (Employee Plans & Exemp & Organiza.
	Special Asst for Exempt Organization Matters.
	Spec Asst for Employee Plans.
	Assistant Commissioner (Examination).
	Asst Commr (Criminal Investigation).
	Dir Exempt Organizations Technical Division.
	Dir Employee Plans & Exempt Org Oper Div.
	D/Employee Plans Tech & Actuarial Divison.
	Deputy Assistant Commissioner (Examination).
	Dep Asst Commr (Criminal Investigation).
	Asst/Dir Exempt Organizations Techn Division.
	Asst/Dir Employee Plans Techn & Acturial Div.
	Tech Adv/Asst to Dir Employee Plans Div.
	D/A Commissioner (Employee Plans & Exempt Orgs).
	Dep Asst Commr (Collection).
	Assistant Commissioner (Collection).
	Assistant Commissioner (International).
	Deputy Asst Commissioner (International).
Ofc of Chf Counsel	Deputy Chief Counsel.
	Associate Chief Counsel (Technical).
	Associate Chief Counsel (Litigation).
	Deputy Associate Chief Counsel (Technical).
	Director Individual Income Tax Div.
	Director, Corporation Tax Division.
	Chf, Corporation Tax Branch.
	Chf Individual Income Tax Branch.
	Chief, Engineering & Valuation Branch Corp Ta.
	Asst Dir, Individual Tax Division.
	Asst Dir, Corporation Tax Div.
	Dir, General Litigation Div.
	Dir, Tax Litigation Div.
	Dir, Interpretative Div.
	Dir, Legislation & Regulations Div.
	Director, Operations Division.
	Dir, Criminal Tax Div.
	Dir, Gen Legal Services Div.
	Director, Disclosure Litigation Division.
	Dir-Employee Plans & Exempt Org Div.
	Asst Dir Tax Litigation Div.
	Asst Dir Intepretative Div.
	Asst Dir, Legislation & Regulations Div.
	Chf Estate & Gift, Wage Excise & Prov Br.
	Chief, Reorganization Branch.
	Special Appeallate Counsel.
	Sen Tech Adv to the Assoc Chf Counsel (Tech).
	Assistant to the Chief Counsel.
	Special Litigation Counsel.
	Deputy Associate Chief Counsel (Litigation).
	Assoc Chief Counsel (International).
Regional Counsels	Regl Counsel, Central Reg.
	Regional Counsel, Mid-Atlantic Region.
	Dep Regl Counsel (Criminal Tax) Regl Counsel Midwest Region.
	Dep Regl Counsel (Criminal Tax).
	Dep Regl Counsel (General Litigat).
	Regl Counsel, North Atlantic Region.
	Dep Regl Coun (Tax Litigat) No-Atlantic Reg.
	Deputy Regional Counsel (General Litigation).
	Regional Counsel SE Region.
	Regl Counsel Southwest Region.
	Regional Counsel.
	Dep Regl Counsel (Gen Litigation).
	District Counsel—Boston.
	District Counsel—Los Angeles.
	District Counsel—Cincinnati.
	District Counsel—Philadelphia.
	District Counsel—Newark.
	District Counsel—Chicago.
	District Counsel—Manhattan.
	District Counsel—Dallas.
	District Counsel—San Francisco.
	District Regional Counsel (Tax Litigation).
	District Counsel, Jacksonville, Florida.
	District Counsel, Houston, Texas.
	District Counsel, Denver.
U.S. Arms Control and Disarmament Agency	
Office of the Director	Executive Secretary.
Verification and Intelligence Bureau.	Chief, Verification Division Ver & Intell Bur.
	Chief, Operations Analysis Division.
	Senior Operations Research Analyst.
Ofc of Administration	Administrative Director.
Office of the General Counsel & Congressional Affairs.	Special Counsel.
Strategic Programs Bureau.	Deput Assistant Director.
Theatre Affairs Division	Chief, Theater Affairs Division-A966.
Strategic Affairs Division	Chief, Strategic Affairs Division A-977.
Nuclear and Weapons Control Bureau.	Chief, Nuclear Safeguards & Technology Div.
	Chief, International Nuclear Affairs Division.
	Chf. International Nuclear Affairs Divisions.
Multilateral Affairs Bureau.	Chief Scientist.
United States Information Agency	
Ofc of the Director	Inspector General.
	Assistant Inspector General for Contract.
	Asst Insp Gen for Prog Review & Evaluation.
	Assistant Inspector General for inspections.
Bureau of Management	Deputy Director.
	Dir off Security.
	Dep Dir of Admin for Technology.
	Dir Ofc of Contracts.
Bureau of Broadcasting	Dir Engineering and Technical Operations.
	Deputy of Systems Engineering.
	Chief Broadcast Systems Engineering Division.
	Deputy for Projects Management.
	Deputy for Operations.
Bureau of Programs	Director, Office of Personnel.
Ofc of The Gen Counsel & Cong Liaison.	Dep General Counsel.
US International Trade Commission	
Office of Industries	Dir Ofc of Industries.
Office of Investigations	Dir, Ofc of Investigations.
Veterans Administration	
Inspector General	Dep Inspector General.
	Assistant Inspector General for Auditing.
	Asst Inspector General for Investigation.
	Asst Insp Gen for Policy, Plan & Resources.
	Dep Asst for Inspec General for HDQTRS Audits.
	Dep Asst Inspector General for Investigations.
Board of Veterans Appeals.	Chairman.
	Vice Chairman.
	Deputy Vice Chairman.
Office of Personnel & Labor Relations.	Assoc Dir for Personnel Policy.
	Assoc Dir for Personnel Operations.
Office of Facilities	Project Director, Northeastern Region.
	Project Dir Southern Region.
	Project Director-Central Region.
	Project Director, Western Region.
	Dir Program Control and Analysis.
Office of Procurement and Supply.	Dir Office of Procurement & Supply.
	Dep Dir Office of Procurement and Supply.
Office of Info MGMT & Statistics.	Dir, Office of Information MGMT & Statistics.
Office of Systems Planning, Policy & Acquisition Contl.	Dir, Syst Plnng, Pol & Acquisition control.
Office of Info Systems & Telecommunications.	Assoc Dir for Adp Policy and Oper Management.
	Assoc Dir for Sys Design & Intergration MGMT.

POSITIONS THAT WERE CAREER RESERVED DURING CALENDAR YEAR 1986—Continued

Agency/Organization	Career reserved positions
	Associate Director for Telecommunications.
	Director for Customer Support.
Data Processing Center (DPC) Directors.	Director DPC Austin.
Department of Veterans Benefits.	Director Budget Staff.
	Dep Dir Compensation & Pension Service.
	Dep Dir Loan Guaranty Svc.
	Dir, Plans and Contracts Service.
Department of Medicine & Surgery.	Dir Facility Eng Plann & Construction Office.
	Dep Dir, Mental Health & Behavioral Sciences.
	Dir Canteen Service.
	Dep Dir, Facility Eng, Plan & Const Ofc.
	Dir, Resources Management Ofc.
	Deputy Director, Resource Management Office.

[FR Doc. 87-5811 Filed 3-20-87; 8:45am]

BILLING CODE 6325-01-M

federal register

Monday
March 23, 1987

Part III

Department of Justice

28 CFR Part 44

Unfair Immigration-Related Employment Practices; Notice of Proposed Rulemaking

DEPARTMENT OF JUSTICE

28 CFR Part 44

[Order No. 1180-87]

Unfair Immigration-Related Employment Practices

AGENCY: Department of Justice.

ACTION: Notice of proposed rulemaking.

SUMMARY: This rule establishes standards and procedures for the enforcement of section 102 of the Immigration Reform and Control Act of 1986, which prohibits certain unfair immigration-related employment practices.

DATE: Comments must be received by April 22, 1987.

ADDRESS: Comments should be sent to Coordination and Review Section, Civil Rights Division, U.S. Department of Justice, Rulemaking Docket 005, P.O. Box 23793, Washington, DC 20026-3793.

Comments received will be available for public inspection in Room 854 of the HOLC Building, 320 First Street, NW., Washington, DC from 9:00 A.M. to 5:00 P.M., Monday through Friday except legal holidays. Copies of this notice will be available on tape for those with impaired vision. They may be obtained at the above address.

FOR FURTHER INFORMATION CONTACT: John L. Wodatch, Deputy Chief, Coordination and Review Section, Civil Rights Division, U.S. Department of Justice, Washington, DC 20530; (202) 724-2227 (Voice) or 724-7678 (TDD); or Philip L. Breen, Attorney, Coordination and Review Section, Civil Rights Division, U.S. Department of Justice, Washington, DC; (202) 724-2226 (Voice) or 724-7678 (TDD). These are not toll free numbers.

SUPPLEMENTARY INFORMATION: The Immigration Reform and Control Act of 1986 (Pub. L. 99-603, 100 Stat. 3359), prohibits employers from knowingly hiring, or recruiting or referring for a fee, any alien not authorized to work in the United States. Out of concern that this publication and the sanctions created by the Act to enforce it might lead to employment discrimination against "foreign looking" or "foreign sounding" persons or against persons who, although not citizens, are legally in the United States, Congress in section 102 of the Act outlawed certain unfair immigration-related employment practices and established enforcement procedures to enforce these prohibitions.

Section 102 of the Act, with specified exceptions, makes it an unfair immigration-related employment practice to discriminate against an individual in hiring, discharging, or recruiting or referring for a fee because of an individual's national origin or, in the case of a citizen or intending citizen, because of that individual's citizenship status.

In order to prevent the occurrence of these practices and to provide redress for persons injured by them, section 102 establishes enforcement measures including the creation of a "Special Counsel for Immigration-Related Unfair Employment Practices" within the Department of Justice. Among the Special Counsel's statutory responsibilities is the investigation of unfair immigration-related employment practices either on his or her own initiative or in response to charges filed with the Office of Special Counsel by aggrieved individuals, their representatives, or officers of the Immigration and Naturalization Service.

Where there is reasonable cause to believe that such practices have occurred, the Special Counsel may file a complaint with an administrative law judge. The Special Counsel may also seek to intervene in proceedings involving complaints brought directly before administrative law judges. (The statute provides that a charge filed with the Special Counsel may be brought directly before an administrative law judge by a private party, if the Special Counsel fails to file a complaint with an administrative law judge within 120 days of receipt of the charge.) Once the administrative law judge issues an order, the Special Counsel may seek judicial enforcement of the judge's order in the appropriate Federal district court or judicial review of the order in the appropriate Federal court of appeals.

This proposed regulation in three subparts implements section 102 of the Act. Subpart A states the purpose of the regulation and defines certain key terms. Subpart B provides substantive guidance as to the meaning of the term, "unfair immigration-related employment practices;" and Subpart C establishes procedures through which the Special Counsel and private individuals may invoke the power of administrative law judges and the judiciary to put an end to such practices and to compensate aggrieved individuals.

The purpose of this preamble is to highlight the following key issues raised by this proposed rule and specifically encourage public comment on them.

I. Counting employees for jurisdictional purposes

Section 44.200 of the proposed rule prohibits unfair immigration-related employment practices in accordance with the terms of the statute. Paragraph (b) of § 44.200 codifies the Act's exceptions to this general prohibition. Among the exceptions is an exclusion from coverage of employers with three or fewer employees (§ 44.200(b)(1)(i)). In addition, if the national origin discrimination is covered under section 703 of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2), there is no overlapping jurisdiction under the Immigration Reform and Control Act (§ 44.200(b)(1)(ii)). In this regard, it is noted that title VII only applies to employers with 15 or more employees "for each working day in each of twenty or more calendar weeks" (42 U.S.C. 2000e(b)).

Unlike title VII, section 102 does not contain the 20 calendar week durational minimum. Further, the legislative history of the antidiscrimination provision indicates that Congress was concerned with providing coverage for those persons who are otherwise unprotected by title VII. While proposing to amend the Senate bill to add a nondiscrimination provision similar to the provision ultimately adopted in conference, Senator Levin stated:

> Mr. President, two types of discrimination may result from employer sanctions. First, employers seeking to avoid the consequences of hiring illegal aliens may simply refuse to hire foreign looking or foreign speaking persons. This type of discrimination—discrimination based really on national origin—is already covered by Title VII of the 1964 Civil Rights Act which prohibits discrimination on the basis of national origin. There are, however, a number of major gaps in Title VII coverage. As a result of these gaps in coverage, the potential for discrimination against foreign looking persons which arises under this bill will not often be remediable. This is because Title VII does not cover discrimination by employers who hire less than 15 workers and Title VII does not cover discrimination for those hired for less than 20 weeks, which excludes most agricultural workers. Thus, Title VII does not adequately protect those persons who may be discriminated against as a result of the employer sanctions established in S. 1200.
>
> Second, prospective employees may be discriminated against on the basis of their alienage as a result of the employer sanctions provisions in S. 1200. Because the bill makes it unlawful to knowingly hire illegal aliens, employers may simply refuse to hire persons who are not U.S. citizens, although they are legally in the United States. While the bill establishes an affirmative defense to the charge of unlawfully hiring an illegal alien if the employer verifies that the employee is not an illegal alien, many employers may find it safer and easier to adopt a policy of refusing to hire persons who are not U.S. citizens, although those persons are legally in the United States.

131 Cong. Rec. S11436 (daily ed. Sept. 13, 1985).

In light of the language and legislative history of the antidiscrimination provision, the Special Counsel will calculate the number of employees referred to in paragraph (b)(1)(i) of § 44.200 by counting all part-time and full-part employees employed on the date that the alleged discrimination occurred. The Department, therefore, will not use the 20 calendar week requirement contained in title VII in counting employees for purposes of determining coverage by section 102. Thus, for example, employers with 10, 15, or 25 employees on the date of the alleged discrimination will be subject to the Act even though the employer did not employ them for 20 calendar weeks. Of course, if the Special Counsel determines that an employer does employ 15 or more employees for 20 or more calendar weeks, national origin discrimination claims against such an employer must be handled by the EEOC. The calculation of the total number of employees, based on the total employed on a specified day, accomplishes the congressional purpose of providing protection for seasonal agricultural workers who may otherwise be unprotected by title VII.

II. Standard of proof

The general rule prohibiting unfair immigration-related employment practices in section 102 of the Act is codified in § 44.200(a) of the proposed rule. The prohibition is modeled after section 703(a)(1) of title VII of the Civil Rights Act of 1964 [42 U.S.C. 2000e–2(a)(1)], a provision that has generally been the basis of the requirement to prove intentional discrimination either by direct evidence or by inference. Section 102, notably, does not contain an analogue to paragraph (2) of section 703(a) of title VII, which has generally been the foundation of the prohibition against certain forms of unintentional discrimination merely on the basis of their disparate impact. Consequently, § 44.200(a) of the proposed rule explicitly prohibits only those employment practices where a person or entity has "knowingly and intentionally" discriminated or has engaged in "a pattern or practice of knowing and international discrimination."

Moreover, Congress' purpose is enacting section 102 is clearly to address intentional discrimination. The underlying purpose of section 102 is to counter potential discrimination caused by the desire of employers to avoid the sanctions imposed by the Act for hiring unauthorized aliens. Congress feared that employers, seeking to avert any possibility of sanctions being imposed on them, would simply refuse to hire "foreign looking" or "foreign sounding" persons. *See, e.g.*, H.R. Rep. No. 99–1000, 99th Cong., 2d Sess. 87 (1986); H. R. Rep. No. 99–682, 99th Cong., 2d Sess., pt. 1 at 68 (1986). This type of activity necessarily reflects intentional discrimination.

Congress further indicated its desire for an "intent" standard of proof elsewhere in section 102 by providing that a private individual is authorized to bring a complaint directly before an administrative law judge that is based on allegations of "knowing and intentional discriminatory activity or a pattern or practice of discriminatory activity," if the Special Counsel has not acted on the charge within 120 days of its receipt [sec. 274B(d)(2)]. The House Judiciary Committee in its section-by-section analysis of section 274B(d) noted that it "authorizes private action where the Special Counsel has not filed a complaint within 120 days based on a charge alleging knowing and intentional discriminatory activity or a pattern or practice of *such* activity." H. R. Rep. No. 99–682, 99th Cong., 2 Sess., pt. 1 at 93 (1986) (emphasis added). Moveover, in explaining its use of the term "pattern or practice" in a different portion of the Act dealing with criminal sanctions against employers, the House Judiciary Committee emphasized that "pattern or practice" refers to intentional activities and noted that this interpretation should apply in the unfair immigration-related employment practices context as well.

> [T]he term "pattern or practice" has its generic meaning and shall apply to regular, repeated and intentional activities, but does not include isolated, sporadic or accidental acts. *The same interpretation of "pattern or practice" shall apply when that term is used in this bill with regard to the injunctive remedy that may be sought by the Attorney General for recruitment, referral or employment violations, as well as for certain unfair immigration-related employment practices.*

Id. at 59 (emphasis added).

Under this standard it is not sufficient to allege that a pattern or practice of activity results in discriminatory effects. Discriminatory intent may be shown, of course, by both direct and circumstantial evidence. Thus, the discriminatory intent standard clearly encompasses more than just cases were employers have made blatantly bigoted remarks. Indeed, the model of proof enunciated in *McDonnell Douglas Corp.* v. *Green*, 411 U.S. 792 (1973), and *Texas Department of Community Affairs* v. *Burdine*, 450 U.S. 248 (1981), is applicable. Moveover, statistics may be used in appropriate cases to aid in proving discriminatory intent.

III. Procedures

Section 102 of the Act provides procedures for enforcement of its provisions. The proposed rule implements the statutory requirements and provides supplemental material where necessary.

In accordance with the statute, charges of unfair immigration-related employment practices may be filed with the Special Counsel by aggrieved individuals, their authorized representatives, or by officers of the Immigration and Naturalization Service (§ 44.300(a)). The regulation specifies that the filing of a charge on another person's behalf must be authorized in writing. If a charging party is alleging the occurrence of an unfair immigration-related employment practice adversely affecting directly more than one person, only one injured person need be identified in the charge. As required by the statute, the regulation mandates that charges be filed within 180 days of the alleged discrimination. It specifies the rules for determining the filing date (§ 44.300(b)), and indicates where charges may be filed (§ 44.300(c)).

The definition of "charge" lists information that the Special Counsel must have before proceeding with an investigation. If the injured party is an alien, the proposed regulation requires the charging party to provide information concerning whether the alien: is lawfully admitted for permanent residence, is granted the status of an alien lawfully admitted for temporary residence, is admitted as a refugee, or has been granted asylum; has applied for naturalization and the date of such application; and has completed a declaration of intention to become a citizen and the date of such declaration. This information is required in order for the Special Counsel to determine whether the alien meets the statutory definition of "intending citizen" protected by the antidiscrimination provisions of the Act where the charge is based on citizenship status. This information should be within the injured party's knowledge and will save time in the Special Counsel's investigations. This information will be useful even in cases where an alien alleges only national origin discrimination because the Special Counsel may determine that there has been discrimination on the basis of citizenship.

To facilitate the filing of charges, the Department has prepared a charge form that, if completed, would provide the Special Counsel with the information

necessary to proceed with an investigation of the charge. Although the Department encourages use of the form, its use is optional. A draft form is appended to this proposal at Appendix A. The Department intends to have copies of this form made available across the United States—at Offices of the Immigration and Naturalization Service, at Offices of the United States Attorneys, and at area and regional offices of the EEOC. This charge form will be available in both English and Spanish. If used, it must be filed by the charging party with the Office of Special Counsel. The Department seeks comment on the use of the form and on the content of the form itself.

As required by the Act, the regulation requires that respondents be notified of charges against them filed with the Special Counsel (§ 44.301(a), (e)). In addition, it supplements the Act by requiring notice to the charging party upon receipt of his or her charge by the Special Counsel (§ 44.301(a), (b)). If the charging party's submission lacks information necessary for it to constitute a "charge" as defined in § 44.101, the regulation requires the Special Counsel to notify the charging party that the submission is inadequate and to specify the additional information that is needed for it to be considered a complete charge (§ 44.301(c)). The 120-day statutory period in which the Special Counsel must undertake to investigate the charge and determine whether or not to file a complaint with an administrative law judge does not begin to run until a "charge," as defined by the regulation (§ 44.101), has been received by the Special Counsel. In the case of inadequate submissions that are later deemed charges upon the receipt of additional information, the date from which the 120-day period begins to run is the date when the Special Counsel receives the additional information (§ 44.301(c)). Such a charge meets the 180-day filing requirement of § 44.300(b) so long as the original submission is filed within 180 days of the alleged occurrence of an unfair immigration-related employment practice, and any additional information is provided either within the 180-day period or within 45 days of the date on which the charging party receives the Special Counsel's request for additional information, whichever is later.

The Special Counsel's notice to the charging party will specify the date on which the charge was received and inform the charging party, other than an officer of the Immigration and Naturalization Service, that he or she has the right to file a complaint directly before an administrative law judge if the Special Counsel does not do so within 120 days of the date of the Special Counsel's receipt of the charge (§ 44.301(b)). As required by the statute, a copy of the charge will also be served by certified mail on the respondent within 10 days of the Special Counsel's receipt of the charge (§ 44.301(e)).

In accordance with the statute, the Special Counsel must, within 120 days of receipt of a charge, undertake an investigation of the charge and determine whether a complaint with respect to the charge will be brought before an administrative law judge (§ 44.303(a)). The Special Counsel must be provided reasonable access to examine the evidence of any person or entity being investigated (§ 44.302(b)). On-site investigations may be conducted at the discretion of the Special Counsel.

As provided in the statute, the regulation allows the charging party, other than an officer of the Immigration and Naturalization Service, to file a complaint with an administrative law judge if the Special Counsel fails to do so within 120 days (§ 44.303(c)). The statute sets no limitation on the period of time that the complainant has to file his or her own action. It is reasonable, however, to limit this time period in some way in order to avoid the filing of stale complaints. Consequently, the regulation gives the complainant 90 days from the end of the 120-day period to bring an action directly (*Id.*). This 90-day limit is analogous to the statutory 90-day period provided under section 706 of title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5) during which a charging party may file a civil action against the respondent after receipt of a right to sue letter.

The regulation also allows the Special Counsel, if he or she desires, to notify the charging party even before the end of the 120-day period that a complaint will not be brought before an administrative law judge (§ 44.303(b)). If such a letter of determination is issued, the regulation allows the charging party, other than an officer of the Immigration and Naturalization Service, 90 days from the issuance of the letter to file his or her own complaint directly with an administrative law judge (§ 44.303(d)).

Even after the expiration of the 120-day period, the regulation permits the Special Counsel to file a complaint within 90 days so long as the individual has not yet filed his or her own complaint (§ 44.303(e)(1)). The Special Counsel also remains free at any time to seek intervention in any proceeding brought before an administrative law judge by the charging party (§ 44.303(e)(2)).

As provided in the statute, the regulation authorizes the Special Counsel to conduct investigations on his or her own initiative even in the absence of a filed charge if the Special Counsel has reason to believe that the employer is engaging in unfair practices (§ 44.304)(a)).

As required by the statute, the regulation requires that complaints of unfair immigration-related employment practices be assigned only to administrative law judges who are specially designated by the Attorney General to hear such cases (§ 44.306(a)). The regulation also establishes procedures for hearings, including a requirement in § 44.306(f) that they be conducted in conformity with sections 5–8 of the Administrative Procedure Act (5 U.S.C. 554–557), and for the issuance and enforcement of subpoenas authorized by section 102 of the Act. The regulation incorporates the statutory requirement that hearings be held no earlier than five days after the complaint is served upon the respondent. We believe it would be reasonable and consistent with the statute to extend this period to 15 days and, therefore, wish to receive public comment as to whether such an extension would be appropriate (§ 44.306(b)). In incorporating the statutory requirements for orders issued by administrative law judges (§ 44.308), the regulation clarifies that back pay liability, which, under the statute, may not accrue from a date more than two years prior to the filing of the complaint with an administrative law judge, may not in any event accrue from before the date that section 102 was enacted—November 6, 1986.

Finally, the regulation incorporates statutory provisions regarding attorneys' fees (§ 44.309) and judicial review and enforcement of orders of administrative law judges (§ 44.310).

This rule is not a major rule within the meaning of Executive Order 12291 (46 FR 13193, 3 CFR 1981 Comp., p. 127). Moreover, a regulatory flexibility analysis has not been prepared under the Regulatory Flexibility Act (5 U.S.C. 601–612), because the rule is unlikely to have a significant economic impact on a substantial number of small entities.

List of Subjects in 28 CFR Part 44

Administrative practice and procedure, Aliens, Citizenship and naturalization, Civil rights, Discrimination in employment, Employment, Equal employment opportunity, Immigration, Investigations,

Law enforcement officers, Minority groups, Nationality, Naturalization, Nondiscrimination, Refugees.

For the reasons set forth in the preamble, Chapter I of Title 28 of the Code of Federal Regulations is proposed to be amended as follows:

Part 44 is added to 28 CFR Chapter I to read as follows:

PART 44—UNFAIR IMMIGRATION-RELATED EMPLOYMENT PRACTICES

Subpart A—General

Sec.
44.100 Purpose.
44.101 Definitions.

Subpart B—Prohibited practices

44.200 Unfair immigration-related employment practices.

Subpart C—Enforcement procedures

44.300 Filing a charge.
44.301 Acceptance of charge.
44.302 Investigation.
44.303 Determination.
44.304 Special Counsel acting on own initiative.
44.305 Regional offices.
44.306 Hearing.
44.307 Subpoenas.
44.308 Order.
44.309 Attorneys' fees.
44.310 Judicial review and enforcement.

Appendix A to Part 44—Form: Charging Party's Allegations of Unfair Immigration-Related Employment Practices.

Authority: 8 U.S.C. 1324B.

Subpart A—General

§ 44.100 Purpose.

The purpose of this part is to effectuate section 102 of the Immigration Reform and Control Act of 1986, which prohibits certain unfair immigration-related employment practices.

§ 44.101 Definitions.

(a) "Charge" means a written statement under oath or affirmation that—

(1) Identifies the charging party's name, address, and telephone number;

(2) Identifies the injured party's name, address, and telephone number, if the charging party is not the injured party;

(3) Identifies the name and address of the person or entity against whom the charge is being made;

(4) Includes a statement sufficient to describe the circumstances, place, and date of an alleged unfair immigration-related employment practice;

(5) Indicates whether the basis of the alleged discrimination is national origin, citizenship status, or both;

(6) Indicates whether the injured party is a citizen or alien;

(7) Indicates, if the injured party is an alien, whether the injured party—

(i) Has been—

(A) Lawfully admitted for permanent residence;

(B) Granted the status of an alien lawfully admitted for temporary residence under section 245A(a)(1) of the Immigration and Nationality Act, as amended;

(C) Admitted as a refugee under 8 U.S.C. 1157; or

(D) Granted asylum under 8 U.S.C. 1158; and

(ii) Has completed a declaration of intention to become a citizen (and, if so, indicates the date of the declaration); and

(iii) Has applied for naturalization (and if so, indicates the date of the application);

(8) Indicates, if possible, the number of persons employed on the date of the alleged discrimination by the person or entity against whom the charge is being made;

(9) Is signed by the charging party and, if the charging party is neither the injured party nor an officer of the Immigration and Naturalization Service—

(i) Indicates that the charging party has the written authorization of the injured party to file the charge; and

(ii) Is signed by the injured party.

(10) Indicates whether a charge based on the same set of facts has been filed with the Equal Employment Opportunity Commission, and if so, the specific office, and contact person (if known); and

(11) Authorizes the Special Counsel to reveal the identity of the injured or charging party when necessary to carry out the purposes of this part.

(b) "Charging party" means—

(1) A person who files a charge with the Special Counsel that alleges that he or she has been adversely affected directly by an unfair immigration-related employment practice;

(2) A person who is authorized by another individual to file a charge with the Special Counsel that alleges that the individual has been adversely affected directly by an unfair immigration-related employment practice; or

(3) An officer of the Immigration and Naturalization Service who files a charge with the Special Counsel that alleges that an unfair immigration-related employment practice has occurred.

(c) "Citizen or intending citizen" means an individual who—

(1) Is a citizen or national of the United States; or

(2) Is an alien who—

(i) Is lawfully admitted for permanent residence, is granted the status of an alien lawfully admitted for temporary residence under section 245A(a)(1) of the Immigration and Nationality Act, as amended, is admitted as a refugee under 8 U.S.C. 1157, or is granted asylum under 8 U.S.C. 1158; and

(ii) Evidences an intention to become a citizen of the United States through completing a declaration of intention to become a citizen.

As used in this definition it does not include an alien—

(3) Who fails to apply for naturalization within six months of the date the alien first becomes eligible (by virtue of period of lawful permanent residence) to apply for naturalization or, if later, by May 6, 1987; or

(4) Who has applied on a timely basis, but has not been naturalized as a citizen within two years after the date of the application, unless the alien can establish that he or she is actively pursuing naturalization, except that time consumed in the Immigration and Naturalization Service's processing of the application shall not be counted toward the two-year period.

(d) "Complaint" means a written submission filed with an administrative law judge by the Special Counsel or the charging party, other than an officer of the Immigration and Naturalization Service, that is based on the same set of facts in the charge filed with the Special Counsel. The complaint initiates the administrative hearing process specified in § 44.306.

(e) "Complainant" means a private party who has filed a complaint before an administrative law judge under § 44.306.

(f) "Injured party" means a person who claims to have been adversely affected directly by an unfair immigration-related employment practice.

(g) "Respondent" means a person or entity against whom a charge or complaint of an unfair immigration-related employment practice has been filed.

(h) "Special Counsel" means the Special Counsel for Immigration-Related Unfair Employment Practices appointed by the President under section 102 of the Immigration Reform and Control Act of 1986 or his or her designee.

Subpart B—Prohibited practices

§ 44.200 Unfair immigration-related employment practices.

(a) *General.* It is an unfair immigration-related employment practice for a person or other entity to knowingly and intentionally discriminate or engage in a pattern or practice of knowing and intentional

discrimination against any individual (other than an unauthorized alien) with respect to the hiring, or recruitment or referral for a fee, of the individual for employment or the discharging of the individual from employment—

(1) Because of such individual's national origin; or

(2) In the case of a citizen or intending citizen, because of such individual's citizenship status.

(b) *Exceptions.*

(1) Paragraph (a) shall not apply to—

(i) A person or other entity that employs three or fewer employees;

(ii) Discrimination because of national origin if the discrimination is covered under 42 U.S.C. 2000e–2; or

(iii) Discrimination because of citizenship which—

(A) Is otherwise required in order to comply with law, regulation, or Executive order; or

(B) Is required by Federal, State, or local government contract; or

(C) Which the Attorney General determines to be essential for an employer to do business with an agency or department of the Federal, State, or local government.

(2) Notwithstanding any other provision of this part, it is not an unfair immigration-related employment practice for a person or other entity to prefer to hire, or recruit or refer for a fee an individual who is a citizen or national of the United States over another individual who is an alien if the two individuals are equally qualified.

Subpart C—Enforcement procedures

§ 44.300 Filing a charge.

(a) *Who may file.* (1) Any person who believes that he or she has been adversely affected directly by an unfair immigration-related employment practice, or any person authorized in writing to act on such person's behalf, may file a charge with the Special Counsel.

(2) Any officer of the Immigration and Naturalization Service who believes that an unfair immigration-related employment practice has occurred may file a charge with the Special Counsel.

(b) *When to file.* Charges shall be filed within 180 days of the alleged occurrence of an unfair immigration-related employment practice. For purposes of determining when a charge is timely under this paragraph, a charge mailed to the Special Counsel shall be deemed filed on the date it is postmarked. Any other charge shall be deemed filed on the date it is received by the Special Counsel.

(c) *How to file.* Charges may be delivered or mailed to: Office of Special Counsel [address to be determined].

§ 44.301 Acceptance of charge.

(a) The Special Counsel shall notify the charging party and the respondent of receipt of any charge.

(b) The notice to the charging party shall specify the date on which the charge was received, state that the charging party, other than an officer of the Immigration and Naturalization Service, may file a complaint before an administrative law judge if the Special Counsel does not do so within 120 days of receipt of the charge, and state the last date on which such a complaint may be filed.

(c) If the charging party's submission is inadequate to constitute a charge as defined in § 44.101, the Special Counsel shall notify the charging party that specified additional information is needed. As of the date that adequate information is received in writing by the Special Counsel, the charging party's submission shall be deemed a filed charge and the Special Counsel shall issue the notices required by paragraphs (b) and (e) of this section.

(d)(1) If the Special Counsel receives a charge after 180 days of the alleged occurrence of an unfair immigration-related employment practice, the Special Counsel shall dismiss the charge with prejudice.

(2) Inadequate submissions that are later deemed charges under paragraph (c) of this section are timely filed so long as—

(i) The original submission is filed within 180 days of the alleged occurrence of an unfair immigration-related employment practice; and

(ii) Any additional information requested by the Special Counsel pursuant to paragraph (c) of this section is provided in writing to the Special Counsel within the 180-day period or within 45 days of the date on which the charging party received the Special Counsel's notification pursuant to paragraph (c) of this section, whichever is later.

(e) The Special Counsel shall serve notice of the charge on the respondent by certified mail within 10 days of receipt of the charge. The notice shall include the date, place, and circumstances of the alleged unfair immigration-related employment practice.

§ 44.302 Investigation.

(a) The Special Counsel may propound interrogatories, requests for production of documents, and requests for admissions.

(b) The Special Counsel shall have reasonable access to examine the evidence of any person or entity being investigated. The respondent shall permit access by the Special Counsel during normal business hours to such of its books, records, accounts, and other sources of information, and its facilities, as the Special Counsel may deem pertinent to ascertain compliance with this part.

§ 44.303 Determination.

(a) Within 120 days of the receipt of a charge, the Special Counsel shall undertake an investigation of the charge and determine whether a complaint with respect to the charge will be brought before an administrative law judge.

(b) The Special Counsel may, within the 120-day period, issue a letter of determination notifying the charging party and respondent of the Special Counsel's determination that there is no reasonable cause to believe that the charge is true and that a complaint will not be brought by the Special Counsel before an administrative law judge.

(c) If the Special Counsel fails to bring a complaint before an administrative law judge within 120 days of the date specified in the notice provided under § 44.301(b), the charging party, other than an officer of the Immigration and Naturalization Service, may bring his or her complaint directly before an administrative law judge within 90 days of the end of the 120-day period.

(d) If the Special Counsel issues a letter of determination under paragraph (b), the charging party, other than an officer of the Immigration and Naturalization Service, may file a complaint with respect to his or her charge directly before an administrative law judge within 90 days of the issuance of the letter.

(e) The Special Counsel's failure to bring a complaint before an administrative law judge within 120 days shall not affect the right of the Special Counsel—

(1) At any time during the 90-day period defined in paragraph (c), but before the charging party files a complaint of his or her own, to bring the complaint before an administrative law judge or to issue a letter of determination; or

(2) To seek to intervene in any proceeding before an administrative law judge brought by the charging party.

§ 44.304 Special Counsel acting on own initiatives.

(a) The Special Counsel may, on his or her own initiative, conduct investigations respecting unfair

immigration-related employment practices when there is reason to believe that a person or entity is engaging in such practices.

(b) The Special Counsel may file a complaint with an administrative law judge where there is reasonable cause to believe that an unfair immigration-related employment practice has occurred.

§ 44.305 Regional offices.

The Special Counsel, in consultation with the Attorney General, shall establish such regional offices as may be necessary to carry out his or her duties.

§ 44.306 Hearing.

(a) Complaints filed by the Special Counsel or directly by other parties shall be assigned to an administrative law judge specially designated by the Attorney General to hear cases under section 102 of the Act.

(b) The administrative law judge to whom the complaint is assigned shall within 30 days serve a notice of hearing and a copy of the complaint upon the respondent by certified mail. The hearing shall be held no earlier than five days after the complaint is served upon the respondent.

(c) Any person, other than an officer of the Immigration and Naturalization Service, filing a charge shall be considered a party to any complaint filed by the Special Counsel in any proceeding before an administrative law judge or any subsequent appeal regarding that charge.

(d)(1) Any complaint filed with an administrative law judge may be amended, upon the motion of the party filing the complaint, at the discretion of the judge conducting the hearing at any time prior to the issuance of the administrative law judge's final order based on the complaint.

(2) Respondent shall have the right to file an answer to the original or amended complaint and to appear in person or otherwise and give testimony at the hearing on the complaint.

(e) Any interested person or organization, other than an officer of the Immigration and Naturalization Service, may petition to intervene as a party or participate as amicus curiae. The administrative law judge may, in his or her discretion, grant such a petition if, in his or her opinion, the petitioner has a legitimate interest in the proceedings and the participation will not unduly delay the outcome and is likely to contribute materially to the proper disposition of the proceedings.

(f) The hearing and promulgation of order shall be conducted in conformity with 5 U.S.C. 554–557 (sections 5–8 of the Administrative Procedure Act) and in accordance with such rules of procedure as are proper (and not inconsistent with this subpart) relating to the conduct of the hearing; giving of notices; taking of testimony, exhibits, arguments, and briefs; requests for findings; and other related matters. The parties shall be entitled to introduce all relevant evidence on the issues stated in the complaint or as determined by the administrative law judge.

(g) Technical rules of evidence shall not apply to hearings conducted pursuant to this paragraph, but rules or principles designed to assure production of the most credible evidence available and to subject testimony to cross-examination shall be applied by the administrative law judge whenever reasonably necessary. The administrative law judge may exclude irrelevant, immaterial, or unduly repetitious evidence. All documents and other evidence offered or taken for the record shall be open to examination by the parties and opportunity shall be given to refute facts and arguments advanced on either side of the issues. A transcript shall be made of the oral evidence except to the extent the substance thereof is stipulated for the record. All decisions shall be based upon the hearing record.

§ 44.307 Subpoenas.

(a) The administrative law judge may, on the written application of any party, issue a subpoena requiring—

(1) The attendance and testimony of witnesses;

(2) The production of evidence including, but not limited to, books, records, correspondence, or documents, in the possession or under the control of the person subpoenaed; and

(3) Access to evidence for the purposes of examination and the right to copy such evidence.

(b) The subpoena shall identify the person or evidence subpoenaed, the person to whom and the place, date, and the time at which it is returnable or the nature of the evidence to be examined or copied, and the date and time when access is requested.

(c) Any person served with a subpoena who intends not to comply with it shall, within five days after the date of service of the subpoena upon him or her, petition the administrative law judge to revoke or modify the subpoena. A copy of the petition shall be served on all parties to the hearing. The petition shall separately identify each portion of the subpoena with which the petitioner does not intend to comply and shall state, with respect to each such portion, the grounds upon which the petitioner relies. A copy of the subpoena shall be attached to the petition. Within eight days after receipt of the petition or as soon thereafter as practicable, the administrative law judge shall make a final determination upon the petition. The administrative law judge shall serve a copy of the final determination of the petition upon the petitioner.

(d) Upon the failure of any person to comply with a subpoena issued under this section, the administrative law judge may apply to the appropriate district court of the United States for an order requiring compliance with the subpoena.

§ 44.308 Order.

(a) The administrative law judge shall, within 60 days after receipt of the hearing transcripts, serve upon the parties an order including findings of fact and conclusions of law.

(b) If, upon the preponderance of the evidence, the administrative law judge determines that an unfair immigration-related employment practice has occurred, the order shall include a requirement that the respondent cease and desist from such practice. The order may also require the respondent—

(1) To comply with the requirements of section 274A(b) of the Immigration and Nationality Act, as amended, with respect to individuals hired (or recruited or referred for employment for a fee) during a period of up to three years;

(2) To retain for a period of up to three years, and only for purposes consistent with section 274(b)(5) of the Immigration and Nationality Act, as amended, the name and address of each individual who applies, in person or in writing, for hiring for an existing position, or for recruiting or referring for a fee, for employment in the United States.

(3) To hire individuals directly and adversely affected, with or without back pay; and

(4)(i) Except as provided in paragraph (b)(4)(ii) of this section, to pay a civil penalty of not more than $1,000 for each individual discriminated against; and

(ii) In the case of a respondent

previously subject to such an order, to pay a civil penalty of not more than $2,000 for each individual discriminated against.

(c) Back pay liability shall not accrue from a date more than two years prior to the date of the filing of the complaint with the administrative law judge. In no event shall back pay accrue from before November 6, 1986. Interim earnings or amounts earnable with reasonable diligence by the individual or individuals discriminated against shall operate to reduce the back pay otherwise allowable. No order shall require the hiring of an individual as an employee or the payment to an individual of any back pay, if the individual was refused employment for any reason other than discrimination on account of national origin or citizenship status.

(d) Orders issued with respect to a respondent composed of distinct, physically separate subdivisions, each of which provides separately for the hiring, recruiting, or referring for employment, without reference to the practices of, and not under the control of or common control with, another subdivision, may treat each subdivision separately.

(e) If upon the preponderance of the evidence, the administrative law judge determines that an unfair immigration-related employment practice has not occurred, then the order shall dismiss the complaint.

§ 44.309 Attorneys' fees.

The administrative law judge may allow a prevailing party, other than the United States, a reasonable attorney's fee, if the losing party's argument is without reasonable foundation in law and fact.

§ 44.310 Judicial review and enforcement.

(a) Any person aggrieved by an order issued under § 44.308 may, within 60 days after entry of the order, seek review of the order in the United States court of appeals for the circuit in which the violation is alleged to have occurred or in which the respondent resides or transacts business.

(b) If an order issued under § 44.308 is not appealed, the Special Counsel (or, if the Special Counsel fails to act, the person filing the charge, other than an INS officer) may file a petition in the United States district court for the district in which a violation of the order is alleged to have occurred, or in which the respondent resides or transacts business, requesting that the order be enforced.

Appendix A to Part 44—Form: Charging Party's Allegations of Unfair Immigration-Related Employment Practices

Department of Justice

Office of Special Counsel

Charging Party's Allegations of Unfair Immigration-Related Employment Practices [1]

(1) Charging Party: _____
Address: _____
City, State and Zip Code: _____
Telephone Number:

(Area Code) (Home)

(Area Code) (Business)

Injured Party
(if different from charging party): _____
Address: _____
City, State and Zip Code: _____
Telephone Number:

(Area Code)

(2) Employer which you believe has discriminated:
Name: _____
Address: _____
City, State and Zip Code: _____
Telephone Number:

(Area Code)

(3) Employer has
____Less than 15 employees but more than 3 employees.
____15 or more employees.
____Unable to estimate number of employees.

(4) Injured party was discriminated against because of (check one or more):
____National Origin
____Citizenship

(5) Injured party is
____Citizen or national of the United States
____Alien
If an alien, injured party (check one):
____Is lawfully admitted for permanent residence
____Has status of alien lawfully admitted for temporary residence
____Is admitted as a refugee
____Has been granted asylum
If an alien, injured party:
____Has applied for naturalization
Date of Application: _____
____Has not applied for naturalization
If an alien, injured party:
____Has completed a declaration of intention to become a citizen
Date of Declaration: _____

(6) When did the discrimination occur: (Date)

(7) Where did the discrimination occur: (Place)

(8) Describe the discrimination: (Use additional sheets if necessary)

(9) Has a complaint based on this set of facts been filed with EEOC?
____Yes
____No
If yes, which office?
Address: _____
City, State and Zip Code: _____
Telephone Number:

(Area Code)
Contact Person (if known): _____
Date filed: _____

(10) Affirmation and Signature of Injured Party (Do not complete if charging party is an INS officer)

As a person alleging that I have been injured by an unfair immigration-related employment practices, I understand that the Office of Special Counsel may find it necessary to reveal my identity and other information during the conduct of the investigation of my charge, during any hearing or other proceeding as a result of my charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent.

I affirm that, to the best of my knowledge, the information provided on this form is true. If this form has been completed by someone other than myself, or an INS officer, that person has my authorization to file this charge with the Office of the Special Counsel.

(Signature of Injured Party)

(Date)

(11) Affirmation and Signature of Authorized Representative or INS officer

(a) If this charge is being filed by an authorized representative of the injured party:

I affirm that, to the best of my knowledge, the information provided on this form is true and that, as recognized by the signature of the injured party in item 10 above, I am authorized to file this charge on his or her behalf. I understand that the Office of Special Counsel may find it necessary to reveal my identity during the conduct of the investigation of this charge, during a hearing or other proceeding as a result of this charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent.

(Signature of Authorized Representative)

(Date)

(b) If this charge is being filed by an INS officer:

I affirm that, to the best of my knowledge, the information provided on this form is true. I understand that the Office of the Special Counsel may find it necessary to reveal my identity during the conduct of the investigation of this charge, during a hearing or other proceeding as a result of this charge, or in limited circumstances in response to inquiries under the Freedom of Information Act. I give my consent.

(Signature of INS Officer)

(Date)

[1] This form will be available in both English and Spanish.

Edwin Meese III,

Attorney General.

[FR Doc. 87-6219 Filed 3-20-87; 8:45 am]

BILLING CODE 4410-01-M

Reader Aids

Federal Register

Vol. 52, No. 55

Monday, March 23, 1987

INFORMATION AND ASSISTANCE

SUBSCRIPTIONS AND ORDERS

Subscriptions (public)	202-783-3238
Problems with subscriptions	275-3054
Subscriptions (Federal agencies)	523-5240
Single copies, back copies of FR	783-3238
Magnetic tapes of FR, CFR volumes	275-1184
Public laws (Slip laws)	275-3030

PUBLICATIONS AND SERVICES

Daily Federal Register

General information, index, and finding aids	523-5227
Public inspection desk	523-5215
Corrections	523-5237
Document drafting information	523-5237
Legal staff	523-4534
Machine readable documents, specifications	523-3408

Code of Federal Regulations

General information, index, and finding aids	523-5227
Printing schedules and pricing information	523-3419

Laws 523-5230

Presidential Documents

Executive orders and proclamations	523-5230
Public Papers of the President	523-5230
Weekly Compilation of Presidential Documents	523-5230

United States Government Manual 523-5230

Other Services

Library	523-5240
Privacy Act Compilation	523-4534
TDD for the deaf	523-5229

FEDERAL REGISTER PAGES AND DATES, MARCH

6123-6316.....2
6317-6492.....3
6493-6768.....4
6769-6950.....5
6951-7102.....6
7103-7262.....9
7263-7396.....10
7397-7558.....11
7559-7816.....12
7817-8052.....13
8053-8222.....16
8223-8438.....17
8439-8580.....18
8581-8858.....19
8859-9106.....20
9107-9280.....23

CFR PARTS AFFECTED DURING MARCH

At the end of each month, the Office of the Federal Register publishes separately a List of CFR Sections Affected (LSA), which lists parts and sections affected by documents published since the revision date of each title.

1 CFR

Proposed Rules:
Ch. III.....7814, 7879

3 CFR

Proclamations:
5612.....6123
5613.....6125
5614.....6769
5615.....6771
5616.....7263
5617.....7265
5618.....8439
5619.....8441
5620.....8443

Executive Orders:
12362 (Amended by EO 12585).....6773
12473 (See EO 12586).....7103
12585.....6773
12586.....7103
12587.....7397
12588.....8859
12589.....8861

Administrative Orders:
Presidential Determinations:
No. 87-10 of March 5, 1987.....9107

5 CFR

110.....7399
300.....7399
410.....7402
1600.....6127
1630.....8053

Proposed Rules:
572.....7427
930.....8909

7 CFR

8.....8432
52.....6129
57.....7817
68.....7817
210.....7559, 9109
215.....7559, 7560
220.....7559
227.....8223
240.....7267
271.....7554
272.....7554
273.....7554
274.....7554
278.....7554
300.....6951
301.....7562
318.....8863
403.....6775
413.....6775
418.....7818
419.....7818
420.....7818
421.....6775, 7818
424.....7818
425.....6775
427.....7818
430.....6775
432.....7818
435.....6775
436.....6775
438.....6775
446.....6775
448.....6775, 7818
736.....8056
800.....6493
907.....6952, 7819, 9110
908.....7820
910.....7115, 8058, 9111
911.....7115
915.....7115
925.....8865
932.....7402
944.....8865
947.....7119
948.....7268
980.....8871
1102.....6317
1106.....6317
1434.....6775
1806.....7998
1822.....7998
1901.....7998
1910.....6497
1924.....7998
1930.....7998
1933.....7998
1940.....7998
1942.....7998
1943.....7998
1944.....6132, 7998, 9111
1945.....7998
1951.....6132, 6319, 9111
1955.....7998
1965.....9111
1980.....6498

Proposed Rules:
53.....6577
54.....6577
55.....6162, 8404
56.....6162, 8404
59.....6162, 8404
70.....6162, 8404
272.....7158
273.....7158
275.....7158
800.....7880
810.....7880, 8455
908.....7884
912.....6980
916.....9173
917.....6165, 9173
932.....6166

946.....6167
948.....6168
959.....7428
980.....7428
1040.....8074
1097.....8075
1137.....6579
1493.....8605
1930.....8606
1944.....7584, 8606
1965.....8606
2201.....6803, 8611

8 CFR

3.....7369
214.....7062
242.....6132
245.....6320
249.....6320

Proposed Rules:

100.....8740
103.....8740
109.....8762
210.....8745
211.....8740
212.....8740
234.....8740
242.....7741, 8740
245a.....8752
264.....8740
274a.....8762
299.....8740

9 CFR

51.....6523
75.....7403
77.....8223
78.....6524
91.....8224
92.....8436
94.....8436
113.....9116

Proposed Rules:

94.....7885

10 CFR

19.....8225
20.....8225
21.....8225
30.....8225
39.....8225
40.....8225
51.....8225
70.....8225
71.....8225
73.....6310, 7821
150.....8225
456.....6710

Proposed Rules:

2.....6287
30.....7432
40.....7432
50.....6334, 6650, 6980, 7432, 7887, 8075, 8460, 8917
55.....7432, 7887
60.....7432
61.....7432
70.....7432
71.....7432
72.....7432
110.....7432
150.....7432
430.....7972
456.....6754
458.....6754

11 CFR

Proposed Rules:

110.....6580

12 CFR

500.....7120, 8550
505.....7120
505a.....7120
505b.....7120
508.....7120
522.....7120
523.....7120
545.....7120
552.....7120
555.....7120
556.....7120, 8550
561.....7120, 8242, 8550
563.....7120, 7821, 8188, 8242, 8550
563b.....7120, 8550
563c.....7120, 8550
564.....7120
569.....7120
571.....7120
572.....7120
574.....7120
584.....7120
620.....8581
701.....8058
748.....8062

Proposed Rules:

332.....7442
563.....8207
564.....8611
571.....7887

13 CFR

121.....6133

Proposed Rules:

121.....8261

14 CFR

21.....7261, 8040
23.....7261
36.....7261
39.....6133, 6135, 6287, 6776, 6777, 6952–6956, 7405, 7564–7568, 7823, 8062, 8581, 8582, 8872, 9119
43.....6650
71.....6136, 6778, 7262, 7369, 7370, 7390, 7406, 8242, 8243, 8873, 9121
73.....7370, 8874
91.....6650, 7261
97.....8244
121.....6650
125.....6956
127.....6650
135.....6650, 7261
241.....6524, 9122

Proposed Rules:

Ch. I.....8078, 8918
21.....9176
23.....9176
36.....7618, 8050
39.....6170, 6804, 6987, 7443, 7619, 8079, 8081, 8082, 8263, 8265, 8612–8615, 8919, 9181
71.....6805, 6988, 6989, 7279, 7444, 7445, 8730, 8920, 8921, 9182–9184
75.....6989, 8920–8923
91.....7618
159.....7446

15 CFR

371.....6137, 6649
372.....6137
373.....6137, 9147
374.....6137
376.....9147
379.....6137
385.....9147
386.....6137
387.....6137
389.....6137
399.....6137, 8445
806.....8445

Proposed Rules:

371.....8265
374.....8265
399.....8265, 9241

16 CFR

13.....6540, 7407, 8446
702.....7569
801.....7066
802.....7066
803.....7066

Proposed Rules:

13.....6172, 6806, 8461
801.....7095
802.....7095
803.....7095

17 CFR

1.....6139
16.....6139
240.....8875, 9151
249.....9151

Proposed Rules:

1.....6812
15.....6812
19.....6812
140.....6588
150.....6812
230.....8268
239.....8268
240.....6340
270.....7166, 8268, 8302
274.....7166, 8268

18 CFR

3.....7824
271.....6545
292.....9161
375.....7824
385.....6957
388.....7824
389.....9161
1301.....7407

Proposed Rules:

4.....8463
11.....8463
35.....8616
271.....7891
292.....6822
375.....8463

19 CFR

101.....7124
134.....7825
192.....8308

20 CFR

404.....8246
416.....8877

Proposed Rules:

416.....8309

21 CFR

5.....6970, 7269, 7829, 7969
74.....7261, 7829
81.....6323
101.....6971
176.....6649
178.....6323
312.....8798
314.....8798
331.....7830
332.....7830
341.....7126, 7830
344.....7830
357.....7830
436.....8550
449.....7741
455.....8550
510.....7831, 7833
511.....8798
514.....8798
520.....7831
522.....7831, 7833
524.....7831
529.....7831
558.....6649, 7261, 7833, 7834
571.....8583
1308.....6546, 7270

Proposed Rules:

193.....6344
312.....8850
561.....6344
1308.....7280

22 CFR

33.....7528
514.....7370

23 CFR

655.....7126
658.....7834
777.....8250

Proposed Rules:

655.....7172

24 CFR

146.....7408
200.....6778, 8064
201.....7841
203.....6908, 7841, 7842, 8064
204.....6908, 8064
213.....8064
220.....8064
221.....8064
222.....8064
226.....8064
227.....8064
234.....7841, 8064
235.....8064
237.....8064
240.....8064
243.....9161
278.....6300
511.....9161
570.....6140, 6971
842.....9161
942.....9161

25 CFR

Proposed Rules:

40.....6482
167.....6822

26 CFR

1.....6428, 6468, 7281, 7408, 8447, 9161

5f.....7408
5h.....8405
301.....6779
602.....6428, 6468, 6779, 7408
Proposed Rules:
1.....6467, 7449, 8471, 9185
7.....7281
20.....7281
25.....7281
53.....7281
56.....7281
602.....6467, 7449

27 CFR

71.....7370
178.....7132

28 CFR

2.....7574, 8405
14.....7411
600.....7270
601.....7270, 9241
Proposed Rules:
2.....7620
44.....9274
513.....6297

29 CFR

860.....8448
1952.....9162
2676.....7842
Proposed Rules:
103.....7450
1928.....7451
1952.....9185
2200.....9187

30 CFR

917.....7132
935.....6796
944.....7843
Proposed Rules:
202.....7622
206.....7622
774.....6827
935.....7176, 8082
938.....6828
942.....6827

31 CFR

545.....7273-7275, 7855

32 CFR

706.....6546, 7136, 8583
1602.....8889
1605.....8889
1621.....8889
1630.....8889
1633.....8889
1648.....8889
1656.....8889
Proposed Rules:
199.....7453
231a.....6346
1602.....8924
1605.....8924
1609.....8924
1618.....8924
1621.....8924
1624.....8924
1630.....8924
1633.....8924
1636.....8924
1639.....8924
1642.....8924
1648.....8924
1651.....8924
1653.....8924
1657.....8924
1698.....8924

33 CFR

100.....9162
117.....6972, 9163
151.....7744
158.....7744
161.....7856
165.....6142, 8584, 8892
183.....6973
Proposed Rules:
100.....6990, 7623-7624
110.....6347
117.....6991
165.....8622, 8623

34 CFR

338.....6142
Proposed Rules:
235.....8570
502.....7380
504.....7380
524.....7380
673.....6924

36 CFR

7.....7372

37 CFR

401.....8552
Proposed Rules:
1.....6696

38 CFR

17.....7575
21.....6547, 7276
36.....6547
Proposed Rules:
1.....8624
14.....8472

39 CFR

10.....6143
111.....6144
224.....7454
960.....6797
962.....7454
Proposed Rules:
10.....8627

40 CFR

52.....6145, 6324, 7862, 8070
60.....8585-8587, 9164
61.....8586-8589, 8724, 9164
65.....7863, 7864
81.....6548, 7865, 8448
131.....9102
180.....6325, 8452
260.....8072
265.....8704
270.....8072
271.....7412
Proposed Rules:
52.....6175, 7802, 8311, 8932
60.....7178, 8476
81.....7802
117.....8140
180.....6348, 8478, 9241
264.....8712
265.....8704, 8712
270.....8712
302.....8140, 8172

41 CFR

Ch. 61.....6674
50-201.....6146
101-6.....8893
Proposed Rules:
50-201.....7892

42 CFR

37.....7866
405.....6148
417.....8898
418.....7412
Proposed Rules:
433.....6350
447.....6350

43 CFR

7.....9165
11.....9042
17.....6549
Public Land Orders:
6625 (Corrected by PLO 6640).....6557
6640.....6557

44 CFR

64.....6326
65.....8902, 8903
67.....8250, 8904
222.....6799
Proposed Rules:
65.....8933
67.....8084

45 CFR

Proposed Rules:
1207.....8479
1208.....8480

46 CFR

30.....7765
98.....7765
107.....6974
109.....6974
151.....7765
153.....7765
170.....6974
172.....7765
174.....6974
221.....6329
276.....7462
502.....6330
Proposed Rules:
160.....6992
310.....6829
503.....8628

47 CFR

1.....8259
2.....6152, 7136, 7417, 8906
19.....7577
21.....7136
31.....6557
32.....6557, 7579
43.....8453
64.....6557
69.....8258
73.....6152, 6154, 7148-7150, 7276, 7420, 7580, 8259, 8453, 8454, 8907
74.....7136, 7420, 8259
78.....7136
80.....7417
90.....6154
94.....7136
97.....7277
Proposed Rules:
Ch. I.....8313
25.....6175, 8937
73.....6176, 7182-7185, 7282, 7624-7627, 8084-8086, 8314-8316, 8481, 8937
74.....7627, 7895

48 CFR

1.....8567
3.....7062
7.....9036
8.....9036
9.....9036
13.....9036
15.....9036
22.....9036
31.....9036
32.....9036
44.....9036
52.....9036
53.....9036
244.....8908
507.....8589
514.....6562
515.....6562
528.....6564
533.....6562
537.....6562
552.....6562, 8589
706.....6158
715.....6158
1537.....8073
5316.....6332
Proposed Rules:
32.....8576
52.....8576
203.....9187
209.....9187
232.....8481
242.....6177
825.....6993
5315.....6590

49 CFR

171.....8590
173.....7581, 8590
174.....8590
175.....8590
176.....8590
177.....8590
394.....7277
533.....6564
571.....7150, 7867
1313.....7278
Proposed Rules:
171.....6591
172.....6591
173.....6178, 6591
176.....6591
177.....6591
178.....6591
180.....6591
192.....9189
195.....9189
219.....7185
391.....9192
571.....8317, 8482, 9194
1042.....8631
1059.....9201
1152.....7628

50 CFR

17.....6651, 7369, 7424

23 6160
258 7532
285 9170
301 7582
611 ..... 7868, 8592
671 8319
672 ..... 7868, 9171
675 8592

Proposed Rules:

17 7462
20 7900
216 7912
217 ..... 6179, 8087
222 ..... 6179, 8087
227 ..... 6179, 8087
640 8485
642 ..... 6357, 7463
658 7283
671 6199

LIST OF PUBLIC LAWS

Note. No public bills which have become law were received by the Office of the Federal Register for inclusion in today's **List of Public Laws.**

Last List March 20, 1987

CFR CHECKLIST

This checklist, prepared by the Office of the Federal Register, is published weekly. It is arranged in the order of CFR titles, prices, and revision dates.

An asterisk (*) precedes each entry that has been issued since last week and which is now available for sale at the Government Printing Office.

New units issued during the week are announced on the back cover of the daily **Federal Register** as they become available.

A checklist of current CFR volumes comprising a complete CFR set, also appears in the latest issue of the LSA (List of CFR Sections Affected), which is revised monthly.

The annual rate for subscription to all revised volumes is $595.00 domestic, $148.75 additional for foreign mailing.

Order from Superintendent of Documents, Government Printing Office, Washington, DC 20402. Charge orders (VISA, MasterCard, CHOICE, or GPO Deposit Account) may be telephoned to the GPO order desk at **(202) 783-3238** from 8:00 a.m. to 4:00 p.m. eastern time, Monday—Friday (except holidays).

Title	Price	Revision Date
1, 2 (2 Reserved)	$9.00	Jan. 1, 1987
3 (1985 Compilation and Parts 100 and 101)	14.00	[1] Jan. 1, 1986
*4	14.00	Jan. 1, 1987
5 Parts:		
1-1199	18.00	Jan. 1, 1986
1200-End, 6 (6 Reserved)	6.50	Jan. 1, 1986
7 Parts:		
0-45	24.00	Jan. 1, 1986
46-51	16.00	Jan. 1, 1986
52	18.00	Jan. 1, 1986
53-209	14.00	Jan. 1, 1986
210-299	21.00	Jan. 1, 1986
300-399	11.00	Jan. 1, 1986
400-699	19.00	Jan. 1, 1986
700-899	17.00	Jan. 1, 1986
900-999	20.00	Jan. 1, 1986
1000-1059	12.00	Jan. 1, 1986
*1060-1119	13.00	Jan. 1, 1987
1120-1199	8.50	Jan. 1, 1986
1200-1499	13.00	Jan. 1, 1986
1500-1899	7.00	Jan. 1, 1986
1900-1944	23.00	Jan. 1, 1986
1945-End	23.00	Jan. 1, 1986
8	9.50	Jan. 1, 1987
9 Parts:		
1-199	14.00	Jan. 1, 1986
200-End	14.00	Jan. 1, 1986
10 Parts:		
0-199	22.00	Jan. 1, 1986
200-399	13.00	Jan. 1, 1986
400-499	14.00	Jan. 1, 1987
500-End	23.00	Jan. 1, 1986
11	7.00	Jan. 1, 1986
12 Parts:		
1-199	11.00	Jan. 1, 1987
200-299	22.00	Jan. 1, 1986
300-499	13.00	Jan. 1, 1987
500-End	26.00	Jan. 1, 1986
13	19.00	Jan. 1, 1986
14 Parts:		
1-59	20.00	Jan. 1, 1986
60-139	19.00	Jan. 1, 1986
140-199	7.50	Jan. 1, 1986
200-1199	14.00	Jan. 1, 1986
1200-End	8.00	Jan. 1, 1986
15 Parts:		
0-299	10.00	Jan. 1, 1987
300-399	20.00	Jan. 1, 1986
400-End	14.00	Jan. 1, 1987
16 Parts:		
0-149	9.00	Jan. 1, 1986
150-999	10.00	Jan. 1, 1986
*1000-End	19.00	Jan. 1, 1987
17 Parts:		
1-239	26.00	Apr. 1, 1986
240-End	19.00	Apr. 1, 1986
18 Parts:		
1-149	15.00	Apr. 1, 1986
150-399	25.00	Apr. 1, 1986
400-End	6.50	Apr. 1, 1986
19	29.00	Apr. 1, 1986
20 Parts:		
1-399	10.00	Apr. 1, 1986
400-499	22.00	Apr. 1, 1986
500-End	23.00	Apr. 1, 1986
21 Parts:		
1-99	12.00	Apr. 1, 1986
100-169	14.00	Apr. 1, 1986
170-199	16.00	Apr. 1, 1986
200-299	6.00	Apr. 1, 1986
300-499	25.00	Apr. 1, 1986
500-599	21.00	Apr. 1, 1986
600-799	7.50	Apr. 1, 1986
800-1299	13.00	Apr. 1, 1986
1300-End	6.50	Apr. 1, 1986
22	28.00	Apr. 1, 1986
23	17.00	Apr. 1, 1986
24 Parts:		
0-199	15.00	Apr. 1, 1986
200-499	24.00	Apr. 1, 1986
500-699	8.50	Apr. 1, 1986
700-1699	17.00	Apr. 1, 1986
1700-End	12.00	Apr. 1, 1986
25	24.00	Apr. 1, 1986
26 Parts:		
§§ 1.0-1.169	29.00	Apr. 1, 1986
§§ 1.170-1.300	16.00	Apr. 1, 1986
§§ 1.301-1.400	13.00	Apr. 1, 1986
§§ 1.401-1.500	20.00	Apr. 1, 1986
§§ 1.501-1.640	15.00	Apr. 1, 1986
§§ 1.641-1.850	16.00	Apr. 1, 1986
§§ 1.851-1.1200	29.00	Apr. 1, 1986
§§ 1.1201-End	29.00	Apr. 1, 1986
2-29	19.00	Apr. 1, 1986
30-39	13.00	Apr. 1, 1986
40-299	25.00	Apr. 1, 1986
300-499	14.00	Apr. 1, 1986
500-599	8.00	[2] Apr. 1, 1980
600-End	4.75	Apr. 1, 1986
27 Parts:		
1-199	20.00	Apr. 1, 1986
200-End	14.00	Apr. 1, 1986
28	21.00	July 1, 1986
29 Parts:		
0-99	16.00	July 1, 1986
100-499	7.00	July 1, 1986
500-899	24.00	July 1, 1986
900-1899	9.00	July 1, 1986
1900-1910	27.00	July 1, 1986
1911-1919	5.50	[3] July 1, 1984
1920-End	29.00	July 1, 1986
30 Parts:		
0-199	16.00	[4] July 1, 1985
200-699	8.50	July 1, 1986
700-End	17.00	July 1, 1986
31 Parts:		
0-199	11.00	July 1, 1986
200-End	16.00	July 1, 1986

Title	Price	Revision Date
32 Parts:		
1–39, Vol. I	15.00	[5] July 1, 1984
1–39, Vol. II	19.00	[5] July 1, 1984
1–39, Vol. III	18.00	[5] July 1, 1984
1–189	17.00	July 1, 1986
190–399	23.00	July 1, 1986
400–629	21.00	July 1, 1986
630–699	13.00	July 1, 1986
700–799	15.00	July 1, 1986
800–End	16.00	July 1, 1986
33 Parts:		
1–199	27.00	July 1, 1986
200–End	18.00	July 1, 1986
34 Parts:		
1–299	20.00	July 1, 1986
300–399	11.00	July 1, 1986
400–End	25.00	July 1, 1986
35	9.50	July 1, 1986
36 Parts:		
1–199	12.00	July 1, 1986
200–End	19.00	July 1, 1986
37	12.00	July 1, 1986
38 Parts:		
0–17	21.00	July 1, 1986
18–End	15.00	July 1, 1986
39	12.00	July 1, 1986
40 Parts:		
1–51	21.00	July 1, 1986
52	27.00	July 1, 1986
53–60	23.00	July 1, 1986
61–80	10.00	July 1, 1986
81–99	25.00	July 1, 1986
100–149	23.00	July 1, 1986
150–189	21.00	July 1, 1986
190–399	27.00	July 1, 1986
400–424	22.00	July 1, 1986
425–699	24.00	July 1, 1986
700–End	24.00	July 1, 1986
41 Chapters:		
1, 1–1 to 1–10	13.00	[6] July 1, 1984
1, 1–11 to Appendix, 2 (2 Reserved)	13.00	[6] July 1, 1984
3–6	14.00	[6] July 1, 1984
7	6.00	[6] July 1, 1984
8	4.50	[6] July 1, 1984
9	13.00	[6] July 1, 1984
10–17	9.50	[6] July 1, 1984
18, Vol. I, Parts 1–5	13.00	[6] July 1, 1984
18, Vol. II, Parts 6–19	13.00	[6] July 1, 1984
18, Vol. III, Parts 20–52	13.00	[6] July 1, 1984
19–100	13.00	[6] July 1, 1984
1–100	9.50	July 1, 1986
101	23.00	July 1, 1986
102–200	12.00	July 1, 1986
201–End	7.50	July 1, 1986
42 Parts:		
1–60	15.00	Oct. 1, 1986
61–399	10.00	Oct. 1, 1986
400–429	20.00	Oct. 1, 1986
430–End	15.00	Oct. 1, 1986
43 Parts:		
1–999	14.00	Oct. 1, 1986
1000–3999	24.00	Oct. 1, 1986
4000–End	11.00	Oct. 1, 1986
44	17.00	Oct. 1, 1986
45 Parts:		
1–199	13.00	Oct. 1, 1986
200–499	9.00	Oct. 1, 1986
500–1199	18.00	Oct. 1, 1986
1200–End	13.00	Oct. 1, 1986
46 Parts:		
1–40	13.00	Oct. 1, 1986
41–69	13.00	Oct. 1, 1986
70–89	7.00	Oct. 1, 1986
90–139	11.00	Oct. 1, 1986
140–155	8.50	[7] Oct. 1, 1985
156–165	14.00	Oct. 1, 1986
166–199	13.00	Oct. 1, 1986
200–499	19.00	Oct. 1, 1986
500–End	9.50	Oct. 1, 1986
47 Parts:		
0–19	17.00	Oct. 1, 1986
20–39	18.00	Oct. 1, 1986
40–69	11.00	Oct. 1, 1986
70–79	17.00	Oct. 1, 1986
80–End	20.00	Oct. 1, 1986
48 Chapters:		
1 (Parts 1–51)	21.00	Oct. 1, 1986
1 (Parts 52–99)	16.00	Oct. 1, 1986
2	15.00	Oct. 1, 1985
3–6	17.00	Oct. 1, 1986
7–14	23.00	Oct. 1, 1986
15–End	22.00	Oct. 1, 1986
49 Parts:		
1–99	10.00	Oct. 1, 1986
100–177	24.00	Oct. 1, 1986
178–199	19.00	Oct. 1, 1986
200–399	17.00	Oct. 1, 1986
400–999	21.00	Oct. 1, 1986
1000–1199	17.00	Oct. 1, 1986
1200–End	17.00	Oct. 1, 1986
50 Parts:		
1–199	15.00	Oct. 1, 1986
200–End	25.00	Oct. 1, 1986
*CFR Index and Findings Aids	27.00	Jan. 1, 1987
Complete 1987 CFR set	595.00	1987
Microfiche CFR Edition:		
Complete set (one-time mailing)	155.00	1983
Complete set (one-time mailing)	125.00	1984
Complete set (one-time mailing)	115.00	1985
Subscription (mailed as issued)	185.00	1986
Subscription (mailed as issued)	185.00	1987
Individual copies	3.75	1987

[1] Because Title 3 is an annual compilation, this volume and all previous volumes should be retained as a permanent reference source.

[2] No amendments to this volume were promulgated during the period Apr. 1, 1980 to March 31, 1986. The CFR volume issued as of Apr. 1, 1980, should be retained.

[3] No amendments to this volume were promulgated during the period July 1, 1984 to June 30, 1986. The CFR volume issued as of July 1, 1984, should be retained.

[4] No amendments to this volume were promulgated during the period July 1, 1985 to June 30, 1986. The CFR volume issued as of July 1, 1985 should be retained.

[5] The July 1, 1985 edition of 32 CFR Parts 1–189 contains a note only for Parts 1–39 inclusive. For the full text of the Defense Acquisition Regulations in Parts 1–39, consult the three CFR volumes issued as of July 1, 1984, containing those parts.

[6] The July 1, 1985 edition of 41 CFR Chapters 1–100 contains a note only for Chapters 1 to 49 inclusive. For the full text of procurement regulations in Chapters 1 to 49, consult the eleven CFR volumes issued as of July 1, 1984 containing those chapters.

[7] No amendments to this volume were promulgated during the period Oct. 1, 1985 to Sept. 30, 1986. The CFR volume issued as of Oct. 1, 1985 should be retained.



Just Released

Code of Federal Regulations

Revised as of January 1, 1987

Quantity	Volume	Price	Amount
_____	CFR Index and Finding Aids (Stock No. 869-001-00046-5)	$27.00	$_____
_____	Title 4—Accounts (Stock No. 869-001-00003-1)	14.00	_____
_____	Title 7—Agriculture (Parts 1060-1119) (Stock No. 869-001-00016-3)	13.00	_____
_____	Title 12—Banks and Banking (Parts 300-499) (Stock No. 869-001-00032-5)	13.00	_____
_____	Title 16—Commercial Practices (Part 1000-End) (Stock No. 869-001-00045-7)	19.00	_____
		Total Order	$_____

A cumulative checklist of CFR issuances appears every Monday in the Federal Register in the Reader Aids section. In addition, a checklist of current CFR volumes, comprising a complete CFR set, appears each month in the LSA (List of CFR Sections Affected).

Please do not detach

Order Form

Mail to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402

Enclosed find $_____. Make check or money order payable to Superintendent of Documents. (Please do not send cash or stamps). Include an additional 25% for foreign mailing.

Charge to my Deposit Account No.

☐☐☐☐☐☐☐–☐

Order No._____

VISA®

MasterCard

Credit Card Orders Only

Total charges $_____ Fill in the boxes below.

Credit Card No. ☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

Expiration Date Month/Year ☐☐☐☐

Please send me the **Code of Federal Regulations** publications I have selected above.

Name—First, Last

Street address

Company name or additional address line

City State ZIP Code

(or Country)

PLEASE PRINT OR TYPE

For Office Use Only.

	Quantity	Charges
Enclosed		
To be mailed		
Subscriptions		
Postage		
Foreign handling		
MMOB		
OPNR		
UPNS		
Discount		
Refund		